

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, 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  
Buster Buell, Mayor Pro-Tem  
Vinay Singhanian, Councilmember  
Matt Broaddus, Councilmember  
Rhonda Seth, Councilmember  
Jon "J.B." Baker, Councilmember

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

PLEDGE OF ALLEGIANCE

Councilmember Seth led the pledge of allegiance.

INVOCATION

Councilmember Buell led the invocation.

VISITORS COMMENTS

There were no visitor comments.

PRESENTATIONS

DECLARATION OF CONFLICTS OF INTEREST

There were no declarations of conflicts of interest.

CONSENT AGENDA

1. Approval of minutes – March 21, 2022
2. Approve TxDOT Multiple Use Agreement (Form 2044)
3. Resolution approving budget amendment to transfer 2021 Utility operating and General operating savings to the Utility Projects Fund and General Projects Fund

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

1. Approval of minutes – March 21, 2022 - *approved*
2. Approve TxDOT Multiple Use Agreement (Form 2044) – *approved*
3. Resolution approving budget amendment to transfer 2021 Utility operating and General operating savings to the Utility Projects Fund and General Projects Fund- *approved*

DISCUSS CODE ENFORCEMENT COMPLAINT ON MAGNOLIA STREET – CONNIE MARSHALL

Ms. Marshall was not present for this item. This will be brought back to council at the April 18, 2022 agenda at Ms. Marshall's request.

APPROVE 2021 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) – KEVIN CADENHEAD

Kevin Cadenhead with KM&L was present to go over the ACFR.

Mr. Cadenhead started out by thanking Ms. Eaves and her staff for working with auditors over the years.

The audit itself went very well. The audit plan was executed with no problems.

There was one internal control deficiency that was found during the audit primarily due to the fact of increased spending from coronavirus grants. This issue occurs more frequently than you may expect with a lot of entities. There is both an internal and state policy that if you spend more than \$50,000 with a single vendor, it is required to go out for bid. Most of the time before starting a project it is known how much the project will be and if it needs to be bid out. However, when it creeps up on normal spending during the year, the spending with vendors must be monitored to determine if the \$50,000 has been reached and whether the activity needs to go out for the bidding process.

In the sample selection of seven vendors who qualified for spending over \$50,000, four of those were not bid. It was not millions of dollars but more like \$70,000 or \$80,000.

Mr. Cadenhead stated the deficiency has been noted in the internal control letter. City management has put an action plan together on how to improve this situation. Mr. Cadenhead stated they would follow up next year to see if it has been fixed. The importance is this year there has been about \$1.2 million more in coronavirus grant funds than in 2020. Mr. Cadenhead noted the city does not want to have a situation when there is an actual project going on. He gave an example of a client that used grant money to build an EOC. The client did not realize they used a vendor that had been debarred from the state. There was a chance this client had to repay the money for using a debarred vendor. The City of Lake Jackson should not be in the situation to have to send grant money back, but it is a control deficiency that needs to be corrected. Mr. Cadenhead was confident the problem would be corrected.

This was the only finding throughout the audit. Mr. Cadenhead noted three letters from the firm. The first one is an opinion letter from the firm. This letter means the auditors have audited the report and it is accurate. There are two letters in the back, the first one describes the internal control deficiency. The second one describes federal programs with no issues being found.

Mr. Cadenhead said the City of Lake Jackson continues to be in a very healthy financial position with no new debt added during the fiscal year.

On motion by Councilmember Singhania seconded by Councilmember Baker with all present members voting “aye” the 2021 Annual Comprehensive Financial Report was accepted.

Councilmember Singhania noted the administrative expenditures have gone down which is important in continuing to provide the citizens the services they deserve.

