

MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, JANUARY 14, 2019, AT 6:15 P.M. IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

Mayor Reid called the meeting to order 6:19 p.m. with the following present:

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| 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 | Jon Branson |
| City Attorney | Darrin Coker |
| City Secretary | Young Lorfing |

Others in attendance: Matt Buchanan President of EDC, John McCarter Budget Officer, Chris Orlea Director of Parks and Recreation, Cynthia Pearson Director of Finance, Kim Sinistore Executive Director CVB, Johnny Spires Police Chief, Clarence Wittwer Director of Public Works, Joel Hardy Grants-Special Projects Administrator, Skipper Jones Assistant Director of Capital Projects, Joshua Lee Communication Director and Daniel McGhinnis Chief Information.

NEW BUSINESS

Council Action - Resolution No. R2019-1 - 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 for the McHard Road Extension Project (Mykawa Road to Cullen Parkway); being a 1.903 acres (82,888 square feet) parcel of land located in the R.B. Lyle Survey, Abstract 543, Pearland, Brazoria County, Texas, being out of Lot 51, Section 4, W. Zychlinski Subdivision, according to the plat thereof filed in Volume 29, Page 43, Brazoria County Deed Records (B.C.D.R.) and being out of that certain tract (calculated 13.243 acres) as described in a deed executed on March 28, 2015 from Jeff E. Fleming, Jr., et al. to Lucky Seven Mykawa, LLC recorded under Brazoria County Clerk's File (B.C.C.F.), for the construction and maintenance of road, utility and drainage 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.

Council Action - Resolution No. R2019-2 - 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 for the McHard Road Extension Project (Mykawa Road to Cullen Parkway); being a 0.1821 acre (7,934 square .feet) parcel of land located in the H.T. & B. R.R. company Survey, Abstract 237, Pearland, Brazoria County, Texas, being out of Lot 3, Section 5, H.T. & B. Railroad Company Subdivision according to the plat thereof as recorded in Volume 28, Page 06 Brazoria County Deed Records (B.C.D.R.) and being out of that certain called 1.4220 acres (calculated 1.417 acres) tract as described in a deed executed on •March 21, 2009 from Bardomiano Garcia

to Cristina R. Garcia recorded under Brazoria County Clerk's File (B.C.C.F.) Number 2009012462 of the Official Public Records of Brazoria County (O.P.R.B.C.), for the construction and maintenance of road, utility and drainage 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.

Council Action - Resolution No. R2019-3 - 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 for the McHard Road Extension Project (Mykawa Road to Cullen Parkway); being a 0.3679 acre (16,026 square feet) parcel of land located in the W. Dobson Survey, Abstract 187, Pearland, Brazoria County, Texas and out of that certain called 9.715 acres tract as described in a deed executed on March 30, 1978 from Glenn R. Stone, ct ux. to Lee Willie Haynes, et ux. recorded in Volume 1391, Page 883 Brazoria County Deed Records (B.C.D.R.), for the construction and maintenance of road, utility and drainage 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.

Council Action - Resolution No. R2019-4 - 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 for the McHard Road Extension Project (Mykawa Road to Cullen Parkway); being a 0.5421 acre (23,614 square feet) parcel of land located in the H.T. & B. R.R. Company Survey, Abstract 219, Pearland, Brazoria County, Texas, being out of Lot 10, Section 7, Allison Richey Gulf Coast Home Company's Subdivision (unrecorded) and being out of that certain residue of a called 5.00 acre (calculated 0.9703 acre) tract as described in a deed executed on March 23, 1984 from Maurice B. Hansell, et al. to Dinh Kim Pham, et al. recorded in Volume 1768, Page 465 Brazoria County Deed Records (B.C.D.R.), for the construction and maintenance of road, utility and drainage 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.

Council Action - Resolution No. R2019-5 - 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 for the McHard Road Extension Project (Mykawa Road to Cullen Parkway); being a 0.7569 acre (32,972 square feet) parcel of land located in the H.T. & B. R.R. Company Survey, Abstract 219, Pearland, Brazoria County, Texas, being out of Lot 10, Section 7, Allison Richey Gulf Coast Home Company's Subdivision (unrecorded) and being out of that certain called 1.1183 acres (calculated 1.080 acres) tract as described in a deed executed on August 4, 2009 from Lam Moc Ly to Minh Thi Vo recorded under Brazoria County Clerk's File (B.C.C.F.) Number 2009042873 of the Official Public Records of Brazoria County (O.P.R.B.C.) and being out of that certain called 1.1183 acres (calculated 1.080 acres) tract as described in a deed executed on August 4, 2009 from Tam Le to Minh Thi Vo recorded under B.C.C.F. Number 2009042872 of the O.P.R.B.C., for the construction and maintenance of road, utility and drainage 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.

Council Action - Resolution No. R2019-6 - 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 for the McHard Road Extension Project (Mykawa Road to Cullen Parkway); being a 0.5486 acre (23,899 square feet) parcel of land located in the H.T. & B. R.R. Company Survey, Abstract 219, Pearland, Brazoria County, Texas, being out of Lot 10, Section 7, Allison Richey Gulf Coast Home Company's Subdivision (unrecorded) and being out of that certain called 0.970 acre (calculated 0.9703 acre) tract as described in a deed executed on December 5, 2006 from Tam Le to Thanh Yeh Vu recorded under Brazoria County Clerk's File (B.C.C.F.) Number 2007001587 of the Official Public Records of Brazoria County (O.P.R.B.C.), for the construction and maintenance of road, utility and drainage 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.

