

CITY COUNCIL MEETING SPECIAL SESSION

Tuesday, March 05, 2024 at 5:00 PM

City Hall, 102 W. Ashley Wilson Rd, Sweeny, Texas / Join in ZOOM at <https://zoom.us/j/97803022318> Meeting ID: 978 0302 2318 The City does not currently have the technology to conduct virtual meetings remotely with optimal audio. It may be difficult to hear the meeting if participating remotely. It is recommended that those interested in participating in public meetings attend in person until the technology upgrades are completed.

MINUTES

BE IT KNOWN that the City Council of the City of Sweeny will meet in **Special Session on Tuesday, March 05, 2024 at 5:00 PM**, at City Hall, 102 W. Ashley Wilson Rd, Sweeny, Texas. Council is conducted under modified Roberts Rules of Order as approved by Resolution 102-16; July 19, 2016. In accordance with Chapter §551 of the Texas Government Code, if required, the Council may conduct an executive session on any of the agenda items provided the City Attorney is present.

CALL TO ORDER/ROLL CALL

Mayor Hopkins called the meeting to order at 5PM.

Reese Cook, Brian Brooks, John Rambo, and Tim Pettigrew were in attendance. Mark Morgan Jr. was absent.

PLEDGES & INVOCATION

Pledges were led by Brian Brooks and the Invocation was given by Reese Cook.

CITIZENS WISHING TO ADDRESS CITY COUNCIL

Vicki Milian, resident at 1621 Milian Circle, gave an update to her water usage situation and meter reading issue previously brought to Council. She thanked whoever was responsible for fixing her water meter. Her new bill is back to its normal range. She is still requesting to be put on the next regular session of the Council meeting for adjustments to her bills. Her normal average usage was 56,000 gallons of water, averaging six months from January to July 2023. From August to January 2024, her average usage was 169,000 gallons a month. That is a 113,000-gallon difference and triple her average usage on a normal basis. Nothing at her home has changed. She doubts she ever had a leak in the first place, as to why she changed out her water piping. She is requesting the city look into refunding her overcharges and include the month stating her meter indicated a leak. From January 18th to February 20th, her reading was 38 (3800 gallons used). Nothing has changed at her home and the completely new meter was installed 01/19/24. No information was given to her for an update or as to if the meter was working properly. The last meeting she was here, she was told Tex would go out and read the meter on 02/21/24 and see if it was reasonable since the meter was replaced. She received no response until receiving the bill yesterday, showing lower usage. Milian is requesting the Council review and adjust from what the City owes her in overcharges. She received a copy of the paper to be placed on the agenda for the next meeting and intends to submit.

CONSENT AGENDA

1. Budget Amendment: Sidewalk

City Manager stated the sidewalk was replaced near the crosswalk of Main Street and Ashley Wilson Road. She is requesting a budget amendment to take the amount requested out of the Sidewalks Fund, as this was a sidewalk repair. We are almost spent, year to date within water. Originally, the sidewalk did apply to water, as it was a result of a water leak. All emergency repairs will need a lump sum budget amendment soon, closer to the fourth quarter.

Reese Cook moved to approve the budget amendment of \$6,800.00 as requested. Seconded by Tim Pettigrew. All in favor. Motion carried.

2. Discussion and possible action on a request from City Council to provide additional information on Type B-eligible economic development activities.

City Manager stated that previously Councilman Brooks asked for additional information on Type B eligible economic development funds and how they can be spent on capital projects. She elaborated on the allowable activities as creating or retaining jobs, voter required allowances, and expanding commercial

development eligibilities. Councilman Cook asked about highlighting items within the CIP that fit into the EDC allowable criteria as previously requested. City Manager stated she has not highlighted due to non specific project scopes. Councilman Brooks asked about EDC's performance agreements executed and the fulfillment pertaining to creation and retainment of jobs.
No motion made.

