

MINUTES OF REGULAR  
CITY COUNCIL MEETING HELD  
JUNE 20, 2019

The City Council of Olmos Park, Texas held a regular meeting on June 20, 2019 commencing at 6:00 p.m. in the Council Chambers at City Hall. Mayor Pro Tem Kenyon McDonald presided and Council members present were Juliana Dusek, Erin Harrison, Sharon Plant and Deanna Rickabaugh. Council members not present and excused from attending were Mayor Hornberger. Staff present was City Manager, Celia DeLeon; City Secretary, Diane Gonzales; Fire Chief, Michael Goodreau; Police Chief, Rene Valenciano and Public Works Director, Gilbert DeLeon. Also present was City Attorney, Richard Lindner; David Givler and Abraham Galindo with Givler Engineering; Jeanne Latimer, 159 Park Hill and Amanda Trevino, Credit Human Business.

Mayor Pro Tem Kenyon McDonald called the meeting to order at 6:00 p.m. and determined a quorum was present.

Citizens to be heard: This time is provided for citizens to address the Council on issues and concerns. No action can or will be taken on issues raised under this portion of the meeting. Please state your name and address for the record and limit your remarks to a period not to exceed three minutes.

Jeanne Latimer of 159 Park Hill stated she has been a resident for almost 30 years and this is the first time she has deemed it important enough to come to address the City Council. She would like to address the administrative change in the recycling policy and stated as a Texas native and one whose whole heart has been in conservation thinks the recycling should be a priority and she would like for Council to try to follow the examples set by the City of San Antonio and the City of Alamo Heights which are joining communities and possible working in collaboration with those Cities. Times have changed; budgets have increased so please consider fees for all of Public Works services, brush collection, solid waste collection and recycling. As a resident of this wonderful City and the great state of Texas on whose commission she serves and whose mission it is to protect the natural and cultural resources of this state for current and future generations and ask you as a Council to be leaders and do the right thing, reduce, reuse and recycle.

Councilwoman Dusek arrived at 6:10 p.m.

Receive update on sewer collapse at 4100 block of McCullough

David Givler stated Abraham Galindo who is his assistant and has been working on the sewer issues will be speaking regarding the updates and projects.

- Receive update on sewer collapse at 4100 block of McCullough

Abraham Galindo stated we responded on May 11, 2019 to a sewage backup behind the Panchito's restaurant and we saw that sewage was all the way to the top of the manhole. We got a contractor to camera inspect the sewer lines to figure out where the blockage is located at. There was a blockage in the line near the intersection of Annie and McCullough. We knew that there was manhole just south of Annie and McCullough through SAWS maps that we had and we had SAWS expose that manhole to confirm the line was running along McCullough. After we were able to open the manhole we did see the line coming out and it was connected to the \_\_\_\_\_ system. We were unable to figure out what the blockage was and had to have the contractor dig it up and found a 24 inch water iron steel pipe going through the City's sewer line.

Councilwoman Plant stated where did the steel pipe come from?

Abraham Galindo stated the steel pipe serves as an encasement for an 8 inch SAWS water line that was installed in 2008. He stated the sewer blockage has been repaired and all that is left is to repave and finish the street.

City Manager DeLeon stated we are bringing this to Council because the cost is high and we are submitting a claim to SAWS in the amount of \$33,735.00 plus engineer fees and we feel that is their portion of the entire repair which was \$67,080.00. She stated SAWS portion is \$36,569.65 and our portion is \$30,510.35.

Abraham Galindo stated there was a water line that belongs to SAWS going through our sewer line that was blocking the sewage from Panchito's and another customer going down the street.

David Givler stated in 2008 SAWS put in a water line and ran it straight through the sewer line and he believes that SAWS thought it was an abandoned sewer line.

Mayor Pro Tem McDonald asked the City Attorney if this is something that we can get SAWS to pay for the entire repair since they ran it through our sewer line?

City Manager DeLeon stated the sewer line was severely deteriorated.

Abraham Galindo stated there was an issue with the alignment of the pipe and some of the joints. His guess is there was very little sewage going through the line when it's actually connected so over time it started to build up and overflow and there are only two customers that it affected.

City Attorney Lindner stated he would need to talk about SAWS reimbursing the entire amount in closed session.

Councilwoman Plant asked when SAWS comes out to work on their lines, why are they not checking with our City Engineer to obtain mapping. We have rules where you have to check in before you can start doing repairs. We have issue with our sewer lines and at some point we are going to have to replace them and do a bond to pay for them.

City Manager DeLeon stated we had a phone conference with SAWS and they acknowledge it was their mistake.

