

**Minutes
Regular Meeting
September 15, 2009**

On this 15th day of September, 2009, at 7:00 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, Devine, Texas. 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 Jerry Beck
Alderman John Ramirez
Alderman Frank Cortez, III
Alderman David Espinosa
Alderman Hal Lance
Alderwoman Marina M. Antu

Thus, constituting a quorum.

Personnel present: Dora V. Rodriguez, Interim City Administrator/City Secretary; Ofilia Pedroza, Assistant City Secretary; Nancy Pepper, City Treasurer; Tom Cate, City Attorney; Rob Flores, Chief of Police; Billy Grote, Director of Public Works; Barbara Moore, Library Director; and Darrell Rawlings, Code Compliance Officer.

Others present: Sandy Herrera – Devine News; James LaCombe – Medina Valley Times; Hazel Flores-AEP; Devine Minor Girls Little League: #10 Caroline Anderson, #32 Arica Hewtty, #21 Katelyn Lee, #03 Anali Rodriguez, #1 Amanda Wilson, #15 Brooklyn Anderson, #24 Sabrina Bomba, #6 Samantha Rodriguez, #14 Brittany Jay, #00 Macy Smith, #02 Taylor Carr, #09 Korin Stehle, Kailee Ramirez, Manager Steve Anderson and Coach Brinklin Lee; Kelly Haney, La Nell Phelps, James and Diane Caldwell, Ricardo and Tammy Alanis, Sandy Jopling, and Randall Ellis – Chamber of Commerce; Russ Pumphrey – Devine Airport; Desra Anderson, Cesar & Rocio Rodriguez, Misty Schnautz, Ann-Marie Bomba, Shannon Galley, Phillip and Krystal Stehle, Alissa Stehle, and Gabriel Hewty, Devine, Texas.

Mayor Beck, presiding, declared the meeting opened and welcomed all visitors. Mayor Beck also delivered the Invocation; Alderman Cortez led the Pledge of Allegiance.

The first order of business was Recognition.

Mayor Beck recognized the Minor Girls Little League Team on their achievement as runners up at the State level; as they took second place for Texas West. Manager Steve Anderson introduced each player and talked about their accomplishments as Coach Brinklin Lee handed them their trophies.

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

No one signed up to speak under this item.

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The third order of business was the Public Hearing on the Proposed Tax Rate for FY 2009-2010.

At 7:15 p.m., Mayor Beck declared a Public Hearing on the Proposed Tax Rate for FY 2009-2010. The Effective Tax Rate that the Council is proposing is .5900/per \$100 property valuation.

There were no comments from the public.

At 7:16 p.m., Mayor Beck closed the Public Hearing on the Proposed Tax Rate for FY 2009-2010 to the public.

The fourth order of business was to discuss and consider approval of Minutes: Regular Meeting August 18, 2009; Special Meeting August 25, 2009; Special Meeting September 1, 2009; and Special Meeting September 8, 2009.

Council reviewed minutes.

Motioned by Alderman Espinosa, seconded by Alderman Ramirez to approve Minutes for Regular Meeting August 18, 2009; Special Meeting August 25, 2009; Special Meeting September 1, 2009; and Special Meeting September 8, 2009.

Ayes	--	All
Nays	--	None

Motion carried.

The fifth order of business was to discuss and consider Annual Report and PILOT check from the Devine Housing Authority.

Aileen Montgomery, Director of the Devine Housing Authority, addressed City Council as she discussed the Annual Report and presented them with a check in the amount of \$2,779.50 which represents the Payment In Lieu Of Taxes (PILOT) for Fiscal Year Ending September 30, 2008.

The sixth order of business was to discuss and consider approving Franchise Contract with AEP.

Hazel Flores was available for questions from the Council. City Attorney Tom Cate informed Council that some changes had been made. According to Hazel Flores it is in the contract that AEP is given the opportunity to do tree trimming and to clean up after a site location. City Attorney Tom Cate said a lot of emphasis had been placed on the tree trimming at the last meeting, but that had not changed at all; it's the same wording. He likes the proposal that he got from San Angelo and told Council that if AEP would change the part about the tree trimming and if they would agree to amend the franchise agreement with better provisions for the City, he wouldn't have any problems with it. Hazel Flores said that for that, it would need to be taken back to their attorneys. She suggested for City Attorney Tom Cate to address what he wants on the contract and then send it back to Tony Arce for AEP attorneys to review.

