

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, FEBRUARY 25, 2019, AT 6:30 P.M. IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

Mayor Reid called the meeting to order 7:27 p.m. with the following present:

Mayor	Tom Reid
Mayor Pro-Tem	Trent Perez
Councilmember	Tony Carbone
Councilmember	Adrian Hernandez
Councilmember	J. David Little
Councilmember	Derrick Reed
City Manager	Clay Pearson
Deputy City Attorney	Lawrence Provins
City Secretary	Young Lorfing

Absent: Councilmember Gary Moore.

Others in attendance: 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 Resources, John McDonald Director of Community Development, John McCarter Budget Officer, Chris Orlea Director of Parks and Recreation, Kim Sinistore Executive Director CVB, Robert Upton Director of Engineering and Capital Projects, Clarence Wittwer Director of Public Works, Andrea Brinkley Assistant Director of Public Works, Joel Hardy Grants – Special Projects Administrator, Skipper Jones Assistant Director of Capital Projects, Mohamed Bireima Planner II and Joshua Lee Communication Director.

The invocation was given by Councilmember Hernandez and the Pledge of Allegiance was led by Pearland Resident Alan Mueller.

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

**CITIZEN COMMENTS:** None.

**PUBLIC HEARING:** None.

**CONSENT AGENDA:**

- A. Consideration and Possible Action - Resolution No. R2019-55** - A Resolution of the City Council of the City of Pearland, Texas, awarding a unit supply bid for rough cut, open ditch and bridge grounds maintenance services to Lawnsapes Unlimited, in the amount of \$231,475.87, for the period of March 7, 2019 through March 6, 2020.
- B. Consideration and Possible Action - Resolution No. R2019-37** - A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into an amended license agreement with Clear Wireless, LLC, for site

modifications to communication transmission facilities located at the McLean Water Tower.

- C. Consideration and Possible Action - Second and Final 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.
- D. Consideration and Possible Action - Resolution No. R2019-59** - 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 OFS through the National Intergovernmental Purchasing Alliance (NIPA) and AIS through the National Cooperative Purchasing Alliance (NCPA) for the purchase of furniture from the Luck Company, in the amount of \$32,941.86, for the Orange Street Service Center (Phase I).
- E. Consideration and Possible Action - Resolution No. R2019-61** - A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into a Reimbursement and Maintenance Agreement between the City and the Pearland Economic Development Corporation; and awarding a competitive sealed proposal for the construction of the Broadway East Entryway and Corridor Enhancements Project, to Landscape Art, Inc., in the estimated amount of \$216,281.08.
- F. Consideration and Possible Action - Resolution R2019-70** - A Resolution by the City Council of the City of Pearland, Texas, approving continued participation in the Criminal Justice Division - General Victim Assistance Direct Services Grant Program.
- G. Consideration and Possible Action - Resolution No. R2019-62** - A Resolution of the City Council of the City of Pearland, Texas, approving participation in the Texas Department of Transportation's Selective Traffic Enforcement Program (STEP) comprehensive grant to enhance traffic safety in the City of Pearland, and authorizing City matching funds in the amount of twenty percent (20%).
- H. Consideration and Possible Action - Resolution No. R2019-65** - A Resolution of the City Council of the City of Pearland, Texas, approving participation in the Texas Department of Transportation's Selective Traffic Enforcement Program (STEP) grant for Commercial Motor Vehicles to enhance traffic safety in the City of Pearland, and authorizing City matching funds in the amount of twenty percent (20%).

- I. Consideration and Possible Action - Resolution No. R2019-64** - A Resolution of the City Council of the City Of Pearland, Texas, approving and adopting the 2019 Hazard Mitigation Plan Update.
- J. Consideration and Possible Action – Resolution No. R2019-69** - A Resolution of the City Council of the City of Pearland, Texas, renewing a Unit Supply Contract for traffic signal heads and components with Traffic Parts, Inc., in the estimated amount of \$100,000.00, for the period of February 26, 2019 through February 25, 2020.
- K. Consideration and Possible Action - Resolution No. R2019-58** - 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 one (1) dump truck, in the amount of \$139,738.00, from Rush Truck Center.
- L. Consideration and Possible Action - Resolution No. R2019-67** - A Resolution of the City Council of the City of Pearland, Texas, authorizing Amendment No. 5 to the Joint Facility Water Contract between the City, Brazoria County Municipal District No. 2, Brazoria County Municipal Utility District No. 3 and Brazoria County Municipal Utility District No. 6.
- M. Consideration and Possible Action - Resolution No. R2019-63** - A Resolution of the City Council of the City of Pearland, Texas, authorizing a contract amendment with Costello Engineering for design services, in the amount of \$278,502.00, associated with Phase II of the FM 521 Ground Storage Tank Project.
- N. Consideration and Possible Action - Resolution No. R2019-56** - A Resolution of the City Council of the City of Pearland, Texas, canceling a bid award and rejecting all bids for construction services associated with the Fiber Optic Backbone Network Project (Dixie Farm Road).

