

MINUTES
CITY OF HONDO
REGULAR CITY COUNCIL MEETING
February 13, 2023 at 6:00 p.m.

1. Called the meeting to order.
Mayor McAnelly called the meeting to order at 6:00 p.m.
2. Quorum check.
Mayor John McAnelly, Mayor Pro Tem Bobby Vela, Council Member Jose “Porky” Ytuarte, Council Member Brett Williams, Council Member Wesley Huesser, Council Member John E. Villa.

Absent: None

Staff Present: City Manager Scott Albert, City Attorney Molly Solis, City Secretary Sue Ann Reyes, IT Network Administrator Josh Rodriguez, IT Support Specialist Adolfo Tellez, Public Information Officer Jamie Kindred, Public Works Director Rene Saenz, Director of Parks and Recreation Lora Socarras, Director of Aviation Ryan Elder, Water Division Superintendent Jeremiah Socarras, Golf Course Superintendent Jerry Busby.

3. Invocation by Pastor Beverly Kelling, St. Paul Lutheran Church.
4. Pledge of Allegiance.
5. Citizens’/Public Comments: *Persons who desire to address the City of Hondo City Council will be received at this time. Those persons wishing to speak should complete a Public Comment Form and submit it to the City Secretary prior to the meeting. If the speaker wishes to comment on a particular agenda item, then the speaker should indicate such item(s) to on the form. Public comment is limited to 3 minutes per speaker. Speakers must conduct themselves in a civil manner. In accordance with the Texas Open Meetings Act, the City of Hondo City Council cannot deliberate or take action on items not listed on the meeting agenda)*

None.

6. Introduction of new Hondo Police Department School Resource Officer. (Justin Soza)

Chief Soza introduced School Resource Officer Alfonso Ruiz.
7. Presentation of Texas Municipal Library Director Association Award for 2022 and proclamation of Hondo Public Library Day. (Elsie Purcell)

Mayor McAnelly presented Elsie Purcell with the proclamation for Hondo Public Library Day and congratulated her and her team for receiving the Texas Municipal Library Director Association Award two years in a row.

8. Discuss and consider approving the minutes from January 23, 2023. (SueAnn Reyes)

Councilmember Ytuarte stated his comments were not being recorded and asked for an amendment to the minutes to include three questions he had asked regarding item number 11. He stated he asked “was this going to lead to increase in income”; “is it going to lead into the creation of positions”; and “is it going to lead to the hiring of additional personnel”.

Councilmember Vela stated item number 11 also had Councilmember Williams making the motion and seconding the motion.

Council Member Ytuarte made a motion to approve the minutes of January 23, 2023 with amendments; seconded by Council Member Villa. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

9. City Manager's Report. (Scott Albert)

None.

10. Public Works Report. (Rene Saenz)

Director of Public Works, Rene Saenz gave an overview of the work orders from January 23, 2023 to February 10, 2023. He stated they had a total of 217 total completed work orders.

Councilmember Ytuarte stated at the previous council meeting he had asked about the work orders at the STRTC and that Mr. Saenz had stated they had put up letters and did some power washing. Councilmember Ytuarte stated he took that as the order being closed but that on the current report under facilities STRTC repairs were listed. He stated that was a heavily used building.

Mr. Saenz stated yes it was and because of that, they always had work orders. Staff was still working on painting, remodeling and flooring. It was an ongoing work order. He stated what was visible was being worked on and the building looked nice. He stated staff was going to paint the signs but after the removal of the old paint and polishing, they looked nice and Abby decided to leave it as is.

Councilmember Ytuarte asked about the installation of service to residential homes. He stated he had asked about it during the previous meeting. He asked if it was for new homes or development areas. Mr. Saenz stated the request at the previous council meeting was to respond through email and he had forward the email the previous day and that he could resend the email if needed.

Mr. Saenz gave an update on New Fountain Road. He stated the weather had caused the County a delay and that they had approximately 500 linear feet to finish. The County is doing a chip seal and there was still one more layer of chip seal material that needed to be laid.

Mr. Saenz reported the drainage study on FM462 that involved the hospital was a three-tier approach and that they had received the scope of work. Staff was going to tackle the drainage issued with TxDot on FM462 to fix the ponding issue. Avenue G, 32st and 33rd street are being surveyed and elevation was being done. This would off the hospital some ideas as to how to do some site retention, which is required, and staff would be helping them with it. Mr. Saenz stated staff would be meeting with TxDot and Freese and Nichols regarding the total project. Mr. Saenz stated the City was on the waiting list for the reconducting of Highway 90 and they should start work on next week.