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City Attorney Tom Cate told Council again that AEP had taken some of the wording from the San Angelo franchise agreement; they did not come up with new wording, and it's something that the company has already approved with the City of San Angelo.

Hazel Flores explained to Council that there are two contracts. She explained that the shorter version is done for cities with a population of less than 100,000; the longer version is for cities that have a population of over 100,000. Unfortunately, she said, Devine is not there at this point; however, AEP did expand the contract for us, to add some of the things that the City wanted. She told Council that the wording for the tree trimming should be the same on both contracts. She said that if Council really wants to amend that part, they can negotiate that. Council said that is what they wanted and what they had requested at the last meeting.

Discussion was held with Hazel Flores on the length of the contract. Some council members expressed concern with the contract being 28 years. Most of them did not have a problem with the 28 years but rather with the clauses that are in the contract. According to Hazel Flores, there could be other contracts at 15-20-25-30 years depending on what that particular city and AEP agree on. Council held discussion on doing a 20 year contract instead of 28 years.

City Attorney Tom Cate told Council that if AEP enters into another franchise agreement with another city in South Texas which contains more favorable terms than what our franchise agreement has in it, he would want AEP to amend this agreement to include the more favorable clause also.

Hazel Flores told Council that they need to communicate with City Attorney Tom Cate what they want on the contract so he can present it to Tony Arce, and then he can move forward with it. Otherwise AEP would just settle for 28 years versus 30 years. She stated that City Council needs to meet with Tom Cate and decide what exact clauses they want to address. She explained that Tom would then submit it to Tony Arce so he can send it to their attorneys for approval, before they can actually present it to the Council for their approval.

Mayor Beck commented that the City is looking for the best price in electricity. Hazel Flores then held discussion on deregulation.

Motioned by Alderman Ramirez, seconded by Alderman Espinosa to allow City Attorney Tom Cate to negotiate with AEP representative Tony Arce, on the tree trimming, the length of time on the contract-20 years, and for a favorable clause in the contract such that if AEP enters into another franchise agreement with another city in South Texas which contains more favorable terms than what our franchise agreement currently has in it, that they amend our contract to those favorable terms.

Ayes	--	All
Nays	--	None

Motion carried.

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The seventh order of business was to consider Airport Leases.

Council reviewed Amendment to Airport Lease submitted by City Attorney Tom Cate. Alderman Cortez informed Council we had a very good Airport Advisory Board Meeting on September 9, 2009; it was a very positive meeting. They discussed the CPI and the airport lease agreements. He said only one contract is coming up which is the one for Hap Squires. According to Interim City Administrator Dora V. Rodriguez, there is another lease coming up in 2012.

Discussion was held on the cost per square foot for the leases. Alderman Cortez explained to Council that the cost is \$.01, \$.03, and \$.05 per square foot; the more square footage there is per hangar, the better price they get. Interim City Administrator Dora V. Rodriguez informed Council that the cost to lease the hangars at 2500 square feet is \$.05 per square foot; and for anything remaining could be at \$.03 or \$.01.

Council discussed negotiating each lease on an individual basis with an amendment to the airport lease on every existing contract with the CPI clause in there. There are 10 hangars out at the airport but some board members own several hangars, so there are less than 10 leases. Discussion was held on doing an increase in rent of only 2%, and in no event will it be adjusted, either up or down, by more than 3% of the rent for the immediate preceding year. Discussion was held with Russ Pumphrey, from the airport advisory board.

Council also discussed that \$8,300.00 was budgeted for the airport maintenance; however we only bring in \$2,500.00 from the leases. Interim City Administrator Dora V. Rodriguez informed Council that Curly Brehm had met with her and he did provide Council some information on the taxes that are collected for the airport; he did a random check on one of the companies only but there are actually three companies out there.

Motioned by Alderman Espinosa, seconded by Alderman Ramirez to approve the Amendment to the Airport Lease with the CPI clause.

Amendment to Airport Leases attached as Exhibit A.

Ayes	--	All
Nays	--	None

Motion carried.

The eighth order of business was to discuss and consider request made by Devine Evergreen Cemetery Association for a stop sign or speed bumps to be installed on Allman Drive.

