

BELTON CITY COUNCIL MEETING
February 9, 2016 – 5:30 P.M.

The Belton City Council met in regular session in the Wright Room at the Harris Community Center with the following members present: Mayor Marion Grayson, Councilmembers Craig Pearson, Dan Kirkley, Paul Sanderford, Guy O'Banion and Jerri Gauntt. Mayor Pro Tem David K. Leigh was absent. Staff present included Sam Listi, John Messer, Amy Casey, Gene Ellis, Jen Wesley, Larry Berg, Susan Allamon, Kris Morgan, Ed Bandas, Cynthia Hernandez, Kim Kroll, Denny Lassetter, Angellia Points, Byron Sinclair, Aaron Harris, Matt Bates and Paul Romer.

The Pledge of Allegiance to the U.S. Flag was led by Boy Scout Troop 153, the Pledge of Allegiance to the Texas Flag was led by Retail Development Coordinator Ed Bandas, and the Invocation was given by Bill Carrell, Director of Church Relations at the University of Mary Hardin-Baylor.

1. **Call to order.** Mayor Marion Grayson called the meeting to order at 5:31 p.m.
2. **Public Comments.** There were none.
3. **Recognitions:**

A. **U.S. Army Corps of Engineers presentation of their Castle Award for Excellence to the Belton Fire Department.**

Brad Ellis and Todd Spivey of the U.S. Army Corps of Engineers presented the Belton Fire Department with the Corp's Castle Award for Excellence. Assistant Fire Chief Kris Morgan accepted the award on behalf of the Chief and the Department. Mr. Ellis praised the Belton Fire Department for what the Corps considers going "above and beyond" in the partnership they have developed.

B. **Recognize the City of Belton's Lena Armstrong Public Library for being awarded the 2015 Achievement of Library Excellence Award from the Texas Municipal Library Directors Association.**

City Manager Sam Listi presented the 2015 Achievement of Library Excellence Award to Library Director Kim Kroll and congratulated her and the Library Staff on the achievement.

Consent Agenda

Items 4-7 under this section are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda prior to voting, at the request of any Councilmember, and it will be considered separately.

4. **Minutes of previous meetings:**

A. January 26, 2016, City Council Meeting

B. February 1, 2016, Special Called City Council Meeting

5. **Consider appointment to the Central Texas Council of Governments Executive Committee.** Frank Minosky was recommended for appointment.
6. **Consider approval of an amendment to the employment agreement for the City Manager.**
7. **Consider a resolution ordering the General Election to be held on May 7, 2016.**

Upon a motion by Councilmember Craig Pearson and a second by Councilmember Guy O'Banion, Consent Agenda items 4-7 were unanimously approved upon a vote of 6-0 including the following captioned resolutions.

RESOLUTION NO. 2016-09-R

A RESOLUTION CALLING AND ORDERING A GENERAL ELECTION TO BE HELD ON MAY 7, 2016 AND ESTABLISHING PROCEDURES THEREOF.

RESOLUCIÓN NO. 2016-09-R

RESOLUCIÓN CONVOCANDO ELECCIONES GENERALES A REALIZARSE EL 7 DE MAYO DEL 2016 Y LOS PROCESOS A CUMPLIRSE.

Miscellaneous

8. **Consider a resolution supporting Commerce Street Apartments, LLC's Tax Credit Application to the Texas Department of Housing and Community Affairs for a family housing development for low and moderate income persons.**

City Manager Sam Listi stated that Homestead Development is proposing an 80-unit family tax credit development to TDHCA in this latest cycle of applications. The proposed location is in the vicinity of Sparta Road and Commerce Drive. He reminded Council that a work session was conducted on January 12, 2016, at which time the developer reviewed the proposed project with the Council.

He stated that the affordable housing tax credit program, administered by TDHCA, is extremely competitive. For consideration in this cycle, a community is required to pass a Resolution of Support, but the financial commitment has been substantially reduced from prior years. A "nominal" local match is recommended; therefore, Mr. Listi proposed a reduction in the building permit fee as the City's commitment to the project. Staff's recommendation is to waive the first \$5,000 in building permit fees.

Mr. Listi explained that we have received some opposition from some of the area property owners, and that information has been provided to the Council.

