

AGENDA

CITY OF PEARLAND ♦ CITY COUNCIL

August 11, 2014

6:30 p.m.

MAYOR
Tom Reid

Keith Ordeneaux
Mayor Pro-Tem
Position No. 4

COUNCIL MEMBERS

Tony Carbone
Position No. 1

Scott Sherman
Position No. 2



Gary Moore
Position No. 3

Greg Hill
Position No. 5

Jon R. Branson
Deputy City Manager

Clay Pearson
City Manager

Trent Epperson
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.



CITY COUNCIL AGENDA
CITY OF PEARLAND
REGULAR COUNCIL MEETING
MONDAY, AUGUST 11, 2014 | 6:30 P.M.
COUNCIL CHAMBERS | PEARLAND CITY HALL | 3519 LIBERTY DRIVE
281.652.1600

- I. CALL TO ORDER**
- II. INVOCATION AND THE PLEDGE OF ALLEGIANCE TO THE UNITED STATES OF AMERICA FLAG AND TEXAS FLAG**
- III. ROLL CALL:** Mayor Reid, Mayor Pro-Tem Ordeneaux, Councilmembers Carbone, Sherman, Moore, and Hill.
- IV. CITIZEN COMMENTS:** In order to hear all citizen comments at a reasonable hour, the City Council requests that speakers respect the three-minute time limit for individual comments and the five-minute time limit for an individual speaking on behalf of a group. This is not a question-answer session, however, it is an opportunity to voice your thoughts with City Council.
- V. PUBLIC HEARING:** To gather public comment and testimony regarding the City's plans to apply for grant funding from the Texas Parks and Wildlife Department.
 - II. CITIZEN COMMENTS**
 - III. COUNCIL/STAFF DISCUSSION**
 - IV. ADJOURNMENT**
- 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 (*VI. 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 July 14, 2014, Regular Meeting, held at 6:30 p.m.

- B. Consideration and Possible Action – Second and Final Reading of Ordinance No. 1501** – An ordinance authorizing the issuance of City of Pearland, Texas, permanent improvement and/or refunding bonds in one or more series; setting certain parameters for the bonds; authorizing refunding of certain outstanding obligations; authorizing a pricing officer to approve the amount, the interest rate, price, and terms thereof and certain other procedures and provisions relating thereto.
- C. Consideration and Possible Action – Second and Final Reading of Ordinance No. CUP 2014-04** – An ordinance of the City Council of the City of Pearland, Texas, approving a Conditional Use Permit (CUP), for certain property, being legally described as a tract or parcel containing 1.1019 acres or 47,999 square feet of land, out of a called 9.993 acre tract situated in the H.T. & B.R.R. CO. Survey, Abstract No. 506, Brazoria County, Texas Conveyed to the Old Place, Inc. as recorded in the Brazoria County Clerk’s File No. 97-001270, Brazoria County, Texas, the parent tract being located at the northwest corner of Broadway Street and Hillhouse Road, Pearland, TX., for Conditional Use Permit Application No. CUP2014-04, to allow for the construction of an Auto Wash (Self Service), with the General Business (GB) zoning district; at the request of Chan Patel with Sparkles Express, applicant; on behalf of The Old Place, Inc., owner; containing a savings clause, a severability clause and an effective date and other provisions related to the subject.
- D. Consideration and Possible Action – Resolution No. R2014-95** – A Resolution of the City Council of the City of Pearland, Texas, authorizing the rental of an asphalt recycling machine from R. B. Everett and Company, through fiscal year 2015, in the amount of \$182,000, and ratifying a prior expenditure with Barrier Equipment in the amount of \$67,341.57.
- E. Consideration and Possible Action – Resolution No. R2014-97** – A Resolution of the City Council of the City of Pearland, Texas, authorizing the purchase of an extended warranty, associated with the Far Northwest Wastewater Treatment Plant, with Ultra Tech Systems, Inc., in the amount of \$54,190 for the period of August 21, 2015 through August 21, 2017.
- F. Consideration and Possible Action – Resolution No. R2014-86** – A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for purchase of three (3) Chevrolet Police Package vehicles, from Caldwell Country Chevrolet, in the amount of \$84,226.00.
- G. Consideration and Possible Action – Resolution No. R2014-88** – A Resolution of the City Council of the City of Pearland, Texas, renewing a contract for custodial services with C & S Janitorial Services, in the estimated amount of \$149,884.00, annually for the period of September 3, 2014 through September 2, 2015.
- H. Consideration and Possible Action – Resolution No. R2014-89** – A Resolution of the City Council of the City of Pearland, Texas, changing the regular meeting times and dates for September 2014 to comply with City Charter requirements for the City budget process.

- I. **Consideration and Possible Action – Resolution No. R2014-96** – A Resolution of the City Council of the City of Pearland, Texas, authorizing payment of the City Manager's relocation/moving expenses to Mayflower moving company and Action Auto Carriers.
- J. **Consideration and Possible Action** – Regarding the appointments to the Library Board of Dale E. Pillow, to Position No. 5 for unexpired term expiring November 1, 2016 and Roshanda Cayette-Contreras to Position No. 6 for an unexpired term expiring November 1, 2015.
- K. **Consideration and Possible Action – Resolution No. R2014-87** – A Resolution of the City Council of the City of Pearland, Texas, authorizing a contract for professional services associated with traffic signal timing to Gerry de Camp, in the estimated amount of \$50,000.00 for the period beginning August 2014 and ending July 2015.
- L. **Consideration and Possible Action** – regarding appointments to the Animal Control Advisory Committee of Dr. Cara Campbell, to Position No. 1 for term expiring November 1, 2017, Cynthia Rothermel, to Position No. 4 for an unexpired term November 1, 2015, Mary Hickling, to Position No. 5 for an unexpired term November 1, 2016.
- M. **Consideration and Possible Action– Resolution No. R2014-94** – A Resolution of the City Council of the City of Pearland, Texas, as hereinafter referred to as “Applicant,” designating certain officials as being responsible for, acting for, and on behalf of the Applicant in dealing with the Texas Parks & Wildlife Department, hereinafter referred to as “Department,” for the purpose of participating in the Local Park Grant Program, hereinafter referred to as the “Program”; certifying that the Applicant is eligible to receive program assistance; certifying that the Applicant matching share is readily available and is approved for use in the completion of this project; and dedicating the proposed site for permanent (or for the term of the lease for leased property) public park and recreational uses.
- N. **Consideration and Possible Action – Resolution No. R2014-90** – A Resolution of the City Council of the City of Pearland, Texas, adopting an Athletic Field Use Policy for public park facilities.

VI. MATTERS REMOVED FROM CONSENT AGENDA

VII. NEW BUSINESS:

- 1. **Consideration and Possible Action – Resolution No. R2014-93** – A Resolution of the City Council of the City of Pearland, Texas, authorizing a contract for professional services, associated with the Far Northwest Wastewater Treatment Plant Expansion Project, with CDM Smith, Inc., in the amount of \$4,162,000.00.

2. **Consideration and Possible Action – Resolution No. R2014-98** – A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for construction services, associated with the Hughes Ranch Road Sanitary Sewer Improvement Project, to Calco Contracting, Ltd., in the amount of \$897,607.00.
3. **Consideration and Possible Action – Resolution No. R2014-91** – A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for construction services, associated with the McHard Waterline Project (Phase 1), to Calco Contracting, Ltd., in the amount of \$3,740,000.00.
4. **Consideration and Possible Action – First Reading of Ordinance No. Cup 2014-05** An Ordinance of the City Council of the City of Pearland, Texas, approving a Conditional Use Permit for certain property, being 5.00 Acres out of the G.T. & B.R.R. Company Survey, A-304 in Brazoria County, Texas being the same land described as 5.00 Acres in a warranty deed from Steven C. Muth to Houston Chinese Church, dated July 5, 2007 and recorded as Document No. 2007039242, official records of Brazoria County, Texas. **(located at the 2500 Block of Miller Ranch RD., Pearland, TX** Conditional Use Permit Application No. CUP 2014-05 to allow for a church, temple, or place of worship in the single family residential-1 (R- 1) District at the request of Raymond JJ ZHUO, Applicant, on behalf of Houston Chinese Church, owner, containing a savings clause, a severability clause, an effective date and other provisions related to the subject.
5. **Council input and Discussion on:** Fiscal Year 2015 Budget, Multi-Year Financial Plan – Debt Service Fund and Tax Rate.
6. **Council input and Discussion on:** Fiscal Year 2015 Budget, Multi-Year Financial Plan – Including 5-Year Capital Improvement Plan – Budget 2015-2019.

VIII. OTHER BUSINESS: None.

IX. MAYOR/COUNCIL ISSUES

X. 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.

Public Hearing Agenda

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

AGENDA OF:	August 11, 2014	ITEM NO.:	Public Hearing
DATE SUBMITTED:	August 1, 2014	DEPT. OF ORIGIN:	Finance/Parks
PREPARED BY:	Joel Hardy	PRESENTOR:	Michelle Graham
REVIEWED BY:	Jon R. Branson	REVIEW DATE:	August 4, 2014
SUBJECT: Public Hearing on City of Pearland's Intent to Apply for Grant Funding from the Texas Parks & Wildlife Department Local Parks Grant Program - Shadow Creek Ranch Park Construction (Docketed Public Hearing)			
EXHIBITS: July 31, 2014 Public Notice – Pearland Journal			
FUNDING:			
<input type="checkbox"/> Bonds To Be Sold	<input checked="" type="checkbox"/> Grant <input type="checkbox"/> Bonds- Sold	<input type="checkbox"/> Developer/Other <input type="checkbox"/> L/P – Sold	<input type="checkbox"/> Cash <input type="checkbox"/> L/P – To Be Sold
EXPENDITURE REQUIRED: N/A		AMOUNT BUDGETED: N/A	
AMOUNT AVAILABLE: N/A		PROJECT NO.: P20002	
ACCOUNT NO.: N/A			
ADDITIONAL APPROPRIATION REQUIRED: N/A			
ACCOUNT NO.: N/A			
X Finance	Legal	Resolution	Ordinance

EXECUTIVE SUMMARY

The City is proposing to Council a request for approval to apply for funding from the Texas Parks & Wildlife Department – Local Park Grant Program. All grant applications must hold at least one public hearing prior to submission in compliance with the Texas Open Meetings Act. The hearing may be a separate public meeting, or it may occur at the time the governing body regularly meets. The public hearing must be properly posted and advertised in compliance with the Texas Open Meetings Act, and there must be an opportunity for public comment. The City intends to request \$400,000 in grant funds.

BACKGROUND

The Fiscal Year 2012 Capital Improvement Program Budget included funding for the design of the Shadow Creek Ranch Community Park, which was part of the 2007 Bond election. Construction funding was contained in the 2013 and 2014 CIP's. As originally conceived the project included eight lighted softball/baseball fields, a restroom/concession building with a pavilion, one soccer field, parking, a hike and bike trail around the fields and a lawn amphitheater for special events.

The project was packaged as a Competitive Sealed Proposal (CSP), only one proposal was received in the amount of \$13,365,060.64, which exceeded the budget by nearly \$5 million. Council rejected that proposal on May 19, 2014, and staff began work to revise the scope of the project bid package and to prepare to re-bid the project. The re-bid project resulted in the award of a construction contract in the amount of \$6,569,575.96 to the Crain Group, LLC, but reduced the project scope for budgetary purposes and removed several items originally included in the park from consideration.

Council expressed its concern for including these items, and funding agreements are under consideration from Brazoria MUD #26 and Brazoria/Fort Bend MUD #1 for reimbursement of water, sewer, and drainage infrastructure associated with the Shadow Creek Ranch Community Park. These funds would free up City dollars to include some or all of the amenities currently excluded from the construction award.

Per Council concerns for the importance of including these items, particularly the amphitheater, staff is requesting Council's approval to solicit grant funding from Texas Parks & Wildlife Department via its Local Parks Grant program, to fund some of the alternate bid items modified from the original scope of work. The City intends to request the maximum allowable funds from Texas Parks & Wildlife Department in its application for a grant in the amount of \$400,000. Staff would work closely with the Shadow Creek Ranch MUD's in coordination with their potential funding.

SCHEDULE

Grant applications are due to the Texas Parks & Wildlife Department on August 31st, 2014. The public notice(s) and hearing must take place prior to an application being submitted to the State. Public notice/advertisement was posted in the Pearland Journal on July 31, 2014.

RECOMMENDED ACTION

Conduct a public hearing on the City of Pearland's Intent to Apply for Grant Funding from the Texas Parks & Wildlife Department Local Parks Grant Program - Shadow Creek Ranch Park Construction

**NOTICE OF PUBLIC HEARING ON THE CITY'S
SUBMISSION OF A LOCAL PARKS GRANT
APPLICATION TO
THE TEXAS PARKS & WILDLIFE DEPARTMENT**

Notice is hereby given that on the 11th day of August, 2014, at 6:30 p.m., the City Council of the City of Pearland, Texas, will conduct a Public Hearing in the Council Chambers, City Hall, 3519 Liberty Drive, Pearland, Texas, to gather public comment and testimony regarding the City's plans to apply for grant funding from the Texas Parks and Wildlife Department.

At said hearing all interested parties shall have the right and opportunity to appear and be heard on the subject, as City Council will be approving the City's plan to submit this request for funding to the Texas Parks & Wildlife Department on or before August 31st, 2014.

Young Lorfing, TRMC
City Secretary

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281.652.1655, prior to the meeting so that appropriate arrangements can be made.

Consent Agenda Item A

A. Consideration And Possible Action – Approval Of Minutes:

1. Minutes of the July 14, 2014, Regular Meeting, held at 6:30 p.m.

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, JULY 14, 2014, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

Mayor Reid called the meeting to order at 6:35 p.m. with the following present:

Mayor	Tom Reid
Mayor Pro-Tem	Keith Ordeneaux
Councilmember	Tony Carbone
Councilmember	Scott Sherman
Councilmember	Gary Moore
Councilmember	Greg Hill
City Manager	Clay Pearson
City Attorney	Darrin Coker
City Secretary	Young Lorfing

Others in attendance: Claire Bogard Director of Finance; Jon Branson Assistant City Manager; J.C. Doyle Police Chief; Trent Epperson Director of Engineering and Capital Projects; Roland Garcia Fire Marshal; Michelle Graham Director of Parks and Recreation; Bonita Hall Director of Human Resource and Safety Management; Lata Krishnarao Director of Community Development; Vance Riley Fire Chief; Kim Sinistore Executive Director of the Convention/Visitors Bureau; Eric Wilson Public Works Director; Sparkle Anderson Communications Manager; Skipper Jones Assistant Director of Capital Projects; Bob Pearce Purchasing Officer.

The invocation was given by Madsen Baum of Scout Troop 461 and the Pledge of Allegiance was led by Abraham Heredia of Scout Troop 461.

CALL TO ORDER:

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

CITIZEN COMMENTS:

Lance Foss, 1409 O'Day Road, addressed Council stating he would like to thank Council for requesting a second reading on the issuance of permanent improvement and refunding bonds. He stated the \$78,000 Parks Master Plan and other plans that have been approved is taking a lot of tax money from Pearland citizens. Everyone needs healthcare, and it is expensive. People in Pearland that do not earn much income and have to pay a premium, deductibles and co-pays is hard for them to support a family.

Mayor Reid called the Public Hearing Meeting to order at 6:43 p.m.

PUBLIC HEARING: To gather public comment and testimony regarding amendments to the Strategic Partnership Agreements between the City and Brazoria County Municipal Utility Districts Nos. 21 and 22. *Mr. Darrin Coker, City Attorney.*

STAFF REVIEW:

City Attorney Darrin Coker reported prior to the creation of the Municipal Utility Districts, the City obtained a Certificate of Convenience and Necessity (CCN) over the portion of the Extraterritorial Jurisdiction (ETJ) in which the Municipal Utility Districts are located, and Municipal Utility District No. 21 obtained an overlapping CCN to provide water/sewer services to the area. Construction in Municipal Utility District No. 22 has commenced, and the residents in the area will need water/sewer services. Representatives for MUD No. 22 recently informed the City that their engineers made an erroneous assumption that the original CCN applied to both MUD Nos. 21 and 22; however, that is not the case. MUD No. 22 has since initiated a CCN application for the service area. While MUD No. 22 is waiting for its CNN application to be processed, it has been proposed that the parties amend the Strategic Partnership Agreements (SPA) allowing the MUD to construct and operate its facilities as a temporary agent of the City. The agency relationship would terminate once the MUD's CNN is issued. The proposed amendment will also allow the City to collect sales tax from the commercial tracts when they develop. The second public hearing on this issue is scheduled for July 28, 2014, and a resolution approving the amendments is scheduled for the same meeting.

CITIZEN COMMENTS:

Tim Austin, Attorney for Municipal Utility District Nos. 21 and 22, addressed Council and stated MUD Nos. 21 and 22 are in favor of this amendment. He thanked Council for taking the time to hear this request.

COUNCIL/STAFF DISCUSSION:

Discussion ensued between Council and City Attorney Darrin Coker regarding sales tax and commercial property.

Councilmember Carbone asked what would happen if the Municipal Utility District does not obtain a Certificate of Convenience and Necessity (CCN).

Attorney Tim Austin stated if the Municipal Utility District petitioned the City to provide water and sewer, and the City could not, by law Texas Commission on Environmental Quality (TCEQ) is going to look for an entity that can provide the services. The MUD is that entity that has the ability to provide the services. The Certificate of Convenience and Necessity (CCN) is a process the MUD has to go through. It is a given they will receive the CCN.

City Attorney Darrin Coker stated the Municipal Utility District has agreed to pay for any liability that may occur.

Councilmember Hill stated the commercial property is not developed at this time so there will be no sales tax revenue.

ADJOURNMENT:

Public Hearing was adjourned at 6:50 p.m.

CONSENT AGENDA:

- A. Consideration And Possible Action – Approval Of Minutes:**
1. Minutes of the June 23, 2014, Regular Meeting, held at 6:30 p.m.
 2. Minutes of the June 16, 2014, Joint Public Hearing, held at 6:30 p.m.
- B. Consideration and Possible Action – Resolution No. R2014-74 –** A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into a contract for engineering services with Costello, Inc., in the amount of \$123,780.00 for the Longwood Wastewater Treatment Plant Service Project (Phase II). *Mr. Trent Epperson, Director of Capital Projects and Engineering.*
- C. Consideration and Possible Action – Resolution No. R2014-71 –** A Resolution of the City Council of the City of Pearland, Texas, renewing a bid for ditch cleaning services with Don Mar Grading, Inc. at the unit cost of \$2.69 per linear foot for cleaning services and \$0.31 per linear foot for preparation of a preliminary survey/drainage plan, for the period of July 24, 2014 through July 23, 2015. *Mr. Eric Wilson, Director of Public Works.*
- D. Consideration and Possible Action – Resolution No. R2014-69 –** A Resolution of the City Council of the City of Pearland, Texas, renewing a unit supply bid for employee uniform rental services with G & K Services in the estimated amount of \$61,000 for the period of August 14, 2014 through August 13, 2015. *Mr. Eric Wilson, Director of Public Works.*
- E. Consideration and Possible Action – Resolution No. R2014-70 –** A Resolution of the City Council of the City of Pearland, Texas, renewing a bid for road striping services with Texas Lone Star Pavement Services, Inc. in the estimated cost of \$125,000 for the period of September 1, 2014 through August 31, 2015. *Mr. Trent Epperson, Director of Capital Projects and Engineering.*
- F. Consideration and Possible Action – Resolution No. R2014-79 –** A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for construction services in the amount of \$131,892.00 to FW Walton for roof repairs to Fire Station No. 4. *Ms. Michelle Graham, Director of Parks and Recreation.*
- G. Consideration and Possible Action – Resolution No. R2014-72 –** A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for rental of a belt filter press from Magnaflow Environmental in the amount of \$209,000.00 for a period of eighteen (18) months. *Mr. Eric Wilson, Director of Public Works*

- H. Consideration and Possible Action – Resolution No. R2014-75 –** A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into a contract for engineering services with Binkley & Barfield, Inc., in the amount of \$282,297.00 for the Regency Park Subdivision Paving and Drainage Project.
Mr. Trent Epperson, Director of Capital Projects and Engineering.

Councilmember Carbone made the motion, seconded by Mayor Pro-Tem Ordeneaux, to adopt Consent Agenda Items A through H as presented on the Consent Agenda.

Voting “Aye” Councilmembers Carbone, Sherman, Ordeneaux, Moore, and Hill.

Voting “No” None.

Motion Passed 5 to 0.

NEW BUSINESS:

Consideration and Possible Action – Regarding the update on the competitive sealed proposals for the Shadow Creek Ranch Park Project. *Mr. Trent Epperson, Director of Capital Projects and Engineering.*

Councilmember Sherman made the motion, seconded by Mayor Pro-Tem Ordeneaux regarding the update on the competitive sealed proposals for the Shadow Creek Ranch Park Project.

City Manager Clay Pearson reported Staff recommends completing the negotiations with the Crain Group and to bring back a construction contract for award at the July 28, 2014 Council Meeting. Any Council feedback on park elements to keep or remove from the project will be included in the final contract.

Karri Axtell, 4102 Yucca Court, addressed Council stating she is representing Brazoria Municipal Utility District No. 26 and Brazoria Fort Bend MUD No. 1. She would like to ask Council to consider some financial assistance from the MUD Nos. 26 and 1. She stated the MUDs do have the capability to fund part of the water, sewer, and drainage. The residents would receive a great benefit from this development.

Mayor Pro-Tem Ordeneaux stated he does not want to see the soccer field removed. He stated he does not have an issue with the Municipal Utility Districts assisting financially. He would like to see at least 50% of the residents in those MUDs agree to it. He stated he has not seen the willingness from talking to the people and from the actual election several years ago for the MUDs to complete that park.

Councilmember Sherman stated he agrees with Mayor Pro-Tem Ordeneaux regarding the soccer fields, but the number of parking spaces needs to be taken into consideration. There are a lot of citizens in that area upset that there are not more soccer fields. He will fight for the soccer field. As a resident of MUD 26 he understands the residents want infrastructure, but he also understands the residents will have a great concern about the money being used to fund a City park when it could be used to bring down the debt of those MUDs. The City

needs to keep in mind the residents voted for this seven years ago because this is what they wanted. It is not fair to the residents and we need to move forward.

Councilmember Hill stated after talking to the residents in the Municipal Utility District Nos. 26 and 1 he agrees to not take out the soccer field. The residents should not have to leave Shadow Creek to go to a park or soccer field since they voted for this in 2007. This has been a disservice to the residents. The City needs to do everything possible to give the residents what has already been voted on. If the MUD Board wants to financially assist to help with this project he does not have a problem with it.

Discussion ensued between Council regarding approval from the residents of MUD Nos. 26 and 1, and not only the MUD Board.

Councilmember Carbone stated he is in favor of getting the park built. He understands the concerns of the Municipal Utility District, but the board approved it, they were elected by the people to represent the people. If the City has an entity that is willing to financially assist with a project he does not want to turn them down.

Mayor Pro-Tem Ordeneaux stated he would agree with that. Another idea this body has talked about is naming rights that would not cost the tax payers any money. He does not know if that could be done before the park is built, but that is something else to look at.

Councilmember Moore stated he is in favor of putting soccer fields out there. He would like to look at a plan that might take away one or two of the baseball fields to be able to put more soccer fields.

Mayor Pro-Tem Ordeneaux stated he cannot support that because the voters approved the baseball fields in the outline. If that nullifies what the voters said in 2007 he cannot support it.

Mayor Reid stated the debt service today was set by citizens that have a desire to have certain capital improvements made. The bond issue passed because it was something desirable by the community.

Councilmember Hill stated he has received emails from Shadow Creek residents asking for the park in its entirety. They voted for it in 2007 and they want it. If the MUD is willing to help finance this project the City should do it.

City Manager Clay Pearson stated Staff will work on this and have discussion with the Municipal Utility District Boards and bring it back to Council before the award consideration in two weeks.

City Attorney Darrin Coker stated City Staff will meet with the attorney for the Municipal Utility District Board and one representative from each board.

Mayor Reid stated this item will be moved to July 28, 2014 agenda.

Council Action – Resolution No. R2014-77 – A Resolution of the City Council of the City of Pearland, Texas, supporting passage of a Texas State Constitutional Amendment (Proposition 1) providing increased funding for highway maintenance and construction. *Mr. Trent Epperson, Director of Capital Projects and Engineering.*

Mayor Pro-Tem Ordeneaux made the motion, seconded by Councilmember Sherman to approve Resolution No. R2014-77.

City Manager Clay Pearson reported the passage of Proposition 1 will provide additional transportation funds through the Houston Galveston Area Council (H-GAC), and Transportation Improvement Program (TIP), which will increase the chances for the City of Pearland to leverage local roadway funds with State and Federal transportation funds.

Voting “Aye” Councilmembers Carbone, Sherman, Ordeneaux, Moore, and Hill.

Voting “No” None.

Motion Passed 5 to 0.

Council Action – First Reading of Ordinance No. CUP 2014-03 – An ordinance of the City Council of the City of Pearland, Texas, approving a Conditional Use Permit (CUP), for certain property, being legally described as 4.83 acres (210,206 square feet), all of a called 4.826 acres being the south 129’ of Lot 79 and the north 214’ of Lot 78, Figland Orchard, H.T. and B.R.R. Survey, Abstract 240, Brazoria County, Texas, located on the east side of Harkey Road, between Josephine Street to the north and Fite Road to the south; Pearland, TX., for Conditional Use Permit Application No. CUP2014-03 to allow for a church, within the Neighborhood Service (NS) zoning district, at the request of Verret Group, applicant; on behalf of Vineyard Christian Fellowship of Pearland, owner; containing a savings clause, a severability clause and an effective date and other provisions related to the subject. *Ms. Lata Krishnarao, Director of Community Development.*

Councilmember Moore made the motion, seconded by Councilmember Carbone to approve Ordinance No. CUP 2014-03 on its First Reading.

Mayor Reid read into the record the Planning & Zoning Commission’s recommendation to forward to Council for approval of Application No. CUP 2014-03.

Director of Community Development Lata Krishnarao reported Council is being asked to consider CUP2014-03 to construct an approximately 15,500 square foot church on 4.83 acres of land, subject to the following condition: As approved with the expired CUP that was approved for a church in 2008, no access to the site shall be granted via Bardet Street.

Voting “Aye” Councilmembers Hill, Moore, Ordeneaux, Sherman, and Carbone.

Voting “No” None.

Motion Passed 5 to 0.

Council Action – First Reading of Ordinance No. 2000M-116 – An ordinance of the City Council of the City of Pearland, Texas, amending Ordinance No. 2000M, the zoning map of the City of Pearland, Texas, for the purpose of changing the classification of certain real property, being a tract of land containing 0.4362 acres (19,000 square feet), situated in the H.T. & R.R.R. Survey, Abstract No. 543, Brazoria County, Texas, being out of the H.C. Johnson 1.0 acre tract out of Lot 1 of a subdivision of Section 4 recorded in Volume 410, Page 536 of the Deed Records of Brazoria County, Texas, Brazoria County, Texas, (located at the northwest corner of Walnut Street and Johnson Street, Pearland, TX), Zone Change 2014-08Z; a request of Evelyn Pineda, owner/applicant; for approval of a change in zoning from Single Family Residential 2 (R-2) to Office and Professional (OP) on approximately 0.44 acres of land, providing for an amendment of the zoning district map; containing a savings clause, a severability clause and an effective date and other provisions related to the subject. *Ms. Lata Krishnarao, Director of Community Development.*

Councilmember Hill made the motion, seconded by Councilmember Sherman to approve Ordinance No. 2000M-116 on its First Reading.

Mayor Reid read into the record the Planning & Zoning Commission's recommendation to forward to Council for approval of Zone Change 2014-08Z.

Director of Community Development Lata Krishnarao reported Council is being asked to consider Zone Change Application 2014-08Z to change the zoning of the approximately 0.44 acres from a Single Family Residential 2 (R-2) to an Office and Professional (OP) zoning district.

Voting "Aye" Councilmembers Carbone, Sherman, Ordeneaux, Moore, and Hill.

Voting "No" None.

Motion Passed 5 to 0.

Council Action – Second and Final Reading of Ordinance No. 1500 – An ordinance of the City Council of the City of Pearland, Texas authorizing the issuance of permanent improvement and/or refunding bonds in one or more series; setting certain parameters for the bonds; authorizing refunding of certain outstanding obligations; authorizing a pricing officer to approve the amount, the interest rate, price, and terms thereof and certain other procedures and provisions relating thereto. *Ms. Claire Bogard, Director of Finance.*

Councilmember Carbone made the motion, seconded by Mayor Pro-Tem Ordeneaux to approve Ordinance No. 1500 on its Second and Final Reading.

Carol Artz-Bucek, President and CEO of the Pearland Chamber of Commerce, 6117 Broadway, addressed Council stating she appreciates Council's leadership and knows they have a lot of hard decisions to make. We as the Chamber of Commerce since 1963 have been building business leaders in our City. The issue was brought to our Community Leadership Organization by the City Manager wanting to explain the tax increase. Most of the businesses do agree that the City should pay off debt and save money. The concern is what

will happen when that debt is paid off, will the taxes go back down. Those are questions that need to be answered to insure our businesses in Pearland stay in Pearland and they continue to grow and continue to provide jobs for our community. Most of the CEOs of our industry do not live in Pearland so they don't see the services that are needed. They do want to have a good quality of life for their employees. They want to continue to grow and add jobs. We need to support them and make sure that Council is making the right decisions for the future of our businesses in Pearland.

Monica Morgan, 2301 Shady Cove Court, addressed Council stating she is a business owner in Pearland. Being a resident at the time the 2007 bond passed, she remembers approving the bond. She knew there would be a tax increase and thought it would be shared with the tax payers over a period of time. She understands maybe Council did not pass on enough of that tax increase, but she thought the City was paying the debt the way it was structured when it was issued. She does not understand why it needs to be restructured at this time and causing such a large increase. To do a 3.5% increase at this time when a lot of people are recovering from a recent recession will be a hardship on the people. The tax base is still growing and she was hoping the existing debt could be left as is. A lot of homeowners live paycheck to paycheck and every cent counts. On the west side of town there was a huge Independent School District bond passed and the resident's next tax bill is going to be considerably higher. She would like for Council to think about the impact that will have on the homeowners, tax payers, and small business owners.

Quentin Wiltz, 4105 Summer Lane, addressed Council thanking them for what they do and the decisions they make. As a resident he does not completely understand why the urgency to make a decision, and a lot of referencing to 2007. There was a bond that was passed by residents in 2007. He stated as he walks down his street the turnover since 2007 is dramatic. Everyone knows what has happened to the landscape of our economy since 2007. To make this decision based on the 2007 bond election is very disturbing to him. He knows projects need to continue, but the recession did a lot of different things to people. He would like for Council to take that into account when making this decision. He further stated it was unfair the comment Mayor Pro-Tem Ordeneaux made regarding 50% of residents to come forward with a petition. He is involved in local elections, and there is only a 4% to 5% voter turnout in Pearland, and Mayor Pro-Tem Ordeneaux is asking 50% of residents to sign a petition. At this point he is against this.

John Gordon, 3103 Creek Bank Lane, addressed Council and stated he is the President of Brazoria County Municipal Utility District No. 28 and Vice President of Creekside Homeowners Association. When the 2007 bond was passed by the residents at that time MUD No. 28 was much smaller. Today there is around 1,200 homes and still growing. It is not fair to the residents that have recently moved in that had no part of the 2007 bond, and now they are going to be burdened with this tax increase. He does understand residents did vote for it in 2007, but things are different today with the economy, people are still struggling. He would like for Council to take all of the comments into consideration when making this decision.

Jana Langent, 3901 East Pear Street, addressed Council stating she has had a business in Pearland for the last 12 years. Her payroll tax has been increased, and she now has a franchise tax. She does not have room for a tax rate increase. She brings in 280 people a month to shop in Pearland, her employees shop in Pearland to help the economy. She stated she attended an investment group meeting and asked why not open a business in Pearland, and was told Pearland is too expensive. She has cut salary's 20,000 a month, she cannot afford to pay more taxes. Small businesses may not be able to afford to stay in Pearland and it is a shame.

Gilbert Freitag, 3602 Shady Crest, addressed Council stating he came to Pearland in 1988. He built his own home and proud to be a Pearland resident. He makes a decent living, and believes in paying his fair share of taxes. He does not mind bond or tax increases within reason. He would like for the information to be more public when the City or Pearland Economic Development is giving out tax abatements to new companies. Those dollars that are given out for free may equal to what the City is asking for in tax increases. That is very unfair.

City Manager Clay Pearson reported Council is being asked for consideration and approval of an Ordinance authorizing the issuance of City of Pearland Permanent Improvement and/or Refunding Bonds in one or more series. Setting certain parameters for the Bonds, authorizing refunding of certain outstanding obligations, authorizing a Pricing Officer to approve the amount, the interest rate, price, and terms thereof and certain other procedures and provisions relating thereto.

Financial Advisor for the City of Pearland John Robuck gave an overview of the modified, Refunding Option 2.

Discussion ensued between Council and John Robuck, Financial Advisor regarding the schedule of transaction cost.

Mayor Pro-Tem Ordeneaux stated he would like to respond to the earlier statement about 50% of residents signing a petition. The reason he is asking the Municipal Utility District for 50% is the MUD has already voted not to pay for the park. My view is the MUD board is trying to nullify the previous vote by their people. There is not enough time to go out for another vote, so before I allow someone to go against what I view as the previous voter action I want to see conclusive proof that is what the MUD residents want.

