

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, August 19, 2019 at 6:30 p.m. in Public Hearing and 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
Vinay Singhania, Mayor Pro Tem
Matt Broaddus, Council member
Gerald Roznovsky, Council member
Buster Buell, Council member
Jon Baker, 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
Athelstan Sanchez, Asst. City Engineer
Eric Wilson, Public Works Director
Paul Kibodeaux, Police Chief
Eddie Herrera, Engineering Tech
David Walton, Building Official
John Boehm, Asst. to City Manager

Pledge of Allegiance

Council member Roznovsky led the pledge of allegiance.

Invocation

Council member Baker led the invocation.

Visitors

Ryan Clark 108 Live Oak Lane asked questions regarding the city's budget and the debt.

CONSENT AGENDA

- A. Approval of Minutes – August 5, 2019
- B. Boards and Commissions
- C. Approve holiday schedule for the year 2020

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 – August 5, 2019 - approved
- B. Boards and Commissions - accepted
- C. Approve holiday schedule for the year 2020 - approved

Public Hearing to discuss the Proposed Tax Rate of \$.3482 (per 100) which is 6.41% greater than the Effective Rate for the City of Lake Jackson

Mayor Sipple opened the public hearing at 6:34 p.m.

Mr. Yenne stated this is the first of two public hearings that are required by law. The tax rate is going up primarily due to an increase of nearly 1 penny for increased debt service. We sold \$9 million in GO debt last December for the next phase of our downtown revitalization. The

remainder of the tax rate increase from \$.3352 to \$.3482 will cover increased costs in fire and EMS and to cover employee pay increases.

Mayor Sipple read the following statement:

THIS IS A PUBLIC HEARING ON THE PROPOSED TAX RATE OF \$.3482 (PER \$100), WHICH WOULD INCREASE TAXES ABOVE THE EFFECTIVE TAX RATE BY 6.41%, FOR THE CITY OF LAKE JACKSON FISCAL YEAR 2019-2020.

THERE WILL BE A SECOND PUBLIC HEARING ON THE TAX RATE ON AUGUST 26, 2019 AT 6:30 P.M. AT CITY HALL, 25 OAK DRIVE, LAKE JACKSON, TEXAS.

THE CITY COUNCIL OF THE CITY OF LAKE JACKSON WILL VOTE TO ADOPT THE PROPOSED TAX RATE ON SEPTEMBER 3, 2019 AT 6:30 P.M. AT CITY HALL, 25 OAK DRIVE, LAKE JACKSON, TEXAS.

Mayor Sipple closed the public hearing at 6:36 p.m.

Discuss and consider request from TBT Real Estate to close a portion of Parking Way on October 26th from 3PM-7PM for a Trunk or Treat Event

Tammie Bell and Yvette Arroyos were present to request having this event. They stated the set up would be the same as the previous year.

On motion by Council member Singhania second by Council member Baker with all members present voting “aye” approval was granted for TBT Real Estate to close a portion of Parking Way on October 26, 2019 from 3PM-7PM for a Trunk or Treat Event.

Discuss and consider interlocal agreement with Brazoria County to provide water and wastewater services

The airport is ready to begin using the City’s water and wastewater utilities. TCEQ is requiring that the County and City have an interlocal agreement before TCEQ allows the County to disengage the airport’s water wells.

On motion by Council member Buell second by Council member Roznovsky with all members present voting “aye” approval was granted for an interlocal agreement with Brazoria County to provide water and wastewater services.

Award Mowing Contract Extensions as follows:

One-year extension to Landscape Professionals of Texas not to exceed \$34,428.00 for Bid No. 0481.

One-year extension to Southern Oak Services not to exceed \$11,800.00 for Bid No. 0481.

Per Bid Documents, the contract allows three additional, one (1) year extensions. The current Supervisors are pleased with their performance and have requested they continue to provide Contract Mowing for utilities. Therefore, staff recommends that their contract be extended for an additional year as allowed in the contract terms.

The initial contract terms were from December 1, 2016 to September 30, 2017. The first contract extension terms were from October 1, 2017 to September 30, 2018. The second contract

extension terms are from October 1, 2018 to September 30, 2019. This will be the third and final extension of the three allowed.

On motion by Council member Roznovsky second by Council member Singhania with all members present voting “aye” the mowing contract extension were awarded as stated above.

Award Mowing Contracts Bid 19-07-001 to Scott & Company (DBA Southern Oaks) in an amount not to exceed \$219,436.00 and Calvary Group in an amount not to exceed \$223,660.00

On August 1, 2018 the City opened bids for Contract Mowing. Four (4) bid packages were received and evaluated. Eight vendors were notified of our bid solicitation. The bid package was available on the City Purchasing Website, advertised on Civcast and in the Facts newspaper on July 7th and July 14th.

Upon review of the bid packages received and review of references, it is recommended that the award be made to Scott & Company (DBA Southern Oaks) and Calvary Group. We will utilize the bid hourly rate and call when needed.

On motion by Council member Buell second by Council member Broaddus with all members present voting “aye” the mowing contracts were awarded to Scott & Company (DBA Southern Oaks) in an amount not to exceed \$219,436 and to Calvary Group in an amount not to exceed \$223,660.

