

MINUTES
CITY COUNCIL MEETING
JULY 2, 2019

CALL TO ORDER – Roll Call and Determination of a Quorum

The Parker City Council met in a regular meeting on the above date at Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002.

Mayor Lee Pettie called the meeting to order at 7:02 p.m. Councilmembers Diana M. Abraham, Cindy Meyer, Edwin Smith, Ed Standridge and Patrick Taylor were present.

Staff Present: City Administrator Luke Olson, Asst. City Administrator/City Secretary Patti Scott Grey, Finance/H.R. Manager Grant Savage, City Attorney Brandon Shelby, Public Works Director Gary Machado, City Engineer John Birkhoff, P.E., and Police Chief Richard Brooks

EXECUTIVE SESSION – Pursuant to the provisions of Chapter 551, Texas Government Code the City Council may hold a closed meeting.

Mayor Pettie asked City Council and City Attorney Shelby if there was a need to recess into Executive Session tonight. Everyone indicated they were not aware of any issues.

1. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:
 - a. Government Code Section 551.074 Personnel—To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
 - b. Government Code Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation
 - c. Government Code Section 551.071(2) – Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly conflicts with this chapter (Open Meetings Act)
2. RECONVENE REGULAR MEETING.
3. ANY APPROPRIATE DELIBERATION AND/OR ACTION ON ANY OF THE EXECUTIVE SESSION SUBJECTS LISTED ABOVE.

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Chief Richard Brooks led the pledge.

TEXAS PLEDGE: Mr. James Matson led the pledge.

PUBLIC COMMENTS The City Council invites any person with business before the Council to speak. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

None

ITEMS OF COMMUNITY INTEREST

- BUDGET WORK SESSION - MONDAY, JULY 15, 2019, 7:00 PM

The Budget Work Session scheduled for Monday, July 15, 2019, 7:00 p.m. was canceled. The work session will be held Tuesday, July 16, 2019, 7:00 p.m. at the time our regularly scheduled City Council meeting is held, due to fact there are no items immediately pending.

- HOME RULE CHARTER COMMISSION (HRCC) – MONDAY, JULY 22, 2019, 7:00 PM
Mayor Pettie announced the next regularly scheduled HRCC meeting date/time.
- NATIONAL NIGHT OUT (NNO) – TUESDAY, OCTOBER 1, 2019, 6:00 P.M. – 9:00 P.M.
Parker residents were encouraged make their neighborhood/Homeowners' Association (HOA) plans and contact Police Sergeant John Paul to schedule their NNO visits.

INDIVIDUAL CONSIDERATION ITEMS

4. APPROVAL OF MEETING MINUTES FOR JUNE 18, 2019. [SCOTT GREY]

MOTION: Councilmember Smith moved to approve the June 18, 2019 City Council meeting minutes as presented. Councilmember Taylor seconded with Councilmembers Abraham, Meyer, Smith, Standridge, and Taylor voting for the motion. Motion carried 5-0.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2019-608 AWARDING THE 2019 GREGORY LANE CULVERT REPLACEMENT PROJECT. [BIRKHOFF/MACHADO/OLSON]

City Engineer Birkhoff said the 2019 Gregory Lane Culvert Replacement was advertised in the Dallas Morning News on June 9, 2019 and June 16, 2019. The bids were received at 1:15 p.m., Tuesday, June 25, 2019.

Mr. Birkhoff's letter, dated June 26, 2019, states Four Star Excavating of Dallas, Texas submitted the low base bid in the amount of \$299,697.00 and the low base bid plus deductive alternate in the amount of \$279,697.00. The deductive alternate of (\$20,000.00) is available if the city can obtain an alternate route to ingress and egress local traffic during a 7-day road closure of Gregory Lane. The base bid allows for one-way traffic during the culvert replacement permitting half of the culvert to be constructed at a time.

The City Engineer's office has checked the references provided and based on experience in other cities, this contractor has satisfactory experience in this type of work. Accordingly, based on the information the City Engineer's office has available, they recommend the City accept the base bid, and award Four Star Excavating a construction contract in the amount of \$299,697.00. If a detour can be achieved the deductive bid item will be applied to the contract.

City Engineer Birkhoff said he is available to discuss the recommendation further at Council's convenience. **(See Exhibit 1 – City Engineer John Birkhoff, P.E.'s corrected letter, dated June 26, 2019 with Bid Summary and Tabulation of Bids.)**

MOTION: Councilmember Taylor moved to approve Resolution No. 2019-608 awarding the 2019 Gregory Lane Culvert Replacement to Project Four Star Excavating of Dallas, Texas. Councilmember Abraham seconded with

Councilmembers Abraham, Meyer, Smith, Standridge, and Taylor voting for the motion. Motion carried 5-0.

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON PARKER RANCH ESTATES PHASE 4A & 4B PRELIMINARY PLAT. [BIRKHOFF/MACHADO]

After discussion, City Council made the following motion.

MOTION: Councilmember Taylor moved to approve Parker Ranch Estates Phase 4A & 4B Preliminary Plat, subject to engineering approval and compliance with the terms of the development agreement. Councilmember Smith asked that the motion be subject to the terms of the Ordinance, Ordinance No. 546 (the Development Agreement), passed and approved September 23, 2003. Councilmember Taylor agreed. Councilmember Standridge seconded with Councilmembers Abraham, Meyer, Smith, Standridge, and Taylor voting for the motion. Motion carried 5-0.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON ORDINANCE NO. 777, UPDATING ORDINANCE NO. 725, SPECIFICALLY ADDRESSING BRUSH (STORAGE, COLLECTION AND DISPOSAL OF BRUSH AND BULKY ITEMS OF SOLID WASTE REGULATIONS). [SHELBY]

After discussion, City Council made the following motion.

