

MINUTES
REGULAR CITY COUNCIL MEETING
October 8, 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, 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.

Absent: Mayor Pro Tem Ann-Michelle Long

Staff present: Police Chief Brian Valenzuela, Lieutenant Rick Garza, Assistant Finance Director Dee Willman, Director of Aviation Ryan Elder, Assistant Public Works Director Mike Schmidt, and Planner II Shavon Caldwell.

3. Invocation by Reverend Beverly Kelling, St. Paul Lutheran Church.

4. Pledge of Allegiance led by Mayor Danner.

5. Citizens' Comments

Mr. Chavel Lopez representing the Hondo Empowerment Committee, 1401 14th Street, Hondo, TX, gave condolences to the Garcia family for the young man who had lost his life this day. He informed Council that today was Indigenous Peoples' Day which celebrates and honors the Indigenous peoples of America. He hoped the City Council might consider celebrating this day as Indigenous Peoples' Day instead of Columbus Day as many other communities have done. Mr. Lopez stated he had spoken to City Manager Kim Davis regarding crop dusting on 8th Street between Ave. T and Ave. Y. He was concerned with the type of pesticides being sprayed so close to minority families living in the area. Mr. Lopez asked for Council to reconsider having a crop duster spraying in the area as he considered this environmental racism.

6. Discuss and consider approving the minutes for September 24, 2018 Regular meeting minutes.

Councilman Vela moved to approve the minutes as presented. Motion was seconded by Councilman Villa. Motion carried 4-0.

7. City Manager Report(s)

a. Upcoming City Events

City Manager Kim Davis stated she wanted to congratulate the Hondo Police Department on another successful National Night Out. Even though there was some rain, people stayed and enjoyed the featured movie. Ms. Davis advised there are other upcoming movie nights scheduled on October 19th at Memorial Square featuring "Hocus Pocus" and November 16th at the Hondo Municipal Golf Course featuring "Happy Gilmore". Both movies are scheduled to start at dusk.

She informed Council of the Zombie Glow Run – Night of the Literary Dead 5K benefiting the Hondo Public Library scheduled for Monday, October 23rd at 6:30 p.m.

Ms. Davis spoke regarding Hwy 90 Type 1 Team who are establishing a Type 1 Diabetes Support Group. They are inviting anyone who wants to join, even if this disease does not affect you personally.

She highlighted the following event dates:

October 20th – Library Meet & Greet at 10:30 a.m.

November 2nd – City Hall Diabetes Awareness Month Kick-Off with a tentative butterfly release at 8:30 a.m.

November 3rd – Library Walk, Bike, & Run for JDRF & Painless Butterfly Project at 8:30 a.m.

November 15th – Library Meet & Greet at 10:30 a.m.

Ms. Davis stated the first Hondo U meeting was successfully held last Thursday with a class of

twelve citizens. The focus was on Government 101 and Administration, the following week will be Public Works.

8. **Discuss and consider Ordinance 1187-10-18 an ordinance of the City of Hondo annexing approximately 52 acres of land made up of parcels 4134, 2249 and owned by Jimmy Mumme and Robert Mumme, located in Medina County Texas, all of which are lying within the City's extraterritorial jurisdiction and to incorporate such property into the City of Hondo, as shown in the attached exhibit; adopting a municipal service plan for the area to be annexed; making findings of fact; providing a severability clause; providing an effective date; and providing for open meetings and other related matters.**

Planner II Shavon Caldwell presented the ordinance to annex approximately 52 acres of land owned by Jimmy Mumme and Robert Mumme. The ordinance will incorporate the properties into the City of Hondo and also adopt a municipal service plan. She reminded Council that this item had been discussed during the previous three Council meetings. Ms. Caldwell briefed Council on the history leading up to this ordinance. In November of 2017 the city annexed a number of properties as identified in the Growth Management Annexation Plan. The properties currently being discussed were identified in the plan but were exempt at the time due to their agricultural use and were granted development agreements which would remain as long as they maintained their use. These properties have since lost their agricultural exemption making them eligible for annexation. Ms. Caldwell stated two public hearing were held at regular scheduled Council meetings in which no public comment or input was provided. The service plan identifies these properties could be served with utilities within the required two to four years.

Ms. Caldwell spoke regarding zoning and land use of these properties. She stated the property should be zoned in accordance with its current use. She stated she had been in contact with the property owners and had explained staff's request and recommendation, but had not been able to come to an agreement with them regarding the zone designation. Ms. Caldwell advised that staff recommends that the properties be zoned Commercial (C) to match the current use and avoid non-conforming uses.

Mayor Danner inquired if the zoning designation would be decided tonight. City Attorney Frank Garza explained that the Commercial zoning would be designated on the properties as part of the annexation ordinance since it is compatible with the current use. If the property owners decide to change it, they would have to go through the zone change process.

Ms. Davis confirmed that all of the city services were already available with the exception of wastewater; however, should this service be desired, it could be extended since it is available in the area.

Mayor Danner stated Council had heard discussion on these properties as mentioned for the past three meetings and asked for a motion to adopt the ordinance to annex these properties. Councilman McAnelly moved to approve and Councilman Vela seconded.

Councilman Torres asked who provided their electric services. Ms. Davis stated she understood they received it from Medina Electric, but wanted to confirm with the CCN (Certificated of Convenience and Necessity).

Councilman McAnelly moved to approve Ordinance No. 1187-10-18 as presented. Motion was seconded by Councilman Vela. Motion carried 4-0.

9. **Executive Session:** The City Council of the City of Hondo convened into Executive Session at 6:13 p.m. and reconvened in Open Session at 6:41 p.m. 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)
- Discussion regarding potential lease, purchase or value of real property.
 - Discussion regarding potential lease/sale of property with Hondo Aerospace.
 - 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.
 - Consultation with attorney regarding ongoing litigation impacting permitted Edwards Aquifer Water rights.

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

No action taken.

11. Adjourn.

Councilman McAnelly moved to adjourn the meeting at 6:42 p.m. Motion was seconded by Councilman Vela. Motion carried 4-0.

PASSED AND APPROVED THIS 22ND DAY OF OCTOBER, 2018.



JAMES W. DANNER, SR., MAYOR

ATTEST:



Miguel Cantu, City Secretary



1. $\frac{1}{x^2} = x^{-2}$
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