- Receive and discuss recommended bidder for 2018-2019 Sanitary Sewer Point Repairs Project; take possible action

Abraham Galindo stated there was a bid opening on May 22, 2019 and there were two bids received, one from Texas Pride Utilities, LLC in the amount of \$97,000 and another bid from T Construction, LLC in the amount of \$217,075.00. This includes a base bid and 4 add alternates and the project consists of 7 point repairs. The Engineers opinion of cost was in a range of \$113,616.00 to \$123,098.40 and we have received the credentials for Texas Pride and we have contacted their bank, references and bonding companies and everything has checked out. The City has a budget of \$130,000 and we are recommending awarding Texas Pride Utilities bid for \$97,000 plus 15% contingencies for a total of \$111,550.00. He stated they will be repairing defects in the line that were found at last year's inspection.

Councilwoman Plant asked what will be the starting date? We are about to go into a new budget cycle and wants to make sure this is complete before the next budget.

City Manager DeLeon stated we have to talk to the contractor and determine a start date.

Abraham Galindo stated once they start his prediction is it will take a month to complete.

Councilwoman Rickabaugh moved to accept the recommendation to award Texas Pride Utilities the contract for the Sanitary Sewer Point Repairs project in the amount of \$111,550.00.

Councilwoman Plant seconded the motion.

The vote in favor of the motion was unanimous.

- Receive and discuss recommended bidder for 2018-2019 Sanitary Sewer Cleaning and Inspection Project; take possible action

Abraham Galindo stated each year we pick a mile of the sanitary sewer to camera inspect and clean. On May 22, 2019 we received one bid from Texas Pride Utilities LLC for \$44,662.00 which includes a base bid and 2 add alternates. The Engineers opinion of cost was in the range of \$42,124.00 and \$48,454.10. The City has a budget of \$41,000 and we recommend awarding Texas Pride Utilities LLC base bid of \$34,890.00 plus 15% contingencies for a total of \$40,123.50.

Councilwoman Plant moved to accept the bid submitted by Texas Pride Utilities LLC for repairs to our Sanitary Sewer Cleaning and Inspection an amount not to exceed \$40,123.50.

Councilwoman Rickabaugh seconded the motion.

The vote in favor of the motion was unanimous.

Update on H.B. 852 on building permit fees and consider ordinance amending Sec. 8-26 building permit and inspection fees; take possible action

City Manager DeLeon stated the legislative update wrapped up the end of May and passed H.B. 852 effective immediately this HB changes how we determine our building permit fees. Currently we are determining our building permit fees through valuation of the project. What other Cities are moving to is determining the fees by square footage.

Mayor Pro Tem McDonald asked was the amount previously determined by the state?

City Manager DeLeon stated no, that is something that we determine and will be effective immediately so currently we are having the contractors sign a waiver stating that they are ok with the City giving them a building permit cost based on valuation. She stated if they decided not to sign the waiver then they have to wait until we pass this ordinance so we can bill than according to square footage.

Councilwoman Plant asked when will this H.B. go into effect?

City Manager DeLeon stated it is effective immediately as of May.

Councilwoman Plant stated we are over ad valorem on salaries, benefits and our next large source of income is actually building permits and our annual budget is \$220,000 and at the end of the day this is very hurtful for a City of our size.

City Manager DeLeon stated our Building Official has spent a lot of time to determine if the costs are comparable to the valuation.

Richard Lindner stated he will have to look at the City's electrical, plumbing and mechanical inspection fees to make it a flat fee. As far as residential work goes you can't use valuation on these things. It did not affect the commercial fees but all his Cities are making them both the same for ease of enforcement and calculation.

Councilwoman Plant moved to approve Ordinance 2019-06 amending section 8-26 of the City's Code of Ordinances and the City of Olmos Park schedule of permit fees in order to comply with HE 852.

Councilwoman Harrison seconded the motion.

The vote in favor of the motion was unanimous.

Councilwoman Plant asked will this ordinance be updated in the Municode?

City Manager DeLeon stated this ordinance will be sent to Municode immediately.

#### Appoint the FY2019 medical premiums review committee

City Manager DeLeon stated we usually get two members of City Council to review the renewal quotes to make a recommendation to City Council. Last year the members were Councilwoman Plant and Councilwoman Dusek.

Councilwoman Dusek and Councilwoman Plant both agreed to serve as members again.

