

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, MARCH 4, 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	Derrick Reed
Deputy City Manager	Jon Branson
City Attorney	Darrin Coker
City Secretary	Young Lorfing

Absent: Councilmember Gary Moore and Councilmember J. David Little.

Others in attendance: Matt Buchanan President of EDC, Michelle Graham Director of Human Resources, John McDonald Director of Community Development, John McCarter Budget Officer, Chris Orlea Director of Parks and Recreation, Cynthia Pearson Director of Finance, Johnny Spires Police Chief, Robert Upton Director of Engineering and Capital Projects, Andrea Brinkley Assistant Director of Public Works, Andrea Brinkley Assistant Director of Public Works, Joel Hardy Grants – Special Projects Administrator, Joshua Lee Communication Director and Lawrence Provins Deputy City Attorney.

The invocation was given by Mayor Pro-Tem Perez and the Pledge of Allegiance was led by Councilmember Hernandez.

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

CITIZEN COMMENTS: None.

PUBLIC HEARING: None

CONSENT AGENDA:

- A. Consideration and Possible Action - Approval of Minutes:**
Minutes of February 11, 2018, Regular Meeting held at 6:30 p.m.
Minutes of February 11, 2018, Special Meeting held at 6:15 p.m.
Minutes of February 18, 2019, Special Meeting held at 6:30 p.m.
Minutes of February 25, 2019, Joint Special Meeting held at 6:15 p.m.
- B. Consideration and Possible Action - Resolution No. R2019-72 - A Resolution of the City Council of the City of Pearland, Texas, approving an updated route associated with the Special Events Permit for the Pearland Half Marathon.**

- C. Consideration and Possible Action - Resolution No. R2019-73** - 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 repair and replacement of operational features associated with the Southdown Park Splash with Kraftsman, in the amount of \$110,435.34.
- D. Consideration and Possible Action - Resolution No. R2019-43** - A Resolution of the City Council of the City of Pearland, Texas, awarding a unit supply contract to Inland Environments, Ltd., for demolition and disposal services associated with substandard residential structures, in the estimated amount of \$160,000.00, for the period of March 11, 2019 through March 10, 2020.

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

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

Voting "No".

Motion passed 5 to 0 with Councilmember Moore and Councilmember Little absent.

MATTERS REMOVED FROM CONSENT AGENDA:

- C. Consideration and Possible Action - Resolution No. R2019-73** - 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 repair and replacement of operational features associated with the Southdown Park Splash with Kraftsman, in the amount of \$110,435.34.

Councilmember Carbone made the motion, seconded by Councilmember Reed to approve Resolution No. R2019-73.

Deputy City Manager Jon Branson stated staff is requesting approval to enter into an interlocal cooperative pricing arrangement for the repair and replacement of operational features associated with the Southdown Park Splash with Kraftsman.

Mayor Pro-Tem Perez stated there should be an amendment or the Resolution postponed due to discrepancies in the amount requested and projected cost of the project which may lead to underfunding.

Director of Parks and Recreation Chris Orlea stated the differences in the amounts are due to the TASB discounts and the requested amount is correct.

Mayor Pro-Tem Perez stated if staff is comfortable with the proposed amount he has no objections.

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

Voting "No".

Motion passed 5 to 0 with Councilmember Moore and Councilmember Little absent.

NEW BUSINESS:

Council Action - Resolution No. R2019-74 - A Resolution of the City Council of the City of Pearland, Texas, approving the resolution authorizing the defeasance of certain of the Pearland Economic Development Corporation's outstanding bonds; and making various findings and provisions related to the subjects.

Councilmember Reed made the motion, seconded by Councilmember Owens to approve Resolution No. R2019-74.

Deputy City Manager Jon Branson stated this is requesting authorization from Council to declare certain outstanding bonds null and void and discussed different options for the Council to decide between.

Councilmember Carbone stated he is in support of moving forward with defeasance of the bonds outlined.

Mayor Pro-Tem Perez stated he supports the defeasance of the bonds and if the money is there to pay off debt it needs to be done rather than hold funds for projects that are not in the Capital Improvement Projects. He further asked staff if a policy needs to be in place outlining the amount to be left in the Pearland Economic Development Corporations (PEDC) budget to tax collection.

Deputy City Manager Jon Branson stated he is in favor of setting a policy for that purpose.

Conversation ensued between Councilmember Hernandez and Deputy City Manager Jon Branson regarding historical data as it relates to the interest rates being paid on Bonds.

Councilmember Owens asked staff what the possibility of any projects coming up in the near future.

Director of EDC Matt Buchanan stated nothing in the next eight to ten months but in the next year to two years there will be projects that come up that this money could be used for.

Councilmember Carbone stated the Resolution establishing a minimum amount of debt the PEDC carries needs to come back to Council after the current Legislative Session has closed.

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

Voting "No".

Motion passed 5 to 0 with Councilmember Moore and Councilmember Little absent.

Council Action - Resolution No. R2019-31 - 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 Ardurra Group, LLC, in the amount of \$3,775,000.00 for design services associated with the John Hargrove Environmental Complex (JHEC) Water Reclamation Facility Expansion Project.

Mayor Pro-Tem Perez made the motion, seconded by Councilmember Owens to approve Resolution No. R2019-31.

Deputy City Manager Jon Branson stated this is for an expansion to the John Hargrove Environmental Complex (JHEC) Water Reclamation Facility due to volume of water through the facility.

Councilmember Owens asked staff if part of the expenses for this proposal are for transportation of the consultants.

Ardurra Spokesperson Jeff Peters stated the project will be run out of the Houston office and most of the subcontractors also have Houston based offices, no travel should be required.

