

Minutes
Regular Council Meeting
September 18, 2018

On this 18th day of September, 2018, at 6:00 p.m., the City Council of the City of Devine convened in a Regular 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 Steve A. Lopez
Alderman David Espinosa
Alderman Cory Thompson

Absent being Alderman David Valdez and Alderwoman Jennifer Schott; 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; and Rob Flores, Superintendent of Public Works.

Others present: Marly Davis, Devine News; Loyd Richeson, and Debbie Randall of Devine, Texas.

Mayor Herring, presiding, declared the meeting open at 6:00 p.m.

Mayor Herring delivered the Invocation and Alderman Espinosa led the Pledge of Allegiance.

The first order of business was the Visitors/Citizens Forum.

No one spoke under this item.

The second order of business was Recognition.

Mayor Herring recognized Alderman David Espinosa in honor of his birthday today, and wished him a Happy Birthday.

The third order of business was the Public Hearing on the Proposed Tax Rate for FY 2018-2019.

At 6:04 p.m., Mayor Herring announced that the Public Hearing was open to the public. He announced that the proposed new tax rate decreased to \$0.005013. Over the last 10 years, he said it's dropped down significantly. Mayor Herring especially thanked Interim City Administrator Dora V. Rodriguez, City Accountant Denise Duffy and City Financial Officer Mary Badillo for all their hard work.

At 6:05 p.m., hearing no comments from the public, Mayor Herring closed the Public Hearing to the public.

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The fourth order of business was to discuss and consider Adopting Proclamation for Library Card Sign-Up Month – September 2018.

Mayor Herring read proclamation aloud.

Motion by Alderman Thompson, seconded by Alderman Espinosa to adopt Proclamation for Library Card Sign-Up Month – September 2018.

Proclamation attached as Exhibit A.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman Valdez Alderwoman Schott

Motion carried.

The fifth order of business was to discuss and consider Adopting Proclamation for Breast Cancer Awareness – October 2018.

Mayor Herring read proclamation aloud.

Motion by Alderman Lopez, seconded by Alderman Espinosa to adopt Proclamation for Breast Cancer Awareness – October 2018.

Proclamation attached as Exhibit B.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman Valdez Alderwoman Schott

Motion carried.

The sixth order of business was to discuss and consider Approval of Minutes: Regular Council Meeting Minutes, July 17, 2018; Special Council Meeting/Public Hearing Minutes, August 21, 2018; Special Council Meeting Minutes August 28, 2018; Special Council Meeting Minutes, September 4, 2018; and Special Council Meeting Minutes, September 11, 2018.

Interim City Administrator/City Secretary Dora V. Rodriguez informed Council that none of the minutes were ready for approval; she said they would be ready next week, on September 25, 2018.

No action was taken.

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The seventh order of business was to discuss and consider for Council to place their votes for the Medina Electric Cooperative, Inc. 2018 Director Election.

Council reviewed the biographies of the three candidates running in each of the three districts. This year all candidates are running unopposed.

Motion by Alderman Espinosa, seconded by Alderman Lopez to cast their votes for District 1 – Wayne W. Scholtz, District 2 – Kenneth G. White, and District 3 – Joe L. Gonzalez.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman Valdez Alderwoman Schott

Motion carried.

The eighth order of business was to discuss and consider Golf Course.

A. Events

Interim City Administrator/City Secretary Dora V. Rodriguez told Council that Superintendent of Public Works Rob Flores has been keeping up with the weather. According to Mr. Flores, there's supposed to be a 60% chance of rain Thursday, Friday and Saturday. Alderman Lopez announced that they should be having a Crime Stoppers Meeting tomorrow here, at City Hall, at 7:00 p.m. to discuss what they are going to do. He stated that he would like to wait because of the rain and said he cannot make any decisions until he meets with the Board, but by tomorrow we should know something. Interim City Administrator/City Secretary Dora V. Rodriguez said she's already contacted Albert Garza who will be doing the cooking for the plate sale on the day of the kickoff, and she has him on standby. She added that she will wait until tomorrow, after the Crime Stoppers Meeting, to contact the entertainers.

Superintendent of Public Works Rob Flores announced that the Cross Country Meet has been rescheduled to Wednesday, September 26th; and the Warhorse/Arabian Tournament was rescheduled to Monday, September 24th.

