

Minutes
Special Council Meeting
August 29, 2016

On this 29th day of August 2016, at 12:00 Noon, the City Council of the City of Devine convened in a Special Meeting; the same being opened to the public at their regular meeting place; thereof, at City Hall, 303 S. Teel Drive, Devine, Texas. Notice of said Meeting having been prescribed in Chapter 551, Government Code, and Vernon's Texas Codes, Annotated, and the following members being present:

Mayor William L. Herring
Alderman Hal Lance
Alderwoman Kathy Wilkins
Alderman Steve A. Lopez
Alderman David Valdez

Absent being Alderman David Espinosa; thus, constituting a quorum.

Personnel present: Dora V. Rodriguez, Interim City Administrator/ City Secretary; Denise Duffy, City Accountant; and Tom Cate, City Attorney and Ofilia Pedroza, UB Clerk.

Others present: Lance Elliott, TIF Consultant; Marly Davis, Devine News; Steven Santana, Medina Valley Times; C.E. (Curly) & Eldora Brehm, Bill Bain and Hap Squires, Devine Airport; David Ehlinger, Mary Jane Balderrama, Kirk Ragsdale and Sonia J. Lance of Devine, Texas; and James Evans, Hondo, Texas.

Mayor Herring, presiding, called the meeting to order at 12:12 p.m.

The first order of business was calling for a Public Hearing on the Proposed Budget for FY 2016-2017 to be held on September 13, 2016 at 6:00 p.m.

Motion by Alderwoman Wilkins, seconded by Alderman Lopez to call for a Public Hearing on the Proposed Budget for FY 2016-2017 to be held on September 13, 2016 at 6:00 p.m.

Ayes	--	Four
Nays	--	None
Absent	--	One – Alderman Espinosa

Motion carried.

The second order of business was calling for a Public Hearing on the Proposed Tax Rate for FY 2016-2017 to be held on September 13, 2016 and September 20, 2016 at 6:00 p.m.

Mayor Herring announced that we are keeping the same tax rate at \$0.5110/\$100.

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Motion by Alderman Lance, seconded by Alderman Valdez to call for a Public Hearing on the Proposed Tax Rate for FY 2016-2017 to be held on September 13, 2016 and September 20, 2016 at 6:00 p.m.

Ayes	--	Four
Nays	--	None
Absent	--	One – Alderman Espinosa

Motion carried.

The third order of business was to discuss and consider an Ordinance approving an Amended Final Project Plan and Financing Plan, Tax Increment Reinvestment Zone Number Two, City of Devine, and providing for the Repeal of Conflicting Ordinances; providing for a Severability Clause; and providing when this Ordinance shall become effective.

City Attorney Tom Cate informed Council that this is just adopting what was approved earlier in the TIRZ # Two Board Meeting.

Motion by Alderman Lopez, seconded by Alderman Lance to adopt Ordinance 8-16 approving an Amended Final Project Plan and Financing Plan, Tax Increment Reinvestment Zone Number Two, City of Devine, and providing for the Repeal of Conflicting Ordinances; providing for a Severability Clause; and providing this Ordinance shall become effective immediately upon its passage, approval, and official publication as provided by law.

Ordinance attached as Exhibit A.

Ayes	--	Four
Nays	--	None
Absent	--	One – Alderman Espinosa

Motion carried.

The fourth order of business was to discuss and consider an Ordinance approving an Interlocal Agreement between Medina County, the City of Devine, and the Board of Directors Tax Increment Zone Number Two, and providing for the Repeal of Conflicting ordinances; providing for a Severability Clause; and providing when this Ordinance shall become effective.

Motion by Alderwoman Wilkins, seconded by Alderman Lopez to adopt Ordinance 8-16A approving an Interlocal Agreement between Medina County, the City of Devine, and the Board of Directors Tax Increment Zone Number Two, and providing for the Repeal of Conflicting ordinances; providing for

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a Severability Clause; and providing this Ordinance shall become effective immediately upon its passage, approval, and official publication as provided by law.

Ordinance attached as Exhibit B.

Ayes	--	Four
Nays	--	None
Absent	--	One – Alderman Espinosa

Motion carried.

The fifth order of business was to discuss and consider approving Agreement for Transfer of Entitlements for airport.

City Attorney Tom Cate explained that each year the City gets a grant from the FAA for \$150,000 for the airport, and if we don't use the grant money, we lose it. He explained that if we are going to lose it, TxDOT asks us to transfer it back to the State so they can assign it to another airport in the State. If we don't transfer it back to the State, then it goes back to the FAA and the State loses it. He told Council that because we don't have a project in place right now, TxDOT is asking us to assign the grant for 2013 back to TxDOT so that they can assign it to another city for another airport.

Mr. C.E. (Curly) Brehm addressed Council on several things needed by the airport. He said the runway needs to be re-oiled; he didn't think it needs to be re-topped at this point. He told Council that, most importantly, we need gasoline at the airport. He said the City of Devine can realize a substantial amount of money in flowage fees with absolutely no human involvement. He explained that the unit functions by satellite and works exactly like the gas stations that we drive up to with our cars, and he went on to explain how it works. According to Mr. Brehm, there is a minimum of 5¢ a gallon, and many airports are charging 10¢ a gallon. He told Council that many of the people who rent at our airport are having to go to other airports to buy gasoline. Mr. Brehm encouraged Council to consider putting at least a portion of this into developing a project to get some gasoline at our airport.