Councilmember Carbone stated he would like to clarify the statement Mayor Pro-Tem Ordeneaux just made regarding New Business Item No. 1. The item at this time in discussion is the refunding debt structure which has nothing to do with the Municipal Utility District or building this park or any other project.

Mayor Pro-Tem Ordeneaux stated he knows the tax payers in Shadow Creek Ranch want new facilities. They asked for them, and agreed to pay for them. They just passed a large bond issue for Alvin Independent School District. Shadow Creek residents are going to have a larger burden because of this bond issue that passed. He would encourage the residents to look at Pearland Independent School District tax rates compared to Alvin Independent

School District tax rates. Pearland ISD tax payers pay a higher tax rate because of growth, and what is needed for the growth. The restructure of the debt is going to help pay down the tax rate. It is true that the City will build in room for additional debt. The debt has to be issued by the residents through a bond issue, or by the representatives the residents put on Council through certificates of obligation, or by other instruments of debt. It is the responsibility of the voters to vote their mind, put the right people in place to reduce the debt. He believes at one time there were Councilmembers that did not have the backbone to follow through with the tax increase the voters approved beginning in 2007. If they would have Council would not be here today discussing it. He believes Council needs to restructure the debt and pay it off.

Councilmember Hill stated in his opinion it is good the Council is arguing over two conservative principals. That is what makes this complicated. On one hand it makes sense to pay off debt and on the other hand it makes sense not to raise taxes. He further stated you have not seen Councilmembers of old that engage the public and their opinion in these types of issues like in today's time. He will be voting against this restructure because looking at all the information there is going to be a greater tax increase. He thinks taking an incremental approach by moving from a 25 year to a 20 year, pay down debt, attack debt aggressively, and not burden the tax payers with a greater increase. He feels it is being more responsible and not putting so much of a tax burden on the tax payers.

Councilmember Carbone stated the Alvin Independent School District bond according to their information is coming on board with the largest tax rate increases for the next two years. Council is looking at this restructuring somewhat as an artificial raise of taxes over the next two year period. He does not want to be in the position to make a decision to sell a new bond package to keep from raising the tax rates. He wants to take it to the voters and if they want a new project they will know their taxes will go up. He is concerned with what it is going to do to the tax rate, and believes this is another way structurally sweeping it under the rug. Staff's comments on June 9, 2014 was nothing about decreasing taxes, it was future capacity for more spending. I have a problem with that. When we spend that money we know the tax rate will go up, and I think that causes pause. I do not want to restructure for that purpose.

Mayor Pro-Tem Ordeneaux stated if the City restructures and go to 20 years, the City will be paying off the principal towards the beginning along with the interest. Physical conservative policy tells me you pay as much towards principal as you can. Council is saying we do not want to do that. We do not want to put the burden on the tax payers even though the tax payers approved this 7 years ago. I wish I had been on Council 7 years ago to make this point. The City would have this paid off by now.

Councilmember Carbone asked Staff for clarification on the voter approved tax rate.

Finance Director Claire Bogard stated when the analysis was done in 2006 there were unissued bonds from the 2001 bond mendarandom. The built in and unissued bonds from 2001 raised taxes 5.5 cents. Adding the 2007 bonds on top of that to give it 7.5 cents with a total of 13 cents.

Discussion ensued between Council and Finance Director Claire Bogard regarding the tax increase was disclosed to the voters in 2007.

Discussion ensued between Council and City Manager Clay Pearson regarding the savings with Option 1 compared to the savings on the refinance only option.

Voting “Aye” Councilmembers Ordeneaux, and Sherman.

Voting “No” Councilmembers Hill, Moore, and Carbone.

Motion Failed 3 to 2.

Mayor Reid called for a recess at 8:44 p.m.

Mayor Reid called the meeting to order at 9:00 p.m.

Council Action – First Reading of Ordinance No. 788-1 – An ordinance of the City Council of the City of Pearland, Texas amending the procedure for abandoning, altering, closing, and vacating streets, alleys, and other public rights-of-way and portions thereof within the City of Pearland; containing a savings clause and a severability clause; providing for codification and an effective date; and containing other provisions relating to the subject.

Mr. Darrin Coker, City Attorney.

Councilmember Sherman made the motion, seconded by Councilmember Carbone to approve Ordinance No. 788-1 on its First Reading.

City Attorney Darrin Coker reported several times a year individual’s petition Council for abandonment of old right-of-way easements that cross their undeveloped property. The proposed amendment would allow these requests to be handled through the platting process by Planning and Zoning. Requests that may include streets previously accepted by the City; the right-of-way may be located on or adjacent to multiple properties; or other properties could be affected by the proposed abandonment. Such request will be required to follow the City’s existing protocol.

Voting “Aye” Councilmembers Hill, Moore, Ordeneaux, Sherman, and Carbone.

Voting “No” None.

Motion Passed 5 to 0.

Council Action – Resolution No. R2014-73 – A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for manhole rehabilitation services, in the amount of \$338,770.00 to National Works, Inc. *Mr. Eric Wilson, Director of Public Works.*

Mayor Pro-Tem Ordeneaux made the motion, seconded by Councilmember Carbone to approve Resolution No. R2014-73.

City Manager Clay Pearson reported Council is being asked to award a bid for manhole rehabilitation services, in the amount of \$338,770 to National Works, Inc.

Discussion ensued between Council and Public Works Director Eric Wilson regarding the manholes being lined with a product that will provide a corrosion resistant coating and prevent future manhole failure.

Voting “Aye” Councilmembers Carbone, Sherman, Ordeneaux, Moore, and Hill.

Voting “No” None.

Motion Passed 5 to 0.

OTHER BUSINESS: None.

MAYOR/COUNCIL ISSUES:

Consideration and Possible Action – Regarding a fire hydrant that was removed from the Koza property on Highway 35. *City Council.*

Councilmember Carbone made the motion, seconded by Councilmember Hill regarding a fire hydrant that was removed from the Koza property on Highway 35.

After Council discussion Councilmember Hill made a motion, seconded by Mayor Pro-Tem Ordeneaux to postpone putting back the fire hydrant and waterline, to the next scheduled Regular Council Meeting, July 28, 2014, so staff can review and bring back a recommendation.

Councilmember Moore stated this item came before Council two weeks ago and he feels Pearland has a bad rap regarding smaller and older businesses. He stated there was not a notice sent to the businesses informing them the fire hydrant was going to be removed. He stated Mr. Koza is wanting to expand his business and it will require water lines and a fire hydrant. He understands what was there may not have been sufficient for the expansion, but the simple fact is the fire hydrant was there, and it was removed with no notification to the businesses. I do not think it was right and believe the fire hydrant should be put back.

Jerry Koza Jr., 2823 Knobhill, addressed Council stating prior to the fire hydrant being removed we had already started development on the property. We applied for a permit, received the permit to build a retention pond, and to build out the entire property. When the highway announcement came we requested notification on where the median breaks would be so we could build a new driveway. Regardless to whether we were going to develop the property or not our existing building no longer meets fire code. We do not understand why the City has the right to take our building out of code. We feel the fire hydrant was there for a reason and feel it should be put back. We do not feel it is our responsibility to put the fire hydrant back.

Councilmember Hill stated he agrees with Mr. Koza. Prior to Highway 35 expansion there were meetings with staff, and we knew Mr. Koza was wanting to develop his property. He requested permits, built a retention pond, requested median breaks, put in a new driveway. By removing the fire hydrant it took the existing building out of code. With concerns about fire protection they now have to make their building right. I think the City needs to do what we can to make it better. He further stated he thinks the City needs to implement a new system

to notify people the way the City does when there is going to be a zone change.

City Manager Clay Pearson stated the Pearland Economic Development Corporation met and authorized a shortened process. PEDC funds are available for improvements on the property.

Discussion ensued between Council and Fire Marshal Roland Garcia regarding the current building and fire codes.

Councilmember Sherman asked if someone from the company could tell him why the Pearland Economic Development Corporation funds are being rejected.

Jerry Koza Jr., stated he told Pearland Economic Development Corporation thanks for the funds, but no thanks. We do not feel it is our responsibility to put the fire hydrant in whether someone else is paying for it or not. The fire hydrant was there and then taken out without anyone notifying us. If PEDC wants to give the City the funds and the City put the fire hydrant back, that is fine. If we had received notification the fire hydrant was going to be removed we could have gone back to the City and this would have been simpler.

Councilmember Carbone stated he thinks it would be great if they take the PEDC funds, but that is not going to happen. There could be blame of TxDOT or blame of the City. The City was put on notice of the company's expansion by the permits that were pulled. This is a business that is wanting to expand, something out of their control caused them a hardship and if we cannot make an exception for a long time, decent size business in Pearland which is a prescient's that I am willing to set. He does not know procedurally how staff can do this, but I have confidence in staff to get this done.

Jerry Koza Jr., stated if the same size fire hydrant is put back we cannot expand. What you also have to look at is next to us is an industrial park and there is no fire hydrant from Profax all the way to Wal-Mart. All that property is cut off from fire service. PEDC has hired a consultant to figure out how to improve the looks of Highway 35. The looks of Highway 35 will not improve if it cannot be developed. To be developed there will be a cost of every individual piece of land to be bored under Highway 35. We were told we had to put in a large enough line that the City could tie into and it would become public domain.

Discussion ensued between Council and Staff regarding the size of water lines and buildings/businesses out of code.

City Manager Clay Pearson stated three weeks ago when this issue came up it was discussed regarding Pearland Economic Development funds, and not anything regarding being out of code. I believe staff needs to take a look at this and verify this information and not except it at face value. We can come back with a report regarding buildings that were in and out of code.

Discussion ensued between Council and City Attorney regarding the City and Pearland Economic Development Corporation entering into an agreement to restore previous services.

Councilmember Carbone stated it is getting late, there are three Councilmembers that agree to put the fire hydrant back. I do not want to leave here tonight with an indecision and come back next month doing this same thing over again.

Assistant City Manager Jon Branson stated to clarify what Councilmember Carbone is recommending is replacing the line exactly as it was based on the code initially approved or are you talking about expanding the line to a larger size to accommodate future improvements.

Councilmember Carbone stated if it was important enough for the City to force the business owner to bore under Highway 35 and put in a larger line then it is important enough for the City to follow the same principal.

Councilmembers Moore and Hill agreed with putting in the larger waterline.

City Manager Clay Pearson stated staff will take a look at this. If there is a public purpose for the City to install a larger waterline we will come back and share that with Council.

Councilmember Carbone stated he is not comfortable with that. He believes the waterline needs to go back whether it is decided it is a public purpose or not. It was an oversight, whether it was TxDOT or the City or whoever it was. We are here tonight and we need to take care of it.

City Attorney Darrin Coker stated everyone here tonight wants to come up with a solution. The issue has shifted to using City funds instead of Pearland Economic Development funds. It now is not an issue of funding, it is an issue of wanting the water line put back. The State Constitution Provision in Article 3, Section 52 states "Prohibits legislation or political subdivision to lend their credit or to grant public money." For instance, if the City wants to write them a check and let them do it, the City has to make sure there is a public purpose being served. If the City does not make sure it is a public purpose it is considered an unconstitutional grant of funds. If it is for economic purposes we can do a Chapter 380 Agreement. The 380 Agreement allows the City to make grants for economic development purposes, but again that would be granting the funds for them to do the project themselves. If the City is going to do the project we cannot put in a waterline for the sole purpose of benefiting that property. The courts say that "Cities cannot expend public funds simply to obtain for the community general benefits resulting from the operation of a corporate enterprise." The City has to make sure putting in the waterline does not solely benefit Profax, that there is a greater benefit of public service being served. It would be more appropriate to make sure a public purpose is being served. If not Council would have to authorize the funds to be spent for the City to do the project.

Councilmember Carbone stated Council can decide if it is a public purpose. There are three Councilmembers that say this is a public purpose, let's move on.

Discussion ensued between Council regarding a study to be brought back to Council showing buildings that are in and out of code.

Councilmember Sherman stated two hours ago Council was not comfortable to make a decision on a tax restructure based on receiving the information two hours before the meeting. You're willing at this point to put in a fire hydrant and waterline based on what folks in the audience have said.

Councilmember Carbone stated he has been looking into this issue ever since it was brought up at the last Council meeting.

Mayor Reid stated to let staff work on this and come back to Council with a solution to this problem.

Councilmember Carbone stated he would like to call for a vote to say this is a public purpose and put the waterline back.

Mayor Pro-Tem Ordeneaux asked for clarification. Where is the waterline starting and ending, is this the only property that needs this, and is the property outside the fire code. We do not know. I will either abstain or not vote, because I do not have all the information. If we are going to do this it makes sense to do it for the entire strip of Highway 35.

Councilmember Sherman stated he agrees with Mayor Pro-Tem Ordeneaux, he does not think this can be presented without having all the information.

Director of Public Works Eric Wilson stated it can be brought back to the next Regular Council Meeting, July 28, 2014 with regards to compliance from fire code standing, when the facilities were constructed, from options to provide service to the east side of Highway 35. We can look at some of those various options and come up with some prices.

Mayor Pro-Tem Ordeneaux stated he would like for it to be from when the waterline was removed and not from the time of construction.

Mayor Pro-Tem Ordeneaux asked the Fire Marshal Roland Garcia to come back with a report letting him know how big of a scale this affected along Highway 35 when the waterline was removed. What he is seeing is there could have been other buildings that existed before the waterline was removed. If they had fire protection before the waterline was removed I feel that it is the City's duty to replace it.

City Manager Clay Pearson stated in two weeks we will come back and do this the right way. We will find out what the costs will be, what was in and out of code, find the best way to approach this, and not make a decision open ended.

Councilmember Hill stated he does not mind waiting if the information will be by the next scheduled Council Meeting. He does not want to keep the Kozas waiting, they have already been waiting long enough.

Voting "Aye" Councilmembers Sherman, Ordeneaux, and Hill.

Voting "No" Councilmembers Carbone and Moore.

Motion Passed 3 to 2.

ADJOURNMENT

Meeting was adjourned at 9:55 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 – Second and Final Reading of Ordinance No. 1501** – An ordinance authorizing the issuance of City of Pearland, Texas, permanent improvement and/or refunding bonds in one or more series; setting certain parameters for the bonds; authorizing refunding of certain outstanding obligations; authorizing a pricing officer to approve the amount, the interest rate, price, and terms thereof and certain other procedures and provisions relating thereto.

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

AGENDA OF:	July 28, 2014	ITEM NO.:	Ordinance No. 1501
DATE SUBMITTED:	July 16, 2014	DEPT. OF ORIGIN:	Finance
PREPARED BY:	Claire Bogard	PRESENTOR:	Claire Bogard
REVIEWED BY:	CJP	REVIEW DATE:	7/21/14
SUBJECT: Second and Final Reading – Permanent Improvement and Refunding Bond Series 2014			
EXHIBITS: Ordinance 1501 PPT Presentation			
FUNDING:			
	<input type="checkbox"/> Grant	<input type="checkbox"/> Developer/Other	<input type="checkbox"/> Cash
<input checked="" 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:		AMOUNT BUDGETED:	
AMOUNT AVAILABLE:		PROJECT NO.:	
ACCOUNT NO.:			
ADDITIONAL APPROPRIATION REQUIRED:			
ACCOUNT NO.:			
PROJECT NO.:			
To be completed by Department:			
X Finance	Legal	X Ordinance	Resolution

EXECUTIVE SUMMARY

BACKGROUND

Pursuant to the 2007 bond referendum approved by the voters in May 2007, the City has been implementing the street, drainage, and park projects. The fiscal year 2014 budget, in conjunction with the Five-Year CIP, continued the implementation of projects and as such

included a debt issuance. The debt issuance was included in the City's 2014 annual budget and Five-Year forecast of the Debt Service Fund.

Projects and amounts budgeted to be funded from the sale of bonds versus actual amounts are as follows

	<u>Series 2014 Bond Sale</u>	<u>Budget</u>
STREET IMPROVEMENTS		
McHard	\$ 530,039	\$ 530,015
CR403-Hughes Ranch	\$1,065,000	\$1,065,000
Kirby Dr. Expansion	\$1,235,000	\$1,226,000
Fite Rd. Extension	\$ 73,513	\$ 73,513
Max Rd. Widening	\$ 202,838	\$ 190,838
Regency Paving	\$ 245,161	\$ 245,161
CR59 Expansion	\$1,260,000	\$2,004,612
DRAINAGE IMPROVEMENTS		
Cullen Regional Detention		\$3,708,000
Cowart Creek	\$ 100,000	
Old Town Site	\$ 100,000	\$ 483,000
Piper Drainage		\$ 100,000
PARKS & RECREATION		
Max Sports Complex	\$2,626,320	\$2,626,320
Shadow Creek Ranch	\$3,950,766	\$6,067,600
Centennial Park	\$ 183,800	\$1,373,658
TOTALS	\$11,572,437	\$19,693,717

The difference in what was budgeted and what the actual amount needed is \$8.1 million mainly due to the current schedules of projects. The additional money will be needed, but in a future year. Cullen Regional Detention, in the amount of \$3.7 million now has a project schedule of 2015 and 2016. Shadow Creek Ranch Park and Centennial Park reduction of \$2.1 million and \$1.2 million respectively for construction is pushed to later in fiscal year 2015, as Shadow Creek Ranch is pending award of construction contract and Centennial Park is under design.

After this bond sale, there is still \$83.577 million authorized but unissued from the 2007 bond referendum, most of which is anticipated to be sold over the 2015-2019 fiscal year time period.

Based on Council direction at the previous Council meetings of June 9, June 23 and July 14, 2014 the new money portion of the bonds will be structured with a 20-year maturity and level principal, paying off principal faster, and saving on future interest paid.

In conjunction with the new money, staff is also recommending to refinance \$24,835,000 in existing debt from five different issues, saving approximately \$1.6 million in interest over a 13 year period. Based upon Council direction, this is a straight restructuring, no change in principal payments, only taking advantage of a lower interest rate environment. Net present value savings is \$1.3 million or 5.44%, exceeding the minimum 3% net present value savings targeted for such refunding in the City's Financial Management Policy Statements.

To allow the Financial Advisor to price the bonds when market rates are favorable versus on a set Council meeting date, City Council is being asked to approve a parameter sale. A parameter sale is one where certain parameters have to be met before the sale and refunding could occur. The Mayor, City Manager, and Director of Finance would have the authority to approve the sale given that the parameters were met. Below are the parameters as laid out in Section 5 of the recommended Ordinance herein:

- (i) none of the Bonds shall bear interest at a rate greater per annum or in excess of the maximum rate allowed by Chapter 1204, Texas Government Code, as amended;
- (ii) the aggregate principal amounts of the Bonds may not exceed the maximum principal amounts authorized in Section 3 hereof, and the proceeds from the sale of the Bonds, along with any available funds of the City to be used in the refunding, must be sufficient to provide, after all original issue discount and underwriter's discount, amounts necessary to fund the costs and expenses of refunding the Refunded Bonds and the estimated costs of issuance of the Bonds; and
- (iii) the net present value savings in debt service resulting from the refunding of the Refunded Bonds shall be at least 3% of the principal amount of the Refunded Bonds, as shown by a table of calculations prepared by the City's financial advisor and attached to the Officer's Pricing Certificate.

And new added to the Ordinance

- (iv) the refunding of the refunded bonds shall be undertaken to achieve debt service savings and not for the purpose of restructuring or shortening the amortization of the debt evidenced by the Refunded Bonds.

The ordinance also states that new money bonds will not exceed \$11,575,000 and together, including the refunding, the total bond sale will not exceed \$41,575,000. The parameter order for is good for one year, however, that order is expected to be executed within the next few weeks, if approved by City Council.

BID AND AWARD

Due to the complexity of the refunding and structuring, the bond sale will be negotiated versus a competitive bid. A negotiated sale is one in which the City selects an underwriting team, at the recommendation of the financial advisor, to price and market the bonds. The advantage of the negotiated sale is it allows the financial advisor the flexibility to structure the bond issue during the sales process.

The City retains two firms in regards to bond issuance and refinancing; bond counsel, Andrews Kurth LLP and a financial advisor, BOSCO, Inc. Each firms fees are based on a sliding scale dependent upon the size of the issuance.

A legal opinion must accompany the bond document as to the City's authority to borrow, the nature of the bonds, and the tax exempt status of the bonds. Bond Counsel will also advise the City as to compliance with Federal Securities Laws and continuing disclosure

requirements. Bond Counsel will prepare and submit all the legal paperwork to the State of Texas Attorney General office for review and approval as well.

The City's financial advisor provides an array of services to the City. They played an active role in doing the financial analysis in 2007 on the impact of the \$162million bond referendum and also assists the City with financial analysis upon request. The financial advisor will also prepare the official bond offering statement to potential buyers of the City's bonds, coordinate the rating agency calls and rating, prepare and coordinate the bidding and bid tabulation and recommend award of competitive bids and work with underwriters on negotiated sales.

Both firms provide the knowledge and expertise in areas that are required of a bond sale that City staff does not have. Both firms do not get paid until and unless the bonds close. The fees do get rolled into the bond sale as well as other issuance costs for rating agencies, printing of the bond offering, which is the official statement, attorney general fee, trustee for the refunding, and verification agent. There is no staff conflict of interest with either of these firms.

SCHEDULE

Staff and the Financial Advisors are working on the preliminary official statement. The schedule of events, which is attached, shows bond rating calls to take place the week of August 18, 2014, with pricing of the bonds to occur the week of August 25, 2014. The bonds will close approximately 30 days later, the week of September 22, 2014.

CURRENT AND FUTURE FUNDING /FINANCIAL IMPACTS/DEBT SERVICE

The first debt service payment on the bonds will be due in fiscal year 2015, estimated at \$862,000, net of the refunding savings of \$127,000 for fiscal year 2015.

The new money (both the GO and Certificates of Obligation) and the refunding were included in the long-term forecast last shared with City Council on July 14, 2014. Though not due to this one transaction, below is the comparison of the debt service tax rate and total tax rate, based on issuing all new debt with a 20-year level principal schedule during the 5-year time period, with and without the straight refunding. Total debt to be issued over this time-period based on the capital improvement program is \$118.3 million.

Debt Service Tax Rate Only

<u>Fiscal Year</u>	<u>New Debt 20-Year –No Refunding</u>	<u>New Debt + 20-Year With Refunding</u>
2015	.4950	.4950
2016	.5150	.5050
2017	.5200	.5050
2018	.5200	.5100
2019	.5425	.5375

Total Tax Rate

2014 – current	.7051	.7051
2015	.7201	.7201
2016	.7501	.7401
2017	.7651	.7501
2018	.7651	.7551
2019	.7826	.7826

In 2007, the voters approved the various bond propositions totaling \$162million with the knowledge of a potential 7.5 cent increase in the tax rate. In addition to, at that time the City still had authorized but unissued bonds from the 2001 bond referendum, adding a potential 5.5 cents to the 7.5 cents, for a total potential tax increase of 13 cents. The tax rate, at the time was .652659; a 13 cent increase would make for a potential tax rate of \$.782659. The City is projecting to be at the 78 cents by 2019 based upon current assumptions in the five-year forecast.

In both cases, there is a total tax rate increase projected of 7.75 cents, of which 3 cents is related to operations (public safety, parks, public works, etc.) with the remaining related to debt service.

Based on an various residential values the fiscal year 2015 tax bill will as follows:

Market Value	Current	Proposed FY2015	Change	Change due to Debt
\$150,000	\$1,022	\$1,044	\$22	\$7.25
\$200,000	\$1,375	\$1,404	\$29	\$9.75
\$300,000	\$2,073	\$2,117	\$44	\$14.70

Tax bill calculated with homestead exemption only; no calculation has been included for over-65 or disabled persons, as frozen levies are in place for those homeowners already qualified.

Staff and the City's financial advisor, Ryan O'Hara with BOSCO, Inc. will review with City Council

RECOMMENDED ACTION

Consideration and Approval of an Ordinance Authorizing The Issuance Of City Of Pearland, Texas, Permanent Improvement And/or Refunding Bonds in one or more Series, Setting Certain Parameters For The Bonds; Authorizing Refunding Of Certain Outstanding Obligations; Authorizing A Pricing Officer To Approve The Amount, The Interest Rate, Price, And Terms Thereof And Certain Other Procedures And Provisions Relating Thereto.

ORDINANCE NO. 1501

An Ordinance authorizing the issuance of City of Pearland, Texas, permanent improvement and/or refunding bonds in one or more series; setting certain parameters for the bonds; authorizing refunding of certain outstanding obligations; authorizing a pricing officer to approve the amount, the interest rate, price, and terms thereof and certain other procedures and provisions relating thereto.

THE STATE OF TEXAS §
COUNTIES OF BRAZORIA, FORT BEND AND HARRIS §
CITY OF PEARLAND §

WHEREAS, the City of Pearland, Texas (the “City”), acting through its City Council, is authorized by Section 3.07 of its Home Rule Charter and the Constitution and laws of the State of Texas, particularly Chapters 1331 of the Texas Government Code, as amended, to issue bonds for the purpose of making needed public improvements;

WHEREAS, the issuance of certain bonds herein authorized was approved by the voters of the City at an election held for such purpose on May 12, 2007 (the “Election”), which was called by the City Council pursuant to Resolution No. R2007-35 adopted March 5, 2007, and which authorized the issuance of: (i) \$84,190,000 in bonds for purchasing and otherwise acquiring land for and constructing, repairing and improving streets, bridges and sidewalks of the City with first priority to be given to the construction, repair and improvement of Bailey Road, Cullen Boulevard, Dixie Farm Road and McHard Road (“Proposition 1”); (ii) \$35,305,000 in bonds for purchasing, acquiring, enlarging, extending, equipping and constructing drainage improvements and facilities at various locations within the City, including acquiring lands and rights-of-way for any of such purposes (“Proposition 2”); (iii) \$2,895,000 in bonds for purchasing, acquiring, constructing, repairing and improving land, facilities and equipment for public safety purposes (including fire fighting needs)(“Proposition 3”); (iv) \$19,990,000 in bonds for purchasing, acquiring, constructing, repairing and improving land, facilities and equipment for park and recreation purposes (“Proposition 4”); (v) \$16,225,000 in bonds for purchasing, acquiring, constructing, repairing and improving land, facilities and equipment for park and recreation purposes, with first priority to be given to the construction of recreation center and the construction of a natatorium (“Proposition 5”); and (vi) \$3,410,000 in bonds for purchasing and otherwise acquiring land for and constructing, repairing and improving library facilities (“Proposition 6”);

WHEREAS, the City Council canvassed the returns of the Election and by Ordinance No. R2007-86, adopted May 22, 2007 declared the results to be in favor of the issuance of the Bonds;

WHEREAS, the City has previously authorized, issued and delivered four installments of such authorized bonds from the Election in an aggregate principal amount of \$66,860,000, consisting of (i) \$27,370,000 of principal attributable to bonds authorized by Proposition 1; (ii) \$17,416,500 of principal attributable to bonds authorized by Proposition 2; (iii) \$2,895,000 of principal attributable to bonds authorized by Proposition 3; and (iv) \$4,150,000 of principal attributable to bonds

authorized by Proposition 4; (v) \$15,210,500 of principal attributable to Proposition 5; and (vi) \$0 of principal attributable to Proposition 6;

WHEREAS, the City has now determined that it is necessary and advisable to authorize, issue and deliver a sixth installment of such authorized bonds from the Election in an aggregate principal amount not to exceed \$11,575,000 for the purposes of funding the permanent improvements described herein;

WHEREAS, the City Council is of the opinion and hereby affirmatively finds that it is in the best interest of the City to issue such sixth installment of bonds from the Election in the amounts and for the purposes herein stated.

WHEREAS, the City Council of the City has heretofore issued or assumed the obligations described in Exhibit A attached hereto and as more particularly described in the Officer's Pricing Certificate (defined herein); and

WHEREAS, the City desires to refund part of said obligations in advance of their maturities as determined pursuant to the parameters set forth herein (the "Refunded Bonds") for the purpose of achieving debt service savings; and

WHEREAS, Chapter 1207, Texas Government Code, as amended ("Chapter 1207") authorizes the City to issue refunding bonds payable from taxes, without an election, for the purpose of refunding the Refunded Bonds in advance of their maturities, and to accomplish such refunding by depositing directly with any paying agent for the Refunded Bonds (or other qualified escrow agent), the proceeds of such refunding bonds, together with other available funds, in an amount sufficient to provide for the payment or redemption of the Refunded Bonds, and provides that such deposit shall constitute the making of firm banking and financial arrangements for the discharge and final payment or redemption of the Refunded Bonds; and

WHEREAS, the City desires to authorize the execution of an escrow agreement, if necessary, and provide for the deposit of proceeds of the refunding bonds, together with other lawfully available funds of the District, to pay the Refunded Bonds; and

WHEREAS, upon the issuance of the refunding bonds herein authorized and the deposit of funds referred to above, the Refunded Bonds shall no longer be regarded as being outstanding, except for the purpose of being paid pursuant to such deposit, and the pledges, liens, trusts and all other covenants, provisions, terms and conditions of the ordinances authorizing the issuance of the Refunded Bonds shall be, with respect to the Refunded Bonds, discharged, terminated and defeased;

WHEREAS, the City is a home-rule municipality that (i) adopted its charter under Section 5, Article XI, Texas Constitution; (ii) has a population of 50,000 or more; and (iii) has outstanding long-term indebtedness that is rated by a nationally recognized rating agency for municipal securities in one of the four highest rating categories for a long-term obligation and thus the City qualifies as an "Issuer" under Chapter 1371, Texas Government Code ("Chapter 1371"); and

WHEREAS, Chapter 1207 and Chapter 1371 authorize the City to delegate the authority to effect the sale of the Bonds to a Pricing Officer, as defined herein. Now, therefore

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

1. Recitals; Consideration. It is hereby found and determined that the matters and facts set out in the preamble to this Ordinance are true and correct.

It is hereby found and determined that the refunding contemplated in this Ordinance will benefit the City by providing a present value savings in the debt service payable by the City, that such benefit is sufficient consideration for the refunding of the Refunded Bonds, and that the issuance of the refunding bonds is in the best interests of the City.

2. Definitions. Throughout this Ordinance the following terms and expressions as used herein shall have the meanings set forth below:

“Blanket Issuer Letter of Representations” means the Blanket Issuer Letter of Representations between the City, the Registrar and DTC.

“Bond Purchase Agreement” means an agreement between the City and the Underwriter described in Section 23 of this Ordinance.

“Bonds” means the means one or more series of Bonds issued by the City of Pearland, Texas authorized in this Ordinance, as designated in an Officer’s Pricing Certificate.

“Business Day” means any day which is not a Saturday, Sunday, or a day on which the Registrar is authorized by law or executive order to close, or a legal holiday.

“City” means the City of Pearland, Texas.

“Closing Date” means the date of the initial delivery of and payment any series of Bonds.

“Code” means the Internal Revenue Code of 1986, as amended.

“Comptroller” means the Comptroller of Public Accounts of the State of Texas.

“Debt Service Fund” means the debt service fund for payment of the Bonds established by the City in Section 20 of this Ordinance.

“DTC” means The Depository Trust Company of New York, New York, or any successor securities depository.

“DTC Participant” means brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created to hold securities to facilitate the

clearance and settlement of securities transactions among DTC Participants.

“Escrow Agent” means Wells Fargo Bank, N.A.

“Escrow Agreement” means an agreement between the City and the Escrow Agent relating to the escrow of funds to pay the Refunded Bonds.

“Initial Bond” means the Initial Bond authorized by Section 6(d).

“Interest Payment Date”, when used in connection with any Current Interest Bond, means shall mean the date(s) determined by a Pricing Officer and set forth in the Officer’s Pricing Certificate.

“MSRB” means the Municipal Securities Rulemaking Board.

“Officer’s Pricing Certificate” means a certificate signed by the Pricing Officer pursuant to Section 5 hereof.

“Ordinance” as used herein and in the Bonds means this ordinance authorizing the Bonds.

“Owner” means any person who shall be the registered owner of any outstanding Bond.

“Pricing Officer” means the Mayor, City Manager or the Director of Finance.

“Record Date” means, with respect to the Bonds, the close of business on the last Business Day of the month preceding such Interest Payment Date.

“Refunded Bonds” means any of the obligations described on Exhibit A attached hereto and as more specifically described in the Officer’s Pricing Certificate.

“Register” means the books of registration kept by the Registrar, in which are maintained the names and addresses of, and the principal amounts of the Bonds registered to, each Owner.

“Registrar” means Wells Fargo Bank, N.A., and its successors in that capacity.

“Report” means the report of Grant Thornton LLP, verifying the accuracy of certain mathematical computations relating to the Bonds and the Refunded Bonds.

“Rule” means SEC Rule 15c2-12, as amended from time to time.

“SEC” means the United States Securities and Exchange Commission.

“Underwriters” means the firms listed in the Officer’s Pricing Certificate as the underwriters or initial purchasers of the Bonds.

