

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 2
Olga Gallegos, Commissioner Place 4

Gustavo Olivares
Mayor

**Notice of a Regular Meeting of the
City Commission of the City of Rio Hondo
January 25, 2022**

Revised 5.09 pm

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 January 25, 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, Public Safety Report, Library Report, Senior Center Report, Public Works Report
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 on the January 11, 2022, City Commission Minutes.
5. Consideration and Action on Ordinance 2021-12 Prohibiting Parking, Stopping, and standing of vehicles.
6. Discussion on Senate Bill 5 regarding the tethering of dogs.
7. Executive Session: Consultation with the attorney as described in the Texas Local Government Code, Section 551.071 regarding contracts and final payments to Rhyner Construction Company.

Open Session on items discussed in Executive Session.

8. Consideration and Action on Change Order No. 1 for the Mesquite Street Reconstruction.
9. Consideration and Action on payment No. 8 to Rhyner Construction for the Mesquite Street Reconstruction
10. Consideration and Action on Final Payment to Rhyner Construction for the Mesquite Street reconstruction.
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: 1/22/2022 TIME: 3:00pm

Item 2 Reports



January 25, 2021

Report to the Mayor and City Commissioners

1. Architects proposals will be rated for the selection of a firm for the Splash pad.
2. The final rule for the American Recue Plan was released make the fund more flexible to use with fewer requirements.
3. The Bluebonnet Neighborhood Cleanup was successful the Police Department identified problem areas and residents complied by living unwanted furniture and tires ready for pickup.
4. The Texas Department of Agriculture will be send the contract this week for the new projects.
5. Mesquite Street paving will be done on Tuesday and the last block on the following week.

Water Plant

1. The water tank will be repaired week of February 7, 2022 so water pressure will be varying.

Sewer

The contractor and electrical contractor for the Roberto Garza liftstation got ill with Covid so project is on hold

Park

1. Staff will prepare the fields for March baseball season.
2. Planting of trees at the City /County park in April
3. Continue cleaning of cemeteries.
4. Public Works is full staffed

Reports

Library:

Arrangement has been made with Texas AgriLife San Benito to provide hand-on Technical Assistance children in becoming Junior Master Gardeners. In March the program will be for ten weeks. Texas AgriLife San Benito will provide soil, seeds and tools. The City will provide space and raised beds.

Plans are being done to provide a children's book club. This will be coming soon. The city has some extra bikes for the top readers.

LED lights are being replaced slowly at the library.

Padron count has been steady at 12 to 20 per day.

Senior Center

The center is only serving curbside meals.

Persons served is at 64 persons

Senior Center is fully staffed.



PUBLIC SAFETY REPORT

December, 2021

Prepared 1/19/2022

1

PUBLIC SAFETY HIGHLIGHTS

- Both Police and Fire Department Personnel assisted Camp Perry with their Winter Camp. 3 Merit Badges courses were presented to over 40 Boy Scouts.
- Police and Fire Department Personnel delivered several hundred toys and gift packages to the Arroyo Apartments, Riverside Apartments and the Village Apartments. This was made possible through donations from the River Ranch Church/Residents and the RGV Credit Union.

2

POLICE DEPARTMENT GENERAL INFORMATION

STAFFING

- 1 -Public Safety Director
- 6 -Full Time Patrol Officers
- 3 -Reserve Officer(s)

VEHICLES

- 6 –Patrol Units (*) ✓
- 3 -1033 Military Rescue Vehicles ✓
- 1 –Generator Set (2x 5 kw mobile) ✓
- 1- Boat ✓

3

POLICE DEPARTMENT REPORTS

248-CALLS FOR SERVICE (FD/PD)

Calls for Service Highlights

- 11-Alarms
- 5-Assist EMS
- 2-Assist Other Agencies
- 64-Business Checks
- 64-City Facility Check
- 4-Civil
- 0-Death Investigation/Natural Causes
- 10-Disturbances (domestic/misc.)
- 2-Dog Bite(s)
- 5-Loose Canine
- 5-Loose Livestock
- 29-Residence Checks
- 0-Runaway(s)
- 0-Suspicious Activity
- 2-Suspicious Person (s)
- 2-Suspicious Vehicle(s)
- 0-Vehicles Towed
- 7-Welfare Checks

1 – ARREST(S)

- 1 x On View – (Assault Public Servant)
- 1 x On View – (Theft M/V, Possession Firearm by a felon)

6 – INCIDENTS/OFFENSE(S)

- 2 x Theft of Motor Vehicles (recovered)
- 1 x Criminal Mischief (kicked vehicle door)
- 1 x Assault (Public Servant)
- 1 x Animal Cruelty
- 1 x Theft (Beer)

TRAFFIC

- 59 - Total Traffic Stops and/or Class C Misdemeanor Activity
- 34 – Traffic Citations Issued
- 25 – Warnings
- 2 - Crash report(s)