AUTHORIZE CITY MANAGER TO EXECUTE A CONTRACT WITH YELLOWSTONE LANDSCAPE THROUGH CHOICE PARTNERS COOP #20/030MR-04 FOR DRAINAGE DITCH MOWING IN AN AMOUNT NOT TO EXCEED \$41,924 – SABRINA ENGLAND

Ms. England stated this contract will be for services four times a year to help with the overload on the existing staff. This will help with having to pull staff from the streets department. The savings from personnel will help fund the contract.

Councilmember Seth asked if the selected ditches are set in stone. Ms. England replied and said they are the ditches that need to be focused on. If the linear footage is the same, it may be a possibility to change.

On motion by Councilmember Seth seconded by Councilmember Singhania with all present members voting “aye,” the city manager was authorized to execute a contract with Yellowstone Landscape through Choice Partners Coop #20/030MR-04 for drainage ditch mowing in an amount not to exceed \$41,924.

UPDATE ON NEW BUSINESS COMING TO THE CITY – DAVID WALTON

- Ms. England stated new permits have been received for Marco’s Pizza, Next Gen MMA, and Grazia Italian Kitchen.
- Ms. England reviewed the ongoing permits.
- The permit department is waiting for revisions from McAlister’s Deli.
- Waiting on building plans from Lakewood Manor and Harmony Park.
- BBVA new building is on hold by the owner.
- Villa apartments have began framing.

Mayor Roznovsky asked if Lakewood Manor would be changing their plans. Mr. Mundo stated there has not been site plan changes. Site work started approximately ten days ago.

CITY MANAGER UPDATES

Upcoming Election Dates

- Election Day - Saturday, May 7, 2022
- Early Voting - April 25, 2022 to May 3, 2022
  - Lake Jackson Annex – 202 Peach Street

Mr. Mundo noted the upcoming election and the early voting dates as well as the location on 202 Peach Street.

## CONSTRUCTION UPDATES

- a. General Fund Projects
- b. Utility Fund Projects
- c. Downtown Phase III
- d. Bond Projects
  1. Infrastructure
  2. Facilities
- e. Half-cent Projects

Mr. Aguirre went over the construction updates and highlights.

- The major drainage has started in the area by the old Smithhart's location.
  - There will be rerouting in that area.
- Façade work is on a standstill for the canopy work, but work is on schedule and progressing well.
- Geotechnical work has been performed. Mechanical and Civil Engineers for the animal shelter have been chosen.
- Street project for North Shady Oaks has started the design phase.

Mayor Roznovsky asked if the street projects would take as long as past street projects.

Mr. Aguirre replied that with this project there is not as much utility or drainage work involved therefore, he does not anticipate it taking as long.

Mayor Roznovsky asked if the subcontractors had been selected for the mixing tank. Mr. Aguirre said yes.

Ms. Borth shared the following:

- Downtown construction is going well. The issue over the weekend with the gas line was handled in a timely manner.
- The library flooring is happening now with the work moving along quickly. The library has been able to stay open while some work is being done.
- Animal control facility is also going well.

Ms. Hyden reported the following:

- The dehumidification system plans are complete for the natatorium.
- The natatorium roof is about halfway complete.
- Waiting on material for the front metal roof.
- Garland tennis court sidewalks are complete and turned out nice.
- Harry Blevins dedication went very well.

## ITEMS OF COMMUNITY INTEREST

Mayor Roznovsky announced the Dairy Bar celebration on Saturday, April 9, 2022 at 11:00 a.m. at the LJ historical museum.

**EXECUTIVE SESSION - Discuss pending or contemplated litigation with the City Attorney under section 551.071(1)(A) of the Texas Government Code.**

Mayor Roznovsky convened to executive session at 7:03 p.m.

**RECONVENE TO OPEN SESSION**

Mayor Roznovsky reconvened to open session at 7:49 p.m.

**ADJOURNMENT**

There being no further business the meeting adjourned at 7:49 p.m.

These minutes read and approved this 18th day of April 2022.

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Gerald Roznovsky, Mayor

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Sally Villarreal, City Secretary