

City of Natalia, Texas  
Regular City Council Meeting  
April 21, 2014 at 7:00pm  
Minutes

Roll Call: Mayor Ruby Vera - present Alderman Sam Bluemel - present  
Alderman Tommy Ortiz - present Alderman Sam Smith - present  
Alderman Ruben Juarez - present Alderman Mike Fernandez - present

Call to Order:

- 1) Mayor Vera called the special city council meeting to order at 7:00 pm followed by the pledge of allegiance led by Alderman Sam Smith, and an Invocation by Alderman Sam Bluemel, Jr.

Citizens to be Heard:

- 2) None.

City Council Comments:

- 3) None.

Presentations and Recognitions:

- 4) Mayor Vera presented a Certificate of Recognition to 2014 Natalia Bluebonnet Festival Princess, Miss Christa Michelle Garcia.
- 5) Mayor Vera presented a Certificate of Recognition to 2014 Natalia Bluebonnet Festival Queen, Miss Emily Isabel Garcia.
- 6) Mayor Vera presented a Certificate of Recognition to 2014 Library Volunteer of the Year for the Natalia Veterans Memorial Library, Rosalina Romo.
- 7) Mayor Vera presented a Certificate of Recognition to 2014 Historian/Reporter of Alamo Association of Student council District 15, Matthew San Miquel.
- 8) Jorge Saldana was not present for Recognition of 2<sup>nd</sup> Place State of Texas and U.S. National Powerlifting Winner for the 123 Pound Weight Class of 2014.
- 9) Mayor Vera presented a Proclamation declaring the week of April 21-25, 2014 as Administrative Professionals Week.
- 10) Mayor Vera presented a Proclamation declaring the week of May 11-17, 2014 as National Police Week.
- 11) TxDOT Presentation of Frontage Road and Exit Ramp Closures for the IH-35/FM-471 Project discussed the effects of closures to Natalia residents, businesses, and school district. The proposed traffic control plan will close the northbound exit ramp to FM-471 for about three weeks beginning Wednesday, April 23, 2014; converting traffic from two-way to a one-way, prohibiting southbound traffic to access the frontage road. Traffic from FM-471 will have to take a detour through FM-463 and turnaround to reach destinations. Residents at Mustang Estates and Great Oaks Subdivisions will mostly be impacted by the conversions; however, by allowing work crews to work against one-way traffic it will reduce the construction time.

Consent Agenda:

- 12) a. April 3, 2014 Special Meeting Minutes
- b. Financial Activity Report
- c. Municipal Court Activity Report
- d. Police Department Activity Report
- e. Utility Department Activity Report
- f. Code Compliance Activity Report
- g. Natalia Veteran's Library Activity Report

Motion: Alderman Bluemel made the motion approving the consent items. Alderman Fernandez seconds the motion.

Vote: 5-0; Passed by a unanimous vote.

Discussion/Consideration of Action Items:

- 13) **Discussion/Consider Action of Resolution No. 14-04 amending Resolution 13-05; Independent Contractor Agreement between Bruce C. Bealor and the City of Natalia; to include building inspections and the services provided; specifying job duties, the rate of compensation and hours of work; providing for severability, and setting an effective date.**

Discussion: City Administrator Hernandez explained current inspections are being performed by separate inspectors because the current building inspector, Troy Martin, is not licensed to perform plumbing inspections and that was the reason for contracting Bruce C. Bealor for plumbing inspections services. However, with the recent inspection and mileage rate increases received from Troy Martin, City Administrator Hernandez recommends contracting Bruce C. Bealor with BB Inspection Services, LLC. which will also simplify scheduling and maintaining records of all inspection services. Alderman Ortiz was concerned of the cost for each inspection, providing an example that the costs for all inspections for a new home will be about \$1,000.00 not including the costs for permits. Alderman Fernandez states the inspection fee is significantly high, and will burden residents with low income. Alderman Smith questions if the fees include plan review and mileage. Inspector Bealor replied that plans can be reviewed by City Council or Staff to reduce those costs if necessary, and that there is no cost for mileage.

Motion: Alderman Bluemel made the motion approving Resolution No. 14-04, entering into a contract agreement with Bruce C. Bealor (BB Service Inspections, LLC.) to include building inspections. Alderman Smith seconds the motion.

Vote: 5-0; Passed by a unanimous vote.

- 14) **Discussion/Consider Action of Ordinance No. 14-0421-1; Establishing construction requirements; requiring contractor registration, permits and inspections, setting a fee schedule; providing for a repealer, severability, and an effective date.**

Discussion: City Administrator Hernandez mentioned this ordinance will establish permitting and inspection requirements and setting fees appropriately by ordinance, and for compliance of ISO BCEGS. Alderman Smith had many concerns on imposing permits and inspections for irrigation, fencing, reroofing, and sheds. City Administrator explained that improvements to one's property should be permitted and inspected, and

this information would then be provided to the appraisal district to determine property valuations. Alderman Smith also questioned the reasons for requiring fence setbacks around water meters? City Administrator Hernandez explained that fencing setbacks around water meters should be a requirement, if not then someone can construct a fence around the water meter making it difficult for utility crews to read or repair meters, and that an employee shouldn't have to jump a fence or enter onto someone's property because of a fence especially if the owner has animals loose in their property. Alderman Smith also questioned the need for sets of plans for fences, sheds, replacement of doors or windows? City Administrator Hernandez requested this item be placed on the April 28<sup>th</sup> Special Meeting Agenda, and also requests City Council to submit any of their questions or concerns to her for review and possible changes the ordinance before agenda posting.

Motion: Alderman Smith made the motion to place this item for Monday, April 28, 2014 Special Meeting agenda. Alderman Bluemel seconds the motion.

Vote: 5-0; Passed by a unanimous vote.

