



CITY COUNCIL AGENDA
CITY COUNCIL OF THE CITY OF PEARLAND
SPECIAL MEETING
MONDAY, MAY 19, 2014, AT 6:00 p.m.
IN THE CITY COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE
281.652.1600

I. CALL TO ORDER

II. PURPOSE OF THE MEETING:

1. **Consideration and Possible Action – Resolution No. R2014-46** – A Resolution and Order of the City Council of the City of Pearland, Texas, canvassing the returns and declaring the results of the General and Special Election held in the City of Pearland, Texas, on May 10, 2014.
City Council
2. The Issuance of Certificate of Election to newly Elected Officials. *Mayor Reid.*
 - A. Certificate of Election to Tom Reid, Mayor.
 - B. Certificate of Election to Gary Moore, City Council Position No. Three (3).
3. Administration of Oath of Office to newly Elected Officials. *The Honorable Gordon Starkenburg.*
 - A. Oath of Office administered to newly elected official Tom Reid, Mayor.
 - B. Oath of Office administered to newly elected official Gary Moore, City Council Position No. Three (3).
4. **CONSIDERATION AND POSSIBLE ACTION** – Election of Mayor Pro-Tem. *City Council.*

III. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call [Young_Lorfing](mailto:Young_Lorfing@pearlandtx.gov) at [281-652-1840](tel:281-652-1840) prior to the meeting so that appropriate arrangements can be made.

New Business Item No. 1

1. **Consideration and Possible Action – Resolution No. R2014-46 – A** Resolution and Order of the City Council of the City of Pearland, Texas, canvassing the returns and declaring the results of the General and Special Election held in the City of Pearland, Texas, on May 10, 2014.
City Council

**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF PEARLAND, TEXAS**

AGENDA OF: May 19, 2014	ITEM NO.: Resolution No. R2014-46
DATE SUBMITTED: May 12, 2014	DEPARTMENT OF ORIGIN: City Secretary
PREPARED BY: Young Lorfing	PRESENTOR: Young Lorfing
REVIEWED BY: Mike Hodge	REVIEW DATE: May 13, 2014
SUBJECT: May 10, 2014 General and Special Election Canvass	
EXHIBITS: Resolution No. R2014-46 , (Exhibit "A" Charter Amendments & Exhibit "B" Unofficial Election Results).	
EXPENDITURE REQUIRED: N/A AMOUNT AVAILABLE: N/A ACCOUNT NO.: N/A	AMOUNT BUDGETED: N/A PROJECT NO.: N/A
ADDITIONAL APPROPRIATION REQUIRED: N/A ACCOUNT NO.: N/A PROJECT NO.: N/A	
To be completed by Department: <input type="checkbox"/> Finance <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution	

EXECUTIVE SUMMARY

The attached Resolution is canvassing the election returns and declaring the results of the General Election and Special Election held on Saturday, May 10, 2014.

Resolution No. R2014-46, canvassing the votes, contains the unofficial totals. The final totals will be passed out or emailed to Council when received from Brazoria County prior to the Special Meeting. The totals will change slightly in the event Brazoria County accepts the **12 provisional ballots not included in the unofficial report attached**. The **12 provisional ballots**, if counted will not change the outcome of the Election.

RECOMMENDED ACTION

Consider and adopt Resolution No R2014-46.

Resolution No. R2014-46

A Resolution and Order of the City Council of the City of Pearland, Texas, canvassing the returns and declaring the results of the General and Special Election held in the City of Pearland, Texas, on May 10, 2014.

WHEREAS, there was held in the City of Pearland, Texas, on the 10th day of May, 2014, a City General Election and Special Election at which the offices to be filled for Mayor and Member of the Council, Position No. Three (3), along with Sixteen (16) proposed Charter Amendments were submitted to a vote of the duly qualified resident electors of said City.

WHEREAS, at this Special Meeting of the City Council of the City of Pearland, on May 19, 2014, after date of said election, being held for the purpose of canvassing the returns and declaring the results of the General and Special Election held on May 10, 2014; now therefore,

BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS:

SECTION I.