Councilmember Jerri Gauntt asked if the location was the same as previous tax credit project proposals in prior years. Mr. Listi stated that it was. She commented that an 80-unit complex is not particularly large in comparison to other apartment complexes that have been constructed recently. Mr. Listi stated that it is a small site, but that is the size the applicant is proposing. He added that the project is for family housing rather than senior housing because the developer has indicated family housing scores higher in the process. Mayor Grayson asked if seniors would be precluded from living there. Mr. Listi replied that it would be open to seniors. Councilmember Gauntt asked if it is Section 8 housing to which Mr. Listi replied that it is not.

Councilmember Pearson said that he agreed Belton has a need for this type of development, and he feels that the developer will do a good job. However, he questioned if this was the correct location. He added that it didn't appear the project would be successful this year given some feedback that the Council has received from the developer. He said that he would like to see them come back next year, but he didn't believe that this was the right location for this type of project. Because of this, he said he would not be able to support it.

Mayor Grayson said that she understood that the location was selected for its connectivity to schools, shopping and transportation which makes it a good location for those individuals who pursue this type of housing in the community.

Upon a motion by Councilmember Dan Kirkley and a second by Councilmember O'Banion, the following captioned resolution was approved upon a vote of 4-2. Councilmembers Paul Sanderford and Craig Pearson voted in opposition.

RESOLUTION NO. 2016-08-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, REGARDING COMMERCE STREET APARTMENTS AT COMMERCE STREET FOR SUPPORT AND LOCAL POLITICAL SUBDIVISION FUNDING.

9. **Presentation of Police Department Annual Report including Annual Racial Profiling Report.**

Assistant City Manager/Police Chief Gene Ellis presented the Police Department Annual Report, including the Racial Profiling Report, and recognized his staff and volunteers for their efforts. He also provided a brief update on the status of the police department renovations and the police memorial project. Councilmember Pearson commented that the report on the department's use of force didn't list any firearms threats against our officers. Chief Ellis stated that our officers had responded to calls that involved firearms, but the officers had not been directly threatened by those firearms. Councilmember Pearson asked if the Chief felt that

the department has the equipment that it needs to face the threats in front of them. Chief said yes, and he discussed the department's use of tasers. Councilmember Jerri Gauntt thanked the Chief, especially for the department's social media updates.

No action was required by the Council.

10. **Consider a resolution authorizing the City Manager to take all steps necessary to submit an application for grant funds through the Office of the Governor, Criminal Justice Division for Phase III of the Central Texas Regional Law Enforcement Training Facility.**

Assistant City Manager/Chief of Police showed a picture of the firing range that provided the Council with an idea of the progress that has been made on the facility. He praised the Public Works Department, especially Director of Public Works Byron Sinclair, for all their hard work on the project.

Chief Ellis stated that the range had been funded with grants from the Criminal Justice Division that the City received in 2014 and 2015. He feels the time is right to apply for another grant in the amount of \$70,000 to complete Phase III. The grant will fund an arena roof cover, baffling, and lighting. These features will allow for all-weather use, sound suppression, and provide a safer training environment. This will also allow for expanded training opportunities regardless of climate, especially extreme heat. He added that there will not be another facility like this one in the Central Texas area.

Upon a motion by Councilmember Paul Sanderford and a second by Councilmember Craig Pearson, the following captioned resolution was unanimously approved upon a vote of 6-0.

RESOLUTION NO. 2016-10-R

A RESOLUTION OF THE CITY OF BELTON, TEXAS, AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO SUBMIT AN APPLICATION THROUGH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR THE 2017 STATE FISCAL YEAR FUNDING CYCLE; AUTHORIZING THE CITY MANAGER TO ACT IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE GRANT, IF AWARDED.

11. **Consider authorizing the City Manager to execute an Interlocal Assistance Agreement with the Central Texas Council of Governments (CTCOG) to continue funding for the volunteer coordinator position for the Belton Police Department's RUOK? Senior Adult Outreach Program.**

Assistant City Manager/Police Chief Gene Ellis stated this Interlocal Assistance Agreement would continue the funding (\$20,855) for the volunteer coordinator for the RUOK? program through the end of this fiscal year. The funding is used for

reimbursement of costs related directly to the program to include: wages and benefits; communication and computer equipment; and other program expenses.

He stated that this very successful program has grown to approximately 135 clients.

Upon a motion by Councilmember Kirkley and a second by Councilmember O'Banion, the item was unanimously approved upon a vote of 6-0.

12. Consider authorizing the City Manager to execute an agreement for professional services related to the design and construction of the South Belton Sewer Service Project.

