

**STATE OF TEXAS  
COUNTY OF DENTON  
CITY OF CORINTH**

On this the 15<sup>th</sup> day of February 2018 the City Council of the City of Corinth, Texas met in a Workshop Session at the Corinth City Hall at 5:30 P.M., located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members to wit:

**Members Present:**

Bill Heidemann, Mayor  
Joe Harrison, Mayor Pro-Tem  
Sam Burke, Council Member  
Lowell Johnson, Council Member  
Scott Garber, Council Member  
Don Glockel, Council Member

**Members Absent:**

None

**Staff Members Present:**

Bob Hart, City Manager  
Curtis Birt, Fire Chief  
Barbara Cabbage, Interim Planning and Development Director  
Mike Brownlee, City Engineer  
Lori Levy, Senior Planner  
Cindy Deckard, Engineering Services Coordinator  
Kim Pence, City Secretary  
Brenton Copeland, Technology Services Assistant  
Mack Reinwand, Messer, Rockefeller, &Fort

**CALL TO ORDER:**

**Mayor Heidemann called the meeting to order at 5:30 P.M.**

**WORKSHOP BUSINESS AGENDA**

1. Discuss Regular Meeting Items on Regular Session Agenda, including the consideration of closed session items as set forth in the Closed Session agenda items below.

No discussion on the Regular Session agenda items.

2. Discuss and provide staff direction on conducting a Masonic Lodge ceremony to install a cornerstone for the Fire Station #3.

**Bob Hart, City Manager** - the staff has discussed requesting the Masonic Lodge to conduct a ceremony to install a cornerstone at the fire station. Councilmember Garber raised some questions and the item is placed on the agenda for Council discussion.

**Councilmember Garber** - the questions that I raised about that are in line with in general religious ceremonies on public buildings. This is a very specific ceremony that the Mason's perform. At the very least, to keep the debate on the theological side, what I would like to do is just have a vote and allow Council, if one of us disagrees with one of these religious ceremonies that we can have a vote on whether or not to proceed with this. I would like to have our names counted if we are for or against it and not just a general consensus. .

**Bob Hart, City Manager** - I put this on as a discussion item as opposed to a vote. I misunderstood and we can place this on the agenda for March 1<sup>st</sup> for consideration.

3. Lake Sharon Extension Project update.

**Mike Brownlee, City Engineer** - Tonight's workshop presentation will provide an overview of the Lake Sharon Drive Paving, Drainage, and Water Improvements. Topics for discussion will include updates on the various phases of the project:

- Project Bidding and Award
- Land Acquisition Status
- Construction Progress to date
- Schedule
- Project Budget
- Construction Change Orders
- Design Change Orders

The project was awarded for \$5,064,468.47 which includes the Base Bid amount of \$4,997,337.78 and a Bid Alternate added for an electronic message board in the amount of \$67,130.69. Notice to Proceed was given November 6, 2017 with a 240 calendar day duration. The contract completion date is July 4, 2018.

Land acquisition was completed with Endeavor to acquire the last remaining Right of Way and easements for the project. The city reached a negotiated settlement with Endeavor shortly before the scheduled Commissioners Court Hearing on November 29, 2017 in the amount of \$460,000. The city was able to obtain Right of Entry from Endeavor prior to the award of the project so the land acquisition did not delay the start of the project

The project is 22% completed based on the work in place completed through the end of January with work in place values at \$1.1M. Roughly 45% of that work consisted of charges for mobilization and site preparation. The remaining work to date is predominately underground storm drain, junction boxes and rough grading. The contractor has completed installation of the dewatered working pad across the lake for installation of the Upper Trinity Regional Water District (UTRWD) bypass and multi-barrel box culvert. Progress has been slowed by gaining approvals from the UTRWD on the project submittals required for construction of the 24" WL bypass across the lake. The next phase of construction will involve construction of the bypass and box culvert followed by embankment.

The project was awarded November 6, 2017 with a duration of 240 days. The completion date for 240 calendar days would be July 4, 2018. The contractor is currently 77 days behind schedule by his schedule and has filed multiple delay claims based on various job conditions including:

- Lack of access from FM 2499
- Lack of access to work in jurisdictional waters (i.e. Lake Sharon)
- Conflicts between new and existing utilities for the tank feed connection

- Changes to the pipe material size from that shown on the plans

The total budget for the project of \$6,435,760.00 was presented to the council at a similar workshop session on October 20, 2016 and included design services, construction cost, land acquisition, project administration and testing. Items were included in the project budget for anticipated costs and contingencies for change orders based on past experience with similar projects. The city has spent \$6,150,319.18 of funds to date, representing either known amounts or already expended items (such as land acquisition).

