

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

Gerald Roznovsky, Mayor
Buster Buell, Mayor Pro Tem
Vinay Singhanian, Councilmember
Rhonda Seth, Councilmember
Jon Baker, 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
Jeremy Bubnick, Parks and Recreation Director
Will Ammons, Fire Marshal
Jose Sanchez, Personnel Director
Milford John-William, Asst. to City Manager
Lora-Marie Bernard, PIO

PLEDGE OF ALLEGIANCE

Councilmember Singhanian led the pledge of allegiance.

INVOCATION

Councilmember Baker led the invocation.

VISITORS COMMENTS

There were no visitor comments.

COMMENDATIONS

There were no commendations.

DECLARATION OF CONFLICTS OF INTEREST

There were no declarations of conflicts of interest.

CONSENT AGENDA

- A. APPROVAL OF MINUTES – JULY 6, 2021
- B. ACCEPT BOARD AND COMMISSION MINUTES
 - 1. PLANNING COMMISSION MINUTES 060121
 - 2. LAKE JACKSON DEVELOPMENT CORPORATION MINUTES 021320

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

- A. APPROVAL OF MINUTES – JULY 6, 2021 - approved
- B. ACCEPT BOARD AND COMMISSION MINUTES - accepted

1. PLANNING COMMISSION MINUTES 060121
2. LAKE JACKSON DEVELOPMENT CORPORATION MINUTES 021320

PUBLIC HEARING TO REZONE BLUNCK SUBDIVISION TRACT 64D & REPLATS OF LOT 2-3 (1.3056 ACRES) AT 137 DIXIE DRIVE FROM B-1 (NEIGHBORHOOD BUSINESS) TO C-1 (COMMERCIAL) MADE BY DAN BAUGH FOR A PROPOSED GUITAR DISTRIBUTION BUSINESS "CALIDO GUITARS"
Mayor Roznovsky opened the public hearing at 6:33 p.m.

Sal Aguirre gave an overview of this request and explained the location of the property. He stated this was before the Planning Commission for public hearing and recommendation from the commission is made to rezone this property

Dan Baugh 132 Lily, presented the following:

Family business started July 2012

- Currently located at 1602 Old Angleton Road, Clute, Texas
- Retail business specializing in Classical Guitars, but also other guitars, ukuleles, and accessories
- Sales are primarily online
- Repair services and walk-ins/appointments < 10% of sales
- About 10% of sales are to schools
- Significant donations to teachers, teacher training, and to school programs each year

Development of the lot is well planned and should be a very positive addition to the Dixie Drive location

- Future plans are for the family to continue to run and continue to grow and develop the business model
- Low traffic
- Currently 5 employees
- Hours are typically 9:00 – 3:00, Monday – Friday
- Plenty of parking and space for additional parking if ever needed
- Adjacent business/church are well separated from the planned building

About Calido Guitars

Cálido Guitars specializes in Classical Guitars at all levels – from beginner student guitars to world class concert guitars handcrafted by master luthiers.

Our Store and Customer Service

We are authorized dealers for Master Luthiers Jorgé Rafael-Nascimento of Brazil, Yulong Guo of China, Francisco Navarro of Mexico, Kenny Hill of the USA, Guitarras Estevé of Spain, for Cordoba Guitars, for Guild Guitars, for Stagg Guitars, for Ortega Guitars, for Kremona Guitars, and for James Neligan Guitars. We also provide guitars at several levels under the Cálido label.

Not sure which instrument is right for you? Having trouble picking the right guitar and need help choosing? Contact us at any time for professional advice. We are happy to walk you through your options, daniel@calidoguitars.com. You can buy a guitar anywhere, but our customers love us because of our great customer service.

Business Operations description:

Cálido Guitars is primarily an online business that purchases guitars from distributors in the USA or imports directly from makers both in the USA and from other countries. We also carry some accessories for guitars.

About 20% of our sales are to schools all across the USA. +70% of our sales are online from our own website and other seller websites. We also do some sales and repairs for local customers on an appointment only basis.

After receiving the guitars, we do a complete setup of the guitars prior to shipping to the customers. This involves adjustments to the guitar string height and neck relief to improve the playability of the guitars. The facility we are building will not be open to the public except on an appointment only basis. The building includes an office, a break room for employees, a work room for setting up guitars, a room for shipping, a room for photography and videography, and airconditioned warehouse space

Councilmember Seth asked when the project would begin and end.

Mr. Baugh stated he would like to be through by Christmas, after the rezoning they hope to get their permits as soon as possible. They are look at an opening in March.

Antonio Nievas, 53 S. Blunck said he lives right behind where this is proposed. He stated that S. Blunck floods and travel through is impossible. His concern is if a building is on this lot the drainage by-way will be closed. His main concern was drainage. He did not have an issue with the business but is concerned about drainage.

Mr. Baugh stated the building will not be located on the drainage by-way and he has an agreement with the city to have the drainage through his property.

