



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, NOVEMBER 21, 2023

CITY COUNCIL MEETING MINUTES

5:30 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 of the City Council were present except for Mayor Joe Zimmerman.

Mayor Pro Tem Kermally served as the Chair.

INVOCATION

Councilmember Carol McCutcheon

PLEDGES OF ALLEGIANCE

Councilmember Carol McCutcheon

Austin Parkway Elementary National English Honors Society led the Pledge of Allegiance

RECOGNITION

TEXAS FIRE CHIEFS ACADEMY GRADUATE BATTALION CHIEF JOHNATHAN VANCE

Doug Boeker, Fire - EMS Chief

II. PUBLIC COMMENT

Citizens who desire 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 speaker 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 individual for comments deemed inappropriate, impertinent, profane, slanderous and/or for not adhering to the public comment rules outlined in this notice.

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

No members of the public addressed the Council.

III. CONSENT AGENDA

- A.** Consideration of and action on **CITY OF SUGAR LAND RESOLUTION NO. 23-36:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, ADOPTING A CITY COUNCIL POLICY FOR ASSOCIATE JUDGES AT MUNICIPAL COURT; AND REPEALING RESOLUTION NO. 18-29.

Craig Landin, Municipal Court Judge

- B.** Consideration of and action on **CITY OF SUGAR LAND RESOLUTION NO. 23-38:** 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 TRANSPORTATION (DOT), FEDERAL AVIATION ADMINISTRATION (FAA), FOR THE FAA CONTRACT TOWER (FCT) COMPETITIVE GRANT PROGRAM FROM THE BIPARTISAN INFRASTRUCTURE LAW (BIL); 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.

Ken Durbin, Assistant Director of Aviation

- C.** Consideration of and action on authorization of an Agreement with Forty Holy

Martyrs of Sebaste Orthodox Christian Church, Inc., in the amount of \$1,515,360, for the purchase of and closing costs of 2.3192 acres of property for expansion of the Public Works Facility.

Bryan Norton, Real Property Manager

- D.** Consideration of and action on authorization of an Assignment and Assumption of Real Estate Contract with Hong Trang Nguyen and Minh Cong Nguyen, in the amount of \$4,126,482.00, for the purchase of and closing costs of 45.11 acres of property for future expansion of the City's infrastructure; and authorization of a Budget Amendment in the amount of \$4,126,482.00 to revenues and expenditures.

Bryan Norton, Real Property Manager

- E.** Consideration of and action on authorization of Amendment No. 1 to the Contract with A. Fuller Electric, Inc., in the amount of \$6,750.00, for electrical repairs in all City parks, for a maximum contract amount of \$51,750.00.

William Hajdik, Assistant Director of Parks and Recreation

- F.** Consideration of and action on the appointment of Frank Yonish, for an unexpired term ending September 1, 2026 to the Imperial Redevelopment District Board of Directors.

Joe Zimmerman, Mayor

- G.** Consideration of and action on the minutes of the November 7, 2023 City Council meeting.

Robin Lenio, City Secretary

A motion to **Approve**, Item III, Approval of Consent Agenda Items A through G, was made by Carol McCutcheon and seconded by Suzanne Whatley, the motion **Passed**.

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

Absent: Zimmerman

IV. CONTRACTS AND AGREEMENTS

- A.** Consideration of and action on authorization of a Construction Contract with Ballast Point Construction, Inc., in the amount of \$4,921,135.00, for the Covington West & Imperial Woods Drainage Project, CIP CDR2201; and authorization of a Budget Amendment in the amount of \$704,558.00 from the 2019 GO bond Drainage Funds for base bid shortage for drainage improvements; and authorization of a Budget Amendment in the

amount of \$674,394.00 from the 2023 CIP Fund Balance for streets improvements.

Timothy Jahn, Senior Engineering Manager

Timothy Jahn, Senior Engineering Manager, gave a presentation, made comments, and answered questions from the Council.

