

Minutes
Regular Meeting
March 17, 2009

On this 17th day of March, 2009, at 7:00 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 Steve A. Lopez
Alderman John Ramirez
Alderman Frank Cortez, III
Alderman David Espinosa
Alderman Hal Lance
Alderwoman Marina M. Antu

Thus, constituting a quorum.

Personnel present: Dora V. Rodriguez, City Administrator/City Secretary; Ofilia Pedroza, Assistant City Secretary; Nancy Pepper, City Treasurer; Rob Flores, Chief of Police; Billy Grote, Director of Public Works; Ismael Carrillo, Superintendent of Public Works; and Barbara Moore, Library Director.

Others present: Sandy Herrera – Devine News; Joe Ramos-AACOG; Luis M. Guerra-Postmaster; Larry Anderson-Hospice Thrift Shop; Jackie Gobrial and Mostafa S. Ahmed-Voluntary Annexation; Blaine Eaton, Larry & Sandra Stacy, Oscar Bond, Wanda Gardner, Louise Lewis, Ron & Pat Wagner, Robert Nixon Jr., Mary Jane Balderrama, Cindy Morales, Jerry Beck and Sonia Lance.

Mayor Lopez, presiding, declared the meeting opened and welcomed all visitors. Brother Robert Nixon Jr. delivered the Invocation; Mayor Lopez 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 to discuss and consider approval of Minutes: Special Meeting January 27, 2009; Special Meeting February 3, 2009; Special Meeting February 10, 2009; Regular Meeting February 17, 2009, and Special Meeting March 10, 2009.

City Administrator Dora V. Rodriguez informed Council that they received all of the minutes for review except the ones for March 10, 2009. She said those minutes were not yet ready for approval and would be given to them at a later date to approve. Council reviewed all the other minutes.

Regular Meeting Minutes
March 17, 2009
Page 2

Motioned by Alderman Espinosa, seconded by Alderman Lance to approve Minutes for Special Meeting January 27, 2009; Special Meeting February 3, 2009; Special Meeting February 10, 2009; and Regular Meeting February 17, 2009 with the exception of Special Meeting March 10, 2009.

Ayes	--	Four
Nays	--	None
Absent	--	One (Alderman Cortez)

Motion carried.

The third order of business was to discuss and consider Status of the adopted Resolution 03-09 strongly supporting the citizens in their effort to keep the Post Office open on Saturdays.

Alderman Frank Cortez, III arrived at 7:10 p.m.

Local Postmaster Lou Guerra addressed City Council and the public. He informed them that the post office is in the same deep economic crisis as is the rest of the country. He explained that our area is called the Alamo Area which covers south of Austin all the way to Laredo, west to Del Rio and east to Port Lavaca. It's a large area that covers 137 post offices, including Devine. Mr. Guerra spoke of facility optimization which is the same as consolidation or closing down of post offices. He explained that this is what is happening right now because there are too many post offices that are not generating revenue. He said it is hard for him to say which ones will survive. Mr. Guerra quoted some numbers on expenses (salaries, utilities, etc.) and said that their revenue does not meet their output. He explained that post office revenue is generated solely by stamp sales and mail processing; there are no tax dollars involved. He told City Council that our revenue is down because our volume is down considerably; that's why they're cutting down on hours. He explained that to be open on Saturdays, he pays \$500.00 for two hours and the post office only makes around \$12.00-\$30.00 on that Saturday. He stated they want to survive and want to stay open in Devine; however, it is possible that they can still get shut down further down the line. He said it's also very possible that our post office will absorb the smaller post offices around us, or someone will absorb us.

Having said that, Mr. Guerra told Council that sending out Resolution 03-09 to Washington or to our Senators and Congressmen would only hasten the process of literally closing down our local post office; it would put Devine at the top of the list to be shut down. He stated that he would rather open up on Saturdays again and try to survive as long as we can because he would be using up hours they don't have. He explained he has one clerk who will have to be cut back during the week to be able to work on Saturday; he's not going to make more money, he's going to make less money. But, he explained, in order to make some people happy and to keep thriving, he'd rather take the lesser of all evils and open up on Saturdays, because Washington really does not care.

