

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, August 1, 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:

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

Modesto Mundo, City Manager  
Meagan Borth, Asst. City Manager  
Sherri Russell, City Attorney  
Sally Villarreal, City Secretary  
Sal Aguirre, City Engineer  
Jonathan Phillips, Parks, and Rec Director  
James Bryson, Finance Director  
Sabrina England, PW Director  
Paul Kibodeaux, Police Chief  
David Walton, Building Official  
Milford John-Williams, Asst. to the CM  
Lora-Marie Bernard, PIO

#### PLEDGE OF ALLEGIANCE

Councilmember Singhania led the pledge of allegiance.

#### INVOCATION

Mayor Roznovsky led the invocation.

#### VISITORS COMMENTS

Chuck Cates – 310 Pine Street

Mr. Pine passed out a picture of a neighbor's front yard. He is seeking help in controlling or addressing the unsightly accumulation in the yard. Mr. Mundo and Ms. Borth will follow up with Code Enforcement and investigate any code violations.

#### PRESENTATIONS

Keep Lake Jackson Beautiful Awards – Ms. Bernard shared the two KLJB awards. One being the 2022 Governor's Community Achievement Award 2<sup>nd</sup> Place, and the GCAA Sustained Excellence Award. Ms. Bernard was very appreciative for the Commissions dedication and efforts.

Mr. Mundo recognized their hard work and achievement.

Mr. Jones noted how active the commission is. Ms. Lewis also shared her appreciation and how much she enjoys serving on the commission.

## DECLARATION OF CONFLICTS OF INTEREST

There were no declarations of conflicts of interest.

## CONSENT AGENDA

1. Approval of minutes – July 18, 2022
2. Accept Board and Commission minutes:
  - a) KLJB- 051722
  - b) Parks- 062122
3. Approve TIPS contract 220107-002 with National Works, Inc for Lift Station 7 Rehab in an amount not to exceed \$76,968
4. Accept resignation from KLJB Commission member, Wende Hester
5. Appoint Celeste Rogers to the KLJB Commission

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

1. Approval of minutes – July 18, 2022 - *approved*
2. Accept Board and Commission minutes: *accepted*
  - a) KLJB- 051722
  - b) Parks- 062122
3. Approve TIPS contract 220107-002 with National Works, Inc for Lift Station 7 Rehab in an amount not to exceed \$76,968 - *approved*
4. Accept resignation from KLJB Commission member, Wende Hester - *accepted*
5. Appoint Celeste Rogers to the KLJB Commission – *appointed*

## DISCUSS AND CONSIDER APPOINTING NEW MEMBER TO THE TRAFFIC COMMISSION TO FILL THE UNEXPIRED TERM OF BRAD WHITEHEAD

Council reviewed the applicants and their qualifications.

Councilmember Broaddus serves as the liaison for the Traffic Commission. He noted there were quite a few applicants with broad experience. Council was pleased to see the interest in serving on the commission.

On motion by Councilmember Broaddus seconded by Councilmember Seth with all present members voting "aye," John Leidig was appointed to fill the unexpired term of Brad Whitehead.

## DISCUSS AUTO REPAIR SHOP SCREENING

Mr. Mundo stated that Councilmember Singhania brought this to his attention.

Mr. Mundo noted the city has an ordinance in place to address parking in the grass for commercial areas. Mr. Mundo also noted that the city does not have a screening requirement for auto repair shops. However, cars should be parked in an orderly fashion. There is a requirement that there be fencing between auto shops that abut to a resident. Mr. Mundo noted that there are old auto repair shops on Plantation Drive and Willow Drive that have no mandatory fencing. The newer shops being built in commercial areas are installing fences.

Councilmember Singhania stated he brought this to the City Manager's attention because he noticed the parking lot next to the auto shop on Willow Drive that abuts to Suggs Field and an abandoned corner gas station was full of rusty junk cars with no inspection stickers.

He felt it was very unsightly and an area that could attract rodents. Councilmember Singhania is not opposed to storing vehicles while waiting on parts but did not feel it should be done in public view. He did note that it has improved from when he initially reported to Mr. Mundo.

