

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, September 16, 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
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

Dennis Crain 153 Oak Drive spoke about the ordinance that prohibits the parking of cars in yards. His son's car was parked in the road and someone hit the car and totaled it. Mr. Crane stated that he parked his truck in the street and someone hit his truck. He asked that Council revisit this no parking in yards be placed on the next Council meeting. Council asked that this be on the next agenda.

Consent Agenda

- A. Approval of Minutes – September 3, 2019
- B. Boards and Commissions
- C. Discuss and consider an ordinance amending Chapter 102 Utilities revising Fees to be charged for water, sewer, garbage and dumpster services – Second Reading
- D. Ordinance Amending Chapter 14 Buildings to eliminate building products or materials that are not required in the national model codes in accordance with H.B. 2439 – Second Reading
- E. Resolution appointing Buster Buell as representative and Bob Sipple as alternate to the HGAC Board of Directors
- F. Appoint Gerald Roznovsky and Modesto Mundo to the Texas Gulf Coast Regional Airport Master Plan Committee
- G. Approve payment of \$40,000.00 to the United States Department of the Interior (USGS) as part of a standard joint-funding agreement (cost sharing) with the USGS for the installation of two (2) stage only automated stream gaging stations at Bastrop Bayou at CR288 and Oyster Creek at FM2004

- H. Approve road closure of Circle Way Street for the Friday 11/1 Halloween Bash and Concert on the Plaza from 6 pm – 11 pm
- I. Amend mowing contract with Southern Oak Services to include the mowing of an easement at the Beechwood Water Tower increasing the amount not to exceed from \$11,800 to \$12,200
- J. Approve addendum to the Interlocal Agreement with Velasco Drainage District to modify the existing guard rail near the southwest corner of 804 Oleander and north of Plantation Drive at the Flag Lake Drainage Channel

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 – September 3, 2019 - approved
- B. Boards and Commissions - accepted
- C. Discuss and consider an ordinance amending Chapter 102 Utilities revising Fees to be charged for water, sewer, garbage and dumpster services – Second Reading – passed and adopted on second and final reading
- D. Ordinance Amending Chapter 14 Buildings to eliminate building products or materials that are not required in the national model codes in accordance with H.B. 2439 – Second Reading– passed and adopted on second and final reading
- E. Resolution appointing Buster Buell as representative and Bob Sipple as alternate to the HGAC Board of Directors - approved
- F. Appoint Gerald Roznovsky and Modesto Mundo to the Texas Gulf Coast Regional Airport Master Plan Committee - appointed
- G. Approve payment of \$40,000.00 to the United States Department of the Interior (USGS) as part of a standard joint-funding agreement (cost sharing) with the USGS for the installation of two (2) stage only automated stream gaging stations at Bastrop Bayou at CR288 and Oyster Creek at FM2004 - approved
- H. Approve road closure of Circle Way Street for the Friday 11/1 Halloween Bash and Concert on the Plaza from 6 pm – 11 pm - approved
- I. Amend mowing contract with Southern Oak Services to include the mowing of an easement at the Beechwood Water Tower increasing the amount not to exceed from \$11,800 to \$12,200 - approved
- J. Approve addendum to the Interlocal Agreement with Velasco Drainage District to modify the existing guard rail near the southwest corner of 804 Oleander and north of Plantation Drive at the Flag Lake Drainage Channel - approved

Discuss and consider request from SPCA to waive Civic Center fees for their annual Furr Ball fundraiser on October 24, 2019.

Connie Haws and Marla Nicholl of the SPCA were present to request the fees being waived at the Civic Center for October 24, 2019.

On motion by Council member Roznovsky second by Council member with all members present voting “aye” approval was granted for the waiving of Civic Center fees for the SPCA for their annual Furr Ball fundraiser on October 24, 2019.

Discuss and consider request to offer discounts on utility bills for disabled residents - Susan Daniels

Susan Daniels Avocado Court stated the due date on the water bill is an issue for her. She is also asked that consideration be given for a discount for disabled people. In 2002 she had an accident in which she was life flighted to Houston. She has PTSD and short-term memory loss. She stated she has tried working but has a hard time keeping a job. In 2009-10 she went back to college. When she tried to get a job she was told she needed experience.

She receives her disability check on the 3rd of each month. Sometimes the due date on her bill comes before she receives her check.

