



CITY OF SUGAR LAND

CITY COUNCIL MINUTES

Sugar Land City Hall
2700 Town Center Boulevard North
Sugar Land, Texas 77479

CITY OF SUGAR LAND

TUESDAY, DECEMBER 20, 2022

CITY COUNCIL MEETING MINUTES

5:00 PM

Council Chamber

I. ATTENTION

- A. *Members of the City Council, Board and/or Commission may participate in deliberations of posted agenda items through videoconferencing means. A quorum of the City Council, Board and/or Commission will be physically present at the above-stated location, and said location is open to the public. Audio/Video of open deliberations will be available for the public to hear/view, and are recorded as per the Texas Open Meetings Act.*

The meeting will live stream at <https://www.sugarlandtx.gov/1238/SLTV-16-Live-Video> or <https://www.youtube.com/user/SugarLandTXgov/live>. Sugar Land Comcast Cable Subscribers can also tune-in on Channel 16.

QUORUM PRESENT

All members were present.

RECESS: Mayor Zimmerman recessed the meeting into Closed Executive Session at 5:00 p.m.

Councilmember Kermally recused himself from this item.

II. CLOSED EXECUTIVE SESSION

- A. Closed Executive Session as authorized by Chapter 551, Texas Government Code in accordance with:

Section 551.087 Deliberation Regarding Economic Development Negotiations:

For the purpose of deliberation regarding the offer of a financial or other

incentive to a business prospect the City seeks to have locate, stay, or expand in or near the City.

Jim Callaway, Director of Special Projects and Devon Rodriguez, Deputy Director of Economic Development

RECONVENE: Mayor Zimmerman reconvened the meeting at 5:55 p.m.

INVOCATION

Councilmember Naushad Kermally

PLEDGE OF ALLEGIANCE TO THE FLAG

Councilmember Naushad Kermally

III. PUBLIC COMMENT

- A. **Option 1:** Members of the public desiring to submit written comments to be read during the Public Comment or Public Hearing portions of the meeting, will be allowed to submit their comments to the Office of the City Secretary (citysec@sugarlandtx.gov). Written/e-mailed comments must be received by 3:00 p.m., Tuesday, December 20, 2022.

Option 2: Members of the public desiring to participate virtually during the set/posted time of the Public Comment or Public Hearing must e-mail (citysec@sugarlandtx.gov) or call ((281) 275-2730) the Office of the City Secretary by 3:00 p.m., Tuesday, December 20, 2022. Once properly registered, the Office of the City Secretary will provide instructions for direct participation during the Public Hearing.

Option 3: Members of the public desiring to address the City Council, Board and/or Commission in person with regard to matters on the agenda must complete a "Request to Speak" form and give it to the City Secretary, or designee, prior to the beginning of the meeting.

Each option available, as described above, is limited to three (3) minutes, and in-person/virtual speakers requiring a translator will have six (6) minutes, regardless of the number of agenda items to be addressed. Comments or discussion by the City Council, Board, and/or Commission Members, will only be made at the time the subject is scheduled for consideration.

Disclaimer: *The City of Sugar Land reserves the right to remove any written/mailed comments deemed inappropriate or not adhering to the public comment rules outlined in this notice. The City reserves the right to not read any comments containing -*

- *Links to for-profit sites*
- *Advertising*
- *Promotion of illegal activities*
- *Sexual oriented/explicit comments and sites*
- *Information promoting discrimination/harassment*
- *Political/religious rhetoric, advocacy, or commentary*

For questions or assistance, please contact the Office of the City Secretary (281) 275-2730.

No member of the public addressed the Council.

IV. CONSENT AGENDA

- A. SECOND CONSIDERATION:** Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2283:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AMENDING THE CODE OF ORDINANCES BY ADDING A NEW DIVISION 12 (MUNICIPAL DRAINAGE UTILITY SYSTEM) TO ARTICLE VIII (WATER AND WASTEWATER) OF CHAPTER 5 (PUBLIC PROPERTY AND SERVICES); ESTABLISHING A MUNICIPAL DRAINAGE UTILITY SYSTEM; A STORMWATER COMPLIANCE FEE, EXEMPTIONS AND CREDITS; PROVIDING FOR AN EFFECTIVE DATE; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

Christian Eubanks, Environmental Compliance Coordinator

- B. SECOND CONSIDERATION:** Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2289:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AMENDING THE CODE OF ORDINANCES BY REVISING SECTIONS 2-72, 2-75, 2-85 AND 2-102 OF CHAPTER 2, ARTICLE IV, CODE OF ETHICAL CONDUCT AND ADDING A NEW SECTION 2-74 REQUIRING A FIVE YEAR REVIEW OF THE CODE OF ETHICAL CONDUCT.