Conversation ensued between Councilmember Owens and Ardurra Spokesperson Jeff Peters regarding what will be expensed under the contract amount for expenditures.

Mayor Pro-Tem Perez stated on the budgetary information there is a deficit between funding sources and expenditures and asked staff where the additional funding source is coming from.

Director of Engineering and Capital Projects Robert Upton stated additional funding will come from the revision of Capital Improvement Projects.

Mayor Pro-Tem Perez stated this facility has needed this type of increase every two years and the projections may be too conservative in regards to future growth. He further asked staff if there can be some planning towards that.

Director of Engineering and Capital Projects Robert Upton stated future planning is currently underway and options being established, including rehabilitating some of the existing components.

Councilmember Owens asked staff if this expansion would be able to accommodate the areas surrounding if they are annexed at a later date.

Director of Engineering and Capital Projects Robert Upton stated this new expansion does have the ability to service those areas if an annexation does occur at a later date.

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

Voting "No".

Motion passed 5 to 0 with Councilmember Moore and Councilmember Little absent.

Council Action - Resolution No. R2019-71 - 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 CDM Smith, Inc., in the amount of \$5,202,432.00, for final design services associated with Surface Water Plant Package No. 2.

Councilmember Hernandez made the motion, seconded by Councilmember Owens to approve Resolution No. R2019-71.

Deputy City Manager Jon Branson stated this is the final design service contract for treatment plant to CDM Smith, Inc.

Mayor Pro-Tem Perez asked staff the status of final design for Phase I and Phase II.

Director of Engineering and Capital Projects Robert Upton stated Phase I is in final negotiation and Phase II is in final review due to its late start.

Conversation ensued between Councilmember Owens and Director of Engineering and Capital Projects Robert Upton regarding the outcome of the performance reviews, funding from Revenue Bonds and technical aspects of the project.

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

Voting "No" None.

Motion passed 5 to 0 with Councilmember Moore and Councilmember Little absent.

Council Action - Resolution No. R2019-54 - 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 Kimley-Horn and Associates, Inc., in the amount of \$569,400.00, for design services associated with the Shadow Creek Ranch Park Project (Phase II).

Councilmember Owens made the motion, seconded by Councilmember Hernandez to approve Resolution No. R2019-54.

Deputy City Manager Jon Branson stated staff is recommending a contract for Phase II of the Shadow Creek Ranch Park Project and discussed the improvements to the park.

Councilmember Reed stated there is no need for an additional baseball field in the park. He further asked staff if adding a possible tennis or basketball court has been considered.

Director of Parks and Recreation Chris Orlea stated after meeting with area Youth Leagues it was determined that there is not a large enough league number to sustain those sports. He further stated this Project will focus on Rugby, Cricket and Soccer.

Councilmember Reed stated the area is large enough for more than one tennis court to be added and the tennis courts in Shadow Creek are always full. He further stated there are fields at the Hickory Slough Sports Complex that can be used for Rugby and Soccer.

Director of Parks and Recreation Chris Orlea stated it needs to be clarified that the baseball field on Phase II is called a Miracle Field and is intended for use by persons with a disability that limits movement and will be compliant with the Americans with Disabilities Act. He further stated a Focus Group was held and Tennis did not appear on the list of sports they were interested in.

Mayor Pro-Tem Perez stated the project needs to move forward as planned and not go on any longer than it already has. He further stated that Council was contacted in regards to adding a Tennis Court to this project.

Councilmember Hernandez stated he would like to extend his gratitude to staff for bringing the Miracle Field to Pearland.

Mayor Reid stated parks improve quality of life for the residents of Pearland and the City needs to add to amenities.

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

Voting "No" None.

Motion passed 5 to 0 with Councilmember Moore and Councilmember Little absent.

First Reading of Ordinance No. 1358-17 - An Ordinance of the City Council of the City of Pearland, Texas, amending non-development usage and service fees (Delores Fenwick Nature Center); containing a savings clause, a severability clause, a repealer clause, providing for publication and an effective date.

Councilmember Carbone made the motion, seconded by Councilmember Reed to adopt Ordinance No. 1358-17 on its First Reading.

Deputy City Manager Jon Branson stated staff is recommending an amendment to the non-development usage and service fees.

Mayor Pro-Tem Perez asked staff if there are any numbers regarding School Districts that may be interested in the use of the facility.

Director of Parks and Recreation Chris Orlea stated there are not any numbers available but judging by the numbers of visitors for similar facilities the Nature Center would be within range of local Districts and residents.

Councilmember Hernandez stated free field trips of the Recycling Center and Water Treatment Facilities are provided and asked staff if the Nature Center can be added to that also.

Director of Parks and Recreation Chris Orlea stated there is not an educational program ready at this time but staff can get one together and present it to Council.

Councilmember Carbone asked staff how parking will be provided if the goal is to have field trips to the Nature Center.

Director of Parks and Recreation Chris Orlea stated in the North side of the complex is intended for school bus parking.

Councilmember Owens asked staff if paddle boats will be provided at the Nature Center. Director of Parks and Recreation Chris Orlea stated that was a part of the original plans but has since been removed due to the levels of the pond not being deep enough.

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

Voting "No" None.

Motion passed 5 to 0 with Councilmember Moore and Councilmember Little absent.

MAYOR/COUNCIL ISSUES FOR CITY COUNCIL DISCUSSION: None

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

EXECUTIVE SESSION UNDER TEXAS GOVERNMENT CODE

1. **Section 551.072 – Consultation with City Attorney** – Regarding the Sale, Lease or Acquisition of Real Property.

Council returned from Executive Session at 8:13 p.m.

ADJOURNMENT

Meeting was adjourned at 8:13 p.m.

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

Tom Reid
Mayor

ATTEST:

Young Lorfing, TRMC
City Secretary