

City of Shoreacres



NOTICE OF MEETING

Notice is hereby given that a Regular Meeting of the
City Council
of the City of Shoreacres, Texas, will be held on
Monday, November 11, 2013 at 7:00 p.m.
in the City Council Chambers on the first floor at City Hall, 601 Shore Acres Blvd.,
Shoreacres, Texas, at which time the following subjects will be discussed, to wit:

1.0 CALL TO ORDER / ROLL CALL: Members Present and Absent

2.0 PLEDGES OF ALLEGIANCE

Texas Pledge:

Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

3.0 SPECIAL PRESENTATIONS

3.1 Life Saving Award: Officer Steve Ford.

4.0 APPROVAL OF MINUTES

4.1 Regular Council Meeting: October 28, 2013.

5.0 COUNCIL REPORTS & REQUESTS

5.1 Mayor Webber – Report on meetings attended.

6.0 PUBLIC HEARINGS & PUBLIC COMMENTS

6.1 Scott Tuma: Curve at West Country Club and South Country Club

6.2 Christina Tuma: Speed limit on South Country Club

This is the opportunity for citizens to comment on items which do not appear on the agenda. Time is limited to five minutes per speaker. Members of Council are prohibited by law from participating in the discussion or deliberation of items that are not specifically identified on this agenda.

6.3 Citizen's Comments

7.0 ADMINISTRATIVE REPORTS

7.1 City Administrator, David Stall

7.1.1 General activity report.

7.1.2 Street and drainage grant project updates.

7.1.3 Water and Sewer grant project updates.

7.1.4 Emergency dispatch service update.

7.2 Monthly Police Department report. ^{Massey}

7.3 Monthly Public Works Department report. ^{Sutton}

8.0 BUSINESS

- 8.1 Consideration and approval of invoices. ^{Stall}
- 8.2 Consideration and action to adopt Ordinance No. 2013-148 awarding a contract for the reconstruction of two city streets and associated drainage identified as street segments 33 (East Forest) and 36 (Oakdale) as set out on the city's street maintenance map. ^{Stall}
- 8.3 Discussion, consideration and possible action to create a hiring committee for upper management positions. ^{Moses}
- 8.4 Consideration and action to adopt Ordinance No. 2013-151 amending the City Code requirement for substance abuse testing. ^{Schnell}
- 8.5 Consideration and action to adopt Ordinance No. 2013-152 amending the City Code to specify the physical placement of the recorder used to record city council meetings. ^{Schnell}
- 8.6 Consideration and action to direct the City Administrator to respond, in writing, to a list of questions relating to: his compensation; his past compensation; previous employment with other cities and the tax revenues of those cities; past terminations and/or resignations; salaries of other area city managers and city administrators and the tax revenues of their cities; survey the number of city administrators and managers with renewable contracts; average salary for a city administrator or manager in a city the size of Shoreacres, in Texas and nationally; employment contract; and professional relationship with the City Attorney Dick Gregg, Jr. ^{Schnell}
- 8.7 Discussion, consideration and action to cancel the regular fourth Monday city council meeting in December to have been held on December 23, 2013. ^{Webber}

9.0 ADJOURNMENT

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Shoreacres, Texas is a true and correct copy of said Notice and that I posted a copy of said Notice on the bulletin board at City Hall on November 7, 2013 at or before 8:00 p.m., at a place convenient and readily accessible to the general public at all times; to remain so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

DATED THIS 7TH DAY OF NOVEMBER 2013.

BY:

David K. Stall, CFM, City Administrator / City Secretary



SHOREACRES, TEXAS

The City Council of the City of Shoreacres reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development).

The City Council Chamber is wheelchair accessible and accessible parking spaces are available.



MEETING MINUTES

The City Council of the City of Shoreacres, Texas, met in Regular Session on **Monday, October 28, 2013 at 7:00 p.m.** in the City Council Chambers of City Hall, 601 Shore Acres Blvd., Shoreacres, Texas with the following present constituting a quorum:

Mayor	Matt Webber
Mayor pro tem	Rick Moses
Alderman	Steven Jones [absent]
Alderwoman	Nancy J. Schnell
Alderman	Bo Bunker
Alderman	Mike Wheeler

City Administrator / City Secretary David K. Stall

1.0 CALL TO ORDER / ROLL CALL:

The meeting was called to order by Mayor Webber at 7:00 p.m.

2.0 PLEDGE OF ALLEGIANCE

3.0 SPECIAL PRESENTATIONS

3.1 Service Recognition: Chief David Newman – Mayor Webber recognized Chief David Newman for his outstanding service to the City from 2001 to 2013, especially during Hurricane Ike. Chief Newman will be stepping down as Chief of Police but will remain with the department as a reserve officer.

4.0 APPROVAL OF MINUTES

4.1 Regular Council Meeting October 14, 2013. Rick Moses moved to approve the October 14, 2013 Regular Council Meeting minutes; seconded by Mike Wheeler. Motion carried unanimously.

