



CITY COUNCIL AGENDA

CITY OF PEARLAND

SPECIAL MEETING

MONDAY, JUNE 22, 2015, 6:00 P.M.

COUNCIL CHAMBERS | PEARLAND CITY HALL | 3519 LIBERTY DRIVE
281.652.1600

I. CALL TO ORDER

II. PURPOSE OF THE MEETING:

- 1. Consideration and Possible Action – Resolution No. R2015-106 – A Resolution and Order of the City Council of the City of Pearland, Texas, canvassing the returns and declaring the results of the Special Runoff Election Held in the City of Pearland, Texas, on June 13, 2015.**
- 2. Mayor’s issuance of Certificate of Election to Derrick Reed Councilmember Position Number Two (2).**
- 3. Administration of Oath of Office by the Honorable Belinda Hill to Derrick Reed Councilmember Position Number Two (2).**
- 4. Consideration and Possible Action – Election of Mayor Pro-Tem.**

III. 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.

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

AGENDA OF: June 22, 2015	ITEM NO.: Resolution No. R2015-106
DATE SUBMITTED: June 15, 2015	DEPARTMENT OF ORIGIN: City Secretary
PREPARED BY: Young Lorfing	PRESENTOR: Young Lorfing
REVIEWED BY: Jon R. Branson	REVIEW DATE: June 15, 2015
SUBJECT: Resolution No. R2015-106 - A Resolution and Order of the City Council of the City Of Pearland, Texas, canvassing the returns and declaring the results of the Special Runoff Election Held in the City of Pearland, Texas, on June 13, 2015.	
EXHIBITS: Resolution No. R2015-106, (Exhibit "A" 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 Special Runoff Election held on Saturday, June 13, 2015.

Resolution No. R2015-106, canvassing the votes, contains the unofficial totals. The final totals will be passed out to Council at the Special Meeting. The Early Voting Ballot Board will meet Friday, June 19 after 5:00 p.m. to review provisional ballots and qualify any overseas ballots. The totals may change slightly in the event Brazoria County accepts the *22 provisional ballots not included in the unofficial report attached and 4 overseas ballots*. The 22 provisional ballots and 4 overseas ballots, if counted, will not change the outcome of the Election.

RECOMMENDED ACTION

Consider and adopt Resolution No R2015-106.

Resolution No. R2015-106

A Resolution and Order of the City Council of the City of Pearland, Texas, canvassing the returns and declaring the results of the Special Runoff Election Held in the City of Pearland, Texas, on June 13, 2015.

WHEREAS, there was held in the City of Pearland, Texas, on the 13th day of June, 2015, a City Special Runoff Election at which the office to be filled for Member of Council, Position Number Two (2) was 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 June 22nd 2015, after date of said election, being held for the purpose of canvassing the returns and declaring the results of the Special Runoff Election held on June 13, 2015; 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 **3,036** valid and legal votes; and that said election resulted in the following vote totals:

FOR MEMBER OF THE COUNCIL, POSITION NUMBER TWO (2)

NAME OF CANDIDATE	NUMBER OF VOTES RECEIVED	PERCENTAGE
Derrick Reed	1,717	56.80%
Quentin Wiltz	1,306	43.20%

RESOLUTION NO. 2015-106

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 June 13, 2015, within the City of Pearland, Texas, the candidate elected to serve as **Member of the Council, Position Number Two (2)** is **Derrick Reed** and said party is hereby declared duly elected to said respective office, subject to taking of their Oath of Office and Statement of Elected Officers as provided by the laws of the State of Texas.

SECTION III.

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

PASSED, APPROVED, ADOPTED, and ORDERED this ___ day of _____, A. D., 2015.

ATTEST:

Tom Reid
Mayor

Young Lorfing, TRMC
City Secretary

APPROVED AS TO FORM:

Darrin M. Coker
City Attorney

Cumulative Report — Unofficial
Brazoria County — City of Pearland General Runoff Election — June 13, 2015

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Total Number of Voters : 3,036 of 60,374 = 5.03%

Precincts Reporting 25 of 25 = 100.00%

Party	Candidate	Absentee		Early		Election		Total	
Councilmember, Position No. 2, Vote For 1									
	Derrick Reed	159	54.45%	1,114	57.07%	444	57.00%	1,717	56.80%
	Quentin Wiltz	133	45.55%	838	42.93%	335	43.00%	1,306	43.20%
	Cast Votes:	292	99.32%	1,952	99.59%	779	99.62%	3,023	99.57%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	2	0.68%	8	0.41%	3	0.38%	13	0.43%

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

AGENDA OF: 6/22/15	ITEM NO.: New Business No. 2
DATE SUBMITTED: 6/15/15	DEPARTMENT OF ORIGIN: City Secretary
PREPARED BY: Young Lorfing	PRESENTOR: Mayor Reid
REVIEWED BY: Jon R. Branson	REVIEW DATE: June 15, 2015
SUBJECT: Issuance of Certificate of Election	
EXHIBITS: Certificate of Election for Councilmember Position No. 2 Derrick Reed.	
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 Derrick Reed, Councilmember Position Number 2.

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
13th day of June, A.D., 2015

Derrick Reed

was duly elected

Councilmember Position No. 2

In testimony whereof, I have hereunto signed my name and caused the seal of
the City of Pearland, Texas to be affixed, this the 22nd day of June A.D., 2015.

Seal

Tom Reid
Mayor

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

AGENDA OF: 6/22/15	ITEM NO.: New Business No. 3
DATE SUBMITTED: 6/15/15	DEPARTMENT OF ORIGIN: City Secretary
PREPARED BY: Young Lorfing	PRESENTOR:
REVIEWED BY: Jon R. Branson	REVIEW DATE: June 15, 2015
SUBJECT: Administration of the Oath of Office given by the Honorable Belinda Hill	
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: <input type="checkbox"/> Finance <input type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input type="checkbox"/> 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.

Honorable Belinda Hill will administer the Oath of Office to Derrick Reed.

STATEMENT OF ELECTED/APPOINTED OFFICER

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

I, **Derrick Reed**, 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.

June 22, 2015

Date

Derrick Reed

Councilmember Pos. 2

Position to Which Elected

Pearland, Texas

City

In the name and by the authority of

The State of Texas

OATH OF OFFICE

I, **Derrick Reed**, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of **Councilmember Position Number Two (2)**, 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.

Derrick Reed

SWORN TO and Subscribed before me by Derrick Reed on this **22nd** day of **June, 2015**.

Honorable Belinda Hill

SEAL

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

AGENDA OF: June 22, 2015	ITEM NO.: New Business No. 4
DATE SUBMITTED: June 15, 2015	DEPARTMENT OF ORIGIN: City Secretary
PREPARED BY: Young Lorfing	PRESENTOR: Mayor and Council
REVIEWED BY: Jon R. Branson	REVIEW DATE: June 15, 2015
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-