

AGENDA

CITY OF PEARLAND ♦ CITY COUNCIL

January 13, 2014

7:30 p.m.

MAYOR
Tom Reid

Greg Hill
Mayor Pro-Tem
Position No. 5

COUNCIL MEMBERS

Tony Carbone
Position No. 1

Scott Sherman
Position No. 2



Susan Sherrouse
Position No. 3

Keith Ordeneaux
Position No. 4

Jon R. Branson
Interim City
Manager

Mike Hodge
Assistant City Manager

Darrin Coker
City Attorney

Young Lorfing
City Secretary

In accordance with the Texas Open Meeting Act the Agenda is posted for public information, at all times, for at least 72 hours preceding the scheduled time of the meeting on the bulletin board located at the front entrance of the City Hall, 3519 Liberty Drive.

AGENDA – OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, JANUARY 13, 2014, AT 7:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

- I. CALL TO ORDER**
- II. INVOCATION AND THE PLEDGE OF ALLEGIANCE TO THE UNITED STATES OF AMERICA FLAG AND TEXAS FLAG**
- III. RECOGNITIONS AND AWARDS**
- IV. CITIZENS**
- V. DOCKETED PUBLIC HEARING: NONE**
- VI. 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 (IX. MATTERS REMOVED FROM CONSENT AGENDA). APPROVAL OF THE CONSENT AGENDA ENACTS THE ITEMS OF LEGISLATION.

- A. CONSIDERATION AND POSSIBLE ACTION – APPROVAL OF MINUTES:**
 - 1. Minutes of the December 9, 2013 Public Hearing, held at 6:30 p.m.
 - 2. Minutes of the December 9, 2013 Public Hearing, held at 6:30 p.m.
 - 3. Minutes of the December 16, 2013 Public Hearing, held at 6:30 p.m.
- B. CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2014-3 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AWARDING A UNIT SUPPLY BID FOR AMMUNITION. *Mr. Jon Branson, Interim City Manager.***
- C. CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2014-4 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, RENEWING A BID FOR HVAC/REFRIGERATOR SYSTEMS REPAIR SERVICES. *Mr. Jon Branson, Interim City Manager.***

VII. MATTERS REMOVED FROM CONSENT AGENDA

VIII. NEW BUSINESS:

- 1. CONSIDERATION AND POSSIBLE ACTION – FIRST READING OF ORDINANCE NO. 1495** – AN ORDINANCE EXTENDING THE CITY LIMITS OF THE CITY OF PEARLAND, TEXAS, TO INCLUDE ALL LAND AREA WITHIN CERTAIN LIMITS AND BOUNDARIES AND ANNEXING TO THE CITY OF PEARLAND ALL OF THE AREA WITHIN SUCH LIMITS AND BOUNDARIES (AREA GENERALLY LOCATED EAST OF CR 107F, NORTH OF BAILEY RD, AND WEST OF MANVEL RD); APPROVING A SERVICE PLAN FOR ALL OF THE AREA WITHIN SUCH LIMITS AND BOUNDARIES; CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING A SAVINGS AND SEVERABILITY CLAUSE.
Ms. Lata Krishnarao, Director of Community Development.
- 2. CONSIDERATION AND POSSIBLE ACTION – FIRST AND ONLY READING OF ORDINANCE NO. 1497** – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, ESTABLISHING SCHOOL ZONE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF THE 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; PROVIDING A PENALTY; AND DECLARING AN EMERGENCY. *Mr. Jon Branson, Interim City Manager.*
- 3. CONSIDERATION AND POSSIBLE ACTION – FIRST READING OF ORDINANCE NO. 1492-1** – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AMENDING ORDINANCE NO. 1492, THE 2013-2014 ANNUAL BUDGET ORDINANCE, BY; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO FACILITATE THE CHANGES IDENTIFIED HEREIN WITHOUT FURTHER APPROVAL OF CITY COUNCIL; PROVIDING A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, A REPEALER CLAUSE, AND AN EFFECTIVE DATE. *Mr. Jon Branson, Interim City Manager.*
- 4. CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2014-2** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AUTHORIZING A CONTRACT FOR CONSULTING SERVICES ASSOCIATED WITH THE SELECTION OF AN ENTERPRISE RESOURCE PLANNING SYSTEM.
Mr. Jon Branson, Interim City Manager.

5. **CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2014-1** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PARTICIPATE IN AN INTERLOCAL COOPERATIVE PRICING ARRANGEMENT WITH THE HOUSTON-GALVESTON AREA COUNCIL (HGAC) FOR THE PURCHASE OF A DUAL DRUM ROLLER AND A MOTOR GRADER. *Mr. Jon Branson, Interim City Manager.*

6. **CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2014-5** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, RENEWING A BID FOR MECHANICAL SERVICES. *Mr. Jon Branson, Interim City Manager.*

OTHER BUSINESS: None.

IV. 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.

Consent Agenda Item A

**A. CONSIDERATION AND POSSIBLE ACTION – APPROVAL
OF MINUTES:**

Minutes of the December 9, 2013 Public Hearing, held at 6:30
p.m.

Minutes of the December 9, 2013 Public Hearing, held at 6:30
p.m.

Minutes of the December 16, 2013 Public Hearing, held at 6:30
p.m.

MINUTES OF A PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, DECEMBER 9, 2013, 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	Greg Hill
Councilmember	Tony Carbone
Councilmember	Scott Sherman
Councilmember	Keith Ordeneaux
City Manager	Bill Eisen
City Attorney	Darrin Coker
City Secretary	Young Lorfing

Absent: Councilmember Susan Sherrouse.

Others in attendance: Jon Branson Assistant City Manager; Matt Buchanan President of Economic Development Corporation; Eric Wilson Public Works Director; Trent Epperson Director of Engineering and Capital Projects; Mike Hodge Assistant City Manager; Lata Krishnarao Director of Community Development; Andrea Broughton Deputy Director/City Engineer; Claire Bogard Finance Director; Sparkle Anderson Communications Manager; Harold Ellis City Planner; Skipper Jones Assistant Director of Capital Projects.

PURPOSE OF HEARING - PROPOSED ANNEXATION OF APPROXIMATELY 20-ACRES OF LAND, MORE OR LESS, GENERALLY LOCATED EAST OF CR107F, NORTH OF BAILEY RD., AND WEST OF MANVEL RD.

City Planner Harold Ellis reported this is a request by Kevin Cole, applicant for Tin Dinh, Owner. Mr. Cole has petitioned the City of Pearland to annex an approximately twenty acre tract of land, located on the east side of County Road 107 F, north of Bailey Road, and west of Manvel Road. The property east of the tract subject to annexation includes approximately twenty acres, is under common ownership and was annexed into the City in 2001. This adjacent tract is zoned Single-Family Estate District. As indicated by the Service Plan, the City will be able to service the possible annexation area with existing resources. He further reported Staff recommends approval of the annexation of the subject twenty acre tract located on the side of County Road 107F, north of Bailey Road, and west of Manvel Road because the property is located within the City's Extra-Territorial Jurisdiction (ETJ) and will eventually become a part of the City of Pearland. By annexing the property prior to development, the City is able to prevent non-conforming issues that may potentially occur if the property develops while in the ETJ. The Annexation of the subject property into the City of Pearland will ensure that future growth is guided by the Future Land Use Plan of the Comprehensive Plan, Unified Development Code, and other City regulations. Additionally, the City will be in a better position to provide safeguards against unplanned and unregulated growth for current

and future residents of Pearland. The proposed annexation is being initiated by the owner and will not affect nearby properties in a negative manner. It will give assurances to nearby property owners that development on the property will be subject to City of Pearland regulations.

Kevin Cole stated he is looking at this property for a development opportunity. The property is split into two twenty acre tracts. The western tract is outside the City of Pearland and the eastern tract is inside the City of Pearland. He feels it would be in the best interest of the overall project to make a forty acre tract opportunity. Therefore requesting from the City and following the guidelines of the City to make it a cohesive development.

CITIZEN COMMENTS:

Terry Woods, 3525 Charles Avenue, addressed Council stating he owns property with a home next to the property in discussion. He stated he has had drainage issues ever since Berry Miller Jr. High was built. His concern is it will cut off all the natural drainage on his property from this development.

COUNCIL/STAFF DISCUSSION

Councilmember Carbone asked Staff to speak on the drainage issue.

City Planner Harold Ellis stated drainage would be taken into account at the time of plating.

Deputy Director/City Engineer Andrea Broughton stated the drainage plan for that site is required to be submitted, reviewed and approved prior to final plat approval. When reviewing the plans the City takes into consideration any drainage issues with neighboring or adjacent properties.

Kevin Cole stated the development company has to be able to maintain what is pre-developed as well as post-developed and move the drainage through the property where it should naturally go. He further stated it is illegal to block a drainage flow and he has no problem working with Mr. Woods to correct the drainage issue.

Deputy Director/City Engineer Andrea Broughton stated the Engineering Department will review the drainage plan and make sure the drainage is not blocked. She further stated she would reach out to Mr. Woods to get the drainage problem corrected.

ADJOURNMENT

Meeting was adjourned at 6:51 p.m.

Minutes approved as submitted and/or corrected this the ____ day of _____,
A.D., 2014.

Tom Reid
Mayor

ATTEST:

Young Lorfing, TRMC
City Secretary

MINUTES OF A PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, DECEMBER 9, 2013, AT 6:30 P.M. IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

Mayor Reid called the meeting to order at 6:52 p.m. with the following present:

Mayor	Tom Reid
Mayor Pro-Tem	Greg Hill
Councilmember	Tony Carbone
Councilmember	Scott Sherman
Councilmember	Keith Ordeneaux
City Manager	Bill Eisen
City Attorney	Darrin Coker
City Secretary	Young Lorfing

Absent: Councilmember Susan Sherrouse.

Others in attendance: Jon Branson Assistant City Manager; Matt Buchanan President of Economic Development Corporation; Eric Wilson Public Works Director; Trent Epperson Director of Engineering and Capital Projects; Mike Hodge Assistant City Manager; Lata Krishnarao Director of Community Development; Andrea Broughton Deputy Director/City Engineer; Claire Bogard Finance Director; Sparkle Anderson Communications Manager; Harold Ellis City Planner; Skipper Jones Assistant Director of Capital Projects.

PURPOSE OF HEARING - PUBLIC COMMENT AND TESTIMONY REGARDING THE CREATION OF A REINVESTMENT ZONE IN ACCORDANCE WITH SECTION 312.201 OF THE *TAX CODE* AND CITY OF PEARLAND'S GUIDELINES FOR GRANTING TAXING ABATEMENTS. *Mr. Darrin Coker, City Attorney.*

City Attorney Darrin Coker reported a Public Hearing is required prior to the creation of a Reinvestment Zone for property located on the east side of Kirby Drive (north of the Pearland Medical Plaza and Surgery Center), and a zone must be formed before the City may enter into a Tax Abatement Agreement with any prospect that may develop in the zone. The hearing is being held to determine whether the proposed industrial improvements sought for the property are feasible and practicable and whether the improvements will benefit the land with the zone. Pearland Economic Development Corporation has been working with a company on the possible construction of a light manufacturing facility. The proposed facility would include office, manufacturing and warehouse area in an 80 thousand square foot tilt-wall concrete building. The structure will be of similar quality and style to the Cardiovascular Systems and Merit Medical facilities. Investment in land, building and equipment is estimated at \$9 million. The Council recently created a Reinvestment Zone on a different parcel for this Pearland Economic Development Corporation prospect. The purchase of that property did not close, so the prospect is now negotiating the purchase of the parcel that is the subject of the hearing. The first reading of the ordinance creating the Reinvestment Zone will be considered by City Council on December 9, 2013 with a second reading scheduled for

December 16, 2013. An actual abatement agreement would not be presented to the City Council until January 2014.

CITIZEN COMMENTS: None.

COUNCIL/STAFF DISCUSSION: None.

ADJOURNMENT

Meeting was adjourned at 6:56 p.m.

Minutes approved as submitted and/or corrected this the ____ day of _____, A.D., 2014.

Tom Reid
Mayor

ATTEST:

Young Lorfing, TRMC
City Secretary

MINUTES OF A PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, DECEMBER 16, 2013, 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	Greg Hill
Councilmember	Tony Carbone
Councilmember	Scott Sherman
Councilmember	Keith Ordeneaux
Councilmember	Susan Sherrouse
City Manager	Bill Eisen
City Attorney	Darrin Coker
City Secretary	Young Lorfing

Others in attendance: Jon Branson Assistant City Manager; Mike Hodge Assistant City Manager; Lata Krishnarao Director of Community Development; Michelle Smith Director of Parks and Recreation; Sparkle Anderson Communications Manager; Harold Ellis City Planner.

PURPOSE OF HEARING – PROPOSED ANNEXATION OF APPROXIMATELY 20-ACRES.

Senior Planner Harold Ellis reported Kevin Cole, applicant for Tin Dinh, Owner; has petitioned the City of Pearland to annex an approximately 20 acre tract of land, located on the east side of County Road 107F north of Bailey Road, and west of Manvel Road. The property just east of the tract subject to annexation includes approximately 20 acres, is under common ownership and was annexed into the City in 2001. This adjacent tract is zoned Single-Family Estate District. When a property is annexed into the City, the interim zoning of the land is suburban Development District. Ultimately the applicant proposes a low density, single-family residential development.

Kevin Cole stated he is with the Matrix Group representing the owner of the 20 acre subject tract of land. The plans are to develop a 40 acre low density, single-family residential subdivision.

CITIZEN COMMENTS:

Terry Woods, 3525 Charles Avenue, addressed Council stating he has the adjoining property and is concerned with the drainage issues.

COUNCIL/STAFF DISCUSSION:

Councilmember Sherrouse stated she would like to hear comments regarding the citizens concerns on the drainage issue.

Assistant City Manager Mike Hodge stated at the Public Hearing on December 9, 2013 this drainage issue was brought up. At that time Staff was directed to have a conversation with Mr. Woods regarding the drainage. He further stated it is associated with the development of the Pearland Independent School District tract. The City is going to follow up on the drainage issues before any development moves forward.

ADJOURNMENT

Meeting was adjourned at 6:38 p.m.

Minutes approved as submitted and/or corrected this the ____ day of _____, A.D., 2014.

Tom Reid
Mayor

ATTEST:

Young Lorfing, TRMC
City Secretary

Consent Agenda Item B

- B. CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2014-3** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AWARDED A UNIT SUPPLY BID FOR AMMUNITION. *Mr. Jon Branson, Interim City Manager.*

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

AGENDA OF:	January 13, 2014	ITEM NO.:	Resolution No. R2014-3
DATE SUBMITTED:	January 3, 2014	DEPT. OF ORIGIN:	Finance
PREPARED BY:	Bob Pearce	PRESENTOR:	Jon Branson
REVIEWED BY:	Jon R. Branson	REVIEW DATE:	January 2, 2014
SUBJECT: Award of Bid for the Purchase of Police Department Ammunition			
EXHIBITS: Resolution 2014-3 Exhibit A – Bid Tab			
FUNDING:			
<input type="checkbox"/> Grant <input type="checkbox"/> Developer/Other <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Bonds To Be Sold <input type="checkbox"/> Bonds- Sold <input type="checkbox"/> L/P – Sold <input type="checkbox"/> L/P – To Be Sold			
EXPENDITURE REQUIRED: \$62,255.20 (est.)			
AMOUNT AVAILABLE: \$70,275.00		AMOUNT BUDGETED: \$70,275.00	
ACCOUNT NO.: 010-2222-542-19-00			
PROJECT NO.:			
ADDITIONAL APPROPRIATION REQUIRED:			
ACCOUNT NO.:			
PROJECT NO.:			
To be completed by Department:			
X Finance X Legal Ordinance X Resolution			

EXECUTIVE SUMMARY

BACKGROUND

In December of 2013, City staff issued a solicitation #1114-05 for the purchase of ammunition for the Police Department. Invitations were sent to eight (8) vendors, published in the newspaper of record and on the City’s website. One (1) bidder responded to the solicitation, Bailey’s House of Guns, Inc. Bailey’s has provided ammunition to the City for several years, with the Police Department expressing a high degree of satisfaction with the products supplied.

SCOPE OF CONTRACT

Police Department staff will purchase ammunition as needed throughout the initial one-year term of this agreement.

BID AND AWARD

The bid specifications requested unit prices for ammunition most commonly used by the Department, which are reflected in the attached bid tabulation. The items included on the bid include both duty and training munitions. It should be noted that during the two-year term of the prior contract period (one-year award, with one-year renewal option), there were no increases to unit pricing requested, despite the fact that Bailey's indicates that they incurred some ammunition pricing increases during that period. The current bid pricing adjusts for those increases, and reflects the general rise in ammunition pricing attributable to the traditional market factors of high demand and limited supply.

The term of this contract will be for a period of one (1) year, with two (2) one-year renewal options available upon the mutual agreement of both parties, and the approval of City Council. Bid specifications allow the contractor the opportunity to request a price increase at the time of any renewal in an amount not to exceed the percentage increase in the "All-Items" category of the Consumer Price Index for the Houston-Galveston-Brazoria region during the previous 12 month period.

SCHEDULE

Supply of ammunition will occur as needed throughout the term of the agreement.

POLICY/GOAL CONSIDERATION

Purchase of these items is needed in order to provide ammunition for on duty purposes as well as training purposes for the Police Department, all contributing to the overall City objective for public safety.

CURRENT AND FUTURE FUNDING /FINANCIAL IMPACTS

Funding for these items come from the General Fund for Police Training. There is \$70,275.00 budgeted in FY2014 for the purchase of ammunition. The award is on a unit price basis, with purchases made as needed.

O&M IMPACT INFORMATION

Fiscal Year	2014	2015	2016
Est. expenditure	\$62,255.20	\$63,873.83	\$65,534.55

RECOMMENDED ACTION

Consideration and approval of a resolution to renew a bid for the purchase of ammunition to Bailey's House of Guns, Inc. at the unit costs noted in the bid tabulation.

RESOLUTION NO. R2014-3

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND,
TEXAS, AWARDDING A UNIT SUPPLY BID FOR AMMUNITION.**

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

Section 1. That the City recently opened unit supply bids for the supply of ammunition, and such bids were reviewed and tabulated.

Section 2. That the City Council hereby wards a bid to Baileys House of Guns, in the unit price amounts reflected in Exhibit "A" attached hereto.

Section 3. The City Manager or his designee is hereby authorized to execute a unit supply contract for ammunition.

PASSED, APPROVED and ADOPTED this the _____ day of _____,
A.D., 2014.

