

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON JULY 23, 2018 AT 6:30 PM, IN THE COUNCIL CHAMBERS, PEARLAND CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

Mayor Reid called the meeting to order at 6:41 p.m. with the following present:

Mayor	Tom Reid
Mayor Pro-Tem	Trent Perez
Councilmember	Tony Carbone
Councilmember	Derrick Reed
Councilmember	Gary Moore
Councilmember	Adrian Hernandez
Councilmember	J. David Little
Councilmember	Woody Owens
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 EDC, Trent Epperson Assistant City Manager, Roland Garcia Assistant Chief-Community Risk Reduction, Michelle Graham Director of Human Resource, John McDonald Director of Community Development, John McCarter Budget Officer, Chris Orlea Director of Parks and Recreation, Cynthia Pearson Director of Finance, Vance Riley Fire Chief, Kim Sinistore Executive Director CVB, Johnny Spires Police Chief, Robert Upton Director of Engineering, Andrea Brinkley Assistant Director of Public Works, Joel Hardy Grants-Special Projects Administrator, Jennifer Huhn Court Administrator, Skipper Jones Assistant Director of Capital Projects, Joshua Lee Communication Director, Daniel McGhinnis Chief Information Officer, Lawrence Provins Deputy City Attorney.

The invocation was given by Mayor Pro-Tem Perez and the Pledge of Allegiance was led by Robert Upton Director of Engineering.

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

**CITIZEN COMMENTS:**

Charles McMurray, 5209 Spring Branch Drive, addressed Council and provided his opinion on the current election process for City Council, stating that there needs to be District Representatives instead of Council members at Large.

Jason Perry, 3903 Cedar Road Drive, addressed Council stating that he would like to continue to see the brand of Pearland to grow and be seen as a desired destination. Mr. Perry stated that he is beginning to see more liquor stores and tattoo parlors in Pearland and it makes the City less appealing and would like to see more diligence towards overseeing these businesses.

**PUBLIC HEARING:**

Purpose: To receive public comment and testimony regarding Plan Amendment No. 4 to the Project Plan and Reinvestment Zone Financing Plan of Reinvestment Zone No. 2.

## **STAFF REVIEW**

Director of Finance Cynthia Pearson gave a presentation on the Project Plan and Reinvestment Zone Financing Plan of Reinvestment stating that captured tax proceeds would be used for streets, drainage, utilities and Public facilities. Director of Finance Cynthia Pearson stated participants would include the City of Pearland, Brazoria County, Fort Bend County and Alvin ISD.

**CITIZEN COMMENTS:** None

## **COUNCIL/STAFF DISCUSSION**

Councilmember Carbone stated Council is amending this so that the City's infrastructure and projects can be funded through the Tax Increment Reinvestment Zone (TIRZ) and would like to know what would happen if the Amendment was not approved, would the TIRZ just end and the tax revenue go back to the citizens.

City Manager Clay Pearson stated the TIRZ would not go away and is mandated to end in later years. City Manager Clay Pearson stated this is a capture of the City property taxes and would not change residential tax rates, the funds are part of City infrastructure improvements and would go toward other projects.

Councilmember Carbone asked to verify the City is getting in line for potential funding sources.

City Manager Clay Pearson stated this Amendment would put the City in line with funding the projects covered on the presentation, most were already identified in the original TIRZ budget and this would be a true up.

Mayor Pro-Tem Perez stated the projects are itemized with dollar values associated and as they are reviewed, the amounts are decreasing from what was originally proposed. Councilmember Perez stated he would like to know how comfortable staff is with the estimates of dollar and time span, are there contingency plans for these. Mayor Pro-Tem Perez also asked what would happen in the case that a project goes over budget, how would Amendments be handled.

City Manager Clay Pearson stated if there is another Amendment necessary then the City would post notice, have a Public hearing and be presented to Council. City Manager Clay Pearson stated these are Amendments to existing budgeted projects and both financing and cost need to be determined.

Assistant City Manager Trent Epperson stated the Library is still at the original requested amount of \$18.25 million, which includes the original amount budgeted and the TIRZ that was budgeted with the expectation construction would begin in the next few years and has contingencies built into it. Assistant City Manager Trent Epperson stated TIRZ dollar are attached to a price index that will go up in the future if projects are not started.

Mayor Pro-Tem Perez stated that if any change in pricing after the construction estimate are within the pricing index, no Amendment would be necessary.

Assistant City Manager Trent Epperson stated that is correct and if the TIRZ was producing enough value then an Amendment could be looked at.