Mr. Bill Herring addressed City Council on the need for a stop sign or speed bumps on Allman Drive to keep vehicles from speeding. He explained a couple years ago guardrails were installed at one of the curves which did help some, but now vehicles are bouncing off the guardrails and going into a different location of the cemetery. He explained the problem is getting worse now because of

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more homes being built by the golf course which increases the traffic on Allman Drive. He spoke of developing new areas of the cemetery and also using the older part of the cemetery along the fence line. His concern with the traffic is over the safety of the people. He asked Council to consider either more guardrails or speed bumps or stop signs, or whatever our Director of Public Works, Billy Grote, recommends. Mr. Herring told Council that if going with speed bumps, he felt two would need to be placed before both turns; one on the turn going north by Jack Dishman's place, and the other coming back from the golf course by Len Arche's place because those are the two places where vehicles tend to lose control and crash. He suggested another speed bump in the middle of the two turns. He said the Evergreen Cemetery Association would go along with whatever Council recommends.

Director of Public Works Billy Grote suggested that we try placing just one speed bump in the middle of the two curves. Discussion was held. Police Chief Rob Flores suggested one stop sign by Jack Dishman's place and another one by Len Arche's place; however, the road would need to be reconstructed with 90 degree turns. Council held discussion on different options of placing one speed bump, two speed bumps, one stop sign, two stop signs and even four stop signs, or even tabling this item until the next council meeting on September 22, 2009.

Motioned by Alderman Cortez, seconded by Alderwoman Antu to have Public Works place two speed bumps on the north and south curves on Allman Drive.

Ayes	--	Two
Nays	--	Three (Alderman Lance, Alderman Ramirez and Alderman Espinosa)

Motion died.

Motioned by Alderman Lance to table this item for next month.

Motion died for lack of a second motion.

Motioned by Alderwoman Antu, seconded by Alderman Cortez to have one speed bump installed on Allman Drive, at the discretion of Public Works and Chief Flores.

Ayes	--	Three
Nays	--	Two (Alderman Ramirez and Alderman Espinosa)

Motion carried.

Discussion was held after the motion on whether it would be more feasible to install a speed bump or to reconstruct the road to have 90 degree turns for stop signs and whether vehicles would actually stop at the stop signs. Council agreed that it would be more expensive to reconstruct the road.

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The ninth order of business was to discuss and consider for a speed bump to be installed on Faye Street.

Mayor Jerry Beck told Council that Ramona Gallegos, who lives on Faye Street, had approached him about placing a speed bump to slow down the traffic. A lot of school kids walk this street and she is concerned over the safety of the children.

Accountant Nancy Pepper informed Council that we do have money in the Budget for one speed bump.

Motioned by Alderman Cortez, seconded by Alderman Espinosa to approve for one speed bump to be installed on Faye Street, at the discretion of Public Works and Chief Flores.

Ayes	--	Three
Nays	--	Two (Alderman Ramirez and Alderman Lance)

Motion carried.

The tenth order of business was to discuss and consider appointing or re-appointing members to serve on the Devine Housing Authority Board.

Interim City Administrator informed Council that according to Aileen Montgomery, Director of the Housing Authority, Mr. Ruston and Mr. Lawler have agreed to serve another term.

Motioned by Alderman Espinosa, seconded by Alderman Ramirez to approve re-appointing Ernest Ruston and Jim Lawler to serve another term on the Devine Housing Authority Board.

List of Local Housing Authority Board of Commissioners attached as Exhibit B.

Ayes	--	All
Nays	--	None

Motion carried.

The eleventh order of business was to discuss and consider entering into a Contract with McCreary, Veselka, Bragg and Allen, P.C. (MVBA) to provide legal services related to the collection of Delinquent Utility Accounts.

Interim City Administrator Dora V. Rodriguez told Council that this is the same company that we are currently using for our Municipal Court and they are doing a very good job in collecting for us. She asked Council for their approval to use them for the collection of our delinquent utility accounts. She explained that in Utilities, customers tend to skip out and not pay their final balance. Their deposit is used but sometimes it's not enough to cover their balance. She also feels that

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customers have gotten accustomed to our in-house collecting; they know we don't send it anywhere for collection. She said once people find out that if they don't pay their account balances and that it will affect their credit; she's hoping that we can start getting people to pay on their delinquent accounts. She then held discussion on the company's procedure in collecting money for Municipal Court. It was also pointed out that any account balances with \$5.00 or less are written off.

Motioned by Alderman Cortez, seconded by Alderman Espinosa to approve entering into a Contract with McCreary, Veselka, Bragg and Allen, P.C. (MVBA) to provide legal services related to the collection of Delinquent Utility Accounts.

Ayes	--	All
Nays	--	None

Motion carried.

The twelfth order of business was to discuss and consider request made by the Chamber of Commerce for the City to help with funding under the Hotel/Motel Tax to help with the 2009 Fall Festival.

