

Minutes
Regular Meeting
July 18, 2023

On this 18th day of July, 2023 at 6:01 p.m., the City Council of the City of Devine convened in a Regular Meeting, the same being opened to the public, at the Dr. George S. Woods Community Center, 200 E. Hondo Avenue, Devine, Texas 78016. Notice of said meeting having been prescribed in Chapter 551, Government Code, and Vernon's Texas Code, Annotated, and the following members being present:

Mayor Butch Cook
Aldерwoman Debbie Randall
Alderman Rufino Vega
Alderman Josh Ritchey
Alderman Michael Hernandez
Aldерwoman Stacey Pyron

Thus, constituting a quorum.

Personnel Present: Dora V. Rodriguez, Interim City Administrator/City Secretary; Tom Cate, City Attorney; Raul Garcia, Jr. (J.R.), City Engineer; Pete Sanchez, Director of Public Works; Simon Davila, Public Works Superintendent; and Alma Rios-Flores, Municipal Court Clerk.

Others present: John Vidaurri, San Antonio, Texas; Donovan Rodriguez, Republic Services; Anton Riecher and K.K. Calame, Devine News; Brian Navarro and Ron Richards, Devine Golf Group; Jerry Stevens, Melissa Stevens, Kathy Lawler, and Jodi Ann Dzierzanowski of Devine, Texas

Mayor Cook presiding, declared the meeting open.

Alderman Ritchey delivered the invocation. Mayor Cook led the Pledge of Allegiance to the United States Flag and the Pledge of Allegiance to the Texas Flag.

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

No one signed up to speak.

The second order of business was Public Recognition.

There was no Public Recognition.

The third order of business was Employee Recognition.

There was no Employee Recognition.

The fourth order of business was to Consider Approval of Council Minutes: Special Council Meeting/Public Hearing Minutes, May 30, 2023; Regular Council Meeting Minutes, June 20, 2023; Special Council Meeting Minutes, June 29, 2023; and Special Council Meeting July 11, 2023.

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Council reviewed the minutes and found some discrepancies. For the Regular Meeting Minutes on June 20, 2023, last paragraph on Page 2, we need to add that the contract never went out for bids. For the Special Meeting/Public Hearing Minutes on May 30, 2023, the first paragraph on Page 1 should read “On this 30 day of May (NOT March). And, for the Special Meeting Minutes on July 11, 2023, we need to delete Alderman Rufino Vega’s name from the list of Attending Council on Page 1, as Alderman Vega was absent.

Motion made by Alderman Ritchey, seconded by Alderwoman Pyron to approve all minutes with the corrections.

Ayes	--	All
Nays	--	None

Motion Carried.

The fifth order of business was to consider and act upon request made by Devine Golf Group on the new/repairs of air conditioner.

Brian Navarro & Ron Richards from the Devine Golf Group were present and Jerry & Melissa Stevens from Charlie’s Daughter. They submitted a proposal to Council from another air conditioning company for a new system for \$8,467.21 and an attic exhaust fan system for \$2,250.00. Mr. Navarro stated that only Mayor Cook and Alderman Hernandez had been out to see what the problem was and he felt the entire Council should come see for themselves. He stated that today, in the meeting room, it was 85° during the lunch hour. Mayor Cook confirmed that today the room was very warm. Alderman Hernandez stated he had been out there last week and it was not good to have to fan yourself while eating. There was much more discussion on various ways to alleviate the warm air created from the ice machines. Jerry Stevens stepped in to advise that his ice machine is leased, and they cannot add or modify it in anyway. It was confirmed that the 3.5 ton AC’s would work to cool both the ice machine room and meeting room per the air conditioning professionals. Mayor Cook said that Council understands there is a problem and the real issue is how it will be funded. Mr. Stevens clarified that the existing air conditioning unit is just not big enough to handle the area.

Motion made by Alderman Ritchey, seconded by Alderwoman Randall to accept and fund the proposal for the attic fans to be installed for \$2,250, and to amend the budget.

Ayes	--	All
Nays	--	None

Motion Carried.

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Council held lengthy discussion after the motion. Alderwoman Randall wanted to remind everyone that the City and Devine Golf Group’s contract states that the Devine Golf Group will accept equipment “as is” and be responsible for maintaining the equipment. She is willing to have the City pay half the cost to replace this AC unit. The Devine Golf Group was not agreeing with this as they feel the City should replace the unit as the clubhouse is still not functional (i.e.: walk in refrigerator/freezer part has not arrived). After more discussion, Mayor Cook stated he did feel the City should take care of this issue at this point.

Motion made by Alderman Ritchey, seconded by Alderwoman Pyron to table this item until next week’s meeting to mitigate any further damage to this relationship and the hostile tone that seems to have evolved.

Ayes	--	All
Nays	--	None

Motion Carried.

The sixth order of business was to consider and act upon awarding Proposal for Grant Administration Services – TWDB DWSRF-LSLR.