That the election described was duly called and notice thereof given in accordance with law; that said election was held in the manner required by law; that due returns of said election have been made by the proper officers; and it appeared from said returns, duly and legally made, that there were cast at such election **3,382** valid and legal votes; and that said election resulted in the following vote totals:

FOR MAYOR

NAME OF CANDIDATE	NUMBER OF VOTES RECEIVED	PERCENTAGE
Tom Reid	2,273	69.45 %
Woody Owens	1,000	30.55%

RESOLUTION NO. 2014-46

FOR MEMBER OF THE COUNCIL, POSITION NUMBER THREE (3)

NAME OF CANDIDATE	NUMBER OF VOTES RECEIVED	PERCENTAGE
Gary Moore	1,793	59.00%
Susan Sherrouse	1,246	41.00 %

AMENDMENT NO. 1

THE AMENDMENT OF the Pearland Charter, Sections 3.01 and 5.05, regarding the number of City Council members

This amendment phases in an increase to the size of City Council from five (5) councilmembers to seven (7) council members over a period of 3 years.

FOR	2,592	79.85%
AGAINST	654	20.15%

AMENDMENT NO. 2

THE AMENDMENT OF the Pearland Charter, Section 3.06 regarding the procedure to fill a vacancy on the council.

This amendment allows for the council to fill a vacancy of a council member of one year or less by appointment.

FOR	2,340	72.31%
AGAINST	896	27.69%

AMENDMENT NO. 3

THE AMENDMENT OF the Pearland Charter, Sections 6.13 and 6.20, regarding changes to ordinances proposed by initiatives and ordinances passed by popular vote.

This amendment allows City Council to make changes to ordinances proposed by initiatives and ordinances passed by petition or popular vote so that such ordinances comply with federal and state laws.

FOR	2,443	77.56%
AGAINST	707	22.44%

RESOLUTION NO. 2014-46

AMENDMENT NO. 4

THE AMENDMENT OF the Pearland Charter, Section 3.08, regarding meetings of City Council.

This amendment removes language in the charter allowing City Council to consider a subject by unanimous consent of the City Council although that item was not posted on an agenda in conformance to the Texas Open Meetings Act.

FOR	1,775	57.31%
AGAINST	1,322	42.69%

AMENDMENT NO. 5

THE AMENDMENT OF the Pearland Charter, Section 3.13, regarding Audits and examination of city books and accounts.

This amendment simplifies the language in the charter regarding who City Council selects to conduct the annual audit of the City's finances.

FOR	2,758	87.86%
AGAINST	381	12.14%

AMENDMENT NO. 6

THE AMENDMENT OF the Pearland Charter, Sections 4.04 and 4.08, regarding the removal of the Departments of taxation and the Department of health and sanitation.

This amendment removes language in the charter that refers to departments in the City that are defunct or whose duties have been assumed by another department or agency.

FOR	2,820	90.30%
AGAINST	303	9.70%

AMENDMENT NO. 7

THE AMENDMENT OF the Pearland Charter, Section 4.05, regarding the approval of the city manager and city council of the selection of assistants in the Department of finance.

This amendment removes language in the charter that requires the city manager and city council to approve assistants employed in the Department of finance.

FOR	2,095	67.91%
AGAINST	990	32.09%

RESOLUTION NO. 2014-46

AMENDMENT NO. 8

THE AMENDMENT OF the Pearland Charter, Section 4.09, regarding the creation of a fire department.

This amendment recognizes the creation of a fire department and the use of that department instead of contracting fire services to a volunteer fire department.

FOR	2,783	87.74%
AGAINST	389	12.26%

AMENDMENT NO. 9

THE AMENDMENT OF the Pearland Charter, Section 4.10, regarding the removal of duties assigned to the Department of public works that are performed by another department or entity.

This amendment removes the duty of collecting garbage by the Department of public works as this service is now provided by a third party vendor and it removes duty of performing building inspections by the Department of public works as this duty is now performed by another department.

FOR	2,568	83.24%
AGAINST	517	16.76%

AMENDMENT NO. 10

THE AMENDMENT OF the Pearland Charter, Section 4.12, regarding the Department of parks, recreation and beautification.