Regular Meeting Minutes
March 17, 2009
Page 3

Discussion was held on other rumors about the post office. There was also discussion on why there are no stamp machines available in the lobby. Postmaster Guerra said that this was a decision made in Washington, and explained that the machines are so old (from the 30's & 40's) that parts are not available anywhere in the country, and there are no new machines available.

City Administrator Dora V. Rodriguez advised Council that if they want to rescind this resolution, they would need to make a motion tonight. She informed Council that after speaking with Postmaster Guerra, we had held off on mailing out the resolution to the General Postmaster in

Washington and all the U.S. and State Representatives, in order to keep them informed of what was going on.

Postmaster Guerra told Council the reason he was here tonight was to ask for us to support his business.

Motioned by Alderman Lance, seconded by Alderwoman Antu to rescind Resolution 03-09 regarding supporting the citizens in keeping the Post Office open on Saturdays.

Ayes	--	All
Nays	--	None

Motion carried.

The fourth order of business was a Presentation – Joe Ramos with Alamo Area Council of Governments (AACOG) – Alamo Regional Transit (ART) – Commuter Vanpooling Grant.

Mr. Joe Ramos addressed City Council on what AACOG is doing in the area of transportation. He explained that ART (which is part of AACOG) is the transit authority for the 11 rural counties surrounding Bexar County. He explained that San Antonio has VIA as their transit authority and we have ART (Alamo Regional Transit). He told Council that hopefully they are familiar with the ART vans that go door-to-door and provide demand service for people who, for example, need to go to the doctor. He explained that that program is expensive. A lot of clients pay with Medicare or Medicaid and there is a lot of government participation in that program. That program is considered Phase 1. He said that ART is now moving into Phase 2 which is the vanpool service, and they're looking at possibly doing a shuttle service in a couple of years for Phase 3, from the outlying counties in and out of San Antonio.

Mr. Ramos told Council that AACOG recently received a grant from TxDOT which is considered a Workforce grant called JARC (Job Access Reverse Commute Grant). He said this grant covers only three counties: Frio, Medina and Atascosa. He is here tonight to let us know that they have this money available to purchase vans and right now they are looking for participants to take part in this vanpool program. Mr. Ramos explained the program in detail and discussed some of the costs and benefits. The program is not free; prices will vary but JARC would allow further reduction of cost

Regular Meeting Minutes
March 17, 2009
Page 4

to the participants, if they qualify. However, he pointed out that not all riders have to participate in the government program; they can still pay full price. They are looking at getting 10 participants to start but six participants would be the minimum just to break even. The vans would use one driver and 10 passengers, and the driver gets to ride free.

Mr. Ramos pointed out that all economic indicators are saying gas will be going up to \$3.00 + per gallon by next year. He said this program would be ideal for people who want to vanpool to work in San Antonio and even college students.

City Administrator Dora V. Rodriguez commented that we are trying to partner with Natalia in taking advantage of this program. She stated that an article was put in the newspaper encouraging those who are interested to contact the City of Devine or the City of Natalia, depending on where they live. Joe Ramos told Council that he'll also be talking to the City of Lytle as well. He said the new vans are ready to go and told Council that he's willing to come back down if we get more people together.

The fifth order of business was to discuss and consider request by Mr. Blaine Eaton on Sewer Problems in Alley.

Mr. Blaine Eaton addressed City Council. He said that last year he was told by some city workers that the City had money to repair and replace sewers. He lives at 502 Hickory Highway and stated that the sewer between Hickory and Wedgewood has been continually backing up. He said every three to four months, the city sewer guys have been called to come out after hours and on weekends to flush the lines because his house and his neighbor's house (Brenda Hellums) keep flooding. He explained in detail how his mother-in-laws bathroom floods first all the time with feces all over the bedroom and how he's had to replace her flooring twice. Mr. Eaton explained that the sewer line comes up from the City Park, then levels out and dips and ends right at the crossroad between the two streets (right at Brenda's house). He said their two houses back up constantly. Mr. Eaton told Council he just wants to know what we can do to get this taken care of because it's a health hazard; he said something has to be done.

