

Minutes
Rescheduled Regular Meeting
January 28, 2025

On this 28th day of January 2025, at 6:00 p.m., the City Council of the City of Devine convened in a Rescheduled 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
Alderwoman Debbie Randall
Alderman Josh Ritchey
Alderman Ray Gonzales
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; Simon Davila, Aaron Arriaga, Justin Newman, Jason Casas, Pedro Pena, and Dan Garcia, Public Works Employees; Kandy Benavides, Police Chief; and Chris Andrews, Lt. Officer.

Others Present: KK DuBose, Devine News; Johnette Dixon, Cynthia Malone, and David Breten, Medina Central Appraisal District; Larry Jones, Texas ReBuild; Jack McLIney, SAMCO; Paul Reed, 711 Colonial Parkway; Harold Lance, 217 W Malone; Orlando Herrera, 512 Wedgewood; Ron Richards & Brian Navarro, Golf Course; Zach & Debbie Beadle, 411 W Benton; Lucy Pompa, 620 Rossville Drive, and Julio Gonzales, 808 Windy Knoll, Devine, TX.

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 Hernandez wanted to thank the Police Department & Sheriff's Office for additional patrolling of the city.

The third order of business was Employee Recognition.

Mayor Cook and Director of Public Works Pete Sanchez presented Julio Gonzales, Jr., with a plaque of appreciation for his 10 years of service to the City of Devine and wished him well on his retirement.

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The fourth order of business is to approve the Minutes of the Regular Meeting on December 10, 2024.

Motion by Alderwoman Randall, seconded by Alderman Gonzales, to approve the minutes for the Regular Meeting on December 10, 2024.

Ayes	--	All
Nays	--	None

Motion carried.

The fifth order of business was to consider and act upon adopting a Proclamation for the 125th Anniversary of the Veterans of Foreign Wars.

Mayor Cook read the proclamation to the public.

The sixth order of business was to consider and act upon adopting a Proclamation for the American Red Cross Month.

Mayor Cook read the proclamation to the public.

The seventh order of business was to consider and act upon the Medina Central Appraisal District's purchase and renovation of the Ridge Building located at 728 18 Street, Hondo, Texas.

Chief Appraiser Johnette Dixon and Chairman of the Board Cynthia Malone addressed the Mayor and Council on the need for this building. She informed the Mayor and Council that 12 of the 15 voting entities must approve the purchase and renovations. She advised that they currently have \$500,000 to use for the down payment and some of the renovations. The renovation budget is approximately \$800,000. The City's increase levy would be \$1,252.48.

Motion by Alderwoman Randall, seconded by Alderman Ritchey to approve the Medina Central Appraisal District's purchase and renovation of the Ridge Building located at 728 18 Street, Hondo, Texas.

Ayes	--	Three
Nays	--	Two — (Alderman Gonzales & Alderman Hernandez)

Motion carried.

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The eighth order of business was to consider and act upon the Medina Central Appraisal District Board of Directors Vacancy and possible nomination by Resolution from the City of Devine.

The Mayor and Council did not have any nominations. If they have one, they will bring it to the February Meeting.

Motion by Alderman Ritchey, seconded by Alderwoman Randall, to table this item until the February Meeting.

Ayes	--	All
Nays	--	None

Motion carried.

The ninth order of business was to consider and act upon authorizing and approving the Publication and Posting of a Notice of Intention to Issue One or more of the City's Certificates of Obligation in a Maximum Principal Amount to exceed \$5,665,000 and other matters in connection therewith.

Jack McLiney, with SAMCO, addressed the Mayor and Council on the timeline for beginning the Certificate of Obligation for the \$11,000,000 for the Copper & Lead Project mandated by EPA. He advised that the loan will be \$5,665,000, and the Grant will be \$5,926,224.

The Mayor and Council held a discussion with Mr. McLiney.

Motion by Alderman Miller, seconded by Alderman Ritchey, to approve the publication and posting of Notice of Intention to Issue one or more of the City's Certificates of Obligation in a Maximum Principal Amount to exceed \$5,665,000.

Ayes	--	All
Nays	--	None

Motion carried.

The tenth order of business was Presentation – Texas Build.

Mr. Larry Jones with Texas Build gave a presentation on the status of the City's Water and Wastewater Systems. He advised that the proposed solution would cost approximately \$4,500,000 for the Wastewater system and \$3,500,000 for the Water System. Mr. Jones will create a priority list.

No action was taken on this item.

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The eleventh order of business was an update by McGuire Water on the Ground Storage Tank Project.

Mayor Cook informed the Council that McGuire Water was not ready at this time.

Motion by Alderwoman Randall, seconded by Alderman Hernandez, to table this item.

Ayes	--	All
Nays	--	None

Motion carried.

The twelfth order of business was to consider and act upon the approval proposal submitted by 6S Engineering, Inc. to perform Professional Engineering Services for the City of Devine.

