

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, 2016 at 6:30 p.m. in Regular Session at 6:30 p.m. 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  
Ralph Buster Buell, Council member  
Heather Melass, Council member  
Gerald Roznovsky, Council member  
Will Brooks, Council member  
J. B. Baker, Council member

William P. Yenne, City Manager  
Modesto Mundo, Asst. City Manager  
Alice A. Rodgers, City Secretary  
Sherri Russell, City Attorney  
Jeremy Bubnick, Parks & Rec Director  
Pam Eaves, Finance Director  
Sal Aguirre, City Engineer  
Michael Coon, Asst. to City Manager  
Eddie Herrera, Engineering Tech  
David Van Riper, Public Works Director  
Carmen Williams, Personnel Director  
Rick Park, Police Chief  
David Walton, Building Official

PLEDGE OF ALLEGIANCE

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

INVOCATION

Mayor Rinehart led the invocation.

VISITORS

There were no visitors present.

PRESENTATIONS

There were no presentations.

CONSENT AGENDA

- A. APPROVAL OF MINUTES – JULY 18, 2016
- B. MINUTES OF BOARDS AND COMMISSIONS
- C. AN ORDINANCE AMENDING THE OAK WOODS ADDITION PLANNED UNIT DEVELOPMENT (PUD) -2 TO ALLOW THE MULTI-FAMILY DEVELOPMENT TO BE LESS THAN FOUR STORIES – SECOND READING
- D. APPOINT JUAN LONGORIA TO SERVE AS REPRESENTATIVE TO THE BRAZOSPORT WATER AUTHORITY

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

- A. APPROVAL OF MINUTES – JULY 18, 2016 - approved
- B. MINUTES OF BOARDS AND COMMISSIONS - accepted

- C. AN ORDINANCE AMENDING THE OAK WOODS ADDITION PLANNED UNIT DEVELOPMENT (PUD) -2 TO ALLOW THE MULTI-FAMILY DEVELOPMENT TO BE LESS THAN FOUR STORIES – SECOND READING – passed and adopted on second and final reading
- D. APPOINT JUAN LONGORIA TO SERVE AS REPRESENTATIVE TO THE BRAZOSPORT WATER AUTHORITY - appointed

DISCUSS AND CONSIDER REQUEST BY THE LIBRARY BOARD TO REMOVE THE “WORM” BOOKCASE IN THE CHILDREN’S SECTION OF THE LIBRARY

Cindy Yell, Branch Librarian and Andi Larson, Children's Librarian were present to request the removal of the "worm" to make more room. The worm takes up a lot of space and does not have that much shelving. They are currently experiencing about 90 children during reading time.

Council member Baker asked if this would be donated to another organization.

Mr. Mundo stated this is not the first time over the years this has been brought up. He has tried to find someone to take the worm and no one wants it.

On motion by Council member Melass second by Council member Brooks with all members present voting “aye” approval was granted to remove the “worm” bookcase in the children’s section of the Library.

DISCUSS AND CONSIDER REQUEST BY THE SPCA OF BRAZORIA COUNTY TO SET ASIDE 2.67 ACRES OF LAND ADJACENT TO THE CURRENT ANIMAL SHELTER ON CANNA LANE FOR THE PURPOSES OF BUILDING A COMMUNITY PET CENTER

Stacy Suazo, SPCA Executive Director stated the SPCA of Brazoria County is currently in the design phase of building a \$6.5 million Community Pet Center. They have hired Brent Bowles, owner of iAD Architects in Lake Jackson to design this Community Pet Center which will house a Pet Adoption Center, Pet Health Facility offering low cost spay neuter and pet wellness services, and animal welfare education and outreach center and an animal intake and quarantine facility. The facility will be 21,000 square foot. At this time they are asking the city to lease this property to them.

On motion by Council member Melass second by Council member Brooks with all members present voting “aye” approval was granted to set aside 2.67 acres of land adjacent to the current animal shelter on Canna Lane for the purposes of building a community pet center, and, details on a potential long term lease will be considered once SPCA is ready to use the land.

DISCUSS AND CONSIDER PARKS BOARD RECOMMENDATION TO CITY COUNCIL TO ACCEPT MONETARY CONTRIBUTION IN PLACE OF REQUIRED PARK LAND, IN ACCORDANCE WITH SECTION 90-62 OF THE LAKE JACKSON CODE OF ORDINANCES, FOR THE RESERVE, AN APARTMENT DEVELOPMENT ALONG FM 2004

The Parks Board, on July 19, 2016, recommended to City Council to accept money as an alternative to park land dedication for “The Reserve at Lake Jackson”, apartment development. The development will consist of a 330 apartment unit complex and is located north of FM 2004 near Old Angleton Road. Since the area has not been developed the owner is required to provide parkland or a monetary contribution in place of required park land.

