

**COUNCIL MEETING THURSDAY, FEBRUARY 22, 2018, 6:00 P.M.**

**The Mayor and City Council Met in regular session on Thursday, February 22, 2018 at 6:00 p.m. with the following members present: Mayor Pro Tem Robinson, Council Members Lee and Gonzales; City Manager Squyres and City Secretary Raines. Mayor Diaz, Council Member Rivas, Council Member Garcia and City Attorney DeFoyd absent.**

**The meeting was opened with Prayer and the Pledge of Allegiance.**

**A motion was made by Council Member Lee and seconded by Council Member Gonzales to approve the minutes as presented. Vote: 3 For 0 Against**

**DEPARTMENT HEAD REPORTS:**

**Chief Ayala advised that they had been visiting with the schools to be aware of what kind of program they had in place to deal with a shooter at the school as well as other emergencies. He congratulated the Council on not having any opponents in the upcoming election and on having done a good job.**

**Chief Mier advised that on Monday, Congress Woman Shelia Jackson Lee had been at the fire station for a ribbon cutting for the new ambulance and that they had a good turnout. She cautioned to be careful out in the bad weather.**

**Kyle Reed, Public Works Director, stated that all the rain we were having was creating issues for public works, they were keeping the drains open and doing repair work on the public Works buildings.**

**Ivan Rojas, Parks and Recreation Director, congratulated the returning council Members and advised that the Food Bank would be distributing food at Town Center on Friday, February 23<sup>rd</sup> and that Little League opening day would be March 17<sup>th</sup>.**

**Elizabeth Flores, Heritage Hall Director, thanked the Mayor and Council for coming to the Senior's Valentine Banquet and announced that the Seniors would be going to the Houston Livestock Show Parade on Saturday. She thanked Council Member Lee for coming out and joining the Tai Chi class this week, that the classes would be over next week and a lot of the seniors wanted to continue them and there was discussion about the city possible doing this. Elizabeth advised that she had another program coming in and Tai Chi would be back in April. She stated that they got 5 new members in the Congregate program this week.**

**Lt. Longrigg stated he wanted to go on record and thank Mr. Duran and Mr. Banda, from the Public Works Department, that they had gone with him to Beaumont to pick up some furniture that had been donated to the police department and they had no idea it would be that much furniture, they had a big truck full, there was no way they could have done this without them, they were great workers and he really appreciated all they did.**

**MAYOR'S REPORT:**

**Mayor Pro Tem Robinson cautioned everyone to be careful out there, the weather was bad and this slowed down progress on the concession stands but hopefully they would be ready, it looked like they would.**

**CITY MANAGER'S REPORT:**

**City Manager Squyres stated that Mark was being a little to kind to himself, that on his day off he came in to do this. He stated that he did want to mention that it had been in the news a lot about the school shooting and he was in a Board of Directors meeting at the Chamber yesterday and there were some notable absences, none of the school district representatives, primarily the individuals that run the schools were there, they were all having to craft letters to send out to the district**

**because of false alarms, the number of kids that were hoaxing school districts on social media. He stated that if you were a parent or the young people in the audience, please know social media is a real big problem; you can not go on social media and say I want to do something to somebody, that was extremely dangerous that when he was a kid if he made that kind of comments that meant that he might get his backside busted but now days if you make that kind of comment on social media you go to jail, you are charged with felonies. Please stay off social media with personal disputes and things like that toward anybody at school. He stated they had all been false alarms so far and he was talking about all the regional school districts In the North Channel area including GPISD have seen this happen the last few days and it was very very dangerous to do so please watch our children's activity on social media.**

**Mr. Squyres call attention to the awnings here at the annex that had been replaced with the theme color of the city and they looked so much better than the ones that were falling apart and all the other projects in the city were on track.**

**UNFINISHED BUSINESS:**

- 1. Receive and award bids on sell of (2) 2006 Ford Crown Victoria Police units. No Bids Received**
  
- 2. Receive and award bid on debris monitoring service and debris removal service.**

**City Manager Squyres stated that we had received one bid on the debris monitoring from: Foster CM Group**

<b>Inspection/monitoring services</b>	<b>\$19,968.00</b>
<b>Account Manager</b>	<b>\$16,416.00</b>
<b>Total</b>	<b>\$36,384.00</b>

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**City Manager Squyres stated that anything the council did tonight he would really appreciate it if it had the stipulation pending review by FEMA and the State of Texas and TDEM, that we really wanted to make sure that everything we do in the contract that is generated in this is approved by both of those agencies, that way we get every dime of it back from FEMA because we didn't want this coming out of tax dollars, we want this coming out of your tax dollars and reimbursed by FEMA.**

**Council Member Gonzales made a motion pending review of FEMA and the State of Texas and TDEM to award the Monitoring Services contract to Foster CM Group, the motion was seconded by Council Member Lee. Vote: 3 For 0 Against**

**City Manager Squyres read the following bids received on debris Removal services:**

**He stated the first bid was from Reyes Pineda Construction, Inc. and they were estimating the debris pile to be approximately 5000 square yards.**