Kelly Haney (owner of South Texas Suzuki in Lytle) and Tammy Alanis (Chamber Secretary) addressed City Council to request \$10,000 from the City's Hotel/Motel Tax for support of the Fall Festival. Kelly told Council she understands that there have been issues of reporting to City Council in the past and that there has been some concern with receipts for the Fall Festival. She and Tammy Alanis presented Council with a packet full of receipts which should match previous reports.

Kelly Haney talked to Council about the Fall Festival. She said last year they had \$22,000 in expenditures but only brought in \$10,030 in income; leaving them in the red with a loss of \$12,000. They pointed out that last year was also the "City's 101 Year Celebration" so there were more expenses. Kelly wants to be in the black this year and talked about already cutting a lot of the expenses in half. She is estimating the expenses for this year to be at least \$14,000 which includes the entertainment. She introduced a lot of new faces in the Chamber to Council, told Council they've made some changes, and they are ready to move forward. She stated that this will be the Chamber's 49th Fall Festival. La Nell Phelps will be the new Fall Festival Chairperson. Kelly Haney discussed in detail as to who will be heading all their committees for the Fall Festival and also discussed the Fall Festival details with Council. Tammy Alanis informed City Council that the Chamber has finally received confirmation that they are definitely a 501-3C Non Profit organization, so they will be seeking larger sponsorships such as HEB.

Interim City Administrator Dora V. Rodriguez brought it to Council's attention that the City has always been able to help the Chamber; however, right now we only have \$4,772 in the Hotel/Motel tax and there are some bills that we haven't paid out yet. She stated that we can give the Chamber \$2,500 and it would still leave us with enough money to pay our bills. She pointed out to City Council that by amending the current budget, which we will be doing next Tuesday, the City will have a \$130,000 deficit in the General Fund.

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Kelly and Tammy reported that all they have is \$1,068.24; the Chamber has no savings account and no surplus. Kelly told Council that they understand the Chamber has not been run properly and those are things that they will be able to change when they have elections in December.

Sandy Jopling, Chamber member, inquired if there was any way the Chamber can work out an agreement with the City throughout the year to receive a percentage of the Hotel/Motel tax each quarter. This way, they won't have to come back to the City to request a big amount. They said other cities are already doing this. Interim City Administrator Dora V. Rodriguez stated that it wouldn't be a bad idea. She thought we were going to get more from the Hotel/Motel tax but we didn't; we got less. She stated that we should wait for the first quarter of the New Year before Council takes any kind of action. The Chamber members were okay with this, and graciously accepted the \$2,500 for now.

Accountant Nancy Pepper talked about the bills that are paid out of the Hotel/Motel tax money. She stated that the \$2,500 will be paid out of the current budget and after October 1st, they can come back and request the other \$1,500 which has been budgeted for the new fiscal year.

Motioned by Alderman Ramirez, seconded by Alderman Espinosa to give the Chamber \$2,500 from the Hotel/Motel tax out of the current budget year and to have them come back in October to request another \$1,500 to help with the 2009 Fall Festival.

Ayes	--	Three
Nays	--	Two (Alderman Antu, Alderman Cortez)

Motion carried.

The thirteenth order of business was to discuss and consider approving the following contracts/agreements:

- a. Contract with the Greater Devine Chamber of Commerce.

City Council as well as the Chamber members who were present reviewed the contract. Interim City Administrator Dora V. Rodriguez stated that this was the same contract as last year's.

Motioned by Alderman Ramirez, seconded by Alderman Espinosa to approve the Contract with the Greater Devine Chamber of Commerce.

Ayes	--	All
Nays	--	None

Motion carried.

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The fourteenth order of business was to discuss and consider approving Interlocal Agreement with the following entity for services:

- a. Medina County

Council held discussion with Director of Public Works Billy Grote that this is the same contract as last year also.

Motioned by Alderman Cortez, seconded by Alderman Espinosa to approve the Interlocal Agreement with Medina County.

Ayes	--	All
Nays	--	None

Motion carried.

The fifteenth order of business was to discuss and consider recommendation of the Planning and Zoning Commission for meeting held on September 14, 2009.

- a. Request made by Paul Noak on behalf of the Devine Evergreen Cemetery Association for a waiver of the platting and filing requirements of the Subdivision Ordinance of the City of Devine to allow the division and conveyance of 0.18 acre of a 5.49 acre tract of land in the San Antonio Trust Subdivision to an adjacent property owner, located within the ETJ of the City of Devine and adjacent to Allman Drive to eliminate minor utility encroachments.

