

It was the consensus of the Commission that the approval of the minutes policy remain as is. However, under special circumstances as determined by the Commission, the Chairman may recommend approval of the minutes.

NEW BUSINESS

Recommendation to City Manager on 5 Year Capital Improvements Plan. A number of changes had been made to this revision, including the addition of the Walkway/Bikeway section.

City Engineer Hargrove stated there were a couple of minor changes needed. See below.

Vice Chairman Pat Lopez made the motion, seconded by Commissioner Robert Larsen to recommend to the City Manager the 5 Year Capital Improvement Plan, with corrections as specified.

Motion Passed 6 to 0.

CORRECTIONS TO CAPITAL IMPROVEMENT PLAN:

1. Add to "Streets - Minor Projects" as #4 Walnut - SH 35 to Washington.
2. Move #4 from "Streets - Major Projects" to "Streets - Minor Projects" as #7.
3. Add "Parkway" to "Streets - Major Projects" #14 Barry Rose Road - Clear Creek "Parkway" to WWTP.
4. Renumber "Streets - Minor Projects" and "Streets - Major Projects" accordingly.
5. Number pages.

Validity of the Excuse of Commissioner Barbara Lenamon from Three Consecutive Planning & Zoning Commission Meetings (Meetings of June 6, 1994, May 26, 1994 and May 9, 1994.

Chairman Emil Beltz stated he had talked with Barbara last week concerning this matter. She advised him she would resign her position on the Planning & Zoning Commission. She has other obligations and will not be able to participate as required by the Charter.

Commissioner Robert Larsen made the motion, seconded by Commissioner Marshall Eggers that it has been determined that Commissioner Barbara Lenamon had in fact missed 3 consecutive Planning & Zoning Commission meetings without a valid excuse (Meetings of June 6, 1994, May 26, 1994 and May 9, 1994).

Motion Passed 6 to 0.

Chairman Emil Beltz asked Richard Burdine to serve as liaison between Planning & Zoning

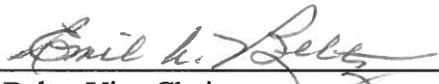
Commission and City Council and advise Council of the vacancy on the Planning & Zoning Commission.

Director's Report: None.

Next Meeting Date: July 14, 1994.

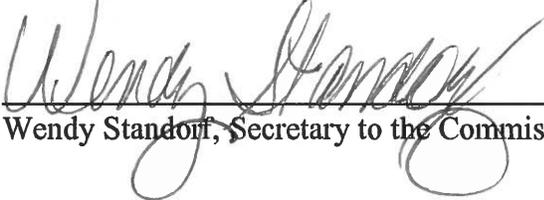
Adjourned: 7:47 p.m.

Minutes approved as submitted and/or corrected this 11th day of July
A.D., 1994.



Emil Beltz, Vice Chairman

ATTEST:



Wendy Standorf, Secretary to the Commission

CAPITAL IMPROVEMENTS PROJECTS

STREETS - MINOR PROJECTS

1. SHADYBEND-LIBERTY TO MISTY (1200' CONCRETE REBUILD, CURB TO CURB-28'), \$100,000
2. WASHINGTON IRVING (1050' ASPHALT RECONSTRUCTION - BROM BONES TO WOODCREEK) \$50,000
3. BARRY ROSE ROAD - 518 TO REMINGTON (ASPHALT WIDENING)
4. INTERSECTION - DIXIE FARM RD. - 518 (SOUTH BOUND TURNING LANE)
5. INTERSECTION HATFIELD AT HATFIELD
6. INTERSECTION HARKEY/O'DAY AT 518

STREETS - MAJOR PROJECTS

1. HUGHES RD.
 - A. OILER DR. TO JOHN LIZER
 - B. JOHN LIZER TO 518
 - C. SAGEMONT TO 518
2. DIXIE FARM RD.
 - A. BEAMER TO 518
 - B. 518 TO 35
3. INTERSECTION - WALNUT/518 AT MCLEAN
4. BARRY ROSE ROAD - REMINGTON TO HERITAGE GREEN
5. MYKAWA - BELTWAY 8 TO VETERANS
6. 518 WIDENING - 35 TO O'DAY (CR 1128)
7. ORANGE STREET & MAGNOLIA DRIVE - RR OVERPASSES
8. BARRY ROSE ROAD - HERITAGE GREEN TO CLEAR CREEK PARKWAY
9. E. ORANGE - OLD ALVIN ROAD TO BARRY ROSE
10. MAGNOLIA - RYAN ACRES TO SOUTHWYCK