**Reyes Pineda Construction Inc.     \$160,000 (Including Tipping)**

**Mr. Squyres stated the second bid was from DRC Emergency Services and they were estimating the debris pile to be approximately 6,500 to 7,000 cubic yards.**

**DRC Emergency Services                     \$80,000 (Including Tipping)**

**There was general discussion about the bids and what they included and the difference in the bids.**

**Mr. Squyres advised that DRC was a very reputable company and he believed they were one of the contractors that was doing some of the**

**county's work. He stated that the same stipulation would need to go with this motion.**

**A motion was made by Council Member Gonzales with the stipulation pending review by FEMA and The State of Texas and TDEM to award the contract for debris removal to DRC Emergency Services, the motion was seconded by Council Member Lee. VOTE 3 for 0 Against**

**3. Council discussion of possible action concerning bids received at the February 8, 2018 council Meeting on construction of fire station addition.**

**City Manager Squyres stated that after consultation with the City Attorney it was determined that we needed to suggest to the City Council that we need to disregard the low bid and it pained him to say that but the reason being that when we opened those bids, that bid did not have a bid bond, it actually had two copies of the bid in sealed envelopes but neither of them contained a bid bond. He stated that we spoke with the gentleman afterwards and he just failed to supply that. The City Attorney felt very strongly that accepting that set a bad president, he felt it was an inexperienced company as far as large construction projects and it would hurt us in future bids if we start accepting bids without a bid bond and he certainly concurred with Mr. DeFoyd's recommendation on that and so the next low bidder was Portfolio Builders, their base bid was over our total budget for the project, The total amount budgeted for the project was \$700,000 and their base bid was \$870,000 so we took a very good look at the proposal and it had some things in it that quite frankly we feel we don't need and we could cut that project back some so what they were asking for was to conditionally accept Portfolio Builders as the successful bidder and then go into negotiations with them to start carving away, it was called value engineering, start carving away things like the quality of a counter top and he mention two or three items they came up with off the top of their heads, like doing away with replacing the existing generator, the generator is not but about 12 years old and doesn't run frequently, it ran one week solid and that**

**is the longest it has run other than its typical cycling so that was \$85,000 right there that we could do away with and it was large enough to run the majority of the station even after the rehab so if they would give them a little bit of time they could work through these things with the engineer, architect and proposed builder and give them a shopping list so to speak and let city council have the say about what we need or can do without and if we can get to an acceptable level to bring it within the budget or if it is slightly above the budget we could ask them to amend the budget if needed but the point was that it would be a council decision on every line item and if it impacts the budget it would be a council decision as well.**

**Council Member Lee stated that he had a question about the alternates didn't one of them have to do with the brick and whether it was going to go all the way or not, that he was actually concerned about how it was going to look and was advised that we would have an opportunity to address that.**

**Council Member Lee stated that he was looking at the alternates here and T & M Jones didn't have an alternate #2 and the others did and he was concerned about what that might involve.**

**City Manager Squyres stated that as he recalled, Alternate #1 involved replacing the bay doors which were very old and Portfolio Builders told them it might be more cost effective to do this as a separate project, they think we might save as much as \$10,000 by going out for bids on the bay doors ourselves rather than going through them because everybody gets a markup on them by going through them so rather than use a bid alternate on them, contract it out directly ourselves and the same thing on the brick, we could look at that just like we are looking at the base bid and give these back to them to make the decisions. He stated that the biggest problem with adding brick to the old part of the fire station was the fact that there were some questions as to whether the foundation would support it but good brick guys could do all kinds of things. He stated the point was if they gave us permission to do that, to enter negotiations with Portfolio Builders with some value**

**engineering in mind they hoped to bring them back some decisions to make, he didn't want to get blamed if it didn't look the right way.**

**A motion was made by Council Member Gonzales to accept Portfolio Builders bid and conduct the value engineering (Mayor Pro Tem Robinson ask if we could add to the motion for this to be on the last agenda in March ) Council Member Gonzales added this to his motion and the motion was seconded by Council Member Lee. VOTE: 3 For 0 Against**

**NEW BUSINESS:**

**1. Council Action on Variance Board's recommendations at:**

**City Manager Squyres stated that he had sat in on these meeting for years and he had seen any this quick that the first one at 1202 Holland Avenue lasted three minutes and Dalia Dela Rosa was the owner of that building and for those of us who had been around for some time might remember this as being the Jacinto Veterinary Office and at one time that building had a series of kennels on the north side of the building and the foundation is still there where the kennels were at and they want to expand the building on that foundation so it would go to the north probably another 20 to 25 feet and the problem was if they were building that building today, there is a 20 ft. setback because it abuts a residential building behind it; it is build currently on a 7' Setback because it was built before the zoning ordinance so what they want to do is build on the same building line as the existing building and kennels using the existing foundation. He advised that letters went out to all of the neighbors including the neighbor behind him and nobody showed one way or another at the meeting, that he did have one gentleman, Mr. McCarty, the gentleman that owns the residents immediately behind it, he rents it out as a rent house and he wanted to know how the meeting turned out and was advised that the Variance Board**