Mr. Saenz stated Edward Aquifer had not updated their data logs and therefore staff could not provide information for the water report.

Councilmember Ytuarte thanked the Parks staff for working hard at TA Lopez Softball Field. He stated it was not where it should be but that it was looking good and it was a long time coming.

11. Discuss and consider approving the revised Airport Layout Plan set. (Ryan Elder)

Airport Director Ryan Elder gave an overview of the revised Airport Layout Plan is on file. Mr. Elder noted the plan served as a the overall information plan and vision that must be updated from time to time in order to provide FAA with the latest information on current and ultimate airport status and was a requirement to maintain the City's grant assurances. Mr. Elder stated the plan was to have all plans updated into one document. He stated the most important sheet in the document was the land use drawing and explained the uses.

Mayor McAnelly asked if there was a plan to close Runway 826. Mr. Elder stated it was not reflected in the plan. Mayor McAnelly then asked about the closing of the north and south and if there was a way to get it on proposed land release. Mr. Elder stated the idea of the plan was to propose to the FAA what the City wanted to do with the land. The City could change it but it was ultimately up to the FAA to approve. Mayor McAnelly asked if the City had it in the airport layout plan would it facilitate matters once the City was to the point of developing the area. Mr. Elder stated yes it would show them what the City's plan was. Mayor McAnelly asked if the sheets were conceptual and felt the plan would help the City going forward in developing the area around the airport.

City Manager Scott Albert asked about the aeronautical/non-aeronautical area and why the City would not want to show all the area as proposed for release since it could be non-aeronautical as well. Mr. Elder stated if that is what Council would like to see it could be done.

Councilmember Ytuarte stated it was controlled by the FAA on what the City wanted to put up for sale and what the plan in place was for the area. Discussion ensued regarding the proposed land release and the areas proposed for changing.

Mayor McAnelly suggested a revised plan be brought to the Council at the next meeting with the changes suggested.

Mayor McAnelly asked if Council agreed the area just north of the rail park, the area east of Castro Street to be proposed as release. Council agreed to leave the northwest corner orange and to make the rest of the orange blue.

12. Discuss and consider Resolution Number 396-23 of the City of Hondo, Texas providing Notice of General Election for City Council Members Place 3 and Place 4; to be held jointly with Hondo Independent School District on May 6, 2023. Establishing early voting location and polling place for this election; authorizing the City Manager to enter into a contract with Medina County Elections Administrator and making provisions for the conduct of the election. (SueAnn Reyes)

Council Member Vela made a motion to approve Resolution Number 396-23 of the City of Hondo, Texas providing Notice of General Election for City Council Members Place 3 and Place 4; to be held jointly with Hondo Independent School District on May 6, 2023. Establishing early voting location and polling place for this election; authorizing the City Manager to enter into a contract with Medina County Elections Administrator and making provisions for the conduct of the election; seconded by Council Member Ytuarte. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

13. Discuss and consider Resolution Number 397-23 of the City of Hondo, Texas authorizing the Chief of Police to apply for the Office of the Governor, Public Safety Office Criminal Justice Division, Body-Worn Camera Grant Program, FY2024. The funds awarded would be used to purchase additional digital storage space for body worn camera footage. (Justin Soza)

Police Chief Soza explained that with the approval of the body cameras. The current server was going to run out of space. He stated he was trying to do get ahead of the situation. The grant if ultimately awarded would be funded in October of this year. Staff was looking at attempting to purchase a 240 terabytes server with about 215 terabytes of working space. One terabyte would hold 500 hours of video. The 215 working spaces of the server would provide 107,500 hours of video. The grant was a 25% match. Chief Soza stated he would ultimately budget for this in October with the upcoming funds which would be just under \$4,600.

Councilmember Williams asked how many terabytes the City had currently. Chief Soza stated 16 and they were at 46% of that server.

Councilmember Ytuarte asked if the data collected was being downloaded. He stated if regular maintenance was done regularly and download into something IT was maintaining it you would not run out of space.

Chief Soza stated when a car pulled up to the police department the camera was automatically downloading to the server. What he was trying to do was get ahead of it to make sure the sever was bigger because at some point it was going to fill up.

Councilman Williams stated it was something staff needed to be able to go back and look at and it may or may not seem like a big deal now but it could be later.

Chief Soza stated he would like to keep videos for at least a year to refer back to if needed. Discussion ensued regarding the retention period for footage. Chief Soza stated the retention period depended on specific offenses.