Councilmember Seth stated the city has an ordinance that addresses the inspection stickers. She also noted that car parts are hard to get, and cars may sit in a parking lot longer than usual. It is not financially feasible for small businesses to store in a building while waiting for parts to come in.

Mayor Roznovsky stated he was not in favor of requiring all auto shops to install screening.

Mr. Mundo shared that there are two lots: (1) one platted for the building and (2) one vacant lot. The owner has been informed that parking is not allowed on the grass, and he could not use the lot as parking because it is an unplotted lot. This can be remedied by going to the Planning Commission to remove the lot line and use it, but he would still need an improved surface like other businesses.

Ms. Russell said that car inspection stickers may expire while they sit in at an auto shop waiting for an engine. The ordinance addressing inspection stickers will be very hard to enforce in these situations.

Councilmember Singhania clarified that he was not asking for screening requirements. Since he noticed the cars at the auto shop, changes have been made and he is content with what is there now.

Councilmember Baker noted this is something that could be taken care of by Code Enforcement.

City Council decided auto repair shops will stay as is with no screening requirements.

DISCUSS AND CONSIDER AWARDING RFP 22-06-002 DISASTER DEBRIS REMOVAL SERVICES TO CROWDER GULF AS THE PRIMARY CONTRACTOR AND CERES ENVIRONMENTAL AS THE SECONDARY CONTRACTOR WHO SUBMITTED THE BEST PROPOSALS AS RECOMMENDED BY THE EVALUATION COMMITTEE

Ms. England explained how the evaluation team assessed the proposals. She noted that the city has worked with both companies and are pleased with their work.

On motion by Councilmember Broaddus, seconded by Councilmember Baker with all present members voting "aye," the RFP 22-06-002 Disaster Debris Removal Services to Crowder Gulf as the primary contractor and Ceres Environmental as the secondary contractor who submitted the best proposals as recommended by the evaluation committee were awarded.

AWARD BID #22-06-010 TO VETERAN'S TOUCH FOR MUNICIPAL COURT AT \$59.53 A VISIT AND FIRE STATION #1/EMS AT \$89.81 A VISIT, AND BRAZOSPORT CLEANING PLUS FOR THE LAKE JACKSON HISTORICAL MUSEUM AT \$125 A VISIT, JASMINE HALL AT \$100 A VISIT AND THE LAKE JACKSON LIBRARY AT \$150 A VISIT

Ms. Borth indicated the city received submissions from five different companies. Currently the two facilities proposed for Veteran's Touch are happy with their services while the other three facilities are not.

Given that three facilities are not satisfied with Veteran's Touch, staff is requesting that they not select the lowest bidder for the Historical Museum, Jasmine Hall, and the library, but go with Brazosport Cleaning Plus.

Councilmember Seth asked if both recommended companies are insured and bonded. Ms. Borth replied yes.

Councilmember Blanchard asked if Brazosport Cleaning Plus could do all the cleaning. He noted some of the complaints regarding Veteran’s Touch.

Councilmember Seth was comfortable with having two different companies.

Ms. Borth shared that she would be comfortable with going with Brazosport Cleaning Plus for all the facilities because their work is phenomenal, that is why her price is more expensive. The city tends to select the lowest bidder unless there are reasons not to, but there is no reason not to recommend them.

There was discussion about the price differences.

It was noted that there is room to end the contract if a vendor is not working out.

On motion by Councilmember Singhania, seconded by Councilmember Seth with all present members voting “aye,” Bid #22-06-010 to Veteran’s Touch for Municipal Court at \$59.53 a visit and Fire Station #1/EMS at \$89.81 a visit, and Brazosport Cleaning Plus for the Lake Jackson Historical Museum at \$125 a visit, Jasmine Hall at \$100 a visit and the Lake Jackson Library at \$150 a visit was approved.

APPROVE CHANGE ORDERS 10-14 AN INCREASE OF \$51,543.27 FOR PHASE 3 OF THE DOWNTOWN REVITALIZATION PROJECT

Mr. Aguirre went over the following change orders.

