

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 20, 2022, at 6:30 p.m. in Regular Session at 25 Oak Drive, Lake Jackson, Texas, Lake Jackson City Hall with the following in attendance:

Rhonda Seth, Mayor Pro-Tem
Vinay Singhania, Councilmember
Matt Broaddus, Councilmember
Jon "J.B." Baker, Councilmember

Absent:
Mayor Roznovsky

Attended via videoconference:
Chase Blanchard, Councilmember

Meagan Borth, Assistant City Manager
Sherri Russell, City Attorney
Sally Villarreal, City Secretary
Milford John-Williams, Asst. to the CM
Sal Aguirre, City Engineer
Robin Hyden, Parks and Rec Director
James Bryson, Finance Director
Sabrina England, PW Director
Paul Kibodeaux, Police Chief
Lora-Marie Bernard, PIO

PLEDGE OF ALLEGIANCE

Councilmember Broaddus led the pledge of allegiance.

INVOCATION

Councilmember Baker led the invocation.

VISITORS COMMENTS

There were no visitor comments.

PRESENTATIONS

Lora-Marie Bernard was recognized for her outstanding work and receiving the Texas Association for Municipal Information Officers (TAMIO) Best Small Shop Award.

Ms. Bernard thanked staff and council for their support and vision for improving communications.

DECLARATION OF CONFLICTS OF INTEREST

There were no conflicts of interest.

CONSENT AGENDA

1. Approval of minutes – June 6, 2022
2. Accept Board and Commission minutes:
 - a) Museum Board 061421
 - b) KLJB 041922
 - c) Library Board 021522
3. Accept resignation from Planning Commission member, Joe Rinehart

4. Discuss and approve an amendment to the Lift Station 1 preliminary engineering project with Kimley-Horn for an additional amount of \$16,700 (revised not to exceed total \$93,000)
5. Authorize City Manager to execute a contract with Prime Controls for Lift Station SCADA monitoring upgrades through GSA Contract GS-35F-0455W in an amount not to exceed \$108,688
6. Approve Resolution No. 897 amending the PEG fund in the amount of \$49,000 for the streaming upgrades in Council Chambers

On motion by Councilmember Singhania seconded by Councilmember Baker with all present members voting "aye," the consent agenda was approved as follows:

1. Approval of minutes – June 6, 2022 - *approved*
2. Accept Board and Commission minutes: *accepted*
 - a) Museum Board 061421
 - b) KLJB 041922
 - c) Library Board 021522
3. Accept resignation from Planning Commission member, Joe Rinehart - *accepted*
4. Discuss and approve an amendment to the Lift Station 1 preliminary engineering project with Kimley-Horn for an additional amount of \$16,700 (revised not to exceed total \$93,000) - *approved*
5. Authorize City Manager to execute a contract with Prime Controls for Lift Station SCADA monitoring upgrades through GSA Contract GS-35F-0455W in an amount not to exceed \$108,688 - *approved*
6. Approve Resolution No. 897 amending the PEG fund in the amount of \$49,000 for the streaming upgrades in Council Chambers – *approved*

DISCUSS AND CONSIDER WAIVING CIVIC CENTER RENTAL FEES FOR AUGUST 5 – 6, 2022 FOR THE DINOSAUR GEORGE EVENT BEING HELD ON SATURDAY, AUGUST 6, 2022

Ms. Borth explained that Ms. Coker was requesting the fees be waived for the Dinosaur George event. Ms. Borth also stated that staff did not believe this event met the Public Purpose Test, but an option would be the city could co-sponsor the event since it already allocates funds for museum every year through the Hotel Occupancy Tax. This is something that the city has been able to do in the past with other organizations. They would still be responsible for the cleaning fee.

Wanda Coker, President of Brazosport Museum of Natural Science– 202 Canyon Oak Drive

Ms. Coker shared that this is a full museum and they do not have the room for it.

