

City of Natalia, Texas
Regular City Council Meeting
March 16, 2020 at 7:00 pm
Minutes

Roll Call: Mayor Tommy Ortiz ó Present Mayor Pro-Tem Sam Smith - Present
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 and Invocation by Alderman Bluemel.

Citizens to be Heard:

- 2) Ruby Vera, MDD Chair, advised council that Sepulveda property was sold but is not able to obtain any additional information of buyer or plans for that property, and that MDD is willing to help facilitate if the need be. Vera also expressed concerns regarding code enforcement issues not being addressed and suggest council drive around town and see that it's becoming a problem.

City Council Comments:

- 3) Mayor Ortiz affirmed that he has not officially ordered any cancellation of the Bluebonnet Festival in result of COVID-19 as this was brought to his attention earlier, and noted that Medina County will be holding a meeting tomorrow of more information of COVID-19 and suggested actions. Alderman Bluemel personally noted that code enforcement is actively being performed. Bluemel vocalized on issues being posted on social-media regarding the operations and performance of the city and its leaders, and expressed that elected and staff officials do their best in making the most difficult decisions reflective for the entire community, and if someone thinks that can do better they can sign up to run for office during elections.

Presentations:

- 4) Heather Teer, of Air Med Care Network, brought awareness of emergency medical helicopter programs that are offered through different types of membership levels with Air Med. The program costs as low as \$85 per year for the entire household with zero out-of-pocket costs without insurance, and about \$280 with insurance. Members will be provided several types of cards and decals to carry on them and/or to display on their vehicle or home to identify that they are members of Air Med Care if emergency air-life is needed for transport. If calling 911 for medical services, let dispatchers know that you're a member of Air Med and they should do their best to attempt communication with the Network.

Staff Reports:

- 5) (a) City Administrator: 1) Update on TxCBDG Contract No.7219309 WWTP archeological survey; information requested by Texas Historic Commission was submitted on March 10th and should expect a response within 30-days to determine if the survey is going to be required or not. The result of the survey does not change the contractual deadlines, milestone dates remain the same, we must continue working to meet deadlines with or without the survey. 2) Inspection results from Texas Department of Licensing and Regulation for TxCBDG Contract No.7217162 Downtown Revitalization Project was received on March 5, 2020, finding 19 violations as noted in the report provided; Contractor has 90-days to complete corrections. 3) Fiscal Year 2018-19 Financial Audit is scheduled for March 23-24, 2020 and remains so at this time, and request that disruptions cease as much as possible this week through audit to allow administrative staff to gather information needed. 4) Republic Services has rescheduled the city's curbside bulky-item pickup from June 10th to now April 6, 2020. The quarterly brush pickup remains for April 20th.
(b) Public Works Director: Art Smith updated City Council on the USDA Construction Improvement Projects: 1) Gravity Sewer by Barclays Premier Utility Services is complete; 2) Wastewater Collection System by QRO Mex Construction installed the Love's Lift Station pumps and the final walkthrough is done; and the city has reached out to Tom Turk, Freeland Turk Engineering, to research and provide recommendation for resolving the sewer-clogs in order to put pressure sustaining valve back in (presentation by Turk to be considered later in meeting). 3) Wells Site Improvements by MGB Construction for Well #6 and Well #4 is complete, samples came back good, just waiting on final inspection; and generator is installed. 4) Water Distribution Improvements by QRO Mex Construction, water lines are all installed, service taps are also done, and were able to connect a few mains to new system with little interruption by isolating a few valves; however, they are still having difficulty finding valves to isolate 3rd/Miller and FM471 to connect them without shut-off water to the entire town. They continue to check valves, and if able to isolate without

turning off the entire town they'll do so and knock on residences doors to let them know before. Alderman Smith stated that its best to get over with while school remains out, it'll still bring disruption but there's never a good time.

c) Chief of Police: 1) Advised Council that he's been looking into the Police Department operating the Towing Program again, and has discussed this with the City Administrator with the advice to have the City Attorney review the towing ordinance before bringing it back up for City Council consideration. 2) Reserve Police Officer Alexis Spengler mentioned that she'd like to start a topics program "Coffee with a Cop" a discussions forum between the community and Police Department to talk about many topics concerning residences. They've received permission from the Librarian to have it there and are looking at starting this program in April. City Administrator advised they wait to host this program until after the coronavirus is settled.

