

Minutes  
Regular Meeting  
October 15, 2024

On this 15<sup>th</sup> day of October 2024, at 6:01 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 Ray Gonzales  
Alderman Josh Ritchey  
Alderman Jeff Miller  
Alderman Michael Hernandez

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; and Tom Cate, City Attorney.

Others Present: Anton Riecher, Devine News; Joe Cantu & Spencer Dumas, 6S Engineering; Greg Atkinson & Scott DeLucia, Devine Fire Department; Cindy Morales, Devine Chamber; Martha Wall, Current Event; Ernie & Janice Gonzalez, EMC Strategy Group, LLC; Aurora Hernandez, Devine Little League and Nancy Saathoff, Devine Texas.

Mayor Cook, presiding, declared the regular 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 under this item.

The second order of business was Public Recognition.

Alderman Ritchey wanted to thank the Medina County Sheriff Office for hauling all the donations to North Carolina from Medina County for the devastation from Hurricane Helene.

The third order of business was Employee Recognition.

Alderman Ritchey wanted to thank the Public Works for their outstanding hard work on the water leak at Colonial Parkway & Windy Knoll. Mayor Cook also thanked the Public Works for their assistance with the Burnt Book Creek clean up that is almost finished.

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The fourth order of business is the Approval of Minutes.

Alderman Ritchey advised that a correction was needed for Page 2 regarding the canopies that it should read “or wait to purchase the other canopy”.

Motion by Alderwoman Randall, seconded by Alderman Gonzales, to approve the Minutes for the September 17, 2024, with the correction from Alderman Ritchey.

Ayes	--	All
Nays	--	None

Motion carried.

The fifth order of business was Presentation from Governmental Affairs Consulting Firm EMG on Economic Development.

Motion by Alderman Ritchey, seconded by Alderwoman Randall to hold this item until the representative arrives.

Ayes	--	All
Nays	--	None

Motion carried.

The sixth order of business was Presentation of Analysis of Zoning and Development Regulations.

Mr. Brandon Melland went over the report with the Mayor and Council. He advised the City’s current regulations were overall a good frame work. He gave recommendations of various ways for zoning. Alderman Ritchey asked Mr. Melland what was his work on this project. Mr. Melland advised to review current codes, report, identify & biopsy and to be a recourse to the Zoning Reform Committee. Alderman Ritchey addressed concerns that he did not want to take anything away from the current committee. Alderwoman Randall advised that what was in the report the committee has addressed and discussed. Alderwoman Randall asked why Council was not aware this was ordered. She advised that two councilmembers were convinced that this was not needed at this time and concerned about the cost. City Administrator Jordan advised that he was not aware of Council’s concerns.

Mayor and Council held discussion on the cost of \$10,000.

No action was taken under this item.

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The seventh order of business was Presentation from Governmental Affairs Consulting Firm EMG on Economic Development.

Mr. Ernie Gonzales informed the Mayor and Council that their Consulting Firm handles Government Relations, Grant & Funding Development, Economic Development and they are registered State & Federal Lobby Firm. He advised that they obtain funding for the City of Lytle. He added that that they advocate to prioritize Infrastructure, Transportation, Economic Development, Public Safety, Quality of Life, Housing, and Local Control for their clients. He informed the Mayor and Council that their cost would be a minimum of two-year agreement with a monthly \$5,500 service fee and 5% administrative fee for awarded funding projects.

Mayor Cook and Council held discussion on this item.

No action was taken under this item.

At 7:21 p.m., the Mayor and Council took a recess.

At 7:32 p.m., the Mayor and Council reconvened.

The eighth order of business was to consider and act upon Jess Swaim with 6S Engineering Briefing on the following:

a. Closing of Part of Loraine Drive

Mr. Joe Cantu addressed the Mayor and Council letting them know that he was attending for Mr. Swaim since he could make it. He went over the project to connect Loraine Drive & Karen Kourt and that the cost would be \$194,632.66.