Contingency Beginning Balance: \$1,090,079.00

Cost of change orders 1-14 (approximate): \$282,330.75

Cost of canopy change order: \$39,699.57

Remaining Contingency Balance (approximate after today): \$768,048.68

Change Order	Description	Amount
10	Installing curbside sidewalks to City specifications. Tie-in detail was omitted in the plans.	\$15,949.50
11	Exploration of the sewer and watermain in the alley behind Champagne’s to gather information needed about locations for potential watermain replacement.	\$9,243.15
12	For junction box lids in the street that must be cast-in-place rather than using the approved lids for the project.	\$7,886.01
13	Removing and replacing the paver parking field at Parking Way and That Way.	\$16,440.00
14	Modifying the inlet box at N. Parking Place and Center Way to allow the new 18-inch pipes to fit.	\$2,024.61

On motion by Councilmember Baker, seconded by Councilmember Blanchard with all present members voting “aye,” change orders 10-14 an increase of \$51,543.27 for phase 3 of the Downtown Revitalization Project were approved.

DISCUSS AND CONSIDER SETTING DATE AND TIME FOR PUBLIC HEARING FOR FISCAL YEAR 2022-2023 ANNUAL BUDGET FOR AUGUST 15, 2022, AT 6:30PM

On motion by Councilmember Seth, seconded by Councilmember Singhania with all present members voting “aye,” the public hearing for Fiscal Year 2022-2023 Annual Budget was set for August 15, 2022 at 6:30pm.

DISCUSS AND CONSIDER SETTING PUBLIC HEARING ON THE PROPOSED TAX RATE OF \$0.323121 FOR AUGUST 15, 2022, AND PLACING THE ADOPTION OF SAID TAX ON THE COUNCIL AGENDA FOR AUGUST 15, 2022

Mr. Mundo stated the proposed tax rate of \$0.323121 is lower than the voter-approval tax rate and the de minimis tax rate.

On motion by Councilmember Singhania, seconded by Councilmember Broaddus with all present members voting “aye,” council agreed to set the public hearing on the proposed tax rate of \$0.323121 for August 15, 2022, and placing the adoption of said tax rate on the council agenda for August 15, 2022.

DISCUSS PROPOSED FY 2023 ANNUAL BUDGET

- a. Proposed fee schedule for the Civic Center, Jasmine Hall, and South Parking Place – Jonathan Phillips shared that the Parks Board and staff have recommended the changes below.

To off-set the rising operational and maintenance costs and to ensure the facilities are maintained properly, the following fee changes are being recommended by staff and the Parks and Recreation Advisory Board.

**CIVIC CENTER**

Staff recommendations:

- In lieu of raising fees remove the Residential Rate and charge only one rate type for residents and non-residents, which is the current Non-Resident rate.
- Changing the Non-Profit/Active Military rate to a flat 30% Discount for Sunday through Thursday rentals only and no longer offer discounts for Friday and Saturday rentals.
- Add an Outdoor Plaza Package rental fee that includes the Outdoor Plaza, Plaza Rooms, and Gazebo fee if the CIP project gets approved.

**SOUTH PARKING PLACE**

- Charge a \$200 Cleaning Fee for any Rentals that have Seafood Boils/Frys.

**JASMINE HALL**

- Change Rental fee to include contract cleaning fee for all rentals.

Mr. Mundo noted that the rates need to be changed. Overall, the facilities are being rented under value. The current rates do not cover 50% of the cost.

Councilmember Seth stated that Lake Jackson residents already pay taxes and should not bear the increase for non-residents. She agreed that rates need to be raised but would like to look at other options.

Mr. Mundo stated the proposed fees would not impact the budget in any way. It is just a presentation to consider, evaluate and offer input.

Councilmember Singhania also did not agree on going up on the rate.

Councilmember Blanchard sat in on the Parks Board and felt it is time to adjust the rates. The city is far off compared to other cities. He agreed to explore other options.

Councilmember Seth suggested if rates need to be increased, that they all be increased.

Mr. Phillips stated he would take it back to the Parks Board to look at other options.

