

THE STATE OF TEXAS
CITY OF RIO HONDO
COUNTY OF CAMERON

Rick Tello, Commissioner Place 1
Margaret Perez, Mayor Pro-Tem
Joseph Lopez, Commissioner Place 5

Esteban Bocanegra, Place 3
Olga Gallegos, Commissioner Place 4

Gustavo Olivares
Mayor

**Notice of a Regular Meeting of the
City Commission of the City of Rio Hondo
October 12, 2021**

Pursuant to Chapter 551, Tittle 5 of the Texas Government Code, the Texas Open Meetings Act, notice is hereby given that the governing body of the City of Rio Hondo, Texas will convene for a Regular Meeting at 6:30 p.m. on Tuesday October 12, 2021 at the **City Commission Chambers** on the Second Floor of the Rio Hondo Municipal Building located at 121 N. Arroyo Blvd., Rio Hondo, Texas 78583.

PLEDGE OF ALLEGIANCE

UNITED STATES PLEDGE

INVOCATION:


Regular Agenda:

1. Mayor's and Commissioner's Report
2. Administrator's Report, Senior Center, Library, Public Safety, Public Works
3. **Public Comment Period: *Please Note- The Public Comment Period is designated for hearing concerns regarding City of Rio Hondo Public Policy or City of Rio Hondo business that is or is not on the agenda or items listed on the agenda.***
4. Consideration and Action approving the September 18, 2021, Minutes of the City Commission.
5. Audience with the Rio Hondo Sports League. (No Action)
6. Public Hearing and Action on Ordinance 2021-011 providing for one-time meeting stipend to the Mayor and City Commissioners for meetings held January 27, 2020 to December 30, 2020. (Mayor Olivares and Ben Medina)
7. Consideration and Action Resolution 2021-013 to Establish Premium Pay for Essential City Employees using funds received under the American Rescue Plan Act of 2021.. (Ben Medina, City Administrator)

8. Status Report and approval final drawing of Boat Ramp Park and authorize payment of first invoice to GDJ engineering. (Ben Medina and Mayor Olivares)
9. Consideration and Action affirming the Mesquite Street scope of work and completion schedule. (Ben Medina and RE Garcia, Engineer)
10. First Public Hearing Amending Ordinance 2021-12 Prohibiting Parking, Stopping and standing of vehicles to add the following:” **tractor trailers, utility trailers, farm tractors and farm equipment in residential areas and along and within 250 feet from Right-of -Way of Colorado Avenue from the Rio Hondo Lift Bridge to FM 345/Sam Houston Street**”.
11. Consideration and Action authorizing the City Administrator to plan and conduct a neighborhood clean-up campaign at the Blue Bonnet Subdivision.
12. Consideration and Action authorizing the City Administrator to solicit Request of Qualifications for Architectural Services for renovations Police Department, and park improvements at the City County Park
10. Consideration and Action appointing members to a Cemetery Committee.
11. Adjournment

Note: The City Commission for the City of Rio Hondo reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any matters, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development).

Note: The Meeting is accessible to Americans with Disabilities. Persons with disabilities who plan to attend this meeting and who may need assistance, please call the City Secretary at (956) 748-2102, with at least twenty-four hours prior to the meeting.



Gustavo Olivares
Mayor of the City of Rio Hondo

POSTED

I, City Secretary for the City of Rio Hondo, do hereby certify that this Notice of Meeting is a true and correct record and was posted in the bulletin board outside City Hall, and the bulletin board in the City Hall lobby, at 121 N. Arroyo Blvd, Rio Hondo, Texas 78583 and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

DATE: 10/18/2021 TIME: 4:30 pm

Item 6

ORDINANCE NUMBER 2021-011

ORDINANCE 2021-13 PROVIDING FOR A ONE-TIME MEETING STIPEND TO THE MAYOR AND CITY COMMISSIONERS FOR MEETINGS HELD JANUARY 27 TO DECEMBER 30, 2020.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF RIO HONDO.

WHEREAS the Mayor and City Commissioners continued to provide (and do continue to provide) essential government policy services and governance as a Type A Government City during the pandemic at the risk of exposure to Covid-19.

WHEREAS the Mayor and City Commissioners met in-person because of the lack of internet services, electronic equipment, and cameras.

WHEREAS the Mayor and the City Commission complied with all Federal and State Executive Orders to local governments.

WHEREAS; Executive Order GA-14 under Section 418.016 (A) the “governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business... if strict compliance with the provisions...would in any way prevent, hinder or delay necessary action in coping with a disaster” and;

NOW THEREFORE, the City Commission hereby resolve and authorize the use of city funds to establish and make a onetime stipend \$2000 payment to the Mayor and City Commissioners for meetings attended January 27 to December 30, 2020.

PASSED AND APPROVED AFTER READING THE CAPTION AT THE REGULAR MEETING OF THE CITY COMMISSION THIS DAY 14th OF OCTOBER, 2021.

