

City of Natalia, Texas
Regular City Council Meeting
May 18, 2015 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, and the invocation led by Alderman Sam Bluemel.

Citizens to be Heard:

- 2) None.

City Council Comments:

- 3) Alderman Fernandez questioned the incentives given for certifications earned by employees, specifically towards water/wastewater? City Administrator Hernandez explained that certification raises are awarded based on type of certification, in water/wastewater it ranges from .50 cents to \$1.00. Alderman Fernandez was also concerned with the amount of stray animals are roaming the streets, and questioned if the City plans to hire animal control? City Administrator explained that Code Compliance and the Police Department handle animal control, and additional traps have been purchased for trapping and transferring. The city does not have animal facilities to house the animals longer than three days, at which they are then transported to Medina County. Alderman Smith questioned the city's plans for settling the properties with dilapidated structures and high weeds? Mayor Vera explained that a course of action plan has been established, and will be discussed at a later time. Alderman Ortiz questioned the city's actions on regulating sex offenders within the city? Mayor Vera explained that the City currently does not have an ordinance, but the City Administrator and Police Chief are working on it.

Presentations and Recognitions:

- a. Presentation by Melissa Lutz, Medina County Tax Assessor-Collector, providing options and resources available for property taxpayer accounts. Melissa Lutz introduced herself as having 10-years' experience with the County Office, and 3-years serving as the Tax Assessor-Collector. Ms. Lutz explained the several options residents have to satisfy their delinquent accounts, including payment plans, program assistance, exemptions allowed, and installment agreements before a lien on the property is filed and admitted to the County Clerk's office, these options can help with avoiding attorney's fees and additional penalties. Other options offered are hospitalization hardships and deferral of payments; however, if owners place the property on deferral and passes away, the family has 180-days to pay the taxes in full or it'll be placed on lien. Mayor Vera requested for a delinquent tax roll, and possibly a plan to target these individuals on the list that will provide them these options; this could possibly be a tax forum in conjunction with the school district, and a location where tax officials are available with forms and guidance. Alderman Smith asked if pre-payments are made, can the owner request where, when and how to apply the payments. Ms. Lutz confirmed that payments can be applied as requested by property owner.
- b. Mayor Vera declared May 17-23, 2015 National Public Works Week by Proclamation.

Consent Agenda:

- 4) a. Approval of Minutes: March 16, 2015 Regular Meeting

- b. Approval of the Financial Activity Report: March and April 2015
- c. Approval of the Police Department Activity Report: March and April 2015
- d. Approval of the Municipal Court Activity Report: March and April 2015
- e. Approval of the Code Compliance Activity Report: March and April 2015
- f. Approval of the Utility Department Activity Report: March and April 2015

Discussion: None.

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

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

Discussion/Consideration of Action Items:

- 5) **Discussion/Consider the appointment to fill the vacancy of a Board of Director on the Natalia Municipal Development District, and amending Resolution No. 15-06 to include the appointed director.**

Discussion: None.

Motion: Alderman Fernandez moved, by recommendation of the NMDD, to appoint Mark Marcum to fill the vacancy as a Director on the NMDD; and Alderman Juarez second the motion.

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

- 6) **Discussion/Consider amending the City's Code of Ordinance Chapter 40, Section 40-24(b); School buses prohibited on certain street areas.**

Discussion: Alderman Bluemel explained the City's current ordinance does not include Kearney Street or 6th/7th Street; which are currently being used by buses for transporting students to and from school. Alderman Bluemel also states the school has had some difficulties transporting children safely to the destination and has made last-minute routing change to get them there safely; and believes the ordinance should be rewritten to include a statement that allows school buses to utilize which ever street is needed to safely transport the children to and from school for any and all activities. Mayor Vera explained to Alderman Bluemel that this is a resolved issue in which the City and the School made the decision of the route previously, and continued use of city streets with heavy weighted vehicles including school buses cause damage to the streets, and to service lines that exist underneath its surface. City Administrator Hernandez requests that a map routing the school bus traffic be provided, in addition, the heavy truck ordinances will be reviewed, and upon findings, an amendment may be revisited by City Council.

Motion: Alderman Smith made the motion to include the use of FM-471 to 8th Street, 7th Street & Kearney Street; and Alderman Fernandez seconds the motion.

