

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 19, 2020 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:

Bob Sipple, Mayor	Modesto Mundo, City Manager
Vinay Singhania, Mayor Pro-Tem	Meagan Borth, Interim Assistant City Manager
Matt Broaddus, Council member	Sally Villarreal, Assistant City Secretary
Gerald Roznovsky, Council member	Sherri Russell, City Attorney
Buster Buell, Council member	Jeremy Bubnick, PW Director
Jon J.B. Baker, Council member	Sal Aguirre, City Engineer
	Athelstan Sanchez, Assistant City Engineer

Staff remained in their offices ready to answer questions if needed.

PLEDGE OF ALLEGIANCE

Council member Singhania led the pledge of allegiance.

INVOCATION

Council member Buell led the invocation.

VISITORS

Gary Hodges – 101 Van Winkle

Mr. Hodges asked when the streets in his neighborhood would be repaired or looked at.

Mr. Mundo stated the Bond Task Force looked at all the streets this past summer and they made their recommendation for the next bond issue. This street did not rise to the occasion for their grading system. The Bond Task Force will not meet again for another 4-5 years.

Mr. Hodges stated it is a black top street. Mr. Mundo said for any street to be brought into the system, it would need to be accessed as a concrete street. Mr. Mundo said we could look at putting this on the county black top list, but at this time there are other projects that are waiting to be done. There are projects that have been put on hold since Covid-19 started.

Mayor Sipple informed Mr. Hodges that this would be on the next council agenda for discussion.

Mr. Hodges also mentioned the toy drive at the Wilderness Golf Course.

Jill Freidman – 229 Laurel

Ms. Friedman wanted to discuss the Covid-19 situation and read an article she had about the mandates, masks, etc. Ms. Friedman was asking all the City Council to stop following the orders of the Governor. Ms. Friedman stated she expects City Council to listen to the citizens and not the Governor.

Leo Novak – 209 Arrowwood

Mr. Novak stated he understood that Council was in a tough situation. He just asked how Council came up with the decision to wear the masks. Mr. Novak had a suggestion to form a task force with citizens and

City Council. Mr. Novak has spoke at the last 2 meetings.

Steve Gagnon – Huisache

Mr. Gagnon had a comment about the attention of a Council member.

Bonnie Davis – 411 Southern Oaks Drive

Ms. Davis stated she is against the mask mandates and is ready for everything to be opened back up. Ms. Davis read something she wrote. She said false positives are being reported regarding Covid-19 and that is causing fear in people. Ms. Davis stated a lot of people are getting tired of the mask mandate. This ordeal is causing a lot of anger and depression.

Ms. England introduced the new Public Works Superintendent, Rick Smith. Mr. Smith started on October 12, 2020.

CONSENT AGENDA

- a) Approval of minutes – September 26, October 1, and October 5, 2020
- b) Boards and Commissions
- c) Approve Interlocal Agreement with Brazoria County for road and bridge maintenance

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

- d) Approval of minutes – September 26, October 1, and October 5, 2020 - approved
- e) Boards and Commissions – approved
- f) Approve Interlocal Agreement with Brazoria County for road and bridge maintenance - approved

DISCUSS AND CONSIDER RQUEST FROM FIRST UNITED METHODIST CHURCH TO CLOSE A PORTION OF THE 400 BLOCK OF AZALEA IN FRONT OF THE CHURCH ON SUNDAY, OCTOBER 25TH FROM 4-6 PM FOR A FALL FESTIVAL

Kimberly Bowers – 307 Balsam

Ms. Bowers stated they are having a fall festival for their children’s ministry families and their preschool children families.

Council member Baker asked Ms. Bowers if she had spoken to the PD about the street closure. Ms. Bowers was informed she would get instructions on what do from Ms. Villarreal.

Council member Baker asked if they had an estimated number of guests. Ms. Bowers was not sure, but she estimated roughly 100 people.

On motion by Council member Baker second by Council member Roznovsky with all present members voting “aye” the request from First United Methodist Church to close a portion of the 400 block of Azalea in front of the church on Sunday, October 25th from 4-6 PM for a fall festival was approved.

CONSIDER WAIVING RENTAL FEES FOR MILITARY MOMS FOR THE NATIONAL GUARD CHRISTMAS BANQUET AT THE CIVIC CENTER ON DECEMBER 5, 2020

No one was present to speak on this.

