



# 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 19, 2017

### CITY COUNCIL MEETING MINUTES

5:30 PM

#### QUORUM PRESENT

All of said members were present.

#### INVOCATION

*Council Member Bridget Yeung*

#### PLEDGE OF ALLEGIANCE TO THE FLAG

*Council Member Bridget Yeung*

#### I. PUBLIC COMMENT

Speakers: V. BUDGET A. Ordinance 2113 Adopting Annual Budget FY 2017-2018;  
B. Ordinance 2114 Levying a Property Tax Rate for Year 2017

| NAME              | ADDRESS            | COMMENT   |
|-------------------|--------------------|---|
| Keri Schmidt      | 402 Abbott Circle  | In favor of the proposed budget as presented and in favor tax increase to fund the budget |
| Marilyn Stron     | 4426 Balboa Drive  | Opposed to proposed budget and tax increase to fund the proposed budget                   |
| Hillary Goldstein | 3327 Dew Point     | Opposed to proposed budget and tax increase to fund the proposed budget                   |
| Kelly Knake       | 13534 Brook Hollow | In favor of the proposed budget and tax increase to fund the proposed budget              |

|                         |                          |  |
|-------------------------|--------------------------|--|
| Jon Gibson              | 17 Half Penny Court      | Opposed to proposed budget and tax increase to fund the proposed budget      |
| Sara Parr               | 46 DuPont Circle         | Opposed to proposed budget and tax increase to fund the proposed budget      |
| Kelley Glare            | 3107 Redcliff Drive      | Opposed to proposed budget and tax increase to fund the proposed budget      |
| Tom DeMont              | 330 Longview Drive       | In favor of the proposed budget and tax increase to fund the proposed budget |
| Afshi Charecka Merchant | 7343 Chatham Green Drive | Opposed to proposed budget and tax increase to fund the proposed budget      |
| Diana Miller            | 419 Brooks Street        | Opposed to proposed budget and tax increase to fund the proposed budget      |
| Tony Huang              | 3006 Edgewood Drive      | Opposed to proposed budget and tax increase to fund the proposed budget      |

## II. REVIEW OF CONSENT AGENDA

## III. CONSENT AGENDA

- A. **SECOND 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*
- B. **SECOND 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*

- C. SECOND 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*
- D.** Consideration of and action on execution of a five-year Contract in a maximum amount of \$250,000 (\$50,000 per year), with Wells Fargo Bank, N.A., for bank depository services for the period October 1, 2017 through September 30, 2022.  
*Jennifer Brown, Director of Finance*
- E.** Consideration of and action on authorizing execution of a Contract in the amount of \$209,550.00 with ARKK Engineers, LLC for design and bid phase for the Wastewater Collection System Rehabilitation Project D and East Interceptor Phase III, CIP WW1601.  
*Guillermo I. Salcedo, Senior Engineer*
- F.** Consideration of and action on execution of a Contract in the amount of \$122,450.00 with ESE Partners, LLC for asbestos abatement and demolition preparations on the approximate 121-acre former Central Unit prison site.  
*Phil Wagner, Director of Economic Development and David Hill, Public / Private Partnerships Manager*
- G.** Consideration of and action on authorizing execution of a Contract in the amount of \$101,790.00 with Shrader Engineering Inc. for design of emergency generators for City Hall Annex and Public Works Service Center.  
*Pat Hughes, Assistant Fire Chief and Jimmy Vandever, Construction Services Manager*
- H.** Consideration of and action on execution of a one-year Contract in the amount of \$203,445.00 with Landscape Professionals of Texas, and with an option to renew for four additional one year terms, for landscaping services.  
*Abimbola Fadimu, Facilities Service Manager*
- I.** Consideration of and action on authorizing execution of an Interlocal Agreement by and between Fort Bend County and the City of Sugar Land, Texas to furnish fire protection, firefighting, and assistance in emergency medical services to the surrounding unincorporated areas in Fort Bend County.  
*Jeff Krehmeier, Assistant Fire Chief*
- J.** Consideration of and action on approval of minutes of the City Council Special Emergency Meeting August 27, 2017.  
*Glenda Gundermann, City Secretary*

- K. Consideration of and action on approval of the minutes of the September 05, 2017 City Council meeting.