Mayor Pro-Tem Perez stated that it might be early to ask, but if the TIRZ are approved is the intention to move forward on these projects immediately or is there a phasing plan.

Assistant City Manager Trent Epperson stated these projects would be on a phasing plan, the Fire Station is in preliminary design and the Library is close to having a contract and being presented to Council. Assistant City Manager Trent Epperson stated the other projects would be phased in to balance out the City's work levels.

Councilmember Perez asked if the sidewalk extensions would be done as fragmented projects or all at once.

Assistant City Manager Trent Epperson stated that would be looked at as comprehensive projects and now there are schools where there previously were not and sidewalks not used as much could be reworked to make easier routes to those schools.

Councilmember Hernandez stated Shadow Creek Trail looks like it is extending east to connect to the trail at Kirby but upon closer look there is not an intersection there, how is safe crossing achieved in that area.

Director of Engineering Robert Upton stated the plan is to go underneath the bridge to create and under the road crossing.

Councilmember Little stated that of the additional amount requested a large part of that is for original projects and asked if staff underestimated the cost and how did the amount come to be determined.

Assistant City Manager Trent Epperson stated the original budget was put together in 1999 and that is what those dollars are based on, it included all of the infrastructure categories the City is moving forward with but not all of the scope proposed here. Assistant City Manager Trent Epperson stated on the Library and Fire Station only \$2.5 million was included for each of those and that was at a time when the Fire Stations were volunteer only and not set up for the staffing needed now, while a second Library on Pearland was not included in the scope but need to be able to handle the growth of Pearland.

Councilmember Moore stated he would like to make sure the City moves forward with these projects and not wait until pricing increases.

Councilmember Owens stated the original TIRZ should be up in 2029 and bonds show these will be paid off by 2025 and asked for confirmation.

City Manager Clay Pearson stated the estimates are conservatively based and the City would at some point in the next three years stop issuing debt and start cash projects after that.

Councilmember Owens requested that Sue Darcy come to the podium and provide the estimated funds left over at the end of these projects in 2029 based on where we are today.

TIRZ Administrator Sue Darcy stated that the TIRZ will last through 2029 due to the debt service that is already issued and this Amendment the life of TIRZ is not affected because there is debt service running out that long. TIRZ Administrator Sue Darcy stated a financial model was prepared using existing values with no growth and appreciation in the homes and no future commercial construction. TIRZ Administrator Sue Darcy stated this is a conservative model that fairly predicts under existing conditions.

Councilmember Owens asked at the end of 2029 there should be dollars left over based on the model.

TIRZ Administrator Sue Darcy stated there should be dollars left over at the end of 2029.

Councilmember Owens asked if those dollars had to stay with the TIRZ.

TIRZ Administrator Sue Darcy stated per the interlocal agreement the City is required to give back any residual funds to all participants at the end of the life of the zone if there are extra to all involved.

Councilmember Owens stated he wanted to make sure this had no impact against Alvin School District.

TIRZ Administrator Sue Darcy stated school district funding is out of the City's control but the model was created for the City and School District to plan for the unwinding of the TIRZ, the model has been provided to the School District Financial Advisors.

Mayor Reid spoke in favor of the TIRZ and stated now is the time to get these projects underway.

## **ADJOURNMENT**

### **CONSENT AGENDA:**

All items listed under the "Consent Agenda" are considered to be routine and require little or no deliberation by the City Council. These items will be enacted/approved by one motion unless a councilmember requests separate action on an item, in which event the item will be removed from the Consent Agenda and considered by separate action (VI. matters removed from Consent Agenda). Approval of the Consent Agenda enacts the items of legislation.

- A.** Minutes of the Regular Meeting held on May 14, 2018, at 6:30 p.m.  
Minutes of the Regular Meeting held on May 21, 2018, at 7:00 p.m.  
Minutes of the Regular Meeting held on June 11, 2018, at 6:30 p.m.  
Minutes of the Joint Public Hearing held on June 18, 2018, at 6:30 p.m.  
Minutes of the Joint Special Meeting held on June 18, 2018, at 6:30 p.m.  
Minutes of the Regular Meeting held on June 25, 2018, at 6:30 p.m.  
Minutes of the Special Meeting held on June 25, 2018, at 6:00 p.m.
  
- B.** **Consideration and Possible Action - Second and Final Reading of Ordinance No. 1564** - An Ordinance of the City Council of the City of Pearland, Texas, renaming portions of County Road 59, South Fork Drive, Magnolia Road and John Lizer Road to Magnolia Parkway (between County Road 564 and Liberty Drive); containing a savings clause, a severability clause and a repealer clause.
  
