

City of Natalia, Texas
Regular City Council Meeting
October 21, 2019 at 7:00 pm
Minutes

Roll Call: Mayor Tommy Ortiz ó Present Mayor Pro-Tem Sam Smith - Absent
Alderman Mike Fernandez ó Present Alderman Darin Frazier - Present
Alderman Sam Bluemel ó Present Alderman Selica Vera - Present

Call to Order:

- 1) Mayor Ortiz called the regular city council meeting to order at 7:00 pm; followed by the Pledge of Allegiance led by Alderwoman Vera and Invocation by Alderman Bluemel.

Citizens to be Heard:

- 2) Bobby Rangel ó Item #7; Ruby Vera ó Item #5; Marissa & Robert Salazar ó Item #7.

City Council Comments:

- 3) Mayor Ortiz introduced the newly appointed Chief of Police, Glenn P. Barrow, and performed a ceremonial administration of the Oath of Office.

Presentations:

- 4) Genevieve Flores, City of Hondo Economic Development District Director, presented training opportunities offered by South Texas Regional Training Center and James W. Danner Sr. Training Annex Skills Center.

Committee Reports/Consideration Items:

- 5) a. NMDD Chairwoman Ruby Vera announced the Districts change of regularly held meeting dates; from the 3rd Wednesday to the 4th Monday of each meeting month. Monthly meeting dates may change based on Council Meeting scheduled meetings.
b. NMDD Chairwoman Ruby Vera invited everyone out to the annual Veterans Day Ceremony on November 11, 2019, location is scheduled at the Veterans Monument on Hwy 132, however, if inclement weather occurs the ceremony will take place at NISD center.
c. NMDD Chairwoman Ruby Vera requested Council to consider the appointment of Rosa Southard to the Natalia Municipal Development District as a Board of Director to fill the unexpired term of former Director Maria Sanchez through February 17, 2020.
Action: Alderman Fernandez made a motion appointing Southard to NMDD; and Alderman Smith seconded the motion. Vote: Motion passed unanimously by a 5-0 vote.

Consent Agenda:

- 6) a. Approval of Minutes: September 16, 24, and October 3, 2019 meeting minutes
b. Approval of Financial Activity Report: September 2019
c. Approval of Utility Department Activity Report: September 2019
d. Approval of Municipal Court Activity Report: September 2019
e. Approval of Police Department Activity Report: September 2019
Action: Alderman Fernandez made the motion approving the consent agenda, and Alderwoman Vera seconded the motion. Vote: 5-0; Motion carried unanimously.

Discussion/Consideration of Action Items:

- 7) **Discuss/Consider setback noncompliances of storage room located on lot behind 2160 State Hwy 132 N, Natalia Texas (requested by Bobby Rangel, citizen).**

Discussion: Rangel expressed concerns of a storage building placed on a lot abutting his mother's property and the city's alley that does not meet set back requirements; that owners (Marissa & Robert Salazar) storage building had blocked the alley, when a complaint was filed, City Administrator requested owners to move structure to which they moved to a 13x104 lot (part of R18972). The building is an 8x8 building, and does not meet the setback requirements to be placed there. City Administrator Hernandez explained that Mr. Rangel called in the complaint of the structure blocking the alley, as well as the Salazar's constant use of the alley and blocking of its passage, and to address the location of their businesses dumpster. Hernandez contacted the police department to notify owners that they cannot block alley(s), in addition to contacting Salazar's to move structure out of alley, as well as to relocate the dumpster out onto property that allows heavy-truck accessible access to the dumpster, in addition to informing owners that alleys are not intended as an owner's primary driveway. Owners complied with all requests; however, structure of the building does not meet exact setback requirements, which is actually about 4'8" from rear lot line rather than 5' setback.

Owners discussed this issue with City Administrator Hernandez to which she permitted the structure to remain, as they complied with all other requests and being off a few inches will not be a significant impact; Rangel did not agree, and requests Council to act on the removal. City Council heard out Rangel and Salazar, understood both sides, and explained the ordinance permits that where a rear lot line of an alley, no setbacks are required; and being short a few inches from the 5th setback is not a matter to act on. Council reiterated the use of alleys, to include that there are no such rights to use any alley for personal purposes; alleys are intended for cities or utility easement use. Mayor Ortiz suggested continuous complaints be disputed between neighbors in civil court. Action: Without objection to storage room setback/location, Council took no action.

8) **Discuss/Consider Resolution Awarding the Bid Construction to a building contractor for the TDHCA HOME Program for construction of 5 new homes.**

Discussion: City Administrator Hernandez held a bid opening on October 17, 2019 at 2:00pm; two contractors, Saldana Construction Homes bid came in about \$590k, and RM Quality Construction bid came in exactly at \$500k; having the lowest bid, it is recommended to award the contract to RM Quality Construction to build five (5) new homes at \$100,000 each, located at 601 Palfrey, 611 6th Street, 202 Miller, 319 Bartlett, and 606 4th Street.

