



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 5, 2023

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.

QUORUMPRESENT

All members of the Sugar Land City Council were present.

II. CLOSEDEXECUTIVESESSION

- 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.

Elizabeth Huff, Director of Economic Development and Alba Penate-Johnson, Senior Business Development Manager

At 5:02 p.m., the Sugar Land City Council adjourned into Closed Executive Session, under Texas Local Government Code, Section 551.087, 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.

INVOCATION

Councilmember Suzanne Whatley

PLEDGES OF ALLEGIANCE

Councilmember Suzanne Whatley

RECOGNITION

**DR. JAMES COX
26 YEARS OF SERVICE
ANIMAL ADVISORY BOARD**
Joe Zimmerman, Mayor

III. 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 public addressed the City Council.

IV. CONSENT AGENDA

- A. SECOND 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

- B. SECONDCONSIDERATION:** Consideration of and action on **CITYOF 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

- C.** Consideration of and action on **CITYOFSUGARLANDRESOLUTION NO.23-39:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, DETERMINING THAT THE CONSTRUCTION MANAGER-AT-RISK PROCUREMENT METHOD PROVIDES THE BEST VALUE FOR THE CONSTRUCTION OF A NEW EMERGENCY OPERATIONS AND DISPATCH CENTER.

Lane Wolf, Senior Manager, Vertical Construction

A motion to **Approve**, Item IV-C: The approval of Resolution 23-39., was made by Joe Zimmerman and seconded by Suzanne Whatley, the motion **Passed**.

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

- D.** Consideration of and action on **CITYOFSUGARLANDRESOLUTION NO.23-40:** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED.

Jennifer Brown, Director of Special Projects

- E.** Consideration of and action on **CITYOFSUGARLANDRESOLUTION NO.23-45:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, APPOINTING A CITIZEN'S TASK FORCE TO CONDUCT A FIVE-YEAR REVIEW OF CHAPTER 2, ARTICLE IV, CODE OF ETHICAL CONDUCT AND PROVIDE A REPORT TO CITY COUNCIL.

Meredith Riede, City Attorney

- F.** Consideration of and action on authorization of a Construction Contract with Associated Testing Laboratories, Inc., in the amount of \$117,747.00, for the Covington West & Imperial Woods Drainage Improvements Project, CIP CDR2201.

Timothy Jahn, Senior Engineering Manager

- G.** Consideration of and action on authorization of a Contract with Lockwood, Andrews, and Newnam, Inc., in the amount of \$57,045.00, for construction administration services for the Covington West & Imperial Woods Drainage Improvements Project, CIP CDR2201.

Timothy Jahn, Senior Engineering Manager

- H.** Consideration of and action on authorization of a Construction Contract with CFG Industries LLC, in the amount of \$1,729,320, for rehabilitation of the Big Sweetwater Lift Station for the Lift Station Rehabilitation Project, CIP CWW2302.

Idahosa Igbinoba, Engineer III

- I.** Consideration of and action on ratification of a Contract with Alsay Incorporated, in the amount of \$78,045.00, for the Greatwood Water Well emergency repair.

Danica Mueller, Water Operations Manager

- J.** Consideration of and action on authorization of a Contract with Casco Industries, Inc., in the amount of \$599,970.00 through the BuyBoard Cooperative Purchasing Contract No. 698-23, for the purchase of turnout gear and accessories for the Fire-EMS Department.

Doug Boeker, Fire - EMS Chief

- K.** Consideration of and action on authorization of a Five-Year Contract with P.S. Lightwave, Inc., in the amount of \$68,760.00, for data services from City Hall and Police Department to League City, Tx for the Computer Aided Dispatch System.

Robert Bowman, IT Manager

- L.** Consideration of and action on authorization of Amendment No. 1 to the Reimbursement Agreement with John S. Beeson, Trustee, for improvements associated with the Park at Eldridge Public Improvement District.

Lisa Kocich-Meyer, Director of Planning & Development Services

A motion to **Approve**, Item IV-L: The approval of the reimbursement agreement with John S. Beeson, Trustee for improvements associated with the Park at Eldridge Public Improvement District., was made by Suzanne Whatley and seconded by Jennifer Lane, the motion **Passed**.

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

Recused: Zimmeman

- M.** Consideration of and action on the minutes of the November 21, 2023 City Council meeting.

Robin Lenio, City Secretary

A motion to **Approve**, Item IV-M: The approval of the consent agenda items A, B through K and M., was made by Naushad Kermally and seconded by Carol McCutcheon, the motion **Passed**.

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

V. **CONTRACTSANDAGREEMENTS**

A. Consideration of and action on authorization of a Contract with Bass Construction Company, Inc., in the amount of \$8,015,000, for construction of the Public Safety Training Facility, Phase II, CIP CMU2204.

