

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, April 19, 2021 at 6:30 p.m. in Public Hearing and Regular Session at 25 Oak Drive, Lake Jackson, Texas, Lake Jackson City Hall with the following in attendance:

Gerald Roznovsky, Mayor
Jon "JB" Baker, Mayor Pro Tem
Vinay Singhania, Councilmember
Matt Broaddus, Councilmember
Buster Buell, Councilmember

Modesto Mundo, City Manager
Meagan Borth, Assistant City Manager
Alice A. Rodgers, City Secretary
Sherri Russell, City Attorney
Sal Aguirre, City Engineer
Sabrina England, Public Works Director
David Walton, Building Official
Pam Eaves, Finance Director

Mayor Roznovsky introduce Theresa Dowling as the new reporter for The Facts.

PLEDGE OF ALLEGIANCE

Council member Singhania lead the pledge of allegiance.

INVOCATION

Council member Buell led the invocation.

VISITORS COMMENTS

There were no visitor comments.

PRESENTATIONS – PROCLAIM APRIL 21 AS HENRY MENDEZ DAY

Mayor Roznovsky proclaimed April 21 Henry Mendez Day to recognize Mr. Mendez's many years of service to the Lake Jackson Volunteer Fire Department and the city serving on various boards and commissions over the years.

DECLARATION OF CONFLICTS OF INTEREST

There were no conflicts of interest.

CONSENT AGENDA

- A. Approval of minutes – April 5, 2021
- B. Boards and commissions
- C. Ordinance amending Chapter 14 Buildings of the Code of Ordinance to adopt and amend the 2020 International Electrical Code – second reading
- D. Ordinance amending the Code of Ordinances Section 102-131 Individually Owned Lines to clarify when the property owner is financially responsible for sewer lines that run under the street – second reading
- E. Award one (1) year extension to Crowder Gulf for debris removal services with a price adjustment of 1.75%
- F. Approve interlocal agreement with Brazoria County for trail cutting for the Lake Jackson

Mountain Bike Association project at Dow Centennial Bottomlands Park

- G. Approve Continuing participation in the Brazoria County CDBG and Home Program for FYS 2022-2024

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 – April 5, 2021 - approved
- B. Boards and commissions - accepted
- C. Ordinance amending Chapter 14 Buildings of the Code of Ordinance to adopt and amend the 2020 International Electrical Code – second reading – passed and adopted
- D. Ordinance amending the Code of Ordinances Section 102-131 Individually Owned Lines to clarify when the property owner is financially responsible for sewer lines that run under the street – second reading – passed and adopted
- E. Award one (1) year extension to Crowder Gulf for debris removal services with a price adjustment of 1.75% - awarded
- F. Approve interlocal agreement with Brazoria County for trail cutting for the Lake Jackson Mountain Bike Association project at Dow Centennial Bottomlands Park – removed from the agenda
- G. Approve Continuing participation in the Brazoria County CDBG and Home Program for FYS 2022-2024 - approved

PUBLIC HEARING TO CONSIDER REZONING A PROPOSED HIGH DENSITY DETACHED SINGLE-FAMILY HOME CONCEPT FOR THE NEW LAKEWOOD MANOR DEVELOPMENT FROM R-2A, R-3, PURZ R-3 AND R-4 TO A PUD (HIGH DENSITY DETACHED SINGLE-FAMILY HOME DISTRICT) OVERLAY ZONE WITH AN UNDERLYING RESIDENTIAL ZONE (HUISACHE ST.)

Mayor Roznovsky opened the public hearing at 6:40 p.m.

Sal Aguirre gave the following information:

This item came as an initial concept presentation to the City Council and Planners for feedback to determine further development and zoning compliance issues. At the previous meetings, the boards gave their opinions and concerns of the possible positive and negative to the community and neighborhood of this development product primarily those of density and its corresponding issues dealing with drainage and traffic. After the discussions held, staff began reviewing the available zoning tools that could alleviate most concerns of all involved including those of the developer.

Staff zeroed in on the current PUD ordinance as the most reasonable to provide the City with some assurance that the product will be delivered as presented and on time to everyone’s comfort zone as the ordinance conditions intend. This zone also provides the planners / city with relaxation of some requirements that create undue initial capital risks to the developer. In particular, the critical drainage analysis requirement became a negotiable item after the original plan removed the need of existing drainage easements off the table.

The PUD overlay idea was determined the best fit zoning mechanism to apply to this particular concept and site considering the various current zoning classifications and the comments made by the council and planning members at their preliminary meeting presentations. Staff recommendation is that the PUD be defined as a (High Density Detached Single-Family District) overlay zone on a designated R-2A base the most restrictive of the current underlying zones.