Council heard comments from Mr. Loyd Richeson. He gave a Council a brief history of his background experience. He and his wife moved to Devine last March. For the last 25 years, he worked as a maintenance manager for Brook Haven Country Club in Dallas, Texas; a 350 acre facility with three 18-hole golf courses, so he's done this most of his life but he's retired now. He told Council that he understood that the City had recently taken over the golf course, and basically he was just curious as to what is going on at the Devine Municipal Golf Course, and was looking to see if there was any way he could get involved with the golf course or, at a minimum, offer his expertise advice where it is needed.

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Superintendent of Public Works Rob Flores gave a brief history on what's been happening at the golf course. He explained that Ruben Chapa is our green's keeper and he came with the golf course. He told Mr. Richeson that there had been a lot of neglect for several years, and we inherited a big mess, especially with the sprinkler system which is something that they've been working on a lot. They've been replacing a lot of sprinkler heads and trying to fix the neglect to try to move on.

Mr. Richeson inquired if the City is looking at operating this golf course or if we're looking at raising the standard to get it back to where it was. He wanted to know what our plans are. Mayor Herring informed him that the City did sign an agreement between the City of Devine and the Devine Golf Association for a transition period of six months with the full intent to operate it as an 18-hole golf course.

A lengthy discussion was carried with Mr. Richeson on his practices and knowledge of maintaining the greens. He said he would like to be able to give help and direction with the golf course. Mr. Richeson requested a copy of the U.S. Golf Report so he can review the report and evaluate what they have said.

B. Club House

Interim City Administrator/City Secretary Dora V. Rodriguez reminded Council that they had approved last week for Eddie Curiel to fix the restrooms; he has been working on them. She informed Council that we gave him a partial payment last Friday for \$3,647.31. The actual quote he gave us was for \$6,500.

Minor discussion was held on the ceiling of the Club House and the fact that it is looking nice. Interim City Administrator/City Secretary Dora V. Rodriguez mentioned the area as you walk out of the Club House, facing the greens. She said there used to be some bars there which were removed. She told Council that there are gaps where the bars used to be and we need to fill those gaps. Council reviewed a quote from Mr. Steve Gallegos, Jr. for a total of \$4,750. Council thought this was high. Alderman Thompson told Council that the metal fence was there to literally stop the golf carts from going into the building. Council held discussion, and felt that we need to get more than one quote.

Superintendent of Public Works Rob Flores talked to Council about the ice machine at the club house which they are trying to get running; right now it won't even start since they moved it from where it was. He said it's old and it needs a lot of tender, loving care, and it looks pretty bad inside. He said it needs a whole lot of work; it needs to be sanitized and he doesn't think the filters have ever been changed. Mayor Herring stated that if it's a health issue, we may need to look at replacing it. Discussion was held on getting an ice machine like the one we have at the Community Center. Superintendent of Public Works Rob Flores told Council that he will get prices.

No action was taken.

C. Finances

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Mayor Herring inquired if we've decided what we're going to charge for fees. According to Interim City Administrator/City Secretary Dora V. Rodriguez, they've been too busy with the Budget, so they haven't decided yet but Council will be getting that information, and Alderwoman Schott will be helping out with that also.

Interim City Administrator/City Secretary Dora V. Rodriguez informed Council that she's talked to Yamaha and John Deere. She discussed a payoff with John Deere. She explained that the amount may go down because we've already made a payment. They will let us know what the new amount will be. She also mentioned to Council that we're having problems with the rough mower which is a used mower. Superintendent of Public Works Rob Flores stated that according to Mr. Ruben Chapa, it's been a continual problem from the day they got it. All the other equipment that they leased was brand new except this one. According to Mayor Herring, we want a brand new one, or no deal.

Discussion was held on there being more John Deere dealerships and other companies, like Toro. Mr. Loyd Richeson commented that Toro is probably the number one company, and said that we can go through PTP in San Antonio. Interim City Administrator/City Secretary Dora V. Rodriguez stated that we can look everywhere but we're pretty much stuck with the John Deere lease that we have right now, which is a lease-to-purchase. She told Council that she's still waiting to hear back from Yamaha.

