

MINUTES OF EMERGENCY  
CITY COUNCIL MEETING HELD  
JANUARY 19, 2017

The City Council for the City of Olmos Park, Texas will meet in an emergency meeting on Thursday, January 19, 2017, immediately following the regular City Council meeting in the Council Chambers at City Hall, 120 West El Prado Drive. Mayor Ronald Hornberger presided and Council members present were Kenyon McDonald, Sharon Plant, Juliana Dusek and Casey Fry. Council member not present and excused from attending was Deb Prost. Staff present was City Manager, Celia M DeLeon; City Secretary, Diane Gonzales; Fire Chief, John Surber; Police Chief, Rene Valenciano. Also present were City Attorney, Frank Garza; and Frank Zoch, 115 W. El Prado.

Mayor Hornberger called the meeting to order at 9:03 p.m. and determined a quorum was present.

Discussion and action on authorizing the City to retain a contractor for emergency repair of sewer line on city property.

An emergency or urgent public necessity exists that requires immediate action of the Council or an imminent threat to public health and safety or a reasonably unforeseeable situation exists.

Fire Chief Surber stated the City's policy on sewer repairs has always been to take care of the City sewer mains which are the pipes that carry the sewage in the easements and anything beyond that has always been the customer's responsibility for the service lateral. Frank Zoch who is the building owner of 115 W. El Prado is having a sewer back up problem in the parking lot for the City's employees behind 115 W. El Prado and he stated he has met with Mr. Zoch and advised him that the City's policy is that the City takes care of the main line and the customer takes care of the service lines. Mr. Zoch has hired Chambliss Plumbing to do a locate and the plumber investigated that the telephone pole that holds the security light and holds the smart reader receiver was replaced about six months to a year ago and the sewer backup was caused by obstruction from that pole. The City did some research and there is a main that starts between the fire station and the first building on Olmos Lane and this main runs from this location into the back yards of all the houses that run down Primera. The plumber followed Mr. Zoch's line out and his service line does come across the parking lot and heads towards the main and they opened up the main and they put a camera from the main in a manhole and the camera went into water which indicates there is a dip and they saw a brown vertical line in their camera that is proof that they see that telephone pole and it appears that the line is broken. The plumbers did do exploratory excavation in the parking lot and as they got down into four feet they started to hit mud and as they went down a couple more feet they found a clay 6 inch line that runs in that area and also found another 4 inch white line and their concern was that water was continuing to fill into that pole coming from somewhere and they think there are multiple lines.

City Manager DeLeon stated there was a break in the line because the CPS pole penetrated the line and she spoke with the CPS Representative, Roland Hinojosa for the City and he indicated that the pole was part of the upgrade project and CPS needed to replace that power pole so that pole is what we assume broke the lateral line. She also stated she has consulted with Givler Engineering and they believe it is a lateral line so that would put the cost back on the owner. Our concern is because there is sewage seeping on City property and that TECQ can fine us. She spoke with Fire Chief Surber and the fire department has that under control.

Fire Chief Surber stated the fire department bought a pump and every time there is 6 inches of water the pump kicks in and pumps it down to 3 inches.

Frank Garza stated your first option is to make the repairs, find out what caused it and if it turns out to be the lateral line then the City will be seeking reimbursement from the property owner. If it was caused by CPS then the customer will have a claim against CPS. If the City has damage to the City's lines then we will have a claim against CPS. He stated based on the meeting we had yesterday we need to act on this now and correct the problem because if the waste continues to accumulate then TECQ can get involved. He stated you have several quotes in your packet from different plumbing companies.

Mayor Hornberger stated his recommendation would be that the City fronts the money for the repairs and then we can see who has a claim against CPS.

Frank Zoch stated he owes Chambliss Plumbing around \$5,600 for the work that they have already done. He stated his contractor believes there are multiple lines in that lateral line and they found medical waste, upholstery materials, and chili peppers.

Councilwoman Plant stated we should authorize up to \$25,000 which should be enough until we find out more information on the repairs.

City Manager asked after the correction is made do you want to authorize David Givler to determine if this is a lateral line or a main line which will determine if the claim will fall under Mr. Zoch or CPS and are Mr. Givler's fees included in the \$25,000?

Councilwoman Plant stated have David Givler start looking at this now and no his fees are not included in the \$25,000.

Frank Garza stated the \$5,600 is the responsibility of Mr. Zoch. If it turns out to be a lateral line then that is added to Mr. Zoch's claim and if it turns out to not be a lateral line then the City can reimburse Mr. Zoch the \$5,600 and the City will add that to the claim against CPS.

Councilman Fry asked what was included in the work for the \$5,600.00?

Frank Zoch stated the plumbers did inspections, a clean out, ran cameras to determine that the CPS pole was the location and ran rotor wires.

Councilman Fry moved to approve the \$25,000 Guaranteed Plumbing quote to repair and investigate and work side by side with Givler Engineering to determine whether this is a lateral or a main line.

Councilman Plant seconded the motion.

The vote in favor of the motion was unanimous.

There was no further business and the meeting was adjourned at 9:23 p.m.

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Ronald Hornberger  
Mayor

ATTEST:

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Diane Gonzales  
City Secretary