



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, SEPTEMBER 5, 2017

CITY COUNCIL MEETING MINUTES

5:30 PM

QUORUM PRESENT

All of said members were present, with the exception of Council Member Amy Mitchell, who was absent.

INVOCATION

Council Member Carol McCutcheon

PLEDGE OF ALLEGIANCE TO THE FLAG

Council Member Carol McCutcheon

RECOGNITION

**Texas Chapter American Public Works Association
Public Works Technical Innovation Award
City of Sugar Land Wireless Detection System**

James Turner, Traffic Engineering and Controls Manager

I. PUBLIC COMMENT

II. REVIEW OF CONSENT AGENDA

III. CONSENT AGENDA

- A. SECOND CONSIDERATION:** Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO 2103** AN ORDINANCE OF THE CITY COUNCIL OF

THE CITY OF SUGAR LAND, TEXAS, GRANTING A ONE-TIME VARIANCE FROM CHAPTER 3, SECTION 3-91 OF THE CITY OF SUGAR LAND CODE OF ORDINANCES TO ALLOW FOR THE SALE OF ALCOHOLIC BEVERAGES AT LONNIE GREEN PARK DURING RECEPTIONS RELATED TO THE CITY-PARTNERED EVENT KNOWN AS UMBRIA IN SUGAR LAND.

Lindsay Davis, Cultural Arts Manager

- B. Consideration of and action on authorizing purchase of eighteen workstations and chairs in the amount of \$71,819.28 from Office Pavilion through TXMAS Contract 3-711010 and U.S. Communities Contract 4400003403 for furniture associated with Public Works Building B renovations.

Abimbola Fadimu, Facilities Services Manager

- C. Consideration of and action on approval of the minutes of the August 15, 2017 City Council meeting.

Glenda Gundermann, City Secretary

A motion to **Approve**, Consent Agenda III-A to III-C, was made by Himesh Gandhi and seconded by Carol McCutcheon, the motion **Passed**.

Ayes: Gandhi, Joyce, McCutcheon, Porter, Yeung, Zimmerman

Absent: Mitchell

IV. **BUDGET**

- A. **FIRST AND FINAL CONSIDERATION**: Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2111** AN ORDINANCE AMENDING THE FISCAL YEAR 2016-2017 BUDGET FOR THE CITY OF SUGAR LAND, TEXAS, TO PROVIDE THAT THE REVISED BUDGET ADDRESS FUNDS RELATING TO CERTAIN CAPITAL AND OPERATING BUDGET MATTERS AND THAT HIS AMENDMENT BE ADOPTED AS THE BUDGETED AMOUNT FOR THOSE FUNDS.

Justin Alderete, Budget Officer

A motion to **Approve**, Budget IV-A Ordinance No. 2111, was made by Carol McCutcheon and seconded by Bridget Yeung, the motion **Passed**.

Ayes: Gandhi, Joyce, McCutcheon, Porter, Yeung, Zimmerman

Absent: Mitchell

- B. **PUBLIC HEARING 6:00 O'CLOCK P.M.**: Receive and hear all persons desiring to be heard on the proposed ad valorem property tax rate for tax year 2017.

Jennifer Brown, Director of Finance

Jennifer Brown presented an overview of the proposed ad valorem property tax rate for tax year 2017 and responded to comments from council members.

Allen Board, City Manager and Chris Steubing, Assistant City Manager, responded to comments and questions from council members.

Mayor Zimmerman opened the Public Hearing at 6:22 p.m. and entertained comments from person desiring to be heard.

Hillary Goldstein, 3327 Dew Point Lane, Sugar Land, Texas; John McNamee, 4614 Crescent Lakes Circle, Sugar Land, Texas; David Austgey, 4011 Oak Grove Court, Sugar Land, Texas; and Jonathan Gibson, 17 Half Penny Court, Sugar Land, Texas; Linda Brown, 4747 April Meadow Way, Sugar Land, Texas and Roy Wiffin, 2930 Country Club Boulevard spoke in opposition to the ad valorem property tax rate.

Nancy Potter, 2800 Pecan Point Drive, Sugar Land, Texas, spoke in favor of the ad valorem property tax rate and commended the City for the drainage improvements that had been made in the past year in the Highlands subdivision, noting that her home had previously flooded and would have flooded again had the drainage improvements not been done.

Hearing no further persons desiring to be heard, Mayor Zimmerman closed the Public Hearing.

