

City of Natalia, Texas
Regular City Council Meeting
August 18, 2014 at 7:00 pm
Minutes

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

Call to Order:

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

Citizens to be Heard:

- 2) None.

City Council Comments:

- 3) Alderman Fernandez commented that the contractors doing the TxDOT project at IF-35 do not have signs placed at the ramps properly or do not have the correct dates indicated for ramp closures; and are doing a horrible job at construction.

Presentations and Recognitions:

- 4) Recognition of Natalia Pony Elite Lady Mustangs academic achievements. Mayor Vera presented the Lady Mustang Players and Coaching Staff with certificates of recognition for placing 2nd at state regionals.
- 5) Presentation of Haywood Park Project Plans. Mayor Vera postponed the presentation to be scheduled at the September 4, 2014 Council Meeting.

Consent Agenda:

- 6) a. July 21, 2014 Regular Meeting Minutes
b. Financial Activity Report
c. Municipal Court Activity Report
d. Police Department Activity Report
e. Code Compliance Activity Report
f. Utility Department Activity Report
g. Library Department Activity Report
Motion: Alderman Bluemel made the motion approving the consent items. Alderman Juarez seconds the motion.
Vote: 5-0; Passed by a unanimous vote.

Discussion/Consideration of Action Items:

- 7) **Discussion/Consider Action on awarding the TxCBDG Contract for the Wastewater Treatment Pland System Improvements Project.**
Discussion: Brian Cope, City Engineer, reviewed the two bids received at the bid opening and accepted both bids. However, the filtration and step screen tabulations both exceeded the expected costs, and being that the installation of the step screen was an additive and would exceed the budgeted funds, the contract can be awarded without it. Mr. Cope recommends City Council award the contract to CK Enterprises for the installation of the filtration system at their base bid total of \$243,400.00. Mr. Cope mentioned the remaining \$40,000 can be utilized in other aspects that will improve the plant operations, and is working with CMDC for alternatives and an amendment to the contract; this process can take up to sixty days. Mr. Cope also stated the filtration system will meet discharge permit requirement without the step screen.

Motion: Alderman Fernandez made the motion awarding the contract to CK Enterprises for the installation of the filtration system. Alderman Bluemel seconds the motion.

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

- 8) **Discussion/Consider Action for the Authorization to proceed with: a) Rebidding, or b) Initiate steps to seek a sole source provider for the TxCBDG WWTP System Improvements Project.**

No discussions or action taken.

- 9) **Discussion/Consider Action of Renewing ACI Recycling & Disposal Services contract for a five (5) year term commencing on October 1, 2014.**

Discussions: City Administrator Hernandez mentioned meetings with Blake Caesar, ACI, in regards to renegotiating terms of the current contract. Ms. Hernandez explained that the contract renegotiations does not have a financial impact to the City and believes ACI will continue to provide the same great service they've been providing with the changes. The recommended included, 1) changing the contract start date to October 1, to coincide with the City's fiscal year; 2) extending the contract for five years ending September 30, 2019; 3) reducing the surety bond; 4) commencing billing for commercial customers effective October 1, 2014; 5) removing the \$5 daily rental roll-off container for sludge removal; and 6) yielding ACI's 2.8% cost of operations increase for another year.

Motion: Alderman Fernandez made the motion renewing ACI Recycling & Disposal Services contract for five years with the renegotiated terms, commencing October 1, 2014. Alderman Bluemel seconds the motion.

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

- 10) **Discussion/Consider Action to authorize the City Administrator to enter into an exchanged for services agreement for Grounds Keeping Services for the maintenance of the Natalia Ball Fields.**

Discussion: City Administrator Hernandez explained that after the Natalia Little League lease ended, the City needed to consider options of how to maintain and upkeep the ball fields with little costs; and during a staff meeting it was suggested we allow for individuals to utilize the fields for practice play in exchange for grounds keeping services. Two individuals are being recommended, Edward Castro, manager of the Natalia Pony Elite Lady Mustangs team, and Albert LaQue, coach of the Rattlers Baseball team. Both individuals will be responsible for maintaining their assigned field, and shared maintenance of the surrounding areas including the facilities. An exchanged for services agreement was drawn up and each individual has read and agreed to the terms proposed.

