

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 4, 2016 at 6:30 p.m. in Regular Session at 25 Oak Drive, Lake Jackson, Texas, in the Council Chambers at the Lake Jackson City Hall with the following in attendance:

Joe Rinehart, Mayor
Jon J. B. Baker, Council member
Heather Melass, Council member
Ralph Buster Buell, Council member

William P. Yenne, City Manager
Modesto Mundo, Asst. City Manager
Alice A. Rodgers, City Secretary
Pam Eaves, Finance Director
Sherri Russell, City Attorney

Rick Park, Police Chief
David Van Riper, Public Works Director
Carmen Williams, Personnel Director
Athelstan Sanchez, Asst. City Engineer
Michael Coon, Asst. to City Manager

PLEDGE OF ALLEGIANCE

Council member Buell led the pledge of allegiance to the United States flag and the Texas Flag.

INVOCATION

Council member Melass led the invocation.

VISITORS

John Salinas, Centerpoint stated that moving forward someone will be attending the meetings. This is an attempt to keep communication open between Centerpoint and the City.

COMMENDATION FOR THE WORK SAFETY PROGRAM FOR THE FIELD UTILITIES DEPARTMENT

Dan McGraw, Asst. Utility Superintendent stated that a goal was set for the Field Utilities Department to work 224 days without a lost time accident or injury. The Field Utilities Department has worked since October 20, 2004, a period currently of 4491 days without a lost time accident or injury. The Field Utilities employees were commended for exemplifying the character trait of INITIATIVE vs Idleness – Recognizing and doing what needs to be done before I am asked to do it. A new goal has been set for the Field Utilities employees to continue working without a lost time accident or injury for 4756 days. February 10, 2017.

PRESENTATIONS - POLICE DEPARTMENT ANNUAL REPORT

Police Chief Rick Park presented the Police Department Annual Report.

PRESENTATION - 24TH GFOA BUDGET AWARD

Mr. Yenne reported that the city has received its 24th GFOA Budget Award.

PROCLAMATION – APRIL 2016 AS SAFE DIGGING MONTH

Mayor Rinehart proclaimed April 2016 as Safe Digging Month.

CONSENT AGENDA

A. Approval Of Minutes – March 21, 2016

- B. Minutes Of Boards And Commissions
- C. Approve Request From The Chamber Of Commerce For A One Day Off Premise Beer License For The Taste Of The Town At The Brazos Mall On April 24th, 2016
- D. Approve Closure Of Circle Way Street On Friday, April 15, 2016 From 6 Pm - 10 Pm For The “Vocal Trash” Concert Sponsored By Keep Lake Jackson Beautiful

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

- A. Approval Of Minutes – March 21, 2016 - approved
- B. Minutes Of Boards And Commissions - accepted
- C. Approve Request From The Chamber Of Commerce For A One Day Off Premise Beer License For The Taste Of The Town At The Brazos Mall On April 24th, 2016 - approved
- D. Approve Closure Of Circle Way Street On Friday, April 15, 2016 From 6 Pm - 10 Pm For The “Vocal Trash” Concert Sponsored By Keep Lake Jackson Beautiful - approved

DISCUSS AND CONSIDER REQUEST BY ALL SMILES DENTAL FOR PARTIAL STREET CLOSURE AND USE OF CITY PARKWAY AT 205 PARKING WAY ON SATURDAY APRIL 9, 2016 FROM 7 A.M. TO 7 P.M. FOR DENTISTRY FROM THE HEART EVENT

On motion by Council member Baker second by Council member Melass with all members present voting “aye” approval was granted for a partial street closure and use of city parkway at 205 Parking Way on Saturday April 9, 2016 from 7 a.m. to 7 p.m. for Dentistry from the Heart Event.

DISCUSS AND CONSIDER REQUEST TO DISPLAY DIRECTION SIGNS ALONG HWY 288, FM 2004, OLD ANGLETON ROAD AND OYSTER CREEK DRIVE FOR THE CENTER FOR THE ARTS AND SCIENCE ARTS FESTIVAL TO BE HELD MAY 13 THRU 15, 2016

Patty Swords with the Fine Arts Center was present to request approval to place directional signs on Hwy 288, FM2004, Old Angleton Road and Oyster Creek Drive for their Arts Festival to be held May 13 & 15, 2016 at the Center.

