

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, FEBRUARY 22, 2016, 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
Councilmember	Greg Hill
City Manager	Clay Pearson
City Attorney	Darrin Coker
City Secretary	Young Lorfing

Others in attendance: Jon Branson Deputy City Manager; Matt Buchanan President of Economic Development Corporation; J.C Doyle Police Chief; Trent Epperson Assistant City Manager; Chris Orlea Director of Parks and Recreation; Lata Krishnarao Director of Community Development; Frankie Leagux City Planner, Cynthia Pearson Interim Director of Finance; Sue Polka Director Of Engineering; Kim Sinistore Executive Director of the Convention/Visitors Bureau; Sparkle Anderson Communications Manager; John Knight IT Manager; Michael Leech Assistant Director Public Works; John McCarter Management Assistant; Daniel McGhinnis Chief Information Officer; Rick Overgaard Assistant Finance Director; Bob Pearce Purchasing Officer; Lawrence Provins Deputy City Attorney.

The invocation was given by Councilmember Moore and the Pledge of Allegiance was led by Chief of Police J.C Doyle.

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

CITIZEN COMMENTS: None.

PUBLIC HEARING: None.

CONSENT AGENDA:

A. Consideration and Possible Action – Approval Of Minutes:

1. Minutes of the November 23, 2015 Regular Meeting held at 6:30 p.m.
2. Minutes of the December 7, 2015 Regular Meeting held at 6:30 p.m.
3. Minutes of the December 14, 2015 Regular Meeting held at 5:30 p.m.
4. Minutes of the January 11, 2016 Special Meeting held at 5:00 p.m.
5. Minutes of the January 11, 2016 Regular Meeting held at 6:30 p.m.
6. Minutes of the January 25, 2016 Regular Meeting held at 6:30 p.m.

- B. Consideration and Possible Action – Second and Final Reading of Ordinance No. 2000M-141** – An Ordinance No. 2000M-141 - 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 property being a-13.2572 acres of land, A Tract or Parcel containing 13.2572 acres of land being the residue of a called 118.755 acre tract of land as conveyed to Marion E. Settegast Jr. ET AL as recorded in Volume 1421, Page 25 of the Brazoria County Deed Records, Being situated in the Thomas J. Green Survey, abstract No. 198, Brazoria County, **Texas. (generally located in the 2600 block of Pearland Parkway, Pearland, TX)**, Zone Change Application No. 2015-13Z, A request of Stream Reality c/o Greg Patch, LJA Engineering Inc., applicant; on behalf of The Settegast Family c/o Beeman Strong & Co., Inc., owner; for approval of a change in zoning **from the Single Family Residential-2 (R-2) zoning district, to a Planned Development known as The Center at Pearland Parkway**; on approximately 13.2572 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.
- C. Consideration and Possible Action – Second and Reading of Ordinance No. 2000M-142** - 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 property being a 11.759 acres of land, out of Section 16, H.T. & B.R.R., Abstract No. 546, Pearland, Brazoria County, Texas and being a portion of that certain tract described in a deed dated 04-11-2002 from Edwin Hunter Harris, et. ux. to Marilyn Louise Bullard as filed in the Official Records of Brazoria County at Clerk's File No. 02-017799 and a portion of that certain tract as described in a deed dated 12-17-1997 from Edwin Hunter Harris, Sr. to Marilyn Louise Bullard as filed in the Official Records of Brazoria County at Clerk's File No. 97-044957 **(generally located on the southeast corner of Magnolia Road and Manvel Road (FM 1128), Pearland, TX)**, Zone Change Application No. 2015-15Z, a request by Kent Marsh, Marsh Darcy Partners, applicant; on behalf Marilyn Bullard, owner; for approval of a change in zoning **from the Single Family Residential-1 (R-1) zoning district, to a Planned Development known as Midtown at Magnolia**; on approximately 11.759 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.
- D. Consideration and Possible Action – Second and Final Reading of Ordinance No. 1497-2** – An Ordinance of the City Council of the City of Pearland, Texas, amending Ordinance No.1497-1 which previously established school zone speed limits for vehicles under the provisions of the Texas Transportation Code to extend the school zone speed limit along Pearland Parkway (Pearland High School), within the corporate limits of the City of Pearland, as set out in this ordinance; and providing a penalty.

