

MINUTES

REGULAR CITY COUNCIL MEETING

June 24, 2019 at 6:00 p.m.

1. Call to order.

Mayor Danner called the meeting to order at 6:01 p.m.

2. Quorum check.

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

Staff: Assistant Finance Director Dee Willman, Director of Aviation Ryan Elder, Economic Development Director Genevieve Flores, Public Works Director Michael Schmidt, Hondo Police Chief Brian Valenzuela, Hondo Police Lt. Rick Garza, Water Superintendent William "Buddy" Stewart, Code Enforcement Supervisor Joseph Ramon, Human Resource Coordinator/Payroll Sharon Garcia, Municipal Court Clerk Cassandra Maldonado

3. Invocation by Mayor Danner.

4. Pledge of Allegiance led by Mayor Danner.

5. Citizens' Comments

Mrs. Florestella Gonzales, 1002 Avenue S, addressed the City Council regarding her concern for her removal from the Animal Care Services Advisory Board. She stated that she was removed from the board and wanted an explanation. She added that she had actively advocated for the animals of the City and had created programs. After providing her reasons to remain on the board she pointed out some concern regarding the Council's expressions towards her comments and how she would go to Animal Control Officer's homes to address her immediate concerns during harsh weather conditions.

Mrs. Maria A. Gaucin, 1005 Avenue S., expressed her concerns about the removal of Mrs. Florestella Gonzales from the Animal Care Services Advisory Board. Mrs. Gaucin described a time when her pet needed critical care and Mrs. Gonzales found assistance for her pet at the local veterinary clinic. She stated that she felt Mrs. Gonzales was a good animal advocate.

6. Discuss and consider approving the minutes from City Council meeting June 10, 2019 regular meeting.

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

7. City Manager Report(s)

a. July Calendar

Mrs. Kim Davis addressed the calendars for the Parks & Recreation Center and the Hondo Public Library emphasizing it will be a busy month like that of the previous months. On 4th of July the City will host Pet Faire on the Square that will be kicked off by a Color Run. There will also be vendors available and a pet costume contest. A new addition to the faire is a popular event across the country known as the Dachshund Derby with a local commentator. The evening activities will include other Red, White and Boom activities. With a large turn out from previous years, the City will continue the Large Equipment Petting Zoo on July 12, 2019. The event was well attended in 2018 that it had to be moved to the South Texas Regional Airport. Different companies will exhibit their large trucks

and machinery for children to touch and explore. There will also be a few airplanes to view. Mrs. Davis also reminded everyone that animal adoption will be available at the Pet Faire. Parks & Recreation will continue their summer programming with the addition of swimming lessons to start in the coming weeks.

b. Recognition

Mrs. Davis recognized Ms. Cassandra Maldonado, Municipal Court Clerk, for her 5 years of service to the City. Councilwoman Long presented Ms. Maldonado with a recognition plaque. Ms. Maldonado was also recognized for working on her bachelor's degree, looking to graduate in December.