**approved it and Mr. McCarty stated that he had no problem with it at all.**

**Mr. Squyres advised that the Variance Board's recommendation to council was to approve the setback change from 20 ft. to the current setback which we used for the existing building which was 7 ft. and it was a 3 to 0 vote by the board.**

**A motion was made by Council Member Lee and seconded by Council Member Gonzales to accept the recommendation of the Variance Board and approve the variance request and allow them to build on the existing foundation. VOTE: 3 For 0 Against**

**City Manager Squyres advised that the board also met on 10918 Palestine and this was in the middle of Palestine, the long block in front of the railroad track, the brick building with a lot of glass in front of it. He stated that for about two years or so there had been a landscape business there and when Rick originally approved this, it was primarily just office work that went on and apparently when their business license renewal came up it was noticed that they were doing landscaping work out of there, they had landscaping material and trucks in the yard and ever since our Zoning Ordinance went into effect each zone has a list of the type of businesses that you can do, that is zoned light commercial and so landscaping is not one of the businesses listed there so they had to apply for a variance or is called a Special Use Permit which means that if the Council grants this it means that Mr. Mendez, who was in the audience, could have a landscaping business there or lease it out as a landscaping business as long as he cares to do that but what it did not do was change the zoning of that land to a different class so he could not say well now I want to put a church or something else there, if this is passed he has permission to put a landscape business only and they still have to comply with all the regulations, ordinances, etc., it just says he can continue to have a landscape business there and this also passed with**

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**a 3 to 0 vote by the Variance Board recommending the council to approve it.**

**Mayor Pro Tem Robinson stated that he had a question, Mr. Mendez could continue to operate a landscaping business or rent it out as a landscape business but if he sell the property it reverts back to the original zoning and was advised that was right.**

**Council Member Gonzales ask if there was any neighbor there that expressed a concern and was advised by Mr. Squyres there was not and they might remember that the business that was there prior did generate some concerns, it was a music instruction studio.**

**Council Member Lee ask if he was already conducting the landscaping business there and how long had they been doing this. Mr. Squyres advised two years but he needed to say it was not ill intent on their part, they applied for their city license and did everything they needed to do but their business shifted a little bit from being an office, the renter was the first opener of this business and it was a nation wide company and this was their first Texas outlet so to speak so it was just office work and didn't catch anybody's attention but once they started doing more landscaping here and bringing in more equipment, that caught people's attention.**

**Chief Ayala stated that they keep the property up and it always looks good and they are very professional.**

**A motion was made by Council Member Lee and seconded by council Member Gonzales to accept the recommendation of the Variance Board and approve the Special Use Permit at 10918 Palestine. VOTE 3 for 0 Against**

**Mr. Daniel Mendez, 10918 Palestine thanked them for their approval.**

- 2. Council to confirm the appointment of Mr. Jim Griffin as Harris County Municipalities Waste Disposal Council's Representative to the Gulf Coast Authority Board of Directors.**

**A motion was made by Council Member Gonzales and seconded by Council Member Lee to confirm the appointment of Mr. Jim Griffin. VOTE: 3 For 0 Against**

**COMMENTS FROM THE PUBLIC:**

**Mr. Arturo Zuniga, 11109 Verano, stated that about three years ago he had a driveway built there, they ran into several issues but they finally got them workout but there was a drainage issue that needed to be repaired, he offered to pay for it and did pay for it but it was the wrong one and they told him to go ahead and get his money back and that was three years ago he stated that he knew we have had a lot of bad weather and Harvey but he wished we could get this taken care of and he would like to know if he could pay to have it done.**

**City Manager Squyres ask him to meet with Mr. Reed and him after the meeting to discuss this and they would try to get him an answer tonight or no later than tomorrow.**

**Mayor Pro Tem Robinson advised Mr. Zuniga that if he would meet with them, we would get something resolved.**

**Brandon Miller, 920 Cloverleaf, stated they were with Boy Scout Troop 1301 and they meet at Reverend Lee's church, Calvary Baptist Church and they are selling Coupon Book and would appreciate everyone's help.**

**They were advised to come up after the Council Meeting and City Manager Squyres advised them to bring them up to City Hall and we would try to help sell them.**

**COUNCIL COMMENTS:**

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**Council Member Lee stated those scouts were good workers and good kids and he was real proud of them.**

**Council Member Gonzales congratulated Council Member Rivas, Council Member Robinson and Council Member Lee on their no election.**

**Mayor Pro Tem Robinson stated that he wanted to thank everybody and congratulate Council Members Rivas and Lee. He cautioned every to be careful with all this bad weather and he knew that Mr. Reed didn't like to hear this but mosquitoes were here, he killed one last night.**

**Mayor Pro Tem Robinson adjourned the meeting at 6:42 p.m..**

**Respectfully submitted,**

A handwritten signature in cursive script that reads "Joyce Raines".

**Joyce Raines  
City Secretary**