

Minute
Regular Meeting
February 20, 2024

On this 20th day of February 2025, at 6:02 p.m., the City Council of the City of Devine convened in a Regular Meeting, the same being open 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 Codes, Annotated, and the following members being present:

Mayor Butch Cook
Aldерwoman Debbie Randall
Alderman Flipper Vega
Alderman Josh Ritchey
Alderman Michael Hernandez
Aldерwoman Stacy Pyron

Thus, constituting a quorum.

Personnel Present: David L. Jordan, City Administrator; Dora V. Rodriguez, City Secretary; Denise Duffy, City Accountant; Pete Sanchez, Director of Public Works; Tom Cate, City Attorney; James Evans, IT Tech; Raul Garcia Jr., City Engineer; and Judy Langford, Grant Administrator.

Others Present: James Davis, Luis Martinez, Fire Chief Greg Atkinson, Doug & Donna Trott; Phil & Eileen Montgomery, Ron & Sandra Richards, Brian Navarro

Mayor Butch 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/Citizen Forum.

James Davis addressed the Mayor and the Council about the Police Department. He asked that Windy Knoll needed more police presence because of the speeding vehicles during the day and night.

Luis Martinez addressed the Mayor and the Council about an incident that happened on Sunday. His dog got out into the front yard, and his neighbor fell. The EMS and Police were called. The neighbor told the Police Officer that the dog attacked her, and the Police Officer did not ask Mr. Martinez any questions. On Monday, Animal Control came out to his house to the dog. Mr. Martinez did not hand the dog over. A Police Officer arrived and informed them that they had to take the dog. Mr. Martinez explained that there was a camera at the time of the meeting. Mr. Martinez advised that he felt ignored and that his rights had been violated. Mayor Cook advised that the City would check into this.

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The second order of business was Public Recognition.

No public recognition to come before the council.

The third order of business was Employee Recognition.

No Employee Recognition.

The fourth order of business was to consider and act upon the Approval of Minutes.

Alderman Randall advised that the minutes for January 18th on Page 7 are missing the motion and vote to move item #18 before #16. On January 23rd meeting, page 1, the meeting time should be 6:01 pm, and on Page 6, the adjournment motion was made by Alderman Ritchey and seconded by Alderman Vega. Alderman Ritchey advised that the January 18th meeting on page 4 needs to reflect that the City will not pursue further action against David Grego regarding the water issue.

Motion by Alderman Randall, seconded by Alderman Ritchey, to approve the Minutes for January 18th & January 23, 2024, with the corrections.

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

Motion carried.

The fifth order of business was to consider and act on the auditor's Audit Report/Management Letter.

Motion by Alderman Ritchey, seconded by Alderman Hernandez, to table this item for a future meeting.

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

Motion carried.

The sixth order of business was to consider and act upon the City to request RFQs for the following:

- a. Information Technology
- b. Auditors
- c. City Attorney
- d. Engineering Services
- e. Grant Administrator

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Mayor Cook wanted to clarify that this is not meant to replace these positions. It only means that the City is re-evaluating the service from the vendors. He advised that since he is the new Mayor and we have a new City Administrator, we need to evaluate.

Alderwoman Randall advised that the agenda states that the Mayor & Council requested this item. She informed that she was never asked nor wanted it. She informed that names should be used. She asked if anyone in these positions has a lack of competency. She stated that the City is in the middle of some major projects and feels this is a waste of time.

City Administrator David Jordan stated that this is to evaluate and not a replacement.

Mr. Phil Montgomery addressed the Mayor and the Council about understanding the process. He advised that the City should select the best people to serve. He stated this is not a waste of time and this is good to make sure people are doing what they are supposed to be doing.

Alderman Ritchey stated that no-bid contracts are not good and that all contracts should go out to bid. He feels everyone needs a chance and re-evaluate current contractors.

The Mayor and the Council discussed this item. The Mayor allowed each contractor to address them and tell them about the service they provide to the City.

City Attorney Tom Cate addressed the Mayor and the Council about their understanding that on the existing projects, any new firm will want to do their own plans, which will cost time and money.

Motion by Alderman Ritchey, seconded by Alderman Hernandez, to request RFQ for all listed positions.

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| Ayes | -- | Three -- Alderman Ritchey, Alderman Hernandez and Alderwoman Pyron |
| Nays | -- | Two -- Alderwoman Randall and Alderman Vega |

Motion carried.

The seventh order of business was to consider and act upon the request made by Donna Trott with the Devine Wesleyan Fellowship for the City to Waive the Community Center Rental Fees for their Fundraiser.

