

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, JUNE 24, 2019, AT 6:30 P.M. IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

Mayor Reid called the meeting to order 6:30 p.m. with the following present:

Mayor	Tom Reid
Mayor Pro-Tem	Trent Perez
Councilmember	Luke Orlando
Councilmember	Derrick Reed
Councilmember	Gary Moore
Councilmember	Adrian Hernandez
Councilmember	J. David Little
Councilmember	Woody Owens
City Manager	Clay Pearson
City Attorney	Darrin Coker
Interim City Secretary	Maria Rodriguez

Others in attendance: Jon Branson Deputy City Manager, Matt Buchanan President of EDC, Trent Epperson Assistant City Manager, John McDonald Director of Community Development, John McCarter Assistant Finance Director, 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, Clarence Wittwer Director of Public Works, Andrea Brinkley Assistant Director of Public Works, Joel Hardy Grants – Special Projects Administrator, Joshua Lee Communications Director and Lawrence Provins Deputy City Attorney.

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

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

CITIZEN COMMENTS:

Makaila Adams, 1214 Woodchase Drive, addressed Council and spoke about the proposed removal of stop signs at Woodchase Drive and Sunset Meadows Drive.

Rachel Britt, 1212 Woodchase Drive, addressed Council and spoke regarding the proposed stop sign removals.

Heather Zayas, 2303 Harbor Chase Drive, addressed Council and spoke in regards to Municipal Utility District rebates.

PUBLIC HEARING:

2nd Public Hearing - Voluntary Annexation - Approximately 93 acres of land, generally located east of County Road 48, between County Road 59 and County Road 895; approximately 7.2 acres of land, generally located east of County Road 48, between County Road 59 and County Road 895; and approximately 0.56 acres of land, generally located at 2535 Stevenson Road.

STAFF REVIEW:

Joel Hardy Grants – Special Projects Administrator presented to Council on the Voluntary Annexation of property generally located east of County Road 48, between County Road 59 and County Road 895; and a property generally located at 2535 Stevenson Road.

CITIZEN COMMENTS: None.

COUNCIL/STAFF DISCUSSION: None.

ADJOURNMENT OF THE PUBLIC HEARING

Mayor Reid adjourned the Public Hearing at 6:50 p.m.

CONSENT AGENDA:

- A. Minutes of May 13, 2019 Regular Meeting held at 6:30 p.m.
Minutes of May 13, 2019 Special Meeting held at 4:30 p.m.
Minutes of May 13, 2019 Election Canvassing Special Meeting held at 6:00 p.m.

- B. **Consideration and Possible Action - Second and Final Reading of Ordinance No. 2000M-185** - 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, All that certain lot, tract, or parcel of land situated within the James Hamilton Survey, Abstract No. 876, and being all of a called 2.5 acre tract described in a deed to Suise M. Lorange, dated October 5, 2004, recorded in Clerk File No. X977828 in the Official Public Records Real Property of Harris County, Texas, and being the south half of Lot 57, all of Lot 57½ and part of Lot 58½ of Block F, of the Allison-Richey Gulf Coast Homes Suburban Gardens Subdivision, described in a deed to Suise M. Lorange, dated January 16, 2017, recorded in File RP-2017-28799 in the Official Public Records of Harris County, Texas. (Northeast corner of Kirby Drive and Fruge Road) Zone Change Application No. ZONE 19-00010, a request by David Velez, Browne McGregor Architects, Inc., applicant, on behalf of David Teer, representing Lonza Houston Inc., owner; for approval of a zoning change from Spectrum District S-3 to the LNR Clear Creek Spectrum Planned Development District; on approximately 19.598 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.

- C. **Consideration and Possible Action** - Excuse the Absence of Councilmember Derrick Reed from the Regular Council Meeting on June 10, 2019.

- D. **Consideration and Possible Action** - Excuse the Absence of Councilmember Gary Moore from the Regular Council Meeting on June 10, 2019.

- E. **Consideration and Possible Action - Resolution No. R2019-123** - A Resolution of the City Council of the City of Pearland, Texas reappointing directors to the Board of Directors of the Pearland Municipal Management District No. 2.

- F. **Consideration and Possible Action - Resolution No. R2019-147** - A Resolution of the City Council of the City of Pearland, Texas, amending a contract for rental of paving

construction equipment, with R. B. Everett & Co., in an amount not to exceed \$66,600.00 for the period of July 1, 2019 through September 3, 2019.