c. Update: Public Works and Police Department Facilities

Mrs. Davis informed the audience that the Police Department had not moved into the new buildings since it would not make sense for the Police Department to travel back and forth with the facilities not complete. Since there was quite a bit of talk regarding the moving of Public Works into the facilities, Mrs. Davis wanted to clarify a few points. Regarding the permitting of the buildings, they were complete. There were temporary stairs installed at the front of the building and staff has now started working on permanent stairs. The City will purchase a lift to assure the buildings are ADA compliant. A Texas Department of License has been applied several months ago before and the city still has not received an answer from the department. The fire extinguishers are located in the building where their location should be; however, they only need to be mounted to the walls. The life safety inspections were completed by the City Fire Marshal. The superintendents, Code Compliance and the Public Works dispatcher are the only staff members working in the new facility.. The rest of the staff is working from the old Code Compliance building. If any visitor needed to address any concerns regarding permitting, they would meet at the old Code Compliance building. Mrs. Davis addressed a rumor that contractors report to City Hall and she confirmed that this had always been the case. The future plan is to allow cash collection at the new Public Works facility so that it can become a one-stop shop. Regarding the parking lot and curbing, an RFP was sent out and the city only received one response. The City is now looking to perform the work in house since the quote was too high. Conclusively, Mrs. Davis stated that several Councilmembers had reviewed the permitting and been answered any questions they had regarding the new buildings. Fire Marshal Joe Ramon was available for any questions regarding the new facilities. Mayor Danner asked what aside from the incomplete parking lot as the time frame for the Police Department to be in the building. Mrs. Davis stated that it was the parking lot that would be a factor. She reminded Council that during previous Public Works Director Albert Lara's management that the project would be a phased in project and might have the parking lot with compacted base. She had reminded Council that during a workshop she informed them it was stated that the Electric fund had paid for the majority of the project and Water and Waste Water had not funded the project. She stated that it would be in the best interest of the City for Water and Waste Water to pay for the parking lot. She also dispelled a rumor that citizen taxes were being used for the parking lot. Councilman Villa asked for a time frame for the parking lot. Mrs. Davis stated that the City did have a survey company out to document elevations for drainage and curbing. Mr. Adam Zapata has been in constant contact with contractors to obtain quotes to have the curbing and drainage constructed. Mrs. Davis added that with respect to a social media statement, the City Council did care about the Water Department employees. The employees were removed from their building because a grant with Texas Water Development Board was still in progress. The project was at a point to remove lead paint from the tower and the lead would then become airborne. The Water Division offices were located directly under the water tower. Mayor Danner asked if there were any other questions. No questions were asked by City Council members.

8. Discuss and consider Ordinance No. 1202-06-19 of the City of Hondo, Texas amending Ordinance 1186-09-18 "Fee Schedule" by revising fees for Code & Development uses and updating fee schedule to reflect fees approved under prior ordinances; providing a repealer clause; providing for severability and setting an effective date.

Mr. Joseph Ramon stated that the 86th Texas legislation, H.B. 852 (2019) prohibits cities from calculating residential building permit fees based on cost (valuation) of the proposed construction. The Development Services Division is proposing to amend the Comprehensive Fee Schedule by changing the method of calculating residential permit fees to be based on square footage to implement H.B. 852. There were several ways to calculate the square footage and the Texas Municipal League General Counsel put out a recommendation and use a certain period. Using the fiscal year 2017-2018, City staff developed a proposed formula for calculating fees per square foot for residential permitting. Only residential dwellings would be affected and not commercial construction. The calculation would be "Total permitting fee charges divided by Total Residential square footage". The formula was created using data extracted from the City's Incode information that equaled to a total of \$0.38 (thirty eight cents) per square foot for new residential construction. The fee will be added to the Bureau Veritas fee. The calculation is recommended by the Texas Municipal League General Council. Mrs. Ramon stated he had completed a review of the current fee along with a fee that would be based off of current fees. \$0.38 is the calculate fee that averaged the amount of cost; whereas, \$0.35 was the amount that the rate was currently set to. Councilman Vela asked if the rate of \$0.38 was the cost that was closer to the fee that is currently being paid. Mr. Ramon stated that the rate of \$0.38 was slightly higher. The rate of \$0.35 was the rate that was closer to the rate that is currently being paid. Mayor Danner clarified that this fee was only for residential. Mr. Ramon stated yes this only addressed the residential rate and not commercial. Councilman Vela asked if Bureau Veritas cost was going to increase. The cost for residential inspections was going to increase with the vendor. Councilman Torres asked if all the permits at valuation would be changed in other cities. Mr. Ramon stated that every city would have to make changes to comply with H.B. 852. Valuation can no longer be used. Councilman Villa asked if a fee increase is necessary and could \$0.35 be used. Mr. Ramon stated that \$0.35 would keep the cost closer to the current rate. Councilman Villa asked if the recommendation was to approve \$0.35 or \$0.38? Mrs. Davis stated that staff was providing options. The \$0.38 is the actual and \$0.35 is closer to the present valuation system.