- C.** **Consideration and Possible Action - Resolution No. R2018-132** - A Resolution of the City Council of the City of Pearland, Texas, awarding a unit supply contract for bunker gear cleaning inspections and repair services to PPE Care, in an amount not to exceed \$136,000.00, for the period of July 24, 2018 through July 23, 2019.
  
- D.** **Consideration and Possible Action - Resolution No. R2018-131** - A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into an amended contract with ARKK Engineers, in the additional amount of \$87,700.00, for professional services associated with the design of a pedestrian bridge for the Town Ditch Trail Project (between SH 35 and Old Alvin Road).

- E. Consideration and Possible Action - Resolution No. R2018-130** - A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for the construction of the Town Ditch Trail Project (Package 4, between SH 35 and Old Alvin Road) to DVL Enterprises, LLC, in the amount of \$189,050.00.
- F. Consideration and Possible Action - Resolution No. R2018-25** - A Resolution of the City Council of the City of Pearland, Texas, awarding a contract for the purchase of seven (7) fleet vehicles from Silsbee Ford in the estimated amount of \$213,977 through the TASB Buyboard.
- G. Consideration and Possible Action - Resolution No. R2018-136** - 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 through the TxSmartBuy contract for the purchase of soil stabilization and pavement raising services from URETEK USA, in an amount not to exceed \$137,475.00.

Councilmember Carbone asked that Items B, D and E be removed from the Consent Agenda for further discussion.

Councilmember Carbone made the motion, seconded by Councilmember Owens to adopt Consent Agenda Items A through G with the exception of Items B, D and E as presented on the Consent Agenda.

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

Voting "No" None

Motion passed 7 to 0.

**MATTERS REMOVED FROM CONSENT AGENDA:**

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

- B. Consideration and Possible Action - Second and Final Reading of Ordinance No. 1564** - An Ordinance of the City Council of the City of Pearland, Texas, renaming portions of County Road 59, South Fork Drive, Magnolia Road and John Lizer Road to Magnolia Parkway (between County Road 564 and Liberty Drive); containing a savings clause, a severability clause and a repealer clause.

Councilmember Carbone made the motion, seconded by Councilmember Moore to approve Ordinance No. 1564 on its Second and Final Reading as amended.

Luana Concha, 17306 Fife Lane, stated she is the great granddaughter of John Lizer and has been informed the City plans to rename John Lizer Road and wants to make sure John Lizer is not forgotten.

John Mark, 2029 Isla Dr, stated he is here on behalf of the Pearland Historical Society and would like Council to reconsider changing the name of John Lizer Road due to John Lizer's contributions to the City of Pearland and asked Council to rename another street or trail after John Lizer if the street renaming is approved.

City Manager Clay Pearson stated the City is trying to go through and standardize street names which have changed names over time that are causing confusion during travel, businesses and

can impair emergency responses. City Manager Clay Pearson stated the first address is Magnolia due to the multiple name changes. City Manager Clay Pearson stated the City has spoken to Brazoria County and the City of Manvel who is in agreement and the previously requested amendment to extend the name change to Liberty Drive has been included. City Manager Clay Pearson stated there are other areas within the City, such as park, that can be used to honoring purposes.

Mayor Reid address the Pearland Historical Society stating the City looks to continue to honor the name of John Lizer and other counties have had name changes to keep from long stretches of street having different names. Mayor Reid stated he has seen signs along roads honoring persons and suggested a park to be suitable.

Councilmember Carbone stated there are many ways to honor the name and legacy, agreeing with staff recommendation to not rename John Lizer Road and stop at Pearland Parkway. Councilmember Carbone stated moving from a street to a walking trail was not comparable and referred to City Attorney Darrin Coker for clarification on whether a motion could be made on the Second and Final reading.

City Attorney Darrin Coker stated that an Amendment to go back to the original staff recommendation is permissible.

Councilmember Carbone made the motion, seconded by Councilmember Moore to amend back to staff's original proposal to the street name boundary stop at Pearland Parkway.

Mayor Pro-Tem Perez stated he is the one that introduced the Amendment to modify what staff originally presented and it is important to honor the contributions of John Lizer to Pearland. Councilmember Perez stated there is a necessity to continue an honorarium but one road should have one name to avoid confusion and this should be used as a start to having one name for continuous stretches of road.

Mayor Reid stated a road that goes from one end of the City to another should have one name and John Lizer can be better honored in another way. Mayor Reid stated this issue will come up again during the renaming of streets with multiple names for one piece of road and this name change needs to continue to Liberty drive with John Lizer honored in another way.

