

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF LAKE JACKSON

BE IT KNOWN that the City Council of the City of Lake Jackson met on Tuesday January 3, 2017 at 6:30 in Regular Session at 25 Oak Drive, Lake Jackson, Texas, in the Council Chambers at the Lake Jackson City Hall with the following in attendance:

Joe Rinehart, Mayor
Gerald Roznovsky, Council member
Buster Buell, Council member
J. B. Baker, Council member
Heather Melass, Council member

William P. Yenne, City Manager
Modesto Mundo, Asst. City Manager
Alice A. Rodgers, City Secretary
Sherri Russell, City Attorney
Pam Eaves, Finance Director
Sal Aguirre, City Engineer
David Van Riper, Public Works Director
Rick Park, Police Chief
Michael Coon, Asst. to City Manager

PLEDGE OF ALLEGIANCE

Council member Buell led the pledge of allegiance to the United States flag and the Texas Flag.

INVOCATION

Council member Melass led the invocation.

VISITORS

Sharon Suggs White 307 Camellia was present stating the LJ Historical Association would like to have a fund raiser at the civic center with the city co-hosting to have the fees waived. This will be on March 24, 2017.

COMMENDATIONS

There were no commendations.

CONSENT AGENDA

- A. Approval Of Minutes – December 19, 2016
- B. Approve Through The Buy Board Bj's Parks & Recreation Products To Install A Picnic Shelter And Concrete Pad And Path At Junior Service League Park Not To Exceed \$56,585.50

On motion by Council member Roznovsky second by Council member Buell with all members present voting “aye” the consent agenda was approved as follows:

- A. Approval Of Minutes – December 19, 2016
- B. Approve Through The Buy Board Bj's Parks & Recreation Products To Install A Picnic Shelter And Concrete Pad And Path At Junior Service League Park Not To Exceed \$56,585.50

DISCUSS AND CONSIDER REQUEST FROM DARLYNE SMITH TO BAN TEXTING AND DRIVING IN LAKE JACKSON

Darlene Smith 249 Laurel expressed her concerns with the seemingly increased number of motorist texting and driving. She asked Council to consider banning texting and driving.

Mayor Rinehart stated that in the last legislature a bill was presented to the Governor regarding address texting and driving and the Governor vetoed the bill. In speaking with Commissioner Payne they are asking Rep. Bonnen to take a bill back during this legislature that would allow Brazoria County to prohibit texting and driving.

RESOLUTION AMENDING THE FY 2016-17 ECONOMIC DEVELOPMENT FUND TO INCREASE THE TOTAL REVENUES BY \$21,585.50 (DONATION FROM JUNIOR SERVICE LEAGUE) AND INCREASE EXPENDITURES BY \$51,585.50 FOR THE CONSTRUCTION OF A PICNIC PAVILION AT THE JUNIOR SERVICE LEAGUE PARK

On motion by Council member Baker second by Council member Roznovsky with all members present voting “aye” a resolution amending the FY 2016-17 Economic Development fund to increase the total revenues by \$21,585.50 (donation from Junior Service League) and increase expenditures by \$51,585.50 for the construction of a picnic pavilion at the Junior Service League Park was adopted.

DISCUSS AND CONSIDER AMENDING THE 2011 CONTRACT WITH WHITE OAK STUDIO FOR PRELIMINARY DESIGN SERVICES IN THE AMOUNT OF \$20,090 FOR ADDITIONAL WORK ALREADY PERFORMED AND TO COMPLETE CONSTRUCTION AND BID DOCUMENTS.

Modesto Mundo provided the following in the council packets.

The City Council approved a contract on April 19, 2010 with White Oak Studio to provide design development services for the S. Parking Place. The contract was signed on November 10, 2011 after changes to the preliminary design (we abandoned the playground option since the purchase price of the property next to Alden museum exceeded the City’s budget). The design budget for S. Parking Place is \$150,000. The contract with White Oak Studio is \$91,580. To date the City has spent \$126,294.55 for engineering, design, surveying and testing services.

White Oak Studio has requested additional compensation for services already performed as well as compensation for time to complete construction and bid documents due to the extraordinary length of the project and the time involved.