#### Discussion on adding an automatic door opener to the front door at City Hall; take possible action

City Manager DeLeon stated there was a resident complaint filed with one of our Council members and there was a complaint several years ago about the front doors being too heavy to open. We have had several people look at it and they told us that the hinges were off or broken and we had those repaired a couple of times and thought it would fix the problem but apparently someone came in to vote this last May and said the door was too heavy. We are looking at electric door openers and the proposal for one door is \$3,556.00 and does not include the safety sensor which is \$262.50. We checked with Terrell Hills and Alamo Heights and they do not have automatic doors and they do not have painted wood like we do. The door will open 90 degrees and we would lock it by turning off the switch then locking the doors at the end of the day.

Councilwoman Plant asked will this affect our alarm system?

City Manager DeLeon stated she does not see how it would affect the alarm system.

Councilwoman Plant stated she is surprised this is not required by the ADA in City halls.

Ric Cavazos stated it is required for a public building.

City Manager DeLeon stated if we just do one door the total cost will be \$3,818.50 and this includes the safety sensor.

Mayor ProTem asked where will they install the push buttons, on the wall or a separate stand?

Councilwoman Plant asked what would the construction cost be to install this button as we have plaster and stucco, are we going to have to hire a contractor?

Councilwoman Harrison moved to table the automatic door opener to the front door at City Hall discussion until the July meeting so further information can be gathered.

Councilwoman Rickabaugh seconded the motion.

The vote in favor of the motion was unanimous.

Discussion on City Hall and Fire Department repairs; take possible

Richard Lindner stated he spoke with the architect this week and have been trading some documents back in forth and the plan is to get the packet ready for advertisement the first week of July that will consist of a large packet with competitive sealed proposals. Council can score these proposals which gives more flexibility. After the advertisements are ready to review they will come to me and then he will send to the City Manager and she can say yes or no on the advertising. The architect was stating that because this project is all about a specialized coating that it should be out for advertisement for a little more time than usual just so we can get good contractor that can apply this special coating.

Mayor Pro Tem asked what is the time frame?

Richard Lindner stated the architect stated two months.

Councilwoman Harrison asked would it be possible to add time for warranty or re-workmanship if there is an issue that comes up?

Councilwoman Plant stated because of what was done the first time we will get the paint because of the type of paint they are going to use and will have a guarantee on the paint.

Richard Lindner stated because this is a repair, you are going to pay a big premium. The general repair is the location of the cracks and depending on how wide the crack is and prepping it to get it as suitable so this paint will attach to it. The paint will have some give to it so when the building breathes it will move naturally and bridge those cracks.

Councilwoman Plant stated the large packet is one of the things that we were cautioned on because this is coating is so specialized and only a few people that do it try to bring the document where every contractor will be able to fill it out.

Richard Lindner stated he cut a lot of things out of a typical contract but because of the price of the repair its triggering the procurement rules and a lot of the paperwork has to be included. You want a more sophisticated contractor to do this work. The architect and staff will get these proposals back and use the advertisement metric to score the proposals and turn the proposal into a number and give you their recommendation and Council will look at the scoring and decide who will provide the best value to Olmos Park. The City Manager has the authority to issue for advertisement.

Consent Items:

- a. Approve Cash Disbursements May 2019;
- b. Approve City Council minutes of May 16, 2019;
- c. Approve Armstrong, Vaughn & Associates engagement letter to perform the City's annual FY 2019 audit

Councilwoman Plant moved to accept consent items A through C.

Councilwoman Rickabaugh seconded the motion.

The vote in favor of the motion was unanimous.

Departmental Reports: (Written reports submitted to City Council, no further discussion required, unless requested by City Council.)

- a) Police:
  - (1.) Incidents, arrests and activity during the prior and current months.
  - (2.) Update on scooters applications
- b) Fire:
  - (1.) Fire and other service calls, activity and training activities during the prior and current months.
- c) Streets and Sanitation:
  - (1.) Monthly Report
- d) Administration:
  - (1.) Financial reports for May 2019;
  - (2.) Monthly overtime, CT, vacation, sick leave report
  - (3.) Building Department Report
  - (4.) Municipal Court Report
- e) Manager's report:
  - (1.) Discussion of written reports (if needed).

Police Chief Valenciano stated we received one application from Blue Duck Scooters that was approved for up to 50 scooters but they only brought in 20 scooters and we have not had any problems or complaints. The owners grew up in the City of Alamo Heights and they have a permit waiting approval in Alamo Heights.

Councilwoman Plant stated she wanted to thank all the departments for quickly responding when the storms hit and are thankful for the work that they do.

Councilwoman Rickabaugh moved to accept the Departmental Reports.  
Councilwoman Dusek seconded the motion.  
The vote in favor of the motion was unanimous.

There was no further business and the meeting was adjourned at 6:45 p.m.

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Ronald Hornberger  
Mayor

ATTEST:

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Diane Gonzales  
City Secretary