

**Minutes**  
**Special Meeting**  
**February 8, 2022**

On this 8<sup>th</sup> day of February, 2022, 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 regular meeting place, thereof, at the Dr. George S. Woods Community Center, 200 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 David Espinosa  
Alderwoman Debbie Randall  
Alderman Rufino Vega  
Alderwoman Kathy Lawler  
Alderwoman Angela Pichardo

Thus, constituting a quorum.

Personnel present: Denise Duffy, City Accountant; Rob Flores, Director of Public Works/Emergency Manager Coordinator; Eddie Diaz, Waste Water Treatment Plant Foreman; Pete Sanchez, Field Operations Supervisor; and Alma Rios-Flores, Municipal Court Clerk.

Others present: K.K. Calame and Marly Davis, Devine News; Billy Alvarado; Brian Navarro; Martin Medina, Jr.; Jay Dishman; Lynette DeSalme; Brandee Stacy; Patti Hefley; Cynthia L. Chalaire; Sandra Rackley; Ron Richards; Kara Navarro; Ronnie Rackley; Laura Sinclair; Kate Rancher; Melissa Stevens; Jerry Stevens; Lisa Belor; Kimberly Madrid; Cindy Gonzalez; Ismael Carrillo; Diane Bradford; Linda Kreinhop; Dinah Argo; Martha Bain Wall; Ken Nighswander; Margie Williamson; Paige Williamson; Nicole Lafond; Jeff Wisenbaker; Richard L. Malone; Josh Ritchey; Eva Thompson; Glenda Allen; Liza Hill; Kristen Garza; Ryan Garza; Doug Greehey; David Gonzales; Heather Steven; Selah & Micah Schultz; Lucas Gordon; Nick Miller; Bill Kreinhop; Sarah McAlpin; Sam Barnes; Debbie Dunford; and Sonny Dunford of Devine, Texas.

Mayor Thompson, presiding, declared the meeting open.

Before the first order of business, Billy Alvarado commented that this was an illegal meeting due to the agenda not having been posted on the City website within the 72 hour requirement by law.

Administration immediately looked into this and determined that the agenda was actually posted on Thursday afternoon on the website, well within the 72 hour requirement. Mayor Thompson proceeded with the meeting.

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The first order of business was to discuss and consider SG Golf Management resignation letter.

Mayor Thompson informed Council that all we have to do is acknowledge that we got the letter. He opened up the floor for comments.

Billy Alvarado addressed Council regarding SG Golf Management. He said he still has a problem with unaccounted funds of taxpayers' money. He told Council that they need to accept the letter and move on.

Council was okay; no comments made.

Motion by Alderman Espinosa, seconded by Alderwoman Lawler to acknowledge that we received the resignation letter from SG Golf Management.

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| Ayes | -- | All  |
| Nays | -- | None |

Motion carried.

The second order of business was to discuss and consider Check submitted by SG Golf Management for the purchase of Glassware for the Club House.

Mayor Thompson stated that Council had budgeted for the purchase of glassware for the Club House, and a check had been given to SG Golf Management, which has now been returned.

Motion by Alderwoman Randall, seconded by Alderwoman Pichardo to acknowledge that we got the check back from SG Golf Management.

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| Ayes | -- | All  |
| Nays | -- | None |

Motion carried.

The third order of business was to discuss and consider Financial Status of General Fund from Administration and what General Fund can afford to spend right now just to keep grounds maintained and keep utilities on.

Mayor Thompson explained that a couple of days after receiving the resignation letter from SG Golf Management, he had asked Interim City Administrator/City Secretary Dora V. Rodriguez to look into the cost of maintaining the Course as is, until we either sell it or transfer it to a new management company. He explained this was strictly for just maintenance and does not include opening the Course or running it as a golf course.

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He said he requested this because basically it took two years to get it to where it is now, and he was told to leave it open for a park.

According to City Accountant Denise Duffy, it will cost approximately \$20,000/month just to maintain the Course; this is to mow, water, fertilize and to include two employees.

Mayor Thompson pointed out that these numbers were pulled from the 2018-2019 budget. He said we still need to consider inflation increases, and it doesn't include a lot of things, like mechanical breakdowns, the wells needing fixing, manpower, etc. Director of Public Works Rob Flores told Council that he doesn't have the manpower or the time to work the Course. When asked who would do the work if there's a problem, Director of Public Works Rob Flores said it would depend on the severity of the problem.

Discussion was held on the two employees needed to do the maintenance. City Accountant Denise Duffy told Council that they would most likely be contract employees; not full-time employees.

Mayor Thompson stated that when we were operating the Golf Course, it cost approximately \$62,000 a month; not \$32,000 a month.

Council heard comments from several residents.