Director of Internal Services/City Engineer Angellia Points provided a history of how this project has developed over the years. She stated that currently sewer lines reach just south of Grove Road while water service is available along the Interstate 35 corridor (IH-35) to the Lampasas River. At a Council Workshop on January 13, 2015, Staff and Kasberg, Patrick & Associates recommended constructing a series of lift stations in lieu of a new treatment facility by the Lampasas River due to the high costs and permitting challenges of a treatment facility. A series of lift stations would also take advantage of the capital investments previously made and proposed at the existing Temple-Belton Wastewater Treatment Plant.

Mrs. Points explained that the project scope included serving South Belton as far south as the Lampasas River initially, connecting existing sewer in the Miller Heights basin. The South Belton Sewer System will comprise a series of up to two lift stations, approximately 18,000 linear feet of gravity sewer lines, 8,000 linear feet of force mains, and all manholes, electrical, etc. The lift stations and sewer lines will be located on the east side of IH-35 with two bores anticipated under the interstate to serve the basin west of IH-35.

Due to the complex nature of the project, and the cost for design and construction of the project, Staff issued a Request for Qualifications (RFQ) for engineering services in order to select the most qualified engineering firm for the project. The following four firms responded.

- Freese and Nichols, Inc. of Austin, Texas
- Halff Associates, Inc. of Georgetown, Texas
- Kasberg, Patrick, and Associates, LP of Temple, Texas
- Lockwood, Andrews and Newnam, Inc. of Waco, Texas

Mrs. Points stated that the submissions were evaluated based on five (5) components with a maximum score of 100 points.

1. Specialized design and technical competence of the business, including a joint venture or association, regarding the type of services required. (20 points)

2. Capacity and capability of the business to perform the work, including any specialized services, within the time limitation. (20 points)
3. Past record of performance on contracts with municipalities with respect to such factors as control of costs, quality of work, and ability to meet schedules. (15 points)
4. Proximity to and familiarity with the City of Belton and project area. (20 points)
5. Evidence of understanding of scope of work, the site and existing conditions. (25 points)

All four submissions were evaluated by the City Manager, City Engineer/Director of Public Works, Assistant Director of Public Works – Programs, Assistant Director of Public Works – Operations, and the Water and Wastewater Superintendent using the criteria stated above. Of the four submissions, three were deemed to be short-listed and were asked to present during the interview stage. Following the interviews of the short-listed firms, as well as reference checks on each firm, Halff Associates received the most combined points followed by Freese & Nichols ranked second and KPA Engineers ranked third for this project.

Mrs. Points said that, in Staff's opinion, Halff Associates seemed to be the most qualified, having the depth and range of experience, resources, and expertise required for the project. Halff understands the significance of this project to our community and the construction budget constraints.

Halff will provide the following professional services at a cost of \$500,000:

1. Pre-design Phase, including an alignment study, lift station alternatives, and a preliminary engineering report to establish a basis of design and chosen alignment.
2. Design Phase Services, including a 30%, 60%, 95%, and Final design sets to develop the drawings and specifications for the project. All required permitting, base mapping, surveying, subsurface utility engineering, geotechnical, and environmental/ archaeological impact evaluations will be performed. Five parcel exhibits will be drafted for rights-of-way or easements required for the project.
3. Bid Phase Services, including preparing for advertisement, conducting a pre-construction conference, addressing any comments from contractors, tabulating bids, and preparing the contracts for signatures.
4. Construction Phase Services, including conducting the pre-construction meeting, reviewing submittals, conducting site visits, and processing contractor's payments.

Mrs. Points explained that the cost to construct the South Belton Sewer System scoped items is estimated to be \$5-\$6 million. She said that funding of the construction expenses will be addressed further into the design process once an opinion of probable construction cost is developed. Halff Associates estimates it will take 8 months to complete the pre-design phase, geotechnical and environmental studies, and the final design phase.

This project is funded through the 2015 Utility Certificates of Obligation.


Upon a motion by Councilmember Pearson and a second by Councilmember O'Banion, the item was approved upon a vote of 5-1. Councilmember Kirkley provided the dissenting vote.

Executive Session

13. **Executive Session pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.071, consultation with attorney.**

It was determined at the meeting that an Executive Session would not be needed.

There being no further business, the meeting was adjourned at 6:32 p.m.



Marion Grayson, Mayor

ATTEST:



Amy M. Casey, City Clerk