

**Minutes
Regular Meeting
June 16, 2020**

On this 16th day of June, 2020, at 6:00 p.m., the City Council of the City of Devine convened at the Dr. George S. Woods Community Center, 202 E. Hondo Avenue, 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 Cory Thompson
Alderman Steve A. Lopez
Alderman David Espinosa
Alderwoman Debbie Randall
Alderman Rufino Vega
Alderman Chuck Guzman

Thus, constituting a quorum.

Personnel present: Dora V. Rodriguez, Interim City Administrator/City Secretary; Denise Duffy, City Accountant; Ismael Carrillo, Director of Public Works; Rob Flores, Superintendent of Public Works; and Vickie Pumphrey, Airport Manager.

Others present: David Jordan of San Antonio, Texas; Bill & Laura Sinclair; Shirl Grego; Glenn & Eva Thompson; Marcelino Ambriz, Jr.; Ron Richards; Lisa Belor; Blaine Eaton; Bill & Linda Kreinhop; Craig Seal; Paul McCown; Cindi Billebault; Leanna Harrell; Omar & Christine Alderman; Lynette DeSalme; Leslie Vail; Jose Pedroza; Payton Samudio; Caitlyn Pompa; Josh Samudio; Lupe C. Torres; Brian Navarro; Eddie Centilli; Richard & Cynthia L. Chalaire; Ramona Trouten; Diane Bradford; Don & Kandi Darnell; Charlie Talamantes; Angela O. Pichardo; Gina Champion; William Colt; Ken Kuykendall; Michael Nicholson; Josh Weber; Chris & Eliza McGuairt; Sandy Herrera; Justin Cash; Tomas Ramirez II; Ernest Munoz; Joe Munoz; Margie Williams; Marcus Buckner; and Kimberly Gallegos, of Devine, Texas.

Mayor Thompson, presiding, declared the meeting open.

Mayor Thompson delivered the Invocation and Alderman Guzman led the Pledge of Allegiance.

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

- Angela Pichardo – Council heard comments from Ms. Pichardo. She started off by saying that she is 100 percent in favor of the Golf Course. She stated that it's not just issues that she has with the Golf Course and its management; but she is just questioning a few things with the contract; mainly the \$32,500.32 monthly payment to Mr. Grego. One of the things she wanted to bring up is that there was a fraudulent statement made on Facebook about last month's meeting about her calling people "thieves." She claimed this was not true, and she has never called anyone a thief. She then went into more detail. She stated that her goal is to represent everyone, and she is running for Mayor.

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The second order of business was Recognition.

There was no recognition at this time from the Council.

The third order of business was to discuss and consider Approval of Minutes: Regular Council Meeting Minutes, May 19, 2020; and Special Council Meeting Minutes, May 26, 2020.

Council reviewed the minutes.

Motion by Alderwoman Randall, seconded by Alderman Lopez to approve the Minutes for Regular Council Meeting, May 19, 2020 and Special Meeting Minutes, May 26, 2020.

Ayes	--	All
Nays	--	None

Motion carried.

The fourth order of business was to discuss and consider and act upon Declaration of Public Health Emergency issued by Mayor on March 25, 2020 Including Possible Changes and Extensions.

Emergency Management Coordinator Rob Flores informed Council that a lot of things are different and told Council he would like to make the revisions and bring it back before Council at a later time. Discussion was held that this was supposed to be re-addressed today for approval today. Mayor Thompson recommended to postpone this item later in the meeting for whenever Emergency Management Coordinator Rob Flores is ready with the changes.

According to City Attorney Tom Cate, no motion was needed for this; we are just rearranging the items on the agenda.

The fifth order of business was to discuss and consider adopting a Resolution authorizing approval for the Management Contract for the HOME Program through the Texas Department of Housing and Community Affairs for the RSP Home Agreement Contract 2020-0004.

Interim City Administrator/City Secretary Dora V. Rodriguez told Council that this is another application for the Home Program. Council held discussion.