TOM REID
MAYOR

ATTEST:

YOUNG LORFING, TRMC
CITY SECRETARY

APPROVED AS TO FORM:

DARRIN M. COKER
CITY ATTORNEY

BID TABULATION: POLICE DEPARTMENT AMMUNITION
 BID OPENING DATE: TUESDAY, DECEMBER 10, 2013
 BID NUMBER: 1114-05

Vendor	Bailey's House of Guns, Inc.	
City / State	Houston, TX	
Telephone Number	713-433-2475	
Contact Name	Bernard Bailey	Prior Contract Pricing
Remington Golden Sabre Bonded, 9MM, Duty, 125	\$196.80	\$180.00
Quantity	15 CS	
Total:	\$2,952.00	
Remington UMC, 9MM, Practice	\$115.63	\$101.76
Quantity	50 CS	
Total:	\$5,781.50	
Remington Golden Sabre Bonded, .380, Duty, 90	\$155.63	\$277.60
Quantity	10 CS	
Total:	\$1,556.30	
Remington UMC, .380, Practice	\$137.50	\$134.37
Quantity	10 CS	
Total:	\$1,375.00	
Remington Golden Sabre Bonded, .40, Duty, 165 GR	\$208.12	\$179.41
Quantity	22 CS	
Total:	\$4,578.64	
Remington UMC, .40, Practice	\$147.50	\$128.24
Quantity	150 CS	
Total:	\$22,125.00	
Remington Golden Sabre Bonded, .45, Duty, 185 GR	\$242.50	\$232.52
Quantity	5 CS	
Total:	\$1,212.50	
Remington UMC, .45, Practice	\$161.25	\$150.59
Quantity	40 CS	
Total:	\$6,450.00	
Remington, 12 GA, Birdshot - Light 1 oz.	\$76.87	\$87.96
Quantity	20 CS	
Total:	\$1,537.40	

Vendor	Bailey's House of Guns, Inc.	
City / State	Houston, TX	
Telephone Number	713-433-2475	
Contact Name	Bernard Bailey	Prior Contract Pricing
Remington, 12 GA, Buckshot - Reduced Recoil	\$144.37	\$135.71
Quantity	2 CS	
Total:	\$288.74	
Remington, 12 GA, Slug - Reduced Recoil	\$126.56	\$118.25
Quantity	2 CS	
Total:	\$253.12	
Remington, .223, 55 PSP	\$83.75	\$105.90
Quantity	60 CS	
Total:	\$5,025.00	
Remington UMC, .223, Practice	\$76.00	\$76.00
Quantity	120 CS	
Total:	\$9,120.00	

Bid Total: \$62,255.20

Consent Agenda Item C

- C. CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2014-4** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, RENEWING A BID FOR HVAC/REFRIGERATOR SYSTEMS REPAIR SERVICES. *Mr. Jon Branson, Interim City Manager.*

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

AGENDA OF:	January 13, 2014	ITEM NO.:	Resolution No. R2014-4
DATE SUBMITTED:	January 3, 2014	DEPT. OF ORIGIN:	Finance
PREPARED BY:	Bob Pearce	PRESENTOR:	Jon Branson
REVIEWED BY:	Jon R. Branson	REVIEW DATE:	January 6, 2014
SUBJECT: Renewal of Bid for Repair of HVAC/Refrigeration Systems			
EXHIBITS: Resolution #R2014-4 Bid Tabulation			
FUNDING:			
<input type="checkbox"/> Grant <input type="checkbox"/> Developer/Other <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Bonds To Be Sold <input type="checkbox"/> Bonds- Sold <input type="checkbox"/> L/P – Sold <input type="checkbox"/> L/P – To Be Sold			
EXPENDITURE REQUIRED: \$115,000.00 (est.)			
AMOUNT AVAILABLE: \$115,000.00		AMOUNT BUDGETED: \$115,000.00	
ACCOUNT NO.: 010-3321-553-05-00		PROJECT NO.:	
ADDITIONAL APPROPRIATION REQUIRED:			
ACCOUNT NO.:			
PROJECT NO.:			
To be completed by Department:			
<input checked="" type="checkbox"/> Finance	<input checked="" type="checkbox"/> Legal	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution

EXECUTIVE SUMMARY

BACKGROUND

Due to the complexity and technical nature of the required work, it is necessary for the City to contract with a third-party provider to perform necessary repairs on existing HVAC/refrigeration systems and equipment, and provide periodic system replacements as deemed appropriate, at various City facilities.

SCOPE OF CONTRACT

Provision of HVAC/refrigeration system repairs on an as-needed basis as authorized by the City of Pearland Parks & Recreation Department.

BID AND AWARD

In February 2012, the City issued Bid #0112-21 for repairs and/or installations of HVAC/refrigeration equipment as described above. In addition to the required services, the contractor shall provide necessary parts for repair of equipment at a stated, fixed percentage above cost.

The bid specifications called for fixed pricing for one (1) year, with two (2) one-year renewal options available upon the mutual agreement of both parties, and the approval of City Council. At the expiration of any term, any price increase requested by the contracted vendor for the renewal period must be substantiated by a commensurate increase in the Consumer Price Index for the Houston-Galveston-Brazoria region.

The unit pricing recommended for award is reflected in the attached tabulation. The Lee Thompson Company has requested no price increase for this second, and final, renewal period, therefore pricing is unchanged from the contractor's original bid in March, 2012.

The Lee Thompson Company has performed a considerable amount of work for the City in the past, and City building maintenance personnel have expressed a high degree of satisfaction with the company's performance.

SCHEDULE – N/A

POLICY/GOAL CONSIDERATION

This purchase is contemplated and recommended for the purpose of furthering the City's objective to provide for public health, safety and welfare, and to maintain the integrity of the City's HVAC systems.

CURRENT AND FUTURE FUNDING /FINANCIAL IMPACTS

Funding for the purchase of this system will come from the General Fund for Parks & Recreation.

O&M IMPACT INFORMATION

The estimated annual expenditure is as listed below.

Fiscal Year	2014	2015
	\$115,000	Re-bid

RECOMMENDED ACTION

City Council approval of a resolution renewing a bid award for the purchase of repair services for existing HVAC/refrigeration systems and equipment to The Lee Thompson Company, at the unit prices reflected in the attached bid tabulation.

RESOLUTION NO. R2014-4

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, RENEWING A BID FOR HVAC/REFRIGERATOR SYSTEMS REPAIR SERVICES.

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

Section 1. That the City Council hereby renews a bid for HVAC/Refrigerator Systems Repair Services with The Lee Thompson Company in the unit amounts reflected in Exhibit "A" attached hereto.

Section 2. The City Manager or his designee is hereby authorized to execute a contract for HVAC/Refrigerator Systems Repair Services.

PASSED, APPROVED and ADOPTED this the _____ day of _____, A.D., 2014.

TOM REID
MAYOR

ATTEST:

YOUNG LORFING, TRMC
CITY SECRETARY

APPROVED AS TO FORM:

DARRIN M. COKER
CITY ATTORNEY

BID TABULATION: REPAIR OF HVAC/REFRIGERATION SYSTEMS

BID OPENING DATE: THURSDAY, MARCH 1, 2012

BID NUMBER: 0112-21

Vendor	Lee Thompson Company	American Mechanical Services of Houston, LLC
City / State	Houston, TX	Stafford, TX
Telephone Number	713-688-6900	281-403-1701
Contact Name	Allan Maniha	Steve Collings
Standard Hourly Rate - Technician	\$79.00	\$86.00
Estimated Hours:	500	500
Total:	\$39,500.00	\$43,000.00
Normal Business Hours:	8:00 AM - 5:00 PM	8:00 AM - 5:00 PM
Do your labor charges include travel time to the job site?	Yes	Yes
Standard Hourly Rate - Helper	\$79.00	\$86.00
Estimated Hours:	100	100
Total:	\$7,900.00	\$8,600.00
Emergency Repair Rate (Rate which will be charged after standard business hours).	\$79.00	\$130.00
Additional travel cost per call out:	\$29.00	None
Minimum charge per call out for emergency (after hours) repairs:	\$79.00	\$260.00
Percent mark-up for materials/supplies/parts, based on an annual spend of approximately \$30,000:	33%	20%
Warranty:	One year parts & labor on replacements and repairs.	One year from from installation date for repairs/replacements.

New Business Item No. 1

1. **CONSIDERATION AND POSSIBLE ACTION – FIRST READING OF ORDINANCE NO. 1495** – AN ORDINANCE EXTENDING THE CITY LIMITS OF THE CITY OF PEARLAND, TEXAS, TO INCLUDE ALL LAND AREA WITHIN CERTAIN LIMITS AND BOUNDARIES AND ANNEXING TO THE CITY OF PEARLAND ALL OF THE AREA WITHIN SUCH LIMITS AND BOUNDARIES (AREA GENERALLY LOCATED EAST OF CR 107F, NORTH OF BAILEY RD, AND WEST OF MANVEL RD); APPROVING A SERVICE PLAN FOR ALL OF THE AREA WITHIN SUCH LIMITS AND BOUNDARIES; CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING A SAVINGS AND SEVERABILITY CLAUSE. Ms. Lata Krishnarao, Director of Community Development.

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

AGENDA OF: January 13, 2014	ITEM NO.: Ordinance No. 1495
DATE SUBMITTED: January 6, 2014	DEPT. OF ORIGIN: Planning
PREPARED BY: Johnna Matthews	PRESENTOR: Lata Krishnarao
REVIEWED BY: Lata Krishnarao/JRB	REVIEW DATE: 1/7/2014
SUBJECT: Request for Voluntary Annexation of Land into the City Limits- First of two Readings of the Annexation Ordinance	
EXHIBITS: Attachments: 1. Ordinance 1495 2. Petition for Annexation 3. Feasibility Report 3. First Public Hearing Agenda Request 4. Second Public Hearing Agenda Request 5. Vicinity Map	
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 checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution	

EXECUTIVE SUMMARY

Kevin Cole, applicant for Tin Dinh, owner; has petitioned the City of Pearland to annex an approximately 20 acre tract of land located on the east side of County Road 107 F (CR107F), north of Bailey Rd., and west of Manvel Road. Upon annexation, the applicant proposes to combine the 20-acre tract with a 20-acre tract just east of the tract, which is under common ownership. The applicant proposes to develop the 40-acres with a low density single family residential subdivision.

In accordance with Section 43.063 of the Texas Local Government Code and the City's Charter, the following requirements are mandated for annexation:

- Notice of Intent to all property owners, public/private entities, railroad companies;
- Preparation of a Service Plan that provides for the extension of full municipal services;
- Two public hearings are required at which persons interested in the annexation are given the opportunity to be heard;
- Reading of the Annexation Ordinance
- Pre-Clearance (Justice Department Notification)

The two required public hearings were held on December 9 and December 16, 2013, respectively.

Staff Recommendation: Staff recommends approval of the annexation of the subject 20 acre tract located on the east side of CR107F, north of Bailey Rd., and west of Manvel Road for the following reasons:

- 1) The property is located within the City's Extra-Territorial Jurisdiction (ETJ) and will eventually become a part of the City of Pearland. By annexing the property prior to development, the City is able to prevent non-conforming issues that may potentially occur if the property develops while in the ETJ.
- 2) Annexation of the subject property into the City of Pearland will ensure that future growth is guided by the Future Land Use Plan of the Comprehensive Plan, Unified Development Code, and other City regulations. Additionally, the City will be in a better position to provide safeguards against unplanned and unregulated growth for current and future residents of Pearland.
- 3) The proposed annexation is being initiated by the property owner and will not affect nearby properties in a negative manner. It will give assurances to nearby property owners that development on the property will be subject to City of Pearland regulations.

Recommended Action

Consider the annexation of the 20 acre property located on the east side of CR107F, north of Bailey Rd., and west of Manvel Road.

ORDINANCE NO. 1495

AN ORDINANCE EXTENDING THE CITY LIMITS OF THE CITY OF PEARLAND, TEXAS, TO INCLUDE ALL LAND AREA WITHIN CERTAIN LIMITS AND BOUNDARIES AND ANNEXING TO THE CITY OF PEARLAND ALL OF THE AREA WITHIN SUCH LIMITS AND BOUNDARIES (AREA GENERALLY LOCATED EAST OF CR 107F, NORTH OF BAILEY RD, AND WEST OF MANVEL RD); APPROVING A SERVICE PLAN FOR ALL OF THE AREA WITHIN SUCH LIMITS AND BOUNDARIES; CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING A SAVINGS AND SEVERABILITY CLAUSE.

WHEREAS, the City Council of the City of Pearland, Texas, has, following due notice and publication in accordance with the requirements of §43.052, Tex. Local Govt. Code, conducted two (2) public hearings regarding the City's intended annexation of certain territory located contiguous to the City and within the City's extraterritorial jurisdiction; and

WHEREAS, public hearings were conducted before the City Council on December 9, 2013 and on December 16, 2013, at the Pearland City Hall, 3519 Liberty Drive, Pearland, Texas; and

WHEREAS, the City of Pearland has, in accordance with §43.051 et seq., Tex. Local Govt. Code, complied with all procedural requirements regarding the annexation of territory, including the preparation of a plan for extension of municipal services into the area annexed to the City; and

WHEREAS, the City intends to fulfill those obligations imposed upon it by state law regarding newly annexed areas, including timely provision of municipal services as required by law; and

WHEREAS, the City Council finds and determines that the annexation intended by this Ordinance is in the best interests of the City of Pearland and benefits the health, safety, and welfare of the citizens of said City; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS:

Section 1. That the boundaries and limits of the City of Pearland, Texas, are hereby extended to embrace and include all of the territory described in Exhibit "A" attached hereto and made a part hereof, and such territory is hereby annexed to and made a part of the City.

Section 2. The plan for extension of municipal services into the territory annexed to the City of Pearland by the provisions of this Ordinance is set forth in the City of Pearland, Texas, Service Plan for approximately 20 acres, more or less, to be annexed into the City of Pearland, Brazoria County, Texas attached hereto as Exhibit "B" and made a part hereof for all purposes. Such Municipal Service Plan is hereby approved.

Section 3. The City Council officially finds, determines, recites and declares that sufficient written notices of the date, hour, place and subject matter of the meetings of the City Council at which this Ordinance was considered were posted at a place convenient to the public at the City Hall of the City of Pearland for the time required by law preceding said meetings, as required by law; and that said meetings have been open to the public, as required by law, at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The

City Council further ratifies, approves and confirms such written notices and the contents and posting thereof.

Section 4. Savings. All rights and remedies which have accrued in favor of the City under this Chapter and amendments thereto shall be and are preserved for the benefit of the City.

Section 5. Severability. If any section or part of this Ordinance be held unconstitutional, illegal or invalid, or the application thereof ineffective or inapplicable as to any territory, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no wise affect, impair or invalidate the remaining portions, the same shall be and remain in full force and effect; and should this Ordinance for any reason be ineffective as to any part of the area hereby annexed to the City of Pearland, such ineffectiveness of this Ordinance as to any such part or parts of any such areas shall not affect the effectiveness of the Ordinance as to all of the remainder of such area, and the City Council hereby declares it to be its purpose to annex to the City of Pearland every part of the area described in Exhibit "A", attached hereto, regardless of whether any other part of such described area is hereby effectively annexed to the City. Provided, further, that if there is included in the general description of territory set out in Exhibit "A", attached hereto, any land or area which is already a part of and included within the general limits of the City of Pearland, or which is presently part of and included in the limits of any other city, town or village, or which is not within the City of Pearland's jurisdiction to annex, the same is hereby excluded and excepted from the

territory to be annexed as fully as if such excluded and excepted area was specifically described herein.

PASSED and APPROVED on First Reading this the _____ day of _____, A. D., 2014.

TOM REID
MAYOR

ATTEST:

YOUNG LORFING, TRMC
CITY SECRETARY

PASSED and APPROVED on Second and Final Reading this the _____ day of _____, A. D., 2014.

TOM REID
MAYOR

ATTEST:

YOUNG LORFING, TRMC
CITY SECRETARY

APPROVED AS TO FORM:

DARRIN M. COKER
CITY ATTORNEY

Exhibit A

Description of property: A0547 H T & B R R, Tract 1, Brazoria County, Texas

Exhibit B

**Service Plan
City of Pearland, TX**

The herein described 20 acres, more or less, being legally described as A0547 H T & B R R, Tract 1, to be annexed into the City of Pearland.

I. INTRODUCTION

This Service Plan (“Plan”) is made by the City of Pearland, Texas (“City”) pursuant to Chapter 43 of the Local Government Code (“the Act”). This Plan relates to the annexation by the City, by petition of the owner, of land located adjacent to the city limits and encompassing approximately 20 acres in Brazoria County, Texas. The Tract is described by metes and bounds in “Exhibit A-1”, and by map in “Exhibit A-2” which are attached to this Plan and to the annexation ordinance of which this Plan is a part.

II. TERM: EFFECTIVE DATE

This Plan will be in effect for a term of ten years commencing on the effective date of the annexation of the Tract. Renewal of this Plan will be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council, which refers to this Plan and specifically renews this Plan for a stated period of time.

III. SERVICE PROGRAMS

- A. In General. This Plan includes two service programs: (I) the Early Action Program, described below, and (II) a Capital Improvement Program according to the Texas Local Government Code, Chapter 43, described below.
- B. Scope and Quality of Services. This Plan will provide a level of services, infrastructure, and infrastructure maintenance that is comparable to the level of services, infrastructure, and infrastructure maintenance currently provided and available in other parts of the municipality with topography, land use, and population density similar to the Tract. However, it is not the intent of this Plan to require that a uniform level of services be provided to all areas of the City (including the Tract) where differing characteristics of topography, land utilization and population density are considered as sufficient basis for providing differing service levels.
- C. Definitions.
 - 1. As used in this Plan, “providing services” includes having services provided by any method or means by which the City extends municipal services to any other area of the City. This may include causing or allowing private utilities, governmental entities and other public service organizations to provide such services, in whole or part.

2. As used in this Plan, the phrase “Standard Policies and Procedures” means those policies and procedures of the City applicable to a particular service which are in effect either at the time that the service is requested or at the time that the service is made available or provided. The policies and procedures may require that a specific type of request be made, such as an application or a petition. They may require that fees or charges be paid, and they may include eligibility requirements and similar provisions.

D. Early Action Program

1. Statutory Services. The statutory services will be provided within the Tract within the period that meets or exceeds that required by State law. The following services will be provided in accordance with Standard Policies and Procedures immediately upon the effective date of the annexation:
 - a. Police Protection: The Police Department of the City will provide protection and law enforcement to the Tract. These activities will include normal patrols and responses, the handling of complaints and incident reports, and, as appropriate, support by special units of the Department.
 - b. Fire Protection: The Pearland Fire Department (PFD) of the City of Pearland will provide fire protection to the Tract. Additionally, the Fire Marshal’s Office will provide the following services upon annexation:
 - Enforcement of city ordinances as applied to the Fire code, enforcement of 2012 Life Safety Code and 2012 International Fire Code as applied to new and existing business occupancies.
 - Review plans when submitted for new construction, tenant occupancies and installation of fire protection systems.
 - Fire inspections of new construction, tenant occupancies and new fire protection systems.
 - Routine fire inspections of all existing business occupancies including foster care homes.
 - If requested by the owner, fire inspections of residential homes.
 - Investigations of all fires to determine origin and cause.
 - Respond to fire hazard complaints including enforcement of illegal burning and illegal fireworks.
 - Respond to and enforce environmental crimes.
 - Abatement of unsafe, dangerous and dilapidated structures.
 - Provide public awareness and education of fire prevention and emergency management.
 - c. Emergency Medical Service: The Pearland Fire Department (PFD) will provide emergency medical services to the Tract.
 - d. Solid Waste Collection: Service will be provided to eligible property by private contractor, under contract with the City. To be eligible for City solid waste collection service, property must have frontage on a public street or

other approved location and place solid waste in containers approved for the specific type of occupancy. Any person currently being serviced by a privately owned solid waste management service provider may continue to use that service for two years after the effective date of the annexation.

- e. Operation and Maintenance of Water and Wastewater Facilities: Existing public water and wastewater facilities, if any, will be operated and maintained by the City or by private contractor under contract to the City.
 - f. Operation and Maintenance of Road and Streets (including lighting): Existing public roads and streets, including lighting and traffic control devices, if any, will be operated and maintained by the City, subject to the jurisdiction of other governmental entities. State highways and farm-to-market roads remain the primary responsibility of the Texas Department of Transportation, for instance. Existing roadside drainage ditches not maintained under the jurisdiction of another entity will be operated and maintained by the City.
 - g. Operation and Maintenance of Parks, Playgrounds and Swimming Pools: Not Applicable.
 - h. Operation and Maintenance of Any Other Publicly Owned Facility, Building or Service: Not Applicable.
2. Additional Services. Certain services, in addition to the statutory services, will be provided in accordance with Standard Policies and Procedures within the Tract to the same extent they are provided to similar territories elsewhere in the City. These are as follows:
- a. Library Service will be provided from existing facilities and future facilities outside the Tract. Residents of the Tract will be eligible for borrowing privileges at City/County libraries on the same basis as current residents.
 - b. Health services will be provided by the City Health Department to area residents and businesses. Health services include City inspection of restaurants, groceries, convenience stores, schools, day-cares and foster homes.
 - c. Code Enforcement personnel will enforce the City's housing code and ordinances against junk motor vehicles, high weeds, unsafe buildings, and illegal dumping of refuse.
 - d. Animal Control services will be provided by the City of Pearland Animal Control and Adoption Center to protect animals and promote pet adoptions.
 - e. Other City Services, to the extent applicable to persons or properties within the Tract, in accordance with standard policies and procedures will be provided.

E. Capital Improvement Program

As necessary, the City will initiate the construction of certain capital improvements necessary for providing municipal services for the Tract. Those improvements, which are necessary, are indicated below. Access to the improvements will be in accordance with Standard Policies and Procedures. The improvements shall be completed as soon as reasonably possible and shall be substantially completed within the time period indicated below.