5.0 COUNCIL REPORTS & REQUESTS

5.1 Mayor Webber – Report on meetings attended.

There were no new items to report. Attended the Shoreacres Civic Association [SCA] Annual BBQ Cook-Off, it was a great community event.

Mike Wheeler expresses a special Thank-you to Jayo Washington and the SCA members for sponsoring the yearly BBQ cook-off event.

6.0 PUBLIC HEARINGS & PUBLIC COMMENTS

6.1 Citizen's Comments:

Mr. David Gerany – 3316 Miramar. Mr. Gerany expressed his concerns regarding speeding on Miramar. Would like to see more police present to deter speeders.

7.0 ADMINISTRATIVE REPORTS

- 7.1 City Administrator Report: Participated in two FEMA webinars related to the appeal process for preliminary flood insurance rate maps tentatively scheduled to start on November 15. All appeals in the City of Shoreacres will need to be sent to the city's Floodplain Administrator, David Stall. Appeals are mainly for errors on map topography. More information will be coming out soon.

Verizon cellular is in the process of adding their cellular service to the T-Mobile tower behind the Public Works Building.

- 7.1.2 Street and drainage project updates – Round 2.2 Harris County streets project are to be at completion on November 6.

- 7.1.3 Water and Sewer project updates – Had a pre-construction meeting for the Byway water line. Round 2.2 water line work has been cleared by the GLO and the bidding process will begin in approximately two weeks.

- 7.1.4 Homeland Security Grant Program (radios) update - As of today, we have received full reimbursement for the two police and emergency management radio grants which totaled \$46,541.70.

- 7.1.5 NFIP Community Rating System update – Received notification from CRS Specialist that our preliminary application is now completed. We are now waiting for FEMA's acceptance letter, and if all goes well, Shoreacres will be admitted to the CRS program in May 2014.

- 7.2 Monthly Financial Report –

General Fund	\$104,964.83
Utility Fund	\$ 46,802.98
TxCDBG	\$ 1,639.97
TxPool	\$954,702.90
Certificate of Deposit	\$250,000.00

Property tax collected YTD is \$832,483.31

Amount of sales tax collected continued to increase compared to last year.

- 7.3 Police Department management review report – Chief Massey summarized his assessment of the Shoreacres Police Department to Councils.

8.0 BUSINESS

- 8.1 Consideration and approval of invoices

Nancy Schnell moved to pay our bills; seconded by Rick Moses. Motion carried unanimously.

- 8.2 Consideration and approval of Ordinance No. 2013-147 amending the City Code relating to rates and charges for water and sewer services.

Nancy Schnell moved to approve Ordinance No. 2013-147; seconded by Bo Bunker. Motion carried unanimously.

- 8.3 Consideration and action to adopt Ordinance No. 2013-148 awarding a contract for the reconstruction of two city streets and associated drainage identified as street segments 33 (East Forest) and 36 (Oakdale) as set out on the city's street maintenance map.

There was no action taken. Consideration is moved to the next Council meeting.

City of Shoreacres – Meeting Minutes

- 8.4 Consideration and action to adopt Ordinance No. 2013-149 approving an interlocal agreement with the City of La Porte to provide the City of Shoreacres with jail services and emergency dispatch service (Police Department).

Rick Moses moved to approve Ordinance No. 2013-149; seconded by Bo Bunker. Motion carried unanimously. Target date of transition is December 30, 2013.

- 8.5 Consideration and action to adopt Ordinance No. 2013-150 approving an interlocal agreement between the City of Houston and the City of Shoreacres to provide access to the City of Houston's public safety radio system.

Rick Moses moved to approve Ordinance No. 2013-150; seconded by Mike Wheeler. Motion carried unanimously.

- 8.6 Discussion, consideration and adoption of Resolution No. 2013-123 casting a ballot for the election of a person to the board of directors of the Harris County Appraisal District (HCAD).

Mike Wheeler moved to adopt Resolution No. 2013-123, to cast a ballot for Ed Heathcott seconded by Rick Moses. Motion carried unanimously.

- 8.7 Inquiry into accidents involving city vehicles and adherence to requirements for substance abuse testing since October 1, 2010.

Nancy Schnell asked if the department heads are adhering to the City's substance abuse testing requirements for all City employees. Mr. Stall responded that currently it has been at the discretion of administration and asked that council provide guidance on where to draw the line regarding incidents that will require testing, or not.

9.0 ADJOURNMENT.

The meeting was adjourned at 8:28 p.m.

PASSED AND APPROVED ON THIS 11TH DAY OF NOVEMBER, 2013.

(CITY SEAL)

Matt Webber, Mayor

ATTEST:

David K. Stall, CFM
City Administrator / City Secretary

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MEMORANDUM



Item 7.3

11/11/13

City of Shoreacres

601 Shore Acres Blvd., Shoreacres, TX 77571-7262 / 281.471.2244 / 281.471.8955 Fax



DATE: November 7, 2013

TO: David Stall, City Administrator

CC:

FROM: David Sutton, Public Works Director

REF: Monthly Report (October) 2013

Water purchase dropped this month to 6.5 million gallons compared to September purchase of 8.1 million gallons.