REGULAR AGENDA

3. Discussion and possible action to variance requested allowing alcohol at the Pride Day festivities; Ordinance 113.04; Sweeny Beautification Committee

City Manager stated Beautification has requested a variance for alcohol during the Pride Day Festivities. Additionally, this year, they are asking to prohibit the use of utility vehicles within the boundaries to ensure added safety. The map submitted by Beautification depicts the boundaries requested for the variance. Tim Pettigrew motioned to approve the variance to ordinance 113.04 allowing alcohol for the Pride Day Festivities on May 3rd and 4th, 2024 within the areas in the map presented by the Beautification Committee. Seconded by John Rambo.

Discussion: Reese Cook asked if this area includes the carnival area as well. Yes, stated the City Manager. John Rambo and Tim Pettigrew approved. Reese Cook and Brian Brooks opposed. Mayor Hopkins broke the tie, approving the motion. Motion carried.

4. Discussion and possible action on a request from Sweeny Beautification to close a portion of County Road 332, more commonly known as Ashley Wilson Road, from the west side of the intersection of CR332 and Main Street to the second entrance at the Sweeny Community Center.

City Manager stated that Beautification is thinking there will be another event behind the library at the same time, and in the interest of safety, are asking to close the road and have signage posted. The closure would be from Main Street at Ashley Wilson Road, to the second entrance of the Community Center. Elections will be held at the Community Center until 7 PM on Saturday, May 4th. John Rambo suggested keeping Friday's proposed date and time of closure, but to postpone the closure on Saturday to ensure it does not deter those from voting on Saturday. Sweeny Police Department will help with traffic control if needed.

John Rambo moved to approve the road closure Friday night from 5pm to midnight on May 3rd, and then May 4th, starting the road closure after voting has concluded at 7pm to midnight; (Saturday 05/04 at 7PM to 12A, midnight, Sunday 05/05). Seconded by Tim Pettigrew. All in favor. Motion carried.

5. Discuss and take action to award a construction contract to Matula & Matula Construction, Inc. for the amount of \$3,994,185.06 for the base bid and \$280,052.40 for bid alternative number one for a total of \$4,274,237.46 related to the City's grant contract with the Texas General Land Office, Contract No. 22-082-007-D205.

City Manager stated that our City Engineer is about twenty minutes out, but she will give Council the updates. We received three competitive bids. The base bid was less with Branch's submittal. However, with the bid alternate, Matula Matula was least. This grant was started in 2018 after Hurricane Harvey and spanned three different administrations. This does need to be awarded tonight, as this is federal money. Tim Pettigrew motioned to award construction to Matula & Matula Construction Inc. in the amount of \$3,994,185.06 for the base bid and for \$280,052.40 for bid alternative for a total of \$4,274,237.46 related to City's grant contract with the Texas General Land Office, Contract Number 22-082-007-D205.

By adding alternative #1 it makes Matula the low bid on the contract stated Attorney Stevenson. It is still under budget per the City Manager. Seconded by John Rambo.

Discussion: Brian Brooks asked where the trunk line location is? It is from the sewer plant, down to Ave A, for approximately 2 miles of replaced line. Brooks doesn't want a Texas Pride situation. Council discussed their hesitations, timelines, and who would be responsible for overseeing the project. Council agreed to wait to finish discussing until the City Engineer was in attendance.

Tim Pettigrew made the motion to rescind the motion on line item number five. John Rambo seconded. All
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in favor. Motion carried.

Tim Pettigrew made the motion to move line item number five to below item eight. John Rambo seconded. All in favor. Motion carried.

6. Discussion and possible action to approve the Profession Services Agreement with Texas Rebuild / E3 to confirm preliminary findings of AMI meter accuracy.

City Manager stated she would like to request this item be tabled until 04/01/2024 for additional data to review and doesn't feel prepared to present tonight.

Tim Pettigrew motioned to suspend line item six to a further date. Seconded by John Rambo. All in favor. Motion carried.

7. Presentation of Resilient Communities Program Grant

City Manager stated she would like this item tabled too. There is no reason to rush this item, as the grant goes through FY 2028 and allows for up to \$300,000 for city community planning. This item would pertain to the City's Capital Improvement Program, comprehensive master plan, and zoning ordinance overhaul. She is requesting to table to a future date.

Tim Pettigrew made the motion to suspend line item number seven to a future date. Seconded by John Rambo. All in favor. Motion carried.