The PUD zoning plan application fulfills the requirements with the documentation submittal as presented and attached for your review and discussion and were recommended by planners for rezoning with conditions. The condition was that proposed landscape requirements for the PUD be incorporated into their application plan that would address the current tree condition and conservation/ replacement

plan and other landscape standards for the development since this element was missing. The board recommended that this be worked out with the developer and legal / development staff.

Below is a refresher background about this Planned Unit Development concept. Development company is LuxNova Homes. The company builds homes with a company named Bridge Tower. They build homes to rent, not to sell. Their company maintains control of the property. They mow the grass, change A/C filters and light bulbs.

SITE DETAILS

Drainage and detention to be engineered by Baker & Lawson, Inc.

76.80% open space

2 Playground / Park Areas

8/10 of a mile walk to HEB and Downtown

7/10 of a mile walk to Lake Jackson Intermediate School

6/10 of a mile walk to Brannen Elementary School

Total Homes: 135

Site Area: 20.64-Acres (Exclusive of streets)

Density: 6.5 Homes / Acre

Total Number of Bedrooms: 485

Total Parking Spaces: 443 (excludes on-street parking)

Garage spaces: 270 (2 / home)

Additional Surface Parking Spaces: 173

Four Zoning Classification on the Site Currently: R-2A, R-3, PURZ R-3 and R-4

Mr. Stucky was present to request a PUD with an underlying zoning of R-2A. They will comply with the city's tree ordinance and stated they were ready to move forward. He reviewed the location of the project and the layout. He stated they were aware they needed to provide a drainage plan that will include a new detention pond that feeds to the drainage ditch in the area. The layout will be 135 detached homes on the site. There are clusters of 4 homes and 6 homes. Under the R-2A zoning, 2 parking spaces are required and they are providing 3.8 parking spaces per home and exceed the requirement.

He stated they know there are a large number of oak trees on the site and they have hired an arborist to come in and do an analysis of which trees can be kept and which ones need to be removed. If they remove a tree, they will replace it in accordance with the tree ordinance.

The style of the home will be made of hardy and brick with composition shingle roofs. The landscape plan called for trees within the driveways. The driveways are 20 ft. wide with parking on the sides. The houses are 6 feet apart. They are rental homes. Should the project be sold in the future it will sell as a whole project and not as individual homes.

Mayor Roznovsky stated that when this was first presented it was a concept of the clusters of buildings. He raised a concern regarding the parking and density. He was told the management company would take care of any issues. He had an issue with the design for the homes at the end of the U. Those living at the end of the U would have a problem with parking and being able to get out of their garages.

Mr. Stucky stated that there is no parking in front of the garages at the end of the U. They can provide additional parking. They are required to have 2 parking spaces and they provide 3.8 parking spaces. He showed where the additional parking was located. He stated he could put parking all along the street, but he did not think it would look good.

Mayor Roznovsky stated the maximum density for an R2-A is 6 units per acre. This development

has a density of 6.3. He asked for an example of this concept Mr. Stucky has previously done. This is a unique design.

Mr. Stucky stated that his competitors are building something similar. This is a new concept. There are some being built in Austin. He could provide photos later this week. In the development world with land being so expensive the density is becoming greater. They are doing a development similar to this is Lewisville, Texas that has 7 units per acre with 45' x 90' lots along the street. In Conroe he is doing a PUD that is 8 units per acre. San Marcos has a development format that they call their cottage grove that has clusters of homes with rear entries.

Mayor Roznovsky stated there are townhomes in Lake Jackson that have a high density and they do not allow on street parking but have an alley way in the rear of the property. They don't allow on street parking. He stated this is only the second time Council has seen this and the first time it was presented as a concept. He stated with the Alden Lakes development Council and Planning Commission were concerned with the 40 foot lots. This is a higher density than the homes with 40 foot lots. His concern with the density is the parking. He understands that Mr. Stucky is exceeding the parking. The city has issues in other areas of the city with high density.

Mr. Stucky stated those homes with problems were sold to individuals.

Mayor Roznovsky stated this is a new concept and the only way it will be kept nice is if Mr. Stucky keeps the property and manages it. His biggest concern is density. He stated Mr. Stucky spoke with the Fire Marshal and asked if the fire lanes could be marked red to prohibit parking.

Mr. Stucky stated they could mark off fire lanes.

Susan Buell said she lives in the vicinity and asked if there has been a study on traffic impact.

Mr. Mundo stated they have not required an impact study.

Mr. Aguirre stated that the development manual speaks to traffic impact studies and mostly are used for the schools and large developments.

Council member Singhania asked how this additional density would impact this area.

Mr. Aguirre stated a traffic study would provide that information.

Council member Singhania stated that if they are starting off with questions regarding traffic there will be concerns in the future.

