

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, JANUARY 25, 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 6:30 p.m. with the following present:

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

Others in attendance: 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; Michelle Graham Director of Human Resource; Lata Krishnarao Director of Community Development; Sue Polka Director of Engineering; Vance Riley Fire Chief; Kim Sinistore Executive Director of the Convention/Visitors Bureau; 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; Bob Pearce Purchasing Officer; Jennifer Huhn Court Administrator.

The invocation was given by Councilmember Hill and the Pledge of Allegiance was led by Police Chief Chris Doyle.

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

**CITIZEN COMMENTS:**

Stephanie Hebert, 2006 Isla Drive, addressed Council stating her concerns regarding the flooding and drainage issues in her neighborhood.

Ernie DeMartino, 5108 Brett Drive, addressed Council stating his concerns regarding the train horns and railroad crossings.

Layni Cade, 1901 Meadow Creek Drive, addressed Council stating the residents addressed Council 14 months ago regarding the park in Woodcreek subdivision. It has been 18 months since their playground equipment was removed. The neighborhood is older and their park is non-functioning. Residents have lived there for 30 years and pay taxes and they do not understand why their playground equipment cannot be updated.

PUBLIC HEARING: None.

CONSENT AGENDA:

- A. **Consideration and Possible Action – Approval Of Minutes:**
1. Minutes of the October 19, 2015, Joint Special Meeting held at 7:00 p.m.
  2. Minutes of the November 9, 2015, Regular Meeting held at 6:30 p.m.
  3. Minutes of the November 16, 2015, Joint Special Meeting held at 7:00 p.m.
- B. **Consideration and Possible Action – Second and Final 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.
- C. **Consideration and Possible Action – Resolution No. R2016-9** – A Resolution of the City Council of the City of Pearland, Texas, renewing a unit supply contract for traffic signal heads and components with Traffic Parts, Inc., in the estimated amount of \$88,060.00 beginning February 25, 2016 through February 24, 2017.
- D. **Consideration and Possible Action – Resolution No. R2016-15** – A Resolution of The City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to participate in an interlocal cooperative pricing arrangement with the Houston-Galveston Area Council (H-GAC) for the purchase of miscellaneous radios and equipment for the Police and Fire Departments from Motorola Solutions, Inc., in the estimated amount of \$142,766.04.
- E. **Consideration and Possible Action – Resolution No. R2016-10** – A Resolution of the City Council of the City of Pearland, Texas, renewing a contract for the purchase of Fire Department Uniforms from Galls, LLC, in the estimated amount of \$71,055.00 for the period of January 26, 2016 through January 25, 2017.

Councilmember Hill asked that Consent Agenda Item E be removed from the Consent Agenda for further discussion.

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

Councilmember Hill made the motion, seconded by Mayor Pro-Tem Carbone, to adopt Consent Agenda Items A through E with the exception of Items C and E as presented on the Consent Agenda.

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

Voting "No" None.

Motion Passed 5 to 0.

### **MATTERS REMOVED FROM CONSENT AGENDA**

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

Councilmember Hill made the motion, seconded by Councilmember Moore, to approve Resolution No. R2016-9.

- C. Consideration and Possible Action – Resolution No. R2016-9 – A Resolution of the City Council of the City of Pearland, Texas, renewing a unit supply contract for traffic signal heads and components with Traffic Parts, Inc., in the estimated amount of \$88,060.00 beginning February 25, 2016 through February 24, 2017.**

City Manager Clay Pearson reported in February 2014, the City awarded Traffic Parts, Inc. the unit price contract for Supply of Traffic Signal Heads and Components, which includes parts and materials used to operate and maintain the City's traffic signal system, school zone flashers, and to implement the flashing yellow left-turn arrow program. Traffic Pars, Inc. has provided the parts for the last two years under this contract, and staff concurs with the recommendation to the final one (1) year renewal.

Discussion ensued between Mayor Pro-Tem Carbone and Assistant City Manager Trent Epperson regarding the flashing yellow left-turn arrow program is budgeted to do a certain amount per year. The schedule is to do one per month.