Motion by Alderman Lopez, seconded by Alderwoman Randall to adopt Resolution 6-20 authorizing approval for the Management Contract for the HOME Program through the Texas Department of Housing and Community Affairs for the RSP Home Agreement Contract 2020-0004.

Resolution attached as Exhibit A.

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Ayes	--	All
Nays	--	None

Motion carried.

The sixth order of business was to discuss and consider lowering the City's Plat Fee (approx. \$750) for the Devine Food Pantry.

Cindi Billebault, Associate Pastor at the Medina Valley Church of The Nazarene and a sitting board member of the Devine Food Pantry, addressed Council. She went over and briefly discussed a handout with information on the Food Pantry, which she provided to Council. She spoke of the Food Pantry's ministry and the organization's history, and said they are a 100 percent donation-funded organization.

Ms. Billebault told Council that they've been given the opportunity to purchase the building which they are currently operating out of, at 309 N. Teel Drive. However, in the middle of the building purchase, their landlords decided to split the building up; so, the Food Pantry now needs to replat the building at their expense. The city's cost for the replat fee is approximately \$750.00. Ms. Billebault asked for Council to reconsider waiving the replat fee to the property.

Alderman Guzman inquired what the plat fee involved. Interim City Administrator/City Secretary Dora V. Rodriguez gave Council the breakdown of the plat fee which totaled to \$758.00. Alderman Guzman stated that, in his opinion, this is a great ministry that we have in our community.

Motion by Alderman Guzman, seconded by Alderman Espinosa to waive the entire plat fee for the Devine Food Pantry, for approximately \$750.00.

Ayes	--	All
Nays	--	None

Motion carried.

The seventh order of business was to discuss Financial Reporting required under the Golf Course Management Agreement.

Alderman Espinosa addressed Council and the audience and explained why he brought this on the agenda. He mentioned that it was brought to his attention of meetings held at the Golf Course to attack City Council. He then spoke of Council's responsibilities and duties. He stated that the financial report is something that we must keep track of, as accountability per the agreement, especially for our auditors. He told Scott Grego that he had nothing against him at all and that he had no intentions of attacking anyone this evening. The bottom line is that we have an agreement, and we have to account for their finances to our auditors.

Council then heard comments from the public.

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No action was taken.

The eighth order of business was to discuss and consider request of street closures from St. Joseph's Catholic Church 5K Run/Walk to the Police Department for the street closures of College and Sayers, and at Windy Knoll and Howell from 7:00 a.m. to approximately 9:30 a.m.

Council reviewed a map of the 5K Run/Walk route which is a little different this year.

Motion by Alderman Lopez, seconded by Alderwoman Randall to approve the request of street closures from St. Joseph's Catholic Church 5K Run/Walk to the Police Department for the street closures of College and Sayers, and at Windy Knoll and Howell from 7:00 a.m. to approximately 9:30 a.m.

Ayes	--	All
Nays	--	None

Motion carried.

The ninth order of business was to discuss and consider request made by the Medina County Election Registrar for the use of our Community Center for the November 3, 2020 Election.

Gina Champion, Medina County Clerk, addressed Council. She explained that Judge Ramirez approached her about possibly moving the election to a different location due to their 7-4 schedule. Because of COVID-19 and the closing of the court systems for several weeks, it has put all the courts in a situation where they are all severely backlogged. She explained why it would be very difficult to hold an election at the county building while still trying to hear cases at the JP Court that cannot be postponed.

Ms. Champion explained that conducting elections at the Community Center would be an excellent suitable location and easy for everyone to find. This would also allow more than enough ample space for the voters and poll workers while providing a comfortable distance for everyone while waiting to cast their vote.

Council then heard comments from Mr. Lupe Torres, Elections Administrator, and from Judge Ramirez.

Mayor Thompson explained that our biggest concern is our Fall Festival which is the same weekend, and that happens to be our biggest event in Devine.

