

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes

of

A WORKSHOP MEETING OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS HELD AT CITY HALL, 710 EAST SAN AUGUSTINE STREET, DEER PARK, TEXAS ON FEBRUARY 19, 2019, BEGINNING AT 6:15 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

JERRY MOUTON, JR.
SHERRY GARRISON
THANE HARRISON
TOMMY GINN
BILL PATTERSON
RON MARTIN
RAE SINOR

MAYOR
COUNCILWOMAN
COUNCILMAN
COUNCILMAN
COUNCILMAN
COUNCILMAN
COUNCILWOMAN

OTHER CITY OFFICIALS PRESENT:

JAY STOKES
GARY JACKSON
SHANNON BENNETT
JIM FOX

CITY MANAGER
ASSISTANT CITY MANAGER
CITY SECRETARY
CITY ATTORNEY

1. MEETING CALLED TO ORDER – Mayor Mouton called the workshop to order at 6:15 p.m.
2. DISCUSSION OF ISSUES RELATING TO THE BID RECEIVED FOR THE REPAIR OF THE PRATT TRUSS BRIDGE STRUCTURE AT THE BATTLEGROUND GOLF COURSE – City Manager, Jay Stokes gave an overview of the one bid received in the amount of \$470,951 and mentioned the bid cost estimate being over the amount of available funds. Mr. Stokes introduced Jonathan Griffin of RPS to give a general summary of the bidder and the process of the actual bid.

Jonathan Griffin, Project Manager of RPS North America, gave a summary of his findings after reviewing the company Gibson & Associates and their past work performance. He discussed the risk assessment that resulted higher than anticipated. Possible negotiations with the contractor is being looked at with options of trying to reduce the scope of work, reduce the amount of steel used to repair the bridge, and/or reject and rebid and a consultation with the bidder to see why bid was so high and what can be done to reduce the price. Currently, the options are still, to repair, replace or remove the bridge.

Mayor Mouton asked, “Can you define risk assessment?”

Mr. Griffin responded, "This means the contractor does not know how the bridge will react when they go in to do the repairs. They are basing the risk off what they see of the bridge without delving into the project. It is not known how fragile the bridge is."

Mayor Mouton asked, "Does this risk assessment have anything to do with the current bid?"

Mr. Griffin responded, "Correct."

Mayor Mouton asked, "You have not talked to the company that submitted the bid?"

Mr. Griffin responded, "No, not pertaining to their bid."

Mayor Mouton commented, "This conversation is based on other companies that had considered bidding for the repairs of the bridge."

Mr. Griffin responded, "Correct. I have had numerous conversations with several contractors saying that the deterioration is pretty significant. The bid is broken down to material cost, labor cost and risk assessment. The cost of steel is \$5 a pound, the bid came in at \$82 a pound, that is a significant increase for how much the material cost versus how much they are going to put in for labor and risk. That is where everything came in, due to the bid of the steel price."

Councilwoman Sinor asked, "Was there a mandatory pre-bid meeting?"

Mr. Griffin responded, "Yes there was, I believe 4 contractors attended that meeting."

Councilman Martin asked, "Did those contractors give reasons as to why they did not bid?"

Mr. Griffin responded, "One contractor did say that they were afraid the bridge would just collapse."

Councilwoman Sinor asked, "Is the \$471,950 bid an exaggerated amount?"

Mr. Griffin responded, "I do think the bid is high and so do other people at my company as well. There were a few contractors that were already busy with projects and that could be a factor as well as to why we did not receive as many bids that we thought were appropriate."

Councilwoman Garrison asked, "Do the other contractors you spoke with have as much experience as the bidder that bid? Have they done other bridges?"

Mr. Griffin responded, "They are comparable. I believe they are all qualified to do the work. I do think the company that did bid was definitely the best. Clearly the company that put the bid in has a lot of experience with bridge repairs and provided many of examples of bridges they did repairs on."

Councilwoman Garrison commented, "Maybe the bid was higher because of the expertise they were offering."

Mr. Griffin commented, "Possibly."

Councilwoman Sinor asked, "Do you think the bid amount covers the maximum scope of work or could it exceed the bid amount?"

