

Minutes
Special Meeting
February 13, 2023

On this 13th day of February 2023, 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 Angela Pichardo
Alderman Josh Ritchey

Thus, constituting a quorum.

Personnel present: Dora V. Rodriguez, Interim City Administrator/City Secretary; Denise Duffy, City Accountant; and Tom Cate, City Attorney; and Raul Garcia, Jr. (J.R.), City Attorney.

Others present: KK Calame, Devine News; and Fred Morales, of Devine, Texas.

Mayor Thompson, presiding, declared the meeting open.

The first order of business was to discuss and consider Ordering a City General Election to be held on May 6, 2023 for Mayor, one (1) Alderman for District #2, one (1) Alderman for District #5, and a Bond Election. *(La primer orden de negocio fue discutir y considerar ordenar una Elección General de la Ciudad que se lleará a cabo el día 6 de Mayo del 2023 para Alcalde, un (1) Concejal para el Distrito #2, un (1) Concejal para el Distrito #5, y una Elección de Bonos.*

Motion made by Alderman Espinosa, seconded by Alderwoman Randall to order a City General Election to be held May 6, 2023 for Mayor, one (1) Alderman for District #2, one (1) Alderman for District #5 and a Bond Election. *(Moción hecha por el Concejal Espinosa, secundada por la Concejal Randall para ordenar una Elección General de la Ciudad que se lleará a cabo el día 6 de Mayo del 2023 para Alcalde, un (1) Concejal para el Distrito #2, un (1) Concejal para el Distrito #5, y una Elección de Bonos.*

Ayes (Voto Afirmativo)	--	All (Todos)
Nays (Voto no afirmativo)	--	None (Ninguno)

Motion carried. *(Moción aprobada).*

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The second order of business was to discuss and consider accepting Notice of Election. (*La segunda orden de negocio fue discutir y considerar aceptar el Aviso de Elección.*)

Motion made by Alderwoman Randall, seconded by Alderman Vega to accept the Notice of Election. (*Moción hecha por la Concejal Randall, secundada por el Concejal Vega para aceptar el Aviso de Elección.*)

Ayes (<i>Voto Afirmativo</i>)	--	All (<i>Todos</i>)
Nays (<i>Voto no afirmativo</i>)	--	None (<i>Ninguno</i>)

Motion carried. (*Moción aprobada.*)

The third order of business was to discuss and consider adopting an ordinance calling for a bond election to be held in the City of Devine, Texas: making provision for the conduct of the election; and resolving other matters related to such election. (*La tercer orden de negocio fue discutir y considerar la adopción de una ordenanza para convocar una Elección de Bonos que se llevará a cabo en la Ciudad de Devine, Texas; tomar disposiciones para conducir la elección; y resolver otros asuntos relacionados con dicha elección.*)

Alderman Ritchey read a letter from a community member, Butch Cook.

Highlights of the statement are: He (Butch Cook) was not able to attend the meeting due to a previous commitment. He is not sure how he feels about this project for the bond. He feels there is not enough information regarding the project and that this should be held in November rather than in May. As in the last May election, only 436 people voted and it is not right to have less than 500 people vote for the entire city on a \$15,000,000 project. However, he is sure that more people will show up to vote on this. He feels our current problems should be completed first rather than start on other projects, such as our drinking water and storage tank replacement.

Mayor Thompson indicated to Council that a packet was in front of them submitted by Raul Garcia Jr., City Engineer, with a breakdown of everything, and maps.

Alderman Ritchey made a motion to table this item until March to hold bond election in November, as the schematics for the project were just given to us. He is concerned that the amount of concrete will reduce friction and increase flooding in District 4. He would like to review the information more.

Alderwoman Pichardo felt we need more research completed before going to election. She isn't sure the channel is navigable or that the bridge will work. Also, the wildlife will need to be looked at.

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Texas Parks & Wildlife needs to be involved. Need to look at the safety protocols in case someone falls into the water way. We need to have safety protocols. Need to look into water rights per laws. Not sure if the City Engineer checked with US Army Corps of Engineers to come in and assist us. We do not know if the ebb and flow of this new channel will destroy natural creeks and rivers. She felt we needed more research before we spend taxpayer money. Safety is priority.