REVISED JUNE 7, 1994

11. FITE RD. - MCLEAN TO VETERANS
12. CR 100 - 35 TO 288
13. MCHARD - COUNTRY PLACE TO CLEAR CREEK PKWY
14. BARRY ROSE ROAD - CLEAR CREEK TO WWTP

BRIDGE REPLACEMENT

1. DIXIE FARM RD. AT MARY'S CREEK
2. DIXIE FARM RD. AT COWART'S CREEK
3. DIXIE FARM RD. AT CLEAR CREEK
4. VETERAN'S DRIVE AT MARY'S CREEK
5. JOHN LIZER ROAD AT MARY'S CREEK

SEWER COLLECTION

1. INFLOW/INFILTRATION WORK
2. E. WALNUT - UPGRADE 10" TO BARRY ROSE
3. SLEEPY HOLLOW - WEST OF YOST TO WWTP
4. OLD TOWNSITE (GENERAL)
5. WWTPs EXPANSIONS
6. SOUTHWEST REGIONAL WWTP
7. DIXIE FARM - TRANSMISSION MAIN, 35 TO LONGWOOD
8. MAGNOLIA/VETERANS TO SW REGIONAL PLANT
9. SCOTT/MCHARD - MYKAWA TO BARRY ROSE WWTP
10. LIFT STATIONS - REHAB/EXPANSION
 - A. MARY'S CREEK/LONGHERRIDGE
 - B. GREEN TEE
 - C. AT LONGWOOD WWTP

REVISED JUNE 7, 1994

WATER DISTRIBUTION

1. ALICE TO KNAPP
2. DIXIE FARM UPGRADE TO 16" - 518 TO 35
3. 518 - COUNTY LINE WEST TO DIXIE FARM
4. PAUL - BRIARGLEN TO HAZELDALE
5. NORTHWEST LOOP (O'DAY TIED TO HATFIELD)

ENGINEERING

1. DIGITIZED AERIAL MAPPING BASE OF CITY LIMITS AND ETJ FOR GEOGRAPHIC INFORMATION SYSTEM (GIS) (\$100,000)

DRAINAGE

LOCAL

1. SHADYCREST - LONGHERRIDGE
2. WILLOWCREST - NORTHWEST CORNER
3. CHANNEL STABILIZATION AND CHANNEL WALLS
 - A. CLEAR CREEK
 - B. BARRY ROSE OUTFALL
4. CORRIGAN - SOUTH/NORTH
5. E. ORANGE/OLD ALVIN
6. ORANGE STREET OUTFALL TO CLEAR CREEK
7. CHANNEL STABILIZATION AND CHANNEL WALLS
 - A. MARY'S CREEK AT 35

DRAINAGE

REGIONAL

1. CITY WIDE DETENTION

CLEAR CREEK/HICKORY SLOUGH
 - A. NORTHEAST LAKE (POSSIBLE RECREATIONAL USES - TRAILS, NATURE WALK, GOLF COURSE, FISHING)

REVISED JUNE 7, 1994

MARY'S CREEK

- A. PASTERNAK TRACT ADJACENT TO INDEPENDENCE PARK
- B. ADJACENT TO CENTENNIAL PARK

COWARTS CREEK

- A. CLOVER FIELD
- B. SOUTH OF SHADYCREST

2. CHANNELIZATION

- A. CLEAR CREEK
- B. MARY'S CREEK
- C. COWARTS CREEK
- D. HICKORY SLOUGH

WALKWAYS/BIKEWAYS

1. FM 518

- A. SH 35 TO WESTMINISTER
- B. WESTMINISTER TO LIBERTY
- C. LIBERTY TO WOODCREEK
- D. WOODCREEK TO SUNSET MEADOWS DRIVE

2. MARY'S CREEK

- A. ALONG CORRIGAN OUTFALL TO MARY'S CREEK
- B. CORRIGAN OUTFALL TO MCLEAN ROAD
- C. MCLEAN ROAD TO VETERANS DRIVE
- D. VETERANS DRIVE TO SH 35
- E. SH 35 TO JOHN LIZER
- F. JOHN LIZER TO EAST CORNER OF INDEPENDENCE PARK
- G. THROUGH PASTERNAK TRACT

