



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, 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 arrived at 5:33 p.m. and Mayor Pro Tem Steve Porter who arrived at 7:12 p.m.

INVOCATION

Council Member Carol McCutcheon

PLEDGE OF ALLEGIANCE TO THE FLAG

Council Member Carol McCutcheon

RECOGNITION

DIGITAL CITIES AWARD

Vernon Hunt, Director of Information Technology

I. PUBLIC COMMENT

- A. Citizens who desire to address the City Council with regard to matters on the agenda will be received at this time. The number of speakers will be limited to the first ten (10) speakers and each speaker is limited to three (3) minutes. Comments or discussion by council members will only be made at the time the subject is scheduled for consideration.**

Hillary Goldstein, 3327 Dewpoint Lane, gave comments in opposition to Item VI-A - Contract with Whitley Penn and requested an independent auditor be obtained by the Council.

Julia Michum, 615 Venice Street, gave comments in favor of Item IX-A Land Use Plan.

II. REVIEW OF CONSENT AGENDA

A. Review of Consent Agenda

III. CONSENT AGENDA

- A.** Consideration of and action on **CITY OF SUGAR LAND RESOLUTION NO. 17-27** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, ADOPTING THE CITY OF SUGAR LAND FISCAL YEAR 2017-2018 STRATEGIC PROJECT WORK PLAN.

Reena Varghese, Strategic Initiatives Director

- B.** Consideration of and action on authorizing execution of a Contract in the amount of \$118,962.00 with Garland/DBS, Inc. for roof and wall panel system replacements at the Sugar Land Airport Traffic Control Tower.

Abimbola Fadimu, Facilities Services Manager

- C.** Consideration of and action on authorizing execution of a Contract in the amount of \$93,256.00 from funds donated by the Cullinan Park Conservancy with White Oak Studio for construction design consultant services for Phase I Development of Cullinan Park, PK1704.

Fenglin Du, Parks Development Manager

- D.** Consideration of and action on authorizing execution of a reimbursement Agreement in the amount of \$118,159.00 with First Colony Community Association for street light reimbursement.

Eric Oscarson, Assistant Director of Public Works

- E.** Consideration of and action on authorizing a Change Order reduction in the amount of \$54,520.00 with Kustom Sweeping, LLC. for street sweeping services; and authorizing a budget reduction in the amount of \$54,520.00.

Eric Oscarson, Assistant Director of Public Works

- F.** Consideration of and action of acceptance of the Emergency Management Performance Grant (EMPG) award in the amount of \$38,450.21 for on-going comprehensive emergency programs.

Patrick Hughes, Assistant Fire Chief

- G.** Consideration of and action on approval of the minutes of the November 07, 2017 City Council meeting.

Thomas Harris III, Assistant City Secretary

All Consent Agenda items listed are considered to be routine by the City Council

and will be enacted by one motion.

A motion to **Approve**, III-A to III-G CONSENT AGENDA, was made by Himesh Gandhi and seconded by Amy Mitchell, the motion **Passed**.

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

Absent: Porter

IV. ORDINANCES AND RESOLUTIONS

- A.** Consideration of and action on **CITY OF SUGAR LAND RESOLUTION NO. 17-33** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, CASTING ONE HUNDRED FIFTEEN (115) VOTES IN THE ELECTION OF FIVE DIRECTORS OF THE FORT BEND COUNTY CENTRAL APPRAISAL DISTRICT FOR THE 2018-2019 TERM.

Jennifer Brown, Director of Finance

Jennifer Brown, Director of Finance, gave a presentation, comments and answered questions from the Council.

A motion to **Approve**, IV-A CITY OF SUGAR LAND RESOLUTION NO. 17-33, electing Al Abramczyk with 58 votes and Jim Kij with 57 votes, to the Fort Bend County Central Appraisal District Board of Directors for the 2018-2019 term, was made by Bridget Yeung and seconded by Amy Mitchell, the motion **Passed**.

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

Absent: Porter

V. ANNEXATION

- A.** Review of and discussion on Greatwood and New Territory annexation financial and service level impacts.

Council Member Mary Joyce, At Large #2

This item was deleted from the agenda.

- B.** Review and discuss report on Greatwood and New Territory annexation financial analysis and service level impacts.

Jennifer Brown, Director of Finance and James Callaway, Assistant City Manager

This item was considered following Item VIII-B.

Jennifer Brown, Director of Finance and Jim Callaway, Assistant City Manager gave a presentation, comments and answered questions from the Council.

Allen Bogard, City Manager, gave comments, and answered questions from the Council.

VI. CONTRACTS AND AGREEMENTS

- A.** Consideration of and action on engagement of Whitley Penn, LLP, in an amount not to exceed \$7,500.00, for agreed upon procedures to review the calculations performed and presented to City Council relating to annexation of Greatwood and New Territory.

Mayor Joe R. Zimmerman

Jennifer Brown, Director of Finance gave a presentation, comments and answered questions from the Council.

Chris Breaux, Whitley Penn, LLP, gave comments and answered questions from the Council.

