

Village of Jones Creek

7207 Stephen F. Austin
Jones Creek, TX 77541
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CITY COUNCIL REGULAR MEETING

The Board of Alderman of the Village of Jones Creek, Texas will hold a Regular Council Meeting on August 15, 2023, at the Village Hall Located at 7207 Stephen F. Austin Road beginning at 6:00pm Members of the public are able to attend the meeting in person and Via teleconference.

1. **CALL TO ORDER** 6:00pm
2. **INVOCATION AND PLEDGE OF ALLIGENCE** *Invocation led by Reverend Jeff Pittman. Pledges by all.*
3. **ROLL CALL OF MEMBERS** *Mayor Terry Jeffers, Alderman A.J Jinkins, Alderman Corey Thomas. Alderwoman Nicole Hardesty. Alderman Glen Jordan, Alderman David Galloway.*
4. **COMMUNICATION OF VISITORS**

Section 551.007 of the Texas Government Code allows a member of the public who desires to address the body regarding an item on an agenda for open meeting of the body to address the body regarding the item at the meeting before or during the body's consideration of the item. *Alderman Corey Thomas makes a motion to move 6 a. to 4 for the US Army Corps of Engineers to give their presentation. Alderwoman Nicole Hardesty seconds motion. All in favor say aye. All-Aye. Motion carried.*

Information regarding the following slide show and presentation about the Freeport Project may be found at S2GFreeport@usace.army.mil or the QR code at the bottom of the minutes.

Guest Speaker Eduardo Irigoyen (Eddie) US Army Corps of Engineers Presents PowerPoint slide show along with guests Toni Addison, Brian Williams, Nicole Snyder, and Scott Leimer regarding plans for creating a region wide storm surge protection system, updating 2 existing systems, Freeport and Port Aurthur, brand new system at Orange County. Regional approach includes coastal study, the gape area at Oliver and ecosystem restoration along the coast. A new vertical lift gate at the Dow Barge Canal and drainage structure was discussed. Awarded contract to start design in 2019 and currently estimated timeline to complete design in 2025. Looking to complete it around 2028. Construction has not started and is estimated to start around 2025.

Joe Hoffman with West Brazoria County Drainage District-In terms of the timeline did you have to go through a final investment decision? Eddie Irigoyen- The Bipartisan Budget Act already got it funded.

Alderwoman Nicole Hardesty – The study you did I see was from 2017. That didn't take into account Harvey and what it did to certain areas. Do you need to go back and revisit. Eddie- We have different

authorizations; this is a coastal storm risk management which is to protect us from surge from storm, Harvey was from rain. Anything to do with flooding from rain events or flooding that different business.

Alderman David Galloway- it doesn't look like there's really anything here that'll assist us here in Jones Creek? Eddie- You are correct. Eddie- *continues to discuss slide show and break down of the Bipartisan Budget Act and the areas that are being proposed to do the work right now. Joe Hoffman- asks about levees that are not on the list and if they are going to be revised. Eddie- If they are not on the list, they are currently meeting the elevation requirements. When the study was done it looked at the entire system. Next slide and discussion was on next contract and gates that would need to be replaced.

Alderwoman Nicole Hardesty- Where is the pump station going to pump the water to? Alderman Corey Thomas- Will it pump back into the harbor? Eddie- It'll pump this way, into the intercoastal canal.

Alderman Corey Thomas- Are you saying everything around the old Brazos levees will no longer needed? USACE Guest- It'll be the ones at the Dow Barge Canal. Eddie- *continues to discuss slides now involving contracts. Eddie- Mr. Galloway, you brought up that you guys are outside the system, really what I wanted to show is that us improving this system is not really doing any effects to this area or not making it that it's going to cost any additional from us raising the levees or us replacing the gates. The numbers that are shown are for a 1% storm worst case scenario if it were to get into Freeport the numbers stay the same.

Alderwoman Nicole Hardesty- It's not gonna help us in any way? Eddie- no. Joe Hoffman- Are these projections assuming the storms coming from one direction? Or do you actually have some directionality? Eddie- They do several storms if different directions, historical storms, artificial storms.