Mayor Pro-Tem Perez stated the name change was approved by majority 5 affirmative to 2 negative votes on the First Reading.

Councilmember Hernandez asked staff if there is a cost in mind for signage related to making these honors.

City Manager Clay Pearson stated the cost would be minimal and the City already has signage to use.

Councilmember Hernandez stated he would like to know if instead of using taxpayer money, sponsors can be brought in.

City Manager Clay Pearson stated it is possible but may be more difficult to recruit sponsors than the City using existing materials.

Councilmember Hernandez thanked the Pearland Historical Society for the information provided.

Voting "Aye" Councilmember Carbone, Reed, Little, Moore and Owens.

Voting "No" Councilmember Perez and Hernandez.

Amendment passed 5 to 2.

Mayor Reid called for the vote on the Amended motion.

Voting "Aye" Councilmember Carbone, Reed, Perez, Hernandez, Little, Moore and Owens.

Voting "No" None

Amended motion passed 7 to 0.

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

**D. Consideration and Possible Action - Resolution No. R2018-131** - A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into an amended contract with ARKK Engineers, in the additional amount of \$87,700.00, for professional services associated with the design of a pedestrian bridge for the Town Ditch Trail Project (between SH 35 and Old Alvin Road).

Councilmember Carbone made the motion, seconded by Councilmember Moore to approve Resolution No. R2018-131.

City Manager Clay Pearson stated this is an Engineering award in relation to major Capital Improvement Projects located in the Orange Street and Old Alvin area. City Manager Clay Pearson stated that as existing projects are ending the need to add mobility improvements to the nature trail was identified. City Manager Clay Pearson stated this will include a pedestrian and bike bridge to connect the nature trail to Hunter Park, which plans to start that Park project getting underway.

Councilmember Carbone stated he would like to know the plan for Hunter Park and will it include a trail leading back to the proposed pedestrian and bike bridge.

City Manager Clay Pearson stated this project will allow for the City to have a nature trail leading to that bridge and referred to Director of Parks and Recreation Chris Orlea to provide more detail.

Director of Parks and Recreation Chris Orlea stated plans for Hunter Park are in line with what the Pearland Historical Society has helped to create. Director of Parks and Recreation Chris Orlea stated that Council helped to rename the park in 2008 for Orange Street City Park to Robert O and Julia Martin Hunter Park, and the City has started the process to get the Historical Designation. Director of Park and Recreation Chris Orlea stated The Division of Antiquities of the State of Texas is very particular in regards to what can be done to the Park once that designation is given, and now that it has been given and the connectivity to the park will be there, the revitalization can begin. Director of Parks and Recreation Chris Orlea stated the City will look to plant some pear orchards and install sitting areas along the sidewalk.

Councilmember Carbone stated he would like to know when this is budgeted for and what the timing is.

Director of Parks and Recreation Chris Orlea stated the amenities can come out of Special Funds and the project in on hold waiting for the connectivity to the park.

Councilmember Carbone stated there was a recent shooting at the Walmart and asked what the safety measures in place are.

Director of Parks and Recreation Chris Orlea stated there is a comprehensive program in place with input from Chief of Police Johnny Spires, any site established as an active use park gets more frequent security checks. Director of Parks and Recreation Chris Orlea stated security checks are already in place for Hunter Park and those would be increased and weekly reports are provided which will be used to add any additional measures that are identified.

City Manager Clay Pearson stated that getting these parks activated and the public there is in of itself a deterrent of crime, in addition to creating value in those area.

Councilmember Carbone stated this item is \$90,000 and the next item is \$190,000 and the City is spending \$280,000 for a pedestrian bridge and that is where the skepticism comes in.

City Manager Clay Pearson stated a bridge is going to cost more than flat work (concrete slab, sidewalks, patios, asphalt drives and parking lots) and once it is in, offers up other opportunity to provide access to the park.

Mayor Pro-Tem Perez stated he lives in the area and is around the park quite often, the park is currently not used and residents would like to see more usage come from the park. Mayor Pro-Tem Perez stated he cannot make sense out of the bridge because it will provide access to only the south side, there will be two access point once the nature trail is in place and the bridge is not worth the investment.

Councilmember Moore stated this project is tied into other projects and would like to know what will happen to the money for the bridge if it is not approved.

City Manager Clay Pearson stated this is a Capital Project and the other projects are already funded and it would not affect any of those projects if the bridge was not approved, the funds would be used for future projects.