Motion: Alderman Smith made the motion authorizing the City Administrator to enter into an agreement for said services. Alderman Bluemel seconds the motion.

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

- 11) **Discussion/Consider Action of Variance Request by Alyssa Zapata to replace an existing mobile home with a newer model at 706 7th Street, and consider waiving variance and mobile home installation fees for such hardship.**

Discussions: Maria Sanchez spoke on behalf of the Zapata Family, explaining the hardship the family is going through, and requesting City Council to consider granting the variance request. The family is currently living in an old dilapidated and unfinished mobile home, and has recently received custody of a relative's three small children and seeking assistance. The replacement mobile home is not new, but newer and in better condition than what is currently being resided in, and will provide adequate space needed to house a family of five.

Motion: Alderman Bluemel made the motion granting the variance and waiver of fees. Alderman Fernandez seconds the motion.

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

- 12) **Discussion/Consider Action of authorizing the Chief of Police to engage into a contract with Natalia ISD to employ a Natalia Police Officer as a School Resource Officer for an amount not to exceed \$27,252.37.**

Motion: Alderman Smith made the motion authorizing the Chief of Police to enter into a contract with NISD for the SRO position. Alderman Fernandez seconds the motion.

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

- 13) **Discussion/Action on the Order of General Election for the City of Natalia, Texas to be held on November 4, 2014 for the purpose of electing three alderman.**

Discussions: Mayor Vera stated the positions ordered for election are those held by Alderman Fernandez, Alderman Smith, and Alderman Ortiz; and mentioned that all incumbents have filed their application with no opponents and should no person file as a write-in candidate by the deadline date, the election may be cancelled.

Motion: Alderman Bluemel made the motion ordering the City's General Election. Alderman Smith seconds the motion.

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

- 14) **Discussion/Action on postponing Monday, September 22, 2014 Regular City Council Meeting to Tuesday, September 23, 2014.**

Motion: Alderman Fernandez made the motion to postpone September 22nd meeting to the 23rd. Alderman Ortiz seconds the motion.

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

- 15) **Discussion/Consider Action on Resolution No. 14-06; Declaration of surplus property.**

Discussions: City Administrator Hernandez explained that two police purchased vehicles will be taken out of service, and will be considered for a trade-in for a newer police vehicle.

Motion: Alderman Smith made the motion approving Resolution No. 14-06; and Alderman Ortiz seconds the motion.

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

- 16) **Discussion/Consider Action on Ordinance No. 14-0818-1; Amending the Code of Ordinances, Chapter 42, Section 42-116, Utility Rates Structure and Establishing commercial garbage service rates, and providing for an effective date.**

Discussions: As discussed during September 18, 2014 Budget Workshop, an increase in the current utility rates for residential and commercial are being suggested, and to establish rates for commercial front-load garbage service to support the utility operations and increasing purchase cost. In comparing the City's rates with the survey performed by TML, our water and wastewater rates are below average by \$9.06 for populations less than 2,000, and by \$129.32 for commercial rates. A \$1.00 water base rate increase and a \$1.00 wastewater base rate increase for a total residential increase by \$2.00, with no increase in consumption rates. A \$1.00 water base rate increase and a \$1.00 wastewater base rate increase, and a consumption rates increase of \$0.03cents for every tier per every 1,000 gallons for commercial customers; and to establish garbage service rates for front-load (cubic yard) containers. With the over-taking of ACI's commercial billing customers, a \$5.00 overhead increase to ACI current rates is being proposed, with an equal-monthly rate deposit required.

