

Minutes
Regular Council Meeting
July 16, 2019

On this 16th day of July, 2019, 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
Alderwoman Jennifer Schott

Absent being Alderman David Valdez; 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; Ismael Carrillo, Director of Public Works; Rob Flores, Superintendent of Public Works; Vickie Pumphrey, Airport Manager; and Ruben Chapa, Golf Course Superintendent.

Others present: Marly Davis, Devine News; Gabriel Romero, Medina Valley Times; Grayson Cox, KSA; Karla Garcia, Hap Squires, Debbie Randall, Jean L. DuBose, Eva Thompson, Grace Zamora, Jeremy Mata, Martin Martinez, Mary L. Soliz, Crystal Curiel, Alexandra Espinosa, Oswaldo G. Valle, Joe Munoz, David Sanchez, Chris Yanta, Jessica Ornelas, Bailey Ornelas, Dawn Schneider, Tom Scott, Raymond Sockwell, Donald Glick, Vanessa Monreal, Samantha Munoz, Jason Monreal, Amanda Aguinaga, Juliann Castro, Aurora Hernandez, Celina Rodriguez, David Rodriguez, and Joanie DuBose.

Mayor Herring, presiding, declared the meeting open.

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 signed up to speak under this item.

The second order of business was Recognition.

Before presenting Certificates of Recognition to the Devine Softball Minor Girls District 21 All Star Tournament Champions, Mayor Herring first recognized Manager Jason Monreal and Coaches David Sanchez and Stephanie Martinez.

Regular Meeting Minutes

July 16, 2019

Page 2

Manager Jason Monreal briefed everyone on their outstanding season and thanked his coaches for their support. The following girls were then recognized and given certificates: Aimee Carr, Alani Aguinaga, Alexis Munoz, Bella Sanchez, Calleigh Schneider, Jada Mata, Jaylynn Hernandez, Kylie Monreal, Kyrie DuBose, Miranda Guerrero, Morgan Branson and Tucker Traylor.

Mayor Herring and Council congratulated the team for their outstanding accomplishment.

The third order of business was to discuss and consider Approval of Minutes: Regular Council Meeting, June 25, 2019.

Interim City Administrator/City Secretary Dora V. Rodriguez informed Council that the minutes were not ready for approval.

No action was taken.

The fourth order of business was to discuss and consider presentation by Grayson Cox, with KSA, on the Fuel Farm Project at the Devine Municipal Airport.

Discussion was held with Mr. Grayson Cox.

As far as the status of the project, Mr. Cox explained that they are done with the design part of the project and they are ready to move on to the bidding process. He told Council they are looking at a bid opening date as early as August 13, 2019, if agreeable with the City. Mr. Cox also told Council that the final cost estimate for construction is right under \$350,000; it's actually \$349,300 which does include a 15% contingency.

Motion by Alderman Espinosa, seconded by Alderman Lopez to allow Grayson Cox, Project Manager with KSA, to proceed with the Fuel Farm Project.

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

Motion carried.

The fifth order of business was to discuss and consider Ordinance prohibiting heavy vehicular traffic on the Apron at Devine Municipal Airport.

Mayor Herring explained that we are talking about 18-wheelers or other heavy vehicles that could damage the project we just completed with the grant.

Lengthy discussion was held.

Regular Meeting Minutes

July 16, 2019

Page 3

Motion by Alderwoman Schott, seconded by Alderman Espinosa to allow City Attorney Tom Cate to start writing an ordinance prohibiting heavy vehicular traffic on the Apron at Devine Municipal Airport.

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

Motion carried.

The sixth order of business was to discuss and consider adopting a Resolution with intent to make certain improvements to the Devine Municipal Airport, with TxDOT acting as Agent.

Interim City Administrator/City Secretary Dora V. Rodriguez informed Council that this has to do with the lighting.

Mayor Herring read the resolution aloud, and said it's a 90/10 grant. Mr. Grayson Cox, with KSA, said that he completely agrees with this. He told Council that while they were out at the airport working on the pavement project, he was able to get a good look at the lighting system and it is in dire need of replacement. Mr. Cox explained that this came about because, against the City of Devine's will and against his will, TxDOT removed the rotating beacon from the scope of the pavement project. He explained that they did design a new rotating beacon, they did put it out, and they actually got good numbers to replace it but at the last minute, TxDOT yanked it from the project for various reasons. According to Mr. Cox, the rotating beacon got pushed off and all of us were kicking and screaming at TxDOT which got their attention. Their thing was that if they're going to replace the rotating beacon, let's look at the lighting, so this turned into a lighting project.

