

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 June 5, 2017 at 5:00 p.m. in Special Session and 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:

Joe Rinehart, Mayor	William P. Yenne, City Manager
Buster Buell, Council member	Modesto Mundo, Asst. City Manager
Will Brooks, Council member	Alice A. Rodgers, City Secretary
Matt Broaddus, Council member	Sherril Russell, City Attorney
Tim Scott, Council member	Pam Eaves, Finance Director
	Sal Aguirre, City Engineer
	Rick Park, Police Chief
	Jeremy Bubnick, Parks & Rec Director
	David Van Riper, Public Works Director
	Eddie Herrera, Engineering
	Athelstan Sanchez, Asst. City Engineer

TO INTERVIEW, DELIBERATE THE APPOINTMENT, EVALUATION, DUTIES OF APPLICANTS TO SERVE ON THE VARIOUS BOARDS, COMMISSIONS AND ADVISORY BOARDS

Kevin Land was in attendance to be interviewed by the City Council.

On motion by Council member Buell second by Council member Broaddus with all members present voting "aye" Locke Sanders, Vinay Singhania and John Fey were re-appointed to serve two year terms on the Planning Commission.

On motion by Council member Scott second by Council member Buell with all members present voting "aye" Kevin Land was appointed to serve a two-year term and Douglas Kincannon and Larry Rosenbohm were re-appointed to serve two year terms on the Traffic Commission.

On motion by Council member Brooks second by Council member Broaddus with all members present voting "aye" Rachel Seymour, Elaine Conley and Debra Perry were re-appointed to serve two year terms on the Parks and Recreation Board.

On motion by Council member Brooks second by Council member Scott with all members present voting "aye" Betty Marshall was appointed to serve a two-year term and Mary Meyers and Stephani Zamora were re-appointed to serve two year terms on the Library Board.

On motion by Council member Broaddus second by Council member Brooks with all members present voting "aye" Marsha Albert was appointed to serve a two-year term and Stacy Lewis and Darren Merritt were re-appointed to serve two year terms on the Keep Lake Jackson Beautiful Board.

On motion by Council member Scott second by Council member Buell with all members present voting "aye" Gary Lambie was appointed to serve a two-year term and Doris Grigar, Frederick Mathis, Linda Robertson, Tere Sandlin and Aurora Leshner were re-appointed to serve two year terms on the Senior's Commission.

On motion by Council member Brooks second by Council member Broaddus with all members present voting "aye" Council member Buell was appointed to serve a two-year term and Council member Roznovsky, Gary Rodgers and Rod Hall were re-appointed to serve two year terms on the Lake Jackson Development Corporation.

On motion by Council member Brooks second by Council member Scott with all members present voting "aye" David Howarth, Jeremy Biggers and Stephen Shawver were re-appointed to serve two year terms on the Zoning Board of Adjustments.

MAKE CITY COUNCIL APPOINTMENTS TO SERVE AS COUNCIL LIASONS TO VARIOUS BOARDS, COMMISSIONS AND ADVISORY BOARDS

Mayor Rinehart made the following Council Liaison appointments:

Lake Jackson Development Corporation – Gerald Roznovsky
Lake Jackson Development Corporation – Buster Buell
Library Board – Tim Scott
Board of Health – Gerald Roznovsky
Seniors Commission – Buster Buell
Museum Board – Buster Buell
Museum Board – Matt Broaddus
Southern Brazoria County Animal Shelter – Will Brooks
Southern Brazoria County Animal Shelter – Joe Rinehart
Youth Advisory Commission – Will Brooks
Zoning Board of Adjustments – Will Brooks
Parks and Recreation Board – Matt Broaddus
Charter Review Commission – Matt Broaddus
Traffic Commission – Tim Scott
Keep Lake Jackson Beautiful – Joe Rinehart
Planning Commission – Joe Rinehart
EMS Board – Joe Rinehart
Dangerous Structure Determination Board – Gerald Roznovsky

The Special Session was adjourned at 5:38 p.m.

The Regular Meeting opened at 6:30 p.m.

