

Minutes
Special Council Meeting
February 27, 2018

On this 27th day of February 2018, 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 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
Aldерwoman Kathy Wilkins
Alderman Steve A. Lopez
Alderman David Espinosa
Alderman Cory Thompson

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

Personnel present: Dora V. Rodriguez, Interim City Administrator/City Secretary; Denise Duffy, City Accountant; Mary Badillo, City Financial Advisor; Tom Cate, City Attorney; Eddie Diaz, Code Compliance Officer; and Ofilia Pedroza, UB Clerk.

Others Present: John Rosenthal and William White, of Devine, Texas.

Mayor Herring, presiding, called the meeting to order.

The first order of business was a Public Hearing: Discuss and consider the Final Report of the Planning & Zoning Commission for a zoning classification change of approximately 41.6731 acres of land starting at north and south Upson Drive along Hondo Avenue W to include southern border of College Avenue and S Windy Knoll and to include north east Upson & Park Avenue in the City of Devine from the recommended study of Comprehensive Plan, from Class A. Single-Family Residence to Class G. Retail Business District which is proposed to include any or all properties described as follows:

203 College Ave W(R14582), 303 College Ave(R14593), 215 Benton Ave W(R14645), 210 College Ave W(R14650), 212 College Ave W(R14651), 105 Sayers S(R14652), 409 Benton W(R14662), 411 Benton W(R14663), 407 Benton W(R14666), 401 Benton(R14667), 210 Sayers (R14758), 505 Howell(R14855), Windy Knoll S(R14897), 112 Windy Knoll S(R14898), 114 Windy Knoll S(R14899), 116 Windy Knoll S(R14900), 108 Windy Knoll S(R14901), Windy Knoll S(R14902), 507 MCAnnely (R14904), 509 MC Annely (R14905), 505 MCAnnely (R14906), 511 Hondo Ave W(R14909), 115 Windy Knoll N(R14911), 111 Windy Knoll N(R14912), 505 Brown E(R14913), 507 Brown(R14914), 121 Windy Knoll Dr N(R14915), 612 MCAnnely (R14921), 703 Hondo Ave W(R14929), 705 Hondo Ave W (R14930), 706 Hondo Ave W(R14931), 108 Warhorse Dr (R14934), 110 Warhorse Dr (R14935), 109 Jamison Dr N(R14936), 708 Hondo Ave W(R15115), 710 Hondo Ave W(R15117), 712

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Hondo Ave W(R15118), 714 Hondo Ave W(R15119), 901 Atkins(R15124), 111 Warhorse Dr (R15130), 709 Hondo Ave W(R15131), Bluebonnet Ave(R15132), 102 Renfro(R15133), 711 Hondo Ave W(R15134), 713 Hondo Ave W(R15135), 715 Hondo Ave W(R15136), 716 Dove Ave W(R15137), 714 Dove Ave W(R15138), 712 Dove Ave W(R15139), 710 Dove Ave W(R15140), 803 Hondo Ave W(R15141), 809 Hondo Ave W(R15142), 103 Jay(R15143), Dove Ave(R15144), 102 Cardinal Dr (R15145), 901 Hondo Ave W(R15146), 903 Hondo Ave W(R15147), 905 W Hondo Ave W(R15148), 1003 Hondo Ave W(R15150), 1005 Hondo Ave W(R15151), 1101 Hondo Ave W(R15152), 1103 Hondo Ave W(R15153), 1201 Hondo Ave W(R15154), 1108 Dove Ave (R15155), 1102 Dove Ave(R15157), 1008 Dove Ave(R15158), 1006 Dove Ave(R15159), 1002 Dove Ave(R15160), 906 Dove Ave(R15161), 904 Dove Ave(R15162), 902 Dove Ave(R15163), 1205 Hondo Ave W(R15164), 1102 Hondo Ave W(R15545), 1104 Hondo Ave W(R15546), 105 Littleton Dr (R15547), 107 Littleton Dr (R15548), 109 Littleton Dr (R15549), 111 Littleton Dr (R15550), 113 Littleton Dr (R15551), 1206 Hondo Ave W(R15576), 103 Hall Dr (R15577), 1210 Hondo Ave W(R15578), 105 Hall Dr (R15579), 1202 Hondo Ave W(R30350), Atkins Ave(R30090), Benton Ave W(R51396), 1110 Dove Ave(R51622), 501 Howell (R52580), 104 Jamison(R53770), 102 Jamison (R53771), 100 Jamison (R53772), 1203 Hondo Ave W(R60202), 706 1/2 Hondo Ave W(R68791), 1220 Hondo Ave W(R6963), Hall Dr (R6964), 1010 W Hondo Ave(R7019), 108 Hall Drive(R7036), Hall Drive(R7037), 106 Hall Drive N(R7038), 112 Warhorse Dr (R7044), 111 Benton (R7051), Littleton Dr (R70675), 1106 Hondo Ave W(R7069), 1212 Hondo Ave W(R7071), Dove Ave W(R89299), Dove Ave W(R89300).

At 6:01 p.m., Mayor Herring announced that the Public Hearing was open.

Mr. John Rosenthal spoke to Council and said he resides at 1205 W. Hondo, next to Devine High School. He briefed Council on everyone he has spoken to and said he's been at several council meetings. He told Council that he is opposed to the proposed blanket of changing of the zoning from Class A. Single-Family Residence to Class G. Retail Business District, in particular from Warhorse Drive down W. Hondo and SH-173 toward the high school, which is mostly residential. He told Council that to him this presents an inviting appearance coming into and going out of town. He said he doesn't think we want to have zoning at the expense of small town character.

Mr. Rosenthal brought up a few businesses that were grandfathered in because of an annexation that was done several years ago. He told Council that he doesn't think that to make up for the zoning of the few businesses that were zoned incorrectly should be taken at the hands of the residents of that area. So, he asked Council for their reconsideration to leave the Class A. Single-Family Residence as Class A. Single-Family Residence from Warhorse Drive down W. Hondo / SH-173 to the High School.

Alderman Espinosa told Council that he agrees with Mr. Rosenthal. He understands that we're trying to do away with spot zoning, and he told Mr. Rosenthal that he has his support on this; however, he's not sure which way it's going to go.

Alderman Lopez asked Mr. Rosenthal if he had a petition on this, but Mr. Rosenthal said, no, that it is just him opposing.

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Council then heard from Mr. William White. He told Council that he merely came to find out what this is all about since it's very close to his 27 acres.

At 6:07 p.m., hearing no other comments from the public, Mayor Herring closed the Public Hearing.

