

Minutes
Special Meeting
April 23, 2020

The City Council of the City of Devine, Texas, conducted a Special Meeting scheduled for April 23, 2020, 6:00 p.m., at 303 S. Teel Drive, Texas 78016, Live Stream, and the following members being present:

Mayor Cory Thompson – (In Person)
Alderman Steve A. Lopez – (In Person)
Alderman David Espinosa – (In Person)
Alderdwoman Debbie Randall – (In Person)
Alderman Rufino Vega – (In Person)
Alderman Chuck Guzman – (In Person)

Thus, constituting a quorum.

Personnel present: Dora V. Rodriguez, Interim City Administrator/City Secretary (In Person); Denise Duffy, City Accountant (In Person); and Tom Cate, City Attorney (In Person); Ismael Carrillo, Director of Public Works (In Person); Rob Flores, Superintendent of Public Works/Emergency Management Coordinator (In Person); Vickie Pumphrey, Airport Manager (Via Telephone Conference); and Ruben Chapa, Code Compliance Officer (In Person).

Others present: (In Person): Misty Houston, of Devine, Texas. (Via Telephone Conference): Raul Garcia, City Engineer; Hap Squires, Airport Chairman; Stephen Horton and Trevor Myers, Auditors with Coleman, Horton & Company, LLP; Adam Word Gates, Architect; Colunhi; Xavier Gonzalez and Raul Reyes, GRG Architecture; Felix Ziga, Ziga Architecture Studio; Dan Drugan; Joe; T. Nance; Matt Matthews; Scott Grego, City of Devine Golf Course Manager; David Wanders, Quik Trip; Matthew Bryan; Blake Caesar, Republic Services; Trey Baker, Titan Aviation Fuels; and Edward De La Garza.

Mayor Thompson, presiding, called the meeting to order.

Mayor Thompson delivered the Invocation and Alderman David 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.

There was no recognition at this time.

The third order of business was to administer the Oath of Office for District 4.

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City Attorney Tom Cate administered the Oath of Office to Charles (Chuck) Guzman.

The fourth order of business was to discuss and consider the Approval of Minutes for Special Council Meeting, November 21, 2019; Special Council Meeting, January 14, 2020; Regular Council Meeting, January 21, 2020; Emergency Meeting, January 29, 2020; Emergency Meeting, March 27, 2020; Special Meeting April 2, 2020; and Emergency Meeting, April 7, 2020.

Council reviewed minutes. Alderwoman Randall held discussion on wanting some updates with the minutes, mainly on the November 21, 2019 minutes, namely:

- Briscoe Park – Did the police department do the speed limit study? Someone from the public had requested for the speed to be reduced. Interim City Administrator/City Secretary Dora V. Rodriguez will be getting with Chief Benavides on this, and then she'll get back to Council.
- Easements – Regarding signatures for 55-60 easements, she wanted to know what this was for, and if we had more. Mayor Thompson clarified that these were for the water lines for the Asbestos Project, and then asked if we've gotten all the signatures. City Attorney Tom Cate stated that we don't have all the signatures yet, we have about 40; these are the signatures that we need for the transmission lines for the Edwards Well into town, and it is an ongoing project. Interim City Administrator/City Secretary Dora V. Rodriguez explained that all the ones who have been saying, yes, we've been forwarding to Tom, and he's been drawing up the easement for them. City Attorney Tom Cate added that before we get to that part of the project, we should have everybody signed up.
- Libold Drive – Was City Engineer Raul Garcia able to do a survey on the drainage? According to Mayor Thompson, we do have that information, and we can put it on the next agenda.
- Sidewalks (TxDOT) – These are for SH-173. Alderman Lopez stated that he's not heard anything on this yet.
- Bridge at SH-173 and Burnt Boot Creek (McAnelly Street)– Alderman Espinosa stated that he's really concerned that there'll be a bad accident there one day. Mayor Thompson stated that we had a meeting with TxDOT, and we'll get the notes from that meeting for Council within the next few days.
- Emergency Meeting, March 27, 2020 – Alderman Espinosa pointed out that the minutes for March 27, 2020 have him signing off via telephone, and it needs to be corrected to Alderman David Valdez. This will be corrected.