1. Police Protection: Additional capital improvements are not necessary at this time to provide police protection. The Tract will be included with other territory in connection with planning for new, revised, or expanded public safety facilities.
2. Fire Protection: Additional capital improvements are not necessary at this time to provide fire protection. The Tract will be included with other territory in connection with planning for new, revised, or expanded public safety facilities.
3. Emergency Medical Service: Additional capital improvements are not necessary at this time to provide emergency medical service. The Tract will be included with other territory in connection with planning for new, revised, or expanded public safety facilities.
4. Solid Waste Collection: No capital improvements are necessary at this time to provide solid waste collection services within the Tract. The Tract will be included with other territory in connection with planning for new revised or expanded solid waste facilities.
5. Water and Wastewater Facilities: Additional capital improvements are not necessary at this time to service the tract. The cost of future connections to available water and sewer lines will be the responsibility of the Tract owners, as it is within the existing City utility system following standard policies and procedures. Capital recovery charges or impact fees will also be assessed at the time of future connections to the City's utility system or upon issuance of building permits for lots developed within the Tract.

The City will make wastewater treatment capacity in existing or future wastewater treatment plants built and operated by the City available for the Tract.

The city will make potable water supply from existing or future sources built and operated by the City available to the Tract. The City currently operates its own ground water wells and purchases wholesale surface water via contract from third parties.

6. Roads and Streets (including lighting): Additional roads, streets or related facilities are not necessary at this time to serve the tract. Future extensions or

widening of roads or streets and future installation of related facilities, such as traffic control devices or street lights will be undertaken in accordance with Standard Policies and Procedures. The Tract will be included with other territory in connection with planning for new, revised, widened, or enlarged roads, streets, or related facilities.

7. Parks, Playgrounds, and Swimming Pools: Additional capital improvements are not necessary at this time to provide such services to the Tract. The Tract will be included with other territory in connection with planning for such facilities.
8. Other Publicly-Owned Facilities, Building or Services: All other City functions and services, and the additional services described above, can be provided for the Tract by using existing capital improvements. Additional capital improvements are not necessary to provide City services, but the Tract will be included with other territory in connection with planning for new, revised, or expanded facilities, buildings or services.

II. AMENDMENT: GOVERNING LAW

This Plan may not be amended or repealed except as provided by the Act or other controlling law. Neither changes in the methods nor means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City will constitute amendments to this Plan and the City reserves the right to make such changes. This Plan is subject to and will be interpreted when in accordance with the Act, the Constitution and laws of the federal governments of the United States of America and the State of Texas, and the orders, rules and regulations of governmental bodies and officers having jurisdiction.

III. FORCE MAJEURE

Should a force majeure interrupt the service described herein, the City will resume services under this Plan within a reasonable time after the cessation of the force majeure. "Force Majeure," for the purpose of this Plan will include, but not be limited to, acts of God, acts of the public enemy, ware blockades, insurrection, riots, epidemics, landslides, lightning, earthquakes, fire, storms, floods, washouts, droughts, tornadoes, hurricanes, arrests and restraints of government, explosions, collisions and other inability of the City, whether similar to those enumerated or otherwise, which is not within the control of the City.

IV. ENTIRE PLAN

This document contains the entire and integrated Service Plan relating to the Tract, and supersedes all other negotiations, representations, plans and agreements, whether written or oral.

EXHIBIT A-1

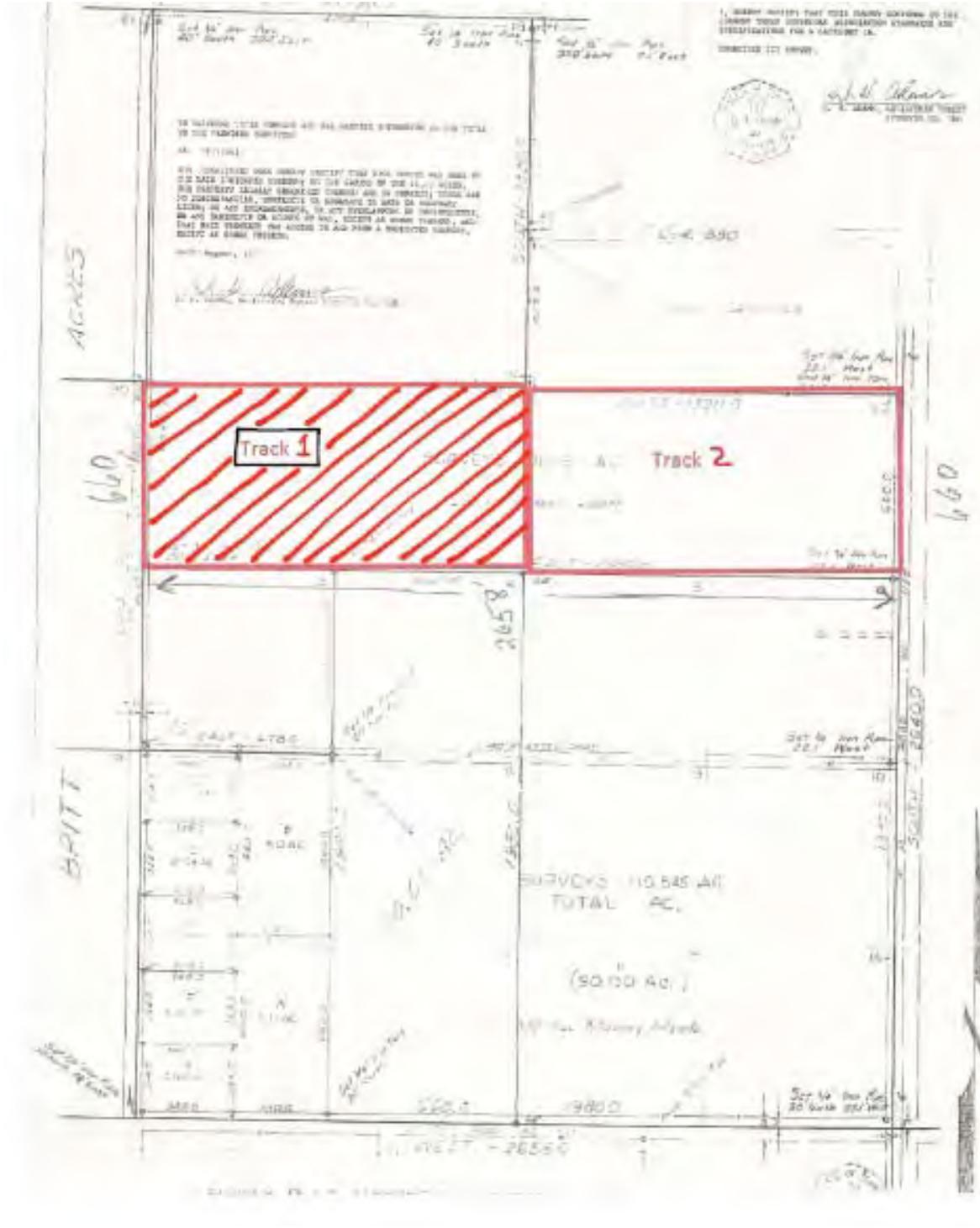


EXHIBIT A-2

Description of property: A0547 H T & B R R, Tract 1, Brazoria County, Texas

October 11, 2013

Honorable Mayor Tom Reid and City Council
City of Pearland
3519 Liberty Drive
Pearland, TX 77581

Re: Petition for Annexation

Dear Honorable Mayor Reid,

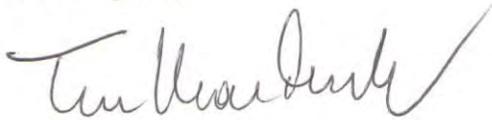
I, Tin Dinh, as owner request the City of Pearland to annex into the corporate limits of Pearland, TX a 20 acre tract of land. Specifically, the legal description of the property is:

A0547 H T & B R R, TRACT 1 of the Brazoria County records.

Attached, please find a survey of the tract in question.

I have a contract for sale on the property along with TRACT 2 to a development group to develop as a single family subdivision.

Best Regards,



Tin Dinh

2134 - 1338.0

Set 3/4" Iron Pipe
40' South 200' East

Set 3/4" Iron Pipe
40' South

Find 1/2" Iron Pipe
370' South 71' East

I HEREBY CERTIFY THAT THIS SURVEY CONFORMS TO THE
CURRENT TEXAS SURVEYORS ASSOCIATION STANDARDS AND
SPECIFICATIONS FOR A CATEGORY 1A,
CONDITION III SURVEY.



D. H. Adams
D. H. ADAMS, REGISTERED PUBLIC
SURVEYOR NO. 580

TO NATIONAL TIRE COMPANY AND ALL PARTIES INTERESTED IN THE TITLE
TO THE PREMISES SURVEYED:

RE: 0933341

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON
THE DATE INDICATED THEREON; ON THE GROUND OF THE 10.00 ACRES,
THE PROPERTY LEGALLY DESCRIBED THEREON AND IS CORRECT; THERE ARE
NO DISCREPANCIES, COMPLEXES OR SHORTAGE IN AREA OR BOUNDARY
LINES; OR ANY ENCROACHMENTS, OR ANY OVERLAPPING OF IMPROVEMENTS,
OR ANY EASEMENTS OR RIGHTS OF WAY, EXCEPT AS SHOWN THEREON, AND
THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY,
EXCEPT AS SHOWN THEREON.

DATED August, 1971.

D. H. Adams
D. H. ADAMS, Registered Public Surveyor No. 580

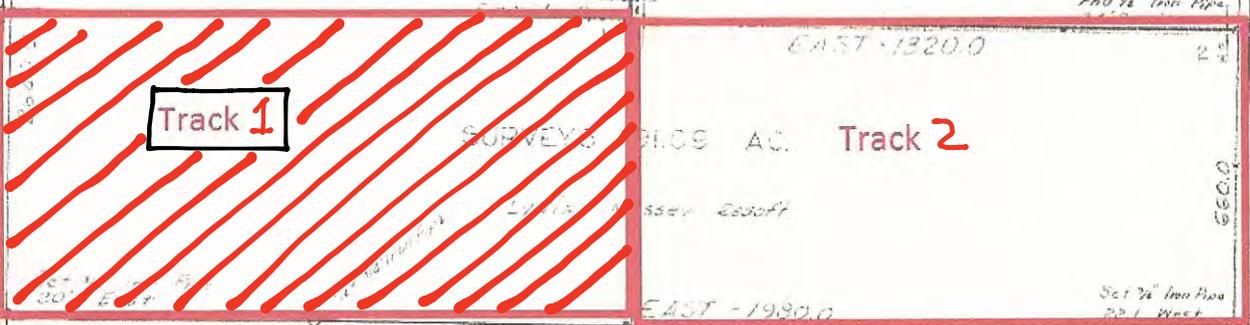
ACRES

SOUTH - 1320.0

C.R. 880

540' Lane

Set 3/4" Iron Pipe
22.1' West
Find 1/2" Iron Pipe



Track 1

Track 2

SURVEYS 91.09 AC.

660

660

SOUTH - 660.0

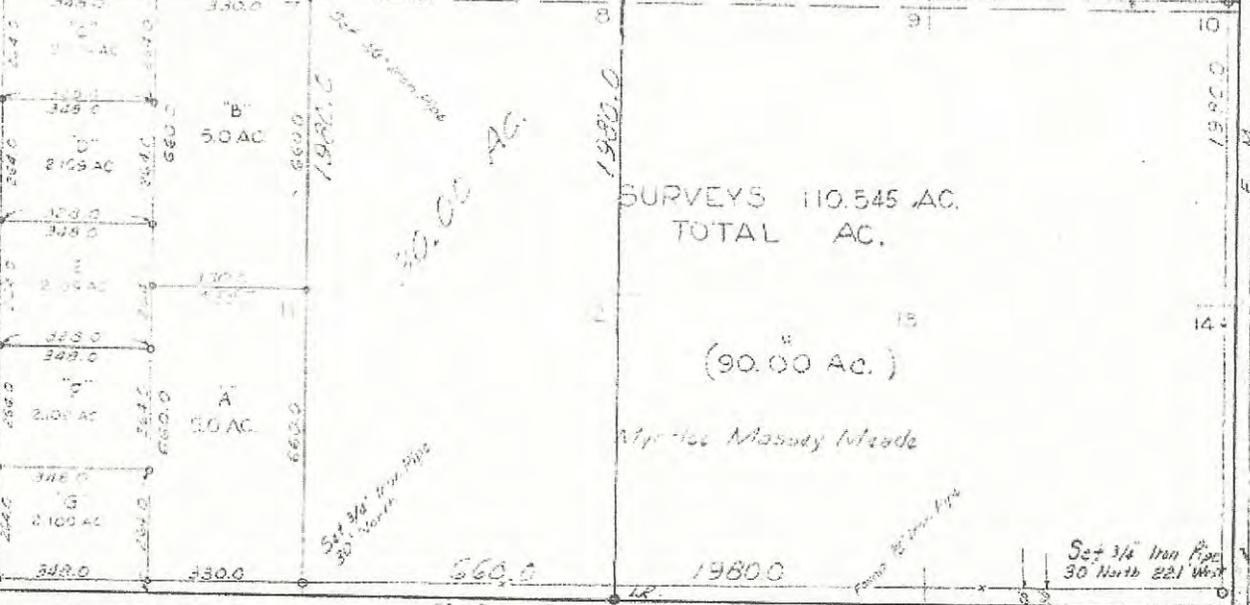
2658

EAST - 678.0

40' PAVED ROAD

Set 3/4" Iron Pipe
22.1' West

BRITT



SURVEYS 110.545 AC.
TOTAL AC.

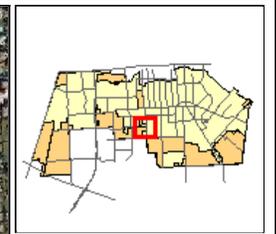
(90.00 Ac.)

Miles Massey Mounds

660.0 1980.0

WEST - 2658.0

SOUTH - 2640.0



Scale 1:10,324
1 in = 860 ft

**PROPERTY OWNER INITIATED ANNEXATION:
PROPERTY GENERALLY LOCATED EAST OF COUNTY ROAD 107F
NORTH OF BAILEY RD., AND WEST OF MANVEL RD.**

FEASIBILITY REPORT

LOCATION:

The subject property is bounded by the City of Pearland's ETJ to the west, north and south. Properties west of the site include automobile-related uses, mobile homes and undeveloped land; properties north of the site include undeveloped land and single family residential developments; properties south of the site include undeveloped land, mobile homes, an elementary school, and single family residential developments. Properties along the eastern border of the site are located within the corporate limits of the City of Pearland and include undeveloped land and single family residential developments.

The subject property is in City of Pearland's ETJ in Brazoria County.

DEMOGRAPHICS:

The property is currently undeveloped.

CURRENT USE OF LAND:

The property is currently undeveloped.

SURROUNDING LAND:

As described above, the property is bounded by the City of Pearland's ETJ to the west, north and south. The property just east of the site is located within the corporate boundaries of the City of Pearland, and is undeveloped. Abutting uses include undeveloped land, single-family residential developments, mobile homes, commercial uses and an elementary school.

ACCESSIBILITY:

The subject property has access by the following roadway:

1. The subject property has direct access to County Road 107F (CR107F), which runs north and south, and is on the western boundary of the property.
2. Manvel Road is located east of the property; however, currently the Tract does not have direct access to Manvel Road.

DEVELOPMENT STATUS: (Percentage of land developed)

The property is currently undeveloped.

VALUATION:

Brazoria County Assessor records indicate that the subject land consists of one (1) parcel. The total acreage of land within the parcel is 20 acres. The total market value of the property is **\$200,000**. The total agricultural market valuation is **\$200,000**, with an agricultural or timber use value reduction of **\$197,800**.

AVAILABILITY OF AND IMPACT ON CITY SERVICES:

Statutory Services:

Police Protection:

The Pearland Police Department does not currently provide police protection in the extraterritorial jurisdiction (ETJ). Upon annexation the Pearland Police Department will provide police protection and law enforcement to the Tract. These activities will include normal patrols and responses, the handling of complaints and incident reports, and, as appropriate, support by special units of the Department.

The City of Pearland Police Department can provide police protection using existing resources.

Fire Protection:

The Pearland Fire Department currently provides fire suppression response services and enforces the City's Code of Ordinances with regards to illegal fireworks and illegal trash burning in the ETJ. Upon annexation the Pearland Fire Department will continue to provide fire protection to the Tract, including enforcing the City's Code of Ordinances with regards to illegal fireworks and illegal trash burning. Additionally, the Fire Marshal's Office will provide the following services upon annexation:

- Enforcement of city ordinances as applied to the Fire Code, enforcement of 2012 Life Safety Code and 2012 International Fire Code as applied to new and existing business occupancies.
- Review plans when submitted for new construction, tenant occupancies and installation of fire protection systems.
- Fire inspections of new construction, tenant occupancies and new fire protection systems.
- Routine fire inspections of all existing business occupancies including foster care homes.
- If requested by the owner, fire inspections of residential homes.
- Investigations of all fires to determine origin and cause.

- Respond to fire hazard complaints including enforcement of illegal burning and illegal fireworks.
- Respond to and enforce environmental crimes.
- Abatement of unsafe, dangerous and dilapidated structures.
- Provide public awareness and education of fire prevention and emergency management.

The Pearland Fire Department and the Fire Marshall's Office can provide fire protection and various other services listed above using existing resources.

Emergency Medical Service:

The Pearland Fire Department currently provides emergency medical services in the ETJ. Upon annexation, the Pearland Fire Department will continue to provide emergency medical services to the Tract.

The Pearland Fire Department can provide emergency medical services using existing resources.

Solid Waste Collection:

Solid waste collection services in the ETJ is currently being provided by private contractors; Waste Management Services, Progressive or Best Waste.

Upon annexation of the Tract solid waste collection services will be provided by Waste Management Services under contract with the City. The property is currently undeveloped, but it is important to note that any person currently being serviced by a privately owned solid waste management service provider may continue to use that service for two years after the effective date of the annexation.

The City of Pearland provides solid waste collection services to residents via a private contractor.

Water and Wastewater Facilities:

There are currently no public water or wastewater lines along CR107F. The nearest water line is a 16 inch water line along Manvel Road. The nearest sewer lines are an 8-inch sewer line at West Lea Lane and Manvel Road, and at W. Mockingbird Lane and Manvel Road.

As development commences, water and wastewater facilities will be extended in accordance with the provision of the City's codes, ordinances and regulations. Future public water and wastewater facilities will be operated and maintained by the City or by private contractor under contract with the City.

The City of Pearland can provide for the operation and maintenance of existing and any new water and wastewater facilities, installed in conjunction with future development, using existing City resources or via private contractor.

Roads:

CR107F is currently operated and maintained by Brazoria County. Upon annexation, CR107F will continue to be operated and maintained by Brazoria County. Manvel Road is currently operated and maintained by the Texas Department of Transportation (TXDOT). Upon annexation, Manvel Road will continue to be operated and maintained by TXDOT.

Future public roads and streets, including street lighting, will be operated and maintained by the City of Pearland.

The City of Pearland can provide for the operation and maintenance of future roads and streets, including street lighting, using existing resources.

Parks, Playgrounds and Swimming Pools:

There are no such public facilities on the Tract, therefore, there would be no impact on City operations.

Any other Publicly Owned Facility, Building, or Service:

There are no other public facilities or services on the Tract, therefore, there would be no impact on City operations

Additional Services:

Library Service will be provided from existing facilities and future facilities outside the Tract. Residents of the Tract will be eligible for borrowing privileges at City/County libraries on the same basis as current residents. The City of Pearland can provide library services using existing resources.

The City of Pearland does not currently provide health services in the ETJ. Upon annexation health services will be provided by the City Health Department to area residents and businesses. Health services include City inspection of restaurants, groceries, convenience stores, schools, day-cares and foster homes. The City of Pearland can provide health services using existing resources.

The City of Pearland does not currently provide code enforcement services in the ETJ. Upon annexation, code enforcement personnel will enforce the City's housing code and ordinances against junk motor vehicles, high weeds, unsafe buildings, and illegal dumping of refuse. The City of Pearland can provide code enforcement services using existing resources.

The City of Pearland Animal Control and Adoption Center does not currently provide services in the ETJ. Upon annexation, the City of Pearland Animal Control and Adoption Center will provide services to protect animals and promote pet adoptions. The City of Pearland can provide animal control services using existing resources.

Other City Services, to the extent applicable to persons or properties within the Tract, in accordance with standard policies and procedures will be provided.

LOCATION WITHIN MUNICIPAL UTILITY DISTRICT (MUD):

The Tract is not located within a MUD.

COMPREHENSIVE PLAN RECOMMENDATIONS:

According to Section 5.0 (Land Use) of the Comprehensive Plan, the Tract is located within the *Low Density Residential* future land use designation. Major features and proposed land uses of the aforementioned future land use designation include the following:

- Conventional single-family detached developments;
- 0-4 dwelling units per acre;
- Average lot size of 7,500 square feet;
- Smaller lots may be acceptable if common open space is provided and overall density is not increased; and
- Appropriate zoning districts include R-1, Single Family, R-2 Single Family.