A motion to **Delete**, VI-A Engagement of Whitley Penn, LLP., was made by Carol McCutcheon and seconded by Amy Mitchell, the motion **Failed**.

Ayes: Joyce, McCutcheon, Mitchell

Nays: Gandhi, Porter, Yeung, Zimmerman

A motion to **Approve**, VI-A Engagement of Whitley Penn, LLP., was made by Joe Zimmerman and seconded by Himesh Gandhi, the motion **Passed**.

Ayes: Gandhi, Porter, Yeung, Zimmerman

Nays: McCutcheon, Mitchell

Abstain: Joyce

- B.** Consideration of and action on authorizing execution of a Contract in the amount of \$700,000.00 with Si Environmental LLC for operation and maintenance of City's Greatwood and New Territory Wastewater Treatment Facilities.

Brian J. Butscher, P.E., Assistant Public Works Director

Brian Butscher, P.E., Assistant Public Works Director, gave a presentation, comments and answered questions from the Council.

A motion to **Approve**, VI-B Contract with Si Environmental LLC., was made by Carol McCutcheon and seconded by Amy Mitchell, the motion **Passed**.

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

Absent: Porter

- C.** Consideration of and action on authorizing execution of a Contract in the amount of \$470,600.00 with Matula and Matula Construction, Inc. for the Business Park Storm Water Pump Station Improvements, CIP DR1702; and authorizing a budget reduction in the amount of \$80,535.00.

Jorge Alba, Senior Engineer

Jorge Alba, Senior Engineer, gave a presentation, comments, and answered questions from the Council. Jennifer Brown, Director of Finance, gave comments and answered questions from the Council.

A motion to **Approve**, VI-C Contract with Matula and Matula Construction, Inc., was made by Mary Joyce and seconded by Carol McCutcheon, the motion **Passed**.

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

Absent: Porter

- D.** Consideration of and action on authorizing execution of a Contract in the amount of \$548,460.00 with DSP Industrial, Inc. for the rehabilitation of 0.4 MG Mason Road Elevated Storage Tank, CIP WA1701; and authorizing a budget reduction of \$135,000.00.

Fabiola M. de Carvalho, Project Manager

Fabiola M. de Carvalho, Project Manager, gave a presentation, comments and answered questions from the Council.

A motion to **Approve**, VI-D Contract with DSP Industrial Inc., was made by Bridget Yeung and seconded by Himesh Gandhi, the motion **Passed**.

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

Absent: Porter

- E.** Consideration of and action on authorizing execution of a Contract in the amount of \$790,912.00 with the Guardian Life Insurance Company/Stealth Partner Group for specific and aggregate stop loss coverage for the self-funded medical plan for period January 1, 2018 through December 31, 2018.

Paula Kutchka, Director of Human Resources

Paula Kutchka, Director of Human Resources, gave a presentation, comments and

answered questions from the Council.

A motion to **Approve**, VI-E Contract with Guardian Life Insurance Company/Stealth Partner Group, was made by Mary Joyce and seconded by Amy Mitchell, the motion **Passed**.

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

Absent: Porter

VII. BONDS

A. FIRST AND FINAL CONSIDERATION : Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2120** AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS AUTHORIZING THE ISSUANCE OF CITY OF SUGAR LAND, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017; SETTING CERTAIN PARAMETERS FOR THE BONDS; AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING OBLIGATIONS AND THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT AND THE SUBSCRIPTION FOR AND/OR PURCHASE OF CERTAIN ESCROWED SECURITIES; AUTHORIZING THE CITY MANAGER TO APPROVE THE AMOUNT, THE INTEREST RATE, PRICE, AND TERMS THEREOF AND CERTAIN OTHER PROCEDURES AND PROVISIONS RELATING THERETO.

Jennifer Brown, Director of Finance

Jennifer Brown, gave a presentation, comments and answered questions from the Council.

A motion to **Approve**, VII-A First and Final Consideration of CITY OF SUGAR LAND ORDINANCE NO. 2120, was made by Amy Mitchell and seconded by Himesh Gandhi, the motion **Passed**.

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

Absent: Porter

VIII. PUBLIC HEARINGS

- A. **PUBLIC HEARING 6:00 O'CLOCK P.M.**: Receive and hear all persons desiring to be heard on proposed rezoning of approximately 12.8 acres from Planned Development (PD) District General Development Plan to Planned Development (PD) District Final Development Plan - University Commons Phase II.

FIRST CONSIDERATION: Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2118** AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS, PROVIDING FOR A CHANGE OF ZONING OF APPROXIMATELY 12.8 ACRES OF LAND KNOWN AS UNIVERSITY COMMONS PHASE II LOCATED AT THE SOUTHWEST CORNER OF UNIVERSITY BOULEVARD AND TELFAIR AVENUE IN THE TELFAIR DEVELOPMENT FROM PLANNED DEVELOPMENT (PD) DISTRICT GENERAL DEVELOPMENT PLAN TO PLANNED DEVELOPMENT (PD) DISTRICT FINAL DEVELOPMENT PLAN.

Lauren Fehr, Principal Planner

RECESS: Mayor Zimmerman recessed the meeting at 6:59 P.M.

