

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, October 5, 2020 at 6:30 p.m. in Regular Session at the Lake Jackson Civic Center, 333 Hwy 332 East, Lake Jackson, Texas, with the following in attendance:

Bob Sipple, Mayor
Vinay Singhanian, Mayor Pro-Tem
Matt Broaddus, Council member
Gerald Roznovsky, Council member
Buster Buell, Council member
Jon J.B. Baker, Council member

Modesto Mundo, City Manager
Meagan Borth, Interim Asst. City Manager
Sally Villarreal, Asst. City Secretary
Sherri Russell, City Attorney

PLEDGE OF ALLEGIANCE

Council member Roznovsky led the pledge of allegiance.

INVOCATION

Council member Baker led the invocation.

VISITORS

Leo Novak – 209 Arrowwood

Mr. Novak spoke about wearing masks. He shared his opinion and information he gathered regarding masks. Mr. Novak stated that there is no evidence face masks protect you from Covid-19 or prevent the spread of Covid-19. Mr. Novak wanted City Council to think about how much this has hurt the community by mandating that citizens wear a mask.

Brian Cantrell – 508 Southern Oaks Drive

Mr. Cantrell said Peggy Hall had stated the mask ordeal was in violation of two federal laws. Mr. Cantrell was not sure of the codes that were violated.

Captain Jill Friedman – 229 Laurel

Ms. Friedman asked Council if this is what they want to be the new normal? Do we want this to continue regarding wearing masks? She felt it was insane making people wear masks. Ms. Friedman said the citizens want their lives and freedoms back. People will continue to get sick. People agreed to flatten the curve for two weeks, it has now been over six months. Why all the concern about Covid-19? There will be risks every day. We should be allowed to resume life without the masks.

Rhonda Seth – 230 Almond

Ms. Seth wanted clarification and assurance that her timeline of the water situation was correct. Ms. Seth stated she read section 433.002 of the Texas Local Government Code. The default language can easily be amended. She asked Council to guard our economy closer and be more deliberate and careful as to the scope of the rights that the citizens have entrusted in our elected officials. The details and wording on the Declaration of Disaster matter and she asked that Council be more careful with those in the future.

Ron Parker – 121 Papaya Street

Mr. Parker asked why council could not comment about Covid-19 when it is on the agenda. Ms. Russell let him know council could speak on that item when it comes up on the agenda, but not under visitor comments. Mr. Parker said he would wait until the end to ask his questions.

Janice Borne – 2200 CR 36

Ms. Borne expressed her opinions about wearing masks and citizens civil and constitutional rights. Ms. Borne did not feel Covid-19 should be considered a state of emergency. She stated requiring everyone to wear masks is creating health issues for people.

PRESENTATIONS

There were no presentations.

CONSENT AGENDA

- a) Approval of minutes –September 21, 2020
- b) Discuss and consider amending Ch. 46 Floods in the Lake Jackson Code of Ordinances to adopt the 2020 Revised Flood Insurance Rate Map and Flood Insurance Study to become effective December 30, 2020 and to appoint a new Flood Plain Administrator – Second Reading

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

- c) Approval of minutes –September 21, 2020 - approved
- d) Discuss and consider amending Ch. 46 Floods in the Lake Jackson Code of Ordinances to adopt the 2020 Revised Flood Insurance Rate Map and Flood Insurance Study to become effective December 30, 2020 and to appoint a new Flood Plain Administrator – Second Reading - adopted

RESOLUTION SUPPORTING THE CITY OF SUGARLAND IN PRO-ACTIVE APPROACHES TO MITIGATING CONTINUING RIVER EROSION AT TWO (2) HIGHLY CRITICAL LOCATIONS, THE STATE HIGHWAY 99 (GRAND PARKWAY) BRIDGES AND THE INTERSTATE 69/STATE HIGHWAY 59 BRIDGES, BOTH OF WHICH ARE ON A DESIGNATED HURRICANE EVACUATION ROUTE (SH 6 TO IH 69/SH 59 TO SH 99) FOR BRAZORIA COUNTY ZIP ZONES COASTAL, B AND C

On motion by council member Singhania second by council member Broaddus with all present members voting “aye” the resolution supporting the city of Sugar Land in pro-active approaches to mitigating continuing river erosion at two (2) highly critical locations, the State Highway 99 (Grand Parkway) bridges and the Interstate 69/State Highway 59 bridges, both of which are on a designated hurricane evacuation route (SH 6 to IH 69/SH 59 to SH 99) for Brazoria County Zip Zones Coastal, B and C was approved.

DISCUSS THE WATER DISTRIBUTION SYSTEM EMERGENCY

Mr. Mundo gave the following update:

We are focused on two major tasks, rescind the “Boil Water Advisory” and free chlorine conversion for 60 days at 1.0 throughout the water system.

- a. **Rescind the Boil Water Advisory.** Second round of chlorine residual testing is being done today by TCEQ. We are collecting BacT samples and will send to lab today for testing. We expect to receive results tomorrow. If results are good, we will submit request to rescind “Boil Water Advisory”.
- b. **60 Day Chlorine Conversion.** Initial chlorine residual tests conducted by TCEQ on Sunday, October 4 were over 1.0. They will test chlorine residuals today as well.
- c. **Drought Contingency Plan:** We are monitoring to see if further modifications can be made.
- d. Continue to work on scope of work with HR Green Engineering for engineering service during the 60-day period.
- e. Sugar Land is providing two utility crews over the next two weeks to assist us with the chlorine conversion.
- f. A dedicated crew will begin work on Monday to repair leaks in the system. If we cannot begin on Monday, I have instructed to hire Matula & Matula.
- g. We are getting quotes from two private vendors to assist us in hydrant flushing. This is a critical activity to help us maintain our chlorine residuals above the 1.0 benchmark.

