

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, FEBRUARY 11, 2019, AT 6:30 P.M. IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

Mayor Reid called the meeting to order 6:37 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	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.

The invocation was given by Councilmember Moore and the Pledge of Allegiance was led by Councilmember Hernandez.

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

**CITIZEN COMMENTS:**

Dowell Jefferies, 2605 John Street, addressed Council and voiced his concern regarding a pothole on Old Alvin Road.

**PUBLIC HEARING:** None

**CONSENT AGENDA:**

**A. Consideration and Possible Action - Approval of Minutes:**

Minutes of November 11, 2018, Joint Public Hearing held at 6:30 p.m.  
Minutes of December 10, 2018, Regular Meeting held at 6:30 p.m.  
Minutes of January 14, 2019, Regular Meeting held at 6:30 p.m.  
Minutes of January 14, 2019, Special Meeting held at 6:15 p.m.  
Minutes of January 28, 2019 Regular Meeting held at 5:30 p.m.  
Minutes of January 28, 2019 Joint Special Meeting held at 6:30 p.m.

- B. Consideration and Possible Action - Resolution No. R2019-29** - A Resolution of the City Council of the City of Pearland, Texas, awarding a unit supply contract for wastewater polymer services to Zk3, in the estimated amount of \$117,882.00 beginning February 26, 2019 through February 25, 2020.
- C. Consideration and Possible Action - Resolution No. R2019-36** - A Resolution of the City Council of the City of Pearland, Texas, updating and approving the City's guidelines and criteria for granting tax abatements within a reinvestment zone created in the City of Pearland, Brazoria County, Fort Bend County, and Harris County, Texas; providing a savings clause; providing a severability clause; and providing for an effective date.
- D. Consideration and Possible Action - Resolution No. R2019-33** - A Resolution of the City Council of the City of Pearland, Texas, accepting the City's Investment Report for the quarter ending December 2018.
- E. Consideration and Possible Action - Resolution No. R2019-35** - A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into a contract amendment with Brown and Gay Engineers (BGE), in the additional amount of \$130,140.00 for construction phase services associated with the Hughes Ranch Road Expansion Project.
- F. Consideration and Possible Action - Resolution No. R2019-42** - A Resolution of the City Council of the City Of Pearland, Texas, authorizing the City Manager or his designee to enter into an Interlocal Agreement for the cooperative purchase of goods and services with the Education Service Center – Region 19 Allied States Cooperative.
- G. Consideration and Possible Action** - Excuse the Absence of Councilmember Derrick Reed from the Regular Council Meeting held on January 28, 2019.
- H. Consideration and Possible Action** - Excuse the Absence of Councilmember Woody Owens from the Regular Council Meeting held on January 28, 2019.
- I. Consideration and Possible Action** - Regarding the appointment of Antonio A. Caro to Position No. 3 to an unexpired term expiring November 1, 2021 to serve on the Convention and Visitors Bureau Advisory Board.
- J. Consideration and Possible Action - Resolution No. R2019-34** - A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into a contract with CenterPoint Energy, in the amount of \$51,214.00, for the installation and maintenance of streetlights associated with the Old Alvin Road Improvement Project.

Councilmember Carbone made the motion, seconded by Councilmember Owens to approve Consent Agenda 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 CONSENT AGENDA:**

- C. Consideration and Possible Action - Resolution No. R2019-36** - A Resolution of the City Council of the City of Pearland, Texas, updating and approving the City's guidelines and criteria for granting tax abatements within a reinvestment zone created in the City of Pearland, Brazoria County, Fort Bend County, and Harris County, Texas; providing a savings clause; providing a severability clause; and providing for an effective date.

Councilmember Carbone made the motion, seconded by Councilmember Owens to approve Resolution No. R2019-36 as amended.

City Manager Clay Pearson stated this resolution is regarding the City's property tax abatement policy.

City Attorney Darrin Coker clarified the proposed changes to the language within the policy.

Mayor Pro-Tem Perez stated he would like to see other changes to the language used in the policy and provided examples of those changes.

City Attorney Darrin Coker discussed how the sections proposed by Mayor Pro-Tem Perez can be accomplished.

Mayor Pro-Tem Perez asked staff to provide more detail on the reasoning for specific decisions being changed from a super majority Council vote for approval to a simple majority vote.

President of EDC Matt Buchanan stated the change is proposed due to Council having seven members versus the previous five member Council when this policy was written.

Councilmember Carbone made the motion, seconded by Mayor Pro-Tem Perez to amend the language of the property tax abatement to reflect the proposed changes.

Mayor Reid called for the vote on the amended motion.

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

Voting "No" None.

Motion passed 7 to 0.

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

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. R2019-51** - A Resolution ordering a General Election to be held on Saturday, May, 4, 2019, for the purpose of electing Councilmembers to Position 1, Position 5, and Position 6 of the City of Pearland City Council and calling a Bond Election to be held within the City of Pearland, Texas; making provisions for the conduct and the giving of notice of the elections; and containing other provisions related thereto.

Charles McMurrey, 5209 Spring Branch Drive, addressed Council and spoke in opposition of the proposed Animal Shelter portion of the Bond Election.

Laura Sanchez relinquished her time to speak.

Rebecca Reyna, 4714 Comal Street, addressed Council and spoke in support of the proposed Animal Shelter.

Melisa Jackson, 1210 Sunset Drive, addressed Council and spoke in support of the proposed Animal Shelter.

Blake Saumell, 3315 Ridgepoint Court, addressed Council and spoke in support of the Animal Shelter proposed in the Bond Resolution.

Whitney Carow relinquished her time to speak.