THOROUGHFARE PLAN RECOMMENADTIONS:

The subject property has direct access to County Road 107F (CR107F), which runs north and south, and is on the western boundary of the property. This roadway is designated as a local street on the City’s approved thoroughfare plan.

POSSIBLE USES OF LAND IF IT IS NOT ANNEXED AND DEGREE OF CONFORMANCE TO THE COMPREHENSIVE PLAN OF THOSE LAND USES:

It is staff’s professional opinion, that if the property is not annexed it may develop in an unplanned manner. Currently there are no safeguards to buffer existing adjacent residential developments appropriately, such as height restrictions; lot area and bulk requirements; location of structures, uses of land, etc.

Unplanned growth may have a negative effect on the development of adjoining land in the City’s jurisdiction. New investment and development of land within the City Limits, adjacent to the subject property, may be curtailed and impeded due to uncertainties of surrounding development.

IMPACT OF ANNEXATION – LONG TERM AND SHORT TERM:

In the long and short term, the annexation of the subject 20-acre tract of land will enable the City of Pearland to plan for this area in accordance with the Comprehensive Plan and Unified Development Code.

RECOMMENDATIONS:

It is staff's recommendation that the City should pursue annexation and prepare a service plan for the subject area.

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

AGENDA OF: December 9, 2013	ITEM NO.:
DATE SUBMITTED: December 2, 2013	DEPT. OF ORIGIN: Planning
PREPARED BY: Johnna Matthews	PRESENTOR: Johnna Matthews
REVIEWED BY:	REVIEW DATE:
SUBJECT: Request for Voluntary Annexation of Land into the City Limits- First of two Public Hearings	
EXHIBITS: Attachments: 1. Vicinity Map 2. Feasibility Report 3. Service Plan 4. Petition for Annexation 5. Public Notice	
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 type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution	

EXECUTIVE SUMMARY

Kevin Cole, applicant for Tin Dinh, owner; has petitioned the City of Pearland to annex an approximately 20 acre tract of land, located on the east side of County Road 107 F (CR107F), north of Bailey Rd., and west of Manvel Road. The property just east of the tract subject to annexation includes approximately 20 acres, is under common ownership and was annexed into the City in 2001. This adjacent tract is zoned Single-Family Estate District (RE).

When a property is annexed into the City, the interim zoning of the land is Suburban Development (SD) district. Ultimately the applicant proposes a low density, single-family residential development.

In accordance with Section 43.063 of the Texas Local Government Code, the following statutory requirements are mandated for annexation:

- Notice of Intent to all property owners, public/private entities, railroad companies;
- Preparation of a Service Plan that provides for the extension of full municipal services;
- Two public hearings are required at which persons interested in the annexation are given the opportunity to be heard;
- Reading of the Annexation Ordinance
- Pre-Clearance (Justice Department Notification)

Staff has discussed the benefits of annexation and recommends that the annexation be considered for the following reasons:

- The proposed request is a voluntary annexation, and will provide an opportunity to direct future growth and guide development.
- Annexing the property prior to development will prevent creation of potential non-conformities of structures and uses.
- The provision of services in the area will have minimal additional burden on the City. City departments have indicated that the property can be served with existing resources as indicated in the service plan and feasibility report.
- The property will be zoned. Appropriate zoning for the currently undeveloped property will ensure that the property develops in a manner which is most compatible for the location and surrounding land uses. The zoning of the property will be based on the Future Land Use Plan and regulated by the Unified Development Code.

Service Plan: A Service Plan for the property is attached to this report. As indicated by the Service Plan, the City will be able to service the possible annexation area with existing resources.

Staff Recommendation: Staff recommends approval of the annexation of the subject 20 acre tract located on the east side of CR107F, north of Bailey Rd., and west of Manvel Road for the following reasons:

- 1) The property is located within the City's Extra-Territorial Jurisdiction (ETJ) and will eventually become a part of the City of Pearland. By annexing the property prior to development, the City is able to prevent non-conforming issues that may potentially occur if the property develops while in the ETJ.

- 2) Annexation of the subject property into the City of Pearland will ensure that future growth is guided by the Future Land Use Plan of the Comprehensive Plan, Unified Development Code, and other City regulations. Additionally, the City will be in a better position to provide safeguards against unplanned and unregulated growth for current and future residents of Pearland.
- 3) The proposed annexation is being initiated by the property owner and will not affect nearby properties in a negative manner. It will give assurances to nearby property owners that development on the property will be subject to City of Pearland regulations.

Recommended Action

Consider the annexation of the 20 acre property located on the east side of CR107F, north of Bailey Rd., and west of Manvel Road.

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

AGENDA OF: December 16, 2013	ITEM NO.:
DATE SUBMITTED: December 2, 2013	DEPT. OF ORIGIN: Planning
PREPARED BY: Johnna Matthews	PRESENTOR: Harold Ellis
REVIEWED BY:	REVIEW DATE:
SUBJECT: Request for Voluntary Annexation of Land into the City Limits- Second of two Public Hearings	
EXHIBITS: Attachments: 1. Vicinity Map 2. Feasibility Report 3. Service Plan 4. Petition for Annexation 5. Public Notice	
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 type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution	

EXECUTIVE SUMMARY

Kevin Cole, applicant for Tin Dinh, owner; has petitioned the City of Pearland to annex an approximately 20 acre tract of land, located on the east side of County Road 107F (CR107F), north of Bailey Rd., and west of Manvel Road. The property just east of the tract subject to annexation includes approximately 20 acres, is under common ownership and was annexed into the City in 2001. This adjacent tract is zoned Single-Family Estate District (RE).

When a property is annexed into the City, the interim zoning of the land is Suburban Development (SD) district. Ultimately the applicant proposes a low density, single-family residential development.

Pursuant to Section 43.065 (a) of the Texas Local Government Code, before a municipality may institute annexation proceedings (Readings of the Ordinance), two public hearings are required at which persons interested in the annexation are given the opportunity to be heard. The hearings must be conducted on or after the 40th day, but before the 20th day before the date of the institution of proceedings. The first public hearing was held on December 9, 2013. The second public hearing will be held on December 16, 2013.

In accordance with Section 43.063 of the Texas Local Government Code, the following statutory requirements are mandated for annexation:

- Notice of Intent to all property owners, public/private entities, railroad companies;
- Preparation of a Service Plan that provides for the extension of full municipal services;
- Two public hearings are required at which persons interested in the annexation are given the opportunity to be heard;
- Reading of the Annexation Ordinance
- Pre-Clearance (Justice Department Notification)

Staff has discussed the benefits of annexation and recommends that the annexation be considered for the following reasons:

- The proposed request is a voluntary annexation, and will provide an opportunity to direct future growth and guide development.
- Annexing the property prior to development will prevent creation of potential non-conformities of structures and uses, as structures built outside the City limits are not required to follow City development regulations.
- The provision of services in the area will have minimal additional burden on the City. City departments have indicated that the property can be served with existing resources as indicated in the service plan and feasibility report.
- The property will be zoned. Appropriate zoning for the currently undeveloped property will ensure that the property develops in a manner which is most compatible for the location and surrounding land uses. The zoning of the property will be based on the Future Land Use Plan and regulated by the Unified Development Code.

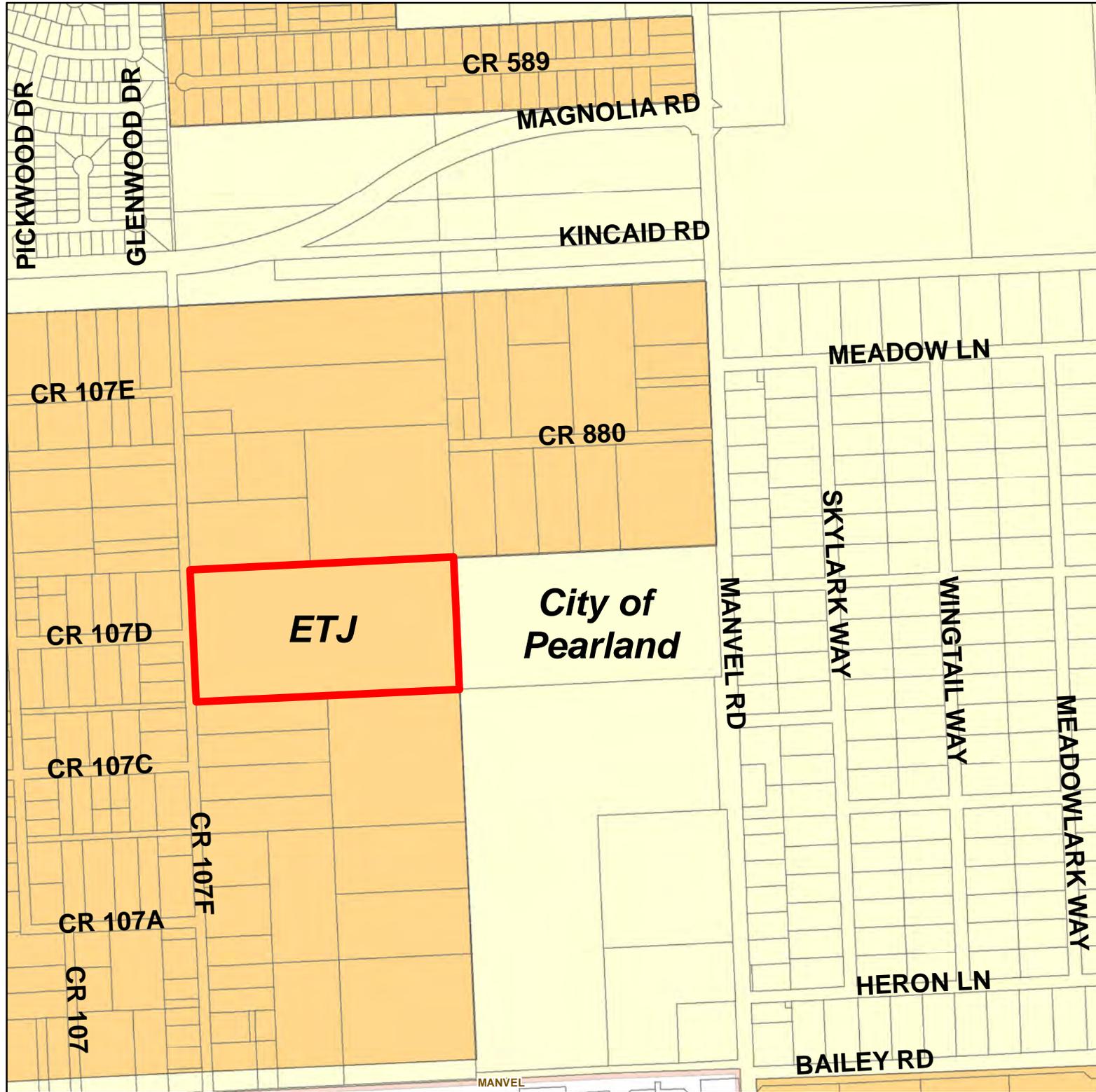
Service Plan: A Service Plan for the property is attached to this report. As indicated by the Service Plan, the City will be able to service the possible annexation area with existing resources.

Staff Recommendation: Staff recommends approval of the annexation of the subject 20 acre tract located on the east side of CR107F, north of Bailey Rd., and west of Manvel Road for the following reasons:

- 1) The property is located within the City's Extra-Territorial Jurisdiction (ETJ) and will eventually become a part of the City of Pearland. By annexing the property prior to development, the City is able to prevent non-conforming issues that may potentially occur if the property develops while in the ETJ.
- 2) Annexation of the subject property into the City of Pearland will ensure that future growth is guided by the Future Land Use Plan of the Comprehensive Plan, Unified Development Code, and other City regulations. Additionally, the City will be in a better position to provide safeguards against unplanned and unregulated growth for current and future residents of Pearland.
- 3) The proposed annexation is being initiated by the property owner and will not affect nearby properties in a negative manner. It will give assurances to nearby property owners that development on the property will be subject to City of Pearland regulations.

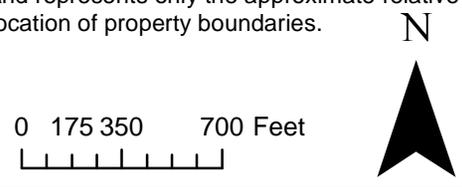
Recommended Action

Consider the annexation of the 20 acre property located on the east side of CR107F, north of Bailey Rd., and west of Manvel Road.



Vicinity Map
Annexation Petition
East of CR107F and
West of Manvel Rd

This product is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



New Business Item No. 2

- 2. CONSIDERATION AND POSSIBLE ACTION – FIRST AND ONLY READING OF ORDINANCE NO. 1497 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, ESTABLISHING SCHOOL ZONE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF THE 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; PROVIDING A PENALTY; AND DECLARING AN EMERGENCY. *Mr. Jon Branson, Interim City Manager.***

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

AGENDA OF:	January 13, 2014	ITEM NO.:	Ordinance No. 1497
DATE SUBMITTED:	December 4, 2013	DEPT. OF ORIGIN:	Engineering&Cap Projs
PREPARED BY:	Trent Epperson	PRESENTOR:	Jon Branson
REVIEWED BY:	Mike Hodge	REVIEW DATE:	January 3, 2014
SUBJECT: School Zone Speed Limit Ordinance			
EXHIBITS: Ordinance No. 1497 A – School Zone Speed Limits			
FUNDING:	<input type="checkbox"/> Grant	<input type="checkbox"/> Developer/Other	<input type="checkbox"/> Cash
<input type="checkbox"/> Bonds To Be Sold	<input type="checkbox"/> Bonds- Sold	<input type="checkbox"/> L/P – Sold	<input type="checkbox"/> L/P – To Be Sold
EXPENDITURE REQUIRED:	N/A	AMOUNT BUDGETED:	
AMOUNT AVAILABLE:		PROJECT NO.:	
ACCOUNT NO.:			
ADDITIONAL APPROPRIATION REQUIRED:			
ACCOUNT NO.:			
PROJECT NO.:			
To be completed by Department:			
Finance	X Legal	X Ordinance	Resolution

EXECUTIVE SUMMARY

BACKGROUND

The City has previously not consistently adopted school zone speed limits for roadways in the City by Ordinance which has created an inconsistent pattern. This Ordinance is proposed in an effort to consolidate the School Zone Speed Limits into one that will address all School Zones in the City. The Zones will include School Zone Speed, limits of the school zone (beginning and ending points) and time of day the school zone is in effect. This Ordinance will repeal any previous ordinances establishing School Zone Speed Limits on streets in the City.

RECOMMENDED ACTION

Consideration and approval of a single Ordinance to establish the School Zone speed limits within the City.

ORDINANCE NO. 1497

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, ESTABLISHING SCHOOL ZONE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF THE 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; PROVIDING A PENALTY; AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS:

Section 1. Pursuant to the Texas Transportation Code, the school zone speed limit for the streets identified in Exhibit "A" attached hereto, are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof.

Section 2. Penalty. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not more than Two Hundred Dollars (\$200).

Section 3. Savings. All rights and remedies which have accrued in favor of the City under this Chapter and amendments thereto shall be and are preserved for the benefit of the City.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. Repealer. All City of Pearland Ordinances in conflict with this Ordinance are hereby repealed.

ORDINANCE NO. 1497

Section 6. Publication and Effective Date. The City Secretary shall cause this ordinance, or its caption and penalty, to be published in the official newspaper of the City of Pearland, upon passage of such ordinance. The ordinance shall then become effective ten (10) days from and after its publication, or the publication of its caption and penalty, in the official City newspaper.

Section 7. Declaration of Emergency. The Council finds and determines that vehicle speed inures to the benefit of the traveling public and, therefore, bears directly upon the health, safety and welfare of the citizenry; and that this ordinance shall be adopted as an emergency measure, and that the rule requiring this ordinance to be read on two (2) separate occasions be, and the same is hereby waived.

PASSED and APPROVED this the _____ day of _____, A.D., 2014.

TOM REID
MAYOR

ATTEST:

YOUNG LORFING, TRMC
CITY SECRETARY

APPROVED AS TO FORM:

DARRIN M. COKER
CITY ATTORNEY

SCHOOL ZONE SPEED ORDINANCE.

School zone shall be established along the following roadways.

ELEMENTARY SCHOOLS PEARLAND ISD

1) Barbara Cockrell Elementary (3500 McHard Rd.)

Speed Limit: 30 MPH

Times: from 7:00 am. to 8:30 am. and 2:30 pm. to 3:45 pm.

Limits: Along Mchard Rd. from 220 feet west of Old Alvin Rd. to 1220 feet east of Old Alvin Rd.

Speed Limit: 25 MPH

Times: from 7:00 am. to 8:30 am. and 2:30 pm. to 3:45 pm.

Limits: Along Old Alvin Rd from 220 feet north of Old Alvin rd to 300 feet south of Shady Gate Ln.

2) C. J. Harris Elementary (2314 Schleider Rd.)

Speed Limit: 20 MPH

Times: 7:00 am. to 8:30 am. and 2:30 pm. to 3:45 pm. on school days.

Limits: Along Schleider Dr from E. Plum St. to Barry Rose Rd.

Along Barry Rose Rd. from 380 feet South of Schleider Dr. to 220 feet north of Schleider Dr.

Along E. Plum St from Yupon to Schleider Rd.

3) Challenger Elementary (9434 Hughes Ranch Rd.)

Speed Limit: 20 MPH

Times:7:00 am. to 8:30 am. and 2:30 pm. to 3:45 pm.

Limits: Along Bryan Ct form Hughes Ranch Rd. to the dead end of Bryans Ct.

Along Hughes Ranch Rd. from 100 feet east of N. Hampton Dr. to S. Hampton Dr.

Along N. Hampton Dr from 140 north of Hughes Ranch Rd. to Hughes Ranch Rd.

4) H. C. Carlestone Elementary (3010 Harkey Rd.)

Speed Limit: 20 MPH

Times: 7:00 am. to 8:30 am. and 2:30 pm. to 3:45 pm. on school days.

Limits: Along Harkey Rd from 980 feet north of Fite Rd. to 890 feet south of Fite Rd.
Along Fite Rd from 860 feet west of Harkey Rd to 340 feet east of Harkey Rd.

5) Magnolia Elementary (5350 Magnolia Rd.)

Speed Limit: 20 MPH

Times: 7:00 am. to 8:30 am. and 2:30 pm. to 3:45 pm. on school days.

Limits: Along Magnolia Road from 970 feet west of Mclean Rd to 1940 feet west of Mclean Rd.

6) Massey Ranch Elementary (3900 Manvel Rd.)

Speed Limit: 35 MPH

Times: 7:00 am. to 8:30 am. and 2:30 pm. to 3:45 pm. on school days.

Limits: Along FM 1128/Manvel Rd from 318 feet north of Heron Ln. to Westlea Ln.

7) Rustic Oaks Elementary (1302 Rustic Ln.)

Speed Limit: 20 MPH

Times: 7:00 am. to 8:30 am. and 2:30 pm. to 3:45 pm. on school days.

Limits: Along Rustic Oaks from Stevenson Rd. to City Limits

Along Stevenson Rd. to Rustic Ln.

Along Westfield Ln from 195 feet east of Dixie Farm to City Limits

8) Shadycrest Elementary (2405 Shadybend Dr.)

Speed Limit: 20 MPH

Times: 7:00 am. to 8:30 am. and 2:30 pm. to 3:45 pm. on school days.

Limits: Along Liberty Dr. from 175 feet north of Shadybend Dr. to 130 feet south of Laura Ln.

Along Shadybend Dr. From Liberty Dr to 100 feet east of E. Circle Dr.

Along E. Circle Dr from 300 feet north of Shadybend dr. to Shadybend Dr.

Along W. Circle Dr from 300 feet north of Shadybend dr. to Shadybend Dr.

Along Misty Ln. from Laura Ln. to Shadybend Dr.

MIDDLE SCHOOLS PEARLAND ISD

1) Alexander Middle School (3001 Old Alvin Rd.)

Speed Limit: 25 MPH

Times: 8:15 am. to 9:15 am. and 3:15 pm. to 4:15 pm.

Limits: Along Old Alvin Rd from Nottingham St to 950 feet south of Swensen Rd.
Along Swensen Rd from Old Alvin Rd. to 220 feet west of Old Alvin Rd.

2) Leon Sablature Middle School (2201 N. Galveston Ave.)