Motion by Alderman Espinosa, seconded by Alderman Lopez to approve the minutes for Special Council Meeting, November 21, 2019; Special Council Meeting, January 14, 2020; Regular Council Meeting, January 21, 2020; Emergency Meeting, January 29, 2020; Emergency Meeting, March 27, 2020 with corrections; Special Meeting April 2, 2020; and Emergency Meeting, April 7, 2020.

Ayes	--	All
Nays	--	None

Motion carried.

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The fifth order of business was to discuss and consider and act upon Declaration of Public Health Emergency issued by the Mayor on March 25, 2020, including possible changes and extension.

Alderman Espinosa inquired if we had any changes pending. According to Mayor Thompson, there are no changes that he's aware of, and we can go ahead and extend the date. Emergency Management Coordinator Rob Flores recommended that we go week to week until we get something more definitive. Council held discussion on extending it for two weeks. Emergency Management Coordinator Rob Flores was okay with this. Mayor Thompson stated that we can always have a Special Meeting or an Emergency Meeting, if needed.

Motion by Alderwoman Randall, seconded by Alderman Espinosa to extend the date for the Declaration of Public Health Emergency to two weeks, May 7, 2020.

Ayes	--	All
Nays	--	None

Motion carried.

The sixth order of business was an Update on measures by the City of Devine on the COVID-19 (Coronavirus) Pandemic.

Emergency Management Coordinator Rob Flores addressed the Council and reported that the count, as of yesterday, for the COVID-19 cases is still at 17 for Medina County.

Mayor Thompson announced that the Parks remain closed because we cannot properly clean the playground equipment and benches in between uses, in accordance with the CDC rules and guidelines.

Mayor Thompson held discussion on wearing face masks in public places like they've required in San Antonio. He commented that if people feel the need to wear a face mask because of health concerns, then that is what they need to do for their protection. He said that Council could recommend for people to wear face masks in public but it would only be a recommendation; however, certain businesses are asking people to wear face masks when entering their stores.

A daytime curfew is in place for kids to help out the schools with normal school hours so that kids can be at home working on school work as if they were in school. Mayor Thompson said he would like that curfew to expire when the school would have actually ended, like the 28th of May, so this can be re-addressed at the next council meeting in two weeks.

The seventh order of business was to discuss and consider Audit Report/Management Letter by the Auditor.

Auditor Stephen Horton went over the Audit with Council.

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Motion by Alderman Lopez, seconded by Alderwoman Randall to accept the Audit Report/ Management Letter by the Auditor.

Audit attached as Exhibit A.

Ayes	--	All
Nays	--	None

Motion carried.

The eighth order of business was to discuss and consider accepting Contract with Coleman, Horton & Company, LLP for Fiscal Year ending September 30, 2020.

Motion by Alderman Espinosa, seconded by Alderman Lopez to accept the Contract with Coleman, Horton & Company, LLP for Fiscal Year ending September 30, 2020.

Contract attached as Exhibit B.

Ayes	--	All
Nays	--	None

Motion carried.

Auditor Stephen Horton signed off via Telephone Conference.

The ninth order of business was to discuss and consider approving recommendation submitted by City Engineer Raul Garcia to award contract for the Asbestos Project – Water Systems Improvements, Phase 1, to Gonzalez De La Garza in the amount of \$3,143,160.83 for the Base Bid and Additive Alternate Bid Items 1-62.

Council reviewed a letter submitted by Garcia & Wright Consulting Engineers, Inc. in which City Engineer Raul Garcia is recommending for Council to award the contract to Gonzalez De La Garza. Eight bids were received and he came in as the lowest bidder.

Mayor Thompson inquired about an estimated timeframe for starting this phase of the project. City Engineer Raul Garcia explained that after awarding the bid, we will need to submit paperwork to the Texas Water Development Board (TWDB) and as soon as we've done that, we can execute the contract documents, and then we can have a pre-construction conference, where a Notice to Proceed will be issued. The contractors will start work 10 days after the pre-construction conference. Mr. Garcia is expecting the whole procedure to take two to four weeks for the project to start.