Mr. Mundo presented a photo of the previous homes that were at this location and the density that existed then.

Mayor Roznovsky said the old Lakewood Manor duplexes were at 7.7 units per acre and Mr. Stucky's proposal is 6.3 units per acre.

Mr. Aguirre stated there were 80 rooftops in the previous development. The street is 32 foot wide which was built early for Dow employees. A similar street with this width would be That Way Street.

Rhonda Seth, 239 Almond said as a citizen that lives on a street with parking issues, she has a

concern with the on street parking concept. She was concerned with the two outer houses not being able to park in front of their garage. The management of the parking is a concern to her.

Council member Buell stated he felt the parking all over the town was an issue and we should not penalize this development because of that.

Mr. Mundo stated he asked Mr. Stucky to show a drawing of the cars parked outside the homes at the next presentation.

Council member Baker stated that 75% of the people have their garages full of stuff and park outside the garage.

Mr. Stucky stated that in the next meeting they will be able to highlight the 443 parking spaces. In their tenant guidelines the exterior parking is guest parking. Each house has a 20x18 storage area in the house. During the week there is ample parking with four extra spaces in each cluster of homes. The back unit can park in front of their garage.

Council member Baker asked how wide the garages were and would an Escalade and a 4x4 truck be able to fit.

Mr. Stucky stated it will be 21 foot wide. He drives an F150 and his wife drives a Honda Pilot and they both park in a garage the same size.

Mr. Mundo asked if the tenant agreement spoke to the no parking outside the garage.

Mr. Stucky said yes, the tenant agreement states their cars need to be parked in the garage.

Council member Baker asked what would happen in 10 years when Mr. Stucky sold the property what guarantee did the city have this would be enforced.

Mr. Stucky stated it could be added to the PUD to ensure the parking is in the garage.

Mayor Roznovsky stated the council has only seen this 2 times and he would like to have a workshop to discuss this project. The meeting could be had next Monday, and the Planning Commission could be invited. He would like for council to have the opportunity talk this through this project.

Mr. Stucky stated that is a very fair way to approach this. They want to be good citizens in the area.

Mayor Roznovsky stated Council has not been given any time crunch and he would like to have the workshop next Monday to push along with this project.

Amelia Bum, 308 Oak Drive expressed concerns for the oak trees on this property. She asked if there could be a pocket park to save some of the large trees.

Mr. Stucky stated there is some room to move the houses a little to save the trees. He stated there are probably 7 trees that are in bad shape and will need to come down.

Ms. Bum said there are trees with dots on them and some are large trees.

Mr. Stucky stated they will follow the city's tree ordinance.

Doug Roesler Baker and Lawson stated that when the crews go out to survey the trees, they put a dot on the trees. That does not mean those trees will be removed, just located.

Council member Broaddus stated he noticed some smaller units and asked if they will have the same flexibility with parking. Will they have their own unique parking issues.

Mr. Stucky spoke on the parking in some of the smaller units. He stated the density in those blocks is less than other areas. He stated they have looked at each cluster and how it functions and how a fire truck would be able to maneuver the driveways. It is something they are working on.

Council member Singhanian stated the reason council wants to step back and look at this is to make sure it is done right.

Mayor Roznovsky closed the public hearing at 7:20 p.m.

Mayor Roznovsky asked if the council would like to have a workshop on Monday and invite the Planning Commission.

Council member Buell moved to hold a workshop Monday April 26, 2021 at 5:30 p.m. second by Council member Broaddus with all members present voting "aye".

DISCUSS AND CONSIDER AN ORDINANCE REZONING LAKEWOOD MANOR DEVELOPMENT FROM R-2A, R-3, PURZ R-3 AND R-4 TO A PUD (HIGH DENSITY DETACHED SINGLE-FAMILY HOME DISTRICT) OVERLAY ZONE WITH AN UNDERLYING RESIDENTIAL ZONE (HUISACHE ST.) – FIRST READING

This item was deferred.

PUBLIC HEARING TO CONSIDER REZONING 401 GARLAND DRIVE FROM B-1 (NEIGHBORHOOD BUSINESS) TO T-1 (SINGLE FAMILY TOWNHOMES) FOR A PROPOSED TOWNHOUSE RENTAL CONCEPT

Mayor Roznovsky opened the public hearing at 7:21 p.m.

Sal Aguirre presented the following information:

Similar with the detached single-family rental concept of Lakewood, this is the single-family townhouse rental version. The location of this development is an undeveloped 2 + acre tract zoned B-1 and once owned by the county with plans for their annex facility. The idea was abandoned due to size and drainage limitations and sold. The surrounding zoning is compatible with their proposed use as there are adjoining B-1 nursing home, B-1 childcare, B-1, PURZ condominium and R-4 apartments.