Speed Limit: 20 MPH

Times: 7:45 am. to 9:00 am. and 3:15 pm. to 4:30 pm.

Limits: Along S. Galveston Ave from 250 feet south of FM 518/Broadway St to Fm 518/Broadway St.

Along N. Galveston Ave from FM 518/Broadway St. to 220 feet north of E. Plum St.

Along E. Plum St From 170 feet west of N. Galveston Ave to 150 feet east of Old Alvin Rd.

Along Park Ave from 220 feet south of E. Plum St. to 145 feet south of FM 518/Broadway St.

Speed Limit: 25 MPH

Times: 7:45 am. to 9:00 am. and 3:15 pm. to 4:30 pm.

Limits: Along FM 518/Broadway St. from Park Ave to 225 feet east of Old Alvin Rd.

3) Rogers Middle School (3121 Manvel Rd.)

Speed Limit: 35 MPH

Times: 7:30 am. to 9:00 am. and 3:15 pm. to 4:30 pm. on school days.

Limits: Along FM 1128/Manvel Rd. From 300 feet north of Magnolia Rd. to 200 feet north of Fite Rd.

Speed Limit: 20 MPH

Times: 7:30 am. to 9:00 am. and 3:15 pm. to 4:30 pm. on school days.

Limits: Along Fite Rd from 325 feet west of FM 1128/Manvel Rd. to 525 feet east of Piper Rd.

4) Sam Jamison Middle School (2506 Woody Rd.)

Speed Limit: 35 MPH

Times: 7:30 am. to 9:00 am. and 3:15 pm. to 4:30 pm. on school days.

Limits: Along FM 158/Broadway from 73 feet west of Halbert Rd / Mclean Rd to 35 feet west of Anthony Ln.

Speed Limit: 20 MPH

Times: 7:30 am. to 9:00 am. and 3:15 pm. to 4:30 pm. on school days.

Limits: Along Anthony Ln from 80 feet south of Goodrich Dr to FM 518/Broadway

Along Woody Rd from 165 feet north of Cherry to FM 518/Broadway

Along Cherry St from 25 feet west of Lynn Dr to Woody Rd

Along W. Pear St from 25 feet west of Lynn Dr to Woody Rd

Along Corrigan Dr. From 207 feet south of FM518/Broadway to Fm 518/Broadway

JUNIOR HIGH SCHOOLS PEARLAND ISD

1) Berry Miller Junior High (3301 Manvel Rd.)

Speed Limit: 35 MPH

Times: 7:30 am. to 9:00 am. and 3:15 pm. to 4:30 pm. on school days.

Limits: Along FM 1128/Manvel Rd. From 300 feet north of Magnolia Rd. to 200 feet north of Fite Rd.

Speed Limit: 20 MPH

Times: 7:30 am to 9:00 am and 3:15 pm to 4:30 pm on school days.

Limits: Along Fite Rd from 325 feet west of FM 1128/Manvel Rd. to 525 feet east of Piper Rd.

2) Pearland Junior High (East) (2315 Old Alvin Rd.)

Speed Limit: 20 MPH from

Times: 7:30 am. to 9:00 am. and 3:15 pm. to 4:30 pm. on school days.

Limits: Along Old Alvin from 200 feet south of FM 518/Broadway St. to 100 feet north of E. Plum St.

Speed Limit: 25 MPH from

Times: 7:45 am. to 9:00 am. and 3:15 pm. to 4:30 pm. on school days.

Limits: Along FM 518/Broadway St. from Park Ave to 225 feet east of Old Alvin Rd

3) Pearland Junior High (South) (4719 Bailey Rd.)

Speed Limit: 20 MPH from

Times: 6:45 am. to 8:45 am. and 2:15 pm. to 4:30 pm.

Limits: Along Bailey from 275 feet east of Veterans Rd. to 320 feet west of Mclean Rd.
Along McLean Rd from 320 feet south of Bailey Rd. to 150 feet south of Springfield Ave.
Along Veterans Rd from 345 feet south of Bailey Rd. to 250 feet south of Springfield Ave.

4) Pearland Junior High (West) 2337 N. Galveston)

Speed Limit: 20 MPH

Times: 7:45 am. to 9:00 am. and 3:15 pm. to 4:30 pm.

Limits: Along S. Galveston Ave from 250 feet south of FM 518/Broadway St to Fm 518/Broadway St.

Along N. Galveston Ave from FM 518/Broadway St. to 220 feet north of E. Plum St.

Along E. Plum St From 170 feet west of N. Galveston Ave to 150 feet east of Old Alvin Rd.

Along Park Ave from 220 feet south of E. Plum St. to 145 feet south of FM 518/Broadway St.

Speed Limit: 25 MPH

Times: 7:45 am. to 9:00 am. and 3:15 pm. to 4:30 pm.

Limits: Along FM 518/Broadway St. from Park Ave to 225 feet east of Old Alvin Rd.

HIGH SCHOOLS PEARLAND ISD

1) Glenda Dawson High School (2050 Cullen Blvd.)

Speed Limit: 30 MPH

Times: 6:45 am. to 7:30 am. and 1:45 pm. to 3:00 pm. on school days.

Limits: Along Cullen Blvd/FM 865 from 4:15 south of Hughes Ranch Rd to 100 feet south of Hawk Rd.

Speed Limit: 20 MPH

Times: 6:45 am to 7:30 am and 1:45 pm to 3:00 pm on school days.

Limits: Along Hawk Rd. from 100 feet west of Cullen Blvd/FM 865 to 300 feet west of Hillhouse Rd.

Along Hillhouse Rd from 300 feet north of Hawk Rd to Hughes Ranch Rd.

Along Hughes Ranch Rd. From 300 feet west of Hillhouse to 310 feet east of Cullen Blvd/FM 865

2) Pearland High School (3775 South Main)

Speed Limit: 30 MPH

Times: 6:45 am. to 7:30 am. and 1:45 pm. to 3:00 pm. on school days.

Limits: Along SH 35/S. Main St from 420 feet south of Bailey Rd. to 1500 feet South of John Lizer Rd.

Speed Limit: 25 MPH

Times: 6:45 am. to 7:30 am. and 1:45 pm. to 3:00 pm. on school days.

Limits: Along Bailey Rd from 245 feet west of SH 35/S. Main St to Sh 35/S. Main St

Along Olier Dr. From SH 35/S. Main Sr. to Pearland Parkway

Along Pearland Parkway from Olier Dr. to 500 feet south of Wheatfield Blvd.

3) Robert Turner High School (4717 Bailey Rd.)

Speed Limit: 20 MPH

Times: 6:45 am. to 8:45 am. and 2:15 pm. to 4:30 pm.

Limits: Along Bailey from 275 feet east of Veterans Rd. to 320 feet west of Mclean Rd.

Along McLean Rd from 320 feet south of Bailey Rd. to 150 feet south of Springfield Ave.

Along Veterans Rd from 345 feet south of Bailey Rd. to 250 feet south of Springfield Ave

ALTERNATIVE SCHOOLS PEARLAND ISD

1) Pace Center (2314 Old Alvin Rd.)

Speed Limit: 20 MPH

Times: 7:30 am. to 9:00 am. and 3:15 pm. to 4:30 pm. on school days.

Limits: Along Old Alvin from 200 feet south of FM 518/Broadway St. to 100 feet north of E. Plum St.

Speed Limit: 25 MPH

Times: 7:45 am. to 9:00 am. and 3:15 pm. to 4:30 pm. on school days.

Limits: Along FM 518/Broadway St. from Park Ave to 225 feet east of Old Alvin Rd

ELEMENTARY SCHOOLS ALVIN ISD

1) Glen York Elementary (2720 Kingsley Dr.)

Speed Limit: 20 MPH

Times: 7:15 am. to 8:15 am. and 2:45 pm. to 3:45 pm. on school days.

Limits: Along Kingsley Dr. from 960 feet south of Trinity Bay Dr. to 200 feet north of Trinity Bay Dr.

Along Trinity Bay Dr. from 750 feet west of Kingsley Dr. to 200 feet east of Kingsley Dr.

2) Mary Burks Marek Elementary (1947 Kirby Dr.)

Speed Limit: 20 MPH

Times: 7:15 am. to 8:15 am. and 2:45 pm. to 3:45 pm. on school days.

Limits: Along Kirby Dr. from 530 feet south of FM 2234/Shadow Creek Parkway to 225 feet south of Emerald Bay Dr./Enclave Lake Ln.

3) Laura Ingalls Wilder Elementary (2225 Kingsley Dr.)

Speed Limit: 20 MPH

Times: 7:15 am. to 8:15 am. and 2:45 pm. to 3:45 pm. on school days.

Limits: Along Kingsley Dr. from 250 feet south of Regents Bay Dr. to 300 feet south of Bristol Breeze Dr.

Along Regents Bay Dr. from 215 feet west of Kingsley Dr. to Deep Cove Dr.

JR. HIGH SCHOOLS ALVIN ISD

1) Nolan Ryan Junior High (11500 Shadow Creek Parkway)

Speed Limit: 20 MPH

Times: 7:30 am. to 9:00 am. and 2:30 pm. to 4:30 pm. on school days.

Limits: Along Business Center Dr from 325 north of Medical Center Dr. to 800 feet south of FM 2234/Shadow Creek Parkway.

Speed Limit: 35 MPH

Times: 7:30 am. to 9:00 am. and 2:30 pm. to 4:30 pm. on school days.

Limits: Along FM 2234/Shadow Creek Parkway from 350 East of Kirby Dr. to 425 feet West of Business Center Dr.

PRIVATE SCHOOLS

1) **Eagle Heights Christian Academy** (3005 Pearland Parkway)

Speed Limit: 25 MPH

Times: 8:00 am. to 9:00 am. and 3:00 pm. to 4:00 pm. on school days.

Limits: Along Pearland Parkway from 125 Feet South of Cruise Ln. to 1030 feet South of Cruise Ln.

New Business Item No. 3

3. **CONSIDERATION AND POSSIBLE ACTION – FIRST READING OF ORDINANCE NO. 1492-1 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AMENDING ORDINANCE NO. 1492, THE 2013-2014 ANNUAL BUDGET ORDINANCE, BY; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO FACILITATE THE CHANGES IDENTIFIED HEREIN WITHOUT FURTHER APPROVAL OF CITY COUNCIL; PROVIDING A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, A REPEALER CLAUSE, AND AN EFFECTIVE DATE. *Mr. Jon Branson, Interim City Manager.***

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

AGENDA OF: January 13, 2014	ITEM NO.: Ordinance No. 1492-1
DATE SUBMITTED: January 3, 2014	DEPT. OF ORIGIN: Finance
PREPARED BY: Bobby Pennington	PRESENTOR: Jon Branson
REVIEWED BY: Jon R. Branson	REVIEW DATE: January 6, 2014
SUBJECT: Fiscal Year 2013 Budget Carryovers	
EXHIBITS: Ordinance No. 1492-1 (Exhibit A to Ordinance, Carryover List)	
FUNDING: <input type="checkbox"/> Grant <input type="checkbox"/> Developer/Other <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Bonds To Be Sold <input type="checkbox"/> Bonds- Sold <input type="checkbox"/> L/P – Sold <input type="checkbox"/> L/P – To Be Sold	
EXPENDITURE REQUIRED: N/A AMOUNT BUDGETED: N/A AMOUNT AVAILABLE: N/A PROJECT NO.: N/A ACCOUNT NO.: N/A ADDITIONAL APPROPRIATION REQUIRED: \$5,110,788 ADDITIONAL REVENUES REQUIRED: \$2,576,193 ACCOUNT NO.: AS SHOWN IN EXHIBIT A PROJECT NO.: N/A	
To be completed by Department: <input checked="" type="checkbox"/> Finance <input checked="" type="checkbox"/> Legal <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution	

EXECUTIVE SUMMARY

BACKGROUND

The City's 2012-13 fiscal year ended September 30, 2013. At that time there were contracts, purchases of goods and services and other items that were approved and budgeted in fiscal year 2012-2013, but the actual expenditure and receipt of revenue will be incurred in the 2013-2014 fiscal year. The carryover for those expenditures is being requested, and the budget for those items needs to be re-established in this fiscal year. These expenditures were included in the projections for fiscal year 2013, and estimated ending balances assumed that these funds would be spent. All carryover items will be funded from available balances as of 9/30/2013.

BID & AWARD – N/A

SCHEDULE - N/A

POLICY/GOAL CONSIDERATION

One of Council's 2013-2014 Strategic Directions was to ensure sound financial policies. Amending the budget for projects and expenditures still in progress from last year will ensure funding is available to complete these projects as well as assist us in projecting correct revenues and expenditures for fiscal year 2014. We will continue to exceed the policy of maintaining an unrestricted fund balance of two months recurring operating expenditures in the General Fund as well as cash reserve and bond coverage in the Water/Sewer Fund.

CURRENT AND FUTURE FUNDING/FINANCIAL IMPACTS

General Fund carryovers total \$1,872,939 for revenues and \$2,849,652 for expenditures for a net carryover amount (expenditures less revenues) of \$976,713. The fund balance for the General Fund at 9/30/2013 is \$18,623,117, \$2,837,499 more than the amended budget fund balance of \$15,785,618.

FY2013 Total Revenues of \$57.4 million are short of the amended budget by \$2.2 million with Sales Tax (\$265K) and proceeds from capital leases (\$1.852M) below budget. The capital lease was approved by City Council in October 2013 and the funding is being requested to be carried over. Excluding lease proceeds, revenues total \$56.2 million, on target with the amended budget. FY2013 Expenditures of \$56.4 million are under the amended budget by \$4.6 million. Variances include \$1.0M for Fire department ladder, pumper and equipment; \$495K for migration of new radio system; \$452K for street and sidewalk maintenance; \$38K for the school zone flasher system; and \$73K for Parks and Recreation Improvements. The remaining savings is made up of various line-items throughout the departments, including salary savings. Of the \$4.6 million in expenditure savings, \$2,849,652 is being requested for carryover.

Using the actual General Fund ending fund balance for 9/30/2013, of \$18,623,117, the fiscal year 2014 adopted budget shows an estimated fund balance at 9/30/2014 of \$15,434,854, which is \$5,774,699 over the \$9,660,155 reserve policy of 2 months. By reducing the General Fund fund balance by the net of \$976,713, the General Fund is budgeted to end the 2014 fiscal year at \$4.8 million over policy with an estimated fund balance at 9/30/2014 of \$14.458 million versus the \$12.6 million originally projected. Recommendations will be made during the FY2015 budget process on how these funds might be spent on non-recurring expenditures keeping in mind the City's fund balance policy and the economy, including use of cash versus capital lease proceeds for equipment purchases.

The Water and Sewer fund balance on a cash basis at 9/30/2013 was projected at \$8.6 million. The actual available fund balance is \$11.8 million, \$3.2 million more than budgeted. Revenues are over budget by \$521K and expenses under budget by \$2.7million, mainly in water production; purchase of surface water, and in Utility Billing, purchase of meters. Recommended carryovers total net \$785,560 leaving an estimated balance of approximately \$11 million, still \$2.4million over FY2013 projections. Fiscal year 2014 ending fund balance is now estimated at \$12.0 million versus the \$9.6 million projected during the budget process.

Other carryover requests for other funds are listed in Exhibit A and funded from available balances as of 9/30/2013.

Exhibit A shows the carryover request by fund. These carryover requests have been reviewed with management and they concurred with the list. The carryover for PEDC, for Business Center Drive, is contingent upon PEDC board approval later in January 2014.

O&M IMPACT INFORMATION

No additional O&M impact on City's financials as these funds were projected to be spent in last fiscal year.

RECOMMENDED ACTION

Consideration and approval of an Ordinance amending the fiscal year 2014 budget to reflect additional appropriations for fiscal year 2013 carryover for revenue and expenditures/expense as shown in Exhibit A.

ORDINANCE NO. 1492-1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AMENDING ORDINANCE NO. 1492, THE 2013-2014 ANNUAL BUDGET ORDINANCE, BY; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO FACILITATE THE CHANGES IDENTIFIED HEREIN WITHOUT FURTHER APPROVAL OF CITY COUNCIL; PROVIDING A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, A REPEALER CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the City Council is authorized by law to make changes in the City budget for municipal purposes and for emergency appropriations to meet a pressing need for public expenditure to protect the public health, safety, and welfare as a result of unusual and unforeseen conditions; and

WHEREAS, said amendments are necessary to reflect additional appropriations for fiscal year 2013 carryovers for revenue and expenses; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS:

Section 1. That the City Manager or his designee is authorized to make appropriations for fiscal year 2013 carryovers as set out in Exhibit A, attached hereto and incorporated herein by reference for all purposes, as authorized by law for municipal purposes.

Section 2. That final approval of the PEDC carryovers referenced in Exhibit A shall be contingent upon approval of said carryovers by the PEDC Board of Directors.

Section 3. That the City Manager or his designee is authorized to take all actions necessary to facilitate the changes identified herein without further approval of City Council.

Section 4. Savings. All rights and remedies which have accrued in favor of the City under this Chapter and amendments thereto shall be and are preserved for the benefit of the City.

ORDINANCE NO.1492-1

Section 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 6. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed, but only to the extent of such conflict.

Section 7. Effective Date. This Ordinance shall become effective immediately upon its passage and approval by the City Council.

PASSED and APPROVED ON FIRST READING this the _____ day of _____, A. D., 2014.

TOM REID
MAYOR

ATTEST:

YOUNG LORFING, TRMC
CITY SECRETARY

PASSED and APPROVED ON SECOND AND FINAL READING this the _____ day of _____, A. D., 2014.

TOM REID
MAYOR

ORDINANCE NO.1492-1

ATTEST:

YOUNG LORFING, TRMC
CITY SECRETARY

APPROVED AS TO FORM:

DARRIN M. COKER
CITY ATTORNEY

FY2013 DEPARTMENT CARRYOVER RECOMMENDATION

Department	Revenue \$	Expenditure \$	Description	Account #	PO #	Notes
General Fund - 10						
	\$1,852,939			010-0000-360-03-00		Lease/Purchase Proceeds from FY 2013 purchases.
Human Resources		\$9,280	Renovation	010-1040-554.01-00	140886	Renovation for HR offices. PO for Pro Comp Construction.
Human Resources		\$990	Software	010-1040-554.30-00	132594	SHI Government Solutions Software Maintenance for Microsoft Office Professional Plus 2013.
Human Resources		\$24,500	Executive Search	010-1040-555.11-00	132615	Strategic Government Resources - City Manager search.
Human Resources		\$33,255	Training	010-1040-555.33-02		CPM (Certified Public Manager) Program; <u>\$3,695 per participant x 9 (3 are free)</u> . 12 employees are signed up to start January 6th.
Human Resources		\$2,767	Furniture	010-1040-554.01-00		Office Furniture - Furnish Conference and waiting area. 3 Work Chairs; Sofa and matching chair (\$2,272); Conference Table (\$495).
Legal		\$1,503	Travel	010-1080-555-33-03		IMLA conference
City Secretary		\$1,099	Codification Ordinance	010-1050-556.17-00	130356	The encumbered amount will be used to supplement FY-2014 funding to maintain and keep the City's Code of Ordinances current.
Information Technology		\$1,000	Special Equipment	010-1250-554.08-00	Pcard	New Phone System: Departments have requested additional phone equipment as well as moving phone locations. Funds are requested for additional headsets, cabling and equipment.
Information Technology		\$1,000	Special Services	010-1250-555.11-00		
Information Technology		\$2,000	Professional Development	010-1250-555.33-00		New Phone System: Funds are requested for additional training and programming.
		\$2,000	Special Services	010-1250-555.11-00		
Finance		\$1,200	Consulting Services	010-1260-555.11-00	122250	Freese & Nichols - Safe Routes to School. <i>Contracted for Services</i>
Other Requirements		\$20,000	Special Services	010-1270-555.11-00		Connect Transit, invoice forthcoming.
Engineering & Capital Projects - Engineering		\$19,483	Engineering Services	010-1420-556.10-00	131912	Cobb Fendley & Assoc. - SH 35 intersection alignment.
Engineering & Capital Projects - Engineering		\$27,726	Engineering Services	010-1420-556.10-00	131922	Epic Transportation Group - Garden Road signal design.
Engineering & Capital Projects - Engineering		\$4,500	Equipment Maintenance	010-1420-556.10-00	132304	Gerry DeCamp - Developing an improved sequence with flashing.
Engineering & Capital Projects - Engineering		\$12,574	Engineering Services	010-1420-565.10-00	140838	Pearland Parkway Corridor Study (Traffic Signals vs. Traffic Circles). Necessary to identify long term improvements to address increased traffic along the corridor. The result will determine the best operational plan to maximize corridor throughput and safety.
Engineering & Capital Projects - Engineering		\$4,875	Engineering Services	010-1420-565.10-00	121425	Contract Amendment for collecting traffic counts for the Traffic Management Plan; Current staffing and activity levels will not allow for collecting the turning movement counts at multiple intersections by in-house staff as originally planned. The count are necessary for intersection modeling in Syncro.
Engineering & Capital Projects - Traffic		\$3,775	PW Construction & Related Lighting	010-1425-555.11-00	132390	Traffic Systems Construction - Repair street lighting service on 288 due to accident.
Engineering & Capital Projects - Traffic		\$38,760	Special Equipment	010-1425-565.73-00		This money is for the school zone flasher system. We were not able to start this project last year due to the ITS project. We needed to see what radio system was selected for the ITS project before going out to bids for the flasher system. These funds will be coupled with FY2014 funds to create a larger bid package which should result in lower costs per unit.
GIS		\$5,695	Misc. Professional Service	010-1460-555.11-00	130888	Lansun & Scott - GIS technical support.