Mayor Thompson briefed the newest councilmembers on the Asbestos Project.

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City Engineer Raul Garcia explained that one of the reasons for the delay was the Environmental Review which took a while to get done but as soon as it was approved, we were able to proceed with the advertising of bids and bid opening.

Alderman Espinosa inquired about the length of time required for Phase 1. According to City Engineer Raul Garcia, they are looking at approximately one year of construction for this phase.

Interim City Administrator/City Secretary asked City Engineer Raul Garcia to explain where he is going to be with Phase 1 when he's ready to start the next phase. City Engineer Raul Garcia explained that the City had instructed him to not have a lot of work being done at the same time as far as areas are concerned. He gave the following breakdown:

- Phase 1 will be from Colonial Parkway, to the south; this is to replace the asbestos cement water lines.
- Phase 2 will be to replace the asbestos lines north of Colonial Parkway.
- Phase 3 will be to do the transmission lines from the Edwards Well to the water plant.
- Phase 4 will be to replace all the other remaining smaller-type lines (cast iron, steel pipe). If there are any funds available towards the end of the project, we will have a lab building constructed to replace the trailer house that is there now.

Motion by Alderman Guzman, seconded by Alderman Espinosa to approve the recommendation submitted by City Engineer Raul Garcia to award contract for the Asbestos Project – Water Systems Improvements, Phase 1, to Gonzalez De La Garza in the amount of \$3,143,160.83.

Ayes	–	All
Nays	--	None

Motion carried.

The tenth order of business was to discuss and consider hiring an architect for the Devine Golf Club House, based on qualifications.

Mayor Thompson discussed the meetings we held with the architects. He stated that Interim City Administrator/City Secretary Dora V. Rodriguez and Code Compliance Officer Ruben Chapa also attended these meetings. He said all three of the architects have been down at the club house, and some of them were on the telephone right now. He also discussed the budget; we were trying to keep the club house renovations at \$250,000.

Council had three architect's qualifications to review. After council reviewed and asked questions to all three architects, the Mayor called for a motion.

Motion by Alderman Guzman, seconded by Alderman Lopez to hire GRG Architecture for the Devine Golf Club House, based on qualifications.

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Qualifications of GRG Architecture attached as Exhibit C.

Ayes	--	All
Nays	--	None

Motion carried.

The eleventh order of business was to discuss and consider Amendment to the Contract for Solid Waste Contract between the City of Devine and BFI Waste Services of Texas, L.P., d.b.a. Allied Waste Services of San Antonio, a Republic Services Company.

Mayor Thompson stated that Republic Services is wanting to amend the contract.

Council reviewed the contract as Mr. Blake Caesar addressed Council and explained that initially brush was not included in the contract but they continued to pick up brush anyway as a courtesy. He wants for brush to specifically be included in the contract and proposed to go to a city-wide quarterly pickup system which will actually help the town look better. Mr. Caesar can get with the city staff to coordinate pickup dates. There will be no additional cost for the quarterly change.

Alderman Guzman inquired when this will be effective. Blake Caesar explained he first wants to clean up the entire city, so he's looking at possibly starting early June, and then he'll get with our city staff to schedule for the third and fourth quarters of this year. He explained that at the beginning, the brush pickup may coincide with the twice-a-year bulky pickups but later it will change to separate brush and bulky pickups.

Interim City Administrator/City Secretary Dora V. Rodriguez held discussion with Council on how we'll advertise for this.

Mr. Caesar told Council that Republic Services also wants to change the verbiage to the CPI rate schedule on the contract to state that the price cannot increase less than 2% nor more than 4%. Council held discussion.

Motion by Alderman Espinosa, seconded by Alderman Vega to accept the amendment to the Contract for Solid Waste Contract between the City of Devine and BFI Waste Services of Texas, L.P., d.b.a. Allied Waste Services of San Antonio, a Republic Services Company.

Contract attached as Exhibit D.

Ayes	--	All
Nays	--	None

Motion carried.

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Blake Caesar signed off via Telephone Conference.

The twelfth order of business was to discuss and consider establishing an Emergency Management Department.

