

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF LAKE JACKSON

BE IT KNOWN that the City Council of Lake Jackson met on Monday, October 2, 2023, at 6:30 p.m. in Regular Session at 25 Oak Drive, Lake Jackson, Texas, Lake Jackson City Hall in the Alice Rodgers Council Chambers with the following in attendance:

Gerald Roznovsky, Mayor
Chase Blanchard, Mayor Pro-Tem
Jon "J.B." Baker, Councilmember
Matt Broaddus, Councilmember
Rhonda Seth, Councilmember
Vinay Singhania, Councilmember

Modesto Mundo, City Manager
Riazul Mia, Assistant City Manager
Sherri Russell, City Attorney
Sally Villarreal, City Secretary
Milford John-Williams, Asst. to the City Manager
Sabrina England, Public Works Director
Sal Aguirre, City Engineer
Debbie Webb, Assistant Public Works Director
James Bryson, Finance Director
Robin Hyden, Parks Director
Paul Kibodeaux, Police Chief

PLEDGE OF ALLEGIANCE

Councilmember Singhania led the pledges.

INVOCATION

Mayor Roznovsky led the invocation.

PRESENTATIONS

Brazoswood High School PALS: Madelyn White, Allyson Hebert, and Lydia Perez were present to share the events the Brazoswood PALS participates in. Some of the events are local blood drives, Military Moms and Wives donations, LJ Monster Dash 5K, SPCA Fur Ball, and helping with the Homecoming Bonfire.

Mayor Roznovsky proclaimed October as National Breast Cancer Awareness Month.

VISITOR COMMENTS

There were no visitor comments.

DECLARATION OF CONFLICTS OF INTEREST

There were no conflicts of interest.

CONSENT AGENDA

1. Approval of minutes – September 18, 2023
2. Accept board and commission minutes:
 - a. Charter – 091223
 - b. KLJB – 081523
 - c. Parks – 081523
 - d. Traffic – 071123
3. Authorize KemperSports to apply for a TABC Mixed Beverage w/ Food and Beverage License at The Wilderness Golf Course located at 501 TX-332 Lake Jackson, Texas 77566.
4. Approve annual request to close the alley behind Lake Jackson Head Start located on 303 Garland Drive from 9:00 a.m. to 10:30 a.m. for a private Trunk or Treat event on Tuesday, October 31, 2023.
5. Approve Ordinance No. 2277 amending the B-2 Central Business Zone to allow special event venues as conditional use – second reading.
6. Authorize an increase in price from GoodBuy Purchasing Cooperative for a utility truck from \$51,957 to \$74,000.

On motion by Councilmember Singhania, seconded by Councilmember Seth with all present members voting “aye,” consent agenda items 1-5 were approved as follows:

1. Approval of minutes – September 18, 2023 - **approved**
2. Accept board and commission minutes: **accepted.**
 - a. Charter – 091223
 - b. KLJB - 081523
 - c. Parks – 081523
 - d. Traffic – 071123
3. Authorize KemperSports to apply for a TABC Mixed Beverage w/ Food and Beverage License at The Wilderness Golf Course located at 501 TX-332 Lake Jackson, Texas 77566- **approved.**
4. Approve annual request to close the alley behind Lake Jackson Head Start located on 303 Garland Drive from 9:00 a.m. to 10:30 a.m. for a private Trunk or Treat event on Tuesday, October 31, 2023- **approved.**
5. Approve Ordinance No. 2277 amending the B-2 Central Business Zone to allow special event venues as conditional use – second reading- **approved.**
6. Authorize an increase in price from GoodBuy Purchasing Cooperative for a utility truck from \$51,957 to \$74,000 – **Moved to regular agenda at the request of Councilmember Singhania.**

AUTHORIZE AN INCREASE IN PRICE FROM GOODBUY PURCHASING COOPERATIVE FOR A UTILITY TRUCK FROM \$51,957 TO \$74,000

Councilmember Singhania suggested sending a letter of disappointment to the cooperative agency for the price increase. When the order was placed initially in 2020, the wrong truck was sent. This has happened twice where they got the order incorrect, which now leaves the city paying more.

Mr. Mundo explained that the city does not have to order from the cooperative agency.

Mayor Roznovsky asked if staff could fulfill Councilmember Singhania's request. Mr. Mundo replied that the staff would send a letter.

Mr. Mia explained the need for the truck and noted the current utility truck is damaged.

On motion by Councilmember Singhania, seconded by Councilmember Seth with all present members voting "aye," the increase in price from Goodbuy Purchasing Cooperative for a utility truck from \$51,957 to \$74,000 was approved.