We did not have any special projects as this month was mostly comprised of general maintenance and repairs. Water leaks did however come back down as only 4 leaks were repaired this month.

During the months of November and December, we will begin sending staff to classes as this is a requirement for operators holding licenses. We will also be sending some of our non-licensed staff so they may begin to prepare for state exams in Water and Wastewater.

**PUBLIC WORKS
Monthly Productivity Report**

Month : October 2013

	Total Calls		Total Collected in Cu. Yrds.
Water/Wastewater	15	***Solid Waste***	17
Water Repairs	4	Recycling :	17
Meter Changeouts	4	* Paper	4
Backfills (Yard Cleanups)	6	* Plastic	4
Fire Hydrant Repairs	0	* Cardboard	8
Water Taps	0	* Aluminum Cans	1
Water Plant Repairs	1	* Glass	0
Sewer Taps	0	Debris Removal	0
Sewer Point Repairs	0		
Lift Station Repairs	0		
Manhole Repairs	0		
After Hour Repairs	0		

Repairs

Streets and Drainage		***ROW Maintenance***	
Potholes :	0	Miles Mowed	8
* Concrete Repairs	0	Miles of Ditch Inspected	0
* Asphalt Repairs	0	Culverts Inspected	0
Drainage Cave-in Repairs	0	Hours Mowed	37
Traffic	0	***Parks***	
Stop Sign Repairs	2	Cubic Yards of Trash Removed	2
Safety Sign Repairs	0	Park Equipment Repair	0
Public Notification Signs Repaired	0 0	Lighting Repairs	0

Comments



**ORDINANCE No. 2013-148
CITY OF SHOREACRES, TEXAS**

AN ORDINANCE ACCEPTING THE LOW, QUALIFIED TOTAL BID FOR CONSTRUCTION SERVICES TO PAVE EAST FOREST AVENUE AND OAKDALE STREET AND IMPROVE ASSOCIATED DRAINAGE (CFA PROJECT NUMBER 1012-003-03-38); AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT SUBJECT TO THE REQUIREMENTS OF THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY ROUND ONE (GLO CONTRACT NUMBER 10-5268-000-5273); PROVIDING FOR PAYMENT; FUNDING IS FROM THE CDBG DISASTER GRANT FUNDS REIMBURSABLE TO THE CITY; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES:

THAT, the low qualified bid of \$355,039.40 from Mar-Con Services, LLC, comprised of \$280,184.40 for street improvements and \$74,855.00 for flood and drainage improvements has been accepted. These improvements include Oakdale Avenue from Old Highway 146 to Byway Avenue (36) and 719-feet of East Forest Avenue from Old Highway 146 towards Byway Avenue (33); and,

THAT, the Mayor is hereby authorized to execute a construction contract for the job. A copy of the contractor's bid is affixed hereto and incorporated herein for all purposes as Attachment I. All other bids will be deemed rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of sixty (60) days from the effective date of this ordinance accepting the low bid, whichever event occurs first; and,

THAT, the amount of \$355,039.40 is of a reimbursement type program by the State of Texas to the City for this project, and is contingent upon the State's receipt of the CDBG Disaster Round One funds and upon presentation of properly submitted and approved contractor invoices to the Texas General Land Office; and,

THAT, payments to contractor are contingent upon the actual receipt of adequate state or federal funds to the City for this contract. If adequate funds are not made available to the City, then the City will notify the contractor and terminate the contract and the City will not be liable for failure to make payments for work that has yet to be performed; and,

THAT, the amount of \$355,039.40 is authorized to be encumbered and made payable to Mar-Con Services, LLC in connection with the street, flood and drainage improvements projects pursuant to the continuing availability of funds from the State of Texas; and,

THAT, the City Council hereby approves and authorizes the contract, agreement, or other undertaking described in the title of this ordinance, a copy of which is on file in the office of the City Secretary. The Mayor is hereby authorized to execute all related documents on behalf of the City of Shoreacres to confirm acceptance by the City of Shoreacres. The City Secretary is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents; and,

THAT, if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance; and,

THAT, the City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof; and,

THAT, this Ordinance shall be effective from and after its passage and approval, and it is so ordered.

PASSED AND APPROVED this the 11th day of November 2013.