Alderwoman Randall voiced her opinion in that her constituents have a problem with creating this into a department. Emergency Management Coordinator Rob Flores stated that this is being mandated by the State and should've been done a long time ago.

After lengthy discussion, Alderman Guzman stated that it seemed like this is more of an accounting issue that we need to code properly for audit purposes.

According to Interim City Administrator/City Secretary, we're not trying to create a department with positions, we just want to better monitor the accounting to the right department. She told Council that once we start working on the budget, Council will make the ultimate decision on how much to allocate for the Emergency Management Department.

City Attorney Tom Cate stated that one of the benefits in creating this is that we may be able to get reimbursed for emergency management COVID—19 costs through the federal or state government. He explained that it's just the language; we're really not creating a department, it's just an accounting change.

Council held discussion.

Motion by Alderman Espinosa, seconded by Alderman Lopez to establish an Emergency Management Department.

Ayes	--	Four – Aldermen Espinosa, Lopez, Vega and Guzman
Nays	--	One – Alderwoman Randall

Motion carried.

The thirteenth order of business was to discuss and consider assigning costs incurred by the COVID-19 (Coronavirus) Pandemic and to make the allocation retroactive to the start of the Pandemic.

Interim City Administrator/City Secretary Dora V. Rodriguez informed Council that we've already spent close to \$9,000.00 for COVID-19.

Lengthy discussion was held.

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Motion by Alderman Lopez, seconded by Alderman Espinosa to approve assigning costs incurred by the COVID-19 (Coronavirus) Pandemic and to make the allocation retroactive to the start of the Pandemic, and to amend the budget.

Ayes	--	All
Nays	--	None

Motion carried.

The fourteenth order of business was to discuss and consider approving updating the City of Devine's Emergency Management Plan, including the Basic Plan and the accompanying functional Annexes.

Council reviewed a proposal from Lone Star Planning for \$8,000 for a 5-Year update of the Emergency Management Plan for the City of Devine, including the Basic Plan and the accompanying functional annexes.

Interim City Administrator/City Secretary Dora V. Rodriguez held discussion with Council, and Emergency Management Coordinator Rob Flores held discussion on the different annexes, and answered questions from Council.

Motion by Alderwoman Randall, seconded by Alderman Guzman to approve updating the City of Devine's Emergency Management Plan, including the Basic Plan and the accompanying functional Annexes, and amend the Budget by \$8,000.

Ayes	--	All
Nays	--	None

Motion carried.

The fifteenth order of business was to discuss and consider change submitted by the Public Utility Commission of Texas Right-of-Way Access Line Rates.

Council held discussion that this is something that comes up every year, and every year we reject the increase in line rates; so we stay with the default rates.

Motion by Alderman Espinosa, seconded by Alderwoman Randall to reject the rate increase and stay with the default rates concerning the change submitted by the Public Utility Commission of Texas Right-of-Way Access Line Rates.

Public Utility Commission of Texas Right-of-Way Access Line Rates attached as Exhibit E.

Ayes	--	All
Nays	--	None

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Motion carried.

The sixteenth order of business was to discuss and consider selecting a fuel provider for the Fuel Farm at the Devine Municipal Airport.

Council reviewed the two bids received from Titan Fuels and from AV Fuels, along with the rating score sheets provided by department heads. According to the rating sheets, they are recommending to go with Titan Fuels as the fuel supplier for the Fuel Farm at the Airport.

Council held discussion.

Motion by Alderman Espinosa, seconded by Alderman Vega to select Titan Fuels as the fuel provider for the Fuel Farm at the Devine Municipal Airport.

Titan Fuel's bid attached as Exhibit F.

Ayes	--	All
Nays	--	None

Motion carried.

The seventeenth order of business was to discuss and consider accepting Linda Gunn's resignation from the Parks & Recreation Advisory Board.

Council reviewed letter from Linda Gunn who was representing District 4 for the Parks & Recreation Advisory Board, and held discussion.

Motion by Alderwoman Randall, seconded by Alderman Guzman to accept Linda Gunn's resignation from the Parks & Recreation Advisory Board.

Ayes	--	All
Nays	--	None

Motion carried.

The eighteenth order of business was to discuss and consider recommendation of the Planning & Zoning Commission Meeting held on February 11, 2020.