8. Discussion and possible action on continuing Capital Improvements Project (CIP) planning.

City Manager stated that since the last time discussed, she wants to explain her strategy with a focus on water. We have seventeen miles of steel 2" mains that need to be replaced and a high content of manganese. She wants to reach out and get as many in-kind contributions as possible to make the project a smaller financial commitment. Her next steps are to apply for the TWBD and lastly go out for a General Obligation Bond on the 2025 ballot. The RFQ has been posted for engineering services related to the TWBD application and for the new technology to remove manganese and other secondary constituents from the ground water; an aerator. The City of Pearland has been dealing with the same issues, are on our same aquifer, and are currently installing an aerator. It removes secondary constituents through a system of aeration and oxidation. It is not as costly as reverse osmosis. The PIF (Project Information Form) was submitted 03/01/2024 to TWBD as a preliminary application. If that doesn't work out, we will go out for bond in 2025. Areas not touched in CIP previously were facilities and drainage. We have outgrown City Hall and the Police Department. The Police Department is wanting to add a jail in the near future. She has included a site map within the packet as well as all the information discussed in the previous CIP meeting 01/31/24. RFQ submittals are due 03/08/24 and will bring those back to Council 04/01/2024. No motion made.

Revisited Agenda Item No.5:

Discuss and take action to award a construction contract to Matula & Matula Construction, Inc. for the amount of \$3,994,185.06 for the base bid and \$280,052.40 for bid alternative number one for a total of \$4,274,237.46 related to the City's grant contract with the Texas General Land Office, Contract No. 22-082-007-D205.

William Huebner, City Engineer, approached Council. We received bids to replace the GLO trunkline on Avenue A and emergency generators for the lift stations. This is funded by the GLO-MIT grants from 2019. Three bids were received on 02/22/24. This was a unique situation, as under the base bid, Branch was the low bidder. With base and alternate, Matula turned out to be the lowest and under total funds received. We received about \$4.3M in construction funds. These were some very tight bids and within the budget. Mayor Hopkins asked about moving forward and the timeline. Due to long lead times of generators, the timeframe spans 480 days. Mechanical completion for underground dirt/sewer replacement is not broken out separately. Once the contract is executed in a construction meeting, they will be required to show a schedule. Huebner stated that they do have RPR services by the engineers to watch over the project. Typically engineers don't provide someone everyday, all day, to watch over. City Manager stated she will be inspecting and will complete reports on the construction. Councilman Brooks asked if we could have the

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engineers reporting at Council meetings each month for progress. Mayor Hopkins questioned having two projects completed at once: Main Street Water Line replacement and the GLO project. Per Hueber, the only portion that both projects would cross will be near South Main, but doesn't foresee an issue. The projected start date, assuming awarding tonight, would be about two months to breaking ground. Mayor asked Matula if there would be any staffing issues for the project and Matula did not see any issues. Councilman Cook questioned the City's percentage match required. He believed it was originally a 1% match, now it is showing a 3% match on the line item of the agenda memo. Huebner stated that Grantworks could confirm. City Manager stated she was under the assumption it was 3% and our match is \$150,000. Huebner stated he is not aware of any changes of the financial side since the project started. Tim Pettigrew made the motion we award the construction contract to Matula & Matula Construction, Inc. for the amount of \$3,994,185.06 for the base bid and \$280,052.40 for bid alternative number one for a total of \$4,274,237.46 related to the City's grant contract with the Texas General Land Office, Contract No. 22-082-007-D205. John Rambo seconded. All in favor. Motion carried.

ITEMS OF COMMUNITY INTEREST

Tim Pettigrew stated the Sweeny Education Foundation Fundraiser was this past Saturday and it was very nice. He hopes they continue it.

ADJOURN REGULAR SESSION

Mayor Hopkins adjourned the meeting at 5:57 PM.

Staff present:

City Manager, Lindsay Koskiniemi
Police Chief, Brad Caudle
Director of Public Works, Terrance Bell
Finance Director / Personnel Services, Karla Wilson
City Secretary/ Developmental Services, Kaydi Smith

City affiliates present:

City Engineer, William Huebner
City Attorney, Charlie Stevenson

Passed and approved this 19th day of March, 2024.



Kaydi Smith - City Secretary