Lane Wolf, Senior Manager Vertical Construction

A motion to **Approve**, Item V-A: The approval of the construction contract with Bass Construction Company, Inc. for the construction of the Public Safety Training Facility, Phase II, CIP CMU2204, in the amount of \$8,015,000.00., was made by Suzanne Whatley and seconded by Carol McCutcheon, the motion **Passed**.

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

B. Consideration of and action on authorization of a Development Agreement with Pulte Homes of Texas LP, for a proposed development in the City of Sugar Land extraterritorial jurisdiction.

Lisa Kocich-Meyer, Director of Planning & Development Services

A motion to **Approve**, Item V-B: The approval of the Development Agreement and all exhibits between the City of Sugar Land and Pulte Homes of Texas, LP, for a proposed development in the City's extraterritorial jurisdiction., was made by Joe Zimmerman and seconded by Jennifer Lane, the motion **Passed**.

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

VI. **PUBLICHEARINGS**

A. **PUBLICHEARING 5:30P.M.**: To receive and hear all persons interested in the following:

1. **Proposed Land Use Plan Amendment** to provide descriptions of the vision for the Lake Pointe Regional Activity Center and increase the anticipated number of multi-family units.
2. **Proposed Development Code amendment** regarding the establishment of the Lake Pointe Redevelopment District and **proposed rezoning** for approximately 69 acres of land located along Creekbend Dr. and Fluor Daniel Dr. from Planned Development District (PD) to Lake Pointe Redevelopment District (LPR). Property being further described as all of Tract "6," all of Tract "7," all of Tract "8," and all of Common Area "B" out of the Fluor Central Development Tract Replat No. 1; all of Reserve K out of Lake Pointe Tract "C;" and all of Reserve F1 out of Lake

Pointe Tract “C” Replat Unrestricted Reserve “F” Replat located.

3. **Proposed Redevelopment Concept Plan for Lake Pointe Plaza**, providing the opportunity to evaluate the location of proposed uses and their relationship to the surrounding area to ensure negative impacts are minimized during redevelopment. This is a new process being created by the proposed Development Code amendment for the Lake Pointe Redevelopment District per Section 2-124.

Ruth Lohmer, Assistant Director of Community Planning & Redevelopment

The following persons spoke in favor of the Proposed Land Use Plan Amendment, the Proposed Development Code Amendments, and the Proposed Redevelopment Concept Plan for Lake Pointe Plaza:

Mike Mulcahy - 1438 Camelot Place, Sugar Land
Tim Stubenrouch - 3210 Spring Trail Drive, Sugar Land
Craig Popp - 3814 Colony Woods Drive, Sugar Land
Jared Jameson - 1358 Lake Pointe Parkway, Sugar Land
Nick Laetner, 16435 Creekbend Drive, Sugar Land
Doug Goff - 1 Quiet Vista Drive, Sugar Land
Mukhtav Owais - 1139 Lake Pointe Parkway, Sugar Land
Susan Fortenberry - 4307 Greystone Way, Sugar Land
Rodney Craig - 1402 Lake Pointe Parkway, Sugar Land
Michael Poindexter - 904 Ameila, Sugar Land
Jeff McCelvey - 38 River Creek Way, Sugar Land
Debbie Leo - 904 Amelia, Sugar Land

The following persons spoke in opposition of the Proposed Land Use Plan Amendment, the Proposed Development Code Amendments, and the Proposed Redevelopment Concept Plan for Lake Pointe Plaza:

Nicole Felder - 15611 Oyster Cove, Sugar Land

VII. ORDINANCES AND RESOLUTIONS

A. FIRST CONSIDERATION: Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2326**: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AMENDING THE AREAS OF CHANGE - LAKE POINTE REGIONAL ACTIVITY CENTER IN SECTION 5 OF THE LAND USE PLAN, CHAPTER 6 OF THE CITY OF SUGAR LAND COMPREHENSIVE PLAN.

Ruth Lohmer, Assistant Director of Community Planning & Redevelopment

A motion to **Approve**, Item VII-A: The approval of Ordinance No. 2326 on a First Reading., was made by Suzanne Whatley and seconded by Naushad Kermally, the motion **Passed**.

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

B. FIRST CONSIDERATION: Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2325:** AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS, AMENDING CHAPTER 2 OF THE SUGAR LAND DEVELOPMENT CODE BY ADDING A NEW LAKE POINTE REDEVELOPMENT ZONING DISTRICT (LPR), PROVIDING REGULATIONS AND A PERMITTED USES AND PARKING TABLE FOR THIS DISTRICT, AMENDING AND ADDING DEFINITIONS, PROVIDING FOR A CHANGE OF ZONING FROM PLANNED DEVELOPMENT (PD) TO LAKE POINTE REDEVELOPMENT DISTRICT (LPR) FOR APPROXIMATELY 69 ACRES OF LAND LOCATED ALONG CREEK BEND DRIVE AND FLUOR DANIEL DRIVE.

