



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, MARCH 7, 2023

CITY COUNCIL MEETING MINUTES

5:00 PM

Council Chamber

QUORUM PRESENT

All members were present.

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.

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

Council Member Kermally recused himself from Items II-A and II-B.

II. CLOSED EXECUTIVE SESSION

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

Section 551.072: Deliberation Regarding Real Property:

For the purpose of deliberation regarding the purchase, exchange, lease, or

value of real property.

Jim Callaway, Assistant City Manager and Jessica Huble, Senior Development Manager

- B. 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.

Alba Penate-Johnson, Senior Business Development Manager

RECONVENE: Mayor Zimmerman reconvened the meeting at 5:30 p.m.

INVOCATION

Mayor Joe Zimmerman

PLEDGES OF ALLEGIANCE

Mayor Joe Zimmerman

Sugar Mill Elementary Student Council led the Pledges of Allegiance.

RECOGNITION

**SUGAR LAND CITIZENS FIRE ACADEMY
CLASS NO. 20**

Doug Boeker, Fire - EMS Chief

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, March 7, 2023.

Option 2: 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, 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.

Mayor Zimmerman read the following comments into the record regarding Item VII-A:

Name	Address	Comment/Position
Farha Ahmed	N/A	Opposed

The following citizens addressed the Council regarding Item VII-A:

Name	Address	Comment/Position
Susan Ridley	2106 Steamhurst Lane, SL 77479	Opposed

IV. CONSENT AGENDA

A. SECOND CONSIDERATION: Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2293:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, GRANTING A CONDITIONAL USE PERMIT FOR AN ANIMAL SERVICES, BOARDING/DAYCARE (K9 RESORTS) LOCATED AT 14033 SOUTHWEST FREEWAY, ON AN APPROXIMATELY 0.23 ACRE PORTION OF THE 10.404 ACRES OF COMMERCIAL RESERVE “A” OF THE PARK AT SUGAR CREEK, WITHIN THE

GENERAL BUSINESS (B-2) ZONING DISTRICT.

Laura Waller, Planner II

- B. SECOND CONSIDERATION:** Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2294:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, PROVIDING FOR A CHANGE OF ZONING FROM INTERIM STANDARD SINGLE-FAMILY RESIDENTIAL (R-1-I) DISTRICT TO MULTI-FAMILY RESIDENTIAL (R-4) DISTRICT FOR THE BROADSTONE NEW TERRITORY APARTMENT COMPLEX, LOCATED AT 5555 AND 5556 NEW TERRITORY BLVD., ON AN APPROXIMATELY 14.9947 ACRES OF LAND IN 0016 J.H. CARTWRIGHT, NEW TERRITORY APARTMENTS AND 13.284 ACRES OF LAND IN 0016 J.H. CARTWRIGHT, NEW TERRITORY APARTMENTS SECTION TWO, FOR A TOTAL OF 28.2787 ACRES OF LAND.

Laura Waller, Planner II

- C.** Consideration of and action on **CITY OF SUGAR LAND RESOLUTION NO. 23-07:** 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 JUSTICE (DOJ), OFFICE OF JUSTICE PROGRAMS (OJP), BUREAU OF JUSTICE ASSISTANCE (BJA), FOR BJA FY23 THE KEVIN AND AVONTE PROGRAM: REDUCING INJURY AND DEATH OF MISSING INDIVIDUALS WITH DEMENTIA AND DEVELOPMENTAL DISABILITIES GRANT; 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.

Todd Zettlemyer, Support Services Captain

Item IV-C was pulled and considered after the Items IV-A, IV-B, and Items IV-D through IV-N, Consent Agenda.

Mark Poland, Chief of Police gave comments and answered questions from the Council.

A motion to **Approve**, Item IV-C, City of Sugar Land Resolution No. 23-07 authorizing the submission of a grant application to the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA), for BJA FY23 the Kevin and Avonte Program: Reducing Injury and Death of Missing Individuals with Dementia and Development Disabilities Grant; 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, was made by Suzanne Whatley and seconded by Naushad Kermally, the motion **Passed**.