It is an opportunity for the community to see prehistoric evidence of dinosaurs and other animals.

This museum is laid out in an educational way. It has never been in Brazoria County as a fully laid out museum.

Ms. Coker shared that they will be sponsoring the Dream Center by asking for donations via food items, school supplies or even a cash donation. A donation would not be required to enter. Ms. Coker expected this event to bring in a lot of people from surrounding counties.

The traveling museum charges \$3,500 plus travel and lodging that the Brazosport Museum of Natural Science will be paying for. She stated this is an all-volunteer museum with a yearly income being between \$10,000 to \$13,000 strictly through memberships, small store, and donations.

Mayor Pro-Tem Seth asked how this event was being advertised.

Ms. Coker stated they do a lot of their advertising through Facebook and through The Center of the Arts and Sciences FB and website. Dinosaur George also advertises on his website, and it reaches a lot of people.

Ms. Coker said the event is in the Ballroom at the Civic Center on Saturday, August 6, 2022 at 10:00 a.m., but was not sure what the cut off time would be.

Ms. Borth stated the co-sponsor would waive the rental fees, but the museum would have to take care of all cleaning fees.

Councilmember Baker asked Ms. Borth to explain how the co-sponsorship works.

Ms. Borth said if council agreed to the co-sponsorship, the museum would put the city on all marketing material. This event fits perfectly since the city already provides money to them through the Hotel Occupancy Tax. They would just be giving back money the city has already given them.

Mayor Pro-Tem Seth also suggested to Ms. Coker to consider partnering with local businesses.

Ms. Coker said she had not thought of that. She did share that she reached out to the LJ Historical Museum, but they did not feel it was their type of event, but they were more than happy to help advertise.

On motion by Councilmember Broaddus, seconded by Councilmember Baker with all members voting "aye," it was agreed to co-sponsor the Dinosaur George event therefore waiving rental fees.

DISCUSS AND CONSIDER APPOINTING NEW MEMBER TO THE PLANNING COMMISSION TO FILL THE UNEXPIRED TERM OF JOE RINEHART

Four candidates were present to interview for the Planning Commission vacancy.

Shannon Biar – Mr. Biar currently serves on the Traffic Commission. He would like to become more involved and serve on the Planning Commission.

Kay Aplin – Ms. Aplin shared that she has served on many commissions within the county. Ms. Aplin has been a business owner for 30 years and has been involved with subdivision developments. She has opened her business to essential workers during natural disasters.

Susan Buell - Ms. Buell would like to be a voice for the preservation of trees. She has concerns about past developments and clear-cutting large trees. Ms. Buell also shared that it would be nice to have a female's perspective on the Planning Commission.

Jesse Glatz – Mr. Glatz has served on the Zoning Board of Adjustments and the Charter Review Commission for the City of Lake Jackson. He has attended the Planning Commission meetings for the last four months along with other key meetings.

Each candidate explained their experience and why they were interested in filling the vacancy.

Councilmember Singhania motioned to appoint Kay Aplin to fill the unexpired term of Joe Rinehart on the Planning Commission, seconded by Councilmember Broaddus with all members voting "aye," motioned carried.

DISCUSS AND CONSIDER BUILDING LEASE WITH SPCA OF BRAZORIA COUNTY – MODESTO MUNDO

Ms. Borth stated the city is in the process of trying to build their own animal control facility, however the SPCA has offered to work with the city on a monthly basis until it is built. The SPCA is planning to do a substantial number of renovations to the property in the near future.

The SPCA is requesting to do a 20-year term which would start once the renovations are complete with an agreeable extension period of five years. The lease payment would be \$1,000 per month, and they would pay for insurance. These are terms that have already been worked out.