FY2013 DEPARTMENT CARRYOVER RECOMMENDATION

Department	Revenue \$	Expenditure \$	Description	Account #	PO #	Notes
GIS		\$10,625	Engineering Services	010-1460-555.11-50	121712	Geonorth, LLC - GIS recreate the functionality of the batch.
GIS		\$1,890	Consulting Services	010-1460-555.11-50	131976	Geonorth, LLC - System upgrade ARCGIS server and map optix.
Engineering & Capital Projects - GIS		\$5,500	Consulting GIS Creation	010-1460-555.11-50		Cost-share with H-GAC of "six-inch" purchase Digital Ortho photography (Aerial Imagery). We have already agreed to cost share (\$1,000) for this year's "one-foot" purchase of Digital Ortho photography (Aerial Imagery). The six-inch opportunity came later in the budget year.
Community Development - Administration		\$75,758	Misc. Professional Service	010-1605-555.11-00	132298	Kendig Keast Collaborative - Comprehensive Plan.
Community Development - Administration		\$500	Special Services	010-1605-555.11-00		Comprehensive Plan needs.
Community Development - Administration		\$80	Mileage	010-1605-555.31-00		Carryover to be used to cover mileage of Office Supervisor and Office Assistant for the Big Picture Outreach Workshop held on October 16, 2013
Community Development - Permits & Inspections		\$12,000	Special Services	010-1610-555.11-00		Due to the increase in pending inspections, 3 new hospitals and HEB starting construction that will create a higher amount of inspections than expected. For 3rd party inspections.
Community Development - Permits & Inspections		\$6,560	Misc. Professional Service	010-1610-555.11-00	131918	Bureau Veritas North America - PO for third party inspections.
Community Development - Permits & Inspections		\$2,066	Books & Periodicals	010-1610-555.13-00		City adopted new 2012 codes in order to comply with the ISO Rating for lower city insurances and to meet the current codes. Need to order additional code books.
Community Development - Permits & Inspections		\$2,600	Professional Development	010-1610-555.33-00		Funds carried over for Inspectors to register for class & exams to obtain Medical Gas Certification that has recently been mandated by the state recently and for a new Inspector to renew certifications and plumbing license. To continue to train inspectors in additional areas after receiving the ISO audit and being one of the major findings.
Community Development - Permits & Inspections		\$948	Travel	010-1610-555.33-03		Toward initial training of all inspectors for Medical Gas required for continued education and to maintain certifications up-to-date.
Community Development - HES		\$2,392	Minor Tools/Office Equipment	010-1630-542.23-00		To purchase the stands to hold the semi tough books in city vehicles. After discussion of IT strategic plan, IT has informed us that we will be getting semi-tough books instead of tablets. Each stand is estimated at \$300. Portable printers for the field were also approved and will cost an estimated \$200 each.
Community Development - HES		\$954	Books, Periodicals, & Subscription	010-1630-555-13-00		Funds needed for purchasing books for the recent adoptions of the 2012 ICC code and the 2012 IPMC. We did not purchase in FY13 due to classes were not available before the new fiscal year.
Community Development - Planning		\$2,750	P&Z Training and Conferences	010-1650-542.38-01		P&Z member training.
Community Development - Planning		\$500	Professional Development	010-1650-555.33-00		AICP Exam for new Senior Planner (\$500); Registration for 1 new staff member to State/Law Conference (\$500).
Community Development - Planning		\$500	Memberships	010-1650-555.33-01		
Community Development - Planning		\$700	Professional Development - Travel	010-1650-555.33-03		Travel for 1 new staff member to State/Law Conference (\$700).
Police		\$19,350	Video cameras & install	010-2212-565.73-00	132260	Coban video cameras for vehicles purchased in 2013.
Police		\$4,308	PCS Mobile Docking Stations	010-2212-565.80-00	132634	PCS Mobile for remaining installation of docking stations (original \$9,000) in last of the new vehicles.
Police		\$5,660	Motorola Solutions	010-2215-554.03-00	131603	Motorola Solutions for switch over to HPD system, currently on hold.
Police		\$65,000	Indoor Antenna System	010-2215-565.73-00	132497	For the installation of an indoor antenna system for handheld radios and cell phones, plus some contingency.

FY2013 DEPARTMENT CARRYOVER RECOMMENDATION

Department	Revenue \$	Expenditure \$	Description	Account #	PO #	Notes
Fire		\$13,197	Small Tools	010-2320-542.23-00		Remaining Funds: for Small Tools for new pumpers and ladder truck.
Fire		\$15,107	Minor Tools	010-2320-542.23-00	132630	Municipal Emergency Services - Loose Equipment for Fire Trucks <i>purchased in 2013.</i>
Fire		\$28,640	Houston Radio System	010-2320-554.03-00		Radio Programming needs related to the City of Houston Radio Mitigation Project.
Fire		\$33,425	Medical Screening	010-2320-556.07-00	140544	TK Group Medical Screening - <i>Screening was delayed due to the process of combining EMS & Fire and identifying individuals requiring medical screening.</i>
Fire		\$731	Inventory	010-2320-564.01-00	132446	Siddons - MDT Vehicle Install - <i>vehicle purchased in 2013.</i>
Fire		\$4,279	Inventory	010-2320-564.01-00	132647	Radio for SUV <i>purchased in 2013.</i>
Fire		\$6,742	Physio-Control	010-2320-564.01-00	132653	Physio-Control for AED's.
Fire		\$39,687	Vehicles	010-2320-565.80-00		Remaining Funds: for Mounting and special equipment for new pumpers and ladder truck.
Fire		\$523,640	Vehicles	010-2320-565.80-00	130146	Metro - Pumper Truck.
Fire		\$468,474	Vehicles	010-2320-565.80-00	131475	Siddons - Ladder and Pumper.
Fire		\$494,970	Houston Radio System	010-2320-565.81-00	131268	Migration to new Houston Radio System.
Parks & Recreation		\$3,000	Centennial Park pavilions, trash receptacles & solar lighting	010-3390-553.01-00	132478	Renovate the pavilions at Centennial Park, standardize the trash receptacles, and install solar lighting at the jogging trail.
		\$33,210		010-3390-565.73-00	132478	
Parks & Recreation		\$6,077	Renovate Southdown Bathroom	010-3390-553.01-00		Renovations to the bathrooms at Southdown Park (additional funds are requested for this in Fund 047). Approved for FY 2013.
Parks & Recreation		\$24,548	Woody Park parking lot and jogging trail	010-3390-565.73-00		Material to repair Woody Park parking lot and jogging trail. Approved for FY 2013.
Parks & Recreation		\$6,500	Shade Structures (General Fund portion only)	010-3390-565.73-00 047-3390-565.73-00	132478	USA Shade & Fabric Structures for Shade Structures at Parks - <i>\$24,000 in Fund 047 for Southdown & Zychlinski. \$6,500 in General Fund 010 for Woody Park. Total approved in 2013 budget - \$36,500. Approved for FY 2013.</i>
Parks & Recreation		\$1,209	Software	010-3395-554.30-00	132325	Volgistics Volunteer Management Software.
Parks & Recreation		\$33,375	Service Analysis	010-3395-555.11-00	132284	PASS Service Analysis and Financial Strategies Planning Process
Parks & Recreation		\$2,500	Travel	010-3395-555.33-03		Needed for CAPRA visitation Chair's travel and expenses to NRPA Conference for CAPRA Hearing on our Department
Parks & Recreation	\$20,000	\$133,000	Facilities Maintenance Buildings & Grounds	010-3321-553.01-00		Potential Fire Station #4 entry roof replacement. Revenue is insurance proceeds.
Public Works - GF Administration		\$2,319	Time Clock Software	010-3520-542.23-00		A budget amendment was approved on 9/6/13 to move money to purchase updated time clock software. Unfortunately, the vendor will not be able to deliver it until after the first of October. Therefore, purchase was delayed until October to simplify record keeping.
Public Works - GF Streets & Drainage		\$11,350	Survey Services	010-3570-542.13-00	073256	CL Davis & Co. - Survey services for Hoang tract on Roy Road. Landowners have hired legal representation to resolve outstanding title issues before the City can move forward with our plat process/approval. A carryover from 2007.
Public Works - GF Streets & Drainage		\$121,147	Concrete Pavement Raising	010-3570-553.04-00		For concrete pavement raising in conjunction with the annual concrete pavement raising services contract for \$50,000.

FY2013 DEPARTMENT CARRYOVER RECOMMENDATION

Department	Revenue \$	Expenditure \$	Description	Account #	PO #	Notes
Public Works - GF Streets & Drainage		\$72,919	McHard Rd. Irrigation Contract	010-3570-555.11-00	132620 BC4002	Hydozone Landscape; Project BC4002 - McHard Landscaping Project, MUD 4.
Public Works - GF Streets & Drainage		\$330,984	Sidewalks	010-3570-565.65-00		To remove, replace & install sidewalks in conjunction with the Annual Sidewalk and Street Maintenance contract. Remaining funds.
General Fund - 10	\$1,872,939	\$2,849,652				
Net Carryover		\$976,713				
Amount Available		\$2,837,499				
<u>Debt Service Fund - 20</u>						
Debt Service		\$7,405	Arbitrage	020-7000-555011-12	130601	Arbitrage Compliance Specialist
Debt Service Fund - 20	\$0	\$7,405				
Net Carryover		\$7,405				
Amount Available		\$351,822				
<u>Water/Sewer Fund - 30</u>						
Public Works - Wastewater Treatment		\$8,012	SWEC WWTP Centrifuge Emergency Repair	030-4042-554.05-00	132669	ABB, Inc. - Emergency repair. All services were completed and invoiced in October 2013.
Public Works - Wastewater Treatment		\$3,560	SWEC WWTP Bar Screen Equipment	030-4042-554.05-00	132504	Hartwell Environmental - parts were received and invoiced in October 2013.
Public Works - Wastewater Treatment		\$25,000	Rental of Equipment - Far NW WWTP SBR Basin Repair	030-4042-555.09-00		This amount was for the rental of equipment to make repairs on the SBR Basins at Far NW WWTP. Due to coming in at the half-way point of the year as Superintendent, and staffing short falls, we were unable to do the expected repairs during FY 2013.
Public Works - Wastewater Treatment		\$11,100	SWEC WWTP Sludge Removal	030-4042-555.11-00	132556	BMI - Biosolids Management - Sludge removed from the head works @ SWEC WWTP. Job was completed in October and invoice was received on 11/7/13.
Public Works - Wastewater Treatment		\$1,532	TCEQ Permit Renewal	030-4042-555.11-00	131563	Jacobs Engineering - still in the process of working on the permits for four plants.
Public Works - Wastewater Treatment		\$46,000	SWEC WWTP Valve Actuator Installation	030-4042-565.73-00		These funds were for the replacement and install of valve actuators at SWEC WWTP. We were unable to get to this project during FY 2013, due to staffing short falls and having to deal with needs of higher priority at other plants.
Public Works - Water Production		\$233,000	GCWA Reserve	030-4043-542-01-04		Potential reserve requirement with new contract
Public Works - Water Production		\$3,888	Vacuum Feed System	030-4043-542.06-00		Staff is transitioning from a pressure-feed to a vacuum feed system. Working with new vendor for technical specifications.
Public Works - Water Production		\$5,312	Maintenance Services - Exterior Piping at Water Wells	030-4043-553.01-00	132082	Freese & Nichols - services have not been completed. Construction Management and Inspection Services for Painting and Cleaning of Exterior Piping at Water Wells.
Public Works - Water Production		\$59,150	Maintenance Services - Exterior Piping at Water Wells	030-4043-553.01-00	132034	General Contractor Services - services were completed October 2013, and will be invoiced November 2013.
Public Works - Water Production		\$15,000	Maintenance/Replacement	030-4043-554.04-00		Replacement of spool piece on the header pipe at Southdown WW. This service was budgeted for in FY 2013, however, the project was delayed due to other plants being down.
Public Works - Water Production		\$30,000	Tank Re-lining	030-4043-554.04-00		Cleaning and re-lining interior of Hydro Tank; this service was budgeted for in FY 2013, however, other plants were down and top priority is to distribute ample water quality to our customers.

FY2013 DEPARTMENT CARRYOVER RECOMMENDATION

Department	Revenue \$	Expenditure \$	Description	Account #	PO #	Notes
Public Works - Water Production		\$1,264	Green Tee Fire Flow Analysis	030-4043-554.04-00	131371	Freese & Nichols - project is 84.4% complete.
Public Works - Water Production		\$50,000	Storage Tank Diver - Cleaning/Inspection	030-4043-555.11-00		Proper cleaning and annual inspection, which has not been completed on our ground and elevated storage tanks, and hydro tanks during FY 2013. We are still working on getting a diver to provide the services, in order to stay in compliance with TCEQ.
Public Works - Water Production		\$30,000	Mud 2 - JWP	030-4043-555.11-00		Due to the delay of the MUD 2 district's billing system, this amount needs to be rolled over to cover estimated billings for September 2013.
Public Works - Water Production		\$59,594	Phase 5 Expansion of UDF Flushing Program	030-4043-555.11-00	122255	Freese & Nichols - project is only 37.27% complete; works in phases with other departments. Area 5 - 2012.
Public Works - Water Production		\$34,327	Phase 4 Expansion of UDF Flushing Program	030-4043-555.11-00	112667	Freese & Nichols - project is only 47.19% complete; works in phases with other departments. Area 4 -2011.
Public Works - Water Production		\$6,113	Engineering Services for Water Quality Study	030-4043-555.11-00	131848	Freese & Nichols - project is 90% complete.
Public Works - Water Production		\$36,713	Vacuum Feed System	030-4043-564.01-00		Staff is transitioning from a pressure-feed to a vacuum feed system. Working with new vendor for technical specifications.
Public Works - Water Production		\$14,401	Security Gates	030-4043-565.73-00		Upgrade on remaining sites, including the newest MUD 4 plant, which was under contract. <i>Budgeted in FY 2013. This will complete Gate Project.</i>
Utility Billing		\$41,342	Register Replacement Contractors	030-4145-542.58-00	132652	National Meter Services
Utility Billing		\$26,650	10" Compound Meter - Memorial Hermann	030-4145-542.58-00	132355	Park Environmental
Utility Billing		\$34,000	Registers	030-4145-542.58-00	132582	HD Supply
Utility Billing		\$6,604	Meter Pins/Antennas	030-4145-555.11-00	132644	HD Supply
Other Requirements	\$1,178		Permit MUD 4	030-0000-358.99-00		MUD 4/Cobb Fendley. Bed & Banks Permit MUD 4
Other Requirements		\$1,178	Permit MUD 4	030-4246-555-11-00	131796	MUD 4/Cobb Fendley. Bed & Banks Permit MUD 4
Other Requirements		\$3,000	Gold Water Project	030-4246-555-11-00	132212	Texas Water Foundation
Water/Sewer Fund - 30	\$1,178	\$786,738				
Net Carryover		\$785,560				
Amount Available		\$3,233,522				

FY2013 DEPARTMENT CARRYOVER RECOMMENDATION

Department	Revenue \$	Expenditure \$	Description	Account #	PO #	Notes
City-Wide Donation Fund - 18						
City-Wide Donation Fund - 18 Animal Control		\$6,500	Hydraulic Bathing Tub	018-1520-565.73-00		Budgeted in prior year.
City-Wide Donation Fund - 18		\$6,500				
Net Carryover		\$6,500				
Amount Available		\$12,904				
Municipal Court Tech. - 19						
Municipal Court		\$262,676	Court Software	019-1540-565.73-00	132609	Tyler Technologies - Software conversion and training
Municipal Court		\$16,293	Court Software	019-1540-555-11-00	132609	Tyler Technologies - Travel Expense
Municipal Court Tech. - 19	\$0	\$278,969				
Net Carryover		\$278,969				
Amount Available		\$283,435				
Hotel/Motel Fund - 45						
CVB	\$77,000			045-0000-358.99-00		Tenant Improvement Allowance
CVB		\$545	Furniture	045-1350-553-01-00	132293	CVB Office Buildout, The Luck Co.
CVB		\$60	Furniture	045-1350-554-01-00	Pcard	Home Goods Store - Furnishings
CVB		\$3,964	Inventory	045-1350-564.01-00	132661	CVB Office Buildout; Aves Audio Visual Systems
CVB		\$3,300	Building/Grounds	045-1350-565.23-00		CVB Office Buildout - Blinds/Shades
CVB		\$750	Building/Grounds	045-1350-565.23-00		Other
CVB		\$8,894	Building/Grounds	045-1350-565.23-00	140988	Pearland Town Center - A/C Unit
CVB		\$2,354	Building/Grounds	045-1350-565.23-00	131945	CVB Office Buildout; Wilson Architectural Group
CVB		\$38,332	Building/Grounds	045-1350-565.23-00	132283	CVB Office Buildout; Triad Retail Construction
Hotel/Motel Fund - 45	\$77,000	\$58,199				
Net Carryover		(\$18,801)				
Amount Available		\$142,667				

FY2013 DEPARTMENT CARRYOVER RECOMMENDATION

Department	Revenue \$	Expenditure \$	Description	Account #	PO #	Notes
<u>Park & Rec. Dev. Fund - 47</u>						
Parks & Recreation/Capital Project		\$2,900	Southgate Park - Project 1101	047-0000-565.76-02		Work is completed. Invoice outstanding, to be paid in December.
Parks & Recreation/Capital Project		\$16,000	Repaint Splash Pad	047-0000-565.76-04		Repaint the splash pad at Southdown Park.
Parks & Recreation/Capital Project		\$30,000	Independence Park Bathrooms	047-0000-565.76-11		Renovations to the bathrooms at Independence Park.
Parks & Recreation/Capital Project		\$13,923	Renovate Southdown Bathroom	047-0000-565.76-04		Renovations to the bathrooms at Southdown Park (additional funds are requested for this in the General Fund 010).
Park & Rec. Dev. Fund - 47	\$0	\$62,823				
Net Carryover		\$62,823				
Amount Available		\$257,157				
<u>Police State Seizure Fund- 60</u>						
Police		\$23,000	Automated License Plate Reader System (ALPR)	060-2213-565.73-00		To complete the transfer of our License Plate Recognition system to Vigilant Video. Original vendor went out of business and price doubled with new vendors - additional \$23,690 was approved for FY 2014 to add on to the \$23,000 approved in FY 2013.
Police State Seizure Fund- 60	\$0	\$23,000				
Net Carryover		\$23,000				
Amount Available		\$61,170				
<u>CIP Fund- 68</u>						
		\$25,040	Monitoring ITS Network	068-3420-556.10-00		AECOM - Monitoring ITS Network after installed.
CIP Fund- 68	\$0	\$25,040				
Net Carryover		\$25,040				
<u>Property Insurance Fund- 95</u>						
	\$4,241		Reimbursement	095-0000-358-45-00		TWIA Reimbursements
		\$2,588	Claims	095-3389-553.01-00	132477	Emergency Fire Station 4 roof repair.
		\$1,653	Claims	095-3389-553.01-00	132631	Core Samples - Roof
Property Insurance Fund - 95	\$4,241	\$4,241				
Net Carryover		\$0				
Amount Available		\$89,008				