- Josh Ritchey – Suggested increasing the budget to get everything ready for the sale.
- Billy Alvarado – Inquired that if the golf course is closed, whether people who play on the course will be charged for trespassing. Mayor Thompson replied that closed means closed. He added that he wasn't sure if they would be charged for trespassing, but they would be asked to leave.
- K.K. Calame – She inquired that since we paid a management company for two years to run the golf course (with taxpayers' money), shouldn't we know how much it costs to maintain it. She brought up the contract and asked why we don't have the numbers and why we don't have what was asked of them (their income statements and 941's, etc.). She wanted to know why Mayor Thompson did not ask for it. Discussion was held.
- Nicole Lafond – Said the high school has two tournaments scheduled, and asked what's going to happen if the golf course is closed. Alderwoman Randall stated that if the golf course is closed, it means that the high school team will not have a place to practice or hold any tournaments.

City Accountant Denise Duffy then read a note from the auditor in regards to the City taking back the golf course. The Auditor stated that as it stands, the General Fund is in a deficit, so where is the City going to get the money to fund the golf course? Mayor Thompson added that this is why we need to find a solution. He said that eventually this will affect our credit rating.

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Alderwoman Lawler inquired if we could use volunteers to keep things open and to allow for the high school golf tournaments. According to City Attorney Tom Cate, it's a liability issue and we would need for them to sign a release and waiver form in order to indemnify the City. Discussion was held. Council wants this on the agenda for next week.

Mayor Thompson held discussion on whether we should amend the budget for more than \$20,000 per month. Discussion was held.

Motion by Alderwoman Randall, seconded by Alderman Espinosa to move forward by amending the budget for \$25,000 a month to start the process at City Hall for a short period of time.

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| Ayes | -- | All  |
| Nays | -- | None |

Motion carried.

After the motion, Council then heard a Point of Privilege from Alderwoman Debbie Randall. In her statement, Alderwoman Randall stated that we are in a predicament because Council, as a whole, could not keep their commitment to changing the contract wording regarding financial information. She asked, "Why did we not take SG Golf Management up on their offer to look at their books in private?" She said Council let politics ruin an absolutely amazing opportunity for the entire community. She stated that it was the inability for Council to put aside politics and execute a simple club house remodel that was costing the City an additional \$32,500 a month. She asked, "How in the world could this Council expect to be trusted to keep their word in the future?" And, "Why would any business ever set up shop in Devine knowing how SG Golf Management has been treated by this City Council?" She said that now we have to decide what to do with this property, again. She ended with, "The extremely disgraceful and intrusive necessity of knowing how much money SG Golf Management was making, is the supreme downfall of the Devine City Council's reputation.

The fourth order of business was to discuss and consider request made by Jay Dishman on possibilities managing Devine Golf Course.

Jay Dishman addressed Council and said he wanted to propose an opportunity to manage the golf course, and said he has other members who want to run the golf course. Brian Navarro told Council that it's unfortunate that SG Golf Management and Council couldn't make it work. He told Council that they would not be asking the City for any money, but they are asking for the City to complete the club house and fix all issues. He said that in return, they're willing to give a portion of the green fees and membership fees to the City. He said they would like to keep Nick and his staff because they've done a great job, but he hasn't spoken to the girls yet. They would also like for Charlie's Daughter to keep their lease, and they want to keep tournaments, high school tournaments and the Golf Association.

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Alderwoman Pichardo asked if they could put this in writing so that Council can review and make a decision. According to Jay Dishman, they are looking at getting a contract together as soon as possible. Mayor Thompson inquired about the legality of this. According to City

Attorney Tom Cate, they need to get a proposal together and present it to the City; possibly presenting it to city staff first and then go before Council. If everything is ready by next week, great; if not, we can always have a special meeting to get this going. City Attorney Tom Cate said he would be willing to look at it before the meeting, and it would involve Mayor Thompson, Alderwoman Randall, city staff and the people who are doing the presentation.

Council heard from the following:

- Josh Ritchey - Suggested for Council to look at options of lease to own/rent to own. He told Council we need to try to recoup some money to pay off some of this debt.
- Billy Alvarado – Said this was a good idea. He said he believes that, by law, it has to be a public notice before we give it to one person, and told Council to look into it.
- Paige Williamson – Said she used to play at the golf course, and said it's a great idea to have people who have been there from the beginning.
- Jeff Wisenbaker – Stated that his concern is that he hates to see SG Golf Management go because they did a great job. If the City would've completed the club house, we wouldn't be here today. He asked if the City can complete the club house, and told Council that they need to be careful about the promises they make.

Alderwoman Randall inquired if the group is a corporation. According to Brian Navarro, they are an LLC; everyone will be equal partners. Jay Dishman said he doesn't want the golf course to sit idle. Alderwoman Randall asked if they are proposing leasing from the City and for how long. Jay Dishman said, yes, but that's undetermined at this point; they just wanted to get the ball rolling.