Beate Damm explained that the SPCA recognizes the contract between them, and the cities will expire in 2023 and they would be looking for a building. At that time, an initiative was started with donations thought to put together for funding a new building. At that time, the City of Lake Jackson offered to provide property near the mulch center. This area is now going to be used for the new center the city is building. Mr. Mundo reached out to Ms. Damm to inform her the city was thinking about using that property for their new facility. This is when they thought about remodeling the existing building and investing their money and funds to make it a decent animal shelter for the SPCA. Since the SPCA will be investing an approximate \$1.5 million the building, they are asking for a 20-year lease.

Ms. Borth noted this building will not be used for anything else. The city is pleased that the SPCA is willing to work on a month-to-month basis until the completion of the city facility.

Ms. Russell explained how the property would be sold in the future if the SPCA was interested. It must go through a bidding process open to all.

Councilmember Singhania noted that the Lake Jackson center would be a holding facility and not an SPCA type of facility. Having the SPCA close by will benefit the city.

Ms. Russell asked for clarification on the insurance. Ms. Borth stated the city would pay the insurance and the SPCA will reimburse the city. Ms. Borth also noted that TML would be fine with another tenant in the building.

Ms. Damm stated the SPCA board would no longer be active.

Ms. Russell asked for clarification on the terms of the lease.

Ms. Borth stated it would be an initial 20 years with five-year increments after that, if agreed by both parties.

Ms. Damm stated they are interested in the building since they are investing in it.

Councilmember Blanchard asked if there was a need to put in a provision that if something were to happen both parties agree to walk away. It was explained this is what the five-year extensions would be for.

Ms. Russell asked if the building would just be renovated or is there planned expansions.

Ms. Damm noted renovations would include adding on to the building where the runs are currently and moving those runs further out and adding additional parking. Ms. Damm stated there is a need for a quiet space for cats.

Councilmember Singhania suggested getting these changes platted. Ms. Damm agreed on doing this.

Ms. Russell wanted to add to the lease that city council will need to approve any expansion. Ms. Russell suggested bringing expansion plans to council for their approval since it is city property.

On motion by Councilmember Singhania, seconded by Councilmember Broaddus with all members voting "aye," the 20-year building lease with the SPCA Brazoria County with the addition of discussion on boundary changes was approved.

DISCUSS AND CONSIDER ORDINANCE NO. 2250 DESIGNATING THE INTERSECTION OF LARKSPUR AND DOGWOOD AS A ONE-WAY STOP

Ms. Russell stated there are yield signs there currently. This ordinance would install two stop signs on Larkspur and not on Dogwood.

Ms. Borth read the ordinance caption.

Councilmember Broaddus asked if this should be a two way stop.

Ms. Russell stated she would bring this back as a two way stop on second reading.

Councilmember Singhania did not think changing a yield sign to a stop sign would fix the problem.

Councilmember Baker asked what brought this discussion up. Chief Kibodeaux stated there have been traffic concerns at this intersection and residents are concerned. There have been reports that vehicles have pulled out in front of Dogwood traffic from Larkspur.

Councilmember Broaddus asked if there has been a study for residential tracking since people have been working from home since Covid. Chief Kibodeaux said no, but he offered to bring information back if council desired.

Councilmember Baker asked if there has been input for the citizens regarding the stop signs.

Councilmember Singhania noted that the Traffic Commission recommended the stop signs. The Traffic Commission reviewed traffic counts and reviewed the data.

Ms. Borth also noted this recommendation was because of analytical data from the study and not public feedback. Ms. Borth offered to bring this back to a future meeting and send residents a survey if council agreed.

Mayor Pro-Tem Seth stated she was comfortable with moving forward with the Traffic Commission recommendation.

On motion by Councilmember Singhania, seconded by Councilmember Broaddus with Councilmembers Seth, Broaddus, Singhania and Blanchard voting "aye," and Councilmember Baker voting "nay," Ordinance 2250 designating the intersection of Larkspur and Dogwood as a two-way stop was approved on first reading.