On motion by Council member Melass second by Council member Baker with all members present voting “aye” approval was granted for the Fine Arts Center to place directional signs on Hwy 288, FM2004, Old Angleton Road and Oyster Creek Drive for their Arts Festival to be held May 13 thru 15, 2016 at the Center.

DISCUSS AND CONSIDER REQUEST TO BUILD A 2 CAR CARPORT INSTEAD OF A 2 CAR GARAGE AT 106 BALSAM – JASON RINGO

Jason Ringo, 106 Balsam stated he has a long and narrow lot that is divided by an alley. He wants to build a carport instead of a garage on his lot. That way he would be able to pull his boat and trailer to the back yard to store it. He is asking for an exception to the ordinance.

Lowell Pinnoch, builder from Pearland stated that the city ordinance requires lots 75 feet or larger (in width) to have a two car garage. The ordinance states that if your lot is 70 feet or less (in width) a one car garage or one car carport would work. The setback requirements are 15 feet. If your property is 75 feet wide you are only left with 60 feet of buildable space. He stated the house and the carport need another five feet on the side setback (the width of the house and carport encroach into the setback 3.5 feet). He felt the ordinance was dated in it’s requirements of setback on an interior lot when the fire code is 3 feet. He stated that most of the houses in this area don’t have garages.

Mayor Rinehart stated he drove the area and there are garages in this area. These setbacks are in the ordinance for a reason.

Charlotte Reynago 110 Balsam stated that when they first purchased the land there was a house on it

and they had it torn down. Balsam street consists of 6 houses, there is a variety of two car garages, one car garages and carports. They had a petition from the neighbors asking to allow the carport. Balsam is an asphalt street. The neighbors feel this home will be an improvement to the neighborhood.

Council member Melass statend when they bought their house they too had a carport. They wanted a garage instead of a carpot. They placed garage doors in front and back of the garage to allow for pull through access to the back yard. She suggested that perhaps that would work for Mr. Ringo.

After discussion the consensus of council was for Mr. Ringo to close in one side of the carport making it a garage and place garage doors in the front and rear of the garage.

DISCUSS AND CONSIDER REQUEST TO CLOSE ONE LANE OF DIXIE DRIVE FROM PLANTATION DRIVE TO ASIEL'S RESTAURANT ON OCTOBER 23, 2016 FOR THE MAMMOTH LAKE TRIATHLON

This item was moved to the next agenda.

DISCUSS AND CONSIDER PERMISSION TO PLACE LANDSCAPE AND IRRIGATION IN CITY RIGHT OF WAY ALONG CACTUS STREET

Martin Bronstien was present to answer any questions.

This is an item that came about from an “as built” change in the permit plans that got installed without going through the proper channels due to undetermined reasons. This attempts to correct the slipup and put everyone on notice of the terms of the permit and its liabilities.

On motion by Council member Melass second by Council member Buell with all members present voting “aye” approval was granted for the placement of landscape and irrigation in the city right of way along Cactus Street.

DISCUSS AND CONSIDER REMOVAL OF AWNING ALONG 200 BLOCK OF PARKING WAY

There was no discussion on this item.

DISCUSS AND CONSIDER ORDINANCE AMENDING CHAPTER 98 TRAFFIC TO ERECT FOUR WAY STOP SIGNS AT WALNUT AND MAGNOLIA, WALNUT AND HICKORY, WALNUT AND SOUTH YAUPON, WALNUT AND SILVERBELL AT THE SOUTHERN INTERSECTION AND A STOP SIGN ON SILVERBELL AT ITS NORTHERN INTERSECTION WITH WALNUT; ON BOIS D ARC AT ITS INTERSECTION WITH WALNUT– FIRST READING

On motion by Council member Melass second by Council member Buell with all members present voting “aye” an ordinance amending Chapter 98 Traffic to erect four way stop signs at Walnut and Magnolia, Walnut and Hickory, Walnut and South Yaupon, Walnut and Silverbell at the southern intersection and a stop sign on Silverbell at its northern intersection with Walnut; on Bois D Arc at its intersection with Walnut was passed on first reading.