City Administrator Dora V. Rodriguez provided Council with maps and told them that she, Billy and Ismael had met with City Engineer Raul Garcia. She said Billy and Ismael had given Raul the measurements which they were reviewing. She said Raul is going to take these measurements and calculate to see what it would cost us to be able to replace those lines. She said we had also added DuBose Street along with Hickory. She told Council that because a contract has already been awarded to RAM II, Raul feels that RAM II can do this, so all we would need to do is an addendum to the contract.

Alderman Cortez inquired why DuBose Street. Director of Public Works Billy Grote commented that this is another street that we've had a lot of sewer problems with recently. Mr. Eaton told Council that for the last two years, he's had to call religiously every three to four months for someone to come out and flush the lines. He said he was always told the problem was with his line.

Regular Meeting Minutes
March 17, 2009
Page 5

City Accountant Nancy Pepper told Council that the City can use the Bond Money for this project. City Administrator Dora V. Rodriguez told Council we would have to wait for Raul Garcia to give us his calculations.

Mr. Eaton informed Council that the last time this happened was two weeks ago and it didn't even rain. He said it's been very costly but he wasn't asking to be reimbursed; he only wants the lines fixed. Director of Public Works told Council that he'll have the guys go out there to line spot the water and gas lines so that they'll know if they can dig there and replace part of the main line. He said maybe that will give us more time until we hear from Raul.

Sandy Herrera commented that when they had problems at the 400 block of Wedgewood, they were told that they had to put in their own backflow preventers.

Motioned by Alderman Ramirez, seconded by Alderman Lance to table item until we get figures back from City Engineer Raul Garcia and bring it back before Council.

Ayes	--	All
Nays	--	None

Motion carried.

The sixth order of business was to discuss and consider request from Lois Golden to be annexed into the Devine City Limits for property located on Zig Zag.

City Administrator Dora V. Rodriguez informed Council that this item was tabled because Mrs. Golden's husband is ill and she could not be here, so she's requested to be placed on the agenda whenever we have a special meeting.

The seventh order of business was to discuss and consider request by Mary Jane Balderrama for the Four Corner Beautification.

Mrs. Sandra Stacy, President of the Garden Club, addressed City Council on behalf of Mary Jane Balderrama who is the Project Chairman and is recovering from surgery. With several new members and new visions, one of the things the Garden Club wants to do is to refurbish and beautify the Four Corners. Mrs. Stacy stated that all but one of the sprinkler systems has been repaired. Two of Mary Jane's vision drawings were given to Council to review. The corners at Pico's and Shell will have zero-scape plants; the other 2 corners will have perennial and flowering plants but also some evergreens. Ms. Stacy told Council that the Garden Club would like the City's help with digging, replanting and spreading of rocks. They can furnish the materials but will need help with the labor and machinery.

Regular Meeting Minutes
March 17, 2009
Page 6

Mayor Lopez informed City Council that the Garden Club ladies would be willing to wait in the event that our Public Works employees are involved in a major project. He stated that they'll work with us and we'll work with them.

Mrs. Stacy told Council that part of their objective as Garden Club is to preserve the natural beauty of the Flour Corners and to promote civic pride. She stated that Mary Jane Balderrama has already contacted all four corners and all have agreed to this project.

Director of Public Works Billy Grote commented that he did not foresee any problems with helping out. Mary Jane Balderrama told Council that they would let us know when they plan to start; they will be doing it in several stages.

Motioned by Alderman Espinosa, seconded by Alderwoman Antu to have Public Works coordinate with and help out the Garden Club in beautifying the Four Corners.