Marcus Buckner, Chamber President, stated that he would need the Community Center on the Wednesday before the weekend to set up.

Discussion was held on the Carnival not being a problem.

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Interim City Administrator/City Secretary Dora V. Rodriguez told Council that the City has a court order that was done back in the '90s which states that we (the City) have to have our election at City Hall, so we will be closer to each other.

Motion by Alderman Lopez, seconded by Alderman Espinosa to allow Medina County Election Registrar the use of the Community Center for this year's General Election and to waive the fee for this year.

Ayes	--	All
Nays	--	None

Motion carried.

Discussion was held after the motion that the County will come back next year to make another request for the use of the Community Center.

The tenth order of business was to discuss and consider request made by Juan Zamora for the Devine Little League Facility.

Mr. Juan Zamora, President of the Devine Little League, addressed Council on the following issues with the Devine Little League:

- Having one of the worst facilities in the surrounding areas.
- Needing a Softball Field; we do not have one.
- The City agreeing to mow the outside of the fields and maintaining those but not the inside of the fields, and using it for a community park during off-season.
- His concern over the language of the contract; he has never signed the contract.
- Asking for City's support, either financially or with land.

Council held discussion with Mr. Zamora.

Alderwoman Randall suggested that the Devine Little League can also bring this up before the Parks and Recreation Advisory Board.

No action was taken.

The eleventh order of business was to discuss and consider the Airport Mowing Contract submitted by Joe Munoz for the Devine Municipal Airport.

Mr. Joe Munoz addressed Council and informed them that he submitted to renew the Mowing Contract to mow the property at the Airport, and he also submitted an additional contract to mow the remaining area not in his current contract, which is mowing and weed-eating around the hangars and keeping them maintained.

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Director of Public Works Ismael Carrillo explained that right now because of the water project fixing to kick off, he really doesn't know how much manpower he's going to need working the water project.

Council held discussion that the renewal of the current contract (for \$9,000) is already in the budget for this year. The consensus of the Council is that they were good with these contracts. This should get the City out of there entirely; no one will have to go out there and mow, and we just need to look at this yearly.

Motion by Alderwoman Randall, seconded by Alderman Guzman to approve renewing the regular contract for \$9,000/year and to approve adding the additional contract for \$500/month, and to amend the current budget by \$1,500 for the remainder of the budget year, and to put it on next year's budget.

Contract attached as Exhibit B.

Ayes	--	All
Nays	--	None

Motion carried.

The twelfth order of business was to discuss the installation of the Tuff Curb Delineator for State Highway 173.

Mayor Thompson informed Council that this is what Alderman Espinosa had asked about, and this is the actual information provided. Council reviewed pictures showing delineators on SH-173 and S. Jamison Drive, requested by Alderman Espinosa, and at SH-173 and FM-2200, which was requested by the school.

Interim City Administrator/City Secretary Dora V. Rodriguez informed Council that TxDOT is saying that they are ready to do this, if Council wants.

Council held discussion on vehicles only being able to make right turns; no left turns. Alderman Espinosa stated that it's going to be a challenge but it's something that is very much needed by the Burnt Boot Creek Bridge at SH-173 and S. Jamison. He said it's very dangerous at that intersection; it's just an accident waiting to happen.

According to Director of Public Works Director, Ismael Carrillo, we have talked to TxDOT, and their main concern is safety. Council held discussion on U-turns.

Mayor Thompson discussed Council wanting to have round table discussions on this later for public input, and bringing this back before Council at a Special Meeting. According to Alderman Espinosa, he would like to have the public forums unless TxDOT insists on doing this regardless.

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Mayor Thompson stated that this was for our opinion only.

The thirteenth order of business was to discuss and consider for Council to certify the following:

- a. City is in compliance with the Employee Security Awareness Training requirement of Section 2054.5191, Government Code.
- b. City is in compliance with the audit requirements of Section 2054.5191, Government Code.

Mayor Thompson stated that this is the Cyber Training that we all took over the last few weeks. Interim City Administrator/City Secretary Dora V. Rodriguez stated that everyone passed.