Mr. Brehm introduced David Ehlinger to the Council and said that Mr. Ehlinger will be joining him at the corporation at the airport. He said Mr. Ehlinger will be bringing in a lot of good ideas, and he hopes that one day Mr. Ehlinger will take over as president of the corporation and he will take emeritus. Mr. Brehm also spoke of Mr. Ehlinger's son who is a renowned internationally capable pilot, who will be coming in to establish a flight school at Devine Outer-national Airport, will do the training.

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Mayor Herring summarized his understanding to be that Mr. Brehm is asking for this money not to be transferred back but to be used now for development at the airport, and Mr. Brehm confirmed this to be correct.

Interim City Administrator/City Secretary informed Council that she spoke to Megan with the Texas Department of Aviation, and they discussed fuel at the airport. Megan will be sending her all the requirements of everything that needs to be followed, whether it be for tanks or a mobile.

City Attorney Tom Cate addressed Mayor Herring regarding the conditions of the 2013 grant. He said that the grant for 2013 will expire in just a few days. He explained that we have to have a project already planned out and the money allocated, and we don't have this. He said this is what we are going to talk about on the next agenda item, so he told Mr. Brehm to stick around for that item.

Mr. Hap Squires inquired since we are talking about the 2013 grant expiring, if we have money for 2014, 2015, and 2016. City Attorney Tom Cate responded that we have money for 2014, 2015, 2016 and we also have money coming in for 2017. He confirmed that even if we transfer this 2013 grant money, we still have \$150,000 for each of the other years mentioned.

Motion by Alderman Lopez, seconded by Alderman Valdez to approve the Agreement for Transfer of Entitlements for airport for 2013.

Agreement attached as Exhibit C.

Ayes	--	Four
Nays	--	None
Absent	--	One – Alderman Espinosa

Motion carried.

The sixth order of business was to discuss and consider grant for airport improvements.

Interim City Administrator/City Secretary Dora V. Rodriguez informed Council she had met with Megan with the Texas Department of Aviation, at the airport, and according to Megan, the runway really needs to be looked at every five to six years, so it is time to re-do the runway.

Mr. C.E. (Curly) Brehm addressed Council again and said that the last time we re-did the runway, the TxDOT representative wanted to close the airport. He told Council we cannot allow for TxDOT to close our airport because that's the way they get their customers. He said they've got new business finally moving into the airport and they cannot shut down their front doors.

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Interim City Administrator/City Secretary Dora V. Rodriguez said that according to her understanding from Megan, the airport will not shut down. City Attorney Tom Cate confirmed that according to the TxDOT representative, they will be working on the landing strip and will not shut down the airport; we can work around it.

City Attorney Tom Cate explained that for this agenda item, what they want to know is if we have certain projects at the airport that we want to spend this money on. So we need to say, yes, we are interested in, for example, the landing strip, fuel, or whatever needs we have out there. But, he said, that in order to get the ball rolling, we have to send them a letter of interest. Mr. Brehm asked if we could please do that because the airport does need improvements. He said the runway needs preventive maintenance; it doesn't need any major overhauls.

Interim City Administrator/City Secretary Dora V. Rodriguez said that according to Megan, the runway needs to be re-done and we're looking at about \$600,000. City Attorney Tom Cate added that just on a preliminary inspection, she thinks that the whole thing needs to be redone. He said that in order to get the ball rolling, we need to have Interim City Administrator/City Secretary Dora V. Rodriguez send a letter to TxDOT letting them know we are interested in the money because we have some projects, and we need to have a meeting with the airport committee to be able to discuss these projects.

City Attorney Tom Cate also pointed out that if Council wants to do a project, there is going to be a 10% match for this type of grant. Mayor Herring briefly discussed the different matches on various aviation grant programs. Interim City Administrator/City Secretary Dora V. Rodriguez informed Council that we are already getting reimbursed 50% from the RAMP Grant on things like replacing bulbs on the runway, landscaping, etc.

Motion by Alderman Lance, seconded by Alderwoman Wilkins to approve for Interim City Administrator/City Secretary Dora V. Rodriguez to send a letter to TxDOT that we are interested in seeking a grant for airport improvements.

Ayes	--	Four
Nays	--	None
Absent	--	One – Alderman Espinosa

Motion carried.

The seventh order of business was to discuss and consider approving the change of cost on the New AT&T Phone System.

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Mr. James Evans, City of Devine Computer Technician, addressed Council and informed them that the Police Department and City Hall are two separate entities; they each have their own servers. He said we will need a 48 port switch with POE (Power Over Ethernet) which powers the phones. The other alternative would be to run individual lines to each phone system. He said that the only way to really do it would be to get the 48 port switch to combine both locations so that the phone system will work correctly. Mr. Evans added that the cost is actually really a good deal. He said he's looked at multiple places and we really can't beat the price that they are giving us, which is \$18,301.69.

