

**City of Natalia, Texas**  
**Special City Council Meeting**  
**April 3, 2014 at 7:00pm**  
**Minutes**

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

**1. Call to Order:** Mayor Vera called the special city council meeting to order at 7:00 pm followed by the pledge of allegiance, and an invocation led by Alderman Sam Bluemel.

**2. Citizens to be Heard:** None.

**3. City Council Comments:**

1) Alderman Bluemel expressed his appreciation towards the Bluebonnet Festival Committee, volunteers and staff, for putting together the Bluebonnet Festival parade and activities; denoting several good comments were received by citizens and attendees.

2) Alderman Fernandez also expressed his gratitude towards those involved in the Bluebonnet Festival; however, some negative comments were received about the gaps between parade participants. Alderman Fernandez questioned the reason for closure of City Hall. Mayor Vera confirmed City Hall was closed during lunch, between 12pm-1:30pm, for an appreciation luncheon put together by staff for Sandra Passailaigue.

3) Mayor Vera advised council and citizens that water deposit letters have been mailed to randomly selected residents by the Auditor's Office to confirm whether they have or do not have a water deposit filed with the City. This a new procedure being performed for auditing purposes. Mayor Vera mentioned Congressman Canseco will be utilizing City Hall Council Chambers for a meet and greet scheduled for Monday, April 7, 2014 at 5:00pm. Mayor Vera also mentioned the Wastewater Treatment Plant Project bid opening did not occur; TCEQ final approval have delayed procedures for about two months, and the new timeline is within TxDept of Ag requirements and commitment schedules.

**4. Variance Request - 404 Seventh Street by Ms. Ann Marie Juarez; to grant a variance to the Natalia Zoning Ordinance to allow a mobile home to be placed at 404 Seventh Street, Natalia, Medina County, Texas.** Speaking behalf of the applicant is Rudy Juarez stating the reason they're here is because they're requesting for a mobile home to be placed at 404 Seventh Street, the home that is currently there now is beyond repair, it wouldn't be cost effective or feasible as far as repair wise; and so the plan was for getting a mobile home and placing it on the residence, but the issue for requesting the variance was because the mobile home will be sitting on lots 14, 15 and 16; and what it's coming to is that the City went out and measured, but they're trying to get rid of the old house to beautify the community for what is a presentable home than what is there now.

Mayor Vera states that she understood the current home, where the mother lives, is not handicap accessible which is one of the reasons why they're moving in this other direction. Mr. Juarez confirms that is one of the issues, and also includes that the mobile home will have two restrooms and will have wider doors to get around, and has more of an open floor plan than what is there now. The current house

was built over 25 years ago, and is just not feasible to repair cost wise; and this was the step his brother wanted to take and pursue.

Mayor Vera explains that they had a meeting with the family which prompted the item being on the agenda two weeks ago; after the meeting City Administrator Passailaigue and Code Compliance Officer Allejano went the following day to measure the property with the wheel to make sure where they were requesting the positioning of the home on the property was going to meet all the setbacks, but once they came back it was said that it would need to be replatted, and then questions Mr. Juarez if those steps for the replat took place? Mr. Juarez answers no, because in that meeting they were told not to continue on with the replat, but they do intend to get it replatted once everything is set and in place because it would just delay the process more.

Alderman Smith states that it has to be replatted, and if Council votes tonight to put the building there that is with the understanding that it will be replatted. Mr. Juarez confirms.

Mayor Vera questions Mr. Juarez, given the circumstances, what is the timeline for tearing down the house, doing what needs to be done with replatting, and then bringing in the manufactured home? Mr. Juarez replies that everything with the home is pretty much done, and only waiting on the Council's decision, and the final signature, so it would just be a matter of a couple of weeks.

Alderman Bluemel clarifies the understanding that Mr. Juarez was told to wait for Council's decision for the replat because if they tried to so beforehand it could interrupt the process of getting the mobile home, and asks if the other house will be removed. Mr. Juarez confirms, and replies the current house would be completely torn down.

Alderman Bluemel questions if this property has been replatted before? Mr. Juarez confirms it has. Alderman Bluemel questions City Administrator Passailaigue what was needed for the replat? City Administrator Passailaigue replies, 20 feet; and continues to state that the permit is currently in violation of Ordinance No. 96-0700 which states that there shall be no mobile homes placed in that area, and of the subdivisions ordinance statement that only allows one unit per lot and that also violates the setbacks per lot. If Council were to grant the variance to allow it, it would need to be replatted to comply with the ordinances.

Alderman Smith questions once it's replatted, then it would be correct? City Administrator Passailaigue confirms, and continues that once the replat is done, they would need to come back to Council to get the replat approved, which typically would be first, and believes there was a misunderstanding because normally there wouldn't have been a delay on getting that surveyed, and because if it's not done Council can't ask to remove the mobile home; the City must have proof that it was actually replatted and recorded; and is needed as soon as possible. Passailaigue mentions that they have an engineer; and states that this was supposed to be a fairly simple process because it was just replatted in 1993, so they should be able to go to the same place, get that replatted and recorded with the County.