Councilmember Carbone made the motion, seconded by Mayor Pro-Tem Perez to approve Items A through L as presented on the Consent Agenda.

Voting “Aye” Councilmember Carbone, Reed, Perez, Hernandez, Little and Owens.

Voting “No” None.

Motion passed 6 to 0 with Councilmember Moore absent.

**MATTERS REMOVED FROM CONSENT AGENDA:**

- M. Consideration and Possible Action - Resolution No. R2019-63** - A Resolution of the City Council of the City of Pearland, Texas, authorizing a contract amendment with Costello Engineering for design services, in the amount of \$278,502.00, associated with Phase II of the FM 521 Ground Storage Tank Project.

Councilmember Carbone made the motion, seconded by Mayor Pro-Tem Perez to approve Resolution No. R2019-63.

City Manager Clay Pearson stated this is for design services of an additional tank for Phase II of the FM 521 Ground Storage Tank Project.

Conversation ensued between Councilmember Carbone, City Manager Clay Pearson and Director of Engineering and Capital Projects Robert Upton regarding the amount budgeted for the project and how funds will be reconciled and a sidewalk along Farm to Market Road 518.

Councilmember Owens asked staff if the water used on the Ground Storage Tank Project is from the City of Houston per the contract.

Director of Engineering and Capital Projects Robert Upton confirmed the water is coming from the City of Houston contract.

Councilmember Owens asked staff if the widening of Farm to Market Road 251 is being paid for from the Tax Increment Reinvestment Zone.

Assistant City Manager Trent Epperson stated Fort Bend County sponsored that project as part of the Transportation Improvement Program and was selected for funding in the 2015 call for projects.

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

Voting "No" None.

Motion passed 6 to 0 with Councilmember Moore absent.

**N. Consideration and Possible Action - Resolution No. R2019-56 - A Resolution of the City Council of the City of Pearland, Texas, canceling a bid award and rejecting all bids for construction services associated with the Fiber Optic Backbone Network Project (Dixie Farm Road).**

Councilmember Carbone made the motion, seconded by Mayor Pro-Tem Perez to approve Resolution No. R2019-56.

City Manager Clay Pearson stated the City awarded a contract for a fiber line and the bidder came back and could not do the work at the agreed upon price, staff would recommend rebidding the project.

Councilmember Carbone asked staff if a Consultant was used to score the bids and do background checks.

Director of Engineering and Capital Projects Robert Upton stated this was a low bid contract and due diligence was done and the bidder was contacted prior. He further stated staff is recommending to reject all bids and rebid with another project added in.

Conversation ensued between Councilmember Carbone and Deputy City Attorney Lawrence Provins regarding the ability to collect the Bid Bond and how to discourage this from happening again.

Mayor Reid asked staff if fiber optic lines are put in far enough back to not have to uncover them when there is a road expansion.

Director of Engineering and Capital Projects Robert Upton stated that is planned for but there are times that fiber optics are put in at an existing roads and not being widen in the future.

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

Voting "No" None.

Motion passed 6 to 0 with Councilmember Moore absent.

#### **NEW BUSINESS:**

**Council Action - Resolution No. R2019-30** - 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 Huitt-Zollars, in the amount of \$662,500.00 for design services associated with the Orange Street Service Center Phase II Project.

Councilmember Reed made the motion, seconded by Councilmember Little to approve Resolution No. R2019-30.

City Manager Clay Pearson stated this is design services for the Orange Street Service Center Phase II Project.

Assistant City Manager Trent Epperson addressed Council and provided detailed improvements and purpose of the Phase II portion of this project.

Mayor Pro-Tem Perez stated as long as the City is meeting the same requirements that are asked of developers when going forward with this project he has no objections.