Basically, comments made by Council were, "let's move forward with it; we need it."

Motion by Alderman Lopez, seconded by Alderman Lopez to adopt Resolution 7-19 with intent to make certain improvements to the Devine Municipal Airport, with TxDOT acting as Agent.

Resolution attached as Exhibit A.

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

Motion carried.

Regular Meeting Minutes
July 16, 2019
Page 4

The seventh order of business was to discuss and consider water meters and water lines in the Devine Trailer Park.

Mayor Herring stated that at the last meeting, Council voted to vacate or abandon the meters at the Devine Trailer Park and install two master meters instead with four and six inch lines (which is where the readings would come from.) He said that this is similar to what we have in other apartments. According to Mayor Herring, the City does not own the lines nor the streets; it is a private trailer park, so the only thing that the City owns at this time are the 48 water meters. Mayor Herring reiterated that instead of taking reads off of the 48 meters, we are talking about taking reads each month off of the two master meters.

City Attorney Tom Cate commented that even though we had a meeting with the owner and manager of the trailer park, they were wanting an opportunity to come before Council to speak about this. He explained that after we met with them, we also met with Public Works. After meeting with Public Works, we let them (trailer park) know that we were sticking with what the Council had decided the first time around. He explained that the reason this is back on the agenda is because they requested to come before Council to address some concerns which they have.

Mayor Herring called for a motion on the water meters and water lines in the Devine Trailer Park. After calling for a motion three times and hearing no motion, he declared that no action was taken, and the decision made at the last council meeting stands.

The eighth order of business was to discuss and consider on whether the City of Devine should spend \$2,500.00 on half a page in the Site Magazine, for Go Medina.

Council held discussion.

Motion by Alderman Espinosa, seconded by Alderman Lopez to deny for the City of Devine spending \$2,500.00 on half a page in the Site Magazine, for Go Medina.

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

Motion carried.

The ninth order of business was to discuss and consider presentation by Martin Martinez with South Texas Rural Health Services on the Suboxone Program.

Regular Meeting Minutes

July 16, 2019

Page 5

Mr. Martin Martinez addressed Council and introduced his co-worker Mary Lou, as both Recovery Coaches for the Texas Rural Health Services Behavioral Health Department. He talked to Council about the epidemic of Opioid addiction going on even in the small rural areas. He told Council that South Texas Rural Health Services offers a Suboxone program known as MAT, which is a Medication Assisted Treatment for opioid addiction. The program aims to help those with opioid addiction recover their lives by implementing three different services: medication (Suboxone), counseling, and support from the recovery coaches. He then gave a testimony of his own personal drug addiction which led to him being a recovery coach. Mr. Martinez thanked Council for listening and left informational brochures with the City.

Mayor Herring thanked Mr. Martinez for his presentation.

No action was taken.

The tenth order of business was to discuss and consider request to vacate and abandon the following streets: Meadowview and Hedgerow.

Mayor Herring stated that these streets are behind Tractor Supply and next to the EMS Building, where the new RV Park is going to be built. Alderman Thompson added that there is absolutely no way to access these roads because the Tractor Supply property blocks those roads.

City Attorney Tom Cate informed Council that we had a meeting with the developers and a few issues were ironed out with them. He explained that when this industrial center subdivision was approved, they dedicated these two streets to the City. In order to properly vacate them and abandon them, we have to go through the right procedure. He told Council that we received an email last week requesting for the City to abandon these streets. City Attorney Tom Cate told Council that he has a timeline on what the City needs to do. He told Council that one of the issues he doesn't have an answer to yet is whether or not we have to give the property owner on the south side, Mr. McGowan, any notice. Alderman Thompson inquired on a time frame for them to do the vacating. According to City Attorney Tom Cate, they still have quite a few things to do, but he guesstimated 60 days.

Motion by Alderman Espinosa, seconded by Alderman Thompson to allow City Attorney Tom Cate to proceed with the process to vacate and abandon the following streets: Meadowview and Hedgerow.

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

Motion carried.

Regular Meeting Minutes
July 16, 2019
Page 6

The eleventh order of business was to discuss and consider plan change to the bar area at the Devine Municipal Golf Course Club House.