Pam Eaves submitted the following information for Council consideration.

There are roughly 170 tax accounts receiving a disability exemption. Currently the city's senior discount is \$10.86 per month. Adding Disability would increase the amount of discounts given by approximately \$20,000 to \$25,000 per year.

The city currently offers the senior discount based on driver's license. This means they do not necessarily have to be the home owner. Ms. Eaves suggested tying disability to receiving the disability exemption on property taxes.

Mr. Yenne suggested that since the budget has already been set, this could be a discussion the council could have at their strategic planning session in January. Council was in agreement.

Council asked that a discussion of billing due dates be placed on the next agenda.

Discuss and consider candidate nominations for the Brazoria County Appraisal District Board of Directors

There were no nominations.

Discuss and consider appointing Matthew Bjune to fill the vacant seat on the Traffic Commission

On motion by Council member Roznovsky second by Council member Buell with all members present voting "aye" Matthew Bjune was appointed to the Traffic Commission.

Discuss and consider actions or options regarding homeless people in the downtown area.

Mr. Yenne stated this has been before Council in the past. It was mentioned at the last meeting that there are a growing number of people moving into the area that are homeless. It is not a crime to be homeless. What has happened is that some of the folks, not all, are taking over some of the public spaces and removing the ability for the rest of the public to use those spaces. One of the bus stops was commandeered for a living space, the gazebo downtown, the civic center and the pavilion on South Parking Place. Some of the business people in the evenings are concerned with people approaching them after dark.

Council member Roznovsky said it would be beneficial if we defined the actions and behaviors we want to address and work toward how we want to address those issues.

Mr. Yenne stated if the city regulated a specific action then it has to address everyone and not just one group of individuals. The ruling from the 9th Circuit has made it difficult for cities to write laws regarding the homeless taking over public areas.

Mr. Yenne suggested coming up with a subcommittee of council members, residents and staff.

Council member Baker asked how other cities are doing this.

Mr. Yenne stated that some cities are going with what they have and that may not be legal. If you make it so that the homeless can't sleep in public places, the 9th Circuit says you have to provide them with a place.

Sherri Russell stated that the Houston Appellate Court says the same thing, so Houston provides shelters. They only enforce the no camping when the shelters have space.

Mr. Yenne stated that Ms. Rodgers has reached out to the other cities and the county to come up with a solution.

Mayor Sipple stated any effort to remove homeless people from public property will be very difficult since the Governor has made it clear it will not be acceptable to him.

Mayor Sipple asked Council member Buell, Council member Broaddus, Chief Paul Kibodeaux, Kyle Devine, Alice Rodgers and Sherri Russell to serve on a subcommittee.

Discussion followed on defining loitering and nuisances.

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

Athelstan Sanchez submitted the following update

Phase I: Completed

Phase II (from 82% Completion to 84% / 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 83% Completion to 88%):

Freese & Nichols (FNI) continues working on final deliverables and have received feedback on completed draft of the Alternate Development H&H modeling from Clute with Lake Jackson's to follow. FNI has sent a list of dates and times of their availability to conduct the final project meeting with staffs from both Cities and VDD to be held in late September or early October 2019. Currently canvassing staff members from both Cities and VDD to see what date in October is suitable to all.

Update on Construction Projects

- a. Construction Funds Financial Update
- b. Sidewalk Projects
- c. Utility Repair Projects
- d. Drainage Repair Projects
- e. Woodland Park Paving Project

Eddie Herrera gave an update on construction projects.

Items of Community Interest

Council member Singhania said in giving up funds for street panel replacement for the SPCA he suggested an area of pavement on Oyster Creek Drive in front of the apartments that could be overlaid with asphalt. He stated there was also an area on North Yaupon near FM 2004 that needs to be addressed.

Council member Singhania said the traffic light at Circle Way at Oak Drive is not working properly.

Mayor Sipple said the stop light was stuck on the feeder roads at Oak Drive.

Council member Baker thanked Ms. Glass and her daughter for visiting and staying for the Council meeting. Ms. Glass stated that her daughter is interested in government.

Mayor Sipple thanked the Police Department, Fire Department and EMS for the 9/11 program at the Civic Center

Adjournment

There being no further business the meeting adjourned at 7:28 p.m.

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

Bob Sipple, Mayor

Alice A. Rodgers, City Secretary