

CITY OF IVANHOE

SPECIAL MEETING

MINUTES

June 28th, 2021

4:00 PM

Meeting was called to order by Mayor Bennett at 4:03 PM. A Quorum was established with all Council members present. Public Works Coordinator David Marshall and invited guests Ms. Dawn Pilcher & Victoria Dia were present. 10 individuals were in the audience. The meeting was livestreamed via the city YouTube page with 9 viewers. Mayor Bennett commented that those on social media need to submit questions or comments thru the YouTube chat feature, with questions or comments on the conditional use permit application should be held until the Public Hearing on Thursday, July 1st.

Agenda Item #1 – Construction change order on TX Water Development Board culvert project

Mayor Bennett turned the floor to Ms. Dia with LJA Engineering for an update on the culvert project on Ivanhoe Dr. Ms. Dia explained that two bids had been submitted for the construction. Both bids were much higher than anticipated. The engineer and Public Works Coordinator had worked with the low bidder on the project to bring the construction total closer to the amount available from TX Water Development Board (TWDB) which leaves the city in the position of either applying for additional funds from the TWDB or using city funds to cover the cost between the project total and the amount of the forgivable loan from TWDB. The city has already submitted a request and received an additional \$150,000 after the original request of \$215,000 proved too low to cover the project after material costs doubled. The TWDB funds total \$365,000. With the change order the project will cost \$330,564. Adding in the cost of engineering and project oversight will result in the project being \$72,564 over the available funds from TWDB. Following discussion of the additional delay that would occur if the city were to submit a request for additional funding from TWDB, or to use bond construction funds to cover the shortfall. Mayor Bennett reminded Council the city will need to keep \$115,000 available for the match on the \$11.48 million grant. Following the discussion:

a) Councilman Morris made the motion to approve the change order as presented by the engineer. Councilman Blackstone made the second and the motion passed unanimously. b) Councilman Herrington made the motion to utilize bond funds to cover the difference in costs between the funds appropriated by TX Water Development Board and the change order total on the culvert replacement project. Councilman Craven made the second. Following discussion regarding on-going price increases Councilman Herrington amended his motion to authorize up to \$90,000 bond funds towards the culvert replacement project. Councilman Craven likewise amended his second and the motion passed unanimously. Councilman Craven inquired about a warranty on the culvert. Ms. Pilcher responded that concrete culverts have a life expectancy of about 50 years.

Agenda Item #2 – Engineers preliminary construction cost estimates for road bond funded projects

Mayor Bennett observed that with the increased costs of construction, it is time to re-visit the preliminary construction cost estimates on the road bond projects that Council had developed for 2021. Councilman Herrington noted the options are to delay the projects or limit the amount of work. Mayor Bennett said the

rehabilitation of Lakewood does need to be delayed rather than having heavy equipment using the newly re-surfaced street to access & work on other projects. Ms. Pilcher explained that sections of the proposed streets can be removed from the bond construction work due to those sections being covered by funds from the anticipated \$8 million grant. Councilman Craven voiced that he is not supportive of stretching money to cover more street work but it doesn't last beyond 5 to 7 years, which is not wise use of taxpayers money. The comment was agreed with by all the Council members. Councilman Herrington questioned Public Works Coordinator Mr. Marshall for an estimate of the cost to re-hab Ivanhoe Dr. East and West in preparation for those streets serving as the detour route while the TX Water Development Board culvert replacement project is underway. Mr. Marshall calculated the cost to be about \$65,000 not including culverts. Mayor Bennett brought the discussion to a close saying the bond construction projects will need additional review in light of the latest figures and the matter will be addressed in future meetings.

Agenda item #3 – Steps to be taken for the GLO HMGP grant award

Mayor Bennett informed Council that no contract has been signed with the TX General Land Office (GLO) on the \$11.48 million grant, and the agenda item is purely for discussion of the projects that are allowed under the GLO guidelines for mitigating hazards. She clarified that one of the first steps will be acquisition of property at Lake Ivanhoe and dam, Tristan Dam and Camelot Dam which will be utilized as part of the work on the dams and spillways. There will be additional meetings with the engineer and the Ivanhoe Property Owners Association to determine the property that will be needed. Ms. Pilcher concurred with the comment that the city cannot start any work under the grant terms until the GLO contract is in place, otherwise the city will be on the hook for any expenses incurred prior to the contract being signed. She said it will take 12 to 15 months for the environmental assessment and review to process after the land is surveyed and the geo-tech work completed, so the best case scenario will be 2 years before any construction starts. Mayor Bennett noted that the agenda item was for information only and no action was taken.

Agenda item #4 – Resolution #2021-14R authorizing City Attorney to act on behalf of the city in the Purdue Pharma class action litigation

Mayor Bennett delayed the agenda item until the Executive Session later in the agenda.

Agenda item #5 – Public Hearing date for Kodie Brown Variance application

Mayor Bennett polled the Council for best date and time to hold the Public Hearing on the Variance application of Ms. Kodie Brown for placing a manufactured home on her property in District 2 (Manufactured homes are not allowed). Council agreed to schedule the Public Hearing for August 12th at 6 PM.

Agenda Item #6 – Executive session

Mayor Bennett called a recess of the meeting at 5:14 PM for executive session for agenda item #4 per TX Government code 551.072 (consult with legal Counsel on pending litigation).

Mayor Bennett called the special meeting back to session at 5:27 PM and returned to the agenda item #4. Councilman Blackstone made the motion to adopt Resolution #2021-14R authorizing the city attorney to act on behalf of the city in the Purdue Pharma class action (opioid) settlement case. Councilman Warren provided the second and the motion passed unanimously.

Agenda Item #7 – Adjourn

Councilman Herrington made the motion to adjourn with a second by Councilman Warren and the meeting was concluded at 5:27 PM.

Respectfully submitted,

C. D. Woodrome, City Secretary

Approved by Council August 16th, 2021

Cathy Bennett, Mayor