Lake Jackson Code of Ordinances, Section 90-62 (b)(2) states:

The City Council may elect to accept money as an alternative to the dedication of land for subdivision development complexes where there is no parks designated by the Comprehensive Master Plan or no park or recreation facility is recommended in the area by the parks and recreation board.

The development is planned to be constructed in two phases. The first phase will consist of 220 units and the second phase will consist of 110 units. HP Civil Engineering has informed the City that it cannot meet the park dedication requirements on the site. The parkland dedication requirements are noted in the table below:

Apartment Units	Park acres Required By Ordinance	Alternate Monetary Contribution Calculation
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Phase 1	220	3.08	\$ 55,440
Phase 2	110	1.54	\$ 27,720
	330	4.62	\$ 83,160

On motion by Council member Baker second by Council member Brooks with all members present voting “aye” approval was granted to accept a monetary contribution in place of required park land in accordance with Section 90-62 of the Lake Jackson Code of Ordinances for The Reserve, an apartment development along FM 2004.

DISCUSS AND CONSIDER RESOLUTION SETTING DATE AND TIME FOR PUBLIC HEARING FOR FISCAL YEAR 2016-2017 ANNUAL BUDGET FOR AUGUST 29, 2016 AT 6:30 P.M.

On motion by Council member Brooks second by Council member Baker with all members present voting “aye” a resolution setting the date and time for public hearing for the Fiscal Year 2016-2017 Annual Budget for August 29, 2016 at 6:30 p.m. was passed.

DISCUSS AND CONSIDER RESOLUTION SETTING PUBLIC HEARINGS ON THE PROPOSED TAX RATE OF \$.3375 (PER 100) WHICH IS 3.7% GREATER THAN THE EFFECTIVE RATE FOR THE CITY OF LAKE JACKSON FOR AUGUST 15, 2016 AND AUGUST 29, 2016 AT 6:30 P.M. AND PLACING THE ADOPTION OF SAID TAX RATE ON THE COUNCIL AGENDA OF SEPTEMBER 6, 2016

On motion by Council member Buell second by Council member Melass with all members present voting “aye” approval was granted to propose to increase tax revenues of 3.7% above the effective tax rate based on a total tax rate of \$.3375 per \$100 in value, to be placed on the agenda of September 6th for adoption and call for public hearings to be held August 15, 2016 and August 29, 2016 at 6:30 p.m.

APPROVE CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE PLANTATION BRIDGE PROJECT WITH LJA ENGINEERING IN AN AMOUNT NOT TO EXCEED \$95,000

Sal Aguirre presented the following information for the Council packets:

This is the first of the recently approved 2016 Bond Program Projects to be released for development and construction. The Plantation Drive bridge westbound structure is the remaining missing piece of the Plantation Drive divided arterial and will complete the 4-lane divided facility into the Medical Drive and Plantation Village system.

The projected schedule for this project’s development is a 4 month design period barring unforeseen environmental regulation and permitting delays. The construction documentation and contracting period will take another 2 months and the bridge construction anticipated to take an additional 6 - 8 months.

LJA was selected because of their involvement in the recently built Creekside bridge over Oyster Creek under the direction of the County. The resulting product and its delivery were a contributing factor.

The fee proposal falls in line with those of the County project.

On motion by Council member Melass second by Council member Brooks with all members present voting “aye” approval was granted for the contract for professional engineering services for the Plantation Bridge project with LJA Engineering in an amount not to exceed \$95,000.

APPROVE CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE REPLACEMENT OF LIFT STATION #25 FORCE MAIN FROM THE LIFT STATION TO THE DYSON CAMPBELL WATER RECLAMATION CENTER WITH INCE ENGINEERING LLC IN AN AMOUNT NOT TO EXCEED \$49,000

Sal Aguirre presented the following information for the Council packets.

This is a proposal to provide the engineering services for the proposed replacement of an existing deteriorated 12” polyethylene pipe force main with an 18” PVC/HDPE for capacity upgrade needs of the service area expanding development and demand.

The intent is to have this project included in the plans and bid documents of the Airport Sanitary Sewer System extension project to piggy back on all survey, permitting, and time to obtain economies of scale cost and schedule benefit. The services under this agreement would not exceed \$49,000.00 and the entire project is

budgeted at \$2.5 million.

Ince is currently engaged in the engineering design and processing project plans of sanitary sewer system to the airport area and is willing to incorporate this additional project into the ongoing project.

