CITY COUNCIL SPECIAL/WORKSHOP MEETING

Monday, September 27, 2021 at 5:30 PM
City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

MINUTES

STATE OF TEXAS §
COUNTY OF CALHOUN §
CITY OF PORT LAVACA §

On this the 27h day of September, 2021, the City Council of the City of Port Lavaca, Texas, convened in a special and workshop session at 5:30 p.m. at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas, with the following members in attendance:

I. ROLL CALL

Jack Whitlow	Mayor
Jerry Smith	Councilman, District 1
Tim Dent	Councilman, District 2
Allen Tippit	Councilman, District 3
Rosie G. Padron	Councilwoman, District 4, Mayor Pro Tem
Jim Ward	Councilman, District 5

And with the following absent:

Ken Barr	Councilman, District 6

Constituting a quorum for the transaction of business, at which time the following business was transacted:

<u>CITY COUNCIL SPECIAL MEETING</u>

II. CALL TO ORDER

- Mayor Whitlow called the meeting to order at 5:35 P.M. and presided with the following announcement:

III. COMMENTS FROM THE PUBLIC – *Comments will be limited to three (3) Minutes per individual unless permission to speak longer is received in advance.*

- Mayor asked for comments from the public and there were none.

IV. ACTION ITEMS - *Council will consider/discuss the following items and take any action deemed necessary*

1. <u>Consider award of a construction contract to vendor, Lester Contracting, for site subgrade preparation for the New Skatepark project. Presenter is Jody Weaver</u>

Interim City Manager Weaver reminded Council that the city had contracted with SPA Skatepark for $270,000.00 to construct a Skate Park at Wilson Park. She said the $270,000.00 contract was based upon an assumption of 12" of select fill below the concrete slab. She said the city contracted with TSI Laboratories to perform soils testing and provide a geotechnical report and recommendations. The soils turned out to be extremely expansive with a 4" potential vertical rise (PVR). To avoid significant structural cracking, the PVR needs to be 1". In order to prepare the subgrade to meet this PVR and bring back to the existing ground elevation, a couple alternates were considered, but the less expensive of the two was to cut 4 ft, lime stabilize 24" of subgrade and fill back the excavation with 4 ft of select fill. Clearly this was beyond the initial design assumptions. SPA Skatepark's scope of 12" of select fill throughout the footprint is generally equivalent to the select fill required above the existing grade, being O" in some places, and 2 ft and 3 ft inother places.

With SPA Skatepark's help bids were solicited for this subgrade prep work. The low bidder was local Lester Contracting, Inc. for $49,512.00.

Weaver reminded Council there is $190,000.00 budgeted for additional improvements to compliment the skate park,including sidewalks, lighting, etc. The Parks Board had talked about considering reducing the footprint of the skatepark before paying for additional subgrade preparation out of this fund; however, with an estimated cost of just $13,000.00 to perform the 12" thickness in the SPA Skatepark contract, a reduction of the footprint is not going to save the city much and would sacrifice quality of the park. Weaver would not recommend moving forward with a concrete skatepark with less select fill than has been recommended by the Geotechnical Engineer.

With the expenditure of $49,512.00, that leaves $140,000.00 for other improvements. Note that solar lights cost approximately $5,000.00 each, and sidewalks are $50.00 per Linear Foot. Weaver recommended the construction contract be awarded to Lester Contracting, Inc. in the amount of $49,512.60 for the subgrade preparation for the new Skate Park.

Motion made by Councilman District 5 Ward

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS:

THAT, in accordance with the recommendation of staff, Council hereby approves awarding a construction contract to Lester Contracting, Inc. for site subgrade preparation for the New Skatepark project, in the amount of $49,512.60.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute all instruments necessary to effect such agreement.

Seconded by Councilman District 1 Smith

Voting Yea
Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward

2. Consider award of the construction bid to vendor, Staff Concrete Construction, for the City Harbor Upper Dock Repairs. Presenter is Jody Weaver

Interim City Manager Weaver advised Council the final Hurricane Harvey damage eligible for FEMA reimbursement is the repairs needed to the Upper Dock at City Harbor. She said the eligible scope is limited to an area of the upper dock which is 142 ft long x 20 ft wide x 5" thickor 1183 CF. She said because staff wanted to include construction of an ADA ramp for pedestrian access to the upper dock from Fulton Street, the flatwork concrete at the upper dock is less at 128 ft long, but we are constructing a 6" thickness instead of 5". The actual width is 17.3 ft which all equals 1107 cf which is less than 1183 cf, so all of thisupper flat work should be reimbursed.

Staff recently advertised for bids and received only one bid on September 7, 2021 from Staff Concrete Construction. Weaver said that based upon her calculations, she anticipates that the city should receive $39,505.00 in reimbursement from FEMA, which leaves $152,400.00 to complete the scope of the Base Bid. She did confirm with FEMA that our procurement met all requirements, so there is no issue in the fact that we received only one bid. In the Economic Development Capital Improvement Plan for 2021-2022 fiscal year, staff has $150,000.00 budgeted for this project.

