

**City of Angleton, Texas  
Angleton Better Living Corporation  
Minutes of Meeting  
Monday April 27, 2009**

---

The City of Angleton, Texas Angleton Better Living Corporation held it's Regular Meeting at 5:30 p.m. on April 27, 2009 at City Hall, 121 S. Velasco, Angleton, Texas for the following:

1. Declaration of quorum and call to order.  
Those in attendance included:

J. Patrick Henry	Chairman
Gregg Dykes	Board Member
Woody Hazlewood	Board Member
Chris Peltier	Board Member
Dr William Jackson	Board Member
George Rau	Board Member
Absent:	
Charlyn Rogers	
OTHERS PRESENT:	
Greg Smith	City Manager
Laurie Rodriguez	Asst. Cit Secretary
Chris Saddler	Recreation Director
Susie Hernandez	Finance Director
Brent Bowles	iAD Architects

1. Declaration of quorum and call to order.
2. Discussion & possible action on approving the minutes from the April 27, 2009 meeting.

*Motion by: Chris Peltier to approve minutes*

*Second by: Gregg Dykes*

*Motion passes: 6 for, 0 against, 1 absent*

3. Discussion and possible action on awarding the bid for the Recreation Center Expansion.

Greg Smith presented the bid tabulation and stated that the bids did come in a little higher than anticipated and what is actually budgeted for. We do feel that there are two possible areas that we can value engineer and possibly have some savings. One of those is extending the time schedule instead of the short time schedule proposed. The other is that we put in impact resistant glass which is very expensive; we do think it is important because we found the use of the Rec. Center very helpful after the last hurricane, we feel that that could be a benefit to us. Those are the two areas that we think we may be able to save some cost. The windows are very straight forward it will be the cost difference between the two types of glass. We would still do glass to match the rest of the building but it would not be impact resistant.

Alternate bids 1 & 2 were put in specifically to protect the rest of our structure and window structures. As we have discussed before there seems to be some concern whether or not the windows in the rest of the Rec. Center are designed for a hurricane. A solution has been looked at for several years now. Alternate 1 & 2 is for a fabric window covering to cover the entire Rec. Center. That is basically a PVC fabric that gets bolted on the window frame and prevents anything from getting into the window. It is one of the new type coverings that they have come out with in the last four or five years. A lot lighter and easier to install than wood. Is this something that we have to do? No. Is it something that I think we should do? Yes. Option 1 is to do the entire building; option 2 is to do strictly the windows of the new construction. If you have storm resistant glass there would be some school of thought that you may not need that added protection on those windows. So, if we reduce the glass cost then I would think option 2 is something that we would absolutely want to do.

Patrick Henry – Do you know how long it takes to put that fabric up?

Greg Smith - Not very long it just snaps in place.

Let's talk about the financing. You will see how much money we have given back each year going back to 2005-2006. In 05-06 the Rec. Center gave back \$150,000 and then \$137,805 was profit. In 07-08 we gave back \$240,000. So when you look at all of that currently, you have 173,480.52 in reserve continuing through this budget. I will tell you that our sales tax numbers have dropped just a little; I think it is

.3 below what was budgeted for the year. So it is right on schedule to being what it needs to be. If you look at what we have done the last two years for funding back to ABLC, from the Rec. Center being frugal with money and controlling cost as much as you can, we are estimating that this year as it stands right now that we will probably be able to give back to ABLC \$184,126 from the operation of the Rec. Center. That's not guaranteed funds because some things could happen to us, but that is kind of where we are at this point. In the Rec. Center account we have \$277,689.54. You see the bid for the expansion of \$317,797 we originally estimated \$250K to \$270K is what we were hoping it would come back at \$23,576 for alternate bid 1, \$12,751 for alternate bid 2. So we are \$76,425.34 short to do the expansion. If you take the \$184,000 that we would potentially give you back this year that would give \$357,000 of money at the end of the year and to complete the project with no value engineering. As it is presented today we would need \$76,425.34 from that. Leaving you with about \$275,000 left at the end of this year for any other projects that you would want to do.

Yes we are over budget and we think that we could possibly get those numbers down a little bit.

George Rau – I think I missed the meeting where we approved the final plans but are all three sides of the expansion glass?

Brent Bowles – Yes, North, East & south has the pitched roof to it.

George Rau - Is there any thought or would it be cheaper not to have all three sides of the building glass?

Brent Bowles – Sure anything that we do in reduction to scope or appearance and architectural design will give way to decrease that cost. In the beginning there were three or four different designs and everyone gravitated more towards this fish bowl type design.