3. FM 518 OUTFALL

- A. GALVESTON TO OLD ALVIN ROAD
- B. OLD ALVIN ROAD TO BARRY ROSE ROAD
- C. BARRY ROSE ROAD TO CLEAR CREEK

CAPITAL IMPROVEMENTS PROJECTS

STREETS - MINOR PROJECTS

1. SHADYBEND-LIBERTY TO MISTY (1200' CONCRETE REBUILD, CURB TO CURB-28'), \$100,000
2. WASHINGTON IRVING (1050' ASPHALT RECONSTRUCTION - BROM BONES TO WOODCREEK) \$50,000
3. BARRY ROSE ROAD - 518 TO REMINGTON (ASPHALT WIDENING)
4. *Asphalt Widening - Walnut - 5435 to Washington*
INTERSECTION - DIXIE FARM RD. - 518 (SOUTH BOUND TURNING LANE)
5. INTERSECTION HATFIELD AT HATFIELD
6. INTERSECTION HARKEY/O'DAY AT 518

STREETS - MAJOR PROJECTS

1. HUGHES RD.
 - A. OILER DR. TO JOHN LIZER
 - B. JOHN LIZER TO 518
 - C. SAGEMONT TO 518
2. DIXIE FARM RD.
 - A. BEAMER TO 518
 - B. 518 TO 35
3. INTERSECTION - WALNUT/518 AT MCLEAN
4. BARRY ROSE ROAD - REMINGTON TO HERITAGE GREEN
5. MYKAWA - BELTWAY 8 TO VETERANS
6. 518 WIDENING - 35 TO O'DAY (CR 1128)
7. ORANGE STREET & MAGNOLIA DRIVE - RR OVERPASSES
8. BARRY ROSE ROAD - HERITAGE GREEN TO CLEAR CREEK PARKWAY
9. E. ORANGE - OLD ALVIN ROAD TO BARRY ROSE
10. MAGNOLIA - RYAN ACRES TO SOUTHWYCK

REVISED JUNE 7, 1994

pages

11. FITE RD. - MCLEAN TO VETERANS
12. CR 100 - 35 TO 288
13. MCHARD - COUNTRY PLACE TO CLEAR CREEK PKWY
14. BARRY ROSE ROAD - CLEAR CREEK TO WWTP

BRIDGE REPLACEMENT

1. DIXIE FARM RD. AT MARY'S CREEK
2. DIXIE FARM RD. AT COWART'S CREEK
3. DIXIE FARM RD. AT CLEAR CREEK
4. VETERAN'S DRIVE AT MARY'S CREEK
5. JOHN LIZER ROAD AT MARY'S CREEK

SEWER COLLECTION

1. INFLOW/INFILTRATION WORK
2. E. WALNUT - UPGRADE 10" TO BARRY ROSE
3. SLEEPY HOLLOW - WEST OF YOST TO WWTP
4. OLD TOWNSITE (GENERAL)
5. WWTPs EXPANSIONS
6. SOUTHWEST REGIONAL WWTP
7. DIXIE FARM - TRANSMISSION MAIN, 35 TO LONGWOOD
8. MAGNOLIA/VETERANS TO SW REGIONAL PLANT
9. SCOTT/MCHARD - MYKAWA TO BARRY ROSE WWTP
10. LIFT STATIONS - REHAB/EXPANSION
 - A. MARY'S CREEK/LONGHERRIDGE
 - B. GREEN TEE
 - C. AT LONGWOOD WWTP