(CITY SEAL)

Matt Webber, Mayor

ATTEST:

David K. Stall, CFM
City Secretary

M/2		Yea	Nay	N/V	Absent
<input type="checkbox"/>	M. Webber	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	B. Bunker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	S. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R. Moses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	N. Schnell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M. Wheeler	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Passed / Failed

David Stall, City Secretary - Date



October 23, 2013

Mr. David Stall
City Administrator
City of Shoreacres
601 Shore Acres Blvd.
Shoreacres, Texas 77571

ORIGINAL BY MAIL

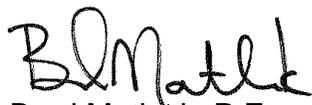
Re: Contract Award Recommendation
East Forest Avenue & Oakdale Street Improvements
CobbFendley Project No. 1012-003-03-38

Dear Mr. Stall:

We have reviewed the bids for the referenced project. We have prepared the bid tabulation and attached it to this letter. The low bidder is Mar-Con Services, LLC with a bid of \$355,039.40. Based on our review of the bids and qualifications of the bidder, we recommend that the Contract be awarded to Mar-Con Services, LLC. If you have any questions or require additional information, I can be contacted at 713-462-3242.

Sincerely,

COBB, FENDLEY & ASSOCIATES, INC.



Brad Matlock, P.E.
Senior Project Manager

cc: Sherri Benjamin-Riveron – Grant Administrator

Attachment

Bid Date: OCTOBER 14, 2013

Item No.	Item Description	Unit	Quantity	Bidder No. 1		Bidder No. 2		Bidder No. 3		Bidder No. 4		Bidder No. 5		Bidder No. 6	
				Unit Price	Extended Price										
BASE BID ITEMS															
SECTION 1 - GENERAL															
1	Mobilization (No Greater Than 5% of Total)	LS	1	\$ 14,238.00	\$ 14,238.00	\$ 18,000.00	\$ 18,000.00	\$ 19,000.00	\$ 19,000.00	\$ 12,000.00	\$ 12,000.00	\$ 20,000.00	\$ 20,000.00	\$ 29,505.00	\$ 29,505.00
2	Traffic Control and Regulations	LS	1	\$ 35,553.20	\$ 35,553.20	\$ 12,000.00	\$ 12,000.00	\$ 3,500.00	\$ 3,500.00	\$ 12,500.00	\$ 12,500.00	\$ 2,500.00	\$ 2,500.00	\$ 8,000.00	\$ 8,000.00
3	SWPPP Protection	LS	1	\$ 7,571.00	\$ 7,571.00	\$ 5,000.00	\$ 5,000.00	\$ 900.00	\$ 900.00	\$ 12,500.00	\$ 12,500.00	\$ 682.50	\$ 682.50	\$ 1,000.00	\$ 1,000.00
4	Hydromulch Seeding	AC	1	\$ 1,130.00	\$ 1,130.00	\$ 2,500.00	\$ 2,500.00	\$ 1,400.00	\$ 1,400.00	\$ 1,800.00	\$ 1,800.00	\$ 1,500.00	\$ 1,500.00	\$ 1,800.00	\$ 1,800.00
5	Trench Safety	LF	1,124	\$ 0.10	\$ 112.40	\$ 2.00	\$ 2,248.00	\$ 1.00	\$ 1,124.00	\$ 3.00	\$ 3,372.00	\$ 2.00	\$ 2,248.00	\$ 2.00	\$ 2,248.00
6	Remove, Relocate & Replace Existing Mailboxes to Condition Prior to Construction or Better (Complete in Place)	LS	1	\$ 1,979.80	\$ 1,979.80	\$ 4,000.00	\$ 4,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 15,000.00	\$ 15,000.00
7	Sign Relocation	EA	4	\$ 108.00	\$ 432.00	\$ 300.00	\$ 1,200.00	\$ 250.00	\$ 1,000.00	\$ 500.00	\$ 2,000.00	\$ 50.00	\$ 200.00	\$ 400.00	\$ 1,600.00
GENERAL ITEMS SUBTOTAL				\$	\$ 61,016.40	\$	\$ 44,948.00	\$	\$ 27,924.00	\$	\$ 45,172.00	\$	\$ 28,130.50	\$	\$ 59,153.00
SECTION 2 - PAVING															
8	Roadway Excavation & Ditch Reshaping	STA	18	\$ 607.50	\$ 10,935.00	\$ 1,625.00	\$ 29,250.00	\$ 616.97	\$ 11,105.46	\$ 900.00	\$ 16,200.00	\$ 1,000.00	\$ 18,000.00	\$ 4,800.00	\$ 86,400.00
9	6" Reinforced Concrete Pavement	SY	3,800	\$ 32.60	\$ 123,880.00	\$ 33.75	\$ 128,250.00	\$ 40.80	\$ 155,040.00	\$ 43.00	\$ 163,400.00	\$ 53.90	\$ 204,820.00	\$ 56.00	\$ 212,800.00
10	8" Lime Stabilized Subgrade	SY	4,200	\$ 3.00	\$ 12,600.00	\$ 4.00	\$ 16,800.00	\$ 3.00	\$ 12,600.00	\$ 5.50	\$ 23,100.00	\$ 8.40	\$ 35,280.00	\$ 7.25	\$ 30,450.00
11	Lime (8%)	TON	88	\$ 153.70	\$ 13,525.60	\$ 200.00	\$ 17,600.00	\$ 170.00	\$ 14,960.00	\$ 195.00	\$ 17,160.00	\$ 150.00	\$ 13,200.00	\$ 150.00	\$ 13,200.00