This amendment recognizes the establishment of a department of parks and recreation and clarifies that the director of this department is the liaison with the park, recreation and beautification board.

FOR	2,806	90.25%
AGAINST	303	9.75%

AMENDMENT NO. 11

THE AMENDMENT OF the Pearland Charter, Sections 8.06, 8.08, 8.10, 8.11, and 8.14 regarding the budget.

This amendment allows for changes in the notice, amendment, scheduling, publication, and appropriation processes of the budget.

FOR	2,173	72.94%
AGAINST	806	27.06%

RESOLUTION NO. 2014-46

AMENDMENT NO. 12

THE AMENDMENT OF the Pearland Charter, Section 8.18 regarding disbursement of funds.

This amendment removes the authority of members of city council to countersign checks, vouchers and warrants for the withdrawal of money from the city depository.

FOR	2,271	74.46%
AGAINST	779	25.54%

AMENDMENT NO. 13

THE AMENDMENT OF the Pearland Charter, Section 8.22 regarding tax liens.

This amendment extends the commencement date for seizure and foreclosure proceedings.

FOR	2,333	77.61%
AGAINST	673	22.39%

AMENDMENT NO. 14

THE AMENDMENT OF the Pearland Charter, Sections 10.09, 10.11, and 10.16 regarding the transition from a general law city to a home rule municipality.

This amendment removes references to language in the charter that only pertains to the initial transition from a general law city to a home rule municipality.

FOR	2,324	80.33%
AGAINST	569	19.67%

AMENDMENT NO. 15

THE AMENDMENT OF the Pearland Charter, Section 10.15 regarding the frequency of the appointment of a Charter Review Commission.

This amendment increases the duration of the time period between required appointments of the Charter Review Commission from four years to six years.

FOR	1,629	54.55%
AGAINST	1,357	45.45%

RESOLUTION NO. 2014-46

AMENDMENT NO. 16

THE AMENDMENT OF the Pearland Charter, Section 10.17 regarding the meaning of the word “city.”

This amendment deletes the meaning of the word “city” as the “City of Pearland” as this definition is already defined in Section 1.02 of the Charter.

FOR	2,591	85.03%
AGAINST	456	14.97%

SECTION II.

The City Council of the City of Pearland, Texas, hereby officially and affirmatively declares that the results as shown above are the real and true results of the election held on May 10, 2014, within the City of Pearland, Texas, that the candidate elected for Mayor is declared to be **Tom Reid** and the candidate elected for Member of the Council, Position Number Three (3) is declared to be **Gary Moore**, and said above parties are hereby declared duly elected to said respective offices, subject to taking of their Oaths of Office and Statements of Elected Officers as provided by the laws of the State of Texas.

SECTION III.

The City Council of the City of Pearland, Texas, hereby officially and affirmatively declares that Amendments:

Number 1 through Number 16 attached hereto as Exhibit “A” passed.

SECTION IV.

The following Exhibit A, (Charter Amendments) and Exhibit B (Canvass Report) are attached hereto and made a part hereof by reference.

RESOLUTION NO. 2014-46

PASSED, APPROVED, ADOPTED, and ORDERED this ____ day of May, A. D.,
2014.

Tom Reid
Mayor

ATTEST:

Young Lorfing, TRMC
City Secretary

APPROVED AS TO FORM:

Darrin M. Coker
City Attorney

PROPOSED AMENDMENT NO. 1

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City of Pearland General & Charter Amendment Election Cumulative Report — Unofficial
Brazoria County — Joint Local Election — May 10, 2014

Total Number of Voters : 12,873 of 181,813 = 7.08%
 Number of District Voters: 3,382 of 58,563 = 5.77%

Precincts Reporting 73 of 73 = 100.00%
 District Precincts Reporting 25 of 25 = 100.00%