This item came as an initial concept presentation to your previous planners meeting for feedback to determine further development and granting of public hearing. At the public hearing, planners made recommendation to rezone.

The plan before you has already had a proactive head start in the development process through a series of unofficial development and review sessions with staff development team and will proceed quickly to its site review and platting process in coming meetings schedule.

SITE DETAILS

Drainage and detention to be engineered by Mark Burdick, P.E

25% Open Space

Total Homes: 25

Site Area: 2.44-Acres

Density: 10.25 Homes / Acre

Total Number of Bedrooms: 75
Total Parking Spaces: 101 (excludes on-street parking)
Garage spaces: (1 / home)
Additional Surface Parking Spaces: 76

Derek Hest owner of the property. This will be high end townhomes, 25 homes, 10 foot ceilings, 8 foot doors and a gated facility. Drainage will be addressed, and he felt the ponding in this area would be corrected with the proposed drainage project from the city that will take place in the next 12-18 months.

Mr. Hest stated there is day care center behind him, a pregnancy center and doctors office beside him with condominiums across the street. Apartments are located in the immediate area.

Mayor Roznovsky stated the reason the county backed away from this property was they could not meet the drainage issue and have enough square footage for their building.

Sal Aguirre stated that was correct. The only issue outstanding was the drainage. Mr. Hest engineer has been aware of the city's requirements. The issue will not be solved until the city of Clute moves into their drainage project. The drainage issue is on Flag Lake Drive on the city of Clute's property and is the responsibility of the City of Clute.

Sherri Russell stated that this is merely rezoning and not a site plan.

Jackie Fuller director of the Pregnancy Center she is not against building, but she stated her biggest concern is the flooding. When there is a heavy rain it is hard to get in and out. There is an alley behind their building that takes on a lot of water. They had to do about \$5500 of work on their parking lot on the side where the townhouse would be located because of the drainage.

Council member Broaddus asked what could be built in a T-1 zone in regards to the drainage. Does a T-1 allow for more concrete than a B-1 zone?

Mr. Aguirre stated that a B-1 zone would allow for just as much concrete for parking areas. There is nothing that limits the concrete other than the landscape area. The area they would be allowed to cover with an impervious area would be 7.5% to 10% in a B-1 zone. The T-1 has to also meet the 7.5% area not covered by a building and parking does not count. There would be more green space required for a T-1 zone. According to the site plan they have submitted they are aware of the green space that is required along with the drainage.

Council member Broaddus asked about the drainage in the immediate area.

Mr. Aguirre explained how the property drained in this area.

Council member Singhania stated that projects rarely run on time, he wanted to make sure that we did not adversely affect this project if the drainage was not finished.

Mayor Roznovsky stated that a B-1 could come in tomorrow and build at this location regardless of the drainage situation. This is only for rezoning and this project would have more green area than a B-1.

Council member Singhania stated he wanted to make sure that if a water detention was required there was time to review it.

Mr. Aguirre stated that Athelstan Sanchez has spoken with Mr. Hest's drainage engineers and was very explicit in what was required for this development.

Mr. Mundo stated that staff is asking that this be designed as if the Clute drainage project was not being done.

Mayor Roznovsky closed the public hearing at 7:35 p.m.

ORDINANCE REZONING 401 GARLAND DRIVE FROM B-1 (NEIGHBORHOOD BUSINESS) TO T-1 (SINGLE FAMILY TOWNHOMES) FOR A PROPOSED TOWNHOUSE RENTAL CONCEPT – FIRST READING

On motion by Council member Singhania second by Council member Buell with all members present voting "aye" an ordinance rezoning 401 Garland Drive from B-1 Neighborhood Business to T-1 Single Family Townhomes was passed on first reading.

APPROVE 2020 ANNUAL FINANCIAL AUDIT REPORT

Kevin Cadenhead, KML, LLC presented the annual financial report. He stated there were not audit findings that need to be reported to the Council. The employees are easy to work with and are willing to speak to the auditors. The report the finance department puts together is stellar and has more information that you would ever need. The City of Lake Jackson continues to be very fiscally responsible.

On motion by Council member Baker second by Council member Buell with all members present voting "aye" the 2020 Annual Financial Audit Report was approved.

CONSIDER THE FOLLOWING CONCERNS FROM BOB CASALE; SUPPORT THE ENDING OF UNSOLICITED PHONES CALLS; SAMPLE LAKE JACKSON DRINKING WATER; ILLUMINATE ENTRANCE TO BRAZOS MALL AT FM2004; ILLUMINATE EXIT OF WAL MART NEAR GAS PUMPS; ENLARGE LEFT TURN LANE ON DIXIE DRIVE AT OYSTER CREEK DRIVE; AND ENCOURAGE PERSONS NOT TO WALK ON ROADWAYS

Bob Casale, 322 Huckleberry stated he used to be on the water board representing Freeport. He presented a cup that he puts his toothbrush in each night and asked that the city test the cup. (the cup showed some sort of scale inside) He felt those that run the water board should know what we are receiving from them.