DISCUSS AND CONSIDER AN ORDINANCE AMENDING THE CH. 98 TRAFFIC OF THE CITY OF LAKE JACKSON CODE OF ORDINANCES TO PROHIBIT BLOCKING THE ENTRANCES AND EXITS TO THE FIRE STATIONS– FIRST & FINAL READING

On motion by Council member Melass second by Council member Baker with all members present voting “aye” approval was granted to suspend the rule that an ordinance be read on two separate occasions

On motion by Council member Melass second by Council member Buell with all members present voting “aye” an ordinance amending Chapter 98 Traffic of the City of Lake Jackson code of ordinances to prohibit blocking the entrances and exits to the fire stations was passed and adopted on first and final

reading.

RESCIND AWARDED BID TO NABCO ENTRANCES, INC. IN THE AMOUNT OF \$27,272.71 AS PART OF THE 2014-15 CDBG (COMMUNITY DEVELOPMENT BLOCK GRANT) ADA STOREFRONT ACCESS RENOVATIONS FOR CITY HALL, RECREATION CENTER AND JOHN DEWEY MUNICIPAL COURT

On March 7, 2016, Council awarded a bid to Nabco Entrances in amount of \$27,272.71 for the CDBG ADA Door Project. During staff's kickoff meeting with the contractor it was discovered that Nabco misread the bid specification plans for the recreation center and did not include complete door glass replacement.

Staff has agreed with Nabco and the County (CDBG coordinator) that it would be best that the bid to Nabco be rescinded. Staff has obtained two quotes for the correct scope of work. The first quote is from Nabco for \$43,982.27. Our second quote has notified us that they no longer will do business with government agencies. Staff is working on obtaining a third quote. If another quote or non-quote is obtained, staff will proceed with the project if it is under the \$50,000 bid threshold and the County is satisfied with all quotes.

On motion by Council member Melass second by Council member Baker with all members present voting "aye" approval was granted to rescind the awarded bid to Nabco Entrances, Inc. in the amount of \$27,272.71 as part of the 2014-15 CDBG ADA Storefront access renovations for City Hall, Recreation Center and John Dewey Municipal Court.

DISCUSS AND CONSIDER RESOLUTION APPROVING THE AMENDMENT OF THE UTILITY CAPITAL IMPROVEMENT BUDGET TO FUND THE REHABILITATION OF THE BEECHWOOD ELEVATED STORAGE TANK FOR THE AMOUNT OF \$750,000

The Beechwood EST is in need of structural repairs to the tank to ensure that the tank is in compliance with TCEQ drinking water requirements. The funding will include the engineering services, construction, coating, and inspection of the tank.

On motion by Council member Melass second by Council member Buell with all members present voting "aye" a resolution amending the Utility Capital Improvement Budget to fund the rehabilitation of the Beechwood elevated storage tank for the amount of \$750,000 was passed.

AWARD ENGINEERING AND CONSTRUCTION PHASE SERVICES FOR THE REHABILITATION OF THE BEECHWOOD ELEVATED WATER TOWER TO ARKK ENGINEERS FOR AN AMOUNT NOT TO EXCEED \$49,500.00

This project is the proposed rehabilitation of the Beechwood Elevated Water Tower including engineering services, construction, and inspection. Included in the project will be the rehabilitation of the 500,000 gallon elevated storage tank located on Beechwood Street in Lake Jackson Texas.

The estimated cost to rehabilitate the Beechwood EST will be \$700,000 including a 20% contingency. The engineering services will include technical specifications including detailing the scope of work.

- 8.5" X 11" details of mechanical repairs
- Specifications for tank blasting and recoating with a superior coating that will resist corrosion, staining, and fungus growth
- Inspection by STW & Inspections LLC
- 16' diameter roof repairs
- Replacement of level indicator
- Replacement of weir box
- Replacement of roof vent
- Repair patches where needed

- Replacement of roof hatch and ladder
- Remove and replace conduit and obstruction light
- Replace 18" X 24" Manway
- Patch over cathodic protection
- Caulk interior seams

Services will also include assisting the City with the bidding process. The City will advertise the project and will absorb all related cost. ARKK will also address addendums as needed. Conduct preconstruction meetings, act in the interest of the owner (City of Lake Jackson), prepare change orders, and serve as project manager. The Beechwood EST will meet all TCEQ Chapter 290 rules for design criteria for drinking water storage tanks.

