



ACTION AGENDA

**CITY COUNCIL AGENDA
CITY OF PEARLAND
REGULAR COUNCIL MEETING
MONDAY, OCTOBER 24, 2016 | 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**

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

- III. 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.

- IV. PUBLIC HEARING:** None

- V. 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 August 29, 2016, Special Meeting held at 6:45 p.m.

APPROVED

- B. Consideration and Possible Action – Second and Final Reading of Ordinance No. 1532** – An Ordinance of the City Council of the City of Pearland, Texas, abandoning a certain sixty foot (60') road right-of-way (White Road) recorded in the plat records of Harris County, Texas, within the corporate city limits of Pearland, Harris County, Texas; having a savings clause and a severability clause; and providing for an effective date.

APPROVED

- C. Consideration and Possible Action – Second and Reading of Ordinance No. CUP 16-00005** – An Ordinance of the City Council of the City of Pearland, Texas, approving a **Conditional Use Permit (CUP) for exemption to the façade requirements for an existing structure and to allow a Light Manufacturing Process in the Garden/O'Day-Mixed Use (G/O-MU) zoning district**, Being a tract of land containing 0.5682 acres (24,750 square feet), situated in the H.T. & B.B. CO. Survey, Abstract 219, Brazoria County, Texas, being part of Lot 6 and 7 in Block 6, of Hickory Creek Place a subdivision recorded in Volume 11, Page 1 of the Plat Records of Brazoria County, Texas, being all of a Tract conveyed unto Martin Paper Co. by deed recorded under County Clerk's File No. 1995014570 of the Official Records of Brazoria County, Texas. **(Located at 2125 Garden, Pearland, TX.) Conditional Use Permit Application No CUP 16- 00005, within the Garden/O'Day-Mixed Use (G/O-MU) zoning district**, at the request of Kevin Duc Nguyen, applicant, on behalf of Bao Le, owner, containing a savings clause, a severability clause, and an effective date and other provisions related to the subject.

APPROVED

- D. Consideration and Possible Action – Second and Final Reading of Ordinance No. CUP 16-00006** – An Ordinance of the City Council of the City of Pearland, Texas, approving a **Conditional Use Permit (CUP) to allow for sales, service and rental of forklifts and other material handling equipment (Heavy Machinery Sales, Storage Rental & Repair) in the General Commercial (GC) zoning district**, all that certain tract of parcel of land out of the A. C. H. & B. RR Co. Survey, Section 1, A-147, in Brazoria County, Texas, being a portion of Tract 124A of the Subdivision of Section One (1), A.C. H. & B. RR Co. survey, according to the Plat of same recorded in Volume 2, Page 1, of the Plat Records of Brazoria County, Texas. **(Located at 3401 S. Main Street. Pearland, TX.) Conditional Use Permit Application No CUP 16-00006, within the General Commercial (GC) zoning district**, at the request of Russ Wilkins (R4 Resources), applicant, on behalf of Baker Hughes Oilfield Operations, Inc., owner, containing a savings clause, a severability clause, and an effective date and other provisions related to the subject.

APPROVED

- E. Consideration and Possible Action – Resolution No. R2016-193** – A Resolution of the City Council of the City Of Pearland, Texas, authorizing participation in the Texas CLASS Investment Pool.

APPROVED

- F. Consideration and Possible Action – Resolution No. R2016-187** – A Resolution of the City Council of the City of Pearland, Texas, renewing a bid for HVAC/Refrigerator Systems preventative maintenance services associated with City Facilities with The Lee Thompson Company, in the estimated amount of \$100,980.00, beginning November 1, 2016 through October 31, 2017.

APPROVED

- G. Consideration and Possible Action – Resolution No. R2016-198** – A Resolution of the City Council of the City of Pearland, Texas, awarding a fixed price contract for construction services associated with the internal lining rehabilitation of the Liberty and Suburban Garden Road ground storage water tanks to Pardalis Industrial Enterprises, Inc., in the amount of \$184,125.00.

APPROVED

- H. Consideration and Possible Action – Resolution No. R2016-189** – A Resolution of the City Council of the City of Pearland, Texas, renewing a unit supply bid for waste water polymer services with Fort Bend Services, in the estimated amount of \$120,000.00, beginning November 15, 2016 through November 14, 2017.

APPROVED

- I. Consideration and Possible Action – Resolution No. R2016-191** – A Resolution of the City Council of the City of Pearland, Texas, authorizing a Construction Inspection contract with Jacobs Project Management Co., in the amount of \$84,914.84, for the Industrial Drive at SH 35 Realignment & Intersection improvements Project.