Mayor Roznovsky stated that staff should come by to take a sample.

Mr. Mundo stated the sample is typically taken from outside the home.

Mr. Casale said he has been trying to get a light at the corner of Brazos Mall at FM2004. He has turned into the exit portion at night. He said he spoke with the Mall manager in the past and they spoke with TxDot as well. TxDot will not get involved. It would be between the city and the Mall and he asked that the city follow up on that issue.

Mr. Casale stated that the exit at Wal Mart near the gas pumps needs to be illuminated, it is too dark.

Mr. Casale said the double left turn onto Oyster Creek Drive and Dixie is too narrow. He suggested that a portion of the median on Oyster Creek Drive be removed to allow an easier turn.

Mr. Casale said this is the 3rd time he has been presented Council to asked for support to end unwanted

phone calls. He felt this was the most criminal activity in the world. He has spoken with our US Congressman along with others and did not get anywhere. He asked for a meeting to be put together with the cities and the county to address this. He asked that a committee be formed to address this issue.

Mayor Roznovsky said that the state legislature meets this year and the Representative Vasut met with himself and staff. They did pass on to him the concerns of the Robo Calls. He has not check yet to see if there is legislation already in the works to stop this. Mayor Roznvosky stated he could write letters.

Mr. Casale stated he would like to see a letter signed by all the cities.

Mr. Mundo stated he spoke to the area engineer for TxDot and said the Mall did put a light up, but had to put it on their property and not highway right of way. CenterPoint has a pole near the intersection and have been asked to put a light on the pole. CenterPoint nor the city can put a light in highway right of way.

Mr. Mundo asked the area engineer if they would look at the issue one more time.

Mr. Mundo stated the issue was the same at the Wal Mart location.

Mr. Mundo stated staff would look at the intersection of Dixie Drive and Oyster Creek Drive.

Mr. Mundo stated the water at Mr. Casale's house would be sampled tomorrow.

CONSIDER REQUEST FROM CHUCK COURSON TO ALLOW THE KEEPING OF CHICKENS WITHIN THE CITY LIMITS OF LAKE JACKSON

Chuck Courson, 118 Clover asked if Council would be interested in allowing the keeping of up to 6 chickens inside a single family dwelling within the city limits.

Sherri Russell stated there are two bills in legislature HB 1682 and SB 1080 right now that if passed would allow 6 chickens, rabbits and bees.

Mr. Courson asked if the city had to wait on legislature to approve the keeping of chickens.

Ms. Russell stated it would be best to ensure that what the city passed was not different from the new legislature

David Johnson, 61 Hollyhock Court was present to speak against the keeping of chickens. He asked if it passes at the legislature would the city have to allow it.

Ms. Russell stated that the city would have to allow it if passed by the legislature but could set some stipulations such as distance to neighboring property.

Mr. Johnson said it is a nuisance and has reported people in the city already that have had chickens. His backyard is really nice, and he could not imagine having chickens right across the fence. There is a place for that, but not in the city.

DISCUSS AND CONSIDER REPEALING ORDINANCE 99-1606 SENIOR CITIZENS COMMISSION TO REPLACE THE CURRENT SENIOR CITIZEN COMMISSION WITH A SENIOR PROGRAM ACTIVITY ADVISORY COMMITTEE

Jeremy Bubnick, Parks and Recreation Director presented the following for consideration:

The Senior Commission was formed in 1999 with 5 or more Council Appointed Members with the Powers and duties of:

- 1.) To recommend to the City, for adoption, legislative or administrative changes with regards to issues affecting or improving the quality of life for all citizens of Lake Jackson.
- 2.) To recommend to the City changes that will improve the quality of life and services to the senior citizens of Lake Jackson.
- 3.) To encourage citizen involvement and participation
- 4.) To initiate studies and study new forms of technology
- 5.) To develop programs within the City government and the community which will aid in improving the quality of life.
- 6.) To make an annual report to the City Council showing the activities of the Commission for the current year.
- 7.) To perform such other duties and be vested with such other powers as the City Council shall from to time authorize.

Over the years the focus of the group has evolved to basically a Senior Activity Committee (Item #5). In fact, in February of 25, 2010 the Commission adopted a new Mission Statement that reflected the evolution. "Our Mission is to enrich the lives of Lake Jackson Seniors through social activities, community outreach, and relevant informational seminars".