3. Authorization. The Bonds shall be issued in fully registered form in a maximum principal amount, including any premium counted against voted authorization, (i) not to exceed \$11,575,000 for the public improvements as follows: (a) \$4,613,000 for purchasing and otherwise acquiring land for and constructing, repairing and improving streets, bridges and sidewalks of the City, (b) \$200,000 in bonds for purchasing, acquiring, enlarging, extending, equipping and constructing drainage improvements and facilities at various locations within the City, including acquiring lands and rights-of-way for any of such purposes, (c) \$6,762,000 for purchasing, acquiring, constructing, repairing and improving land, facilities and equipment for park and recreation purposes, (d) the costs of issuing the Bonds, and/or (ii) if certain savings thresholds are achieved, in an amount not to exceed \$30,000,000 for the purpose of refunding the Refunded Bonds, under and in strict conformity with the Constitution and laws of the State of Texas, particularly Chapters 1207, Texas Government Code and the costs of issuing the Bonds. The Bonds may be issued in one or more series/installments.

4. Date, Denomination, Interest Rates, and Maturities. The Bonds shall be designated as City of Pearland, Texas Permanent Improvement ¹ and shall be dated the date set forth in the Officer's Pricing Certificate, shall mature on March 1 in each of the years and in the amounts set out in the Officer's Pricing Certificate, shall be subject to prior optional and mandatory redemption on the dates, for the redemption prices and in the amounts set out in the Officer's Pricing Certificate and shall bear interest from their issuance date at the rates set forth in the Officer's Pricing Certificate payable on each March 1 and September 1 commencing on the date set forth in the Officer's Pricing Certificate. The Bonds may be transferred and exchanged as set out in this Ordinance. The Initial Bond shall be numbered I-1 and all other Bonds shall be numbered in sequence beginning with R-1. Bonds delivered on transfer of or in exchange for other Bonds shall be numbered in order of their authentication by the Registrar, shall be in the denomination of \$5,000 or integral multiples thereof, and shall mature on the same date and bear interest on the same rate as the Bond or Bonds in lieu of which they are delivered.

5. Selling and Delivering the Bonds. As authorized by Sections 1207 and 1371, Texas Government Code, as amended, the Pricing Officer is hereby authorized to act on behalf of the City in selling and delivering the Bonds, in one or more series of bonds/installments, and carrying out the other procedures specified in this Ordinance, including without limitation determining the price at which the Bonds will be sold, the issuance date for the Bonds, the form in which the Bonds shall be issued (whether as current interest bonds or as any combination of current interest bonds and compound interest bonds), the years in which the Bonds will mature, the principal amount to mature in each of such years, the rate of interest to be borne by each such maturity, the dates, prices and terms upon and at which the Bonds shall be subject to redemption prior to maturity at the option of the City, as well as any mandatory redemption provisions for the Bonds, and all other matters not expressly provided in this Ordinance, relating to the issuance, sale and delivery of the Bonds, and the refunding of the Refunded Bonds, all of which shall be specified in the Officer's Pricing Certificate; provided that:

- (i) none of the Bonds shall bear interest at a rate in excess of the maximum rate allowed by Chapter 1204, Texas Government Code, as amended;

¹ Insert from Pricing Certificate.

- (ii) the aggregate principal amounts of the Bonds may not exceed the maximum principal amounts authorized in Section 3 hereof, and the proceeds from the sale of the Bonds, along with any available funds of the City to be used in the refunding, must be sufficient to provide, after all original issue discount and underwriter's discount, amounts necessary to fund the costs and expenses of refunding the Refunded Bonds and the estimated costs of issuance of the Bonds;
- (iii) the net present value savings in debt service resulting from the refunding of the Refunded Bonds shall be at least 3% of the principal amount of the Refunded Bonds, as shown by a table of calculations prepared by the City's financial advisor and attached to the Officer's Pricing Certificate; and
- (iv) the refunding of the Refunded Bonds shall be undertaken to achieve debt service savings and not for the purpose of restructuring or shortening the amortization of debt evidenced by the Refunded Bonds.

6. Execution of Bonds; Seal. (a) The Bonds shall be signed on behalf of the City by the Mayor and countersigned by the City Secretary, by their manual, lithographed, or facsimile signatures, and the official seal of the City shall be impressed or placed in facsimile thereon. Such facsimile signatures on the Bonds shall have the same effect as if each of the Bonds had been signed manually and in person by each of said Officer's, and such facsimile seal on the Bonds shall have the same effect as if the official seal of the City had been manually impressed upon each of the Bonds.

(b) If any officer of the City whose manual or facsimile signature shall appear on the Bonds shall cease to be such officer before the authentication of such Bonds or before the delivery of such Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes as if such officer had remained in such office.

(c) Except as provided below, no Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit of this Ordinance unless and until there appears thereon the Registrar's Authentication Bond substantially in the form provided herein, duly authenticated by manual execution by an officer or duly authorized signatory of the Registrar. In lieu of the executed Registrar's Authentication Bond described above, the Initial Bond delivered at the Closing Date shall have attached hereto the Comptroller's Registration Certificate substantially in the form provided herein, manually executed by the Comptroller, or by his duly authorized agent, which certificate shall be evidence that the Initial Bond has been duly approved by the Attorney General of the State of Texas and that it is a valid and binding obligation of the City, and has been registered by the Comptroller.

(d) On the Closing Date, the Initial Bond, being a single bond representing the entire principal amount of the Bonds, payable in stated installments to the Underwriter or its designee, executed by manual or facsimile signature of the Mayor and City Secretary of the City, approved by the Attorney General, and registered and manually signed by the Comptroller, shall be delivered to

the Underwriter or its designee. Upon payment for the Initial Bond, the Registrar shall cancel the Initial Bond and deliver definitive Bonds to DTC.

7. Payment of Principal and Interest. The Registrar is hereby appointed as the paying agent and registrar for the Bonds. The principal of the Bonds shall be payable, without exchange or collection charges, in any coin or currency of the United States of America which, on the date of payment, is legal tender for the payment of debts due the United States of America, upon their presentation and surrender as they respectively become due and payable at the principal payment office of the Registrar in Dallas, Texas. The interest on each Bond shall be payable on each Interest Payment Date, by check mailed by the Registrar on or before the Interest Payment Date to the Owner of record as of the Record Date.

If the date for payment of the principal of or interest on any Bond is not a Business Day, then the date for such payment shall be the next succeeding Business Day with the same force and effect as if made on the date payment was originally due.

8. Successor Registrars. The City covenants that at all times while any Bonds are outstanding it will provide a commercial bank or trust company, organized under the laws of the United States or any state, and duly qualified and legally authorized to serve as Registrar for the Bonds. The City reserves the right to change the Registrar on not less than 60 days written notice to the Registrar, so long as any such notice is effective not less than 60 days prior to the next succeeding principal or interest payment date on the Bonds. Promptly upon the appointment of any successor Registrar, the previous Registrar shall deliver the Register or copies thereof to the new Registrar, and the new Registrar shall notify each Owner, by United States mail, first class postage prepaid, of such change and of the address of the new Registrar. Each Registrar hereunder, by acting in that capacity, shall be deemed to have agreed to the provisions of this Section.

9. Special Record Date. If interest on any Bond is not paid on any Interest Payment Date and continues unpaid for thirty (30) days thereafter, the Registrar shall establish a new record date for the payment of such interest, to be known as a Special Record Date. The Registrar shall establish a Special Record Date when funds to make such interest payment are received from or on behalf of the City. Such Special Record Date shall be fifteen (15) days prior to the date fixed for payment of such past due interest, and notice of the date of payment and the Special Record Date shall be sent by United States mail, first class, postage prepaid, not later than five (5) days prior to the Special Record Date, to each affected Owner of record as of the close of business on the day prior to the mailing of such notice.

10. Ownership; Unclaimed Principal and Interest. The City, the Registrar and any other person may treat the person in whose name any Bond is registered as the absolute owner of such Bond for the purpose of making and receiving payment of the principal of or interest on such Bond, and for all other purposes, whether or not such Bond is overdue, and neither the City nor the Registrar shall be bound by any notice or knowledge to the contrary. All payments made to the person deemed to be the Owner of any Bond in accordance with this Section shall be valid and effectual and shall discharge the liability of the City and the Registrar upon such Bond to the extent of the sums paid.

Amounts held by the Registrar which represent principal of and interest on the Bonds remaining unclaimed by the Owner after the expiration of three years from the date such amounts have become due and payable shall be reported and disposed of by the Registrar in accordance with the applicable provisions of Texas law including, to the extent applicable, Title 6 of the Texas Property Code, as amended.

11. Registration, Transfer, and Exchange. So long as any Bonds remain outstanding, the Registrar shall keep the Register at its principal payment office in Dallas, Texas, and, subject to such reasonable regulations as it may prescribe, the Registrar shall provide for the registration and transfer of Bonds in accordance with the terms of this Ordinance.

Each Bond shall be transferable only upon the presentation and surrender thereof at the principal payment office of the Registrar in Dallas, Texas, duly endorsed for transfer, or accompanied by an assignment duly executed by the registered Owner or his authorized representative in form satisfactory to the Registrar. Upon due presentation of any Bond for transfer, the Registrar shall authenticate and deliver in exchange therefor, within three Business Days after such presentation, a new Bond or Bonds registered in the name of the transferee or transferees, in authorized denominations and of the same maturity and aggregate principal amount and bearing interest at the same rate as the Bond or Bonds so presented.

All Bonds shall be exchangeable upon presentation and surrender thereof at the principal payment office of the Registrar in Dallas, Texas, for a Bond or Bonds of like maturity and interest rate and in any authorized denomination, in an aggregate amount equal to the unpaid principal amount of the Bond or Bonds presented for exchange. The Registrar shall be and is hereby authorized to authenticate and deliver exchange Bonds in accordance with the provisions of this Section. Each Bond delivered in accordance with this Section shall be entitled to the benefits and security of this Ordinance to the same extent as the Bond or Bonds in lieu of which such Bond is delivered.

The City or the Registrar may require the Owner of any Bond to pay a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with the transfer or exchange of such Bond. Any fee or charge of the Registrar for such transfer or exchange shall be paid by the City.

12. Mutilated, Lost, or Stolen Bonds. Upon the presentation and surrender to the Registrar of a mutilated Bond, the Registrar shall authenticate and deliver in exchange therefor a replacement Bond of like maturity, interest rate, and principal amount, bearing a number not contemporaneously outstanding. If any Bond is lost, apparently destroyed, or wrongfully taken, the City, pursuant to the applicable laws of the State of Texas and in the absence of notice or knowledge that such Bond has been acquired by a bona fide purchaser, shall authorize and the Registrar shall authenticate and deliver a replacement Bond of like maturity, interest rate and principal amount, bearing a number not contemporaneously outstanding.

The City or the Registrar may require the Owner of a mutilated Bond to pay a sum sufficient to cover any tax or other governmental charge that may be imposed in connection therewith and any other expenses connected therewith, including the fees and expenses of the Registrar. The City or the Registrar may require the Owner of a lost, apparently destroyed or wrongfully taken Bond, before any replacement Bond is issued, to:

- (1) furnish to the City and the Registrar satisfactory evidence of the ownership of and the circumstances of the loss, destruction or theft of such Bond;
- (2) furnish such security or indemnity as may be required by the Registrar and the City to save them harmless;
- (3) pay all expenses and charges in connection therewith, including, but not limited to, printing costs, legal fees, fees of the Registrar and any tax or other governmental charge that may be imposed; and
- (4) meet any other reasonable requirements of the City and the Registrar.

If, after the delivery of such replacement Bond, a bona fide purchaser of the original Bond in lieu of which such replacement Bond was issued presents for payment such original Bond, the City and the Registrar shall be entitled to recover such replacement Bond from the person to whom it was delivered or any person taking therefrom, except a bona fide purchaser, and shall be entitled to recover upon the security or indemnity provided therefor to the extent of any loss, damage, cost or expense incurred by the City or the Registrar in connection therewith.

If any such mutilated, lost, apparently destroyed or wrongfully taken Bond has become or is about to become due and payable, the City in its discretion may, instead of issuing a replacement Bond, authorize the Registrar to pay such Bond.

Each replacement Bond delivered in accordance with this Section shall be entitled to the benefits and security of this Ordinance to the same extent as the Bond or Bonds in lieu of which such replacement Bond is delivered.

13. Cancellation of Bonds. All Bonds paid in accordance with this Ordinance, and all Bonds in lieu of which exchange Bonds or replacement Bonds are authenticated and delivered in accordance herewith, shall be canceled and destroyed upon the making of proper records regarding such payment. The Registrar shall furnish the City with appropriate certificates of destruction of such Bonds.

14. Book-Entry Only System. (a) The Initial Bond shall be registered in the name of the Underwriters. Except as provided in Section 15 hereof, all other Bonds shall be registered in the name of Cede & Co., as nominee of DTC.

(b) With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the City and the Registrar shall have no responsibility or obligation to any DTC Participant or to any

person on behalf of whom such DTC Participant holds an interest in the Bonds, except as provided in this Ordinance. Without limiting the immediately preceding sentence, the City and the Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than an Owner, as shown on the Register, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any DTC Participant or any other person, other than an Owner, as shown on the Register, of any amount with respect to principal of, premium, if any, or interest on the Bonds. Notwithstanding any other provision of this Ordinance to the contrary, the City and the Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Register as the absolute Owner of such Bond for the purpose of payment of principal of and interest on the Bonds, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfer with respect to such Bond, and for all other purposes whatsoever. The Registrar shall pay all principal of, premium, if any, and interest on the Bonds only to or upon the order of the respective Owners, as shown in the Register as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to payments of principal, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than an Owner, as shown in the Register, shall receive a Bond certificate evidencing the obligation of the City to make payments of amounts due pursuant to this Ordinance. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions of this Ordinance with respect to interest checks being mailed to the Owner of record as of the Record Date, the phrase "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

15. Successor Securities Depository; Transfer Outside Book-Entry Only System. In the event that the City in its sole discretion, determines that the beneficial owners of the Bonds be able to obtain certificated Bonds, or in the event DTC discontinues the services described herein, the City shall (i) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants, as identified by DTC, of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (ii) notify DTC and DTC Participants, as identified by DTC, of the availability through DTC of Bonds and transfer one or more separate Bonds to DTC Participants having Bonds credited to their DTC accounts, as identified by DTC. In such event, the Bonds shall no longer be restricted to being registered in the Register in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Owners transferring or exchanging Bonds shall designate, in accordance with the provisions of this Ordinance.

16. Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bonds are registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Bonds, and all notices with respect to such Bonds, shall be made and given, respectively, in the manner provided in the Blanket Letter of Representations.

17. Optional and/or Mandatory Redemption; Defeasance. The Bonds are subject to optional and/or mandatory redemption as set forth in the Form of Bond in this Ordinance and in the Officer's Pricing Certificate.

Principal amounts may be redeemed only in integral multiples of \$5,000. If a Bond subject to redemption is in a denomination larger than \$5,000, a portion of such Bond may be redeemed, but only in integral multiples of \$5,000. Upon surrender of any Bond for redemption in part, the Registrar, in accordance with Section 11 hereof, shall authenticate and deliver in exchange therefor a Bond or Bonds of like maturity and interest rate in an aggregate principal amount equal to the unredeemed portion of the Bond so surrendered.

Notice of any redemption identifying the Bonds to be redeemed in whole or in part shall be given by the Registrar at least thirty days prior to the date fixed for redemption by sending written notice by first class mail to the Owner of each Bond to be redeemed in whole or in part at the address shown on the Register. Such notices shall state the redemption date, the redemption price, the place at which Bonds are to be surrendered for payment and, if less than all Bonds outstanding of a particular maturity are to be redeemed, the numbers of the Bonds or portions thereof of such maturity to be redeemed. Any notice given as provided in this Section shall be conclusively presumed to have been duly given, whether or not the Owner receives such notice. By the date fixed for redemption, due provision shall be made with the Registrar for payment of the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest to the date fixed for redemption. When Bonds have been called for redemption in whole or in part and due provision has been made to redeem same as herein provided, the Bonds or portions thereof so redeemed shall no longer be regarded as outstanding except for the purpose of receiving payment solely from the funds so provided for redemption, and the rights of the Owners to collect interest which would otherwise accrue after the redemption date on any Bond or portion thereof called for redemption shall terminate on the date fixed for redemption.

The Bonds may be discharged, defeased, redeemed or refunded in any manner now or hereafter permitted by law.

18. Forms. The form of the Bond, including the form of Registration Certificate of the Comptroller, which shall be attached or affixed to the Initial Bond, the form of Assignment and the form of the Registrar's Authentication Certificate, , shall be, respectively, substantially as follows, with such additions, deletions and variations as may be necessary to conform to the terms specified in the Officer's Pricing Certificate:

(a) Form of Bond.

UNITED STATES OF AMERICA
STATE OF TEXAS
COUNTIES OF BRAZORIA, FORT BEND AND HARRIS

REGISTERED
NUMBER

REGISTERED
DENOMINATION

\$ _____

CITY OF PEARLAND, TEXAS
PERMANENT IMPROVEMENT _____¹_____

INTEREST RATE:

MATURITY DATE:

March 1, 20__

ISSUE DATE:

_____¹_____

CUSIP:

REGISTERED OWNER:

PRINCIPAL AMOUNT:

DOLLARS

The City of Pearland, Texas (the “City”) promises to pay to the registered owner identified above, or registered assigns, on the maturity date specified above, upon presentation and surrender of this Bond at the principal payment office of Wells Fargo Bank, N.A., in Dallas, Texas (the “Registrar”), the principal amount identified above, payable in any coin or currency of the United States of America which on the date of payment is legal tender for the payment of debts due the United States of America, and to pay interest thereon at the rate shown above, calculated on the basis of a 360-day year of twelve 30-day months, from _____¹_____, or the most recent interest payment date to which interest has been paid or duly provided for. Interest on this Bond is payable by check on March 1 and September 1 beginning on _____¹_____, mailed to the registered owner of record as of the close of business on the 15th day of the month preceding each interest payment date.

THIS BOND is one of a duly authorized issue of Bonds, aggregating \$ _____²_____ (the “Bonds”), issued for [(i) purposes authorized by the Election as set forth in the Ordinance (defined below) [and/or]² (ii) the purpose of refunding a portion of the City’s outstanding obligations, under and in strict conformity with the Constitution and laws of the State of Texas, particularly Chapters 1207 and 1371, Texas Government Code, as amended,] and pursuant to an ordinance adopted by the City Council (the “Ordinance”), which Ordinance is of record in the official minutes of the City.

¹ Insert from Officers Pricing Certificate.

² Insert from Officers Pricing Certificate.

THE CITY RESERVES THE RIGHT, at its option, to redeem Bonds maturing on and after March 1, 20³__, in whole or from time to time in part, in integral multiples of \$5,000, on March 1, 20⁴__, or any date thereafter at par plus accrued interest on the principal amounts called for redemption to the date fixed for redemption. If less than all the Bonds are to be redeemed, the City shall select the Bonds to be redeemed.

[If applicable, mandatory redemption language]

NOTICE OF ANY REDEMPTION shall be given by the Registrar at least thirty (30) days prior to the date fixed for redemption by first class mail, addressed to the registered owners of each Bond to be redeemed in whole or in part at the address shown on the books of registration kept by the Registrar. When Bonds or portions thereof have been called for redemption, and due provision has been made to redeem the same, the principal amounts so redeemed shall be payable solely from the funds provided for redemption, and interest which would otherwise accrue on the amounts called for redemption shall terminate on the date fixed for redemption.

THIS BOND IS TRANSFERABLE only upon presentation and surrender at the principal payment office of the Registrar in Dallas, Texas, duly endorsed for transfer or accompanied by an assignment duly executed by the registered owner or his authorized representative, subject to the terms and conditions of the Ordinance.

THE BONDS ARE EXCHANGEABLE at the principal payment office of the Registrar in Dallas, Texas, for Bonds in the principal amount of \$5,000 or any integral multiple thereof, subject to the terms and conditions of the Ordinance.

THIS BOND shall not be valid or obligatory for any purpose or be entitled to any benefit under the Ordinance unless this Bond is either (i) registered by the Comptroller of Public Accounts of the State of Texas by registration certificate attached or affixed hereto or (ii) authenticated by the Registrar by due execution of the authentication certificate endorsed hereon.

THE REGISTERED OWNER of this Bond, by acceptance hereof, acknowledges and agrees to be bound by all the terms and conditions of the Ordinance.

THE CITY has covenanted in the Ordinance that it will at all times provide a legally qualified registrar for the Bonds and will cause notice of any change of registrar to be mailed to each registered owner.

³ Insert from Officers Pricing Certificate.

⁴ Insert from Officers Pricing Certificate.

IT IS HEREBY certified, recited and covenanted that this Bond has been duly and validly issued and delivered; that all acts, conditions and things required or proper to be performed, to exist and to be done precedent to or in the issuance and delivery of this Bond have been performed, exist and have been done in accordance with law; and that annual ad valorem taxes, within the limits prescribed by law, sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in the City, and have been pledged irrevocably for such payment.

IN WITNESS WHEREOF, this Bond has been signed with the manual or facsimile signature of the Mayor Pro Tem and countersigned with the manual or facsimile signature of the City Secretary, and the official seal of the City has been duly impressed, or placed in facsimile, on this Bond.

(AUTHENTICATION
CERTIFICATE)

(SEAL)

CITY OF PEARLAND, TEXAS

Mayor Pro Tem

City Secretary

(b) Form of Registration Certificate of Comptroller of Public Accounts.

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that this Bond has been examined, certified as to validity, and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS MY SIGNATURE AND SEAL this _____.

Comptroller of Public Accounts
of the State of Texas

(SEAL)

(c) Form of Registrar's Authentication Certificate.

AUTHENTICATION CERTIFICATE

It is hereby certified that this Bond has been delivered pursuant to the Bond Ordinance described in the text of this Bond.

Wells Fargo Bank, N.A.
As Paying Agent/Registrar

By _____
Authorized Signature
Date of Authentication _____

(d) Form of Assignment.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns, and transfers unto

(Please print or type name, address, and zip code of Transferee)

(Please insert Social Security or Taxpayer Identification Number of Transferee)
the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

attorney to transfer said Bond on the books kept for registration thereof, with full power of
substitution in the premises.

DATED: _____

Signature Guaranteed: _____

Registered Owner

NOTICE: The signature above must correspond to the name of the registered owner as shown on the face of this Bond in every particular, without any alteration, enlargement or change whatsoever.

NOTICE: Signature must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

(e) The Initial Bond shall be in the form set forth in paragraphs (a), (b) and (d) of this Section, except for the following alterations:

(i) immediately under the name of the Bond, the headings “INTEREST RATE” and “MATURITY DATE” shall both be completed with the words “As Shown Below” and the word “CUSIP” deleted;

(ii) in the first paragraph of the Bond, the words “on the maturity date specified above” and “at the rate shown above” shall be deleted and the following shall be inserted at the end of the first sentence “..., with such principal to be paid in installments on March 1 in each of the years and in the principal amounts identified in the following schedule and with such installments bearing interest at the per annum rates set forth in the following schedule:

[Information to be inserted from the Officer’s Pricing Certificate]

(iii) the Initial Bond shall be numbered I-1.

19. CUSIP Numbers. CUSIP Numbers may be printed on the Bonds, but errors or omissions in the printing of such numbers shall have no effect on the validity of the Bonds.

20. Debt Service Fund; Tax Levy. There is hereby established a separate fund of the City to be known as the City of Pearland, Texas, Permanent Improvement _____5_____ Debt Service Fund (the “Debt Service Fund”), which shall be kept separate and apart from all other funds of the City. The proceeds from all taxes levied, assessed and collected for and on account of the Bonds authorized by this Ordinance shall be deposited, as collected, in the Debt Service Fund. While the Bonds or any part of the principal thereof or interest thereon remain outstanding and unpaid, there is hereby levied and there shall be annually assessed and collected in due time, form and manner, and at the same time as other City taxes are assessed, levied and collected, in each year, a continuing direct annual ad valorem tax, within the limits prescribed by law, upon all taxable property in the City, sufficient to pay the current interest on the Bonds as the same becomes due and to provide and maintain a debt service fund of not less than two percent of the principal amount of the Bonds or the amount required to pay each installment of principal of the Bonds as the same matures, whichever is greater, full allowance being made for delinquencies and costs of collection, and said taxes are hereby irrevocably pledged to the payment of the interest on and principal of the Bonds and to no other purpose.

To pay the debt service coming due on the Bonds prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

21. Application of Chapter 1208, Government Code. Chapter 1208, Government Code, applies to the issuance of the Bonds and the pledge of the taxes granted by the City under Section 20 of this Ordinance, and such pledge is therefore valid, effective and perfected. If Texas law is amended at any time while the Bonds are outstanding an unpaid such that the pledge of the taxes

5 Insert from Officers Pricing Certificate.

granted by the City under Section 20 of this Ordinance is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, then in order to preserve to the registered owners of the Bonds the perfection of the security interest in said pledge, the City agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing to perfect the security interest in said pledge to occur.

22. Further Proceedings. After the Initial Bond has been executed, it shall be the duty of the Mayor and other appropriate officials and agents of the City to deliver the Initial Bond and all pertinent records and proceedings to the Attorney General of the State of Texas, for examination and approval. After the Initial Bond has been approved by the Attorney General, it shall be delivered to the Comptroller for registration. Upon registration of the Initial Bond, the Comptroller (or the Comptroller's bond clerk or an assistant bond clerk lawfully designated in writing to act for the Comptroller) shall manually sign the Comptroller's Registration Certificate prescribed herein and the seal of said Comptroller shall be impressed, or placed in facsimile, thereon.

23. Sale; Bond Purchase Agreement. The Bonds shall be sold and delivered to the Underwriter, who shall be designated in the Pricing Officer's Certificate, at the price set forth in the Pricing Officer's Certificate and in accordance with the terms of the Bond Purchase Contract which the Pricing Officer is hereby authorized and directed to execute on behalf of the District. The Pricing Officer and all other officers, agents and representatives of the District are hereby authorized to do any and all things necessary or desirable to satisfy the conditions set out therein and to provide for the issuance and delivery of the Bonds. The Pricing Officer is hereby authorized and directed to execute the Bond Purchase Agreement on behalf of the City, and the Mayor, City Manager, Director of Finance and all other officers, agents and representatives of the City are hereby authorized to do any and all things necessary or desirable to satisfy the conditions set out therein and to provide for the issuance and delivery of the Bonds. In the event the Bond Purchase Agreement shall not be executed by the one year anniversary of the date of this Ordinance (the "Expiration Date"), the delegation to the Pricing Officer pursuant to this Ordinance shall cease to be effective unless the City shall act to extend such delegation. Bonds sold pursuant to a Bond Purchase Agreement or winning bid form executed on or before the Expiration Date may be delivered after such date.

24. Federal Income Tax Exclusion.

The City intends that the interest on the Bonds shall be excludable from gross income of the owners thereof for federal income tax purposes pursuant to Sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended, (the "Code") and all applicable temporary, proposed and final regulations (the "Regulations") and procedures promulgated thereunder and applicable to the Bonds. For this purpose, the City covenants that it will monitor and control the receipt, investment, expenditure and use of all gross proceeds of the Bonds (including all property, the acquisition, construction or improvement of which is to be financed directly or indirectly with the proceeds of the Bonds) and take or omit to take such other and further actions as may be required by Sections 103 and 141 through 150 of the Code and the Regulations to cause the interest on the Bonds to be and remain excludable from the gross income, as defined in Section 61 of the Code, of the

owners of the Bonds for federal income tax purposes. Without limiting the generality of the foregoing, the City shall comply with each of the following covenants:

- (a) The City shall not use, permit the use of or omit to use Gross Proceeds or any other amounts (or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with Gross Proceeds) in a manner which, if made or omitted, respectively, would cause the interest on any Bond to become includable in the gross income, as defined in Section 61 of the Code, of the owner thereof for federal income tax purposes. Without limiting the generality of the foregoing, unless and until the City shall have received a written opinion of counsel nationally recognized in the field of municipal bond law to the effect that failure to comply with such covenant will not adversely affect the exemption from federal income tax of the interest on any Bond, the City shall comply with each of the specific covenants in this Section.
- (b) Except as permitted by Section 141 of the Code and the regulations and rulings thereunder, the City shall, at all times prior to the last stated maturity of the Bonds,
 - (1) exclusively own, operate, and possess all property the acquisition, construction, or improvement of which is to be financed directly or indirectly with Gross Proceeds of such series of the Bonds (including property financed with Gross Proceeds of the Refunded Obligations or notes or bonds refunded by the Refunded Obligations and not use or permit the use of such Gross Proceeds or any property acquired, constructed, or improved with such Gross Proceeds in any activity carried on by any person or entity other than a state or local government, unless such use is solely as a member of the general public, or
 - (2) not directly or indirectly impose or accept any charge or other payment for use of Gross Proceeds of such series of the Bonds or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with such Gross Proceeds (including property financed with Gross Proceeds of the Refunded Obligations or notes or bonds refunded by the Refunded Obligations other than taxes of general application and interest earned on investments acquired with such Gross Proceeds pending application for their intended purposes.
- (c) Except to the extent permitted by Section 141 of the Code and the regulations and rulings thereunder, the City shall not use Gross Proceeds of the Bonds to make or finance loans to any person or entity other than a state or local government. For purposes of the foregoing covenant, Gross Proceeds are considered to be “loaned” to a person or entity if (1) property acquired, constructed or improved with Gross Proceeds (including property financed with Gross Proceeds of the Refunded Obligations or notes or bonds refunded by the Refunded Obligations) is sold or leased to such person or entity in a transaction which creates a debt for federal income tax purposes, (2) capacity in or service from such property is committed to such person or entity under a take-or-pay, output, or similar contract or arrangement, or (3) indirect benefits, or burdens and benefits of ownership, of such Gross Proceeds or such property are otherwise transferred in a transaction which is the economic equivalent of a loan.

- (d) Except to the extent permitted by Section 148 of the Code and the regulations and rulings thereunder, the City shall not, at any time prior to the earlier of the final stated maturity or final payment of the Refunded Obligations, directly or indirectly invest Gross Proceeds of such Bonds in any Investment (or use such Gross Proceeds to replace money so invested), if as a result of such investment the Yield of all Investments allocated to such Gross Proceeds whether then held or previously disposed of, exceeds the Yield on the Refunded Obligations.
- (e) Based on all of the facts and estimates now known or reasonably expected to be in existence on the date the Bonds are delivered, the City reasonably expects that the proceeds of the Bonds and the Refunded Obligations (to the extent any of such proceeds remain unexpended) will not be used in a manner that would cause the Bonds or the Refunded Obligations or any portion thereof to be “arbitrage bonds” within the meaning of Section 148 of the Code.
- (f) At all times while the Bonds are outstanding, the City will identify and properly account for all amounts constituting gross proceeds of the Bonds in accordance with the Regulations. The City will monitor the yield on the investments of the proceeds of the Bonds and, to the extent required by the Code and the Regulations, will restrict the yield on such investments to a yield which is not materially higher than the yield on the Bonds. To the extent necessary to prevent the Bonds from constituting “arbitrage bonds,” the City will make such payments as are necessary to cause the yield on all yield restricted nonpurpose investments allocable to the Bonds to be less than the yield that is materially higher than the yield on the Bonds.
- (g) The City will not take any action or knowingly omit to take any action, if taken or omitted, would cause the Bonds to be treated as “federally guaranteed” obligations for purposes of Section 149(b) of the Code.
- (h) The City represents that not more than fifty percent (50%) of the proceeds of any new money portion of the Bonds or any new money issue refunded by, the Refunded Bonds was invested in nonpurpose investments (as defined in Section 148(f)(b)(A) of the Code) having a substantially guaranteed yield for four years or more within the meaning of Section 149(g)(3)(A)(ii) of the Code, and the City reasonably expected at the time each issue of the Refunded Bonds was issued that at least eighty-five percent (85%) of the spendable proceeds of the Bonds or the Refunded Bonds would be used to carry out the governmental purpose of such Bonds within the corresponding three-year period beginning on the respective dates of the Bonds or the Refunded Bonds.
- (i) The City will take all necessary steps to comply with the requirement that certain amounts earned by the City on the investment of the gross proceeds of the Bonds, if any, be rebated to the federal government. Specifically, the City will (i) maintain records regarding the receipt, investment and expenditure of the gross proceeds of the Bonds as may be required to calculate such excess arbitrage profits separately from records of amounts on deposit in the funds and accounts of the City allocable to other obligations of the City or moneys which do not represent gross proceeds of any

obligations of the City and retain such records for at least six years after the day on which the last outstanding Bond is discharged, (ii) account for all gross proceeds under a reasonable, consistently applied method of accounting, not employed as an artifice or device to avoid, in whole or in part, the requirements of Section 148 of the Code, including any specified method of accounting required by applicable Regulations to be used for all or a portion of the gross proceeds, (iii) calculate, at such times as are required by applicable Regulations, the amount of excess arbitrage profits, if any, earned from the investment of the gross proceeds of the Bonds and (iv) timely pay, as required by applicable Regulations, all amounts required to be rebated to the federal government. In addition, the City will exercise reasonable diligence to assure that no errors are made in the calculations required by the preceding sentence and, if such an error is made, to discover and promptly correct such error within a reasonable amount of time thereafter, including payment to the federal government of any delinquent amounts owed to it, including interest thereon and penalty.