The second order of business was to discuss and consider Adoption of Ordinance to change the zoning classification of approximately 41.6731 acres of land starting at north and south Upson Drive along Hondo Avenue W to include southern border of College Avenue and S Windy Knoll and to include north east Upson & Park Avenue in the City of Devine from the recommended study of Comprehensive Plan, from Class A. Single-Family Residence to Class G. Retail Business District which is proposed to include any or all properties described as follows:

203 College Ave W(R14582), 303 College Ave(R14593), 215 Benton Ave W(R14645), 210 College Ave W(R14650), 212 College Ave W(R14651), 105 Sayers S(R14652), 409 Benton W(R14662), 411 Benton W(R14663), 407 Benton W(R14666), 401 Benton(R14667), 210 Sayers (R14758), 505 Howell(R14855), Windy Knoll S(R14897), 112 Windy Knoll S(R14898), 114 Windy Knoll S(R14899), 116 Windy Knoll S(R14900), 108 Windy Knoll S(R14901), Windy Knoll S(R14902), 507 MCAnnely (R14904), 509 MC Annely (R14905), 505 MCAnnely (R14906), 511 Hondo Ave W(R14909), 115 Windy Knoll N(R14911), 111 Windy Knoll N(R14912), 505 Brown E(R14913), 507 Brown(R14914), 121 Windy Knoll Dr N(R14915), 612 MCAnnely (R14921), 703 Hondo Ave W(R14929), 705 Hondo Ave W (R14930), 706 Hondo Ave W(R14931), 108 Warhorse Dr (R14934), 110 Warhorse Dr (R14935), 109 Jamison Dr N(R14936), 708 Hondo Ave W(R15115), 710 Hondo Ave W(R15117), 712 Hondo Ave W(R15118), 714 Hondo Ave W(R15119), 901 Atkins(R15124), 111 Warhorse Dr (R15130), 709 Hondo Ave W(R15131), Bluebonnet Ave(R15132), 102 Renfro(R15133), 711 Hondo Ave W(R15134), 713 Hondo Ave W(R15135), 715 Hondo Ave W(R15136), 716 Dove Ave W(R15137), 714 Dove Ave W(R15138), 712 Dove Ave W(R15139), 710 Dove Ave W(R15140), 803 Hondo Ave W(R15141), 809 Hondo Ave W(R15142), 103 Jay(R15143), Dove Ave(R15144), 102 Cardinal Dr (R15145), 901 Hondo Ave W(R15146), 903 Hondo Ave W(R15147), 905 W Hondo Ave W(R15148), 1003 Hondo Ave W(R15150), 1005 Hondo Ave W(R15151), 1101 Hondo Ave W(R15152), 1103 Hondo Ave W(R15153), 1201 Hondo Ave W(R15154), 1108 Dove Ave (R15155), 1102 Dove Ave(R15157), 1008 Dove Ave(R15158), 1006 Dove Ave(R15159), 1002 Dove Ave(R15160), 906 Dove Ave(R15161), 904 Dove Ave(R15162), 902 Dove Ave(R15163), 1205 Hondo Ave W(R15164), 1102 Hondo Ave W(R15545), 1104 Hondo Ave W(R15546), 105 Littleton Dr (R15547), 107 Littleton Dr (R15548), 109 Littleton Dr (R15549), 111 Littleton Dr (R15550), 113 Littleton Dr (R15551), 1206 Hondo Ave W(R15576), 103 Hall Dr (R15577), 1210 Hondo Ave W(R15578), 105 Hall Dr (R15579), 1202 Hondo Ave W(R30350), Atkins Ave(R30090), Benton Ave W(R51396), 1110 Dove Ave(R51622), 501 Howell (R52580), 104 Jamison(R53770), 102 Jamison (R53771), 100 Jamison (R53772), 1203 Hondo Ave W(R60202), 706 1/2 Hondo Ave W(R68791), 1220 Hondo Ave W(R6963), Hall Dr (R6964), 1010 W Hondo Ave(R7019), 108 Hall Drive(R7036), Hall Drive(R7037), 106 Hall Drive N(R7038), 112 Warhorse Dr (R7044), 111 Benton (R7051), Littleton Dr (R70675), 1106 Hondo Ave W(R7069), 1212 Hondo Ave W(R7071), Dove Ave W(R89299), Dove Ave W(R89300).

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City Attorney Tom Cate explained that we had a Comprehensive Plan done back in 2013. He told Council he doesn't remember how many people came down but it's based on their recommendation that we're making these rezoning changes. He said that we had to do that. He also explained that as Alderman Espinosa previously stated, we've had a lot of spot zoning going on, and we're trying to take care of that.

City Attorney Tom Cate said he understands Mr. Rosenthal's position with this. He said you don't see any of that type of growth right now but it can happen tomorrow; we don't know. But, he's just presenting his side of the story, and we're basing our recommendations on the Comprehensive Plan that we had done in 2013.

Motion by Alderwoman Wilkins, seconded by Alderman Thompson to Adopt Ordinance 2-18A changing the zoning classification of approximately 41.6731 acres of land starting at north and south Upson Drive along Hondo Avenue W to include southern border of College Avenue and S Windy Knoll and to include north east Upson & Park Avenue in the City of Devine from the recommended study of Comprehensive Plan, from Class A. Single-Family Residence to Class G. Retail Business District which is proposed to include any or all properties as described above.

Ordinance attached as Exhibit A.

Ayes	--	Three
Nays	--	One – Alderman Espinosa
Absent	--	One – Alderman Valdez

Motion carried.

The third order of business was a Public Hearing: Discuss and consider the Final Report of the Planning & Zoning Commission for a zoning classification change of approximately 5.7174 acres of land starting at north and south Upson Drive along Hondo Avenue W to include southern border of College Avenue and S Windy Knoll and to include north east Upson & Park Avenue in the City of Devine from the recommended study of Comprehensive Plan, from Class D. Two-Family Residence to Class G. Retail Business District which is proposed to include any or all properties described as follows:

111 Upson Dr N (R14646), 201 Benton Ave W (R14647), 205 Benton Ave W (R14648), 208 W Benton Ave (R14756), 110 Benton W (R14799), 216 Upson N (R14802), Atkins Ave (R15125), 707 Atkins Ave (R15126), 705 Atkins Ave (R15127), 703 Atkins Ave (R15128), 701 Atkins Ave (R15129), Upson Drive (R58859).

At 6:09 p.m., Mayor Herring announced that the Public Hearing was open.

No one made any comments.

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At 6:10 p.m., hearing no other comments from the public, Mayor Herring closed the Public Hearing.

