

Minutes
Special Meeting
September 10, 2019

On this 10th day of September, 2019, at 6:00 p.m., the City Council of the City of Devine convened in a Special Meeting; the same being opened to the public at their at their regular meeting lace 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 Cory Thompson
Alderman Steve A. Lopez
Alderman David Espinosa
Alderwoman Jennifer Schott

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

Personnel present: Dora V. Rodriguez, Interim City Administrator/City Secretary; Mary Rodriguez, City Financial Officer; Tom Cate, City Attorney; Ismael, Carrillo, Director of Public Works; and Lieutenant Chris Andrews, Devine Police Department.

Others present: Marly Davis, Devine News; Shannon Rangel, Debbie Randall, Kadie McKee, Billy Alvarado, Glen T. Thompson, Aurora Hernandez, Jessica Ornelas, Eva Thompson, George Valdemar, Mary Allison, Scott & Shirl Grego, and Cynthia Chalaire of Devine, Texas.

Mayor Thompson, presiding, called the meeting to order.

The first order of business was a Public Hearing on the Proposed Budget for FY 2019-2020.

At 6:01 p.m., Mayor Thompson announced that the Public Hearing was open.

At 6:02 p.m., hearing no comments from the public, Mayor Thompson closed the Public Hearing.

The second order of business was a Public Hearing on the Proposed Tax Rate for FY 2019-2020.

At 6:02 p.m., Mayor Thompson announced that the Public Hearing was open.

At 6:03 p.m., hearing no comments from the public, Mayor Thompson closed the Public Hearing.

The third order of business was to discuss and consider appointing Debbie Randall to the District 5 seat.

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Alderman Lopez announced that he wanted this item postponed due to Mr. Valdemar wanting to be considered for the seat in District 5. He requested for this item to be placed on the agenda for the next regular meeting on September 17, 2019 to discuss and consider appointing and interviewing a person for District 5. Alderman Espinosa stated that he would be seconding the motion based on a lack of trust.

Motion by Alderman Lopez, seconded by Alderman Espinosa to postpone this item due to Mr. Valdemar wanting to be considered for the District 5 seat.

Ayes	--	Two (With 1 Vacancy in District 5)
Nays	--	One – Alderwoman Schott
Absent	--	One – Alderman David Valdez

Motion carried.

Discussion was held after the motion by Alderwoman Schott who explained she voted against this because it's not for a full term, and because Cory Thompson, at the time he accepted the Mayor's position, expressed his process of selecting his replacement beforehand; he wanted someone who was like-minded and who would vote the way he votes. She said she thought everyone on council had understood what he meant that day.

Alderman Espinosa commented that there is nothing wrong with Mayor Thompson's recommendation. He said his recommendation is good and will be considered but the appointment is a whole different thing. He said that there is a question of other people who have an interest in this position too.

Mayor Thompson told Council that they had requested information from him a few meetings ago and he had that information with him. He explained that the reason why Debbie Randall's name was put on the agenda is because he did not want chaos at this meeting or at any other meeting, which is not beneficial to the city council or to the City. He announced that we would not be filling this position tonight.

The fourth order of business was to discuss and consider amending Agreement between the City of Devine and the Devine Little League Association.

Aurora Hernandez addressed Council and told them that basically they are asking for the City's help with cutting the fields during the off-season; on-season, they can do the upkeep themselves (it would be six months on – six months off). She also asked for the City's help in re-doing one of the bathrooms, especially the one that the City put in (the double restrooms), and they can help in whatever they can; she said the Little League will re-do the single restrooms.

Alderman Espinosa offered his services (labor free) but told Council that the whole issue with those restrooms has been the water pressure supply; it currently has a 3/4" line. He told Council there's no water pressure there; he said we need at least a 1" or a 1-1/4" water supply line there for it to work.

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Discussion was held with Director of Public Works Ismael Carrillo on the water lines. He told Council, it would be considered a tap but he wasn't sure if we wanted to tap on Moore Avenue or on Park Avenue or if we wanted an extension line to where it's closer to the restrooms.