- (j) The City will not indirectly pay any amount otherwise payable to the federal government pursuant to the foregoing requirements to any person other than the federal government by entering into any investment arrangement with respect to the gross proceeds of the Bonds that might result in a reduction in the amount required to be paid to the federal government because such arrangement results in smaller profit or a larger loss than would have resulted if such arrangement had been at arm's length and had the yield on the issue not been relevant to either party.
- (k) The City will timely file or cause to be filed with the Secretary of the Treasury of the United States the information required by Section 149(e) of the Code with respect to the Bonds on such form and in such place as the Secretary may prescribe.
- (l) The City will not issue or use the Bonds as part of an "abusive arbitrage device" (as defined in Section 1.148-10(a) of the Regulations). Without limiting the foregoing, the Bonds are not and will not be a part of a transaction or series of transactions that attempts to circumvent the provisions of Section 148 of the Code and the Regulations, by (i) enabling the City to exploit the difference between tax exempt and taxable interest rates to gain a material financial advantage, or (ii) increasing the burden on the market for tax-exempt obligations.
- (m) Proper officers of the City charged with the responsibility for issuing the Bonds are hereby directed to make, execute and deliver certifications as to facts, estimates or circumstances in existence as of the Issue Date and stating whether there are facts, estimates or circumstances that would materially change the City's expectations. On or after the Issue Date, the City will take such actions as are necessary and appropriate to assure the continuous accuracy of the representations contained in such certificates.
- (n) The covenants and representations made or required by this Section are for the benefit of the Bond holders and any subsequent Bond holder, and may be relied upon by the Bond holder and any subsequent Bond holder and bond counsel to the City.

In complying with the foregoing covenants, the City may rely upon an unqualified opinion issued to the City by nationally recognized bond counsel that any action by the City or reliance upon any interpretation of the Code or Regulations contained in such opinion will not cause interest on the Bonds to be includable in gross income for federal income tax purposes under existing law.

Notwithstanding any other provision of this Ordinance, the City's representations and obligations under the covenants and provisions of this Section 7.5 shall survive the defeasance and discharge of the Bonds for as long as such matters are relevant to the exclusion of interest on the Bonds from the gross income of the owners for federal income tax purposes.

25. Use of Proceeds. Proceeds from the sale of the Bonds shall, promptly upon receipt by the City, be applied as follows:

- (a) Accrued interest in the amount of \$⁶_____ and, if necessary, net premium on the Bonds in the amount of \$⁷_____, shall be deposited into the Debt Service Fund.
- (b) Premium in the amount of \$⁸_____ shall be used to pay the underwriter's discount.
- (c) Net premium in the amount of \$⁹_____ shall be used to pay the costs of issuance.
- (d) Bond proceeds in the amount of \$ _____ shall be used for the purposes described in Section 3(i).
- (d) The remaining proceeds from the sale of the Bonds, together with other available funds of the City (in the amount of \$¹⁰_____), shall be applied to establish an escrow fund to refund the Refunded Bonds or a deposit with the paying agent for the Refunded Bonds, as more fully provided in Section 26 below, and, to the extent not otherwise provided for, to pay all expenses arising in connection with the issuance of the Bonds, the establishment of such escrow fund and the refunding of the Refunded Bonds.
- (e) Any proceeds of the Bonds remaining after making all such deposits and payments shall be deposited into the Debt Service Fund.

⁶ Insert from Officer's Pricing Certificate.

⁷ Insert from Officer's Pricing Certificate.

⁸ Insert from Officer's Pricing Certificate.

⁹ Insert from Officer's Pricing Certificate.

¹⁰ Insert from Officers Pricing Certificate.

26. Escrow Agreement/Deposit with Paying Agent for Refunding Bonds. If Refunding Bonds are issued, the discharge and defeasance of the Refunded Bonds shall be effectuated pursuant to the terms and provisions of an Escrow Agreement to be entered into by and between the City and the Escrow Agent or pursuant to a deposit of funds with the paying agent for the Refunded Bonds. The terms and provisions of the Escrow Agreement, if needed, are hereby approved, subject to such insertions, additions and modifications as shall be necessary (a) to carry out the program designed for the City by the Underwriter, which, if required, shall be certified as to mathematical accuracy by Grant Thornton LLP, (b) to minimize the City's costs of refunding, (c) to comply with all applicable laws and regulations relating to the refunding of the Refunded Bonds and (d) to carry out the other intents and purposes of this Ordinance and comply with the terms of the Officer's Pricing Certificate; and the Mayor or Mayor Pro Tem is hereby authorized to execute and deliver such Escrow Agreement on behalf of the City in multiple counterparts and the City Secretary or an Assistant City Secretary is hereby authorized to attest thereto and affix the City's seal.

27. Redemption of Refunded Bonds. If Refunding Bonds are issued, the City has irrevocably exercised its option to call the bonds of the City for redemption prior to maturity on the dates and at the prices shown on Exhibit B to the Officer's Pricing Certificate, and authorized and directed notice of such redemption to be given in accordance with the ordinances authorizing the issuance of such bonds.

28. Purchase of Escrowed Securities. If an Escrow Agreement is utilized, to assure the purchase of the Escrowed Securities referred to in the Escrow Agreement, if required, the Pricing Officer is hereby authorized to subscribe for, agree to purchase, and purchase obligations which are authorized investments for escrow accounts pursuant to Section 1207.062, Texas Government Code, in such amounts and maturities and bearing interest at such rates as may be provided for in the Report, and to execute any and all subscriptions, purchase agreements, commitments, letters of authorization and other documents necessary to effectuate the foregoing, and any actions heretofore taken for such purpose are hereby ratified and approved.

29. Continuing Disclosure Undertaking. (a) Annual Reports. The City will provide certain updated financial information and operating data to the MSRB annually in an electronic format as prescribed by the MSRB and available via the Electronic Municipal Market Access ("EMMA") system at www.emma.msrb.org. Unless provided for in the Pricing Certificate, the information to be updated includes all quantitative financial information and operating data with respect to the City of the general type included in the final Official Statement authorized by Section 31 of this Ordinance under the headings "INVESTMENT AUTHORITY AND INVESTMENT OBJECTIVES OF THE CITY - Current Investments," "CITY TAX DEBT," "TAX DATA" (except under the subheading "Estimated Overlapping Taxes"), "SELECTED FINANCIAL DATA," and in APPENDIX "B." The City will update and provide this information within six months after the end of each fiscal year.

If the City changes its fiscal year, it will submit a notice of such change to the MSRB, and the date of the new fiscal year end prior to the next date by which the City otherwise would be required to provide financial information and operating data pursuant to this Section.

The financial information and operating data to be provided may be set forth in full in one or more documents or may be included by specific reference to any document available to the public on the MSRB's Internet Web site or filed with the SEC, as permitted by the SEC Rule. The updated information will include audited financial statements, if the City commissions an audit and it is completed by the required time. If audited financial statements are not available by the required time, the City will provide unaudited financial statements by the required time and audited financial statements when and if such audited statements become available. Any such financial statements will be prepared in accordance with the accounting principals described in APPENDIX B or such other accounting principals as the City may require to employ from time to time pursuant to State law or regulation.

(b) Material Event Notices. The City shall notify the MSRB in an electronic format prescribed by the MSRB, in a timely manner (not in excess of ten (10) days after the occurrence of the event), of any of the following events with respect to the Bonds:

- (i) Principal and interest payment delinquencies;
- (ii) Non-payment related defaults, if material;
- (iii) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (iv) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (v) Substitution of credit or liquidity providers or their failure to perform;
- (vi) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (vii) Modifications to rights of holders of the Bonds, if material;
- (viii) Bond calls, if material, and tender offers;
- (ix) Defeasances;
- (x) Release, substitution, or sale of property securing repayment of the Bonds, if material;
- (xi) Rating changes;
- (xii) Bankruptcy, insolvency, receivership or similar event of the City;
- (xiii) The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (xiv) Appointment of a successor Paying Agent/Registrar or change in the name of the Paying Agent/Registrar, if material.

For the purposes, any event described in the immediate preceding paragraph (12) is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the City in a proceeding Under States Bankruptcy Code or any other proceeding

under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City.

The City shall notify the MSRB, in a timely manner, of any failure by the City to provide financial information or operating data in accordance this Section by the time required by such Section.

(c) Limitations, Disclaimers, and Amendments. The City shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the City remains an “obligated person” with respect to the Bonds within the meaning of the Rule, except that the City in any event will give notice of any deposit made in accordance with Texas law that causes Bonds no longer to be outstanding.

The provisions of this Section are for the sole benefit of the holders and the beneficial owners of the Bonds, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The City undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the City’s financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The City does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

UNDER NO CIRCUMSTANCES SHALL THE CITY BE LIABLE TO THE HOLDER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE CITY, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE UNLIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

No default by the City in observing or performing its obligations under this Section shall comprise a breach of or default under this Order for purposes of any other provision of this Order.

Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the City under federal and state securities laws.

The provisions of this Section may be amended by the City from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, or status or type of principal payment of the City, if (1) the agreement, as so amended, would have permitted an underwriter to purchase or sell Bonds in the initial primary

offering in compliance with the Rule, taking into account any amendments or interpretations of the Rule to the date of such amendment, as well as such changed circumstances, and (2) either (a) the holders of a majority in aggregate amount of the outstanding Bonds consent to such amendment or (b) a person unaffiliated with the City (such as nationally recognized bond counsel) determines that the amendment will not materially impair the interests of the holders and beneficial owners of the Bonds. The City may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provisions of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Bonds in the primary offering of the Bonds. If any such amendment is made, the City will include in its next annual update an explanation in narrative form of the reasons for the change and its impact on the type of operating data or financial information being provided.

30. Related Matters. To satisfy in a timely manner all of the City's obligations under this Ordinance, the Bond Purchase Agreement, and the Escrow Agreement, the Mayor or Mayor Pro Tem, the City Secretary or an Assistant City Secretary, the City Manager, and all other appropriate officers and agents of the City are hereby authorized and directed to take all other actions that are reasonably necessary to provide for the refunding of the Refunded Bonds, including, without limitation, executing and delivering on behalf of the City all certificates, consents, receipts, requests, and other documents as may be reasonably necessary to satisfy the City's obligations under the Escrow Agreement, the Bond Purchase Agreement, and this Ordinance and to direct the application of funds of the City consistent with the provisions of the Escrow Agreement and this Ordinance.

31. Power to Revise Form of Documents. Notwithstanding any other provision of this the Pricing Officer is hereby authorized to make or approve such revisions, additions, deletions, and variations to this Ordinance and in the form of the documents attached hereto as exhibits as, in the judgment of the Pricing Officer, and in the opinion of Bond Counsel to the City, may be necessary or convenient to carry out or assist in carrying out the purposes of this Ordinance, the Preliminary Official Statement, the final Official Statement, or as may be required for approval of the Bonds by the Attorney General of Texas; provided, however, that any changes to such documents resulting in substantive amendments to the terms and conditions of the Bonds or such documents shall be subject to the prior approval of the Board.

32. Amendments. The City may amend this Ordinance without the consent of or notice to any Owner in any manner not detrimental to the interests of the Owners, including the curing of any ambiguity, inconsistency, or formal defect or omission therein. In addition, the City may with the written consent of the holders of a majority of the aggregate principal amount of the Bonds then outstanding affected thereby, amend, add to, or rescind any of the provisions of the Ordinance; except that, without the consent of the Owners of the Bonds affected, no such amendment, addition or rescission may (i) make any change in the maturity of any of the outstanding Bonds; (ii) reduce the rate of interest borne by any of the outstanding Bonds; (iii) reduce the amount of the principal or redemption premium, if any, payable on any outstanding Bonds; (iv) modify the terms of payment of principal or of interest or redemption premium on outstanding Bonds or any of them or impose any condition with respect to such payment; or (v) change the minimum percentage of the principal amount of the Bonds necessary for consent to such amendment.

33. Official Statement. The City Council hereby approves the form and content of the Preliminary Official Statement prepared for the initial offering and sale of the Bonds and hereby authorizes the preparation of a final Official Statement reflecting the terms of the Bond Purchase Agreement and other relevant matters. The use of such Official Statement in the reoffering of the Bonds by the Underwriter is hereby approved and authorized.

34. Registrar. The form of agreement setting forth the duties of the Registrar is hereby approved, and the appropriate officials of the City are hereby authorized to execute such agreement for and on behalf of the City.

35. No Personal Liability. No recourse shall be had for payment of the principal of or interest on any Bonds or for any claim based thereon, or on this Ordinance, against any official or employee of the City or any person executing any Bonds.

36. Open Meeting. The meeting at which this Ordinance is adopted was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Texas Open Meetings Act; and such notice as given is hereby authorized, approved, adopted and ratified.

First Reading on the ____ day of _____ 2014

PASSED AND APPROVED on the Second Reading the ____ day of _____ 2014.

Mayor
City of Pearland, Texas

ATTEST:

City Secretary
City of Pearland, Texas

(SEAL)

EXHIBIT A

ALL THE CITY'S OUTSTANDING OBLIGATIONS

Permanent Improvement Bonds, Series 2002
Certificates of Obligation, Series 2003
Permanent Improvement Bonds, Series 2003
Water and Sewer System Revenue Bonds, Series 2003
Certificates of Obligation, Series 2004
Permanent Improvement and Refunding Bonds, Series 2005
Permanent Improvement and Refunding Bonds, Series 2006
Certificates of Obligation, Series 2006
Certificates of Obligation, Series 2007
Waterworks and Sewer System Combined Unlimited Tax and Revenue Bonds, Series 2007
Permanent Improvement Bonds, Series 2007
Certificates of Obligation, Series 2008
Permanent Improvement Bonds, Series 2008
Certificates of Obligation, Series 2009
Permanent Improvement and Refunding Bonds, Series 2009
Certificates of Obligation, Series 2009A
Permanent Improvement Bonds, Series 2010A
Permanent Improvement Refunding Bonds, Series 2010B
Certificates of Obligation, Series 2011
Permanent Improvement Bonds, Series 2011
Permanent Improvement Refunding Bonds, Series 2012
Permanent Improvement Bonds, Series 2013



City of Pearland, Texas

Overview of:

\$34,475,000* Permanent Improvement and Refunding Bonds, Series 2014

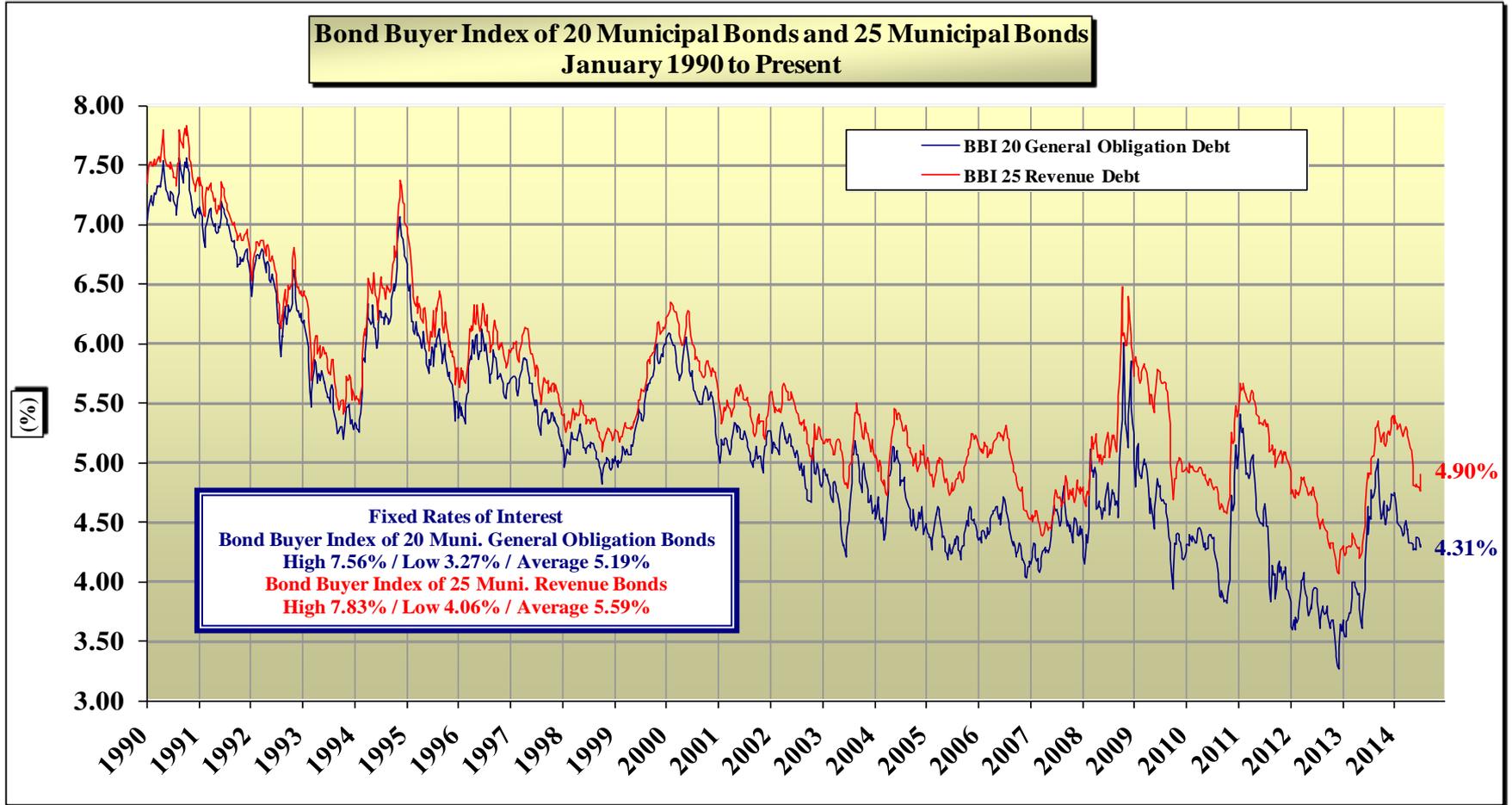
July 28, 2014

* Preliminary, subject to change.



City of Pearland, Texas

Current Market Conditions



The BBI 20 is published every Thursday. The rate consists of general obligation bonds maturing in 20 years with an average rating equivalent to Moody's "Aa2" and S&P's "AA." The BBI 25 is also published every Thursday. The rate consists of revenue bonds maturing in 30 years with an average rating equivalent to Moody's "A1" and S&P's "A+".



City of Pearland, Texas

The City has an opportunity to refund a portion of its outstanding General Obligation Bonds at a lower interest rate and receive interest cost savings. **The refunding is for interest cost savings and is not a restructuring of the City's existing debt.**

Bonds to be Refunded for Savings:

Series	Maturity Date	Principal Amount *	Call Date/Price	Interest Rate (a)	Refunding Yield	Savings (b)
Certificates of Obligation, Series 2004	3/1/2015	710,000	3/01/2014 @ 100	4.000%	0.400%	14,614
Permanent Improvement and Refunding Bonds, Series 2005	3/1/2016	1,175,000	3/01/2015 @ 100	5.000%	0.620%	42,756
	3/1/2017	480,000	3/01/2015 @ 100	4.000%	0.960%	25,870
	3/1/2018	550,000	3/01/2015 @ 100	4.000%	1.320%	38,626
	3/1/2019	210,000	3/01/2015 @ 100	4.100%	1.710%	18,372
	3/1/2020	215,000	3/01/2015 @ 100	4.125%	2.070%	19,450
	3/1/2021	220,000	3/01/2015 @ 100	4.200%	2.340%	20,970
	3/1/2022	225,000	3/01/2015 @ 100	4.250%	2.570%	21,923
	3/1/2023	485,000	3/01/2015 @ 100	4.300%	2.770%	45,543
Certificates of Obligation, Series 2006	3/1/2027	1,690,000	3/01/2015 @ 100	4.500%	3.230%	88,088
	3/1/2018	405,000	3/01/2016 @ 100	4.200%	1.320%	18,544
	3/1/2019	505,000	3/01/2016 @ 100	4.250%	1.710%	24,370
	3/1/2020	470,000	3/01/2016 @ 100	4.300%	2.070%	25,293
	3/1/2021	500,000	3/01/2016 @ 100	4.300%	2.340%	27,944
	3/1/2022	525,000	3/01/2016 @ 100	4.375%	2.570%	31,361
	3/1/2023	555,000	3/01/2016 @ 100	4.400%	2.770%	33,102
	3/1/2024	585,000	3/01/2016 @ 100	4.450%	2.930%	25,315
	3/1/2025	605,000	3/01/2016 @ 100	4.500%	3.040%	20,619

* Preliminary, subject to change.

(a) Interest estimated at current market rates.

(b) Includes estimated transaction costs.



City of Pearland, Texas

Series	Maturity Date	Principal Amount *	Call Date/Price	Interest Rate (a)	Refunding Yield	Savings (b)
Permanent Improvement and Refunding Bonds, Series 2006	3/1/2018	360,000	3/01/2016 @ 100	4.250%	1.320%	17,386
	3/1/2019	1,000,000	3/01/2016 @ 100	4.500%	1.710%	53,494
	3/1/2020	1,110,000	3/01/2016 @ 100	5.000%	2.070%	86,425
	3/1/2021	1,185,000	3/01/2016 @ 100	5.000%	2.340%	102,161
	3/1/2022	1,255,000	3/01/2016 @ 100	5.000%	2.570%	115,342
	3/1/2023	1,610,000	3/01/2016 @ 100	5.000%	2.770%	153,156
	3/1/2024	1,610,000	3/01/2016 @ 100	5.000%	2.930%	128,739
	3/1/2025	1,700,000	3/01/2016 @ 100	5.000%	3.040%	120,429
	3/1/2026	1,795,000	3/01/2016 @ 100	5.000%	3.140%	112,400
3/1/2027	1,890,000	3/01/2016 @ 100	4.750%	3.230%	61,619	
WW&SS Combined Unlimited Tax and Revenue Bonds, Series 2007	9/1/2016	75,000	9/01/2014 @ 100	3.900%	0.610%	5,727
	9/1/2017	75,000	9/01/2014 @ 100	4.000%	0.930%	7,752
	9/1/2018	80,000	9/01/2014 @ 100	4.000%	1.250%	9,478
	9/1/2019	85,000	9/01/2014 @ 100	4.000%	1.560%	10,562
	9/1/2020	90,000	9/01/2014 @ 100	4.000%	1.880%	11,128
	9/1/2021	95,000	9/01/2014 @ 100	4.100%	2.180%	12,198
	9/1/2022	100,000	9/01/2014 @ 100	4.100%	2.420%	12,516
	9/1/2023	110,000	9/01/2014 @ 100	4.200%	2.620%	14,017
	9/1/2024	115,000	9/01/2014 @ 100	4.200%	2.770%	12,027
9/1/2025	120,000	9/01/2014 @ 100	4.300%	2.890%	11,770	
9/1/2026	130,000	9/01/2014 @ 100	4.300%	3.010%	10,836	
9/1/2027	135,000	9/01/2014 @ 100	4.300%	3.120%	9,171	

Totals: **\$24,835,000** **\$1,621,093**

* Preliminary, subject to change.

(a) Interest estimated at current market rates.

(b) Includes estimated transaction costs.



City of Pearland, Texas

Estimated Debt Service Requirements – Refunding Portion (Refunding for Savings)

Fiscal Year Ending (9/30)	Current Total Debt Service	Less: Debt Service on the Refunded Bonds *	Plus: The Series 2014 Refunding Bonds		Total Debt Service	Estimated Savings (b)
			Principal *	Interest (a)		
2014	\$24,791,541	\$577,908			\$24,213,633	\$2,908
2015	24,679,607	1,851,615	\$705,000	\$1,019,175	24,552,167	127,440
2016	24,663,813	2,348,040	1,230,000	995,075	24,540,848	122,965
2017	24,660,314	1,611,140	515,000	973,675	24,537,849	122,465
2018	24,643,600	2,411,385	1,355,000	933,600	24,520,815	122,785
2019	24,641,281	2,748,494	1,755,000	866,300	24,514,088	127,194
2020	24,633,840	2,750,268	1,830,000	794,600	24,508,172	125,668
2021	24,619,589	2,774,384	1,925,000	724,400	24,494,605	124,984
2022	24,575,282	2,782,853	2,015,000	645,400	24,452,829	122,453
2023	24,560,320	3,323,225	2,650,000	547,000	24,434,095	126,225
2024	25,496,548	2,752,451	2,185,000	444,250	25,373,346	123,201
2025	25,491,336	2,753,243	2,300,000	327,000	25,365,093	126,243
2026	23,858,897	2,147,095	1,795,000	229,500	23,736,302	122,595
2027	23,837,330	3,803,718	3,585,000	94,750	23,713,363	123,968
2028	23,819,334				23,819,334	
2029	23,814,046				23,814,046	
2030	15,009,140				15,009,140	
2031	14,994,658				14,994,658	
2032	15,006,131				15,006,131	
2033	3,704,681				3,704,681	
2034	3,688,669				3,688,669	
2035	1,784,856				1,784,856	
2036	1,013,772				1,013,772	
2037	663,938				663,938	
2038	654,800				654,800	
Totals	\$449,307,322	\$34,635,818	\$23,845,000	\$8,594,725	\$447,111,229	\$1,621,093

* Preliminary, subject to change.

(a) Interest estimated at current market rates.

(b) Includes estimated transaction costs and any necessary debt service fund transfers.



City of Pearland, Texas

Estimated Debt Service Requirements – New Money Portion – 20-Year Level Principal

FY Ending (9/30)	Current Total Debt Service (a)	Plus: The Bonds*			Total Debt Service Requirements*
		Principal*	Interest (b)	Total	
2014	\$24,213,633				\$24,213,633
2015	24,552,167	\$530,000	\$459,800	\$989,800	25,541,967
2016	24,540,848	535,000	443,825	978,825	25,519,673
2017	24,537,849	530,000	427,850	957,850	25,495,699
2018	24,520,815	530,000	409,300	939,300	25,460,115
2019	24,514,088	530,000	388,100	918,100	25,432,188
2020	24,508,172	530,000	366,900	896,900	25,405,072
2021	24,494,605	530,000	345,700	875,700	25,370,305
2022	24,452,829	530,000	324,500	854,500	25,307,329
2023	24,434,095	535,000	303,200	838,200	25,272,295
2024	25,373,346	530,000	279,250	809,250	26,182,596
2025	25,365,093	535,000	252,625	787,625	26,152,718
2026	23,736,302	530,000	226,000	756,000	24,492,302
2027	23,713,363	535,000	199,375	734,375	24,447,738
2028	23,819,334	535,000	172,625	707,625	24,526,959
2029	23,814,046	530,000	146,000	676,000	24,490,046
2030	15,009,140	530,000	119,500	649,500	15,658,640
2031	14,994,658	530,000	93,000	623,000	15,617,658
2032	15,006,131	530,000	66,500	596,500	15,602,631
2033	3,704,681	530,000	40,000	570,000	4,274,681
2034	3,688,669	535,000	13,375	548,375	4,237,044
2035	1,784,856				1,784,856
2036	1,013,772				1,013,772
2037	663,938				663,938
2038	654,800				654,800
Totals	\$447,111,229	\$10,630,000	\$5,077,425	\$15,707,425	\$462,818,654

* Preliminary, subject to change.

(a) Includes the results of the proposed refunding.

(b) Interest estimated at current market rates.



City of Pearland, Texas

Estimated Sources and Uses of Funds

City of Pearland, Texas

\$34,475,000* Permanent Improvement and Refunding Bonds, Series 2014

Refunding Portion		New Money Portion	
Principal Amount of the Bonds:	\$23,845,000 *	Principal Amount of the Bonds:	\$10,630,000 *
Plus: Net Premium:	2,580,175	Plus: Net Premium:	1,066,525
Less: Expenses:	274,039	Less: Expenses:	121,525
Underwriters' Discount	137,109	Underwriters' Discount	61,123
Rating Agencies	34,000	Rating Agencies	16,000
Bond Counsel	33,500	Bond Counsel	16,500
Financial Advisor	33,500	Financial Advisor	16,500
Attorney General Fee	6,500	Attorney General Fee	3,000
Printing/Distribution	6,000	Printing/Distribution	2,000
Miscellaneous	10,531	Miscellaneous	6,302
Paying Agent/Trustee	7,900	Paying Agent/Trustee	100
Verification Agent	5,000		
Issuer Contribution:	575,000		
Total Proceeds:	\$26,726,136	Total Proceeds:	\$11,575,000
Estimated "All Cost" True Interest Rate (a):	3.293%	Estimated "All Cost" True Interest Rate (a):	3.818%
Average Life:	7.920 Years	Average Life:	10.103 Years
Total Bonds Refunded:	\$24,835,000		
Average Rate on the Refunded Bonds:	4.706%		
Total Debt Service Savings (a):	\$1,621,093		
Present Value Savings:	1,352,121		
PV Savings Percentage:	5.444%		

* Preliminary, subject to change.

(a) Includes estimated transaction costs.



City of Pearland, Texas

Tax Rate Impact Analysis – 5-Year CIP - 20 Year Level Principal (Includes Refunding)

Year Ending 9/1	Beginning Debt Service Fund Balance	Prior Year/ Estimated Taxable Assessed Valuation	Assessed Valuation Growth Rate (%)	Tax Rate per \$100 of Assessed Value	Tax Collections 98.50%	Other Revenue Sources	Total Funds Available for Debt Service	Outstanding Debt Service	Less: Bonds to be Refunded	Plus: Refunding Bonds	Post Refunding Debt Requirements	Plus: 5 Year Capital Plan	Total Debt Service Requirements	Ending Debt Service Fund Balance	Debt Service Coverage (%)
2014	\$4,992,480	\$5,455,948,418		\$0.4900	\$26,286,916	\$1,827,977	\$28,114,893	\$28,696,282	\$577,908		\$28,118,374		\$28,118,374	\$4,988,999	16.438%
2015	4,988,999	5,838,405,911	7.01%	0.4950	28,261,235	1,810,962	30,280,697	28,739,155	1,851,615	\$1,724,175	28,611,715	\$1,739,519	30,351,233	4,918,463	14.759%
2016	4,918,463	6,214,525,001	6.44%	0.5050	30,701,324	1,823,911	32,739,730	28,808,694	2,348,040	2,225,075	28,685,729	4,639,854	33,325,583	4,332,609	12.385%
2017	4,332,609	6,593,645,574	6.10%	0.5050	32,532,964	1,838,171	34,640,655	28,249,270	1,611,140	1,488,675	28,126,805	6,856,038	34,982,842	3,990,422	10.843%
2018	3,990,422	6,964,137,764	5.62%	0.5100	34,710,081	1,840,212	36,828,735	28,262,407	2,411,385	2,288,600	28,139,622	8,662,977	36,802,599	4,016,558	9.818%
2019	4,016,558	7,406,706,641	6.35%	0.5375	38,926,930	1,850,174	41,068,427	30,483,925	2,748,494	2,621,300	30,356,732	10,554,773	40,911,504	4,173,480	10.098%
2020	4,173,480	7,777,041,973	5.00%	0.5375	40,879,016	1,890,189	43,069,267	30,523,357	2,750,268	2,624,600	30,397,689	10,930,288	41,327,976	5,914,771	14.500%
2021	5,914,771	8,088,123,652	4.00%	0.4950	39,138,706	1,902,541	41,342,732	30,362,001	2,774,384	2,649,400	30,237,017	10,554,238	40,791,255	6,466,248	15.965%
2022	6,466,248	8,330,767,362	3.00%	0.4700	38,266,379	1,851,212	40,423,082	30,379,779	2,782,853	2,660,400	30,257,326	10,244,850	40,502,176	6,387,153	15.874%
2023	6,387,153	8,497,382,709	2.00%	0.4550	37,776,458	1,812,459	39,900,274	30,433,023	3,323,225	3,197,000	30,306,798	9,930,906	40,237,704	6,049,723	15.141%
2024	6,049,723	8,582,356,536	1.00%	0.4550	38,148,089	1,502,029	39,970,816	30,448,214	2,752,451	2,629,250	30,325,013	9,632,119	39,957,131	6,063,407	15.271%
2025	6,063,407	8,582,356,536		0.4500	37,717,114	1,476,918	39,523,150	30,494,802	2,753,243	2,627,000	30,368,559	9,337,944	39,706,503	5,880,054	14.969%
2026	5,880,054	8,582,356,536		0.4500	37,707,389	1,447,726	39,494,106	30,364,563	2,147,095	2,024,500	30,241,968	9,038,363	39,280,331	6,093,830	15.648%
2027	6,093,830	8,582,356,536		0.4450	37,275,964	1,419,767	39,043,600	30,342,996	3,803,718	3,679,750	30,219,029	8,723,906	38,942,935	6,194,494	15.980%
2028	6,194,494	8,582,356,536		0.4400	36,844,335	1,380,232	38,581,520	30,325,000			30,325,000	8,439,194	38,764,194	6,011,820	15.638%
2029	6,011,820	8,582,356,536		0.4200	35,148,764	1,349,424	36,860,061	30,319,713			30,319,713	8,124,200	38,443,913	4,427,968	15.097%
2030	4,427,968	8,582,356,536		0.3400	28,402,835	705,817	29,453,298	21,514,806			21,514,806	7,814,550	29,329,356	4,551,910	15.691%
2031	4,551,910	8,582,356,536		0.3300	27,551,430	596,484	28,498,696	21,500,324			21,500,324	7,510,013	29,010,337	4,040,269	14.069%
2032	4,040,269	8,582,356,536		0.3150	26,279,718	610,202	27,244,427	21,511,797			21,511,797	7,205,500	28,717,297	2,567,399	15.013%
2033	2,567,399	8,582,356,536		0.1950	16,197,917	451,964	16,940,890	10,210,348			10,210,348	6,891,256	17,101,604	2,406,685	14.337%
2034	2,406,685	8,582,356,536		0.1900	15,770,720	295,688	16,362,002	10,194,335			10,194,335	6,592,175	16,786,510	1,982,177	14.397%
2035	1,982,177	8,582,356,536		0.1550	12,835,778	290,023	13,397,207	8,290,523			8,290,523	5,477,694	13,768,216	1,611,168	14.216%
2036	1,611,168	8,582,356,536		0.1300	10,742,386	245,238	11,238,712	7,519,438			7,519,438	3,813,781	11,333,219	1,516,661	15.707%
2037	1,516,661	8,582,356,536		0.1075	8,862,629	213,581	9,304,651	7,169,604			7,169,604	2,486,331	9,655,935	1,165,376	13.588%
2038	1,165,376	8,582,356,536		0.0862	7,088,356	185,257	7,475,304	7,160,466			7,160,466	1,416,000	8,576,466	64,214	15.044%
2039	64,214	8,582,356,536		0.0030	243,860	158,578	412,335	56,045			56,045	370,800	426,845	49,704	0.000%
Totals								\$592,360,866	\$34,635,818	\$32,439,725	\$590,164,773	\$176,987,267	\$767,152,040		

Average Tax Rate: **\$0.3658**
 Tax Rate Increase: **\$0.0475**



City of Pearland, Texas

Tentative Schedule of Events

\$34,475,000*

Permanent Improvement and Refunding Bonds, Series 2014

July - 2014						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August - 2014						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

September - 2014						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

<u>Date</u>	<u>Action</u>	<u>Role</u>
Tuesday, June 24 th	First Draft of Preliminary Official Statement (POS)	BOSC
Tuesday, July 1 st	Second Draft of POS	BOSC, AK, City
Tuesday, July 8 th	Final Draft of POS	BOSC, AK, City, UW
Monday, July 28 th	Council Meeting - First Reading of Parameter Order for the Bonds	BOSC, City, AK
Monday, August 11 th	Council Meeting - Second Reading of Parameter Order for the Bonds/ Adopt Parameter Order	BOSC, City, AK
Friday, August 15 th	Print and Distribute Final POS	BOSC, UW
Week of August 18 th	Rating Agency Calls	BOSC, City
Week of August 25 th	Pricing of the Permanent Improvement and Refunding Bonds, Series 2014	BOSC, AK, City, UW
Week of September 22 nd	Bond Closings	BOSC, AK, City, UW

PARTICIPANTS

- City - City of Pearland, Texas
- BOSC - BOSC, Inc.
- AK - Andrews Kurth LLP
- UW - Underwriters

* Preliminary, subject to change.