*Glenda Gundermann, City Secretary*

A motion to **Approve**, Consent Agenda III-A to III-K, was made by Himesh Gandhi and seconded by Amy Mitchell, the motion **Passed**.

Ayes: Himesh Gandhi, Mary Joyce, Carol McCutcheon, Amy Mitchell, Steve Porter, Bridget Yeung, and Joe Zimmerman

#### **IV. REAPPRAISAL OF DAMAGED PROPERTY**

- A. Consideration of and action on **CITY OF SUGAR LAND RESOLUTION NO. 17-28** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, REQUESTING THAT THE FORT BEND CENTRAL APPRAISAL DISTRICT REAPPRAISE PROPERTY LOCATED IN THE CITY OF SUGAR LAND, TEXAS AND DAMAGED DURING HURRICANE HARVEY.

*Jennifer Brown, Director of Finance*

Ms. Brown and Mr. Allen Bogard, City Manager, presented the resolution and responded to comments and questions from Council.

A motion to **Approve**, Resolution No. 17-28, was made by Bridget Yeung and seconded by Carol McCutcheon, the motion **Passed**.

Ayes: Himesh Gandhi, Mary Joyce, Carol McCutcheon, Amy Mitchell, Steve Porter, Bridget Yeung, and Joe Zimmerman

#### **V. BUDGET**

- A. **FIRST AND FINAL CONSIDERATION:** Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2113** AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE CITY OF SUGAR LAND, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018; APPROPRIATING THE SUMS AS SET FORTH THEREIN; ADOPTING THE CAPITAL IMPROVEMENTS PROGRAM 2018 - 2022; AND ADOPTING A COMPENSATION PLAN.

*Justin Alderete, Budget Officer*

Mr. Alderete presented an overview of Ordinance No. 2113 and responded to comments and questions from Council. Allen Bogard, City Manager; Chris Steubing, Assistant City Manager; and Jennifer Brown, Director of Finance responded to comments and questions from Council.

A motion to **Approve** Ordinance No. 2113, adopting an annual budget of \$230.9 Million was made by Bridget Yeung and seconded by Steve Porter, the motion **Passed** 4-3.

Ayes: Himesh Gandhi, Steve Porter, Bridget Yeung, Joe Zimmerman;

Nays: Mary Joyce, Amy Mitchell, Carol McCutcheon

**B. FIRST AND FINAL CONSIDERATION:** Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2114** AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS, LEVYING A PROPERTY TAX RATE FOR THE YEAR 2017; AND DIRECTING THE TAX ASSESSOR-COLLECTOR TO ASSESS, ACCOUNT FOR, AND DISTRIBUTE THE PROPERTY TAXES AS HEREIN LEVIED.

*Jennifer Brown, Director of Finance*

Ms. Brown presented an overview of Ordinance No. 2114. Allen Bogard, City Manager, and Ms. Brown responded to comments and questions from Council, noting that a Super Majority vote is required for a motion to pass pursuant to statutory requirements.

First Motion: A motion to **Approve** Ordinance No. 2114, with a property tax rate increase by the adoption of a tax rate of \$0.32233, which is effectively a 3 percent increase in the tax rate was made by Mayor Zimmerman, seconded by Bridget Yeung, the motion **Failed** 4-3.

Ayes: Himesh Gandhi, Steve Porter, Bridget Yeung, Joe Zimmerman

Nays: Mary Joyce, Amy Mitchell, Carol McCutcheon

Second Motion: A motion to **Approve** Ordinance No. 2114, with a property tax rate increase by the adoption of a tax rate of \$0.31595 which is effectively a 0.97 percent increase in the tax rate was made by Mary Joyce and seconded by Carol McCutcheon, the motion **Failed** 3-4.