12	6" Reinforced Concrete Driveways	SF	7,040	\$ 5.00	\$ 35,200.00	\$ 4.85	\$ 34,144.00	\$ 5.33	\$ 37,523.20	\$ 10.32	\$ 72,652.80	\$ 7.45	\$ 52,448.00	\$ 7.00	\$ 49,280.00
13	Concrete Sidewalk	SF	173	\$ 5.80	\$ 1,003.40	\$ 8.00	\$ 1,384.00	\$ 6.57	\$ 1,136.61	\$ 23.33	\$ 4,036.09	\$ 9.05	\$ 1,565.65	\$ 7.00	\$ 1,211.00
14	Concrete Header	LF	162	\$ 9.70	\$ 1,571.40	\$ 15.00	\$ 2,430.00	\$ 20.00	\$ 3,240.00	\$ 15.00	\$ 2,430.00	\$ 6.25	\$ 1,012.50	\$ 5.50	\$ 891.00
PAVING ITEMS SUBTOTAL				\$	\$ 198,715.40	\$	\$ 229,858.00	\$	\$ 235,605.27	\$	\$ 298,978.89	\$	\$ 326,326.15	\$	\$ 394,232.00
SECTION 3 - DEMOLITION															
15	Remove and Dispose of Asphalt/ Concrete Pavement, Drives, and Sidewalks, All Thicknesses	SY	4,300	\$ 4.90	\$ 21,070.00	\$ 4.50	\$ 19,350.00	\$ 6.00	\$ 25,800.00	\$ 12.00	\$ 51,600.00	\$ 11.35	\$ 48,805.00	\$ 6.00	\$ 25,800.00
16	Remove and Dispose of Inlet	EA	5	\$ 209.70	\$ 1,048.50	\$ 350.00	\$ 1,750.00	\$ 380.00	\$ 1,900.00	\$ 600.00	\$ 3,000.00	\$ 420.00	\$ 2,100.00	\$ 800.00	\$ 4,000.00
17	Remove and Dispose of 12" RCP	LF	531	\$ 9.00	\$ 4,779.00	\$ 7.00	\$ 3,717.00	\$ 15.00	\$ 7,965.00	\$ 17.00	\$ 9,027.00	\$ 25.78	\$ 13,689.18	\$ 12.00	\$ 6,372.00
18	Remove and Dispose of 15" RCP	LF	28	\$ 9.90	\$ 277.20	\$ 8.00	\$ 224.00	\$ 15.00	\$ 420.00	\$ 25.00	\$ 700.00	\$ 25.78	\$ 721.84	\$ 12.00	\$ 336.00
19	Remove and Dispose of 18" RCP	LF	181	\$ 9.20	\$ 1,665.20	\$ 9.00	\$ 1,629.00	\$ 20.00	\$ 3,620.00	\$ 17.50	\$ 3,167.50	\$ 25.78	\$ 4,666.18	\$ 12.00	\$ 2,172.00
20	Remove and Dispose of 24" CPP and RCP	LF	216	\$ 9.50	\$ 2,052.00	\$ 10.00	\$ 2,160.00	\$ 20.00	\$ 4,320.00	\$ 20.00	\$ 4,320.00	\$ 25.78	\$ 5,568.48	\$ 15.00	\$ 3,240.00
DEMOLITION ITEMS SUBTOTAL				\$	\$ 30,891.90	\$	\$ 28,830.00	\$	\$ 44,025.00	\$	\$ 71,814.50	\$	\$ 75,550.68	\$	\$ 41,920.00
SECTION 4 - STORM SEWER															
21	18" RCP Storm Sewer	LF	842	\$ 48.30	\$ 40,668.60	\$ 48.00	\$ 40,416.00	\$ 66.00	\$ 55,572.00	\$ 75.00	\$ 63,150.00	\$ 77.30	\$ 65,086.60	\$ 90.00	\$ 75,780.00
22	24" RCP Storm Sewer	LF	282	\$ 52.90	\$ 14,917.80	\$ 56.00	\$ 15,792.00	\$ 79.00	\$ 22,278.00	\$ 85.00	\$ 23,970.00	\$ 86.85	\$ 24,491.70	\$ 110.00	\$ 31,020.00
23	Type D-Inlet, (complete-in-place)	EA	5	\$ 1,614.20	\$ 8,071.00	\$ 2,400.00	\$ 12,000.00	\$ 1,637.00	\$ 8,185.00	\$ 1,500.00	\$ 7,500.00	\$ 2,460.00	\$ 12,300.00	\$ 3,500.00	\$ 17,500.00
STORM SEWER ITEMS SUBTOTAL				\$	\$ 63,657.40	\$	\$ 68,208.00	\$	\$ 86,035.00	\$	\$ 94,620.00	\$	\$ 101,878.30	\$	\$ 124,300.00
SUPPLEMENTAL WORK ITEMS															
1	6" Overexcavation of Trench Bottom	LF	1	\$ 31.60	\$ 31.60	\$ 1.50	\$ 1.50	\$ 5.00	\$ 5.00	\$ 17.00	\$ 17.00	\$ 1.80	\$ 1.80	\$ 4.00	\$ 4.00
2	Dewatering	LF	1	\$ 22.60	\$ 22.60	\$ 25.00	\$ 25.00	\$ 32.00	\$ 32.00	\$ 50.00	\$ 50.00	\$ 735.00	\$ 735.00	\$ 35.00	\$ 35.00
3	Extra Utility Backfill	CY	1	\$ 56.50	\$ 56.50	\$ 4.75	\$ 4.75	\$ 10.00	\$ 10.00	\$ 22.00	\$ 22.00	\$ 13.65	\$ 13.65	\$ 18.00	\$ 18.00
4	Extra Cement Stabilized Sand	TON	1	\$ 22.60	\$ 22.60	\$ 18.00	\$ 18.00	\$ 26.00	\$ 26.00	\$ 25.00	\$ 25.00	\$ 18.80	\$ 18.80	\$ 35.00	\$ 35.00
5	Relocate Cleanout, Complete-in-place	EA	1	\$ 275.00	\$ 275.00	\$ 350.00	\$ 350.00	\$ 250.00	\$ 250.00	\$ 300.00	\$ 300.00	\$ 120.00	\$ 120.00	\$ 1,200.00	\$ 1,200.00
6	Adjust Water Service Lines (All Sizes), Complete-in-place	EA	1	\$ 350.00	\$ 350.00	\$ 950.00	\$ 950.00	\$ 500.00	\$ 500.00	\$ 3,200.00	\$ 3,200.00	\$ 300.00	\$ 300.00	\$ 1,200.00	\$ 1,200.00
SUPPLEMENTAL ITEMS SUBTOTAL				\$	\$ 758.30	\$	\$ 1,349.25	\$	\$ 823.00	\$	\$ 3,614.00	\$	\$ 1,189.25	\$	\$ 2,492.00
TOTAL BASE BID PRICE				\$	\$ 354,281.10	\$	\$ 371,844.00	\$	\$ 393,589.27	\$	\$ 510,585.39	\$	\$ 531,885.63	\$	\$ 619,605.00
TOTAL BID PRICE				\$	\$ 355,039.40	\$	\$ 373,193.25	\$	\$ 394,412.27	\$	\$ 514,199.39	\$	\$ 533,074.88	\$	\$ 622,097.00