Mr. Paul Noak held discussion with City Council over the fact that we are dealing with a non-profit association. The Devine Evergreen Cemetery purchased this property in 1978 and is now looking into clearing the property and making plans to expand. He said it was discovered that there was an encroachment of the fence on the property. This tract of land is pie-shaped and would be impossible for any future development, and only benefits the adjoining property owner in this case. In the interest of being good neighbors, the cemetery proposes to transfer that to the neighboring property owner. However, because the property is located within the ETJ of the City, the City does have jurisdiction which is why he is coming before Council for a request to be compliant with our subdivision ordinance; he requested a waiver of our subdivision requirements to allow the parties to transfer the property by metes and bounds description. Mr. Noak also complimented Darrell Rawlings, Code Compliance Officer, for recognizing that the original plat in 1955 reflected an incorrect location of the city limit line.

Code Compliance Officer Darrell Rawlings informed Council that basically they're just trying to move the property line over. He said both City Attorney Tom Cate and City Engineer Raul Garcia have agreed to the waiver of the platting and filing requirements, and the Planning and Zoning Commissioners also approved the request.

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Motioned by Alderman Cortez, seconded by Alderman Espinosa to accept Planning and Zoning's recommendation to approve request made by Paul Noak on behalf of the Devine Evergreen Cemetery Association for a waiver of the platting and filing requirements of the Subdivision Ordinance of the City of Devine to allow the division and conveyance of 0.18 acre of a 5.49 acre tract of land in the San Antonio Trust Subdivision to an adjacent property owner, located within the ETJ of the City of Devine and adjacent to Allman Drive to eliminate minor utility encroachments.

Ayes	--	All
Nays	--	None

Motion carried.

- b. Request made by Paul Noak for a refund of a \$200.00 subdivision fee, less the \$50.00 waiver request fee which was paid for a subdivision plat to divide 5.49 acres located within the ETJ of the City of Devine and adjacent to Allman Drive and owned by the Devine Evergreen Cemetery Association into a 5.30 acre tract and 0.18 acre tract to eliminate minor utility encroachments.

Motioned by Alderman Lance, seconded by Alderman Espinosa to accept Planning and Zoning's recommendation to approve request made by Paul Noak for a refund of a \$200.00 subdivision fee, less the \$50.00 waiver request fee which was paid for a subdivision plat to divide 5.49 acres located within the ETJ of the City of Devine and adjacent to Allman Drive and owned by the Devine Evergreen Cemetery Association into a 5.30 acre tract and 0.18 acre tract to eliminate minor utility encroachments.

Ayes	--	All
Nays	--	None

Motion carried.

- c. Request made by Misty Schnautz for a waiver of the platting and filing requirements of the Subdivision Ordinance of the City of Devine to allow the division and conveyance of property located at 110 Warhorse Drive, within the City Limits of Devine.

Misty Schnautz addressed City Council. Mrs. Schnautz explained that this .73 acre tract was originally two separate properties which were later combined together on one deed and it was on the tax roll as one deed. She told Council all they want is to split the .73 acres back to two separate properties again and be able to identify each property by metes and bounds description. Code Compliance Officer Darrell Rawlings explained the situation to City Council and what needs to be done in detail. He stated that Misty Schnautz does not want to change the zoning, but simply wants to build another home on this tract of land that meets the minimum size requirements. In order to avoid complying with the platting requirements and going through the vacating process and having all the neighboring property owners sign off on it, he said the easiest way for all parties concerned

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(at the suggestion of City Attorney Tom Cate and City Engineer Raul Garcia) would be to allow a waiver of the platting and filing requirements of the subdivision ordinance to allow her to convey the ownership of these two properties separately with the City's blessing. He said the Planning and Zoning Commission has recommended for Council to approve request.

Motioned by Alderman Cortez, seconded by Alderman Lance to accept Planning and Zoning's recommendation to approve request made by Misty Schnautz for a waiver of the platting and filing requirements of the Subdivision Ordinance of the City of Devine to allow the division and conveyance of property located at 110 Warhorse Drive, within the City Limits of Devine.

Ayes	--	All
Nays	--	None

Motion carried.

The sixteenth order of business was to discuss and consider signing Annual Acknowledgement of Conflict of Interest and Code of Conduct.