NEW BUSINESS:

APPROVED

- 1. Consideration and Possible Action – First Reading of Ordinance No. 1533** – An Ordinance of the City Council of the City of Pearland, Texas, authorizing the issuance of City of Pearland, Texas, permanent improvement refunding bonds in one or more series; setting certain parameters for the bonds; authorizing refunding of certain outstanding obligations; authorizing a pricing officer to approve the amount, the interest rate, price, and terms thereof and certain other procedures and provisions relating thereto.

APPROVED

- 2. Consideration and Possible Action – Second and Final Reading of Ordinance No. 2000M - 151** – 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 39.50 tract of land being out of the D.H.M. Hunter Survey, Abstract 76, being a portion of the same 181.6209 acre survey as described in a deed dated June 4, 1981, from the C. H. Alexander Trust to Sue Alexander Morrison a.k.a. Susie Alexander Morrison, and recorded in Volume 1596, Page 93 et seq of the Brazoria County Deed Records (B.C.D.R.); and Being a 83.83 acre tract of land being out of the D.H.M. Hunter Survey, Abstract 76 and the

H.T. & B.R.R. Company Survey. Abstract 233. Being a portion of the same 181.6209 acre survey as described in a deed dated June 4, 1981, from the C.H. Alexander Trust to Sue Alexander Morrison, and recorded in Volume 1596, Page 93 et seq of the Brazoria County Deed Records (B.C.D.R.). **(Located at East and West sides of Pearland Parkway, North of Barry Rose Road – Stonebridge Planned Development.)** Zone Change Application No. ZONE 16-00006, at the request of the City; **for approval of an amendment to the Stonebridge Planned Development to require approval of a Conditional Use Permit for auto related uses and Pawn Shops, Payday Loans, and Gold Exchanges on properties designated General Business (GB);** on approximately 123.33 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

3. **Consideration and Possible Action – Second and Final Reading of Ordinance No. 2000M - 152** – 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, all that certain 527.062 acres out of the D.H.M. Hunter Survey, Abstract No. 76, Brazoria County and Abstract No. 36, Harris County and the H.T. & B.R.R. Survey, Abstract No. 233 and including all or a portion of Lots 6,7, and 15-18 out of Walcott’s Pearland Subdivision according to the plat thereof filed in Volume 35, Page 241-242 Brazoria County Deed Records and a portion of Lots 96-102 out of the Zychlinski Subdivision according to the plat there of filed in Volume 29 Page 43 Brazoria County Deed Records and being those same tracts described in a deed dated 12-18-1996 from Thomas P. Alexander and Bettye M. Alexander to T. & B. Alexander Family Limited Partnership as filed in Official Records of Real Property of Brazoria County at Clerks File Number 96-044931 and in a deed dated 01-23-1992 from First Interstate Bank of Texas, N. A., to Nai Li Wang and Ban Wang as filed in Volume (92)997, Page 03 Brazoria County Official Records and in a deed dated 06-04-1981 from John Alexander, trustee to Patricia Alexander Wood as filed in Volume 1596, Page 110 Brazoria County Deed Records and being a residue of that certain tract described in a deed dated 09—6-1984 from Mary Alexander, et con, to Bartlett Properties, Inc. as filed in Official Records of Real Property of Harris County at Clerk’s File Number J-724634 Film Code Number 096-85-0644; and All that certain 15.755 acres out of Lots 30, 31, 32, 39 and 40, Walcott’s Pearland Subdivision, according to the plat thereof filed in Volume 35, Page 241 & 242, Brazoria County Deed Records, D.H.M. Hunter Survey, Abstract Number 76, Pearland, Brazoria County, Texas; and All that certain 6.000 acres out of Lots 42 and 43, Walcott’s Pearland Subdivision, according to the plat thereof filed in Volume 35, Page 241 & 242, Brazoria County Deed Records, D.H.M. Hunter Survey, Abstract Number 76, Pearland, Brazoria County, Texas. **(Located at East and West sides of Pearland Parkway, South of McHard Road, Highland Glen Planned Unit Development.)** Zone Change Application No. ZONE 16-00007, at the request of the City; **for approval of an amendment to the Highland Glen Planned Development to allow auto related uses and Pawn Shops, Payday Loans, and Gold Exchanges by approval of a Conditional Use Permit on properties where the base zoning district is General Business (GB);** on approximately