Mrs. Trott addressed the Mayor and the Council to ask the City to waive the fee for renting the Community Center for their fundraiser. She explained that this is to raise money for Dollars for Scholars. She advised the fundraiser will be on May 11th.

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Motion by Alderwoman Randall, seconded by Alderman Hernandez to waive the fee for renting the Community Center to the Devine Wesleyan Fellowship.

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

Motion carried.

The eighth order of business was to consider and act upon Preparation for the Eclipse.

City Administrator David Jordan updated the Mayor and Council that this event will take place at Warhorse Stadium, and the Devine ISD and the City will be the sponsors. He explained that he attended a meeting in Hondo to discuss this event, and some businesses will be supplying the glasses. He advised that he would keep them updated.

No Action was taken.

The ninth order of business was to consider and act upon updates on the RAMP Grant.

City Administrator David Jordan informed the Mayor and the Council that this grant used to be a 50/50 match and is now a 90/10 match.

No action was taken.

The tenth order of business was to consider and act upon approving the First Amendment to the Texas Department of Transportation Grant for Routine Airport Maintenance Program (State Assisted Airport Routine Maintenance).

Motion by Alderwoman Randall, seconded by Alderman Vega to approve the First Amendment to the Texas Department of Transportation Grant for Routine Airport Maintenance Program (State Assisted Airport Routine Maintenance).

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

Motion carried.

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The eleventh order of business was to Informational Items.

City Administrator David Jordan updated the Mayor and Council on the following:

- Bain Well Repair work will begin on 2/26/24.
- The land for the water storage survey had gone to the Devine ISD for their attorneys to write up the deed.
- He talked to an FAA Expert and was told that we would need to write a letter of intent to sell the Airport, pay the previous grant money back of approximately 1.8 million dollars, and pay the Certification of Obligation of 1 million. Once the airport sells, all proceeds go to the FAA. The city would get zero money from the sale.
- Leasing the three hangars, he still has someone wanting to lease hangar 10 for \$2,000 a month and \$800 for hangars 8 and 8A. He informed the Mayor and Council that we also have the contractor that proposed \$500 a month and would fix up hangar 10 and go incrementally for five years. He told this contractor that the council did not agree with this option and the contractor advised he would have to revisit everything and see what needs to be done to bring the hangar up to standards and see what he would be willing to pay every month. Alderman Ritchey asked if we execute the money we put aside for the repairs. Alderwoman Randall asked if we had started on the repairs, and the City Administrator David Jordan answered no, we had not started. Alderman Ritchey stated that we are getting into summer, and a lot of people are getting busier, and this has been dragging on for a couple of months now. City Administrator David Jordan informed that the Airport gentlemen did come out to inspect the hangars and they are relatively in good condition. There are larger hangars in this area. The average hangar space is 25 cents per square foot. Mayor Cook asked the City Attorney, Tom Cate, if the City Administrator could lease these hangars or if he has Council approval. City Attorney Tom Cate informed that the Council wanted the City Administrator to negotiate and bring it back to the Council for approval.
- We had a Meeting on the Water Line Replacement Project with Qro Mex, the City Engineer, the Grant Administrator, Public Works, and the Mayor, along with myself. In this meeting, we discussed we are close to the end of the project, and we are out of supplies. The City provided Qro Mex with a list of things that need to be cleaned up due to the construction. The project completion date is August 2 of this year; however, because they are out of supplies, they may be leaving for another job for a couple of months after they clean up, and this will allow for the supplies to be ordered. They will return back to the City to finish this project. He assured the Mayor and Council of their coming back, as they have a bond.
- Alderwoman Randall asked how we are doing with the Water and Sewer Rate Study. City Administrator David Jordan advised that Community Unlimited is doing this study. She should be coming before the Council in March with the Study. He advised that the staff was doing the study, but we now have this company doing the study.

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- Alderwoman Randall asked where we were on the Fee Schedule for Codes. City Administrator David Jordan advised that we posted the new fee online with the effective date of March 1st. He advised that the fee schedule will be brought back to the Council in March.
- Alderwoman Randall asked if the street light for 403 Wilkens Way was installed. City Administrator David Jordan advised that he would check into this for them.
- City Administrator David Jordan apologized for sending the packets to the Council late. He advised that last week was a challenge. Mayor Cook added that we had someone pulling double duty because someone in the office was on vacation.

Grant Administrator Judy Langford updated the Mayor and Council on the FIF Grant.