PLEDGE OF ALLEGIANCE

Council member Buell led the pledge of allegiance to the flags.

INVOCATION

Council member Brooks led the invocation.

VISITORS

Fernandez 115 Downy Street stated the location of the skate park is not good. He along with several young people in the audience asked for a different location for the skate park and for some of the ramps to be replaced. He stated that skating provides a healthy distraction for the youth in the area. Mr. Yenne stated that staff would like to work with this group to come up with a different location. He suggested they meet with the Parks Board.

Corinne Camarrata stated that she and the citizens with her would like the City Council to consider backing the Paris Climate Accord. Mayor Rinehart stated that this could be placed on the next council agenda.

Darrell Beaty 116 Iris said he would be opposed to the Paris Climate Accord

FLAG PRESENTATION FROM ANDY BRANNEN AMERICAN LEGION POST 306

Kerry Magee along with members of the American Legion Andy Brannen Post #306 presented City Council with a flag honoring WWI and requested that this flag be exhibited with the other flags in the Lake Jackson Civic Center Corridor of Honor.

RECOGNITION OF EAGLE SCOUT AWARD TO SCOTT EDWARD KANSKI

Mayor Rinchart recognized Mr. Kanski for obtaining his eagle scout award. Mr. Kanski was not present.

CONSENT AGENDA

- A. Approval of Minutes – May 15, 2017
- B. Minutes of Boards and Commission
- C. Approve Interlocal Agreement with Brazoria County for Radio Programming Access Via Laptop Computer
- D. Approve purchase for equipment through the Peg Inter-Local Agreement with Bisd in an amount not to exceed \$5,144

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

- A. Approval of Minutes – May 15, 2017 - Approved
- B. Minutes of Boards and Commission - Accepted
- C. Approve Interlocal Agreement with Brazoria County for Radio Programming Access Via Laptop Computer - Approved
- D. Approve purchase for equipment through the Peg Inter-Local Agreement with Bisd in an amount not to exceed \$5,144 - approved

AWARD BID FOR THE DOWNTOWN REVITALIZATION IMPROVEMENTS TO SOUTH PARKING PLACE TO MATULA & MATULA CONSTRUCTION AS THE LOWEST RESPONSIVE BASE BID OF \$1,602,735.70 AND TO EXECUTE AWARD OF CONTRACT OF A NOT TO EXCEED AMOUNT OF \$1,803,000.00

Bids were opened on April 12, 2017 and had one responsive bidder qualified under the mandatory pre-bid conditions. The original bid amount of \$1,760,650.00 came in above staff’s and the architect’s bid estimate. Staff began detailed review of the individual bid schedule items to determine any misinterpretation of the bid documents and plans.

The breakdown by civil and architectural/landscaping work sections indicated a significant underestimate in the architectural/landscape portion. A series of meetings with the general contractor and staff led to a better understanding and reconsideration of the work and inclusion of “value engineering” modifications leading to a negotiated bid proposal with reduction of \$157,914.30 as follows:

Matula & Matula Construction (Lake Jackson) – 270 calendar days Bid Amount: \$1,602,735.70
Contingency Allowance (City Set) – 12.5% Bid Amount: \$200,000.00

Staff recommends that approval be made to Matula & Matula Construction as the lowest responsive base bid of \$1,602,735.70 and to execute award of contract of a not to exceed amount of \$1,803,000.00.

On motion by Council member Roznovsky second by Council member Brooks with all member present voting “aye” bid was awarded for the downtown revitalization improvements to South Parking Place to Matula & Matula Construction as the lowest responsive base bid of \$1,602,735.70 and to execute award of contract of a not to exceed amount of \$1,803,000.