REVISED JUNE 7, 1994

WATER DISTRIBUTION

1. ALICE TO KNAPP
2. DIXIE FARM UPGRADE TO 16" - 518 TO 35
3. 518 - COUNTY LINE WEST TO DIXIE FARM
4. PAUL - BRIARGLEN TO HAZELDALE
5. NORTHWEST LOOP (O'DAY TIED TO HATFIELD)

ENGINEERING

1. DIGITIZED AERIAL MAPPING BASE OF CITY LIMITS AND ETJ FOR GEOGRAPHIC INFORMATION SYSTEM (GIS) (\$100,000)

DRAINAGE

LOCAL

1. SHADYCREST - LONGHERRIDGE
2. WILLOWCREST - NORTHWEST CORNER
3. CHANNEL STABILIZATION AND CHANNEL WALLS
 - A. CLEAR CREEK
 - B. BARRY ROSE OUTFALL
4. CORRIGAN - SOUTH/NORTH
5. E. ORANGE/OLD ALVIN
6. ORANGE STREET OUTFALL TO CLEAR CREEK
7. CHANNEL STABILIZATION AND CHANNEL WALLS
 - A. MARY'S CREEK AT 35

DRAINAGE

REGIONAL

1. CITY WIDE DETENTION

CLEAR CREEK/HICKORY SLOUGH
 - A. NORTHEAST LAKE (POSSIBLE RECREATIONAL USES - TRAILS, NATURE WALK, GOLF COURSE, FISHING)

REVISED JUNE 7, 1994

MARY'S CREEK

- A. PASTERNAK TRACT ADJACENT TO INDEPENDENCE PARK
- B. ADJACENT TO CENTENNIAL PARK

COWARTS CREEK

- A. CLOVER FIELD
- B. SOUTH OF SHADYCREST

2. CHANNELIZATION

- A. CLEAR CREEK
- B. MARY'S CREEK
- C. COWARTS CREEK
- D. HICKORY SLOUGH

WALKWAYS/BIKEWAYS

1. FM 518

- A. SH 35 TO WESTMINISTER
- B. WESTMINISTER TO LIBERTY
- C. LIBERTY TO WOODCREEK
- D. WOODCREEK TO SUNSET MEADOWS DRIVE

2. MARY'S CREEK

- A. ALONG CORRIGAN OUTFALL TO MARY'S CREEK
- B. CORRIGAN OUTFALL TO MCLEAN ROAD
- C. MCLEAN ROAD TO VETERANS DRIVE
- D. VETERANS DRIVE TO SH 35
- E. SH 35 TO JOHN LIZER
- F. JOHN LIZER TO EAST CORNER OF INDEPENDENCE PARK
- G. THROUGH PASTERNAK TRACT

3. FM 518 OUTFALL

- A. GALVESTON TO OLD ALVIN ROAD
- B. OLD ALVIN ROAD TO BARRY ROSE ROAD
- C. BARRY ROSE ROAD TO CLEAR CREEK

PLANNING AND ZONING COMMISSION

PEARLAND, TEXAS

RULES OF PROCEDURE

1.00 ORGANIZATION AND OFFICERS

1.01 ORGANIZATION

The Planning and Zoning Commission shall consist of those members appointed by the City Council and shall be organized under the laws of the State of Texas, the City Charter, and Ordinance No. 509.

1.02 OFFICERS

A Chairman and Vice Chairman shall be elected at such time as those offices may become vacant. At any meeting of the Planning and Zoning Commission, if neither the Chairman nor the Vice Chairman is present or is abstaining from discussion, then those Commission members present shall elect one of their number to be the Chairman for conducting the meeting as provided herein.

1.03 DUTIES

The Chairman, or in the absence of the Chairman, the Vice Chairman or other member elected as temporary chairman, shall preside at meetings and shall decide all points of order or procedure.

1.04 RULES OF ORDER

ROBERT'S RULES OF ORDER, latest revision, shall be the Commission's final authority on all questions of procedure and parliamentary law not covered by these Rules of Procedure or the City's Charter.