- Flood studies were done across Texas and City has scored very high on this grant. If you have not submitted for this, you will not be eligible for this grant. The due date has been extended to April 15th and we have a procurement process out right now for Administration and Engineering Services. The funding is based on the Median household income. The city's average Median household income is \$45,616, and the State's Average Income is \$54,213, which puts the City in a 63% average of the State's average medium income, and that puts the City in a good place for receiving grant funds. At 63%, you are eligible for 50 % as a straight-up grant, and you get an additional 5% because of the rural and depending on how the application is paired and what the dollars go to; if over 30% of the dollars requested go to green type of activity, then you get an additional 5% points. So somewhere between 55-60% of the application would be grant money to the City. You have other options on the remaining funds that the Texas Water Development Board is willing to let you borrow at zero percent on the remaining funds. So, the City listed in the FIF Flood Study now makes you eligible to apply for \$12,635,000. At this time, Alderwoman Randall said that we would pay 40-45 %, which would mean it would be \$6,000,000 if the project cost is \$15,000,000. Grant Administrator Judy Langford agreed it is a lot of money but this is something that the City has been working on for a long time with the drainage. She stated that your City Engineer, JR, did all the work on this. She also mentioned that there may be in-kind money. Mayor Cook confirmed that the 1st payment on this loan would be 18 months after completion, and the project probably would not start until 2026. He advised that this would give five budgets to get prepared. City Attorney Tom Cate advised that Lytle recently talked about storm water utility where you can assess a fee on the utility bill. He stated that the City of El Paso assessed \$6 per month on the water bills, and the fee goes toward a loan payment.
- Mayor Cook let the Council know that David Grego did donate to the School.

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- Mayor Cook said that recently, there has been some chatter on how we do things in the City with the Finance. He advised that the Mayor cannot sign a check and give it to someone; we have a two-signature process with the Mayor and the City Secretary signing checks. The Mayor cannot approve purchases by himself and cannot obligate money by himself; this is done by Council action. He explained that we have accounts payable checks one week, and then we have payroll checks another week, and the City Administrator approves these, and he can't do anything outside of the budget. He advised that we have checks and balances for everything we do.
- Alderwoman Randall asked for an update on the New Well Yard Building. Director of Public Works Pete Sanchez informed her that they had Asbestos samples done, and he is waiting on the results to be able to demo the old building. Once this is done, we can move forward with the new building.
- Alderwoman Randall asked how the Interlocal Agreement is going for the street repairs, and she knows in the works. She asked if we received the cost from the County Commissioner for the supplies and if Public Works got the street measured. Director of Public Works Pete Sanchez advised that he needs to get with the Commissioner. Mayor Cook advised that the Commissioner will be updating the cost.
- Alderwoman Randall asked about the Planning & Zoning Reform Committee. She noticed it was not on the agenda for nominations. Mayor Cook advised that this would be discussed at the next meeting.
- Alderwoman Randall asked about the 2023 Sales Tax Report and if we have received it yet. City staff answered that we had not received it yet.
- Alderwoman Randall asked if the punch list got completed for the Golf Course Club House. Director of Public Works Pete Sanchez advised we are getting a proposal for the back door that needs replacement, the air conditioner that needs to be replaced, and the wiring in the attic. He stated that he is having issues finding someone to work on the wiring in the attic. Alderwoman Randall stated that they have been doing business for two years, and we still have not signed it over to them. Public Works Director Pete Sanchez said he is working on all of these, and he will continue working on it.
- Mayor Cook wanted Council to know that he and the City Administrator David Jordan met with David Gamble with the Texas A&M Corpus Christi, which involves our Economic Development Committee that we are currently in the process of getting together. It will involve their program and involve a local committee with a cross-section of folks, as was recommended. Their program does not cost us anything. He explained that we will have five workshops. He advised that he and the City Administrator are comprising the committee, which will consist of twelve people, including local businessmen, major employers, churches, and so forth. They are finalizing everything. The first meeting of the Economic Development Committee will be on February 29 at 10:30 a.m.

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- Alderwoman Pyron informed the Council that a couple of citizens contacted her and did not find out until today that the Boil Water Notice had been lifted.
- Alderwoman Pyron advised that she stopped by the Library today, and they had a little mishap. The city crew was mowing outside near the railroad, and a rock went through their window. No one was hurt, and Public Works took quick action to get it repaired.
- Mayor Cook advised that we have a lot going on and a lot of items to place on the agenda, so City Administrator David Jordan is recommending we have a Special Meeting on March 4 at 6:00 p.m.

There being no further business to come before the governing body, Alderman Ritchey motioned, seconded by Alderman Vega, to adjourn the meeting.

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

Motion carried.


City Secretary


Mayor