City Attorney Tom Cate told Council that with John Deere, we're trying to negotiate the lease; we're trying to pay less money and get a new machine, but we are kind of stuck with it; it's a 60 month lease-to-purchase. If we were to default on the lease, they could come back to get us.

Interim City Administrator/City Secretary Dora V. Rodriguez informed Council that we were approved for the Temporary Alcohol License. She explained that she is going to wait on picking up the license until after the Crime Stoppers meeting in case we end up rescheduling the date. She was told that if we pay for it and pick it up, and then reschedule the event, we will need to start all over again with a new application, so they advised to hold off.

Superintendent of Public Works Rob Flores reported that all they are doing right now is cutting greens. Mr. Loyd Richeson commented that it can be done with the three employees that we have but we have to have the right expectations and we have to have the right equipment. Discussion was held with Mr. Richeson.

Superintendent of Public Works Rob Flores held discussion with Council on turf carts. He said right now they are using golf carts for utility vehicles but they are really needing the turf carts. He presented Council with a quote of \$17,418 for two carts. According to Interim City Administrator/City Secretary Dora V. Rodriguez, this was for information only just to let Council know that he did look into this. Mayor Herring commented that we will discuss this later.

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D. Green's

Superintendent of Public Works Rob Flores reported that they are doing pretty good with the greens right now, compared to what it was. He reported that right now they have an issue with a leak in the tank up front between the #9 green and the #10 T-box. He said one wall has a leak coming out the side of it. They are not sure if it's the well pipes that go through there or the tank itself that's pushing water out of it in two different places. He explained that they haven't started any digging because it's created a pocket in there and they don't want to collapse that tank wall. Right now, it's too wet so they are waiting for it to dry up a little.

Alderman Thompson inquired if we are going to have any issues with fungus on the greens because of all the rain we've been having. Superintendent of Public Works Rob Flores told Council that up until the time we took over, there had been a lot of fungus. Mr. Loyd Richeson commented that fungus can be a problem; he said that the shorter the grass, the more fungus problem we're going to have. He said we're going to see it most on the greens and the T-Boxes. He explained that in order to battle the fungus, we need to aerify the greens to get some air into the ground and stop that from happening. If we continually mow it and flatten it and walk on it, it builds up a layer and fungus will accumulate in the short grass areas. Mr. Richeson explained that aerification is the real answer. He went on to say that there is a fungus spray program for the greens.

The ninth order of business was Budget Workshop:

Ms. Debbie Randall, Chairman of the Parks & Recreation Advisory Board, addressed her concerns to City Council regarding the budget for the swimming pool. She told Council that we have been discussing the budget for the swimming pool since back on January 30, 2018 when the City Council agreed to take back the pool offer from Fred Morales with the understanding that the approximate budget would be \$200,000 to restore and upgrade the existing pool. She mentioned that in the inspection report done by C.T. Brannon, there is a statement that a new pool will cost anywhere from \$2.5 Million to \$3 Million. While discussing the \$200,000 budget for the pool at last week's council meeting, she said there was a statement made that our insurance company had told someone that a new pool would cost only \$1 Million. She said more discussion was held on just doing a new pool. She said that now that the budget needs to be put in place, it seems that not very many council persons are willing to approve the money. She reminded Council of the multiple meetings we had regarding the community pool and how many people came to the meetings and verbalized their desire to have a community pool. She stated that the City can have a community pool for one-tenth of the cost of a new pool from the estimate of a pool industry company. She told Council that it's come to light that City Hall has decided that the Parks & Recreation Advisory Board should attempt to secure a grant for \$500,000 to go towards half of the cost of \$1 Million for a new pool. She said that we cannot even file for this grant until October 2019. Many things must be handled prior to filing for the grant, i.e.: having a pool specification drawn up and some type of bid for building it; the cost of a parking area; the cost of ADA compliant restrooms would need to be in same budget; confirmation on where to place the pool for the community; and updating the Master Park Plan for the City would need to be done. Ms. Randall told Council that if by some miracle Devine is approved for this grant, funding would be available approximately by May 2020.

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Hopefully Devine would have a new pool for use by the spring of 2021 (two and one-half years from now). She asked, "If we don't have \$200,000 now, how do we plan to have \$500,000 available for the 2019-2020 budget?" She suggested that maybe Council would like to have a public hearing to see how the community stands on the two options: a new, or a restored pool. Ms. Randall also inquired if the City does get the pool back from Mr. Morales, if we would be able to obtain a grant for a new pool.

