

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 Monday, March 4, 2019 at 6:30 p.m. 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:

Bob Sipple, Mayor  
Buster Buell, Council member  
Vinay Singhania, Council member  
Matt Broaddus, Mayor Pro Tem  
Gerald Roznovsky, 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  
John Boehm, Asst. to the City Manager  
Athelstan Sanchez, Asst. City Engineer  
Eddie Herrera, Engineering Technician  
Paul Kibodeaux, Police Chief  
Eric Wilson, Interim Public Works Director  
Toni Truly, Comptroller

PLEDGE OF ALLEGIANCE

Council member Roznovsky led the pledge of allegiance.

INVOCATION

Mayor Sipple led the invocation.

VISITORS

There were no visitors present.

PRESENTATIONS - RECOGNITION OF CODE ENFORCEMENT AND BUILDING STAFF FOR OBTAINING CERTIFICATION IN INTERNATIONAL HOUSING AND PROPERTY MAINTENANCE

David Walton recognized Irene McKay, Tina Doyle, Robert McDougal and Scott Rogers for obtaining certification in International Housing and Property Maintenance.

CONSENT AGENDA

- A. APPROVAL OF MINUTES – FEBRUARY 19, 2019
- B. BOARDS AND COMMISSIONS
- C. ORDINANCE 19-838 CANCELLING THE MAY 4, 2019 GENERAL ELECTION IN THE EVENT THERE IS ONLY ONE CANDIDATE FOR EACH AVAILABLE POSITION BY THE FEBRUARY 19, 2019, 5:00 P.M., WRITE-IN CANDIDATE DEADLINE – SECOND READING
- D. RESOLUTIONS AUTHORIZING CITY MANAGER TO FINALIZE AND EXECUTE LEASE AGREEMENT WITH EZ GO AND PNC EQUIPMENT FINANCE THROUGH THE NATIONAL IPA FOR A TOTAL AMOUNT NOT TO EXCEED \$339,305.40
- E. ACCEPT RESIGNATION FROM SENIOR COMMISSION MEMBER FREDDIE

MATHIS

- F. APPROVE TEXAS MUNICIPAL LEAGUE (TML) ANNUAL DUES IN THE AMOUNT OF \$3,634.00

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

- A. APPROVAL OF MINUTES – FEBRUARY 19, 2019 - approved
- B. BOARDS AND COMMISSIONS - accepted
- C. ORDINANCE 19-838 CANCELLING THE MAY 4, 2019 GENERAL ELECTION IN THE EVENT THERE IS ONLY ONE CANDIDATE FOR EACH AVAILABLE POSITION BY THE FEBRUARY 19, 2019, 5:00 P.M., WRITE-IN CANDIDATE DEADLINE – SECOND READING – passed and adopted
- D. RESOLUTIONS AUTHORIZING CITY MANAGER TO FINALIZE AND EXECUTE LEASE AGREEMENT WITH EZ GO AND PNC EQUIPMENT FINANCE THROUGH THE NATIONAL IPA FOR A TOTAL AMOUNT NOT TO EXCEED \$339,305.40 - passed
- E. ACCEPT RESIGNATION FROM SENIOR COMMISSION MEMBER FREDDIE MATHIS - accepted
- F. APPROVE TEXAS MUNICIPAL LEAGUE (TML) ANNUAL DUES IN THE AMOUNT OF \$3,634.00 - approved

DISCUSS AND CONSIDER REQUEST FROM THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS TO PLACE BLUE RIBBONS TO HONOR POLICE OFFICERS ON TREES ON OAK DRIVE FROM HWY 332 TO OYSTER CREEK DRIVE AND ON OYSTER CREEK DRIVE FROM THIS WAY TO OLD ANGLETON ROAD –ROBIN DENHAM-SPERRY

Robin Denham-Sperry 125 Blossom stated that a group from The Church of Jesus Christ of Latter-Day Saints and the American Legion Auxiliary Unit 306 would like to show appreciation for our police officers in a tangible way during Police Appreciation week this May. They would like to place blue ribbons around the trees along Oak Drive from the Police Station to Oyster Creek Drive. We would also like to place blue ribbons around trees on Oyster Creek Drive from This Way to Brazosport College. We propose we be allowed to place the ribbons on May 9th and remove them on May 21st.

On motion by Council member Buell second by Council member Singhania with all members present voting “aye” approval was granted to place blue ribbons from May 9<sup>th</sup> until May 21<sup>st</sup> to honor police officers on the trees on Oak Drive from HWY 332 to Oyster Creek Drive and on Oyster Creek Drive from This Way to Old Angleton Road.