Councilmember Owens asked staff if the bridge was prefabricated (made and then set in place) rather than constructed onsite.

Director of Engineering Robert Upton stated this is for the design of the bridge and the hope is that most of the work be done offsite.

Councilmember Owens and Director of Engineering Robert Upton discussed the foundation of the bridge prior to installation.

Councilmember Owens stated this bridge would be for residents only and no parking would be available.

City Manager Clay Pearson stated that there is parking in the vicinity of the proposed bridge location.

Director of Parks and Recreation Chris Orlea stated there will be parking along Green Boulevard and subdivisions adjacent to the park would use it due to the shade the park provides. Director of Parks and Recreation Chris Orlea stated that the bridge would allow for the residents north and east of the park to have access.

Councilmember Owens stated parking is his only concern and he does not want to see cars parked on East Orange and impact the residents that live there. Councilmember Owens stated he would like to see amenities out there for the residents to use.

Director of Parks and Recreation Chris Orlea stated the City has found that between Plum and Orange there is nothing indicating that residents would not want to make the walk to the park rather than drive, and the existing parking along the Orange area would be adequate.

Mayor Pro-Tem Perez asked staff if there is a preliminary number for the bridge construction.

Director of Engineering Robert Upton stated that currently a rough estimate is approximately \$400,000 with prefabrication.

Councilmember Owens stated with this contract and construction, the City would be looking at \$500,000 for a bridge at Hunters Park.

Director of Engineering Robert Upton stated potentially at this point it would be.

Deputy City Manager Jon Branson stated driving down McLean if you look at the bridge that crosses Mary's Creek at Centennial Park to the adjacent park that would be a good example of what the final build for this bridge would look like.

Mayor Pro-Tem Perez stated there are good uses for bridges in other areas of the City but can't justify spending the money to keep people from walking an extra half block and he is in the business area and cannot see using this bridge.

Councilmember Owens asked staff if amenities could be added to the park if this build is not approved.

Deputy City Manager Jon Branson stated that the City could do that but the bridge is a priority and is a good expenditure of funds.

Councilmember Little stated he agrees with Councilmember Perez in that it is hard to justify the spending of such a large amount of money for a bridge and the pedestrian traffic is not large enough. Councilmember Little stated the funds could be put to much better use.

Voting "Aye" None.

Voting "No" Councilmember Carbone, Reed, Perez, Hernandez, Little, Moore and Owens.

Motion failed 7 to 0.

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

**E. Consideration and Possible Action - Resolution No. R2018-130** - A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for the construction of the Town Ditch Trail Project (Package 4, between SH 35 and Old Alvin Road) to DVL Enterprises, LLC, in the amount of \$189,050.00.

Councilmember Carbone made the motion, seconded by Councilmember Reed to approve Resolution No. R2018-130.

City Manager Clay Pearson stated this will provide off road access pathway for pedestrians and bicyclists, staff is recommending this contract for approval.

Councilmember Carbone stated he pulled this item in case the City did not move forward with the proposal for the bridge and asked that since the bridge was voted down does that effect this project.

City Manager Clay Pearson stated the bridge being voted down does not effect this project and will connect the pathway to the east which is already in place, allowing for the Public Works Center to be bypassed. City Manager Clay Pearson stated this proposal can stand on its own without the other.

Councilmember Carbone stated if there was a more economical way to connect the two projects he would be in favor of it if the cost was less.

Mayor Pro-Tem Perez stated he too would be in favor of a more financially efficient way to connect the park but the money allocated for the bridge needs to go elsewhere.

Councilmember Little also agreed and stated if the money is already earmarked for trails then the City should use the funds to expand the trail as opposed to the bridge.

Voting "Aye" Councilmember Carbone, Reed, Perez, Hernandez, Little, Moore and Owens.

Voting "No" None.

Motion passed 7 to 0.

#### **NEW BUSINESS:**

**Council Action - Resolution No. R2018-133** - A Resolution of Appreciation for Councilmember Keith Ordeneaux to recognize his contributions and service as Councilmember Position No. 4.

Councilmember Reed made the motion, seconded by Councilmember Moore to approve Resolution No. R2018-133.

Voting "Aye" Councilmember Carbone, Reed, Perez, Hernandez, Moore and Owens.

Voting "No" None.

Motion passed 6 to 0 with Councilmember Little absent from the Chambers.

