

Minutes
Special Council Meeting
February 16, 2017

On this 16th day of February 2017, at 6:00 p.m., the City Council of the City of Devine convened in a Special Meeting; the same being opened to the public at the Dr. George S. Woods Community Center, 202 E. Hondo Avenue, 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
Alderman Steve A. Lopez
Alderman David Valdez

Absent being Alderwoman Kathy Wilkins and Alderman David Espinosa; thus, constituting a quorum.

Personnel present: Dora V. Rodriguez, Interim City Administrator/City Secretary; Denise Duffy, City Accountant; and Ismael Carrillo, Director of Public Works.

Others Present: Marly Davis, Devine News; Mike Partin, Edelmiro Ramirez, Misty Houston, Todd Tope and Sonia J. Lance, of Devine, Texas.

Mayor Herring, presiding, called the meeting to order.

The first order of business was to discuss and consider recommendation of the Planning & Zoning Commission for Meeting held on February 7, 2017.

- a. Request to place Manufactured Home at 521 Mesquite Avenue.

Mayor Herring discussed the location of the manufactured home at 521 Mesquite Avenue. The home is behind other homes but the entrance is on Mesquite Drive. He explained that the people who are placing this new manufactured home have been nice enough to clean up that whole area.

Council reviewed the Planning and Zoning Minutes from Meeting held on February 7, 2017, where the Planning and Zoning Commissioners recommended to grant the request to place the Manufactured Home at 521 Mesquite Avenue.

Mayor Herring told Council that another issue has come up since that meeting, which is the issue of the entrance (driveway) being in the floodplain. Mayor Herring inquired if we could even consider that or even make a motion to approve.

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City Attorney Tom Cate stated that we already know that the Floodplain Manager is going to prohibit the permit from being issued.

Mayor Herring asked Council for a solution to get in there. City Attorney Tom Cate stated that the solution would be to build up the roadway and get an elevation certificate from the engineer.

Mike Partin addressed Council about him already contacting Steve Mangold. He said Mr. Mangold came out and did the floodplain elevations on the driveway. Mr. Partin explained that the house is outside of the floodplain but the driveway is inside the floodplain. Lengthy discussion was held on solutions to this and possible alternate right-of-ways to enter the property.

According to City Attorney Tom Cate, the only solution City Engineer Raul Garcia offered was to build up the driveway, or to find another route to enter for access.

Mr. Partin held discussion with Council about submitting a variance request.

Motion by Alderman David Valdez, seconded by Alderman Lopez to postpone any action on the recommendation of the Planning and Zoning Commission to grant the request to place the Manufactured Home at 521 Mesquite Avenue.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderwoman Kathy Wilkins Alderman David Espinosa

Motion carried.

- b. Variance request made by Edelmiro Ramirez at 405 N. Commercial for the area of lot under Class I. Light Industrial District from 9,000 square feet to 7,500 square feet.

Mayor Herring informed Council that the Planning and Zoning Commissioners reviewed this and made a motion to recommend granting variance request made by Mr. Ramirez for the area of lot under Class I. Light Industrial District from 9,000 square feet to 7,500 square feet.

Motion by Alderman David Valdez, seconded by Alderman Lopez to approve Planning and Zoning's recommendation to grant the variance request made by Edelmiro Ramirez at 405 N. Commercial for the area of lot under Class I. Light Industrial District from 9,000 square feet to 7,500 square feet.

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Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderwoman Kathy Wilkins Alderman David Espinosa

Motion carried.

The second order of business was to discuss and consider for Council to waive fees for 1103 W. Hondo Avenue for work that was done before permits were issued.

Misty Houston held lengthy discussion with Council on the discrepancy of permit fees and misunderstandings due to meetings held with the former city administrator.

City Attorney Tom Cate advised that the City Council is the board that has the final say; they are the only ones that can bind the City.

Council held lengthy discussion with Ms. Houston.

Motion by Alderman Lance, seconded by Alderman Valdez to accept the permit fees of \$92.30 paid by Cory Thompson, and waive fees for 1103 W. Hondo Avenue for work that was done before permits were issued.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderwoman Kathy Wilkins Alderman David Espinosa

Motion carried.

The third order of business was to discuss and consider to award the Financial and Project Management Services Contract for the 2017-2018 Texas Community Development Fund.

Mayor Herring informed Council we only received one bid, from Langford and Associates. City Attorney Tom commented that this should read: the 2017-2018 Texas Water Development Fund; not the Texas Community Development Fund.

Interim City Administrator/City Secretary Dora V. Rodriguez stated that this is regarding the asbestos and water lines.

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Motion by Alderman Lopez, seconded by Alderman Valdez to award the Financial and Project Management Services Contract for the 2017-2018 Texas Water Development Fund to Langford and Associates.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderwoman Kathy Wilkins Alderman David Espinosa

Motion carried.

The fourth order of business was to discuss and consider to award the Engineering Services and Design Engineering Services Contract for the 2017-2018 Texas Water Development Fund.

Mayor Herring informed Council we receive three bids. They were from LNV Engineers, Southwest Engineers and Garcia & Wright Engineering. Council reviewed scoring sheet ratings on the three bids, with Garcia & Wright scoring the highest.

Motion by Alderman Lance, seconded by Alderman Lopez to award the Engineering Services and Design Engineering Services Contract for the 2017-2018 Texas Water Development Fund to Garcia & Wright Consulting Engineers, Inc.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderwoman Kathy Wilkins Alderman David Espinosa

Motion carried.

The fifth order of business was Informational Items.

Mayor Herring discussed the following:

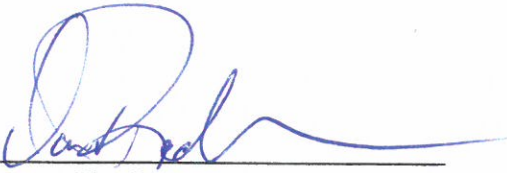
- Audit – We received another A+ rating from our auditors. Mayor Herring complimented Interim City Administrator/City Secretary Dora V. Rodriguez, City Accountant Denise Duffy and City Financial Advisor Mary Badillo for a great job they've done.

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

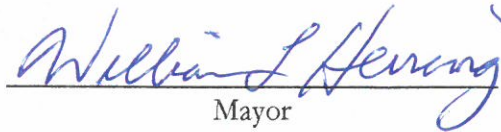
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Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderwoman Kathy Wilkins Alderman David Espinosa

Motion carried.



City Secretary



Mayor