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

- D.** Consideration of and action on authorization of a Contract with Sander Engineering Corporation, in the amount of \$498,000.00, for design and bid phase services for Lift Station 48 Improvement Project, CIP CWW2301.

Andrea Broughton, Assistant City Engineer

- E.** Consideration of and action on authorization of a Contract with ARKK Engineers LLC, in the amount of \$276,339.00, for the preliminary engineering evaluation of the Wastewater Collection System Rehabilitation Project, CIP CWW2304.

Idahosa Igbinoba, Engineer III

- F.** Consideration of and action on authorization of a Contract with Garver LLC, in the amount of \$420,594.00, for engineering services for Tract 2 Wastewater Improvements, CIP CWW2309.

Timothy Jahn, Senior Engineering Manager

- G.** Consideration of and action on authorization of a Professional Services Contract with CP&Y, Inc., in the amount of \$149,996.38, for the design of the South Wastewater Treatment Plant Odor Control System Design and Construction Project, CIP CWW2312.

Carla Barrios, Project Manager

- H.** Consideration of and action on authorization of a Contract with Casco Industries, Inc., in the amount of \$81,436.00 through the BuyBoard Cooperative Purchasing Contract No. 603-20, for the purchase of replacement turnout gear and accessories for the Fire-EMS Department.

Doug Boeker, Fire - EMS Chief

- I.** Consideration of and action on authorization of two Contracts; 1) with Insight Public Sector, Inc., in the amount of \$335,400.00 through the Omnia Partners Cooperative Purchasing Contract No. 4400006644, for the installation and lease of the License Plate Recognition cameras, utilizing American Rescue Plan Act Funds; and 2) with Flock Group, Inc., for the use of the proprietary Flock hardware and software solution for automatic license plate detection.

Michelle Allen, Assistant Chief of Police

- J.** Consideration of and action on acceptance of a Capital Donation from the RespectWhoProtect Foundation, in the amount of \$5,002.43, for two (2) K-9 protective vests and one (1) K-9 bite suit for the Police Department K-9

program.

Pete Lara, Patrol Captain

- K. Consideration of and action on authorization of a Contract with Sentrimax Centrifuges (USA), Inc., in the amount of \$84,900.00, for the off-site rebuild of one (1) Surface Water Treatment Plant centrifuge.

Katie Clayton, Assistant Director of Public Works

- L. Consideration of and action on authorization of Amendment No. Two to the Standard Tax Abatement Agreement, Phase IV, between the City of Sugar Land, Texas, API Realty LLC, and Accredo Packaging, Inc.

Alba Penate-Johnson, Senior Business Development Manager

- M. Consideration of and action on authorization of Amendment No. One with Windstream Services LLC, in the amount of \$220,625.40 through The Interlocal Purchasing System Cooperative Contract No. 210303, for discounted and fixed pricing. This contract will automatically renew for two (2) additional one-year terms, for a total contract amount of \$661,876.20.

Rob Bowman, IT Manager

- N. Consideration of and action on the minutes of the February 21, 2023 meeting.

Natalie Serrano, Interim City Secretary

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

Item IV-C was pulled and voted on separately.

A motion to **Approve**, IV-A, IV-B, and Items IV-D through IV-N, Consent Agenda, was made by Carol McCutcheon and seconded by William Ferguson, the motion **Passed**.

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

V. CONTRACTS AND AGREEMENTS

- A. Consideration of and action on authorization of a Professional Services Contract with Halff Associates, Inc., in the amount of \$149,790.00, for the Integrated Stormwater Management Model Phase IV updates.

Andrea Broughton, Assistant City Engineer

Mayor Zimmerman recused himself from this item.

Andrea Broughton, Assistant City Engineer gave a presentation, comments, and

answered questions from the Council.