According to Mayor Herring, the motion by former Councilwoman Kathy Wilkins was for the City to take back the pool; there was no amount of money mentioned, and there was no action taken to be taken on that. He said that in the motion, nothing was said about what we were going to do with the pool, when we were going to do anything, or if we were going to spend money. Mayor Herring told Ms. Randall that she did make the recommendation about the \$200,000. He explained that the reason the \$200,000 is not in the budget is because: 1) we don't want to put an amount of money in the budget for next year on something we don't have; 2) the ball is in court of Fred Morales, and we're waiting on that; 3) the engineer's recommendation was to build a new pool for \$2 Million, or whatever; and 4) Judy Langford with Langford and Associates said we could get a pool for a community of our size for \$1 Million (50/50).

Mayor Herring also stated that around 2007, the City closed down the pool because our insurance carrier, TML, had said that we had to spend approximately \$350,000 to get the pool up to par, to where they would continue the insurance. Interim City Administrator/City Secretary Dora V. Rodriguez commented that she wasn't sure of the amount but she does know that they sent in a report saying that everything had to be fixed.

Mayor Herring commented that the engineer is important but we need to satisfy our insurance company. He said two and one-half years seems like a long time but it took us four years to get Walmart.

Discussion was held on the \$1 Million versus the \$2 Million for a new swimming pool. Interim City Administrator/City Secretary Dora V. Rodriguez informed Council that she had called Judy Langford with Langford & Associates to get clarification on this. She said that according to Ms. Langford, we can do a new pool for \$1 Million. Ms. Langford will be coming down to talk to the Parks & Recreation Advisory Board at their next meeting on October 2, 2018. Ms. Langford will let them know everything that that needs to be done, correctly, in time to submit the grant application by the filing date in October, 2019.

Mayor Herring talked about not being able to get a grant for the Golf Course like we wanted to. Interim City Administrator/City Secretary Dora V. Rodriguez stated that we can still try to get a grant for the Golf Course but explained that because there are already 9 holes there, which don't belong to the City yet, we can still apply for a grant to get trails. However, she said there are still a lot of things we need to do with the Golf Course. She told Council that if we want to move forward with a new pool, then the Parks & Recreation Advisory Board together with Council will need to start working on this.

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Mayor Herring stated that if we get the pool back from Fred Morales, we'll need to make a decision on either fixing the current pool or building a new one.

Alderman Thompson inquired on where our share of the money is going to come from if we apply for the grant. Interim City Administrator/City Secretary Dora V. Rodriguez stated that Judy Langford will go over all of this, and she told Council that even though it's something we don't want to hear, we may have to consider raising the property taxes next year.

Marly Davis, Devine News, commented that we may want to have a bond election to vote on whether the community really wants a pool. According to City Attorney Tom Cate, there are a lot of different types of financing tools we can use, such as a Bond Election, Certificates of Obligation and Tax Revenue Bonds. He said we just need to get direction from the community and from the Council.

Alderman Thompson inquired if we can have a bond take care of part of the money and have a grant take care of the other half, or if we could combine the two. Interim City Administrator/City Secretary Dora V. Rodriguez said she would contact Judy Langford to find out. Council gave permission for her to make the call. She responded that she was at a council meeting and could get with us later tonight or first thing in the morning.

Budget:

Page 1 – General Fund. City Financial Officer Mary Badillo told Council that she only gave them the summaries to review. She told Council that we have a balanced budget! She said it was a lot of hard work, and Interim City Administrator/City Secretary Dora V. Rodriguez and City Accountant Denise Duffy went to each department head and made the necessary cuts and adjustments that needed to be done. She told Council that we did leave the basketball court, the volleyball court and the grills, for the Parks; so we took out the \$200,000 there. She said they made other changes that they could do to the budget, so right now the General Fund is balanced.

Page 22 – Debt Service Fund. Because we paid off the Certificates of Obligation, there no amount there.

Page 24 – Sewer/Water Fund. The Net Cash Flow is at \$1.3 Million. Ms. Badillo told Council that all the work that is going to be done with the lines is not included in here. She said that we're hoping that amount will cover all the contractors and the vendors that need to be done that with specific project. She told Council that we'll come back to them around April of next year and let them know how that is going.