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

- 7) **Discussion/Consider Action on Ordinance No.15-0420-01; Amending Fiscal Year 2014-2015 General Fund and Utility Fund Budgets.**

Discussion: City Administrator Hernandez explained the General Fund amendments increase the revenues and expenses by a total of \$5,100.00 with the major change in revenue being the reduction in court fines and fees by -\$10,000.00, and the increase of franchise fees by \$13,000.00; additionally, expenses to telephone/internet for the police department has been separated as its own line item and removed from the administration department, these expenses were paid from forfeiture funds in prior years. An additional expense was made to account for 50% of \$9,000 matching grant funds dedicated to the 2013/14 TxCBDG for WWTP Generator which General Fund will cover \$4,500 and Utility Fund the other \$4,500. The City also designated 5% matching funds for the 2015 Master Plan Grant, being \$6,281. The Utility Fund amendments increase the revenues and expenses by a total of \$49,225.81 with the major change including the increase caused by the "water pass-thru charges" implemented for recovery in payment for additional water leases we will incur this year, and for the collection of commercial garbage customers which offsets the increase in garbage expenses. Also the amendment includes a Transfer-In from Contingency and WWTP Reserves of \$10,357.59 to pay for the remaining matching funds

dedicated to the 2013/14 TxCDBG for WWTP Filtration, and for its equal share for the Generator. Because the amount of transfers-in do not cover the entire costs of matching funds, the remaining costs would be an expense. Also, the amended budget reflects a Transfer-In from Capital Reserves to cover the costs of ariator pumps at the WWTP of \$5,643.22. The amended budget also has several line-item adjustments to pay IRS Debt. City Administrator Hernandez explained that amendments are necessary to account for the designated matching grant funds, totaling \$23,831.00 between General #60100 and Utility #63500, and to cover the costs of the IRS Debt (possible payoff offer). Every department and just about every line item was modified to make funds available to offset these costs; and with several decreased amendments made herein, we still have a balanced budget.

Alderman Smith and Fernandez questioned the high costs of telephone budgeted for the police department. City Administrator Hernandez explained that previously these expenses were charged against receivables in hopes to be collected from Forfeiture Funds, but with recent financial impacts, these costs should have been part of the city's operational budget. These costs include services provided by Verizon for internet to five copsync labtop units, two land lines with auto-forward between the lines, a fax line, internet to office, and six cell phones. Alderman Smith asked what can be done to reduce the costs especially when no one is available to pick-up the phone at the police department, to consider call forwarding to whoever is on call.

Motion: Alderman Smith made the motion to adopting Ordinance No. 15-0420-01; and Alderman Bluemel seconds the motion.

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

- 8) **Discussion/Consider Action on Resolution authorizing the establishment of a Citizens Advisory Committee to review and comment upon the development of municipal planning studies.**

Discussion: City Administrator Hernandez explained that GrantWorks, Inc. has filed our application for the 2015 Capacity and Planning Grant; however, as a criteria and to gain 21-points to our application score, it was recommended that the City develop a Citizens Advisory Committee that would recommend planning activities and needs of the community. Mayor Vera also recommended the City Council nominate Alderman Tommy Ortiz and Resident Krystal Sepulveda to serve on the committee with City Administrator Hernandez which will complete the three-person board.

Motion: Alderman Fernandez made the motion adopting the Resolution and appointing Alderman Tommy Ortiz and Resident Krystal Sepulveda to serve on the committee; and Alderman Smith seconds the motion.

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

- 9) **Discussion/Consider Action on Ordinance No. 15-0518-1; regulating the use of Rainwater Harvesting Systems.**

Discussion: City Administrator Hernandez explained that with current climate changes, drought has become an issue and, more and more residents are now trying to find methods of conservation, including rainwater harvesting. We currently do not have restrictions or requirements that regulate the installation of these systems but with there is always that possibility of connecting a system to an irrigation system or to the city's water supply; and to ensure the system is installed properly and not connected to the city's water supply, a permit and inspection process needs to be implemented to protect and avoid any cross-contamination possibilities into the city's potable water supply. Alderman Fernandez suggested that one of the city's utility personnel be sent to Customer Service Inspections training to perform such inspections as needed. City Administrator Hernandez believed that such inspections could be implemented in the duties of the Code Compliance Officer, and would be looking further into training availability.