A motion to **Approve**, Item V-A, a Professional Services Contract with Halff Associates, Inc., in the amount of \$149,790.00, for the Integrated Stormwater Management Model Phase IV updates, was made by Naushad Kermally and seconded by William Ferguson, the motion **Passed**.

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

Abstain: Zimmerman

VI. PUBLIC HEARINGS

- A. PUBLIC HEARING 5:30 P.M.:** Receive and hear all persons desiring to be heard on a proposed Rezoning for a residential development located at 1527 Burney Road.

FIRST CONSIDERATION: Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2296:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, PROVIDING FOR A CHANGE OF ZONING FROM ZERO LOT LINE SINGLE-FAMILY RESIDENTIAL (R-1Z) DISTRICT TO RESIDENTIAL ESTATE (R-1E) DISTRICT FOR AN APPROXIMATELY 9.1217 ACRES OF LAND IN THE 0097 S M WILLIAMS, TRACT A, LILLIAN M LEE (PT), RESIDENTIAL RESERVE, ALSO KNOWN AS 1527 BURNEY ROAD, SUGAR LAND, TEXAS.

Laura Waller, Planner II

Laura Waller, Planner gave a presentation, comments, and answered questions from the Council.

Mayor Zimmerman opened the Public Hearing at 6:05 p.m.

No member of the public appeared in favor or opposition.

Mayor Zimmerman closed the Public Hearing at 6:06 p.m.

A motion to **Approve**, Item VI-A, First Consideration of City of Sugar Land Ordinance No. 2296 providing for a change of zoning from Zero Lot Line Single-Family Residential (R-1Z) District to Residential Estate (R-1E) District for an approximately 9.1217 acres of land in the 0097 S M Williams, Tract A, Lillian M Lee (PT), Residential Reserve, also known as 1527 Burney Road, Sugar Land, Texas, was made by Suzanne Whatley and seconded by Carol McCutcheon, the motion **Passed**.

VII. ORDINANCES AND RESOLUTIONS

- A. SECOND CONSIDERATION:** Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2295:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, PROVIDING FOR A CHANGE OF ZONING FOR APPROXIMATELY 40 ACRES OF LAND LOCATED ALONG US 90-A, FURTHER DESCRIBED AS 1.7540 ACRES BEING ALL OF RESERVE “D” IMPERIAL MARKET, 19.154 ACRES BEING ALL OF RESERVE “A” IMPERIAL MARKET, 0.470 ACRES BEING ALL OF RESERVE “C” IMPERIAL MARKET, 9.334 ACRES OUT OF A CALL 41.034 ACRE TRACT LOCATED IN THE S.M. WILLIAMS LEAGUE, ABSTRACT NUMBER 97 IN FORT BEND COUNTY, AND 9.309 ACRES OUT OF A CALL 12.916 ACRE TRACT LOCATED IN THE S.M. WILLIAMS LEAGUE, ABSTRACT NUMBER 97 IN FORT BEND COUNTY, FROM PD GENERAL DEVELOPMENT PLAN (IMPERIAL) & PD FINAL DEVELOPMENT PLAN (IMPERIAL MARKET) TO PD GENERAL DEVELOPMENT PLAN (IMPERIAL HISTORIC DISTRICT); AMENDING THE IMPERIAL REGIONAL ACTIVITY CENTER IN SECTION 5 OF CHAPTER 6 LAND USE PLAN OF THE CITY OF SUGAR LAND COMPREHENSIVE PLAN.

*Lauren Fehr, Assistant Director of Planning & Development Services and
Devon Rodriguez, Deputy Director of Economic Development*

Council Member Kermally recused himself from this item.

Lauren Fehr, Assistant Director of Planning & Development Services, gave a presentation, comments, and answered questions from the Council.