548.817 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

4. **Consideration and Possible Action – Second and Final Reading of Ordinance No. 2000M - 153** – 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, a 120.417 acre tract in the W.D.C. Hall League, A-70 & parts of Lots 13-24, S.W. Narregang Subdivision, Volume 1, Page 92 & also parts of Lots 1 & 2, George W. Jenkins Subdivision, Volume 79, Page 616, Brazoria County Map Records (Oakbrook Estates) **(East side of Pearland Parkway, North of Dixie Farm Road – Oakbrook Estates Planned Development)** Zone Change Application No. ZONE 16-00008, at the request of the City; **for approval of an amendment to the Oakbrook Estates Planned Unit Development to allow auto related uses and Pawn Shops, Payday Loans, and Gold Exchanges by approval of a Conditional Use Permit on properties where the base zoning district is General Business (GB) and General Commercial (GC): on approximately 120.417 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

5. **Consideration and Possible Action Second and Final Reading of Ordinance No. 2000- T-22** – An Ordinance of the City Council of the City of Pearland, Texas, amending selected provisions of the Unified Development Code of the City to add Manvel Road (FM 1128) to the Corridor Overlay District; having a savings clause, a severability clause, and a repealer clause; providing for codification, publication and an effective date.

APPROVED

6. **Consideration and Possible Action – Second and Final Reading of Ordinance No. 2000T-23** – An ordinance of the City Council of the City of Pearland, Texas, amending selected provisions of the Unified Development Code of the City regarding liquor/package stores; cigars, tobacco or e-cigarettes shops and vaping lounges; having a savings clause, a severability clause, and a repealer clause; providing for codification, publication and an effective date.

APPROVED

7. **Consideration and Possible Action – Resolution No. R2016-192** – A Resolution of the City Council of the City of Pearland, Texas, amending the City's Engineering Design Criteria Manual.

APPROVED

8. **Consideration and Possible Action – Resolution No. R2016-190** – A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for the construction of the Fite Road Extension Project (between McLean Road and Veterans Drive) to Pulice Construction, Inc., in the amount of \$3,045,261.60.

POSTPONED TO A FUTURE AGENDA

9. **Consideration and Possible Action – Resolution No. R2016-196** – A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for the construction of the City Hall Complex Renovation Project to Construction Masters of Houston, Inc., in the amount of \$6,124,000.00; appropriating \$214,000.00 from Fund 500 fund balance.

APPROVED

10. **Consideration and Possible Action – Resolution No. R2016-194** – A Resolution of the City Council of the City of Pearland, Texas, authorizing the power of eminent domain to acquire fee simple title to certain property for the Hughes Ranch Road Improvement Project; being a 0.091 of one acre (3,983 square feet) parcel of land located in the H.T.& B. R.R. Co. Survey, Abstract No. 506, Brazoria County, Texas and being situated in Lot 7, Block 20 of the ALLISON RICHEY GULF COAST HOME COMPANY SUBDIVISION, a subdivision per plat or map recorded in Volume 2, Pages 23 - 24, Brazoria County Map Records (B.C.M.R.), said of one acre parcel being out of and a part of a 4.860 acre residue of a tract described as 4.999 acres in a conveyance to CUBE HHF LIMITED PARTNERSHIP recorded under Brazoria County Clerk's File (B.C.C.F.) No. 2013059206, for the construction and maintenance of water, sewer, drainage and road improvements (Hughes Ranch Road Project; CR 94 to FM 865) on certain real property described herein; authorizing the city attorney, or his designee, and other city officials to take such actions as are necessary to acquire said property, located within the city, by donation, purchase, or by the exercise of the power of eminent domain.

APPROVED

11. **Consideration and Possible Action – Resolution No. R2016-195** – A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to renew a Software Maintenance Contract with Sungard HTE/OSSI/TraKiT in the estimated amount of \$303,656.92 for the period of October 1, 2016 through September 30, 2017.

APPROVED

12. **Consideration and Possible Action – Resolution R2016-200** – A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for the purchase of forty-seven (47) fleet vehicles from Silsbee Ford in the amount of \$1,740,616.46 through the TASB Buyboard.

VIII. MAYOR/COUNCIL ISSUES FOR FUTURE CITY COUNCIL AGENDAS

OTHER BUSINESS:

EXECUTIVE SESSION UNDER TEXAS GOVERNMENT CODE

1. **Section 551.087 - Consultation with City Attorney** – Regarding Economic Development Negotiations.
2. **Section 551.072 – Real Property** – Regarding the sale, lease, purchase, or exchange of real property.
3. **Section 551.071 – Consultation with City Attorney** – Regarding Chapter 212 of the Local Government Code.

NEW BUSINESS CONTINUED:

APPROVED

13. **Consideration and Possible Action** – Regarding the sale, lease, purchase, or exchange of real property.

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