Mayor Cook informed the Council that 6S Engineering was unavailable for this meeting.

Motion by Alderman Herandez, seconded by Alderwoman Randall, to table this item.

Ayes	--	All
Nays	--	None

Motion carried.

The thirteenth order of business was to consider and act upon approving the amended Agreement to Conduct Joint Elections between the Devine Independent School District and the City of Devine for Election Services.

City Administrator David Jordan informed the Mayor and Council that we had met with the School Representatives, who informed us that if we have an election, they are required to hold it jointly with the city. He advised that the amendments update revisions incurred since the original agreement dated 2009.

Discussion was held on sharing the cost of holding an election.

Motion by Alderman Ritchey, seconded by Alderwoman Randall, to approve the amended agreement for a joint election between the Devine ISD and the City of Devine.

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Ayes -- All
Nays -- None

Motion carried.

The fourteenth order of business was to consider and act on the Devine Volunteer Fire Department's request to receive the Inspection Cost for all inspections.

Chief Atkinson addressed the Mayor and Council, giving them a review of the last month. He advised that they have hired a new office assistant to answer phones Monday through Friday from 8:00 a.m. to 5:00 p.m. He advised that for last month, on inspections, 26 unknown job sites, 45 permits, 24 permits closed, and 3 stop work.

Chief Atkinson informed the Mayor and Council that they have two contracts with the City. One is for inspections, and the other is for Code Compliance. He is requesting payment for the inspections handled by the Fire Department. He stated that the Fire Department has not received payment for any inspections to date. City Accountant Denise Duffy advised that they did receive payment for some inspection invoices. Chief Atkinson was not aware of this. City Accountant Denise Duffy advised that we were holding some invoices because we needed more information, and we were told that the city would stay with the inspection fee and the Fire Department would only be collecting the \$110,000. Chief Atkinson was not aware of this and would follow up on it. City Administrator David Jordan advised that he would follow up with the Fire Chief.

At this time, KK DuBose, with Devine News, addressed the Mayor and Council, asking if what the City was doing with the Fire Department was legal. She asked how many certified inspectors the Fire Department has on staff. Chief Atkinson stated that he and the rest are in the process of being certified or will be educated in the near future.

No action was taken on this item.

The fifteenth order of business was to consider and act upon Ordering a General Election to be held on May 3, 2025, for the Mayor, District #2 and District #5.

City Secretary Rodriguez informed the Mayor and Council that the election will be held on Saturday, May 3, 2025, from 7 a.m. to 7 p.m.

Motion by Alderman Ritchey, seconded by Alderwoman Randall, to Order a General Election to be held on May 3, 2025, for the Mayor, District #2 and District #5.

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Ayes -- All
Nays -- None

Motion carried.

The sixteenth order of business was to consider and act upon accepting the Notice of Election.

City Secretary Rodriguez went over the dates for early voting.

Motion by Alderwoman Randall, seconded by Alderman Ritchey, to accept the Notice of Election.

Ayes -- All
Nays -- None

Motion carried.

The seventeenth order of business was to consider adopting an Ordinance for a Water & Sewer Rate Increase.

The Mayor and Council discussed this item, which had already come before them; all that was needed was the adoption of the ordinance.

Motion by Alderwoman Randall, seconded by Alderman Ritchey, to adopt Ordinance 1-25A for the Water & Sewer Increase.

Ayes -- All
Nays -- None

Motion carried.

The eighteenth order of business was to discuss Operation - Get Lit – Street Light Program.

Alderman Hernandez addressed the Mayor and Council about the city changing out all the streetlights with LED Lights. He advised that the city is dark with the current lights, which is unsafe for the residents.

Alderwoman Randall informed the Mayor and Council that we have a program with AEP where they replace lights with LED Lights.

The Mayor and Council discussed the cost of replacing all the lights with LEDS. The Council asked City Administrator Jordan to bring back a dollar amount.

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The nineteenth order of business was to consider and act upon amending the Zoning Reform Committee Ordinance.

City Administrator Jordan asked the Mayor and Council if they wished to extend the original ordinance or dissolve the committee at this time.

Steve Smith, the Chairperson for this committee, addressed the Mayor and Council, giving them an overview of what the committee has come up with.

At this time, Alderwoman Randall read a letter from Cory Thompson asking for the committee to continue.

City Administrator Jordan advised that Cindy Morales had resigned from the committee. Alderman Miller would have to find a replacement.

Motion by Alderwoman Randall, seconded by Alderman Hernandez, to extend the committee for another 6 months and amend the ordinance.

Ayes	--	All
Nays	--	None

Motion carried.

At 8:09 pm, the Mayor and the Council took a recess.

At 8:19 pm, the Mayor and the Council returned from recess.

The twentieth order of business was to consider and act upon amending Chapter 94 – Trucks of the Code of Ordinance.

Alderman Miller addressed the Mayor and Council, requesting a change to prohibit large trucks (18-wheelers) from parking on private property and advising on protecting our infrastructure.