**First Reading of Ordinance No. 1562** - An Ordinance of the City Council of the City of Pearland, Texas, amending the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Two (Amendment No. 4), City of Pearland, Texas to facilitate the construction of City facilities and infrastructure improvements ("Improvements"); authorizing the City Secretary to distribute such plans; containing findings and provisions related to the foregoing subjects; and providing for severability.

Mayor Pro-Tem Perez made the motion, seconded by Councilmember Moore to approve Ordinance No. 1562 on its First Reading.

City Manager Clay Pearson stated this will allow the City to be eligible for Public Improvements to include the Fire Department, Library, parks and sidewalks. City Manager Clay Pearson stated this project is part of the Capital Improvements that would have to be funded by other means and would not extend the TIRZ (Tax Increment Reinvestment Zone) or property tax rate.

Voting "Aye" Councilmember Carbone, Reed, Perez, Hernandez, Little, Moore and Owens.

Voting "No" None.

Motion passed 7 to 0.

**Council Action - Resolution No. R2018-126** - A Resolution of the City Council of the City of Pearland, Texas, approving recommendations of the Property Tax Resale Committee of Brazoria County for the property located at Wagon Trail CR 555, Figland Orchard A0240, HT&B Company Survey, Lot 21-E ("Property") through the Property Tax Resale Committee of Brazoria County (Account No. 4100-0027-00).

Councilmember Hernandez made the motion, seconded by Councilmember Moore to approve Resolution No. R2018-126.

City Manager Clay Pearson stated this for a parcel of land that is for a tax sale located east of Wagon Trail where the City has the ability to deny sale of the land. City Manager Clay Pearson stated the City initially planned to use the land but has made the decision to not move forward with use and the land is going back up for sale.

Voting "Aye" Councilmember Carbone, Reed, Perez, Hernandez, Little, Moore and Owens.

Voting "No" None.

Motion passed 7 to 0.

**Council Action - Resolution No. R2018-127** - A Resolution of the City Council of the City of Pearland, Texas, amending and terminating the Advanced Funding Agreement with the State of Texas, previously approved as Resolution No. R2012-104, and approving a new Advanced Funding Agreement with the State of Texas, for the Max Road Project (Hughes-Ranch Road to Reid Road).

Councilmember Little made the motion, seconded by Mayor Pro-tem Perez to approve Resolution No. R2018-127.

City Manager Clay Pearson stated this is a Capital Improvement project for Max Road and is funded 80% with Federal funds and when bids came in they were significantly higher than cost. City Manager Clay Pearson stated staff has worked to get funding and reduce the cost to the City.

Councilmember Owens stated this is a good deal for the City and that with the increase in oil prices the Texas Department of Transportation has additional funds to assist.

Assistant City Manager Trent Epperson stated there will be additional money available from the Texas Department of Transportation and has expressed willingness to help fund the FM 518 project.

Mayor Pro-Tem Perez thanked Assistant City Manager Trent Epperson for his work on getting this funding and bringing value to the City of Pearland.

Voting "Aye" Councilmember Reed, Perez, Hernandez, Little, Moore and Owens.

Voting "No" None.

Motion passed 6 to 0, with Councilmember Carbone absent from the Chambers.

**Council Action - Resolution No. R2018-128** - A Resolution of the City Council of the City of Pearland, Texas, approving a Reimbursement and Maintenance Agreement between the City and the Pearland Economic Development Corporation; approving an Advanced Funding Agreement between the City and the Texas Department of Transportation; authorizing additional PEDC expenditures related to a professional services agreement with Clark Condon and Associates; and awarding a competitive sealed proposal for the construction of the SH 35 Gateway and Corridor Enhancements Project, to Landscape Art, Inc., in the amount of \$6,206,760.81.

Councilmember Moore made the motion, seconded by Councilmember Owens to approve Resolution No. R2018-128 as amended.

City Manager Clay Pearson stated the Pearland Economic Development Corporation and the City have identified the area between Beltway 8 and FM 518 that need visual improvements to include bushes and trees to reflect the high standards of Pearland.

President of Economic Development Corporation Matt Buchanan stated there will be monuments put up at the Beltway 8 entry and also at the entry from FM 518 and Hwy 35.

Councilmember Little asked staff if the monuments would be the same type that are currently used at Cullen and Pearland Parkway.

President of Economic Development Corporation Matt Buchanan stated the monuments would be the same with the exception of the ones placed at FM 518 and Hwy 35 would be smaller in size.

Councilmember Little asked staff if the look would be the same as the existing signs.

President of Economic Development Corporation Matt Buchanan stated the monuments would look the same.

Councilmember Owens stated when the landscaping was done at Pearland Parkway, 39 trees were missing from the plan and asked staff if those trees could be added.

