

**Minutes**  
**Special Council Meeting**  
**December 4, 2018**

On this 4<sup>th</sup> day of December, 2018, 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 Steve A. Lopez  
Alderman Cory Thompson  
Alderwoman Jennifer Schott

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

Personnel present: Dora V. Rodriguez, Interim City Administrator/City Secretary; Denise Duffy, City Accountant; Mary Rodriguez, City Financial Advisor; Tom Cate, City Attorney; Rob Flores, Superintendent of Public Works; and Ofilia Pedroza, UB Clerk.

Others present: Marly Davis, Devine News; Judge Schuchart and Gabby Huegele Medina County; Vickie Pumphrey, Airport Manager; Joe Munoz, Chris Yanta, Joey Munoz Jr., Joel Munoz, Philip Fitch, and David Ehlinger of Devine, Texas.

Mayor Herring, presiding, called the meeting to order.

The first order of business was a presentation by Judge Schuchart on Go Medina.

Judge Schuchart introduced Go Medina; as it consist of all the cities in Medina County, as well as, Lytle. He then explained the reason manufacturers and corporations are interested in Medina County is due to our location relative to San Antonio, access to highways (I-35, SH 173, and US Hwy 90), Texas's independent power grid, low cost of living, population, climate, air quality, and our abundant and reliable resources; such as, Medina Electric Company, AT&T, Edwards Aquifer, airports, and multiple rail roads, etc.

Judge Schuchart stressed the great possibility of development and its positive affect throughout the County. Not only would it promote and bring more income to all the local communities but, as a whole, it would bring in a higher tax revenue and give us the possibility of lowering the County's taxes.

Judge Schuchart went over the website they created for Go Medina. Gabby Huegele mentioned she can upload the City's upcoming events, news, and advertisements not only onto this website, but also the Go Medina Facebook page as a way of promotion.

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Council discussed benefits. Mayor Herring inquired if all the cities have joined so far, and according to Judge Schuchart, they have. Alderman Thompson inquired if there are county-wide maps controlling development. Judge Schuchart commented that they have sub division regulations that all contractors must follow.

No action was taken.

The second order of business was to discuss and consider for Council to renew membership with Go Medina.

Mayor Herring announced he would like to table this order of business for now.

Motion by Alderman Lopez, seconded by Alderman Thompson to table renewing membership with Go Medina.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman David Valdez Alderman David Espinosa

Motion carried.

The third order of business was to discuss and consider Proposal to install a fence on Oakhill Drive at Walmart.

Mayor Herring announced that we are interested in building the fence due to the amount of trash being spread in the nearby field with cattle. Alderman Lopez and Mayor Herring both inquired as to how far the fence will go on the property. Rob Flores, Superintendent of Public Works, mentioned that it will go up to the light post on Oakhill Drive. The council then discussed quotes for the fence from Harrison Supply, \$1,458.76 (without cement), Parker Building supply, \$883.35, and WOG, \$863.34. Mayor Herring inquired who would be installing the fence. According to Dora V. Rodriguez, Interim City Administrator/ City Secretary, Public Works has the responsibility of doing so.

Alderman Thompson stated that the cost of the fence isn't the issue; he said that it just feels that we are intervening in between something that is not our responsibility. Mayor Herring then used the school district as an example. He stated when the school had litter entering nearby properties, they built a fence. Alderwoman Schott, then responded that if the cases were the same, Walmart would be building the fence. Council then held discussion about whose responsibility it should be, to clean the fence line.

Council then agreed to discuss the situation with Walmart Manager, Nelda Rodriguez.

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Motion by Alderman Thompson, seconded by Alderman Lopez to table the proposal to install a fence on Oakhill Drive at Walmart.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman David Valdez Alderman David Espinosa

Motion carried.

The fourth order of business was to discuss and consider Adopting a Resolution supporting Medina County Commissioner's Court asking the State of Texas through its State Legislators to pass legislation that will create a Criminal District Attorney's office in conjunction with the creation of the new district court and to abolish the County Attorney's office once the Criminal District Attorney's office is created.

Jerry Beck, Commissioner Precinct #4, inquired if there were any questions about the motion of business. Alderman Lopez then queried the location of the new office. Mr. Beck stated that more than likely, it would be in Hondo. Mayor Herring agreed. Mayor Herring then explained that the majority of the 38th District Court have been called to jury duty; including Real, Uvalde, and Medina County. He then mentioned there are enough Criminal cases in Medina County to justify having our own District Court. Mr. Beck further explained that the main justification for creating a new office is population and the main requirement is having a high enough population. You must apply, be approved, and it must be agreed upon. Once passed, the Criminal District Attorney's office would take over the functions of the County Attorney's office. By statute, the County Attorney's office would be eliminated; thus, meaning that the Criminal District Attorney's office would have control over the JP Courts, Misdemeanors A and B, Juvenile Courts, etc. Jerry Beck mentioned that instead of the courts being dispersed throughout the County, it would all be located in one place. He also mentioned that the new District Attorney and Judge will be appointed by the Governor. Jerry Beck then explained that it will affect everything in the County with a positive influence, such as the Medina County Jail. He explained that due to the creation of the new Criminal District Attorney's office, there will be an increase in fluidity in the jail system, and a decrease in out-of-county housing.

