

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, DECEMBER 7, 2015, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

Mayor Reid called the meeting to order at 6:30 p.m. with the following present:

Mayor	Tom Reid
Mayor Pro-Tem	Tony Carbone
Councilmember	Derrick Reed
Councilmember	Gary Moore
Councilmember	Keith Ordeneaux
Deputy City Manager	Jon Branson
City Attorney	Darrin Coker
Deputy City Secretary	Maria Rodriguez

Absent: Councilmember Greg Hill.

Others in attendance: Daniel Baum Deputy Fire Chief; Claire Bogard Director of Finance; Matt Buchanan President of Economic Development Corporation; J.C. Doyle Police Chief; Trent Epperson Assistant City Manager; Roland Garcia Fire Marshal; Chris Orlea Director of Parks and Recreation; Michelle Graham Director of Human Resource; Lata Krishnarao Director of Community Development; Vance Riley Fire Chief; Eric Wilson Public Works Director; Sparkle Anderson Communications Manager; Michael Leech Assistant Director, Public Works; Rick Overgaard Assistant Finance Director; Bob Pearce Purchasing Officer; Lawrence Provins Deputy City Attorney; Cara Davis Project Manager.

The invocation was given by Deputy City Manager Jon Branson the Pledge of Allegiance was led by Police Chief Chris Doyle.

**ROLL CALL:** Mayor Reid, Mayor Pro-Tem Carbone, Councilmembers Moore, Reed, and Ordeneaux.

**CITIZEN COMMENTS:**

Larry Marcott, 3606 Inverness Court, addressed Council stating he is asking for support from the citizens. Pearland Citizens for Economic Freedom. He said they need 8,000 signatures of registered voters in Pearland so the City can collect the sales tax for alcohol. Every dollar that is spent the City will get one and a half cents. That will amount up to a lot of money. This will help the City with sales tax so hopefully the residents will not get their taxes raised. It will also allow for more entertainment so people will stay in Pearland.

Lance Foss, 1409 O'Day Road #57, addressed Council stating he wants all of what he states included in the record. He stated he considers Human Resources evil. There have been no raises in Pearland for years. Lie detectors for any reason are not good enough, false advertising for jobs, hiring deadlines are extended or closed and reopened to hire who they want to hire. Thousands of dollars is spent for political covering for increased salaries for

highly paid people. Just like political covering was done for three quarters of a million dollars to know where the potholes are. There is a silent clause in the City of Pearland to not cause public embarrassment and because of that people do not speak, show up or participate. \$65,000 is spent for ammunition for the Police department. A nine millimeter round cost 20 cents retail in volume, which would equal 325,000 nine millimeter bullets. That is enough to put 3 bullets in every person in Pearland. He stated he would like for someone to get back to him regarding the meaning of a repealer clause. He stated regarding water and sewer there are thousands of dollars spent at a time and to his knowledge there is no public expertise and very limited staff and political expertise. He suggested a citizen board be created that develops an expertise and can be in an advisory capacity of water & sewer where hundreds of thousands of dollars is spent that the citizens must pay.

Mayor Reid recognized and thanked Carol Artz-Bucek President of the Pearland Chamber of Commerce and the Youth Action Council for attending the Council meeting.

**PUBLIC HEARING:** None.

**CONSENT AGENDA:**

- A. Consideration and Possible Action – Approval Of Minutes:**
  - 1. Minutes of the October 26, 2015 Regular Meeting held at 6:30 p.m.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.

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

Councilmember Ordeneaux asked that Consent Agenda Item M be removed from the Consent Agenda for further discussion.

Mayor Pro-Tem Carbone asked that Consent Agenda Item P, J, and L be removed from the Consent Agenda for further discussion.

Councilmember Moore asked that Consent Agenda Item I be removed from the consent Agenda for further discussion.

Councilmember Ordeneaux made the motion, seconded by Mayor Pro-Tem Carbone to adopt Consent Agenda Items A through P with the exception of Items I, J, L, M and P as presented on the Consent Agenda.

Voting "Aye" Councilmembers Ordeneaux, Carbone, Reed, and Moore.

Voting "No" None.

Motion Passed 4 to 0, with Councilmember Hill absent.

#### **MATTERS REMOVED FROM CONSENT AGENDA**

As requested by Councilmember Moore Consent Agenda Item I was removed for further discussion.

- 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.

Councilmember Ordeneaux made the motion, seconded by Mayor Pro-Tem Carbone, to approve Resolution No. R2015-220.

Deputy City Manager Jon Branson reported Council is being asked to approve a contract amendment with QC Laboratories, Inc., associated with the Sports Complex at Shadow Creek Ranch Project, in the amount of \$13,600.00.