Mayor Herring said we are changing the cost from \$13,859.18 to a new cost of \$18,301.69. Interim City Administrator/City Secretary Dora V. Rodriguez added that Mr. Evans has been a big help with this project and she appreciates him doing this.

Motion by Alderman Lopez, seconded by Alderwoman Wilkins to approve changing the cost on the New AT&T Phone System to \$18,301.69, and amending the budget to like amount.

Ayes	--	Four
Nays	--	None
Absent	--	One – Alderman Espinosa

Motion carried.

The eighth order of business was to discuss and consider approving the cost of the part to fix the Generator for City Hall.

Superintendent of Public Works Rob Flores addressed Council and said the generator needs a radiator to bring it back up to speed, and we pretty much don't have a choice on this; it is needed. The cost for the generator is \$4,038.31.

Motion by Alderman Valdez, seconded by Alderman Lopez to approve the cost of \$4,038.31 for the part to fix the Generator for City Hall, and to amend the budget for like amount.

Ayes	--	Four
Nays	--	None
Absent	--	One – Alderman Espinosa

Motion carried.

The ninth order of business was to consider approving the cost of a new workstation to be built for the Dispatch area.

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Chief Benavides addressed Council and discussed a proposal from Cabinet Creations out of Lytle, Texas to replace the workstation that we currently have in dispatch, for \$1,596.85. She said they looked at other workstations from other companies but prices were a lot higher and there were problems with the dimensions, so the proposal from Cabinet Creations is more cost efficient. She also pointed out that Sharon Holt, Dispatcher, is having back problems because the current workstation, which we've had since 2002, is not up to standards with her chair. Chief Benavides wanted Council to know that they do have money in the Forfeiture Fund to pay for this but she just wanted them to be aware of what they are planning to do since this is for a structure inside of our building. She also stated that the workstation will be portable; it will not be mounted to the wall, so in the event we get a new building, it can be taken with us.

City Attorney Tom Cate explained to Council that the Police Department, by statute, has the authority to use their Forfeiture Funds to purchase furniture and they are not required to come before Council, but they just wanted to let Council know what is going on. Chief Benavides also informed Council that they would like to get started on this as soon as possible.

Motion by Alderman Lopez, seconded by Alderman Lance to approve the cost of \$1,596.85 for a new workstation to be built for the Dispatch area.

Ayes	--	Four
Nays	--	None
Absent	--	One – Alderman Espinosa

Motion carried.

The tenth order of business was Informational Items.

- National Night Out – Chief Benavides announced that this is planned for Tuesday, October 4, 2016, from 6:00 p.m. to 9:00 p.m. next to Warhorse Stadium between the DYSA building and the tennis courts. There will be free hot dogs, free face painting and free ice cream for the kids (only), and live music by Matt Hawk. The Devine Band Boosters will open the concession stand as a fundraiser for their organization. Officer Eliseo Perez will be cooking the hot dogs but they are being donated by Devine VFW Post #3966. Everyone is welcome to come enjoy the fun and encouraged to bring their lawn chairs. Lieutenant Andrews said they are accepting donations and thanked the many businesses that have already contributed for the National Night Out.
- Code Compliance – Interim City Administrator/City Secretary Dora V. Rodriguez informed Council that Eddie Diaz, UB Clerk, is wanting to be the Code Compliance Officer. He was cross-trained in that department and has been stepping up to the plate helping out since we are shorthanded right now. He has already sent out 15 letters for unsightly properties and

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- junked vehicles. She has been going out with him and talking to people. She informed Council that he shows a lot of interest and he likes it. She will be moving Eddie Diaz to Code Compliance and will advertise for a Utility Clerk.
- Alderman Espinosa – Interim City Administrator/City Secretary Dora V. Rodriguez informed Council that Alderman David Espinosa is doing well; he had a doctor appointment today.
- Other Employees – Mayor Herring announced there are two other employees with medical problems and we ask for prayer for all of them.
- Upcoming Schools – Interim City Administrator/City Secretary Dora V. Rodriguez announced that she and Denise Duffy, City Accountant, will be attending some classes in the month of September. They will be in class from September 7th thru 9th getting their TMRS Recertification; every year they have to get certified to administer the pension plan for the employees. They will also be attending an Incode Class in Schertz, Texas on September 12th thru 16th. This will help update them on everything that we do through the Incode software, Financials, Utilities, Payroll, etc.
- Workorders – Superintendent Rob Flores addressed Council regarding tree trimming. Currently they use a backhoe with a bucket to do this but some trees also need to be sprayed, and the equipment that they have can only go up so high. His suggestion, just food for thought, is that they could use a lift. Lengthy discussion was held on this and also on possibly hiring a company since we don't have the equipment. Rob and Ismael will research the cost difference on getting the equipment that they need versus hiring a company to do this.

There being no further business to come before the governing body, motion by Alderman Lopez, seconded by Alderman Lance.

Ayes	--	Four
Nays	--	None
Absent	--	One – Alderman Espinosa

Motion carried.

Mayor

City Secretary