

CITY OF NATALIA

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REGULAR CITY COUNCIL MEETING CITY HALL COUNCIL CHAMBERS 2078 STATE HWY 132 NORTH, NATALIA, TEXAS 21 JUNE 2021 at 7:00 P.M.

MINUTES

ROLL CALL: Mayor Tommy Ortiz – Present

Alderman Mike Fernandez – Present

Alderman Sam Bluemel – Present

Mayor Pro-Tem Sam Smith – Absent

Alderman Darin Frazier - Present

Alderman Selica Vera – Present

1. **CALL TO ORDER:**

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

2. **CITIZENS TO BE HEARD:**

Ruby Vera extended a special thanks to Art, Joe, and Vic from the Utility Department for their assistance with digging a trench for NMDD facilities to connect to sewer.

3. **CITY COUNCIL COMMENTS:**

Ald. Bluemel extended compliments to Utility and Police departments and noted their work and efforts are appreciated. Ald. Frazier stated that there has been controversy as of late in other municipalities across the state and country regarding the pledge of allegiance and invocation at the beginning of meetings and thanked the council for avoiding disagreement about these. Frazier also stated he would like to see a building at NMDD property. Ruby Vera stated they cannot borrow \$2 million but stated the City and NMDD should come to an agreement to fund a community center on NMDD property. Ald. Fernandez noted 18 wheelers parked on access road and that it is dangerous. It was noted that since that is State Highway, TxDOT should be involved to mitigate this. Ald. Vera noted there is a tournament this Saturday and made inquiries to Interim Chief Martinez if he would be an officer on duty, to which he stated there would be.

4. **CONSENT AGENDA:**

All of the following items are considered to be routine by the City Council, there will be no separate discussion on these items and will be enacted with one motion; unless removed by any Council Member to discuss and consider separately by making such request prior to a motion and vote.

- a) Approval of the Minutes: 17 May 2021 Regular Meeting
- b) Approval of the Financial Activity Report: May 2021
- c) Approval of the Utility Department Activity Report: May 2021
- d) Approval of the Municipal Court Activity Report: May 2021
- e) Approval of the Police Code Enforcement Activity Report: May 2021
- f) Approval of the Police Department Activity Report: May 2021

Action: Alderman Fernandez made the motion approving the consent agenda, and Alderman Bluemel seconded the motion. Vote: 5-0; Motion carried unanimously.

Alderman Vera motioned to depart from the agenda by taking point 10 now, Informational Items, to be followed by discussion and consideration of action items. Alderman Fernandez seconded the motion. Motion carried unanimously.

10. INFORMATIONAL ITEMS:

- a) City Administrator/Secretary
 - i. The Medina County Appraisal District 2020 Financial Audit Report is available in the office to inspect upon request.
 - ii. Natalia Little League bank statements for May and June are available in the office to inspect upon request.
 - iii. Notice has been posted of Filing Deadline for Application for Place on the Ballot. Applications can be filed between July 17 and August 16.
 - iv. Road Work will shortly in two phases. 3rd and Bartlett followed by 8th Street after. Work should start tomorrow, 22 June 2021.
 - v. Auditors were in the office on June 15. Please respond to any questions.
 - vi. City Offices to be closed on July 5 in observation of Independence Day.
 - vii. COVID-19 restrictions at City Hall lifted. Individuals can decide the appropriate level of precautions they should take.
 - viii. AEP has settled Docket №51984. In its original filing, AEP sought to increase distribution revenues by \$93,664,333 after adjusting for load growth. After discussions with AEP, it agreed to reduce its requested revenue requirement to \$78,547,283. After several weeks of negotiations, the attorneys report that the parties have unanimously reached an agreement in principle on all issues. Under the terms of the agreement, and subject to client approval, AEP agreed to further reduce the revenue requirement to \$78,188,995, after adjustment for load growth. Additionally, AEP Texas has agreed to pay our rate case expenses. Under the proposed agreement, rates will go into effect on September 1, 2021. The attorneys believe the agreement represents a reasonable resolution of the issues and affords the customers many benefits, while avoiding expensive litigation fees associated with moving forward with a hearing.
- b) Utility Director
 - i. 2020 Annual Drinking Water Quality—Consumer Confidence Report. Report to be filed with TCEQ shortly.
 - ii. Report Commencement of Summer Hours. Summer hours are 0700 am to 0400 pm but on call duty is still 0800 to 0500 pm.
 - iii. New hire is scheduled to begin on June 24, 2021.
- c) Interim Chief of Police (and Linda Rodriguez)
 - i. Price quotes for Peacemaker Technologies (\$32,400), Industrial Communication (\$20,716.33), and Ford vehicles (\$85,342.78) presented to council.
 - ii. NBIRS past due reports have been completed and submitted to DPS.
 - iii. One reserve position declined
 - iv. Two reserves Officer have resigned (Goldman and Day)
 - v. PT Code Compliance/Patrol Officer Position anticipated after 23 June 2021
 - vi. Schedule adjustments anticipate for June/July. Staff participating in mandatory training classes.
 - vii. Background checks to be completed on a reserve applicant. Two applicants declined. Shift coverage to be maintained until reserve positions filled.
 - viii. On-call officers are being called into the PD and MCSO Deputies holding the scene/crime until NPD on-call officer arrives
 - ix. Discussing animal control legalities and resolution with County
 - x. White explorer at Ford Chaparral for damage estimate for insurance adjustor
 - xi. NMD closing out pending cases from 2015-2020. Approximately 60 cases have been reviewed.