DISCUSS AND RECONSIDER REMOVING THE SPEED HUMPS IN FRONT OF 224 ANY WAY STREET – MR. HAMPY

Mayor Roznovsky shared the history of the speed humps. He noted that letters were sent to neighbors to see if anyone would be willing to place them in front of their homes. Mayor Roznovsky also stated only two would agree out of the eleven letters sent, but they are on opposite ends of the street.

Mr. Hampy was present and requested the speed humps be removed from in front of his home. He noted the study revealed the difference is four mph, which is not much of an impact.

Councilmember Baker questioned if the residents were asked if they wanted speed humps in front of their homes before they were installed. Mr. Mundo stated the procedures do not call for contacting and surveying every resident. The resident requesting may submit a petition, but the city council is not bound to do that.

Councilmember Baker suggested adding in procedures to notify residents, asking whether they would agree to have speed humps in front of their homes.

Councilmember Broaddus also suggested updating the procedures to include asking residents if they are willing to have the speed humps in front of their homes. Although citizens may say they want the speed humps on their street, they may not want them in front of their home. The speed humps create a lot of noise when vehicles are passing. Councilmember Broaddus also mentioned other areas can be improved in the procedures and policy.

Councilmember Singhania and Councilmember Broaddus both recalled the traffic engineer that performed the study not recommending the installation of the speed humps.

Councilmember Singhania mentioned the survey Councilmember Blanchard did by going door to door. He suggested using the recommendations given to the city council.

Councilmember Seth stated she is not a fan of the speed humps. She suggested removing the speed humps. In the future, it should be completed more systematically. If studies do not recommend them, then that should be considered.

Councilmember Blanchard shared his thoughts. He noted these speed humps were installed at the

request of the citizens. Many citizens showed up at a previous meeting and were on record supporting the speed humps. He also noted that he went door to door, speaking to residents about the speed humps.

Councilmember Broaddus stated he serves as the Traffic Commission liaison. He said there have been approximately three requests for speed humps recently. He would like to see the policy updated for these types of requests.

Mayor Roznovsky said when surveying neighborhoods, it should be handed off to staff to collect information by making phone calls, sending letters, and sending emails. He also noted when changing the procedures, there should be a process determining what actions will be taken. Suppose the council decides to take it a step further than the recommendation for the 85th percentile or data presented by the engineer. In that case, there should be a procedure for completing that. If the council reverses the action, there should be a procedure.

Councilmember Singhania stated the speed hump policy has long been in place. The Traffic Commission should review the policy. In this instance, the recommendations and procedures were not followed.

On motion by Councilmember Singhania, seconded by Councilmember Seth with all present members voting "aye," the speed humps in front of 224 Any Way Street will be removed.

DISCUSS AND CONSIDER RESOLUTION NO. 925 NOMINATING CANDIDATES FOR THE BRAZORIA COUNTY APPRAISAL BOARD (BCAD)

Mayor Roznovsky stated the council could nominate up to five people.

Councilmember Seth stated the current board members have been on the board for several years and have not taken the path she would like to see. She felt the person in this capacity should push back on the legislature.

Mayor Roznovsky asked if any council members had spoken to Ms. Robinson. Councilmember Singhania stated he has not but thinks she has done an excellent job. It is not her fault the appraisals have taken the direction they have.

Councilmember Seth stated she does not like having realtors or people in real estate serve on the appraisal board. She said this has nothing to do with personal reasons.

Councilmember Blanchard stated everyone on the list hires the chief appraiser, and this group of people appoints the ARB Board. This is the board you protest your taxes to.

Councilmember Seth noted a couple of legislative changes in the appraisal process. She wanted to bring clarity that the Texas State Legislature is behind the mandates and guidelines.

There was a discussion on the voting process.

Councilmember Seth nominated Glen Jones to serve on the Brazoria County Appraisal Board.

Glen Jones - 118 Cypress

Mr. Jones agreed with Councilmember Seth and felt a lot was wrong with the appraisal board. When dealing with the comptroller who has promulgated all this stuff, he felt changes needed to be made. He gave examples of taxpayer complaints. Mr. Jones shared his experience of dealing with the appraisal board.

Mayor Roznovsky asked Mr. Jones if he was okay with being removed two years down the road if he didn't meet the people's will. Mr. Jones accepted that and understood.

Councilmember Singhania stated he was not happy with the appraisal board.

Councilmember Seth motioned to nominate Glen Jones to the BCAD, seconded by Councilmember Broaddus, with Mayor Roznovsky and Councilmembers Broaddus, Singhania, Seth, and Baker voting "aye," and Councilmember Blanchard voting "nay," the motion carried.

Councilmember Singhania nominated Gail Robinson to the BCAD, seconded by Councilmember Broaddus, with Mayor Roznovsky and Councilmembers Broaddus, Singhania, and Baker voting "aye," and Councilmembers Seth and Blanchard voting "nay," the motion carried.

