

**Minutes  
Special Meeting  
June 8, 2009**

On this 8<sup>th</sup> day of April 2009, at 6:00 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 Jerry Beck  
Alderman Frank Cortez, III  
Alderman David Espinosa  
Alderman Hal Lance

Absent being Alderman John Ramirez and Alderwoman Marina M. Antu; thus, constituting a quorum.

Personnel Present: Dora V. Rodriguez, City Administrator; Ofilia Pedroza, Assistant City Secretary; Nancy Pepper, City Treasurer; Billy Grote, Director of Public Works; and Ismael Carrillo, Superintendent of Public Works.

Others present: Sandy Herrera, Devine News; Marshall Davis, Devine I.S.D.; Jerry Carlton, DL Bandy (Contractor); and Beau Carroll, Circle C Service.

Mayor Jerry Beck, presiding, declared the meeting opened.

The first and sole order of business was to discuss and consider request made by Kelly Carroll to purchase water from the City of Devine for his business.

Mayor Beck explained that the reason a special meeting was called is because last year when the City was under water restrictions, the Council voted not to sell water to contractors due to the fact that citizens frowned on it since we were restricting everybody else.

Alderman Cortez inquired if they planned to get water from the fire hydrant. Beau Carroll explained that's what they had in mind since each school has a fire hydrant nearby. Discussion was held on the quantity of water needed being approximately 200,000 to 300,000 gallons of water in a period of about 90 days.

Mayor Beck inquired if the contractors have considered the option of using the school wells. This had not been considered. Mr. Marshall Davis informed Council that the school wells pump about 100 gallons a minute, but then they drop to 75-85 gallons a minute. He stated he wasn't sure if this would hurt the wells but it would be hard to keep up with them.

Director of Public Works Billy Grote stated we have four meters we can put up. He also told Council that we're doing well with the Edwards Well.

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Motioned by Alderman Cortez, seconded by Alderman Espinosa to allow Kelly Carroll (Circle C Services) to purchase water from the City for the Devine ISD project through the use of water meters and to have Public Works install meters at each fire hydrant at the schools, and to monitor it weekly even though we're under water restrictions, only because this is for the school and it will be used in the City.

Ayes	--	Two
Nays	--	One (Alderman Lance)
Absent	--	Two (Alderman Ramirez (Alderwoman Antu)

Motion carried.

Discussion was held after the motion on the following items:

- How would the water be utilized? The contractors discussed that there would be some new additions and renovations at all four schools and a new parking area.
- Why not buy from the school and pay them directly rather than the City? Alderman Cortez stated that if the school starts to have trouble with their wells, they're only going to come back to us anyway. He stated that we know that our wells are used to that kind of running more than the school wells are.
- For what period of time? 90 days.
- What happens if we go into Stage II Water Restrictions? According to Billy Grote, Director of Public Works, we are only 5 feet away from that. Beau Carroll suggested that we would all need to look at it again once we get to that point. Alderman Cortez stated that he would hate to stop this project because of that. He stated that he personally has no problems because he knows what the water is being used for. He said that unless we start getting complaints that the water is being overused, we may have to come back and look at it again.
- Mayor Beck inquired if the water we sell to Circle C Services going to cost the school the same amount of money they pay, or would they mark-up the price for re-sale? According to Beau Carroll, the price they pay will be passed on to the school and it will be figured in to their rate.
- What are the water rates? City Administrator Dora V. Rodriguez informed everyone that there is a Base Rate (flat rate) of \$37.95 for Non-Residential/Contractors, and then \$7.35/1,000 for every 1,000 gallons up to 10,000 plus \$7.35/1000 for pretty much each 10,000 gallon increment after that. She explained that the Public Works crew will meter it and then will turn in a manual read to the Utility Department, which in turn will generate an invoice.

Discussion was also held on the fire hydrants that will be used at the school. Director of Public Works Billy Grote stated he wasn't sure which ones would be used yet. He stated we would need to check them but they should all be fine.

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

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Mayor

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City Secretary