Councilman Ytuarte stated they had been spending a lot of money and that every offense had a retention period and that maybe in five years staff would need to expand and spend more money.

Chief Soza stated that is why they were applying for grants to offset the cost to the City.

Councilman Williams stated if it would help the police do their job better and protect Hondo it was a no brainer but that he agreed with Councilman Ytuarte they were spending a lot of money and there were several requests for more budget money.

Chief Soza stated while this would be budgeted for the next cycle, he would be removing a lot of things from our budget that was budgeted for this year. The speed trailer, radios, portable radios were covered through grant funds this year and he did not foresee his budget increasing a lot in lieu of it more so being repurposed. Taking a lot of the things that he budgeted for this year that were purchased with grant funds he would then reallocate those funds into different projects that were needed.

Council Member Williams made a motion to approve Resolution Number 397-23 of the City of Hondo, Texas authorizing the Chief of Police to apply for the Office of the Governor, Public Safety Office Criminal Justice Division, Body-Worn Camera Grant Program, FY2024. The funds awarded would be used to purchase additional digital storage space for body worn camera footage; seconded by Council Member Vela. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

14. Discuss and consider Resolution Number 398-23 of the City of Hondo, Texas authorizing the Chief of Police to apply for the Office of the Governor, Public Safety Office, Criminal Justice Division, Rifle-Resistant Body Armor Grant Program, FY2024. These funds, if awarded, would be

used to purchase rifle resistant vests for every Hondo Police Officer. No matching funds required. (Aaron Garza)

Lieutenant Garza stated currently some officers carry rifle resistant plates and this would be an additional vest that would go over the current vest. It was an additional security measure that was rifle resistant certified. The grant was budgeted for \$40,320.00 and was a no match funding grant.

Council Member Ytuarte made a motion to approve Resolution Number 398-23 of the City of Hondo, Texas authorizing the Chief of Police to apply for the Office of the Governor, Public Safety Office, Criminal Justice Division, Rifle-Resistant Body Armor Grant Program, FY2024. These funds, if awarded, would be used to purchase rifle resistant vests for every Hondo Police Officer. No matching funds required; seconded by Council Member Vela. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

15. Discussion and possible action regarding Ordinance Number 1270-02-23 amending Chapter 10, Article 10.03.044(1) in the City Code of Ordinances and Rules for Oakwood Cemetery Annex to allow for upright gravestone markers, and establishing specifications for upright grave markers. (Lora Socarras)

Director of Parks and Recreation Lora Socarras stated this was a continuation from the direction Council provided at the previous meeting. She stated it was an amendment to the ordinance and was drafted in coordination with the city attorney to add specification for upright grave markers and allow them at the Oakwood Cemetery. The goal was to match the width to with the existing widths for the flush markers.

Councilmember Ytuarte asked if there would be an amendment to the irrigation rules because currently there were not enough faucets.

Ms. Socarras stated this ordinance amendment was specific to headstones.

Councilman Ytuarte expressed the need for faucets especially for the elderly.

Council Member Ytuarte made a motion to approve Ordinance Number 1270-02-23 amending Chapter 10, Article 10.03.044(1) in the City Code of Ordinances and Rules for Oakwood Cemetery Annex to allow for upright gravestone markers, and establishing specifications for upright grave markers; seconded by Council Member Huesser. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

16. *Discuss and consider proposed revisions to the Recreation Center Division personnel titles. (Councilmen Ytuarte and Villa)*

Councilmember Vela stated he had concerns regarding job creations and the struggle in staffing the recreation center with staff issues. Ms. Socarras stated she recalled in the discussion, there was a pay increase discussion for those just not a budget increase. Because there was a vacancy at the recreation center for the year the savings were intended to offset any increase in these items. No new number of positions were created, because we have the existing record that would go to athletics coordinator, the existing rec aide would be reassigned to programming and events coordinator. The existing rec assistant position would become the recreation manager. The question of whether or not staff was going to hire an additional person was addressed during that

discussion was yes. Staff was going to hire a ditch an additional person, it'll be that rec manager position that was proposed. The position is already on the books and staff was not creating another body. We're not creating another position to add to our personnel were retitling and reclassifying the existing position.

Councilman Ytuarte read from the minutes "Mayor McAnelly asked if the positions were still nonexempt employees that would be paid overtime if necessary and if any of the title changes would change their positions, or pay grades, Ms. Robin stated only the recreation manager would go from a non exempt employee to an exempt employee position. Discussion issue regarding employees in the current positions and roles". Councilman Ytuarte stated that told him that there was no changes in pay grades and it proved to him that they would have to make budget amendments.