Alderwoman Randall asked Alderwoman Pichardo if she felt our City Engineer doesn't know how to design or research this project. She disagreed, saying that she wasn't stating that. She asked J.R. Garcia, City Engineer, if the US Army Corps of Engineers was consulted. He stated that the program designed by the US Army Corps of Engineers was utilized to design the channel. This program calculates all the water flow. The width of the existing creek will be widened and it will be deeper. The concrete will reduce the friction, not increase it. There will be railings along the areas of the bridges for safety. This is designed to flow water for the 100 year flood. Burnt Boot Creek is under FEMA jurisdiction.

Alderman Espinoza asked what will change between now and November? The answer was just more discussion. These items have been discussed for decades.

Mayor Thompson stated that many people are unhappy that the details have not been discussed for public understanding. He advised that if the Council decides to go ahead with the project, there will be multiple public hearings on the details to educate the public. These items on the drainage project have been discussed multiple times.

Alderman Ritchey is concerned of the channel filling with sand and not functioning properly. Mayor Thompson advised there are businesses that will come remove the sand. And at this time, we do not know how much that costs to put in the budget, but it is not a yearly item to be done, it would be approximately every five years for budget concerns.

Mr. Cunningham, SAMCO, advised that with bonds the wording is usually general for the overall project. The City can be specific on each item on the overall project and the City would have better control of where the money is spent on each project. The City can opt to take (for example) \$5 Million at a time over the course of three years to start/finish each item on the project.

Motion made by Alderman Ritchey, seconded by Alderwoman Pichardo to table this until later to place on the November ballot. *(Moción hecha por el Concejal Ritchey, secundada por la Concejala Pichardo para posponer esto hasta más tarde para colocarlo en la Boleta Electoral de Noviembre.)*

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Ayes (*Voto afirmativo*) -- Two (*Dos*) – Alderwoman/*Concejala* Pichardo,
Alderman/*Concejal* Ritchey
Nays (*Voto no afirmativo*) -- Three (*Tres*) – Aldermen/*Concejales* Vega,
Espinosa,
Alderwoman/*Concejala* Randall

Motion failed. (*La moción falló.*)

Alderman Espinoza stated that nothing will change between now and November.

Alderwoman Pichardo inquired if anyone had a conflict of interest on this project. No one on Council had a conflict of interest.

Motion made by Alderman Espinosa, seconded by Alderwoman Randall to adopt Ordinance 2-23 calling for a Bond Election on the May 6th Ballot for \$15,020,000 for the drainage project. (*Moción hecha por el Concejal Espinosa, secundada por la Concejal Randall para adoptar la Ordenanza 2-23 que pide una Elección de Bonos en la Boleta Electoral del 6 de Mayo por \$15,020,000 para el proyecto de drenaje.*)

Ordinance attached as Exhibit A. (*La Ordenanza adberida como Exhibición A.*)

Ayes (*Voto afirmativo*) -- Three (*Tres*) – Aldermen/*Concejales* Espinosa,
Vega,
Alderwoman/*Concejala* Randall
Nays (*Voto no afirmativo*) -- Two (*Dos*) – Alderwoman/*Concejala* Pichardo,
Alderman/*Concejal* Ritchey

Motion carried. (*Moción aprobada.*)

Mayor Thompson called for a break at 6:41 pm.

At 6:46 p.m., Council reconvened.

The fourth order of business was to discuss and consider how the bond should be sold if the voters approve issuance of the drainage bond. (*La cuarta orden de negocio fue discutir y considerar cómo se debería vender el bono si los votantes aprueban la emisión del bono de drenaje.*)

Mr. Cunningham, SAMCO, advised that there were a couple of ways the bond could be sold. One way would be to split the amount in phases with a couple of years in between versus all at one time. Council discussed pros and cons of each way to sell the bonds. Council decided to sell all at one time to assure that interest rates would be locked.

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Motion made by Alderwoman Randall, seconded by Alderman Espinosa to sell the bond all at one time to assure the interest rates would be locked. *(Moción hecha por la Concejala Randall, secundada por el Concejal Espinosa para vender el bono de una sola vez para asegurar que las tasas de interés se mantengan fijas.)*

Ayes (<i>Voto afirmativo</i>)	--	Three (<i>Tres</i>) – Aldermen/ <i>Concejales</i> Espinosa, Vega Alderwoman/ <i>Concejala</i> Randall
Nays (<i>Voto no afirmativo</i>)	--	Two (<i>Dos</i>) – Alderwoman/ <i>Concejala</i> Pichardo, Alderman/ <i>Concejal</i> Ritchey

Motion carried. *(Moción aprobada.)*

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

Ayes	--	All
Nays	--	None

Motion carried.

Mayor

City Secretary