

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 October 3, 2016 at 6:30 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  
Ralph Buster Buell, Council member  
Heather Melass, Council member  
Will Brooks, Council member  
J. B. Baker, Council member  
Gerald Roznovsky, 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  
David Van Riper, Public Works Director  
Rick Park, Police Chief

PLEDGE OF ALLEGIANCE

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

INVOCATION

Council member Brooks led the invocation.

VISITORS

Richard Hickner 119 Bougainvillea stated his house backs up to Shy Pond. They lost a cat that was killed by a pair of dogs that wondered through. This was the third incident within 3 blocks of his house this year. He is not a dog hater but fears for others pets.

COMMENDATION TO THE UTILITY MAINTENANCE DEPARTMENT EMPLOYEES FOR WORKING 1 YEAR OR 365 DAYS WITHOUT A LOSS TIME ACCIDENT

David Van Riper, Public Works Director presented a commendation to the Utility Maintenance Department Employees for working 365 days without a loss time accident.

PRESENTATION FROM BRAZOSWOOD HIGH SCHOOL STUDENT COUNCIL PARLIAMENTARIAN, MAXIMILLIAM PLEASON REGARDING BRAZOSWOOD HIGH SCHOOL'S COMMUNITY BLOOD DRIVE ON NOVEMBER 17, 2016

Maximillian Pleason was present to invite everyone to the Brazoswood High School's Community Blood Drive on November 17, 2016. Their goal is to collect 400 pints of blood.

The Mayor asked for this information to be placed on the city website.

CONSENT AGENDA

- A. Approval Of Minutes –September 19, 2016
- B. Minutes Of Boards And Commissions
- C. Approve Extending The 2015 Contract Mowing Bid #0475 For The 2016-2017 Fiscal Year To And For Amounts Not To Exceed: Landscape Professional Of Texas: \$111,432.00, Ken Kay Services: \$29,040.00, Southern Oak Services: \$29,376.00

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

- A. Approval Of Minutes –September 19, 2016 - approved
- B. Minutes Of Boards And Commissions - accepted
- C. Approve Extending The 2015 Contract Mowing Bid #0475 For The 2016-2017 Fiscal Year To And For Amounts Not To Exceed: Landscape Professional Of Texas: \$111,432.00, Ken Kay Services: \$29,040.00, Southern Oak Services: \$29,376.00 - approved

DISCUSS AND CONSIDER REQUEST TO CO-SPONSOR BISD’S (BRAZOSPORT INDEPENDENT SCHOOL DISTRICT) LITERACY EVENT AT JASMINE HALL ON OCTOBER 27<sup>TH</sup> BY WAIVING RENTAL FEES

On motion by Council member Buell second by Council member Melass all members present voting “aye” approval was granted to co-sponsor BISD's literacy event at Jasmine Hall on October 27th by waiving rental fees.

PRESENTATION AND INTRODUCTION OF THE COMMERCIAL PROVISIONS IN THE 2015 ENERGY EFFICIENCY CONSERVATION CODE

David Walton, Building Official stated that there are no changes since his presentation in August. However he reminded everyone that the November 1, 2016 deadline for adopting the commercial provisions of the 2015 Energy Conservation Code is rapidly approaching.

Mr. Walton stated he does not want to move forward with the request to adopt the 2015 Codes at this time. He has not yet satisfied Council’s questions that came out of the workshop in August.

He did say he would like to change some of the language to the ordinance to require third party inspections such as the mandatory duct testing and mandatory blower door testing for new residential property at the owner’s expense. The equipment for these tests runs about \$8,000 with an additional \$3,000 to train an employee. The inspections take two hours and we do not have the manpower. Most cities in the area use third party inspections at the contractor or owner’s expense. ICC does confirm that the contractor cannot inspect their own work.

Mr. Walton stated the workshop held on August 30<sup>th</sup> by the City at the Civic Center regarding the 2015 code updates was well attended by local contractors.

DISCUSS AND CONSIDER AN ORDINANCE DESIGNATING THE BUS ENTRANCE NEAR FM2004 AT BESS BRANNEN ON THAT WAY AS A “DO NOT BLOCK” AND PROHIBITING A LEFT TURN SOUTH BOUND FROM THAT WAY INTO THE CIRCLULAR DRIVE – FIRST READING

On motion by Council member Melass second by Council member Buell with all members present voting “aye” an ordinance designating the bus entrance near FM 2004 at Bess Brannen on That Way as a “Do Not Block” and prohibiting a left turn south bound from That Way into the circular drive was passed on first reading.

DISCUSS AND CONSIDER RESOLUTION APPOINTING THE CITY OF LAKE JACKSON’S REPRESENTATIVE AND ALTERNATE TO THE HOUSTON-GALVESTON AREA COUNCIL’S 2017 GENERAL ASSEMBLY AND BOARD OF DIRECTORS

On motion by Council member Baker second by Council member Melass with all members present voting “aye” a resolution appointing the City of Lake Jackson's representative Gerald Roznovsky and alternate Buster Buell to the Houston-Galveston Area Council's 2017 general assembly and board of directors was passed.

