

Minutes
Emergency Special Meeting
September 29, 2017

On this 29th day of September 2017, at 10:00 a.m. the City Council of the City of Devine convened in a Special Emergency 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 being present:

Mayor William L. Herring
Alderwoman Kathy Wilkins
Alderman Steve A. Lopez
Alderman David Espinosa
Alderman Cory Thompson

Absent being Alderman David Valdez; thus, constituting a quorum.

Personnel present: Dora V. Rodriguez, Asst. City Administrator/City Secretary; Denise Duffy, City Accountant; City Financial Advisor Mary Badillo; Ismael Carrillo, Director of Public Works; and City Attorney Tom Cate.

Others Present: None.

Mayor Herring, presiding, declared the meeting open.

The sole order of business was to discuss and consider Interlocal Agreement with the Devine ISD for Water Lines.

Director of Public Works Ismael Carrillo informed Council of a water leak on the City's side at Devine High School, on school grounds. He told Council that these pipes were installed in the 1970's and were never dedicated to the City which makes it private property and explained that they do not go into private property. According to Mr. Carrillo, he would need Council's permission and the school's permission to fix the leak.

Interim City Administrator/City Secretary Dora V. Rodriguez informed Council that she contacted City Attorney Tom Cate to get him on board and to find out our options to be able to get this fixed because we've already wasted some time and we've had some water loss. She said Tom had suggested a temporary interlocal agreement.

City Attorney Tom Cate advised Council that we need a short-term interlocal agreement to allow us to go in there and make the needed repairs. He explained that for long-term, we want the school to have the easement surveyed, and then we want them to dedicate the lines to the City.

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Discussion was held on the projected cost to be \$2,854.56 based on a worst case scenario. According to Interim City Administrator/City Secretary Dora V. Rodriguez, this is for the employees' time and labor and equipment and supplies being used. She told Council the school does not want our guys to start until 2:30 p.m. today because of the school kids, but explained that the overtime is already included in the cost.

Director of Public Works explained the line is a six inch PVC pipe but it taps out to a two inch pipe, and the leak is in the two inch pipe.

Council held discussion on possibly splitting the cost with the school. Interim City Administrator/City Secretary Dora V. Rodriguez informed Council that according to Mr. Scott Sostarich, it is not in the school's budget. He wants to notify their school attorney of the cost to see if it's even feasible. She told Council that it's not in the City's budget either but we need to fix it regardless. She stated that we need to stay on top of our water leaks because it won't look good with the Texas Water Development Board with our asbestos project coming up. She told Council that we need to move forward and we need to be careful and be accountable for our water losses.

City Attorney Tom Cate explained that the reason we want to say short-term in the agreement is because we want to put pressure on them to dedicate that line to us. He said they either dedicate the line to us or forget about it and they're going to be responsible for whatever happens on that line in the future. City Attorney Tom Cate will draw up the interlocal agreement.

Some discussion was held on Warhorse Drive never having been dedicated to the City because it's never been in their budget; it's been five years.

According to Alderman Espinosa, this is a very reasonable price, and he'll go along with it.

Interim City Administrator/City Secretary Dora V. Rodriguez inquired on what would happen if the school does not approve the cost, or if their attorney says, no. City Attorney Tom Cate stated that his concern is if they should have the water line break during school, then they would have no water and would have to let the kids out of school, and the school would lose money if the kids are not in attendance.

Council held brief discussion.

Motion by Alderman Espinosa, seconded by Alderman Lopez to approve to enter into a Short-Term Interlocal Agreement with Devine ISD to fix the water leak behind the gym, with Devine ISD being responsible for all the cost.

Ayes	--	Four
Nays	--	None
Absent	--	One – Alderman Valdez

Motion carried.

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There being no further business to come before the governing body, motion by Alderwoman Wilkins, seconded by Alderman Thompson to adjourn meeting.

Ayes	--	Four
Nays	--	None
Absent	--	One – Alderman Valdez

Motion Carried.

Mayor

City Secretary