Mayor Thompson suggested that if the City is going to pay for anything over there and amend the agreement, we need to have it in the contract that when it is their off-season, that the general public can use those fields; similar to what we did with Devine ISD and the tennis courts.

Jessica Ornelas addressed Council about liability insurance during the off-season and inquired if the City would be liable. According to City Attorney Tom Cate, they would just file a claim with the City. He stressed that he's not saying that the City would be liable because that would depend on the facts. Discussion was held on how the insurance is going to work between the two entities; we need to contact TML.

City Attorney Tom Cate stated that there are three issues:

1. We want the City to maintain the fields during the off-season - mowing
2. We want to re-do the restrooms
3. During the off-season, the general public would have access to the fields; it's not going to be limited to the use of the Little League.

City Attorney Tom Cate advised Council that they could make a motion to amend the contract (if that's what they want to do) with these three issues. He advised Council that if the answer on the insurance doesn't come back to our satisfaction, we can just not sign the contract.

Motion by Alderwoman Schott, seconded by Alderman Espinosa to help the Little League with re-doing the bathrooms, maintaining the outside of the fields during the off-season, and allowing the public to use the fields during the off-season.

Ayes	--	Three (With 1 Vacancy in District 5)
Nays	--	None
Absent	--	One – Alderman David Valdez

Motion carried.

The fifth order of business was to discuss and consider Council to take action on the Agreement between the City of Devine and Devine Little League, Inc. on reimbursement for the lighting.

Aurora Hernandez addressed Council and said the Little League still owes the City \$30,000 for the lighting. She said the lights work great but they still need to repair a lot of things that were damaged during storms this past year. She informed them that they need to repair the two dugouts, and they need the concession stand and the other restrooms repaired. Ms. Hernandez told Council they could use the money towards all of these upgrades instead of having to pay the City, to make it better and safer for the children.

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Council held discussion with Debbie Randall over the Parks Meeting regarding a long-term goal in helping to find land to build new fields. In the meantime, the City needs to assist them. Ms. Hernandez stated she is trying to work on grants but hasn't had much luck.

Alderman Espinosa thanked Ms. Hernandez to starting to get the ball rolling.

Motion by Alderwoman Schott, seconded by Alderman Lopez to limit the reimbursement the Devine Little League owes on the lights to \$20,000, to the City.

Ayes	--	Three (With 1 Vacancy in District 5)
Nays	--	None
Absent	--	One – Alderman David Valdez

Motion carried.

The sixth order of business was to discuss and consider hiring a person for the city administrator's position.

(Personnel Matter) Pursuant to Section §551.074 Texas Government Code, this agenda item may be held in Executive Session to deliberate the appointment of a person for the City Administrator's position. An Executive Session will not be held if the person who is subject of the deliberation requests a public hearing.

In addition, an Executive Session may be held during this agenda item pursuant to Section §551.071(2) of the Texas Government Code for the City Council to consult with the city attorney because this item involves a matter in which the duty of the city attorney to the Devine City Council under the Texas Disciplinary Rules of the Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code.

At 6:29 p.m., Mayor Thompson announced to the public that the Council would go into a Closed Session.

At 7:04 p.m., Closed Session was opened to the public.

No action was taken in Closed Session.

Motion by Alderman Lopez, seconded by Alderwoman Schott to start advertising for a city administrator.

Ayes	--	Three (With 1 Vacancy in District 5)
Nays	--	None
Absent	--	One – Alderman David Valdez

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Motion carried.

The seventh order of business was the Budget Workshop.

Council reviewed budget which only had a few changes. Interim City Administrator/City Secretary Dora V. Rodriguez discussed the Capital Outlay with Council.

Alderwoman Schott inquired about the Golf budget being less. Discussion was held on some positions being eliminated or being moved to other departments. Interim City Administrator/City Secretary Dora V. Rodriguez stated that Superintendent of Golf Course Ruben Chapa also cut down on some of the expenditures for the golf course.

Discussion was held by Alderwoman Schott on what deficit number Council would feel comfortable with running the golf course as an amenity to the public and how to get to that number.