Consent Agenda Item C

- C. Consideration and Possible Action – Second and Final Reading of Ordinance No. CUP 2014-04** – An ordinance of the City Council of the City of Pearland, Texas, approving a Conditional Use Permit (CUP), for certain property, being legally described as a tract or parcel containing 1.1019 acres or 47,999 square feet of land, out of a called 9.993 acre tract situated in the H.T. & B.R.R. CO. Survey, Abstract No. 506, Brazoria County, Texas Conveyed to the Old Place, Inc. as recorded in the Brazoria County Clerk’s File No. 97-001270, Brazoria County, Texas, the parent tract being located at the northwest corner of Broadway Street and Hillhouse Road, Pearland, TX., for Conditional Use Permit Application No. CUP2014-04, to allow for the construction of an Auto Wash (Self Service), with the General Business (GB) zoning district; at the request of Chan Patel with Sparkles Express, applicant; on behalf of The Old Place, Inc., owner; containing a savings clause, a severability clause and an effective date and other provisions related to the subject.

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

<p>AGENDA OF: July 28, 2014</p> <p>DATE SUBMITTED: July 14, 2014</p> <p>BY: Johnna Matthews</p> <p>REVIEWED BY: Lata Krishnarao</p>	<p>ITEM NO.: Ordinance No. CUP No. 2014-04</p> <p>DEPT. OF ORIGIN: Planning PREPARED</p> <p>PRESENTOR: Lata Krishnarao</p> <p>REVIEW DATE: July 24, 2014</p>				
<p>SUBJECT: A request of Chan Patel with Sparkles Express, applicant; on behalf of The Old Place, Inc., owner; for approval of a Conditional Use Permit (CUP) to allow for an Auto Wash (Self Service) within the General Business (GB) zoning district, on approximately 1.10 acres of land, included within a larger tract of approximately 9.9 acres.</p> <p style="text-align: center;">General Location: Approximately 1.1 acres of land included within a larger tract of land located at the northwest corner of Broadway Street and Hillhouse Road, Pearland, Texas</p>					
<p>ATTACHMENTS: Ordinance No. CUP2014-04 and Exhibits (Exhibit A – Legal Description; Exhibit B – Location Map; Exhibit C - Site Plan; Exhibit D- Legal Ad; Exhibit E - Planning and Zoning Commission Recommendation Letter); Joint Public Hearing Memo, Joint Public Hearing Staff Report, Site Plan, Architectural Renderings, Aerial Map, Zoning Map, FLUP Map, Notification Map, Notification List, Applicant Packet</p>					
<p>EXPENDITURE REQUIRED: N/A AMOUNT BUDGETED: N/A</p> <p>AMOUNT AVAILABLE: N/A PROJECT NO.: N/A</p> <p>ACCOUNT NO.: N/A</p> <p>ADDITIONAL APPROPRIATION REQUIRED: N/A</p> <p>ACCOUNT NO.: N/A</p> <p>PROJECT NO.: N/A</p>					
<p>To be completed by Department:</p> <table style="width: 100%; text-align: center;"> <tr> <td style="width: 25%;">Finance</td> <td style="width: 25%;">Legal</td> <td style="width: 25%;">Ordinance</td> <td style="width: 25%;">Resolution</td> </tr> </table>		Finance	Legal	Ordinance	Resolution
Finance	Legal	Ordinance	Resolution		

EXECUTIVE SUMMARY

The applicant is requesting approval of a Conditional Use Permit (CUP) to construct an Auto Wash (Self Service) on approximately 1.1 acres out of a called 9.993-acre tract. According to the applicant, the proposed express tunnel car wash is designed to automatically wash and dry vehicles through the tunnel entrance, where an attendant will guide the vehicle onto the conveyer. Blowers at the end of the conveyer will dry the vehicle before the customer exits the tunnel. This activity meets the initial definition of "Auto Wash (Self Service), as explained in the definition per the UDC.

Access will be from Broadway Street via an existing access easement just west of the subject property, where customers will enter, pay at one of the auto cashiers, move through the tunnel, stop at the vacuum cleaners, if necessary, and exit back onto Broadway Street via the existing access easement. The existing access easement currently provides access to Candlewood Suites and Texas Children's Medical office.

PUBLIC NOTIFICATION: Public notices, comment forms, and a vicinity map were mailed to the applicant as well as property owners within 200 feet of the subject property under consideration for the conditional use permit. Staff received one (1) notice in favor of the request and eight (8) notices in opposition to the request. It is important to note, however, that the notices returned in opposition to the request were not from property owners within 200 feet of the site. According to the Texas Local Government Code, if 20% of the landowners (as indicated by the tax rolls) within 200 feet of the site are opposed to the request, a supermajority vote is required by City Council. Additionally, at the public hearing on May 19, 2014, a nearby business owner indicated that the applicant did not post signs on the property. However, the business owner provided a letter (Returned Notices) retracting his statement and his original opposition.

PLANNING AND ZONING COMMISSION DISCUSSION: At the regular meeting of the Planning and Zoning Commission on May 19, 2014, the Planning and Zoning Commission postponed the item, as they wanted more detailed information regarding the screening of the opening to the tunnel fronting Broadway Street, screening details regarding the vacuum stalls and elevations of the proposed building.

At their regular meeting on July 7, 2014, Commissioner Elizabeth McLane made a motion to approve the CUP. The motion was seconded by Commissioner Mary Starr. The motion passed 6/0.

STAFF RECOMMENDATION TO COUNCIL: Consider CUP2014-04 to construct an Auto Wash (Self Service) on approximately 1.1 acres of a called 9.9 acre tract as per the attached site plan.

Ordinance No. CUP 2014-04

An ordinance of the City Council of the City of Pearland, Texas, approving a Conditional Use Permit (CUP), for certain property, being legally described as a tract or parcel containing 1.1019 acres or 47,999 square feet of land, out of a called 9.993 acre tract situated in the H.T. & B.R.R. CO. Survey, Abstract No. 506, Brazoria County, Texas Conveyed to the Old Place, Inc. as recorded in the Brazoria County Clerk's File No. 97-001270, Brazoria County, Texas, the parent tract being located at the northwest corner of Broadway Street and Hillhouse Road, Pearland, TX., for Conditional Use Permit Application No. CUP2014-04, to allow for the construction of an Auto Wash (Self Service), with the General Business (GB) zoning district; at the request of Chan Patel with Sparkles Express, applicant; on behalf of The Old Place, Inc., owner; containing a savings clause, a severability clause and an effective date and other provisions related to the subject.

WHEREAS, Chan Patel with Sparkles Express, applicant; on behalf of The Old Place, Inc., owner; is seeking approval of a Conditional Use Permit (CUP) to allow for an Auto Wash (Self Service) within the General Business (GB) zoning district, on approximately 1.10 acres of land on; said property being legally described in the original application for amendment attached hereto and made a part hereof for all purposes as Exhibit "A" and more graphically depicted in the location map identified as Exhibit "B" and the site plan identified as Exhibit "C"; and

WHEREAS, on the 19th day of May, 2014, a Joint Public Hearing was held before the Planning and Zoning Commission and the City Council of the City of Pearland, Texas, notice being given by publication in the official newspaper of the City, the affidavit of publication being attached hereto and made a part hereof for all purposes as Exhibit "D", said call and notice being in strict conformity with provisions of Section 1.2.2.2 of Ordinance No. 2000T; and

WHEREAS, on the 8th day of July, 2014, the Planning and Zoning Commission of the City submitted its report and recommendation to the City Council regarding the

conditional use permit application of Chan Patel with Sparkles Express, applicant; on behalf of The Old Place, Inc., owner; to allow for the construction of an Auto Wash (Self Service) on 1.1 acres of land out of a called 9.993 acres, said recommendation attached hereto and made a part hereof for all purposes as Exhibit "E"; and

WHEREAS, upon receipt of the report from the Planning and Zoning Commission, City Council considered this application and the recommendation of the Planning and Zoning Commission at regular meetings on the 28th day of July 2014 and the 11th day of August 2014; and

WHEREAS, the City Council having fully heard the testimony and argument of all interested parties, and having been fully advised in the premises, finds that in the case of the application of Chan Patel with Sparkles Express, applicant; on behalf of The Old Place, Inc., owner; to allow for the construction of an Auto Wash (Self Service) on 1.1 acres of land out of a called 9.993 acres of land, presented which, in the judgment of the City Council, would justify the approval of said application; now, therefore,

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

Section I. The following described property located within the corporate City Limits of the City of Pearland, Texas, and presently located within the General Business (GB) zoning district, is hereby granted a conditional use permit to allow for an Auto Wash (Self Service) in said zoning district and consistent with the attached site plan; such property being more particularly described as:

A tract or parcel containing 1.1019 acres or 47,999 square feet of land, out of a called 9.993 acre tract situated in the H.T. & B.R.R. CO. Survey, Abstract No. 506, Brazoria County, Texas Conveyed to the Old Place, Inc. as recorded in the Brazoria County Clerk's File No. 97-001270, Brazoria County, Texas

GENERAL LOCATION: Approximately 1.1 acres of land included in a larger

tract of land located at the northwest corner of Broadway Street and Hillhouse Road, Pearland, Texas

Section II. The City Council of the City of Pearland finds and determines that the recitations in the preamble hereof are true and that all necessary prerequisites of law have been accomplished and that no valid protest of the proposed change has been made. The City Council further finds and determines that there has been compliance with the mandates of law in the posting and presentation of this matter to the Planning and Zoning Commission and to the City Council for consideration and decision.

Section III. The City Council of the City of Pearland finds and determines that the amendment adopted herein promotes the health, safety, and general welfare of the public and is a proper valid exercise of the City's police powers.

Section IV. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional 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 V. All rights and remedies, which have accrued in the favor of the City under this Ordinance and its amendments thereto, shall be and are preserved for the benefit of the City.

Section VI. This Ordinance shall become effective after its passage and approval on second and final reading.

PASSED, APPROVED, and ADOPTED on First Reading this 28th day of July, 2014.

TOM REID
MAYOR

ATTEST:

YOUNG LORFING, TRMC
CITY SECRETARY

PASSED, APPROVED, and ADOPTED on Second and Final Reading this 11th
day of August, 2014.

TOM REID
MAYOR

ATTEST:

YOUNG LORFING, TRMC
CITY SECRETARY

APPROVED AS TO FORM:

DARRIN M. COKER
CITY ATTORNEY

Exhibit A
Legal Description

A tract or parcel containing 1.1019 acres or 47,999 square feet of land, out of a called 9.993 acre tract situated in the H.T. & B.R.R. CO. Survey, Abstract No. 506, Brazoria County, Texas Conveyed to the Old Place, Inc. as recorded in the Brazoria County Clerk's File No. 97-001270, Brazoria County, Texas

**Exhibit B
Location Map**



**Exhibit 3
Aerial Map**

Aerial Map

CUP 2014-04

**Hillhouse &
Broadway Street**

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.

0 75 150 300 Feet



**Exhibit D
Legal Ad**

NOTICE OF A JOINT PUBLIC HEARING OF THE CITY COUNCIL

AND

THE PLANNING AND ZONING COMMISSION

OF THE CITY OF PEARLAND, TEXAS

CONDITIONAL USE PERMIT (CUP) APPLICATION NO. CUP 2014-04

Notice is hereby given that on May 19, 2014 at 6:30 p.m., the City Council and Planning and Zoning Commission of the City of Pearland, in Brazoria, Harris and Fort Bend Counties, Texas, will conduct a joint public hearing in the Council Chambers of City Hall, located at 3519 Liberty Drive, Pearland, Texas, at the request of Chan Patel with Sparkles Express, applicant; on behalf of The Old Place, Inc., owner; for approval of a Conditional Use Permit (CUP) to allow for an Auto Wash (Self Service), on approximately 1.10 acres of land, more specifically described as:

A tract or parcel containing 1.1019 acres or 47,999 square feet of land, out of a called 9.993 acre tract situated in the H.T. & B.R.R. CO. Survey, Abstract No. 506, Brazoria County, Texas Conveyed to the Old Place, Inc. as recorded in the Brazoria County Clerk's File No. 97-001270, Brazoria County, Texas

General Location: Approximately 1.1 acres of land included in a larger tract located at the northwest corner of
Broadway Street and
Hillhouse Road
Pearland, TX

At said hearing, all interested parties shall have the right and opportunity to appear and be heard on the subject. For additional information, please contact the Planning Department at 281-652-1765.

Johnna Matthews
City Planner

Exhibit E
Planning and Zoning Commission Recommendation Letter



Planning & Zoning Commission

July 8, 2014

Honorable Mayor and City Council Members
3519 Liberty Drive
Pearland, TX 77581

Re: Recommendation on Conditional Use Permit Application No. CUP 2014-04

Honorable Mayor and City Council Members:

At their regular meeting on July 7, 2014, the Planning and Zoning Commission considered the following:

A request of Chan Patel with Sparkles Express, applicant; on behalf of The Old Place, Inc., owner; for approval of a Conditional Use Permit (CUP) to allow for an Auto Wash (Self Service) within the General Business (GB) zoning district, on approximately 1.10 acres of land on the following described property, to wit:

Legal Description: A tract or parcel containing 1.1019 acres or 47,999 square feet of land, out of a called 9.993 acre tract situated in the H.T. & B.R.R. CO. Survey, Abstract No. 506, Brazoria County, Texas Conveyed to the Old Place, Inc. as recorded in the Brazoria County Clerk's File No. 97-001270, Brazoria County, Texas

General Location: Approximately 1.1 acres of land included in a larger tract of land located at the northwest corner of Broadway Street and Hillhouse Road, Pearland, Texas

The Planning and Zoning Commission reviewed the proposed site plan and Commissioner Elizabeth McLane made a motion to approve the Conditional Use

Permit. The motion was seconded by Commissioner Mary Starr. The motion passed (6-0).

Sincerely,

Johnna Matthews

City Planner
On behalf of the Planning and Zoning Commission



Memo

To: City Council and Planning and Zoning Commission of the City of Pearland
From: Planning Department
Date: May 5, 2014
Re: Conditional Use Permit Application Number CUP 2014-04

A request of Chan Patel with Sparkles Express, applicant; on behalf of The Old Place, Inc., owner; for approval of a Conditional Use Permit (CUP) to allow for an Auto Wash (Self Service) within the General Business (GB) zoning district, on approximately 1.1 acres of land. The property is generally located at the northwest corner of Broadway Street and Hillhouse Road; Pearland, Texas.

Proposal

The subject property includes a total of 9.993 acres of land, of which the applicant is requesting approval of a Conditional Use Permit (CUP) to construct an Auto Wash (Self Service) on approximately 1.1 acres. The Unified Development Code (UDC) defines an Auto Wash (Self-Service) as "Washing, waxing or cleaning of automobiles or light duty trucks where the owner of the vehicle causes the vehicle to become washed. One type of unattended car wash facility utilizes automated self-service (drive-through/rollover) wash bays and apparatus in which the vehicle owner inserts money or tokens into a machine, drives the vehicle into the wash bay, and waits in the vehicle while it is being washed. The other type of unattended facility is comprised of wand-type self-service (open) wash bays in which the vehicle owner drives the vehicle into the wash bay, gets out of the vehicle, and hand washes the vehicle with a wand-type apparatus by depositing coins or tokens into the machine."

According to the applicant, the proposed express tunnel car wash is designed to automatically wash and dry vehicles through the tunnel entrance, where an attendant will guide the vehicle onto the conveyer. Blowers at the end of the conveyer will dry the vehicle before the customer exits the tunnel. The proposed structure, including the tunnel and the equipment room/offices will be approximately 3,060 square feet, with 16 vacuums in two separate areas, with each section covered with an awning. The applicant has indicated that the car wash hours of operation are generally 8:00 am – 7:00 pm (possibly 8:00 pm in the summer months); seven (7) days per week.

Access will be from Broadway Street via an existing access easement just west of the subject property, where customers will enter, pay at one of the auto cashiers, move through the tunnel, stop at the vacuum cleaners, if necessary, and exit back onto Broadway Street via the existing access easement. The existing access easement currently provides access to Candlewood Suites and Texas Children's Medical Office. It is important to note that Broadway Street is a major thoroughfare and is located within the Corridor Overlay District (COD), which requires enhanced design standards.

Background

The subject property is developed with a multi-tenant building which was previously used as a daycare. According to Brazoria County appraisal district records, the building was constructed in 1985, with asphalt paving added in 1997. The property was annexed into the city in 1996. Pursuant to Chapter 2 of the Unified Development Code, when a property is annexed into the city, the default zoning district is Suburban District (SD), and all zoning and development regulations of the SD zoning district shall be adhered to with respect to development and use of land until such time action is taken to zone the land. The site was zoned to Neighborhood Service (NS) and a Conditional Use Permit was approved on December 10, 2012 for a Daycare Center.

Staff sent nineteen (19) public notices, comment forms and a vicinity map to the applicant, the owner of the property and to property owners within 200 feet of the subject property under consideration for the CUP on May 9, 2014. Additionally, a legal notice of the public hearing was published in the local newspaper on Thursday, May 1, 2004 and a notification sign was placed on the property by the applicant. Staff has not received any returned notices from property owners within 200 feet of the site.

Recommendation

Staff recommends approval of the Conditional Use Permit (CUP 2014-04) to allow for the construction and operation of an Auto Wash (Self Service) on approximately 1.1 acres of land within the General Business (GB) zoning district, as proposed by the applicant and owner for the following reasons:

1. The proposed Auto Wash (Self Service) will not significantly impact surrounding properties or developments. All surrounding properties are zoned for non-residential uses and zoning districts, including General Business (GB) to the west, east and south and Neighborhood Service (NS) to the north. Properties to the east and west are developed with a retail shopping center (east) and a hotel and medical offices (west). The property to the south (south side of Broadway Street) is currently undeveloped and the property to the north is developed with a non-conforming single family home and appears to be used for storage of machinery and heavy equipment. The site is considered non-conforming, as single family dwelling units and the storage of machinery and heavy equipment are not permitted uses within the NS zoning district. Additionally, as proposed, the proposed 1.1 acre lot will not directly abut the property to the north, and will be approximately 180 feet from the north property line. Additionally, the tract to the north is heavily treed along its southern property line.
2. A Conditional Use Permit (CUP) allows for a use that is not necessarily compatible with surrounding uses and the character of an area; however can be made compatible with conditions. Pursuant to Chapter 2 of the Unified Development Code (UDC) such conditions may include modifications necessary to mitigate adverse effects of the proposed use and to carry out the spirit and intent of the UDC. As mentioned above, the subject property is surrounded by non-residential developments and non-residential zoning districts. Although the property to the north is zoned NS, which is a non-residential zoning district, it is considered non-conforming as a result of the existing single family home and is being used for the storage of machinery and heavy equipment.

Additionally, the property has frontage on Broadway Street; a major thoroughfare, and is located within the Corridor Overlay District (COD). The COD overlay regulations supplement the regulations of the GB zoning district with more restrictive standards. These standards will ensure a high quality development that will enhance the character of the area and ensure an aesthetically pleasing development. Such standards include, but are not limited to the following:

- A 30-foot wide buffer is required along property frontages that face major thoroughfares, such as Broadway Street. The aforementioned 30-foot buffer shall be free of paving, including parking areas, maneuvering and loading areas;
 - No outdoor activity is allowed within the COD;
 - 100% masonry or glass, transparency and building articulation along Broadway Street; and
 - Enhanced landscaping, including large shade trees, ornamental trees, shrubs and parking lot islands.
3. The subject property and surrounding properties are located within the “Retail, Offices and Services” future land use designation of the Comprehensive Plan. According to the Comprehensive Plan, major features of this designation include the following:
- Neighborhood shopping centers, or separate commercial uses;
 - Located at major intersections;
 - Limited outdoor retail activities;
 - Buffer from neighboring single family residential;
 - Appropriate zoning districts include Office and Professional (OP), Neighborhood Service (NS) and selected uses within the General Business (GB) zoning district.

The proposed use conforms to and meets the intent and vision of the future land use designation of the Comprehensive Plan. All surrounding properties are zoned for commercial uses, and there will be no negative impacts to the non-conforming single family home to the north, as substantial landscape buffering exists and would be required if the Auto Wash were to directly abut the residential use. There will be limited outdoor activity, which will include patrons of the car wash who may choose to vacuum their vehicles under the covered vacuum areas. Even in this instance substantial screening is required by the Unified Development Code, which includes street trees, ornamental trees, a 30 foot wide buffer area, as shown on the site plan, which includes meandering sidewalks, and which shall remain free of parking, maneuvering and loadings areas. Additionally, the vacuum stalls as well as the area where cars will exit the tunnel shall be screened with a screening wall.

4. Broadway Street is a major thoroughfare and provides a high degree of mobility, serves high volumes of traffic and has higher speeds than most other types of roadways. It is desirable to minimize the number of driveways on thoroughfares in order to reduce the number of conflict points and facilitate traffic flow. No new driveways will be added to Broadway Street, as a result of this development, as access will be from an existing access easement to the west of the site currently used to provide access to Candlewood Suites and Texas Children’s Medical Office. There will be no employees or customers drying vehicles outside or cleaning the interior of the cars at the end of the tunnel. Therefore, it is anticipated that there will be no traffic back-up onto Broadway Street. Additionally, a Traffic Impact Analysis (TIA) is required at the time of platting, which may require additional improvements, such as a deceleration lane, for example.
5. The proposed development will require platting of the site. Platting will ensure that infrastructure is adequate to serve the proposed development. The subject property has access to public water and sewer. There is an existing 16 inch waterline on the south side of Broadway Street, approximately 110 feet from the property line and 2 existing sanitary manholes along the frontage of the site. Extensions of these lines will likely be required depending upon how the tract is platted, and will be determined during the platting process.

Conditions

1. The applicant proposes to cover the vacuum areas with an awning. In addition to the awning, staff recommends that the vacuum areas are screened from Broadway Street with an 8-foot screening wall constructed of masonry materials that are consistent in color and design with the building architecture.
2. Staff recommends an 8-foot screening wall to screen the inside of the tunnel from Broadway Street, as cars are exiting the tunnel. The screening wall shall be constructed of masonry materials that are consistent in color and design with the building architecture.

Options

1. Recommend approval as submitted.
2. Recommend approval with conditions.
3. Recommend denial.
4. Table item.

Exhibits

1. Staff Report
2. Revised Site Plan
3. Aerial Map
4. Zoning Map
5. Future Land Use Map
6. Notification Map
7. Notification List
8. Applicant Packet



Exhibit 1 Staff Report

SUMMARY OF ANALYSIS:

The applicant is requesting approval of a Conditional Use Permit (CUP) to construct an Auto Wash (Self Service) on approximately 1.1 acres out of a called 9.993-acre tract. The Unified Development Code (UDC) defines an Auto Wash (Self-Service) as “Washing, waxing or cleaning of automobiles or light duty trucks where the owner of the vehicle causes the vehicle to become washed. One type of unattended car wash facility utilizes automated self-service (drive-through/rollover) wash bays and apparatus in which the vehicle owner inserts money or tokens into a machine, drives the vehicle into the wash bay, and waits in the vehicle while it is being washed. The other type of unattended facility is comprised of wand-type self-service (open) wash bays in which the vehicle owner drives the vehicle into the wash bay, gets out of the vehicle, and hand washes the vehicle with a wand-type apparatus by depositing coins or tokens into the machine.”

According to the applicant, the proposed express tunnel car wash is designed to automatically wash and dry vehicles through the tunnel entrance, where an attendant will guide the vehicle onto the conveyer. Blowers at the end of the conveyer will dry the vehicle before the customer exits the tunnel. This activity meets the initial definition of “Auto Wash (Self Service), as explained in the definition per the UDC.

Access will be from Broadway Street via an existing access easement just west of the subject property, where customers will enter, pay at one of the auto cashiers, move through the tunnel, stop at the vacuum cleaners, if necessary, and exit back onto Broadway Street via the existing access easement. The existing access easement currently provides access to Candlewood Suites and Texas Children’s Medical office.

The property is currently developed with retail office space designed for use by multiple tenants, and was formally used as a daycare via approval of a Conditional Use Permit (CUP) on December 10, 2012. Platting will be required prior to development. The applicant proposes to plat an approximately 1.1 acre lot out of the total 9.9 acres for the purpose of constructing the proposed car wash.

The site is located within the General Business (GB) zoning district, and which district’s purpose is to permit an extensive variety of commercial uses, including retail trade, personal and business service establishments, offices and commercial recreation uses of limited scope. The GB zoning district requires approval of a Conditional Use Permit (CUP) for the proposed use. A CUP allows for a use that is not necessarily compatible with surrounding uses; however can be made compatible with conditions. According to Chapter 2 of the Unified Development Code (UDC) such conditions may include modifications necessary to mitigate adverse effects of the proposed use and to carry out the spirit and intent of the UDC.

The site is surrounded by nonresidential uses on all sides and the General Business (GB) zoning district, with the exception of the property to the north, which is zoned Neighborhood Service (NS) and is developed with a non-conforming single family home and is used for the storage of machinery and heavy equipment. Neither use is a permitted use within the NS zoning district. The below table identifies surrounding uses and zoning districts.

SURROUNDING ZONING AND LAND USES:

	Zoning	Land Use
North	Neighborhood Service (NS)	Single Family Home and Storage of Machinery and Heavy Equipment
South	General Business (GB)	Undeveloped
East	General Business (GB)	Retail Shopping Center, including Capital Bank, H&R Block, Dental Office
West	General Business (GB)	Candlewood Suites,

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC): The subject property is located within the General Business (GB) zoning district. The purpose of the aforementioned zoning district is to permit an extensive variety of commercial uses, including retail trade, personal and business service establishments, offices and commercial recreation uses of limited scope. The GB zoning district requires approval of a Conditional Use Permit (CUP) for the proposed use. A CUP allows for a use that is not necessarily compatible with surrounding uses; however can be made compatible with conditions. Pursuant to Chapter 2 of the Unified Development Code (UDC) such conditions may include modifications necessary to mitigate adverse effects of the proposed use and to carry out the spirit and intent of the UDC.

The GB zone requires a minimum lot area of 22,500 square feet; a minimum lot width of 150 feet, a minimum lot depth of 125 feet; a minimum front yard setback of 25 feet and a minimum side yard of 10 feet, and a maximum height of 45 feet.

Additionally, Corridor Overlay District (COD) regulations apply to properties fronting on Broadway Street, as Broadway Street is a Major Thoroughfare, according to the city’s Thoroughfare Plan. The COD is intended to help the city to exercise greater control over the aesthetic, functional and safety characteristics of development along major thoroughfares when developments front on such roadways. The COD regulations supplement the standards of the base zoning district with new or different standards which are more restrictive. Such standards include, but are not limited to the following:

- A 30-foot wide buffer is required along property frontages that face major thoroughfares, such as Broadway Street. The aforementioned 30-foot buffer shall be free of paving, including parking areas, maneuvering and loading areas.
- No outdoor activity is allowed within the COD.
- Bicycle parking is required within the COD. Bicycle parking spaces shall be provided at an amount equal to a minimum of 5% of the vehicular parking spaces.
- Meandering sidewalks are required along property frontages.
- Outdoor storage is not permitted without approval by the City Council via a CUP, and must meet certain requirements.
- Screening is required for vehicle loading and unloading. Screens shall incorporate shrubbery

having year round foliage and/or a wall or architectural element of the building that is a minimum of 6 feet in height and is a maximum of 75% opaque.

- All utility service shall be located underground.
- Building articulation is required for all nonresidential structures.
- Mechanical irrigation is required to be installed and maintained.

SITE HISTORY: The subject property is developed with a multi-tenant building which was previously used as a daycare. According to Brazoria County appraisal district records, the building was constructed in 1985, with asphalt paving added in 1997. The site was annexed into the city in 1996. The default zoning for property that is annexed into the city is Suburban District (SD). The property was zoned to Neighborhood Service (NS) and a CUP was approved on December 12, 2012 for the aforementioned Daycare Center.

PLATTING STATUS: The property is not platted. Prior to development and the issuance of building permits, platting will be required. Platting will trigger various site improvements, including detention and extension of public infrastructure. Broadway Street is a Major Thoroughfare and requires 120 feet of right-of-way. According to the survey, the right-of-way along the frontage is 120 feet.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The subject property is located within the "Retail, Offices and Services" future land use designation. According to the comprehensive plan, major features of this designation include the following:

- Neighborhood shopping centers, or developed as separate uses
- Located at major intersections
- Limited outdoor retail activities
- Buffer from neighboring single family residential
- Appropriate zoning districts: OP, Office and Professional; NS, Neighborhood Service; GB, General Business (selected uses)

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property has frontage on Broadway Street; a major thoroughfare which requires 120 feet of right-of-way. The applicant's survey indicates that right-of-way along the property frontage is 120 feet; however the thoroughfare plan indicates that Broadway Street is to be widened in this area. Right-of-way will be dedicated, if necessary, at the time of platting.

AVAILABILITY OF UTILITIES: The subject property has access to public water and sewer. There is an existing 16 inch waterline on the south side of Broadway Street, approximately 110 feet from the property line and 2 existing sanitary manholes along the frontage of the site. Extensions of these lines will likely be required depending upon how the tract is platted, and will be determined during the platting process.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: The proposed Auto Wash (Self Service) will not significantly impact surrounding properties or developments. All surrounding properties are zoned for non-residential uses and zoning districts, including General Business (GB) to the west, east and south and Neighborhood Service (NS) to the north. Properties to the east and west are developed with a retail shopping center (east) and a hotel and medical offices (west). The property to the south (south side of Broadway Street) is currently undeveloped and the property to the north is developed with a non-conforming single family home and appears to be used for storage of machinery and heavy equipment. The site is considered non-conforming, as single family dwelling units and the storage of machinery and heavy equipment are not permitted uses within the NS zoning district. Additionally, as proposed, the proposed 1.1 acre lot will not directly abut the property to the north, and will be approximately 180 feet from the north property line. Additionally, the tract to the north is heavily treed along its southern property line.

ADDITIONAL COMMENTS: This request has been reviewed by the City's Development Review Committee and there were no additional comments from other departments at the time of this report.

PUBLIC NOTIFICATION: Staff sent nineteen (19) public notices, comment forms and a vicinity map to the applicant, the owner of the property and to property owners within 200 feet of the subject property under consideration for the CUP on May 9, 2014. Additionally, a legal notice of the public hearing was published in the local newspaper on Thursday, May 1, 2004 and a notification sign was placed on the property by the applicant. Staff has not received any returned notices from property owners within 200 feet of the site.

OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST: Staff has not received any comments either in opposition to or in support of the proposed CUP request.