Mr. Mundo read the resolution and included the names of Glen Jones and Gail Robinson.

On motion by Councilmember Seth, seconded by Councilmember Baker with Mayor Roznovsky and Councilmembers Broaddus, Singhania, Seth, and Baker voting "aye," and Councilmember Blanchard voting "nay," the motion to adopt Resolution No. 925 nominating Glen Jones and Gail Robinson as the candidates for the Brazoria County Appraisal Board (BCAD) was approved.

DISCUSS AND CONSIDER RESOLUTION NO. 928 AUTHORIZING THE CITY MANAGER TO SUBMIT A SOLID WASTE MANAGEMENT GRANT APPLICATION TO THE HOUSTON-GALVESTON AREA COUNCIL (HGAC) FOR \$126,000 WITH AN IN-KIND MATCH FOR A VEHICLE AND FUEL PROVIDED BY THE CITY - RIAZUL MIA.

Mr. Mia explained the Houston-Galveston Area Council requests applications for a Solid Waste Management Grant from the local community for the FY 24/25 biennium. Projects eligible for Solid Waste Management grants are local enforcement, litter and illegal dumping cleanup and community collection events, source reduction and recycling, local solid waste management plans, citizens' collection stations and "small" registered transfer stations, household hazardous waste, technical studies, and education and training.

The City of Lake Jackson will apply for a local enforcement and education program to hire a code enforcement officer to educate our citizens regarding the proper disposal of solid waste. The city provides the services, but often, citizens place their solid waste on the wrong day or after city pick-up.

This waste creates health and safety issues for the community. Currently, the city does not have a full-time code enforcement officer to address this issue and educate our citizens. Staff will evaluate the effectiveness of this program before the expiration of the grant for continuation of this program through a solid waste fund with City Council approval.

If awarded, this grant will allow the city to hire a code enforcement officer and pay for their salary and benefits for 18 months. The budget breakdown is as follows.

Councilmember Seth asked if this position becomes a reality, would the person be advised this could be a temporary position. Mr. Mia noted it will be indicated on the application it is by grant.

The grant is for code enforcement to educate people, but they can also write citations. The city can apply for the grant every two years.

On motion by Councilmember Singhania, seconded by Councilmember Blanchard with all present members voting “aye,” Resolution No. 928 authorizing the City Manager to submit a Solid Waste Management Grant application to The Houston-Galveston Area Council (H-GAC) For \$126,000 with an in-kind match for a vehicle and fuel provided by the city was approved.

Mr. Mundo read the resolution caption.

DISCUSS AND CONSIDER RESOLUTION NO. 927 REAPPOINTING GERALD ROZNOVSKY AS THE REPRESENTATIVE AND VINAY SINGHANIA AS AN ALTERNATE TO THE HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS FOR 2024.

On motion by Councilmember Seth, seconded by Councilmember Baker with all present members voting “aye,” Resolution No. 927 reappointing Gerald Roznovsky as the representative and Vinay Singhania as an alternate to the Houston-Galveston Area Council Board of Directors for 2024 was approved.

APPROVE THE SELECTION OF CONSULTANT CIVITAS ENGINEERING GROUP AND AUTHORIZE THE CITY MANAGER TO NEGOTIATE A CONTRACT UNDER RFQ NO. 001-2023 FOR THE CITY OF LAKE JACKSON’S WASTEWATER MASTER PLAN – RIAZUL MIA.

Mr. Mia stated that in July 2023, the city went out for an RFQ for the city’s water and wastewater master plan. There were five submittals received. Mr. Mia stated that after the grading process, staff recommend awarding the project to Civitas Engineering Group, and the process can begin to negotiate a contract. The five submittals are listed below.

1. Ardurra
2. Civitas
3. Garver
4. LAN
5. WGA

Councilmember Singhania noted this is another state-mandated way of selecting firms. He disagrees

with the bid process.

Mr. Mundo explained the state law requirements and how the firms are selected. He also noted the law prohibits discussing the price. Once a firm is selected, a price is negotiated with the awarded firm. If it does not work out, staff moves to the second firm. He reiterated the law prohibits the city from getting prices from qualified firms.

Mr. Mia clarified this is not a bid but a request for qualifications. Mr. Mia also noted that the price can be negotiated with the selected firm once the council approves moving forward. This master plan has never been completed. Mr. Mundo pointed out it is a good strategy to start looking at the infrastructure.

Mayor Roznovsky agreed that the selection process is not good, but it could be worse. The selection RFQ process has been this way for a long time.

On motion by Councilmember Blanchard, seconded by Councilmember Seth with all present members voting “aye,” the selection of consultant Civitas Engineering Group and authorization for the City Manager to negotiate a contract under RFQ No. 001-2023 for the City of Lake Jackson’s Wastewater Masterplan was approved.