V. CONTRACTS AND AGREEMENTS

- A.** Consideration of and action on authorizing execution of an Interlocal Agreement by and between The Brazos River Authority and the City of Sugar Land, Texas for the Lower Brazos River Flood Protection Plan Study, Phase 2; and authorizing matching funds in an amount not to exceed \$30,000.00 for the local participant share of the total Study costs.

Jorge Alba, Senior Engineer

Mr. Alba presented an overview of the Interlocal Agreement; Allen Bogard, City Manager and Chris Steubing, Assistant City Manager, responded to comments and questions from council members.

A motion to **Approve** Contracts and Agreements V-A was made by Mary Joyce and seconded by Bridget Yeung, the motion **Passed**.

Ayes: Gandhi, Joyce, McCutcheon, Porter, Yeung, Zimmerman

Absent: Mitchell

RECESS: Mayor Zimmerman recessed the meeting at 7:30 p.m.

RECONVENE: Mayor Zimmerman reconvened the meeting at 7:42 p.m.

- B.** Consideration of and action on authorizing execution of a Contract in the amount of \$349,790.50 with Precise Services, Inc. for construction of Proposed Water Line Extension Sugar Land Regional Airport Project CIP WA1704.

Jorge Alba, Senior Engineer

Mr. Alba presented information on the contract for Proposed Water Line Extension and responded to comments and questions from council members.

A motion to **Approve** Contracts and Agreements V-B was made by Carol McCutcheon and seconded by Bridget Yeung, the motion Passed.

Ayes: Gandhi, Joyce, McCutcheon, Porter, Yeung, Zimmerman

Absent: Mitchell

- C.** Consideration of and action on authorizing execution of a Construction Contract, and alternates 1-5, in the amount of \$1,744,060, with LDF Construction for Airport Maintenance Building CIP AP1601.

Lane Wolf, Project Manager

Mr. Wolf presented information regarding the contract for Airport Maintenance Building; he and Allen Bogard, City Manager, responded to questions and comments from council members.

A motion to **Approve** Contracts and Agreements V-C was made by Bridget Yeung and seconded by Carol McCutcheon, the motion **Passed**.

Ayes: Gandhi, Joyce, McCutcheon, Porter, Yeung, Zimmerman

Absent: Mitchell

- D.** Consideration of and action on authorizing execution of an initial fourteen-month Contract in the amount of \$950,000.00 with Severn Trent, and with an option to renew four additional one year terms for scheduled backhoe repairs for utilities.

Brian J. Butscher, Assistant Director of Public Works

Mr. Butscher presented information on the Severn Trent contract and responded to comments and questions from council members.

A motion to **Approve** Contracts and Agreements V-D was made by Mary Joyce and seconded by Carol McCutcheon, the motion **Passed**.

Ayes: Gandhi, Joyce, McCutcheon, Porter, Yeung, Zimmerman

Absent: Mitchell

- E.** Consideration of and action on authorizing execution of a Groundwater Reduction Plan Participation Agreement, by and between the City of Sugar Land, Texas, and First Colony Property Owners' Association, Inc.

Katie Clayton, Water Resources Manager

Ms. Clayton presented information on the Groundwater Reduction Plan Participation Agreement; she and Allen Bogard, City Manager, responded to comments and questions from council members.

A motion to **Approve** Contracts and Agreements V-E was made by Bridget Yeung and seconded by Himesh Gandhi, the motion **Passed**.

Ayes: Gandhi, Joyce, McCutcheon, Porter, Yeung, Zimmerman

Absent: Mitchell

- F.** Consideration of and action on authorizing execution of a Groundwater Reduction Plan Participation Agreement by and between City of Sugar Land, Texas, and Sugar Land Business Park Association, Inc.

Katie Clayton, Water Resources Manager

Katie Clayton presented the contract for Groundwater Reduction Plan Participation Agreement and responded to comments and questions from council members.

A motion to **Approve** Contracts and Agreements V-F was made by Mary Joyce and seconded by Carol McCutcheon, the motion **Passed**.

Ayes: Gandhi, Joyce, McCutcheon, Porter, Yeung, Zimmerman

Absent: Mitchell

- G.** Consideration of and action on authorizing execution of a Contract in the amount of \$489,000.00 with CDM Smith Inc. for engineering services for the Integrated Water Resource Plan; and authorizing a budget amendment in the amount of \$489,000.00.

Katie Clayton, Water Resources Manager

Ms. Clayton presented the contract for Integrated Water Resource Plan and budget amendment and responded to comments and questions from council members.