Sal Aguirre stated Mr. Baugh has given the city permission to maintain the drainage on his property.

Mayor Roznovsky closed the public hearing at 6:50 p.m.

ORDINANCE REZONING BLUNCK SUBDIVISION TRACT 64D & REPLATS OF LOT 2-3 (1.3056 ACRES) AT 137 DIXIE DRIVE FROM B-1 (NEIGHBORHOOD BUSINESS) TO C-1 (COMMERCIAL)– FIRST READING

On motion by Councilmember Buell second by Councilmember Seth with all members present voting “aye” an ordinance rezoning Blunck Subdivision Tract 64D and replats of Lot 2-3 (1.3056 acres) at 137 Dixie Drive from B-1 (Neighborhood Business) to C-1 (Commercial) for a proposed Guitar distribution business was passed on first reading.

PUBLIC HEARING TO REZONE A 4-ACRE TRACT AT 111 FM 2004 ADJACENT AND WRAPPING BUCEES CONVENIENCE STORE FROM B-1 (NEIGHBORHOOD BUSINESS) TO T-1 (SINGLE FAMILY RESIDENCE, TOWNHOUSE) FOR THE ADLEN WOODS TOWNHOUSE DEVELOPMENT CONCEPT

Mayor Roznovsky opened the public hearing at 6:52 p.m.

Sal Aguirre gave an overview of the project

The developers are planning to build an 8-unit townhome development with approximately 35 units. The only permitted use in a T-1 zone is single family residence.

Currently, the rezoning applicant does not own the property. The closing date is Aug. 16th. So, staff has agreed to hold the public hearing and first reading of the ordinance and then hold the second reading after closing.

After sending notice to surrounding property owners, no negative comments were received.

Councilmember Singhania expressed concerns that those residents outside of the 200 feet perimeter were not notified. He stated no one has shown up for this item. He thought going forward that a sign erected on the property stating it is being considered for rezoning.

Discussion followed on postponing the public hearing and if the advertisement would need to be redone.

Mayor Roznovsky stated the rezoning of property near this location received more attendance by residents due to the low-income portion of the apartments.

Councilmember Singhania stated he is not opposing the public hearing, he just felt more notification is necessary.

Mayor Roznovsky closed the public hearing at 7:01 p.m.

ORDINANCE REZONING A 4-ACRE TRACT AT 111 FM 2004 ADJACENT AND WRAPPING BUCEES CONVENIENCE STORE FROM B-1 (NEIGHBORHOOD BUSINESS) TO T-1 (SINGLE FAMILY RESIDENCE, TOWNHOUSE)– FIRST READING

On motion by Councilmember Singhania second by Councilmember Seth with all members present voting “aye”_ordinance rezoning a 4-acre tract at 111 FM 2004 adjacent and wrapping Bucees convenience store from B-1 (neighborhood business) to T-1 (single family residence, townhouse) was passed on first reading.

APPROVE RESOLUTION DECLARING INTENTION TO REIMBURSE CERTAIN EXPENDITURES WITH BORROWING PROCEEDS IN THE AMOUNT OF \$7,600,000 FOR NEW ANIMAL CONTROL FACILITY; LIBRARY FLOORING; STREET AND DRAINAGE REPAIRS TO INCLUDE PIN OAK, NORTH SHADY OAKS AND FOREST OAKS LANE

Pam Eaves, Finance Director explained that the resolution allows the city to start on the projects prior to the bonds being sold.

Councilmember Seth asked if there was a list of expenditures.

Mr. Mundo stated that all expenditures have to be related to the project.

On motion by Councilmember Baker second by Councilmember Buell with all members present voting “aye” a resolution declaring intention to reimburse certain expenditures with borrowing proceeds in the amount of \$7,600,000 for new animal control facility; library flooring; street and drainage repairs to include Pin Oak, North Shady Oaks and Forest Oaks Lane was passed.

ACCEPT RECOMMENDATION AND AWARD LOW BID CONTRACT FOR THE DOWNTOWN REVITALIZATION PHASE 3 PROJECT FOR THE UTILITY, DRAINAGE, PAVEMENT AND STREETScape IMPROVEMENTS OF THAT WAY, CIRCLE WAY, AND NORTH PARKING PLACE TO MAIN LANE INDUSTRIES OF HOUSTON TEXAS IN THE AMOUNT OF \$7,267,190.90 AND WITH A NOT TO EXCEED AMOUNT OF \$8,357,270

After a lengthy project development process by Kimley-Horn consultants and staff, the project is approaching the much anticipated and published date of September for groundbreaking. The project bids were opened on July 7 with the following tabulated results. This was provided to Kimley-Horn for their review for accuracy, validity, and eventual evaluation of bidders for recommendation.