In October 2019, the Parks & Recreation Department was reorganized to include the Civic Center, Golf Course, Parks and Recreation. The goal at that time was to bring all parks and recreation type services under one umbrella and improve our service delivery to the citizens.

In January 2021, Parks & Recreation Department took the next step reorganization by redistributing programming duties with the continued goal of improving service delivery. Mallory Doyle was promoted to be the new Civic Center Manager and Brenda McGough was promoted from Civic Center Secretary to Recreation Coordinator – Senior & Enrichment Programs. We are excited about this new team and most importantly having a professional staff member focusing on creating programs and activities for the senior population. With this change we plan to make major improvements and expand the variety and number of recreation opportunities for seniors. Although we value all the work the Commission has previously done to organize such activities, we will be able to offer so much more with a dedicated professional staff member. The funds that were previously managed by the Senior Commission (\$25,000 annually) will now be managed by the Recreation Coordinator who will plan a wide variety of activities, seminars, classes, trips, dances, bingo, etc. This will also lesson the burden and some of the negativity past commission members had endured due to their roles and responsibilities to choose programs and manage the funds.

Recommendation:

Due to the shifting of the actual programming and budget management to the new Recreation Coordinator, staff recommends repealing Ordinance 99-1606 and replace the Commission by creating a Senior Program Advisory Committee to work with the Civic Center staff (specifically the Recreation Coordinator – Senior & Enrichment Programs).

Summary:

This is a positive change that will allow more seniors to have a voice in planning and recommending different activities as the committee will not be limited in size. Members will no longer need to be appointed by City Council annually which will allow for open participation by all who want to get involved. We envision the new committee meeting quarterly. Also, with these changes we will begin having a senior dedicated section in the Fun Illustrated help promote the services to all the citizens of Lake Jackson.

On motion by Council member Buell second by Council member Singhania with all members present

voting “aye” approval was granted for an ordinance to be brought back to repeal ordinance 99-1606 and to create a Senior Program Activity Advisory Committee.

DISCUSSION OF APPROVING A CONTRACT WITH VEPO, LLC, FOR THE IMPLEMENTATION AND ADMINISTRATION OF A CITY-WIDE BACKFLOW PREVENTION PROGRAM FOR COMMERCIAL ESTABLISHMENTS AND A CUSTOMER SERVICE INSPECTION PROGRAM

David Walton, Building Official presented this agenda item. He stated this is required by TCEQ.

Sabrina England, Public Works Director presented the following for consideration:

As per TCEQ in Title 30 Texas Administrative Code (30 TAC), Chapter 290.sec and the IPC (International Plumbing Code) Sec 680, backflow preventers must be installed on all potable water systems. The city proposes to contract with VEPO, LLC to administer this program. Vepo, LLC will store completed inspections, verify inspector licenses, gauge calibration and alert customers when their inspections are due so they may stay in TCEQ compliance. There is no cost to the city.

On motion by Council member Broaddus second by Council member Baker with all members present voting “aye” approval was granted for a contract with VEPO, LLC for the implementation and administration of a city wide backflow prevention program for commercial establishments and a customer service inspection program.

AUTHORIZE CITY MANAGER TO EXECUTE CONTRACT WITH HR GREEN FOR DESIGN AND ENGINEERING OF WATER GROUND STORAGE TANK MIXERS IN THE AMOUNT OF \$44,200

Sabrina England, Public Works Director presented the following for consideration:

HR Green has proposed a water improvement plan based on the water quality stability in Lake Jackson. This proposal has been broken into three phases. Phase 1 consists of adding four water storage tank mixers at our ground storage tanks (2 at Oak Drive and 2 at Beachwood) to assist with preventing water stratification. Stratification occurs when water with different properties form layers which can lower water quality. The mixers will agitate the water to break these layers and allow for a reduction in chemical dosage resulting in increased quality and a savings in chemical costs.

The preliminary engineering recommendations for installing properly sized ground storage tank mixers will be the scope of the phase 1 engineering task. HR Green will:

- Collect maps, drawings, specifications, reports, water quantity/quality data, and other pertinent information from CLIENT and COMPANY records.
- Hold regularly scheduled internal progress meetings with HR Green staff to address coordination items, project status, and keep project on schedule.
- Provide project management throughout the duration of the project.

On motion by Council member Singhania second by Council member Buell with all members present voting “aye” authorization was granted for the city manager to execute a contract with HR Green for the design and engineering of water ground storage tank mixers in the amount of \$44,200.