Council Action - Resolution No. R2019-7- 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 for the McHard Road Extension Project (Mykawa Road to Cullen Parkway); being a 0.1405 acre (6,122 square feet) parcel of land located in the R.B. Lyle Survey, Abstract 543, Pearland, Brazoria County, Texas, being out of Lot 51, Section 4, W. Zychlinski Subdivision, according to the plat thereof filed in Volume 29, Page 43, Brazoria County Deed Records (B.C.D.R.) and being out of that certain called 2.846 acres (calculated 2.856 acres) tract as described in a deed executed on May 26, 1995 from John Blanchard, et ux. to Don Paul Strong, et ux. recorded under Brazoria County Clerk's File (B.C.C.F.), for the construction and maintenance of road, utility and drainage 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.

Council Action - Resolution No. R2019-8 - 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 for the McHard Road Extension Project (Mykawa Road to Cullen Parkway); being a 0.3479 acre (15,156 square feet) parcel of land located in the H.T. & B. R R Company Survey, Abstract 243, Pearland, Brazoria County, Texas and out of Lots 1 and 17, Section 19, Allison-Richey Gulf Coast Home Company Subdivision according to the plat thereof filed in Volume 02, Pages 23-24 Brazoria County Plat Records (B.C.P.R.) and being out of that certain Tract Two being called 2.0000 acres tract as described in a deed executed on 11-25-2015 from Robert D. Garner to Kevin Chema, ct ux. as recorded under Brazoria County Clerk's File (B.C.C.F.) Number 2015055762 of the Official Public Records of Brazoria County (O.P.R.B.C.), and being out of that certain Tract One being called 2.5721 acres as described in a deed executed on November 25, 2015 from Robert D. Gamer to Kevin Chema, et ux. as recorded under B.C.C.F. Number 2015055762 of the O.P.R.B.C, for the construction and maintenance of road, utility and drainage 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.

Council Action - Resolution No. R2019-9 - 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 for the McHard Road Extension Project (Mykawa Road to Cullen Parkway); being a

0.3329 acre (14,499 square feet) parcel of land located in the H.T.& B. R.R. Company Survey, Abstract 219, Pearland, Brazoria County, Texas, being out of Lots 9 and 10, Section 7, Allison Richey Gulf Coast Home Company's Subdivision (unrecorded) and being out of that certain called 5.000 acres (calculated 5.010 acres) tract described in a deed executed on July 13, 1988 from Mtrust Corp., trustee to Texas Underground, Inc. recorded in Volume (88)570, Page 393 of the Official Public Records of Brazoria County (O.P.R.B.C.), and out of that certain called 1.05 acres (calculated 1.1053 acres) tract as described in a deed executed on November 19, 2001 from Quan Son Vo, et al. to Texas Underground Incorporated recorded under Brazoria County Clerk's File (B.C.C.F.) Number 01-052887 of the O.P.R.B.C., for the construction and maintenance of road, utility and drainage 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.

Council Action - Resolution No. R2019-10 - 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 for the McHard Road Extension Project (Mykawa Road to Cullen Parkway); being a 0.5439 acre (23,690 square feet) parcel of land located in the H.T. & B. R.R. Company Survey, Abstract 219, Pearland, Brazoria County, Texas, being out of Lot 10, Section 7, Allison Richey Gulf Coast Home Company's Subdivision (unrecorded) and being out of that certain called 0.9703 acre tract as described in a deed executed on June 1, 2010 from Minh Thi Vo, et ux. to ThuThi Ly recorded under Brazoria Comity Clerk's File (B.C.C.F.) Number 2010025755 of the Official Public Records of Brazoria County (O.P.R.B.C.), for the construction and maintenance of road, utility and drainage 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.

Council Action - Resolution No. R2019-11 - 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 for the McHard Road Extension Project (Mykawa Road to Cullen Parkway); being a 0.2390 acre (10,410 square feet) parcel of land located in the R.B. Lyle Survey, Abstract 544, Pearland, Brazoria County, Texas, being out of Lot 19, Section 6, Allison-Richey Gulf Coast Home Company Subdivision according to the plat thereof as recorded in Volume 136, Page 500 Brazoria County Deed Records (B.C.D.R.) and being out of that of that certain tract (calculated 4.961 acres) tract as described in a deed executed on July 17, 1972 from C. E. Helms to Stanley G. Bradley, et ux. recorded under Volume 1129, Page 661 B.C.D., for the construction and maintenance of road, utility and drainage 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.

Council Action - Resolution No. R2019-12 - 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 for the McHard Road Extension Project (Mykawa Road to Cullen Parkway); being a 0.1365 acre (5,946 square feet) parcel of land located in the F.B. Drake Survey, Abstract 506, Pearland Brazoria County, Texas being out of that certain Tract I called 1.8 acres (calculated 1.798 acres) tract as described in a deed executed on March 28, 20 12 from Frank G. Wenglar, et

ux. to C & F Properties, L.P. recorded under Brazoria County Clerk's File (B.C.C.F.) Number 2012013796 of the Official Public Records of Brazoria County (O.P.R.B.C.), for the construction and maintenance of road, utility and drainage 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 Little to approve Resolution No. R2019-1, R2019-2, R2019-3, R2019-4, R2019-5, R2019-6, R2019-7, R2019-8, R2019-9, R2019-10, R2019-11 and R2019-12.

City Attorney Darrin Coker read all Resolutions into record.

Councilmember Hernandez asked to clarify a difference in names on Resolution No. R2019-8 between Garner and Gamer since there is a misspelling.

City Attorney Darrin Coker stated the caption for the Resolution is copied from transcripts and there was a misprint but will not affect the validity of the Resolution.

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

Voting "No" None.

Motion passed 7 to 0.

ADJOURNMENT

Meeting was adjourned at 6:31 p.m.

Minutes approved as submitted and/or corrected this the 11th day of February, A.D., 2019.



Tom Reid
Mayor

ATTEST:


Young Loring, TRMC
City Secretary