ATTEST:

CITY OF RIO HONDO

MAYOR

Item 7

RESOLUTION 2021-014

A RESOLUTION TO ESTABLISH PREMIUM PAY FOR LOW TO MODERATE INCOME ESSENTIAL CITY OF RIO HONDO EMPLOYEES USING FUNDS RECEIVED UNDER THE AMERICAN RESCUE PLAN ACT OF 2021

This Resolution by the City of Rio Hondo Commissioners authorizes Premium Pay for Essential City Government employees for service during the period of January 27, 2020 to December 31, 2020 using funds received from the American Rescue Plan Act of 2021 ("ARPA").

Whereas, the American Rescue Plan Act of 2021 was signed into law on March 11, 2021, Rio Hondo, Texas has received "ARPA" funding from the United States Treasury. The "ARPA" rules are very specific in limiting the purposes for which cities may spend the funds. Rio Hondo has identified premium pay for essential government employees as an authorized use of "ARPA" funds.

Whereas "Essential Worker" is "Any work performed by an employee of the state, local or tribal government or workers needed to maintain continuity of operations of critical infrastructure sectors." "Essential Work" is "work involving regular in-person interactions or regular physical handling of items that were also handled by others, but does not include a worker who teleworked from a residence."

Whereas, "ARPA" rules encourage cities to provide premium pay for low and moderate income employees and the upper level cut-off in Rio Hondo allows premium pay to only those employees making less than \$90,000 per year. Members of the City Commission, appointed committee members, non-employees and persons making more than \$90,000 will not receive premium pay.

Whereas, Rio Hondo employees continued to provide (and do continue to provide) essential government services during the pandemic at the risk of exposure to COVID-19. The City is proactive to maintaining its essential workers. There is a legitimate public need to pay premium pay under the terms of this resolution.

Now therefore, the Rio Hondo City Commission hereby resolves and authorizes the use of Federal "ARPA" funds to establish and make a payment of premium pay to low to moderate income essential employees who meet the following criteria:

A. Employees who were full time (more than 30 hours per week) are to receive a two payments of \$2,000 less standard deductions for taxes subject to the following conditions:

1. This premium payment is for the period of January 27, 2020 to December 31, 2020 and the employee must have been a full time employee during that time,
2. To be eligible, the recipient must have been continuously and be currently employed by Rio Hondo from January 27, 2020 to August 17, 2021.
3. Full time employees that were hired between January 27, 2020 and December 31, 2020 that meet all other criteria will receive a pro rata payment based on a percent of annual earnings not to exceed \$4,000,
4. Employees making \$90,000 or more, City Commissioners, appointed board members and non employees not eligible to receive premium pay.
- 5, Employees who worked in multiple departments will receive one premium payment, only.
6. First payment will be made no later than November 10, 2021 and the second payment will be made on April 1, 2022.

B. Eligible Employees who worked part time and provided essential government services are eligible to receive premium pay up to 15% of their annual earnings not to exceed \$2,000 subject to relevant criteria under "A" above,

The City Commission hereby instructs the City Administrator and Finance and Human Resource Manager to carry out the terms of this resolution and make the payments contemplated herein at the earliest opportunity,

So resolved, decided, and approved on October 14, 2021.

By: _____

Gustavo Olivares, Mayor

Attest:

Ben Medina, City Administrator

Item 8

October 1, 2021

David A. Garza
Cameron County Commissioner Precinct No. 3
1390 W. Expressway 83
San Benito, TX 78586

**RE: Rio Hondo Boat Ramp Park Improvements Plan
Rio Hondo, Texas**

Dear Commissioner Garza:

As you are aware, the City of Rio Hondo entered into an interlocal agreement with Cameron County on August 30, 2012 (attached) for the acquisition of 2.5 acres adjacent to the Rio Hondo Boat Ramp along the Arroyo Colorado as part of the Deep River Conservation Project. We are proud to report that the plans for the boat ramp park and adjacent property have evolved to a 13.1 acre proposed project (layout exhibit attached) comprised of the following improvements as part of a TPWD Grant:

- Resurface existing parking lot
- Reconstruct and extend existing pier walkway
- Add RV parking lot and camp tent sites
- Add pedestrian trail, playground, restrooms, and pavilion
- Proposed benches and bird watching blinds.
- River view lookout area at the top of the bank
- Add a new kayak slip & new fishing pier

As part of the interlocal, the project description and authorized use of the property included the following description:

“To help restore, enhance, and protect land on the Arroyo Colorado River in Rio Hondo, Texas for public access to native wildlife habitat, and native species with the purchase of 2.5 acres of land. “

We strongly feel that these proposed improvements would increase access to the Arroyo Colorado and native wildlife habitat, while providing a variety of recreational activities in the area. These improvements would also complement the Cameron County Parks System - Adolph Thomae Park located downstream along the Arroyo Colorado.

