

MINUTES

CITY COUNCIL MEETING

August 25, 2009

CALL TO ORDER – Roll Call and Determination of a Quorum

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

Mayor Cordina called the meeting to order at 6:00 p.m. with Councilmember's Marshall, Sumrow, Threadgill, Evans and Levine present. A quorum was present.

Staff present: City Administrator Dena Daniel, Assistant City Administrator Jeff Flanigan, Finance Director Johnna Boyd and City Secretary Carrie Smith. City Attorney Jim Shepherd was absent.

EXECUTIVE SESSION

Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes Annotated the City Council may hold a closed meeting.

Mayor Cordina recessed the meeting into executive session at 6:00 p.m.

1. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:

- a. Govt. Code 551.074— Personnel—to deliberate the appointment, employment, evaluation, reassignment, or duties, of a public officer or employee---City Administrator, Public Works Director, City Secretary, Finance Director, Police Chief, Police Officers, Court Clerk, Building Official, Water Department Employees, Administrative Assistant, Clerk.

2. RECONVENE REGULAR MEETING.

Mayor Cordina reconvened the regular meeting at 7:04 p.m.

3. ANY APPROPRIATE DELIBERATION AND/OR ACTION ON ANY OF THE EXECUTIVE SESSION SUBJECTS LISTED ABOVE.

No action was taken.

PLEDGE OF ALLEGIANCE

Resident Lee Pettle led the Pledge.

PUBLIC COMMENTS The City Council invites any person with business before the Council not scheduled on the agenda to speak to the Council. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

Bill Bailey, 4606 Boulder – He addressed the Council about the stone colors on the new public safety building. He gave the Council Exhibit A showing the variances in the stone approved and as built. He told the Council they should not back down and should make the contractor redo the building at their cost.

PUBLIC HEARINGS – 7:00 P.M. Please keep comments to 3 minutes.

4. PUBLIC HEARING ON THE PROPOSED 2009 TAX RATE.

The public hearing was the second of two required by law.

Mayor Cordina opened the public hearing at 7:09 p.m.

Dave Leamy, 5801 Rathbone had questions on the summary provided to the public. The summary was missing a column of number and a corrected copy was provided.

Bill Bailey, 4606 Boulder – told the Council and Staff they were doing a great job keeping the same tax rate and to keep up the great work.

Mayor Cordina closed the public hearing at 7:13 p.m.

5. PUBLIC HEARING ON THE PROPOSED 2009 – 2010 FISCAL YEAR BUDGET.

This was the first public hearing on the budget, a second hearing will be held on September 1.

Mayor Cordina opened the public hearing at 7:14 p.m.

Bill Bailey, 4606 Boulder – again told the Council and Staff they were doing a great job keeping the same tax rate and to keep up the great work.

Mayor Pro-tem Threadgill noted preliminary numbers are used to start creating the budget and the final numbers came in higher than the preliminary creating an excess. The excess money was placed in budget line item “Council Contingency” to balance the budget. He recommended taking the \$120,000 to remodel the police department from “Council Contingency” rather than use fund balance. There was discussion about the dollar amount to be kept in “Council Contingency”.

There was discussion about the Water Rates. Assistant City Administrator Flanigan said he should have a preliminary rate study in the next 10 days. Mayor Cordina stated he wanted information on becoming a member city of NTMWD.

Mayor Cordina closed the public hearing at 7:24 p.m.

INDIVIDUAL CONSIDERATION ITEMS

6. CONSIDERATION AND/OR ACTION ON RESOLUTION 2009-279 AN INTERLOCAL AGREEMENT WITH TEXAS DEPARTMENT OF PUBLIC SAFETY.

Chief Fragoso said the agreement is a renewal of the current contract, there are no price increases. The police department expends less than \$100.00 per fiscal year.

MOTION: Councilmember Levine motioned to approve Resolution 2009-279. Councilmember Marshall seconded with Councilmember's Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0.

It was clarified the agreement is for a 2-year term.

7. CONSIDERATION AND/OR ACTION ON MCCREARY ROAD DRAINAGE.

Assistant City Administrator Flanigan gave Exhibit 7A to the Council from the City Engineer. The storm drainage was designed undersized. Construction has been at a standstill for 10 days. He asked Council to authorize him to request a change order from the contractor. Councilmember's Marshall and Threadgill have met with the contractor and do not feel the City has any other options.

MOTION: Councilmember Marshall motioned to authorize Assistant City Administrator Flanigan to investigate costs and return with a proposed change order. Mayor Pro-tem Threadgill seconded with Councilmember's Marshall, Sumrow, Threadgill, Evans, and Levine voting for. Motion carried 5-0.

8. CONSIDERATION AND/OR ACTION ON REGISTRATION FOR TML ANNUAL CONFERENCE IN FORT WORTH.

The upcoming TML Annual Conference will be held in Ft. Worth, October 21 – 23. Councilmember's that wish to attend were asked to complete and return their registration form and hotel reservation information to City Secretary Smith prior to September 15.

Mayor Pro-tem Threadgill noted he would not be attending due to a personal conflict in his schedule.

ROUTINE ITEMS

9. FUTURE AGENDA ITEM REQUESTS

10. UPDATES

Public Safety Building has 90% of stone work completed. Approximately 90% of CAT-5 and speaker cable has been installed.