Ayes	--	All
Nays	--	None

Motion carried.

The eighth order of business was to discuss and consider sharing the Cost of Paving the Parking Lot at the Tennis Courts between the City, Devine ISD and County.

Jerry Beck was present representing the Athletic Booster Club and Cindy Morales was present representing Devine ISD. Ms. Morales stated that this is an area that really needs attention and she would like to see it completed as soon as possible. She stated they had already posted an agenda for spring break but depending on what the resolution is tonight, they can always amend their agenda for their board meeting on Monday.

Council reviewed cost breakdown of project which showed \$4,000.00-City, \$4,000.00-School, and \$3,625.00 County, for a total of \$11,625.00. Alderman Cortez inquired as to who would be doing what. According to Director of Public Works Billy Grote, the County will be hauling the material, and the City will do the work and provide the equipment. Alderman Cortez feels that the County is not doing much and the City is doing all the work.

Discussion was held on the City still having to provide all the man hours which was not figured into the \$4,000.00 cost for the City's share. Superintendent of Public Works Ismael Carrillo said he figured it would take 2-3 men to do the job in 2 days, so he's looking at a total of approximately \$3,600.00 for equipment and manpower (for 2 days) in addition to the \$4,000.00.

Alderman Lance inquired if the school would be providing anyone to help or be willing to split the cost with the City. Cindy Morales stated that she was not sure; she said it may be possible to split the cost but she couldn't speak for the other board members. She said they only looked at the \$4,000.00

Regular Meeting Minutes
March 17, 2009
Page 7

figure also. However, they also feel that it is long overdue and they want to work out something in conjunction with the City. Ms. Morales suggested that Council may want to make a motion for the labor and splitting the cost with the school. She explained this item would be tabled to take back to the Superintendent, so it's only going to delay the process. City Accountant Nancy Pepper, who is a school board member, told Council that it would be better if they motioned what they want to do and then take it to the school board.

Motioned by Alderman Espinosa, seconded by Alderman Lance to share the cost of paving the parking lot at the tennis courts between the City, Devine ISD and County, and possibly sharing the labor with Devine ISD, and sharing an additional cost of \$1800.00 per day for a maximum of 2 days.

Ayes	--	All
Nays	--	None

Motion carried.

The ninth order of business was to discuss and consider request by Devine Area Hospice on being able to continue using the Devine Animal Shelter Facility to dispose of Waste Materials.

Mr. Larry Anderson addressed City Council and expressed their need for a dumpster to help them dispose of all their material. He asked Council to step up and help them out. Mr. Anderson provided Council with a letter and a copy of the minutes from November 20, 2009. He stated that they would like to go back to the original deal where the City and Hospice share the cost 50/50 of disposing the materials. He told Council that Hospice really wishes to be Partners with the City.

There was discussion with Public Works Alamo 1 doing four additional loads per year at approximately \$2,000.00.

Alderman Lance talked about sticking with the original deal which would be the City and Hospice splitting four loads per year 50/50 (Hospice pays for two and the City pays for two loads).

Mr. Anderson seemed confused, so City Administrator Dora V. Rodriguez directed Council to look at the old minutes. She knew that Mr. Anderson was looking at the four free hauls per year and the \$280.00 rate. She explained that the contract with Alamo 1 originally had a tier of \$280.00 for the first year when they signed the contract, but now it's jumped from \$280.00 to \$300.00+. She explained that regarding the four free hauls per year, Blake is only charging us for the disposal fee and not for any of the hauling (the hauls are free). If he were to charge us for everything, we would be paying around \$700.00. This is where the \$202.30 comes in; this is the disposal fee that Blake is charging us four times a year on the free hauls. So, Blake will do four hauls at a disposal rate of \$202.30, but any additional roll-offs that are needed, he has to charge \$495.00; it won't be free anymore, but even the \$495.00 is at a discount for Hospice.