A. Request made by Maria Alfaro to Vacate/Replat 623 Webb.

Mayor Thompson stated that this lady has been waiting a long time for this, and held discussion.

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Code Compliance Officer Ruben Chapa informed Council that the Planning & Zoning Commissioners are recommending for Council to approve Mrs. Alfaro's request to vacate/replat 623 Webb.

Motion by Alderwoman Randall, seconded by Alderman Espinosa to accept the replat and approve for Mrs. Alfaro to vacate/replat 623 Webb.

Ayes	--	All
Nays	--	None

Motion carried.

At this point, City Attorney Tom Cate advised Mayor Thompson that for this next agenda item only, based on a potential conflict of interest, he turn over his chair to Mayor Pro-Tem Steve Lopez.

Mayor Pro-Tem Steve Lopez took over.

The nineteenth order of business was to discuss and consider recommendation of the Planning & Zoning Commission Meeting held on April 1, 2020.

A. Request for vacate and re-subdivision plat vacating a portion of Lots 20, 21 and 22 and all of Lots 23, 24, and 25, Block 2, N.C.B. 140, Adams National Bank Addition and creating Lots 1 through 12, Block 1, N.C.B. 140, Cactus Flats Subdivision – Phase One.

(A-1). Grant Variance on Devine Drive Street 30 Feet Wide Right-of-Way not meeting Subdivision Standards.

Council heard recommendation from City Engineer Raul Garcia to grant a variance for a 30 feet wide right-of-way.

Motion by Alderwoman Randall, seconded by Alderman Espinosa to grant variance on Devine Drive for a 30 feet wide right-of-way not meeting subdivision standards, as recommended by the Planning & Zoning Commission.

Ayes	--	All
Nays	--	None

Motion carried.

(A-2). Notation by City Engineer - Colonial Parkway Right-of-Way Dimension is not shown – No motion needed.

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City Engineer Raul Garcia informed Council that this item has already been corrected in the revision of the plat, so it is okay now.

No action taken.

(A-3). Grant Variance for Rear Lots half of 16' Utility Easement not to have to be shown.

According to City Engineer Raul Garcia, a plat was resubmitted showing an 8 feet utility easement on the rear, so we are okay now.

Per City Engineer Raul Garcia, no action is needed on this as far as he is concerned.

Misty Houston added that they are still asking for the 8 foot variance for a utility easement not to be there. She said there was no need for it in the back because there will never be a need for utilities to be in the rear lots.

City Engineer Raul Garcia stated that the Planning & Zoning Commission issued a variance stating the easement was not required. He explained that at this point, it can either be deleted from the plat as revised, or left as it is.

City Attorney Tom Cate clarified that their engineer resubmitted the plat; he was confused as to what Planning & Zoning had done, thinking they did not get a variance, so he put the easement on the revised plat that he submitted. He explained that when this issue first came up, Planning & Zoning voted to grant them a variance, not to have that easement at all. He advised Council to grant them a variance not to have that easement at all.

Motion by Alderman Guzman, seconded by Alderwoman Randall to grant a variance for an 8 foot easement on the back lots, per the recommendation of Planning & Zoning.

Ayes	--	All
Nays	--	None

Motion carried.

(A-4). Approve Correction – Need to show the Five (5) foot side set back lines on each lot.

City Engineer reported that this has been corrected, so no action is required.

No action taken.

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(A-5). Notation by City Engineer – Planning and Zoning has approved 30-foot front set back line.

Council held discussion with City Engineer Raul Garcia; no action is required.

No action taken.

(A-6). Notation by City Engineer – Planning and Zoning has agreed that an alley is not required in Master Plan.

No action taken.

(A-7). Grant Variance for Existing Streets Devine Drive and Colonial Parkway not meeting Subdivision Minimum Standards.

Motion by Alderwoman Randall, seconded by Alderman Espinosa to grant a variance for existing street width for Devine Drive and Colonial Parkway, not meeting Subdivision Minimum Standards.

Ayes	--	All
Nays	--	None

Motion carried.

(A-8). Approve showing two Monuments with State Plans Coordinates.

