

**MINUTES
CITY OF HONDO
REGULAR CITY COUNCIL MEETING
May 10, 2021 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 ProTem John E. Villa, Councilman Brett Williams, Councilman Jose “Porky” Ytuarte, Councilman Bobby Vela, Councilman Wes Huesser, City Manager Scott Albert, City Attorney Jessie Lopez, Interim City Secretary Megan Rodriguez.

Staff Present: IT Network Administrator Josh Rodriguez, IT Network Assistant Adolfo Tellez, STRTC Administrative Assistant Lillian Bales, Chief of Police Brian Valenzuela, Assistant Public Works Director William “Buddy” Stewart, Director of Economic Development Genevieve Flores, Lieutenant Rick Garza, Development Services Superintendent Lora Robbins.

3. Invocation by Pastor Mike Vasquez, First Baptist Church

4. Pledge of Allegiance led by Mayor Danner.

5. Introduction of Elected Officials / Oaths of Office.

The Honorable Justice of the Peace Glenn E. Klaus administered the Oath of Office to Councilman Brett E. Williams.

The Honorable Medina County Judge Chris R. Schuchart administered the Oath of Office to Councilman Bobby Vela.

6. Citizens’/Public Comments.

Mr. Chavel Lopez, a representative for the Hondo Empowerment Committee, greeted the elected Councilman and stated he hoped their decisions would be made in the best interest of the citizens. Mr. Lopez stated the county officials who swore in the councilman did not respect the City as they were not wearing masks. Mr. Lopez stated he wanted to speak on climate change and how the extreme weather has been effecting the city and it has to do with fossil fuels and oil. Mr. Lopez stated the City needed to take this into consideration and look into programs that help with the climate change and to be more aware of the vehicles that are purchased, such as electric vehicles in the future, and powering City buildings with solar panels. Mr. Lopez believes every city in Texas should have some type of program to stop the extreme weather.

7. Discuss and consider appointment of Mayor ProTem. (Mayor Danner)

Mayor Danner suggested the reappointment of Councilman Villa as Mayor Pro Tem. Councilman Ytuarte moved to reappoint Councilman Villa as Mayor ProTem. Motion seconded by Councilman Villa. Motion did not carry 2-3.

Councilman Huesser nominated Councilman Vela for Mayor Pro Tem. Councilman Huesser moved to appoint Councilman Vela as Mayor Pro Tem. Motion seconded by Councilman Williams. Motion carried 3-2.

8. Discuss and consider approving the minutes from the regular City Council meeting of April 26, 2021.

Mayor Pro Tem Vela moved to approve the minutes for April 26, 2021 regular meeting. Motion seconded by Councilman Villa. Motion carried 5-0.

9. Proclamation declaring National Hospital Week.

Mayor Danner read the proclamation following agenda item #16.

10. Proclamation declaring National Public Works Week.

Mayor Danner read the proclamation following agenda item #12.

11. City Manager Report(s)

a. Employee Recognition – Kody Keeney, Employee of the Quarter

Mr. Albert presented to Mr. Kody Keeney the Employee of the Quarter plaque and commended him on his hard work and committed service to the City of Hondo Water division in the short time he has been with the City.

b. COVID

Mr. Albert reported that Medina County currently has enough vaccine doses for all of the county and those wanting to be vaccinated can do so for free at the Medina County Health Unit on Tuesdays and Wednesdays from 7:30 a.m. – 11 a.m. and 1:00 p.m. to 5:30 p.m. Mr. Albert also reported that as of May 4th there were 19 active COVID cases to date in Medina County and the county has confirmed 3,795 cases. Mr. Albert stated the City currently has 16 utility accounts on a COVID payment plan, and five remain on payment plans due to the winter storm. Councilman Villa stated that he had previously asked for information on the number of residents who received excessive water bills after the storms and the information had not been provided to him. Mr. Albert stated he would get that information to Councilman Villa by the following morning.

c. April 28th Storm Update

Mr. Albert reported the National Weather Service has confirmed that there was an F1 tornado in the Hondo area from 7:30pm until 7:41pm with winds between 86 and 110 miles per hour. Mr. Albert reported that hailstones ranging from the size of baseball to a softball fell in the area and a hailstone measuring 6.4 inches in diameter that fell in Hondo may have set a new record for the state of Texas. Mr. Albert stated that according to the American Red Cross damage assessment report for Hondo, D'Hanis, Castroville and Devine stated there were 660 dwellings that suffered some level of damage related to the storms on Saturday and Sunday, and the American Red Cross distributed roughly 300 emergency disaster relief supplies to residents in Hondo and the surrounding area. Mr. Albert reported that roughly 42 city facilities have been affected by the storm and mitigation efforts are in process on the facilities, also noting that insurance adjusters are performing their inspections and writing estimates. Mr. Albert stated that after the formal coverage review has been completed the scope of work and improvements will start on City facilities. Mr. Albert stated that last week City staff posted information on the City's website and Facebook page about an organization called Crisis Cleanup, which is a web based platform that connects survivors of storms with volunteers who can assist with cleanup. Mr. Albert noted that if a resident cannot access the crisis website, they can call the following number and a staff member will help them access crisis website to get assistance in their cleanup, 830-741-8348. Mr. Albert reported the City had several roll-off dumpsters for residents disposing of debris but the City has stopped those dumpsters as of last Friday after a week of being in place. Mr. Albert reported there was one last dumpster to pick up. Council Huesser questioned the remaining dumpster and whether there would be something done about that because it was about three or four feet high with debris and trash. Mr. Albert replied that Republic Services would be out this week with a larger dumpster to clean that up. Mr. Albert reported that the canopy on Avenue T has been removed and the street has reopened. Mr. Albert reported that Chief Valenzuela is currently working on a report for Council explaining why the tornado sirens were not used during the recent weather events and he will identify steps or protocols that need to be taken to ensure that the use of the local warning system for future severe weather events is in place as well. Councilman Villa questioned who did the cleaning on Avenue T, to which Mr. Albert stated that J.R. Ramon, a demolition company out of San Antonio did the clean-up and was responsible for disposing of those materials in an appropriate

