

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, JANUARY 8, 2018 AT 6:30 P.M., IN THE PUBLIC SAFETY BUILDING, 2555 CULLEN PARKWAY, PEARLAND, TEXAS.**

Mayor Reid called the meeting to order at 6:40 p.m. with the following present:

Mayor	Tom Reid
Mayor Pro-Tem	Derrick Reed
Councilmember	Tony Carbone
Councilmember	Gary Moore
Councilmember	Keith Ordeneaux
Councilmember	J. David Little
Councilmember	Trent Perez
Councilmember	Woody Owens
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; Michelle Graham Director of Human Resource; John McCarter Budget Officer; Cynthia Pearson Director of Finance; Vance Riley Fire Chief; Kim Sinistore Executive Director of the Convention/Visitors Bureau; Johnny Spires Police Chief; Robert Upton City Engineer; Eric Wilson Director of Public Works; Sparkle Anderson Communications Director; Joel Hardy Interim Management Assistant; Lawrence Provins Deputy City Attorney.

The invocation was given by Councilmember Carbone and the Pledge of Allegiance was led by Police Chief Johnny Spires.

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

**CITIZENS COMMENTS:**

Andrew Miller, 3416 Norma Lane, addressed Council by presenting the Keep Pearland Beautiful annual and quarterly reports.

Jarred Hostetler, 17410 County Road 127, addressed Council stating he was recently annexed into the City of Pearland. He asked Council to de-annex his property.

**CONSENT AGENDA:**

- A. Approval of Minutes:**
1. Minutes of November 13, 2017, Regular Meeting held at 6:30 p.m.
  2. Minutes of November 27, 2017, Regular Meeting held at 6:30 p.m.
  3. Minutes of November 27, 2017, Special Meeting held at 6:00 p.m.
  4. Minutes of December 11, 2017, Regular Meeting held at 6:30 p.m.
- B. Consideration and Possible Action – Resolution No. R2018-18 - A Resolution of the City Council of the City of Pearland, Texas, awarding a unit supply bid for waste water polymer services to Fort Bend Services, in the estimated amount of \$120,000.00 beginning January 27, 2018 through January 26, 2019.**
- C. Consideration and Possible Action – Resolution No. R2018-16 - A Resolution of the City Council of the City of Pearland, Texas, accepting the City's Investment Report for the quarter ending September 2017.**
- D. Consideration and Possible Action – Resolution No. R2017-178-2 - A Resolution of the City Council of the City of Pearland, Texas, amending R2017-178; extending the temporary waiver of building permit fees for all building inspections fees associated the repair of homes and businesses damaged from Hurricane Harvey retroactively from December 1, 2017 until May 31, 2018.**
- E. Consideration and Possible Action - Excuse the Absence of Councilmember Keith Ordeneaux from the Regular Council Meeting held on December 18, 2017.**
- F. Consideration and Possible Action – Resolution No. R2018-17 - A Resolution of the City Council of the City of Pearland, Texas, renewing a unit supply bid for the purchase of Police Department firearm ammunition with Bailey's House of Guns, in the estimated amount of \$62,625.46, for the period of January 24, 2018 through January 23, 2019.**
- G. Consideration and Possible Action – Resolution No. R2018-15 - A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for the purchase of an ambulance from Mac Haik Dodge in the amount of \$239,125.**
- H. Consideration and Possible Action – Resolution No. R2018-6 - A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for the removal and installation of new running track surface at the Recreation Center & Natatorium to Rubber Flooring Systems, Inc., in the amount of \$134,494.40.**