Contractor's Total Base Bid Price \$ 369,944.00
 Contractor's Total Bid Price \$ 371,293.25

Authority to Use Grant Funds

Texas General Land Office
Disaster Recovery Division
3429 Executive Center Dr., Suite 150
Austin, Texas 78731-1658

Matt Webber, Mayor
City of Shoreacres
601 Shoreacres Blvd.
Shoreacres, TX 77571



Item 8.2
11/11/13

We received your Request for Release of Funds and Certification, form HUD-7015.15 on:

October 10, 2013

Your Request was for State Identification Number:

E10604-1_BID5, DRS010027-10011.1-1
GLO#10-5268-000-5273

All objections, if received, have been considered. And the minimum waiting period has transpired.
You are hereby authorized to use funds provided to you under the above HUD/State Identification Number.
File this form for proper record keeping, audit, and inspection purposes.

This is to inform you that as of November 5, 2013 the City of Shoreacres is hereby authorized to use funds provided to you under the above State Identification Number. The specific activities of this project identified below were Categorically Excluded subject to 24 CFR Part Sec. 58.35(a) Categorical Exclusions.

Project/Activity:

4. Grantee shall remove and dispose of approximately three thousand three hundred ninety-eight square yards (3,398 s.y.) of existing pavement, stabilize subgrade using approximately ninety-nine tons (99 tons) of lime treatment. Grantee shall manipulate approximately four thousand one hundred fifty-four square yards (4,154 s.y.) of subgrade. Grantee shall excavate approximately one thousand seven hundred linear feet (1,700 l.f.) of material to allow for road construction and reshaping of ditches. Grantee shall purchase approximately three thousand seven hundred seventy-six square yards (3,776 s.y.) of reinforced concrete pavement. Construction shall take place at the following locations:

<u>Street:</u>	<u>From:</u>	<u>To:</u>
Oakdale Street	Old State Highway 146	Byway Avenue
Forest Avenue	Old State Highway 146	719 feet east of Old State Highway 146

5. Grantee shall remove and dispose of approximately five hundred forty linear feet (540 l.f.) of pipe, purchase and install approximately seven hundred fifteen linear feet (715 l.f.) of reinforced concrete pipe, place approximately forty square yards (40 s.y.) of concrete slope protection. Construction shall take place at the following locations:

<u>Street:</u>	<u>From:</u>	<u>To:</u>
Oakdale Street	Old State Highway 146	Byway Avenue
Forest Avenue	Old State Highway 146	719 feet east of Old State Highway 146

Mitigation Measures:

In order to avoid impacts to USACE jurisdictional wetlands and waters, all work must be conducted above the ordinary high water mark of HCFCD A104-11-00.