The fourth order of business was to discuss and consider Adoption of Ordinance to change the zoning classification of approximately 5.7174 acres of land starting at north and south Upson Drive along Hondo Avenue W to include southern border of College Avenue and S Windy Knoll and to include north east Upson & Park Avenue in the City of Devine from the recommended study of Comprehensive Plan, from Class D. Two-Family Residence to Class G. Retail Business District which is proposed to include any or all properties described as follows:

111 Upson Dr N (R14646), 201 Benton Ave W (R14647), 205 Benton Ave W (R14648), 208 W Benton Ave (R14756), 110 Benton W (R14799), 216 Upson N (R14802), Atkins Ave (R15125), 707 Atkins Ave (R15126), 705 Atkins Ave (R15127), 703 Atkins Ave (R15128), 701 Atkins Ave (R15129), Upson Drive (R58859).

Motion by Alderwoman Lopez, seconded by Alderwoman Wilkins to Adopt Ordinance 2-18A changing the zoning classification of approximately 5.7174 acres of land starting at north and south Upson Drive along Hondo Avenue W to include southern border of College Avenue and S Windy Knoll and to include north east Upson & Park Avenue in the City of Devine from the recommended study of Comprehensive Plan, from Class D. Two-Family Residence to Class G. Retail Business District which is proposed to include any or all properties as described above.

Ordinance attached as Exhibit A.

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

Motion carried.

The fifth order of business was a Public Hearing: Discuss and consider the Final Report of the Planning & Zoning Commission for a zoning classification change of approximately 21.2992 acres of land starting at north and south Upson Drive along Hondo Avenue W to include southern border of College Avenue and S Windy Knoll and to include north east Upson & Park Avenue in the City of Devine from the recommended study of Comprehensive Plan, from Class F. Neighborhood Shopping Center to Class G. Retail Business District which is proposed to include any or all properties described as follows:

212 Hondo Ave W (R14639), 200 Hondo Ave W (R14640), 214 Hondo Ave W (R14641), 216 Hondo Ave W (R14642), 109 Upson Dr (R14643), 110 Sayers N (R14644), 200 College Ave W (R14649), 103 Sayers S (R14653), 201 1/2 Hondo Ave W (R14654), 207-209 Hondo Ave W (R14655), 209 Hondo Ave W (R14656), 308 Hondo Ave W (R14657), 108 Washington Dr S (R14660), 402 Hondo Ave W

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(R14664), 408 W Hondo Ave (R14665), 107 Washington Dr S (R14668), 501 Hondo Ave W (R14903), 500 Hondo Ave W (R14907), 506 Hondo Ave W (R14908), 508 Hondo Ave W (R14910), 509 Brown (R14916), Hondo Ave W (R14917), 510 Hondo Ave W (R14919), 604 Hondo Ave W (R14922), 606 Hondo Ave W (R14923), 605 Hondo Ave W (R14924), 617 Brown Ave W (R14927), 700 Hondo Ave W (R14928), 602 Brown Ave W (R14932), 610 Brown Ave (R14933), 900 Hondo Ave W (R15123), 412 Hondo Ave W (R52532), 700 Hondo Ave W (R59677).

At 6:11 p.m., Mayor Herring announced that the Public Hearing was open.

No one made any comments.

At 6:12 p.m., hearing no other comments from the public, Mayor Herring closed the Public Hearing.

The sixth order of business was to discuss and consider Adoption of Ordinance to change the zoning classification of approximately 21.2992 acres of land starting at north and south Upson Drive along Hondo Avenue W to include southern border of College Avenue and S Windy Knoll and to include north east Upson & Park Avenue in the City of Devine from the recommended study of Comprehensive Plan, from Class F. Neighborhood Shopping Center to Class G. Retail Business District which is proposed to include any or all properties described as follows:

212 Hondo Ave W (R14639), 200 Hondo Ave W (R14640), 214 Hondo Ave W (R14641), 216 Hondo Ave W (R14642), 109 Upson Dr (R14643), 110 Sayers N (R14644), 200 College Ave W (R14649), 103 Sayers S (R14653), 201 1/2 Hondo Ave W (R14654), 207-209 Hondo Ave W (R14655), 209 Hondo Ave W (R14656), 308 Hondo Ave W (R14657), 108 Washington Dr S (R14660), 402 Hondo Ave W (R14664), 408 W Hondo Ave (R14665), 107 Washington Dr S (R14668), 501 Hondo Ave W (R14903), 500 Hondo Ave W (R14907), 506 Hondo Ave W (R14908), 508 Hondo Ave W (R14910), 509 Brown (R14916), Hondo Ave W (R14917), 510 Hondo Ave W (R14919), 604 Hondo Ave W (R14922), 606 Hondo Ave W (R14923), 605 Hondo Ave W (R14924), 617 Brown Ave W (R14927), 700 Hondo Ave W (R14928), 602 Brown Ave W (R14932), 610 Brown Ave (R14933), 900 Hondo Ave W (R15123), 412 Hondo Ave W (R52532), 700 Hondo Ave W (R59677).

Motion by Alderman Thompson, seconded by Alderman Lopez to Adopt Ordinance 2-18A changing the zoning classification of approximately 21.2992 acres of land starting at north and south Upson Drive along Hondo Avenue W to include southern border of College Avenue and S Windy Knoll and to include north east Upson & Park Avenue in the City of Devine from the recommended study of Comprehensive Plan, from Class F. Neighborhood Shopping Center to Class G. Retail Business District which is proposed to include any or all properties as described above.

Ordinance attached as Exhibit A.

Ayes	--	Three
Nays	--	One – Alderman Espinosa
Absent	--	One – Alderman Valdez

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Motion carried.

The seventh order of business was Informational Items.

- Paving of Warhorse Drive – Council has been discussing this for a long time. The School keeps saying that it's not in their budget and it's not in ours either. According to Mayor Herring, we need to ask the school to survey it and then deed the street over to the City, and the City will take care of the paving.
- Dip in Colonial Parkway – This is in front of George Valle's house across from the cemetery. According to City Attorney Tom Cate, this is still in probate. City Attorney Tom Cate explained the on-going problem. He advised that if the City really wants to get something done, the next step is for the City to appoint an administrator for the estate; he said we can do this. He suggested this needs to be placed on the agenda. Discussion was held on the natural flow of water and there being no drainage easement there. According to City Attorney Tom Cate, we need to have an administrator appointed so that we can address all these issues. Interim City Administrator/City Secretary added that our City Engineer, Raul Garcia, has already looked at it and knows what needs to be done.

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

Ayes	--	Four
Nays	--	None
Absent	--	One – Alderman David Valdez

Motion carried.