Party	Candidate	Absentee		Early		Election		Total	
Mayor, Vote For 1									
	Tom Reid	279	69.06%	1,412	70.67%	582	66.82%	2,273	69.45%
	Woody Owens	125	30.94%	586	29.33%	289	33.18%	1,000	30.55%
	Cast Votes:	404	96.65%	1,998	97.08%	871	96.14%	3,273	96.78%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	14	3.35%	60	2.92%	35	3.86%	109	3.22%
Councilmember, Position No. 3, Vote For 1									
	Gary Moore	190	52.20%	1,139	60.94%	464	57.57%	1,793	59.00%
	Susan Sherrouse	174	47.80%	730	39.06%	342	42.43%	1,246	41.00%
	Cast Votes:	364	87.08%	1,869	90.82%	806	88.96%	3,039	89.86%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	54	12.92%	189	9.18%	100	11.04%	343	10.14%
Proposed Amendment No. 1, Vote For 1									
	For	314	78.30%	1,582	79.90%	696	80.46%	2,592	79.85%
	Against	87	21.70%	398	20.10%	169	19.54%	654	20.15%
	Cast Votes:	401	95.93%	1,980	96.21%	865	95.47%	3,246	95.98%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	17	4.07%	78	3.79%	41	4.53%	136	4.02%
Proposed Amendment No. 2, Vote For 1									
	For	312	78.00%	1,448	73.47%	580	67.05%	2,340	72.31%
	Against	88	22.00%	523	26.53%	285	32.95%	896	27.69%
	Cast Votes:	400	95.69%	1,971	95.77%	865	95.47%	3,236	95.68%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	18	4.31%	87	4.23%	41	4.53%	146	4.32%
Proposed Amendment No. 3, Vote For 1									
	For	315	79.75%	1,493	78.21%	635	75.06%	2,443	77.56%
	Against	80	20.25%	416	21.79%	211	24.94%	707	22.44%
	Cast Votes:	395	94.50%	1,909	92.76%	846	93.38%	3,150	93.14%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	23	5.50%	149	7.24%	60	6.62%	232	6.86%

**City of Pearland General & Charter Amendment Election Cumulative Report — Unofficial
Brazoria County — Joint Local Election — May 10, 2014**

Page 2 of 4

05/10/2014 08:40 PM

Total Number of Voters : 12,873 of 181,813 = 7.08%

Number of District Voters: 3,382 of 58,563 = 5.77%

Precincts Reporting 73 of 73 = 100.00%
District Precincts Reporting 25 of 25 = 100.00%

Party	Candidate	Absentee	Early	Election	Total
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Proposed Amendment No. 4, Vote For 1

For	211	54.52%	1,122	59.40%	442	53.84%	1,775	57.31%
Against	176	45.48%	767	40.60%	379	46.16%	1,322	42.69%
Cast Votes:	387	92.58%	1,889	91.79%	821	90.62%	3,097	91.57%
Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Under Votes:	31	7.42%	169	8.21%	85	9.38%	285	8.43%

Proposed Amendment No. 5, Vote For 1

For	339	85.82%	1,700	88.54%	719	87.26%	2,758	87.86%
Against	56	14.18%	220	11.46%	105	12.74%	381	12.14%
Cast Votes:	395	94.50%	1,920	93.29%	824	90.95%	3,139	92.81%
Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Under Votes:	23	5.50%	138	6.71%	82	9.05%	243	7.19%

Proposed Amendment No. 6, Vote For 1

For	370	92.96%	1,709	89.99%	741	89.71%	2,820	90.30%
Against	28	7.04%	190	10.01%	85	10.29%	303	9.70%
Cast Votes:	398	95.22%	1,899	92.27%	826	91.17%	3,123	92.34%
Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Under Votes:	20	4.78%	159	7.73%	80	8.83%	259	7.66%

Proposed Amendment No. 7, Vote For 1

For	237	60.61%	1,324	70.69%	534	65.04%	2,095	67.91%
Against	154	39.39%	549	29.31%	287	34.96%	990	32.09%
Cast Votes:	391	93.54%	1,873	91.01%	821	90.62%	3,085	91.22%
Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Under Votes:	27	6.46%	185	8.99%	85	9.38%	297	8.78%