manner. Councilman Villa questioned who paid this company to clean-up, to which Mr. Albert replied that the City and Zee's Mart split the cost with 25% being paid by Zee's Mart.

d. American Rescue Plan

Mr. Albert reported that he would be bringing this back to council when he had more information to present. Mr. Albert reported that the state has received the funds and the City is still waiting on direction from the state before moving forward.

Mr. Albert added to his report that there will be an elected officials workshop hosted by the Alamo Area Council of Governments and an area law firm on June 11th from 9:30 a.m. to 4 p.m. Any elected official interested please contact Megan or Mr. Albert for reservations. Mr. Albert also reported on the South Texas Airstrip Attack taking place June 5th -6th at the Hondo Municipal Airport. Mr. Albert stated that the event is being hosted by North Park Chevrolet and tickets can be purchased online at www.airstripattack.com. Mr. Albert lastly stated that an email has been sent out to Council for the council retreat being scheduled for June 7 & 8.

12. Public Works Report

a. Water Division

i. Work Orders

Mr. Stewart reported that as of May 7th, there were 12 work orders on the primary list and zero on the secondary list for the Water division.

ii. Water Restrictions

Mr. Stewart reported that as of today we are at the 665 mark and the EAA has lifted us from Stage One water restrictions but Mr. Williams stated that he would speak to Mr. Albert about the City remaining in mandatory Stage One restrictions for the remainder of the year.

b. Streets Maintenance

i. Work Orders

Mr. Stewart reported that as of May 10th, 24 work orders have been completed and since the last council meeting there have been 113 potholes filled.

c. Street and Alley Projects

i. 14th Street project update

Mr. Stewart reported that the project is currently out for bids and once those bids are received more information will be brought to council.

13. Report on negotiations between the City of Hondo and Texas Department of Transportation (TxDOT) pertaining to a request by the City of Hondo to lower the speed limit on U.S. Highway 90 at the east end of town.

Mayor Danner reported on negotiations between the City of Hondo and the Texas Department of Transportation pertaining to request by the City to lower the speed limit on US Highway 90 at the east end of town. Mayor Danner stated that TxDOT competed a traffic study and after discussion with the City they will be recommending to the State to reduce the speed limit to 40 mph from Hwy 173 west to Avenue E, as well as reducing the speed limit for traffic coming into Hondo from the west at the curve on the west end of town. Mayor Danner stated that both recommendations will be made by TxDOT to the state and hopefully they will be approved.

14. Discuss and consider approving City of Hondo Economic Development Corporation Board of Directors to submit a grant application to the United States Department of Agriculture Rural Development Office for a grant for purchasing of diesel mechanic equipment and tools and to authorize our Mayor to sign and execute a grant agreement on behalf of the City of Hondo Economic Development Corporation Board of Directors.

Ms. Flores stated that the City of Hondo Economic Development Corporation (EDC) Board of Directors would like consideration of the opportunity to apply for this USDA grant and are requesting authorization for EDC to submit a grant application to the United States Department of Agriculture Rural Department Office for a grant to purchase diesel mechanic tools and equipment

for the James W. Danner, Sr. Annex and authorize our Mayor to sign and execute the grant agreement on behalf of the EDC department. Ms. Flores stated this equipment would be for the courses to begin in August 2022.

Mayor Pro Tem Vela moved to approve the City of Hondo Economic Development Corporation Board of Directors to submit a grant application to the United States Department of Agriculture Rural Development Office for a grant for purchasing of diesel mechanic equipment and tools and

to authorize our Mayor to sign and execute a grant agreement on behalf of the City of Hondo Economic Development Corporation Board of Directors. Motion seconded by Councilman Ytuarte. Motion carried 5-0.

15. Discuss and consider the recommendation of appointments for the Hondo City Council Liaison Director for the City of Hondo Economic Development Corporation Board of Directors and to the City of Hondo Planning and Zoning Commission.