Council heard from Debbie Randall who shared some comments from calls she's gotten from citizens urging to do membership drives to increase our membership and get more people into the doors. She also suggested offering corporate memberships like to the schools, for example.

Superintendent of Golf Course Ruben Chapa informed Council that he was approached by a Mr. Richard Logan from North ISD who wants to bring 100 players on October 21st. Mr. Logan heard about what we are planning to do with the Club House and was inquiring if the Club House could accommodate this many people to sit down and eat. Discussion was held with Shannon Rangel who said she will go back and check her notes regarding the capacity of the Club House. Interim City Administrator/City Secretary Dora V. Rodriguez stated that she will also check with Bureau Veritas.

Interim City Administrator/City Secretary Dora V. Rodriguez informed Council that the architect and contractors are done. She said they've given us their last invoice, and instead of charging us for the whole thing, they are only charging us for the actual work that they did. Council was happy about that.

Superintendent of Golf Course Ruben Chapa also mentioned he has a Crime Stoppers Tournament this coming weekend and a Devine Cross-Country Meet on September 18th with about 250 kids scheduled to be there. Also on October 1st is the National Night Out, another Devine Cross-Country Meet on October 2nd with another 250 runners, and the last Cross Country Meet on October 16th.

Alderwoman Schott stated that she's glad to see we have a lot of things scheduled at the golf course but none of that helps her with the \$500,000+ deficit. She then addressed Aldermen Lopez and Espinosa and stated that it's concerning to her that October 1st is upon us and neither of them have thought of a deficit that they're comfortable with.

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Lengthy discussion was held between Superintendent of Golf Course Ruben Chapa and Alderwoman Schott over the business plan for the golf course. Alderwoman Schott inquired as to whose responsibility it is to get to the solutions for this business plan. Council discussed possibly putting this on the job description for the new city administrator because we need a sense of direction. Discussion carried.

Council then heard from Scott Grego. He presented a letter to Council which stated what he wants to bring to the city, his marketing plan for the golf course that he wants to move forward with as a third party and taking it off the hands of the City.

Council reviewed the letter and held lengthy discussion with Mr. Grego regarding short-term and long-term visions.

Interim City Administrator/City Secretary informed Council that there is a meeting scheduled for Thursday, September 12, 2019, to discuss this specifically.

City Attorney Tom Cate advised that the City should still go out for RFP's for the management of the golf course.

Interim City Administrator/City Secretary Dora V. Rodriguez continued with the Budget and informed Council that every department is in the Budget; she said the Revenue is in there, and also mentioned that TML is coming tomorrow to give us the rates for the Workman's Comp and the Property & Liability.

Mayor Thompson held discussion on the budget; namely on the 2.5% COLA increase across the board for the employees, and on their perception of raising the taxes to cover a certain line item. Interim City Administrator/City Secretary Dora V. Rodriguez advised Council that it is their call and they need to let her know what numbers they want her to put in. The consensus of the Council was to wait until after the meeting for September 12, 2019 to make a decision. They understood that there still needs to be another public hearing.

Council heard comments from Billy Alvarado, Mary Allison, Cindy Chalaire, and George Valdemar regarding the golf course, budget, taxes, District 5 representation and District 1 representation.

Mayor Thompson commented that he reached out to Foresight Golf; he said it's a place where a lot of golfers in Devine wanted him to reach out to, and it's a management company out of Boerne.

Lengthy discussion continued with council regarding special election and golf course proposals.

The eighth order of business was Informational Items.

Discussion was held on the following:

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- District 5 seat – Mayor Thompson announced he would be handing out packets to Council on his notes from the information that was requested of him regarding the candidates for the District 5 seat.
- BBQ Pits – Marly Davis, Devine News, announced that the BBQ Pits for the Parks & Recreation got installed at the parks. She said it should be in the newspaper this week.

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

Ayes	--	Three (With 1 Vacancy in District 5)
Nays	--	None
Absent	--	One – Alderman David Valdez

Motion carried.

Mayor

City Secretary