RECOMMENDATION: Staff recommends approval of the Conditional Use Permit (CUP 2014-04) to allow for the construction and operation of an Auto Wash (Self Service) on approximately 1.1 acres of land within the General Business (GB) zoning district, as proposed by the applicant and owner for the following reasons:

1. The proposed Auto Wash (Self Service) will not significantly impact surrounding properties or developments. All surrounding properties are zoned for non-residential uses and zoning districts, including General Business (GB) to the west, east and south and Neighborhood Service (NS) to the north. Properties to the east and west are developed with a retail shopping center (east) and a hotel and medical offices (west). The property to the south (south side of Broadway Street) is currently undeveloped and the property to the north is developed with a non-conforming single family home and appears to be used for storage of machinery and heavy equipment. The site is considered non-conforming, as single family dwelling units and the storage of machinery and heavy equipment are not permitted uses within the NS zoning district. Additionally, as proposed, the proposed 1.1 acre lot will not directly abut the property to the north, and will be approximately 180 feet from the north property line. Additionally, the tract to the north is heavily treed along its southern property line.
2. A Conditional Use Permit (CUP) allows for a use that is not necessarily compatible with surrounding uses and the character of an area; however can be made compatible with conditions. Pursuant to Chapter 2 of the Unified Development Code (UDC) such conditions may include modifications necessary to mitigate adverse effects of the proposed use and to carry out the spirit and intent of the UDC. As mentioned above, the subject property is surrounded by non-residential developments and non-residential zoning districts. Although the property to the north is zoned NS, which is a non-residential zoning district, it is considered non-conforming as a result of the existing single family home and is being used for the storage of machinery and heavy equipment.

Additionally, the property has frontage on Broadway Street; a major thoroughfare, and is located within the Corridor Overlay District (COD). The COD overlay regulations supplement the regulations of the GB zoning district with more restrictive standards. These standards will ensure a high quality development that will enhance the character of the area and ensure an aesthetically pleasing development. Such standards include, but are not limited to the following:

- A 30-foot wide buffer is required along property frontages that face major thoroughfares, such as Broadway Street. The aforementioned 30-foot buffer shall be free of paving, including parking areas, maneuvering and loading areas;
- No outdoor activity is allowed within the COD;
- 100% masonry or glass, transparency and building articulation along Broadway Street; and

- Enhanced landscaping, including large shade trees, ornamental trees, shrubs and parking lot islands.
3. The subject property and surrounding properties are located within the “Retail, Offices and Services” future land use designation of the Comprehensive Plan. According to the Comprehensive Plan, major features of this designation include the following:
- Neighborhood shopping centers, or separate commercial uses;
 - Located at major intersections;
 - Limited outdoor retail activities;
 - Buffer from neighboring single family residential;
 - Appropriate zoning districts include Office and Professional (OP), Neighborhood Service (NS) and selected uses within the General Business (GB) zoning district.

The proposed use conforms to and meets the intent and vision of the future land use designation of the Comprehensive Plan. All surrounding properties are zoned for commercial uses, and there will be no negative impacts to the non-conforming single family home to the north, as substantial landscape buffering exists and would be required if the Auto Wash were to directly abut the residential use. There will be limited outdoor activity, which will include patrons of the car wash who may choose to vacuum their vehicles under the covered vacuum areas. Even in this instance substantial screening is required by the Unified Development Code, which includes street trees, ornamental trees, a 30 foot wide buffer area, as shown on the site plan, which includes meandering sidewalks, and which shall remain free of parking, maneuvering and loadings areas. Additionally, the vacuum stalls as well as the area where cars will exit the tunnel shall be screened with a screening wall.

4. Broadway Street is a major thoroughfare and provides a high degree of mobility, serves high volumes of traffic and has higher speeds than most other types of roadways. It is desirable to minimize the number of driveways on thoroughfares in order to reduce the number of conflict points and facilitate traffic flow. No new driveways will be added to Broadway Street, as a result of this development, as access will be from an existing access easement to the west of the site currently used to provide access to Candlewood Suites and Texas Children’s Medical Office. There will be no employees or customers drying vehicles outside or cleaning the interior of the cars at the end of the tunnel. Therefore, it is anticipated that there will be no traffic back-up onto Broadway Street. Additionally, a Traffic Impact Analysis (TIA) is required at the time of platting, which may require additional improvements, such as a deceleration lane, for example.
5. The proposed development will require platting of the site. Platting will ensure that infrastructure is adequate to serve the proposed development. The subject property has access to public water and sewer. There is an existing 16 inch waterline on the south side of Broadway Street, approximately 110 feet from the property line and 2 existing sanitary manholes along the frontage of the site. Extensions of these lines will likely be required depending upon how the tract is platted, and will be determined during the platting process.

CONDITIONS:

1. The applicant proposes to cover the vacuum areas with an awning. In addition to the awning, staff recommends that the vacuum areas are screened from Broadway Street with an 8-foot screening wall constructed of masonry materials that are consistent in color and design with the building architecture.

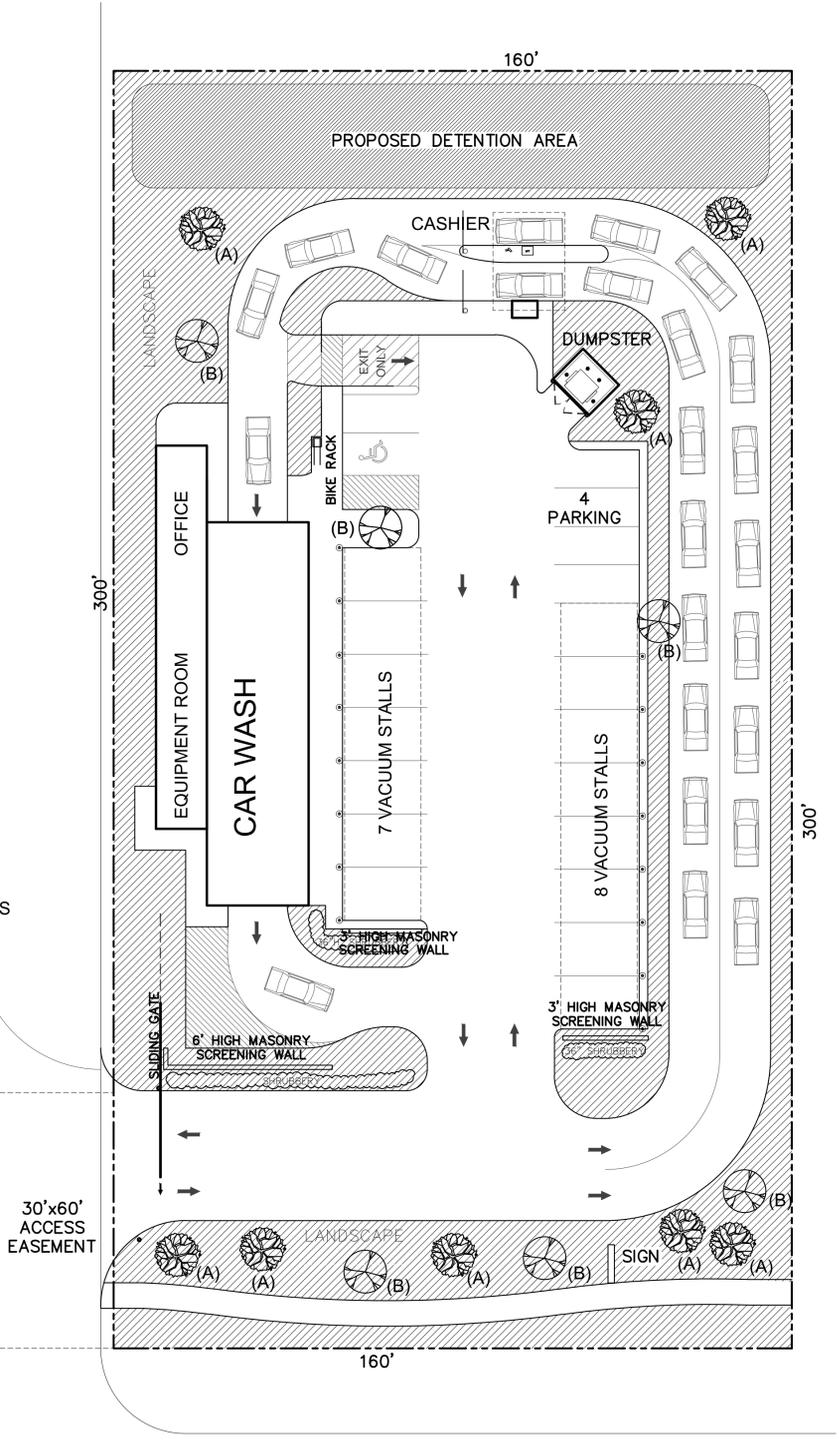
2. Staff recommends an 8-foot screening wall to screen the inside of the tunnel from Broadway Street, as cars are exiting the tunnel. The screening wall shall be constructed of masonry materials that are consistent in color and design with the building architecture.

No.	DATE	NOTE

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16

A
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N

1. AREA WITHIN SETBACKS = 8,031 S.F.
LANDSCAPED AREA OF SETBACKS = 875 S.F.
PERCENTAGE = 90%
2. LOT AREA = 48,000 S.F.
LANDSCAPED AREA = 16,627 S.F.
PERCENTAGE = 34%
3. (A) LARGE SHADE TREES
160' FRONTAGE / 10 = 16 CALIPER INCHES
8- 3" CALIPER TREES PROVIDED
- (B) ORNAMENTAL TREES
160' FRONTAGE / 15 = CALIPER INCHES
6 - 2" CAL. TREES PROVIDED
LARGE SHADE TREES WILL BE LIVE OAKS,
ORNAMENTAL TREES WILL BE FLOWERING
OR SIMILAR

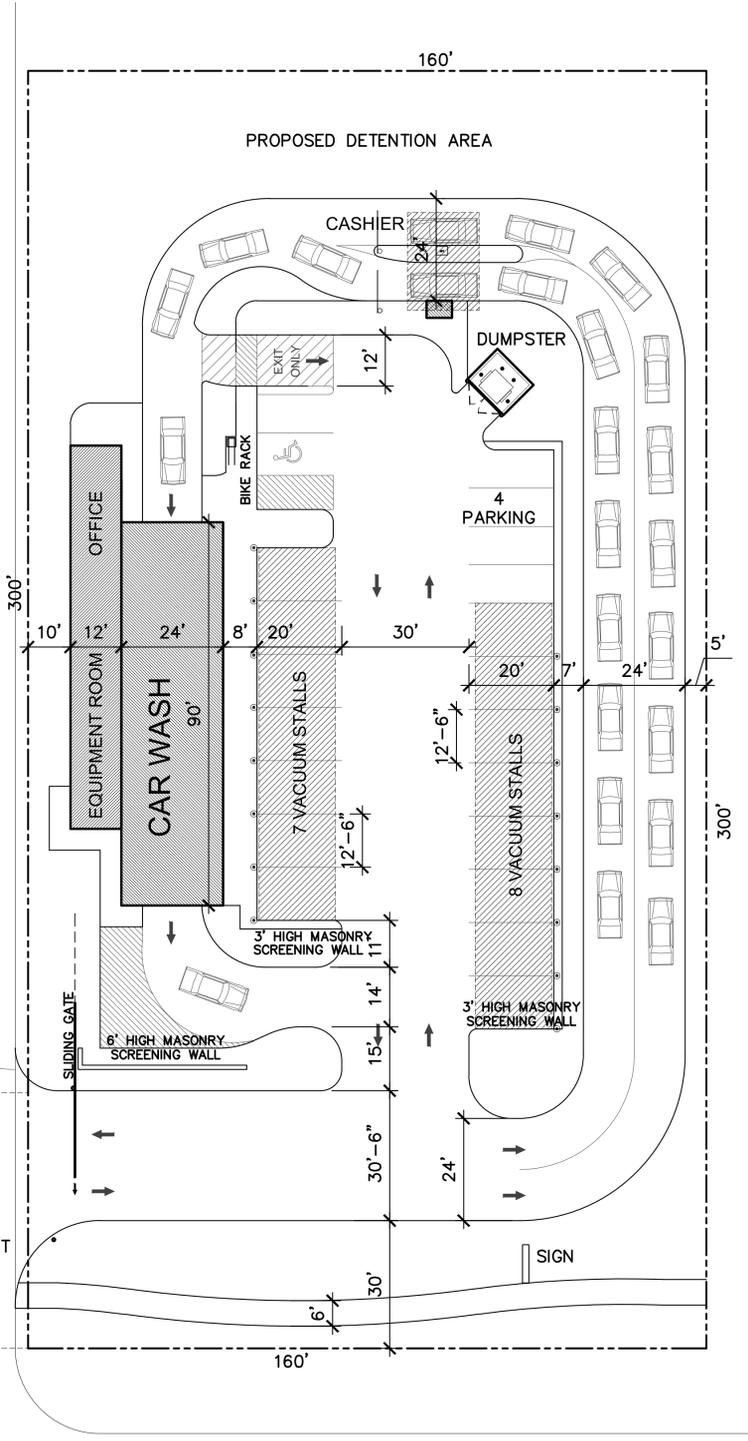


N4 LANDSCAPE PLAN
SCALE: 1"=20'

- NOTE:
1. LANDSCAPE WILL COMPLY WITH THE CITY ORDINANCE AND LANDSCAPING STANDARDS.
 2. A MECHANICAL IRRIGATION SYSTEM IS REQUIRED TO BE INSTALLED AND MAINTAINED.
 3. ALL CAR WASH EQUIPMENT IS LOCATED INSIDE THE BUILDING

BLDG AREA	3,294 S.F.
STORIES	1
BLDG HT.	28FT.
FLOOR AREAS	
TUNNEL	2,160 S.F.
EQUIPMENT	920 S.F.
OFFICE	214 S.F.
REQUIRED PARKING	17
PROVIDED PARKING	1 H/C 5 STANDARD 15 VACUUM 21 TOTAL

N9 SITE PLAN
SCALE: 1"=20'



**REVIEW SET
NOT FOR CONSTRUCTION**



VIEW FROM THE SOUTHWEST

Sparkles Car Wash

Pearland, Texas

APDG
A Plus Design Group
ARCHITECTS

© COPYRIGHT 2014 A PLUS DESIGN GROUP, LLC
JUNE 11, 2014



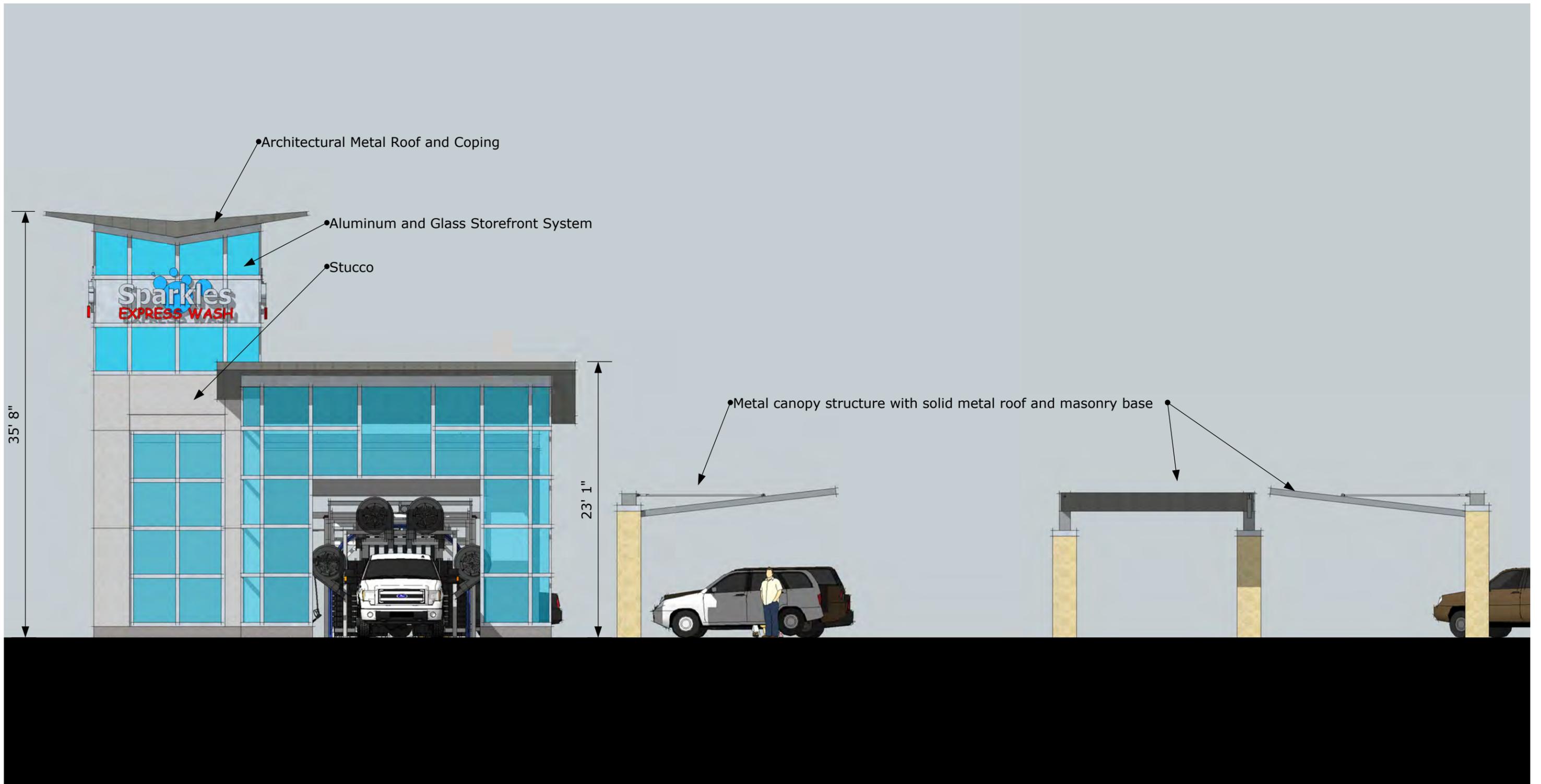
VIEW FROM THE SOUTHEAST

Sparkles Car Wash

Pearland, Texas

APDG
A Plus Design Group
ARCHITECTS

© COPYRIGHT 2014 A PLUS DESIGN GROUP, LLC
JUNE 11, 2014



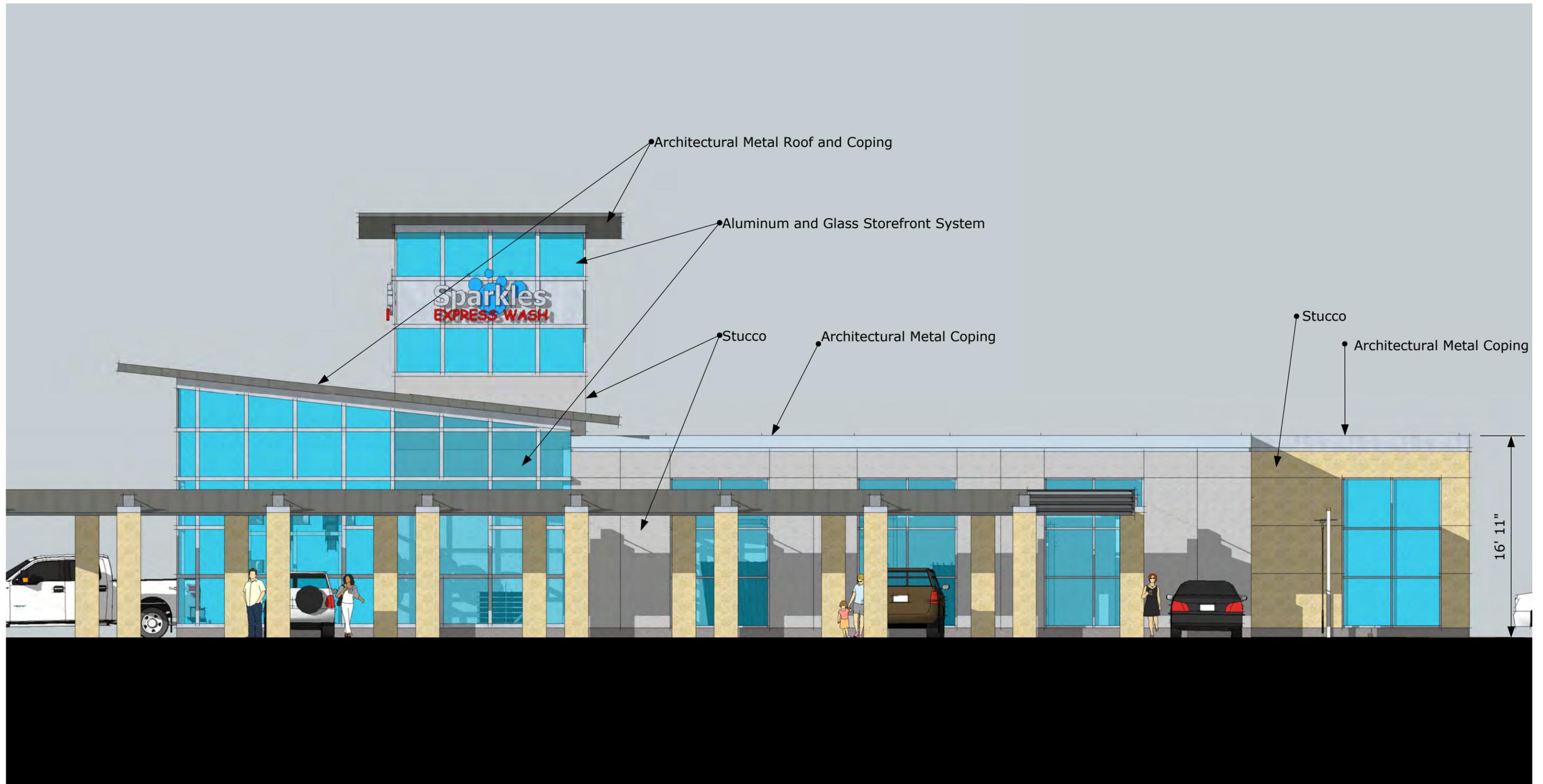
SOUTH ELEVATION 1/8" = 1'-0"

Sparkles Car Wash

Pearland, Texas

APDG
 A Plus Design Group
 ARCHITECTS

© COPYRIGHT 2014 A PLUS DESIGN GROUP, LLC
 JUNE 11, 2014



EAST ELEVATION 1/8" = 1'-0"

Sparkles Car Wash

Pearland, Texas





WEST ELEVATION 1/8" = 1'-0"

Sparkles Car Wash

Pearland, Texas

APDG
A Plus Design Group
ARCHITECTS

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JUNE 11, 2014

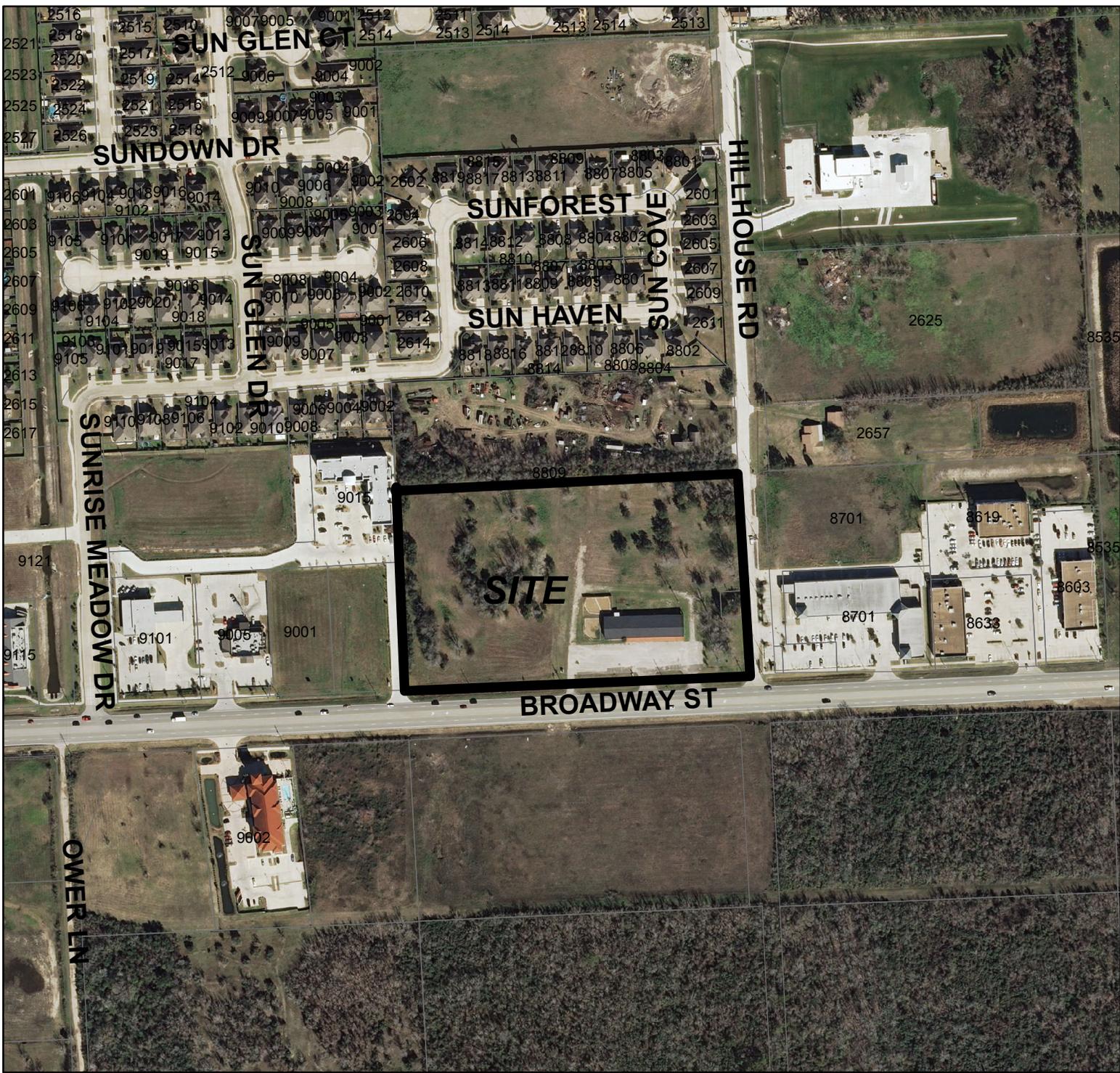


Exhibit 3 Aerial Map

Aerial Map

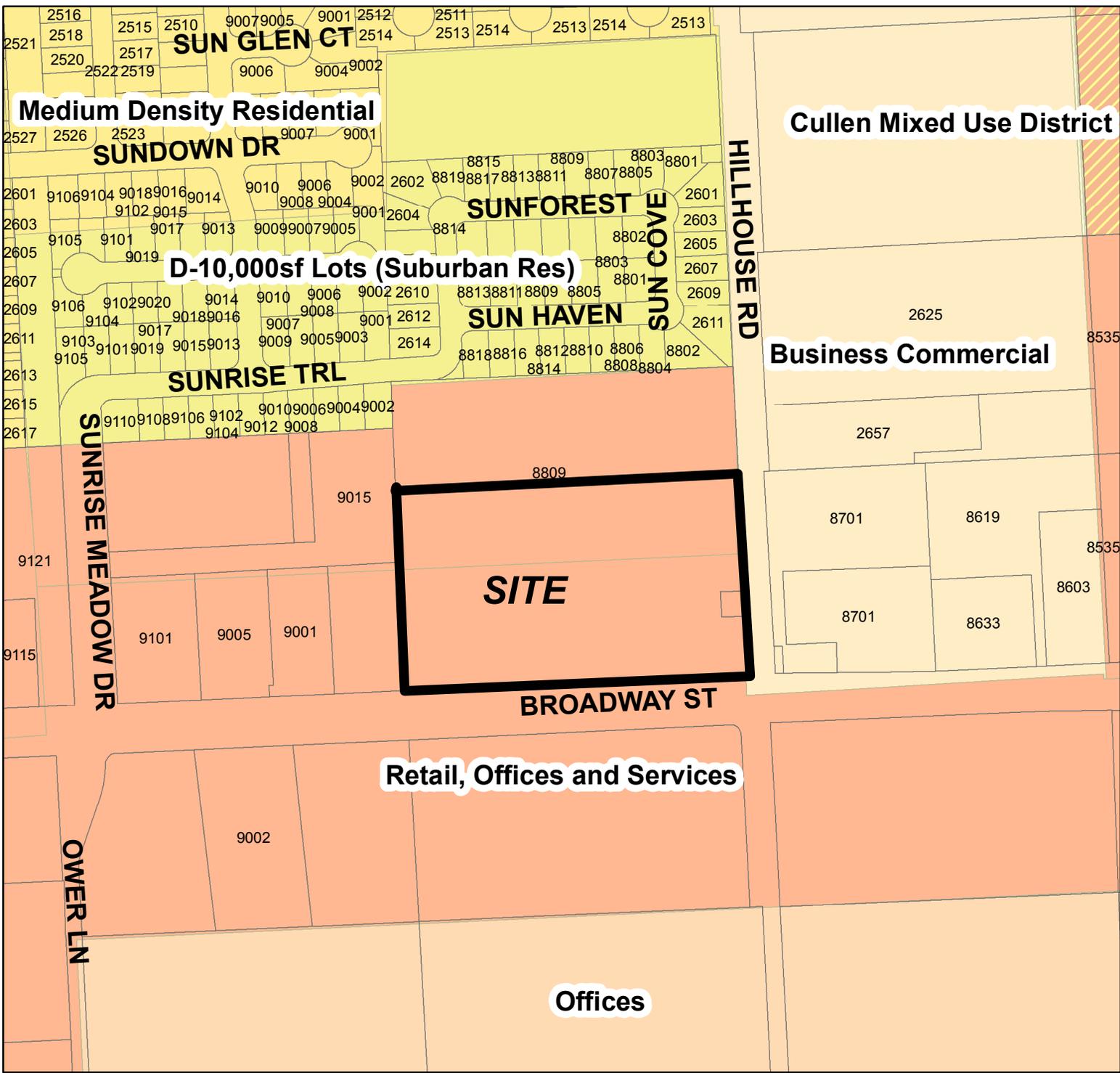
CUP 2014-04

Hillhouse &
Broadway Street

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.

0 75 150 300 Feet
|-----|-----|-----|





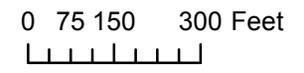
**Exhibit 5
Future Land Use Map**

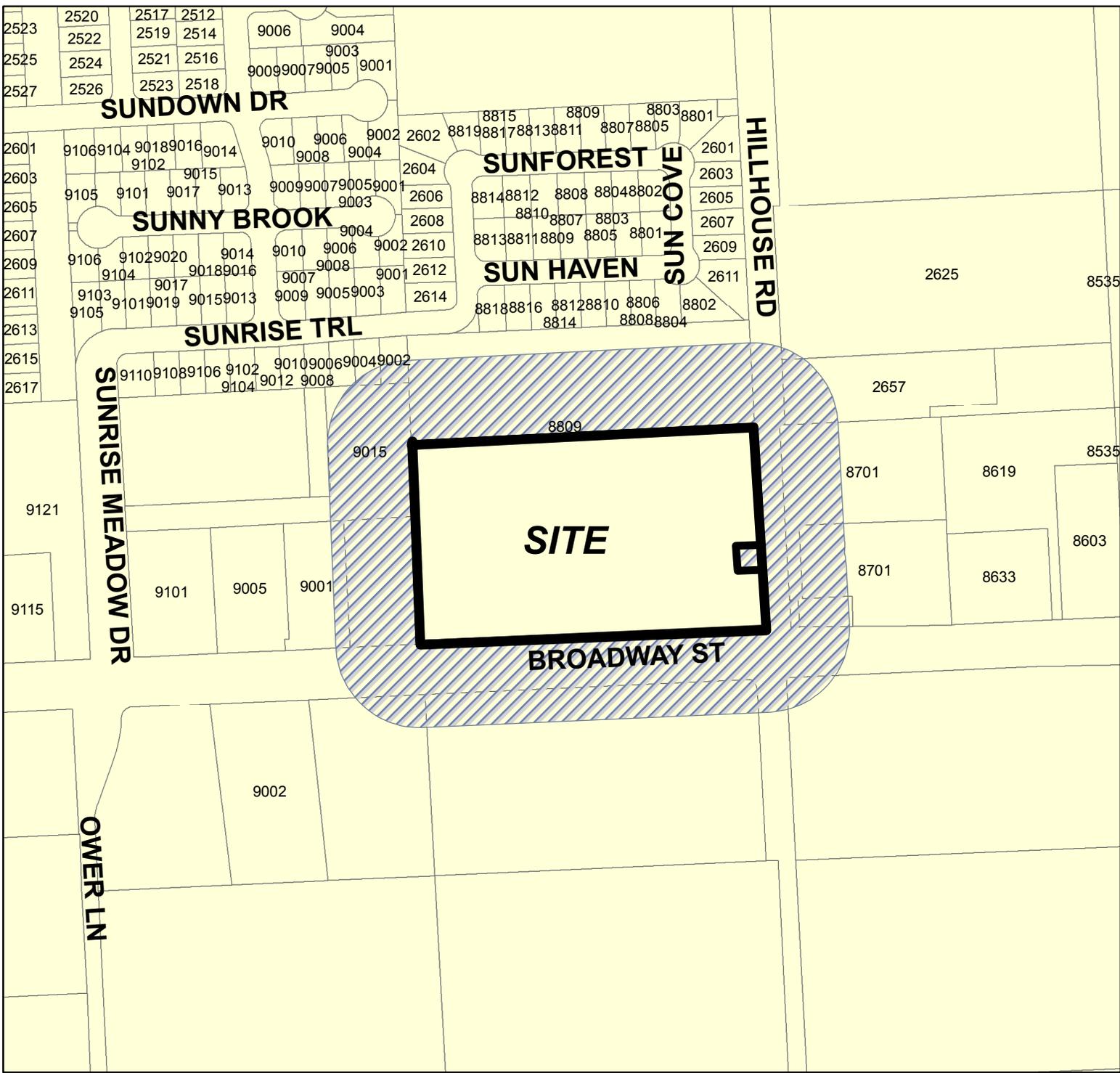
FLUP Map

CUP 2014-04

**Hillhouse &
Broadway Street**

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.