Consent Agenda:

- 6) a. Approval of City Council Meeting Minutes: January 27th and February 6, 2020.
- b. Approval of Financial Activity Report: February 2020
- c. Approval of Utility Department Activity Report: February 2020
- d. Approval of Municipal Court Activity Report: February 2020
- e. Approval of Police Department Activity Report: February 2020

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) Old Business: Discuss/Consider action on Ordinance granting to AEP Texas Inc., its successors and assigns, a nonexclusive franchise to construct, maintain and operate lines and appurtenances and appliances for conducting electricity in, over, under and through the streets, avenues, alleys and public places of the City of Natalia, Texas, at a rate prescribed by law in accordance with the methodology prescribed by Texas Public Utility Regulatory Act of a factor of \$0.002790 per kilowatt hour multiplied times the number of kilowatt hours delivered by AEP to retail customers within the city's boundaries, until November 7, 2050.

Discussion: Rita Parrish, AEP, introduced Moses Guerrero forestry expert to discuss matters of cutting or trimming trees in Natalia, mostly concerning the palm trees within the city. Alderman Frazier mentioned that years ago the city was negotiating into an agreement with AEP in regard to removing and relocating palm trees rather than cutting them down completely. Frazier invited discussion from the floor from previous mayor, Ruby Vera, of which she mentioned that an agreement was being reviewed back in 2015 between city and AEP, and that AEP was going to allot \$7k towards removing and relocating these palm trees. Parrish advised that if monies were suggested than the agreement probably yielded or wasn't further considered. Vera did not bring specifics of who exactly she talked with from AEP regarding the said agreement. Guerrero further expressed that AEP will never trim or cut trees unnecessarily, or without following protocol to advise the city or property owner. Frazier asked who set the factored rate, and this could increase/decrease? Parrish explained that the rate is applied in accordance with Texas Utilities Code, the amount of franchise fee disbursed depends on the amount of kilowatt usage used by customers within the city. Hernandez further explained that Section 5 of the agreement notes "such charge may be revised from time to time in accordance with Section 33.008(b) of the Texas Utilities Code or any other applicable provisions law regarding franchise fee payment." Alderman Fernandez confirmed that rates are set in accordance with law.

Action: Alderman Smith made a motion approving the AEP franchise agreement, and Alderman Bluemel seconded the motion. Vote: Motion passed unanimously by a 5-0 vote.

- 8) Review/Discuss/Consider wastewater collection filtration solutions for improving the Love's Lift Station facilities performance (presented by Tom Turk, Engineer with Freeland Turk Engineering Group).

Discussion: Tom Turk, Engineer, reviewed potential solutions to the clogging of the pressure sustaining valve at the end of the new force main coming from the Love's Lift Station. The pressure sustaining valve is in place to regulate the hydraulics of the pumps within the lift station and to prevent surges within the force main. The problem appears to be that the lift station pumps are allowing larger solids to be pumped to the WWTP, and the pressure sustaining valve, causing it to clog. We contacted the manufacturer of the pressure sustaining valve and discussed the design components to confirm the factory set valve pressures. In effort to reduce the actual solids within the lift station and force main system, the best, low cost option would be to install screening baskets at the inlet of the wet well. This would capture any large solids directly at the inlet and would help prevent large solids from entering into the pump and force main. The baskets would need to be manually emptied/maintained. The maintenance interval would be best determined by observing the operation of the baskets frequently after installation and determining how long it takes for the basket to fill.

The size of basket would also have an impact on maintenance intervals. Two options to consider as a first step are below; the pricing does not include the cost of installation if in-house staff could not do it.

Option 1: B1A - Hole Basket ó this basket is a smaller basket on a slide. This device with a portable hoist to lift the basket ó materials only ó would be approximately \$1,500.

Option 2: B1B - Bar Basket ó this basket offers the greatest capacity and the slide system also functions as a ladder. This device with a portable hoist ó materials only ó would be approximately \$2,000.

