

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON SEPTEMBER 24, 2018 AT 6:30 PM, IN THE COUNCIL CHAMBER PEARLAND CITY HALL 3519 LIBERTY DRIVE.

Mayor Reid called the meeting to order at 6:33 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
Deputy City Manager	Trent Epperson
City Attorney	Darrin Coker
City Secretary	Young Lorfing

Others in attendance: Daniel Baum Assistant Fire Chief, Matt Buchanan President of EDC, Trent Epperson Assistant City Manager, Roland Garcia Assistant Chief-Community Risk Reduction, Michelle Graham Director for Human Resources, John McCarter Budget & Procurement Manager, Cynthia Pearson Director of Finance, Vance Riley Fire 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 Communications Director and Daniel McGhinnis Chief Information Officer.

The invocation was given by Councilmember Reed and the Pledge of Allegiance was led by City Attorney Darrin Coker.

ROLL CALL:

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

CITIZEN COMMENTS:

Robert Philbrook, 4019 Crystal Lake Circle, addressed Council and stated his opposition to the Hughes Ranch Road Improvement expansion to a four lane roadway.

Ed Mears, 2827 Moss Lake Lane, addressed Council and requested Pearland Police Department to perform Data Driven Approaches to Crime and Traffic Safety and determine if additional patrols are needed in Municipal Utility District 26.

PUBLIC HEARING: NONE

CONSENT AGENDA:

A. Consideration and Possible Action - Second and Final Reading of Ordinance No. 1358-16 - An Ordinance of the City Council of the City of Pearland, Texas, amending non-

development usage and service fees; containing a savings clause, a severability clause, a repealer clause, providing for publication and an effective date.

- B. Consideration and Possible Action - Second and Final Reading of Ordinance No. 1023-8** - An Ordinance of the City Council of the City of Pearland, Texas, amending development and permit fees; containing a savings clause, a severability clause and a repealer clause; providing for publication and an effective date.
- C. Consideration and Possible Action - Resolution No. R2018-182** - A Resolution of the City Council of the City of Pearland, Texas, awarding a contract for Joint and Crack Sealing Services to Main Lane Industries, Ltd., in an amount not to exceed \$108,200.00, for the period of October 1, 2018 through September 30, 2019.
- D. Consideration and Possible Action - Resolution No. R2018-179** - A Resolution of the City Council of the City of Pearland, Texas, authorizing expenditures, in the additional amount of \$30,000.00 (total cost of \$58,088.00), to comply with legal/public notice requirements associated with the City's Water Reclamation Facility Permit Renewals.
- E. Consideration and Possible Action - Resolution No. R2018-177** - 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 (HGAC) for the purchase of an eight inch (8") and a six inch (6") dewatering pump, in the amount of \$137,379.00, from Xylem Dewatering Solutions.
- F. Consideration and Possible Action - Resolution No. R2018-176** - A Resolution of the City Council of the City of Pearland, Texas, awarding a unit price contract for temporary personnel services to A-1 Personnel of Houston, in an amount not to exceed \$100,000.00, for the period of October 1, 2018 through September 30, 2019.
- G. Consideration and Possible Action - Resolution No. R2018-165** - A Resolution of the City Council of the City of Pearland, Texas, authorizing an Advanced Funding Agreement with the State of Texas, in the amount of \$67,000.00 for the SH 288 Northbound Frontage Road Project (FM 518 to CR 59).
- H. Consideration and Possible Action - Resolution No. R2018-121** - A Resolution of the City Council of the City of Pearland, authorizing the purchase of flood insurance, through the National Flood Insurance Program, in the amount of \$45,440.00 for the period of October 31, 2018 through October 30, 2019.
- I. Consideration and Possible Action - Resolution No. R2018-148** - A Resolution of the City Council of the City of Pearland, Texas, awarding a unit price service contract for Heating Ventilation and Air-conditioning /Refrigeration maintenance and services at the Recreation Center and Natatorium to the Lee Thompson Company, in an amount not to exceed \$100,000.00, for the period beginning October 1, 2018 through September 30, 2019.
- J. Consideration and Possible Action - Resolution No. R2018-184** - A Resolution of the City Council of the City of Pearland, Texas, authorizing a contract with Katarzyna (Kasia) Kimmel, MD/ MPH for EMS Medical Director services, in the estimated amount of \$60,480.00 for the period of December 15, 2018 to December 14, 2019.

Mayor Pro-Tem Perez requested Item C to be removed from Consent items for further discussion.

Councilmember Carbone made the motion, seconded by Councilmember Moore to approve Consent Items A through J with the exception of Item C as presented on the Consent Agenda.

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

Voting "No" None.

Motion passed 7 to 0.

MATTERS REMOVED FROM AGENDA

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

- C. Consideration and Possible Action - Resolution No. R2018-182** - A Resolution of the City Council of the City of Pearland, Texas, awarding a contract for Joint and Crack Sealing Services to Main Lane Industries, Ltd., in an amount not to exceed \$108,200.00, for the period of October 1, 2018 through September 30, 2019.

Councilmember Carbone made the motion, seconded by Councilmember Moore to approve Resolution No. R2018-182.

Assistant City Manager Trent Epperson stated this is for joint and crack sealing on the City's asphalt and concrete streets, in effort to prevent water intrusion and will extend the life of the streets.

Mayor Pro-Tem Perez asked staff if the funds are from the 2017/2018 Budget or the 2018/2019 Budget.

Director of Engineering Robert Upton stated this would be additional funds that are being rolled over from the 2017/2018 Budget.

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

Voting "No" None.

Motion passed 7 to 0.