Mayor Danner stated that with a recent resignation from the City of Hondo Planning and Zoning Commission and Mr. John McAnelly leaving the Hondo City Council, there is a need for two appointments for these boards. Mayor Danner stated that John McAnelly has served as the Hondo City Council's Liaison Director on the City of Hondo Economic Development Corporation Board of Directors since August 2013 and with his departure from the Hondo City Council, he recommends Councilman John Villa as his replacement. Mayor Danner also stated that Katie Haby of the Planning and Zoning Commission has submitted her resignation because she has moved out of the city limits. Mayor Danner recommended that former City Councilman John McAnelly to replace her on the Planning and Zoning Commission.

Mayor Pro Tem Vela moved to approve the appointments for the Hondo City Council Liaison Director for the City of Hondo Economic Development Corporation Board of Directors and City of Hondo Planning and Zoning Commission. Motion seconded by Councilman Ytuarte. Motion carried 5-0.

16. Discuss and consider request from A Malik 79 Investment, Inc. for a Specific Use Permit for an approximately 2,300 sq. ft. property located at 2535 19th Street, Hondo, Texas, and described as Block 1, Lot 3 of the Texas Diversified Subdivision, as amended by the Resubdivision Plat, of record at Volume 4, Page 1, Plat Records, Medina County, Texas. The current zoning for the subject property is Commercial (C) District. The property owner has requested a Specific Use Permit authorizing use of the subject property for the retail sale of tobacco and CBD products.

Ms. Robbins stated this case had previously been presented to Council for consideration. This request is for a specific use permit for the retail sale of tobacco and CBD products. As stated in our last meeting, the Planning and Zoning Commission held a public hearing on April 19th at which time the recommendation was denied although staff had made a recommendation of approval. Ms. Robbins stated that there has been a response from the applicant regarding the concerns that were raised at the last council meeting regarding the lighting and the murals over the window and he stated that he is willing to remove those improvements from their plan if Council so chooses to add that as a condition on this specific use permit. Councilman Villa questioned why P&Z denied the recommendation, to which Ms. Robbins stated that a reason was not given and there was no discussion regarding the denial. Councilman Villa stated that the City wants businesses to come in so why are we turning them away. Mayor Pro Tem Vela stated he was in agreement with Councilman Villa and stated that if the applicant is willing to make the modifications then there should be no issue moving forward. Councilman Williams stated his concern regarding the name of the business and the products being sold and the potential of the association between the business and drug paraphernalia and the potential for kids getting ahold of these items. The applicant stated that he does not sell anything illegal, all of his products are legal and he is willing to change the name, design, and advertisement of the business. City Attorney Jessie Lopez stated that the way the Hondo code is written it is very restrictive and it limits a very few kinds of uses

for a commercial property in a commercial building. It's a commercial use. Mr. Lopez stated that the reason it is written that way is so that a business will not be automatically disallowed or denied and allows the Council to have an opportunity to review the case and apply any additional provision to restrictions. Councilman Villa and Councilman Ytuarte said they both feel that P&Z should have given reasoning for their denial or provided some discussion in regard to the denial. Councilman Ytuarte

stated that there are reasons being found not to allow a business rather than allowing new business in Hondo which has been a focus for several months. The applicant stated all of his employees are thoroughly trained and TABC certified and there is an age requirement in place and anyone under the age of 21 is no allowed into the store even accompanied by a parent.

Councilman Villa moved to approve with restrictions (no LED lights, change of business name, mandate signage for age restriction) a request from A Malik 79 Investment, Inc. for a Specific Use Permit for an approximately 2,300 sq. ft. property located at 2535 19th Street, Hondo, Texas. The property owner has requested a Specific Use Permit authorizing use of the subject property for the retail sale of tobacco and CBD products. Motion seconded by Councilman Ytuarte. Motion carried 4-1.

17. Executive Session: The City Council of the City of Hondo convened in Executive Session at 6:55 p.m. and reconvened in Open Session at 7:03 p.m. in accordance with the Texas Open Meetings 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 551.074* (Personnel Matters); and *Section 551.087* (Deliberations Regarding Economic Development Negotiations):
- Discussion regarding potential lease, purchase or value of real property.
 - Discussion regarding potential lease/sale of property located at the South Texas Regional Airport.
 - Discussion regarding potential development incentives and negotiations with a prospect for development at the South Texas Regional Airport.
 - Discussion for the establishment of a new position within the Wastewater division.
18. **Discuss and consider appropriate action resulting from Executive Session.** Councilman Villa moved to approved the motion for the establishment of a new position within the Wastewater division to be funded through Wastewater expenses that are underestimated budget amounts for the current fiscal year. Mayor Pro Tem Vela seconded the motion. Motion carried 5-0.
19. **Adjourn.** Councilman Villa moved to adjourn the meeting at 7:03 p.m. Motion seconded by Mayor Pro Tem Vela. Motion carried 5-0.

PASSED AND APPROVED THIS 24TH DAY OF MAY 2021.

ATTEST:

Megan Rodriguez
Interim City Secretary





JAMES W. DANNER SR., MAYOR