The balance of the design budget can fund the request for additional compensation. Staff recommends approval. If amended by City Council, the new contract total would be \$111,670.

<i>White Oak Studio S. Parking Place design</i>	<i>Original Contract</i>	<i>Amendment</i>	<i>Revised Contract</i>
Design Development	\$ 44,785	\$ 6,680	\$ 51,465
Construction Documents	41,195	13,410	54,605
Reimbursable Expenses	<u>5,600</u>	<u>0</u>	<u>5,600</u>
	\$ 91,580	\$ 20,090	\$ 111,670

On motion by Council member Roznovsky second by Council member Buell with all members present voting “aye” approval was granted to amend the 2011 contract with White Oak Studio for preliminary design services in the amount of \$20,090 for additional work already performed and to complete construction and bid documents.

UPDATE ON DRAINAGE IN THE PARKWOOD SUBDIVISION NEAR MOSS, CHESTNUT AND PALM LANE

There was no one to speak on this. The following was included in the council packet:

PROJECT UPDATES

Awaiting receipt of tailwater conditions from the City to finalize hydraulic model

Completing draft memorandum

Draft of Phase 2 contract sent to the City for review on 12/28/2016

UPCOMING ACTIVITIES

Incorporate tailwater conditions into hydraulic model

Submit draft memorandum and H&H models to the City for review

PROJECT SCHEDULE AND UPCOMING DELIVERABLES

Brief draft memorandum documenting methodology and peak flows at key locations and electronic copy of models to be sent in January 2017 for the City's review

OUTSTANDING ISSUES OR INFO NEEDS

FNI is still waiting to receive the following data from the City:

Tailwater conditions

Construction/ as built plans for recent development and/or channels/ ditches (specifically the **Kroger** at Dixie Drive and Oyster Creek Drive and the **Woodshore** Subdivisions)

UPDATE ON CONSTRUCTION PROJECTS

- a. CONSTRUCTION FUNDS FINANCIAL UPDATE
- b. SIDEWALK PROJECTS
- c. UTILITY REPAIR PROJECTS
- d. DRAINAGE REPAIR PROJECTS
- e. SOUTH PARKING PLACE
- f. WAYSIDE PUB UPDATE

There was no discussion on construction projects.

ITEMS OF COMMUNITY INTEREST

There were no items of community interest.

DISCUSS AND CONSIDER POTENTIAL CHANGES TO CHAPTER 10 ANIMALS TO INCLUDE PROCEDURES FOR DOMESTIC ANIMALS THAT CAUSE HARM TO OTHER DOMESTIC ANIMALS

Sherri Russell provided the following in the council packets:

After a pet was killed by domestic dogs, a group was formed to discuss wording for an ordinance that would help prevent such incidences. The group included the owner of the pet (Josie LaChance), the executive director of the SPCA (Stacey Suazo), Asst. Chief Kibodeaux, the city manager, the city attorney, and one councilmember (Gerald Roznovsky).

The collaboration resulted in a draft that provides consequences for the animals, the animal owners, and procedures for the shelter and the Humane Department. This draft still needs to be sent to the municipal court judges for their comments and the SPCA may have some additional input. Tonight, the group is asking that Council discuss the draft and let the group know if this is the direction that council wishes to take, and to give suggestions.

Elaine Polemanakos, Stacy Suazo and Josie LaChance were present to discuss this item.

Discussion followed on the liability insurance requirement and whether or not it could be obtained, what constituted damage to property and how animals from other cities would be handled. Also discussed was who maintained the custody of an animal.

Mr. Yenne stated that this ordinance would be shared with the other cities involved in the shelter.

Council asked that the liability insurance and custody issues be reevaluated and this item brought back at the next meeting.

Ms. Russell said she will focus on the destructive animal portion since this is where we have a “hole” in the current ordinance. She said we will deal with the other issue later.

ADJOURNMENT

There being no further business the meeting adjourned at 7:13 p.m.

These minutes read and approved this _____ day of _____, 2017.

Joe Rinehart, Mayor

Alice A. Rodgers, City Secretary