

**MINUTES
CITY OF HONDO
REGULAR CITY COUNCIL MEETING
July 23, 2018 at 6:00 p.m.**

1. Call to order.

Mayor Danner called the meeting to order at 6:00 p.m.

2. Quorum check.

Mayor James W. Danner, Sr., Mayor Pro Tem Ann-Michelle Long, Councilman John McAnelly, Councilman Eric Torres, Councilman John Villa, Councilman Bobby Vela, City Attorney Frank Garza, City Manager Kim Davis, and City Secretary Miguel Cantu

Staff present: Police Chief Brian Valenzuela, Assistant Finance Director Dee Willman, Public Works Director Mark Velasquez, Economic Development Corporation Director Genevieve Flores, Parks & Recreation Manager Karissa Gonzalez, City Planner II Shavon Caldwell, Parks Superintendent Johnny Guajardo, Parks Albert Maldonado, and Parks Gabriel Rodriguez

3. Invocation by Reverend Joyce McCormick, New Fountain United Methodist Church.

4. Pledge of Allegiance led by Mayor Danner.

5. Citizens' Comments

Chavel Lopez, 1401 14th Street, Hondo Empowerment Committee, addressed the closure of the collection and recycling station. He stated that recycling is important because waste has a huge negative impact on the environment. Metal and cardboard at the recycling plant is accepted and it is important to reduce the impact to the environment. Mr. Lopez is seeking environmental justice.

Florestela Gonzales, 1002 Avenue S, talked about the animals in the city. She stated she has been an animal activist for more than 20 years and believes the City needs to be more involved to help the animals. She added they are not just property, they are living breathing creatures. Mrs. Gonzales would like to see more done for the animals in the budget.

Juana Vasquez Lopez, 1307 15th Street, asked the council to not close the recycling and collection station. She is asking, like her brother Mr. Chavel Lopez, to keep the collection station open. She is very concerned about the future and would like the recycling station to remain open. Keeping the recycling station open would help the community reduce the environmental impact.

Felipe M. Sandoval, 1405 21st Street, talked about brush pick up and did not understand why the chipper was out of service. He recalls using the chipper when he was employed with the City of Hondo. He knows that trees have been in the area for 20-30 years and their width is greater than 9 inches. Mr. Sandoval states that the size the city is allowing will not be sufficient for everyone in the community. He insists the city continue to pick up brush rather than teach the people a new way of getting rid of brush. Mr. Sandoval is against the policy for brush pick up.

6. Discuss and consider approving the July 9, 2018 regular meeting minutes.

Councilman Vela moved to approve the minutes. Motion seconded by Mayor Pro Tem Long.
Motion carried 5-0.

7. City Manager Report(s)

- a. August Calendar of Events: Mrs. Davis announced the registration for Hondo U begin on August 16th. She also added that the library will be closed August 24th for one day for a thorough clean-up and a reset of all the books after the summer reading program.
- b. Quarterly Financial Report: Mrs. Willman presented the 3rd Quarter Financial Report, stating that some of the departments have exceeded their budgeted expenditures on their year-end to date; however, total expenditures are within the year to date annual budget for

all the departments. Transfers have not been posted because typically debt payments are paid on August 1st and transfers will be done at that time. Electric Fund revenues (\$6,527,704 YTD Actual) and expenditures (\$6,747,547 YTD Actual) are both under budget. Water and sewer department budget items are skewed because funds from various projects have not been completed and the funds have not been spent. Airport's operating revenue funds are 76% and the fund budgeted generated a surplus of \$142,000. On June 30th the Sanitation Fund total revenue of 72% of the budget, but expenses were at 64%. Hondo Economic Development Corporation have seen a savings in expenditures because capital projects have not started as quickly as planned. Most City expenditures are under the 75% amount; however, the only two that are up are the street department and nonprofits. Some nonprofits are paid at the beginning of the year. Hotel/Motel tax expenditures are at an average of 75% and 92.5% in revenue received.

8. Discuss and consider 3rd Quarter Investment Report as of June 30, 2018.

Mrs Willman presented the 3rd Quarter Investment Report stating that the General Fund went out at 16.853% with \$470,456.73, Debt service is 0% with \$0.00 (zero), Perpetual Care funds is at 19.151% with \$534,606.11, Unclaimed Funds is at 0.274% with \$7,648.8, EDC is at 63.722% with \$1,778,819.42. The internal CD Pool ownership is at \$2,791,531.05.

Councilman McAnelly moved to approve the 3rd Quarter Investment Report. Motion seconded by Councilman Vela. Motion carried 5-0.

9. Public Hearing: A public hearing regarding ordinance of the City of Hondo amending Chapter 13, Article 13.06 solid waste of City Code of ordinances providing for definitions and establishing regulations for brush preparation and placement for collection; providing penalties, repealing any other ordinance in conflict; providing for publication and setting an effective date.