A motion to **Approve**, Item VII-A, Second Consideration of City of Sugar Land Ordinance No. 2295 providing for a change of zoning for approximately 40 acres of land located along US 90-A, further described as 1.7540 acres being all of Reserve “D” Imperial Market, 19.154 acres being all of Reserve “A” Imperial Market, 0.470 acres being all of Reserve “C” Imperial Market, 9.334 acres out of a call 41.034 acre tract located in the S.M. Williams League, Abstract Number 97 in Fort Bend County, and 9.309 acres out of a call 12.916 acre tract located in the S.M. Williams League, Abstract Number 97 in Fort Bend County, from PD General Development Plan (Imperial) & PD Final Development Plan (Imperial Market) to PD General Development Plan (Imperial Historic District); amending the Imperial Regional Activity Center in Section 5 of Chapter 6 Land Use Plan of the City of Sugar Land Comprehensive Plan, was made by Joe Zimmerman and seconded by Stewart Jacobson, the motion **Passed**.

Ayes: Ferguson, Jacobson, Lane, Whatley, Zimmerman

Nays: McCutcheon

Abstain: Kermally

B. FIRST CONSIDERATION: Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2293:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AMENDING THE BALLPARK DISTRICT, HISTORIC DISTRICT I & II, BUSINESS PARK DISTRICT, OPEN SPACE DISTRICT, AND HIGHWAY 6 DISTRICT OF THE IMPERIAL PD GENERAL DEVELOPMENT PLAN; READOPTING THE IMPERIAL PD GENERAL DEVELOPMENT PLAN; AND REPEALING ORDINANCE NO. 1969.

Laura Waller, Planner II

Council Member Kermally recused himself from this item.

Laura Waller, Planner II, gave a presentation, comments, and answered questions from the Council.

RECESS: Mayor Zimmerman recessed the meeting at 6:25 p.m.

RECONVENE: Mayor Pro Tem Jacobson reconvened the meeting at 6:30 p.m.

A motion to **Approve**, Item VII-B, First Consideration of Ordinance No. 2293 amending the Ballpark District, Historic District I & II, Business Park District, Open Space District, and Highway 6 District of the Imperial PD General Development Plan; readopting the Imperial PD General Development Plan; and Repealing Ordinance No. 1969, was made by Suzanne Whatley and seconded by William Ferguson, the motion **Passed**.

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

Abstain: Kermally

VIII.WORKSHOP

A. Review of and discussion on the 2022 Space Cowboys season and Constellation Field Annual Report.

Tyler Stamm, General Manager - Constellation Field, Space Cowboys and Devon Rodriguez, Deputy Director of Economic Development

Mayor Zimmerman recused himself from this item.

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

Thomas Bell, Vice President, Affiliate Operations at Houston Astros, gave a presentation, comments and answered questions from the Council.

Tyler Stamm, General Manager, Space Cowboys. gave a presentation, comments, and answered questions from the Council.

B. Review of and discussion on the Police Department 2022 Annual Report.

Mark Poland, Chief of Police

Mark Poland, Chief of Police, gave a presentation, comments, and answered questions from the Council.

C. Review of and discussion on the Fire-EMS Department Fiscal Year 2022 Annual Report.

Doug Boeker, Fire Chief

Doug Boeker, Chief of Fire-EMS, gave a presentation, comments, and answered questions from the Council.

Mark Campise, Assistant Chief of Fire-EMS, gave a presentation, comments, and answered questions from the Council.

James Serrano, Fire Marshal, gave a presentation, comments, and answered questions from the Council.

Elizabeth Mangum, Assistant Director of Fire-EMS, gave a presentation, comments, and answered questions from the Council.

Scott Bowerman, Fire Lieutenant/Community Education Representative, gave a presentation, comments, and answered questions from the Council.

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

This item was deleted.

X. ADJOURNMENT

A motion to **Approve**, Adjournment at 8:13 p.m., was made by Carol McCutcheon and seconded by Joe Zimmerman, the motion **Passed**.

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

Natalie Serrano, Interim City Secretary