Ayes: Mary Joyce, Amy Mitchell, Carol McCutcheon

Nays: Himesh Gandhi, Steve Porter, Bridge Yeung, Joe Zimmerman

Third Motion: A motion to **Approve** Ordinance No. 2114, with a property tax rate increase by the adoption of a tax rate of \$0.31762 which is effectively a 1.5 percent increase in the tax rate was made by Himesh Gandhi and seconded by Bridget Yeung, the motion **Failed** 3-4.

Ayes: Himesh Gandhi, Bridget Yeung, Joe Zimmerman

Nays: Mary Joyce, Amy Mitchell, Carol McCutcheon, Steve Porter

Fourth Motion: A motion to **Approve** Ordinance No. 2114, with a property tax rate increase by the adoption of a tax rate of \$0.31914 which is effectively a 1.98 percent increase in the tax rate was made by Himesh Gandhi and seconded by Joe Zimmerman, the motion **Failed** 3-4.

Ayes: Himesh Gandhi, Bridget Yeung, Joe Zimmerman

Nays: Mary Joyce, Amy Mitchell, Carol McCutcheon, Porter

Fifth Motion: A motion to **Approve** Ordinance No. 2114, with a property tax rate increase by the adoption of a tax rate of \$0.31762 which is effectively a 1.5 percent increase in the tax rate was made by Himesh Gandhi and seconded by Carol McCutcheon, the motion **Passed** 5-2.

Ayes: Himesh Gandhi, Carol McCutcheon, Steve Porter, Bridget Yeung, Joe Zimmerman

Nays: Mary Joyce, Amy Mitchell

C. Consideration of and action on ratifying the property tax revenue increase included in the Fiscal Year 2018 Budget.

*Justin Alderete, Budget Officer*

Mr. Alderete requested that Council ratify the property tax revenue increase included in the Fiscal Year 2018 Budget and responded to comments and questions from Council.

A motion to **Approve** ratifying the property tax revenue increase included in the Fiscal Year 2018 Budget was made by Bridget Yeung and seconded by Himesh Gandhi, the motion **Passed** 5-2.

Ayes: Himesh Gandhi, Carol McCutcheon, Steve Porter, Bridget Yeung, Joe Zimmerman

Nays: Amy Mitchell, Mary Joyce

**RECESS: Mayor Zimmerman recessed the meeting at 8:20 p.m.**

**RECONVENE: Mayor Zimmerman reconvened the meeting at 8:37 p.m.**

## **VI. ORDINANCES AND RESOLUTIONS**

A. **FIRST CONSIDERATION:** Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO 2112** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS APPROVING AND ADOPTING THE 2018 SERVICE PLAN; THE 2017 ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR THE 2017 CALENDAR YEAR FOR PROPERTY LOCATED IN THE ENCLAVE AT RIVER PARK PUBLIC IMPROVEMENT DISTRICT.

*Justin Alderete, Budget Officer*

Mr. Alderete presented Ordinance No. 2112 and responded to comments and questions from Council.

A motion to **Approve** Ordinance No. 2112 was made by Himesh Gandhi and seconded by Amy Mitchell, the motion **Passed**.

Ayes: Himesh Gandhi, Mary Joyce, Amy Mitchell, Carol McCutcheon, Steve Porter, Bridget Yeung, Joe Zimmerman

## **VII. CONTRACTS AND AGREEMENTS**

- A.** Consideration of and action on authorizing execution of all documents relating to the execution of Year 2 of a multi-year contract with CIGNA for self-funded group medical plan claims and fixed administrative costs, fully insured group dental, and voluntary vision insurance coverage for period January 1, 2018 through December 31, 2018; funded in the amount of \$8,855,548.00 for services.

***Paula J. Kutchka, Director of Human Resources***

Ms. Kutchka presented an overview of the CIGNA self-funded group medical plan and responded to comments and questions from Council.