Proposed Amendment No. 8, Vote For 1

For	351	86.67%	1,694	88.00%	738	87.65%	2,783	87.74%
Against	54	13.33%	231	12.00%	104	12.35%	389	12.26%
Cast Votes:	405	96.89%	1,925	93.54%	842	92.94%	3,172	93.79%
Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Under Votes:	13	3.11%	133	6.46%	64	7.06%	210	6.21%

City of Pearland General & Charter Amendment Election Cumulative Report — Unofficial
Brazoria County — Joint Local Election — May 10, 2014

Total Number of Voters : 12,873 of 181,813 = 7.08%

Number of District Voters: 3,382 of 58,563 = 5.77%

Precincts Reporting 73 of 73 = 100.00%

District Precincts Reporting 25 of 25 = 100.00%

Party	Candidate	Absentee		Early		Election		Total	
Proposed Amendment No. 9, Vote For 1									
	For	334	86.30%	1,556	82.85%	678	82.68%	2,568	83.24%
	Against	53	13.70%	322	17.15%	142	17.32%	517	16.76%
	Cast Votes:	387	92.58%	1,878	91.25%	820	90.51%	3,085	91.22%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	31	7.42%	180	8.75%	86	9.49%	297	8.78%
Proposed Amendment No. 10, Vote For 1									
	For	350	90.67%	1,707	90.08%	749	90.46%	2,806	90.25%
	Against	36	9.33%	188	9.92%	79	9.54%	303	9.75%
	Cast Votes:	386	92.34%	1,895	92.08%	828	91.39%	3,109	91.93%
	Over Votes:	1	0.24%	0	0.00%	0	0.00%	1	0.03%
	Under Votes:	31	7.42%	163	7.92%	78	8.61%	272	8.04%
Proposed Amendment No. 11, Vote For 1									
	For	258	69.17%	1,362	74.71%	553	70.63%	2,173	72.94%
	Against	115	30.83%	461	25.29%	230	29.37%	806	27.06%
	Cast Votes:	373	89.23%	1,823	88.58%	783	86.42%	2,979	88.08%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	45	10.77%	235	11.42%	123	13.58%	403	11.92%
Proposed Amendment No. 12, Vote For 1									
	For	277	72.32%	1,390	74.81%	604	74.66%	2,271	74.46%
	Against	106	27.68%	468	25.19%	205	25.34%	779	25.54%
	Cast Votes:	383	91.63%	1,858	90.28%	809	89.29%	3,050	90.18%
	Over Votes:	3	0.72%	0	0.00%	0	0.00%	3	0.09%
	Under Votes:	32	7.66%	200	9.72%	97	10.71%	329	9.73%
Proposed Amendment No. 13, Vote For 1									
	For	296	80.87%	1,429	77.54%	608	76.29%	2,333	77.61%
	Against	70	19.13%	414	22.46%	189	23.71%	673	22.39%
	Cast Votes:	366	87.56%	1,843	89.55%	797	87.97%	3,006	88.88%
	Over Votes:	1	0.24%	0	0.00%	0	0.00%	1	0.03%
	Under Votes:	51	12.20%	215	10.45%	109	12.03%	375	11.09%

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Proposed Amendment No. 14, Vote For 1									
	For	303	82.11%	1,430	80.79%	591	78.38%	2,324	80.33%
	Against	66	17.89%	340	19.21%	163	21.62%	569	19.67%
	Cast Votes:	369	88.28%	1,770	86.01%	754	83.22%	2,893	85.54%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	49	11.72%	288	13.99%	152	16.78%	489	14.46%
Proposed Amendment No. 15, Vote For 1									
	For	205	55.11%	1,012	55.33%	412	52.48%	1,629	54.55%
	Against	167	44.89%	817	44.67%	373	47.52%	1,357	45.45%
	Cast Votes:	372	89.00%	1,829	88.87%	785	86.64%	2,986	88.29%
	Over Votes:	1	0.24%	0	0.00%	0	0.00%	1	0.03%
	Under Votes:	45	10.77%	229	11.13%	121	13.36%	395	11.68%
Proposed Amendment No. 16, Vote For 1									
	For	327	87.20%	1,595	85.48%	669	83.00%	2,591	85.03%
	Against	48	12.80%	271	14.52%	137	17.00%	456	14.97%
	Cast Votes:	375	89.71%	1,866	90.67%	806	88.96%	3,047	90.09%
	Over Votes:	1	0.24%	0	0.00%	0	0.00%	1	0.03%
	Under Votes:	42	10.05%	192	9.33%	100	11.04%	334	9.88%

New Business Item No. 2

2. The Issuance of Certificate of Election to newly Elected Officials.
Mayor Reid.
 - A. Certificate of Election to Tom Reid, Mayor.
 - B. Certificate of Election to Gary Moore, City Council
Position No. Three (3).