Mayor

City Secretary

ORDINANCE NO. 2-18A

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF DEVINE AND PROVIDING FOR A SEVERABILITY CLAUSE.

WHEREAS: The CITY OF DEVINE is a duly incorporated city under the general laws of the State of Texas; and,

WHEREAS: The legislative body of a duly incorporated city under the general laws of the State of Texas is authorized, for the purpose of promoting health, safety, morals, and for the protection and preservation of places and areas of historical, cultural, or architectural importance and significance, or the general welfare of the community, to regulate and restrict the height, number of stories, and size of buildings, and other structures, the percentage of lot that may be occupied, the size of the yards, courts, and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence, or other purpose; and, in the case of designated places and areas of historic, cultural, or architectural importance and significance, to regulate and restrict the construction, alteration, reconstruction, or razing of buildings and other structures by Texas Local Government Code Section 211.001 et seq.; and,

WHEREAS: The legislative body of a duly incorporated city under the general laws of the State of Texas is authorized from time to time to amend, supplement, change, modify, or repeal zoning ordinances by Texas Local Government Code Section 211.002; and,

WHEREAS: The CITY OF DEVINE has followed the procedure prescribed by statute to amend its zoning ordinance; and,

WHEREAS: The city council of the CITY OF DEVINE has found that changed circumstances made the zoning changes reflected in this ordinance reasonable and necessary; and,

WHEREAS: The amendments to the CITY OF DEVINE's zoning ordinance made herein would serve to promote the health, safety, morals and general welfare of the citizens of the CITY OF DEVINE;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEVINE, TEXAS:

Section 1. Amendment. The zoning ordinance of the CITY OF DEVINE is hereby amended so that the following described properties are rezoned to the zoning classification indicated:

- A. Approximately 41.6731 acres of land starting at north and south Upson Drive along Hondo Avenue W. to include southern border of College Avenue and S. Windy Knoll and to include north east Upson

and Park Avenue in the City of Devine, from Class A. Single Family Residence District to Class G. Retail Business District, to include any or all properties with the following addresses and/or Real Property tax account numbers:

203 College Ave W	R14582	712 Hondo Ave W	R15118	1102 Hondo Ave W	R15545
303 College Ave	R14593	714 Hondo Ave W	R15119	1104 Hondo Ave W	R15546
215 Benton Ave W	R14645	901 Atkins	R15124	105 Littleton Dr	R15547
210 College Ave W	R14650	111 Warhorse Dr	R15130	107 Littleton Dr	R15548
212 College Ave W	R14651	709 Hondo Ave W	R15131	109 Littleton Dr	R15549
105 Sayers S	R14652	Bluebonnet Ave	R15132	111 Littleton Dr	R15550
409 Benton W	R14662	102 Renfro	R15133	113 Littleton Dr	R15551
411 Benton W	R14663	711 Hondo Ave W	R15134	1206 Hondo Ave W	R15576
407 Benton W	R14666	713 Hondo Ave W	R15135	103 Hall Dr	R15577
401 Benton	R14667	715 Hondo Ave W	R15136	1210 Hondo Ave W	R15578
210 Sayers	R14758	716 Dove Ave W	R15137	105 Hall Dr	R15579
505 Howell	R14855	714 Dove Ave W	R15138	Atkins Ave	R30090
Windy Knoll S	R14897	712 Dove Ave W	R15139	1202 Hondo Ave W	R30350
112 Windy Knoll S	R14898	710 Dove Ave W	R15140	Benton Ave W	R51396
114 Windy Knoll S	R14899	803 Hondo Ave W	R15141	1110 Dove Ave	R51622
116 Windy Knoll S	R14900	809 Hondo Ave W	R15142	501 Howell	R52580
108 Windy Knoll S	R14901	103 Jay	R15143	104 Jamison	R53770
Windy Knoll S	R14902	Dove Ave	R15144	102 Jamison	R53771
507 MCAnnely	R14904	102 Cardinal Dr	R15145	100 Jamison	R53772
509 MCAnnely	R14905	901 Hondo Ave W	R15146	1203 Hondo Ave W	R60202
505 MCAnnely	R14906	903 Hondo Ave W	R15147	706 1/2 Hondo Ave W	R68791
511 Hondo Ave W	R14909	905 W Hondo Ave W	R15148	1220 Hondo Ave W	R6963
115 Windy Knoll N	R14911	1003 Hondo Ave W	R15150	Hall Dr	R6964
111 Windy Knoll N	R14912	1005 Hondo Ave W	R15151	1010 W Hondo Ave	R7019
505 Brown E	R14913	1101 Hondo Ave W	R15152	108 Hall Drive	R7036
507 Brown	R14914	1103 Hondo Ave W	R15153	Hall Drive	R7037
121 Windy Knoll Dr N	R14915	1201 Hondo Ave W	R15154	106 Hall Drive N	R7038
612 MCAnnely	R14921	1108 Dove Ave	R15155	112 Warhorse Dr	R7044
703 Hondo Ave W	R14929	1102 Dove Ave	R15157	111 Bentson	R7051
705 Hondo Ave W	R14930	1008 Dove Ave	R15158	Littleton Dr	R70675
706 Hondo Ave W	R14931	1006 Dove Ave	R15159	1106 Hondo Ave W	R7069
108 Warhorse Dr	R14934	1002 Dove Ave	R15160	1212 Hondo Ave W	R7071
110 Warhorse Dr	R14935	906 Dove Ave	R15161	Dove Ave W	R89299
109 Jamison Dr N	R14936	904 Dove Ave	R15162	Dove Ave W	R89300
708 Hondo Ave W	R15115	902 Dove Ave	R15163		
710 Hondo Ave W	R15117	1205 Hondo Ave W	R15164		

B. Approximately 5.7174 acres of land starting at north and south Upton Drive along Hondo Avenue W. to include southern border of College Avenue and S. Windy Knoll and to include north east Upton and Park Avenue in the City of Devine, from Class D. Two-Family Residence District to Class G. Retail Business District, to include any or all properties with the following addresses and/or Real Property tax account numbers:

111 Upton Dr N	R14646	Atkins Ave	R15125
201 Benton Ave W	R14647	707 Atkins Ave	R15126
205 Benton Ave W	R14648	705 Atkins Ave	R15127
208 W Benton Ave	R14756	703 Atkins Ave	R15128
110 Benton W	R14799	701 Atkins Ave	R15129
216 Upton N	R14802	Upton Drive	R58859

C. Approximately 21.2992 acres of land starting at north and south Upton Drive along Hondo Avenue W. to include southern border of College Avenue and S. Windy Knoll and to include north east Upton and Park Avenue in the City of Devine, from Class F. Neighborhood Shopping Center District to Class G. Retail Business District, to include any or all properties with the following addresses and/or Real Property tax account numbers:

212 Hondo Ave W	R14639	500 Hondo Ave W	R14907
200 Hondo Ave W	R14640	506 Hondo Ave W	R14908
214 Hondo Ave W	R14641	508 Hondo Ave W	R14910
216 Hondo Ave W	R14642	509 Brown	R14916
109 Upton Dr	R14643	Hondo Ave W	R14917
110 Sayers N	R14644	510 Hondo Ave W	R14919
200 College Ave W	R14649	604 Hondo Ave W	R14922
103 Sayers S	R14653	606 Hondo Ave W	R14923
201 1/2 Hondo Ave W	R14654	605 Hondo Ave W	R14924
207-209 Hondo Ave W	R14655	617 Brown Ave W	R14927
209 Hondo Ave W	R14656	700 Hondo Ave W	R14928
308 Hondo Ave W	R14657	602 Brown Ave W	R14932
108 Washington Dr S	R14660	610 Brown Ave	R14933
402 Hondo Ave W	R14664	900 Hondo Ave W	R15123
408 W Hondo Ave	R14665	412 Hondo Ave W	R52532
107 Washington Dr S	R14668	700 Hondo Ave W	R59677
501 Hondo Ave W	R14903		

Section 2. Zoning Map. It is the intention of the City Council of the CITY OF DEVINE that the Zoning Map of the City of Devine be corrected to show the zoning amendments herein made.

Section 3. Code of Ordinances. It is the intention of the City Council of the CITY OF DEVINE that this ordinance shall become a part of the Code of Ordinances of the CITY OF DEVINE and may be renumbered and codified therein accordingly.

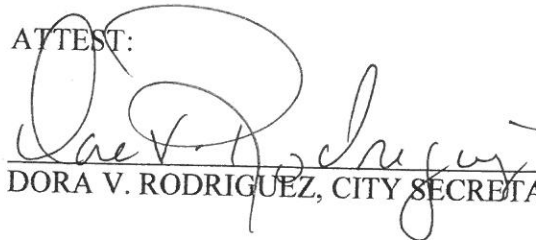
Section 4. Effective Date. This ordinance shall take effect immediately upon its passage, approval and official publication as provided by law.

Section 5. Severability. If any section, provision, subdivision, clause or part of this ordinance shall be adjudged or held unconstitutional or invalid, it shall not affect the validity of this ordinance as a whole or any other part or provision contained herein.

PASSED, APPROVED AND ADOPTED at the special called meeting held on the 27th day of February, 2018.


WILLIAM L. HERRING, MAYOR

ATTEST:


DORA V. RODRIGUEZ, CITY SECRETARY



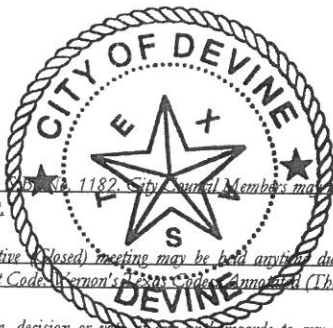
Notice of Meeting of the Governing Body of The City of Devine

Notice is hereby given that a **Special Meeting** of the governing body of the City of Devine will be held on the **5th day of March, 2018 at 6:00 p.m.** in the Council Room at City Hall, 303 S. Teel Drive, Devine, Texas at which time the following subjects will be discussed, considered or action taken:

1. Call to Order.
2. Discuss and consider Accepting Resignation from C.E. (Curly) Brehm as Chairman from the Airport Advisory Board.
3. Discuss and consider Appointing a new Airport Advisory Board Chairman.
4. Discuss and consider for Council to take action on the following:
 - a. For the City of Devine to enter into an Agreement with David Ehlinger for the Fuel Farm at the Airport.
 - b. For the City of Devine to move forward with the City doing the Fuel Farm at the Airport.
5. Discuss and consider authorizing the Interim City Administrator to enter into a contract with Eckmann Groll, Inc. for an appraisal to be done at the Devine Municipal Airport for Hanger #6.
6. Informational Items.
7. Adjourn.

This is to certify that I, Dora V. Rodriguez, posted this Agenda at City Hall, 303 S. Teel Drive, Devine, Texas on the **1st of March, 2018 at 5:00 p.m.**

Dated this 1st day of March, 2018.



City of Devine
Dora V. Rodriguez
City Secretary

Pursuant to Article 1182, City Council Members may make a report about items of Community Interest during a Meeting of the Governing Body without having given notice of the report.

An Executive (Closed) meeting may be held anytime during the public (Open) meeting to consider matters of the sort described in Chapter 551 Subchapter D, Texas Government Code or Section 501 Texas Codes Annotated (The Texas Open Meeting Act).

Final action, decision or vote shall be made regarding any matter considered in the executive (Closed) meeting shall be made in public (Open) meeting following the executive (Closed) meeting or at any subsequent public (Open) meeting duly announced by notice as the Council shall determine.

IMPORTANT NOTICE: Persons with disabilities who plan to attend this meeting and who may need assistance are requested to contact Dora V. Rodriguez at 830-663-2804 forty-eight (48) hours prior to the meeting so that appropriate arrangements can be made.

Minutes
Special Council Meeting
March 5, 2018

On this 5th day of March 2018, 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 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
Aldерwoman Kathy Wilkins
Alderman Steve A. Lopez
Alderman David Valdez
Alderman David Espinosa
Alderman Cory Thompson

Thus, constituting a quorum.

Personnel present: Dora V. Rodriguez, Interim City Administrator/City Secretary; Denise Duffy, City Accountant; Tom Cate, City Attorney; Ismael Carrillo, Director of Public Works; Vickie Pumphrey, Airport Manager; and Ofilia Pedroza, UB Clerk.

Others Present: Marly Davis, Devine News; Claudia Mora, Economic Development Director and Airport Manager, City of Castroville; James Spurgers; David Ehlinger; Eric Ehlinger; Brad Lauderdale; Dallas Collins; Chris Yanta; Hap Squires; and Krista Ehlinger of Devine, Texas.

Mayor Herring, presiding, called the meeting to order.

The first order of business was to discuss and consider accepting resignation from C.E. (Curly) Brehm as Chairman from the Airport Advisory Board.

City Attorney Tom Cate clarified that Mr. Brehm is wanting to resign from the Airport Advisory Board entirely. Mayor Herring stated that a telephone conversation from Mr. Brehm confirmed that.

Motion by Alderman Lopez, seconded by Alderman Thompson to accept the resignation from C.E. (Curly) Brehm as Chairman from the Airport Advisory Board.