MOTION: Councilmember Taylor moved to table Ordinance No. 777 for additional information, discussion with Republic Services regarding alternatives, and final evaluation/review by City Council. ***(Note: This item was originally placed on the June 18, 2019 City Council agenda. Since the item's caption was for discussion/direction, the item was placed on the July 2, 2019 City Council agenda for official approval/vote.)***

Councilmember Abraham seconded with Councilmembers Abraham, Meyer, Smith, Standridge, and Taylor voting for the motion. Motion carried 5-0.

ROUTINE ITEMS

8. FUTURE AGENDA ITEMS

Mayor Lee Pettle asked if there were any items to be added to the future agenda. She noted Ordinance No. 777, addressing brush (STORAGE, COLLECTION AND DISPOSAL OF BRUSH AND BULKY ITEMS OF SOLID WASTE REGULATIONS). Mayor Pettle encouraged everyone to email her any additional requests.

UPDATE(S):

- HOME RULE CHARTER COMMISSION (HRCC) UPDATE [SHELBY]

City Attorney Shelby said there have been three (3) HRCC meetings so far, May 13th, June 10th and June 25th, in which there have been discussions of various aspects of Home Rule. At the next HRCC meeting, July 22, 2019, 7:00 p.m., the commission plans to discuss two (2) major forms of government, Mayor – Council and Council – Manager, and possible selection. The review and selection process is very important because almost all other actions regarding Home Rule are determined by the form of government selected.

The Mayor stated the next regularly scheduled City Council meeting would be a Budget Work Session Tuesday, July 16, 2019 at 7:00 p.m. and restated the next Home Rule Charter Commission (HRCC) meeting would be July 22, 2019 at 7:00

p.m. She noted the meetings are open to the public and encouraged residents to attend.

9. ADJOURN

Mayor Lee Pettie adjourned the meeting at 8:04 p.m.



APPROVED:


Mayor Lee Pettie

ATTESTED:


Patti Scott Grey, City Secretary

Approved on the 6th day
of August, 2019.

RESOLUTION NO. 2019-608
(Gregory Lane Culvert Replacement)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH FOUR STAR EXCAVATING OF DALLAS, TEXAS FOR THE GREGORY LANE CULVERT REPLACEMENT PROJECT; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

WHEREAS, the City Council of the City of Parker authorized its engineering firm, Birkhoff, Hendricks, & Carter, LLP, to seek bids to perform work on a project known as the Gregory Lane Culvert Replacement Project; and,

WHEREAS, on June 25, 2019 two (2) bids were received; and,

WHEREAS, Birkhoff, Hendricks, & Carter, LLP confirmed the satisfactory record of the lowest bidder, Four Star Excavating of Dallas, Texas and recommended the bid be awarded to same.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AS FOLLOWS:

SECTION 1. That Four Star Excavating is hereby awarded the bid in the total amount of Two Hundred Ninety Nine Thousand Six Hundred Ninety Seven Dollars and Zero Cents (\$299,697.00) for the Gregory Lane Culvert Replacement Project; and that the Mayor be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute a contract with Four Star Excavating for the project.

SECTION 2. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public and that the public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 2nd day of July, 2019.




APPROVED:
CITY OF PARKER


Lee Pettie, Mayor

ATTEST:


Patti Scott Grey, City Secretary

APPROVED AS TO FORM:


Brandon S. Shelby, City Attorney

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

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Dallas, Texas 75243

Fax (214) 461-8390

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JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E.
JOE R. CARTER, P.E.
MATT HICKEY, P.E.
ANDREW MATA, JR., P.E.
JOSEPH T. GRAJEWSKI, III, P.E.
DEREK B. CHANEY, P.E.
CRAIG M. KERKHOFF, P.E.

June 26, 2019

Mr. Gary Machado
Director of Public Works
City of Parker
5700 E. Parker Rd.
Parker, Texas 75002

Re: Gregory Lane Culvert Replacement

Dear Mr. Machado:

We have checked the bids received at 1:15 p.m., Tuesday, June 25, 2019 for the Gregory Lane Culvert Replacement project. We are enclosing six (6) copies of the Bid Summary and Itemized Bid Tabulation.

Four Star Excavating of Dallas, Texas submitted the low base bid in the amount of \$299,697.00 and the low base bid plus deductive alternate in the amount of \$279,697.00. The deductive alternate of (\$20,000.00) is available if the city can obtain an alternate route to ingress and egress local traffic during a 7-day road closure of Gregory Lane. The base bid allows for one-way traffic during along half of the culvert to be constructed at a time.

We have checked the references provided and based on experience in other cities, this contractor has satisfactory experience in this type of work. Accordingly, based on the information we have available to us, we recommend that the City accept the base bid, and award Four Star Excavating a construction contract in the amount of \$299,697.00. If a detour can be achieved the deductive bid item will be applied to the contract.

We are available to discuss our recommendation further at your convenience.

Sincerely,



John W. Birkhoff, P.E.

Enclosures

CITY OF PARKER, TEXAS
Gregory Lane Culvert Replacement

BID SUMMARY

Bids Received Until 1:15 p.m., Tuesday, June 25, 2019

<u>Contractor</u>	<u>Total Amount Bid</u>
1. Four Star Excavating 6825 Levelland Road, Suite 2B Dallas, Texas 75252	<u>\$ 299,697.00</u>
2. Grod Construction LLC. 889 E. Rock Island Ave. Boyd, Texas 76023	<u>\$ 353,218.00</u>