Regular Meeting Minutes
March 17, 2009
Page 8

Discussion was held with Mr. Anderson on what it would cost to do eight loads per year. Mr. Anderson said he understood that the first four loads (or hauls) would be at \$202.30 and the additional four loads would be at \$495.00 each.

City Administrator Dora V. Rodriguez brought to Council's attention the letter which was sent to Mr. Anderson. She explained we had met with him and had tried to come up with a solution before coming to Council again. She told Council that the problem we have right now is that the pile of dumped items is taking over our facility at the Animal Shelter (the pictures prove this). She explained that we thought of getting Blake to bring in a roll-off to house at the Animal Shelter. Currently, Public Works has to break down everything for Blake; that is using their labor and their equipment to do that. She informed Council that we had asked Hospice if they would be willing to help break down some of the material, and they could leave anything they couldn't break on the side of the roll-off. Billy and Ismael would be willing to get their crew once a week to break down everything else to put it in the roll-off so that we don't have things accumulated. They were also told they could go ahead and dump Monday through Friday, twice a day, preferably in the morning, as long as they call the office so we can contact Public Works because we need to make sure the gate remains locked. She told Council that is what was offered, plus we agreed on the \$202.30 but thinks there was a misunderstanding on the additional roll-offs at \$495.00.

Mr. Anderson stated that they had no problem with anything in the letter except that they had not understood the \$495.00.

Motioned by Alderman Lance, seconded by Alderman Ramirez to approve the original estimated quarterly pickup of the dumpsters – that the City continue to pay for two and Hospice pays for two at the rate of \$202.30; and for any additional roll-offs beyond the original four (estimated at 4 more annually), Hospice would be responsible to pay at \$495.00, with the labor and equipment to be paid by the City of Devine.

Ayes	--	All
Nays	--	None

Motion carried.

The tenth order of business was to discuss and consider request by the Devine Food Pantry Ministry, Inc. to waive fees for Sewer Hookup and for Certificate of Occupancy.

Mr. Oscar Bond addressed City Council and apologized for not being able to attend the last meeting to answer questions. He explained he owns the property across from Medina Valley State Bank (the old shoe shop) which is on 1.58 acres. He told Council he would like for the City to put a sewer line and a water line on the end of the property where the building is. He's asking the City to go in there and put the water line and the sewer line from wherever it's at right now (pretty close to the firework stand on the other neighbor's property, and to take that water line and sewer line to the other end of the property, and he will hook it up from there. He asked Council if they can do that or will they do

Regular Meeting Minutes
March 17, 2009
Page 9

that. He offered the City the use of his property for a year or to use it for parking for the community vanpool for a year. He stated that he would work with us, and if we decided to use his property, he would go to Bernice Hunter to take the property off the market.

City Administrator Dora V. Rodriguez briefed everyone that the Food Pantry had come before City Council about using Mr. Bond's building for their organization but they needed water and sewer hooked up. She explained that Mr. Bond has come before to ask for this and he was given a quote. However, right now, it does not have any utilities from the City. She reminded Council that there was supposed to be a meeting at the VFW and we had tabled this item until we found out what the outcome was at that meeting.

Mayor Lopez explained that the problem with the VFW is that the electricity bill was eating them up on half of the facility, and they will be shutting down all the power on the west end of the building where the Food Pantry was located. They will only be using the east end of the building, per Mr. Bob Mays. The decision was made by the membership.

Discussion was held on the Food Pantry currently having a temporary location with Bernice Hunter until they can find something else. Brother Nixon told Council that the Food Pantry needs a place they can have control of. He also stated that they're concerned about the parking off of SH 173.

Alderman Espinosa expressed his concern that once we start waiving fees, we'll be getting into a big mess.

Ms. Wanda Gardner stated she understood that under some ruling, the City is required to furnish Mr. Bond utility services after so many years and asked Council what the time limit was on this. City Attorney Tom Cate advised that the service is available but if he falls under the same policy as everybody else in the City, he has to pay for it. City Administrator Dora V. Rodriguez also informed Ms. Gardner that there are some people inside our city limits that we cannot even supply sewer to (because of the fall with the sewer line), so we have to treat him just we would treat people here in our community.

