

PUBLIC WORKS COMMITTEE

March 15, 2011

3:15 P.M.

Councilwoman Ladd, Chairman, called the meeting of the Public Works Committee to order with Councilmen Rico, Berz, Robinson, Benson, Scott, Gilbert, Murphy, and McGary present. City Attorney Michael McMahan and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Dan Johnson, Paul Page, Danny Thornton, Tony Sammons, Jim Templeton, Mike Patrick, Steve Leach, Justin Holland, Chief Parker, Dennis Malone, Richard Beeland, Bill Payne, Dickie Hutsell, Gary Hilbert, Lee Norris, Alice Canelli, Tony Boyd, and Craig Joel.

On motion of Councilman McGary, seconded by Councilman Murphy, the minutes of the previous meeting were approved as published.

Adm. Leach began with **Ordinance 5(a)** relative to bulky trash. He asked if this was a one week deferral and was told "yes". Councilman Benson stated that he hoped the contractor was defined by putting the word "licensed" in front of it.

Ordinance (b) is a change in sewer rates, which was an error and really reduces the rate down.

Ordinance 6(a) First Reading pertained to a closing and abandonment of a right-of-way for Memorial Health Care System c/o William H. Wilkerson. Adm. Leach asked if this would have to be advertised? Attorney McMahan responded "yes", because it went through Planning as a Franchise. He questioned if Public Works could just give them temporary use for the time being. Adm. Leach explained that the applicant did have a tight schedule. Mr. Malone added that they had pushed for a Franchise; that the weather had put them behind; that a Temporary Use might help them—that maybe Public Works could do that and then advertise as a Franchise. Attorney McMahan stated that it would have to be rewritten as a Temporary Use. Adm. Leach noted that the architect was concerned about this.

Resolution 7(b) authorizes a Professional Services Agreement with HDR, Inc. relative to Contract No. E-10-012-101, 21st Century Waterfront Ross's Landing Riverfront Parkway Phase I—Evaluation-Investigation, in the amount of \$610,000. Adm. Leach noted that this had been much discussed as it deals with what we call the "hard edge"; that this is an engineering investigation and evaluation and plan. Mr. Malone added that this is Phase 1 of a multiple contract; that they will do initial structural investigation with underwater dive teams; that there will be material testing; that the electrical system has failed, and we need to find out the problems and the recommended repair. Adm. Leach stated that Adm. Zehnder was here for the Parks and Recreation portion questions as to future use.

Councilman Benson stated that this was “de ja vue”; that we heard this 3-4 years ago and spent 6/10th of a million dollars for the same study. Mr. Malone corrected him, stating that that Study was on the Passage and this is the “hard-edge”. Councilman Benson wanted to know where the money was coming from for this Study? He was told CDRC funds.

Councilwoman Scott stated that “let’s assume that it is cracked and shifting and all the problems do exist”. She then asked “What can you do about this”?

Adm. Leach responded that we need to figure out the issues that we have; that facilities don’t work, and we need to see if we even want them; that the electrical system is problematic; that there are systemic problems, and they would have to come back to the Council before there is a solution.

Councilwoman Scott stated that by nature, rivers are in a state of dynamic change; that as long as nature is involved, she questioned if we were not destined to have problems with concrete expanding. Adm. Leach agreed that this happened with concrete under water, and he hoped that this would be taken into consideration; that there is erosion underneath, and there will always be maintenance; that there could be high maintenance, and they would have to come back to the Council; that we need to see what we can salvage. Councilwoman Scott went on to say that when you look at water harbors that most of their piers are wooden; that wooden ramps can be repaired as you need to. She questioned if this was supposed to be a venue for boats?

Adm. Zehnder responded that there were different ways of design; that “yes”, you could build boardwalks; that what we have should have longevity; that this Study will identify deficiencies and costs and will say whether we have to pay (x) amount of money; that we need this information to make a rational decision. Councilwoman Scott responded that maybe we should first think about what we really want. She asked if there were people in the audience that could respond to technical questions.

Mr. Malone stated that representatives from HDR, Inc. were present.

A young man named Shane came to the microphone. He explained that their company was local and was across from the DRC Building; that his office was out of Corpus Christi, Texas; that they had worked in Florida and other places and had done numerous types of projects like this one; that they had seen this type before; that the future use is for a facility for boat access; that if this use is to continue, this investigation is needed to take place to give the City a road map.

Councilwoman Scott asked him who else had “hard-edges”? The young man responded that Corpus Christi was one place—that they were similar but were along the oceanfront, which made it a different issue. Councilwoman Scott asked if they just built it back and was told “yes”.

Councilman Murphy asked if a dam would have to be constructed? The young man responded that is possible; that they would make recommendations on potential measures and that could include a dam. Councilman Murphy noted that piers and docks are being called “hard edges”, which are at the top, but not below; that it seemed to him that having seen how these are built in lots of places, that the “soft” that they are sitting on needs to be “walled off”. The representative of HDR responded that this will be taken into consideration; that there are slope issues going on; that this needs to be taken into account.

Councilman Benson asked the representative if he felt that by the Council approving this Study, that the Study would propose a financially reasonable process so that this would cease to become a “money pit”? The young man responded that he did believe this was the way to do this; that gathering information is part of this; that they should come up with something that is reasonably maintainable for the future.