FY2013 DEPARTMENT CARRYOVER RECOMMENDATION

Department	Revenue \$	Expenditure \$	Description	Account #	PO #	Notes
PEG Channel Fund- 145						
		\$6,655	Office Furniture	145-1530-564.01-00	132655	The Luck Company - Cubicle work stations for new staff
PEG Channel Fund - 145	\$0	\$6,655				
Net Carryover		\$6,655				
Amount Available		\$3,752				Amount Available: Fund Balance is \$260,515.
Grants						
Grant Fund - 101	\$200,000		Recreational Trails Grant Revenue	101-0000-346.01-14		TPWD
Grant Fund - 101	\$5,633		HGAC/DWI Grant	101-0000-346.01-18		Received funding in FY13
Grant Fund - 101	\$8,396		Bulletproof Vest Partnership	101-0000-346.02-05		Carryover for PD vest. Match grant.
Grant Fund - 101	\$17,843		SAFER VFF	101-0000-346.02-11		SAFER VFF Revenue for Printing, marketing, and personnel.
Grant Fund - 101		\$5,633	HGAC/DWI Grant	101-2212-531.09-00		Received funding in FY13
Grant Fund - 101		\$16,792	Bulletproof Vest Partnership	101-2212-542.04-02		Carryover for PD vest. Match grant.
Grant Fund - 101		\$2,068	SAFER VFF	101-2320-555.07-00		SAFER VFF for Printing, marketing, and personnel.
Grant Fund - 101		\$6,195	SAFER VFF	101-2320-555.24-00		SAFER VFF for Printing, marketing, and personnel.
Grant Fund - 101		\$2,000	TIFMAS	101-2320-555.33-00		Fire Department Professional Development
Grant Fund - 101		\$9,580	SAFER VFF	101-2320-565.73-00		Turnout Gear.
Grant Fund - 101	\$12,567		EMPG	101-0000-346-01-01		Personnel
Grant Fund - 101		\$8,280	EMPG	101-2350-531.03-00		Fire Marshal personnel expense.
Grant Fund - 101		\$500	EMPG	101-2350-531.15-00		Fire Marshal personnel expense.
Grant Fund - 101		\$747	EMPG	101-2350-531.16-00		Fire Marshal personnel expense.
Grant Fund - 101		\$1,439	EMPG	101-2350-531.17-00		Fire Marshal personnel expense.
Grant Fund - 101		\$4,000	Parks KidFish	101-3393-542.35-00		Received funding in FY13
Grant Fund - 101		\$200,000	Recreational Trails Grant Expenditures	101-8600-556.30-00		Trail Project - Mary's Creek Phase II
Total Grant Fund -101	\$244,439	\$257,234				

FY2013 DEPARTMENT CARRYOVER RECOMMENDATION

Department	Revenue \$	Expenditure \$	Description	Account #	PO #	Notes
CDBG Grant Fund -108	\$48		PY 2010 CDBG Grant Funds	108-0000-357.01-05		Entitlement Revenue.
CDBG Grant Fund -108		\$48	Construction	108-9000-565.03-00		General Infrastructure Improvements (de-obligated from ARC)
Total CDBG Grant Fund -108	\$48	\$48				
CDBG Grant Fund -109	\$204,843		PY 2011 CDBG Grant Funds	109-0000-357.01-05		Entitlement Revenue.
CDBG Grant Fund -109		\$204,660	PY 2011 CDBG Construction	109-9000-556.68-00		Construction for Westchester.
Total CDBG Grant Fund -109	\$204,843	\$204,660				
CDBG Grant Fund -110	\$191,505		PY 2012 CDBG Grant Funds	110-0000-357.01-05		Entitlement Revenue.
CDBG Grant Fund -110		\$163,912	PY 2012 CDBG Construction	110-9000-565.03-00		Construction for Westchester.
CDBG Grant Fund -110		\$7,398	PY 2012 CDBG Construction	110-9000-565.03-00		Requesting remaining Program Administration to be reallocated towards Construction Program (Westchester). From various Accounts: Postage, Mileage, Professional Development, Consulting and Transfers.
CDBG Grant Fund -110		\$20,040	PY 2012 CDBG Social Services	110-9000-555.80-00		Requesting remaining Adult Reading Center - PY12 De-obligation Amount to be reallocated towards Construction Program (Westchester) and Social Services Programs.
Total CDBG Grant Fund -109	\$191,505	\$191,350				
Total Grants	\$640,835	\$653,292				
TOTAL	\$2,596,193	\$4,762,514				
Net Carryover		\$2,166,321				

REQUESTING CARRYOVER APPROVAL FROM THE PEDC BOARD

P.E.D.C - 15						
PEDC		\$376,274	Business Center Drive	015-5000-556-30-00		Business Center Drive; Requesting Board Approval
P.E.D.C - 15	\$0	\$376,274				
Net Carryover		\$376,274				
Amount Available		\$1,329,705				
TOTAL (with PEDC)	\$2,596,193	\$5,138,788				
Net Carryover (W/ PEDC)		\$2,542,595				

New Business Item No. 4

4. **CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2014-2** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AUTHORIZING A CONTRACT FOR CONSULTING SERVICES ASSOCIATED WITH THE SELECTION OF AN ENTERPRISE RESOURCE PLANNING SYSTEM. *Mr. Jon Branson, Interim City Manager.*

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

AGENDA OF:	January 13, 2014	ITEM NO.:	Resolution No. R2014-2
DATE SUBMITTED:	January 2, 2014	DEPT. OF ORIGIN:	Finance
PREPARED BY:	Bob Pearce	PRESENTOR:	Jon Branson
REVIEWED BY:	Jon R. Branson	REVIEW DATE:	January 6, 2014
SUBJECT: Award for Consulting Services Related to Selection of an ERP System			
EXHIBITS: Resolution #R2014-2 BerryDunn Contract			
FUNDING:			
<input type="checkbox"/> Grant <input type="checkbox"/> Developer/Other <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Bonds To Be Sold <input type="checkbox"/> Bonds- Sold <input type="checkbox"/> L/P – Sold <input type="checkbox"/> L/P – To Be Sold			
EXPENDITURE REQUIRED: \$78,200		AMOUNT BUDGETED: \$80,000	
AMOUNT AVAILABLE: \$80,000			
PROJECT NO.:			
ACCOUNT NO.: 010-1250-555-11-00			
ADDITIONAL APPROPRIATION REQUIRED:			
ACCOUNT NO.:			
PROJECT NO.:			
To be completed by Department:			
X Finance X Legal Ordinance X Resolution			

EXECUTIVE SUMMARY

BACKGROUND

Based primarily upon the findings of an Information Technology assessment and strategic planning study conducted by Sciens, LLC for the City in FY2013 (pursuant to a competitive solicitation), it is anticipated that the FY2015 budget will include funding for the purchase and implementation of an Enterprise Resource Planning (ERP) system to replace the City's existing core administrative software application, Sungard HTE. The referenced study confirmed a growing recognition by City departments that the HTE system (in use by the City since 1997) has limitations of varying severity within the various modules utilized by City departments,

resulting in multiple departments turning to 3rd party software applications (including mobility options) which better serve their needs, but also require development of interfaces to communicate with HTE. These interfaces are of varying effectiveness and benefit to the City, with some being better than others in data transfer efficiency. The study bears out that an overall ERP replacement is necessary for performance and efficiency reasons, but also because it is extremely likely that the City will be notified of an end-of-life status for its current HTE product within the next five years, denoting that the current product will not be supported by Sungard beyond that point. The subsequent ERP replacement will not only necessitate the implementation of a new operating system, but also the migration of pertinent historical data which will be critical to the success and accuracy of the new system. Thus, the selection of an appropriate system, or systems, from a high-quality vendor is of utmost importance.

Given the criticality of the ERP replacement selection to the City's ongoing operations and the extremely technical nature of the products available and the software industry at large, it has been determined that the City does not possess sufficient subject matter expertise to most effectively compete and select the optimum ERP platform for its use. For this reason, City RFP #1014-01 was issued for the purpose of contracting for consulting services related to the selection of an ERP system to replace HTE. For clarification, the balance of this agenda request will pertain to the selection of the consulting firm which will perform this work for the City.

SCOPE OF CONTRACT

Awarded contractor shall perform consulting services related to the selection of an ERP system, under the direction of appropriate City management personnel.

BID AND AWARD

Five (5) proposals were received in response to the specifications of RFP #1014-01. The solicitation was issued in order to select and contract with a consultant who will perform the following scope of work related to the replacement of the City's current administrative software: prepare a comprehensive Request for Proposal, provide evaluation tools and assist City in evaluating proposals, coordinate on-site demonstrations and staff visits to other cities as necessary, assist City with a vendor award recommendation, and conduct contract negotiations through City Council award. An add-alternate was also requested for project management services to oversee the subsequent installation and implementation of the new ERP system, in the event that the City determines it to be advantageous to do so (please note that if this add option is contemplated by staff, it will be brought to Council for approval prior to any related engagement with the selected vendor).

All proposals received were evaluated by a team of City management staff (representing Projects & Engineering, Public Works, Parks & Recreation, Finance and IT) with respect to the following areas, which comprise the evaluation criteria from the RFP specifications:

- Vendor stability and market experience;
- Knowledge of the ERP software industry and products;
- Experience working with municipalities of similar size to the City of Pearland;
- Experience in the requirements gathering process;
- Experience in development of an RFP;
- Experience in identifying software/reseller selection criteria and weighting;
- Experience with the RFP process including scope definition, software selection criteria, developing a weighting scheme or other prioritizing criteria;

- Experience with all phases of ERP implementation including installation, customization, go-live and change management;
- Experience negotiating contracts for the procurement, installation, conversion, customization and implementation of ERP software products;
- Project planning and approach;
- Team organization and experience of individual team members;
- Completeness of work plan;
- Projected length of the project; and
- Cost Proposal.

The initial proposal evaluations by the City management team yielded Azimuth, BerryDunn and Plante Moran as the three highest-ranked submittals. Subsequent to the evaluations, detailed reference checks were conducted by City staff for the top three respondents. Upon completion of the reference checks, only BerryDunn and Plante Moran were brought in for presentations and interviews (one of the two responding Azimuth references reported a negative overall experience with the firm). After the vendor meetings were conducted, BerryDunn was the consensus selection of the evaluation team as representing the best value to the City. The following factors were prominent determinants in staff's recommendation of BerryDunn for award:

- Among their numerous projects for selection and/or implementation of ERP systems of similar nature to ours, BerryDunn is currently contracted with the following Texas cities, each of which are prior HTE users:
 - College Station
 - Mesquite
 - Midland

BerryDunn's experience with these entities assures that they possess an intimate knowledge of the strengths and limitations of every module of the HTE product, and have an established protocol for determining which software platform(s) will be best suited for a given municipality as its replacement.

- BerryDunn references were unanimously positive with regard to the firm's expertise in the ERP market, the thorough nature of their data compilation, analysis and recommendation process, and their effectiveness at communicating with the various levels of City personnel involved throughout the selection process. Our staff was impressed at the significant degree of satisfaction and endorsement expressed by each of the references.
- The BerryDunn personnel participating in the evaluation team interview were extremely knowledgeable about the current ERP software market, as well as the necessary steps for identifying and selecting a well-suited software product, and effectively conveyed an established protocol for ensuring a successful ERP system selection for the City of Pearland.
- The cost proposal submitted by BerryDunn was extremely competitive in the pricing spectrum of proposals received, as identified below (please note that cost was but one component of the overall selection criteria):

▪ Azimuth Group, Dallas, TX	\$73,500
▪ BerryDunn, Portland, ME	\$78,200
▪ Plante Moran, Southfield, MI	\$79,880

- Schafer Consulting, Dana Point, CA \$79,975
- Techcellence, Woodlands, TX Not stated.

SCHEDULE

It is anticipated that the contractor will complete the ERP system selection and award within approximately eight (8) months, which will just precede the start of FY2015. BerryDunn personnel have indicated that during this process, they will provide a reliable budget estimate for the ERP system cost to Finance staff at the appropriate time for inclusion in the FY2015 budget.

POLICY/GOAL CONSIDERATION

This contract is recommended for the purpose of selecting an ERP system which will provide for more effective management of City resources in the provision of services to its residents.

CURRENT AND FUTURE FUNDING /FINANCIAL IMPACTS

The consulting services referenced herein will be funded from the Information Technology operating budget.

O&M IMPACT INFORMATION

Fiscal Year	2014	2015	2016
	\$78,200	TBD	TBD

It is anticipated that the full implementation and conversion will take approximately 18 to 24 months after award of ERP system.

RECOMMENDED ACTION

City Council approval of a resolution awarding a contract to BerryDunn in the amount of \$78,200 for consulting services related to the solicitation and selection of an ERP system.

RESOLUTION NO. R2014-2

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND,
TEXAS, AUTHORIZING A CONTRACT FOR CONSULTING SERVICES
ASSOCIATED WITH THE SELECTION OF AN ENTERPRISE RESOURCE
PLANNING SYSTEM.**

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

Section 1. That certain contract for consulting services, a copy of which is attached hereto as Exhibit "A" and made a part hereof for all purposes, is hereby authorized and approved.

Section 2. That the City Manager or his designee is hereby authorized to execute and the City Secretary to attest a contract for consulting services associated with the selection of an Enterprise Resource Planning System.

PASSED, APPROVED and ADOPTED this the _____ day of _____,
A.D., 2014.

TOM REID
MAYOR

ATTEST:

YOUNG LORFING, TRMC
CITY SECRETARY

APPROVED AS TO FORM:

DARRIN M. COKER
CITY ATTORNEY

**AGREEMENT BETWEEN CITY OF PEARLAND, TEXAS AND
BERRY DUNN MCNEIL & PARKER, LLC dba BERRYDUNN**

This AGREEMENT, made and entered into this, the ____ day of _____, 201__, by and between the City of Pearland, a State of Texas City, whose location is 3519 Liberty Drive, Suite 201, Pearland, TX 77581, hereinafter referred to as the “CITY,” party of the first part, and Berry Dunn McNeil & Parker, LLC dba BerryDunn, with an office located at 100 Middle Street, Portland, ME 04101, hereinafter referred to as the “CONSULTANT,” party of the second part.

WITNESSETH: That the CONSULTANT does hereby agree with the CITY for the consideration named herein, to perform the services stipulated in this AGREEMENT.

1. CONSULTANT’S SERVICES

A. The CONSULTANT, on behalf of the CITY, shall perform and carry out in a professional manner components essential for “Consulting Services for an Enterprise Resource Planning System.”

B. The Scope of Work shall be defined by the CITY’S Request for Proposal No. 1014-01 entitled “Consulting Services Related to Selection of an Enterprise Resource Planning System” dated October 29, 2013, the “Request for Proposal,” Addendum No. 1, dated October 24, 2013, and CONSULTANT’S response entitled, “Consulting Services Related to Selection of an Enterprise Resource Planning System” dated November 5, 2013. The Request for Proposal and CONSULTANT’S Proposal Response are incorporated herein by reference.

C. Compensation for work provided by CONSULTANT will be as follows:

BerryDunn’s Total Cost to work with the City of Pearland to provide Consulting Services Related to Selection of an Enterprise Resource Planning System is \$78,200, inclusive of expenses, as based on the scope of services presented in the Request for Proposal (RFP) #1014-01 as Phase 1 and the corresponding services and deliverables presented in Section 2.4 of our proposal. A breakdown of these fees, itemized as requested in the City’s RFP, is provided in Table 8. Please note that we do not charge for our time spent traveling, so the costs presented are associated with the total hours BerryDunn consultants will spend actively working on this engagement.

Table 8: Phase 1 Project Costs by Component

Component	Cost*
RFP Development	\$42,840
Evaluation and Selection	\$28,560
Contract Negotiations	\$6,800
Award	Included
Total Not to Exceed Cost:	\$78,200

*Includes all expenses.

Please also find below estimated costs for each level of Add Alternate services as described in Section 2.5 of our response. If selected to work with the City, we would revisit the scope of services to be provided by BerryDunn during the implementation phase, and construct a customized approach that will work best for the City based on the system selected. In developing these cost estimates, we have estimated an 18-month implementation for both levels of service.

It is understood and agreed by both parties that the tasks/services in Tables 9 & 10, below, will be undertaken only upon written request from the City Manager or authorized designee, and upon City Council appropriation of budgeted funds for this purpose in this, or subsequent, fiscal year(s).

Table 9: Project Oversight Costs (Option 1)

Component	Cost*
Installation Oversight	\$45,850
Conversion/Migration and Testing Oversight	\$69,850
Training Oversight	\$48,800
Project Close-Out	\$11,500
Estimated Total Cost	\$176,000

Table 10: Project Management Costs (Option 2)

Component	Cost*
Installation Project Management	\$76,720
Conversion/Migration and Testing Project Management	\$106,980
Training Project Management	\$76,680
Project Close-Out	\$26,850
Estimated Total Cost:	\$287,230

2. THE CITY SHALL PROVIDE

- A. Access to pertinent information and available data requested by the CONSULTANT.
- B. Certain assumptions that may be necessary to the CONSULTANT.
- C. Attendance and participation at all scheduled meetings and work sessions.
- D. Timely review of draft and preliminary materials submitted by the CONSULTANT.

3. DOCUMENTS

All documents and services provided by the CONSULTANT pursuant to this AGREEMENT are instruments of service with respect to this project. Upon receipt of payment for services due the CONSULTANT'S, documents and material developed by the CONSULTANT under this AGREEMENT are the property of the CITY. The CITY shall have the right to re-use documents and computer software on extensions of the project or for other projects; such re-use shall be at the [CITY'S] sole risk and without liability or legal exposure to the CONSULTANT.

4. NONDISCLOSURE OF PROPRIETARY INFORMATION

The CONSULTANT shall consider all information provided by the CITY and all reports, studies, and other documents resulting from the CONSULTANT'S performance of this service to be proprietary unless such information is available from public sources. The CONSULTANT shall not publish or disclose proprietary information for any purpose other than the performance of the services without the prior written authorization of the CITY or in response to legal process. The CONSULTANT shall maintain all originals in the CONSULTANT'S files for a period of not less than five years from the final report and shall provide the CITY access to and the right to examine and copy information contained in the files pertaining to the services. In the rights of access, examination, and copying thereunder shall continue until any litigation, appeals, claims, or arbitration shall have been finally disposed of.

5. CHANGES AND ADDITIONS

A. It shall be the responsibility of the CONSULTANT to notify the CITY, in writing, of any necessary modifications or additions in the Scope of this AGREEMENT. Compensation for changes or additions in the Scope of this AGREEMENT will be negotiated and approved by the CITY in writing.

B. It is understood and agreed to by both the CITY and the CONSULTANT that such modifications or additions to this AGREEMENT shall be made only by the full execution of the CITY'S standard contract change order form. Furthermore, it is understood and agreed by both parties that any work done by the CONSULTANT on such modification or addition to this AGREEMENT prior to the CITY'S execution of its standard contract change order form shall be at the total risk of the CONSULTANT and said work may not be compensated by the CITY.

6. ADDITIONAL SERVICES

The CITY, at its discretion, may request additional services. When directed by the CITY, in writing, the CONSULTANT shall perform additional services, associated with this project, which are outside the original scope of services. Compensation for these additional services will be based on current billing rates plus reasonable travel expenses. The CITY shall approve the scope, number of hours, and fee schedule for such services with the CONSULTANT before any additional work commences.

7. NOTICE

Any notice, demand, or request required by or made pursuant to this AGREEMENT shall be deemed properly made if personally delivered in writing or deposited in the United States mail, postage prepaid, to the representative specified below or as otherwise designated in writing and mutually agreed. However, any notice of suspension or termination pursuant to paragraph 9 hereof, if mailed, shall be sent by United States certified mail, postage prepaid, return receipt requested and shall not become effective until the date of receipt. Nothing contained in this Article shall be construed to restrict the transmission or routine communications between representatives of the CONSULTANT and the CITY.

A. The CITY'S Representative's will be the Director of Finance, as otherwise designated in writing: Claire Bogard, Director of Finance, 3519 Liberty Drive, Suite 201, Pearland, TX 77581

B. The CONSULTANT'S Representative shall be Timothy F. Masse, Principal, or as otherwise designated in writing and accepted by the CITY in writing: Nothing contained in this Article shall be construed to restrict the transmission or routine communications between representative(s) of the CONSULTANT and the CITY.

8. MANNER OF PAYMENT

A. The CONSULTANT shall furnish the CITY with timely progress invoices each month for services rendered to date for each project phase. The terms of payment will be net thirty (30) days.

B. Interest can be charged at the rate of one percent (1%) per month for any past due payments.

C. Should any statement be the subject of a legitimate dispute between the parties, no interest shall apply to any amounts not paid by the CITY because of said dispute; CITY shall pay all amounts not included in the dispute.