A motion to **Approve**, Item IV-A, Approval of a Construction Contract with Ballast Point Construction, Inc., in the amount of \$4,921,135.00, for the Covington West & Imperial Woods Drainage Project, CIP CDR2201; and authorization of a Budget Amendment in the amount of \$704,558.00 from the 2019 GO bond Drainage Funds for base bid shortage for drainage improvements; and authorization of a Budget Amendment in the amount of \$674,394.00 from the 2023 CIP Fund Balance for streets improvements, was made by Suzanne Whatley and seconded by Jennifer Lane, the motion **Passed**.

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

Absent: Zimmerman

V. **ORDINANCES AND RESOLUTIONS**

A. **FIRST CONSIDERATION:** Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2322:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS AMENDING THE CODE OF ORDINANCES BY REVISING CHAPTER 3, ARTICLE VIII (SMOKING IN PUBLIC PLACES) TO LIMIT SMOKING IN CERTAIN ESTABLISHMENTS IN THE CITY.

Nicole Solis, Assistant Director of Environmental & Neighborhood Services

Nicole Solis, Assistant Director of Environmental and Neighborhood Services, gave a presentation, made comments, and answered questions from the Council.

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

A motion to **Approve**, Item V-A, Approval of Ordinance No. 2322, Amending the Code of Ordinances by revising Chapter 3, Article VIII (Smoking in public places) to limit smoking in certain establishments in the City, was made by Naushad Kermally and seconded by Jennifer Lane, the motion **Passed**.

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

Absent: Zimmerman

B. **FIRST CONSIDERATION:** Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2324:** AN ORDINANCE OF THE

CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS
AMENDING THE CODE OF ORDINANCES BY REVISING
CHAPTER 3, ARTICLE IX (SOLID WASTE, RECYCLABLE
MATERIALS AND VEGETATION) TO BRING REGULATIONS
PERTAINING TO BULKY WASTE IN LINE WITH CURRENT
OPERATIONS.

Nicole Solis, Assistant Director of Environmental & Neighborhood Services

Nicole Solis, Assistant Director of Environmental and Neighborhood Services, gave a presentation, made comments, and answered questions from the Council.

A motion to **Approve**, Item V-B, Approval of Ordinance No. 2324, Amending the Code of Ordinances by revising Chapter 3, Article IX (Solid waste, recyclable materials and vegetation) to bring regulations pertaining to bulky waste in line with current operations, was made by Naushad Kermally and seconded by Carol McCutcheon, the motion **Passed**.

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

Absent: Zimmerman

VI. WORKSHOP

A. Review of and discussion on the 2021 Building Code Adoption.

Joshua Doyle, Chief Building Official, Nicole Solis, Assistant Director of Environmental and Neighborhood Services, and James Serrano, Assistant Fire Chief

Joshua Doyle, Chief Building Official, Nicole Solis, Assistant Director of Environmental and Neighborhood Services, and James Serrano, Assistant Fire Chief, gave a presentation, made comments, and answered questions from the Council.

VII. CITY COUNCIL CITY MANAGER REPORTS

A. City Council Member Reports

- Community Events Attended or Scheduled

Mayor Pro Tem Kermally 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 Goodrum, City Manager, gave comments and reported on events and

activities attended.

RECESS: Mayor Pro Tem Kermally recessed the meeting into Closed Executive Session at 6:49 p.m.

VIII CLOSED EXECUTIVE SESSION

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

Section 551.074 Public Officers:

For the purpose of deliberations regarding appointments to, and duties of, the Tax Increment Reinvestment Zone No. 1, Tax Increment Reinvestment Zone No. 3, and Tax Increment Reinvestment Zone No. 4

Tia Moore, Deputy City Secretary

RECONVENE: Mayor Pro Tem Kermally reconvened the meeting at 7:03 p.m.

IX. ADJOURNMENT

There being no further business to come before the Council, Mayor Pro Tem Kermally adjourned the meeting at 7:03 p.m.

Robin Lenio, City Secretary