APPROVE THE SELECTION OF CONSULTANT LOCKWOOD ANDREWS & NEWMAN, INC. (LAN) AND AUTHORIZE THE CITY MANAGER TO NEGOTIATE A CONTRACT UNDER RFQ NO. 001-2023 FOR THE CITY OF LAKE JACKSON’S WATER MASTER PLAN. – RIAZUL MIA.

On motion by Councilmember Singhania, seconded by Councilmember Broaddus with all present members voting “aye,” the selection of consultant Lockwood Andrews & Newman, Inc. (LAN) and authorization for the City Manager to negotiate a contract under RFQ NO. 001-2023 for the City of Lake Jackson’s Water Masterplan was approved.

AWARD PROJECT NO. 23-07-1196 TO GAM CONSTRUCTION FOR THE CITY HALL RESTROOM RENOVATION PROJECT IN AN AMOUNT NOT EXCEEDING \$160,500 – SAL AGUIRRE.

Mr. Aguirre stated this is a rebid of a prior project. He went over the respondents who submitted a bid. He noted the low bidder came in with a 30-day calendar schedule, which raised flags for staff. This is an unrealistic timeframe to complete the job. Mr. Aguirre explained what happened and noted that the staff rejected the bid. They asked to revise the days to 90 days. Mr. Aguirre said this is not negotiable because the bid submittal cannot be modified. Staff agreed to reject the bid.

Mr. Aguirre said since the second lowest bid from GAM Construction was only a \$10,000 difference, it would be beneficial for the project to move ahead and not risk having to rebid the project and risk receiving higher bids.

Councilmember Seth asked what a bid bond is. Mr. Aguirre explained that the specification and contract require the bid bond, and everyone must submit 5% of the bid amount. It is like earnest money. Mr.

Aguirre also noted the architect checked references on the second lowest bidder to confirm their numbers were still good and to verify their work references.

Councilmember Singhania asked if the city would keep the bond money if the contractor did not perform. Mr. Mundo said yes, but the city did not keep the bond money in this instance. Mr. Mundo explained why. Ms. Russell also noted it is very difficult to collect the bond money.

On motion by Councilmember Blanchard, seconded by Councilmember Broaddus with all present members voting “aye,” project No. 23-07-1196 was awarded to Gam Construction for the city hall restroom renovation project in an amount not to exceed \$160,500.

AWARD BID TO MATULA & MATULA FOR CONCRETE REPAIRS NOT TO EXCEED \$200,000 – SABRINA ENGLAND.

Ms. England stated this would be for minor sidewalk, curb, or ADA ramp repairs. There was discussion about the procurement requirements for services over \$50,000.

On motion by Councilmember Baker, seconded by Councilmember Singhania with all present members voting “aye,” the bid to Matula & Matula for concrete repairs was awarded not to exceed \$200,000.

NEW BUSINESS UPDATE

Mr. Walton gave a new business update.

Mayor Roznovsky thanked Mr. Walton for participating in a roundtable discussion at Brazosport College.

STAFF UPDATES

City Manager updates:

- Preparing for the Festival of Lights
- Boo Bash

Council meeting action item summary:

- Send a letter to the dealership that the utility truck is being purchased from.
- Remove the speed hump on 224 Any Way Street.
- Traffic Commission feedback and review on speed hump policy.
- Send resolutions to H-GAC and BCAD.

CONSTRUCTION UPDATES

Mr. Aguirre gave a construction update.

Mr. Mundo informed Mr. Aguirre of possible lime going into the storm drains on Grapevine Turn from the project. Mr. Aguirre stated that part of the project had not been started yet but will check for pollution.

Councilmember Singhania noted an awkward U-Turn on Parking Way near REM Telephone

downtown. He said the curb sticks way out. Mr. Aguirre stated he would look at it.

ITEMS OF COMMUNITY INTEREST

- Councilmember Broaddus has texted in a few broken water lines, which were fixed the next day. He said the crews are doing a great job. He also mentioned The Fall Fashion Show held at the Museum went very well.
- Councilmember Singhania said the residents at the apartments on FM 2004 are turning left on westbound FM 2004, trying to cut across. Mr. Mundo stated they are aware; pictures have been sent to TxDOT. He said staff would reach out to TxDOT again.
- Councilmember Seth stated that KLJB is partnering with TX Gulf Bank for Shred Day on November 4th.
- Councilmember Baker thanked Councilmember Singhania for inviting him to the Museum Story Talk. Mr. Yenne was the speaker and did a great job.
- Mayor Roznovsky announced the National Night Out on October 3rd. He shared that he proclaimed #TeachersDay.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:18 p.m.

These minutes were approved on the 16 day of October 2023.

Sally Villarreal, City Secretary

Gerald Roznovsky, Mayor