Award One-year extension to DXI Industries Inc for the following:

- a. 1-TON (2,000-pound chlorine containers) at a unit price of \$0.347 per lb. for an estimated annual total price of \$40,946.00 for 118,000 pounds.
- b. 150-Pound (150-pound chlorine cylinder) at a unit price of \$0.634 per lb. for an estimated annual total price of \$20,288.00 for 32,000 pounds.
- c. 1-TON (2,000-pound sulfur dioxide containers) at a unit price of \$0.399 per lb. for an estimated annual total price of \$27,930.00 for 70,000 pounds.

The current supervisors are pleased with their performance and have requested DXI Industries Inc continue to provide Chlorine and Sulfur Dioxide. Therefore, staff recommends that their contract be extended for an additional year as allowed in the contract terms.

The initial contract terms were from September 30, 2016 to October 1, 2017. The first contract extension terms were from September 30, 2017 to September October 1, 2018. The second contract extension terms are from September 30, 2018 to October 1, 2019. This will be the third and final extension of the three allowed.

On motion by Council member Roznovsky second by Council member Buell with all members present voting “aye” a one-year extension was awarded to DXI Industries Inc. for the items listed above.

Approve an agreement between Voltus, Inc. and the City of Lake Jackson to manage the City's participation in ERCOT's Demand Response Program

The City of Lake Jackson was previously a participant in ERCOT's Demand Response Program (DRP) with management services provided by EnerNOC. The DRP was established in an attempt to minimize the impacts resulting from power grid overload. During times of extremely high electrical consumption, ERCOT notifies participants that they need to shed load from the electrical grid.

The City was informed by EnerNOC (DRP contract manager) in April of 2016 that the generators being used by the City were noncompliant with the program requirements and the City was removed from the program at that time.

Current Situation: New regulations promulgated by the EPA have made allowances for entities with older generators to participate in the DRP. Voltus, Inc. brought this new information to staff with a proposal. The annual DRP cycle is from September 1 through August 31.

By signing the agreement with Voltus, Inc. the City of Lake Jackson will be compensated an estimated \$53,000 annually. Staff is requesting that the funds associated with this agreement be set aside for the purchase of generators and other critical equipment needed at various facilities.

On motion by Council member Singhania second by Council member Wilson with all members present voting “aye” approval was granted for an agreement between Voltus, Inc. and the City of Lake Jackson to manage the city’s participation in ERCOT’s Demand Response Program.

Discuss updates to Chapter 14 Buildings to eliminate building products or materials that are not required in the national model codes in accordance with H.B. 2439

Sherri Russell stated that H.B. 2439 disallows cities from prohibiting or limiting the installation of a building product or material that is approved by a national model code. The City only has a few instances where a specific material’s use is limited. The City currently does not prohibit any building product or material. Therefore, the suggested changes are minor and include references to aluminum wiring and types of plumbing pipe and gas line pipes required.

Council asked that this be brought back in ordinance form.

Discuss and consider proposed FY 2019-2020 Annual Budget and give direction to staff

Mr. Yenne stated that in addition to the previous changes made to address the \$103,000 shortfall in property tax revenue because of lower than expected values, staff is going to pull the trigger on that custodial staffing issue we discussed at the budget workshop by hiring city staff to handle the custodial duties that were previously contracted out. There will be no impact on the bottom line of the budget, but it will show an increase of 2 employees.

He stated that the Animal Shelter Board is supposed to submit their budget at the end of May each year. Since they did not submit their budget in time staff included the \$175,000 that was in the budget last year. In July they submitted a request for \$86,731 more than the previous year. The SPCA is struggling with their finances.

Mr. Yenne suggested suspending the street panel replacement program for one year to cover this request.

After discussion Council agreed to suspending the street panel replacement program for one year.

Update on drainage in the Parkwood Subdivision near Moss, Chestnut and Palm Lane

Phase I: Completed

Phase II (from 81% Completion to 82% / Alternatives to coincide with Phase III):

FNI has completed the existing conditions Hydraulic & Hydrological (H&H) modeling.

Alternative development / recommended drainage improvements morphed into Phase III.

Phase III (Final Phase went from 77% Completion to 83%):

Freese & Nichols (FNI) completed draft of the Alternate Development H&H modeling which we have received to review and return our comments by 01st Sep 2019. Please note that FNI plans on presenting project summaries to both Clute's and Lake Jackson's City Councils on 14th Nov 2019 & 18th Nov 2019 respectively.

PROJECT UPDATES:

- Awaiting Cities' feedback on alternatives.
- Continued work on final deliverables.

UPCOMING ACTIVITIES:

- Continue work on the final deliverables.
- Schedule final project meeting.
- Address City comments on alternatives.

PROJECT SCHEDULE AND UPCOMING DELIVERABLES:

- Alternative Development phase is near completion.
 - City comments are due 09/01/2019.
- Deliverable phase is in-progress.
- Project Summary Presentations to City Council:
 - Clute – 11/18/2019
 - Lake Jackson – 11/14/2019

Update on Construction Projects

- d. Construction Funds Financial Update
- e. Sidewalk Projects
- f. Utility Repair Projects
- g. Drainage Repair Projects
- h. Woodland Park Paving Project

Items of Community Interest

Council member Singhania stated that on Oyster Creek Drive going west the line of sight is blocked for the traffic signals at Circle Way and Oak Drive in the outside lane due to tree branches that are low.

Council member Baker thanked the police department for keeping a close eye on the dance studio.

Council member Baker stated there are a number of homeless individuals downtown. He felt something should be done about the situation.

ADJOURNMENT

There being no further business the meeting adjourned at 7:52 p.m.

These minutes read and approved this _____ day of _____, 2019.

Bob Sipple, Mayor

Alice A. Rodgers, City Secretary