Interim City Administrator Dora V. Rodriguez informed City Council that it was that time of the year again to read, understand and acknowledge the annual Code of Conduct, Whistle Blower's Policy and Conflict of Interest. She explained that this auditing standard (SAS 99) was developed due to an increase in fraud discovered in the workplace, whether it be corporation, non-profit or governmental. This was put in place by our auditors, and they will now be investigating if annual confirmation of all above policies were obtained. She discussed in detail and read some of the responsibilities to the City Council. City Council then signed their Code of Conduct and Conflict of Interest acknowledgements.

The seventeenth order of business was to discuss and consider allowing for Public Works to apply for a permit from the Medina County Health and Sanitation Department in Hondo to fix the Septic Tank at the Municipal Airport.

Director of Public Works Billy Grote informed City Council that every time it rains out at the airport, it fills up the septic tank due to the way the water comes off the building and the way the lateral lines are. He has contacted the County about this but they need to send someone to inspect it to see what's causing the problem before any work can be done; and it has to be done by someone who is licensed. The cost of the permit is \$200 but then we would still need to hire someone to do the work and we don't know what their cost will be. Discussion was held on installing gutters. Mr. Russ Pumphrey, from the airport advisory board, explained that the problem is not really from water coming off the building; however putting gutters wouldn't hurt. He continued to offer some suggestions in diverting the water. City Council continued to hold discussion on fixing the problem.

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Motioned by Alderman Ramirez, seconded by Alderman Espinosa to allow Public Works to apply for a permit from the Medina County Health and Sanitation Department in Hondo to fix the Septic Tank at the Municipal Airport.

Ayes	--	All
Nays	--	None

Motion carried.

The eighteenth order of business was to discuss and consider holding a Special Election to sell the Gas System.

Interim City Administrator Dora V. Rodriguez explained to Council that we do need to hold an election; however, the deadline for calling for a Special Election was September 2nd. She explained that if this is the direction that Council wants to take, it will need to be put on the ballot for the May General Election. In regards to several bidders, City Attorney Tom Cate advised that even though it will be put on the ballot, Interim City Administrator Dora V. Rodriguez can still go ahead and talk to these people simply because it's the administrative thing to do. Even if it passes on the May Election, we would not be required to go out for proposals, but we would still want to because of the competition.

Motioned by Alderman Ramirez, seconded by Alderman Espinosa to put the Sale of the Gas System on the ballot for the May General Election.

Ayes	--	All
Nays	--	None

Motion carried.

The nineteenth order of business was the Reports, namely:

- City Secretary's Report – Council reviewed report.
- City Treasurer's Report – Accountant Nancy Pepper reported that we are done with the Budget, and we should be amending the current year's budget next week for any items that are over budget or any changes to the budget that we approved during the last six months.
- Public Works – Council reviewed report.
- Police Chief's Report – Alderman Espinosa inquired about the Grackles; Chief Flores reported that they have relocated. Mayor Beck inquired about the status on the policy manual. Chief Flores stated that he would bring what he has so far to the next council meeting on September 22, 2009.
- Driscoll Public Library – Council reviewed report. Library Director Barbara Moore reported that they did a complete inventory; the shelves are less crowded. They will be having a book sale in December.

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- Chamber of Commerce – Chamber members thanked City Council again for our help. Mayor Beck offered his services for the Fall Festival.

The twentieth 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).

- §551.074 – Personnel Matters – Selecting a City Administrator
- §551.074 – Personnel Matters – Hiring a City Administrator
- §551.074 – Personnel Matters – Starting date and salary for the City Administrator

At 9:25 p.m., Mayor Beck announced to the public that the Council would go into a Closed Session. At 10:00 p.m., Closed Session was opened to the public.

No action was taken.

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

Motioned by Alderman Ramirez, seconded by Alderman Espinosa to hire Mr. Joe Ramos as the new City Administrator under a one year contract beginning October 1, 2009, with an annual salary of \$70,000.00.

Ayes	--	All
Nays	--	None

Motion carried.

The twenty-second order of business was Information Items.

- Annual Devine Little League Board Meeting to be held on September 16, 2009.

Mayor Beck informed everyone that the Devine Little League Board Meeting will be at the Middle School Cafeteria at 7:00 p.m. on September 16, 2009. They are asking people to show their support by attending this meeting.

Mayor Beck also reminded Council that they, along with their spouses, had volunteered to man the concession stand for the Homecoming football game this Friday. He said he wanted to see good participation from the City Staff.

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There being no further business to come before the governing body, motion was made by Alderman Cortez to adjourn the meeting.

Mayor

City Secretary