**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF PEARLAND, TEXAS**

AGENDA OF: 5/19/14	ITEM NO.: New Business No. 2 (A)
DATE SUBMITTED: 5/12/14	DEPARTMENT OF ORIGIN: City Secretary
PREPARED BY: Young Lorfing	PRESENTOR: Mayor Reid
REVIEWED BY: Mike Hodge	REVIEW DATE: May 13, 2014
SUBJECT: Issuance of Certificate of Election	
EXHIBITS: Certificate of Election for Mayor Tom Reid	
EXPENDITURE REQUIRED: AMOUNT AVAILABLE: ACCOUNT NO.:	AMOUNT BUDGETED: PROJECT NO.:
ADDITIONAL APPROPRIATION REQUIRED: ACCOUNT NO.: PROJECT NO.:	
To be completed by Department: <input type="checkbox"/> Finance <input type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution	

EXECUTIVE SUMMARY

Issuance of the Certificate of Election to Tom Reid Mayor.

RECOMMENDED ACTION

Presentation of Certificate of Election by Mayor Reid.

Certificate of Election

IN THE NAME AND BY THE AUTHORITY OF THE
CITY OF PEARLAND, TEXAS

THIS IS TO CERTIFY, That at a general election held on
10th day of May, A.D., 2014

Tom Reid

was duly elected

Mayor

In testimony whereof, I have hereunto signed my name and caused the seal of
The City of Pearland, Texas to be affixed, this the 19th day of May A.D., 2014.

Seal

Tom Reid
Mayor

**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF PEARLAND, TEXAS**

AGENDA OF: 5/19/14	ITEM NO.: New Business No. 2 (B)
DATE SUBMITTED: 5/12/14	DEPARTMENT OF ORIGIN: City Secretary
PREPARED BY: Young Lorfing	PRESENTOR: Mayor Reid
REVIEWED BY: Mike Hodge	REVIEW DATE: May 13, 2014
SUBJECT: Issuance of Certificate of Election	
EXHIBITS: Certificate of Election for Councilmember Position No. 3 Gary Moore	
EXPENDITURE REQUIRED: AMOUNT AVAILABLE: ACCOUNT NO.:	AMOUNT BUDGETED: PROJECT NO.:
ADDITIONAL APPROPRIATION REQUIRED: ACCOUNT NO.: PROJECT NO.:	
To be completed by Department: <input type="checkbox"/> Finance <input type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution	

EXECUTIVE SUMMARY

Mayor Reid will issue the Certificate of Election to Gary Moore, Councilmember Position No. 3.

RECOMMENDED ACTION

Presentation of Certificate of Election by Mayor Reid.

Certificate of Election

IN THE NAME AND BY THE AUTHORITY OF THE
CITY OF PEARLAND, TEXAS

THIS IS TO CERTIFY, That at a general election held on
10th day of May, A.D., 2014

Gary Moore

was duly elected

Councilmember Position No. 3

In testimony whereof, I have hereunto signed my name and caused the seal of
The City of Pearland, Texas to be affixed, this the 19th day of May A.D., 2014.

Seal

Tom Reid
Mayor

New Business Item No. 3

3. Administration of Oath of Office to newly Elected Officials. *The Honorable Gordon Starkenburg.*
 - A. Oath of Office administered to newly elected official Tom Reid, Mayor.
 - B. Oath of Office administered to newly elected official Gary Moore, City Council Position No. Three (3).

