

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, JANUARY 11, 2016, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

Mayor Reid called the meeting to order at 6:34 p.m. with the following present:

Mayor	Tom Reid
Mayor Pro-Tem	Tony Carbone
Councilmember	Derrick Reed
Councilmember	Gary Moore
Councilmember	Keith Ordeneaux
Councilmember	Greg Hill
City Manager	Clay Pearson
City Attorney	Darrin Coker
City Secretary	Young Lorfing

Others in attendance: Daniel Baum Deputy Fire Chief; Jon Branson Deputy City Manager; Matt Buchanan President of Economic Development Corporation; J.C. Doyle Police Chief; Trent Epperson Assistant City Manager; Chris Orlea Director of Parks and Recreation; Lata Krishnarao Director of Community Development; Sue Polka Director of Engineering; Vance Riley Fire Chief; Eric Wilson Public Works Director; Sparkle Anderson Communications Manager; Skipper Jones Assistant Director of Capital Projects; Michael Leech Assistant Director, Public Works; John McCarter Management Assistant; Daniel McGhinnis Chief Information Officer; Rick Overgaard Assistant Finance Director; Bob Pearce Purchasing Officer; Lawrence Provins Deputy City Attorney.

The invocation was given by Councilmember Reed and the Pledge of Allegiance was led by Michael Olinger Boy Scout Troop 414.

ROLL CALL: Mayor Reid, Mayor Pro-Tem Carbone, Councilmembers Moore, Reed, Ordeneaux, and Hill.

CITIZEN COMMENTS:

Paul Eskine, 3516 E. Orange Street, addressed Council stating he is representing the Linwood 1 Subdivision and residents on E. Orange Street. He thanked the City Council for helping the residents in a great way to find a solution for the drainage problems. He further stated the residents have been meeting with City Staff, Public Works Director and Engineering and they have been helpful and courteous. He stated a meeting is scheduled in the near future and if Council is able to attend he believes together they can find a solution to the drainage problems.

Larry Marcott, 3606 Inverness Court, addressed Council stating his concerns with drainage and flooding regarding the new subdivision on Dixie Farm Road, the detention pond and the spillway.

Trent Perez, 1902 Lazy Hollow Lane, addressed Council stating he is representing the Lakes of Highland Glen Subdivision. He stated the concerns of the residents is the traffic and the design of Pearland Parkway. He listed some changes to Pearland Parkway that he and the residents would like for Council to consider. He stated the main issue is if Council would consider the redesign of the traffic circle and if this matter could be moved up to 2017 on the Capital Improvement Plan.

PUBLIC HEARING: None.

CONSENT AGENDA:

- A. **Consideration and Possible Action – Approval Of Minutes:**
 - 1. Minutes of the October 19, 2015 Public Hearing held at 6:30 p.m.

- B. **Consideration and Possible Action – Resolution No. R2016-02 –** A Resolution of the City Council of the City of Pearland, Texas, authorizing a contract for professional services associated with the Hughes Ranch Road West Water Line Project, with Brown and Gay Engineers, in the amount of \$58,473.00.

- C. **Consideration and Possible Action – Resolution No. R2016-03 –** A Resolution of the City Council of the City of Pearland, Texas, renewing a contract for delinquent revenue collection services with NRA Group, LLC, for a one year period.

- D. **Consideration and Possible Action – Resolution No. R2016-06 –** A Resolution of the City Council of the City of Pearland, Texas, renewing a bid for the purchase of fire bunker gear from Dooley Tackaberry, Inc. in the estimated amount of \$97,000 for the period of January 12, 2016 through January 11, 2017.

- E. **Consideration and Possible Action – Resolution No. R2016-05 –** A Resolution of the City Council of the City of Pearland, Texas, awarding a unit price contract for the rough cut mowing and maintenance of roadside ditches, vacant City properties and retention areas, to Lawnsapes Unlimited in the estimated amount of \$95,858.89, for the period of January 11, 2017 through January 10, 2017.

Mayor Pro-Tem Carbone asked that Consent Agenda Item E be removed from the Consent Agenda for further discussion.