Councilmember Williams stated this was based on her total labor budget and was in the budget due to unfilled positions. This would all come back to council in the new proposed budget. Councilman Williams stated he did agree with Mr. Ytuarte he ws under the impression that nothing would change.

Councilmember Vela asked if staff would be hiring more personnel for the rec center. Ms. Socarras stated it was not the recommendation.

Discussion ensued who was working at the rec center at the present time. Councilman Vela stated he wanted to know if the rec center was understaffed. He stated as far as he knew the rec center was understaffed and they had trouble getting people to fill in. He stated he had an issue with having an individual who was staffed at the rec center leave and now was housing at the airport. It made no sense.

Councilman Vela asked if the events were taken away from the PIO. Ms. Socarras stated it was because those were two different positions. Mr. Albert stated that was discussed during the budget process that staff would be creating a specific position for the PIO. The PIO would still oversee the fair hall but staff would create a separate position for events and programs.

Mr. Albert stated part of the issue as far as creating a separate events and program coordinator position was that there were so many different events going on in the city and each of the departments or divisions could be doing different activities, whether they were programs or special events. Staff talked about establishing one position that we can go to that was overseeing all the different programs and events in the city. It didn't mean that the departments may not be still having their special events, but we wanted one person to turn to that staff could rely on and that knew that what was going on with the special events. That was why staff created that position when we established the budget. Staff also decided to create the public information officer position and that position oversaw the fair hall and livestock facilities.

Councilmember Vela stated his primary concern was the staffing at the rec center. He stated if staff needed to evaluate the staffing issue and look at it and potentially hire someone down the road they needed to be proactive.

Ms. Socarass stated that was the goal.

17. Discussion regarding the fair hall building contracts prior to the City's possession. (Councilmen Villa and Ytuarte)

Councilmember Villa stated he had some families approach him with concerns regarding their

contract. He stated the new contract stated they could be no more than six families having one party at one particular time. He stated in the past there could be up to ten families having a graduation party.

Councilman Vela asked why we would not honor a contract that had the option for ten families if the contract if that was what was on their contract.

Public Information Officer Jamie Kindred stated when the City of Hondo took over taking over the fair hall they did write up a new contract but it was written exactly like what the fair association had and the city did honor whatever contracts that were through the fair association that went into that year and into the next year. In December of last year staff wrote another contract based on research from the past year of all the different events that were held. The new contract was primarily on occupancy and there being so many people inside the fair hall. If each family brings 100 guests that's 600 people. Ms. Kindred stated the contract in question would be honored, as it was a contract that was signed before the change. Councilman Vila asked why the occupancy changed. Ms. Kindred stated it changed due to how many tables and chairs were in the building. Councilman Villas stated the occupancy on the contract stated it was 1500 and were there enough tables and chairs to satisfy 1500 people. Ms. Kindred stated no.

Councilman Williams asked what the occupancy was and Ms. Kindred stated 700. Councilman Villa asked why the contract stated 1500 people. Mayor McAnelly stated the previous 700 occupancy had not been observed by the previous management. Ms. Kindred stated she would honor the contract, however the fire occupancy was 700.

Councilman Williams stated it shouldn't be about the families it should be about the occupancy if there were more than 700 it was dangerous and should be shut down.

Councilman Ytuarte stated he attended an event at the fair hall with about 350 to 400 people and there were not enough chairs. Ms. Kindred stated there were 300 chairs and 80 tables.

Ms. Kindred stated she would honor the contract in question and she did go back and visit with the families for anyone that would have over 700 people.

18. Discuss and consider a proposal from the Rotary for a gazebo at Memorial Square. (Councilmen Ytuarte and Villa)

Brian Kanke stated he was the current president of the Hondo-DHanis Rotary Club and a very active member of the American Legion Post 128. He stated they would like to build a gazebo on veterans square which would be maintenance free. He stated they would bring electricity to the gazebo and some lighting for safety issues. He stated Len McVey in the Parks Department stated he would do the landscaping around the gazebo and it would be ADA compliant. He was hoping everyone in the City that needed a nice venue in a nice location would use the gazebo. He stated there would be recognition on the gazebo for the rotary, American Legion posts and the VFW.

Mayor McAnelly asked about using the oak tree that was cut down to make benches. Mr. Kanke stated they planned to make some permanent benches inside the gazebo using the wood from the old oak tree.