Meredith Riede, City Attorney

- C.** Consideration of and action on **CITY OF SUGAR LAND RESOLUTION NO. 22-54:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AUTHORIZING THE SUBMISSION OF GRANT APPLICATIONS TO THE U.S. DEPARTMENT OF JUSTICE (DOJ), FOR FISCAL YEAR 2023 BULLETPROOF VEST PARTNERSHIP (BVP) GRANT PROGRAM; STATE OF TEXAS FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) TRAFFIC SAFETY GRANTS FOR FISCAL YEAR 2024 STEP COMPREHENSIVE (STEP COMP), FISCAL YEAR 2024 STEP

COMMERCIAL MOTOR VEHICLE (STEP CMV), FISCAL YEAR 2024 STEP IMPAIRED DRIVING MOBILIZATION (STEP IMD), AND FISCAL YEAR 2024 STEP CLICK IT OR TICKET (STEP CIOT); AND DESIGNATING THE CITY MANAGER, OR HIS DESIGNEE, AS AUTHORIZED GRANT OFFICIAL TO APPLY FOR, ACCEPT, REJECT, ALTER, OR TERMINATE THE GRANT AND TO EXECUTE ALL GRANT RELATED DOCUMENTS.

Chris Thompson, Police Captain

- D. Consideration of and action on **CITY OF SUGAR LAND RESOLUTION NO. 22-56**: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY (DHS), FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), THROUGH THE STATE OF TEXAS OFFICE OF THE GOVERNOR, FOR THE FISCAL YEAR 2023 HOMELAND SECURITY GRANT PROGRAM (HSGP), URBAN AREA SECURITY INITIATIVE (UASI), AND DESIGNATING THE CITY MANAGER, OR HIS DESIGNEE, AS AUTHORIZED GRANT OFFICIAL TO APPLY FOR, ACCEPT, REJECT, ALTER, OR TERMINATE THE GRANT AND TO EXECUTE ALL GRANT DOCUMENTS.

Gabe Lavine, Administrator Office of Emergency Management

- E. Consideration of and action on the appointment of Jennifer May to Position 4 and Sawar Khan to Position 5, for a two-year term ending December 31, 2024; and appointment of Don Smithers as Chair for a term ending December 31, 2023 to the Tax Increment Reinvestment Zone No. 1 Board of Directors.

Joe Zimmerman, Mayor

- F. Consideration of and action on the appointment of Greg Stirman to Position 1 and Cynthia Knox to Position 3 for a two-year term ending December 31, 2024; and appointment of Greg Stirman as Chair for a term ending December 31, 2023 to the Tax Increment Reinvestment Zone No. 4 Board of Directors.

Joe Zimmerman, Mayor

- G. Consideration of and action on authorization of the Municipal Court Judge Year 2023 salary, in the amount of \$145,100.80, effective January 7, 2023.

Joe Zimmerman, Mayor

- H. Consideration of and action on authorization of a Five-Year Contract with Keep Sugar Land Beautiful, in the amount of \$1.14 per capita/per annum, for activities and services related to litter and waste reduction, storm water education, recycling, environmental awareness, and beautification projects, pursuant to the solid waste contract.

Georgia Tate, Environmental Manager

- I.** Consideration of and action on authorization of a Contract with Soji Services, Inc., DBA Metroclean, in the amount of \$524,489.72, for City facilities janitorial services. This contract will automatically renew for three (3) additional one-year terms for a total contract amount of \$2,097,958.88.

Mary Hughes, Interim Facilities Services Manager

- J.** Consideration of and action on authorization of a Five-Year Contract with Priority Medical Consultants, Inc., DBA Priority Dispatch Corp., in the amount of \$237,702.00, for Medical Priority Dispatch System (MPDS) and Fire Priority Dispatch System (FPDS) call-handling protocol implementation and training, utilizing American Rescue Plan Act funds.

Shannon Price, Public Safety Dispatch Director

- K.** Consideration of and action on Amendment No. 1 to the Contract with The Burnett Companies Consolidated, Inc., DBA Burnett Specialists, in the amount of \$15,000.00 through the Houston-Galveston Area Cooperative Purchasing Contract, Public Services – ID: 7024, for personnel services, for a total contract amount of \$65,000.00.