DISCUSS AND CONSIDER REQUEST FROM 102 TANAGER LANE TO ALLOW AN ASPHALT OVERLAY TO REMAIN ON THE CITY RIGHT OF WAY PORTION OF THE DRIVEWAY

Dean Lagerwall 102 Tanager Lane stated he asked his contractor if he needed a permit and the contractor stated no. The contractor had stopped by and said he could fix the cracked driveway. He recommended Epoxy coating for about \$3000. He had done work for me in the past (Siding cleaning, etc.). He asked if it was the best solution and he said “No, if it was him, he would use an asphalt overlay”. He said the cost would be about \$3900. He asked the contractor if it required a city permit and he said “No”. He asked the contractor if he had done others in the area and he showed him a photo of another he had done. He said he would be back tomorrow with the contract and he could do it next week. He did not stop by on Saturday or Sunday. On Monday when Mr. Lagerwall got back from work, the driveway was mostly done, all except the clean-up.

Mr. Lagerwall stated in January he received notice that he was in violation because his contractor did not get a permit and did not find out what was allowed. Mr. Lagerwall stated he was doing this to make the driveway better. The cement is still under the asphalt. This was just an overlay.

Mr. Yenne stated the issue is not about the driveway being asphalt. It is about the asphalt on city right of way along the sidewalk and the approach. Behind the sidewalk Mr. Lagerwall could have asphalt.

Mr. Lagerwall stated he would not have done this if he had known the rules.

Mayor Sipple stated the city does not typically give variances for this or everyone would ask for one. This driveway is not uniform to the rest of the neighborhood. He stated that he feels bad this has happened, but felt the contractor was responsible for removing the portion that is not on Mr. Lagerwall's property.

Council member Roznovsky stated the ordinance does not allow for a variance which is what Mr. Lagerwall was asking for. For Council to allow this to remain they would have to amend the ordinance to allow for a variance. Council cannot change the ordinance to be specific to this property. It would allow anyone that came in to ask for and be granted the same variance.

Mr. Lagerwall asked how he could have fixed his driveway?

Mr. Yenne stated he had suggestions on how to approach this on a staff level. If the contractor came out and removed that portion from the back of the sidewalk forward to the curb and then feathered it up to the driveway. The asphalt would not have to be removed halfway up the driveway, and this would be meeting halfway. It would not set the precedence that a homeowner could overlay asphalt all the way to the curb.

Eric Wilson, Public Works Director stated the public works department would not have issues with the solution Mr. Yenne proposes.

Mr. Yenne suggested the contractor needed to come remove the asphalt to behind the sidewalk.

RESOLUTION AMENDING AUTHORIZED REPRESENTATIVES ON THE AGREEMENT BETWEEN THE CITY OF LAKE JACKSON AND THE TEXAS LOCAL GOVERNMENT INVESTMENT POOL (TEXPOOL)

Pam Eaves, Finance Director provided the following information for Council Packets.

TexPool requires a resolution amending our authorized representatives. She did not think this had been done since the inception of the account in the 90's. There are very few transactions on this account. Primarily money is added to this account to keep the city's balance at First National Bank under \$10 Million as that is the max they will pay interest on. This resolution makes our authorized representatives Mr. Yenne, Mr. Mundo, Mrs. Truly (Controller) and Mrs. Eaves.

On motion by Council member Buell second by Council member Roznovsky with all members present voting "aye" a resolution amending the authorized representatives on the agreement between the City of Lake Jackson and the Texas Local Government Investment Pool (TexPool) was passed.

AUTHORIZE LETTER OF SUPPORT FOR GULF COAST CENTER'S APPLICATION FOR SECTION 5310 ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES FUNDS

This request is to support the Gulf Coast Center in their application for FY 2019 Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities funds. The application is requesting funds to support the purchase of transportation services for individuals with disabilities and the elderly in Lake Jackson and the surrounding area.

On motion by Council member Roznovsky second by Council member Broaddus with all members present voting “aye” authorization was granted for a letter of support for Gulf Coast Center’s application for Section 5310 enhanced mobility of seniors and individuals with disabilities funds.

**AUTHORIZE CITY MANAGER TO EXECUTE CONTRACT WITH KATIE NELSON TO DESIGN TOURISM MARKETING MATERIALS IN AN AMOUNT NOT TO EXCEED \$46,000**

The Hotel Committee has been working with Lindsey Roznovsky who has volunteered her expertise as a marketing consultant to help the committee prepare a tourism marketing campaign. Mr. Roznovsky has recommended two individuals to help with creating a marketing plan; digital content and marketing materials; and managing outreach efforts with bloggers and media outlets.