NEW BUSINESS:

Second and Final Reading of Ordinance No. 1568 - An appropriation Ordinance adopting a budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019, and pay plans for fiscal year 2019.

Councilmember Reed made the motion, seconded by Councilmember Moore to adopt Ordinance No. 1568 on its Second and Final Reading.

Assistant City Manager Trent Epperson stated this is the final reading of the Fiscal year 2018/2019 Budget, to include the Amendment to the Economic Development Corporation Budget.

Betty Philbrook, 4019 Crystal Lake Circle, addressed Council and stated her opposition to the proposed funds in the Budget related to the beautification of the Train Station.

Gary Hosmer, 4026 Ravenwood Court, addressed Council and stated opposition to the proposed tax increase. He further stated there are repairs being done to Bailey Road between Harkey Road and McLane Road, repairs that should not have to be done if the road had been built to specifications.

Jimmy Davis, 5004 Colmesneil Dr, addressed Council and stated his opposition to the Streets and Sidewalks Budget fund amount.

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. 1567 - An Ordinance adopting a tax rate of \$0.709158 and levying taxes for the use and support of the Municipal Government of the City of Pearland, Texas, and providing for the interest and sinking fund of the taxable year 2018.

Mayor Pro-Tem Perez made the motion, seconded by Councilmember Moore to adopt Ordinance No. 1567 on it Second and Final Reading.

Assistant City Manager Trent Epperson stated this is the last reading to adopt the new proposed 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. R2018-173 - A Resolution of the City Council of the City of Pearland, Texas, adopting a Five-Year Capital Improvement Program (2019-2023).

Councilmember Hernandez made the motion, seconded by Councilmember Moore to approve Resolution No. R2018-173.

Assistant City Manager Trent Epperson stated this will adopt the City's 2019-2023 Five Year Capital Improvement Program (CIP), listing the various funding sources.

Mayor Reid stated the City Charter requires the City to maintain a running Five Year Capital Improvement Program.

Mayor Pro-Tem Perez asked staff to provide what mechanisms or tools are in place to show what the City plans to do beyond five years.

Assistant City Manager Trent Epperson stated staff is updating Master and Thoroughfare Plans while Engineering is researching a longer tenure document to show the City's plans beyond that term.

Director of Engineering Robert Upton stated Engineering works with departments as the needs are forecast beyond the Five Year Plan and will begin transitioning into a Ten Year Plan to better prepare.

Mayor Pro-Tem Perez stated funds allocated to the Economic Development Corporation should be a part of the Five Year Plan moving forward and asked staff to open up discussion on creating a policy for making notification when the funds are need for projects.

President of Economic Development Corporation Matt Buchanan stated in the past EDC projects have been a part of the CIP and if the City contracts for the work it is added to the CIP at that time.

Assistant City Manager Trent Epperson stated that as projects get closer to happening they are added to the CIP, but since the EDC does projects in response to the market it is sometimes difficult to add those in the Five Year CIP.

Mayor Reid spoke in support of the proposed Five Year Plan.

Councilmember Moore stated it shows in the proposed Plan that the Pearland Traffic Circle reconfiguration is based on the rate of traffic accidents, but would like to know if those are accidents inside the Circle or before and after.

Director of Engineering Robert Upton stated the report is from a 2015 memo and the request is to continue to do more traffic research and make changes as needed.

Assistant City Manager Trent Epperson stated that project is slated to be discussed at the 2019 Bond Referendum and whether that project is included will be discussed prior to being put on the ballot.

Councilmember Owens stated he appreciates the citizens that showed up to speak about the Budget. He further stated the Budget is based on needs and sometimes decisions have to be made that are for the good of the City.

Councilmember Carbone stated he would like to see the Certificates of Obligation lower since the citizens don't get a vote where if it goes to Bond Referendum it can be voted on.

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

Voting "No" None.

Motion passed 7 to 0.

Council Action - Resolution No. R2018-181 - A Resolution of the City Council of the City of Pearland, Texas, awarding the purchase of fifteen (15) fleet vehicles from Silsbee Ford in the amount of \$488,538.00 through the TASB Buyboard contract.

Councilmember Little made the motion, seconded by Councilmember Moore to approve Resolution No. R2018-181.

Assistant City Manager Trent Epperson stated this is the Fiscal Year 2019 fleet purchase and will allow the City to make those purchases when approved.

Councilmember Carbone stated when this was approved the amounts were higher and now is coming under budget, asking if the funds are available to be used on other projects.

Budget & Procurement Manager John McCarter stated the funds will be reallocated and when the amount was estimated for equipment it was higher than the actual cost.

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

Voting "No" None.

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

Council Action - Resolution No. R2018-180 - A Resolution of the City Council of the City of Pearland, Texas ("City"), denying Texas-New Mexico Power Company's proposed rate increase in connection with its statement of intent submitted on about on May 30, 2018; finding that the meeting complies with the Open Meetings Act; making other findings and provisions related to the subject.

Councilmember Moore made the motion, seconded by Councilmember Carbone to approve Resolution No. R2018-180.

City Attorney Darrin Coker stated this item is related to a proposed rate increase from Texas-New Mexico Power and the City previously suspended the rates for 90 days as allowed. He further stated staff is recommending the rate to be denied because it is significantly higher than it should be.

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

Voting "No" Councilmember Moore.

Motion passed 5 to 1 with Councilmember Reed absent from the Chambers.

MAYOR/COUNCIL ISSUES FOR FUTURE CITY COUNCIL AGENDAS: NONE

OTHER BUSINESS: NONE

ADJOURNMENT

Meeting was adjourned at 7:31 p.m.

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

Tom Reid
Mayor

ATTEST:

Young Lorfing, TRMC
City Secretary