There was discussion on the organization and the public purpose test that was submitted. This would be a private event for the organization, and it is hard to justify how this would benefit the city and its

citizens.

Mr. Bubnick said there are a lot of non-profit organizations that do great things, but what needs to be determined is in what way do these private events benefit the community? Is the community getting something from this private party?

Council member Baker asked what the difference is between this event and the Boys and Girls club that came before council a couple months ago. Mr. Bubnick said the Boys and Girls Club was benefiting working families.

Mr. Bubnick felt that before fees are waived, we need to look at how the events will benefit the citizens.

Council member Buell suggested this item be brought back on the November 2nd agenda and hear the request from the Military Moms representative.

CONSIDER WAIVING FEES FOR LIONS CLUB CONVENTION ON APRIL 16-18, 2021 – NANCY GREY

Nancy Grey – 128 Sequoia

Larry Taylor – 214 Any Way

Ms. Grey stated her husband is the District Governor and he gets to have the convention in his home city. So, the convention will be held in Lake Jackson on April 16-18, 2021 at the Civic Center.

This event will bring in 100+ Lions from 14 different counties within Texas, over 70 clubs. They will be providing services to benefit the community. They will bring in people and supplies and the Lions will provide the labor to pack over 20,000 meals to give to Brazosport Cares, The Food Basket, and the Brazoria County Dream Center. The Blood Mobile will also be brought in for a Blood Drive. Ms. Grey also stated they are booking 30-40 rooms for 2 nights at the Marriott Hotel.

Council member Baker asked if there would be special vision tested. Ms. Grey said the special goggles would not be brought in this time. However, basic vision screening will be available.

Council member Broaddus asked for clarification on the waivable fees. Mr. Mundo stated the rental fee is waivable, but the cleaning fee is not.

On motion by Council member Buell second by Council member Baker with all present members voting “aye” it was approved to waive the rental fees but not the cleaning fees for the Lions Club Convention on April 16-18, 2021.

LETTER OF SUPPORT FOR CITY OF CLUTE’S CDBG-MIT PROJECT APPLICATION FOR FUNDING – ATHELSTAN SANCHEZ

Mr. Sanchez explained the request. City of Clute is seeking funding for drainage projects. Lake Jackson has joined them for the drainage study.

Mr. Mundo stated the project is in Clute, but Lake Jackson is the biggest beneficiary. This is a very sizeable project.

Council member Singhanian asked how much this would cost the city. Mr. Sanchez stated it would not cost the city of Lake Jackson anything.

On motion by Council member Singhania second by Council member Buell with all present members voting “aye” the letter of support for the city of Clute’s CDBG-MIT project application for funding was approved.

RATIFY CONTRACT WITH HR GREEN FOR EMERGENCY ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED \$70,000

Mr. Mundo stated this contract has been signed and he was asking for them to ratify.

HR Green is watching daily residuals and letting us know if adjustments are needed. They are also mapping those residuals in GIS form for the city to submit to CDC. They are monitoring the city daily and are there for assistance if needed.

On motion by Council member Singhania second by Council member Roznovsky with all present members voting “aye” the ratification of the contract with HR Green for Emergency Engineering Services in an amount not to exceed \$70,000 was approved.

AWARD BID TO MATULA & MATULA CONSTRUCTION FOR CUSTOMER CONVENIENCE CENTER AT MULCH SITE IN AN AMOUNT NOT TO EXCEED \$200,000

Mr. Aguirre stated bids were opened last week. There were 3 bidders that were grouped close together indicating a good competitive bid. This will complete this project with a turnaround time of approximately 90 days.

Council member Singhania stated this project was started a couple of years back and money was spent. Council member Singhania wanted to make sure this would be used this time around.

Mr. Mundo clarified that the budget was \$250,000, we have spent \$21,000 to date. They found that the city did not have to go through future permitting processes. At this rate, we should come under budget for this project.

On motion by Council member Roznovsky second by Council member Singhania with all present members voting “aye” the bid to Matula & Matula Construction for the customer convenience center at the mulch site in an amount not to exceed \$200,000 was approved.