City Manager Clay Pearson stated that issue is not up for discussion tonight but a packet could be provided to Council regarding the trees at Pearland Parkway.

Mayor Pro-Tem Perez asked staff what the reason was for choosing to use sod instead of hydromulch.

President of Economic Development Corporation Matt Buchanan stated it is more of a preference due to the slope of the ditches and in general sod looks much nicer, which is in line with the intent to make the area look more appealing.

Mayor Pro-Tem Perez stated he would like to have that explored further because the City uses hydromulch in other areas with ditches and the slope is not too much. Mayor Pro-Tem Perez stated there may be an option to use sod and hydromulch so that cost would be less.

President of Economic Development Corporation Matt Buchanan stated it could be explored but the Texas Department of Transportation prefers the use of sod and the look is much more appealing.

Mayor Tom Reid stated this project is long overdue and will be impressive when completed.

Councilmember Carbone and Mayor Pro-Tem Perez engaged in conversation regarding how long it takes for hydromulch to grow, being approximately 1 month.

President of Economic Development Corporation Matt Buchanan stated that in areas where there will not be much mowing done it would be harder for hydromulch to grow.

Clark Condon and Associates Representative Brandon Whittaker stated the reasoning sod is being used is because it will be easier to maintain and the slopes are not too much but the sod would cause an immediate impact to that area. Clark Condon and Associates Representative Brandon Whittaker stated that there is irrigation in place and the issue with hydromulch would be the constant maintenance.

Landscape Arts Representative Jay Williams stated one of the difficulties with this project is the detention pond will allow for growth and there are narrow pathways that would make the germination and establishment of the sod more difficult. Landscape Arts Representative Jay Williams stated this is intended to be a one month project but if they will be any delay it would be very difficult to establish Bermuda grass in this season and sod would give a better chance of success.

Mayor Pro-Tem Perez stated for the cost hydromulch could be applied many times and asked for clarification on whether Rye or Bermuda would be used.

Landscape Arts Representative Jay Williams stated that in the summer Bermuda would be used because Rye is used in the winter and the use of hydromulch would increase the maintenance costs.

Mayor Pro-Tem Perez stated that generally developments will put grass in the first foot for storm water pollution prevention to prevent the silt from coming over the curb and then hydromulch the rest of the yard. Mayor Pro-Tem Perez stated it is worth exploring further to save the City money and wait for the hydromulch to grow. Mayor Pro-Tem Perez asked staff whether the Resolution would need to be amended or can staff move forward with the existing contract and later come to Council with an advisement on whether the hydromulching would be a cost saving for the City.

President of Economic Development Corporation Matt Buchanan stated the hydromulch is part of the existing contract and would be a deduct, medians and curbs could be done in sod and reviewed again to determine the seasonal effects of using sod or hydromulching.

Mayor Pro-Tem Perez stated he is in agreement that staff can move forward with this project so that it is not held up and then revisit it when the time comes for the decision to use sod or hydromulching arrives.

Councilmember Hernandez asked staff if the area businesses have been made aware of the new appearance standards once this project is completed.

President of Economic Development Corporation Matt Buchanan stated all the improvements will be done on public right of ways and will not be on private property, also letters were sent out to businesses and a Public Hearing held.

Councilmember Hernandez stated that the City of spending money to improve the look of the area and some businesses are not upholding that same standard.

President of Economic Development Corporation Matt Buchanan stated that is one of the reasons for this project and the hope is it will create the want for businesses to make improvements also.

Councilmember Carbone stated there is hesitation to leave the decision between sod versus hydromulching in the Resolution.

Mayor Pro-Tem Perez made the motion, seconded by Councilmember Carbone to approve Resolution R2018-128 with the amendment to include alternate number 1, 3, 4 and 5.

Conversation ensued between staff and Council to clarify what the amendment is asking for.

Mayor Pro-Tem Perez asked if the compromise was made to use half sod and half hydromulching, would that saving be half of the proposed cost.

Landscape Arts Representative Jay Williams stated the savings would be half of the proposed amount if equal amounts of sod and hydromulching was used but the issue would it be appropriate to use sod and where it would be appropriate to use hydromulch. Landscape Arts Representative Jay Williams stated it may not be possible to use equal amounts due to some areas may not take to the hydromulch. Landscape Arts Representative Jay Williams stated that the estimated month for hydromulch to grow is not accurate in this instance and would take a considerable amount of time based on location.

Councilmember Carbone stated that there is a year to figure out which option would be better for this project.