- xii. Medina Coop and a partner bank have approved \$6,000 for Toughbook laptops for police vehicles. Funds to be available within 30 days.

DISCUSSION/CONSIDERATION OF ACTION ITEMS:

5. Discussion/Consider Action on the City awarding a construction contract for the Texas Community Development Block Grant (TxCDBG) Contract № 7219309 for the Natalia Clarifier Improvements Project.
Discussion: Utility Director Art Smith stated that influent valve for the clarifier needs to be replaced and asked the council to consider this.
Action: Alderman Frazier made a motion to reject all bids. Alderman Fernandez seconded the motion. Motion carried unanimously.
6. Discussion/Consider action on an Ordinance amending Chapter 6, Buildings and Construction, of the Code of Ordinances of the City of Natalia, Texas by revising the mobile home prohibited and HUD-code manufactured home installation provisions and requirements; providing for a severability and repealer clause; and providing an effective date.
Discussion: Administrator Hinojosa explained that the City Attorney has advised us that our current regulations conflict with the Texas Occupations Code, the state law governing a municipality's regulations of HUD-manufactured homes by providing for a five-year maximum age of a manufactured home in order to obtain a permit. Alderman Frazier stated he disagrees with the revised ordinance. He questioned if we could regulate housing at all. Mayor Pro-Tem Smith agreed. Administrator Hinojosa stated that it would be possible to ban all manufactured homes in all zones other than those specifically designated as Mobile Home District, but was concerned about the affordability of houses and that an outright ban may place an undue burden on the community. Frazier said it would be possible for them to ask for a permit with sufficient justification to Planning and Zoning and final approval by Council if rejected by the City Administrator, to which Hinojosa replied that is true but that there is a cost associated with that, the City could be liable as that would create an undue burden on the resident. Alderman Bluemel stated his concerns about liability to the City. Frazier stated he would rather take the chance and have rules in place in order so that Natalia would not simply allow any structure that may be too old and as it stands now any application rejected can be appealed to P&Z with final decision take by council.
Action: No motion made.
7. Discussion/Consider action on an Ordinance regulating the drilling of water wells within the City of Natalia service area; creating minimum and maximum penalties for violations in the amounts of \$250.00 and \$500.00; providing for severability; and providing for an effective date hereof.
Discussion: Hinojosa noted that several members in the community have come forward as of late asking about putting wells on their property. Mayor Pro-Tem Smith was against the resolution and stated people should be able to do so. Alderman Fernandez noted cross-connection issues, to which Hinojosa stated that currently there are no regulations in place for any wells. He also stated Edwards Aquifer has no jurisdiction; Hinojosa stated they were simply offering their advice. Alderman Frazier noted that most cities have well restrictions, and he is in favor of an ordinance.
Action: Alderman Frazier made a motion to table the agenda item to next month. Alderman Vera seconded the motion. Motion carried unanimously.
8. Discuss/Consider abolishing the COVID-19 Policy for the City of Natalia Municipal Employees.
Hinojosa noted that vaccines are in sufficient supply and that all municipal employees have had multiple opportunities to receive a vaccination.
Action: Alderwoman Vera made a motion to abolish the COVID-19 policy for the City of Natalia Municipal Employees. Alderman Bluemel seconded the motion. Motion carried unanimously.

9. Discuss/Consider convening into Executive Session pursuant to Texas Government Code, Section 551.074, Personnel Matters.

Action: Ald. Fernandez made a motion to convene into executive session at 8.15 pm. Ald. Vera seconded the motion. Motion carried unanimously.

EXECUTIVE SESSION

10. The City Council shall meet in Executive Session pursuant to Texas Government Code, Chapter 551 to discuss the following:
- §551.074; Personnel Matters

REGULAR SESSION

Regular Session: City Council reconvened into regular session at 8:36 pm, and if necessary, may take action on the items discussed in executive session. No action taken.

11. Adjournment. Alderman Fernandez motioned to adjourn at 8:37 pm, and Alderman Frazier seconded the motion. Vote: Motion passed unanimously by a 5-0 vote.

Passed and Approved this 19th day of July, 2021.

Approval:



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

Attest:


René Hinojosa, MPA
City Administrator/Secretary