There is currently a credit balance of \$285,440.82 of still uncommitted funds from the total budgeted amount for the project. Additional laboratory testing, change orders, unanticipated attorney fees, and additional easement documents would be included in the uncommitted funds.

Change Orders Two and Three are being presented to council tonight for approval. Change Order Two in the amount of \$13,185.68 is needed for a change in pipe class from Pressure Class 250 to Pressure Class 350 for the UTRWD 24" DIP bypass.

Change Order Three in the amount of \$43,504.69 is for construction of the Lake Sharon Drive intersection turnout for FM 2499.

Change Order One was previously approved by the City Manager to extend the warranty period from 1-year to 2-years. The total amount requested for approval for Change Orders Two and Three is \$56,690.37.

Amendment Number Seven to the Teague, Nall and Perkins design contract is presented tonight for approval in the amount of \$35,000 for additional construction phase services. The additional services are needed for administrative support and interpretation of the plans during the construction phase. 55 shop drawings 11 requests for plan interpretation (RFIs) and 3 change order requests have been submitted to date with most of the items requiring repeat submittals prior to final approval. There are still a number of ongoing issues that will require additional engineering support including coordination with UTRWD resolving underground utility conflicts, necessary design changes, shop drawing review, attend meetings and general engineering support to concerning plan intent. The expectation is that the requested amount should be sufficient to cover design engineering expenses for the remainder of the project.

**Councilmember Glockel** - I thought they had already poured past Lake Sharon in November? They have not done that?

**Mike Brownlee City Engineer** - they were telling me they were going to pour the approach and put a curve on the back and then go ahead and run the sidewalk across but then they just did not do anything.

**Councilmember Glockel** - so we don't have the possibility of going back to the state and asking them to reimburse us for it?

**Mike Brownlee, City Engineer** - I have asked them to build it and they declined.

**Councilmember Glockel** - I am thinking the road was poured before we ever let this contract.

**Mike Brownlee, City Engineer** - some of it was poured. There were gaps. They had done everything up to Robinson Road. They were not done, they were still paving. They still had their contractor out there working all the way through January.

**Councilmember Glockel** - The point I am trying to get to is when we let our contract, it wasn't there.

**Mike Brownlee, City Engineer** - right, but we thought it was going to be there cause they told us it would be. They told us they were going to build it but they didn't. That is all I can tell on that one, they are TXDOT.

**Councilmember Burke** - is it not open because Denton has not put in a light? That is what I have been told.

**Mike Brownlee, City Engineer** - it is not open at Robinson Road because it is a school crossing and until they get a signalized intersection they have a safety issue. What they told us was the end of March they would have something up there.

**Mayor Heidemann** - do you have funds available to do landscaping on Lake Sharon Extension?

**Mike Brownlee, City Engineer** - yes, lighting, landscaping all included.

**Councilmember Harrison** - what about the sign? How much is that and is that part of the \$193,000.00?

**Mike Brownlee, City Engineer** - \$67,130.69 is for the sign, it is really a message board. That is part of the award.

**Councilmember Harrison** - so if you eliminate the sign you will have money to spend right?

**Mike Brownlee, City Engineer** - yes. We may lose a little bit if they install power to it and then pull it. The planned location is at Oakmont and you will see it if you go north or south on Oakmont and east and west on Lake Sharon. Same as the one out front of City Hall.

## **CLOSED SESSION**

**Mayor Heidemann recessed the Workshop at 6:02 p.m. \*See Closed Session**

The City Council will convene in such executive or closed session to consider any matters regarding any of the above agenda items as well as the following matters pursuant to Chapter 551 of the Texas Government Code.

**Section 551.071.** (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with chapter 551.

**Section 551.072.** To deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

**Council met in Closed Session from 6:03 p.m. until 6:34 p.m.**

a. Purchase of Right-of-Way for Lake Sharon Blvd near I-35E.

**Section 551.074.** To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

**Section 551.087.** To deliberate or discuss regarding commercial or financial information that the governmental

**Section 551.087.** To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

**Council met in Closed Session from 6:03 p.m. until 6:34 p.m.**

a. Deliberations regarding economic development incentives to a business prospect.

After discussion of any matters in closed session, any final action or vote taken will be in public by the City Council. City Council shall have the right at any time to seek legal advice in Closed Session from its Attorney on any agenda item, whether posted for Closed Session or not.

**RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON CLOSED SESSION ITEMS.**

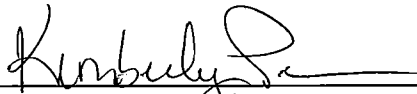
**ADJOURN:**

**Mayor Heidemann adjourned the Workshop meeting at 6:35 P.M.**

**AYES:** All

Meeting adjourned.

Approved by Council on the 15 day of March, 2018.

  
Kimberly Pence, City Secretary  
City of Corinth, Texas