A motion to **Approve** self-funded group medical plan, and fixed administrative costs, fully insured group dental, and voluntary vision insurance coverage for period January 1, 2018 through December 31, 2018 was made by Mary Joyce and seconded by Steve Porter, the motion **Passed**.

Ayes: Himesh Gandhi, Mary Joyce, Amy Mitchell, Carol McCutcheon, Steve Porter, Bridget Yeung, Joe Zimmerman

- B.** Consideration of and action on ratifying emergency purchase in the amount of \$141,450.00 from U. S. Flood Control Corporation for Tiger Dams in response to Hurricane Harvey emergency; and approval of a budget amendment in the amount of \$141,450.00 in revenue and expenses.

***Eric Oscarson, Assistant Director of Public Works***

Mr. Oscarson presented an overview of the emergency purchase of Tiger Dams in response to Hurricane Harvey. Chris Steubing, Assistant City Manager and Mr. Oscarson responded to comments and questions from council members.

A motion to **Approve** the emergency purchase of Tiger Dams was made by Carol McCutcheon and seconded by Amy Mitchell, the motion **Passed**.

Ayes: Himesh Gandhi, Mary Joyce, Amy Mitchell, Carol McCutcheon, Steve Porter, Bridget Yeung, Joe Zimmerman

- C.** Consideration of and action on execution of an Amendment to the General Services Contract with T.F.R Enterprises, Inc. in an amount not to exceed \$490,000.00 for clearance and debris removal associated with Hurricane Harvey; and approval of a budget amendment in the amount of \$490,000.00 in revenue and expenses.

***Dawn Steph, Director of Environmental and Neighborhood Services***

Ms. Steph presented an overview of the contract amendment for clearance and debris removal. Allen Bogard, City Manager, Jennifer Brown, Director of Finance and Ms. Steph responded to questions and comments from Council.

A motion to **Approve** Contracts and Agreements VII-C was made by Amy Mitchell and seconded by Carol McCutcheon, the motion **Passed**.

Ayes: Himesh Gandhi, Mary Joyce, Amy Mitchell, Carol McCutcheon, Steve Porter, Bridget Yeung, Joe Zimmerman

- D.** Consideration of and action on authorizing execution of an Amendment to the General Services Contract with Tetra Tech, Inc. in the amount of \$101,000.00 for debris monitoring services associated with Hurricane Harvey and approval of a budget amendment in the amount of \$101,000.00 in revenue and expenses.

***Dawn Steph, Director of Environmental and Neighborhood Services***

Ms. Steph presented an overview of the debris monitoring contract and responded to comments and questions from Council.

A motion to **Approve** Contracts and Agreements VII-D was made by Steve Porter and seconded by Amy Mitchell, the motion **Passed**.

Ayes: Himesh Gandhi, Mary Joyce, Amy Mitchell, Carol McCutcheon, Steve Porter, Bridget Yeung, Joe Zimmerman

## **VIII. CITY COUNCIL CITY MANAGER REPORTS**

- A.** Council Member Reports
- Community Events Attended or Scheduled

This item was pulled from the agenda, there was no discussion.

- B.** City Manager Report
- Community Events Attended or Scheduled
  - Other Governmental Meetings Attended or Scheduled
  - Council Meeting Schedule

This item was pulled from the agenda, there was no discussion.

## **IX. 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 discussion with respect to appointments to the Planning and Zoning Commission, Zoning Board of Adjustment, Building Standards Commission and Sugar Land 4B Corporation.

***Steve Griffith, First Assistant City Manager and Meredith Riede, City Attorney***



**RECESS: Mayor Zimmerman recessed the regular meeting to go into Closed Executive Session at 9:19 p.m.**

**RECONVENE: Mayor Zimmerman reconvened the regular meeting at 9:23 p.m.**

**X. APPOINTMENTS**

- A.** Consideration of and action on appointment of seven members to the Building Standards Commission for one-year term expiring September 30, 2018; three alternate members for terms expiring September 30, 2018; and appointment of Chair and Vice Chair.