The goal of the campaign is to create awareness in the amenities offered in and near Lake Jackson for a weekend vacationer.

Ms. Kati Nelson would be contracted to perform and coordinate the following:

Website design	\$ 7,000
Prepare Marketing Plan	3,000
Prepare Campaign Theme	3,000
Create Logo & Brand Guide	2,000
Digital Media Marketing Advertisement	12,000
Create 2 blogs per month	6,000
Create Content for Social Media	13,000
<b>TOTAL</b>	<b>\$ 46,000</b>

Eighty thousand dollars (\$80,000) has been allotted in the Motel Occupancy Tax Fund for a marketing campaign,

On motion by Council member Broaddus second by Council member Singhania with all members present voting “aye” authorization was granted for the city manager to execute a contract with Katie Nelson to design tourism marketing materials in an amount not to exceed \$46,000.

**AUTHORIZE CITY MANAGER TO EXECUTE CONTRACT WITH STEPHANIE ARTMAN FOR MANAGEMENT OF TOURISM MARKETING CAMPAIGN IN AN AMOUNT NOT TO EXCEED \$18,000 OVER A 12 MONTH PERIOD**

Ms. Artman is the second portion of the marketing contract and will be charged with coordinating communications between the City and the creative team and keeping the team on schedule. The goal of the campaign is to create awareness in the amenities offered in and near Lake Jackson for a weekend vacationer.

On motion by Council member Broaddus second by Council member Buell with all members present voting “aye” authorization was granted for the city manager to execute a contract with Stephanie Artman for the management of tourism marketing campaign in an amount not to exceed \$18,000 over a 12-month period.

RESOLUTION TO CARRY OVER BUDGETS FOR INCOMPLETE PROJECTS ADDING TO THE GENERAL PROJECT FUND \$525,278 (Bastrop Bayou Flood Study \$80,762, MacLean Park Improvements \$8,353, Oak Dr South @ Sportsplex \$28,761, City owned Sidewalk Repairs \$49,507, Records Scanning \$31,947, Artificial Range Tee -Golf Course \$13,438, Dog Park Plan Development \$3,472, East side Drainage Study \$298,216, School Recycling -Dow Donation \$10,822); THE UTILITY PROJECTS FUND \$348,474 (Chemical Storage Bldg.-Beechwood \$177,525, Waterline at Dow Tower \$170,949); ECONOMIC DEVELOPMENT FUND \$606,266 (Rec Center phase protection \$2,436, Golf Course Well Repair \$7,575, Golf Course Pump House \$11,175, Cart Barn \$401,068, Dog Park \$184,012); AND THE EQUIPMENT REPLACEMENT PURCHASES \$197,000 (Replace Pick up 746 \$40,000, Replace Bucket Truck \$120,000, New Transit Van (water) \$37,000)

Staff views funding for capital projects to be for the duration of the project. Each year we amend the current General Projects, Utility Projects, Economic Development Fund and Equipment Replacement Fund Budget for projects carried over from the prior fiscal year. These projects were approved in a prior fiscal year but have not yet been completed. Making this amendment makes tracking available funding easier and comparison to budget in the Comprehensive Annual Financial Report cleaner.

On motion by Council member Broaddus second by Council member Roznovsky with all members present voting “aye” a resolution was passed To Carry Over Budgets For Incomplete Projects Adding To The General Project Fund \$525,278 (Bastrop Bayou Flood Study \$80,762, Maclean Park Improvements \$8,353, Oak Dr South @ Sportsplex \$28,761, City Owned Sidewalk Repairs \$49,507, Records Scanning \$31,947, Artificial Range Tee -Golf Course \$13,438, Dog Park Plan Development \$3,472, East Side Drainage Study \$298,216, School Recycling -Dow Donation \$10,822); The Utility Projects Fund \$348,474 (Chemical Storage Bldg.-Beechwood \$177,525, Waterline At Dow Tower \$170,949); Economic Development Fund \$606,266 (Rec Center Phase Protection \$2,436, Golf Course Well Repair \$7,575, Golf Course Pump House \$11,175, Cart Barn \$401,068, Dog Park \$184,012); And The Equipment Replacement Purchases \$197,000 (Replace Pick Up 746 \$40,000, Replace Bucket Truck \$120,000, New Transit Van (Water) \$37,000)

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

### **PROJECT UPDATES:**

#### *Phase 2*

- No updates this period.