2.00 MEETINGS

2.01 MEETING DATE

The Planning and Zoning Commission shall meet at 7:00 P.M. on the first Tuesday of the month which is subject to adjustment if a conflict arises.

2.02 QUORUM

A quorum shall consist of a majority of the members qualified and serving on the Commission.

2.03 PRESIDING OFFICER

The Chairman, or in his absence the Vice Chairman, shall preside at all meetings of the Commission. In the absence of the Chairman and the Vice Chairman, any member elected by a majority of the Commission at such meeting may preside unless another member has been designated by the Chairman for such purpose.

2.04 AGENDA

An agenda shall be prepared by the person performing the duties of the City Secretary for each meeting of the Commission. The agenda shall include applications prepared and submitted according to ordinances and procedures provided herein.

2.05 CITIZEN'S RIGHT TO BE HEARD

Any citizen shall have a reasonable opportunity to be heard at all regular and special meetings of the Commission. However, the Commission shall not take additional testimony on a public hearing in a regular meeting. Persons wishing to speak shall sign up with the City Secretary by 12:00 noon on Friday preceding the day of the meeting. The Commission requests that each speaker limit his/her presentation to three minutes. No member of the public shall be heard unless recognized by the Chairman. Any member of the public who interrupts the Commission proceedings, fails to abide by these rules of procedure in addressing the Commission, or is otherwise disruptive to the extent the Commission is unable to conduct its meeting in an orderly fashion, shall be subject to removal from the meeting place upon the direction of the Commission. Records relating to items before the Commission shall be available for public inspection at the City Hall.

3.00 CONDUCTION OF MEETINGS

3.01 CALL TO ORDER

After determining a quorum is present, the Chairman shall call the Commission to order and the Secretary shall record the members present and absent; minutes of prior meetings shall be considered for approval; reports of the Chairman

shall be received; the citizens in general shall be heard; and other items placed on the agenda shall be heard.

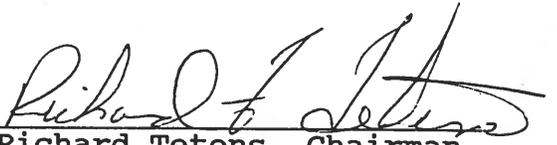
3.02 VOTE REQUIRED

A majority of the Commissioners which constitute a quorum at any meeting shall be necessary to approve or disapprove items of business.

4.00 MINUTES

The structure of the Minutes shall follow the order of the agenda as amended. An audio recording of all Commission meetings shall be made with said recordings retained in the office of the City Secretary. The minutes shall provide formal record of the Commission's actions, including the name of the mover and seconder by motions, the specific construction of motions, and the voting record.

PASSED, APPROVED, and ADOPTED, as amended, by the Planning and Zoning Commission of the City of Pearland on this 5th day of APRIL, A.D., 1993.


Richard Tetens, Chairman

ATTEST:


Pat Jones, City Secretary

RECEIVED JUN 09 1994

GREGG & MIESZKUC

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

DICK H. GREGG, JR.
MARILYN MIESZKUC
POLLY P. LEWIS*
CHARLES A. DAUGHTRY**

17044 EL CAMINO REAL
CLEAR LAKE CITY
HOUSTON, TEXAS 77058
June 2, 1994

* Board Certified -
Estate Planning and Probate Law
Texas Board of Legal Specialization

** Board Certified - Civil Trial Law
Texas Board of Legal Specialization

ELIZABETH E. SCOTT
DICK H. GREGG, III

TELEPHONE (713) 488-8680
FAX (713) 488-8531

Richard Burdine
City of Pearland
P. O. Box 2068
Pearland, Texas 77588-2068

Re: Approval of Minutes

Dear Richard:

You recently asked for my legal opinion as to whether new or absent commissioners may vote to approve minutes of a meeting they did not attend. The better practice is for the commissioners to abstain for voting on the approval of the minutes for a meeting they did not attend. However, the commissioners do have the power to vote to approve those minutes.