**Exhibit 6
Notification Map**

Notification Map

CUP 2014-04

**Hillhouse &
Broadway Street**

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.

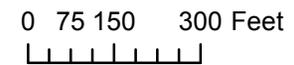


Exhibit 7

Notification List

NAME	ADD_LINE2	CITY	STA	ZIP
DOHERTY FRANK TRUSTEE	8735 BROADWAY ST	PEARLAND	TX	77584
NEEDHAM RICKY D	813 INDIGO SPRINGS LN	LA MARQUE	TX	77568
VELAZQUEZ CARLOS & MELODY	9004 SUNRISE TRL	PEARLAND	TX	77584
WILLIAMSON TRAVIS W	9006 SUNRISE TRL	PEARLAND	TX	77584
SILVER PEAR 518 BUSINESS PARK LTD	PO BOX 79650	HOUSTON	TX	77279
THE OLD PLACE INC	PO BOX 703	MANVEL	TX	77578
PEARLAND PLAZA LP	3922 ABBEYWOOD DR	PEARLAND	TX	77584
SILVER PEAR 518 BUSINESS PARK LTD	PO BOX 79650	HOUSTON	TX	77279
MOORE THEODORE & MAMMIE	2657 HILLHOUSE RD	PEARLAND	TX	77584
THE OLD PLACE INC	PO BOX 703	MANVEL	TX	77578
SU CHENG HUEY TR	102 PEBBLEBROOK CT	SUGAR LAND	TX	77478
FORTRESS PEARLAND INVESTMENTS LLC	4318 W FUQUA ST	HOUSTON	TX	77045
SIMMONS ANDREW	4830 MALLOW ST	HOUSTON	TX	77033
WESTCHASE HOSPITALITY INC	9015 BROADWAY ST	PEARLAND	TX	77584
BPI REALTY SERVICES INC	3800 SOUTHWEST FWY	HOUSTON	TX	77027
WESTCHASE HOSPITALITY INC	9015 BROADWAY ST	PEARLAND	TX	77584
SILVER PEAR 518 BUSINESS PARK LTD	PO BOX 79650	HOUSTON	TX	77279
THE OLD PLACE INC	PO BOX 703	MANVEL	TX	77578
SILVER PEAR 518 BUSINESS PARK LTD	PO BOX 79650	HOUSTON	TX	77279

**Exhibit 8
Applicant Packet**

CUP APPLICATION Page 1 of 6 (Updated June 2010)



**APPLICATION FOR
A CONDITIONAL USE
PERMIT (CUP)**

City of Pearland
Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281-652-1768
281-652-1702 fax
www.cityofpearland.com

Conditional Use Permit Request for: Auto Wash (Self-Service)
(list proposed use from the Table of Uses of the UDC)

Current Zoning District: General Business

Property Information:

Address or General Location of Property: Em 518 (Broadway)

See attached Exhibit A

Tax Account No. Property ID 175877

Subdivision: NA - Comm Accts Lot: _____ Block: _____

A complete application must include all information shown on the Application Checklist attached to this application.

PROPERTY OWNER INFORMATION:

NAME The Old Place, Inc.

ADDRESS P.O. Box 703

CITY Marvel STATE TX ZIP 77578

PHONE (832) 372-1003

FAX () _____

E-MAIL ADDRESS Kitty.willbanks@gmail.com

APPLICANT AGENT INFORMATION:

NAME SPARKLES EXPRESS CARWASH
Chandramani Patel (Chan C Patel)

ADDRESS 46 Lake Mist Drive

CITY Sugar Land STATE TX ZIP 77479

PHONE (281) 565-6445

FAX () _____

E-MAIL ADDRESS chanpatel@yahoo.com

*Property owner must be the current owner of the property at the time of submittal of the application, and not the party that has the property under contract.

As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: Kitty Willbanks Date: 04.07.14

Agent's/ Applicant's Signature: Chandramani Patel Date: April 7/2014

OFFICE USE ONLY:

FEES PAID: <u>\$250.00</u>	DATE PAID: <u>4/16/14</u>	RECEIVED BY: <u>IC</u>	RECEIPT NUMBER: <u>202059</u>
----------------------------	---------------------------	------------------------	-------------------------------

Application No. CUP2014-04

APPLICATION CHECKLIST FOR THE FOLLOWING Conditional Use Permits (CUP)

- Application, filled out completely, and signed by the owner of the property to be considered for the conditional use permit.
- If the applicant is the designated agent, the application shall include a written statement from the property owner authorizing the agent to file the application on his behalf. **Section 1.2.1.1 (a) of the Unified Development Code.**
- Metes and Bounds Description, (Survey, or a Plat of the property that contain the metes and bounds description).
- Parcel map, printed from the City of Pearland website, indicating the location and boundaries of the subject property.
- Letter of Intent, explaining the conditional use permit request in detail, specifying proposed uses, specific operations of the use, square footage of buildings, unique characteristics of the property, and any other necessary information
- Application fee of \$250.00, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only)
- Site Plan or Plot Plan showing the proposed layout of the subject property, including any proposed buildings, parking, landscaped areas, detention ponds, fences, and any other relevant information
- Acknowledgement of the sign to be posted on the property 10 days prior to the public hearing
- Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- Application packets that are not complete will not be accepted. **When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, it may be necessary to postpone the proposed CUP/Zone Change and remove it from the scheduled agenda and place it on a future agenda date according to Section 1.2.1.2. of the Unified Development Code.**

Additional Application requirements for Telecommunications Towers, Antennas, and Shared Use on Existing Towers and Alternate Structures to be provided per Section 2.5.5.2 of the current Unified Development Code:

- An inventory of the applicant's existing towers that are either within the City or within one mile of the corporate limits, specifying the location, height, and design of each tower. The Planning Department may share the information with other applicants for a conditional use permit under this article.
- Site plans to scale specifying the location of tower(s), transmission building and other accessory uses, street access, parking, fences, landscaped areas, and adjacent land uses.
- A report from a professional structural engineer licensed in the State of Texas documenting the following:
 - a. Tower height and design, showing a cross-section of the tower structure.
 - b. Total anticipated capacity of the tower structure, including the number and types of antennas which can be accommodated.
- A letter of intent to lease excess space on the tower and to lease additional excess land on the tower site when the shared use potential of the tower is absorbed, if structurally and technically possible.
- Each applicant must make a good faith effort to substantially demonstrate that no existing towers could accommodate the applicant's proposed antenna by doing the following:
 - a. The applicant must contact the owners of all existing towers of a height roughly equal to or greater than the height of the tower proposed by the applicant. A list must be provided of all owners contacted, the date of the contact, and the form and content of the contact. Where an existing tower is known to have capacity for additional antennas of the sort proposed, that application for a new tower is not complete until the owner of the existing tower responds, unless the applicant submits sufficient information for the Planning Department to determine that all reasonable efforts to obtain a response have been made and further efforts would be futile.
 - b. The applicant must request the following information from each tower owner contacted:
 - Identification of the site by location, existing uses, and tower height.
 - Whether each tower could structurally accommodate the antenna proposed by the applicant without requiring structural changes be made to the tower. To enable the owner to respond, the applicant must provide each owner with the height, length, weight, and other relevant data about the proposed antenna.

- Whether each tower could structurally accommodate the proposed antenna if structural changes were made, not including totally rebuilding the tower. If so, the owner must specify in general terms what structural changes would be required.
- If structurally able, would shared use by the existing tower be precluded for reasons related to RF interference. If so, the owner must describe in general terms what changes in either the existing or proposed antenna would be required to accommodate the proposed tower, if at all.
- Any other information which may be requested by the Planning Department to fully evaluate and review the application and the potential impact of a proposed tower or antenna.

**POSTING OF ZONING NOTIFICATION SIGNS
ON PROPERTY UNDER CONSIDERATION
FOR A ZONE CHANGE (OR CONDITIONAL USE PERMIT)**

Any person, firm or corporation requesting a zoning change, a conditional use permit (CUP), or a variance shall be required to erect and maintain a sign(s), to be inspected by the City, upon the property for which a variance or zoning change has been requested.

Such sign(s) shall be located as follows:

- (1) One (1) sign per street frontage shall be located within thirty feet (30') of the abutting street, or as determined by the City.
- (2) So as to be clearly visible and readable from the public right-of-way and not obstructed in any manner.
- (3) So as not to create a hazard to traffic on the public rights-of-way abutting the property.
- (4) On the subject property at least ten (10) days prior to the hearing of such zoning change request by the Planning and Zoning Commission, and to remain continuously on said property until final action by the City Council or withdrawal of the case by the applicant. Removal of the sign by the applicant prior to a recommendation by the Planning and Zoning Commission and/or a final decision by the City Council shall constitute a withdrawal of the request.
- (5) The signs shall be as follows:
 - A minimum sign size of 2 feet by 3 feet, but no larger than 4 feet by 4 feet
 - At least 2 feet above the ground
 - Blue or black lettering that is a minimum of 3 inches by 1/2 inch, on a white background
 - Message content as follows:

**PROPOSED (SPECIFY REQUEST)
Contact City of Pearland
281-652-1768**

***Signs must be professionally made; handwritten signs are not allowed.**

***Signs must be freestanding and cannot be attached to a tree, fence, or building.**

CR

Additional Information:

- Upon making an application for a zoning change or conditional use permit, the applicant shall place sign(s) as required. The City shall inspect such sign(s) to ensure compliance as required by the UDC.
- After the zoning change or conditional use permit request is approved by the City Council, denied by the City Council, or withdrawn by the applicant, the applicant shall remove the sign from the area of the request within ten (10) days of such event.
- It shall be unlawful for anyone to remove, destroy, deface or obstruct the view of a sign which gives notice that a zoning change or conditional use permit has been requested.
- In the event the applicant shall fail to erect and/or maintain signs in accordance with this section, then the public hearing before the Planning and Zoning Commission/City Council shall be postponed to a date in the future, which would allow time for compliance.
- The erection of any sign required by this section shall not require a permit under Section 4.1.2.6 of this UDC.
- The owner or applicant shall promptly notify the Planning Department of any sign required by this section, which becomes lost, stolen or vandalized. The Planning and Zoning Commission shall have the power to decide whether or not there has been substantial compliance with the posting requirements in the case of lost, stolen or vandalized signs.



ZONE CHANGE/ VARIANCE/ [] RECORDATION

(circle one)

\$250.00

BA

or

[]

or FE

Description: Input who the check is from

COMMENTS/DESCRIPTION (F10):

Location or Address CUP 2014-04

8809 Broadway

Applicant _____

Owner _____

CITY OF PEARLAND
R E P R I N T

*** CUSTOMER RECEIPT ***

Oper: AGONZALES Type: DC Drawer: 1
Date: 4/17/14 01 Receipt no: 202059

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$250.00
Trans number:		4437691

CUP 2014-04
8809 BROADWAY
PATEL

Tender detail		
CK CHECK	3959	\$250.00
Total tendered		\$250.00
Total payment		\$250.00

Trans date: 4/16/14 Time: 15:50:20

The Old Place, Inc.
P. O. Box 703
Manvel, TX 77578

April 16, 2014

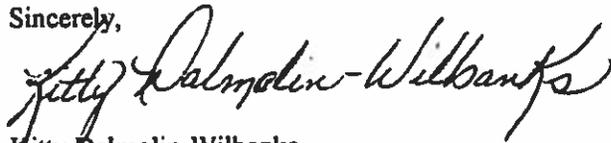
City of Pearland
Attn: Johnna Matthews
3519 Liberty Drive
Pearland, TX 77581

Re: CUP Application Authorization

Dear Ms. Matthews:

Authorization is hereby given to Chan Patel with Sparkles Express to submit a Conditional Use Permit Application with the City of Pearland for a public hearing to be held on May 19, 2014. Please feel free to contact me at 832-372-1008 if you have any questions or need additional information.

Sincerely,



Kitty Dalmolin-Wilbanks
The Old Place, Inc.

Letter of Intent

The subject property at 8909 Broadway is the location of the proposed Express Tunnel car wash. For zoning purposes the car wash is currently categorized as Auto Wash (Self-Serve). The owner is requesting a Conditional Use Permit be granted for the project at this location.

An Express Tunnel, as proposed, is designed to automatically wash and dry vehicles in very short period of time. Customers enter the premises, pay at one of the auto cashiers, and then drive to the tunnel entrance where an attendant guides the vehicle onto the conveyor.

The conveyor moves the vehicle through the tunnel as soap and wax is applied and soft-touch brushes are activated at the appropriate times to clean all areas of the vehicle. Blowers at the end of the conveyor dry the vehicle before the customer exits the tunnel.

Free vacuums are available for customers wanting to take advantage of this service.

The business model is designed for a customer to enter the car wash from Broadway (by means of the Access Easement from the existing access drive), pay at one of the auto cashiers, move through the tunnel and, if there is no stopping at the vacuums, be back on Broadway with a clean and dry vehicle in under five minutes – without ever having to exit their vehicle.

The car wash structure, including the tunnel and the equipment room/offices, is approximately 3,060 sq. ft. Plans are for (16) free vacuums, in two separate vacuum areas, with each section covered with an awning.

Final architectural design is to be determined, but the development will be of quality construction emphasizing glass, steel and masonry (following Pearland guidelines). The vacuum covers are to be high-grade all-weather fabric awnings, with steel supports, designed to coordinate with the building structure. There will be a matching awning cover over the pay stations.

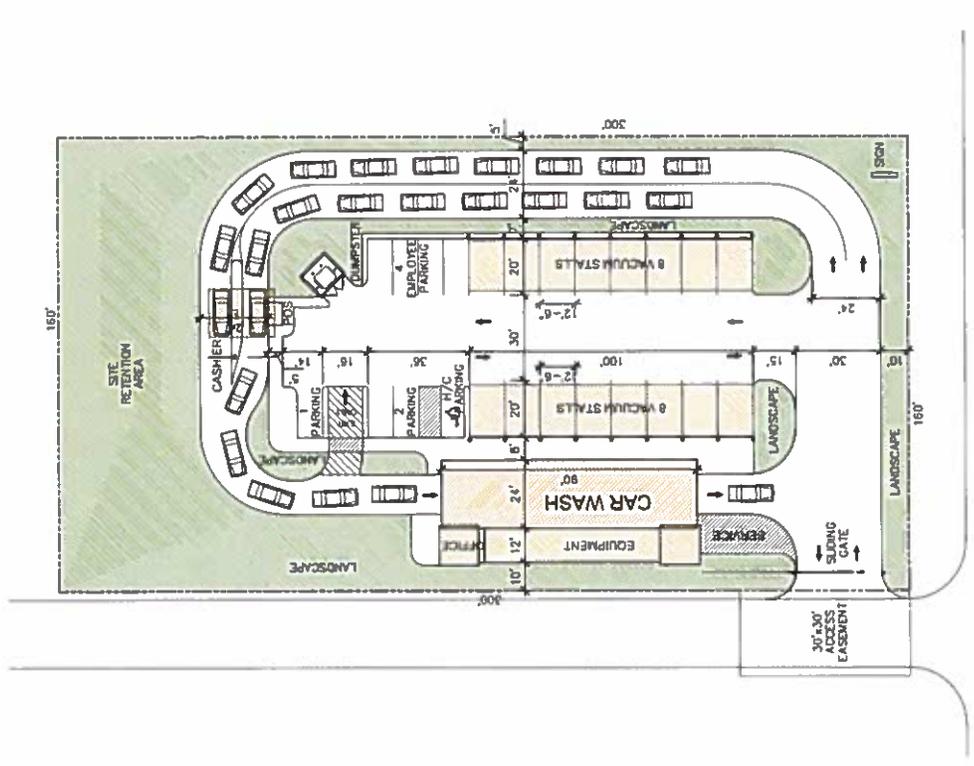
Since this is not a Full-Serve wash, there will not be employees at the end of the tunnel drying vehicles and doing interior work. So there won't be cars and trucks stacking up near the street while this work is done. As said, vehicles will either exit the tunnel and move back onto Broadway or drive to the designated vacuum spaces.

The car wash hours of operation are generally 8:00 AM – 7:00 PM (possibly 8:00 PM in the summer). When the wash is closed there will be a locked gate restricting all access to the property. So, as opposed to a Self-Serve car wash, there will be no activity of any kind on the premises after the gate is locked at closing.

NO.	DATE	NOTE

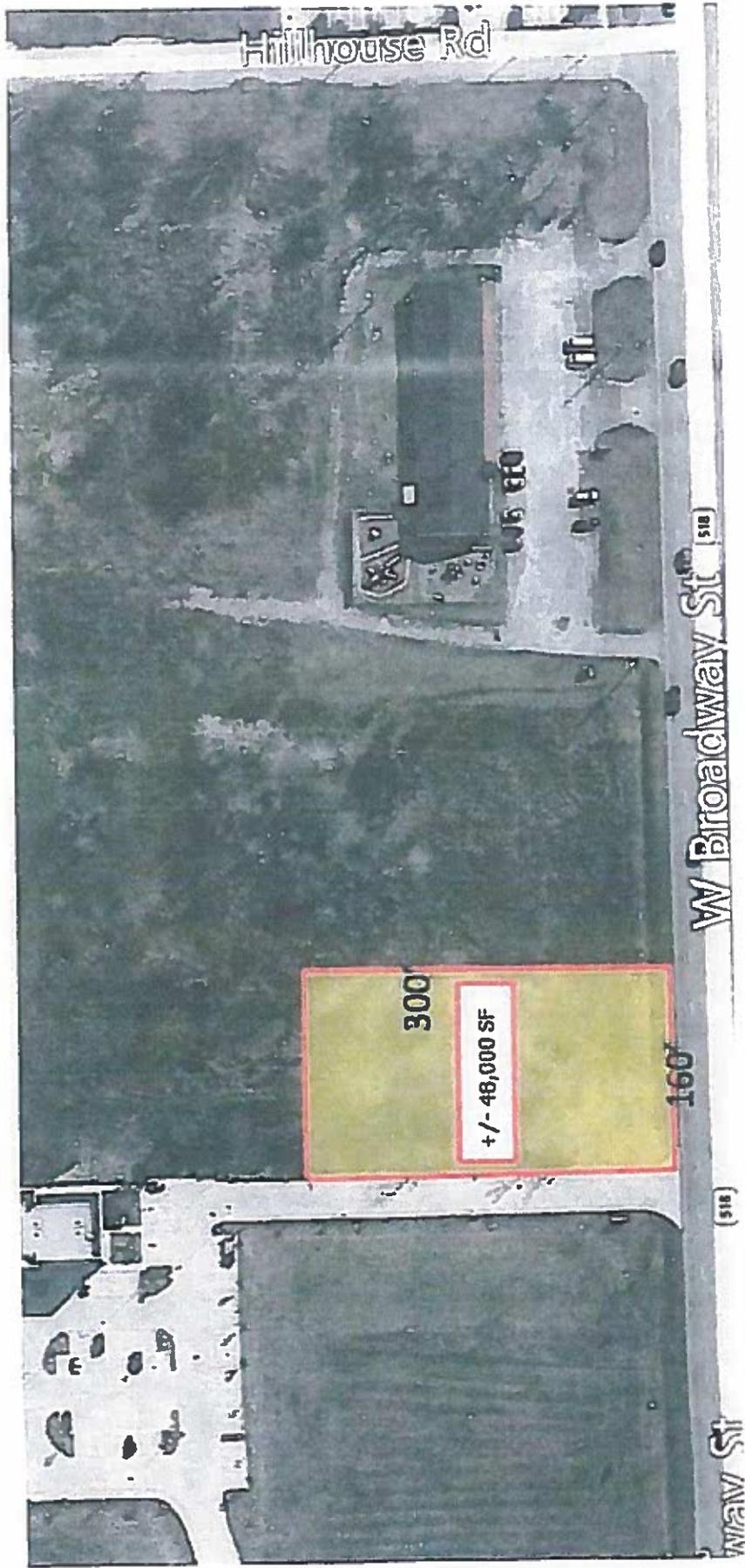
Drawn by: M.L.
 Checked by: T.E.
 Project No.: 14-027
 Date: 04-17-2014

SITE PLAN



(N9) SITE PLAN
 SCALE: 1/8" = 1'-0"

Contract Exhibit A



Initials
Seller Jake
Buyer CL





Windrose Land Services, Inc

3200 Wilcrest, Suite 325

Houston, Texas 77042

Phone (713) 458-2281 Fax (713) 461-1151

Professional Surveying and Engineering Services

Firm Registration No. 10108800

DESCRIPTION

1.1019 ACRES OR 47,999 SQUARE FEET

A TRACT OR PARCEL CONTAINING 1.1019 ACRES OR 47,999 SQUARE FEET OF LAND, OUT OF A CALLED 9.993 ACRE TRACT SITUATED IN THE H.T. & B.R.R. CO. SURVEY, ABSTRACT No. 506, BRAZORIA COUNTY, TEXAS CONVEYED TO THE OLD PLACE INC. AS RECORDED IN THE BRAZORIA COUNTY CLERK'S FILE No. 97-001270, BRAZORIA COUNTY, TEXAS, SAID 1.1019 ACRE BEING DESCRIBED AS FOLLOWS WITH ALL BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL 4204, NAD 83;

BEGINNING AT A 5/8 INCH IRON ROD FOUND AT THE NORTH RIGHT-OF-WAY LINE OF F.M. 518 (BROADWAY)(120' R.O.W.) AND THE SOUTHEAST CORNER OF A LOT "C", FM 518 WEST LIMITED SUBDIVISION AS RECORDED IN THE BRAZORIA PUBLIC OFFICIAL PLAT RECORDS 2008019802, BRAZORIA COUNTY, TEXAS AND BEING THE SOUTH WEST CORNER OF SAID 9.993 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT;

THENCE ALONG COMMON BOUNDARY LINE OF SAID LOT C AND SAID 9.993 ACRE TRACT AND HEREIN DESCRIBED TRACT, NORTH 02 DEGREES 52 MINUTES 24 SECONDS WEST A DISTANCE OF 300.00 FEET TO A 5/8 INCH IRON ROD FOUND MARKING THE NORTHEAST CORNER OF SAID LOT C AND BEING THE SOUTH EAST CORNER OF LOT "B" OF SAID SUBDIVISION, AND MARKING THE NORTHWEST OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 87 DEGREES 25 MINUTES 56 SECONDS EAST A DISTANCE OF 160.00 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 02 DEGREES 52 MINUTES 24 SECONDS EAST A DISTANCE OF 300.00 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET ON THE NORTH RIGHT-OF-WAY LINE OF FM 518 (BROADWAY) MARKING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE OF FM 518, SOUTH 87 DEGREES 25 MINUTES 56 SECONDS WEST, A DISTANCE OF 160.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.1019 ACRES OR 47,999 SQUARE FEET OF LAND, PREPARED BY WINDROSE LAND SERVICES, INC.


MIKE KURKOWSKI
R.P.L.S. NO. 5101
STATE OF TEXAS



03-26-2014
DATE

Thursday, February 20, 2014



Property Tax Status

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Make your check or money order payable to:
Ro'Vin Garrett
111 E Locust
Angleton, Texas 77515

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A **Convenience Fee** of up to 2.4% will be charged for all credit card payments by the vendor providing this service. For eChecks, a convenience fee of \$1.50 will be charged for each transaction. The fee covers the cost of making payments by credit card possible. The fee will appear as a charge to 'Certified Payments'. No part of this fee is retained by Brazoria County.

Unless otherwise noted, all data refers to tax information for 2013. All amounts due include penalty, interest, and attorney fees when applicable. Due to the large volume of work during heavy payment periods amounts due may not reflect payments that have been received but not yet processed.

Account Number: 05060017000

Address:
THE OLD PLACE INC
PO BOX 703
MANVEL, TX 77578-0703

Property Site Address:
8809 BROADWAY FM 518

Legal Description:
A0506 H T & B R R, TRACT 30-30A, ACRES
9.930

Current Tax Levy: \$59,944.96

Current Amount Due: \$0.00

Prior Year Amount Due: \$0.00

Total Amount Due: \$0.00

Last Payment Amount for Current Year Taxes: \$59,944.96

Active Lawsuits: None

Pending Credit Card or E-Check Payments:

No Payment Pending

Jurisdictions:

BRAZORIA COUNTY
BRAZORIA DRAINAGE DIST 4
CITY OF PEARLAND
PEARLAND ISD
SPECIAL ROAD & BRIDGE

Market Value: \$2,165,000

Land Value: \$1,562,060

Improvement Value: \$602,940

Capped Value: \$0

Agricultural Value: \$0

Exemptions: None

Last Certified Date: 08/21/2013

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E-mail: roying@brazoria-county.com
111 E Locust Suite
Angleton, TX 77515
(979) 864-1320

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Planning & Zoning Commission

July 8, 2014

Honorable Mayor and City Council Members
3519 Liberty Drive
Pearland, TX 77581

Re: Recommendation on Conditional Use Permit Application No. CUP 2014-04

Honorable Mayor and City Council Members:

At their regular meeting on July 7, 2014, the Planning and Zoning Commission considered the following:

A request of Chan Patel with Sparkles Express, applicant; on behalf of The Old Place, Inc., owner; for approval of a Conditional Use Permit (CUP) to allow for an Auto Wash (Self Service) within the General Business (GB) zoning district, on approximately 1.10 acres of land on the following described property, to wit:

Legal Description: A tract or parcel containing 1.1019 acres or 47,999 square feet of land, out of a called 9.993 acre tract situated in the H.T. & B.R.R. CO. Survey, Abstract No. 506, Brazoria County, Texas Conveyed to the Old Place, Inc. as recorded in the Brazoria County Clerk's File No. 97-001270, Brazoria County, Texas

General Location: Approximately 1.1 acres of land included in a larger tract of land located at the northwest corner of Broadway Street and Hillhouse Road, Pearland, Texas

The Planning and Zoning Commission reviewed the proposed site plan and Commissioner Elizabeth McLane made a motion to approve the Conditional Use Permit. The motion was seconded by Commissioner Mary Starr. The motion passed (6-0).

Sincerely,

Johnna Matthews

City Planner

On behalf of the Planning and Zoning Commission

Consent Agenda Item D

- D. Consideration and Possible Action – Resolution No. R2014-95 – A** Resolution of the City Council of the City of Pearland, Texas, authorizing the rental of an asphalt recycling machine from R. B. Everett and Company, through fiscal year 2015, in the amount of \$182,000, and ratifying a prior expenditure with Barrier Equipment in the amount of \$67,341.57.

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

AGENDA OF:	August 11, 2014	ITEM NO.: Resolution No. R2014-95
DATE SUBMITTED:	July 30, 2014	DEPT. OF ORIGIN: Finance
PREPARED BY:	Bob Pearce	PRESENTOR: Eric Wilson
REVIEWED BY:	Jon R. Branson	REVIEW DATE: August 4, 2014
SUBJECT: Authorization for Long-Term Rental of Asphalt Recycling Machine		
EXHIBITS: Resolution R2014-95 Brazoria County Inter-Local Agreement Brazoria County Contract Award for Equipment Rentals		
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: \$182,000 (est.)		AMOUNT BUDGETED: \$ 182,000
AMOUNT AVAILABLE: \$ 182,000		PROJECT NO.:
ACCOUNT NOS.: 010-3570-555.09-00		
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

The Public Works Department strives to maintain a sufficient equipment inventory to perform required road maintenance projects, but it remains periodically necessary to utilize equipment on a rental basis to augment the Department's assets in order to meet road repair demand.

In response to Brazoria County's expressed intent to no longer perform full-depth reclamation services for its partnering municipalities (they will now only provide overlays), the Public Works Department rented an asphalt recycling machine on a trial basis this spring to gauge its effectiveness as compared to the portable asphalt zipper currently in the Department's inventory. Public Works utilized the trial recycler for full-depth reclamation projects for segments of the following thoroughfares: Hastings-Friendswood, Fite, Hatfield, Washington Irving and Wagon Trail, and have determined that the recycler

allows road crews to complete similar work at least 4-5 times faster than with the City's existing resources. For this reason, Public Works management is requesting authorization for the long-term rental of an asphalt recycling machine for the balance of FY2014 and the entirety of FY2015 to complete scheduled road maintenance projects.

In conjunction with the asphalt recycler trial referenced above, Purchasing staff had included two (2) months rental of the subject machine in a February 24, 2014 agenda request to authorize expenses for rental machines which were in use while Public Works awaited delivery of purchased equipment. That agenda request authorized an expenditure with Barrier Equipment for the trial recycler of \$28,000. Through a miscommunication between Public Works personnel and Purchasing staff, the Streets division retained the trial recycler an additional 3+ months to complete the projects referenced above, resulting in a total expenditure for the recycler of \$67,341.57. As the unit was initially intended only for two (2) months use, Purchasing staff had allowed an informal quote process for obtaining the unit, and therefore the procurement was not bid through a formal competitive solicitation. It is therefore respectfully requested that Council ratify the additional expense.

SCOPE OF CONTRACT

Rental of a Terex RS350, or equivalent, asphalt recycling machine.

BID AND AWARD

The required recycler is available from R.B. Everett at a rate of \$13,000 per month under an existing Brazoria County rental equipment contract, in which the City is eligible to participate under the standing interlocal agreement between Brazoria County and the City. The City's use of the contract meets all requirements of Local Government Code, Chapter 252 with respect to competitive bidding by Texas municipalities. The monthly rate compares favorably with the \$14,000 monthly rate charged by Barrier Equipment for the trial recycler, which was accepted by Public Works as the only available recycler unit located by Department personnel in our market area during the time of the trial period.

The term of the Brazoria County award is December 23, 2013 through December 22, 2014. Purchasing staff has confirmed with Brazoria County that a recommendation for renewal will be submitted to Commissioners Court in November 2014, and City staff will obtain verification that the renewal occurs as projected. Should there be any substantive changes to the County's award, City staff will return to Council for approval of a commensurate award by the City.

SCHEDULE

Given scheduled road maintenance projects, it is anticipated that the asphalt recycler will be needed for the balance of FY2014 and the entirety of FY2015.

POLICY/GOAL CONSIDERATION

Rental of this item is needed by the Public Works Department in order to complete scheduled street maintenance, which will contribute to the overall City objective for public safety.

CURRENT AND FUTURE FUNDING /FINANCIAL IMPACTS

Funding for these items come from the General Fund for Public Works Streets and Drainage. The award is on a per-month basis, throughout the term of the road projects.

O&M IMPACT INFORMATION

Fiscal Year	2014	2015	2016
	\$26,000 (est.)	\$156,000 (est.)	N/A

RECOMMENDED ACTION

Consideration and approval of a resolution to approve the rental of the asphalt recycle machine from R.B. Everett and Company at a rate of \$13,000 per month through fiscal year 2015, based on the Brazoria County Interlocal Agreement, in order to complete scheduled street rehabilitation projects; and ratification of the expense for the trial recycler rental as described above in the total amount of \$67,341.57.

RESOLUTION NO. R2014-95

A Resolution of the City Council of the City of Pearland, Texas, authorizing the rental of an asphalt recycling machine from R. B. Everett and Company, through fiscal year 2015, in the amount of \$182,000, and ratifying a prior expenditure with Barrier Equipment in the amount of \$67,341.57.

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

Section 1. That the City Council hereby authorizes a rental agreement with R. B. Everett and Company at a monthly rate of \$13,000, for a total of \$182,000; and ratification of a prior expenditure with Barrier Equipment in the amount of \$67,341.57.

Section 2. The City Manager or his designee is hereby authorized to execute a rental agreement for an asphalt recycling machine.

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

RESOLUTION NO. R2005-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AN INTERLOCAL AGREEMENT WITH BRAZORIA COUNTY FOR COOPERATION IN THE PURCHASING OF VARIOUS COMMODITIES.

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

Section 1. That certain interlocal agreement by and between the City of Pearland and Brazoria County, a copy of which is attached hereto as Exhibit "A" and made a part hereof for all purposes, is hereby authorized and approved.

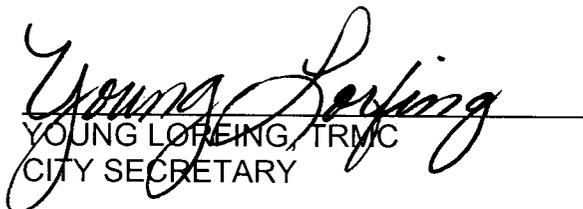
Section 2. That the City Manager or his designee is hereby authorized to execute and the City Secretary to attest an interlocal agreement with Brazoria County, for cooperation in the purchasing of various commodities.

PASSED, APPROVED and ADOPTED this the 23rd day of May,
A.D., 2005.



TOM REID
MAYOR

ATTEST:



YOUNG LOFEING, TRMC
CITY SECRETARY

APPROVED AS TO FORM:



DARRIN M. COKER
CITY ATTORNEY

**INTERLOCAL AGREEMENT
BETWEEN COUNTY OF BRAZORIA AND CITY OF PEARLAND, TEXAS**

This agreement is made this 28th day of April 2005 between the County of Brazoria, Texas and the City of Pearland, Texas.

