

City of Natalia, Texas
Regular City Council Meeting
August 15, 2016 at 7:00 pm
Minutes

Roll Call: Mayor Manuel C. Saldana - Absent 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 Pro-Tem Sam Smith called the regular city council meeting to order at 7:00 pm followed by the pledge of allegiance, and the invocation by Alderman Bluemel.

Citizens to be Heard:

- 2) i. Ruby Vera, Chair - Natalia Municipal Development District, informed the City Council of the MDD's scheduled meeting for August 17, 2016 at 6:30pm to discuss many topics, such as the Beautification Project, Development Planning, and the MDD's Proposed Budget.

City Council Comments:

- 3) i. Alderman Fernandez thanked the city administrator for resolving the unsightly dumping at 904 Miller, and questioned the activities performed at the Klassen Property. PWD Art Smith replied that a water tap was installed at the property.

Public Hearing:

- 4) None.

Consent Agenda:

- 5) a. Approval of Minutes: July 18, 2016 Regular Meeting
b. Approval of Financial Activity Report: July 2016
c. Approval of Police Department Activity Report: July 2016
d. Approval of Municipal Court Activity Report: July 2016
e. Approval of Code Compliance Activity Report: July 2016
f. Approval of Utility Department Activity Report: July 2016
Action: Alderman Fernandez made the motion approving the consent agenda, and Alderman Bluemel seconded the motion. Vote: 5-0; Motion carried unanimously.

Discussion/Consideration of Action Items:

- 6) **Discuss/Consider Action on the Issuance of Award for TxCBDG Contract No.7215349 to Bidder for the Wastewater Treatment Plant System Improvements Project.**
Discussion: City Administrator Hernandez explained the bidding process and publication requirements, and as a result the City of Natalia only received one bid for the project by B-5 Construction Company for \$226,585.00; and explained that the amount including matching funds dedicated to this project is \$288,750 (Grant Administration Fees \$30,250; Engineer Fees \$51,700; and Construction \$206,800). The bid came in \$19,785 higher than the proposed construction budget; and therefore, TRC Engineering, PWD Art Smith, and B-5 Construction reviewed the bid package and eliminated nonessential construction activities and items. After determination, the modified bid project was proposed at \$195,000, which provides for a contingency fund of \$11,800. Alderman Fernandez questioned if any of the items removed necessary for the operations of the wastewater treatment plant. PWD Art Smith affirmed that all items removed were "wish-list" items, and is fairly in good shape to continue the operations of the WWTP.
Action: Alderman Bluemel made the motion approving the award of the contract to B-5 Construction Company as modified, contingent upon TDA review and approval; Alderman Fernandez second the motion. Vote: 5-0; Motion carried unanimously.
- 7) **Discuss/Consider increasing the number of Reserve Police Officers assigned to the Natalia Police Department.**
Discussion: Chief Rodriguez explained that in 2013 City Council approved a maximum of five reserve officers; however, with current staffing and scheduling, to have adequate 24-hour coverage, an increase to six is requested.

Action: Alderman Bluemel motioned to increase the number of reserve officers from five to six; and Alderman Fernandez second the motion.

Vote: 5-0; Motion carried unanimously.

- 8) **Discuss/Consider hiring and swearing in Osvaldo Guerra, and Matthew Garcia, as Reserve Police Officers for the Natalia Police Department.**

Discussion: Chief Rodriguez introduced reserve officers candidates to city council, and requests for the consideration to hire Osvaldo Guerra and Matthew Garcia as reserve officers to the police department force; which will also cap-out the number of reserves to six officers.

Action: Alderman Fernandez made the motion to hire Osvaldo Guerra and Matthew Garcia as Reserve Police Officer for the Natalia Police Department; and Alderman Juarez second the motion. Mayor Pro-Tem Sam Smith swore in Officers, Osvaldo Guerra and Matthew Garcia, by the Oath of Office.

Vote: 5-0; Motion carried unanimously.

- 9) **Discuss/Consider Action of Request by St. John Bosco Catholic Church to close a portion of Kearny St. between 5th St. and 6th St. on Saturday, September 3rd, 2016 from 9:00am to 6:00pm; and on Kearny St. between 4th St. and 5th St., and a portion of 5th St. between Kearny and Cresson St., during the annual church festival scheduled on September 4, 2016 from 9:00am to 12:00am.**

Discussion: Maria Sanchez provided information of the events and activities to be conducted throughout the festival, and the purpose for requesting an additional day and extended hours.

Action: Alderman Bluemel made the motion approving the closure dates, times and streets; and Alderman Fernandez seconded the motion.