AUTHORIZE CITY MANAGER TO EXECUTE CONTRACT WITH HR GREEN INC FOR THE DESIGN AND ENGINEERING OF THE BEECHWOOD CHEMICAL STORAGE BUILDING IN THE AMOUNT OF \$58,700

Sabrina England, Public Works Director presented the following for consideration:

HR Green has proposed a water improvement plan based on the water quality stability in Lake Jackson. This proposal has been broken into three phases. Phase II consists of upgrading of the city's chlorine program at the Beechwood water facility. This resubmittal encompasses an addendum showing upgraded equipment, piping, and upgraded chemical dosage capacity. This proposal will allow for better water quality by allowing the operators greater control and allow the city the capacity to respond to various events. The preliminary engineering recommendations for this project will be the scope of the phase II engineering work. We anticipate a final proposal delivery within nine (9) weeks upon Notice to Proceed.

On motion by Council member Broaddus second by Council member Baker with all members present voting "aye" authorization was granted for the city manager to execute a contract with HR Green Inc for the design and engineering of the Beechwood Chemical Storage Building in the amount of \$58,7000.

APPROVE THE PURCHASE OF LAKE JACKSON FIRE STATION #1 GENERATOR FROM LOFTON EQUIPMENT THROUGH BUY BOARD CONTRACT #577-18 IN AN AMOUNT NOT TO EXCEED \$115,000

Will Ammons, Fire Marshal presented the following for consideration:

Removal and replacement of the station 1 generator. The station 1 generator is a 2004 Generac installed during the construction of station 1. The generator has seen use in various emergency situations that have arisen in the city. During the winter storm in February 2021 the generator failed to operate. Lake Jackson EMS was not able to function in the building and had to relocate to the LJPD. The lack of power placed fire station 1 at risk for serious risk to damage of the fire sprinkler system as well as the entire fire fleet. For several years, the generator has undergone numerous repairs to maintain operational readiness. Many parts for this model generator are no longer produced, adding to the increase in maintenance costs. In the past twelve months the generator repair and rental costs have been more than \$20,000.

Staff would like to replace the current unit with a Kohler unit. There is a lead time on the generator of approximately twenty to twenty-two weeks. The installation will take approximately three days. The new unit will include a 5-year extended warranty. The company we would like to purchase from is Lofton Equipment and the unit will be installed by Coastal Power Products, a local company out of Danbury.

On motion by Council member Baker second by Council member Singhania with all members present voting "aye" approval was granted for the purchase of the Lake Jackson Fire Station #1 generator from Lofton Equipment through the Buy Board Contract #577-18 in an amount not to exceed \$115,000.

RESOLUTION AMENDING THE FY 20-21 EQUIPMENT REPLACEMENT FUND FOR THE PURCHASE OF A GENERATOR AT FIRE STATION #1 IN THE AMOUNT OF \$115,000

On motion by Council member Singhania second by Council member Buell with all members present voting "aye" a resolution amending the FY 20-21 Equipment Replacement Fund for the purchase of a generator at Fire Station #1 in the amount of \$115,000 was passed.

RESOLUTION APPROVING THE FY 20-21 YEAR END TRANSFERS FROM THE UTILITY FUND TO THE UTILITY FUND PROJECTS IN THE AMOUNT OF \$1,800,000 AND FROM THE GENERAL FUND TO THE GENERAL FUND PROJECTS IN THE AMOUNT OF \$1,400,000

Despite the Pandemic, the city finished 2020 in very good financial condition. With the onset of the pandemic, staff was unsure of what the revenues might be. Staff cut back on expenditures where they could and filling of vacant positions became very difficult. For the General Fund, revenues budgeted were \$22,340,112 and projected (during the 20-21 budget preparation) \$20,827,135. The city actually finished FY2020 at \$21,503,550, much better than the projection but still short of the original budget by \$836,562.

Expenditures were projected \$20,826,869 at. The city ended the year at \$20,015,418. A total of \$2,324,694 under the original expenditure budget. This was a net of \$1,488,132 to the good. Therefore, the recommended transfer of \$1,400,000 from the General operating Fund to the General Projects Fund.

Net Sales tax ended the year down from budget only 3.4% (\$234,000). Franchise taxes and Building Permit revenue more than made up this deficit. The remainder of the revenue deficit resulted from closures of the Recreation Center and Civic Center and a decrease in interest earnings.

The expenditure savings occurred primarily in the Police Dept 467,000, Fire Dept \$160,000 Street Dept \$187,000, Drainage Department \$468,000, Parks \$110,000, Recreation \$326,000, KLJB \$34,000, Garage \$104,000 and Civic Center \$110,000.

\$965,870 came from a reduction in salaries and overtime. Another \$350,000 was from benefits. These savings numbers include \$193,973 in COVID Leave and \$43,000 of Police salary moved to the Cares Act Fund. They were funded by the Cares Act.

In the Utility Fund, Revenues were over budget by \$924,000. This takes into consideration that \$589,000 of credits were funded by the Cares Act. On the expenditure side the city was under budget \$1,100,000. Staff is recommending a transfer of \$1,800,000 from the Utility Fund to the Utility Projects Fund.