There are other, more costly alternatives, but we would recommend starting with a basket. PW Director Smith noted costs with installation should not be more than \$5,000.

Action: Alderman Fernandez made a motion approving the expense for the purchase and installation of a bar basket filtration system; and Alderman Smith seconded. Vote: Motion passed unanimously by a 5-0 vote.

- 9) Review/Discuss/Consider purchase options for a sewer jetter for the use and maintenance of the city's wastewater mains.

Discussion: Hernandez explained within the past month the Utility Department had to contract a third party to service sewer main, which is becoming more frequent; these costs are not cheap and rather than continuing to pay for added expenses, it's best to apply these funds towards investing into our own jetter. Four quotes were provided: 1) CamSpray 8gpm/3500psi for \$18,979; 2) CamSpray 7gpm/4000psi for \$19,019; 3) Eliminator 12gpm/3000psi for \$27,000; and 4) P-Pump E Series 18gpm/4000 psi for \$50,000. Hernandez explained that City Council approved unassigned funds of \$30k to be used towards fence repairs at sewer plant, however, quotes came in almost double that amount, and suggested we use of these funds were determined to be reassigned for other projects, of which can be applied towards this capital purchase instead, and towards the installation/purchase of the bar basket system (item #8).

Alderman Smith questioned purpose of the jetter? PW Smith explained that the city's sewer mains clog up with materials that are not necessarily supposed to be flushed through the system, which clog the sewer mains with materials that cannot be processed or flushed through, i.e. clothing, wipes, grease, a jetter would allow for the city to cleanout these lines with the force of water pressure, similar to a power washer but for sewer lines. Alderman Fernandez asked if Smith he'd prefer more water than pressure (gallons per minute -gpm- versus pound per square inch -psi-). Smith noted that either would work but preferably gallons.

Action: Alderman Fernandez motioned approval to purchase the CamSpray Jetter 8gpm/3500psi at the cost of \$18,979; and Alderman Bluemel seconded the motion. Vote: Motion passed unanimously by a 5-0 vote.

- 9a) Discuss/Consider action on Ordinance on Declaration related to Local Health Emergencies, rules and regulations, extending a public health emergency declaration regarding precautionary measures in reference to the COVID-19 Virus.

Discussion: City Administrator Hernandez notified Council that the City Attorney's recommended response for city action on COVID-19 issued out on Friday March 13th continues to change to prevent the spread of the virus. The mass gatherings changed from 500, to 250, and now 50 person restriction, in addition to preventative action measures to be implemented within the general public, food establishment businesses, and municipal operations, all of which is ordered under the Mayor's Declaration. The adoption of the Ordinance extends the declaration prohibitions for the next eight weeks, or May 9, 2020; and may be updated as necessary by the Local Health Authority (Mayor) to respond quickly to prevent and alleviate the potential exposure and spread of the coronavirus in the City of Natalia.

Action: Alderman Fernandez made a motion adopting the ordinance on the public health emergency declaration; seconded by Alderwoman Vera. Vote: Motion passed unanimously by a 5-0 vote.

- 10) Executive Session: City Council adjourned into Executive Session at 8:18pm pursuant to Texas Government Code, Section 551.074, Personnel Matters to discuss the following:

- a) City Administrator Employment Contract.
- b) Chief of Police six (6) month Evaluation.

- 11) Regular Session: City Council reconvened into regular session at 9:20pm, and if necessary, may take action on the items discussed in executive session.

- a) Alderwoman Vera made a motion renewing City Administrator Lisa Hernandez employment contract effective March 31, 2020 through September 30, 2022 with a 3% salary increase; seconded by Alderman Fernandez. Vote: Motion passed unanimously by a 5-0 vote.
- b) Alderman Fernandez made a motion to remove Chief Glenn Barrow from probation and increasing salary to \$54,000; seconded by Alderman Bluemel. Vote: Motion passed unanimously by a 5-0 vote.

- 12) Adjournment. Alderman Fernandez motioned to adjourn at 9:25pm, and Alderman Smith second the motion. Vote: Motion passed unanimously by a 5-0 vote.

Passed and Approved this _____ day of _____, 20__.

Approval:

Attest:

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

Lisa Hernandez
City Administrator/Secretary, TRMC