

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, JUNE 10, 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	Tony Carbone
Councilmember	Adrian Hernandez
Councilmember	J. David Little
Councilmember	Woody Owens
City Manager	Clay Pearson
City Attorney	Darrin Coker
Interim City Secretary	Maria Rodriguez

Absent: Councilmember Derrick Reed and Councilmember Gary Moore.

Others in attendance: Jon Branson Deputy City Manager, Young Lorfing City Secretary, Trent Epperson Assistant City Manager, Michelle Graham Director of Human Resources, John McDonald Director of Community Development, John McCarter Budget and Procurement Manager, Chris Orlea Director of Parks and Recreation, Johnny Spires Police Chief, Robert Upton Director of Engineering and Capital Projects, Scott Williams Building Official, Clarence Wittwer Director of Public Works, Andrea Brinkley Assistant Director of Public Works, Joel Hardy Grants – Special Projects Administrator, John Knight IT Manager, Daniel McGhinnis Chief Information Officer and Lawrence Provins Deputy City Attorney.

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

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

CITIZEN COMMENTS:

Eugene Howard, 13807 Stark Bridge Lane, addressed Council and spoke as a representative of the Brazoria County Chapter of the NAACP regarding the Juneteenth Celebration in the City of Pearland.

PUBLIC HEARING:

1st 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.

Grants – Special Projects Administrator Joel Hardy presented to Council on the Voluntary Annexations of City owned Property, adjacent land owned by the Gulf Coast Water Authority and other private property.

STAFF REVIEW: None.

CITIZEN COMMENTS: None.

COUNCIL/STAFF DISCUSSION: None.

ADJOURNMENT OF THE PUBLIC HEARING

Mayor Reid adjourned the Public Hearing.

CONSENT AGENDA:

- A. Approval of Minutes of March 18, 2019, Joint Public Hearing held at 6:30 p.m.
Approval of Minutes of March 25, 2019, Regular Meeting held at 6:30 p.m.
Approval of Minutes of April 8, 2019, Regular Meeting held at 6:30 p.m.
Approval of Minutes of April 22, 2019, Regular Meeting held at 6:30 p.m.

B. Consideration and Possible Action - Second and Final Reading of Ordinance No. 2000M-184 - 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, Being a tract or parcel of 3.2533 acres or 141,715 square feet of land out of Allison Richey Gulf Coast Home Company's Suburban Gardens of Section 20 H.T. B.R.R. Co. Survey, Abstract No. 506, Brazoria County, Texas, recorded in Volume 2, Pages 23-24 of the Plat Records of Brazoria County (B.C.P.R.), Texas; being the Same tract of land described as the West 270.5 feet of Lot 18 conveyed to Ahmed Elsayem, recorded under County Clerk's File Number (C.C.F.N.) 2015042089, of the Official Public Records Of Brazoria County, Texas (O.P.R.B.C.T.). (8933 Hawk Road) Zone Change Application No. ZONE 19-00004, a request by Marina Damian, Advance Surveying, Inc., applicant, on behalf of Ahmed Elsayem, owner; for approval of a zoning change from Single-family Estate (R-E) District to Suburban Residential-12 (SR-12) District; on approximately 3.2533 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 - Regarding the appointment of Charles McMurrey to Position No. 7 an unexpired term expiring November 1, 2021, to serve on the Parks, Recreation and Beautification Board.