Motioned by Alderman Ramirez, seconded by Alderman Lance to deny Mr. Oscar Bond's request to waive the fees for Sewer Hookup and for Certificate of Occupancy for the Devine Food Pantry Ministry, Inc.

Ayes	--	All
Nays	--	None

Motion carried.

Regular Meeting Minutes

March 17, 2009

Page 10

The eleventh order of business was to discuss and consider approving and entering into an Inter-local Animal Control Services Agreement with the City of Natalia.

Chief of Police Rob Flores addressed City Council. He asked for this item to be tabled because the contract needs a lot more work. City Attorney Tom Cate informed Council that he had looked at and offered to get together with Chief Flores.

Motion by Alderman Cortez, seconded by Alderman Ramirez to table the Inter-local Animal Control Services Agreement with the City of Natalia until Chief Flores and City Attorney Tom Cate have time to look over the contract and make changes.

Ayes	--	All
Nays	--	None

Motion carried.

The twelfth order of business was to discuss and consider adopting an Ordinance establishing an Identity Theft Prevention Program.

City Attorney Tom Cate explained that the Federal Trade Commission says that we have to adopt an Identity Theft Prevention Program. We needed to have it in place late last year but we're just now getting to it. This is to make sure that we have safeguards in place for our customers where nothing that we do would allow our customers' identities to be stolen, at the city level.

Motioned by Alderman Ramirez, seconded by Alderman Espinosa to adopt the Identity Theft Prevention Program and Ordinance 03-09A establishing this program.

Ordinance 03-09A attached as Exhibit A, and Identity Theft Prevention Program attached as Exhibit B.

Ayes	--	All
Nays	--	None

Motion carried.

The thirteenth order of business was to discuss and consider approving the amendment for Ordinance – Chapter 94 Article VII – Trucks.

City Attorney Tom Cate explained that this ordinance contains the changes that we talked about last time when the local truckers were present at the last meeting. We've removed the wording "dual rear wheels" and changed Hwy. 81 to State Hwy. 132. Those were the only changes.

Regular Meeting Minutes
March 17, 2009
Page 11

Motioned by Alderwoman Antu, seconded by Alderman Espinosa to approve the amendment for Ordinance 03-09B – Chapter 94 Article VII – Trucks as it pertains to U.S. Highway 132 and deleting any reference to “dual rear wheels.”

Ordinance 03-09B attached as Exhibit C.

Ayes	--	All
Nays	--	None

Motion carried.

The fourteenth order of business was to discuss and consider adopting an Ordinance for Stop Signs to be placed at Park & Sayers, Park & Upson and Moore & Upson, becoming four-way stop signs.

City Council reviewed breakdown of cost for Parts being \$494.35 and Labor being \$240.00 to do this project, provided by Public Works. The total cost for Parts & Labor totaled to \$974.35.

Motioned by Alderman Cortez, seconded by Alderman Espinosa to adopt Ordinance 03-09C for Stop Signs to be placed at Park & Sayers, Park & Upson and Moore & Upson, becoming four-way stop signs.

Ordinance 03-09C attached as Exhibit D.

Ayes	--	All
Nays	--	None

Motion carried.

There was discussion after the motion where Alderman Espinosa thanked Council for supporting him to get this much needed project done in his district.

The fifteenth order of business was to discuss and consider adopting an Ordinance for a Speed Bump to be placed at the corners of Bright & Park and Bright and E. Moore Streets.

City Council reviewed breakdown of cost for Parts being \$551.86 and Labor being \$435.00 to do this project, provided by Public Works. The total cost for Parts & Labor totaled to \$986.86.

Director of Public Works Billy Grote told Council this involves only one (1) speed bump but two (2) signs.