Alderwoman Nicole Hardesty- You're only talking about coastal? Is it not hurricanes that go up like Harvey? Eddie- these numbers are showing coastal storms, this is not showing situations like Harvey. This is for us to try to prevent storm surges that a hurricane may be a 2 but the surge numbers are more like a 5.

Joe Hoffman- These studies, are ya'll taking into account what these extreme events are and directionality. Also have you considered if you have a storm surge using Ike or Harvey as an example what about the combination of rain events let's say you have a 100-year storm surge on top of a 10- year rain event? USACE Guest- These numbers are a statistical analysis based on how storm tracks vary* gives examples of areas on current slide and goes over the different numbers and examples*

Alderwoman Nicole Hardesty- A lot of these numbers are not showing a significant difference. Where are you showing any difference? Eddie- That's what's being shown is there is no increase in threat from us repairing the system.

Alderwoman Nicole Hardesty- What's this going to be protecting is what I'm asking. Why are you doing it then; it's not helping us, it doesn't look like it's helping the outside of Freeport here so who is it helping? Eddie- It's helping the inside of Freeport.

Alderwoman Nicole Hardesty- So Dow and Freeport LNG and all of the big plants and the Port of Freeport and Phillips? Eddie- We didn't look at outside areas.

Alderman David Galloway- Obviously there is more than one study that goes on at some point in time because you be looking at the best way to spend taxpayers money.at this point in time is there any study going on that will expand anything down the coast? Eddie- We do have the coast of Texas, a small portion. Eddie * continues to point on the slide to show areas that they're doing Eco restoration. * If you are interested in Coastal storm risk management or flood risk management, we do have other avenues that could be explored. *Continues to show slide to discuss the pricing avenues*.

Alderman David Galloway- The other side of it is, we have Jones Creek and we've all talked about it for a long time wanting to see it dredged because normally we have the surge and those levees that do good with a storm surge push everything back so because of that one of our main outflows through Jones Creek and

it has to go down that way but to speak to the Corp about that project obviously puts us in a financial bind situation that we're not going to be able to 50/50 20 million dollars. We're caught in a get nothing situation. Is there a way for us to get this? I'm sure the Corp has dealt with a community that gets inundated with water the Corp is in control of that water ways that go through, and a project has to be done, so how is it done? Obviously if that's inside a place that the municipality does not have the funds to be able to fund it there has to be a way it's done. Or do you just leave them there and not do anything?

Eddie- I understand your concerns, but unfortunately, I don't have an answer for you right now. I will look into it and get back to you.

Joe Hoffman- In terms of the maintenance, is there something that this community could do to participate in in terms of the maintenance?

Alderwoman Nicole Hardesty- All these years Jones Creek has just been silted in and silted in and it's not as deep as it used to be. What we want is for it to be restored back to where it was 60 years ago. That would help this community. That would at least give us an option as far as drainage goes but right now we don't have any options.

USACE Guest- Does it flow to the Brazos River?

Alderwoman Nicole Hardesty- No the San Bernard River.

Mayor Terry Jeffers- Our biggest problem is Brazos River rose over and got into our creek and then our creek spreads out five miles.

USACOE Guest- We did an 80-million-dollar study on the Brazos and what we discovered was the cost to do a 150 ft channel the result was it would not be cost effective. When the Brazos River makes up it's mind to come this way there's no stopping it. It was disappointing but at least we got an answer.

Velasco Drainage District Stewart Herbst- These guys know what they're doing. You really have to go through the right channels and talk to the right people and they could help you with the design side of it.

* Continues to discuss the GLO and Gulf Coast Protection District and GCPD are a taxing entity but a non-elected entity. In order to receive funding all of Brazoria County would have to sign with them. We don't need another taxing entity in Brazoria County. It is possible to get the funding, but you just need to have a plan and patience and luck. This is a gulf coast issue, from Galveston all the way down to us.

Alderman Glen Jordan- Are ya'll gonna take one of the gates out? Right?

Alderman Corey Thomas- I asked the same question, they don't know. That's just the stuff I heard.

Senator Bane, he said it got approved to take the west gate out on the intercoastal. He said it was supposed to start in '23 but it hasn't. Do ya'll know what? That is what's really gonna hurt us.