On motion by Council member Melass second by Council member Brooks with all members present voting "aye" approval was granted for the contract for professional engineering services for the replacement of Lift Station #25 force main from the lift station to the Dyson Campbell Water Reclamation Center with Ince Engineering in an amount not to exceed \$49,000.

DISCUSS AND CONSIDER AN ORDINANCE AMENDING CHAPTER 98.86-1 TRAFFIC AND VEHICLE TO MODIFY THE SCHOOL ZONE TIMES TO COINCIDE WITH BRAZOSPORT INDEPENDENT SCHOOL DISTRICT'S SCHEDULE – FIRST AND FINAL

On motion by Council member Baker second by Council member Brooks to approved the changes to the school zone times.

After discussion on the times proposed the motion was withdrawn at this time until further clarification is had. Council asked that this item be on the August 8, 2016 agenda.

DISCUSS AND CONSIDER CHANGES TO THE DISTRIBUTION OF THE HOTEL – MOTEL OCCUPANCY TAX

Council member Roznovsky moved to direct staff to bring back a resolution on August 15 using option 2 second by Council member Melass, Mayor Rinehart asked for a list of projects that could be paid for with these funds.

With all members present voting "aye" motion passed to have staff bring back a resolution for consideration to change the distribution of the hotel-motel occupancy tax.

DISCUSS INFORMATION RECEIVED FROM BUXTON REGARDING A PROPOSAL FOR THE CREATION OF A RETAIL RECRUITMENT PLAN

Mr. Yenne stated the Buxton Group has approached the City about entering into an agreement to create a Retail Recruitment Plan for the LJDC. Buxton has submitted a proposal to staff, which will be presented at the LJDC meeting on Thursday, September 8th. Buxton is one of the leaders in customer analytics and the vast amount of data that they have collected allows them to create a very specific profile for each of the communities they work with.

Council asked to be included in this presentation.

DISCUSS AND CONSIDER PROPOSED FY 2016-2017 ANNUAL BUDGET AND GIVE DIRECTION TO STAFF

There were no further changes.

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

There was no update on the Parkwood Subdivision near Moss, Chestnut and Palm Lane.

UPDATE ON CONSTRUCTION PROJECTS

- a. CONSTRUCTION FUNDS FINANCIAL UPDATE
- b. SIDEWALK PROJECTS
- c. UTILITY REPAIR PROJECTS
- d. DRAINAGE REPAIR PROJECTS
- e. SOUTH PARKING PLACE
- f. WAYSIDE PUB UPDATE

Mayor Rinehart asked if the Willow Blossom bond project has begun yet. Athelstan Sanchez stated design should

be done by the end of the calendar year.

Council member Roznovsky noticed that there are fire hydrants along the new water line to the airport. He was concerned they would be hit by tractors mowing. Mr. Aguirre stated the water lines are within the city right of way and should not be in danger.

Council member Baker asked if the La Quinta was still coming. Mr. Yenne stated they are still coming.

ITEMS OF COMMUNITY INTEREST

Council member Brooks asked if signs would be erected at Shypond for alligators. Mr. Yenne stated there was a sighting of an alligator at Shypond and staff has already erected the signs.

Council member Roznovsky stated there is a hole in the new downtown sign.

Mayor Rinehart stated the Fire Department received a \$15,000 grant to update their equipment.

EXECUTIVE SESSION - UNDER TEXAS GOVERNMENT CODE SECTION 551.074(A) PERSONNEL MATTERS - TO DELIBERATE THE EMPLOYMENT, EVALUATION, AND DUTIES OF THE CITY MANAGER, CITY ATTORNEY, CITY JUDGE AND CITY ALTERNATE JUDGE

Mayor Rinehart convened the meeting to executive session at 7:47 p.m.

RECONVENE AND TAKE ACTION ON EXECUTIVE SESSION TO SET AND FIX COMPENSATION FOR FY 2016-17 FOR COUNCIL APPOINTED CITY MANAGER, CITY ATTORNEY, CITY JUDGE AND CITY ALTERNATE JUDGE

Mayor Rinehart reconvened to open session at 9:05 p.m.

On motion by Council member Brooks second by Council member Melass with all members present voting “aye” the following Council appointed employee’s salaries were set to begin October 1<sup>st</sup>:

City Manager	\$184,802
City Attorney	131,422
Judge	49,754
Assistant Judge	17,218

ADJOURNMENT

There being no further business the meeting adjourned at 9:08 p.m.

These minutes read and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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Joe Rinehart, Mayor

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Alice A. Rodgers, City Secretary