DISCUSS AND CONSIDER A RESOLUTION APPROVING A LEASE AGREEMENT WITH PNC EQUIPMENT FINANCIAL FOR TURF MAINTENANCE EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$479,112

On motion by Council member Melass second by Council member Brooks with all members present voting “aye” a resolution approving a lease agreement with PNC Equipment Financial for turf maintenance equipment in an amount not to exceed \$479,112 was passed.

#### UPDATE ON THE LOWER BRAZOS RIVER FLOOD STUDY

Athelstan Sanchez, presented Council with documentation from Halff Associates, Inc. showing the progress of the study and the anticipated work for the next month.

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

Athelstan Sanchez presented Council with a status update from Freese and Nichols that was included in the Council packets.

#### **PROJECT UPDATES**

FNI received the following items from the City on September 11, 2016:

2014 and 2016 Aerials

2006 Contours

Ditches shape file

Electronic copy of the report titled "2002 H&H Impacts of Forest Bend Subdivision by Baker & Lawson" Completed field visit September 16, 2016

Compiled a list of areas needing maintenance and provided this to the City

Selected hydrologic methodologies

Nearing completion of drainage area delineations

#### **UPCOMING ACTIVITIES**

Complete hydrologic analysis

#### **PROJECT SCHEDULE AND UPCOMING DELIVERABLES**

Brief memorandum documenting methodology and peak flows at key locations and electronic copy of models due December 2016

#### **OUTSTANDING ISSUES OR INFO NEEDS**

FNI is still waiting to receive the following data from the City:

LiDAR LAS points

H&H models for the following studies:

2002 H&H Impacts of Forest Bend Subdivision by Baker & Lawson

East Levee Pump Station Phase II

Hydrologic modeling and LiDAR Support by Dodson and Associates

Final Report on H&H of the Clute-Lake Jackson Drainage Channel by Baker & Lawson

1995 H&H Analysis of the Lake Bend and Blunk Slough Watershed

2007 City of Clute Storm Water Drainage Master Plan

Construction/ as built plans for recent development and/or channels/ ditches (specifically the **Kroger** at Dixie Drive and Oyster Creek Drive and the **Woodshore** Subdivisions)

Please note that if FNI does not receive any models, the hydraulic models will be created solely based on cross sections using the provided LiDAR data as detailed survey is not included in this first phase.

Council member Melass asked if the ditch next to Krogers belonged to Lake Jackson. She said it is constantly full of water. Mr. Sanchez stated that the public works department has done some work there. Mr. Yenne stated that Clute has indicated they will take care of it.

#### 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 stated there is orange fencing at the corner of Plantation and Sycamore that has been there for a month. Mr. Van Riper stated there was utility work needed there that required a bid. The work should be done

soon.

### ITEMS OF COMMUNITY INTEREST

Council member Buell reminded everyone of the concert on Friday with the Fab 5.

Council member Melass stated that on October 10<sup>th</sup> LJYAC will meet with Military Moms to fill boxes.

Council member Roznovsky stated the power outages are back.

Council member Roznovsky expressed concerns in social media with reports of the death of west Nile and stated it would be good for Council to receive an overview of when the city is spraying. Mr. Yenne stated that the city supplements the County's spraying by spraying in the mornings, one day north of FM2004 and one day south of FM2004 .

Council member Baker announced that Tuesday is National Night Out at Maclean Park. He encouraged everyone to come out to support first responders.

Mayor Rinehart asked that code enforcement receive thanks for check on the old Gulf station at the corner of Flag Lake Drive and Plantation Drive. Mr. Van Riper stated that owner has granted the city permission to tow some of those vehicles.

Mr. Yenne announced today was the first day for Jose Sanchez who is the new Personnel Director.

Council member Melass asked about the Recreation Center and if when the compressors were replaced would everything be good to go. Jeremy Bubnick stated that issue with the water temp has been repaired.

### EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE SEC. 551.087(2) TO DISCUSS ECONOMIC DEVELOPMENT NEGOTIATIONS WITH AC BRAZOS MALL PARTNERS, LLC BECAUSE THE CITY DESIRES THAT THE MALL STAY AND/OR EXPAND IN CITY OF LAKE JACKSON

Mayor Rinehart convened the meeting into executive session at 7:11 p.m.

### RECONVENE TO REGULAR SESSION

The Mayor reconvened the meeting to regular session at 7: p.m.

### ADJOURNMENT

There being no further business the meeting adjourned at 7:42 p.m.

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

\_\_\_\_\_  
Joe Rinehart, Mayor

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Alice A. Rodgers, City Secretary