Motion: Alderman Fernandez made a motion to approve the variance, adding 60 days to remove the old house, stating it will take longer than two weeks to get the old house down; and so moving, with the stipulation of 60 days to remove the old house, and replatting, and then at that time the replat will have to be back for approval. Alderman Bluemel seconds that motion.

Vote: Motion passed by a 3-0 vote. Alderman Juarez abstained from this item.

## **5. Discussion and action to accept the City Council minutes from the March 17, 2014 Regular City Council Meeting.**

Discussion: None.

Motion: Alderman Smith made the motion of approval, and Alderman Fernandez seconded.

Vote: 4-0, Unanimous.

## **6. Mayor Vera proclaimed the month of April 2014 as Fair Housing Month.**

**7. Discussion and action on Resolution No. 14-02, a resolution of the City Council of the City of Natalia, Texas approving the terms of agreement between Ivan A. Hernandez and the City of Natalia for employment as City Fire Marshal; specifying job duties, the rate of compensation and hours of work; providing for severability; and setting an effective date.**

Discussion: City Administrator Passailaigue stated the City currently has no Fire Marshal, and in order to comply with permitting and inspection regulations a Fire Marshall should be designated, and Ivan Hernandez is more than qualified to perform the duties required. Alderman Fernandez questioned the fees and additional charges. City Administrator Passailaigue replied that no financial impact to the City will be incurred; all fees collected are paid directly to the Fire Marshal for inspections.

Motion: Alderman Bluemel made the motion approving Resolution No. 14-02 for the hiring of Ivan A. Hernandez as Fire Marshal effective May 1, 2014. Alderman Smith seconds the motion.

Vote: 4-0, Unanimous.

At this time Mayor Vera authorized City Administrator Sandra Passailaigue to perform the Oath of Office swearing in Ivan A. Hernandez to serve as Fire Marshal for the City of Natalia, Texas.

*[Alderman Tommy Ortiz arrived at 7:25pm for the remainder of the Special City Council Meeting, changing the quorum attendance to 5 members present.]*

**8. Discussion and action on Resolution No. 14-03, a resolution of the City Council of the City of Natalia, Texas designating authorized signers of all accounts for the City of Natalia, Texas with Security State Bank.**

Discussion: Mayor Vera stated this authorizes Security State Bank to remove City Administrator Sandra Passailaigue as an authorized signatory from City accounts, and adding newly hired City Administrator/Secretary Lisa S. Hernandez as an authorized signer of City accounts.

Motion: Alderman Ortiz made the motion approving Resolution No. 14-03 designating the authorized signers of City accounts with Security State Bank. Alderman Juarez seconds the motion.

Vote: 5-0, Unanimous.

**Item 12 was moved ahead by Mayor Vera, to perform the Oath of Office swearing in Lisa S. Hernandez to serve as City Secretary for the City of Natalia, Texas.**

**Item 11 was moved ahead by Mayor Vera, to allow City Administrator Sandra Passailaigue to give her final report.**

City Administrator Passailaigue reported from January 2014 to present three ordinances have been adopted to regulate Curfew Hours, International Building Codes, and Animal Restrictions. Online utility account and municipal court payments are now being accepted, and since mid-January \$3709.88 utility online payments have been collected, and \$13,556.77 has been received for online municipal court payments. Utility Department staff was issued reflective uniforms to improve safety precautions. Joint efforts to clean-up Third Street and Barlett were done that removed junk debris and buses from properties, as well as removing large amounts of bamboo from the creek to make clearance for proper drainage; the street was also raked and leveled by County Commission Beck's crew which will allow water to flow properly into the drainage and away from houses in the area. The City's Building Code Insurance Service Office grade was drastically improved within days from a rating of 99 (1 being the highest, and 99 being the lowest) to a Residential rating of 5 and Commercial rating of 4. These efforts will need to be properly

enforced and applied, and once the City receives its final determination letter from ISO, residents and business owners can take the City ISO Grade to their insurance companies for a possible better insurance rating. A prefinal codification of ordinances have been received and are being reviewed before the April adoption, Municode is allowing 45 days to approve the codification which will also allow additional ordinances to be placed before final print and website accessibility expected by June 2014. With earlier approval, the City now has a Fire Marshal to work on fire inspections and prevention methods.

**9. The City Council convened into Executive Session at 7:45pm under TGC §551.074, Personnel Matters, to discuss the following:**

- a) Chief of Police 6-Month Evaluation

**10. The City Council reconvened into Regular Session at 8:25pm and took action on the item discussed in executive session.**

Motion: Alderman Fernandez made the motion to end the Chief of Police probation, providing for a 3% salary increase and to include City paid dental and vision for employee only. Alderman Bluemel seconds the motion.

Vote: 5-0, Unanimous.

**13. Adjournment - Motion made by Alderman Fernandez, and seconded by Alderman Smith. Motion passed by a unanimous vote. The Special Meeting adjourned at 8:30pm.**

**Passed and Approved this 21<sup>st</sup> day of April, 2014.**

---

**Ruberta C. Vera**  
Mayor

**Attest:**

---

**Lisa S. Hernandez**  
City Administrator/Secretary