A motion to **Approve** Contracts and Agreements V-G was made by Himesh Gandhi and seconded by Steve Porter, the motion **Passed**.

Ayes: Gandhi, Joyce, McCutcheon, Porter, Yeung, Zimmerman

Absent: Mitchell

VI. ORDINANCES AND RESOLUTIONS

- A. **FIRST CONSIDERATION:** Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2109** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AMENDING THE CODE OF ORDINANCE BY AMENDING CHAPTER 2, ARTICLE V, DIVISION 4, SECTION 2-136 (FEES FOR VARIOUS CITY SERVICES) AND CHAPTER 5, ARTICLE IX, DIVISION 1, SECTION 5-421 (FIRE PROTECTION FEES FOR DISTRICTS IN EXTRATERRITORIAL JURISDICTION) BY REVISING CITY SERVICE FEES.

Justin Alderete, Budget Officer

Mr. Alderete presented Ordinance No. 2109 and responded to questions and comments from council members.

A motion to **Approve**, Ordinances & Resolutions VI-A, was made by Carol McCutcheon and seconded by Bridget Yeung, the motion **Passed**.

Ayes: Gandhi, Joyce, McCutcheon, Porter, Yeung, Zimmerman

Absent: Mitchell

- B. **FIRST CONSIDERATION:** Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2108** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, REPEALING ORDINANCE 2080, REGARDING THE USE OF PORTABLE ELECTRONIC DEVICES WHILE OPERATING A MOTOR VEHICLE.

Scott Schultz, Assistant Chief of Police

Assistant Chief Schultz presented Ordinance No. 2108; he and Meredith Riede, City Attorney responded to comments and questions from council members.

A motion to **Approve**, Ordinances & Resolutions VI-B, was made by Carol McCutcheon and seconded by Himesh Gandhi, the motion **Passed**.

Ayes: Gandhi, Joyce, McCutcheon, Porter, Zimmerman

Abstain: Yeung

Absent: Mitchell

- C. **FIRST CONSIDERATION:** Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2110** AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS, AMENDING CHAPTER 5, ARTICLE VIII, DIVISION 7, SECTION 5-306 AND SECTION 5-307 OF THE CODE OF ORDINANCES REGARDING THE DROUGHT CONTINGENCY PLAN; AND ESTABLISHING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH OFFENSE.

Katie Clayton, Water Resources Manager

Ms. Clayton presented Ordinance No. 2110 and responded to questions and comments from council members.

A motion to **Approve**, Ordinances & Resolutions VI-C, was made by Carol McCutcheon and seconded by Bridget Yeung, the motion **Passed**.

Ayes: Gandhi, Joyce, McCutcheon, Porter, Yeung, Zimmerman

Absent: Mitchell

D. Consideration of and action on CITY OF SUGAR LAND RESOLUTION NO. 17-24 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, ADOPTING A DROUGHT CONTINGENCY PLAN FOR RETAIL PUBLIC WATER SUPPLY.

Katie Clayton, Water Resources Manager

Ms. Clayton presented information on the Drought Contingency Plan and responded to comments and questions from council members.

A motion to **Approve**, Ordinances & Resolutions VI-D, was made by Himesh Gandhi and seconded by Steve Porter, the motion **Passed**.

Ayes: Gandhi, Joyce, McCutcheon, Porter, Yeung, Zimmerman

Absent: Mitchell

E. Consideration of and action on CITY OF SUGAR LAND RESOLUTION NO. 17-25 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, ADOPTING A DROUGHT CONTINGENCY PLAN FOR WHOLESALE WATER SUPPLY.

Katie Clayton, Water Resources Manager

Ms. Clayton presented information on Resolution No. 17-25 and responded to comments and questions from council members.

A motion to **Approve**, Ordinances & Resolutions VI-E, was made by Mary Joyce and seconded by Bridget Yeung, the motion **Passed**.

Ayes: Gandhi, Joyce, McCutcheon, Porter, Yeung, Zimmerman

Absent: Mitchell

VII. CITY COUNCIL CITY MANAGER REPORTS

A. Council Member Reports

- Community Events Attended or Scheduled

Mayor Zimmerman and Council 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

The City Manager gave comments and reported on events and meetings attended.

VIII. ADJOURNMENT

A motion to Adjourn, was made by Himesh Gandhi and seconded by Joe Zimmerman, the motion **Passed.**

Ayes: Joyce, McCutcheon, Porter, Yeung, Gandhi and Zimmerman

Absent: Mitchell

Glenda Gundermann, City Secretary