- I. **Consideration and Possible Action – Resolution No. R2018-7** - A Resolution of the City Council of the City of Pearland, Texas, renewing a unit price service contract for rough cut mowing maintenance of roadside ditches, vacant City properties and retention areas, with Lawnscaapes Unlimited in the estimated amount of \$118,342.81, for the period of January 12, 2018 through January 11, 2019.
- J. **Consideration and Possible Action – Resolution No. R2018-8** - A Resolution of the City Council of the City of Pearland, Texas, awarding a unit supply contract for electrical services to DM Electrical and Construction, in the estimated amount of \$106,360.00, beginning January 15, 2018 through January 14, 2019.
- K. **Consideration and Possible Action – Resolution No. R2018-3** - A Resolution of the City Council of the City of Pearland, Texas, renewing a Unit price contract for preventative maintenance and repairs for standby generators to Power Pro-Tech Inc., in the estimated amount of \$90,000.00 annually for the period of January 10, 2018 through January 9, 2019.
- L. **Consideration and Possible Action – Resolution No. R2018-12** - A Resolution of the City Council of the City of Pearland, Texas, awarding a unit price contract for water and wastewater treatment chemicals and water analysis services with NAPCO Chemical Company, in the estimated amount of \$281,310.00, for the period of January 15, 2018 through January 14, 2019.

**MATTERS REMOVED FROM CONSENT AGENDA:**

Councilmember Carbone asked that Consent Agenda Item H be removed from the Consent Agenda for further discussion.

Councilmember Carbone made the motion, seconded by Councilmember Moore to adopt Consent Agenda Items A through L with the exception of Item H as presented on the Consent Agenda.

Voting "Aye" Councilmembers Carbone, Moore, Reed, Ordeneaux, Little, Perez and Owens.

Voting "No" None.

Motion Passed 7 to 0.

As requested by Councilmember Carbone Consent Agenda Item H was removed for further discussion.

- H. Consideration and Possible Action – Resolution No. R2018-6 – A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for the removal and installation of new running track surface at the Recreation Center & Natatorium to Rubber Flooring Systems, Inc., in the amount of \$134,494.40.**

Councilmember Carbone made the motion, seconded by Councilmember Moore to approve Resolution No. R2018-6.

City Manager Clay Pearson reported Council is being asked to award a bid for the removal and installation of new running track surface at the Recreation Center & Natatorium to Rubber Flooring Systems, Inc.

Discussion ensued between Councilmember Owens and Assistant Director of Parks and Recreation Carry Capers regarding having to pay half of what is owed up front before any work is done, the construction timeline and saving funds by utilizing dumpsters from Waste Management.

Discussion ensued between Councilmember Moore and Assistant Director of Parks and Recreation Carry Capers regarding the type of flooring currently at the Natatorium.

Deputy City Manager Jon Branson stated with the assistance of Legal if it is Council's prerogative to negotiate the agreement, related to the amount of funds required to pay down Staff can probably take care of that.

Voting "Aye" Councilmembers Carbone, Reed, Ordeneaux, Little, Perez and Owens.

Voting "No" Councilmember Moore.

Motion Passed 6 to 1.

**NEW BUSINESS:**

City Attorney Darrin Coker stated the next two items are related to the Lower Kirby vicinity. The City will go through the eminent domain process because being unable to negotiate for the purchase of the property. He further stated as required by State Law he will read the entire caption of both Resolutions.

**Council Action – Resolution No. R2018-1 - 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 associated with public improvements in the Lower Kirby vicinity; all of that 4.994 acres of land, located in the James Hamilton Survey, A-881, Harris County,**

Texas, being all of the 4.961 acre tract described in the deed from Mary Joyce Hardy (also known as Joyce Pounds Hardy) to Susie M. Lorance recorded under File No. RP-2017-2879 in the Official Public Records of Real Property, of Harris County, Texas, which is all of the 4.24 acre tract, described in the deed from Mary Joyce Hardy to Susie M. Lorance, recorded under File No. V507633, in the Official Public Records of Real Property, of Harris County, Texas, and the Residue of a 5 acre tract described in the deed from Horace Pounds Hardy to Joyce Pounds Hardy recorded under File No. G651828, in the Official Public Records of Real Property, of Harris County, Texas, and out of Lot 3, of the JAMES HAMILTON SURVEY, a subdivision recorded in Volume 83, Page 342 of the Deed Records of Harris County, Texas for the construction and maintenance of public facilities, park improvements, water, sewer, drainage and road improvements 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 Moore made the motion, seconded by Councilmember Perez to approve Resolution No. R2018-1.

Voting "Aye" Councilmembers Reed, Ordeneaux, Little, Perez, Owens and Carbone.