Ruth Lohmer, Assistant Director of Community Planning & Redevelopment

A motion to **Approve**, Item VII-B: The approval of Ordinance No. 2325 on first reading., was made by Naushad Kermally and seconded by Stewart Jacobson, the motion **Passed**.

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

C. Consideration of and action on **CITY OF SUGAR LAND RESOLUTION NO. 23-41:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, CASTING A TOTAL OF ONE HUNDRED TWENTY-SEVEN (127) VOTES OUT OF 5,000 TOTAL VOTES IN THE ELECTION OF FIVE DIRECTORS TO SERVE ON THE BOARD OF DIRECTORS OF THE FORT BEND CENTRAL APPRAISAL DISTRICT FOR THE 2024-2025 TERM.

Jennifer Brown, Director of Special Projects

A motion to **Approve**, Item VII-C: The approval to allocate 127 votes for CAD board of directors through Resolution No. 23-41, was made by Joe Zimmerman and seconded by Carol McCutcheon, the motion **Passed**.

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

D. FIRST CONSIDERATION: Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2320:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AMENDING CHAPTER 7 (BUILDING REGULATIONS) OF THE SUGAR LAND DEVELOPMENT CODE BY ADOPTING THE 2021 INTERNATIONAL CODES AND THE 2020 NATIONAL ELECTRICAL CODE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Joshua Doyle, Chief Building Official; Nicole Solis, Assistant

*Director of
Environmental and Neighborhood Services; and James Serrano, Chief Fire
Marshal*

A motion to **Approve**, Item VII-D: The approval of Ordinance No. 2320 adopting the 2021 ICC codes and 2020 NEC on first reading., was made by Stewart Jacobson and seconded by Naushad Kermally, the motion **Passed**.

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

E. FIRST CONSIDERATION: Consideration of and action on **CITY OF SUGARLAND ORDINANCE NO. 2321:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING PROVISIONS IN CHAPTER 3 RELATED TO NUISANCES AND VEGETATION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Nicole Solis, Assistant Director of Environmental & Neighborhood Services

A motion to **Approve**, Item VII-E: The approve Ordinance No. 2321 modifying Chapter 3, Articles IV and IX of the Code of Ordinances pertaining to Nuisances and Landscaping Requirements., was made by Joe Zimmerman and seconded by Naushad Kermally, the motion **Passed**.

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

F. FIRST CONSIDERATION: Consideration of and action on **CITY OF SUGARLAND ORDINANCE NO. 2327:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AMENDING CHAPTERS 2 AND 5 OF THE CODE OF ORDINANCES BY AMENDING FEE PROVISIONS LOCATED IN SECTIONS 2-137, 5-248, 5-249, 5-357 AND 5-421, AND ADDING A NEW SECTION 5-422; AND SETTING AN EFFECTIVE DATE.

Meredith Riede, City Attorney

A motion to **Approve**, Item VII-F: The approval of ordinance 2327 amending various fee sections in the Code of Ordinances., was made by Carol McCutcheon and seconded by William Ferguson, the motion **Passed**.

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

VIII. WORKSHOP

- A. Review of and discussion on applications received for appointment to the 2023 Charter Review Commission.

Meredith Riede, City Attorney

Item VIII-A, review of and discussion on applications received for appointment to the 2023 Charter Commission, was postponed until the December 19, 2023 City Council meeting.

IX. CITY COUNCIL CITY MANAGER REPORTS

- A. City Council Member Reports

- Community Events Attended or Scheduled

City Council Member reports deferred to a later meeting date.

- B. City Manager Report

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

The City Manager report deferred to a later meeting date.

X. CLOSED EXECUTIVE SESSION

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

Section 551.074 Personnel Matters:

For the purpose of discussion with respect to the City Manager annual performance evaluation.

Joe Zimmerman, Mayor

The City Council adjourned at 8:20p.m. to Closed Executive Session, pursuant to Texas Local Government Code, Section 551.074, for the purpose of discussion with respect to the City manager annual performance evaluation.

XI. CITY MANAGER FY24 COMPENSATION PACKAGE

- A. Consideration of and action on the City Manager's Compensation for Period October 1, 2023 through September 30, 2024.

Joe Zimmerman, Mayor

A motion to **Approve**, Item XI-A, City Manager's compensation to be effective October 1, 2023, based on the Council's evaluation of the City Manager's FY23 performance, was made by Naushad Kermally and seconded by Jennifer Lane, the motion **Passed**.

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

XII. ADJOURNMENT

After motion duly made and passed, the meeting adjourned at 8:54p.m.

Robin Lenio, City Secretary