Vote: 5-0; Motion carried unanimously.

- 10) **Discuss/Consider adopting an Ordinance; Establishing a No Parking Zone along portions of the state right-of-way at the intersection of State Hwy 132 and Farm Market Rd 471, located at the corner of the Natalia Ball Field Park, Natalia, Texas.**

Discussion: As requested from City Council, City Administrator Hernandez provided information on the "No Parking Zones" obtained from TxDOT, and a map of the areas to be considered "no parking", which is approximately 74' each direction from the corner stop sign at FM-471 & SH-132. Once signs ordered, and placed, this ordinance may be enforced.

Action: Alderman Fernandez motioned to approve the Ordinance, and Alderman Juarez second the motion.

Vote: 5-0; Motion carried unanimously.

- 11) **Discuss/Consider approving a Resolution; An Order to File a Lien with the Medina County Clerk's Office in the amount of \$685.00 and to accrue interest of 10% on Real Property located at 302 8th Street of Block 52, Lots 5 & 6 (N ½), City of Natalia, Medina County, Texas for the cost of work incurred by the City of Natalia.**

Discussion: As requested from City Council, another nuisance abatement was ordered, at which costs were incurred by the City. This is the second abatement within the year, and in order to receive our return on the incurred costs, the city would have to file for lien on the property. City Administrator Hernandez explained that the city cannot continue to afford these curement costs, and has reached out to Medina County Tax Attorney Henry Stein's Office in regards to the suit status. Steins' Office confirmed that a court hearing on the property tax suit is scheduled for September 26, 2016, and plans to auction off in March 2016.

Action: Alderman Fernandez motioned to file lien for such property for said amount; and Alderman Ortiz second the motion.

Vote: 5-0; Motion carried unanimously.

- 12) **Discuss/Consider adopting an Ordinance; Authorizing certain city officials to regulate the compliance of city ordinances and providing for the authority to issue citations for such violations.**

Discussion: As requested from City Council, City Administrator Hernandez discussed the city's authority to assign issuance of citations by other officers of the city, advising that code compliance and animal control officers would only be authorized to issue citations for code-related violations; crime, traffic or other non-misdemeanor issues are still under the discretion of the police department. Giving these officers this authority would cease the police department's involvement, and would strictly be regulated by the issuing officer and the municipal court.

Action: Alderman Fernandez motioned to adopt the Ordinance; and Alderman Ortiz second the motion.

Vote: 5-0; Motion carried unanimously.

- 13) **Discuss/Consider Engaging into a contract with Natalia ISD to employ a Natalia Police Officer as a School Resource Officer for school year 2016-2017 for the agreed annual shared cost amount.**
 Discussion: Chief Rodriguez explained that very few changes were made, generally being, the increase in shared costs due to an increase in benefit costs and payroll tax rates; and, removing the “daily rate of pay” amount, as the officer is an hourly employee and will be paid at his hourly rate of pay for the number of hours worked, and in compliance with the overtime rule.
 Action: Alderman Bluemel made a motion approving the 2016-2017 Contract between City and NISD; and Alderman Fernandez second the motion.
 Vote: 5-0; Motion carried unanimously.
- 14) **Discuss/Consider Ordering the General Election for the City of Natalia, Texas to be held on November 8, 2016 for the purpose of electing three aldermen.**
 Discussion: City Administrator Hernandez advised council of the election law process and calendar, and the regulation of ordering the general election; the expiring terms for this election are currently being held by Alderman Sam Smith, Alderman Tommy Ortiz, and Alderman Mike Fernandez.
 Action: Alderman Fernandez motioned to approve the order of the election, and Alderman Bluemel second the motion.
 Vote: 5-0; Motion carried unanimously.
- STAFF REPORTS:**
- a. City Administrator’s Report: 1) Notice of Last day to File for a Place on the Ballot for Three (3) Aldermen Positions of the City’s General Election for November 8, 2016. 2) Update from the August 2, 2016 City & TxDOT Meeting on the traffic concerns addressed. 3) Update on the filing of Fiscal Year 2016-17 Proposed Budget(s), Property Tax Assessments and Rates, and Public Hearing Dates. 4) Announcement of the upcoming Community Clean-Up: Drop-off Disposal site will begin the week of September 6, 2016 until roll-off containers are full, and the Curbside Pickup will be held the first week in October 2016.
- 15) **Adjournment.** Alderman Fernandez motioned to adjourn the meeting, and Alderman Bluemel seconded the motion. Motion carried unanimously.

Passed and Approved this 19th day of September, 2016.

Approval:

Attest:

Lisa S. Hernandez, City Administrator/Secretary