CHLORINE CONVERSION PROCESS AND DROUGHT CONTIGENCY PLAN UPDATE

Mr. Mundo went over the report below:

City Council Update October 19, 2020

1. We are now completely focused on the free chlorine conversion for 60 days at 1.0 throughout the water system.
 - a. **60 Day Chlorine Conversion.** Date to end free Chlorine conversion is Dec. 4, 2020. Well 7 taken down due to electrical issues on 10/18/2020. Felder is diagnosing the motor today.
 - b. **Ameba Testing:** Met with TCEQ, DSHS, EPA & CDC on October 16, 2020. We will send maps of chlorine residuals and our system to CDC to establish testing sites. Ameba testing tentatively scheduled for November 30, 2020. HR Green is preparing GIS maps of system overlaid with chlorine residual sampling locations and data.
 - c. **Drought Contingency Plan:** Our wells are averaging a little over 4.5 MGD gallons per day or each well is running 12.5 to 16 hours per day.
 - d. **Engineering Contract.** I will ask you to ratify an emergency contract with HR Green on Monday night. Scope of work includes:

- i. Daily cross reference data entries with field records on the 54 sites being tested and prepare graphs of chlorine residual results at each sampling location over the 60-day period.
 - ii. Review and evaluate results for chlorine residual.
 - iii. Discuss O&M issues with City operations staff and discuss proposed chlorination recommendations with City staff.
2. **Customer Service Inspection Program.** We have shifted the Building Inspections department to a 4/10 schedule for a month to give us the opportunity to perform 7-8 hours of Customer Service Inspections per day for the next 30 days. This will be a short-term test before we can bring you a long-term solution.
3. **Public Communication.** Zoom update revised schedule Tue & Fri at 11:00 am. View count is decreasing.
4. **Water Discount.** I am sure you are getting questions about discount for not being able to drink the water or the need for flushing. The table below shows associated cost that could be attributed to a family of four during this 60-day chlorine conversion.

Use	No.	GPD	Duration	Gallons	W&S Price per Gallon	Total Cost
Flushing	4 faucets	50	60	3,000	.0095	\$28.50
Drinking	4 people	2	60	120	.0095	1.14
						29.64
8,500 Homes						\$251,940

Pam has recommended that we approach it on a case by case basis. If you feel that you have used an excessive amount of water due to flushing, then you could call the Water Department and we can look at your previous usage. If it is higher than normal, we then could provide a discount within this range.

5. Expenditures as of 10/16/2020

Category	Description	Cost
Salaries & Wages		91,742.25
Operating	Chemical Analyzers	15,011.36
Miscellaneous	Food	14,328.52
Maintenance of System		188.53
Wells		21.57
HR Green Engineering		70,000.00
Operating	Auto Flushers	38,620.70
Operating	Chlorine est.	75,000.00
Staff Assistance from Other Cities	TBD	
SUBTOTAL		\$ 304,912.93

Council member Buell asked when people can wash and water their lawns. Mr. Mundo stated from talking to staff, it would probably be December 4th. At this time, we are concerned about the wells and we need to be cautious.

Mr. Mundo stated that Two Brothers Car Wash has a 10 thousand-gallon tank where they are storing their own water. They can operate out of their normal hours because they are supplying their own water and have installed a special backflow system. This is only for the tunnel car wash not the manual ones.

Council member Roznovsky stated his concern about costing individuals their jobs by placing these stipulations on the car washes. Mr. Mundo did not disagree; he stated his concern for the wells and the importance of their operations.

Mayor Sipple said that it is important to follow the contingency drought plan. It takes all of us to make this work.

Council member Roznovsky stated we must maintain the 1 ppm. It is critical that we protect our well system to not have to start the 60-day conversion again. Mr. Mundo stated it would require guidance from the TCEQ on what would happen if we ran into problems with the wells.

The water bill discount will be up for discussion on the November 2nd agenda.

COVID-19 UPDATE

Mr. Mundo gave a Covid-19 update with numbers as of Oct. 16th.

Council member Buell asked about any restriction at South Parking Place. Mr. Mundo stated outdoor events must be approved by the Mayor. The Mayor is reviewing the safety protocols that are submitted.

Ms. Borth went over a portion of Governor Abbot's latest order.

Governor Abbott's Orders as of 10/16/2020:

- Gov. Greg Abbott issued an order, effective Oct. 14, that permits most businesses to operate at 75 percent capacity as long as the business is in an area with a low number of COVID-19 hospitalized patients.
- Businesses in areas with high hospitalizations must limit occupancy to 50 percent capacity.
- Religious services, local government operations and recreational sports programs are among organizations with no occupancy limits.
- Personal care establishments, such as barbershops and nail salons, also do not have limits on number of customers; however, there must be a 6-foot distance between workstations, among other precautions.
- Abbott's order also reopens bars — with the additional approval of each county's judge — but limits indoor service to 50 percent capacity.
- Anyone 10 or older must wear a mask in indoor public spaces or when outside if a 6-foot distance from others cannot be maintained.
- Counties with no more than 20 active COVID-19 cases are exempt.
- Gatherings of more than 10 people are prohibited in most circumstances unless local government officials approve them.