Councilmember Ytuarte stated he requested this on the agenda to note the item was put on the Parks and Recreation Board agenda but that no one had shown up for the meeting.

Mayor McAnelly stated he wanted to clarify that this would be at the Rotary's expense. He also

stated the drawing showed one side of the gazebo open which would make it look like a stage area and though the stage ought to face north or south rather than east or west.

Council Member Ytuarte made a motion allow the Hondo-DHanis Rotary Club to build a gazebo at Memorial Square; seconded by Council Member Vela. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

19. Discuss and consider action regarding appointments to City boards. (Mayor McAnelly)

Mayor McAnelly stated Susan Freeman had served three two year terms on our Hondo Public Library advisory board and currently she was termed out. To serve in her place for a two year term Mayor McAnelly recommend Sarah Barnett, a teacher at Meijer elementary with a background in library science. Julie Mendoza has served two terms on the Parks and Recreation Advisory Board and was eligible to serve another term. She agreed to do so and he recommend her appointment reappointment. Mary Bardon served three two year terms on our Cemetery Advisory Board and was termed out. He appreciated her service to serve in her place for a two year term he recommend Linda Cipriano, who previously expressed a desire to serve in this area.

Council Member Villa made a motion approve the appointments to the Hondo Public Library Advisory Board, Parks and Recreation Advisory Board and the Cemetery Board; seconded by Council Member Vela. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

The City Council of the City of Hondo convened into executive session at 7:33 p.m.

EXECUTIVE SESSION

20. Executive Session: The City Council of the City of Hondo may convene in Executive Session in accordance with the Texas Open Meetings Act, Texas Government Code:

Section 551.071(1) (A) and (2) (Consultations with Attorney) and *Section* 551.072 (Deliberations about Real Property), *Section* 551.074 (Personnel Matters), *Section* 551.076 (Deliberations about Security Devices), or *Section* 551.087 (Deliberations Regarding Economic Development Negotiations); *Section* 551.086 (Meeting concerning municipally owned utility-competitive matters);

- a. Discussion regarding the purchase of the Stronghold property (3.22 acres). (Scott Albert & Molly Solis)
- b. Discussion regarding the Master Service Agreement between Aqua-Metric and the City of Hondo. (Richard Lindner)
- c. Discussion regarding the Zapata-Sanchez case. (Justin Soza)
- d. Discussion regarding a forensic audit concerning the various employees who received pay adjustments and title changes during the tenure of Interim City Manager Brian Valenzuela. (Scott Albert, Alan Nelson, & Victoria Thomas)
- e. Discussion regarding the position of Parks Operator. (Lora Robbins & Victoria Thomas)
- f. Discussion regarding the position of Water Superintendent. (Scott Albert & Victoria Thomas)
- g. Discussion regarding legal counsel for the City of Hondo. (Councilmen Vela and Williams)
- h. Discuss City Manager operational performance and recent actions. (Councilmen Vela and Williams)

The City Council of the City of Hondo reconvened into regular session at 09:51 p.m.

21. Discuss and consider appropriate action on items resulting from Executive Session.

Council Member Ytuarte made a motion to authorize the city manager to execute a repurchase agreement with Bailey's Properties Acquired in the amount of 3.22 acres for the dollar amount not to exceed \$105,00.00; seconded by Council Member Vela. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser. NAY: Villa. ABSTAIN: None. ABSENT: None.

Council Member Vela made a motion allow the city manager to move forward with an additional \$25,000 to go towards the forensic audit; seconded by Council Member Ytuarte. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser. NAY: Villa. ABSTAIN: None. ABSENT: None.

Council Member Huesser made a motion to authorize the city manager to notify city personnel attorney Victoria Thomas with Nichols Jackson, notice to cease all legal work immediately and provide the city with its legal file; seconded by Council Member Villa. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

Councilmember Williams stated he wanted to let Victoria know that they appreciated all that she had done for the City. She did a great job but the job was done and he felt they were ready to move on with just one firm. Mayor McAnelly added to his appreciation.

22. Adjourn.

Council Member Villa made a motion to adjourn; seconded by Council Member Vela. The motion carried by the following vote: AYE: Ytuarte, Vela, Williams, Huesser, Villa. NAY: None. ABSTAIN: None. ABSENT: None.

PASSED AND APPROVED THIS 27th DAY OF FEBRUARY 2023.

JOHN McANELLY, JR., MAYOR

ATTEST:

SueAnn Reyes, TRMC
City Secretary