Mayor Pro Tem McAnelly moved to approve Ordinance 1202-06-19 with a fee rate for residential permitting at \$0.38 (thirty-eight cents) per square foot plus Bureau Veritas rate to comply with H.B. 852, to include fees for alteration/addition for residential construction; building, mechanical, electrical, plumbing, fuel gas and similar, \$100.00 per trade and; other types not listed above \$160 per trade. Motion seconded by Councilman Vela. Motion carried 5-0.

9. Discuss and consider Resolution 330-19 authorizing an application to the Texas Department of Transportation for a grant under the 2019 Safe Routes to School-Infrastructure (SRTS) call for projects.

Mr. Miguel Cantu informed council that Resolution 330-19 is presented for requested approval to allow City Staff to proceed with applying for a Texas Department of Transportation Safe Routes to School grant. The grant preliminary application was submitted by Debbie Krueger, Miguel Cantu, Michael Schmidt, and Chief Brian Valenzuela. The City had submitted a preliminary application to TxDOT with an estimated amount of \$599,458; however, M&S Engineering returned with a cost estimate of nearly \$800,000. The grant would allow the City to construct sidewalks and bike paths near Meyer Elementary School, McDowell Middle School and Wools Intermediate School, Hondo Independent School District. Based on the information provided in the preliminary application, the City's project was determined to be eligible for funds on April 6, 2019. The full application was released on June 18, 2019 and due August 15, 2019. At this time, the City will seek out letters of support for the project to include the Hondo Independent School District. Mrs. Davis stated the city's preliminary application for funds checks many of the qualifying boxes for the Safe Routes to School grant. The community appears to be excited to provide letters of support for the project. Mrs. Davis added that the resolution for the Council to be on board to

apply for the grant. Mayor Danner stated he was concerned about the amount and asked if the city was asking for too much. Mrs. Davis stated that during the meeting with TxDOT and was not about the amount but the ability to start the project.

Mayor Pro Tem McAnelly moved to approve Resolution 330-19. Motion seconded by Councilman Vela. Motion carried 5-0.

10. Discuss and consider authorizing the City Manager to negotiate terms of an agreement with KSA Engineering, Inc. to serve an on-call Airport Engineer to the South Texas Regional Airport.

Mr. Ryan Elder stated that in April 2016, the City entered into a one-year agreement with KSA Engineering to provide on call engineering services for the South Texas Regional Airport (STRA). The contract renewed for two additional one-year terms, and has since expired. Mr. Elder stated that the City had published a request for qualification (RFQ) on May 2, 2019 and it was reviewed by a committee. After evaluating the submitted RFQ, the committee unanimously agreed that KSA Engineering has consistently delivered quality advice and services to the City of Hondo and the South Texas Regional Airport, and is the top choice firm. The agreement would be for a three year contract with two year additional renewal. The City is only billed when services are rendered. Currently the city has budgeted \$20,000 in airport engineering fees. He stated that the use of RAMP grants can also be used to help fund the budget line item. Mr. Elder stated he was seeking approval from Council to move forward to award KSA Engineering services. Councilwoman Long asked who the other engineering firms were. Mr. Elder answered that KSA Engineering was the only firm that responded. The RFQ had been sent out to almost 15 engineering groups; however, KSA Engineering was the only respondents. Mrs. Davis stated that KSA Engineering is one of the top firms for airport engineering and response to the STRA has been wonderful. The engineer services are on an as needed basis.

Mayor Pro Tem McAnelly moved to approve finding that KSA Engineering is a qualified applicant for the RFQ for on-call Airport Engineer and authorizing the City Manager to negotiate and enter into an agreement. Motion seconded by Councilman Vela. Motion carried 5-0.