4

FIRE DEPARTMENT STATUS

STAFFING

- 11 Fire Fighters available
 - 1 Chief
 - 1 Ast. Chief(s)
 - 1 Lieutenant(s)
 - 1 Engineer
 - 7 Firefighters
- 5 TEEEX Certified Fire Fighters
- 2 EMT's
- 3 EMR's
- 3 Triple Certified: Police, Fire, EMR
- 4 Tactical Emergency Casualty Care

VEHICLES

Engine 1	✓
Brush 1	⊘
Brush 2	✓
Brush 3	✓

5

FIRE DEPARTMENT REPORTING

- 2- Fire Alarms
 - 1- Environmental Responses, Down Power Line (ESD)
 - 1- Structure Fire (ESD)
 - 1- Medical Call/Fire-Rescue (Heart Attack at City Pavilion)
-
- 5- Total - Fire Dept. response calls resulting in 2 ESD Paid calls
 - 3- Controlled Burn Notifications Submitted to the Police Dept.

6

Item 5 Ordinance 2021 - 13

ORDINANCE NUMBER 2021-013

**AN ORDINANCE OF THE CITY OF RIO HONDO
AMENDING ORDINANCE NUMBER 345 OF THE CITY
CODE OF ORDINANCES AS IT PERTAINS TO THE
PROHIBITION OF PARKING, STOPPING AND
STANDING OF VEHICLES IN SPECIFIED PLACES;
PROVIDING FOR PUBLICATION, AND DEALING
WITH RELATED MATTERS**

WHEREAS, the City of Rio Hondo, as a General-law City in the State of Texas, is empowered by Chapter 51 of the Texas Local Government Code to adopt and amend ordinances which are necessary for the good government, interest, welfare, or good order of the municipality; and

WHEREAS, the City finds that the parking of certain large vehicles in specified areas can provide a traffic hazard by blocking visibility and lines of sight for users of public roadways, therefore impeding safe pedestrian and automotive travel; and

WHEREAS, the City of Rio Hondo desires to amend its current city ordinance pertaining to Parking, Stopping, and Standing so as to further delineate parking requirements for large vehicles, as defined herein, and provide for the general public health, safety, and general welfare;

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF RIO HONDO, TEXAS:

SECTION 1. That Chapter 345 of the City of Rio Hondo Code of Ordinances shall be amended to add the following definitions (underlined):

Heavy vehicles: Vehicles which either (1) exceed 20 feet in length; (2) 8 feet in width; (3) 10 feet in height; or (4) weigh over 10,000 pounds.

Trailers: A trailer with a ½ inch hitch or larger and trailer tongue of more than 5,000 pounds. Recreational Vehicles will be parked on private property and not occupied or provide with utilities.

Farm equipment: Tractors with a rate of over 30 horsepower; or farm harvesting equipment.

SECTION 2. That Chapter 345, Section 1(a) of the City of Rio Hondo Code of Ordinances shall be amended to read follows:

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:

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 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);
10. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
11. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
12. Upon any bridge or other elevated structure upon a highway.
13. At any place where the street curb has been painted red by the traffic engineer.
14. At any place where official signs prohibit stopping.
15. On any unpaved public right-of-way except when such unpaved public right-of-way is an extension of a driveway.
16. On extensions of driveway on public rights-of-way in residential districts when such parking creates a safety or traffic hazard.
17. In fire lanes on public or private property as provided in Schedule I of Article VI of this chapter,

18. 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:
 - 1. displaying it for sale.
 - 2. washing, greasing, filling with gas or oil or repairing such vehicle, except repairs necessitated by an emergency.
 - (d) In addition to the requirements in sections (a)-(c), heavy vehicles, tractor trailers, utility trailers, farm tractors and farm equipment are prohibited from parking:
 - 1. In residential-zoned areas; and
 - 2. Two-hundred and fifty (250) feet from the right of way of Colorado Avenue from the Rio Hondo Lift Bridge to Sam Houston Street/FM 345.

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, or the amount which may be allowed by 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 remaining sections and other provisions of such 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 upon publication in a newspaper of general circulation and as provided by Tex. Gov't Code Sec. 52.011.

**PASSED AND APPROVED AFTER READING THE CAPTION AT THE
REGULAR MEETING OF THE CITY COMMISSION THIS ___25th___
DAY OF JANUARY 2022.**

ATTEST:
Ben Medina, City Administrator

CITY OF RIO HONDO

**GUSTAVO OLIVARES
MAYOR**

Ordinance Enforcement

It will be the responsibility of the Police Department to enforce the ordinance. The Administration will continue to publicize the Ordinance and make copies for distribution.