Mayor Tom Reid called for the vote on the amended motion.

Voting "Aye" Councilmember Carbone, Perez, Hernandez, Little, Moore and Owens.

Voting "No" Councilmember Reed.

Motion passed 6 to 1.

Mayor Tom Reid called for the vote on the original motion as amended.

Voting "Aye" Councilmember Moore, Owens, Carbone, Perez, Hernandez and Little.

Voting "No" Councilmember Reed.

Motion passed 6 to 1.

**Council Action - Resolution No. R2018-134** - A Resolution of the City Council of the City of Pearland, Texas, renewing a unit price service contract for utility bill printing and mailing the Services, with Peregrine Services, Inc., in an amount not to exceed \$333,461.00 for the period of July 31, 2018 through June 30, 2019.

Printing and Mailing of Water Bills AIR-18-248 Councilmember Owens made the motion, seconded by Councilmember Moore to approve Resolution No. R2018-134.

City Manager Clay Pearson stated this is a renewal for the utility billing contract which includes printing and mail out.

Councilmember Carbone asked staff if there was a way to make the bills more accurate.

City Manager Clay Pearson stated the bills are accurate for the amount of meters in use and do reflect the rates and water usage, however when a meter does fail it is investigated and repaired.

Councilmember Carbone stated he had a personal matter with an incorrect bill and continues to get calls from residents with the same issues.

City Manager Clay Pearson stated the City is addressing all issues with meters and will continue to do so.

Mayor Pro-Tem Perez asked for the reasoning behind using a non-local printing company opposed to a local printer.

Deputy City Manager Jon Branson stated initially when it was bid there were fifteen vendor bids and when it was again bid in 2016 only five vendors submitted bids, only three of which were located in Texas. Deputy City Manager Jon Branson stated Peregrine Services was the third lowest bid over those from Texas, both the City and neighboring Cities had a positive experience with this company.

Councilmember Owens stated that he has received calls from residents and wanted to clarify the bills are coming from Dallas.

Deputy City Manager Jon Branson stated the bills are printed in Louisiana and mailed out from a Dallas postmark to Pearland.

Councilmember Little asked staff what the feasibility of printing the bills in house is.

Deputy City Manager Jon Branson stated it has been looked at in the past but not revisited in the recent years.

Councilmember Carbone stated the City should hold off on looking at this until the issues with bills are corrected.

Councilmember Hernandez asked staff how many accounts exist and what strides were being made in moving residents to electronic billing.

Deputy City Manager Jon Branson stated there are on average 37,000 accounts but some not all are individual accounts and only receive one bill for multiple locations. Deputy City Manager Jon Branson stated electronic billing can be reviewed.

Councilmember Owens stated billing is one of the major issues he hears about from residents and with the new meters he would like to see billing errors go away.

City Manager Clay Pearson stated Utility Billing hears these issues also and the new meters will be installed along with continued efforts to reduce billing issues.

Councilmember Little stated that some residents have surcharges on their bills from the Metropolitan Utility District and are receiving water from the City of Houston instead of the City of Pearland. Which will cause higher bills.

City Manager Clay Pearson stated that residents outside of the city limits of Pearland that receive water from the City of Pearland have a fee structure of One and half times the City rates.

Voting "Aye" Councilmember Carbone, Reed, Perez, Hernandez, Little, Moore and Owens.

Voting "No" None.

Motion passed 7 to 0.

**Second and Final Reading of Ordinance No. 1544-2** - An Ordinance of the City Council of the City of Pearland, Texas, amending Ordinance No. 1544, the 2017-2018 Annual Budget Ordinance, authorizing the City Manager or his designee to take all actions necessary to facilitate the changes identified herein without further approval of City Council; providing a savings clause, a severability clause, a repealer clause, and an effective date.

Councilmember Carbone made the motion, seconded by Councilmember Moore to approve Ordinance No. 1544-2 on its Second and Final Reading.

City Manager Clay Pearson stated this is the second half of the budget for fiscal year 18 with revenues and expenditures trued up and FEMA money for Hurricane Harvey included.

Voting "Aye" Councilmember Carbone, Reed, Perez, Hernandez, Little, Moore and Owens.

Voting "No" None.

Motion passed 7 to 0.

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

**OTHER BUSINESS:** None

**ADJOURNMENT**

Meeting was adjourned at 8:49 p.m.

Minutes approved as submitted and/or corrected this the \_\_\_ day of \_\_\_\_\_, 2018.

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Tom Reid  
Mayor

ATTEST:

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Young Lorfing, TRMC  
City Secretary