Alderman Espinosa said he thought this was a great idea, and requested to put it on the next agenda with a more in-depth presentation. He also recommended for them to have an advisory board among themselves to keep everyone informed. Discussion was held. Brian Navarro said that they will present something next Tuesday and hopefully get a contract.

Alderwoman Pichardo also recommended for them to have an audit to protect themselves.

Alderman Vega said he likes the idea. He also added that SG Golf Management was doing a great job, and pointed out that the people who love the golf course are here.

City Attorney Tom Cate explained that the next step is for them to get a proposal together and present it to the City. He added that if they want to present it to City staff first, they can contact Interim City Administrator/City Secretary Dora V. Rodriguez.

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Motion by Alderwoman Pichardo, seconded by Alderman Espinosa to have Jay Dishman and Management come back next week to give a bigger presentation and for City Attorney Tom Cate to look into it.

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| Ayes | -- | All  |
| Nays | -- | None |

Motion carried.

The fifth order of business was to discuss and consider requested agreement with Charlie's Daughter Hole-in-One Food Truck to maintain its location at the Devine Golf Course Property.

Jerry Stevens addressed Council and stated that he hated to see SG Golf Management go, and said we need to continue giving them kudos. He talked about wanting to bring back Charlie's which had been in the community for over 35 years, and they were able to do that thanks to SG Golf Management. He added that they would like to continue with the food truck and would like to see some type of agreement for them to stay where they are at, and to continue to serve the community with Council's support. All they want is to keep the food truck hooked up to power.

Discussion was held with City Attorney Tom Cate on the legalities of keeping the food truck hooked to electricity and paying utilities. According to Mr. Stevens, they had a verbal agreement with SG Golf Management. He explained that there was not a rental fee but they were paying for certain things that both the club house and the restaurant shared; they were splitting expenses. Discussion was held with City Attorney Tom Cate, who advised that the food truck can stay but they need to pay for their utilities.

Mayor Thompson stated that they will need to be hooked up to water and electricity, and asked if they will need a port-a-potty, to which Mr. Stevens said, yes.

The consensus of Council was that they are all okay with this as long as the City is okay with it and bills are paid.

Alderwoman Pichardo inquired as to how much they were paying, just to keep them in that scope. According to Jerry Stevens, it varied from \$700 to \$1,200 depending on what was going on and the way they were splitting expenses.

Alderwoman Lawler inquired if there is a separate meter so that Mr. Stevens would know how much power would be used. According to Mayor Thompson, there is not a separate meter. He explained that the club house is shut down so the only ones using the electricity would be the food truck.

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Discussion was held on the electric power being on 24/7 inside the club house with the outside lights on also. Alderman Espinosa inquired if the power can be turned off. Mayor Thompson stated that we can turn off all the breakers except for the breaker that powers the truck.

Motion by Alderwoman Pichardo, seconded by Alderwoman Randall to allow Charlie's Daughter Hole-in-One Food Truck to maintain its location at the Devine Golf Course Property as long as they cover their bills, and to cut off all the breakers except for the breaker that powers the food truck.

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| Ayes | -- | All  |
| Nays | -- | None |

Motion carried.

Discussion was held after the motion. Jerry Stevens inquired that if, by chance, the club house/golf course closes, would they still be able to stay there. Mayor Thompson said this would not affect them. Mayor Thompson asked if this was okay for tonight with the motion or if they need a lease agreement. According to City Attorney Tom Cate, this is okay with the motion for tonight's meeting, but on March 1, they will need a lease agreement.

The sixth order of business was to discuss and consider authorizing City Attorney to send a letter to the Greco Construction, LLC on items that need to be fixed at the Club House.

Director of Public Works Rob Flores told Council that the punch list is still there, and the contractors still need to come out and take care of items on that punch list.

Mayor Thompson stated that it won't be a terrible letter, but just a letter saying that they need to be told about the punch list and they need to come down and fix things within the one-year warranty period that we have. Mayor Thompson said that we've already asked for these items previously and they haven't come back at all. City Attorney Tom Cate told Council that all he needs is the punch list to do the letter. Alderwoman Pichardo asked City Attorney if we could also put a date on the letter. City Attorney Tom Cate agreed that we will give them a 10-day deadline.

Motion by Alderwoman Randall, seconded by Alderman Vega to authorize City Attorney Tom Cate to write a letter, with the punch list, to Greco, and to include a 10-day deadline.

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| Ayes | -- | All  |
| Nays | -- | None |

Motion carried.

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

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| Ayes | -- | All  |
| Nays | -- | None |

Motion carried.

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Mayor

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City Secretary