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

Voting "No" None.

Motion Passed 5 to 0.

As requested by Councilmember Hill Consent Agenda Item E was removed for further discussion.

Councilmember Hill made the motion, seconded by Councilmember Ordeneaux, to approve Resolution No. R2016-10.

- F. **Consideration and Possible Action – Resolution No. R2016-10** – A Resolution of the City Council of the City of Pearland, Texas, renewing a contract for the purchase of Fire Department Uniforms from Galls, LLC, in the estimated amount of \$71,055.00 for the period of January 26, 2016 through January 25, 2017.

City Manager Clay Pearson reported in January 2016, Galls, LLC was given the option of renewing the contract for an additional year. Galls, LLC opted to renew the Fire Department uniform contract for one additional year with no price increase.

Discussion ensued between Councilmember Hill and Purchasing Officer Bob Pearce regarding the satisfaction level of the company and the process for bid renewals.

Voting “Aye” Councilmembers Moore, Reed, Carbone, Ordeneaux, and Hill.

Voting “No” None.

Motion Passed 5 to 0.

#### **NEW BUSINESS:**

**Council Action – Resolution No. R2016-7** – A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into a Development and Subdivision Agreement with Lake Park Pearland, Ltd, associated with the oversizing of sanitary sewer improvements and the construction of other public improvements (**generally located at the intersection of Cullen Parkway and McHard Road**) in the estimated amount of \$1,117,000.00.

Councilmember Ordeneaux made the motion, seconded by Councilmember Moore, to approve Resolution No. R2016-7.

City Attorney Darrin Coker reported the developer expects to begin work on the sanitary sewer and lift station by November 2016 and, per the agreement, will complete that work on or before May, 2017. The City is in the process of acquiring a required easement for the sewer line.

Discussion ensued between Councilmember Hill and Assistant City Manager Trent Epperson regarding the funding provisions coming from the water and sewer fund.

Discussion ensued between Mayor Pro-Tem Carbone and Assistant City Manager Trent Epperson regarding the location of the interim lift station.

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

Voting "No" None.

Motion Passed 5 to 0.

**Council Action – Resolution No. R2016-14** – A Resolution of the City Council of the City of Pearland, Texas, authorizing the power of eminent domain to acquire fee simple title to certain property; being a 0.006 of one acre (272 square feet) parcel of land located in the H.T.& B. R.R. Co. Survey, Abstract No. 310, Brazoria County, Texas and being out of and a part of the Westerly 0.481 of one acre portion of that tract described as 0.898 of one acre in the County Road 403 abandonment per Brazoria County Commissioner's Court dated August 19, 1985 and recorded in Volume (85)175, Page 155, Brazoria County Deed Records, for the construction and maintenance of water, sewer, drainage and road improvements (**Hughes Ranch Road Project**) on certain real property described herein; authorizing the city attorney, or his designee, and other city officials to take such actions as are necessary to acquire said property, located within the city, by donation, purchase, or by the exercise of the power of eminent domain.

Mayor Pro-Tem Carbone made the motion, seconded by Councilmember Moore, to approve Resolution No. R2016-14.

City Attorney Darrin Coker stated he appreciates Council's patience with these types of resolutions when the City is acquiring eminent domain the entire caption has to be read. He reported this resolution will allow the City to file a condemnation petition associated with the above referenced project. Prior to the filing of a condemnation action, the City Council must approve a resolution, declaring a public necessity, which will be filed as an attachment to the City's Petition.

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

Voting "No" None.

Motion Passed 5 to 0.

**Council Action – Resolution No. R2016-13** – A Resolution of the City Council of the City of Pearland, Texas, authorizing the power of eminent domain to acquire fee simple title to certain property; being a 0.1527 of one acre (6,652 square feet) parcel of land located in the H.T.& B. R.R. Co. Survey, Abstract No. 310, Brazoria County, Texas and being out of and a part of the Northeasterly corner of Lot 33, Block 1 of the ALLISON RICHEY GULF COAST HOME COMPANY SUBDIVISION, a subdivision per plat or map recorded in Volume 2, Page 107, Brazoria County Map Records (B.C.M.R.), for the construction and maintenance of water, sewer, drainage and road improvements (**Hughes Ranch Road Project**) on certain real property described herein; authorizing the city attorney, or his designee, and other city officials to take such actions as are necessary to acquire said property, located within the city, by donation, purchase, or by the exercise of the power of eminent domain.