Motion: Alderman Bluemel made the motion adopting Ordinance No. 14-0818-1 Utility Rates; and Alderman seconds the motion.

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

17) Discussion/Consider Action of Edwards Aquifer Authority 2015 Annual Use & Management Fee Contract & ASR Leasing Program.

Discussion: Mayor Vera explained the 2013 EAA Management Fee Rebate Program will no longer be given for unused groundwater; but is requesting permit holders to consider EAA 2015 Annual Use & Management Fee Contract and/or the Aquifer Storage & Recovery Leasing Program. The Contract will reduce the amount of groundwater authorized for withdrawal each year which will essentially reduce the fees assessed; and the Leasing Program will authorize leasing rights to the EAA for programs under the EAA Habitat Conservation Program at \$100 per acre foot but will not be able to be recovered by the City during leasing term.

Motion: Alderman Bluemel made the motion not to accept either contract or leasing programs offered by EAA; and Alderman Ortiz seconds the motion.

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

18) Discussion/Consideration Action of Declaring Drought Stage 4 Restrictions.

Discussions: Mayor Vera explained the drought monitoring status has reached levels below 630, and that EAA declared Drought Stage 4 effective August 14, 2014.

Motion: Alderman Fernandez made the motion declaring Drought Stage 4 effective immediately; and Alderman Bluemel seconds the motion.

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

19) Discussion/Consideration Action of Adopting the Natalia Police Department Policy and Procedures Manual.

Discussions: None.

Motion: Alderman Smith made the motion adopting the NPD Policy & Procedures; and Alderman Fernandez seconds the motion.

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

Reports:

20) **City Administrator's Report:** 1) The Proposed Budget was filed with the City Secretary's office, and the Proposed Budget and Tax Calendar meeting dates and times were confirmed that at least four members of the voting members will be available for the required public hearings. 2) The last day to officially file an application for a place on the ballot was at 5pm today, August 18st; and being so, three positions were available and three candidates have filed with no opponents, and if no write-in candidates are received by 5pm August 22nd the City's General Election will be certified as unopposed and will request council to cancel said election. 3) The Natalia Little League Lease ended July 31, 2014, and a lease-end inspection was conducted; present for the walk through was the City Administrator, Chief of Police, Code Compliance, Utility Fieldsman, and Natalia Little League Maintenance Mike Gonzales. It was found that all fields were over grown with weeds and rubbish, debris was scattered throughout the grounds, and the facilities were left unclean and trash was not properly disposed of. In addition to the ball field inspections, the City still had not received the documentation provided in the contract terms of gross receipts, inventory, improvements, concessions disbursements, the league's by-laws, nonprofit status certificate, and the standard operating procedures policy from the NLL. City Administrator recommended that all future leases be accompanied with all documentation, rental fees, and damage deposit set by Council prior to releasing the fields and facilities to leasee's.

21) **Chief of Police Report:** 1) Chief Rodriguez received a quote of \$18,512.00 from Cecil Atkisson Ford Inc. for the purchase of a police vehicle, this amount includes a trade-in amount of

\$7,500.00 from the two vehicles declared surplus; and will be purchased from forfeiture funds. 2) A donation was received from the Natalia VFD of hoses to be utilized for the ball fields.

- 22) **Mayor's Report:** 1) Rita Parrish with AEP Texas has donated \$1,000 for the Haywood Park Project. 2) Medina County Commissioners Court approved an Order prohibiting or restricting outdoor burning, the burn ban became effective August 14, 2014 at 12am for the next ninety days. 3) The TxDOT Construction Project at IH-35 and FM471 intersections is expected to be completed before the start of school.

23) **Adjournment.**

Motion: Alderman Fernandez made the motion to adjourn at 8:45pm. Alderman Smith seconds the motion.

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

Passed and Approved this 23rd day of September, 2014.

Ruberta C. Vera, Mayor

Attest:

Lisa S. Hernandez,
City Administrator/Secretary