City Manager Kim Davis stated the ordinance had been revised with the correction City Council requested. The new plan establishes placement of brush and is for residential use only. The limitations on size and quantity are suggested at 8 cubic yards, with a length of 4 feet and not to exceed 9 inches in diameter. The ordinance will also allow for those who exceed the allotted amount of 8 cubic yards to pay a fee to be prepaid before the pick-up of the brush. As requested by Council, the ordinance clearly defines the act of God and storm events. She added that the schedule would require a work order system for one pick up per month. City staff will provide educational material for residents to review. Should anyone fall into a non-compliance situation penalties would be assessed. Mrs. Davis provided a timeline for the ordinance stating that the council could adopt the ordinance immediately, then city staff would receive training how to take work orders and answer any residents questions. Between July 24th through August 15th the city would provide a public education campaign allowing for the new pick up process to start on September 1st. Later city staff evaluate how the process is going to seek opportunities for improvement. At or about December, the City will go out for solid waste contractor requests for proposals or continue to keep the service in-house.

10. Discuss and consider Ordinance 1180-07-18, an ordinance of the City of Hondo amending Chapter 13, Article 13.06 solid waste of City Code of ordinances providing for definitions and establishing regulations for brush preparation and placement for collection; providing penalties, repealing any other ordinance in conflict; providing for publication and setting an effective date.

Councilman Torres moved to approve Ordinance 1180-07-18. Motion seconded by Councilman John McAnelly. Motion carried 4-1. Councilman Villa against.

11. Public Hearing / Request for a Re-Plat / Zone Case P525-18. Maria R. Mendoza (applicant) requests to re-plat Lot 2 of the Carlos Mendoza Subdivision according to the Plat thereof Recorded in Volume 10, Page 45 of the Plat Records of Medina County, Texas, and creating Lots 2A & 2B of the Carlos Mendoza Subdivision. (2606 Avenue U, MCAD-R70541)

Mayor Danner opened the public hearing at 7:26 p.m. to consider the request for a re-plat Lot 2 of the Carlos Mendoza Subdivision. Ms. Shavon Caldwell, City Planner II, presented the Carlos Mendoza Subdivision request to re-plat lots 1 and 2 into lots 1, 2a, 2b. First, Ms. Caldwell stated that the purpose of subdivision regulations are to ensure new development meets standards for a safe, functional, and enjoyable community, and to ensure adequate lot size and orientation for future use, ensure public access and the availability of public services to each lot created, set standards for streets, drainage ways, sewage disposal, water systems, and other aspects of public welfare, and ensure provision of public areas, trails, walkways, and parks. The planning and zoning commission and city council's role in the subdivision review is to reduce potential impacts on street congestion, promote orderly layout and use of land, secure safety from fire and other dangers, mitigate impacts and threats of life and property due to flooding, facilitate adequate provision of transportation, protect groundwater and surface water from contamination, assure a prospective purchaser of a lot that necessary streets, sewers, drainage, sidewalks, and parks are available, and review, consider, recommend location and acreage of future parks or playgrounds. Ms. Caldwell stated that she is only administratively capable of approving subdivisions that are less than 4 lots with each having 50 feet or more of street frontage and do not require creation of new streets or extension of any other municipal facilities. The current property is in a subdivision within one of the City's Planned Development zones are current land use and zoning in the immediate vicinity is predominantly single family residential, multi-family and commercial designated use at the intersection of U and 30th. The current utilities has available water utility with a 2" water line located on the North side of the roadway/access easement. This line can hold up to 10 taps and is currently at 8. Further development may incur a line upgrade in the future. Sanitary sewer shows a 12" line located along the West side of Avenue U. Electric utility is overhead service located along the roadway/access easement as well as along Avenue U. The property is currently accessed via a 25' roadway easement. Matilde and Rosa Trevino granted access to Roque and Janie Trevino in 1975. The easement was conveyed to Frank and Edrie Garcia in 2003. Before considering the re-plat Council should also consider: public access needs for current residents and future prospective purchasers, connectivity, accessibility, walkability, and complete streets, safe ingress and egress, 2 points of access required for subdivisions of 30 units or more where this is currently 1 access point, addressing, orderly and efficient design and installation of utilities, drainage (curb and gutter). Ms. Caldwell stated that she had talked to emergency services and they were having trouble with addresses in this area and also locating 911 calls in the lots because the homes were not face a street. Without a public street emergency services will continue to be confused in finding an exact location.

12. **Discuss and consider the request of Maria R. Mendoza (applicant) to re-plat Lot 2 of the Carlos Mendoza Subdivision according to the Plat thereof recorded in Volume 10, Page 45 of the Plat Records of Medina County, Texas, and creating Lots 2A & 2B of the Carlos Mendoza Subdivision. (2606 Avenue U, MCAD-R70541)**

Mayor Pro Tem Long moved to approve the request of Maria R. Mendoza to re-plat Lot 2. Motion seconded by Villa. Motion failed 2-3. Voting in opposition Councilman Torres, Councilman McAnelly, and Councilman Vela.