DISCUSS UPDATING TOWING SERVICES IN CHAPTER 106 OF THE LAKE JACKSON CODE OF ORDINANCES, INCLUDING CHANGING THE VEHICLE STORAGE YARD MEASUREMENT TO 5 MILES OUTSIDE THE CITY LIMITS AND ALLOWING THE CHIEF OF POLICE TO SUSPEND A TOWING COMPANY FROM THE NON-CONSENT TOW LIST FOR 90 DAYS

Chief Park presented information to update the city’s towing ordinance. The vehicle towing ordinance needs to be updated as many references still invoke outdated law, such as Vernon’s Civil Statutes. Also, the arbitrary use of city hall as the base point for measuring the radius in which a storage yard must be located is somewhat

inconsistent with the required 20-minute response time. It is recommended we utilize the city limit as a consistent base point for measuring this radius.

Council asked that these updates be brought back in ordinance form.

DISCUSS AMENDING REGULATIONS FOR SIGNS IN RESIDENTIAL AREAS IN CHAPTER 78 SIGNS IN THE LAKE JACKSON CODE OF ORDINANCES.

The sign subcommittee has completed its review of the residential section of the sign ordinance. The main changes are restricting the size of residential signs and specifically not allowing off-premise signs. Contractors working on the house or property may go to the Building Official for permission to place a sign in front of the house during the work. A new category of "Temporary Signs" has been added to allow people to publicly announce an event. There is also a restriction of one flagpole per premises.

A few years ago, the Supreme Court issued a case that forced cities to change its non-commercial sign ordinances. The rules of *Reed v. Town of Gilbert* are:

Non-Commercial

OK to Regulate

- Size per building/dwelling unit
- Location
- Lit vs. unlit
- Electric vs. static
- On-premise vs. off- premise
- Time limits for events

Exceptions OK

- Real estate
- Construction and remodel

Residential signs are separated into general signs and size is limited to 24" x 36". No balloons, spinners or pennants are not allowed in residential. Commercial/contractor signs are allowed only if work is being done. No off-premise signs or illuminated signs. Temporary event signs are allowed for 3 days and up to 50 square feet.

Mayor Rinehart asked if residents would still be able to time their Christmas lights to music. Ms. Russell stated that would still be able to do that if the sound is not so loud that it does not go into the neighbor's house.

Mr. Yenne asked if people who light their homes for other holidays such as Halloween be in violation of the ordinance.

Ms. Russell stated they could put up their temporary display for 3 days. Yard decorations are not signs. String lights are not signs. You can string light your house, just not your business. Code enforcement will have to determine what is a sign and what is a decoration.

Mr. Mundo stated the subcommittee did not discuss other holiday decorations.

Discussion followed on what is a sign or a decoration. Ms. Russell stated that a sign is a street graphic that grabs the attention of people in the public right of way. Ms. Russell asked Council is they would like for her to differentiate between yard signs and decorations? Council asked that the differentiation be made.

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

Mr. Sanchez stated they are in the process of drone surveying and ground topographic surveying. Residents were informed ahead of time.

UPDATE ON CONSTRUCTION PROJECTS

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

Mayor Rinehart asked where the Willow Blossom project was. Mr. Sanchez stated that the engineering group is behind. They had promised construction drawings by the end of May and were not forthcoming.

Council member Brooks asked about the infrastructure to the airport. Mr. Aguirre stated that until the recent rains the project was progressing at a fast clip. The lift stations are already underground. Power service drop is to one of the lift stations. The line is almost complete from the water plant to the airport.

ITEMS OF COMMUNITY INTEREST

Council member Brooks stated the school district is hosting a food program for kids grades 1-12 for the summer.

Mayor Rinehart reminded everyone of the city picnic Saturday June 10.

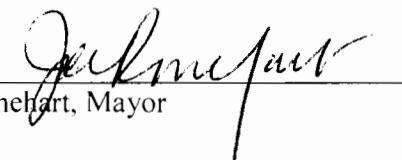
Mayor Rinehart reminded Council of a lunch at the service center on Friday June 9.

Mr. Yenne stated there will be summer school at LJIS, Rasco and Clute Intermediate School until June 21.

ADJOURNMENT

There being no further business the meeting adjourned at 7:33 p.m.

These minutes read and approved this 19 day of June, 2017.



Joe Rinehart, Mayor



Alice A. Rodgers, City Secretary