Volunteer Firefighters are selling tickets door to door throughout the City. There will be a live Jazz band courtesy of a Springhill Estates Resident.

11. ADJOURN

Mayor Cordina adjourned the meeting at 7:50 p.m.



ATTESTED:

Carrie L. Smith
Carrie L. Smith, TRMC
City Secretary

APPROVED on the 15th day of
September, 2009.

ATTACH
EXHIBIT A – Stone variations
EXHIBIT 7A – McCreary Road Letter from C'Eng



From Story Board



From Building Side



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ANDREW MATA, JR., P.E.

August 24, 2009

Mr. Jeff Flanigan
5700 E. Parker Road
Parker, Texas 75002

Re: McCrae Road
Storm Drainage

Dear Mr. Flanigan:

This letter summarizes our findings on the storm sewer system being constructed along McCrae Road. The construction plans were designed and prepared by Chang, Patel & Yerby (CP&Y) with the documents being sealed and signed on November 10, 2008. The project was advertised and bid for construction, and Ed Bell Construction Company was awarded the construction contract based on their low bid. Prior to the plans being finalized, the City requested our firm handle the construction administration for the construction, and we agreed to perform this service after we had an opportunity to review the plans to see if they were constructible. Our first review resulted in approximately 58 comments. Those comments were provided to CP&Y and many were addressed with a second review resulting in 42 comments. It was determined by the City at that time to proceed with bidding the project and not return the plans and comment notes to CP&Y.

Previous to this project, a private developer constructed the Brooks Farms Subdivision addition, which included a pond immediately adjacent to McCrae Road. It is our understanding that the developer deposited with the City funds to construct an outlet structure when McCrae Road was to be constructed. It appears, from what we have found, that there were some communication between CP&Y and the developer's engineers to make sure the pond would work with the storm drainage system located in McCrae Road. However, it does not appear that coordination was followed through in the construction plans. An addendum to the plans shift the CP&Y lateral to line up with the pond's spillway and future outlet structure.

Construction proceeded on McCrae Road and we communicated with the developer's engineer to provide the outlet structure. In fact, we met with the developer's engineer and discussed the need for the plan for the outlet structure. At that time, it appeared that the data in McCrae Road and the data contained in the development were not identical. Knowing the developer's engineer knew this information, the design of the outlet structure could be modified to make the system functional.

After much time and a need for the outlet structure, we received a plan from the developer's engineer, however the developer's engineer would not seal, sign and date his design, as he did not know it would work with the CP&Y McCrae Road design. To expedite the completion of the outlet structure, the City had us run the storm drainage numbers to insure the outlet structure would function.

Once we completed our analysis of the storm sewer system, which included storm sewer design calculation, it was determined that the McCrae Road system would not handle the 100-year storm event (one chance in one hundred that in any given year that event will occur). During such an event, the calculated hydraulic gradient

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would be above the pavement and storm water would come out of the inlets. It appears the CP&Y design did not include hydraulic jumps at each lateral as it enters the main storm sewer line.

We met with the City and informed them of our findings. Based on that meeting, we were directed to check the system to the north and to determine what it would take for the McCreary Road storm sewer system to convey the 100-year storm and to review how the pond would function. We have now completed the review of the north storm sewer system and have determined additional improvements are not necessary for the system in McCreary Road to convey the 100-year storm event.

The review of the northern system in McCreary Road showed that system was calculated in a similar manner as the southern system, but resulted in a system that will convey the 100-year. Both the northern and southern storm drainage review included completion of new storm sewer calculations using the same basis as in the CP&Y plans. The same starting hydraulic gradient was utilized. The starting hydraulic gradient was checked with HY-8 software produced by the Federal Highway Administration. The closest studied FEMA stream is approximately 5,000 feet away and a backwater analysis would take an additional five or more days to complete. A backwater analysis was not undertaken as the contractor, Ed Bell Construction Co., is being delayed on this project.

As stated above, the southern storm sewer system along McCreary Road does not convey the 100-year storm based on hydraulic calculations that include minor losses at each lateral. Also, it was determined that the pond adjacent to McCreary Road did not have the capacity to detain the volume of water required under the CP&Y design of allowing only 143-cfs to flow into their system. The developer's engineer did not agree with this flow. After completing additional field surveys to determine elevations, it was determined that the pond could only hold 3.90 acre-feet, whereas the CP&Y plans had the pond holding 5.26 acre-feet.

Based on the hydraulic calculations, we have determined that a parallel 48-inch storm sewer is required to allow the drainage basin to function properly, and for the storm sewer system in McCreary Road to convey the 100-year storm. Construction of this parallel system will require a modification to a junction box, 1,471 linear feet of 48-inch circular storm sewer pipe, modification to the existing headwall at the discharge point, connections to laterals along the east side of the roadway with equalizing pipes to the existing 6-foot by 4-foot box that was recently installed.

The next step in the process of correcting this situation is to request a proposal from the contractor to construct this additional work. Based on the components of the improvement and current bid prices on this project, our opinion of probable construction cost is approximately \$200,000.00.

Please notify us if the City desires to make the necessary additions to this project to have the McCreary Road Storm Sewer System convey the 100-year storm event and we will request a proposal from the contractor for this additional work.

We are available at your convenience to discuss any question you may have with our findings, analysis of recommendations.

Sincerely,



John W. Birkhoff, P.E.

Enclosure