***Mayor Joe Zimmerman***

Mayor Zimmerman presented the proposed appointments to the Building Standards Commission for one-year terms:

Kelly Knake, Chair

Ann Magoon, Vice Chair

Members: Rick Pal, Pankaj Shah, Alyssa Gomez, Mumtaz Qureshi, Ravi Arora

Alternate Members: Lana Goldberg, Jean Hubbard, Mal Lusky

A motion to **Approve** appointments to Building Standards Commission was made by Joe Zimmerman and seconded by Steve Porter, the motion **Passed**.

Ayes: Himesh Gandhi, Mary Joyce, Amy Mitchell, Carol McCutcheon, Steve Porter, Bridget Yeung, Joe Zimmerman

- B.** Consideration of and action on appointment of nine members to Planning and Zoning Commission for one-year term expiring September 30, 2018; and appointment of Chair, Vice Chair, and Second Vice Chair.

***Mayor Joe Zimmerman***

Mayor Zimmerman presented the proposed appointments to the Planning and Zoning Commission for one-year terms:

Kathy Huebner, Chair

Carl Stephens, 1<sup>st</sup> Vice Chair

Members: Sue Sanchez, Heather Davis, Jay Canine, Dan Simeone, Taylor Landin, Matthew Caligur, Zeenat Mitha

A motion to **Approve** appointments to Planning and Zoning Commission was made by Joe Zimmerman and seconded by Steve Porter, the motion **Passed**.

Ayes: Himesh Gandhi, Mary Joyce, Amy Mitchell, Carol McCutcheon, Steve Porter, Bridget Yeung, Joe Zimmerman

- C. Consideration of and action on appointment of two members to the Zoning Board of Adjustment for terms expiring September 30, 2019; three alternate members for terms expiring September 30, 2018; and appointment of Chair and Vice Chair for term expiring September 30, 2018.

***Mayor Joe Zimmerman***

Mayor Zimmerman presented the proposed appointments to the Zoning Board of Adjustment for one-year terms:

Nancy Porter, Chair

Joshua LaRocca, Vice Chair

Members: Herbert Schwab, Vivian Camacho Winslow, Chikeersha Puvvada

Alternate Members: Ronna Pederson, Saleena Jafry, Karen Lindsay

A motion to **Approve** appointments to Zoning Board of Adjustment was made by Joe Zimmerman and seconded by Himesh Gandhi, the motion **Passed**.

Ayes: Himesh Gandhi, Mary Joyce, Amy Mitchell, Carol McCutcheon, Bridget Yeung, Joe Zimmerman

Abstain: Steve Porter

- D. Consideration of and action on appointment of three members to the Sugar Land 4B Corporation for two-year term expiring September 30, 2019.

***Mayor Joe Zimmerman***

Mayor Zimmerman presented the proposed appointments to the Sugar Land 4B Corporation for two-year terms:

Bill Hickl, Mary Joyce, Carol McCutcheon

A motion to **Approve** appointments to Sugar Land 4B Corporation was made by Joe Zimmerman and seconded by Amy Mitchell, the motion **Passed**.

Ayes: Himesh Gandhi, Mary Joyce, Amy Mitchell, Carol McCutcheon, Steve Porter, Bridget Yeung, Joe Zimmerman

- E. Consideration of and action on appointment of four members to Sugar Land Legacy Foundation for two-year term expiring September 30, 2019; and appointment of President from membership to serve one-year term expiring September 30, 2018.

***Mayor Joe Zimmerman***

Item X-E was pulled from the agenda; no action was taken.

## **XI. ADJOURNMENT**

A motion to Adjourn, was made by Himesh Gandhi and seconded by Joe Zimmerman, at 9:51 p.m., the motion **Passed** and the meeting adjourned.

Ayes: Himesh Gandhi, Mary Joyce, Amy Mitchell, Carol McCutcheon, Steve Porter, Bridget Yeung, Joe Zimmerman

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Glenda Gundermann, City Secretary