Paula Kutchka, Director of Human Resources

- L.** Consideration of and action on authorization of a Contract with Applied Concepts, Inc., DBA Stalker Radar, in the amount of \$94,520.76 through the BuyBoard Cooperative Purchasing Contract No. 608-20, for the purchase of police radar equipment and accessories.

Chris Thompson, Police Captain

- M.** Consideration of and action on authorization of a Contract with Municipal Code Corporations, Inc., in the amount of \$58,143.20 through the Texas Department of Information Resources Cooperative Purchasing Contract No. DIR-CPO-4453, for Laserfiche software maintenance.

Steve Budny, Director of Information Technology, Data, and Security

- N.** Consideration of and action on authorization of a Contract with Inframark LLC, in the amount of \$259,643.00, for manhole and valve repair services. This contract will automatically renew for four (4) additional one-year terms for a total contract amount of \$1,298,215.

Katie Clayton, Assistant Director of Public Works

- O.** Consideration of and action on authorization of a Contract with BCAC Underground LLC, in the amount of \$211,000.00, for on-call storm sewer cleaning, televising and inspection. This contract will automatically renew for four (4) additional one-year terms for a total contract amount of \$1,055,000.

Matthew Douglas, Operations Manager

P. Consideration of and action on the minutes of the December 6, 2022 meeting.
Thomas Harris III, City Secretary

All Consent Agenda items listed are considered to be routine by the City Council and enacted by one motion.

A motion to **Approve**, Items IV-A through IV-P, Consent Agenda, was made by Carol McCutcheon and seconded by Suzanne Whatley, the motion **Passed**.

Ayes: Ferguson, Jacobson, Kermally, Lane, McCutcheon, Whatley, Zimmerman

V. PUBLIC HEARINGS

A. PUBLIC HEARING 5:30 P.M.: Receive and hear all persons desiring to be heard on the schedule of rates to establish and levy drainage charges for the implementation of a Municipal Drainage Utility System.

Consideration of and action to adopt the schedule of rates that constitute the Stormwater Compliance Fee that will be levied against all benefitted properties under the Municipal Drainage System created pursuant to Ordinance 2283.

Christian Eubanks, Environmental Compliance Coordinator

Christian Eubanks, Environmental Compliance Coordinator, gave a presentation, comments, and answered questions from the Council.

Mayor Zimmerman opened the Public Hearing at 6:01 p.m.

No one appeared in favor or opposition.

Mayor Zimmerman closed the Public Hearing at 6:02 p.m.

A motion to **Approve**, Item V-A, Adopt the schedule of rates that constitute the Stormwater Compliance Fee that will be levied against all benefitted properties under the Municipal Drainage System created pursuant to Ordinance 2283, was made by Naushad Kermally and seconded by William Ferguson, the motion **Passed**.

Ayes: Ferguson, Jacobson, Kermally, Lane, McCutcheon, Whatley, Zimmerman

VI. ORDINANCES AND RESOLUTIONS

A. FIRST CONSIDERATION: Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2288: AN ORDINANCE OF THE**

CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS
AMENDING THE CODE OF ORDINANCES BY AMENDING
CERTAIN PROVISIONS IN CHAPTER 3, ARTICLE IX (SOLID
WASTE, RECYCLABLE MATERIALS AND VEGETATION) AND
CHAPTER 2, ARTICLE V, DIVISION 4 (FEES FOR VARIOUS CITY
SERVICES) AND OTHER MATTERS RELATED THERETO.

Georgia Tate, Environmental Manager

Georgia Tate, Environmental Manager, gave a presentation, comments, and answered questions from the Council.

A motion to **Approve**, Item VI-A, First Consideration of City of Sugar Land Ordinance No. 2288 amending the Code of Ordinances by amending certain provisions in Chapter 3, Article IX (Solid Waste, Recyclable Materials and Vegetation) and Chapter 2, Article V, Division 4 (Fees for Various City Services) and other matters related thereto, was made by Joe Zimmerman and seconded by Naushad Kermally, the motion **Passed**.

Ayes: Ferguson, Jacobson, Kermally, Lane, McCutcheon, Whatley, Zimmerman

B. Consideration of and action on **CITY OF SUGAR LAND RESOLUTION NO. 22-53**: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS GENERAL LAND OFFICE (GLO) FOR COMMUNITY DEVELOPMENT BLOCK GRANT – MITIGATION (CDBG-MIT) REGIONAL METHOD OF DISTRIBUTION (MOD) PROGRAM; AND DESIGNATING THE CITY MANAGER, OR HIS DESIGNEE, AS AUTHORIZED REPRESENTATIVE OR OFFICIAL TO APPLY FOR, ACCEPT, REJECT, ALTER, OR TERMINATE THE GRANT AND TO EXECUTE ALL GRANT RELATED DOCUMENTS.