RECONVENE: Mayor Zimmerman reconvened the meeting at 7:12 P.M.

This item was considered following the aforementioned recess.

Lauren Fehr, Principal Planner; Mick Granlund, O'Brien Architects; and Patty Bender, Vista Properties, gave a presentation.

Mayor Zimmerman opened the Public Hearing at 7:28 P.M. and entertained comments from persons desiring to be heard. Michael Pincomb, 4135 Foxbrush Lane, spoke in favor and provided comments relative to traffic concerns and Beat 5 structure evaluation. Hearing no further persons desiring to be heard, Mayor Zimmerman closed the Public Hearing at 7:31 P.M.

Lauren Fehr, Principal Planner; Doug Schomburg, City Planner - Development Planning; Tim Jahn, Assistant City Engineer; Mick Granlund, O'Brien Architects; and Patty Bender, Vista Properties, gave comments and answered questions from the Council.

A motion to **Approve**, VIII-A First Consideration of CITY OF SUGAR LAND ORDINANCE NO. 2118 - Rezoning 12.8 Acres - University Commons Phase II, was made by Bridget Yeung and seconded by Himesh Gandhi, the motion **Passed**.

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

- B. PUBLIC HEARING 6:00 O'CLOCK P.M.:** Receive and hear all persons desiring to be heard on proposed Conditional Use Permit for a Murphy Express convenience store with gas sales located on approximately 1.987 acres located at University Boulevard and U.S. Highway 90A in the General Business (B-2) Zoning District.

FIRST CONSIDERATION: Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2117** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, GRANTING A CONDITIONAL USE PERMIT FOR A CONVENIENCE STORE WITH GAS SALES LOCATED ON APPROXIMATELY 1.987 ACRES LOCATED ALONG THE SOUTHWEST CORNER OF UNIVERSITY BOULEVARD AND HIGHWAY 90A WITHIN THE GENERAL BUSINESS (B-2) DISTRICT.

Katy Goodrich, Planner II

Katy Goodrich, Planner II, gave a presentation.

Mayor Zimmerman opened the Public Hearing at 6:52 p.m. and entertained comments from persons desiring to be heard. No one appeared in favor or opposition. Mayor Zimmerman closed the Public Hearing at 6:52 p.m.

Katy Goodrich, Planner II; Tim Jahn, Assistant City Engineer; Drew Boshears, Murphy USA; Wayne Gibson, Murphy USA; and Peter Boescher, RVI, gave comments and answered questions from the Council.

A motion to **Approve**, VIII-B Public Hearing - Conditional Use Permit Murphy Express, was made by Bridget Yeung and seconded by Amy Mitchell, the motion **Passed**.

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

Absent: Porter

- C. **PUBLIC HEARING 6:00 O'CLOCK P.M.:** Receive and hear all persons desiring to be heard on proposed rezoning from Business Office (B-O) to Restricted Industrial (M-1) for 3.50 acres along west side of Dairy Ashford Road and south of Corporate Drive.

FIRST CONSIDERATION: Consideration of and action on **CITY OF SUGAR LAND ORDINANCE NO. 2116** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, PROVIDING FOR A CHANGE OF ZONING FROM BUSINESS OFFICE (B-O) DISTRICT TO RESTRICTED INDUSTRIAL (M-1) DISTRICT FOR APPROXIMATELY 3.5 ACRES OF PROPERTY LOCATED ALONG THE WEST SIDE OF DAIRY ASHFORD ROAD AND SOUTH OF CORPORATE DRIVE.

Mayra Hernandez, Planner II

RECESS: Mayor Zimmerman recessed the meeting at 9:32 P.M.

RECONVENE: Mayor Zimmerman reconvened the meeting at 9:43 P.M.

This item was considered following Item V-B.

Mayra Hernandez, Planner II, gave a presentation.

Mayor Zimmerman opened the Public Hearing at 9:45 P.M. No one appeared in favor or opposition. Mayor Zimmerman closed the Public Hearing at 9:45 P.M.

Mayra Hernandez, Planner II and Doug Schomburg, City Planner - Development Planning gave comments and answered questions from the Council.

A motion to **Approve**, VIII-C Public Hearing - Change of Zoning for 3.5 Acres, was made by Himesh Gandhi and seconded by Carol McCutcheon, the motion **Passed**.

Ayes: Gandhi, Joyce, McCutcheon, Yeung, Zimmerman

Absent: Mitchell

Abstain: Porter

IX. WORKSHOPS

- A. Review of and discussion on update of the Land Use Plan.

Lisa Kocich-Meyer, Director of Planning

Ms. Lisa Kocich-Meyer, Director of Planning gave a presentation, comments, and answered questions from the Council.

Allen Bogard, City Manager, gave comments and answered questions from the Council.

X. CITY COUNCIL CITY MANAGER REPORTS

A. Council Member Reports

- Community Events Attended or Scheduled

This item was deleted.

B. City Manager Report

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

This item was deleted.

There being no further business to come before the Council the meeting adjourned at 10:26 p.m.

Glenda Gundermann, City Secretary