#### *Phase 3*

- Finalizing work on the H&H models to be submitted to the City by 02/15/2019.

### **UPCOMING ACTIVITIES:**

#### *Phase 3*

- Meeting with the Cities is scheduled for 02/22/2019 to discuss the existing conditions model and answer any questions.
- Cities' review of the H&H models will be due 03/15/2019.

### **PROJECT SCHEDULE AND UPCOMING DELIVERABLES:**

#### *Phase 2*

- Alternative Development is on hold but will recommence to coincide with Alternative Development for Phase 3.

#### *Phase 3*

- Per the contract schedule, draft H&H models will be submitted to the Cities by 02/15/2019. The Cities will have one (1) month to review the H&H models and provide comments to FNI.
- FNI will have two (2) weeks to address all comments and finalize the H&H models, and then Alternative Development will begin.

### **OUTSTANDING ISSUES OR INFO NEEDS:**

#### *Phase 2*

- Feedback on proposed alternatives (City of Lake Jackson)

FNI submitted a draft of the Hydrologic and Hydraulic (H&H) models on the 15th February 2019 for the Cities to review. Our reviews of the model will be due back to FNI a month thereafter as per stated in the contract.

City Staff from Clute and Lake Jackson along with VDD met with FNI on the 22 February 2019 to discuss the existing conditions model. Confirmed as to what tail water criteria to use for the downstream boundary controlling water surface elevations.

Also presented to City Council were the following Maps:

- “Exhibit1\_100YRFloodMap\_24x36\_LJNColor.pdf” = draft inundation map for the entire study areas for a **100-year storm event** with flooding **depth** color scheme being: 0”- 4” magenta, 4”-6” cyan, and 6”- max red
- “Exhibit1\_100YRFloodMap\_24x36.pdf” = draft inundation map showing the same information as previous map but with much more color ranges of flooding **depths**. See legend in the lower left corner for the depths
- “Exhibit2\_010YRFloodMap\_24x36\_LJNColor.pdf” = draft inundation map for the entire study areas for a **10-year storm event** with flooding **depth** color scheme being: 0”- 4” magenta, 4”-6” cyan, and 6”- max red
- “Exhibit2\_010YRFloodMap\_24x36 .pdf” = showing same as previous map but with more depth color ranges
- “Exhibit3\_005YRFloodMap\_24x36\_LJNColor.pdf” = draft inundation map for the entire study areas for a **5-year storm event** with flooding **depth** color scheme being: 0”- 4” magenta, 4”-6” cyan, and 6”- max red
- “Exhibit3\_005YRFloodMap\_24x36.pdf” = showing same as previous map but with more depth color ranges
- “100YR\_WaterDepths.MP4” = a 1-minute video simulating flooding from the 100-year storm event.

Note:

- All maps show the downstream peak water surface elevations (wse) and corresponding surface runoffs in cubic feet per seconds (cfs) at the respective outfall receiving streams.
- Flooding conditions outside the detailed modelling areas which are shown delineated with a thicker gray boundary line (see legend) on the maps, are not shown for were not determined in detail being outside the scope of the study.

#### UPDATE ON CONSTRUCTION PROJECTS

- a. CONSTRUCTION FUNDS FINANCIAL UPDATE
- b. SIDEWALK PROJECTS
- c. UTILITY REPAIR PROJECTS
- d. DRAINAGE REPAIR PROJECTS
- e. WOODLAND PARK PROJECT
- f. DOWNTOWN REVITALIZATION PHASE 3

Eddie Herrera reviewed the project update for the Woodland Park Project and stated it has been wet and muddy.

#### ITEMS OF COMMUNITY INTEREST

Council member Roznovsky stated that St. Timothy was having their pancake supper. He also stated that St. Michaels fish fry would start this Friday. They also serve grilled fish.

Mayor Sipple gave thanks to all who participated in the VOW 22 walk last Saturday.

EXECUTIVE SESSION – IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE SECTION 551.071 TO RECEIVE LEGAL ADVICE CONCERNING THE RECENT OPEN MEETINGS OPINION BY THE COURT OF CRIMINAL APPEALS

Mayor Sipple called for executive session at 7:10 p.m.

RECONVENE TO OPEN SESSION

Mayor Sipple reconvened to open session at 7:50 p.m.

ADJOURNMENT

There being no further business the meeting adjourned at 7:50 p.m.

These minutes read and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Bob Sipple, Mayor

\_\_\_\_\_  
Alice A. Rodgers, City Secretary