Jorge Alba, Senior Engineering Manager

Jorge Alba, Senior Engineering Manager, gave a presentation, comments, and answered questions from the Council.

Chris Steubing, Assistant City Manager, gave comments and answered questions from the Council.

A motion to **Approve**, Item VI-B, City of Sugar Land Resolution No. 22-53 authorizing the submission of a grant application to the Texas General Land Office (GLO) for Community Development Block Grant - Mitigation (CDBG-MIT) Regional Method of Distribution (MOD) Program; and designating the City Manager, or his designee, as authorized representative or official to apply for,

accept, reject, alter, or terminate the grant and to execute all grant related documents, was made by Joe Zimmerman and seconded by Jennifer Lane, the motion **Passed**.

Ayes: Ferguson, Jacobson, Kermally, Lane, McCutcheon, Whatley, Zimmerman

VII. CONTRACTS AND AGREEMENTS

- A.** Consideration of and action on authorization of Two (2) Interlocal Agreements with Fort Bend County Drainage District for Joint Participation to apply for U.S. Department of Housing and Urban Development Community Development Block Grant - Mitigation Funds for the 1) Protection of Memorial Park Project and 2) IH 69 Evacuation Route Protection Project.

Jorge Alba, Senior Engineering Manager

Jorge Alba, Senior Engineering Manager, gave a presentation, comments and answered questions from the Council.

Greg Wine, Executive Vice President, Huitt-Zollars, Inc., gave comments and answered questions from the Council.

A motion to **Approve**, Item VII-A, Two (2) Interlocal Agreements with Fort Bend County Drainage District for Joint Participation to apply for U.S. Department Block Grant - Mitigation Funds for the 1) Protection of Memorial Park Project and 2) IH 69 Evacuation Route Protection Project, was made by Carol McCutcheon and seconded by Naushad Kermally, the motion **Passed**.

Ayes: Ferguson, Jacobson, Kermally, Lane, McCutcheon, Whatley, Zimmerman

- B.** Consideration of and action on authorization of a Contract with Matula & Matula Construction, Inc., in the amount of \$1,347,715, for the Lift Station Rehabilitation Project for Elkins (No. 24) and Terrace View (No. 507), CIP CWW2202.

Andrea Broughton, Assistant City Engineer

Andrea Broughton, Assistant City Engineer, gave a presentation, comments, and answered questions from the Council.

A motion to **Approve**, Item VII-B, a Contract with Matula & Matula Construction, Inc., in the amount of \$1,347,715, for the Lift Station Rehabilitation Project, was made by William Ferguson and seconded by Naushad Kermally, the motion **Passed**.

Ayes: Ferguson, Jacobson, Kermally, Lane, McCutcheon, Whatley, Zimmerman

VIII.WORKSHOP

- A. Review of and discussion on a proposed Reimbursement Agreement for financial support for pre-development and construction costs to PUMA Development for the preservation and redevelopment of the Char House.

Jim Callaway, Director of Special Projects and Devon Rodriguez, Deputy Director of Economic Development

Councilmember Kermally recused himself from this item.

Devon Rodriguez, Deputy Director of Economic Development, gave a presentation, comments and answered questions from the Council.

Mark Toon, CEO, PUMA Development, Inc., gave comments and answered questions from the Council.

Council consensus to bring forward the Reimbursement Agreement for approval, as presented.

IX. CITY COUNCIL CITY MANAGER REPORTS

A. City Council Member Reports

- Community Events Attended or Scheduled

Mayor Zimmerman and Council Members gave comments and reported on events and activities attended.

B. City Manager Report

- Community Events Attended or Scheduled
- Other Governmental Meetings Attended or Scheduled
- Council Meeting Schedule

Michael W. Goodrum, City Manager, gave comments and reported on events and activities attended.

X. ADJOURNMENT

A motion to **Approve**, Adjournment at 7:03 p.m., was made by Carol McCutcheon and seconded by Joe Zimmerman, the motion **Passed**.

Ayes: Ferguson, Jacobson, Kermally, Lane, McCutcheon, Whatley, Zimmerman

Thomas Harris III, City Secretary