According to the documents provided by the City of Shoreacres, all conditions regarding the National Environmental Policy Act for these activities have been met. If all other special conditions have been met, the City of Shoreacres is authorized to use 2008 Texas CDBG Disaster Recovery Supplemental Grant funds made available to the City of Shoreacres by the Texas Disaster Recovery Program for the approved project activities.

The Texas Disaster Recovery Program is aware that a grant contract Performance Statement amendment could affect this certification. Please be advised that this certification is only valid for the project description, as stated in the current Performance Statement covered by this ERR. If the project description later changes as a result of an amendment, a re-evaluation letter or new ERR may be required, thereby rendering this certification invalid.

Thank you for your efforts to ensure compliance with all federal, state and program requirements. If you have any questions regarding environmental issues or if we can provide any further assistance, please do not hesitate to contact the Disaster Recovery Program environmental team at 866-206-1084 or you can email Mike Montesano at mmontesano@HNTB.com.

Typed Name & Title of Authorizing Officer:	Signature of Authorizing Officer:	Date Signed:
Gilbert Martinez, Environmental Advisor Disaster Recovery Program Texas General Land Office		11/06/2013

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**ORDINANCE No. 2013-151
CITY OF SHOREACRES, TEXAS**

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SHOREACRES TO DEFINE WORK-RELATED INJURIES THAT REQUIRE SUBSTANCE ABUSE TESTING; CONTAINING A SEVERABILITY CLAUSE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

* * * *

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES:

That, the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct; and,

That if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance; and,

That the City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

That section 2-109 of the Shoreacres City Code is hereby amended to read as follows:

Sec. 2-109. Substance abuse.

As a public employer, the city is entrusted with protecting the health and safety of the citizens, the city's employees and the interests of the city. In keeping this obligation, all employees of the city will be required to pass a substance abuse test prior to employment, after any recordable work-related injury or accident, damage to any city property (Shoreacres' or otherwise) or private property requiring repair or if the department head has reasonable and probable cause. An employee may not report to work under the influence of alcohol or illegal drugs. Failure of any city staff, supervisor or official to adhere to this section may result in termination.

- (a) *Reasonable suspicion.* In establishing a basis for reasonable suspicion, the department head will interview the employee about possible causes for the observed behavior and will describe the incident in writing.
- (b) *Consent form.* Employees required to submit to a substance abuse test will be required to sign a consent form. Refusal to sign the consent form shall be considered a refusal to take the test and subject to discipline, including dismissal.
- (c) *Testing facility.* All substance abuse tests will be conducted under the supervision of the city's designated physician or testing facility. Testing will be conducted in accordance with relevant Mandatory Guidelines for Federal Work Place Drug Testing Programs (also known as the "NIDA" rules).
- (d) *Prescription medicine.* In the event that a positive finding may have been caused by prescribed medication, the tested person will be given the opportunity to confer with the supervising physician and to present a current prescription for the medication that caused the positive test result. If the physician finds the prescribed medication to be legitimate cause of the test results, the overall results will be reported as "negative", and the person shall not be subject to any adverse action.
- (e) *Retesting.* An employee or applicant who tests positive may request a retest at that person's own expense. A request for a retest must be made in writing to the department head within three working days of receipt of the test results.
- (f) *Security of data.* Test results will be held in strictest confidence. The personal identification of the person failing to pass the test will not be communicated to anyone other than the person tested, the city secretary, the department head in which the employee or applicant works or applied, the mayor, and the city attorney.
- (g) *Self-declaration as a substance abuser.* Any employee may identify himself/herself at any time as an abuser of drugs or alcohol and voluntarily seek counseling and rehabilitation. Although the city's group health plan may provide benefits for substance abuse, the cost of treatment, counseling, or rehabilitation will be the responsibility of the employee. In these instances, an employee will be permitted to use available leave subject to leave provisions set forth herein. Employees undergoing treatment will be required to authorize disclosure of their progress to the city secretary or mayor. Employees who fail to actively participate in and comply with the rules of the rehabilitation program will be subject to immediate revocation of their leave and dismissal of employment. This section is not intended to provide a means for an employee to avoid any required substance abuse test. Once the process of establishing reasonable suspicion has been initiated or an accident or injury has occurred, an employee may not seek treatment in an effort to avoid testing and possible disciplinary action.
- (h) *Recordable work-related injury.* A work-related injury or illness that results in any of the following: death, days away from work, restricted work or transfer to another job, medical treatment beyond first aid, or loss of consciousness. Also includes any significant work-related injury or illness diagnosed by a physician or

other licensed health care professional, even if it does not result in death, days away from work, restricted work or job transfer, medical treatment beyond first aid, or loss of consciousness.