- b. Proposed fee schedule for the Recreation Center and Park Pavilions - Mr. Phillips stated the board has proposed to make increases to fees and memberships. The changes would still be competitive to surrounding cities. These rates do not differentiate for residents or non-residents.

To off-set the rising operational and maintenance costs and to ensure the facilities are maintained properly the following fee changes are being recommended by staff and the Parks and Recreation Advisory Board.

- 1. Increase Recreation Center Daily Use Fees to the following:

- \$8 - Adult 18-59
- \$5 - Youth 10-17
- \$4 - Youth 3-9
- \$5 – Senior 60+

- 2. Increase Membership fees by 10%

MEMBERSHIPS	ANNUAL	6 MTHS	90 DAY	MTHY (ACH)
	PROPOSED FEES			
Family	\$475	\$264	\$132	\$44
Individual	\$356	\$198	\$99	\$33
Senior Couple	\$356	\$198	\$99	\$33
Senior Individual	\$302	\$168	\$84	\$28
Student	\$302	\$168	\$84	\$28
Add'l Dependent	\$66	\$33	\$16.50	\$5.50

- 3. Implement Rental Rates for new Recreation Center Party Room (former Kidzone)

**Indoor Pool Party Package** – Includes 1 hour in party room w/tables & chairs. After rental time in room, guests may enter pool area. Swimming will only be permitted after rental time in party room.

- 1-25 guests \$125 w/\$100 deposit
- 1-50 guests \$175 w/\$125 deposit
- 1-75 guests \$225 w/\$150 deposit

**Party/Meeting Room Rental**

\$75 per hour w/\$100 deposit

- 4. Increase Morrison Park, Junior Service League, and MacLean Park Small Pavilion rental fees by 20%.

New Rate \$30 per 2-hour time block.

5. Increase Dunbar Park Rental Fee to \$100 per day w/\$100 deposit
6. Implement a "Special Event Permit" rental fee for Dunbar Park for events open to the public such as, but not limited to small festival, craft fair/market and charge a rental rate of \$150 per day w/\$200 deposit.
7. Increase Outdoor Pool Private Party Rental fee to \$200 per 2-hour time block for up to 75 guests.
8. Increase Youth Baseball/Softball Practice Field Rental fee to \$15 per 1.5-hour time block.
9. Offer three (3) types of rental fees for MacLean Park depending on the type of rental and implement a rental fee for the West Back Parking Lot.

"Large Pavilion Rental Permit" for rentals such as, but not limited to birthdays, family gatherings, with less than 500 in attendance. "Large Pavilion Rental Permit" will include Large Pavilion and Food Service Building. Renter will no longer have the option to rent the Food Service Building it will automatically be included in the rental. **New Rental Rate: \$335 per day w/\$250 deposit**

"Park Rental Permit" for rentals such as, but not limited to corporate picnic, family reunion, wedding, or birthday party with 500 or more in attendance. "Park Rental Permit" will include the Large Pavilion, Food Service Building, and Small Pavilion. **New Rental Rate: \$465 per day w/\$500 deposit**

"Special Event Rental Permit" for rentals that are open to the public such as, but not limited to festival, concert, carnival, theater production, craft fair/market. Special Event Rentals will include Large Pavilion, Food Service Building, Small Pavilion. **New Rental Rate: \$500 per day w/\$500 deposit.**

"West Back Parking Lot" those who obtain a "Park Rental Permit" or "Special Event Permit" who require the use of the West Back Parking Lot will be charged a rental fee and provided barricades. **Rental Rate: \$50 per day**

10. Implement a Maintenance Fee for Seafood Boils/Frys held in City parks for a rate of \$100 per event.

Mayor Roznovsky noted that historically when rates are increased at this facility, the city receives a lot of comments from the consumer.

Mr. Phillips also noted the addition of the park and pavilion special event rentals. MacLean Park rental for over 500 people and a special event for the large MacLean Pavilion.

Mr. Mundo shared that the special event costs are to help cover man hours used to clean-up after events and lifeguard costs.

Councilmember Singhania asked if the Skate Park has been considered for rental. Mr. Mundo stated it could be taken to the Parks Board for discussion, but the skatepark is not fenced and may be difficult to monitor.