- 15) **Discussion/Consider Action of Ordinance No. 14-0421-2; repealing Ordinance No. 98-609; and adopting a Drought Management Plan, establishing drought stage conditions and restrictions; providing for a variance, repealer, penalty, severability, and an effective date.**

Discussion: City Administrator Hernandez explained that City Council had previously adopted an ordinance amending drought stage 4 restrictions and conditions, however, with recent EAA restrictions mandating a 30-35% consumption reduction by all users revising our drought stage restrictions and conditions are necessary, and according to TCEQ, drought contingency plans should be reviewed and revised, if needed, at least every five years. Alderman Smith suggests not to be so strict with watering by a hand-held hose, and to allow watering with a hand-held hose at any time on any day.

Motion: Alderman Smith made the motion adopting Ordinance No.14-0421-2 with changes to Drought Stage 3 and 4 Restrictions to allow hand-held watering, and removing the restrictions for fire hydrant flushing. Alderman Ortiz seconds the motion.

Vote: 5-0; Passed by a unanimous vote.

- 16) **Discussion/Consider Action of Ordinance No. 14-0421-3; adopting rates charged for bulk potable and non-potable water services; providing for a penalty, severability, and an effective date.**

Discussion: City Administrator Hernandez stated TCEQ authorized the city to reuse Type I and Type II wastewater effluent (non-potable water), and with recent request for the sale of bulk non-potable and potable water, the need for such sale was determined reasonable for a rate of \$0.10 cents per gallon for potable water, and \$0.03 per gallon for non-potable water, and setting regulations for use and prohibiting the sale of potable water during any stage of drought conditions. Mayor Vera mentioned that the wastewater treatment plant produces an average of 70,000 gallons of effluent water a day that is distributed into Fort Ewell Creek, and could rather be distributed for sale, which the revenue could be used for other city needs.

Motion: Alderman Bluemel made the motion adopting Ordinance No.14-0421-3. Alderman Fernandez seconds the motion.

Vote: 5-0; Passed by a unanimous vote.

- 17) **Discussion/Consider Action of Resolution No. 14.05; repealing all conflicting resolutions and ordinances; and establishing new city council meeting rules, policies and procedures; and providing for an effective date.**

Discussion: Mayor Vera explained that current city council meeting rules and procedures needed to be updated, and so causing new policies. City Administrator Hernandez stated since the last adoption of meeting rules and procedures on May 13, 1996 several changes were made by motion of the council without revising the actual policy, and since then changes to the laws have also been adopted that needed to be reflected in the new policy, and to determine a quorum for each type of meeting. Alderman Smith questioned if the Mayor Pro-Tem can vote when presiding over a meeting, if so, would like the phrase “is able to vote” added after the sentence, “In the event of the Mayor’s absence or inability to perform, the Mayor Pro-Tem shall be the presiding officer” on Page 3. Section 4(2).

Motion: Alderman Smith made the motion adopting Resolution No.14-05 establishing new city council meeting rules, policies, and procedures; with the phrase “is able to vote” added to Page 3. Section 4(2). Alderman Fernandez seconds the motion.

Vote: 5-0; Passed by a unanimous vote.

#### Reports:

- 18) **City Administrator’s Report:** City Administrator Hernandez mentioned the 2014 Hog Wild Seminar held annually by Denton Navarro Rocha Bernal Hyde & Zech, P.C. is taking registrations, and asked City Council to inform her no later than Friday, May 2<sup>nd</sup> if they wish to attend. It was also reported that five new computers were purchased for the upgrade to Microsoft Windows-7 because Microsoft was no longer supporting Windows XP operating systems, which left our data and records vulnerable to security breach, viruses and cyber-attacks. The expense was not budgeted and will need to be allocated during the 6-month budget review.
- 19) **Chief of Police Report:** Chief Rodriguez mentioned that the City of Natalia Police Department is hosting its first pet registration and vaccination clinic on June 28<sup>th</sup> and July 29<sup>th</sup> from 10am to 4pm; the city registration is \$3 and it includes a tag. Penny Paws Veterinarian Clinic would be administering the vaccination shots and other services. Alderman Smith had several concerns requiring residents to register their pets with the city if they have already received registration and rabies vaccination from a vet, especially charging the registration fee. City Administrator Hernandez explained that Ordinance No.00-0411 adopted the regulations for registration and set the \$3 fee. Alderman Bluemel disagreed with Alderman Smith that registrations should be required because Ordinance No.14-0327-2 regulates the number of pets allowed, and how could police enforce the number of pets if we do not keep record of pets registered to an owner; and believes the fee is reasonable to cover the administrative costs associated with registering pets. Mayor Vera requests this item be discussed and considered at the Special Meeting to be held April 28, 2014.
- 20) **Utility Director’s Report:** Utility Director Art Smith provided City Council an update on the Wastewater Treatment Plant Project, stating a two-month delay has occurred because of the

step screen and filters systems approval from TCEQ, and should receive their approval by the end of May.

21) **Mayor's Report:** Mayor Vera reported the revenues and expenses, with having a balance of \$610.40 remaining from the Bluebonnet Festival. Mayor Vera mentioned she is seeking to fill positions on the Haywood Park Committee if anyone is interested. Mayor Vera also mentioned that South Texas Blood & Tissue will be hosting a Blood Drive Saturday, June 28, 2014 from 9am to 2pm in the City Council Chambers.

22) **Adjournment.**

Motion: Alderman Smith made the motion to adjourn at 9:05pm. Alderman Bluemel seconds the motion.

Vote: 5-0; Passed by a unanimous vote.

Passed and Approved this 20th day of May, 2014.

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Ruberta C. Vera  
Mayor

Attest:

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Lisa S. Hernandez  
City Administrator/Secretary