Motion by Alderwoman Randall, seconded by Alderman Guzman to certify that we are all in compliance with the Employee Security Awareness Training requirement and with the audit requirements of Section 2054.5191, Government Code.

Ayes	--	All
Nays	--	None

Motion carried.

The fourteenth 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 7:53 p.m., Mayor Thompson announced to the public that the Council would go into a Closed Session.

At 8:18 p.m., Closed Session was opened to the public.

No action was taken.

The fifteenth 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 approve for Mayor Thompson to enter into an Ernest Money Contract as discussed in Closed Session.

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

Motion carried.

The sixteenth order of business was Informational Items.

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The following was discussed:

- Garbage – Mayor Thompson announced he wants to revisit the garbage issue again and wants to put it on the next agenda. People are still complaining. He said now it's about they're taking what's in the containers but not picking up the extra bags. According to Interim City Administrator, Dora V. Rodriguez, she will be meeting with Blake and Hilda regarding the garbage.
- Open House – Alderman Lopez announced that there will be an Open House at the VFW on June 27th starting at 10:00 a.m. for those in need of household items.
- Census – Discussion was held on the numbers of participation with different cities. According to Interim City Administrator/City Secretary Dora V. Rodriguez, completing the Census will help us in getting grants.
- Volleyball Sand – Interim City Administrator/City Secretary Dora V. Rodriguez showed Council four bags of sand samples available to use for the Sand Volleyball Court. Director of Public Works Director Ismael Carrillo told Council that City Engineer Raul Garcia is saying that the sand in Bag #1 seems to be the closest one to specs, but he doesn't want to make that decision. Council held discussion, and all agreed to go with Bag #1 which seemed to be the thickest sand. Council felt that this sand was coarser and should work the best; it was the closest one to match the specs for the sand volleyball court.
- Public Works Recognition – Alderman Espinosa inquired as to when we can get the Public Works guys together to give them their certificates. According to Interim City Administrator/City Secretary Dora V. Rodriguez, we still have one employee out, without going into any details. Mayor Thompson suggested that as soon as we can get them together, we'll do this; whether we do it at a special meeting or in the morning sometime.
- Streets – Alderman Guzman inquired about the City's plan for improving our streets. He said it seems to be the biggest concern. Interim City Administrator/City Secretary Dora V. Rodriguez talked about hiring contractors who do this for a living, and said that at the next meeting, we can bring the map back to review and to see what streets we can budget. We have to consider which streets will be affected by the asbestos project.
- Transportation/Anderson – Alderman Vega inquired whatever happened with Anderson Street, and if it will ever get cleared out. Director of Public Works Director Ismael Carrillo explained that Anderson Street was supposed to have been done when the subdivision developed. Interim City Administrator/City Secretary Dora V. Rodriguez stated that the City can do a workorder to go over there and keep it maintained.

Per Mayor Thompson, there being no more informational items, Council will go back to Agenda Item #6, which was the fourth order of business: To discuss and consider and act upon Declaration of Public Health Emergency issued by Mayor on March 25, 2020 Including Possible Changes and Extensions.

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Emergency Management Coordinator Rob Flores addressed Council. He informed Council that we keep getting asked when City Hall and the Library are going to open up. For now, he stated that we will continue to keep the lobbies closed and leave everything as is. He told Council that Dr. Neel, our local health authority, agrees that we need to keep things shut down for now because cases just keep spiking up. So, in his opinion, we're good to leaving things as is, but he said it was up to Council.

Mayor Thompson recommended that we keep what we have for another month and reassess it in July at our next regular council meeting, and extended the date to July 22, 2020.

Motion by Alderman Espinosa, seconded by Alderwoman Randall to approve the Declaration and extend the date to July 22, 2020.

Ayes	--	All
Nays	--	None

Motion carried.

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

Ayes	--	All
Nays	--	None

Motion carried.

Mayor

City Secretary