City Engineer Raul Garcia informed Council that the revised plat shows this, so no action is required.

No action taken.

(A-9). Subdivision Ordinance also requires plans show the following:

- a) Sidewalks - Grant Variance for no Sidewalks.
- b) Street Lights - Approve two Street Lights at each Intersection.
- c) Notation by City Engineer – All lots connected to Sanitary Sewer.
- d) Notation by City Engineer – All lots connected to Water Main with 3/4" Type K Soft Copper.
- e) Performance Bond - Grant Variance for no Performance Bond in the amount of construction needed.

City Engineer discussed all of the above. The only improvement will be the street lights. He told Council that the only variances needed are for the Sidewalks and the Performance Bond.

Council held discussion.

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Motion by Alderman Espinosa, seconded by Alderman Guzman to grant a variance for items a. and e. only; for no sidewalks and no performance bond.

Ayes	--	All
Nays	--	None

Motion carried.

(A-10). Grant approval for Phase I to include all Variances.

Motion by Alderwoman Randall, seconded by Alderman Espinosa to approve the replat to the Cactus Flats Subdivision – Phase 1, to include all variances and comments.

Ayes	--	All
Nays	--	None

Motion carried

(A-11). Approve Correction – 12 Foot Radius Curb on Street Corners of Lots 1 & 12.

City Engineer Raul Garcia stated that this item has been taken care of on the revised plat.

No action taken.

At this point, Mayor Pro-Tem Steve A. Lopez turned over the chair to Mayor Cory Thompson.

B. Request for an off-premise sign variance made by Quik Trip Corporation.

Council held discussion that the variance was for distance as well as for the height of the sign. Council reviewed map.

Motion by Alderman Lopez, seconded by Alderwoman Randall to grant a variance for an off-premise sign and height as requested by Quik Trip Corporation.

Ayes	--	All
Nays	--	None

Motion carried

Mr. David Wanders signed off via telephone conference.

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The twentieth order of business was to discuss and consider Amending Code of Ordinances for Agenda Items 21-26.

Alderman Espinosa asked for the floor to speak. He addressed Mayor Thompson and told him that even though he's been requesting the next few items on amending the code of ordinances, he felt that we really need to postpone Agenda Items 21 – 26 because we owe it to the new councilmembers to be able to review and to be able to get feedback from them. He stated that we also need to include the public and recommended to have workshops and public hearings to get the public's input. As we are going through this pandemic, he felt that we are not being fair to our citizens if they cannot be present for these meetings to give us their input, and we should not add any more burden to our citizens by adding more fees and fines.

Mayor Thompson agreed and said we need to make sure these workshops happen. However, he stated that we would need to go through each item so the citizens would know what it is that we are postponing:

- Item 21 was to discuss and consider Amending Chapter 94 of the Code of Ordinances, Article V. Stopping, Standing and Parking, establishing No Parking on the East Side of Oakhill Drive from its intersection with SH-173, and remove the No Parking on the West Side for its entire length with the exception of the cul-de-sac area, and No Parking Overnight on Oakhill Drive. Per Mayor Thompson, this came up because a lot of 18-wheelers are parking on the east side of Oakhill Drive, making it difficult for people to see around them.
- Item 22 was to discuss and consider Amending Chapter 14 of the Code of Ordinances – Animal and Fowl. Per Mayor Thompson, we were going to update our animal ordinance to be in line with the state's ordinance.
- Item 23 was to discuss and consider Amending Chapter 18 of the Code of Ordinances – Buildings and Building Regulations, Article III Unsafe Buildings.
- Item 24 was to discuss and consider Amending Chapter 86 of the Code of Ordinances – Streets, Sidewalks, and Other Public Property. Mayor Thompson commented that people were dumping on the street.
- Item 25 was to discuss and consider Adopting the amendments to Chapter 66 of the Code of Ordinances – Offenses and Miscellaneous Provisions, Article VIII Temporary Sales. This was for garage sales and yard sales; we currently allow two per year and we were going to go with four plus one city-wide yard sale per year.
- Item 26 was to discuss and consider Amending Chapter 42 of the Code of Ordinances – Environment, Article II Noise, to include Engine Brakes and Altered Muffler System.