Discussion ensued between Council and Assistant City Manager Trent Epperson regarding the extra expense for QC Laboratories, Inc. providing testing services for the signal foundations for the traffic signal associated with the park and where will the additional funds come from.

Voting "Aye" Councilmembers Moore, Reed, Carbone, and Ordeneaux.

Voting "No" None.

Motion Passed 4 to 0, with Councilmember Hill absent.

As requested by Mayor Pro-Tem Carbone Consent Agenda Items J, L and P was removed for further discussion.

- 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.

Councilmember Ordeneaux made the motion, seconded by Mayor Pro-Tem Carbone, to approve Resolution No. R2015-224.

Deputy City Manager Jon Branson reported Council is being asked for approval to renew a unit supply bid for the purchase of firearm ammunition for the Police Department.

Discussion was ensued between Council and Purchasing Officer Bob Pearce regarding local vendors.

Voting "Aye" Councilmembers Ordeneaux, Carbone, Reed, and Moore.

Voting "No" None.

Motion Passed 4 to 0, with Councilmember Hill absent.

- 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.

Councilmember Ordeneaux made the motion, seconded by Councilmember Moore, to approve Resolution No. R2015-209.

Deputy City Manager Jon Branson reported it is necessary for the City to retain a contracted vendor for preventative maintenance and repair services for the City's 37 existing emergency standby generators, pursuant to the specifications of Bid No. 0915-66. These generators provide necessary disaster recovery ability to the City's Water Production Plants, Water & Sewer Facilities, storm water pumping stations and multiple Pearland locations needed for daily business and essential services.

Mayor Pro-Tem Carbone stated he spoke with a local vendor that can provide these services to the City at a better rate. He further stated he does not have a problem issuing this tonight, but next year he would like to see some local company's.

Voting "Aye" Councilmembers Moore, Reed, Carbone, and Ordeneaux.

Voting "No" None.

Motion Passed 4 to 0, with Councilmember Hill absent.

As requested by Councilmember Ordeneaux Consent Agenda Item M was removed for further discussion.

- 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.

Councilmember Ordeneaux made the motion, seconded by Councilmember Moore, to approve Resolution No. R2015-228.

Deputy City Manager Jon Branson stated in the Resolution it states Ozonia as the sole provider. They are the sole provider and manufacturer, but who the City would purchase this through is Hartwell Environmental Corporation. He stated he recommends to amend the Resolution to go with Hartwell Environmental Corporation. He further stated Council is being asked for approval of awarding the replacement lights for the UV system and control units to upgrade to Hartwell Environmental Corporation in the amount of \$67,906.00.

Councilmember Ordeneaux amended the motion, seconded by Mayor Pro-Tem Carbone, that the sole source purchase of replacement ultra violet lights and a ballast upgrade for the John Hargrove Environmental Center go to Hartwell Environmental Corporation.

Councilmember Moore thanked Staff for using the ballasts that are still serviceable in the other 5 modules.

Voting "Aye" Councilmembers Ordeneaux, Carbone, Reed, and Moore.

Voting "No" None.

Motion Passed 4 to 0, with Councilmember Hill absent.

Mayor Reid called for the vote on the original motion as amended.

Voting "Aye" Councilmembers Ordeneaux, Carbone, Reed, and Moore.

Voting "No" None.

Motion Passed 4 to 0, with Councilmember Hill absent.

- 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.**

Councilmember Ordeneaux made the motion, seconded by Councilmember Moore, to approve Resolution No. R2015-225.

Deputy City Manager Jon Branson reported Council is being asked to renew an award of a unit supply contract for water fittings and related parts to MDN Enterprises in the estimated amount of \$80,000 from December 14, 2015 through December 13, 2016.

Discussion ensued between Mayor Pro-Tem Carbone and Assistant City Manager Trent Epperson regarding the exhibit is showing HD Supply Waterworks and not MDN Enterprises.

Mayor Pro-Tem Carbone made the motion, seconded by Councilmember Moore, to postpone this item until next Council meeting, December 14, 2015 with the correct exhibits.

Voting "Aye" Councilmembers Ordeneaux, Carbone, Reed, and Moore.

Voting "No" None.

Motion Passed 4 to 0, with Councilmember Hill absent.

## VII. NEW BUSINESS:

**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.

Mayor Pro-Tem Carbone made the motion, seconded by Councilmember Moore, to approve Ordinance No. CUP 2015-10 on its First Reading.

Mayor Reid read into the record the Planning & Zoning Commission's recommendation to forward to Council for approval of a Conditional Use Permit (CUP) to allow for a school use and to allow additional height to the existing steeple.