Regular Meeting Minutes
March 17, 2009
Page 12

Motioned by Alderman Espinosa, seconded by Alderman Lance to adopt Ordinance 03-09D for a Speed Bump to be placed at the corners of Bright & Park and Bright and E. Moore Streets.

Ordinance 03-09D attached as Exhibit E.

Ayes	--	Three
Nays	--	Two (Alderman Ramirez and Alderman Cortez)

Motion carried.

The sixteenth order of business was to discuss and consider approving amending Section Eight – Holidays – 8.3 – Working on Holidays (Holiday Pay) for Animal Control.

City Administrator Dora V. Rodriguez told City Council we had talked about this at the last meeting, and we have to incorporate it into our Personnel Policy.

Motioned by Alderman Cortez, seconded by Alderwoman Antu to approve approving amending Section Eight – Holidays – 8.3 – Working on Holidays (Holiday Pay) for Animal Control, effective immediately.

Personnel Policy-Section Eight attached as Exhibit F.

Ayes	--	All
Nays	--	None

Motion carried.

The seventeenth order of business was to discuss and consider recommendation of the Planning and Zoning Commission for Meeting held on February 2, 2009 on the following:

- a. Request to change Zoning Classification of Property located on FM 463 and described as follows: Survey No. 5, John Heien, Original Grantee, Abstract No. 478, 9.05 Acres.

Mayor Lopez informed Council that the Planning and Zoning Commission is recommending that we adopt changing the zoning classification on this property. He explained that it was originally zoned as Class A. Single Family Residence and will be changing to Class H. Commercial Business District. This will allow for the building of a dialysis clinic.

City Administrator Dora V. Rodriguez announced that the owners were here earlier but ended up leaving; they couldn't stay. She informed Council that we have met with them and City Engineer Raul Garcia to try to go over everything that they need to know. We've been trying to keep them informed of all the legalities. She explained that it's a long process when you annex a piece of property.

Regular Meeting Minutes
March 17, 2009
Page 13

Motioned by Alderman Espinosa, seconded by Alderman Ramirez to approve Planning and Zoning's recommendation to change the Zoning Classification of Property located on FM 463 and described as follows: Survey No. 5, John Heien, Original Grantee, Abstract No. 478, 9.05 Acres.

Ayes	--	All
Nays	--	None

Motion carried.

The eighteenth order of business was to discuss status on Enterprise Pipeline disconnection of the Gas Lines for their Integrity Test in July 2009.

Superintendent of Public Works Ismael Carrillo informed City Council that Simon Pena has been talking to the President of Commercial Sales with Enterprise Pipeline. Simon informed Ismael that he will be submitting a letter to him either today or tomorrow. He said that also all the letters from the all the towns that submitted letters to Enterprise Pipeline will be sent to the Railroad Commission for Mary McDaniel to review. Ismael informed Council that as far as he is aware, the letters submitted were from Castroville, Devine and Lytle; they were still waiting on LaCoste and Natalia.

Mayor Lopez informed Council that we've been in contact with Congressman Ciro Rodriguez, Senator Uresti and State Representative Tracy O. King. They are all supporting us and helping us to delay this so that we can be able to budget for this project to pay for it, if we have to. City Administrator Dora V. Rodriguez commented that we're hoping they can help us delay it for a year.

Council inquired if we would know anything anytime soon. City Administrator Dora V. Rodriguez said that once Ms. McDaniels from the Railroad Commission receives all the paperwork, she's the one who can make a decision within a day or two.

Council held discussion on the possibility that Ms. McDaniels should say "no." If she does say "no," we'll be hurting. The alternative is that we'll need to pay anywhere from \$100,000.00 to \$200,000.00 for the 20 days just to supply gas to the city, when our revenue is normally only \$15,000.00 for that month. City Administrator Dora V. Rodriguez stated that we're hoping the Railroad Commission will listen to our state and house representatives. She said this is some that is going to happen every seven years from now on. She told Council that we'll be prepared next time around but for now, it caught us off guard. She informed Council that she, the Mayor, Billy, Ismael and Simon have a meeting at the end of this month with CPS to see what they can help us with, and she will keep them updated.