Weaver said that with the construction of the ADA ramp, pedestrian access to the upper dock from Fulton Street will be safer. She said the city should consider the installation of a handrail for public safety. Alternate Bid No. 1 is to install an aluminum handrail similar to that installed along the recently completed bulkhead/walkway near Scully's restaurant. She said all these improvements are pieces of the overall goal of a walking path which will go ultimatelyfrom the Bayfront Park, around or through Clement Cove wetlands, around Scully's and City Harbor to BroadwayStreet. In addition, long range plans are to potentially utilize this area for markets days, small festivals with food trucks etc. Electrical conduit for future electrical outlets has been incorporated into the design.

Weaver said that in order to award the Base Bid and the Alternate handrail, staff will require $103,650.00 of General Fund Reserves above what has already been budgeted (assuming FEMA reimbursement as anticipated). Recall that the adopted 2021-2022 fiscal year budget shows over $4M still available for Capital Improvement projects after required reserves and already budgeted items. Staff recommends awarding a construction contract to Staff Concrete Construction in the amount of $293,155.50 for the Upper Dock repairs.

Motion made by Councilman District 5 Ward

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS:

THAT, in accordance with the recommendation of staff, Council hereby approves awarding the construction bid to Staff Concrete Construction, for the City Harbor Upper Dock Repairs, in the amount of $293,155.50.

BE IT ALSO RESOLVED, that the City Manager is instructed to solicit bids to demolish the old City Freezer Plant.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute all instruments necessary to effect such agreement.

Seconded by Councilman District 2 Dent

Voting Yea
Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward

3. **Consider Resolution No. R-092721-1 for the City of Port Lavaca to renew the application with the Texas Department of Housing and Community Affairs (TDHCA) to continue participation in the HOME Investment Partnerships Program, Homeowner Reconstruction Assistance Program. Presenter is Jessica Carpenter**

Motion made by Councilman District 1 Smith

WHEREAS, the Texas Department of Housing and Community Affairs (TDHCA) has notified the public of a funding availability to benefit low-income residents of the State of Texas communities through the Texas HOME Investment Partnerships Program; and

WHEREAS, the City of Port Lavaca has identified significant housing needs, particularly for the reconstruction of owner-occupied housing; and

WHEREAS, the City of Port Lavaca wishes to assist low-income homeowners with safe, decent, sanitary and affordable housing, and at the same time enhance the health, economic, and aesthetic quality of the community:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS, THAT:

ONE, the City of Port Lavaca, acknowledges and approves that an application be completed and submitted to the TDHCA to participate in the HOME Investment Partnerships Program, Homeowner Reconstruction Assistance Program.

TWO, the City of Port Lavaca will utilize general funds in the amount of $40,000 as cash reserve to utilize during the agreement term for eligible program costs before reimbursements are received from the State of Texas HOME Program.

THREE, HOME Program Match, if applicable, will be provided in accordance with 10 TAC 23 in the amount of Fourteen Thousand Three Hundred dollars ($14,300.) or Eleven percent (11%) of project hard costs, whichever is less, per household assisted through the Texas HOME Program, in the form of waived fees, cash, leverage, and other forms of eligible match.

FOUR, the City of Port Lavaca designates JoAnna P. Weaver, City Manager, as the person authorized to represent the City of Port Lavaca in all matters related to the HOME Program and, with signature authority to sign all forms and documents related to the administration of the HOME Program, including loan documents, grant agreements and the Reservation System Participation Agreement and/or Contract, unless otherwise stated.

Seconded by Councilman District 5 Ward

Voting Yea
Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward

V. ADJOURN SPECIAL MEETING

Mayor asked for motion to adjourn.

Motion made by Councilman District 5 Ward

Seconded by Councilman District 3 Tippit

Voting Yea
Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward

Special Meeting adjourned at 6:04 p.m.

CITY COUNCIL WORKSHOP

VI. CALL TO ORDER

- Mayor Whitlow called the meeting to order at 6:04 P.M. and presided with the following announcement:

VII. COMMENTS FROM THE PUBLIC – *Comments will be limited to three (3) Minutes per individua unless permission to speak longer is received in advance.*

- Mayor asked for comments from the public and there were none.

VIII. ITEMS FOR DISCUSSION - *Council will discuss the following items*

1. Discuss and Review presentation of prioritization of a list of Sub-Standard Buildings for demolition. Presenter is Jessica Carpenter

Council discussed this workshop item only. Move forward with 624 Mulberry Street property.

No action was taken.

2. <u>Discuss and Review presentation of New "AMI" Water Meter System. Presenter is Wayne Shaffer</u>

Council discussed this workshop item only. Received presentation by Ferguson Waterworks representatives Mr. Zeb Wright, BDM – Meters – Central Region and Mr. Barry Ferguson, AMR/AMI Specialist.

No action was taken.

IX. ADJOURN WORKSHOP

Mayor asked for motion to adjourn.

Motion made by Councilwoman District 4 (Mayor Pro Tem) Padron

Seconded by Councilman District 5 Ward

Voting Yea
Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward

Workshop adjourned at 7:00 p.m.

These minutes were approved on October 11, 2021.

Jack Whitlow

Jack Whitlow, Mayor

Mandy Grant

Mandy Grant, City Secretary