The planning and zoning commission has the power to adopt its own rules. The commission is not required to approve the minutes of prior meetings by a formal motion and vote. The commission can establish the following procedure for approval of the minutes:

Chair says, "The secretary will read the minutes". The secretary may (1) actually read the minutes outloud or (2) if the minutes are prepared ahead of time and circulated to the members in advance, the actual reading of them aloud may be waived if no member objects. Either way, the chair then asks, "Are there any corrections to the minutes?" and pauses. Whether or not a motion for approval has been offered, the chair would next announce, "If there are no corrections (or no further corrections), the minutes stand (or are approved).

This procedure avoids an actual roll call vote, but approves the minutes unless an objection is made to a fact error in the minutes.

I recommend the P&Z Commission adopt this new procedure for adopting the minutes. It is much simpler. Then at the following

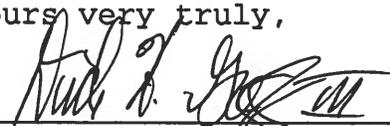
Attorney's
Opinion
Re: 5-9-94
Minutes

Richard Burdine
June 2, 1994
Page 2

meeting the commissions may approve the minutes of the past two meetings.

If I may assist you further, please do not hesitate to call.

Yours very truly,



Dick H. Gregg



City of Pearland

3519 Liberty Drive • Pearland, Texas 77581-5416
(713) 485-2411 • Fax (713) 485-8764

June 13, 1994

Barbara Lenamon
3402 East Walnut
Pearland, TX 77581

Dear Barbara:

At the June 20, 1994, meeting of the Planning and Zoning Commission the following agenda item will be considered, as required by the City Charter, Article 7., Section 7.01(c) (copy attached):

Consideration and Possible Action - Per Article 7., Section 7.01(c) of the Charter - Determination of the Validity of the Excuse of Commissioner Barbara Lenamon for Absence from Three Consecutive Planning and Zoning Commission Meetings (Meetings of June 6, 1994, May 26, 1994, and May 9, 1994).

If you are unable to attend the June 20, 1994, meeting, please provide the Commission with a letter giving your excuse. If your travel schedule will prevent attending many more Commission meetings this summer, you may wish to consider resigning. In that case, a letter of resignation to the City Secretary would cancel any need for Commission action.

Sincerely yours,

Emil Beltz, Chairman
Planning and Zoning Commission

(c) Vacancies:

Members on the Planning & Zoning Commission shall be accompanied by active participation in the activities of the Commission, and any member who is absent from three (3) consecutive meetings of the Commission without valid excuse as determined by the Commission, shall automatically be dismissed from membership. The Commission shall at once notify the City Council that a vacancy in the Commission exists. Vacancies occurring in the Commission, for whatever reason, shall be filled within thirty (30) days by appointment by the City Council for the remainder of the unexpired term.

(d) Powers and Duties:

The Commission shall have the power and shall be required to:

- (1) Amend, extend and add to the master plan for the physical development of the City.
- (2) Recommend, approve or disapprove plats of proposed subdivisions submitted in accordance with City Ordinance as adopted or hereafter amended.
- (3) Recommend to the City Council approval or disapproval of proposed changes in the zoning plan.
- (4) Make and recommend to the City Council for adoption, plans for the clearance and rebuilding

AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, JUNE 20, 1994, at 7:00 P.M. IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

- I. CALL TO ORDER**
- II. APPROVAL OF MINUTES:** Minutes of June 6, 1994
Minutes of May 9, 1994
- III. NEW BUSINESS**
 - A. CONSIDERATION AND POSSIBLE ACTION - Recommendation to City Manager on 5 Year Capital Improvements Plan.**
 - B. CONSIDERATION AND POSSIBLE ACTION - Per Article 7., Section 7.01(c) of the Charter - Determination of the Validity of the Excuse of Commissioner Barbara Lenamon for Absence from Three Consecutive Planning and Zoning Commission Meetings (Meetings of June 6, 1994, May 26, 1994 and May 9, 1994).**
- IV. DIRECTOR'S REPORT**
- V. NEXT MEETING DATE - To be scheduled based on plat submittals.**
- VI. ADJOURNMENT**

Posted: 17th Day of June, A.D., 1994 1:25 P.M.

Removed: 21st Day of June, A.D., 1994