11. Workshop: Streets and Drainage

Mr. Michael Schmidt stated that during the March 2019 Leadership Retreat, City Council had provided approval to move forward with street assessments with Roadbotics for \$5,600. Roadbotics conducted an assessment in June 2019 and collected data. Mr. Schmidt stated that he had recently received notification that the assessment should be completed by the end of July 2019. The delivery of Roadbotics would allow the ability to create a cloud-based map of the City of Hondo and its roadways. They would also provide a spreadsheet containing raw data of their assessment along with a Shapefile. Mayor Danner asked if the information they would provide would be road conditions and drainage. Mr. Schmidt stated the data would contain the information; however, before working on the streets the infrastructure would have to be evaluated as well. The City would obtain the information and work with the City Engineer who would take the information and work on a drainage assessment. The name of the streets where infrastructure improvements have been made can then be matched up to either begin the improvements from worse conditions to least or visa versa. This data would help to start getting the drainage to appropriately run off. Mayor Pro Tem McAnelly stated that Roadbotics did not map some areas that were in the City and they mapped an area outside the city limits. Mr. Schmidt stated he had noted the same observations and would have discussions with Roadbotics to make sure that all of the streets in the City have been assessed to include the 30th Street area. Mr. Schmidt informed City Council it was important to locate the infrastructure improvements so that repairs to the infrastructure would be less likely and would not require the road to be reconstructed. Mayor Danner stated that data would help to provide the City Council with a priority list on the streets to do first. Main thoroughfares that have good utilities would be prioritized.

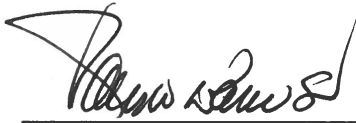
12. Workshop: Brush Service

Mrs. Davis discussed brush service within the City and stated that there had been a change in the

company which will handle the process and she wanted to address some concerns. The transition from ACI to Republic created the perfect storm. Republic was not familiar with the City because they are new to the area. There was also a lack of communication between the vendor and the City in regards to addresses and locations for pickup of brush. Several storms had passed through the City causing large trees and limbs to fall. While the residents attempted to clean the debris, the limbs were larger than the allotted guidelines. Mrs. Davis met with Republic to create a new process that would be effective. The new process would not require a work order and would follow the same routes as solid waste pick-up. Additionally, the pick-up and would take place during the first full week of the month. Anything exceeding the eight cubic yards will be left with a color-coded mark on the pile and photo documentation for follow-up with the resident. City staff will then follow up with a contact to the customer to ask if they want the remainder picked up and if so, they will need to pay an additional set fee. The process includes that brush should be placed at the front of the house on the curb. Brush pick up on the front curb would provide Republic workers sufficient space to remove the debris. Also of note, commercial customers are not eligible for brush pick up or any vacant lots unless they have utility services. Brush pick up has never been available to commercial customers. A brochure will be mailed out to customers and in August 2019, the new process will be fully implemented. Councilman Villa asked in a situation where a vacant lot has piles of brush, what would be the process. Mrs. Davis stated that if the vacant lot had been billed for utilities then brush could be picked up; however, if no utility billing was being done, then the property was not eligible for pick up. Mr. Blake Caesar from Republic Services further explained to City Council his concerns regarding alleyway pick up and curbside pick-up. He expressed that some of the alleys were in poor condition and the large trucks would further damage them. In addition, some brush piles are larger and block the alleyways. Mr. Caesar asked City Council for some recommendations. Councilman Torres recommended that pick up take place in front of homes. Councilman Vela stated that pick up of brush at the front of the resident's home would make better sense. Mrs. Davis informed Council that there would be a transition period with informing customer through the newspaper, a newsletter, and other a mailed out pamphlets. Conclusively, Councilman Torres asked if the City would be offering any brush pick up services to the commercial customers. Mrs. Davis stated that typically commercial customers contract brush pick up services. In instances where they do not contract services, they may contact Republic directly to purchase services.

13. **Executive Session: The city Council of the City of Hondo convened into Executive Session at 7:20 p.m. and reconvened in Open Session at 7:53 P.M. in accordance with the Texas Open Meetings Act, Texas Government Code.** 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* (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.
14. **Discuss and consider appropriate action resulting from Executive Session.**
No action taken.
15. **Adjourn.**
Councilman Vela moved to adjourn the meeting at 7:53 p.m. Motion seconded by Mayor Pro Tem McAnelly. Motion carried 5-0.

PASSED AND APPROVED THIS 8th DAY OF JULY 2019.



JAMES W. DANNER, SR., MAYOR

ATTEST:



Miguel Cantu, City Secretary