On motion by Council member Baker second by Council member Melass with all members present voting "aye" services were awarded for engineering and construction phase for the rehabilitation of the Beechwood elevated water tower to ARKK Engineers for an amount not to exceed \$49,500.00.

DISCUSS AND CONSIDER RESOLUTION APPROVING YEAR END TRANSFERS FROM GENERAL FUND TO UTILITY PROJECTS (\$750,000) AND TO GENERAL PROJECTS (\$1,350,000); TRANSFERS FROM UTILITY FUND TO UTILITY CONTINGENCY (\$50,000) AND TO UTILITY PROJECTS (\$150,000)

In 2015, the General Fund finished \$2,144,675 to the good. Revenues exceeded budgeted amounts by \$1,326,337. Sales tax being the largest portion of this, exceeding budget by \$707,254. Expenditures were under budget by \$818,335, Salaries and Benefits comprising the largest portion of this. Staff is recommending amending the 15-16 budget to transfer \$750,000 from the General Fund to the Utility Projects fund to cover the cost of the must be done to repair the Beechwood water tower. \$1,350,000 will be transferred to the General Projects fund.

For the first time in several years the Utility fund finished the 2015 fiscal year to the good \$246,260. Revenues came in \$25,838 under budget but savings on the expenditure side attributed to the fund finishing to the good. Staff is recommending transferring \$50,000 to the Utility Contingency fund and \$150,000 to the Utility Projects fund.

On motion by Council member Melass second by Council member Baker with all members present voting "aye" a resolution approving year end transfers from General Fund to Utility Projects (\$750,000) and to General Projects (\$1,350,000); transfers from Utility Fund to Utility Contingency (\$50,000) and to Utility Projects (\$150,000)

DISCUSS AND CONSIDER PROPOSED AMENDMENTS TO THE HEB 380 ECONOMIC DEVELOPMENT AGREEMENT TO REMOVE THE REQUIREMENT THAT WINDING WAY BE CONNECTED TO GRAPEVINE TURN

In the original economic development agreement with HEB, the exhibit showing proposed public roads included connecting Winding Way to Grapevine Turn. HEB wants this segment of Winding Way removed from the proposed roads before they sell the property to the Wellington Collum.

On motion by Council member Melass second by Council member Buell with all members present voting "aye" approval was granted on the amendments to the HEB 380 Economic Develop Agreement to remove the requirement that Winding Way be connected to Grapevine Turn contingent on Wellington/Collum closing on the sale of the northern 10.8 acre tract.

UPDATE ON DRAINAGE IN THE PARKWOOD SUBDIVISION NEAR MOSS, CHESTNUT AND PALM LANE

Athelstan Sanchez he is working with the company on the proposal process and their fee.

UPDATE ON CONSTRUCTION PROJECTS

- a. CONSTRUCTION FUNDS FINANCIAL UPDATE
- b. SIDEWALK PROJECTS
- c. UTILITY REPAIR PROJECTS
- d. DRAINAGE REPAIR PROJECTS
- e. SOUTH PARKING PLACE/THIS WAY PROJECT
- f. MASTER PLAN UPDATE

Mayor Rinehart stated the sidewalk on Medical Drive was replaced nicely.

ITEMS OF COMMUNITY INTEREST

Mayor Rinehart reminded everyone of the concert with Vocal Trash on the plaza at the Civic Center.

Mayor Rinehart reminded everyone that this weekend is the Spring Clean Out.

EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE SEC. 551.087(2) TO DISCUSS THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO CENTENNIAL REAL ESTATE COMPANY (THE OWNER OF BRAZOS MALL) BECAUSE THE CITY DESIRES THAT THE MALL STAY AND/OR EXPAND IN CITY OF LAKE JACKSON

There was no executive session

ADJOURNMENT

There being no further business the meeting adjourned at 7:32 p.m.

These minutes read and approved this _____ day of _____, 2016.

Joe Rinehart, Mayor

Alice A. Rodgers, City Secretary