



Action Agenda

CITY COUNCIL AGENDA
CITY OF PEARLAND
REGULAR COUNCIL MEETING
MONDAY, DECEMBER 7, 2015 | 6:30 P.M.
COUNCIL CHAMBERS | PEARLAND CITY HALL | 3519 LIBERTY DRIVE
281.652.1600

- I. **CALL TO ORDER**
- II. **INVOCATION AND THE PLEDGE OF ALLEGIANCE TO THE UNITED STATES OF AMERICA FLAG AND TEXAS FLAG**
- III. **ROLL CALL:** Mayor Reid, Mayor Pro-Tem Carbone, Councilmembers Moore, Reed, Ordeneaux, and Hill.
- IV. **CITIZEN COMMENTS:** In order to hear all citizen comments at a reasonable hour, the City Council requests that speakers respect the three-minute time limit for individual comments and the five-minute time limit for an individual speaking on behalf of a group. This is not a question-answer session, however, it is an opportunity to voice your thoughts with City Council.
- V. **PUBLIC HEARING:** None
- VI. **CONSENT AGENDA:**

All items listed under the “Consent Agenda” are considered to be routine and require little or no deliberation by the City Council. These items will be enacted/approved by one motion unless a councilmember requests separate action on an item, in which event the item will be removed from the Consent Agenda and considered by separate action (*VI. matters removed from Consent Agenda*). Approval of the Consent Agenda enacts the items of legislation.

APPROVED

A. Consideration and Possible Action – Approval Of Minutes:

1. Minutes of the October 26, 2015 Regular Meeting minutes held at 6:30 p.m.

APPROVED

- B. Consideration and Possible Action – Second and Final Reading of Ordinance No. 1211-2015 – An Ordinance of the city council of the City of Pearland, Texas, amending Chapter 10, Fire Prevention and Protection, of the City of Pearland Code of Ordinances, as it may have been, from time to time, amended, to amend Article**

III, entitled Fire Code; having a savings clause, a severability clause, and a repealer clause; and providing for codification and an effective date.

APPROVED

- C. Consideration and Possible Action – Second and Final Reading of Ordinance No. 1209-1** – An Ordinance of the City Council of the City of Pearland, Texas, amending Chapter 7, *Building*, of the City of Pearland Code of Ordinances, as it may have been, from time to time, amended, to repeal the existing Article V, *Unsafe Building Abatement*; and adopting a new Article V, *Substandard and Vacant Building Abatement*; having a savings clause, a severability clause, and a repealer clause; and providing for codification and an effective date.

APPROVED

- D. Consideration and Possible Action – Second and Final Reading of Ordinance No. 976-2** – An Ordinance of the City Council of Pearland, Texas, amending Ordinance No. 976-1 as it applies to the City's Municipal Court of Record; providing for concurrent jurisdiction of the Court with district courts and county courts at law for matters involving the enforcement of health and safety and nuisance abatement ordinances; providing that this ordinance shall be cumulative of all ordinances; providing a savings clause, a severability clause, a repealer clause; and providing for an effective date.

APPROVED

- E. Consideration and Possible Action – Second and Final Reading of Ordinance No. 1416-2015** – An Ordinance of the City Council of the City of Pearland, Texas, amending Chapter 9, *Electricity*, of the City of Pearland Code of Ordinances, as it may have been, from time to time, amended, to amend Section 9-153, entitled *Adopted*, Section 9-157, entitled *Wiring Generally*, and Section 9-159, entitled *Installation of Service Conduit, Wires, etc.*; having a savings clause, a severability clause, and a repealer clause; and providing for codification and an effective date.

APPROVED

- F. Consideration and Possible Action – Second and Final Reading of Ordinance No. 1209-2015** – An Ordinance of the City Council of the City of Pearland, Texas, amending Chapter 7, *Building*, of the City of Pearland Code of Ordinances, as it may have been, from time to time, amended, to amend Section 7-13, entitled *Building Code Adopted*; Section 7-13.1, entitled *Local Amendments*, Section 7-26, entitled *Swimming Pool Code Adopted*; conflicting provisions, Section 7-26.1, entitled *Same Amendments, Modifications, Additions, Deletions*, Section 7-51, entitled *Mechanical Code adopted*, and Section 7-51.1, entitled *Local Amendments*, and to add Article II $\frac{3}{4}$, to be entitled *Existing Building Code*; having a savings clause, a severability clause, and a repealer clause; and providing for codification and an effective date.

APPROVED

- G. Consideration and Possible Action – Second and Final Reading of Ordinance No. 1210-2015** – An Ordinance of the City Council of the City of Pearland, Texas, amending Chapter 23, *Plumbing and Gas*, of the City of Pearland Code of Ordinances, as it may have been, from time to time, to amend Section 23-1, entitled *Plumbing Code Adopted*; to amend Section 23-1.1, entitled *Local Amendments*; and to amend Section 23-161, entitled *Fuel Gas Code Adopted*; having a savings clause, a severability clause, and a repealer clause; and providing for codification - and an effective date.