As a result, the City of Rio Hondo would like to respectfully request concurrence from the Cameron County that our current planned use is within the guidelines set forth in the existing interlocal agreement. We are currently coordinating with TPWD, TGLO, USFWS, USACOE, and IBWC to ensure all regulatory requirements and permitting are met for the design and construction of the project. We anticipate that the project total construction cost will be approximately \$1.3 million, of which approximately \$1.1 is funded by a TPWD grant.

Should you have any questions or need any additional information, please contact our consultant, Mr. Christopher Rodriguez, P.E. with GDJ Engineering, at (956) 603-2025 or Chris@gdjeng.com.

Thank you for your cooperation on this very important project.

Sincerely,

Ben Medina
City of Rio Hondo

Attachments

Interlocal Agreement CN: 2012C08311
Proposed Site Layout Exhibit

cc. Joe. E. Vega, Cameron County Parks Department Director
Chris Rodriguez, P.E., Project Manager, GDJ Engineering

Item 9

Ben Medina

From: regaassoc@aol.com
Sent: Friday, October 8, 2021 8:55 AM
To: stephanie@rhynerinc.com; carlos@rhynerinc.com
Cc: Ben Medina; Gustavo Olivares
Subject: RIO HONDO STREET IMPROVEMENT PROJECT TXCDBG CONTRACT #7219369

Good Morning Mrs. Rhyner and Mr. Garza

The City of Rio Hondo is very concerned with the lack of progress on the above referenced street project. The contract period has been extremely exceeded and it does not seem that sufficient attention and effort is being applied to complete this project. Please submit a completion schedule to my office as soon as possible.

If Rhyner Construction Services, Inc. cannot complete this contract, please indicate as such so as to contact your bonding company.

The City of Rio Hondo has been patient and only desires to have this project completed as soon as possible.

Thank You

Raul E. Garcia, P.E., R.P.L.S., C.F.M.
R. E. Garcia & Associates
116 N. 12th
Edinburg, Texas 78541
(956) 381-1061 Office
(956) 239-2037 Cell

Item 10

ORDINANCE NUMBER 2021-012

ORDINANCE 2021-12 AMENDING ORDINANCE NUMBER 345
PROHIBITING PARKING, STOPPING AND STANDING OF VEHICLES
IN SPECIFIED PLACES

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF RIO HONDO.

SECTION 1. Definition: Heavy vehicles, redefined as vehicles which exceed 20 feet in length, 8 feet in width, 10 feet in height, or are over 10,000 pounds, are prohibited from parking in residential properties. Currently, these types of vehicles are prohibited from parking on public streets. Trailers; any trailer with a ½ inch hitch; Farm equipment; are tractors over 30 hp; farm harvesting equipment.

SECTION 1. Prohibited in specified places.

- (a) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or directions of a police officer or traffic-control device, in any of the following places: .
- (b) Tractor trailers, utility trailers, farm tractors and farm equipment in residential areas and along and with 250 feet from the right of way of Colorado Avenue from Rio Hondo Lift Bridge to Sam Houston Street/FM 345.
 - 1. On a sidewalk.
 - 2. In front of public or private driveway
 - 3. Within an intersection;
 - 4. Within fifteen (15) feet of a fire hydrant;
 - 5. On a crosswalk;
 - 6. Within twenty (20) feet of a crosswalk at an intersection;
 - 7. Within thirty (30) feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;
 - 8. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic engineer has indicated a different length by signs or markings;
 - 9. Within fifty (50) feet of the nearest rail of a railroad crossing;
 - 10. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of such entrance (when the property signposted);
 - 11. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;

12. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
13. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
14. At any place where the street curb has been painted red by the traffic engineer;
15. At any place where official signs prohibit stopping;
16. On any unpaved public right-of-way except when such unpaved public right-of-way is an extension of a driveway;
17. On extensions of driveway on public right-of-ways in residential districts when such parking creates a safety or traffic hazard;
18. In fire lanes on public or private property as provided in Schedule I of Article VI of this chapter,
19. In or on public alleys.
 - (b) No person shall move a vehicle not lawfully under his control into any prohibited area specified above or away from a curb such distance as is unlawful.
 - (c) No person shall stand or park a vehicle upon any roadway for the principal purpose of:
 - (d) Displaying it for sale.
20. Washing, greasing, filling with gas or oil or repairing such vehicle, except repairs necessitated by an emergency.

Section II. Penalty for Violation: Any person convicted for any violation of this ordinance shall be punished by a fine of not more than \$500.00 amount allowed by current Texas Law.

Section III. If any section of this ordinance, or any provision in any section of this ordinance, shall be held by any Court of Competent Jurisdiction to be illegal, unconstitutional or void, all other sections and other provisions of sch sections, shall be and remain in full force.

Section IV. All previous ordinances, sections or provisions in conflict herewith, are expressly repealed.

Section V. This ordinance shall take effect on the date it is approved and passed and after publication.

PASSED AND APPROVED AFTER READING THE CAPTION AT THE
REGULAR MEETING OF THE CITY COMMISSION THIS DAY OF
OCTOBER , 2021.

ATTEST:

CITY OF RIO HONDO

MAYOR