Mayor Roznovsky suggested having the Parks Board review it.

c. BWA budget and increase

Mr. Mundo stated he followed up with Juan Longoria, BWA Representative. During the budget workshop, there were several questions specifically about the BWA increase. Below is a brief summary from Mr. Longoria that shows where BWA is experiencing their cost increases. Mr. Mundo went over the increases.

	FY 2022	FY 2023	Difference
Payroll & Benefits	\$ 2,996,416	\$ 3,600,926	\$ 604,510
Chemicals	2,078,500	3,605,250	1,526,750
Raw Water Transfer Storage	981,000	1,124,200	143,200
Power	575,000	525,000	(50,000)
Process Control Lab	100,000	118,000	18,000
Maintenance	752,700	1,134,700	352,000
Administrative Exp	599,500	700,500	101,000

Mr. Mundo stated that going forward, staff will ask a BWA representative for a report in May as soon as the city is notified of an increase. This can be incorporated in budget and planning. Mr. Mundo suggested having the BWA representative come to council so they can be aware.

Councilmember Blanchard asked if it is possible to have Mr. Longoria come to a council meeting and explain the increases. Mr. Mundo stated he would ask Mr. Longoria to come to the August 15, 2022 meeting.

CITY MANAGER UPDATES

**Water leak repairs**

Ms. England provided council with the following update on leaks throughout the city.

Since May 1, 2022, public works has received 331 requests for repairs to the water system. The requests cover main and service line leaks.

For the month of July, we received 104 water related work orders, 92 have been completed. We are averaging three to five work orders a day for leak repairs and on average completing three repairs a day, Monday through Friday. Weekends are dedicated to repairing severe leaks. In summary, staff is receiving 100 water related work orders per month with a 90% completion rate.

Once the repair of a line is complete, the follow up yard and sidewalk repair is necessary. As of last week, we had 13 outstanding concrete repair jobs. Our contractor is working his way thru these as quickly as he can. In the meantime, we continue to add to the list as more leak repairs are completed.

Mayor Roznovsky asked if each sidewalk repair is having to be bid individually or is there a flat fee per linear foot. Ms. England stated that staff is in the process of getting an RFP together for these repairs. Mr. Mundo also noted that small jobs are not always appealing to contractors. A unit price may only be good for three months.

Councilmember Seth asked what the procedures are for notifying residents. Ms. England stated if they are not reachable by phone, a tag is placed on their door. A log is also kept in the system with notes for the secretaries to see in case they receive a phone call.

Mayor Roznovsky suggested flagging leaks with a wooden stake or flag that have already been turned in to avoid reporting them twice. Ms. England will look at creating a procedure.

### UPDATE ON NEW BUSINESS COMING TO THE CITY – DAVID WALTON

Mr. Walton updated council on new business.

Mayor Roznovsky noted he passed by The Villas and noticed mowing in the forbidden zone. Mr. Walton will investigate it.

### CONSTRUCTION UPDATES

Mr. Aguirre updated council on the construction projects.

Ms. Borth updated council on the Phase III Downtown Revitalization project. She also stated the city will be going out for bid for the animal control facility.

Mr. Phillips stated Pecan Park playground is tentatively scheduled to be installed on Monday, September 26, 2022. The sign has already been installed.

### ITEMS OF COMMUNITY INTEREST

Mayor Roznovsky shared he had the opportunity to go to Harbor Freight and La Madeleine openings. He noted that La Madeline will keep approximately 50 employees, Harbor Freight approximately 24 with the possibility of more depending on business.

EXECUTIVE SESSION – The City Council may go into Executive Session to discuss personnel matters related to the Police Department in accordance with the Texas Government Code.

Mayor Roznovsky convened the meeting to Executive Session at 8:06 p.m.

RECONVENE TO OPEN SESSION – The Mayor reconvened to open session at 8:28 p.m.

### ADJOURNMENT

There being no further business the meeting adjourned at 8:28 p.m.

These minutes read and approved this 15<sup>th</sup> day of August, 2022.

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Gerald Roznovsky, Mayor

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Sally Villarreal, City Secretary