Councilmember Hill made the motion, seconded by Councilmember Ordeneaux to adopt Consent Agenda Items A through E with the exception of Item E as presented on the Consent Agenda.

Voting "Aye" Councilmembers Hill, Ordeneaux, Carbone, Reed, and Moore.

Voting "No" None.

Motion Passed 5 to 0.

MATTERS REMOVED FROM CONSENT AGENDA

As requested by Mayor Pro-Tem Carbone Consent Agenda Item E was removed for further discussion.

Councilmember Hill made the motion, seconded by Councilmember Ordeneaux to approve the Resolution No. R2016-05.

- E. Consideration and Possible Action – Resolution No. R2016-05 – A Resolution of the City Council of the City of Pearland, Texas, awarding a unit price contract for the rough cut mowing and maintenance of roadside ditches, vacant City properties and retention areas, to Lawnsapes Unlimited in the estimated amount of \$95,858.89, for the period of January 11, 2017 through January 10, 2017.**

City Manager Clay Pearson reported proper ground maintenance services are necessary in the provision of a well-maintained, aesthetically-pleasing community, and play a role in the economic development and image of the community. Council is being asked to award a unit supply contract for rough cut maintenance services to Lawnsapes Unlimited in the estimated amount of \$95,858.89.

Discussion ensued between Mayor Pro-Tem Carbone and Assistant City Manager Trent Epperson regarding the contract is mowing only City owned property.

Discussion ensued between Councilmember Reed and City Attorney Darrin Coker regarding the type-o of, January 11, 2017 through January 10, 2017 in Resolution No. R2016-05. It will be corrected in the contract as January 11, 2016 through January 10, 2017.

Voting "Aye" Councilmembers Moore, Reed, Carbone, Ordeneaux, and Hill.

Voting "No" None.

Motion Passed 5 to 0.

NEW BUSINESS:

First Reading of Ordinance No. CUP-2015-13 – An ordinance of the City Council of the City of Pearland, Texas, approving a **Conditional Use Permit (CUP) to allow for a winery in the General Commercial (GC) zone, being the North one-half of Lot 47 of the Subdivision of Section 85, H.T.B.B. Railroad Company Survey, Abstract No. 304, in Brazoria County, Texas; being that same tract of land as described in the deed to Thomas a, Amundsen recorded in Volume 91960, Page 139, Deed Records**

of Brazoria County, Texas. **(Located at 2635 Miller Ranch Road, Pearland, TX.)** Conditional Use Permit Application No 2015-13, within the General Commercial (GC) zoning district, at the request of Jimmy Aranda, applicant; on behalf of Tom Amundsen, owner, containing a savings clause, a severability clause, and an effective date and other provisions related to the subject.

Councilmember Ordeneaux made the motion, seconded by Councilmember Hill, to approve Ordinance No. CUP-2015-13 on its First Reading.

Mayor Reid read into the record the Planning & Zoning Commission's recommendation to forward to Council for approval of the Conditional Use Permit Application No. 2015-13.

City Manager Clay Pearson reported the applicant is requesting approval of a conditional use permit (CUP) to allow for a Winery in the General Commercial (GC) zoning district.

Councilmember Moore stated everyone is in agreement with this change, it does not need to be held up any longer. He would like for the second reading to be presented at the next scheduled Council meeting.

Mayor Pro-Tem Carbone stated since tonight there are more residents in attendance he would like to hear more information regarding the Winery.

Director of Community Development Lata Krishnarao stated the proposed use will be located within an existing building that is currently part of a small office warehouse park located on the east side of Miller Ranch Road. The applicant is proposing a 2500 square foot facility that will include a small tasting room with seating for up to 12 guests. The CUP will be for the entire property, allowing future expansion if needed. The facility will include an area for production, bottling, and tasting of the product. All functions of the proposed winery will take place within the existing building. No changes to the exterior of the building or land are proposed at this time.

Voting "Aye" Councilmembers Hill, Ordeneaux, Carbone, Reed, and Moore.

Voting "No" None.

Motion Passed 5 to 0.