Councilmember Little stated the design engineering on this project is around 11 percent and asked staff if that is normal for these types of projects.

Director of Engineering and Capital Projects Robert Upton stated that is a design budgetary number and it is still in negotiation.

Conversation ensued between Councilmember Owens and Director of Engineering and Capital Projects Robert Upton regarding the various Architect billing hours and design development.

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

Voting "No" None.

Motion passed 6 to 0 with Councilmember Moore absent.

**First Reading of Ordinance No. 1571** - An Ordinance of the City Council of the City of Pearland, Texas, renaming portions of Max Road and Reid Boulevard (north of FM 518); and naming a currently unnamed road north of Zychlinski Park to Zychlinski Drive; containing a savings clause, a severability clause and a repealer clause.

Mayor Pro-Tem Perez made the motion, seconded by Councilmember Little to adopt Ordinance No. 1571.

City Manager Clay Pearson stated Council asked staff for more research and options, then represent this to Council. He further outlined the proposed options for roads within the name change to Council.

Dean Gajevsky, 2239 Max Road, addressed Council and stated he is in opposition of the proposed name change due to financial issues and the strain it will put on the residents to update all of thier address information.

Manuel Lopez, 2215 Max Road, addressed Council and stated he is in opposition of the proposed road name change.

Conversation ensued between Councilmember Owens and Assistant City Manager Trent Epperson regarding the additions to the Max Road Corridor.

Councilmember Owens stated he has received several complaints about road signs not displaying block numbers and drivers have to drive and look at businesses to see where they are.

Assistant City Manager Trent Epperson stated with technology as it is today it would not be cost effective to retrofit the street signs with block numbers. He further stated with the mandated regulations of street sign size and font size there is not room to add those numbers.

Councilmember Reed stated there are roads that are connected through later construction and the new road takes on the same name as the road it expands. He further stated since this road is an extension of Martin Luther King Jr Boulevard, it should remain the same name.

Councilmember Little stated with the two options listed in the proposal the Manvel Road option makes more sense due to it being a continuation of an existing roadway. He further asked staff for an option from Farm to Market Road 518 to Beltway 8 be named Max Road and offering a name change for the other proposed roadways.

City Manager Clay Pearson stated that would get into Brookside Village and the City cannot tell them to change the names of their roads.

Assistant City Manager Trent Epperson stated there have been talks with Brookside Village and there is a willingness to change a specific road to Max Road but not the other option suggested.

Councilmember Hernandez stated this is not a priority and does not need to be done at this time.

Mayor Reid asked staff what the motivation for Police and Fire is to have these name changes.

Assistant City Manager Trent Epperson stated it would make it easier to respond to emergency calls if the road was one continuous name and not have multiple names for one roadway.

Mayor Pro-Tem Perez stated Council asked for these changes and was aware of the inability to change roads in Brookside Village. He further stated there needs to be an update to the thoroughfare plan with surrounding Cities growing. Mayor Pro-Tem Perez stated he supports Manvel Road as the preferred choice but would like to continue talks with Brookside Village.

Councilmember Reed asked why it is going to attach to Martin Luther King (MLK) Boulevard but the name is not going to carry through as a continuous road.

Assistant City Manager Trent Epperson stated that is an option also but staff was starting with Farm to Market Road 518 and Reid Road in Pearland, making that continuous. He further stated the City is looking to make the name change now rather than wait until a later date for new construction to connect to MLK Boulevard.

Mayor Pro-Tem Perez stated at this point the decision has to be made to either change the road name or not rather than what name should be chosen for the road, the name change is the next step.

Conversation ensued between Councilmember Reed and Mayor Pro-Tem Perez regarding what the City is going to be asking for from Brookside Village.

Councilmember Carbone stated it is worth asking Brookside Village to make the road name change on behalf of the citizens who are asking.

Councilmember Little made the motion, seconded by Councilmember Reed to table the Resolution until Brookside Village can be contacted.

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

Voting "No" None.

Motion passed 6 to 0 with Councilmember Moore absent.

## **ADJOURNMENT**

Meeting was adjourned at 8:45 p.m.

Minutes approved as submitted and/or corrected this the 8<sup>th</sup> day of April, A.D., 2019.

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Tom Reid  
Mayor

ATTEST:

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Young Lorfing, TRMC  
City Secretary