Mr. Griffin responded, "That is a possibility."

Mayor Mouton asked, "Based on your estimates, would you recommend we reject this bid?"

Mr. Griffin responded, "I do think the bid is too high."

Councilman Ginn commented, "You did say the other companies were qualified."

Councilwoman Sinor commented, "The other companies won't bid because it is too big of a risk."

Assistant City Manager, Gary Jackson commented, "This bid was complex and unique enough that a mandatory pre-bid meeting was required. It would not be unusual to have a conversation with the bidders that took the time to go to the pre-bid meeting, but chose to not bid and try to find out what they were thinking. You usually want to have an array of bids, typically three bids so you can have a high, medium and a low option. We don't have construction delivery methods that some cities have available which is one of the reasons why we have a Charter election that gives us more options. There is a construction manager at risk option and a design build option that could be a method to try and control the cost, but it is something we can't do right now. You can ask yourself, is it reasonable to expect that you could change the design in some manner, thereby taking on more risk by the City, which personally, I would not advocate, to make it more attractive to the bidders to bid. However, what else could happen if there is a rebid that would change the circumstances, unless the thought that a wider net of bidders could be drawn? It would certainly be an unknown."

Councilman Patterson asked, "Is this a firm price? The only way this would change is if something comes up that is not in the original specifications?"

Mr. Jackson responded, "That would be considered a change order."

Councilwoman Sinor asked, "When did we hire you?"

Mr. Griffin responded, "I believe it was in the Spring of 2018."

Councilwoman Sinor commented, "This is what is so worrisome to me, we have contractors state they do not want to work on this bridge due to the risk. They feel like it is pretty dangerous and they are afraid it will just fall apart. We have been talking about this for about a year and a half and we saw pictures and we know that it is in bad shape. I

said this months ago, that we are very lucky a piece has not fallen down and knocked somebody in the head.”

Councilwoman Garrison commented, “We do have a solid bid from a company that has expertise in dealing with these kind of bridges and is not afraid of the risk.”

Councilman Harrison asked, “If we put in a replica bridge, with a cost estimate of \$160,000 would we still have to pay the \$50,000 to take down the existing structure before putting the replica up?”

Mr. Griffin responded, “It is included in the replacement of the bridge. Essentially, it would be taking out what is there and replacing with similar parts.”

Councilman Harrison asked, “In your memo, it said we would still incur the maintenance for the next 20 years. Approximately the same cost if we put in a replica versus fixing the structure that is there which averages about \$8,000 a year. Do you still have to do that for a replica? ”

Mr. Griffin responded, “The cost is always associated with, assuming the City will hire a contractor to inspect the bridge every year and do to the touch-ups on the paint, the best way to maintain it. We came up with an assumption of a contract for the maintenance like inspecting, painting and touch ups with very 5th year to paint the whole bridge again.”

Councilwoman Garrison asked, “If we take the bridge down, we are responsible for taking it down and building a replica that does not come out of Hotel Occupancy Tax money. If we restore the bridge, do we have the money available in the Hotel Occupancy Tax funds and could the maintenance be covered by the same funds?”

Mr. Jackson responded, “Yes. It would still be historic preservation.”

Councilwoman Sinor asked, “What is Hotel Occupancy Tax money used for?”

City Manager, Jay Stokes responded, “A percentage can be used for Historic Preservation.”

Councilman Harrison commented, “The fact of the matter is, the bridge is manmade. Anything that is manmade has to have maintenance. We as a governmental body, and previous governmental bodies, have not maintained the bridge as we should have. Now, we are at this point. I agree with Councilwoman Garrison, it is a part of history. I say, fix it and maintain it, and keep the history here in Deer Park.”

Councilman Martin asked, “At the cost of the current bid?”

Councilman Harrison responded, “Yes.”

Mr. Stokes discussed some details of the current budgeted expenditures and concluded that a budget amendment would not be necessary. Mr. Stokes commented “Keep in mind, and this isn’t a statement that we should or shouldn’t do the bridge, we will not be able to

do everything we talked about doing. We can't do the bridge and then put all that same money toward the Jimmy Burke Center or the way finding signs either because there won't be enough money."