Page 31 – Lodging Tax. Ms. Badillo explained that we took the amount that Council approved to give to the Chamber of Commerce, and that is included in that \$10,000 along with the telephone expenses and other expenses in that fund. So, it is balanced.

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Page 34 – TCOLE Fund. Ms. Badillo explained that this is a grant, and if we don't have a set amount that they're going to give us, we don't budget for anything.

Page 36 – HOME Program Fund. Again, we're not sure how much we're going to get, or the expenses, so nothing was put in the budget.

Interim City Administrator/City Secretary Dora V. Rodriguez informed Council that under the General Fund, we did increase Council's pay: Mayor – from \$150 to \$200; and Council – from \$100 to \$150. She also told Council that we will be coming before Council again for authorization to create another bank account for the reserves for the new bond payments on the asbestos project. Also, the insurance is already plugged in the budget and so is the Longevity pay, and we are also looking at a 3% COLA across the board for all of the employees.

Interim City Administrator/City Secretary Dora V. Rodriguez told Council that Mr. Saunders from the Ag Department at the High sent us some high school students through the school's work study program to help part-time at the golf course. Some discussion was held on these students.

Alderman Lopez brought up the topic of a new city hall. Discussion was held on a property for this. Alderman Lopez suggested we use the 40 acres. Council held lengthy discussion on this, including discussion on the frontage road by IH-35. Concerns were expressed on the Police Department not being in a central location. There are a lot of issues with the Police Department to deal with; discussion was held.

Discussion was held that we will have City Engineer Raul Garcia come down to talk about a new city hall on the 40 acre property, and to discuss the process.

The tenth order of business was Informational Items.

- Free Concert – Marly Davis announced that there will be a free concert at the Community Center this Friday at either 6:00 or 7:00 p.m., being sponsored by the Library. The person doing the concert is someone who is originally from Israel who is a professor at the Berkley Music School in Boston. She just likes going around and doing concerts.
- Pot Holes – Alderman Thompson inquired if our Public Works crew is ready to start fixing pot holes as soon as the water evaporates out of them; the roads are getting bad. Discussion was held; they've already started working on them.

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

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Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman Valdez Alderwoman Schott

Motion carried.

Mayor

City Secretary

***Proclamation
Library Card Sign-up Month
September, 2018***

Whereas, a library card is the most important school supply of all; and

Whereas, libraries play an important role in the education and development of children; and

Whereas, library programs serve students of all ages, from early literacy to homework help to GED classes; and

Whereas, librarians lead the way in creating inclusive spaces for students of all backgrounds to learn together; and

Whereas, libraries continue to transform and expand their services in ways that meet the needs of the communities they serve, including making digital technology and information equally accessible to all; and

Now, Therefore, be it resolved that I, William L. Herring, Mayor, proclaim September as Library Card Sign-up Month in Devine, Texas, and encourage everyone to sign up for their own library card today.

Passed and Approved by the Devine City Council on this 18th day of September, 2018.



William L. Herring
William L. Herring, Mayor

ATTEST:

Dora V. Rodriguez
Dora V. Rodriguez, City Secretary



PROCLAMATION

WHEREAS, Breast Cancer claims the life of almost 40,000 U.S. women a year; and

WHEREAS, October 2018 is National Breast Cancer Awareness Month; and

WHEREAS, National Breast Cancer Awareness Month is a platform for educating women about the importance of early detection of breast cancer through mammography and other methods; and

WHEREAS, Detection of breast cancer at an early stage greatly improves the chances for successful treatment and survival; and

WHEREAS, Breast cancer death rates are declining probably due to improved detection, treatment, and research; and

WHEREAS, It is vital that those affected have access to quality, affordable care, and that research of all forms of breast cancer continues to be vigorously supported;

Now, Therefore I, William L. Herring, Mayor of the City of Devine, do hereby proclaim

October 2018 as Breast Cancer Awareness Month

In Devine, and we urge all citizens to join in the fight to promote breast health awareness and to find a cure for breast cancer.

Proclaimed and signed on this the 18th, day of September, 2018.



William L. Herring
William L. Herring, Mayor

ATTEST:

Dora V. Rodriguez
Dora V. Rodriguez, City Secretary