Eddie- I can get more information for you guys.

Joe Hoffman- Is there a long-term maintenance plan associated with this model?

Stewart Herbst- Right now we can handle it. But once we have the 2nd pump in and a large pump station in, that's a big job and we will have to raise the taxes to fund that.

USACOE Guest- *explaining the grant process and steps to take to obtain grants to assist with funding*

Eddie- *Discusses the process of cost share 65/35 for the 10 mil. As well as potential resources for information and /or support. PowerPoint concluded.

Larry LeCompte- The Marshall is doing a really good job, but we really need to do something about the speeding and put in some speed bumps. I've got skid marks up and down Smith Street now. They're running that stop sign. I see the Marshall's people out there every day but they can't stay out there 24/7. What is the reason we can't have speed bumps?

Alderman Glen Jordan- I'll come by and talk to you about it.

Rocky Thomas- We need to get something in those holes down there at the fire station.

Alderman Corey Thomas- I'm trying to get some but if someone falls in that somebody's gonna get sued.

Mayor Terry

Jeffers- Did you find out anything about that? City Secretary Lauren Grayson- I called and they are on back order. As soon as they come in they will contact us.

Alderman A.J. Jinkins- As a citizen I just want to thank the trash department and commend our trash service for picking up all that trash and hearing our concerns and correcting the problem. I appreciate it.

Joe Hoffman- I was gonna give a quick update on drainage. We have mowed the elementary schools' outflows, Veterans Memorial, and there's another outflow that goes to Texas parks and wildlife we have taped off. So we've done all those. In terms of Jones Creek itself, we've actually cleaned about 2/3s all the way down to 2004. We're already maintaining everything. We've recently just sprayed all that work so what we'll continue to do is maintain all the ditches.

5. OLD BUSINESS

A. Discuss and approve the minutes of the Regular Council Meeting held July 18, 2023 and Special Called Budgeting Workshop Meeting held August 9, 2023. *Alderswoman Nicole Hardesty- I move to approve the minutes. Alderman David Galloway seconds. Mayor Jeffers- All in favor say aye. All- Aye Mayor Jeffers All opposed- none. Motion carried.*

b. Discuss and consider action on financial and monthly reports from all departments and any updates from CPA. *City Secretary Lauren Grayson- I've heard from Lyndsey this week and she needed more information, but she has got started. Every time she emails me I respond right away. Alderswoman Nicole Hardesty- makes motion to accept all of the reports, minus the financials. Alderman A.J. Jinkins seconds motion. All in favor say aye. All- Aye. All opposed say nay. None. Motion carried.*

c. Discuss and consider action on drainage improvement projects and updates from Drainage Liaison Corey Thomas. *Alderman Corey Thomas- we need to put in work orders for the remaining 3if we could get with the Sloughs over on east Stephen f we'd be finished. I don't know what we're waiting on for Robinhood. As soon as we get out of Richwood we'll be here.*

D. Discuss and consider action on updates for ARPA Funds. *Alderman Corey Thomas- If we're gonna go ahead and implement that \$4 does that still come out of this? Lauren Grayson- After September 30 that's the last of the premium pay. The \$4 will be coming out of our pocket. Alderman Glen Jordan- We talked about earlier seeing if we can use the ARPA fund for the insurance...Lauren Grayson- I can check with David and see if that is a possibility.*

E. Discuss and Consider Past & Future Grant applications.

- TxDot City Sidewalks grant (Stephen F. Austin, Primrose, & Bluebonnet) City Secretary Lauren Grayson- TXDOT has been radio silent. We're looking into other avenues.
- CDBG-MIT Grant follow-up - New Water System update/ New approaches for grant opportunities. (RWAFF & County Commissioner) No new information could be provided. Being tabled for next meeting.

F. Discuss and consider the 2% price increase of the Village's trash services. Utilities Clerk Tiffany Lewis discussed the rates raising would only be raised by \$1 per trash can. Alderwoman Nicole Hardesty made a motion to approve rates increase. Alderman A.J. Jenkins seconds motion. All in Favor say Aye. All- Aye. None opposed. Motion carried.