- D. Consideration and Possible Action - Resolution No. R2019-145** - A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into an Annexation Agreement with the Gulf Coast Water Authority ("GCWA") associated with GCWA's petition for the annexation of approximately 7.2 acres (generally located east of County road 48, between County Road 59 and County Road 895).
- E. Consideration and Possible Action** - Excuse the Absence of Councilmember Tony Carbone from the Regular Council Meeting on May 20, 2019.
- F. Consideration and Possible Action - Resolution No. R2019-139** - A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for municipal veterinary services to Pearland Animal Hospital, in the estimated amount of \$60,000.00, for the period of June 1, 2019 through May 31, 2020.
- G. Consideration and Possible Action - Resolution No. R2019-140** - 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 Brazoria County, for the purchase of emulsified asphalt for the recycling and application of asphalt streets from P Squared (P²) Emulsion Plants, LLC, in an amount not to exceed \$200,000.00, for the period of July 15, 2019 through July 14, 2020.
- H. Consideration and Possible Action - Resolution No. R2019-125** - A Resolution of the City Council of the City of Pearland, Texas, awarding a contract with KIT Professionals, Inc., in the amount of \$78,495.00, for design services associated with the Riverwalk Lift Station Project (Riverside Dr. at FM 518).
- I. Consideration and Possible Action - Resolution No. R2019-81** - A Resolution of the City Council of the City of Pearland, Texas, amending a contract for construction management and construction inspection services with PTP Transportation, LLC, in the additional amount of \$62,242.43, associated with the Fite Road Expansion Project (McLean Road to Veterans Drive).
- J. Consideration and Possible Action - Resolution No. R2019-146** - A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into an Annexation Agreement with Jack and Valary Cibulski ("Property Owners") associated with the Property Owners' petition for the annexation of approximately .56 acres (generally located at 2535 Stevenson Road).
- K. Consideration and Possible Action - Resolution No. R2019-144** - A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into a Subrecipient Agreement, in the amount of \$140,350, with the Forgotten Angels Foundation for the purpose of providing Community

Development Block Grant Funding to construct a 4,000 square foot vocational services building.

Councilmember Carbone made the motion, seconded by Councilmember Hernandez to adopt Consent Agenda Items A through K with the exception of Item F and Item I as presented on the Consent Agenda.

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

Voting "No" None.

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

MATTERS REMOVED FROM CONSENT AGENDA:

- F. Consideration and Possible Action - Resolution No. R2019-139** - A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for municipal veterinary services to Pearland Animal Hospital, in the estimated amount of \$60,000.00, for the period of June 1, 2019 through May 31, 2020.

Councilmember Carbone made the motion, seconded by Mayor Pro-Tem Perez to approve Resolution No. R2019-139.

City Manager Clay Pearson stated this is awarding a bid for municipal veterinary services to Pearland Animal Hospital for the period of June 1, 2019 through May 31, 2020.

Councilmember Hernandez stated the City of Friendswood has veterinary services donated and asked staff if the City has looked into getting veterinary services by donation.

City Manager Clay Pearson stated to his knowledge those services are not donated but are discounted for the animal shelter. He further stated these services were bid on and no one offered free veterinary services.

Conversation ensued between Councilmember Owens and Assistant City Manager Jon Branson regarding trip charges and the services the City will get with the award of this contract.

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

Voting "No" None.

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

- I. Consideration and Possible Action - Resolution No. R2019-81** - A Resolution of the City Council of the City of Pearland, Texas, amending a contract for construction management and construction inspection services with PTP Transportation, LLC, in the additional amount of \$62,242.43, associated with the Fite Road Expansion Project (McLean Road to Veterans Drive).

Councilmember Carbone made the motion, seconded by Mayor Pro-Tem Perez to approve Resolution No. R2019-81.

City Manager Clay Pearson stated this is amending a contract for construction management and construction inspection services with PTP Transportation, LLC.

Conversation ensued between Mayor Pro-Tem Perez and City Manager Clay Pearson regarding the funds from this project and the recovered damages from the Fite Road Expansion Project.

Conversation ensued between Councilmember Owens, Director of Engineering and Capital Projects Robert Upton and City Attorney Darrin Coker about the calculation and contracting of daily damages.

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

Voting "No" None.

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

NEW BUSINESS:

Council Input and Discussion - Commemorative naming of the Pearland Public Safety Building as the J.C. Doyle Public Safety Building.

Mayor Pro-Tem Perez made the motion to approve the naming of the Pearland Public Safety Building as the J.C. Doyle Public Safety Building.

City Manager Clay Pearson stated the City is honored to recommend naming the Pearland Public Safety Building after retired Police Chief J.C. Doyle.

Conversation ensued between Council regarding the contributions and impact to the City of Pearland by Police Chief J.C. Doyle.

First 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 Councilmember Little to adopt Ordinance No. 1568-2.

Budget and Procurement Manager John McCarter presented to Council on the Budget amendments for the Fiscal Year.

Conversation ensued between Council and staff regarding the proposed Budget Amendments. Council provided direction on future amendments to the City's budget, goals for the next Budget review and prioritization of City projects.