Mr. Lindsay Thorn addressed Council and presented pictures. He explained that he received a call from Interim City Administrator Dora V. Rodriguez that we are applying for a liquor license and the suggestion was made to try to make the bar a little bit bigger. He told Council that this can be done and then proceeded to explain how. He talked about moving walls and adding shelves which would enable us to have a bi-fold glass cabinet behind the bar. It can be opened up during the day and closed up securely at night, and it also gives us the ability to tuck a cash register which would be secured at night. Mr. Thorn also talked about having a few extra feet which would allow us to add maybe an extra fridge for beer or cold beverages. He talked about access to the restrooms.

Mr. Thorn held discussion on the regulations of the counter. He said he thought about one long counter all the way across and creating a knee space area for about 50-60% of the section for the mobility-impaired. Mr. Thorn explained that you can't overhang the front lip of a counter more than four inches. He told Council it shows the idea of using the cortin verses steel in the front section. He explained that the back cabinets would be using a plastic laminate that looks like the same rustic steel, so it all ties in together. He also talked about using paint on the back wall for a chalkboard and talked about the stackable doors

Mayor Herring inquired when the contractors would be ready to start. Mr. Thorn replied that one of the contractors is on vacation and they want to start as soon as he gets back, so they're looking at starting at the end of the month. Alderman Espinosa inquired about any additional costs. Mr. Thorn said it wouldn't be a huge amount, he thinks we're looking at an additional \$4,000 to \$5,000.

Alderwoman Schott had some inquiries on the countertop. Mr. Thorn explained that we're looking at a split level-type of counter, where the sitting level will be higher. He said we're looking at a 42 inch top; whereas, normal kitchen islands are 36 inches high. Mr. Thorn also added that they're trying to keep as much storage as they can.

Alderman Thompson and Mr. Thorn held lengthy discussion over some disagreements, mainly with the issue of most bars allowing 10 feet counter space per bartender; along with the topic of extra glassware and the sinks used to wash the glassware, working with heavy people traffic, and with the displaying of liquor bottles.

Motion by Alderman Lopez, seconded by Alderman Espinosa to approve the plan change to the bar area at the Devine Municipal Golf Course Club House.

Ayes	--	Two
Nays	--	Two – Alderman Thompson and Alderwoman Schott
Absent	--	One – Alderman Valdez
Mayor's Vote to Break Tie	-	One Aye

Motion Carried.

Regular Meeting Minutes

July 16, 2019

Page 7

The twelfth order of business was to discuss and consider adopting a Resolution of the City Council of the City of Devine, Texas, authorizing the submission of a Texas Home Investment Partnerships RSP Agreement Application which shall include HRA, Persons with Disabilities and Disaster Program thru the Texas Department of Housing and Community Affairs; and authorizing the Interim City Administrator to act as the City's executive officer and authorized representative in all matters pertaining to the City's participation in the Home Program RSP Agreement.

Interim City Administrator/City Secretary Dora V. Rodriguez informed Council that this is just another application to do another HOME Program. She told Council that this is just the initial application and they will let us know later how many homes will be available.

Motion by Alderman Espinosa, seconded by Alderman Thompson to adopt Resolution 7-19A, of the City Council of the City of Devine, Texas, authorizing the submission of a Texas Home Investment Partnerships RSP Agreement Application which shall include HRA, Persons with Disabilities and Disaster Program thru the Texas Department of Housing and Community Affairs; and authorizing the Interim City Administrator to act as the City's executive officer and authorized representative in all matters pertaining to the City's participation in the Home Program RSP Agreement.

Resolution attached as Exhibit B.

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

Motion carried.

The thirteenth order of business was to discuss and consider adopting a Resolution of the City Council of the City of Devine, Texas, authorizing adopting an Affirmative Fair Housing Marketing Plan and a Waitlist Policy in regards to the Texas Home Investment Partnerships HRA Program Application by the Texas Department of Housing and Community Affairs for participation in the Home Program HRA Reservation System.

Interim City Administrator/City Secretary Dora V. Rodriguez told Council that this time around there has to be training not only for the staff but also for the actual applicants. Council thought this is a good thing because it will show responsibility on their part.