Ayes	--	Four
Nays	--	One – Alderman Espinosa

Motion carried.

The second order of business was to discuss and consider appointing a new Airport Advisory Board Chairman.

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Mayor Herring announced that Council cannot take action on this item because the Airport Advisory Board gets to pick their chairman. They need to make their selection on who they want to replace C.E. (Curly) Brehm as a member and then they will select their chairman.

No action taken.

The third order of business was to discuss and consider for Council to take action on the following:

- a. For the City of Devine to enter into an Agreement with David Ehlinger for the Fuel Farm at the Airport.
- b. For the City of Devine to move forward with the City doing the Fuel Farm at the Airport.

Mayor Herring thanked Claudia Mora, Castroville Airport, for being here.

Mr. David Ehlinger addressed Council. Before beginning, he was asked by Mayor Herring to provide the source of information for the fuel estimates referenced in his letter from Aviation Fuels, Inc., addressed to the Council. When David Ehlinger refused to give a direct answer and after remarks made back and forth, Mayor Herring stated that he was wanting to know the source first because this letter was sent to Castroville. He then read a letter that we received in return from the City of Castroville, in its entirety, which partly stated, "Staff reviewed the figures in the aforementioned letter. We do not know the source of the figures used by Mr. Ehlinger." It further states, "As for the "Actual" sales dollars, "Actual" cost, "Reported" gross profit, annual average for sales/gallon and cost/gallon, estimated overhead, and estimated net profit/loss, those figures did not come from the Castroville Municipal Airport or the City of Castroville." The letter was signed by Marie Gelles, City Administrator for the City of Castroville.

Mr. Ehlinger informed the Mayor and Council that his source came from the City of Castroville: 37,000 gallons of low lead 100 plus \$6,000 plus whatever the remainder was of jet fuel from the document that the City of Castroville gave him. He told Mayor Herring that everything adds up to 43,918 actual gallons of fuel. He said this is how he was trying to open up his statement.

Mayor Herring asked Ms. Claudia Mora, Economic Development Director and Airport Manager for the City of Castroville, about the figures on the letter from Aviation Fuels, Inc. provided by David Ehlinger. Ms. Mora said that the 43,918 is not a figure that she provided. She explained that she had understood that this was in relation to Avgas only and not Jet fuel. She told the Mayor and Council that she didn't recognize the other numbers and was not sure what the source of those numbers was. Mayor Herring then asked her if Castroville reported a loss as shown on this letter, to which Ms. Mora

said, no, that they have a figure of about \$40,200 that they made as a profit on Avgas. Mayor Herring said that was different from the \$3,833 loss indicated in the letter.

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Mayor Herring stated that after the last meeting, that Interim City Administrator/City Secretary Dora V. Rodriguez and City Accountant Denise Duffy had gone over to Castroville, and he asked Ms. Mora if she had listened to the tape. She said that she did. Mayor Herring asked her if she could confirm or tell us the validity of what Mr. Mario McGee had stated as far as Castroville having problems. Ms. Mora stated that she could not confirm that. She stated that to her knowledge they are not having problems nor are they attempting to sell the fuel farm or looking for a vendor or private business to operate it for them.

After more bickering, Mr. Ehlinger continued with figures which he insisted he got from the City Office of Castroville. He said that whether they didn't communicate it correctly between the airport and the city office is not his problem. He said everything they told him is documented on a statement that they gave him.

Interim City Administrator/City Secretary Dora V. Rodriguez told Mayor Herring that it's a moot point and Council just needs to move forward because he needs an answer.

After more sarcastic remarks, Mr. Ehlinger went on to explain the chart on his letter. He stated that \$181,847 was the actual sales IF the annual average was \$4.14 on that and the average annual between \$3.75 averaged. He said that would've been the actual sales. He told Mayor Herring that you've got to know how to read the chart, first of all. He explained that the cost of the fuel on the average would actually be \$164,482. He said that's how you come up with these estimates that I proposed to you. He explained that the figures on the right hand of the chart are Aviation Fuel Inc.'s (AFI) estimates that can be produced for the City of Devine. He said that these are a reasonable approach, and said that he would explain.

Mayor Herring told Mr. Ehlinger to explain to him the difference of a lady who's saying that they made \$40,200 and you show a \$3,833 loss. Mr. Ehlinger then asked Mayor Herring, "Do you have the real cut sheets of all the gallons sold or supplemental monies from other general funds that brought in to make this. He told Mayor Herring, "That's where you should've compared it – apples to apples, oranges to oranges; not just throwing it into a general fund and then separated it out later." "They use other funds to help out the fuel station."

Mayor Herring asked Ms. Mora if what Mr. Ehlinger was saying is correct, and she responded, "It's all airport funds, sir." Mr. Ehlinger responded, "See? That's exactly right!" "Hangar funds come in here, fuel funds come in here, put it in this one general fund, and then say we made a profit." He told Mayor Herring that if you do proper accounting in the right manner, you're going to itemize what your hangar rentals are bringing in as profit and fuel pumps over here likewise, and you're not doing that! He said there's someone out there who recognizes exactly what's going on with the fuel and hangars because that's been going on for quite some time.

Interim City Administrator/City Secretary Dora V. Rodriguez inquired if David Ehlinger was talking about our budget or their budget. Mr. Ehlinger said he was speaking about their budget. Mayor Herring asked Ms. Mora if that was true. Ms. Mora said she didn't understand the comment or the

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statement. Mayor Herring told her that he thought the \$40,200 is basing the profits she had on fuel sales alone. Ms. Mora confirmed that was correct and said she got the figures from their Finance Director. Mr. Ehlinger retorted that it wasn't true, it wasn't accurate and said they have to prove it. He told Mayor Herring, "If they can't even communicate from the City to the Airport Manager with continuity, how do you expect them to communicate the gallons with continuity, Bill?" Mr. Ehlinger said that you've got to realize that you've got rental properties and you have all of the income from the structures, from the hangars, and from the lots that goes into one bundle. Mayor Herring said, "She just stated that the profit came from fuel sales alone!" Mr. Ehlinger stated, "She said it before that it was not, so what is it? Yes or No?" Interim City Administrator/City Secretary Dora V. Rodriguez asked Ms. Mora if rental and fuel are separate, and she said "yes." Mr. Ehlinger commented, "It is now! Can you accurately say that that was true or not? You can't! The documents you have are not true!"

Mayor Herring told Mr. Ehlinger, "I don't agree with what you said and I don't like you calling people in Castroville basically not telling the truth!" "But, move on!" David: "Like you telling me I'm not telling the truth." Mayor: "I didn't say you were. I'm going by what is stated in the documents right here and the testimony of this lady." David: "And that testimony seems to have some holes in it as well!"