APPROVED

- H. Consideration and Possible Action – Second and Final Reading of Ordinance No. 1296-2015** – An Ordinance of the City Council of the City of Pearland, Texas, amending chapter 7, *Building*, of the City of Pearland Code of Ordinances, as it may have been, from time to time, amended, to amend Section 7-61, entitled *Standard Code Adopted, conflicting provisions*; to adopt a new Article VI, to be entitled *Windstorm Resistant Construction*; to amend Section 7-81, entitled *Residential Code Adopted*; to amend Section 7-81.1, entitled *Local Amendments*; and to amend Section 7-82, entitled *Energy Code Adopted*; having a savings clause, a severability clause, and a repealer clause; and providing for codification and an effective date.

APPROVED

- I. Consideration and Possible Action – Resolution No. R2015-220** – A Resolution of the City Council of the City of Pearland, Texas, approving a contract amendment with QC Laboratories, Inc., associated with the Sports Complex at Shadow Creek Ranch Project., in the amount of \$13,600.00.

APPROVED

- J. Consideration and Possible Action – Resolution No. R2015-224** – A Resolution of the City Council of the City of Pearland, Texas, renewing a unit supply bid for the purchase of Police Department firearm ammunition with Bailey's House of Guns, in the estimated amount of \$65,000.00, for the period of January 14, 2016 through January 13, 2017.

APPROVED

- K. Consideration and Possible Action – Resolution No. R2015-227** – A Resolution of the City Council of the City of Pearland, Texas, awarding a unit supply contract for the cleaning of potable waterlines with Flowmore Services, in the estimated amount of \$50,000 for the period of December 23, 2015 through December 22, 2016.

APPROVED

- L. Consideration and Possible Action Resolution No. R2015-209** – A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for preventative maintenance and repairs on standby generators to Power Pro-Tech Services, Inc.,

in the estimated amount of \$82,235.00 annually for the period of December 15, 2015 through December 14, 2016.

APPROVED

- M. Consideration and Possible Action – Resolution No. R2015-228** – A Resolution of the City Council of the City of Pearland, Texas, awarding a sole source purchase of replacement ultra violet lights and a ballast upgrade for the John Hargrove Environmental Center to Ozonia, in the amount of \$67,906.00.

APPROVED

- N. Consideration and Possible Action** – Excuse the absence of Councilmember Greg Hill from the Regular Council Meeting held on November 23, 2015.

APPROVED

- O. Consideration and Possible Action – Resolution No. R2015-226** – A Resolution of the City Council of the City of Pearland, Texas, renewing a unit supply contract for water fittings and related parts to HD Supply Waterworks, in the estimated amount of \$200,000, beginning December 14, 2015 through December 13, 2016.

POSTPONED

- P. Consideration and Possible Action – Resolution No. R2015-225** – A Resolution of the City Council of the City of Pearland, Texas, renewing a unit supply contract for water fittings and related parts to MDN Enterprises, in the estimated amount of \$80,000, beginning December 14, 2015 through December 13, 2016.

VII. NEW BUSINESS:

APPROVED

- 1. Consideration and Possible Action – First Reading of Ordinance No. CUP 2015-10** – An Ordinance of the City Council of the City of Pearland, Texas, approving a **Conditional Use Permit (CUP) to allow for a school use and to allow additional height to the existing steeple**, Being a 9.9978 acre tract of land out of Lots E and 105, Section No. 1, A.C.H. & B.R.R Co. survey, Abstract Number 147, according to the plat thereof as filed in Volume 2, Page 1 Brazoria County Plat Records, Pearland, Brazoria County, Texas. **(Located at 2209 Old Alvin Rd., Pearland, TX)**, Conditional Use Permit Application No 2015-10, within the Single Family Residential -2 (R-2) zoning district, at the request of Sheila Rowley of Studio Red Architects, applicant; on behalf of the Archdiocese of Galveston-Houston, owner; containing a savings clause, a severability clause, and an effective date and other provisions related to the subject.

APPROVED

- 2. Consideration and Possible Action – First Reading of Ordinance No. CUP 2015-11** – An Ordinance of the City Council of the City of Pearland, Texas, approving a **Conditional Use Permit (CUP) to allow for a reduction of transparency, articulation and façade requirements on a new building**, being That certain 11.983 acre tract out of a 27.056 acre tract out of a 48.035 acre tract

being the Easterly part of a 94.243 acre tract in the F.B. Drake Survey, A-1181, and the H.T.& B.R.R. Survey, A-413, Harris County, Texas (**Located at 3303 S. Sam Houston East, Pearland, TX.**) Conditional Use Permit Application No 2015-11, within the Light Industrial (M-1) zoning district, at the request of N. Khalfe of Powers Brown Architecture, applicant; on behalf of Spencer Bennett, owner, containing a savings clause, a severability clause, and an effective date and other provisions related to the subject.