This Ordinance shall be effective immediately after its passage and approval.

PASSED AND APPROVED this the 11th day of November 2013.

(CITY SEAL)

Matt Webber, Mayor

ATTEST:

David K. Stall, CFM
City Secretary

M/2		Yea	Nay	N/V	Absent
<input type="checkbox"/>	M. Webber	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	B. Bunker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	S. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R. Moses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	N. Schnell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M. Wheeler	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Passed / Failed _____

David Stall, City Secretary - Date

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**ORDINANCE No. 2013-152
CITY OF SHOREACRES, TEXAS**

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SHOREACRES TO SPECIFY THE PHYSICAL PLACEMENT OF THE DIGITAL RECORDER USED TO COUNCIL MEETINGS; CONTAINING A SEVERABILITY CLAUSE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

* * * *

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES:

That, the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct; and,

That if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance; and,

That the City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

That section 2-88 of the Shoreacres City Code is hereby amended to read as follows:

Sec. 2-88. – Audio recording of council meetings.

- (a) The city secretary shall record all city council meetings with a digital audio recorder that shall be placed in front of the mayor, or in the center of the lateral desk of the commonly used city council meeting table, or in the center of discussion where a meeting of council is held, in a commonly used digital format.
- (b) The city secretary shall cause a copy of each digital recording to be placed on the city's website for public access or downloading in a commonly used digital format no later than 72 hours after the meeting is adjourned.
- (c) The digital audio file shall be retained and continuously available on the city's website for a period of no less than 10 years, or as required by law, whichever is greater.

- (d) "Commonly used digital format" shall mean an audio digital file format capable of being replayed by a computer software program available to the public at no cost for the software.
- (e) Subsections (b) and (c) shall not apply to closed meetings authorized by the Texas Government Code.

This Ordinance shall be effective immediately after its passage and approval.

PASSED AND APPROVED this the 11th day of November 2013.

(CITY SEAL)

Matt Webber, Mayor

ATTEST:

David K. Stall, CFM
City Secretary

M/2		Yea	Nay	N/V	Absent
<input type="checkbox"/>	M. Webber	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	B. Bunker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	S. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R. Moses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	N. Schnell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M. Wheeler	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Passed / Failed _____

David Stall, City Secretary - Date

David Stall



Item 8.6
11/11/13

From: Nancy Schnell <njs74@att.net>
Sent: Wednesday, November 06, 2013 5:37 AM
To: David Stall; Matt Webber
Cc: me
Subject: one more agenda item
Attachments: Council Directive to David Stall.doc

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning. Off to work shortly.

I am requesting that the attached item be placed on the Monday, November 11, 2013 agenda.

You may handle this as you wish. Be reminded that this is a directive that can be done by council (by whole or in part). A new council deserves to know these answers. Omission of this agenda item will be a great cause of concern.

PIA requests from other cities have already been received by me, months ago. This is the legal way to share with my colleges.

See you Monday evening.

Nancy

Nancy Janosky Schnell

**"Everything that is counted doesn't count;
Everything that counts can't be counted."**

-Albert Einstein

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Item 8.6

11/11/13

The City Council of Shoreacres, Texas hereby directs the city Administrator, David K. Stall, to answer the following questions before January 1, 2014 in writing. This information is to allow a new council to review Mr. Stall's contract before it automatically renews on February 16, 2014.

Council Directive to David K. Stall

You/ Your: references David K. Stall

How many certification pays are you currently receiving?

By what percentage has your pay increased while being employed by the City of Shoreacres?

How many certification pays have you received in one fiscal year in the past while employed by the City of Shoreacres?

What was your salary in Nassau Bay, Texas?

What was the population of Nassau Bay, Texas at you time of employment?

What is the differential between business and personal property owners for tax burdens in Nassau Bay, Texas?

What was your salary in Columbus, Texas?

What was the population of Columbus, Texas at you time of employment?

What was the differential between business and personal property owners for tax burdens in Columbus, Texas?

Have you ever been terminated or resigned under the threat of termination while employed by any entity?

“These” or “nearby” refer to cities close to Shoreacres; references of small cities: reflect small cities of populations of less than 2,000 citizens.

What is the salary of nearby city managers?

What is the salary of nearby city administrators?

What is the tax base/population of nearby cities?

What is the percentage of commercial and residential contribution to these cities’s tax base?

How many of these city administrators/managers have renewable contracts?

What is the average salary for a city administrator/manager in a city of our size in Texas?

What is the average salary for a city administrator/manager in a city of our size that is Type A General Law city nationally?

What is an Evergreen clause?

How did your contract circumvent the city code to include an evergreen clause?

Who do you, David Stall, answer to?

How long have you known City Attorney Dick Gregg?

How many cities have you and City Attorney Dick Gregg worked together in?