Mayor Pro-Tem Perez asked that Consent Agenda Item F be removed from the Consent Agenda for further discussion.

Councilmember Reed made the motion, seconded by Mayor Pro-Tem Perez to adopt Consent Agenda Items A through F with the exception of Item F as presented in the Consent Agenda.

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

Voting "No" None.

Motion passed 7 to 0.

MATTERS REMOVED FROM CONSENT AGENDA:

F. Consideration and Possible Action - Resolution No. R2019-147 - A Resolution of the City Council of the City of Pearland, Texas, amending a contract for rental of paving construction equipment, with R. B. Everett & Co., in an amount not to exceed \$66,600.00 for the period of July 1, 2019 through September 3, 2019.

Councilmember Reed made the motion, seconded by Councilmember Moore to approve Resolution No. R2019-147.

City Manager Clay Pearson stated this is an amendment to a contract with R.B. Everett & Company to add two additional pieces of equipment.

Conversation ensued between Mayor Pro-Tem Perez and Assistant Director of Public Works Andrea Brinkley regarding the intended use of this equipment for repairs and roads that will be addressed.

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

Voting "No" None.

Motion passed 7 to 0.

NEW BUSINESS:

Council Action - Regarding the Election of a Mayor Pro-Tem.

Mayor Pro-Tem Perez made the motion, seconded by Councilmember Hernandez to approve the Election of Councilmember J. David Little to the position of Mayor Pro-Tem.

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

Voting "No" None.

Motion passed 7 to 0.

Second and Final Reading of Ordinance No. 1568-2 - An Ordinance of the City Council of the City of Pearland, Texas, amending Ordinance No. 1568-1, the 2018-2019 Annual Budget Ordinance, by; authorizing the City Manager or his designee to take all actions necessary to

facilitate the changes identified herein without further approval of City Council; providing a savings clause, a severability clause, a repealer clause, and an effective date.

Councilmember Hernandez made the motion, seconded by Mayor Pro-Tem Little to adopt Ordinance No. 1568-2.

City Manager Clay Pearson stated this will adopt the 2018-2019 Annual Budget with the Council requested changes.

Assistant Finance Director John McCarter made a presentation to Council regarding the Fiscal Year 2019 Budget Projections and Mid-year Allocation.

Conversation ensued between Council and staff regarding the Budget Amendments.

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

Voting "No" None.

Motion passed 7 to 0.

First Reading of Ordinance No. 1578 - An Ordinance of the City Council of the City of Pearland, Texas, authorizing the issuance of City of Pearland, Texas, permanent improvement and/or refunding bonds in one or more series; setting certain parameters for the bonds; authorizing refunding of certain outstanding obligations; authorizing a pricing officer to approve the amount, the interest rate, price, and terms thereof and certain other procedures and provisions relating thereto.

Councilmember Moore made the motion, seconded by Councilmember Hernandez to adopt Ordinance No. 1578.

City Manager Clay Pearson stated this Ordinance will help further the City's investment in infrastructure.

Finance Director Cynthia Pearson presented to Council regarding the issuance of Bonds as described in the 2019 Fiscal Year Budget.

John Roebuck BOK Financial Services Representative addressed Council and spoke regarding funding of future projects through General Obligation Debt Issuance and Market review.

Conversation ensued between Council, staff and BOK Financial Services Representative John Roebuck regarding the Tax Increment Reinvestment Zone reimbursement and issuing Certificate of Obligations.

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

Voting "No" None.

Motion passed 7 to 0.

Council Action - Resolution No. R2019-153 - A Resolution of the City Council of the City of Pearland, Texas, authorizing publication of notice of intention to issue Certificates of Obligation for the design, acquisition, construction and improvement of certain public works, authorizing distribution of a preliminary official statement relating to such series of Certificates and authorizing certain other matters relating thereto.

Councilmember Moore made the motion, seconded by Councilmember Hernandez to approve Resolution No. R2019-153.

City Manager Clay Pearson stated this is authorizing notice of the intent to issue Certificates of Obligation.

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

Voting "No" None.

Motion passed 7 to 0.