Action: Alderman Fernandez made the motion awarding bid construction contract to RM Quality Construction in the amount of \$500,000, and Alderman Bluemel seconded the motion. Vote: 5-0; Motion carried unanimously.

9) **Discuss/Consider M&S Engineering change order request for additional \$5,000 for additional work performed for the Downtown Revitalization Program (requested by Jerod Motts, M&S Engineer)**

Discussion: Jerod Motts, Engineer, submitted a request for additional funds to incorporate additional plans for adding sidewalk along 3rd Street, as well as the pedestrian rail/guardrail in front of city hall. City Administrator Hernandez explained to City Council that these additional engineering funds are not grant-funded, and would be funded by city's operational budget.

Action: Alderman Bluemel made a motion approving the change order request; and Alderman Frazier second the motion. Vote: Motion passed unanimously by a 5-0 vote.

10) **Discuss/Consider Ordinance adopting Municipal park rules and regulations.**

Discussion: City Administrator Hernandez explained that we currently have park rules that were adopted but not codified as additional rules were being reviewed or considered, in addition to adding the Haywood Park facility; noting the park hours were changed to 8am-10p, or for municipal parks without lighting, hours end at night-fall; the presence of an adult for every twenty minors; and the rental policy requirements.

Action: Alderman Bluemel made a motion approving the adoption of ordinance; and Alderman Fernandez seconded the motion. Vote: Motion passed unanimously by a 5-0 vote.

11) **Discuss/Consider terms of the 2019/20 Lease Agreement between the City of Natalia and Natalia Little League for property located between State Hwy 132 & East 3rd Street off FM-471 (Natalia Veterans Sportsplex).**

Discussion: Jaime Gomez, NLL President, addressed many issues related to the contract rules and police security costs. Gomez stated that Council keeps adding more rules to their contract, and adding more costs. Council commented that security for these tournaments is required; the cost of such services are police officers' costs, not based on city employment, and has nothing to do the contract itself; the terms of the contract have remained the same. The services charged to the NLL are the same, any costs changed are due to providers' rate increases; the city should not be burdened by any costs for services being provided to the NLL, any service costs are expected to be recovered as this is not a city's operational expense, facilities are being leased to a nonprofit organization at no cost other than utilities. Council explained that contractual requirements still remain, such as a list of Officers, schedules of games and tournaments, and financials are required. Gomez disputed with Council's terms to contract; to end debate Mayor called for action.

Action: Alderman Bluemel made a motion approving to lease facilities to Natalia Little League for term beginning October 2019 and ending September 2020; Alderman Frazier seconded with an amendment providing for the exception of one-week being leased short-term to the Natalia Public Library for the purpose of hosting the annual bluebonnet festival; Alderwoman Vera seconded the amendment. Vote: Main Motion passed unanimously by a 5-0 vote; Amended Motion passed unanimously by a 5-0 vote.

12) **Discuss/Consider User Agreement between the City of Natalia and Natalia Veterans Memorial Library for the use of the property located at State Hwy 132 & East 3rd Street off FM-471 (Natalia Veterans Sportsplex) to host the annual Natalia Bluebonnet Festival (request by Amy Edge, Librarian).**

Action: Alderman Fernandez made a motion approving the use; Alderman Bluemel seconded the motion. Vote: Motion passed unanimously by a 5-0 vote.

Staff Reports:

- 13) **City Administrator:** 1) Republic Service Curbside Bulk Pickup begins October 28, 2019. 2) 2019 TDA TxCBDG Application for \$275,000 to rehab existing clarifier and install protective liner to improve wastewater treatment efficiency - Site Visit October 21, 2019. 3) 2017 TDA TxCBDG Grant Contract No.7217162 Public Hearing to Close-out project, October 22, 2019. 4) Notice of Medina County Appraisal District Board of Directors Reappraisal Hearing October 22, 2019. 5) City of Natalia participation in Medina County Natural Hazard Mitigation Plan ó Workshop October 23, 2019. 6) November 5, 2019 Election - Proposed Amendments to the Texas Constitution 86th Texas Legislature City-Related Bills Reference
- 14) **Public Works Director:** 1) Update on USDA Construction/Improvement Projects: a) Gravity Sewer (Barclays Premier Utility Services); b) Wastewater Collection System (QRO Mex Construction Co.); c) Well Site Improvements (MGB Construction Inc.); d) Water Distribution Improvements (QRO Mex Construction Co.); 2) Loveø Liftstation Analysis issues and maintenance performed.
- 15) **Adjournment.** Alderman Bluemel motioned to adjourn the meeting at 9:20pm, and Alderwoman Veraseconded the motion. Motion carried unanimously.

Passed and Approved this 18th day of November, 2019.

Approval:

Tommy Ortiz, Mayor /or/
Sam Smith, Mayor Pro-Tem

Attest:

Lisa S. Hernandez, City Administrator/Secretary