- Issue press release
- Notice on Facebook and Web regarding Ordinance
- First Month is contacting concerned truck owners
- Placing placards on trucks violating ordinance
- Monitor the violations
- Give warnings
- After third month issue citations

Item 6 Senate Bill 6 Tethering of dogs

BILL ANALYSIS

Senate Research Center

S.B. 5
By: Lucio
Criminal Justice
10/19/2021
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current Texas law requires that peace officers give 24 hours notice to comply with current statute, essentially giving little to no ability to penalize those who fail to provide dogs with adequate shelter. Also, current statute only extends to extreme living conditions such as freezing temperatures and heat advisory warnings without requiring adequate shelter from rain or the ability to escape the rain's ensuing standing water.

S.B. 5 replaces the current unlawful restraint of a dog with a more humane standard of care for dogs as well as an enforcement mechanism for peace officers. Key provisions include:

- Adequate shelter must be provided. This is basic care such as having potable water, a place to avoid standing water, and a way to avoid direct Texas sun.
- A restraint cannot cause harm to the dog. Some dogs receive a collar when they are small and eventually grow too large for the collar. Unfortunately, this occurs too often. Also, while tethered, a dog must have room to move and cannot be on a short leash while tethered.
- Exceptions provided. Good dog owners often perform duties while in close proximity to the dog. These activities include camping, herding, and business operations that include the dog.
- Provides law enforcement the ability to correct the problem. Current law ties the hands of law enforcement from fixing a problem that is right in front of them. Currently, owners must be given 24 hours notice to correct the sometimes inhumane treatment of animals.

(Original Author's / Sponsor's Statement of Intent)

S.B. 5 amends current law relating to the unlawful restraint of a dog and creates a criminal offense.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 821, Health and Safety Code, by adding Subchapter E, as follows:

SUBCHAPTER E. UNLAWFUL RESTRAINT OF DOG

Sec. 821.101. DEFINITIONS. Defines "adequate shelter," "collar," "harness," "inclement weather," "owner," "properly fitted," and "restraint."

Sec. 821.102. UNLAWFUL RESTRAINT OF DOG; OFFENSE. (a) Prohibits an owner from leaving a dog outside and unattended by use of a restraint unless the owner provides the dog access to:

- (1) adequate shelter;
- (2) an area that allows the dog to avoid standing water and exposure to excessive animal waste;
- (3) shade from direct sunlight; and
- (4) potable water.

(b) Prohibits an owner from restraining a dog outside and unattended by use of a restraint that:

- (1) is a chain;
- (2) has weights attached;
- (3) is shorter in length than the greater of:
 - (A) five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail; or
 - (B) 10 feet; or
- (4) is attached to a collar or harness not properly fitted.

(c) Provides that a person commits an offense if the person knowingly violates this section. Provides that the restraint of each dog that is in violation is a separate offense.

(d) Provides that an offense under this section is a Class C misdemeanor, except that the offense is a Class B misdemeanor if the person has previously been convicted under this section.

(e) Authorizes the actor, if conduct constituting an offense under this section also constitutes an offense under any other law, to be prosecuted under this section, the other law, or both.

Sec. 821.103. EXCEPTIONS. (a) Provides that Section 821.102 does not apply to:

- (1) the use of a restraint on a dog in a public camping or recreational area in compliance with the requirements of the public camping or recreational area as defined by a federal, state, or local authority or jurisdiction;
- (2) the use of a restraint on a dog while the owner and dog engage in, or actively train for, an activity conducted under a valid license issued by this state provided the activity is associated with the use or presence of a dog;
- (3) the use of a restraint on a dog while the owner and dog engage in conduct directly related to the business of shepherding or herding cattle or livestock;
- (4) the use of a restraint on a dog while the owner and dog engage in conduct directly related to the business of cultivating agricultural products;
- (5) a dog left unattended in an open-air truck bed only for the time reasonably necessary for the owner to complete a temporary task that requires the dog to be left unattended in the truck bed;

(6) a dog taken by the owner, or another person with the owner's permission, from the owner's residence or property and restrained by the owner or the person for not longer than the time necessary for the owner to engage in an activity that requires the dog to be temporarily restrained; or

(7) a dog restrained while the owner and dog are engaged in, or actively training for, hunting or field trialing.

(b) Provides that Section 821.102(b)(3) does not apply to a restraint attached to a trolley system that allows a dog to move along a running line for a distance equal to or greater than the lengths specified under that subdivision.

(c) Provides that this subchapter does not prohibit a person from walking a dog with a handheld leash.

Sec. 821.104. EFFECT OF SUBCHAPTER ON OTHER LAW. Provides that this subchapter does not preempt a local regulation relating to the restraint of a dog or affect the authority of a political subdivision to adopt or enforce an ordinance or requirement relating to the restraint of a dog if the regulation, ordinance, or requirement:

(1) is compatible with and equal to or more stringent than a requirement prescribed by this subchapter; or

(2) relates to an issue not specifically addressed by this subchapter.

SECTION 2. Repealer: Subchapter D (Unlawful Restraint of Dog), Chapter 821 (Treatment and Disposition of Animals), Health and Safety Code.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: the 91st day after the last day of the legislative session.