Customer Service Inspection Program. Worked through the weekend with the City of Houston’s assistance. Focus is now on investigating possible irrigation tie-ins to the Creek or other bodies of water. Houston inspectors will be with us until Friday.

Public Communication. Communication efforts continue.

Bottled Water. POD has re-opened, and we will continue to deliver water to homebound this week. We did have a soldier test positive for COVID-19 yesterday and had to shut the POD down. The military arrived last night to decontaminate the site and have deployed new personnel to work the POD. 55 employees that worked the POD have been tested today as well as the soldiers assigned to the POD.

COVID Testing. The State is conducting free Covid-19 test at the Recreation Center today and tomorrow. Hours are:

- h. October 5: 11:00am to 5pm – 270 seen today
- i. October 6: 8:00am to 5pm

Civic Center. Working to restore water this week to the Civic Center. Reduce Pressure Zone device was installed Saturday and we are conducting BacT test in the building. Goal is to get building back online by end of week.

Questions from Public

- j. **Will there be no Federal or State dollars to offset the cost of water issues?** The City would need to meet the County threshold of \$1.38 million. We are tracking in case we are eligible.
- k. **Do we have a reserve fund to pay for unexpected infrastructure problems?** Yes, our current fund balance is \$4.6M or 31% of our operating expenditures. We also estimate that we will be transferring \$1.1M from the close of this budget to fund balance or CIP.
- l. **Does our insurance cover this type of issue?** Insurance does not cover cost for compliance.
- m. **Where are we at in terms of cost/expense at this point in the process?** \$48,000 with partial payroll. It closed last Tuesday. Does not include cost of chlorine, feeding crews, neighboring cities personnel, etc.

Current Utility Operating Fund Balance: \$4,626,837
Range 25% - \$3,668,148
Range 33% - \$4,841,955
Utility Project Funds Balance: \$1,658,944 + \$820,000 = \$2,478,944

19,185 vehicles have come in thru the POD to receive water.

COVID -19 UPDATE

Ms. Borth gave an update on the current Covid-19 numbers.

There were 15 cases last week, doubled in recoveries and no deaths. Ms. Borth stated she would be updating the website with up to date numbers.

Mr. Mundo reminded everyone that there is free Covid-19 testing at the Rec Center on Tuesday, Oct. 6th from 8am – 5pm.

Mr. Ron Parker – 124 Papaya Street

Mr. Parker stated he came to council in June to speak about Covid.

He asked what is the current mandate that is in place? Mayor Sipple stated the restaurants can now operate to 75% occupancy. Mr. Parker asked when will this end. Mr. Mundo stated that is set by the Governor.

Mr. Parker asked why the City must follow the mandate if it is not the law? Ms. Russell stated a mandate is a law under the Governors powers. The Governor is keeping an eye on hospitalizations.

Mr. Parker stated the mask mandate is creating a lot of stress in the community and Council should consider removing the requirement to wear them.

Mr. Parker asked council if they would commit to not imposing health mandates on the citizens of Lake Jackson such as vaccines or any other restrictions ever again.

Council member Buell stated he would not commit to a situation that is not present at the time.

Mayor Sipple mentioned Mr. Parker's question about Council not imposing vaccines on the citizens of Lake Jackson. We are dealing with a lot of unknowns at this time. At a council meeting, Mayor Sipple was asked when this would end. Mayor Sipple asked Mr. Parker if a vaccine were developed, would he want Council to ask citizens not to take it?

Mr. Parker said the City does not have the right to make that decision for families.

Council member Singhania stated it would be common sense and personal choice.

Council member Roznovsky stated it is a personal choice, just like the flu vaccine. At some point it is mandatory because some employers require their employees to get a flu vaccine.

Council member Roznovsky asked Mr. Parker if he had read the ordinance the City has on masks. Mr. Parker said he had. Council member Roznovsky stated the City cannot enforce the wearing of masks. The City can only ask that businesses put the signs up and ask patrons to wear them.

Mr. Parker stated people in Lake Jackson have been detained for not wearing a mask. Council

member Roznovsky stated he had not heard of that. Mr. Parker said he could not comment on it at the meeting.

Council member Baker stated he is a Chief Deputy in Brazoria County and there have not been any citations in this county for not wearing a mask. Mr. Parker now stated the person who has been detained does not involve LJPd.

Mr. Parker said Covid-19 is just another flu.

Ronda Seth stated Covid-19 is not just the flu. There are clotting issues that are not found in regular flu. She asked to please educate yourself because there are a lot of unknowns on the transmission and how it replicates.

Jill Friedman – asked why all the sudden are we shutting down the world for this? People die from other things also. Ms. Friedman says she has not been allowed to go into certain stores or take classes at the college because she will not wear a mask. She refuses to wear a mask. We do not want to live in fear.

Mr. Novak again expressed his concerns about having to wear a mask.

ITEMS OF COMMUNITY INTEREST

Mayor Sipple mentioned he visited a purple heart veteran.

ADJOURNMENT

There being no further business the meeting adjourned at 7:46 p.m.

These minutes read and approved this _____ day of _____ 2020.

Bob Sipple, Mayor

Sally Villarreal, Asst. City Secretary