Mayor Herring then asked David Ehlinger for the costs to which he responded, "I gave it to you!" "Gross profit – if it was reported, it was not! Sales, annual – these are my averages if you look at it. The estimated figures on the right side – AFI (Aviation Fuel Inc.)"

David Ehlinger then read a statement to the Mayor and Council stating that before they ever purchased AFI in 2016, and before getting involved with this project, they were told by Airport Manager Vickie Pumphrey that Devine Airport did not have any space on the ramp or anywhere else at the airport to install a fuel system. Realizing that we have the experience, resources and the location within our leased area to provide fuel in Devine, we found the following. He explained that this is when he went into these calculations. He told Council that these are realistic calculations. He said you're not going to make a lot of money out there but you're providing a service to everybody! He said he estimated \$7,000 on fuel sales and \$10,000 in overhead estimated costs just to operate. He said he didn't know what it's going to be the first year; nobody does! Annually, what does he give to the City at \$.06/gallon on 26,000 gallons sold? He'll give us \$1,560. He said that's a typical rental rate for one big hangar like the one that he has. Mr. Ehlinger told Council that will help some of that \$30,000 budget deficit at the Devine Airport; it helps supplement trying to get to a balanced point with Devine Airport being on its own.

Mr. Ehlinger explained that every 15 years, you need to do relining of the tanks, purchase and installation of tank, pump and payment system; he said he didn't include that in his estimates until he gets to the point of opportunity which he really hopes to see, which is the annual training, inspection and certification requirements. He said, "That's me. Who else in Devine can do this?"

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If the City of Devine taxpayers' money is over \$250,000, Mr. Ehlinger told the Mayor, "This is what it's probably going to take you, Devine, to put it in place, Bill." He said that was his estimate.

Mayor Herring then inquired what TxDOT Aviation is saying on the cost for the size of the fuel farm that we need here. Interim City Administrator/City Secretary Dora V. Rodriguez responded that in the meeting that she had with them on Friday, they said that probably for our size, it would be about \$140,000. Mr. Ehlinger said that was just for one tank. Ms. Rodriguez said it was just for the regular. He said, yes, low lead 100. He said he wanted low lead 100 and jet fuel, so, you're looking at \$250,000.

Interim City Administrator/City Secretary Dora V. Rodriguez stated that in talking to TxDOT, we can't do the jet fuel. Mr. Ehlinger said that you can do jet fuel, and that does not restrict you from selling jet fuel. Airport Manager Vickie Pumphrey clarified that TxDOT had said that at this point in time, Avfuel is what we need and Jet-A fuel, they said, could come in later.

Mayor Herring inquired if our runway was long enough to handle jets. Not legally, according to Airport Manager Vickie Pumphrey. According to Mr. Ehlinger, you've got to think other than just jets. He stated, "So, you're talking about jet fuel and saying it's not worth putting value into jet fuel. It is worth putting value in jet fuel, and bringing it on to the airport, and you can do that because you've got crop dusters out there that use jet fuel, and helicopters! Thank you!"

Mayor Herring referenced a letter from the City of Cleburne regarding what the pros & cons would be for the City to have ownership of the fuel facilities versus a private sector. He explained that the letter compares airports within a 50 mile radius of Devine; not from Cleburne. Mayor Herring told David he didn't know why he was comparing Devine to Cleburne in his letter. Mayor Herring stated that the airports being compared in the letter from the City of Cleburne were from neighboring airports like Castroville, Hondo, Pearsall, Kelly Field, San Antonio; Pleasanton; Stinson; North Terminal and South Terminal, San Antonio; Million Air, San Antonio; Boerne; Garner Field, Uvalde; Cotulla-LaSalle County; Bulverde; and Kestrel Airpark, San Antonio. The letter states that based on airports within 50 miles of Devine, if the City operates the fuel farm, we could make \$.83 to \$2.00 a gallon depending on the markup versus \$.06 if we allow a private investor. So, this is a survey not of Cleburne but from the airports named in this letter.

Alderwoman Wilkins commented that we have all these estimates from Mr. Ehlinger and yet as far as the gallons sold from Ms. Mora, they are actual figures. She wanted to know how Mr. Ehlinger got his estimates. Mr. Ehlinger responded that the estimate is the overhead cost of what it takes to run the operations of a fuel farm.

Mr. Eric Ehlinger then addressed Council and stated that the only information that they could get from Castroville were the things that are listed as actual. He said that the report of the gallons total came from the City of Castroville, but the other numbers came from Mr. Bernie Ainsley, whom he believed was on the Board of Directors with the City of Castroville. To this, Ms. Mora reported that he was not. Eric Ehlinger said that then he was misled on that information. He told Council that was the source of the other numbers that he reported to them. Eric Ehlinger said they're not trying to

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purposely mislead the City of Devine. He explained that the other data that they received in determining whether the City of Castroville is making a profit or a loss is an estimate of a portion of the cost associated with operating the fuel farm in Castroville which they received again from Bernie Ainsley, whom he thought was on the Board of Directors over there but said he was mistaken. Eric told Council that Bernie Ainsley had shown them an email that he used as a presentation in front of that board in which he said, "Guys, we're losing money. This is not a good deal for Castroville; we need to do something else." He told Council that's what was represented to him and is what he is now representing to Council. He said that based on Bernie Ainsley's estimates on what the City of Castroville is actually receiving as a profit, they're showing a loss. He said that they would hate to see this happen to the City of Devine just because they've started the ball rolling on trying to get fuel in Devine.

Alderwoman Wilkins stated, "But your informant was not correct." To this, Mr. Eric Ehlinger replied, "apparently not."

Interim City Administrator/City Secretary Dora V. Rodriguez told Council that she's done all the homework for them. She said that she and City Accountant Denise Duffy have compiled a lot of facts and it's taken a long time to do this. In talking to TxDOT Aviation, she told Council that David Ehlinger is correct; that it is possible for them to do this. She said that she is asking Council to look into the City moving forward with the fuel farm. She said TxDOT sent her an email saying that we can use the RAMP Grant which can be increased to \$100,000 and be used for the installation of a fuel farm at the airport. She explained that the RAMP Grant will reimburse us 50 percent, so \$50,000 of the grant can be used for the fuel farm, effective September 1, 2018. Mayor Herring inquired about next near. Ms. Rodriguez replied that we can apply for another RAMP Grant at that time. She explained that we've always used RAMP Grants at the \$40,000 level but the maximum we can apply for is \$100,000. She told Council that this is her recommendation but, of course, it is their decision in which way they want to move.

