

**MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, FEBRUARY 11, 2019, AT 6:15 P.M. IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

Mayor Reid called the meeting to order 6:17 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: Jon Branson Deputy City Manager, Matt Buchanan President of EDC, Trent Epperson Assistant City Manager, Michelle Graham Director of Human Resources, John McDonald Director of Community Development, Chris Orlea Director of Parks and Recreation, Cynthia Pearson Director of Finance, Kim Sinistore Executive Director CVB, Johnny Spires Police Chief, Robert Upton Director of Engineering and Capital Projects, Joshua Lee Communication Director, Daniel McGhinnis Chief Information and Lawrence Provins Deputy City Attorney.

**NEW BUSINESS**

**Council Action - Resolution No. R2019-41** - 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); Part 1, being a 6.460 acres (281,384 square feet) parcel of land located in the H.T. & B. R.R, Company Survey, Abstract 237, Pearland, Brazoria County, Texas, being out of Lots 3 and 6- 1/2, 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 those certain called 12.0586 acres tract and 44.0130 acres tract as described in a quitclaim deed executed on February 04, 2006 from Linda Alexander Rodriguez, et al. to Sunlake Limited recorded under Brazoria County Clerk's File (B.C.C.F.); Part 2, being a 13.702 acres (596,848 square feet) parcel of land located in the H.T. & B. R.R. Company Survey, Abstract 237, Pearland, Brazoria County, Texas, being out of Lots 3 and 6- 1/2, 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 those certain called 12.0586 acres tract and 44.0130 acres tract as described in a quitclaim deed executed on February 04, 2006 from Linda Alexander Rodriguez, et al. to Sunlake Limited recorded under Brazoria County Clerk's File (B.C.C.F.) Number 2006019064 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. R2019-49** - 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 0.0140 acre (612 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 1, Block 1, Pine Oaks Subdivision according to the plat thereof as recorded in Volume 19, Page 751 Brazoria County Plat Records and being out of that certain (calculated 0.6492 acre) tract as described in a deed executed on November 12, 1998 from Truth Dang Bui, et ux. to Dien Quang Bui, et al. recorded under Brazoria County Clerk's File (B.C.C.F.) Number 98-049696 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. R2019-47** - 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 0.2404 acre (10,472 square feet) parcel of land located in the F. B. Drake Survey, Abstract 505, Pearland, Brazoria County, Texas and being out of Lot 6, Section 10, 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 that certain called 1.164 acres tract as described in a deed executed on July 23, 2013 from Jason C. Blight Successor Trustee to Salvador Davila, Jr. recorded under Brazoria County Clerk's File (B.C.C.F.) Number 2013036461 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. R2019-38** - 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 0.1726 acre (7,518 square feet) parcel of land located in the F.B. Drake Survey, Abstract 504, Pearland, Brazoria County, Texas, being out of that certain Lot 28, Section 8, Allison Richey Gulf Coast Home Company's Subdivision, according to the plat thereof filed in Volume 2, Pages 23-24, Brazoria County Plat Records (B.C.P.R.) and being out of that certain called North 1/2 of Lot 28 (calculated 5.011 acres) tract as described in a deed executed on May 7, 1985 from Cynthia L. Pate, independent executrix to Cynthia L. Pate recorded in Volume (85)131, Page 658 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. R2019-39** - 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 1.001 acres (43,602 square feet) parcel of land located in the H.T. & B. R.R. Company Survey, Abstract 234, Pearland, Brazoria County, Texas, being out of that certain Lot 47, Section 9, Allison Richey Gulf Coast Home Company's Subdivision, according to the plat thereof filed in Volume 2, Pages 23-24, Brazoria County Plat Records (B.C.P.R.) and being out of that certain called one acre tract (calculated 1.001 acres) tract as described in a deed executed on June 5, 1978 from Stephanie Uresti to Jesus Rodolfo Uresti as recorded in Volume 1403, Page 449, 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. R2019-48** - 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 0.1906 acre (8,303 square feet) parcel of land located in the F.B. Drake Survey, Abstract 503, Pearland\* Brazoria County\* Texas and being out of Lot 6, Section 10, Allison Richey Gulf Coast Home Company's Subdivision;; according to the plat thereof filed in Volume 2, Pages 23-24,- Brazoria County Plat Records (B.C.P.R.), and being out of that: certain called 0.992 acre (calcuated 0.9915 acre) tract as described in a deed executed on March 15,1990 from Elmer J. Brull, et ux; to, Antonio Rojas et ux., recorded under Volume (90) 767, Page 910 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. R2019-40** - 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 0.3285 acre (14,310 square feet) parcel of land located in the H.T. & B. R.R. Company Survey, Abstract 243, Pearland, Brazoria County, Texas and being out of Lot 49, 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 out that certain called 2.01 acres (calculated 2.007 acres) tract as described in a deed executed on March 7, 2005 from Beatrice Lejsal, Individually and as Independent Executrix of the Estate of Merle S. Whillhile, deceased to Edward John Shira, et al. recorded under Brazoria County Clerk's File (B.C.C.F.) Number 2005012973 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. R2019-46** - 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 0.1053 acre (4,583 square feet) parcel of land located in the R.B. Lyle Survey, Abstract 544, Pearland, Brazoria County, Texas, being out of Lot 17, 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 the residue of that certain called 10 acres (calculated 5.524 acres) tract as described in a deed executed on October 08, 1945 from P.C. Bundy to D.A. Fernandez, et ux. recorded in Volume 400, Page 255 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. R2019-45** - 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 0.7212 acre (31,418 square feet) parcel of land located in the R.B. Lyle Survey, Abstract 544, Pearland, Brazoria County, Texas, being out of Lot 17, 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 certain called 2.0000 acres tract as described in a deed executed on February 28, 2005 from John Sayers Hallmark, Sr., by and through agent and attorney-in-fact Jack Lyndon Hallmark to Frank Perez, et ux. recorded under Brazoria County Clerk's File (B.C.C.F.) Number 2005014533 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. R2019-44** - 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 0.0344 acre (1,500 square feet) parcel of land located in the R.B. Lyle Survey. Abstract 544. Pearland, Brazoria County. Texas, being out of Lot 17, 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 certain called 0.344 acre tract as described in a deed executed on November 4. 1967 from D. A. Fernandez, et ux. to Frank Perez, et ux, recorded under Volume 985. Page 229 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.

Councilmember Hernandez made the motion, seconded by Councilmember Perez to approve Resolution No. R2019-41, R2019-49, R2019-47, R2019-38, R2019-39, R2019-48, R2019-40, R2019-46, R2019-45 and R2019-44.

City Attorney Darrin Coker stated these Resolutions are for the City declaring eminent domain on properties after all negotiations to acquire have failed and read each Resolution into record.

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

Voting "No" None.

Motion passed 7 to 0.

**ADJOURNMENT**

Meeting was adjourned at 6:32 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