Motion made by Alderwoman Randall, seconded by Alderman Vega to award Proposal for Grant Administration Services – TWDB DWSRF-LSLR to Langford Community Management Services.

Ayes	--	All
Nays	--	None

Motion Carried.

The seventh order of business was to consider and act upon awarding Proposal for Engineering Services – TWDB DWSRF-LSLR.

Motion made by Alderwoman Randall, seconded by Alderman Vega to award Proposal for Engineering Services – TWDB DWSRF-LSLR to Garcia & Wright Consulting Engineers, Inc.

Ayes	--	All
Nays	--	None

Motion Carried.

The eighth order of business was to consider and act upon approving for the Planning & Zoning Commissioners to attend an AACOG Planning & Zoning Training Session on August 4, 2023.

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Alderwoman Randall would like the Council to ask the members of the Planning & Zoning Commission to attend the AACOG training session on August 4th. She feels all the members could learn a lot from this session.

Motion made by Alderwoman Randall, seconded by Alderwoman Pyron to approve for the Planning & Zoning Commissioners to attend an AACOG Planning & Zoning Training Session on August 4, 2023.

Ayes	--	All
Nays	--	None

Motion Carried.

The ninth order of business was to consider and act upon having a Community Cleanup Group to assist Disabled/Elderly Residents who have received a Violation Letter from Code Compliance.

Alderwoman Randall would like to see if the community could find a group of volunteers to assist the disabled/elderly residents that receive code compliance violation letters. The resident would need to ask the group for help. The volunteer group could take care of yard work, pick up trash, etc. to get the residence back into compliance. Alderwoman Randall thought someone could check with church groups and school district for community service. There was discussion about what the City could and couldn't do with the volunteer group. It seemed everyone was good with the general idea; the City would need to have a volunteer group to carry it out.

No action was taken.

The tenth order of business was to consider and act upon amending the Budget for the repair of the Bain Well.

There were two (2) proposals submitted for the repair of the well. One was \$145,000 and the other was for \$77,686.60 + \$4,500. As the bids came in over \$50,000, the City must go out to bid for the project.

No action was taken.

The eleventh order of business was to consider and act upon Revising Council Meeting Procedures.

Mayor Cook requested to table this agenda item until next week, as the Council has interviews for City Administrator still to complete tonight.

Motion made by Alderman Ritchey, seconded by Alderman Vega to table this agenda item until next week's meeting.

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Ayes	--	Four – Aldermen Ritchey, Vega, Hernandez, Alderwoman Pyron
Nays	--	One – Alderwoman Randall

Motion Carried.

The twelfth order of business was an Executive Session: Pursuant to Provision of the Open Meeting Law Texas Government Code.

- §551.074 – Personnel Matters – Interviewing for City Administrator

At 7:06 p.m., Mayor Cook announced to the public that the Council would go into a Closed Session.

At 9:59 p.m., Closed Session was opened to the public.

No action was taken.

The thirteenth order of business was to RECONVENE into Regular Session and consider action, if any, on items discussed in Executive Session.

Motion made by Alderwoman Randall, seconded by Alderman Vega to authorize the Mayor to contact the candidate to offer the position of City Administrator with the salary discussed in the Executive Session.

Ayes	--	All
Nays	--	None

Motion Carried.

The fourteenth order of business was an Executive Session: Pursuant to Section 551.072 Texas Government Code to deliberate the purchase, exchange, lease, or value of real properties.

- §551.072 – Devine ISD Property/Ground Storage Tank.

Motion made by Alderwoman Randall, seconded by Alderman Vega to table this agenda item until the next meeting, due to meeting time constraints.

Ayes	--	All
Nays	--	None

Motion Carried.

The fifteenth order of business was to review the Quarterly Investment Report.

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There was no report available.

No action was taken.

The sixteenth order of business was Informational Items.

Council discussed the following items:

- Mayor Cook advised that at the Airport Advisory Board meeting, he learned there is \$14,390 available for the City to request. The funds are required to be used for the Airport. Hap Squire, Airport Chairman, will report to Council at a later date.
- Mayor Cook advised that the sound system was looked at and reported that there are a few things that can be done for very little cost.
- Devine ISD is still deliberating on the City's offer.
- Alderman Ritchey inquired on the residence for code compliance on Moore. It is being worked on according to Dora V. Rodriguez, Interim City Administrator/City Secretary.
- Alderman Ritchey advised that he spoke with the Fire Chief and learned the ISO Fire Rating will be coming out and Devine residents may have to pay extra home owner insurance as the Fire Department does not have a 3,000 gallon truck. Alderman Ritchey stated that the Devine VFD may have been promised funds (\$500,000) to obtain the truck.
- Alderwoman Randall asked Tom Cate, City Attorney, if SAGO Internet had gotten together with him regarding the contracts needed. Mr. Cate did advise that all parties have spoken; he has the contract and it should be ready very soon to sign.

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

Ayes	--	All
Nays	--	None

Motion Carried.

Mayor

City Secretary