Mayor Pro-Tem Perez made the motion, seconded by Councilmember Carbone to accept the General Fund recommendations made by staff with the exception of issuing Certificates of Obligation for purchasing a street sweeper and new fleet vehicles.

Mayor Reid called for the vote on the amended motion.

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

Voting "No" None.

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

Mayor Reid called for the vote on the original motion.

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

Voting "No" None.

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

Council Action – Second and Final 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.

Councilmember Little made the motion, seconded by Councilmember Owens to adopt Ordinance No. 1571.

City Manager Clay Pearson stated this is for renaming portions of Max Road and Reid Boulevard (north of FM 518) and for the naming of a currently unnamed road north of Zychlinski Park to Zychlinski Drive.

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

Voting "No" None.

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

First 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.

Councilmember Owens made the motion, seconded by Councilmember Hernandez to adopt Ordinance No. 2000M-185.

City Manager Clay Pearson stated this is for the rezoning of a property on the northeast corner of Kirby Drive and Fruge Street from the Spectrum District S-3 to the LNR Clear Creek Spectrum Planned Development District.

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

Voting "No" None.

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

Council Action - Resolution No. R2019-143 - A Resolution of the City Council of the City of Pearland, Texas, adopting and implementing a Policy for Utility Service Requests in the City's Extra-territorial Jurisdiction ("ETJ").

Councilmember Carbone made the motion, seconded by Councilmember Hernandez to approve Resolution No. R2019-143.

City Manager Clay Pearson stated this will adopt and implement a Policy for Utility Service Requests in the City's Extra-territorial Jurisdiction ("ETJ") and then outlined some of the suggested items in that policy.

Conversation ensued between Mayor Pro-Tem Perez and City Attorney Darrin Coker regarding the process for voluntary annexations.

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

Voting "No" None.

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

Council Action - Resolution No. R2019-141 - A Resolution of the City Council of the City of Pearland, Texas, authorizing an Advanced Funding Agreement with the State of Texas, in the amount of \$9,121,794.00, for the Clear Creek Trail Project.

Mayor Pro-Tem Perez made the motion, seconded by Councilmember Hernandez to approve Resolution No. R2019-141.

City Manager Clay Pearson stated this is the Advanced Funding Agreement with the State of Texas for the Clear Creek Trail Project.

Councilmember Owens asked staff if a firm has been selected to do design work on the Clear Creek Trail Project.

Director of Engineering and Capital Projects Robert Upton stated staff is in the process of reviewing offers and ranking the proposals.

Councilmember Carbone stated the only saving grace on this project is that the Texas Department of Transportation is paying the bulk of the project, but the project is not necessary.

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

Voting "No" None.

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

Council Input and Discussion - Regarding referral to Planning and Zoning Committee for possible regulations within the Unified Development Code.

Councilmember Hernandez read the item into the record.

City Manager Clay Pearson stated this was brought up at the Council's request and referred the item to Director of Community Development John McDonald.

Director of Community Development John McDonald addressed Council and spoke regarding the issue of Commercial light spilling over into Residential areas and streets, providing staff recommendations.

Conversation ensued between Council and staff regarding the current Unified Development Code and the proposed changes to the Code to reduce the light pollution to surrounding areas.

MAYOR/COUNCIL ISSUES FOR CITY COUNCIL DISCUSSION: None

Council adjourned into Executive Session under Texas Government Code at 9:04 p.m. to discuss the following.

EXECUTIVE SESSION UNDER TEXAS GOVERNMENT CODE

1. **Executive Session - Section 551.071** - Consultation with the City Attorney – Regarding confidential legal matters (contract negotiations) subject to the attorney-client privilege.

Council returned from Executive Session at 9:57 p.m.

NEW BUSINESS CONTINUED: None


OTHER BUSINESS: None

ADJOURNMENT

Meeting was adjourned at 9:58 p.m.

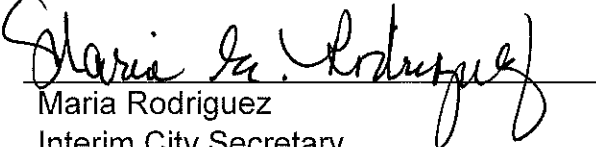
Minutes approved as submitted and/or corrected this the 26th day of August, A.D., 2019.





Tom Reid
Mayor

ATTEST:



Maria Rodriguez
Interim City Secretary