The nineteenth order of business was to discuss the status of the Emergency Management Plan for the City of Devine.

Regular Meeting Minutes
March 17, 2009
Page 14

Chief Rob Flores, Emergency Management Coordinator, addressed City Council. He said that the current update is that we are now at the Advanced Level in Emergency Management. He said that some of the annexes in the Intermediate Level needed to be updated. They were deficient in some of the federal updates but they are all currently up-to-date. He told Council that the only deficiency right now is the Health and Medical which 95% of it falls under the County plan since the health unit is in Hondo and belongs to the County. He said that will his uphill battle; everything else is fine.

Mayor Lopez informed everyone that we are the only city at that status level which is the highest we can get. He said not even the County is at that level.

Alderman Espinosa inquired if it's going to affect us that the County, Hondo and Natalia are all non-compliant. Chief Flores stated that he didn't know for sure if it will or not because there are some things that he can't activate. For example, if he needs 10 boats and he needs to ask the government for them, he needs to activate that through Hondo or Medina County. Their Emergency Management Coordinate is Don McFarland out of AACOG. He stated, "Will they deny it?" "Probably not" "Could it affect us later?" "It possibly could." He said he really didn't have an answer. He's assuming that if we need something immediately, if something bad is happening, that that they'll do it for us. As far as grants, that shouldn't affect us because we are good.

City Administrator Dora V. Rodriguez thanked Chief Flores and Mayor Steve Lopez for helping out with the Emergency Management Plan because without them it is a lot of work. She explained that Chief Flores took over as the Emergency Management Coordinator, and he was able to finish it up and getting us to where we are right now.

Mayor Lopez added that we're supposed to have a table top exercise for last year's. He said it's up to the County to have those but they have yet to have one. Chief Flores informed Council that at the Advanced Level that we are at right now, we are technically exempt from that. He said only the Basic and Intermediate Levels are mandated to do that.

City Administrator Dora V. Rodriguez told Council that we're good, we're in compliance, and we just wanted to keep you updated.

The twentieth order of business was the Reports, namely:

- City Secretary Report – Council reviewed report.
- City Treasurer's Report – Council reviewed report.
- Public Works – Alderman Espinosa inquired about any classes for the C or D Licenses. Superintendent of Public Works reported that he has two classes in progress right now; one employee is taking his D exam and the other is taking his C exam. Council was glad to hear that.

Regular Meeting Minutes
March 17, 2009
Page 15

- Police Chief's Report – Council reviewed report and inquired if we were short one officer. Chief Flores stated that technically we are short one officer; tomorrow one will be starting.
- Chamber of Commerce – No one from the Chamber was present. Chief Flores reported that they did the security for the Spring Fling on Saturday, March 14th but it was very slow. He said only 12 people were inside the Community Center. Chief Flores had Officer Teague come back to the office to clock in and take calls because it was a Saturday night, and he stayed there. He told Council that nothing happened so he ended up not charging the Chamber anything, and they even returned the \$50.00 check donation to the City. He said it was very quiet and the whole thing was over by 10:30 p.m. He reported that the vendors weren't selling much. At the end of it, Barbara and Sandy stayed to help clean up.
- Driscoll Public Library – Library Director Barbara Moore reported that there was a big change in the number of classes coming through the Library. She said she had 120 kindergarteners come through.
- Chamber of Commerce – Council reviewed report

The twenty-first order of business was Informational Items.

Mayor Lopez was happy to show Council a report that we've been waiting on for a long time. He said we've been after this project for 15 years. He was talking about the ramps that will be constructed on IH-35 and the Great Oaks area. We are anticipating for all three projects to start at the same time around July or August. He said that hopefully this will help our city improve under the economic development program.

There being no further business to come before the governing body, Alderman Lance motioned to adjourn the meeting.

Mayor

City Secretary