Councilwoman Garrison asked, "Are you talking about just this fiscal year?"

Mr. Stokes responded, "This year definitely and later on down the road as well. We do have the money in the Hotel Occupancy Tax fund to do the bridge, just know it will be at the expense of other things."

Councilman Ginn commented, "If the same company bids again, it is most unlikely they would bid any higher if we reject it tonight."

Discussion continued about the options to award or reject the bid and the direction Council would like Staff to take.

Mayor Mouton commented, "We will continue to talk about this in the Regular meeting."

3. DISCUSSION OF ISSUES RELATING TO THE NEW TOURISM PAGE ON THE CITY WEBSITE – Public Relations/Marketing Specialist, Kristin Callahan gave an overview of the new Deer Park Tourism website. The presentation given detailed the website theme and goal of launching an accurate and informational site. This website can be reached through the official City of Deer Park website or through a recognizable URL that is integrated into the advertisement that goes out on local, regional, state and national scale that encourages people to visit our City. (A1-A6)
4. DISCUSSION OF ISSUES RELATING TO THE MAXWELL ADULT CENTER OPERATIONS & FEES – Parks and Recreation Director, Charlie Sandberg gave an overview of the new concept for the Maxwell Adult Center that includes an addition of 1000 square feet, a reception area, a new lounge area and an expanded fitness center. Senior Services Supervisor, Janica Hughey discussed in more detail proposed changes of the programming, fees, process of security and accountability, homebound meals and rentals for the new facility. (Exhibit B1-B4)
5. DISCUSSION OF ISSUES RELATING TO THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION SOCCER PROJECT FOR DIRT AND ELECTRICAL SERVICES – Parks and Recreation Director, Charlie Sandberg gave a breakdown of the design specifications and costs pertaining to the dirt and electrical items for the project. Due to unforeseen site conditions after deforestation of the project, site additional dirt was required to meet design grade specifications. The sod for the two fields was recommended to allow the facility to be utilized in 2019. (Exhibit C1-C3)
6. RECESS/RECONVENE – Mayor Mouton recessed the Workshop at 7:29 p.m. and reconvened at 7:30 p.m.

7. DISCUSSION OF ISSUES RELATING TO THE NEW CONCESSION BUILDING AND STORAGE IN DOW PARK – Parks and Recreation Director, Charlie Sandberg gave an overview of the issues with the drainage at Dow Park Soccer fields. Mr. Sandberg spoke of the funds needed to correct the drainage problems and also proposed to utilize a portion of those same funds to renovate the concession area and install an engineered parking lot.

Councilwoman Garrison asked, “Why was there damage?”

Mr. Sandberg responded, “Due to lack of care. We now have a staffed Custodian that goes to every single concession stand every day.”

Assistant City Manager, Gary Jackson commented, “In the new Youth Organization Agreement, there is a provision for care and maintenance of the concession facility.”

Public Works Director, Bill Pedersen commented, “The reason for not going two stories with the facility is because of ADA (Americans with Disabilities Act) issues. The engineer we are proposing to hire is the same engineer that worked on the backup EOC facility.”

8. DISCUSSION OF ISSUES RELATING TO AN UPDATE ON THE ANIMAL CONTROL DIVISION – Police Lieutenant Frank Hart, gave a summary of the new Animal Shelter and the transition of the Humane Department to the Police Department. Lieutenant Hart spoke of changes that will take place to include new uniforms for the Staff and a new format for Standards of Procedures. Implementation of Staff training and a volunteer program are all projects in progress.

Councilwoman Sinor commented, “My hats off to you. You have done an excellent job, thank you so much for all your hard work.”

9. DISCUSSION OF ISSUES RELATING TO THE QUARTERLY FINANCIAL REPORT FOR THE FISCAL YEAR 2018-2019 FIRST QUARTER ENDED DECEMBER 31, 2018 – Finance Director, Donna Todd gave an overview of the budget funds for the quarter, highlighting the expenditures and revenues of each fund.
10. ADJOURN – Mayor Mouton adjourned the workshop meeting at 7:46 p.m.

ATTEST:

APPROVED:

Shannon Bennett, TRMC
City Secretary

Jerry Mouton, Jr.
Mayor