13. **Discuss and consider Resolution 320-18 of the City Council of the City of Hondo, Texas authorizing the Hondo Police Department to submit a grant application to the United States Department of Agriculture Rural Development Office for a matching loan/grant for the purchase of two police vehicles fully equipped for the Hondo Police Department and authorizing the Mayor to sign and execute the grant agreement on behalf of the Hondo Police Department.**

Chief Valenzuela stated that the City has participated in the USDA Grant Program for the purchase of Police vehicles for several years. The resolution would allow the Hondo Police Department to submit a grant for the purchase of two police vehicles fully equipped will authorize the Mayor to execute the grant agreement on behalf of the Police Department. The loan/grant is a 60/40 matching grant. The 60/40 split would require the City to contribute the 40% amount of approximately \$46,011.00 and USDA would total an amount of approximately \$48,000. After the grant is a request for a budget amendment for the matching portion of the loan will be made.

Mayor Danner commended Chief Valenzuela for continuing to participate in these grants that would subsidize costs. Councilman Villa moved to approve Resolution 320-18. Motion seconded by Councilman Vela. Motion carried 5-0.

14. Workshop: Street Repair and Maintenance

Public Works Director Mark Velasquez discussed a pavement plan noting the various type of repair methods and defined the various repair methods by stating that the city has been looking at street repair for quite some time. The City has a total length of 40.9 miles of streets. He added and noted the different types of repair methods are some crack sealing is a tar or epoxy based repair method may be used on asphalt and concrete streets in “very good” and “excellent” condition and a life expectancy of up to 3 Years. Slurry seal is a fine aggregate asphalt emulsion, water, mineral filler used to prevent raveling, seal minor cracks and improve surfaces friction with a life expectance of 3 to 5 years. Overlay repair is a heated mixture of mineral aggregate and asphalt cement that enhances smoothness, increase surface friction with a life expectance of 10 to 12 years. A total reconstruction repair is to remove the pavement surface and subgrades. This would also include adding new gravel base and asphalt cement that provides for a new street condition with a life expectancy of 20 to 25 years. Life expectancy of the road may vary because of traffic volumes, type of vehicles, and existing pavement condition. Mr. Velasquez added that the type of repair should be considered by the type of traffic or location of the street. Crack seal is for street rated “Very Good” to “Excellent”. Slurry seal is for low volume residential streets with minimal cracking or high volume streets with no cracks. Chip seal allows for a low and medium volume of streets with increased cracking. Over lays allow for a medium to high volume roads with medium to severe cracking; whereas reconstruction is for failed pavement and would require total reconstruction. The costs associated with each is chip seal \$15,000.00 per city block and reconstruction \$10.00 square yard. Capital Improvement Costs would include crack sealer/mastic machine - \$85,987.50, asphalt zipper - \$185,680.00, paver - \$46,081.50, flat/pad wheel shell kit roller -\$111,420.60, skid steer - \$46,471.60, total equipment cost : \$475,641.20. If the City purchased the equipment training would be provided to teach employees how to properly use the equipment. Councilman Villa asked if this was something the City was looking to purchase. Mr. Velasquez stated the presentation was to provide the council with an idea of what he was looking to purchase so that when the request to purchase is presented council would not be alarmed.

15. Executive Session: The City Council of the City of Hondo convened in Executive Session at 8:21p.m. and reconvened in Open Session at 8:54 p.m. in accordance with the Texas Open Meeting Act, Texas Government Code.

Section 551.071 (Consultations with Attorney) on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of

Texas clearly requires discussion in closed session); Pending or contemplated litigation;

Section 551.072 (Deliberations about Real Property);

Section 551.087 (Deliberations Regarding Economic Development Negotiations)

- a. Discussion regarding potential lease, purchase or value of real property.
- b. Discussion regarding potential lease/sale of property located at the South Texas Regional Airport.
- c. Consultation with attorney regarding ongoing litigation impacting permitted Edwards Aquifer Water Rights.
- d. Discussion with the City Attorney regarding pending litigation, Cause NO. 15-09-23255-CV Wayne Whitley and Jeremy Book v. City of Hondo, et al

16. Discuss and consider appropriate action resulting from Executive Session.

Motion by Mayor Pro Tem Long, seconded by Councilman McAnelly authorizing the City Manager to have the City of Hondo join the legal proceeding with the City of Castroville, Medina County and other interested parties regarding the Edwards Aquifer Authority rules for BASE Waster Rights and to participate with the City of Castroville, Medina County, and other interested

parties in retaining Norton Rose Fullbright as legal counsel with the City's cost share not to exceed \$20,000. Motion carried 5-0.

17. Adjourn.

Councilman Torres moved to adjourn the meeting. Motion seconded by Councilman Villa. Motion carried 5-0.

PASSED AND APPROVED THIS 27TH DAY OF AUGUST, 2018.



JAMES W. DANNER, SR., MAYOR

ATTEST:



Miguel Cantu, City Secretary