**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF PEARLAND, TEXAS**

AGENDA OF: 5/19/14	ITEM NO.: New Business No. 3 (A)
DATE SUBMITTED: 5/19/14	DEPARTMENT OF ORIGIN: City Secretary
PREPARED BY: Young Lorfing	PRESENTOR:
REVIEWED BY: Mike Hodge	REVIEW DATE: May 13, 2014
SUBJECT: Administration of the Oath of Office given by Honorable Judge Gordon Starkenburg	
EXHIBITS: Oath of office and Statement of Elected Official.	
EXPENDITURE REQUIRED: AMOUNT AVAILABLE: ACCOUNT NO.:	AMOUNT BUDGETED: PROJECT NO.:
ADDITIONAL APPROPRIATION REQUIRED: ACCOUNT NO.: PROJECT NO.:	
To be completed by Department:	
Finance	Legal
Ordinance	Resolution

EXECUTIVE SUMMARY

Article XVI, § 1, Texas Constitution, prescribes a written statement that all officers must sign and receive the Oath of Office before they enter upon the duties of their offices. The Statement and Oath are required of all elected and appointed city officers, both in general law cities and in home rule cities. The Statement and Oath is filed in the City Secretary's Office.

RECOMMENDED ACTION

Each newly elected officer will read and sign the Statement of Elected Official.

The Honorable Judge Gordon Starkenburg will administer the Oath of Office to Tom Reid, Mayor.

In the name and by the authority of

The State of Texas

OATH OF OFFICE

I, **Tom Reid**, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Mayor, for the City of Pearland, of the State of Texas, and will to the best of my ability to preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Tom Reid

SWORN TO and Subscribed before me by Tom Reid on this 19th day of **May, 2014**.

Judge Gordon Starkenburg

SEAL

STATEMENT OF ELECTED/APPOINTED OFFICER

(Pursuant to Tex. Const. art. XVI, §1(b), amended 2001)

I Tom Reid, do solemnly swear (or affirm), that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money, or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING STATEMENT AND THAT THE FACTS STATED THEREIN ARE TRUE.

May 19, 2014

Date

Tom Reid

Mayor

Position to Which Elected

Pearland, Texas

City

**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF PEARLAND, TEXAS**

AGENDA OF: 5/19/14	ITEM NO.: New Business No. 3 (B)
DATE SUBMITTED: 5/12/14	DEPARTMENT OF ORIGIN: City Secretary
PREPARED BY: Young Lorfing	PRESENTOR:
REVIEWED BY: Mike Hodge	REVIEW DATE: May 13, 2014
SUBJECT: Administration of the Oath of Office given by Honorable Judge Gordon Starkenburg.	
EXHIBITS: Oath of office and Statement of Elected Official.	
EXPENDITURE REQUIRED: AMOUNT AVAILABLE: ACCOUNT NO.:	AMOUNT BUDGETED: PROJECT NO.:
ADDITIONAL APPROPRIATION REQUIRED: ACCOUNT NO.: PROJECT NO.:	
To be completed by Department:	
Finance	Legal
Ordinance	Resolution

EXECUTIVE SUMMARY

Article XVI, § 1, Texas Constitution, prescribes a written statement that all officers must sign and receive the Oath of Office before they enter upon the duties of their offices. The Statement and Oath are required of all elected and appointed city officers, both in general law cities and in home rule cities. The Statement and Oath is filed in the City Secretary's Office.

RECOMMENDED ACTION

Each newly elected officer will read and sign the Statement of Elected Official.

The Honorable Judge Gordon Starkenburg will administer the Oath of Office to Gary Moore.

In the name and by the authority of

The State of Texas

OATH OF OFFICE

I, **Gary Moore**, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Councilmember Position No. Three (3), for the City of Pearland, of the State of Texas, and will to the best of my ability to preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Gary Moore

SWORN TO and Subscribed before me by Gary Moore on this 19th day of May, **2014**.

Judge Gordon Starkenburg

SEAL

STATEMENT OF ELECTED/APPOINTED OFFICER

(Pursuant to Tex. Const. art. XVI, §1(b), amended 2001)

I Gary Moore, do solemnly swear (or affirm), that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money, or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING STATEMENT AND THAT THE FACTS STATED THEREIN ARE TRUE.