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Motion by Alderman Espinosa, seconded by Alderman Lopez to postpone Agenda Items 21 – 26 until we are over this pandemic, and be able to have public workshops and public hearings for all those ordinances, and until we can have input from the citizens as well as from the new councilmembers.

Ayes	--	All
Nays	--	None

Motion carried.

Interim City Administrator/City Secretary asked Council when they want to start these workshops. According to Mayor Thompson, we need to start with the workshops as soon as we get back together again, and suggested to have the workshops/public hearings at the Community Center.

At 8:30 p.m., Council took a 10 minute recess.

At 8:40 p.m., Council reconvened.

The twenty-first order of business was to discuss and consider to approve the purchase of a New Drive Unit for the West Side Clarifier to include the Labor Cost.

Mayor Thompson explained that this is the clarifier at the Sewer Plant. Council heard from Director of Public Works Ismael Carrillo, as they reviewed a quote for \$117,000 per clarifier. Interim City Administrator/City Secretary pointed out to Council that this is just for the first clarifier. According to Ismael Carrillo, they are recommending to order two drives for now because if we wait, it can take up to two to three months for it to come in.

City Engineer Raul Garcia recommended to do one clarifier and wait on the other one before we spend any money on it. These clarifiers are good for 25 – 50 years.

Council held discussion on the two clarifiers.

Motion by Alderman Guzman, seconded by Alderman Lopez to purchase two drives for now and pay \$117,000 to have one installed for the clarifier that needs to be replaced, and to pay \$46,700 for the materials only to have another one on standby-by in case we need it if the other clarifier goes out.

Public Works Director Ismael Carrillo explained that the \$117,000 includes the materials, labor and equipment costs for each clarifier, and we need to order two. Discussion was also held with City Engineer Raul Garcia, and Eddie Diaz, Wastewater Plant Operator.

Amended motion made by Alderman Guzman, seconded by Alderman Lopez to purchase two New Drive Units for \$234,000 to replace the two clarifiers, and to amend the budget by \$234,000.

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Ayes	--	All
Nays	--	None

Motion carried.

The twenty-second order of business was to discuss and consider recommendation of the Airport Advisory Board meeting held on February 10, 2020.

- a. Approve Cost for Construction of Drainage Channel, for Grading and for repair of Apron.

Council reviewed two quotes for the construction of a drainage channel, one for \$55,500 and one for \$40,000; and inquired about the difference between the two. City Engineer Raul Garcia explained the difference is in an extra \$15,000 for a 4' wide by 5" of concrete riprap to the flat bottom of the channel to protect the channel bottom. He explained the board members were concerned about a gopher problem, and this would be a more permanent solution.

Council held discussion with Airport Manager Vickie Pumphrey. She explained that the Airport is supposed to be getting \$20,000 from a Care Act Grant which the Airport has qualified for, which can be used towards this project for operation expenses, and they will be letting her know how to file to get this grant.

Motion by Alderman Espinosa, seconded by Alderman Vega to approve the \$55,500 quote for the Construction of Drainage Channel, for Grading and for repair of Apron, and to file for the Care Act Grant for \$20,000.

Ayes	--	All
Nays	--	None

Motion carried.

- b. Approve Airport Manager's Resignation from the Advisory Board.

Council read a letter from Airport Manager Vickie Pumphrey, and reviewed the minutes of the Airport Advisory Board for the meeting held on February 10, 2020.

Alderman Lopez commended Airport Pumphrey for doing a great job in managing the Airport by the books. He recommended for Ms. Pumphrey to remain on the board and remain as the Airport Manager as well.

Discussion was held by Airport Chairman Hap Squires, Airport Manager Vickie Pumphrey and Council on this item.

Airport Manager Vicki Pumphrey voiced her feelings on this matter.

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Motion by Alderwoman Randall, seconded by Alderman Espinosa to disregard the approval of the Airport Manager's resignation from the Airport Advisory Board as stated on the agenda.

Ayes	--	All
Nays	--	None

Motion carried.

- c. Approve Appointing Current Airport Advisory Board/New Airport Board Representing each District/Term Limits.