The Mayor and Council discussed this item and invited the public to comment. The comments from the public were against amending the ordinance to prevent trucks from parking on their private property.

No action was taken regarding this item.

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The twenty-first order of business was adopting a Resolution authorizing the City Administrator and City Secretary to act as the City's Executive Officers and authorized representatives in all matters pertaining to the City's participation in the Home Program Reservation System with the Texas Department of Housing and Community Affairs.

City Administrator Jordan advised the Mayor and Council that this is updating paperwork for the Home Program.

Motion by Alderwoman Randall, seconded by Alderman Gonzales, to adopt the Resolution 1-25C authorizing the City Administrator and City Secretary to act as the City's Executive Officers and authorized representatives in all matters pertaining to the City's participation in the Home Program Reservation System with the Texas Department of Housing and Community Affairs.

Ayes	--	All
Nays	--	None

Motion carried.

The twenty-second order of business was to consider and act on the CD for the \$425,000 Gas Sale.

City Administrator Jordan advised that the city had this money saved for a long time. He advised that this money could be used to do more streets. He advised that we could put it in Tex Pool.

The Mayor and Council discussed this item.

Motion by Alderman Ritchey, seconded by Alderman Hernandez, to move the money to the Tex Pool to earn a higher interest.

Ayes	--	Three (Alderman Ritchey, Alderman Hernandez & Alderman Gonzales)
Nays	--	Two (Alderwoman Randall & Alderman Miller)

Motion carried.

The twenty-third order of business was to consider and act upon approving the 2024 Racial Profiling Report.

Lt. Andrews went over this report with the Mayor and Council.

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Motion by Alderman Ritchey, seconded by Alderwoman Randall, to accept the report.

Ayes	--	All
Nays	--	None

Motion carried.

The twenty-fourth order of business was to review the Quarterly Investment Report.

The Council reviewed the Report.

The twenty-fifth order of business was Information Items.

- City Administrator Jordan advised that they had a preconstruction meeting on the Street Project Zig Zag & Malone, and, weather permitting, this project should begin in March.
- Alderwoman Randall reminded everyone about the 1st Saturday Market is this coming Saturday.
- Alderman Ritchey inquired about the website's status. City Administrator Jordan advised possible completion in March.
- Alderman Ritchey inquired about the train's horns. The City Administrator said nothing was heard during the holidays, but he will turn his attention to it now.
- Alderman Ritchey inquired about the golf course pumps. Director of Public Works Sanchez advised that he has received one bid.
- Alderman Hernandez inquired about the parks at our property on IH-35.

The twenty-sixth order of business was Executive Session – Pursuant to Section 551.074 of the Texas Government Code – Personnel Matter. Employment contract negotiations with David Jordan, City Administrator.

At 9:03 p.m., the Mayor and Council went into an Executive Session.

At 9:28 p.m., the Mayor and Council reconvened to return to the Open Session.

The twenty-seventh order of business was to reconvene into Regular Session and Consider Action, if any, on Items discussed in Executive Session.

No action was taken during the executive session.

The twenty-eighth order of business was to consider and act upon the Employment Contract with David Jordan, City Administrator.

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Motion by Alderman Miller, seconded by Alderman Gonzales, to accept the amendments discussed in Executive Session and amend the Budget accordingly, with the effective date of January 1, 2025.

Ayes	--	Four
Nays	--	One – Alderwoman Randall

Motion carried.

The twenty-ninth order of business was Executive Session – Consultation with attorney, pursuant to Section 551.071 of the Texas Government Code, consultation with the City Attorney in a matter in which the duty of the attorney to the Devine City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of the Texas clearly conflicts with the Texas Open Meetings Act: Discussion on the Confidential Report prepared by the City Attorney on the management of the Devine Golf Course.

At 9:30 p.m., the Mayor and Council went into an Executive Session.

At 9:53 p.m., the Mayor and Council Reconvened to return to the Open Session.

The thirtieth order of the business was RECONVENE into Regular Session and consider action, if any, on Items discussed in Executive Session.

No action was taken in Closed Session.

Motion by Alderman Ritchey, seconded by Alderman Miller, to release confidential information regarding the City and the Devine Golf Course, minus the sensitive financials and credit scores.

Ayes	--	Four
Nays	--	One – Alderwoman Randall

Motion carried.

At this time, City Attorney Tom Cate informed the Mayor and Council about going back to the twenty-eighth item because there was no effective date stated.

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

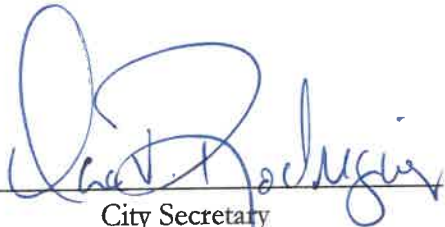
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Ayes -- All
Nays -- None .

Motion carried.



City Secretary



Mayor