Deputy City Manager Jon Branson reported Council is being asked to approve a Conditional Use Permit (CUP) to allow for a school use and to allow additional height to the existing steeple.

Councilmember Ordeneaux stated there were some concerns regarding the parking. Parking spaces are being added to try to alleviate the concerns on Sundays and will additionally help the school.

Voting "Aye" Councilmembers Moore, Reed, Carbone, and Ordeneaux.

Voting "No" None.

Motion Passed 4 to 0, with Councilmember Hill absent.

**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.

Councilmember Reed made the motion, seconded by Councilmember Moore, to approve Ordinance No. CUP 2015-11 on its First Reading.

Mayor Reid read into the record the Planning & Zoning Commission's recommendation to forward to Council for approval of a Conditional Use Permit (CUP) to allow for a reduction of transparency, articulation and façade requirements on a new building.

Deputy City Manager Jon Branson reported Council is being asked to approve the Conditional Use Permit.

Mayor Pro-Tem Carbone stated Exhibit E Site Plan is for the previous agenda item. He asked for the second reading of Ordinance No. CUP 2015-11 to have the correct site plan.

Voting "Aye" Councilmembers Ordeneaux, Carbone, Reed, and Moore.

Voting "No" None.

Motion Passed 4 to 0, with Councilmember Hill absent.

**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.

Councilmember Moore made the motion, seconded by Councilmember Ordeneaux, to approve Ordinance No. CUP 2015-12 on its First Reading.

Mayor Reid read into the record the Planning & Zoning Commission's recommendation to forward to Council for approval of a Conditional Use Permit (CUP) to allow for a fuel station and convenience store.

Deputy City Manager Jon Branson reported Council is being asked to approve the Conditional Use Permit.

Discussion ensued between Mayor Pro-Tem Carbone and Assistant City Engineer Richard Mancilla regarding the concerns of the adjacent property owner regarding the shared access easement.

Assistant City Manager Trent Epperson stated more information regarding the concerns of the shared access easement will be provided at the second reading of the Ordinance.

Voting "Aye" Councilmembers Moore, Reed, Carbone, and Ordeneaux.

Voting "No" None.

Motion Passed 4 to 0, with Councilmember Hill absent.

**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.

Councilmember Ordeneaux made the motion, seconded by Councilmember Moore, to approve Ordinance No. 2000T-19 on its First Reading.

Mayor Reid read into the record the Planning & Zoning Commission's recommendation to forward to Council approval of the proposed amendments to the Unified Development Code.

Deputy City Manager Jon Branson reported Council is being asked for approval of the proposed changes to the Unified Development Code for the following reason:

1. Changing the Land Use Matrix to allow for a Restaurant Use (with no Drive-In or Drive-Thru Service) is in conformance with the stated intent of the 288 Gateway (BP-288 Zoning District). Designation as described in the 2015 Comprehensive Plan.
2. Allowing this use within the BP-288 zoning District will not change the overall intent of the zoning district.

Mayor Pro-Tem Carbone asked if a map showing the BP-288 Zoning District could be included with the second reading of Ordinance No. 2000T-19.

Voting "Aye" Councilmembers Ordeneaux, Carbone, Reed, and Moore.

Voting "No" None.

Motion Passed 4 to 0, with Councilmember Hill absent.

**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.

Councilmember Carbone made the motion, seconded by Councilmember Moore, to approve Ordinance No. 2000M-140 on its First Reading.

Deputy City Manager Jon Branson reported that Council has a letter recommending this item be pulled from the agenda. He further stated November 16, 2015 in the Planning and Zoning Commission meeting this item was voted down. The proposed change is not in line with the 2015 Comprehensive Plan and Staff is against this proposed change.

Ronald Jordan, 4271 Magnolia, addressed Council stating he owns and operates Intercontinental Machine which is adjacent to the area requesting the zone change. He has owned and operated this business for 25 years. He stated his concerns if this zone change passes. He further stated he is against this zone change.

Voting "Aye" None.

Voting "No" Councilmembers Moore, Reed, Carbone, and Ordeneaux.

Motion Failed 4 to 0, with Councilmember Hill absent.

**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.

Councilmember Reed made the motion, seconded by Councilmember Moore, to approve Ordinance No. 1518-1 on its First Reading.

Deputy City Manager Jon Branson reported the City's 2014-15 fiscal year ended September 30, 2015. At that time there were contracts, purchases of goods and services and other items that were approved and budgeted in fiscal year 2014-2015, but the actual expenditure and receipt of revenue will be incurred in the 2015-2016 fiscal year. The carryover for those expenditures are being requested, and the budget for those items to be re-established in this fiscal year. These expenditures were originally included in the projections for fiscal year 2015, and estimated ending balances assumed that these funds would be spent. All carryover items will be funded from available balances as of 9/30/2015.