APPROVED

3. **Consideration and Possible Action – First Reading of Ordinance No. CUP 2015-12** – An Ordinance of the City Council of the City of Pearland, Texas, approving a **Conditional Use Permit (CUP) to allow for a fuel station and convenience store**, being a tract or parcel containing 1.8712 acres of land, being all of Lot 1, Block 1, Stripes Pearland, Map or Plat thereof recorded under Brazoria County Clerks File (B.C.C.F.) No. 2015042573, situated in the A.C.H. & B. Survey, Abstract No. 507, Brazoria County, Texas; and being a tract or parcel containing 0.4592 acres of land being all of Restricted Reserve “A”, Block 1, Stripes Pearland, Map or Plate thereof recorded under Brazoria County Clerks File (B.C.C.F.) No. 2015042573, situated in the A.C.H. & B. Survey, Abstract No. 507, Brazoria County, Texas. (**Located at 3808 S. Main Street, Pearland, TX.**) Conditional Use Permit Application No 2015-12, within the General Commercial (GC) zoning district, at the request of Windrose Land Services, Inc., applicant; on behalf of T&B Alexander Family LTD Partnership, owner, containing a savings clause, a severability clause, and an effective date and other provisions related to the subject.

APPROVED

4. **Consideration and Possible Action – First Reading of Ordinance No. 2000T-19** – An Ordinance of the City Council of the City of Pearland, Texas, amending selected provisions of the Unified Development Code of the City; allowing the Restaurant (With No Drive-In or Drive Thru service) Use in the BP-288 zoning district; having a savings clause, a severability clause, and a repealer clause; providing for codification, publication and an effective date.

FAILED

5. **Consideration and Possible Action – First Reading of Ordinance No. 2000M-140** – An Ordinance of the City Council of the City of Pearland, Texas, **amending Ordinance No. 2000M, the zoning map of the City of Pearland, Texas**, for the purpose of changing the classification of certain real property, being a part of a 31.1339 acre tract out of the H.T. & B. RR Company Survey, Section 11, A-239 and a 10.076 Acre tract out of Section 11. H.T.& B. RR Co. Survey A-239 Pearland, Brazoria County, Texas (**generally located on the east side of Veterans Drive, approximately 450 feet north of Magnolia Road, Pearland, TX**), Zone Change 2015-12Z, a request of R West Development Co, Inc., applicant; on behalf of Henry Kurjee of Houston Business Investments Inc. and Tracy F. Goza of Pearland Magnolia LLC owner; for approval of a change in zoning from the **Light Industrial (M-1) zoning district to the Single Family Residential -3 (R-3) zoning district**; on approximately 35.6674 acres of land, providing for an amendment of the zoning district map; containing a savings clause, a severability clause, and an effective date and other provisions related to the subject.

APPROVED

6. **Consideration and Possible Action – First Reading of Ordinance No. 1518 -1 –** An Ordinance of the City Council of the City of Pearland, Texas, amending Ordinance No. 1518, the 2015-2016 Annual Budget Ordinance, by; authorizing the City Manager or his designee to take all actions necessary to facilitate the changes identified herein without further approval of City Council; providing a savings clause, a severability clause, a repealer clause, and an effective date.

APPROVED

7. **Consideration and Possible Action – First Reading of Ordinance No. 1518-2 –** An Ordinance of the City Council of the City of Pearland, Texas, amending Ordinance No. 1518-1 the 2015-2016 Annual Budget Ordinance as it applies to a request for carryovers and budget amendments for the Pearland Economic Development Corporation by authorizing the City Manager or his designee to take all actions necessary to facilitate the changes identified herein without further approval of City Council; providing a savings clause, a severability clause, a repealer clause, and an effective date.

APPROVED

8. **Consideration and Possible Action – Resolution No. R2015-218 –** A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into a contract with Ardurra Group, in the amount of \$475,000.00, for preliminary engineering services associated with the John Hargrove Environmental Center Wastewater Treatment Plant (“JHEC WWTP”) Expansion Project.

APPROVED

9. **Consideration and Possible Action – Resolution No. R2015-229 –** A Resolution of the City Council of the City of Pearland, Texas, awarding a unit supply bid for sludge transfer, dewatering and lift station cleaning services to Magna Flow Environmental, in the estimated amount of \$435,000.00, beginning December 8, 2015 through December 7, 2016.

VIII. MAYOR/COUNCIL ISSUES FOR FUTURE CITY COUNCIL AGENDAS

OTHER BUSINESS: None.

IX. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281.652.1840 prior to the meeting so that appropriate arrangements can be made.

All agenda supporting documents are available at pearlandtx.gov