Josie La Chance

Ms. LaChance noticed gyms and pools are at 75% capacity. She would like for Council to consider the shot gunning at the golf course at 75% since it is an outside area.

Mr. Novak- 209 Arrowwood

Mr. Novak wanted to review what he had talked about at the past two meetings regarding the ineffectiveness of wearing masks. Mr. Novak went on to share the information he had gathered from several different sources. He maintains that masks do not work. Mr. Novak also discussed the individual impacts that Covid-19 has had on the community.

Ms. Borth suggested including this item on the Nov. 2nd agenda. This agenda item was just meant to be an update, not an action item.

Council member Buell asked for clarification on when the Mayor mandated citizens wear masks. Mayor Sipple stated he signed an executive order in March. Ms. Russell stated the executive order was for businesses. They were asked to have patrons wear masks.

Council member Buell noted that no one was forcing the group to wear masks. They are not wearing masks now. He did not understand what the problem was. "If you do not want to wear them, don't wear them", he said.

Ms. Russell suggested making this an agenda item also. Ms. Borth stated she would gather information.

Mayor Sipple stated the Governor's order came out after his and it has superseded his order. So, we are under the Governor's order, not the Mayor's. Mayor Sipple stated he would not rescind his order because he is following the Governor's order. Mayor Sipple told the group to take their signs and to go Austin where the change can be made.

Mr. Novak felt the Mayor's mandate was putting people out of work.

Ms. Russell stated it was the Governor's mandate.

Bonnie Davis – 411 Southern Oaks

Ms. Davis wanted to make sure they were welcomed to come before council to voice their concerns. Ms. Davis stated this is affecting local businesses. She also said they believed in what they are standing up for. There is a lot of scientific data that backs up their concerns.

Council member Baker asked if this could be brought back on November 2nd for discussion.

Mayor Sipple stated the decision is not made at local level; it is made in Austin. In our form of government, you have the right to picket in Austin. Mayor Sipple stated he did not have anything in effect to rescind. What he is being asked to do would not make any difference because the Governor's order supersedes his.

Mayor Sipple did not appreciate that Council was told they did not care about the small businesses. That is simply not true.

Council member Baker once again asked if this could be brought back on the November 2nd agenda.

Council member Singhania stated nothing would change if the order was rescinded. Council wants local businesses to thrive. Even if Council agrees with the citizens, it will not change a thing. Unfortunately, Council does not have the ability to change the Governor's order. It is not up to the Lake Jackson City Council.

Ms. Russell stated the City's mandate was superseded by the Governor's order. The City's order has no effect.

Suggestions were made to submit questions to the City Attorney or Mr. Mundo and give them time to get information together.

Mr. Mundo stated the only thing we can be rescinded is the mask order. At this time, the Governor's order superseded the Mayor's order. What would the change be if the Mayor rescinded his order? We can provide clarification at the next meeting.

Ron Parker – 124 Papaya

Has the City Council contacted Governor Abbott’s office and asked them to consider the effects this has on businesses? Why have there not been any debates at this level to express citizens’ concerns?

Mr. Mundo stated it would be a policy made by City Council.

On motion by Council member Baker second by Council member Buell with all present members voting “aye” this item will be on the November 2nd meeting agenda.

ITEMS OF COMMUNITY INTEREST

Council member Roznovsky mentioned the Trunk or Treat is coming up.

Council member Broaddus mentioned that the Traffic commission met and reviewed the Hike and Bike plan that will be coming to City Council for endorsement. This will be brought to Council at the first week in December.

Council member Buell thanked the citizens of LJ, City staff and Mr. Mundo for their attitudes and great work.

Mayor Sipple mentioned the traffic on Magnolia and Acacia during the veteran recognition that took place.

ADJOURNMENT

There being no further business the meeting adjourned at 8:33 p.m.

These minutes read and approved this _____ day of _____ 2020.

Bob Sipple, Mayor

Alice A. Rodgers, City Secretary