Councilmember Reed made the motion, seconded by Councilmember Moore, to approve Resolution No. R2016-13.

City Attorney Darrin Coker reported this resolution will allow the City to file a condemnation petition associated with the above referenced project. Prior to the filing of a condemnation action, the City Council must approve a resolution, declaring a public necessity, which will be filed as an attachment to the City's Petition. The City is acquiring fee title interest in the property to accommodate the project.

Discussion ensued between Mayor Pro-Tem Carbone and City Attorney Darrin Coker regarding the owners of the property being contacted and have not contested.

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

Voting "No" None.

Motion Passed 5 to 0.

**Council Action – Resolution No. R2016-16** – A Resolution of the City Council of the City of Pearland, Texas, endorsing the Pearland 20/20 Community Strategic Plan.

Councilmember Moore made the motion, seconded by Councilmember Reed, to approve Resolution No. R2016-16.

President of Economic Development Corporation Matt Buchanan gave an overview of a long-term strategic community and economic development planning process to create a shared vision for the community's future growth and action plan to achieve it.

Discussion ensued between Councilmember Hill and President of Economic Development Corporation Matt Buchanan regarding the bypass on SH 35, Grand Boulevard Plan and Parks Plan.

Mayor Pro-Tem Carbone thanked everyone that took time from their schedule to serve on the Steering Committee.

Discussion ensued between Mayor Pro-Tem Carbone and President of Economic Development Corporation Matt Buchanan regarding this plan involving the more established subdivisions that are having drainage issues.

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

Voting "No" None.

Motion Passed 5 to 0.

## MAYOR/COUNCIL ISSUES FOR FUTURE CITY COUNCIL AGENDAS

Mayor Pro-Tem Carbone asked if Council would prepare an update in the form of an agenda item or memo regarding the Woodcreek Park and the memo that came out a couple of months ago regarding the railroad crossings be put on the City's website to update the citizens.

Councilmember Moore asked if something could be done on Washington Street and Texas Street near the railroad similar to what was done off of FM 518 on the west side with don't block the box. When the train comes through in the mornings and afternoons on Washington and Texas Street the traffic backs up and the intersection is blocked.

Councilmember Reed stated on the south end of Kingsley a portion of Southern Trails subdivision never received a sound wall. He would like to add this to a future agenda or discussion on how to correct this.

Councilmember Hill stated regarding the drainage issues with Linwood and Orange he would like to see an update showing where the City is at, the end goal, the completion date, and a solution. He does not want this to be forgotten.

### OTHER BUSINESS:

Council adjourned into Executive Session under Texas Government Code at 7:30 p.m. to discuss the following.

### EXECUTIVE SESSION UNDER TEXAS GOVERNMENT CODE

- 1. Section 551.072 – Real Property:** Regarding the Sale, Lease, Purchase, or Exchange of Real Property.

### NEW BUSINESS CONTINUED:

Council returned from Executive Session at 7:48 p.m.

Council Action – Regarding the Sale, Lease, Purchase, or Exchange of Real Property.

Councilmember Moore made the motion, seconded by Mayor Pro-Tem Carbone to authorize staff to proceed with the acquisition of property located at the intersection of Dixie Farm Road and Pearland Parkway as discussed in Executive Session.

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

Voting "No" None.

Motion Passed 5 to 0.

ADJOURNMENT

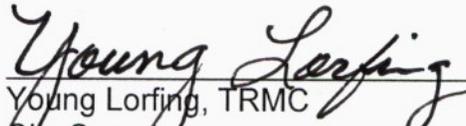
Meeting was adjourned at 7:48 p.m.

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



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Tom Reid  
Mayor

ATTEST:

  
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Young Lorfing, TRMC  
City Secretary