Voting "No" Councilmember Moore.

Motion Passed 6 to 1.

**Council Action – Resolution No. R2018-2** - 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 associated with public improvements in the Lower Kirby vicinity; all of that 1.201 acres of land, in the James Hamilton survey, A-881, Harris County, Texas, which is all of a 43,560 square foot tract described in the deed from Laura B. Klein to Christopher S. Klein, recorded under File No. 20120085593, in the Official Public Records of Real Property, Harris County, Texas, out of Lot 3, of the JAMES HAMILTON SURVEY, a subdivision of record in Volume 83, Page 342 of the Deed Records of Harris County, Texas for the construction and maintenance of public facilities, park improvements, water, sewer, drainage and road improvements 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 Moore made the motion, seconded by Councilmember Perez to approve Resolution No. R2018-2.

Voting "Aye" Councilmembers Reed, Little, Ordeneaux, Little, Perez, Owens and Carbone.

Voting "No" Councilmember Moore.

Motion Passed 6 to 1.

**Council Action – Resolution No. R2018-5** - A Resolution of the City Council of the City of Pearland, Texas, awarding a unit supply contract for water/wastewater treatment chemicals and water analysis services to PVS Minibulk, in the estimated amount of \$508,800.00, beginning January 15, 2018 through January 14, 2019.

Mayor Pro-Tem Reed made the motion, seconded by Councilmember Moore to approve Resolution No. R2018-5.

City Manager Clay Pearson reported Council is being asked to award a unit supply contract for water/wastewater treatment chemicals and water analysis services to PVS Minibulk.

Voting "Aye" Councilmembers Reed, Ordeneaux, Little, Perez, Owens, Carbone and Moore.

Voting "No" None.

Motion Passed 7 to 0.

**Council Action – Resolution No. R2018-4** - A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into a Reimbursement Agreement between the City and the Pearland Economic Development Corporation associated with the acquisition of property for public purposes to serve the Lower Kirby Vicinity.

Councilmember Ordeneaux made the motion, seconded by Mayor Pro-Tem Reed to approve Resolution No. R2018-4.

City Manager Clay Pearson reported Council is being asked to enter into a Reimbursement Agreement between the City and the Pearland Economic Development Corporation associated with the acquisition of property for public purposes to serve the Lower Kirby Vicinity.

Voting "Aye" Councilmembers Ordeneaux, Little, Perez, Owens, Carbone, Moore, and Reed.

Voting "No" None.

Motion Passed 7 to 0.

**MAYOR/COUNCIL ISSUES FOR FUTURE CITY COUNCIL AGENDAS:** None.

Council adjourned into Executive Session under Texas government Code at 7:12 p.m. to discuss the following:

**EXECUTIVE SESSION UNDER TEXAS GOVERNMENT CODE**

- 1. Executive Session – Section 551-071 – Consultation with City Attorney –**  
Regarding pending and potential litigation.

Council returned from Executive Session at 8:01 p.m.

**New Business Continued:**

**Council Action** – Regarding pending and potential litigation.

Mayor Pro-Tem Reed made the motion, seconded by Councilmember Moore for the City to proceed and participate in a coalitions for the recovery of the insufficient franchise fee payments.

Voting "Aye" Councilmembers Carbone, Moore, Reed, Ordeneaux, Little, Perez and Owens.

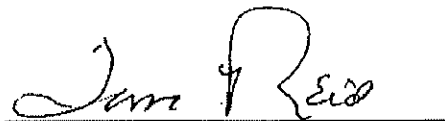
Voting "No" None.

Motion Passed 7 to 0.

**ADJOURNMENT**

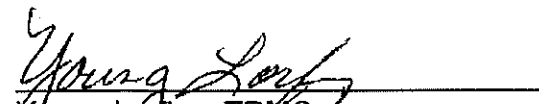
Meeting was adjourned at 8:03 p.m.

Minutes approved as submitted and/or corrected this the 26<sup>th</sup> day of February, A.D., 2018.



Tom Reid  
Mayor

ATTEST:

  
Young Lofting, TRMC  
City Secretary