G. Discuss and consider details on grant survey completion. Alderman Corey Thomas- We have a few and I need to get more. The fire department will have a table out there for surveys. The BBQ is September 9th 11am-3pm for the auction. Shane Jenkins performing.

6. NEW BUSINESS.

a. Discuss and consider any action to be taken in regard to "THE FREEPORT PROJECT" presented by the Representative for the Army Corp of Engineers. Moved to Communication of Visitors.

b. Discuss and consider actions to move the Certificate of Deposits and other funds into a more competitive annual percentage rate bearing accounts. Discussed at Budget meeting. Alderman Glen Jordan makes motion. Alderwoman Nicole Hardesty seconds. All in favor say aye. All- Aye. All opposed say nay. None. Motion carried.

c. Discuss and consider actions to increase rental and other annual fees. Alderwoman Nicole Hardesty made a motion to table discussion till the next meeting to procure further information on revitalizing Hall and Beautifications assistance in the matter. Alderman Glen Jordan seconds. All in favor say Aye. All- Aye none opposed. Motion carried.

Alderman Corey Thomas- We we're talking about the game rooms: Sweeny is being paid a yearly permit of \$2000 and \$150 per machine. I thought we redid the ordinance. What is on the ordinance now is not right. It still says you can be open 24/7 and we changed that. It is supposed to say from 8-8 and a guard on duty. 1 parking spot per 2 machines Olsen & Olsen wrote it for us. Lauren, could you find that please? I would like to move the cost up. Makes a motion of a yearly permit of \$2000 and \$150 price per machine. Alderwoman Nicole Hardesty- seconds motion. All in favor say aye. All- Aye. All opposed say nay. None. Motion carried.

d. Discuss and consider actions to change the Interlocal Agreement with the Village's current animal control provider. Alderwoman Nicole Hardesty recuses herself from council and ability to vote on matter and speaks as guest on subject matter.

Nicole Hardesty- We have a current contract with animal control with the city of Brazoria. We pay her when she's available to come out and do patrol and pick ups when the Marshall calls her . In the last 6-8 months it's been very difficult. There's been dogs here in the building and when they do get out to Brazoria we're charged \$10 per day plus the fee to pick them up and we're responsible as a city to dispose of that animal. If the city of Brazoria can't find someone to adopt the animal then the animal is destroyed at our

expense. The SPCA in Brazoria County has their contract changed so they are now able to offer services to other cities and that's what they're looking to do is offer cities small like ours an affordable way to manage the stray animal population without them ever being destroyed. The contract that is proposed here it's a per animal fee \$150 per dog and \$100 per cat wouldn't exceed 50 animals. Since the beginning of this year 24 animals have come through the SPCA that's me personally helping make decisions for the city of Jones Creek. But the SPCA hasn't been paid. Being that the city of Brazoria is getting paid and not taking the animals. I wanted to step forth to the council and give them another option. Marshall Tidwell- we had 24 dogs go over there and if it was Brazoria it would be 10 per dog that's \$240 plus the daily fee and then the euthanasia. The officers are already having to pick up dogs and we don't want to be having to have them put down. We have such a problem out here with animals. It has worked with Brazoria all these years but it no longer is and that's why I am wanting to go with the SPCA. Contract is a yearly contract and it is up already. We have not renewed.. Alderman A.J. Jenkins- Makes motion to end committing to Brazoria and contract with the SPCA. Alderman Cory Thomas seconds motion. All in favor say Aye. Alderwoman Nicole Hardesty not voting. All- Aye. All opposed say nay. None. Motion carried.

e. **Discuss and consider other insurance options for employees and their families.** Alderman Corey Thomas- *discussing packet of additional health coverage. Topic is tabled until discovery from David of ability to use ARPA money for the supplemental coverage.

f. **Discuss and consider adjustments on the 2023-2024 Budget.** Mayor Jeffers- We're getting closer to balancing? Lauren Grayson- Yes. a lot closer than we were the other day. The max figures before it triggers an election is .332929. Just going to .33 is about a 64k variation if there's and fluxuation in values we'll absorb that just going .33. I've gotten the budget around a 20k difference. The was a small surprise and our premium is much higher than we expected. Alderman Cory Thomas- Is that why there are no funds here for street and drainage repair? Lauren Grayson- Yes. otherwise we'd be at \$60,000+ over budget.