Company Name City / State	Base Bid Amount	Calendar Days
Calendar Days		
Main Lane Industries Houston, TX	\$7,267,190.90	365
Millis Development & Construction Missouri City, TX	\$7,736,726.44	365
Texas Wall & Landscape Houston, TX	\$8,111,087.50	365
Matula & Matula Lake Jackson, TX	\$8,173,761.23	540

Kimley-Horn Bid Cost Estimate: \$7,370,201.00
Construction Contingency (15%): \$1,105,530.00
Total: \$8,475,731.00

Staff is recommending award to Main Lane Industries as the responsive low bidder in the amount of \$7,267,190.90 with a not to exceed amount of \$8,357,270.00 which includes \$1,090,079.00 in contingency allowance.

On motion by Councilmember Seth second by Councilmember Singhania with all members present voting “aye” bid was awarded for the Downtown Revitalization Phase 3 project for the utility, drainage, pavement and streetscape improvements of That Way, Circle Way and North Parking Place to Main Lane Industries of Houston, Texas in the amount of \$7,267,190.90 and with a not to exceed amount of \$8,357,270 with making sure the integrity to the businesses is maintained so as not to interrupt business.

AUTHORIZE CITY MANAGER TO EXECUTE AGREEMENT WITH HR GREEN, INC. TO EVALUATE THE CITY'S WASTEWATER TREATMENT PLANT CONDITION AND MAINTENANCE NEEDS FOR A PRICE NOT TO EXCEED \$50,000

Sabrina England, Public Works Director presented the following:

The Dyson Campbell Water Reclamation Center was last updated in 2002. Upgrades are needed to the equipment and electrical system. We propose to have HR Green assess the overall condition of the plant, what repairs/upgrades are necessary and prioritize them to allow for future budget and project planning.

This will be just for assessment of the wastewater treatment plant equipment and electrical system. This will not be an assessment of capacity.

Councilmember Singhania asked if monies could be added to assess the project of the plant.

Mr. Mundo stated that there is a list of projects to maintain the plant that are costly. Staff wants to get the projects prioritized.

On motion by Councilmember Buell second by Councilmember Seth with all members present voting “aye” authorization was granted for the city manager to execute an agreement with HR Green, Inc. to evaluate the city’s wastewater treatment plan condition and maintenance3 needs for a price not to exceed \$50,000.

CITY MANAGER UPDATE - CUSTOMER CONVENIENCE CENTER AT MULCH SITE

Mr. Mundo stated that the city received news that the TCEQ permit has been received and there will be a soft opening tomorrow. Staff will hire a temporary employee to assist at the mulch site and direct the public where to put their trash and keep the household garbage out.

CONSTRUCTION PROJECT UPDATES

CONSTRUCTION FUNDS FINANCIAL UPDATE
GENERAL FUND PROJECTS
UTILITY FUND PROJECTS

Sal Aguirre reviewed the construction projects. Information was presented in the council packets.

DISCUSS AND CONSIDER PROPOSED FY 2021-2022 ANNUAL BUDGET AND GIVE DIRECTION TO STAFF

Mr. Mundo stated he received notice today from CenterPoint of \$321,000 bill for an ancillary charge. This is a pass through from ERCOT for the cost they incurred from the winter storm.

Discussion followed on what this cost was for and how other cities are handling this.

Mr. Mundo stated staff will be looking at how this will be paid for.

Mr. Mundo reviewed the following items:

Part-time attorney - \$40,000

Credit of \$29,646 credit from TMLIEBP for health insurance – could help fund the part time attorney

Mulch Site Road \$150,000 concrete or \$100,000 asphalt

Southern Oaks Drive overlay \$96372.80

CR 288 rebuild and overlay (county to Willow) \$90,000

CR 288 rebuild and overlay Willow to Oyster Creek Drive \$780,000

Councilmember Singhania said that due to drought conditions the joints in the roads are cracking allowing water in to destroy the subbase. He is asking council to consider putting asphalt in the corners/cracks.

Mr. Mundo stated that staff is looking to see if this is a feasible project for a contractor. Would the job be too small or how big a project would a contractor consider doing? Would this be a CIP project? Staff will bring this back.

ITEMS OF COMMUNITY INTEREST

Council member Buell thanked Ms. Rodgers for her 36 years of service.

Councilmember Singhania said they will miss the historian in Ms. Rodgers.

EXECUTIVE SESSION – IN ACCORDANCE WITH THE TEXAS GOVERNMENT SECTION 551.071(1)(A) TO DISCUSS PENDING OR CONTEMPLATED LITIGATION RELATED TO MCINTYRE V. CITY OF LAKE JACKSON

Mayor Roznovsky convened to executive session at 8:09 p.m.

RECONVENE TO OPEN SESSION

Mayor Roznovsky reconvened to open session at 8:19 p.m.

ADJOURNMENT

There being no further business the meeting adjourned at 8:21 p.m.

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

Gerald Roznovsky, Mayor

Sally Villarreal, Interim City Secretary