Council Action – Resolution No. R2015-221 – A Resolution of the City Council of the City of Pearland, Texas, approving a change order with Crain Group, LLC in the amount of \$450,712.00 associated with the Sports Complex at Shadow Creek Ranch Project.

Mayor Pro-Tem Carbone made the motion, seconded by Councilmember Moore, to approve Resolution No. R2015-221.

City Manager Clay Pearson reported Council is being asked to approve a change order to the construction contract for Crain Group, L.L.C. in the amount of \$450,712.00 for the Sports Complex at Shadow Creek Ranch Project.

Assistant City Manager Trent Epperson clarified the quantity discrepancy that was discovered upon reconciling the electrical subcontractor's invoice in preparation for a pay application submittal.

Voting "Aye" Councilmembers Hill, Ordeneaux, Carbone, Reed, and Moore.

Voting "No" None.

Motion Passed 5 to 0.

Council Action – Resolution No. R2016-07 – A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into a Development Agreement with Lake Park Pearland, Ltd, associated with storm sewer improvements (generally located at the intersection of Cullen Parkway and CR 403) in the estimated amount of \$1,117,000.00.

City Attorney Darrin Coker requested to pass over Resolution No. R2016-07. It will be presented at the next scheduled Council meeting.

Council Action – Resolution No. R2016-04 – A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for Police Department Utilization and Staffing Study to Berkshire Advisors in the amount of \$80,800.00.

Councilmember Moore made the motion, seconded by Mayor Pro-Tem Carbone, to approve Resolution No. R2016-04.

City Manager Clay Pearson reported pursuant to a City Council and City Management directive, Purchasing and Police Department personnel developed specifications for, and conducted, a Request for Proposal for preparation of a Police Department Utilization and Staffing Study. Council is being asked to award a bid for Police Department Utilization and Staffing Study to Berkshire Advisors in the amount of \$80,800.00.

Police Chief J.C. Doyle gave an overview of the approach that Berkshire Advisors will be evaluating.

Discussion ensued between Councilmember Hill and the President of Berkshire Advisors Michael Walker regarding what Berkshire Advisors will bring to the City with this study.

Discussion ensued between Mayor Pro-Tem Carbone and the President of Berkshire Advisors Michael Walker regarding the input he receives from staff and receiving a complete report of what Berkshire Advisors find from the study.

Councilmember Hill stated this study is very important because it deals with Public Safety. He further stated the City of Pearland is your client, not a particular department. The City of Pearland as the client we would like to see an accurate assessment from this study of what needs to be done.

Voting "Aye" Councilmembers Moore, Reed, Carbone, Ordeneaux, and Hill.

Voting "No" None.

Motion Passed 5 to 0.

MAYOR/COUNCIL ISSUES FOR FUTURE CITY COUNCIL AGENDAS

Mayor Pro-Tem Carbone asked for a memo from Staff regarding the drainage issue on Dixie Farm Road.

Councilmember Moore reiterate that Ordinance No. CUP-2015-13 regarding the winery be presented on the next scheduled Council meeting for the second reading.

OTHER BUSINESS:

Council adjourned into Executive Session under Texas Government Code at 7:42 p.m.to discuss the following.

EXECUTIVE SESSION UNDER TEXAS GOVERNMENT CODE

1. **Section 551.074 – Personnel Matters** – Regarding the Annual Evaluation of the City Manager.

NEW BUSINESS CONTINUED:

Council returned from Executive Session at 10:02 p.m.

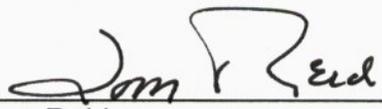
Council Action – Regarding the Annual Evaluation of the City Manager.

No action taken.

ADJOURNMENT

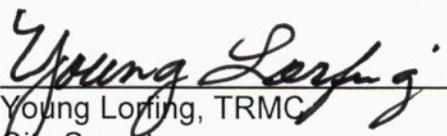
Meeting was adjourned at 10:03 p.m.

Minutes approved as submitted and/or corrected this the 22nd day of February, A.D., 2016.



Tom Reid
Mayor

ATTEST:



Young Loring, TRMC
City Secretary