Patrick Henry – is there a way to reduce the amount of glass but still keep the three side look.

Brent Bowles – I would have to refer to the structural engineer because the north and the south walls are the load bearing walls. If the engineer wanted any additional monies to redesign it would be minimal I would think and you would take on a decent amount of credit if you were to consider that. As far as minimizing the glazing on the south end we would just have to see how much we would be able to minimize.

WT Hazlewood – I am inclined to agree with George, I think it might be one way to cut some cost and still have a fine looking building.

Patrick Henry – Brent what do you recommend if we are trying to save some money.

Brent Bowles – The glazing is certainly an option. From a sunlight stand point obviously you want to keep the north wall open, it faces the parking lot. You could conceivably block up the east wall then leaving the south and the north wall exposed. In the summer time you are not going to have an issue with the sun light because it is going to be coming in pretty high overhead. In the winter months the sun is going to come in at a lower angle and then it will flood that area. It wouldn't affect the folks at the desk as much because it will be coming across the hall. That is your biggest span of glass on the east side. There is one very large beam that runs across there that we could probably omit. We can model it in a couple of different ways and let you see what it would look like externally. Other than the reduction of the specified glass, now there is some thought that when we go back with a lesser none impact resistant glass especially if we were to take advantage of alternate number one, that's certainly in play.

You see that Warwick's alternate number 1 is about a quarter of what everyone else's is. I have had conversations with them as recently as today and they say that they believe that they have it accounted for. I double checked our drawings and they are very clear in saying furnish all labor and materials. They will stand behind it.

Greg Smith – Brent I mentioned the possibility of giving them a larger window if opportunity. We might see some savings if we gave them a two week window instead of a two day window.

Brent Bowles – that might hold true with most contractors, I brought that up with Warwick and their primary background is very quick turnaround in retail environments. They are used to doing the retail market where they have to meet deadlines. They have a long track record of doing that according to their references. My only concern is that the architects listed as their references that I checked with have not had the long lead items associated with this impact resistance glass. I don't know how far Warwick themselves have looked into that lead item. If they have done their due diligence and can back that up, then I think they are comfortable with the 70 days and may even prefer that.

George Rau – How much can you legitimately value engineer in terms of changing the plans without running a foul of...

Greg Smith – state law says 25%, after 25% of the initial contract if both parties agree you can do whatever. Our City Attorney looked at that for us.

George Rau – but you don't have to get any agreement out of the other bidders?

Greg Smith – No Sir, I think the theory is low bid is low bid, so if you reduce everybody's bid by the same percentage they are still the low bidder.

In talking with Brent and with Herb I think staffs recommendation would be that we go ahead if ABLC is comfortable with it and the funding is there, go ahead and approve this contract so that we can get him locked in, because we can not negotiate with him until we have him under contract. Therefore these concepts have not been discussed with the contractor because we have to have him under contract before we do anything and accept his bid. The other thing it does is if alternate 1 & 2 is not accurate then he has the opportunity to walk away and then we would retain his bid bond. We don't want to do that but that is the legal aspect of where we are at.

*Motion by: George Rau to award the contract to Warwick Construction with options included and instructs the Architect to pursue value engineering to attempt to bring the cost into budget.*

*Second by: Chris Peltier*

*Motion passes: 7 for, 0 against, 1 absent*

4. Discussion and possible action on Budget Amendments for 2008-2009 fiscal year budgets.

Greg Smith presented the budget amendments and stated that they balance and that staff is doing a good job at the Rec. Center taking care of the expenditures.

Basically the amendments are transfers from fund balance to Freedom Park for the playground in the amount of \$90, 281.00 and the walking trails in the amount of \$133,862.00.

*Motion by:* Gregg Dykes

*Second by:* WT Hazlewood

*Motion passes: 6 for, 0 against, 1 absent*

5. Discussion and possible action on setting the holiday schedule for the Recreation Center.

Greg Smith stated that he and Chris Saddler have gone over holidays that last three or four that have come up. Now Chris has come up with the idea of setting the holidays so that they can be published. Greg Smith read aloud the proposed days.

Chris Saddler stated that these days have been based on other Rec. Center's holiday schedules.

*Motion by:* Gregg Dykes to accept the holidays as presented

*Second by:* William Jackson

*Motion passes: 6 for, 0 against, 1 absent*

6. Adjournment

---

J. Patrick Henry  
ABLC Chairman

---

Laurie Rodriguez  
Asst. City Secretary