Mayor Thompson told Council that we need to go ahead and approve the current Airport Board as it is since last year, Council approved all the other boards with the exception of the Airport Advisory Board because we were still operating under the concept that we were going to reduce that board to five members.

Motion by Alderman Guzman, seconded by Alderwoman Randall to approve the Airport Advisory Board with a vacancy on the List of Council Appointments.

Ayes	--	All
Nays	--	None

Motion carried.

- d. Approve moving the dumpster away from the active taxiway area.

Discussion was held with Airport Manager Vickie Pumphrey who stated that the dumpster is still by the Devine T-Hangars and hasn't been moved. Interim City Administrator/City Secretary Dora V. Rodriguez will get a hold of Blake Caesar with Republic Services.

Motion by Alderman Espinosa, seconded by Alderwoman Randall to approve moving the dumpster away from the active taxiway area.

Ayes	--	All
Nays	--	None

Motion carried.

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Going back to reviewing the Airport Advisory Board Minutes for February 10, 2020, Alderman Espinosa caught some mistakes made in the Ayes and Nays which didn't show Board Member Greg Coyne voting. Per Interim City Administrator/City Secretary Dora V. Rodriguez, the minutes will be corrected.

Airport Chairman Hap Squires signed off via telephone conference.

At 9:39 p.m., Council took a recess.

At 9:39 p.m., Council reconvened.

The twenty-third order of business was the Executive Session: Pursuant to Section 551.072 Texas Government code to deliberate the purchase, exchange, lease, or value of real property.

At 9:40 p.m., Mayor Thompson announced to the public that the Council would go into a Closed Session.

At 10:15 p.m., Closed Session was opened to the public.

No action was taken.

The twenty-fourth order of business was to Reconvene into Regular Session and consider action, if any, on items discussed in Executive Session.

Motion by Alderwoman Randall, seconded by Alderman Guzman to authorize Mayor Thompson to sign the earnest money contract under the terms discussed in Closed Session.

Ayes	--	Four - Alderwoman Randall, Aldermen Guzman, Vega, Espinosa
Abstain	--	One - Alderman Lopez
Nays	--	None

Motion carried.

The twenty-fifth order of business was to discuss and consider updating the City of Devine Street Map to reflect streets not currently on the map.

Motion by Alderman Lopez, seconded by Alderwoman Randall to update the City of Devine Street Map to reflect streets not currently on the map.

Ayes	--	All
Nays	--	None

Motion carried.

The twenty-sixth order of business was to discuss and consider adopting a Social Media Policy for the City of Devine.

Mayor Thompson requested if this item could be tabled until we have revisions; he said everyone's been busy. Per Interim City Administrator/City Secretary, this would be up to Council. He said he would like time for anybody who actually hasn't read it, to give them time to review it. Mayor Thompson requested to have the policy revised and bring a fresh copy to Council.

City Attorney Tom Cate went over the law passed at the last Legislature and explained that the important thing to be aware of is that if you have a Facebook account and you start putting City business on that Facebook account, then you have to maintain that as a public record. He said the same goes for texts on any type of communication device; it would be subject to the Public Information Act. If someone should request that information, you would have to turn it in to the custodian, which is Dora V. Rodriguez, as the City Secretary. He advised Council that they need to be very careful and exercise good common sense about what they do with their social media. It's also a command to our employees but it is more directed to the Council.

Motion by Alderman Guzman, seconded by Alderwoman Randall to table this item for the next regular meeting, until we have the information that we actually need, and allow time for all of Council to review this.

Ayes	--	All
Nays	--	None

Motion carried.

The twenty-seventh order of business was to review the Quarterly Investment Report.

Council reviewed the report.

The twenty-eighth order of business was Informational Items.

Council discussed the following items:

- Mayor Thompson and Council welcomed new councilman, Chuck Guzman.
- Alderman Espinosa said he would still like to recognize our Public Works Department at our next regular meeting; they stayed up very late working through the early morning hours on a water main leak until they got it fixed.
- Alderman Lopez also thanked the ladies for all of the work they are doing; especially working on Sundays.

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

Ayes	--	All
Nays	--	None

Motion carried.

Mayor

City Secretary