Motion: Alderman Bluemel made the motion adopting Ordinance No. 15-0518-1; and Alderman Fernandez seconds the motion.

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

- 10) **Discussion/Consider authorizing the Mayor and City Administrator to pursue USDA Rural Development funding for special evaluation and predevelopment planning for water and/or wastewater infrastructure projects.**

Discussion: Mayor Vera, Public Works Director Art Smith and City Administrator Hernandez visited with USDA Representatives, and Southern Area Specialist Betty Soto in regards to the funds available through grants and low-interest loans for various infrastructure projects such as water, wastewater, drainage, streets, etc. However, to begin the process USDA Rural Development requires special evaluation and predevelopment plans to be completed and submitted with each application. To assist low-income communities such as Natalia with engineering studies, USDA also offers grants for preliminary designs and evaluation costs that will be applied for. Alderman Fernandez requests that the Carrizo Well be reviewed and possibly considered as part of the study.

Motion: Alderman Smith made the motion, and Alderman Ortiz seconds the motion.

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

- 11) **Discussion/Review of Natalia Personnel Policy Manual Draft.**

Discussion: City Administrator Hernandez stated she has been working of the drafted policy manual for several months, and through the process it has been reviewed multiple times by department heads and by Mayor Vera; several changes have been made between then, and is now in the hands of the Council for additional questions, clarity or revisions. Alderman Fernandez questioned the use of vacation and sick leave increments, and the normal circumstances are that employees are to take the time as whole days rather than one-hour increments, and asked if shorter increments makes it harder to track time. City Administrator explained that several employees have utilized their time in shorter or half-day increments, and all time is accounted for each pay period and deducted as taken through the process, and tracking has not been an issue. Alderman Bluemel questioned the award of overtime versus comp-time, and the payment of comp-time upon separation. City Administrator explained that overtime is provided after each employees have physically worked their normal work schedule, and may be given or be directed to take comp-time in lieu of, and then has sixty days to take, or unless authorized by the Department Head and City Administrator, however, upon separation comp-time will be paid out.

Motion: None. City Administrator will review items discussed and make necessary changes, at which the final draft will be prepared and considered for adoption at the next regular meeting.

Reports:

- 12) **City Administrator's Report:** 1) Natalia ISD Summer Feeding Program begins June 8, 2015 and ends June 19, 2015. 2) November 2015 Proposed Election Calendar was discussed, and notice of filing deadlines will be posted in June's meeting. 3) An update of the city's WWTP Improvements to the Filtration Project is complete, and has been in operation since Tuesday, May 12, 2015. Alderman Fernandez requests for lab samples of before and after the filtration. 4) The City was scored 2nd by AACOG for the 2015/2016 TxCBDG Application; however, Mayor Vera mentioned this only preliminary scoring and not final determination of award. 5) The 2015 Hog Wild Seminar hosted by Denton, Navarro, Rocha, Bernal Hyde & Zech is scheduled for Friday, May 29th, and asks that any councilmember interested in attending please notify her office so registration arrangements can be made.
- 13) **Mayor's Report:** 1) The Memorial Day Ceremony is set for Monday, May 25, 2015 at 11:00pm, and if bad weather persists the ceremony will be taking place inside city hall council chambers rather than the memorial monument site.
- 14) Executive Session: The City Council convened into executive session at 8:52pm, pursuant to Texas Government Code, Chapter 551 to discuss the following:
- a) **\$551.071; Consultation with Attorney:** Update on advice received by Attorney with respect to pending or contemplated litigation or settlement offers, or contemplated administrative proceedings.

- 15) Regular Session: The City Council reconvened into regular session at 9:07pm, and took the following actions on items discussed in executive session.
- a) **Consultation with Attorney**: Update on advice received by Attorney with respect to pending or contemplated litigation or settlement offers, or contemplated administrative proceedings.

Action: None.

16) **Adjournment**.

Motion: Alderman Smith made the motion to adjourn at 9:08pm. Alderman Fernandez seconds the motion.

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

Passed and Approved this 15th day of June, 2015.

Ruberta C. Vera, Mayor

Attest:

Lisa S. Hernandez,
City Administrator/Secretary