9. TERMINATION OR SUSPENSION OF CONTRACT

A. The obligation to continue services under this AGREEMENT may be terminated by either party upon written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party.

B. The CITY shall have the right to terminate or suspend performance of services under this AGREEMENT as of the date the CONSULTANT receives written notice thereof or on a later scheduled date acceptable to the CITY. In the event the CITY, in its sole discretion and at its option, terminates or suspends the CONSULTANT'S services under this AGREEMENT, the CITY shall pay the CONSULTANT for all services performed to the date of the CONSULTANT'S receipt of the written termination or suspension notice, or the later scheduled dated acceptable to the CITY, whichever applies. The CONSULTANT shall be entitled to receive only the fair value of services rendered hereunder prior to the effective date of such termination or suspension without penalty, termination, profit or overhead expenses of any kind. Upon restart of a suspended project, equitable adjustment may be made to compensation for remobilization of the project.

The CONSULTANT shall be entitled to receive only the fair value of services rendered hereunder

prior to the effective date of such termination or suspension without penalty, termination, profit or overhead expenses of any kind. Upon restart of a suspended project, equitable adjustment may be made to compensation for remobilization of the project.

10. ASSIGNMENT

Neither the CITY nor the CONSULTANT shall assign or transfer their right or obligations in the AGREEMENT without consent of the other; such consent shall not be unreasonably withheld. Consent to assign or otherwise transfer the rights or obligations of this AGREEMENT shall not be construed to relieve the CONSULTANT of any responsibility for the fulfillment of this AGREEMENT.

11. INSURANCE AND INDEMNITY

The CONSULTANT shall purchase and maintain insurance coverage. Insurances shall cover all employees while performing any work incidental to the performance of the agreement between the CITY and the CONSULTANT. Consultant shall provide General and Professional Liability Insurance in an amount sufficient to cover the full value of the engagement described herein.

12. ETHICS IN PUBLIC CONTRACTING

The CONSULTANT certifies that their proposal is made without collusion or fraud and that they have not offered or received any kickbacks or inducements from any other Contractor, supplier, manufacturer or subcontractor in connection with their proposal, and that they have not conferred with any public employee having official responsibility for this procurement transaction nor have they received any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value was exchanged.

13. SEVERABILITY

If any part, term, or provision of this AGREEMENT, shall be found by the Court to be legally invalid or unenforceable, then such provision or portion thereof, shall be performed in accordance with applicable laws. The invalidity or unenforceability of any provision or portion of any contract document shall not affect the validity of any other provision or portion of the contract document.

14. AGREEMENT CONSTRUED UNDER TEXAS LAWS

The AGREEMENT is to be executed and performed in the State of Texas and shall be construed in accordance with the laws of the Texas.

15. ENTIRE UNDERSTANDING

This AGREEMENT comprises the entire understanding between the parties and cannot be modified, altered or amended, except in writing and signed by all parties.

IN WITNESS WHEREOF, the parties hereto have executed and sealed this AGREEMENT as of the day and year first above written.

CITY OF PEARLAND, TEXAS

**BERRY DUNN MCNEIL &
PARKER, LLC dba BERRYDUNN**

BY: _____

BY: _____

Claire Bogard, Director of Finance

Timothy F. Masse, Principal

ATTEST:

ATTEST:

BY: _____

BY: _____

Dated: _____

Dated: _____

New Business Item No. 5

5. **CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2014-1** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PARTICIPATE IN AN INTERLOCAL COOPERATIVE PRICING ARRANGEMENT WITH THE HOUSTON-GALVESTON AREA COUNCIL (HGAC) FOR THE PURCHASE OF A DUAL DRUM ROLLER AND A MOTOR GRADER. *Mr. Jon Branson, Interim City Manager.*

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

AGENDA OF:	January 13, 2014	ITEM NO.:	Resolution No. R2014-1
DATE SUBMITTED:	January 3, 2014	DEPT. OF ORIGIN:	Finance
PREPARED BY:	Bob Pearce	PRESENTOR:	Jon Branson
REVIEWED BY:	Jon R. Branson	REVIEW DATE:	January 2, 2014
SUBJECT: Award of Bid for Vibratory Dual Drum Roller and Motor Grader			
EXHIBITS: Resolution #R2014-1 H-GAC Pricing Worksheets Comparative market quote for roller – Associated Supply Company, Inc. Comparative market quote for motor grader – Mustang Cat			
FUNDING:			
<input type="checkbox"/> Grant <input type="checkbox"/> Developer/Other <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Bonds To Be Sold <input type="checkbox"/> Bonds- Sold <input type="checkbox"/> L/P – Sold <input type="checkbox"/> L/P – To Be Sold			
EXPENDITURE REQUIRED: \$221,285 AMOUNT BUDGETED: \$238,743			
AMOUNT AVAILABLE: \$238,743 PROJECT NO.:			
ACCOUNT NO.: 010-3570-565-79-00			
ADDITIONAL APPROPRIATION REQUIRED:			
ACCOUNT NO.:			
PROJECT NO.:			
To be completed by Department:			
X Finance X Legal Ordinance X Resolution			

EXECUTIVE SUMMARY

BACKGROUND

The FY2014 budget includes the purchase of one (1) dual-drum vibratory roller and one (1) motor grader for use by the Public Works Department.

After asphalt is paved, a dual-drum vibratory roller is used to smooth out and compact the asphalt before it cools and hardens. Vibrating rollers push and compact the new asphalt mat with the front drum and repeats with the rear drum, yielding a highly compacted and smooth finish on the mat surface. The combination of vibrating and compacting consolidates the

aggregate in the asphalt, producing a driving surface which is less susceptible to penetration and erosion by rainfall. The City currently owns a smaller drum compactor, which is neither large nor heavy enough to properly compact large road areas.

The motor grader is used during the milling and paving of areas with asphalt to level out millings, grade the roadway to achieve proper center line crowning, shape millings on the edge of the road to create a shoulder, which allows rainwater to flow off of the roadway and ultimately prolongs the stability of the newly paved street. Currently, grading operations are performed either by a Gradall or by a push blade on a small excavator, which at times cause an uneven and sometimes “wavy” surface finish.

Staff has obtained Houston-Galveston Area Council (H-GAC) contract pricing from R.B. Everett & Co. for the required dual drum vibratory roller and from Associated Supply Company, Inc. for the motor grader, due to the historically advantageous pricing afforded by the cooperative for heavy construction equipment.

SCOPE OF CONTRACT

R.B. Everett & Co. will deliver a Bomag dual-drum vibratory roller and Associated Supply Company, Inc. (ASCO) will deliver a Lee Boy motor grader as requested for use in the Public Works Department.

BID AND AWARD

The H-GAC contract will be utilized for the purchase of the dual-drum vibratory roller and motor grader in the respective amounts of \$98,278 from R.B. Everett & Co. and \$123,007 from ASCO. The contract meets all requirements of Local Government Code 252 relative to competitive bidding by Texas municipalities. For verification of the contract’s price-competitiveness, staff obtained market pricing for equipment closely comparable to both units, which are attached.

While the drum roller quote provided by ASCO is lower than that quoted by R.B. Everett, Public Works staff has experienced multiple issues with repairs and service over the past 1-2 years on previously-purchased Case equipment in the City fleet, including a backhoe and an excavator; experience which has significantly eroded PW management staff’s confidence in overall Case quality at the present time. It should be noted that ASCO was actually contacted to provide a quote for a Dynapac roller, as the City has experienced excellent service with a smaller Dynapac unit purchased in FY2013 from ASCO (formerly Hi-Way Equipment). However, ASCO is no longer a Dynapac distributor, and could offer a quote only for the Case equipment; and Dynapac appears to be unavailable under current H-GAC contract awards – it should be noted that Public Works has substantial experience with Bomag equipment on a rental basis, and reports high satisfaction with its performance and durability.

SCHEDULE

It is anticipated that the dual drum vibratory roller will be delivered within 60 to 75 days of order and the motor grader will be delivered within 30 to 90 days of order.

POLICY/GOAL CONSIDERATION

This bid award will positively impact the City’s goal to provide safe, durable streets for its residents.

CURRENT AND FUTURE FUNDING /FINANCIAL IMPACTS/DEBT SERVICE

Funding for these purchases will come from the Public Works General Fund for Construction Equipment.

O&M IMPACT INFORMATION

Minimal on-going maintenance expense, with only routine preventive maintenance expected, however it is anticipated that the City will see \$62,231 in annual rental savings as Public Works currently rent's these pieces of equipment when needed.

RECOMMENDED ACTION

Staff recommends approval of a resolution to purchase one (1) Bomag dual drum vibratory roller in the amount of \$98,278 from R.B. Everett & Co. and one (1) Lee Boy motor grader in the amount of \$123,007 from Associated Supply Company Inc., pursuant to the H-GAC cooperative purchasing contract.

RESOLUTION NO. R2014-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PARTICIPATE IN AN INTERLOCAL COOPERATIVE PRICING ARRANGEMENT WITH THE HOUSTON-GALVESTON AREA COUNCIL (HGAC) FOR THE PURCHASE OF A DUAL DRUM ROLLER AND A MOTOR GRADER.

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

Section 1. That contract pricing has been obtained through interlocal cooperative partner HGAC for the purchase of a dual drum roller and a motor grader.

Section 2. That the City Manager or his designee is hereby authorized to participate in an interlocal cooperative pricing arrangement with the Houston-Galveston Area Council (HGAC) for the purchase of a dual drum roller in the amount of \$98,278.00 from R. B. Everett & Co. and a motor grader in the amount of \$123,007.00 from Associated Supply Company, Inc.

PASSED, APPROVED and ADOPTED this the _____ day of _____, A.D., 2014.

TOM REID
MAYOR

ATTEST:

YOUNG LORFING, TRMC
CITY SECRETARY

APPROVED AS TO FORM:

DARRIN M. COKER
CITY ATTORNEY



CONTRACT PRICING WORKSHEET
For Standard Equipment Purchases

Contract No.:

EM06-13

Date Prepared:

11/7/2013

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents **MUST** be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	City of Pearland	Contractor:	Associated Supply Company Inc.
Contact Person:	Bob Pearce	Prepared By:	Tom Singletary
Phone:	281-652-1668	Phone:	281-627-1634 and Office 713-649-0940
Fax:	281-652-1707	Fax:	713-649-5571
Email:	bpearce@ci.pearland.tx.us	Email:	tsingletary@ascoeq.com

Product Code:	31A	Description:	Lee Boy 685C Motor Grader with 10' Blade
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A. Product Item Base Unit Price Per Contractor's H-GAC Contract: 106,225.00

B. Published Options - Itemize below - Attach additional sheet if necessary - Include Option Code in description if applicable
(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
		Factory Cab & A/C	13632
			Subtotal From Additional Sheet(s):
			Subtotal B:

C. Unpublished Options - Itemize below - Attach additional sheet if necessary
(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
Subtotal From Additional Sheet(s):			
Subtotal C:			

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B). For this transaction the percentage is: 0%

D. Total Cost before any other applicable Charges, Trade-Ins, Allowances, Discounts, Etc. (A+B+C)

Quantity Ordered:		X Subtotal of A + B + C:		=	Subtotal D:	119,857.00
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E. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges

Description	Cost	Description	Cost
No travel time or mileage charge for field warranty work during the warranty period.		Freight	2,800.00
		Delivery	350
			Subtotal E:
			3,150

Delivery Date: 30-90 days **F. Total Purchase Price (D+E):** 123,007.00



CONTRACT PRICING WORKSHEET
For Standard Equipment Purchases

Contract No.:

SM140-12

Date Prepared:

11/7/2013

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents **MUST** be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	City of Pearland	Contractor:	Associated Supply Company Inc.
Contact Person:	Bob Pearce	Prepared By:	Tom Singletary
Phone:	281-652-1668	Phone:	281-627-1634 and Office 713-649-0940
Fax:	281-652-1707	Fax:	713-649-5571
Email:	bpearce@ci.pearland.tx.us	Email:	tsingletary@ascoeq.com

Product Code:	07B	Description:	Case DV207 57" Tandem Drum Vibratory Roller
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A. Product Item Base Unit Price Per Contractor's H-GAC Contract: 94,312.00

B. Published Options - Itemize below - Attach additional sheet if necessary - Include Option Code in description if applicable
(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
		ROPS/FOPS Canopy with Lights	Std.
		Rotating Beacon Mounted on ROPS	120.6
		80 HP Tier 3 Certified Cummins Diesel	Std.
		Single Lever Control all Functions	Std.
		57" Drum Width	Std.
		Pressurized Sprinkler System	Std.
		172 Gallon Water Tank	Std.
		Tandem Drum Scrapers	603.67
		Road Light package	410.71
		Subtotal From Additional Sheet(s):	
		Subtotal B:	1,134.98

C. Unpublished Options - Itemize below - Attach additional sheet if necessary
(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
		Subtotal From Additional Sheet(s):	
		Subtotal C:	

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B). For this transaction the percentage is: 0%

D. Total Cost before any other applicable Charges, Trade-Ins, Allowances, Discounts, Etc. (A+B+C)

Quantity Ordered:		X Subtotal of A + B + C:	95446.98	=	Subtotal D:	95,446.98
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E. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges

Description	Cost	Description	Cost
No travel time or mileage charge for field warranty work during the warranty period.		Freight	1,200.00
		Delivery	400
		Deduct Special ASCO Fall Special Discount	-1200
		Subtotal E:	400

Delivery Date: **30-90 days** **F. Total Purchase Price (D+E): 95,846.98**



12800 Northwest Freeway • Houston, Texas
(713) 460-2000 main • (713) 690-2287 fax
www.mustangcat.com



December 11, 2013

Trish Erndt
City of Pearland
3519 Liberty Drive Suite 201
Pearland, Tx 77581

We are pleased to quote the following new equipment for your consideration:

- Noram 65E Motor Grader
- Front Mounted Scarifier 41" (Includes 9 teeth)
- Mirrors
- Floodlights
- Cab
- Air Conditioning Group
- Stereo Radio Group
- 10' Mold Board

Selling Price FOB Houston, TX.....\$142,456.00

Plus applicable taxes.

Thank you for the opportunity to quote on your equipment needs.

Kurt Allen
Sales Representative
281-818-1796 Cell

New Business Item No. 6

6. **CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2014-5** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, RENEWING A BID FOR MECHANICAL SERVICES. *Mr. Jon Branson, Interim City Manager.*

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

AGENDA OF:	January 13, 2014	ITEM NO.:	Resolution No. R2014-5
DATE SUBMITTED:	January 03, 2014	DEPT. OF ORIGIN:	Finance
PREPARED BY:	Bob Pearce	PRESENTOR:	Jon Branson
REVIEWED BY:	Jon R. Branson	REVIEW DATE:	January 6, 2014
SUBJECT: Renewal of Bid for Mechanical Services			
EXHIBITS: Resolution #R2014-5 Bid Tabulation			
FUNDING:			
<input type="checkbox"/> Grant <input type="checkbox"/> Developer/Other <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Bonds To Be Sold <input type="checkbox"/> Bonds- Sold <input type="checkbox"/> L/P – Sold <input type="checkbox"/> L/P – To Be Sold			
EXPENDITURE REQUIRED: \$350,000 (est.) AMOUNT BUDGETED: \$350,000 AMOUNT AVAILABLE: \$350,000 PROJECT NO.: ACCOUNT NO.: 030-4042-554-05-00; 030-4043-554-04-00			
ADDITIONAL APPROPRIATION REQUIRED: ACCOUNT NO.: PROJECT NO.:			
To be completed by Department:			
<input checked="" type="checkbox"/> Finance <input checked="" type="checkbox"/> Legal Ordinance <input checked="" type="checkbox"/> Resolution			

EXECUTIVE SUMMARY

BACKGROUND

Due to the complexity and technical nature of work required, it is necessary for the City to retain the services of an outside contractor to perform maintenance and repairs on mechanical equipment at the various Public Works water facilities, including, but not limited to: bar screens, conveyors, blowers, pumps, and gear cases, boxes and reducers. The contractor is also utilized to rebuild and rewind electrical motors and is responsible for metal fabrication of process equipment as required. Accordingly, the quality of the service provided is critical to the successful operation of the City's water and wastewater systems.

In February, 2012, City Council approved a resolution awarding the bid for the above-referenced services to Coastal Pump Services, Inc. Subsequent to a period of unsatisfactory performance of the required services, the contract with Coastal was terminated and an award was approved by City Council to STP Services on June 25, 2012 for the duration of the contract.

SCOPE OF CONTRACT

The awarded contractor will provide the services described herein for the Public Works Department as needed throughout the contract period.

BID AND AWARD

The original term was for a period of one (1) year, with two (2) one-year renewal options available upon the mutual agreement of both parties, and the approval of City Council. Bid specifications allowed the contractor the opportunity to request a price increase at the time of any renewal in an amount not to exceed the percentage increase in the "All-Items" category of the Consumer Price Index for the Houston-Galveston-Brazoria region during the previous 12 month period (approximately 1.8% currently).

STP Services did not request any price increase at the first renewal in January, 2013, and has again agreed to renew the bid with no price increase requested; therefore, pricing for this renewal period would remain the same as originally bid (see attached bid tabulation). STP Services has performed work for the City for several years in an exemplary manner, has a high degree of familiarity with the City's water treatment facilities, and Public Works personnel report a high degree of satisfaction with the services provided by the contractor.

SCHEDULE

Mechanical services will occur as needed throughout the term of the agreement.

POLICY/GOAL CONSIDERATION

This purchase is contemplated and recommended for the purpose of furthering the City's objective to provide for public health, safety and welfare, and to maintain the integrity of the City's water and wastewater system.

CURRENT AND FUTURE FUNDING /FINANCIAL IMPACTS

Funding for the purchase of this system will come from Public Works Water and Sewer operations accounts.

O&M IMPACT INFORMATION

This contract award will represent the second, and final, renewal option with a fixed labor rate of \$60/hour and a parts markup of 15%, yielding an estimated annual expenditure reflected below (all expenditure figures are estimated).

Fiscal Year	2014	2015
	\$350,000	Re-bid

RECOMMENDED ACTION

Staff recommends approval of a resolution to award a bid for the renewal of mechanical services to STP Services at the pricing referenced in the attached bid tabulation.

RESOLUTION NO. R2014-5

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND,
TEXAS, RENEWING A BID FOR MECHANICAL SERVICES.**

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

Section 1. That the City Council hereby renews a bid for mechanical services with STP Services in the unit amounts reflected in Exhibit "A" attached hereto.

Section 2. The City Manager or his designee is hereby authorized to execute a contract for Mechanical Services.

PASSED, APPROVED and ADOPTED this the _____ day of _____,
A.D., 2014.

TOM REID
MAYOR

ATTEST:

YOUNG LORFING, TRMC
CITY SECRETARY

APPROVED AS TO FORM:

DARRIN M. COKER
CITY ATTORNEY

BID TABULATION: MECHANICAL SERVICES
 BID OPENING DATE: THURSDAY, DECEMBER 8, 2011
 BID NUMBER: 1112-07

Vendor	Coastal Pump Services, Inc.	STP Services	All-Pump & Equipment Co.
City / State	Manvel, TX	Houston, TX	Houston, TX
Telephone Number	281-489-3300	713-882-5278	713-868-1434
Contact Name	Randy Bridges	Jerry Kocian	Gary McEntire
Hourly Rate for Field Service (at City Facility)	\$50.00	\$60.00	\$95.00
Estimated Hours	400	400	400
Total:	\$20,000.00	\$24,000.00	\$38,000.00
Hourly Rate for Field Service, After Hours	\$50.00	\$60.00	\$142.50
Estimated Hours	1	1	1
Total:	\$50.00	\$60.00	\$142.50
Hourly Rate for Shop Service (at Vendor's Facility)	\$50.00	\$60.00	\$85.00
Estimated Hours	400	400	400
Total:	\$20,000.00	\$24,000.00	\$34,000.00
Hourly Rate for Shop Service, After Hours	\$50.00	\$60.00	\$127.50
Estimated Hours	1	1	1
Total:	\$50.00	\$60.00	\$127.50
Percentage Markup above Contractor Cost for Replacement Parts and Materials	22%	15%	20%
Estimated Expenditure:	\$110,000.00	\$110,000.00	\$110,000.00
Total:	\$134,200.00	\$126,500.00	\$132,000.00
Total of All Lines:	\$174,300.00	\$174,620.00	\$204,270.00