Motion by Alderman Lopez, seconded by Alderwoman Schott to Adopt Resolution 12-18 supporting Medina County Commissioner's Court asking the State of Texas through its State Legislators to pass legislation that will create a Criminal District Attorney's office in conjunction with the creation of the new district court and to abolish the County Attorney's office once the Criminal District Attorney's office is created.

Resolution attached as Exhibit A.

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Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman David Valdez Alderman David Espinosa

Motion carried.

The fifth order of business was to discuss and consider purchasing a golf cart from Yamaha for the Waste Water Treatment Plant.

Rob Flores, Superintendent of Public Works, informed Council, that they need a replacement golf cart that would be used for the assistance of transporting objects at the Waste Water Treatment Plant. Mayor Herring inquired about a quote. Dora V. Rodriguez, Interim City Administrator/City Secretary, explained that several of the best options have been put aside. Mayor Herring queried that the City would buy a golf cart, from Yamaha, for \$4,200, to be used at the Waste Water Treatment Plant. Rob Flores, Superintendent of Public Works, agreed. Alderman Thompson inquired if the golf cart being purchased needs any modifications. Rob Flores, Superintendent of Public Works, then explained that there is a plate that modifies the cart, which we have.

Motion by Alderwoman Schott, seconded by Alderman Thompson to purchase a golf cart from Yamaha for the Waste Water Treatment Plant for \$4,200, and to amend the budget by same amount.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman David Valdez Alderman David Espinosa

Motion carried.

After the motion, Mayor Herring requested to go back to Item 3 on the Agenda and discuss the membership with Go Medina.

Mayor Herring specified the biggest benefit of renewing the membership with Go Medina, in his opinion, would be to advertise the TIRZ. Dora V. Rodriguez, Interim City Administrator/City Secretary mentioned that if the Council wants to renew with Go Medina, she will contact Lance Elliot, our TIRZ Consultant, to forward advertising information to Gabby Huegele so that she can post our advertisement on the Go Medina website. She also stated that she will begin attending the Economic Development Board Meetings to take minutes. Council agreed that Go Medina will benefit the City; however, we will decide what kind of economic development will be brought into our community.

Motion by Alderman Thompson, seconded by Alderman Lopez to postpone the decision of renewing our membership with Medina Go.

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Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman David Valdez Alderman David Espinosa

Motion carried.

The sixth order of business was to discuss and consider Airport.

Mayor Herring announced the Council has asked Vickie Pumphrey, Airport Manager, and Hap Squires to evaluate each hanger and create a list of all violations. Dora V. Rodriguez, Interim City Administrator/City secretary stated that the Airport Advisory Board held a meeting concerning the matter. The Board agreed that they would be doing inventory and police the situation themselves. Airport Manager Vickie Pumphrey informed Council of their plan, which is that Airport Chairman Hap Squires is going to write up the procedures and a policy for hangar usage, while she is going to write up a policy for ramp usage. Mayor Herring inquired as to when they will be able to evaluate the hangars. Vickie Pumphrey, Airport Manager, responded she is unsure, and stated that Airport Chairman Hap Squires has requested for no pictures to be taken. Council held discussion and agreed that pictures, along with full evidence, must be presented.

City Attorney Tom Cate informed Council that it is the recommendation of Airport Manager Vickie Pumphrey and Airport Chairman Hap Squires to go to the different hangars to visually inspect to see if they are in compliance or not, and to report back to us on what is going on; it wasn't to come up with a policy. He said it does boil down to a question of proving that they're not in violation.

Dora V. Rodriguez, Interim City Administrator/City Secretary, told Council that Michael from TxDOT stated that as long as we keep him updated on the actions we take, and the FAA can see that the City is trying to take action, it should be tolerable. She added that Michael informed her that if the hangars do not have aviation, they must be charged the fair market value; however, to keep in mind the grant regulations. He also suggested to start with the City hangar first since we do own it.

Motion by Alderman Lopez, seconded by Alderwoman Schott to authorize Interim City Administrator/City Secretary Dora V. Rodriguez, with the help of City Attorney Tom Cate, to send out seven day notification letters for inspections.

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman David Valdez Alderman David Espinosa

Motion carried.

Council agreed to postpone the Informational Items until the Special meeting on December 11, 2018 at 6:00 p.m.

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

Ayes	--	Three
Nays	--	None
Absent	--	Two – Alderman David Valdez Alderman David Espinosa

Motion carried.

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Mayor

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City Secretary