- E. **Consideration and Possible Action – Second and Final Reading of Ordinance No. 1494-1** – An Ordinance of the City Council of the City of Pearland, Texas, amending Ordinance No. 1494, establishing prima facie speed limits established for vehicles under the provisions of section 545.356, Texas transportation code, upon certain streets and highways, of parts thereof, within the corporate limits of the City of Pearland, as set out in this ordinance and providing a penalty.
- F. **Consideration and Possible Action – Resolution No. R2016-29** – A Resolution of the City Council of the City of Pearland, Texas, accepting the City's Investment Report for the quarter ending December 2015.
- G. **Consideration and Possible Action – Resolution No. R2016-32** – A Resolution of the City Council of the City of Pearland, Texas, accepting the records of a Local Option Petition (April 20, 2015) into the official records of the City in accordance with Texas Election Code, Section 501.033.
- H. **Consideration and Possible Action – Resolution No. R2016-33** – A Resolution of the City Council of the City of Pearland, Texas, accepting the records of a Local Option Petition (November 12, 2015) into the official records of the City in accordance with Texas Election Code, Section 501.033.
- I. **Consideration and Possible Action – Resolution No. R2016-31** – A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for 39 Panasonic Toughbook's (Police, Fire, Animal Control and Fire Marshal) to CDW-Government ("CDWG"), in the amount of \$96,174.00.
- J. **Consideration and Possible Action – Resolution No. R2016-37** – A Resolution of the City Council of the City Of Pearland, Texas, authorizing the City Manager or his designee to enter into an Interlocal Agreement for the cooperative purchase of goods and services with the City of Fulshear, Texas.
- K. **Consideration and Possible Action** – Regarding the appointment of Layni Cade to serve on the Parks, Recreation and Beautification Board in Position No. 1 for an unexpired term expiring November 1, 2016.

Councilmember Hill made the motion, seconded by Councilmember Ordeneaux, to adopt Consent Agenda Items A through K with the exception of Item B as presented on the Consent Agenda.

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

Voting "No" None.

Motion Passed 5 to 0.

MATTERS REMOVED FROM CONSENT AGENDA

As requested by Mayor Reid Consent Agenda Item B was removed for further discussion.

- B. Consideration and Possible Action – Second and Final Reading of Ordinance No. 2000M-141** – An Ordinance No. 2000M-141 - 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 property being a- 13.2572 acres of land, A Tract or Parcel containing 13.2572 acres of land being the residue of a called 118.755 acre tract of land as conveyed to Marion E. Settegast Jr. ET AL as recorded in Volume 1421, Page 25 of the Brazoria County Deed Records, Being situated in the Thomas J. Green Survey, abstract No. 198, Brazoria County, **Texas. (generally located in the 2600 block of Pearland Parkway, Pearland, TX)**, Zone Change Application No. 2015-13Z, A request of Stream Reality c/o Greg Patch, LJA Engineering Inc., applicant; on behalf of The Settegast Family c/o Beeman Strong & Co., Inc., owner; for approval of a change in zoning **from the Single Family Residential-2 (R-2) zoning district, to a Planned Development known as The Center at Pearland Parkway**; on approximately 13.2572 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 Hill made the motion, seconded by Councilmember Ordeneaux to approve Ordinance No. 2000M-141 on its Second and Final Reading.

Director of Community Development Lata Krishnarao reported there are a couple of things that needed to be edited in the attachment. The ordinance itself needs to have the correct location. At the last meeting the corrected ordinance failed to make the agenda packet. She also stated the actual Planned Development (PD) that was attached to the ordinance was amended with no variances.

Discussion ensued between Councilmember Reed and Director of Community Development Lata Krishnarao regarding the landscaping.

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

Voting "No" None.

Motion Passed 5 to 0.

NEW BUSINESS:

Council Action – Resolution No. R2016-12 – A Resolution of the City Council of the City of Pearland, Texas, authorizing the Lower Kirby Pearland Management District ("District") to issue and sell bonds for certain water, sewer and drainage projects (Hooper Road and North Spectrum water/sewer and Regional Detention) in the District.

Councilmember Ordeneaux made the motion, seconded by Councilmember Moore to approve Resolution No. R2016-12.

City Manager Clay Pearson reported the District recently prepared both road bond and sewer and water bond applications to reimburse the City and developers for contributions to regional detention, North Spectrum between Kirby and Hooper and the reconstruction of a portion of Hooper Road. The road bond was issued this past fall and Council approved a similar letter authorizing the issuance and sale of road bonds to reimburse the developers and City for the design engineering and construction costs of Hooper and North Spectrum roadways. The District is now ready to issue water and sewer bonds related to regional detention and the water and sewer infrastructure associated with Hooper and North Spectrum.

City Attorney Darrin Coker stated the Lower Kirby Master Plan identified over \$45M in infrastructure improvements needed for drainage, utilities and the construction of major roadways in the districts. The City acquired a detention pond in that area for \$1.5M which the City will get reimbursed for that investment by the District. In addition to that there are water and sewer improvements for the Hooper Road Project which the City will also be reimbursed for. There is enough investment in the District and enough bonding capacity for the District to issue bonds to reimburse those who are constructing the infrastructure improvements that is called for in their master plan.