May 19, 2014

Date

Gary Moore

Councilmember Pos. 3

Position to Which Elected

Pearland, Texas

City

New Business Item No. 4

4. **CONSIDERATION AND POSSIBLE ACTION** – Election of Mayor Pro-Tem. *City Council.*

**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF PEARLAND, TEXAS**

AGENDA OF: May 19, 2014	ITEM NO.: New Business No. 4
DATE SUBMITTED: May 12, 2014	DEPARTMENT OF ORIGIN: City Secretary
PREPARED BY: Young Lorfing	PRESENTOR: Mayor and Council
REVIEWED BY: Mike Hodge	REVIEW DATE: May 13, 2014
SUBJECT: Election of a Mayor Pro-Tem	
EXHIBITS: Section 3.05 Mayor Pro-Tem, City of Pearland Charter	
EXPENDITURE REQUIRED: AMOUNT AVAILABLE: ACCOUNT NO.:	AMOUNT BUDGETED: PROJECT NO.:
ADDITIONAL APPROPRIATION REQUIRED: ACCOUNT NO.: PROJECT NO.:	
To be completed by Department: <input type="checkbox"/> Finance <input type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution	

EXECUTIVE SUMMARY

City of Pearland Charter Section 3.05 Mayor pro tem, states the city council at its first meeting after election of councilmembers shall elect one (1) of its members mayor pro tem, and he/she shall perform all the duties of the mayor in the absence or disability of the mayor.

RECOMMENDED ACTION

Elect a Mayor Pro-Tem.

in any calculation of the number of votes needed for the city council to take any action authorized by this charter, except when the mayor is allowed to vote in the case of a tie vote.

- (c) In the first election year after adoption of the charter, two (2) councilmembers shall be elected for positions 1 and 5. In the second election year after adoption of this charter, the mayor and one (1) councilmember for position 3 shall be elected. In the third election year after adoption of this charter two (2) councilmembers shall be elected for positions 2 and 4.
- (d) The mayor and each councilmember shall hold office for a period of three (3) years and until his/her successor is elected and qualified. All elections shall be held in the manner provided for by this charter and the election laws of the State of Texas.
- (e) Councilmembers shall be limited to two (2) full consecutive elected terms of office, and there shall be no limitation on the office of mayor.

(Res. No. R90-14, § III, ratified 5-5-90, approved 5-7-90; Res. No. R94-22, §§ I(2), III, ratified 5-7-94, approved 5-9-94; Amd. of 5-13-06)

Section 3.02. Qualifications.

Each member of the city council shall be a resident citizen of the City of Pearland, shall be a qualified voter of the State of Texas, shall have been such resident citizen of the City of Pearland for a period of not less than six (6) months immediately preceding his/her election, and shall not be indebted to the City of Pearland. If the mayor or any councilmember fails to maintain the foregoing qualifications or shall be absent from two (2) regularly scheduled meetings within any

six-month period without valid excuse, the city council must, at its next regular meeting, declare a vacancy as set forth in section 3.06 of this charter. No member of the city council of the City of Pearland shall hold any paid position under the city government during their term of office.

(Res. No. R90-14, § III, ratified 5-5-90, approved 5-7-90)

Section 3.03. Council to be judge of election qualifications.

The city council shall be the judge of the election and qualification of its own members and other elected officials of the city.

Section 3.04. Compensation.

The city council shall recommend the compensation to be received by its members for attendance at its meetings with any changes in compensation subject to voters' approval by a simple majority at the next regular election.

Code references—Mayor's salary, § 2-1; councilmembers' salary, § 2-2.

Section 3.05. Mayor pro tem.

The city council at its first meeting after election of councilmembers shall elect one (1) of its members mayor pro tem, and he/she shall perform all the duties of the mayor in the absence or disability of the mayor.

(Res. No. R90-14, § III, ratified 5-5-90, approved 5-7-90)

Section 3.06. Vacancies.

Vacancies in the council, including the office of mayor, shall be filled at a special election which shall be called by the remaining members of the council.

Section 3.07. Powers of the city council.

All powers and authority which are expressly or impliedly conferred on or pos-