Motion by Alderman Thompson, seconded by Alderwoman Schott to adopt Resolution 7-19B, of the City Council of the City of Devine, Texas, authorizing adopting an Affirmative Fair Housing Marketing Plan and a Waitlist Policy in regards to the Texas Home Investment Partnerships HRA Program Application by the Texas Department of Housing and Community Affairs for participation in the Home Program HRA Reservation System.

Resolution attached as Exhibit C.

Regular Meeting Minutes
July 16, 2019
Page 8

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

Motion carried.

The fourteenth order of business was the Quarterly Investment Report.

Council reviewed the report.

The fifteenth order of business was Informational Items.

Council discussed the following:

- Airport Well – Mayor Herring announced that the water well at the airport went out. He said the City is in the process of bidding out, and said we will probably need to have a special meeting on this as soon as possible, if we can get the proposals. Chris Yanta about the necessity of water, even though it's not drinkable, they need it. Discussion was held to contact Commissioner Jerry Beck on the use of his water truck.
- Crop Duster – In regards to our agenda item #12, on ordinance prohibiting heavy vehicular traffic on apron at the Devine Municipal Airport, Mr. Chris Yanta informed Council of a crop duster that comes to Devine from Pearsall to do fertilizing, and he brings in an 18-wheeler with him to do the fertilizing. Mr. Yanta told Council that he lands the plane on the ramp by the apron but he can't take the airplane onto the city street so the 18-wheeler comes onto the apron and fills up with the pellets of fertilizer and goes out and sprays. He explained that his federal tax dollars paid for some of the improvements at our airport which gives him the right to operate an aviation business. Mr. Yanta told Council that we cannot deny an aviation business to operate at a federally funded airport. He said this is something that City Attorney Tom Cate will need to look into.
- Asbestos Water Lines – Alderman Thompson inquired when we will actually start seeing construction to replace the water lines because people are getting any about it. Director of Public Works Ismael Carrillo stated that he met with City Engineer Raul Garcia today and he does have the plans finished but they still need to be checked out for approval and then sent back to Mr. Garcia. He will then send the plans to TCEQ before we can go out for bidding. Alderman Thompson expressed concern on how long it's taken. City Attorney Tom Cate explained that we are required to see if there are any artifacts on the pipeline right-of-way but in order to do that we need to first have access to the property so a contractor can go out there and inspect the property. If they find anything, then they have to make a decision on whether we want to reroute or if we have to reroute the water line. He explained that before we can do all of this, we have to get written authorization to go out on the property, so all this takes time. Alderman Thompson then inquired about the water lines inside the City limits and why we are waiting on those. According to Mayor Herring, we have to submit them to the Texas Water Development Board and the State of Texas. Interim City Administrator/City Secretary Dora V. Rodriguez added that when we had the conference calls, we wanted them to split it. Director of Public Works explained that City Engineer

Regular Meeting Minutes

July 16, 2019

Page 9

Raul Garcia had wanted to do this in three parts but now he's doing it in two parts because he wants to take that line going in to the wells which is seven miles out but, according to Judy Langford, we are not going to split it. Interim City Administrator/City Secretary Dora V. Rodriguez stated that we are ready to start in town and we can leave that one for last because they want to make sure that everything gets done, but they're not allowing us to get started. Mayor Herring added that there are too many regulatory agencies that are preventing us from moving along on this.

- Parks Emergent Program – Alderman Thompson commented that stickers are popping up everywhere and inquired how the emergent program is coming along at the parks. Interim City Administrator/City Secretary explained that Superintendent of the Golf Course Ruben Chapa was going to do this but then the pump went out at the golf course so he's been working on that, and he's been manually watering at the golf course. She will check to see where Ruben is on this.
- Parks Improvements – Alderman Thompson also inquired about the park improvements that were approved at the last budget and asked what was done on that. Interim City Administrator/City Secretary Dora V. Rodriguez said that we had approved the BBQ pits. Director of Public Works Ismael Carrillo commented that Superintendent of Public Works Rob Flores ordered the BBQ pits and they are in already, they just need to be installed.
- Kudos to Public Works – Mayor Herring thanked Public Works. He commented that they've been shadowing the company that's putting in the new water meters. He said there's been very few issues and everything is working out well.
- Airport – Chris Yanta commented that the airport hasn't been mowed in a long time. Mayor Herring commented that we will notify the proper people on that.
- Cory Thompson – Mayor Herring wished Alderman Thompson a Happy Birthday.

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

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

Motion carried.

Mayor

City Secretary