Council Action - Resolution No. R2019-154 - A Resolution of the City Council of the City of Pearland, Texas authorizing publication of notice of intention to issue Certificates of Obligation for the design, acquisition, construction and improvement of certain public works, authorizing distribution of a preliminary official statement relating to such series of Certificates and authorizing certain other matters relating thereto.

Councilmember Owens made the motion, seconded by Councilmember Moore to approve Resolution No. R2019-154.

City Manager Clay Pearson stated this is an additional request authorizing notice of the intent to issue Certificates of Obligation.

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

Voting "No" None.

Motion passed 7 to 0.

First Reading of Ordinance No. 1579 - An Ordinance of the City Council of the City of Pearland, Texas, authorizing the issuance of City of Pearland, Texas, water and sewer system revenue bonds, series 2019A; prescribing the terms thereof; providing for the payment thereof; awarding the sale thereof; making other provisions regarding such bonds and matters incident thereto.

Councilmember Orlando made the motion, seconded by Councilmember Hernandez to adopt Ordinance No. 1579.

City Manager Clay Pearson stated this is authorizing the issuance of water and sewer system revenue bonds, series 2019A.

Director of Finance Cynthia Pearson presented to Council the proposed 2019 Revenue Bond Sales.

BOK Financial Services Representative John Roebuck presented to Council regarding the funding of projects by Bonds.

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

Voting "No" None.

Motion passed 7 to 0.

First Reading of Ordinance No. 1577 - An Ordinance of the City Council of the City of Pearland, Texas, authorizing issuance of City of Pearland, Texas, water and sewer system revenue and

refunding bonds, series 2019B; prescribing the terms and conditions thereof; providing for the payment thereof; establishing parameters with respect to the sale of the bonds; authorizing the preparation and distribution of an official statement to be used in connection with the sale of the bonds; making other provisions regarding such bonds and matters incident thereto; authorizing execution and delivery of a paying agent/registrars agreement and an escrow agreement; and containing other matters related thereto.

Councilmember Reed made the motion, seconded by Councilmember Moore to adopt Ordinance No. 1577.

City Manager Clay Pearson stated this is authorizing issuance of water and sewer system revenue and refunding bonds, series 2019B.

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

Voting "No" None.

Motion passed 7 to 0.

Council Action - Resolution No. R2019-151 - A Resolution of the City Council of the City of Pearland, Texas, authorizing the Pearland Economic Development Corporation to proceed with additional courses of action regarding the development of an Indoor Amateur Sports Facility.

Mayor Pro-Tem Little made the motion, seconded by Councilmember Moore to approve Resolution No. R2019-151.

City Manager Clay Pearson stated this is authorizing the Pearland Economic Development Corporation to proceed with the proposed courses of action regarding the development of an Indoor Amateur Sports Facility.

Pearland Economic Development Corporation Board Chairman Brandon Dansby presented to Council regarding the proposed Indoor Amateur Sports Facility project.

Sports Facilities Advisory and Sports Facility Management, LLC Chief Operating Officer Evan Eleff presented to Council his firms proposal for the construction of an Indoor Amateur Sports Facility.

Councilmember Perez stated that although the City values its Parks, the projected loss after a five year period on this project is not an economic driver. He further stated that land selection is important and this proposal can start there.

Councilmember Moore stated the City already has the Natatorium that is not producing revenue and does not want another facility that does not produce economically.

Councilmember Hernandez stated if the proposal is going to go any further, Public-Private Partnerships need to be looked at more closely so the City has a partner in the project. He further stated this is another venue for tournaments but the City needs more of an all-around recreation facility.

Councilmember Reed stated he is not in support of this project due to already having the Natatorium and that this project will not produce revenue for the foreseeable future. He further stated a venue for Expos and Conventions included in the proposal would be a better fit for the City.

Councilmember Orlando stated Pearland Economic Development Corporation has already done the analysis of which would be a more profitable facility for the City and it was determined in that analysis that an Indoor Amateur Sports Facility is the best option. He further stated this needs to be an opportunity for the City to be more attractive to visitors.

Conversation ensued between Council and Staff regarding the project feasibility, possible future plans for a facility of this type or a similar type of venue and the positive direction the Pearland Economic Development Corporation is going with bringing opportunity to the City.

Councilmember Perez made the motion, seconded by Councilmember Moore to postpone Resolution No. R2019-151 indefinitely.