Adm. Leach noted that they had already had this discussion in-house.

Resolution © authorizes a contract with Cranston Engineering Group, P.C. for the Brainerd Levee FEMA Compliance Determination in an amount not to exceed \$511,520. Bill Payne introduced the team that was present today from Cranston. He explained that after Katrina, FEMA was requiring levee owners to provide a Compliance Determination; that this was the first time we had been required to perform this; that FEMA has contractors in place to provide maps in 2012; that the real issue at hand is that FEMA requires this and if we did not do it, it could be very costly for residents in the area.

Councilman Murphy asked if TVA built this, and then we took it over? Mr. Payne explained that this was the agreement in place since 1980; that \$17 million dollars had been invested by TVA in construction alone, including purchase of the property.

Councilman Gilbert asked if he understood correctly that if we did not do this, that citizens would have to pay higher insurance premiums? Mr. Payne responded “yes”—flood insurance.

Councilwoman Scott asked the source of funds and was told FY 2011 Water Quality Budget.

Resolution (d) authorizes Change Order No. 1 (Final) with Thomas Brothers Construction Co., Inc. relative to the North Warner Park Storm Water Detention Basin for an increased amount of \$60,708.60 for a revised contract amount not to exceed \$1,764,707.60 and to release the remaining contingency amount of \$109,291.40. Mr. Malone explained that this Resolution went along with **Resolution (g)** that authorizes a change order no.3 (Final) with Arcadis U.S., Inc. for professional services relative to the Warner Park Stormwater Detention Basin to increase the contract amount by \$26,868, for a revised contract amount not to exceed \$261,093.00. Mr. Malone explained that a sewer line was leaking profusely, and we had an

underground problem with water; that Arcadis is related to construction time. Councilwoman Scott noted that both Resolutions said (Final); that this had been going on for a long time, and she wanted to know if this "Final" is really "Final"? The answer was "yes".

Resolution (e) authorizes a Change Order with Volkert and Associates, Inc. for professional services relative to the Intersection Improvements at Discovery Drive at Hickory Valley Road and Discovery Drive at Enterprise South Boulevard (Volkswagen Drive) to increase the contract amount by \$24,800, for a revised contract amount not to exceed \$199,200.00. It was explained that this went longer because of additional work and some rock issues; that there had to be major utility relocation. Mr. Malone further explained the rock with the force main, which slowed down the process; that they expected both of these intersections to be one project, but there were issues of controlling traffic. He mentioned that Hamilton County had negotiated with a By-Pass Rd. to expedite the work; that Volkert is watching our interest.

Resolution (f) authorizes Change Order #1 with Volkert and Associates, Inc. for CEI services relative to Enterprise South Roadway Projects, to increase the contract amount by \$36,866.19, for a revised contract amount not to exceed \$712,877.82. This deals with the longer piece off of I-75. Mr. Malone explained that this project was advertised to coincide with TDOT; that there were four contracts and three different contractors; that Barge Waggoner had installed a new irrigation system.

Resolution (j) authorizes temporary use of the 806 Browns Ferry Road Pump Station Property for access across City easement during high water. Adm. Leach noted that there was a question about the easement and this should be deferred for one week. Councilwoman Scott stated that she did not understand what Mr. Crane was requesting. Adm. Leach explained that it was access across what he thought was the City's road. Councilwoman Scott asked if this was just during high water? Attorney McMahan stated that his office received a letter from Mr. Crane's attorney and that there were questions that they did not know the answers to. Councilwoman Scott asked if Mr. Crane was blocked from leaving his property? Attorney McMahan responded "we don't know"; that they had talked to Alice Canelli about this, and it needs to be deferred for one week.

AGENDA ITEMS FOR MARCH 22ND, 2011

Adm. Leach noted that **Ordinance 5(a) Final Reading** might be handled as a Temporary use.

Resolution 7(a) authorizes a contract with Tower Construction Co. for the Wilcox Boulevard Tunnel Modifications in the amount of \$414,332.93. Adm. Leach explained that they would be meeting with the community about this. **Resolution 7(b)** authorizes a Professional Services Agreement with Halcrow, Inc. for Construction Feasibility and Conceptual Designs for improvements to the Wilcox Blvd. Tunnel in the amount of \$808,971. Adm. Leach stated that

this was the bigger picture. Councilman Gilbert asked if they were looking at the tunnel to be a single or double? Adm. Leach stated that we were not “there” yet; that we would have to see what is the most economical and the quickest.

Councilman McGary asked how this proposal would improve the lighting? Adm. Leach explained that the Professional Services Agreement would be more than just maintenance. Councilman Murphy noted that we had been told that nothing had been done in six year—that this was not regular maintenance but irregular maintenance. Adm. Leach responded “we continue to do maintenance”—that they would improve the lighting and there would be drainage repairs; that they wanted to improve the drivability of it now; that the Mayor would like to proceed with a major Study. Councilman McGary asked what kind of cleaning had been done? Tony Boyd responded water pressure and EPB did the re-lamping.

The meeting adjourned at 3:55 P.M.