APPROVE CHANGE ORDERS 5-9 AN INCREASE OF \$88,341.66 FOR PHASE 3 OF THE DOWNTOWN REVITALIZATION PROJECT

Ms. Borth stated council approved change orders 1-4 at a previous meeting.

Ms. Borth went over the following change orders.

Change Order	Description	Amount
5	Install long sanitary service leads that were not accounted for in original bid documents.	\$53,234.90
6	Replace 8-inch cast iron water pipe under new pavement and reinstall deeper to clear the proposed RCP flow line.	\$22,026.56
7	Install direct traffic junction box lid and minor adjustments to proposed pavement elevations.	\$2,783.53
8	To correct an oversight in drainage conditions not captured in survey elevations. Install three drain outlets to collect water trapped by the new sidewalk in front of 108 That Way.	\$8,589.76
9	Change the expansion and control joint layout of the intersection to a layout proven to work as desired. Requested by Engineering staff.	\$1,706.91

Councilmember Broaddus asked what percentage of the project has been completed.

Ms. Borth stated the first phase of drainage and utilities is almost complete.

Mr. Aguirre stated about 30% of the overall project is complete. Most of the setbacks that have brought these change orders have been underground issues. Now that the primary underground is completed there should not be many more changes. The remaining contingency money should cover the remaining of the project.

Councilmember Blanchard asked for clarification on the contingency money. He wanted to ensure the \$1.1 million of contingency money was a part of the bond money. Ms. Borth stated it is, but it was not part of the actual contract, so it must come back to council for approval.

On motion by Councilmember Broaddus, seconded by Councilmember Baker with all members voting “aye,” change orders 5-9 an increase of \$88,341.66 for Phase 3 of the Downtown Revitalization Project were approved.

CIP UPDATE – MEAGAN BORTH

Ms. Borth stated this would be the final update before the Saturday budget workshop with council.

The only changes that have been made since the last meeting are below.

- Utility Projects Fund - OT for \$300,000. Mr. Mundo would like to allocate \$300,000 of the Covid second round money to the recycling staging facility. This will cover engineering and design work.
- General Projects Fund – Replace Fire Truck 828 - \$900,000 down payment. The truck is valued at \$2.1 million dollars. Lead time is over for fire trucks right now.
- General Projects Fund – Business Façade Grant Program - \$200,000 to bookmark program.

Mayor Pro-Tem Seth asked when the city could expect to receive the remaining Covid money. Ms. Borth stated the city has already received the first part which is \$3.3 million. There is about \$1.5 remaining with the rest going to CIP.

Ms. Borth informed council this is the time to suggest any changes or projects. This is not for approval, but merely to let council know of the changes.

CONSTRUCTION UPDATES

Mr. Aguirre updated council on construction updates.

Mayor Pro-Tem Seth stated that the city must help downtown business owners maintain access to their businesses.

Mr. Aguirre stated the project manager with Kimley Horn has been in contact with the Engineer and working on schedules and access plans. Ms. Borth added that city staff will be having monthly meetings with business owners.

Ms. Borth informed council to expect a change order to remove a large tree in front of LJ Flower Shop. The tree is partially dead, and roots are causing problems with the concrete. There are three businesses requesting that the tree be removed and potentially replaced with something smaller and more manageable.

Ms. Hyden stated the skate park is almost done. There will be a soft opening at the end of July, but Ms. Hyden would like to plan something bigger and nicer for another date.

ITEMS OF COMMUNITY INTEREST

Councilmember Baker reminded everyone that there will be an unveiling of the PC Miller sign on July 28, 2022 at 5:00 p.m.

Mr. Baker also added that the Friday night concerts have been great.

Mayor Pro-Tem Seth shared that she attended the Chicken Salad Chick ribbon cutting.

EXECUTIVE SESSION – No Executive Session was held.

ADJOURNMENT

There being no further business the meeting adjourned at 7:50 p.m.

These minutes read and approved this 5th day of July 2022.

Gerald Roznovsky, Mayor

Sally Villarreal, City Secretary