Lisa Linton, 10100 Broadway Street, addressed Council and provided her support of the proposed Animal Shelter.

Haley Greenway relinquished her time to speak.

Gloria Johnston relinquished her time to speak.

Kent Johnston relinquished his time to speak.

Stephanie Johnson, 2919 Ashbrook Lane, addressed Council and spoke in support of the proposed Animal Shelter.

Mary Hickling relinquished her time to speak.

Neal Wallach relinquished his time to speak.

Councilmember Reed made the motion, seconded by Councilmember Moore to approve Resolution No, R2019-51 as amended.

City Manager Clay Pearson stated this Resolution is for both the General Election and the Bond Election to be added to the May ballots.

Director of Engineering and Capital Projects Robert Upton made a presentation on the 2019 Capital Improvement Projects Bond Initiative.

City Manager Clay Pearson stated the City is allowed to have a 40 year Bond but according to the City Council policy that will be followed is 20 years. He further stated the temperature of the shelter was discussed earlier but the State requires temperatures to remain within a specific scope. City Manager Clay Pearson stated the design of the proposed Animal Shelter will allow for future growth and public space.

Conversation ensued between Councilmember Reed and City Manager Darrin Coker regarding how Bonds will appear on the ballot and whether the Bond and Election can be broken out and voted on separately in the proposed Resolution.

Bond Council Member Tonya Fisher addressed Council and stated the voting of the Election and the Bond Resolution can be separated and voted on independently, requiring two votes.

Councilmember Reed stated the voting on officials needs to occur but the Bond addressed on another vote.

Councilmember Reed made the motion, seconded by Councilmember Moore to amend the motion into separate Resolutions with Resolution No. R2019-51A ordering the General Election and Resolution No. R2019-51B calling for the Bond Election.

Mayor Reid called for the vote on the amended motion.

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

Voting "No" Mayor Pro-Tem Perez.

Motion passed 6 to 1.

Mayor Reid called for the vote on Resolution No. R2019-51A.

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

Voting "No" None.

Motion passed 7 to 0.

Mayor Reid called for the vote on Resolution No. R2019-51B.

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

Voting "No" None.

Motion passed 7 to 0.

**First Reading of Ordinance No. 2000M-180** - An Ordinance of the City Council of the City of Pearland, Texas, amending Ordinance No. 2000M, the zoning map of the City of Pearland, Texas, for the purpose of changing the classification of certain property, Lot 3 in Block 1 being 7.443 acres of a subdivision of 11.759 acres located in the H.T. B. R.R. Co. Survey, Abstract No. 546 in the City of Pearland, Brazoria County, Texas. (South of 7110 Magnolia Road) Zone Change Application No. ZONE 18-00022, a request by Alan Mueller, applicant, on behalf of Marilyn Bullard, owner; for approval of amendments to the regulations of the Midtown at Magnolia Planned Development regarding the townhome development tract; on approximately 7.443 acres of land; providing for an amendment of the zoning district map; containing a savings clause, a severability clause, and an effective date and other provisions related to the subject.

Mayor Pro-Tem Perez made the motion, seconded by Councilmember Moore to adopt Ordinance No. 2000M-180.

City Manager Clay Pearson stated this Ordinance is for amendments to the regulations of the Midtown at Magnolia Planned Development regarding the townhome development tract.

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

Voting "No" None.

Motion passed 6 to 0, with Councilmember Little absent for Chambers.

**Council Action - Resolution No. R2019-28** - 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 Texas Association of School Boards (TASB) Buy Board for the purchase of a Police Department Mobile Command Post and associated equipment, in the amount of \$425,283.00; allocating \$418,465.01 from the state seizure fund (\$198,763.40), the federal seizure fund (\$129,469.61), the donation fund (\$50,000) and the public, educational and government access channel fund (\$40,232.00).

Councilmember Hernandez made the motion, seconded by Councilmember Moore to approve Resolution No. R2019-28.

City Manager Clay Pearson stated this Resolution is to authorize the purchase of a Police Department Mobile Command Post.

Councilmember Moore asked staff if the vehicle the City purchases will look like the rendition and pictures provided.

Police Captain Kevin Nichols stated the vehicle will look very similar to what was provided the pictures are of another counties Emergency Management Vehicle.

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.

**MAYOR/COUNCIL ISSUES FOR CITY COUNCIL DISCUSSION:** None

**OTHER BUSINESS:** None

Council adjourned into Executive Session under Texas Government Code at 7:59 p.m.

**EXECUTIVE SESSION UNDER TEXAS GOVERNMENT CODE**

1. **Executive Session - Section 551.072** - Consultation with City Attorney - Regarding the Sale, Lease or Exchange of Real Property.
2. **Executive Session - Section 551.087** - Consultations with City Attorney - Regarding Economic Development Negotiations.
3. **Executive Session - Section 551.071** - Consultation with the City Attorney - Regarding pending and potential litigation.

**NEW BUSINESS CONTINUED:**

Council returned from Executive Session at 9:58 p.m.

4. **Council Action - Regarding Economic Development Negotiations.**

City Attorney Darrin Coker stated he recommends a motion authorizing staff to proceed with an amended tax abatement agreement with Pearland Economic Development Corporation Prospect 1405 as discussed in Executive Session.

Councilmember Carbone and the motion, seconded by Councilmember Moore to approve the proposed amendment.

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

Voting "No" None.

Motion passed 7 to 0.

**ADJOURNMENT**


Meeting was adjourned at 10:00 p.m.

Minutes approved as submitted and/or corrected this the 4<sup>th</sup> day of March, A.D., 2019.



Tom Reid  
Mayor

ATTEST:



Young Loring, TRMC  
City Secretary