On motion by Council member Broaddus second by Council member Singhanian with all members present voting "aye" a resolution approving the FY 20-21 year end transfers from the Utility Fund to the Utility Fund Projects in the amount of \$1,800,000 and from the General Fund to the General Fund Projects in the amount of \$1,400,000 was passed.

RESOLUTION AMENDING THE FY 20-21 BUDGET FOR CARRY OVER PROJECTS THAT WERE NOT COMPLETED IN THE FY 19-20 BUDGET

Funding for capital projects has always been viewed to be for the duration of the project. Each year the current General Projects, Utility Projects, Economic Development Fund and Equipment Replacement Fund Budget are amended 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 Singhanian second by Council member Buell with all members present voting "aye" a resolution amending the FY 20-21 Budget for carry over projects that were not completed in the FY 19-20 Budget was passed.

RESOLUTION AMENDING FY 20-21 GENERAL PROJECT FUND BUDGET TO INCREASE THE PROJECT BUDGET FOR THE SHYOND OUTFALL BY \$415,000 MAKING THE TOTAL PROJECT \$815,000

For FY 2020-2021, City Council originally approved \$400,000 for the Shyond Drainage Pipe Repair out of the General Project fund budget. The project was presented after the Velasco Drainage District had formulated a plan to rehab their part of this outfall at the gates to Oyster Creek. The budget was based on a previous interlocal agreement job in March 2019 on their Huckleberry gate outfall where our part was estimated by VDD as \$400 plf of 60" pipe. Actual final cost of \$520 plf. However, in June 2020, VDD rejected the bids because of a higher cost plf and a lack of responsiveness to specs. This budget amendment is now based on the City's own engineering detailed cost estimate considering all previous data with current cost index adjustments.

When it was originally presented, staff was aware that it would likely need additional funds in the future but intended to use available savings in the bond projects should that be required. However, at this time staff would prefer to utilize other savings, rather than the aforementioned bond savings, until the Downtown Revitalization Phase 3 project is bid, and we have a better cost estimate for it.

Therefore, at this time, we are asking for Council to amend the General Project Fund by adding an additional \$415,000 to the Shy Pond Drainage Project. The proposed budget is made up of \$71,000 for design, \$709,000 for construction, and \$35,000 for contingencies. For reference of changes to project scope, below is the original project description along with the newest addition.

Original:

“Reline 980 lf of 1-60" CGM pipe at outfall of Shypond Drainage System (West Barrel-Highway side) and spot repair of east barrel-barrier wall side. VDD inspection indicates the structural failing of both pipes that had been corroding and patched up in the past. The condition recommends that the pipe be replaced with 60" rcp, open channel or restored by trenchless fiberglass thermoset linert application. 2020 video inspection indicated the corrosion and deterioration of the metal and ovalization of the barrels where pipe structural failure is possible. The west barrel indicated the most ovalization and the most flowline pooling, an indicator for most corrosion potential along the static waterline. The east barrel also showed similar activity but to a reduced and lesser cause for concern. A spot repair treatment for this run may maintain the integrity of this for some time in the future.”

New Addition:

“This project will be partnered with the VDD to include a repair of their 2-60"x 100 lf gated outfall leads to Oyster Creek which is estimated at \$115,000 and included as part of the overall project cost. It also includes a concrete junction box that was necessary to repair a pipe bend failure and facilitate the lining entry to the pipes. This was disregarded in the previous VDD bid estimates and made evident in their previous bid effort.”

On motion by Council member Baker second by Council member Broaddus with all members present voting “aye” a resolution amending FY 20-21 General Project Fund Budget to increase the project budget for the Shypond Outfall by \$415,000 making the total project \$815,000 was passed.

CONSTRUCTION PROJECTUPDATES

- a. Construction Funds Financial Update
- b. General Fund Projects
- c. Utility Fund Projects

ITEMS OF COMMUNITY INTEREST

Council member Broaddus said a young citizen asked about the status of the skate park. Mr. Bubnick stated the contractor is looking at January of 2022 to begin construction.

Council member Singhania said there is a situation by Chicken Express where there is a large trash dumpster that blocks the view of the traffic. Sal Aguirre stated staff can voice the concern to the business.

Mayor Roznovsky said he attended the Lions Club Saturday morning at 10:00 and one of their programs that interested him. They are collecting soft plastic and the companies that make furniture from recycled materials use it. We currently have two park benches made of this product.

ADJOURNMENT

There being no further business the meeting adjourned at 9:06 p.m.

These minutes read and approved this _____ day of _____ 2021.

Gerald Roznovsky, Mayor

Alice Rodgers, City Secretary