Voting "Aye" Councilmember Orlando, Perez, Hernandez, Little and Moore.

Voting "No" None.

Motion to postpone passed 5 to 0, with Councilmember Reed and Councilmember Owens absent from Chambers.

First Reading of Ordinance No. 1576 - An Ordinance extending the city limits of the City of Pearland, Texas, to include certain land area within certain limits and boundaries and annexing to the City of Pearland the area within such limits and boundaries (approximately 0.56 acres generally located at 2535 Stevenson Road); containing an effective date and other provisions related to the subject; and providing a savings and severability clause.

Councilmember Hernandez made the motion, seconded by Councilmember Moore to adopt Ordinance No. 1576.

Grants – Special Projects Administrator Joel Hardy stated Items 9, 10 and 11 are proposed annexation for property generally located at 2535 Stevenson Road and two properties located off of County Road 48, between County Road 59 and County Road 895. He further stated there needs to be an amendment to show the properties in Item 9 and Item 10 listed as between County Road 59 and County Road 895 are west instead of east of County Road 48.

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

Voting "No" None.

Motion passed 6 to 0 with Councilmember Reed absent from Chambers.

First Reading of Ordinance No. 1575 - An Ordinance extending the city limits of the City of Pearland, Texas, to include certain land area within certain limits and boundaries and annexing to the City of Pearland the area within such limits and boundaries (approximately 7.2 acres generally located east of County Road 48, between County Road 59 and County Road 895); containing an effective date and other provisions related to the subject; and providing a savings and severability clause.

Councilmember Moore made the motion, seconded by Councilmember Perez to adopt Ordinance No. 1575 with the change of location to west of County Road 48.

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

Voting "No" None.

Voting "Abstain" Councilmember Reed.

Motion passed 6 to 0.

First Reading of Ordinance No. 1574 - An Ordinance extending the city limits of the City of Pearland, Texas, to include certain land area within certain limits and boundaries and annexing to the City of Pearland the area within such limits and boundaries (approximately 93 acres generally located east of County Road 48, between County Road 59 and County Road 895); containing an effective date and other provisions related to the subject; and providing a savings and severability clause.

Councilmember Perez made the motion, seconded by Councilmember Moore to adopt Ordinance No. 1576 with the change of location to west of County Road 48.

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

Voting "No" None.

Motion passed 7 to 0.

Council Input and Discussion - Regarding the Rebate Policy for in-City Municipal Utility Districts.

City Manager Clay Pearson stated staff is looking for direction from Council on proceeding with the rebate policy for in-City Municipal Utility Districts (MUD).

Director of Financing Cynthia Pearson addressed Council and provided information on Utility Agreements and rebates. She further stated staff's recommendation is to discontinue rebates for Municipal Utility Districts.

Lynne Humphries, 3200 Southwest Freeway, addressed Council and stated she is speaking on behalf of multiple MUD's and spoke in opposition of discontinuing the MUD rebates.

Conversation ensued between Council, City Manager Clay Pearson and Grants – Special Projects Administrator Joel Hardy regarding how other Cities are handling these rebates and if they are offered outside of Pearland. Also discussed were other types of incentives the City can offer and the financial impact on the City.

Council Action - Resolution No. R2019-155 - A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for the purchase of fourteen (14) fleet vehicles from Silsbee Ford, through the TASB Buyboard, in the amount of \$516,393.64.

Councilmember Owens made the motion, seconded by Councilmember Moore to approve Resolution No. R2019-155.

City Manager Clay Pearson stated this will approve the purchase of fourteen (14) fleet vehicles from Silsbee Ford, through the Texas Association of School Boards Buyboard.

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

Voting "No" None.

Motion passed 7 to 0.

MAYOR/COUNCIL ISSUES FOR CITY COUNCIL DISCUSSION: None

OTHER BUSINESS: None

ADJOURNMENT

Meeting was adjourned at 9:32 p.m.

Minutes approved as submitted and/or corrected this the 26th day of August, A.D., 2019.



A handwritten signature in cursive script, reading "Tom Reid", is written above a horizontal line.

Tom Reid
Mayor

ATTEST:

A handwritten signature in cursive script, reading "Maria E. Rodriguez", is written above a horizontal line.

Maria E. Rodriguez
Interim City Secretary