- **Office Equipment-** Lauren Grayson- yes you can use the ARPA funds. Alderwoman Nicole Hardesty- That would be us getting 2 of them correct? Lauren Grayson- yes. We have to make sure they are SAM registered and get 2 other quotes and make sure to follow the requirements. The 2 different prices are one is black copiers and one does color. Alderman David Galloway- We can talk about it more in workshop. Alderwoman Nicole Hardesty- We need to have 3 for the ARPA money, so maybe we can get those other 2 quotes fairly quickly. And do a workshop next week. We will need to table this.
- **Program Software** Lauren Grayson- Discussed with representative from Tyler Technologies options to spread out the 92k. Upfront we'd have to pay the annual, which is \$21,938 and \$70,000 over a period of 12 months. That could give us time to come up with other funds. Alderwoman Nicole Hardesty- I would like for them to come talk to us. Lauren Grayson- The representative said he would be more than happy to come speak with us. Alderwoman Nicole Hardesty- We would need to get the numbers of all the programs we would be eliminating and how much money that would be. Also

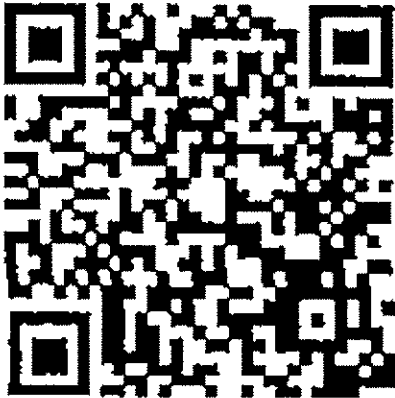
how many man hours we are saving by not using this antiquated system.

- **Ad Valorem Tax Rate** *Aldermoman Nicole Hardesty- We were going with the .33? Aldermoman Nicole Hardesty- Makes a motion to accept the Ad Valorem Tax Rate of .33. Alderman David Galloway seconds motion. Mayor Jeffers- Signify say Aye approved. All- Aye. Mayor Jeffers- Nay opposed. None. Motion carried. Mayor Jeffers- We'll have to do this with a public hearing and record the vote.*

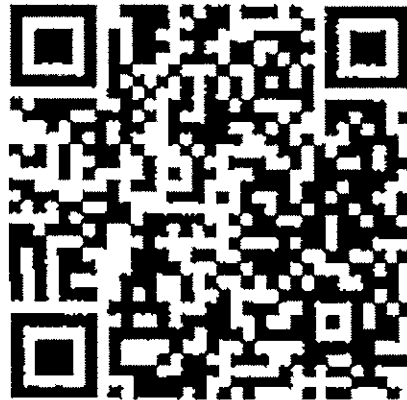
7. **ADJOURNMENT 7:51** *Alderman Corey Thomas-I make a motion to adjourn. Alderman David Galloway- Seconds motion. Mayor Jeffers- All in favor say aye. All- Aye. None opposed. Motion carried.*

For more information regarding US Army Corp of Engineers Freeport Project please visit the project resources below.

Project Website



Project StoryMap



CERTIFICATION

I hereby certify that this Public Notice was placed on the official Bulletin Board at the City Hall on August 18th, 2023 no later than 5:30p.m.

Lauren Grayson, City Secretary

NOTE: ITEMS WILL NOT NECESSARILY BE DISCUSSED AND ACTED ON IN THE ORDER THEY APPEAR ON THE AGENDA. THE BOARD OF ALDERMAN, AT ITS DISCRETION, MAY DISCUSS AND TAKE ACTION ON ANY OR ALL OF THE ITEMS LISTED IN A DIFFERENT ORDER IF A MAJORITY OF THE BOARD SO DETERMINES.

This notice is being posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code). In compliance with the American with Disabilities Act, on request the Village of Jones Creek will provide for reasonable accommodations for persons attending meetings of its Board of Aldermen. Request for such accommodations or for interpreter services should be received 48 hours prior to any meeting. Please contact the Village Secretary's office at 979-233-2700 to request such accommodations.