

**Minutes
Special Meeting
August 4, 2009**

On this 4th day of August 2009, at 7:00 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 City Hall, 303 S. Teel Drive, Devine, Texas. Notice of said meeting having been prescribed in Chapter 551, Government Code and Vernon's Texas Codes, Annotated, and the following members thereof, being present:

Mayor Pro-Tem Frank Cortez, III
Alderman David Espinosa
Alderman Hal Lance
Alderwoman Marina Antu

Absent being Mayor Jerry Beck and Alderman John Ramirez; thus, constituting a quorum.

Personnel Present: Dora V. Rodriguez, Interim City Administrator/City Secretary; Ofilia Pedroza, Assistant City Secretary; Billy Grote, Director of Public Works; Ismael Carrillo, Superintendent of Public Works; and Barbara Moore, Library Director.

Others present: Sandy Herrera - Devine News; William S. Yost, Garland, Texas; Michael R. Rietz, San Antonio, Texas; and James Garcia, Medina County Appraisal District.

Mayor Pro-Tem Frank Cortez III, presiding, declared the meeting opened.

The first order of business was to discuss and consider Proposed Budget for 2010 for the Medina County Appraisal District.

Mr. James Garcia, Medina County Chief Appraiser, presented himself before City Council and thanked them for inviting him so that he could answer their questions.

City Council addressed the following concerns and complaints to Chief Appraiser James Garcia, namely:

- Many citizens are complaining about the amount of pay which is extremely extravagant; \$600,000.00 is a lot of money for salary!
- We understand that there are 5-6 different appraisal levels; they may be justified but a lot of people are upset.
- Complaint given on Chief Appraiser getting a \$5,000.00 pay raise; from \$89,000.00 in 2009 to \$94,000.00 in 2010.
- People are afraid that if they complain, they'll get hit, like the IRS, with higher appraisal values.
- Has this budget already been approved by the rest of the cities in Medina County?
- Why can't the Appraisal District, maintain their budget and not increase it, just for one year, as all other city, and school boards across the county are trying to cut their budgets?
- We don't have what Hondo has; we're poor on this side of the county!

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James Garcia told Council that it was important for the citizens here and the Council to know what other communities are doing to address these concerns which he agreed are very important concerns. He said he's been with the Appraisal District for 27 years and has listened to everyone's complaint. He said he wanted everyone to know that if they have a picture of their home, to take it to him ASAP to see, especially if they have a bad roof, bad foundation or have termites; he can help. However, if we do nothing and just sit back and say the appraisal is too high, he's never going to know because he can't see the inside of a house. He said he might have suspicions of some things; he may have an automatic standard depreciation because it looks like a home has deteriorated but the real proof, he said, is on the inside. He told Council that he welcomes our citizens to go see him to address their concerns. He told Council that he doesn't make the numbers, but he can solve 2010's appraisals today, if we go to him. He told Council that this year is already finished and, yes, the budget has already been approved by all the other cities in the County. The appraisal board has already done its protest. Out of the 43,000 accounts that they have, 70 people protested; and out of those 70, 17 did not show up. He said the rest did go to the board; some got relief because they did show evidence, and some didn't because they only made statements about it being too high.

Chief Appraiser James Garcia proceeded to defend his budget and handed out a salary study for Council to review. He explained that this is the methodology used by the board of the directors and the taxing jurisdictions that they represent to determine what it costs to do business. He discussed in detail the different levels of pay and the different positions and experience that each one has along with the longevity of each employee from 30-27-25-21 years down to one year. These people are dedicated to stay and they get beat up in the process. They work endless hours; he said these are the people we need to pay because the State Comptroller has no mercy on them. They do whatever it takes to make sure that Devine ISD or Medina Valley ISD, etc are prepared to be defended; that is the cost. The cities as well as the schools are to be defended against the State. Chief Appraiser James Garcia told Council that he is proud to prove that our county has never been defeated by the State Comptroller.

Chief Appraiser James Garcia also pointed out that one of the regulations mandated by the State Comptroller and State Legislators is the GPS mapping system. He presented Council with a map of the image of Devine. He spoke about this in detail. He explained this system is still under construction because it takes time to find the deeds, the metes and bounds, and to get the account numbers or the people's names on it. He said everything costs money.

When asked why the increase of almost \$50,000 in the new budget, he said it's mostly due to longevity pay and insurance. He said this is what we have to decide: "What is it all worth?" Chief Appraiser told City Council that it is very complex and stated that we have to have a continuous thought process. He said he's at the front of the battle and he has to defend his budget. He told Council that it is a thankless job, and he invited everyone to come see their operations.

Since we are going through our budget workshops now, Chief Appraiser James Garcia told Council that maybe next time he could come down earlier, so that he can take back any considerations or comments before they work on the appraisal budget.

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Discussion was held on wells and sprinkler systems which do not increase an assessment.

Motioned by Alderman Espinosa, seconded by Alderman Lance to approve the Proposed Budget for 2010 for the Medina County Appraisal District.

Medina County Appraisal District 2010 Preliminary Budget attached as Exhibit A.

Ayes	--	Four
Nays	--	None
Absent	--	One (Alderman Ramirez)

Motion carried.

Some discussion was held after the motion. Interim City Administrator Dora V. Rodriguez inquired as what would have happened if Council had not accepted the budget. According the Chief Appraiser James Garcia, the majority would have carried. He suggested on sending someone to their meetings which start around May/June; he said no one ever goes to those meetings. Since their meetings are also on Tuesday evenings, it was suggested that maybe we can invite Mr. John Ward to attend our city council meetings (since he is our representative) so that he can pass along our thoughts to the appraisal district.

Alderman Lance requested to see a copy of the tax rate for every taxing entity in the county. Chief Appraiser James Garcia said he would happy to provide this, and Sandy Herrera will be publishing this information in the newspaper.

The second order of business was the Executive Session: Pursuant to Provision of the Open Meeting Law §551.071 through §551.076, §551.086, §551.087 Texas Government Code, (Consultation with Attorney, Deliberation Regarding Real Property, Deliberation Regarding Prospective Gift or Donation, Deliberation regarding Economic Development Negotiations and Personnel Matters).

- a. §551.074 – Personnel Matters – City Administrator Position

At 7:10 p.m., Mayor Beck announced to the public that the Council would go into a Closed Session. At 8:18 p.m., Closed Session was opened to the public.

No action was taken.

The third order of business was to Reconvene into Regular Session and Consider Action, if any, on items discussed in Executive Session.

No action was taken.

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There being no further action to come before the governing body, Alderman Cortez motioned to adjourn the meeting.

Mayor

City Secretary