No action taken for Closing of Part of Loraine Drive.

b. LC Martin Water Loop Connection

Mr. Cantu informed the Mayor and Council on utilizing the LC Martin Water storage Tank to pump water to the main storage tank near the Warhorse Stadium he feels that the city needs to get a second opinion to see if it is functional.

Mr. Cantu advised about creating a water model of the water system.

The Mayor and Council held a discussion on this item.

Motion by Alderwoman Randall, to start the Water Model with the assistance of the City Administrator, City Attorney and 6S Engineering. There was no second. Motion failed.

Alderman Ritchey wanted this item tabled until we get the Water & Sewer Rate Study.

No action taken for this item.

The ninth order of business was to consider and act upon request submitted by the Devine Chamber of Commerce for its 63<sup>rd</sup> Annual Cactus Festival on November 2, 2024.

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- a. The use of the Community Center.
- b. Noise Variance – On November 2, 2024, music and dancing will be allowed throughout the day until midnight.
- c. The use of Electricity and Water for the Festival.
- d. Assistance in procuring an indemnification agreement for alcohol sales on the City Property.
- e. Assistance in contracting the City’s Republic Services for dumpster/roll-offs.
- f. Assistance with setup of all needed Cactus Festival items to include:
  - Safety Fence
  - Barricades set up, and the area patrolled by the Devine Police Department

Chamber of Commerce President Cindy Morales and Nancy Saathoff updated the Mayor and Council on the Cactus Fall Festival Event. They informed the Mayor and Council that they have 100 Vendors signed up for the day. They will be having a Pep Rally at the main stage to kick off Homecoming Week for Devine. They showed the Festival Poster and handed some out for the City Office.

Motion made by Alderman Ritchey, seconded by Alderwoman Randall to approve A through F request the 63<sup>rd</sup> Cactus Festival on November 2, 2024.

Ayes	--	All
Nays	--	None

Motion carried.

The tenth order of business was to consider and act upon the Little League Contract.

Alderwoman Randall informed the City Administrator Jordan, Mayor Cook and Council that the signed contract dated January 26, 2024 is different from what the one Council discussed on January 18 meeting.

The Mayor and Council held a discussion on the contract with Aurora Hernandez, President of the Devine Little League. They agreed to have the City Attorney Tom Cate type a corrected contract and bring it back to the Council at a future meeting.

No action was taken for this item.

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The eleventh order of business was to consider and act upon a Quote from Wayne Rodgers Construction to increase the pavement depth from 1.5 inches to 2 inches.

City Administrator Jordan informed the Mayor and Council that Wayne Rodgers submitted an addition to the original proposal to change the thickness of asphalt from 1.5” to 2” for McAnnely Avenue, North & South Bright, Live Oak Street. The total for the addition is \$43,235.40.

Motion by Alderman Miller, seconded by Alderman Hernandez to approve increasing the asphalt thickness to 2” and amend the Budget for \$43,235.40.

Ayes	--	All
Nays	--	None

Motion carried.

The twelfth order of business was to discuss the Code Compliance Department and Fire Department.

Fire Chief Atkinson addressed the Mayor and Council that they have conducted or assisted on 47 inspections for permits taken out before July 8<sup>th</sup> and have performed 34 additional inspections since. He advised that they have spoken to 100 people educating them on certain issues under codes. He informed them that the software systems will allow for them to submit reports to them. He advised that 10-day letters have been mailed out.

The Mayor and Council held discussion with the Fire Chief. Discussion was also held about if the customers are being given the option to choose to use Bureau Veritas or the Fire Department. City Administrator Jordan advised yes; they are being given this option.

No action taken for this item.

The thirteenth order of business was to consider and act upon Street Paving – Priority List Phase 2.

The Mayor and Council were given a list of 4 Streets for the spring time.

The streets were as followed:

- Zig Zag – 132 to County Line \$243,000
- Windy Knoll – Hwy 173 to Colonial Parkway \$420,000
- West Malone – Ingram to the right turn \$205,000
- Hester – FM 3176 to Gutierrez

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City Administrator Jordan informed the Mayor and Council that the budget available is approximately \$545,000.