Discussion ensued between Mayor Pro-Tem Carbone, Director of Human Resource Michelle Graham and Deputy City Manager Jon Branson regarding the carryover amount for Strategic Government Resources.

Discussion ensued between Mayor Pro-Tem Carbone and Director of Finance Claire Bogard regarding the carryover amount for Capital Outlay Vehicles with permanently installed equipment.

Discussion ensued between Councilmember Moore and Director of Finance Claire Bogard regarding the Ballistic Vest Replacement Grant is not available in FY2016 due to the City's population.

Voting "Aye" Councilmembers Moore, Reed, Carbone, and Ordeneaux.

Voting "No" None.

Motion Passed 4 to 0, with Councilmember Hill absent.

**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.

Councilmember Moore made the motion, seconded by Councilmember Reed, to approve Ordinance No. 1518-2 on its First Reading.

Deputy City Manager Jon Branson reported as with the City, at 2015 fiscal year end, there were Pearland Economic Development Corporation contracts, purchases and projects that were approved and budgeted in fiscal year 2015 but the actual expenditures will not be incurred until fiscal year 2016. The carryover for these expenditures are being requested and the budget for those items to be re-established in fiscal year 2016. Along with a request for carryovers, the PEDC is also amending their FY2016 approved budget to reflect the current estimates for multiple proposed projects. All expenditures are consistent with the Pearland 20/20 Strategic Plan.

Discussion ensued between Mayor Pro-Tem Carbone and President of Pearland Economic Development Corporation Matt Buchanan regarding the debt increase spending of \$764,670 and the additional debt payoff.

Discussion ensued between Councilmember Moore and President of Pearland Economic Development Corporation Matt Buchanan regarding the landscaping adjacent to the detention pond and electricity extension on Dixie Farm Road corridor improvements.

Voting "Aye" Councilmembers Ordeneaux and Reed.

Voting "No" Councilmembers Carbone and Moore.

In order to break the vote, Mayor Reid cast his vote.

Voting "Aye" Mayor Reid.

Motion Passed 3 to 2, with Councilmember Hill absent.

**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.

Councilmember Ordeneaux made the motion, seconded by Councilmember Reed, to approve Resolution No. R2015-218.

Deputy City Manager Jon Branson reported Council is being asked for approval 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 Expansion Project.

Voting “Aye” Councilmembers Moore, Reed, Carbone, and Ordeneaux.

Voting “No” None.

Motion Passed 4 to 0, with Councilmember Hill absent.

**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.

Mayor Pro-Tem Carbone made the motion, seconded by Councilmember Moore, to approve Resolution No. R2015-229.

Deputy City Manager Jon Branson reported Council is being asked to award the transfer of bio solid sludge, dewatering, and lift station cleaning contract to Magna Flow Environmental in the estimated amount of \$435,000 beginning December 8, 2015 through December 7, 2016.

Discussion ensued between Council and Assistant City Manager Trent Epperson regarding company’s providing the requested services.

Mayor Pro-Tem Carbone asked if in the future it could be presented in a way that it is apparent which company is the low bidder.

Discussion ensued between Councilmember Moore and Director of Public Works Eric Wilson regarding the transportation included with other services.

Discussion ensued between Councilmember Reed and Director of Public Works Eric Wilson regarding Solid Recovery Services are not able to provide services that require a Sewer Cleaner/Vacuum Truck.

Voting “Aye” Councilmembers Moore, Carbone, and Ordeneaux.

Voting “No” Councilmember Reed.

Motion Passed 3 to 1, with Councilmember Hill absent.

**MAYOR/COUNCIL ISSUES FOR FUTURE CITY COUNCIL AGENDAS**

**OTHER BUSINESS:** None.

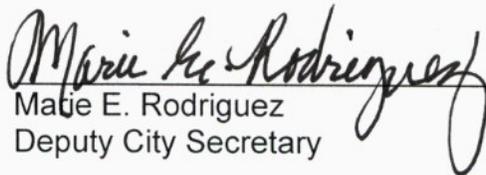
**ADJOURNMENT**

Meeting was adjourned at 7:50 p.m.

Minutes approved as submitted and/or corrected this the 22<sup>nd</sup> day of February, A.D., 2016.

  
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Tom Reid  
Mayor

ATTEST:

  
\_\_\_\_\_  
Marie E. Rodriguez  
Deputy City Secretary