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

Voting "No" None.

Motion Passed 5 to 0.

Council Action – Resolution No. R2016-28 – A Resolution of the City Council of the City of Pearland, Texas, adopting a Financial Naming Rights Policy for City facilities and parks.

Mayor Pro-Tem Carbone made the motion, seconded by Councilmember Moore to approve Resolution No. R2016-28.

City Manager Clay Pearson stated the Parks and Recreation Department seeks private funds to enhance the department's ability to meet the needs of the community, particularly toward a level of excellence that would otherwise not be possible without external support.

Director of Parks and Recreation Chris Orlea reported in an effort to maintain and enhance the City's park and recreation system, Pearland Parks and Recreation would like to actively seek alternate revenue streams, through the sale of naming rights, that will increase our ability to deliver services to the community and/or provide enhanced levels of service beyond those provided by the general fund.

Mayor Pro-Tem Carbone had questions regarding the MCP Opportunity Inventory, Wheaton Regional Park list.

Director of Parks and Recreation Chris Orlea stated that is an Opportunity Inventory sample list. The Parks Department works across the country with a couple of foundations to find what is working well with other comparable agencies. These are not actual assets within the Parks and Recreation inventory. These are only types of lists that you might see tailored to Pearland Parks and Recreation.

Discussion ensued between Council and Director of Parks and Recreation Chris Orlea regarding the Overall Naming Gift Requirements.

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

Voting "No" None.

Motion Passed 5 to 0.

Council Action – Resolution No. R2016-35 – A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for the purchase of an Ultraviolet Disinfection System for the Pearland Natatorium pool, in the amount of \$ 96,766.00, from Knorr Systems, Inc.

Councilmember Reed made the motion, seconded by Councilmember Moore to approve Resolution No. R2016-35.

City Manager Clay Pearson reported Council is being asked to approve a purchase in the amount of \$96,766 with Knorr Systems Inc. to furnish and install a new ultraviolet disinfection system for the pool at the Natatorium via the Texas Association of School Board (TASB) BuyBoard Cooperative Purchasing Agreement.

Parks and Recreation Director Chris Orlea stated earlier in FY16 the Parks Department began receiving complaints about air quality in the Natatorium from both swimmers and spectator patrons. The issue was investigated cooperatively by both Parks and Public Works, but no obvious issues were discovered. A mechanical engineering firm, Dawson Van Orden, was hired to investigate the problem. It was determined that the Natatorium environment contained an elevated level of a particular chloramine. Dawson Van Orden has recommended replacement of the existing system with a new system and staff from both Public Works and Parks concur with this recommendation.

Discussion ensued between Councilmember Moore and Parks and Recreation Director Chris Orlea regarding if an Ultraviolet Disinfection System not being in the original plan when the natatorium was built and the pool put in.

Discussion ensued between Mayor Pro-Tem Carbone and Parks and Recreation Director Chris Orlea regarding the Ultraviolet Disinfection System will take care of the chloramine issue making it safe for children and adults to swim in the pool.

Discussion ensued between Councilmember Moore and Assistant Director, Public Works Michael Leech regarding the difference between an Ultraviolet Disinfection System for a swimming pool and the water/wastewater production.

Councilmember Ordeneaux stated since he is employed with Pearland Independent School District he will abstain from voting.

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

Voting "No" None.

Voting "Abstain" Councilmember Ordeneaux.

Motion Passed 4 to 0, with one abstention.

MAYOR/COUNCIL ISSUES FOR FUTURE CITY COUNCIL AGENDAS: None.

OTHER BUSINESS:

Council adjourned into Executive Session under Texas Government Code at 7:00 p.m. to discuss the following.

EXECUTIVE SESSION UNDER TEXAS GOVERNMENT CODE

1. **Section 551.071 – Consultations with Attorney** - Regarding the purchase of electricity.
2. **Section 551.074 – Personnel Matters** – The appointment of Director of Communications position.

New Business Continued:

Council returned from Executive Session at 7:35 p.m.

Council Action – Regarding the appointment of a department Director of Communications position.

Mayor Pro-Tem Carbone made the motion, seconded by Councilmember Reed to appoint Sparkle Anderson as the Director of Communications.

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

Voting "No" None.

Motion Passed 5 to 0.

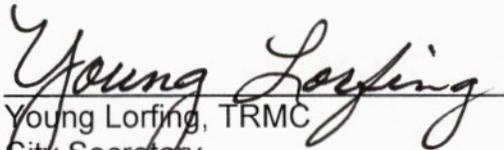
Meeting was adjourned at 7:37 p.m.

Minutes approved as submitted and/or corrected this the 14th day of March, A.D., 2016.



Tom Reid
Mayor

ATTEST:



Young Loring, TRMC
City Secretary