The Mayor and Council held a discussion on the streets.

Motion by Alderman Miller, seconded by Alderwoman Randall to approve moving forward with Zig Zag and West Malone for the Street Paving.

Ayes	--	All
Nays	--	None

Motion carried.

The fourteenth order of business was to consider and act upon Adopting a Policy pertaining to the social media service Tik Tok or any successor application or service developed or provided by Byte Dance Limited, or any entity owned by Byte Dance Limited or any other social media application or service specified by proclamation of the Governor of Texas under Government Code Section 620.005.

City Attorney Tom Cate informed the Mayor and Council that he was bringing this before them so that the City of Devine is in compliance with the Texas State Law. He advised that no City IT equipment will be allowed to have Tik Tok loaded on it.

Motion by Alderman Ritchey, seconded by Alderman Miller to adopt this policy.

Ayes	--	All
Nays	--	None

Motion carried.

The fifteenth order of business was to consider and act upon adopting a Resolution Designating Public Information Coordinators to satisfy the training requirements of Texas Government Section 552.012.

City Administrator Jordan informed the Mayor and Council that this resolution is to update the coordinators names for the Public Information Coordinators and they are David Jordan, Dora V. Rodriguez and Denise Duffy.

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Motion by Alderwoman Randall, seconded by Alderman Gonzales to adopt Resolution Designating Public Information Coordinators to satisfy the training requirements of Texas Government Section 552.012.

Ayes	--	All
Nays	--	None

Motion carried.

The sixteenth order of business was to consider and act upon Adopting the City of Devine Investment Policy and Strategy.

City Accountant Duffy informed the Mayor and Council that this was to update the names.

Motion by Alderwoman Randall, seconded by Alderman Miller to adopt the City of Devine Investment Policy and Strategy.

Ayes	--	All
Nays	--	None

Motion carried.

Alderman Ritchey advised that he would like the City to start investing in Bitcoin. City Attorney Tom Cate advised that Cities are highly regulated in what type of investments that can be utilized.

The seventeenth order of business was to Review Quarterly Investment Report.

The Mayor and Council reviewed report.

The eighteenth order of business was Informational Items.

- Alderman Ritchey inquired on the City's website rebuild process. City Administrator Jordan advised that he will be able to focus on this now that budget is over.
- Alderman Ritchey wanted to know how to make sure we have all the phone numbers or contact information for Iworq, Text MyGov and I-info. City Administrator Jordan advised he will add this to the website.
- Alderman Hernandez informed City Administrator Jordan and Council that he feels Adams Avenue, Webb Avenue and South Tilley Drive require Street Lights.
- Alderman Hernandez asked if there has been a response from TXDOT on the traffic light. City Administrator Jordan that he has not received a response.

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- Alderman Hernandez advised that O’Neal Drive may require paving as it is a dirt road.
- Alderwoman Randall informed everyone that October is Breast Cancer Awareness Month.
- Alderwoman Randall informed everyone that December 14 will be the ceremony and placing wreaths. Wreaths are \$17.00 each. The goal is to have every veteran in both cemeteries have a wreath. She advised that the wreaths can be purchased on-line at [www.wreathacrosamerica.org/TX1147P](http://www.wreathacrosamerica.org/TX1147P).
- Alderwoman Randall asked the Mayor and Council if they wanted to participate in the Cactus Festival Parade on November 2, 2024.
- Alderwoman Randall inquired about the leasing of Hangar 8 & 8A at the airport. City Administrator Jordan advised that they have not been rented out.
- Alderman Miller inquired if a meeting would be scheduled. Mayor Cook advised that possibly.

There being no further business to come before the Council, Alderman Miller made a motion, seconded by Alderman Ritchey, to adjourn the meeting.

Ayes	--	All
Nays	--	None

Motion carried.

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Mayor

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City Secretary