Discussion was held on possible locations for a fuel farm at the airport by Vickie Pumphrey. Mr. David Ehlinger disagreed with the locations and told Council we were going to have problems. Mayor Herring said that TxDOT is the one that recommended this location. According to Mr. Ehlinger they are not taking everything into consideration.

Council heard from Mr. Dallas Collins who told Council that he feels the City is going to make a big mistake if we take over the fuel farm.

Mayor Herring inquired what TxDOT's recommendation was on the ownership of the fuel farm. According to Interim City Administrator Dora V. Rodriguez, TxDOT recommended that it should be the City's. She told Council that in their eyes, we do not have control of the airport and we need to do this. TxDOT also said that the City needs to be self-sufficient, and the only way to be self-sufficient, according to TxDOT, is for the City to own the fuel farm and to purchase hangars.

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Mr. Ehlinger commented that the recommendation is from one government agency to another, and told Council that we are making a big mistake. Mr. Ehlinger told Council, "Do you think you're going to make \$2.00 a gallon on fuel? You're not." He then added that if we really want to develop the airport and if we really want to make that \$30,000 cost cut in half or even three-quarters of that, we need to buy some hangars and put the infrastructure into the structure and lease out some hangars. He said that the fuel farm is not going to be our answer because we don't have the certifications or any of the background to put a fuel farm in place.

Mayor Herring asked Mr. Ehlinger that if we're going to lose money or not make much money at all, why he wanted to do the fuel farm. Mr. Ehlinger responded, "It's another service!" He told Council that the pilots are not going to come here if we don't give them the option to buy fuel locally. He told Council that we're just telling pilots right now to go away, that we don't want their business. Mayor Herring commented that we agree with him on that, and that's why the City wants to put it in, so that pilots will come here. Mr. Ehlinger told Council that we can't do it and run it, and maintain it, and operate it without another cost.

Interim City Administrator/City Administrator Dora V. Rodriguez asked Ms. Claudia Mora how many people work at the Castroville Airport. According to Ms. Mora, they have two right now but their goal is to be able to hire more individuals to provide services, from administrative to actual maintenance performance.

Alderman Espinosa addressed council members and briefed them on when he first met Mr. Curley Brehm, Airport Advisory Board Chairman, back in 1999 when they first spoke about the fuel farm. Alderman Espinosa told council members that the problem he has with this is that it was not our idea initially and he doesn't think that it's fair. He said that he just has a bad taste in his mouth about doing this. He told Council that if we do this, we are not taking care of our citizens in that aspect. He added that if it does go our way, he will still support Council as a team; however, he is in support of going to the private sector.

Alderman Thompson inquired how many people who own leases as the airport are actually citizens of Devine. According to Mayor Herring, Mr. Bill Bain and Mr. Glen Dale Estep are the ones who live in Devine and pay taxes.

Alderswoman Wilkins inquired about the \$.06 profit and asked why it was so much less, as compared to the \$.83. Mr. Eric Ehlinger explained that the \$.06 is what they believe they are in negotiations with the City of Devine; to provide us \$.06 a gallon on every gallon sold. Mr. Ehlinger told Council that this is not set in stone, and said they are begging for permission to continue the negotiations on that. He said that the average in this area is between \$.04 and \$.10 a gallon but it depends on what other amenities we have at the airport that will drive what it's going to cost, and he discussed in more detail.

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Motion by Alderman Espinosa for the City of Devine to enter into an Agreement with David Ehlinger for the Fuel Farm at the Airport.

Motion died due to a lack of there being a second.

Motion by Alderman Lopez, seconded by Alderman Valdez for the City of Devine to move forward with the City doing the Fuel Farm at the Airport.

Ayes	--	Four
Nays	--	One – Alderman Espinosa

Motion carried.

The fourth order of business was to discuss and consider authorizing the Interim City Administrator to enter into a contract with Eckmann Groll, Inc. for an appraisal to be done at the Devine Municipal Airport for Hanger #6.

Interim City Administrator/City Secretary Dora V. Rodriguez told Council that she had provided them with a copy of a letter from Eckmann Groll, Inc. showing an appraisal cost of \$2,750 to get the appraisal done for Hangar #6. She explained she just needs approval on this so that we can move forward.

Motion by Alderman Espinosa, seconded by Alderman Thompson to authorize the Interim City Administrator to enter into a contract with Eckmann Groll, Inc. for an appraisal to be done at the Devine Municipal Airport for Hanger #6, for a fee of \$2,750 and to amend the budget.

Contract with Eckmann Groll, Inc. attached as Exhibit A.

Ayes	--	All
Nays	--	None

Motion carried.

The fifth order of business was Informational Items.

Mayor Herring discussed the following regarding the agenda for the Regular Council Meeting on March 20, 2018:

- We need an agenda item to allow City Attorney Tom Cate to appoint a temporary executor for George Valle's property so that we can do something with the street – Colonial Parkway.
- We need to appoint a member to the Airport Advisory Board to replace C.E. (Curly) Brehm.
- Alderman Thompson thanked Interim City Administrator/Secretary Dora V. Rodriguez and her team for working on the water project. He said that it's not over yet but we are a whole lot better off than we were two weeks ago.

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

Ayes	--	All
Nays	--	None

Motion carried.

Mayor

City Secretary

Exhibit A

ECKMANN GROLL, INC.
REAL ESTATE APPRAISERS • CONSULTANTS

Lynn G. Eckmann, MAI
Carl K. Eisenhauer, MAI
Wayne A. Groll, MAI
(1950-2004)

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(210) 222-9128
FAX: (210) 222-9773

Randy Reed, MAI
Matthew Strey
Lawrence A. Baca
Allen R. Gross

March 1, 2018

City of Devine
303 South Teel Drive
Devine, Texas 78016

Attention: Vickie Pumphrey
Airport Manager

Dear Ms. Pumphrey,


This letter is written in response to your request for an appraisal of the Estep Flying Service 8 Unit T-hangar located at the Devine Municipal Airport, Medina County, Texas.

The opinion of market value will be prepared in accordance with the *Code of Professional Ethics and Standards of Professional Appraisal Practice* of the Appraisal Institute, as well as conform with the *Uniform Standards of Professional Appraisal Practice (USPAP)* as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

The fee for the appraisal conveyed in a narrative report will be \$2,750. The assignment will be completed within 3 weeks of the date of authorization to proceed. If these terms are acceptable, please sign and date below and return to me.

Thank you for the opportunity to serve your real estate appraisal needs. If further questions should arise, please feel free to contact me.

Respectfully submitted,


CARL K. EISENHAUER, MAI

Accepted by:

Date