Pursuant to the authority granted by the "Texas Interlocal Cooperation Act", Chapter 791 Texas Government Code providing for the cooperation between local governmental bodies, the parties hereto, in consideration of the promises and mutual promises contained herein, agree as follows:

WHEREAS, the contract is made under the authority of Section 791.001-791.029 of the Texas Government Code; and,

WHEREAS, the parties, in performing governmental functions or in paying for the performance of governmental functions hereunder shall make that performance or those payments from current revenues legally available to that party;

WHEREAS, the governing bodies of each party find that the subject of this contract is necessary for the benefit of the public and that each party has the legal authority to perform and to provide the governmental function or service which is the subject matter of this contract; furthermore, the governing bodies find that the performance of this contract is in the common interest of both parties; and that the division of cost fairly compensates the performing party for the services performed under this contract.

I.

Each party hereby makes, constitutes and appoints the other party its true and lawful purchasing agent for the purchase of various commodities using Annual Contracts (Bids). Each party will maintain a listing of Annual Contracts which are available for the other party's use. To utilize one or more of these contracts, each party must request authorization, in writing, to the other party. Upon receipt of request, the receiving party will forward a copy of the appropriate Annual Contract to the requesting entity. Each party agrees that the other party shall serve as the purchasing agent for selected items, and agrees that the bidding shall be conducted by the other party according to its usual bidding procedures and in accordance with applicable State statutes.

II.

Each party agrees that all specifications for selected items shall be as determined by the other party.

III.

Each party agrees to pay the supplier for all goods, equipment and products pursuant to this agreement. The successful bidder or bidders shall bill each party directly for all items purchased and each party shall be responsible for vendor's compliance with all conditions of delivery and quality of the purchased items.

IV.

Bill Eisen, City Manager, is hereby designated as the official representative to act for the City of Pearland, Texas in all matters relating to this agreement.

V.

John Willy, County Judge, is hereby designated as the official representative to act for the County of Brazoria, Texas in all matters relating to this agreement.

VI.

This agreement shall be in effect from the date of execution until terminated by either party to the agreement.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their authorized officers the day and year first above written.

BRAZORIA COUNTY

BY: 

(Signature)

NAME: JOHN WILLY

TITLE: COUNTY JUDGE

DATE: 28 April 05

CITY OF PEARLAND, TEXAS

BY: 

(Signature)

NAME: BILL EISEN

TITLE: CITY MANAGER

DATE: May 24, 2005

BRAZORIA COUNTY PURCHASING DEPARTMENT

Susanne Brumley CPPB
Procurement Officer



Tracy Jackson CPPB
Contract Specialist

Charles Crook CPPB
County Purchasing Agent

May 2, 2005

Mr. Bill Eisen
City Manager
City of Pearland
3519 Liberty Drive
Pearland, TX 77581

RE: Contract #05-59 Interlocal Agreement between City of Pearland, Texas and Brazoria County

Dear Mr. Eisen:

Enclosed are two copies of the agreement between the City of Pearland, Texas and Brazoria County, that have already been signed by the Brazoria County Judge.

If you are in agreement with this contract, please sign both copies and return one of them back to Brazoria County Purchasing Department for our records. It should be addressed to the following:

Charles Crook CPPB
Brazoria County Purchasing Agent
111 E. Locust, Bldg. A-29, Suite 100
Angleton, TX 77515

Thank you for your interest in Brazoria County. If you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script that reads "Charles Crook CPPB". The signature is written in black ink.

Charles Crook CPPB
Brazoria County Purchasing Agent

Enclosure(s)

BRAZORIA COUNTY CONTRACT SHEETS
TABLE OF CONTENTS
ITB#14-18 EQUIPMENT RENTALS
DECEMBER 23, 2013 – DECEMBER 22, 2014

ASPHALT RECYCLE MACHINE, WITHOUT OPERATOR	2
ASPHALT RECYCLE MACHINE CONT'D (TEREX RS446C OR EQUIVALENT) WITH OPERATOR	3
BULLDOZER RENTAL	4
TRACKHOE	5
TRACKHOE, CONTINUED	6
TRACKHOE with BOOM JACK HAMMER	6
TRACKHOE, CONTINUED	7
DRAGLINE	7
CRANE RENTAL	8
CRANE RENTAL, continued	9
CRANE RENTAL, continued	10
SELF PROPELLED VIBRATORY SHEEPSFOOT (PADFOOT) ROLLER, SINGLE DRUM CAT CP56C OR EQUIVALENT	11
SELF PROPELLED SINGLE DRUM CAT CP433, HAMM 3307 OR EQUIVALENT	11
SELF PROPELLED FLAT-WHEELED (SMOOTH) ROLLER, 84" SINGLE DRUM	12
SELF PROPELLED FLAT-WHEELED (SMOOTH) ROLLER, 66" SINGLE DRUM	12
HIGH SPEED ROTARY MIXER FOR LIMING OPERATIONS	13
PNEUMATIC TIRED ROLLER	14
TRACK MOUNTED MULTI-PURPOSE MILLING MACHINE, 83,000 LBS OPERATING WEIGHT	14
MOTOR GRADER	15
BUFFER	16
COMPACTOR, VIBRATING	16
CONCRETE SAW, HAND HELD, ELECTRIC	17
CONCRETE SAW, WALK BEHIND	17
CONCRETE VIBRATOR, 1", 1-3/8" AND 2" SHAFT HEAD	17
SURFACE GRINDER	18
MAGNETIC DRILL	18
CHIPPING HAMMER, 15LB, AIR	19
DEMOLITION HAMMER, 30 LB	20
RIVET BUSTER, 30 LB	20
JACK HAMMER, 35LB	21
JACK HAMMER, 60LB	21
JACK HAMMER, 90LB	22
LIFT ARTICULATING BOOM, 45' & 60' OR EQUIVALENT	23
POST HOLE AUGER, ONE MAN, AUGER BIT 10" WIDE 36" DEEP	23
WATER PUMP, PORTABLE, 2"	24
WATER PUMP, PORTABLE, 3"	24
WATER PUMP, PORTABLE, 4"	25
WATER PUMP, PORTABLE, 6"	25
SEWER AUGER	26
TILLER	26
TRENCHER, WALK BEHIND, SELF PROPELLED, 2' DEEP 4" WIDE	26
RIDE ON TRENCHER	27
SKID STEER LOADER, BOBCAT 773 OR EQUIVALENT	27
ATTACHMENTS FOR BOBCAT 773 OR EQUIVALENT	28
AIR COMPRESSOR	29
TRAILER MOUNTED BOOM /LIFT (40' & 60' WORKING HEIGHT LIFT CAPASITY ANSI, CSA OF 500 LBS)	30
WHEEL LOADER, 33,000 LB WITH 3.5 CU.YD. BUCKET	31
SCISSOR LIFT	31

BRAZORIA COUNTY CONTRACT SHEETS

HEAVY EQUIPMENT

ASPHALT RECYCLE MACHINE, WITHOUT OPERATOR

BID #14-18 EQUIPMENT RENTALS

BIDDERS NAME		R.B. EVERETT & COMPANY	BOTTOM LINE EQUIPMENT LLC
DATE OF BID OPENING	ADDRESS	8211 RED BLUFF RD	11331 I-10 EAST #3
WEDNESDAY, DECEMBER 4, 2013		PASADENA, TX 77507	BAYTOWN, TX 77523
CONTRACT TERM:	QUOTED BY	DEAN HENDERSON	STEVEN TOUPS
twelve (12) months	TELEPHONE NO.	281-991-8161	281-751-2000
with the option of three (3) twelve (12) month renewal	FAX NUMBER	281-991-5967	281-751-2007
	CONTACT NAME FOR RENTING	WADE TINDALL - 281-991-8161 RICK VINCENT - 713-805-7970	MATTHEW KNIGHT - 281-830-7364
	CONTACT NAME FOR BILLING	WADE TINDALL - 281-991-8161	MALCOLM BROWN - 504-464-6755
DESCRIPTION:			
1.1 ASPHALT RECYCLING MACHINE RENTAL			
Must meet the following minimum specifications: Operating weight of 31,200 lbs., diesel engine capacity of 300 HP, cutting width of 75 inches, cutting depth of 14 inches. Automatic Liquid Portioning System (ALPS) and Water spray system (manually controlled) may be required.			
		PRIMARY AWARD	SECONDARY AWARD
1.1.1 TEREX RS350 OR EQUIVALENT			FREIGHT \$550 EACH WAY
PRICE PER DAY WITHOUT OPERATOR		\$2,250.00	\$2,240.00
PRICE PER WEEK WITHOUT OPERATOR		\$4,500.00	\$5,600.00
PRICE PER WEEK WITHOUT OPERATOR INCLUDING ALPS & WATER SPRAY		-	\$14,000.00
PRICE PER MONTH WITHOUT OPERATOR		\$13,000.00	-
PRICE PER MONTH WITHOUT OPERATOR INCLUDING ALPS & WATER SPRAY		-	-
YEAR, MAKE AND MODEL		2013 BOMAG MPH364	2012 BOMAG MPH 364
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		3	6
FLYWHEEL POWER		359	HYDROSTATIC
OPERATING WEIGHT		39,000	39000
CUTTING DEPTH		12"	12"
CUTTING WIDTH		79"	79"
OPTIONS:			
Automatic Liquid Portioning Systems (ALPS)		-	-
Water Spray Systems (Manually Controlled)		-	-
RENTAL LOCATIONS		-	BAYTOWN

BRAZORIA COUNTY CONTRACT SHEETS

ASPHALT RECYCLE MACHINE CONT'D (TEREX RS446C OR EQUIVALENT) WITH OPERATOR

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	R.B. EVERETT & COMPANY
DATE OF BID OPENING	ADDRESS	8211 RED BLUFF RD
WEDNESDAY, DECEMBER 4, 2013		PASADENA, TX 77507
CONTRACT TERM:	QUOTED BY	DEAN HENDERSON
twelve (12) months	TELEPHONE NO.	281-991-8161
with the option of three (3) twelve (12) month renewal	FAX NUMBER	281-991-5967
	CONTACT NAME FOR RENTING	WADE TINDALL - 281-991-8161 RICK VINCENT - 713-805-7970
	CONTACT NAME FOR BILLING	WADE TINDALL - 281-991-8161
DESCRIPTION:		
1.1 ASPHALT RECYCLING MACHINE RENTAL		PRIMARY AWARD
Must meet the following minimum specifications: Operating weight of 31,200 lbs., diesel engine capacity of 300 HP, cutting width of 75 inches, cutting depth of 14 inches. Automatic Liquid Portioning System (ALPS) and Water spray system (manually controlled) may be required.		
1.1.2 TEREX RS446C OR EQUIVALENT		
PRICE PER DAY WITH OPERATOR		\$4,300.00
PRICE PER WEEK WITH OPERATOR		\$8,500.00
PRICE PER WEEK WITH OPERATOR INCLUDING ALPS & WATER SPRAY		-
PRICE PER MONTH WITH OPERATOR		\$21,000.00
YEAR, MAKE AND MODEL		2011-2013 TEREX RS446
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		6
FLYWHEEL POWER		435
OPERATING WEIGHT		59,000
CUTTING DEPTH		16"
CUTTING WIDTH		96"
OPTIONS:		
Automatic Liquid Portioning Systems (ALPS)		-
Water Spray Systems (Manually Controlled)		-
RENTAL LOCATIONS		-

BRAZORIA COUNTY CONTRACT SHEETS

BULLDOZER RENTAL

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	ALVIN EQUIPMENT COMPANY LLC	R.B. EVERETT & COMPANY	MUSTANG RENTAL SERVICES, INC
DATE OF BID OPENING	ADDRESS	3375 E. HIGHWAY 6	8211 RED BLUFF RD	3403 HWY 332 EAST
WEDNESDAY, DECEMBER 4, 2013		ALVIN, TX 77512	PASADENA, TX 77507	FREEPORT, TX 77541
CONTRACT TERM:	QUOTED BY	RICKY KUBECZKA	DEAN HENDERSON	MIKE PILLOW
twelve (12) months	TELEPHONE NO.	281-331-3177	281-991-8161	979-233-7368
with the option of three (3) twelve (12) month renewal	FAX NUMBER	281-585-4012	281-991-5967	979-233-0888
	CONTACT NAME FOR RENTING	RICKY KUBECZKA - 281-331-3177	WADE TINDALL - 281-991-8161 RICK VINCENT - 713-805-7970	MIKE PILLOW - 281-734-2141
	CONTACT NAME FOR BILLING	SHANNON MATEJKA - 281-331-3177	WADE TINDALL - 281-991-8161	CHRISTINE FONDREN - 713-452-7764
DESCRIPTION:				
1.2 BULLDOZER RENTAL				
With Blade, KG Cutter Blade, Root Rake, and all other incidental items usually associated with bulldozer work.				
1.2.1 D3K XL CAT, JOHN DEERE 450J OR EQUIVALENT		PRIMARY AWARD	SECONDARY AWARD	SECONDARY AWARD
PRICE PER DAY WITHOUT OPERATOR		\$255.00	-	\$273.00
PRICE PER WEEK WITHOUT OPERATOR		\$765.00	\$800.00	-
PRICE PER MONTH WITHOUT OPERATOR		\$2,295.00	\$2,400.00	-
YEAR, MAKE AND MODEL		DRESSTA TD7	2012-2013 JOHN DEERE 450J	2010+ CAT D3K XL
HORSEPOWER		74	74	70
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		2	10	30
RENTAL LOCATIONS IN BRAZORIA COUNTY		ALVIN		FREEPORT
1.2.2 D4K XL CAT, KOMATSU D37PX OR EQUIVALENT		PRIMARY AWARD		SECONDARY AWARD
PRICE PER DAY WITHOUT OPERATOR		\$325.00	-	\$315.00
PRICE PER WEEK WITHOUT OPERATOR		\$875.00	-	\$945.00
PRICE PER MONTH WITHOUT OPERATOR		\$2,625.00	-	\$2,835.00
YEAR, MAKE AND MODEL		DRESSTA TD8	-	2010+ CAT D4K XL
HORSEPOWER		85	-	92
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		1	-	28
RENTAL LOCATIONS		ALVIN	-	FREEPORT
1.2.3 D6K XL CAT, JOHN DEERE 700J OR EQUIVALENT		PRIMARY AWARD		
PRICE PER DAY WITHOUT OPERATOR		\$500.00	-	\$595.00
PRICE PER WEEK WITHOUT OPERATOR		\$1,500.00	\$1,650.00	-
PRICE PER MONTH WITHOUT OPERATOR		\$4,725.00	\$4,900.00	-
YEAR, MAKE AND MODEL		DRESSTA TD10	2011-2013 JOHN DEERE 700J	2010+ CAT D6K XL
HORSEPOWER		101	115	125
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		1	10	24
RENTAL LOCATIONS		ALVIN		FREEPORT

NO BIDS RECEIVED FOR D7, D8 OR D9 XL CAT OR EQUIVALENT

BRAZORIA COUNTY CONTRACT SHEETS

TRACKHOE

BID #14-18 EQUIPMENT RENTALS

		BIDDERS NAME	ALVIN EQUIPMENT COMPANY LLC	MUSTANG RENTAL SERVICES, INC
DATE OF BID OPENING		ADDRESS	3375 E. HIGHWAY 6	3403 HWY 332 EAST
WEDNESDAY, DECEMBER 4, 2013			ALVIN, TX 77512	FREEPORT, TX 77541
CONTRACT TERM:		QUOTED BY	RICKY KUBECZKA	MIKE PILLOW
twelve (12) months		TELEPHONE NO.	281-331-3177	979-233-7368
with the option of three (3) twelve (12) month renewal		FAX NUMBER	281-585-4012	979-233-0888
		CONTACT NAME FOR RENTING	RICKY KUBECZKA - 281-331-3177	MIKE PILLOW - 281-734-2141
		CONTACT NAME FOR BILLING	SHANNON MATEJKA - 281-331-3177	CHRISTINE FONDREN - 713-452-7764
DESCRIPTION:				
1.3 TRACK HOE/EXCAVATOR RENTAL				
1.3.1 MINI - CAT 301, KOBELCO SK135 OR EQUIVALENT			PRIMARY AWARD	SECONDARY AWARD
PRICE PER DAY WITHOUT OPERATOR			\$180.00	\$187.00
PRICE PER WEEK WITHOUT OPERATOR			\$540.00	\$558.00
PRICE PER MONTH WITHOUT OPERATOR			\$1,615.00	\$1,673.00
YEAR, MAKE AND MODEL			KUBOTA KX018	2010+ CAT 301.8
HORSEPOWER			17	18
OPERATING WEIGHT			3500	3550
DIGGING DEPTH			7' 9"	7' 9"
MAXIMUM REACH			12' 10.3"	110' 10"
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE			1	25
OPTIONS:				
Boom Jackhammer			-	-
RENTAL LOCATIONS			ALVIN	FREEPORT

BID #14-18 EQUIPMENT RENTALS

		BIDDERS NAME	ALVIN EQUIPMENT COMPANY LLC	MUSTANG RENTAL SERVICES, INC
DATE OF BID OPENING		ADDRESS	3375 E. HIGHWAY 6	3403 HWY 332 EAST
WEDNESDAY, DECEMBER 4, 2013			ALVIN, TX 77512	FREEPORT, TX 77541
CONTRACT TERM:		QUOTED BY	RICKY KUBECZKA	MIKE PILLOW
twelve (12) months		TELEPHONE NO.	281-331-3177	979-233-7368
with the option of three (3) twelve (12) month renewal		FAX NUMBER	281-585-4012	979-233-0888
		CONTACT NAME FOR RENTING	RICKY KUBECZKA - 281-331-3177	MIKE PILLOW - 281-734-2141
		CONTACT NAME FOR BILLING	SHANNON MATEJKA - 281-331-3177	CHRISTINE FONDREN - 713-452-7764
DESCRIPTION:				
1.3 TRACK HOE/EXCAVATOR RENTAL				
1.3.2 SMALL - CAT 312C, KOBELCO SK160 OR EQUIVALENT			PRIMARY AWARD	SECONDARY AWARD
PRICE PER DAY WITHOUT OPERATOR			\$390.00	\$411.00
PRICE PER WEEK WITHOUT OPERATOR			\$1,125.00	\$1,234.00
PRICE PER MONTH WITHOUT OPERATOR			\$3,375.00	\$3,702.00
YEAR, MAKE AND MODEL			HYUNDAI 140LC-9	2010+ CAT 312
HORSEPOWER			113	90
OPERATING WEIGHT			30,500	28,970
DIGGING DEPTH			15' 6 "	19' 10"
MAXIMUM REACH			25' 5"	28' 3"
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE			1	25
OPTIONS:				
Boom Jackhammer			-	-
RENTAL LOCATIONS			ALVIN	FREEPORT

BRAZORIA COUNTY CONTRACT SHEETS

TRACKHOE, CONTINUED

BID #14-18 EQUIPMENT RENTALS

		BIDDERS NAME	ALVIN EQUIPMENT COMPANY LLC	MUSTANG RENTAL SERVICES, INC
DATE OF BID OPENING		ADDRESS	3375 E. HIGHWAY 6	3403 HWY 332 EAST
WEDNESDAY, DECEMBER 4, 2013			ALVIN, TX 77512	FREEPORT, TX 77541
CONTRACT TERM:		QUOTED BY	RICKY KUBECZKA	MIKE PILLOW
twelve (12) months		TELEPHONE NO.	281-331-3177	979-233-7368
with the option of three (3) twelve (12) month renewal		FAX NUMBER	281-585-4012	979-233-0888
		CONTACT NAME FOR RENTING	RICKY KUBECZKA - 281-331-3177	MIKE PILLOW - 281-734-2141
		CONTACT NAME FOR BILLING	SHANNON MATEJKA - 281-331-3177	CHRISTINE FONDREN - 713-452-7764
DESCRIPTION:				
1.3 TRACK HOE/EXCAVATOR RENTAL				
1.3.3 MEDIUM - CAT 320C, KOBELCO SK210 OR EQUIVALENT				
			PRIMARY AWARD	SECONDARY AWARD
PRICE PER DAY WITHOUT OPERATOR			\$475.00	\$520.00
PRICE PER WEEK WITHOUT OPERATOR			\$1,425.00	\$1,560.00
PRICE PER MONTH WITHOUT OPERATOR			\$4,275.00	\$4,681.00
YEAR, MAKE AND MODEL			HYUNDAI 210LC-9	2010+ CAT 320P
HORSEPOWER			143	148
OPERATING WEIGHT			50,520	47,400
DIGGING DEPTH			18' 4"	21' 7"
MAXIMUM REACH			30'	31' 10"
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE			1	35
RENTAL LOCATIONS			ALVIN	FREEPORT

TRACKHOE with BOOM JACK HAMMER

BID #14-18 EQUIPMENT RENTALS

		BIDDERS NAME	UNITED RENTALS INC	MUSTANG RENTAL SERVICES, INC
DATE OF BID OPENING		ADDRESS	2011 HIGHWAY 288	3403 HWY 332 EAST
WEDNESDAY, DECEMBER 4, 2013			FREEPORT, TX 77541	FREEPORT, TX 77541
CONTRACT TERM:		QUOTED BY	GARY SURBER	MIKE PILLOW
twelve (12) months		TELEPHONE NO.	979-233-5418	979-233-7368
with the option of three (3) twelve (12) month renewal		FAX NUMBER	979-233-6946	979-233-0888
		CONTACT NAME FOR RENTING	SPENCER SIKES - 979-233-5418	MIKE PILLOW - 281-734-2141
		CONTACT NAME FOR BILLING	SPENCER SIKES - 979-233-5418	CHRISTINE FONDREN - 713-452-7764
DESCRIPTION:				
1.3 TRACK HOE/EXCAVATOR RENTAL				
1.3.4 MEDIUM WITH BOOM JACK HAMMER - CAT 320C, KOBELCO SK210, DOOSAN DX180 OR EQUIVALENT				
			PRIMARY AWARD	SECONDARY AWARD
PRICE PER DAY WITHOUT OPERATOR			\$1,652.00	\$1,782.00
PRICE PER WEEK WITHOUT OPERATOR			\$4,876.50	\$5,348.00
PRICE PER MONTH WITHOUT OPERATOR			\$12,303.50	\$16,044.00
YEAR, MAKE AND MODEL			KOBELCO SK210	2010+ CAT 320D
HORSEPOWER			150	148
OPERATING WEIGHT			47,800	47,400
DIGGING DEPTH			22'	21' 7"
MAXIMUM REACH			31' 9"	31' 10"
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE			5	10
RENTAL LOCATIONS			FREEPORT, BAY CITY, TEXAS CITY	FREEPORT

BRAZORIA COUNTY CONTRACT SHEETS

TRACKHOE, CONTINUED

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MUSTANG RENTAL SERVICES, INC	ALVIN EQUIPMENT COMPANY LLC
DATE OF BID OPENING	ADDRESS	3403 HWY 332 EAST	3375 E. HIGHWAY 6
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541	ALVIN, TX 77512
CONTRACT TERM:	QUOTED BY	MIKE PILLOW	RICKY KUBECZKA
twelve (12) months	TELEPHONE NO.	979-233-7368	281-331-3177
with the option of three (3) twelve (12) month renewal	FAX NUMBER	979-233-0888	281-585-4012
	CONTACT NAME FOR RENTING	MIKE PILLOW - 281-734-2141	RICKY KUBECZKA - 281-331-3177
	CONTACT NAME FOR BILLING	CHRISTINE FONDREN - 713-452-7764	SHANNON MATEJKA - 281-331-3177
DESCRIPTION:			
1.3 TRACK HOE/EXCAVATOR RENTAL			
1.3.5 LARGE - CAT 324E OR EQUIVALENT		PRIMARY AWARD	SECONDARY AWARD
PRICE PER DAY WITHOUT OPERATOR		\$664.00	\$1,285.00
PRICE PER WEEK WITHOUT OPERATOR		\$1,991.00	\$2,850.00
PRICE PER MONTH WITHOUT OPERATOR		\$5,974.00	\$7,500.00
YEAR, MAKE AND MODEL		2010+ CAT 324D	HYUNDAI 290LC-9
HORSEPOWER		188	197
OPERATING WEIGHT		64,460	65,870
DIGGING DEPTH		188	21' 1"
MAXIMUM REACH		22' 4"	32' 10"
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		33' 2"	1
RENTAL LOCATIONS		FREEPORT	ALVIN

DRAGLINE

NO AWARD, NO BIDS RECEIVED

BRAZORIA COUNTY CONTRACT SHEETS

CRANE RENTAL

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MAXIM CRANE WORKS, LP
DATE OF BID OPENING	ADDRESS	5014 E. HIGHWAY 332
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541
CONTRACT TERM:	QUOTED BY	CHRIS JOHNSTON
twelve (12) months	TELEPHONE NO.	979-233-6361
with the option of three (3) twelve (12) month renewal	FAX NUMBER	
	CONTACT NAME FOR RENTING	CHRIS JOHNSTON - 979-236-5964
	CONTACT NAME FOR BILLING	KELLY SHELTON - 979-233-6361
DESCRIPTION:		
1.5 CRANE RENTAL		
1.5.1 20-TON MOTOR CRANE		8 HOUR MINIMUM 7% FUEL SURCHARGE
PRICE PER HOUR WITH OPERATOR		\$125.00
PRICE PER DAY WITH OPERATOR		HOURLY RATE
PRICE PER WEEK WITH OPERATOR		HOURLY RATE
PRICE PER MONTH WITH OPERATOR		HOURLY RATE
YEAR, MAKE AND MODEL		2000 GROVE-GALION
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		40
RENTAL LOCATIONS		FREEPORT (\$300 FRT EACH WAY)
1.5.2 80-TON MOTOR CRANE		8 HOUR MINIMUM 7% FUEL SURCHARGE
PRICE PER HOUR WITH OPERATOR		\$195.00
PRICE PER DAY WITH OPERATOR		HOURLY RATE
PRICE PER WEEK WITH OPERATOR		HOURLY RATE
PRICE PER MONTH WITH OPERATOR		HOURLY RATE
YEAR, MAKE AND MODEL		2000 - 2006 LIEBBERR
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		8
RENTAL LOCATIONS		FREEPORT (+FRT PORT TO PORT)
1.5.3 110-TON MOTOR CRANE		8 HOUR MINIMUM 7% FUEL SURCHARGE
PRICE PER HOUR WITH OPERATOR		\$230.00
PRICE PER DAY WITH OPERATOR		HOURLY RATE
PRICE PER WEEK WITH OPERATOR		HOURLY RATE
PRICE PER MONTH WITH OPERATOR		HOURLY RATE
YEAR, MAKE AND MODEL		2004 - 2008 LIEBBERR
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		5
RENTAL LOCATIONS		FREEPORT (\$750 FRT EA WAY CWT CRANE PORT TO PORT)

BRAZORIA COUNTY CONTRACT SHEETS

CRANE RENTAL, continued

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MAXIM CRANE WORKS, LP
DATE OF BID OPENING	ADDRESS	5014 E. HIGHWAY 332
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541
CONTRACT TERM:	QUOTED BY	CHRIS JOHNSTON
twelve (12) months	TELEPHONE NO.	979-233-6361
with the option of three (3) twelve (12) month renewal	FAX NUMBER	
	CONTACT NAME FOR RENTING	CHRIS JOHNSTON - 979-236-5964
	CONTACT NAME FOR BILLING	KELLY SHELTON - 979-233-6361
DESCRIPTION:		
1.5 CRANE RENTAL		
1.5.4 120-TON MOTOR CRANE		8 HOUR MINIMUM 7% FUEL SURCHARGE
PRICE PER HOUR WITH OPERATOR		\$250.00
PRICE PER DAY WITH OPERATOR		HOURLY RATE
PRICE PER WEEK WITH OPERATOR		HOURLY RATE
PRICE PER MONTH WITH OPERATOR		HOURLY RATE
YEAR, MAKE AND MODEL		2006 - 2008 LIEBBERR
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		6
RENTAL LOCATIONS		FREEPORT (\$750 FRT EA WAY CWT CRANE PORT TO PORT)
1.5.5 160-TON MOTOR CRANE		8 HOUR MINIMUM 7% FUEL SURCHARGE
PRICE PER HOUR WITH OPERATOR		\$280.00
PRICE PER DAY WITH OPERATOR		HOURLY RATE
PRICE PER WEEK WITH OPERATOR		HOURLY RATE
PRICE PER MONTH WITH OPERATOR		HOURLY RATE
YEAR, MAKE AND MODEL		2008 - 2010 LIEBBERR
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		6
RENTAL LOCATIONS		FREEPORT (\$950 FRT EA WAY CRANE PORT TO PORT)
1.5.6 200-TON MOTOR CRANE		8 HOUR MINIMUM 7% FUEL SURCHARGE
PRICE PER HOUR WITH OPERATOR		\$300.00
PRICE PER DAY WITH OPERATOR		HOURLY RATE
PRICE PER WEEK WITH OPERATOR		HOURLY RATE
PRICE PER MONTH WITH OPERATOR		HOURLY RATE
YEAR, MAKE AND MODEL		2004 - 2009 LIEBBERR
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		7
RENTAL LOCATIONS		FREEPORT (\$950 FRT EA WAY CRANE PORT TO PORT)

BRAZORIA COUNTY CONTRACT SHEETS

CRANE RENTAL, continued

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MAXIM CRANE WORKS, LP
DATE OF BID OPENING	ADDRESS	5014 E. HIGHWAY 332
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541
CONTRACT TERM:	QUOTED BY	CHRIS JOHNSTON
twelve (12) months	TELEPHONE NO.	979-233-6361
with the option of three (3) twelve (12) month renewal	FAX NUMBER	
	CONTACT NAME FOR RENTING	CHRIS JOHNSTON - 979-236-5964
	CONTACT NAME FOR BILLING	KELLY SHELTON - 979-233-6361
DESCRIPTION:		
1.5 CRANE RENTAL		
1.5.7 250-TON MOTOR CRANE		8 HOUR MINIMUM 7% FUEL SURCHARGE
PRICE PER HOUR WITH OPERATOR		\$355.00
PRICE PER DAY WITH OPERATOR		HOURLY RATE
PRICE PER WEEK WITH OPERATOR		HOURLY RATE
PRICE PER MONTH WITH OPERATOR		HOURLY RATE
YEAR, MAKE AND MODEL		2009 - 2011 LIEBBERR
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		4
RENTAL LOCATIONS		FREEPORT (\$1200 FRT EA WAY CRANE PORT TO PORT)
1.5.8 300-TON MOTOR CRANE		8 HOUR MINIMUM 7% FUEL SURCHARGE
PRICE PER HOUR WITH OPERATOR		\$385.00
PRICE PER DAY WITH OPERATOR		HOURLY RATE
PRICE PER WEEK WITH OPERATOR		HOURLY RATE
PRICE PER MONTH WITH OPERATOR		HOURLY RATE
YEAR, MAKE AND MODEL		2009 - 2012 LIEBBERR
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		3
RENTAL LOCATIONS		FREEPORT (\$1500 FRT EA WAY CRANE PORT TO PORT)
1.5.9 350-TON MOTOR CRANE		8 HOUR MINIMUM 7% FUEL SURCHARGE
PRICE PER HOUR WITH OPERATOR		\$425.00
PRICE PER DAY WITH OPERATOR		HOURLY RATE
PRICE PER WEEK WITH OPERATOR		HOURLY RATE
PRICE PER MONTH WITH OPERATOR		HOURLY RATE
YEAR, MAKE AND MODEL		2011 - 2012 LIEBBERR
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		3
RENTAL LOCATIONS		FREEPORT (\$2500 FRT EA WAY CRANE PORT TO PORT)

BRAZORIA COUNTY CONTRACT SHEETS

SELF PROPELLED VIBRATORY SHEEPSFOOT (PADFOOT) ROLLER, SINGLE DRUM CAT CP56C OR EQUIVALENT

BID #14-18 EQUIPMENT RENTALS

		BIDDERS NAME	MUSTANG RENTAL SERVICES, INC	BLUELINE RENTAL, LLC
DATE OF BID OPENING		ADDRESS	3403 HWY 332 EAST	4650 S. SAM HOUSTON PKWY E.
WEDNESDAY, DECEMBER 4, 2013			FREEPORT, TX 77541	HOUSTON, TX 77048
CONTRACT TERM:		QUOTED BY	MIKE PILLOW	QUINT WARD
twelve (12) months		TELEPHONE NO.	979-233-7368	619-571-2122
with the option of three (3) twelve (12) month renewal		FAX NUMBER	979-233-0888	760-859-3963
		CONTACT NAME FOR RENTING	MIKE PILLOW - 281-734-2141	RICK WILKENFELD 281-474-2444
		CONTACT NAME FOR BILLING	CHRISTINE FONDREN - 713-452-7764	MATT HOPPER - 713-987-0206
DESCRIPTION:			PRIMARY AWARD	SECONDARY AWARD
1.6 SELF-PROPELLED VIBRATORY SHEEPSFOOT (PADFOOT) ROLLER				
1.6.1 84" SINGLE DRUM CAT CP56C, HAMM 3410 OR EQUIVALENT				
PRICE PER DAY WITHOUT OPERATOR			\$441.00	\$500.00
PRICE PER WEEK WITHOUT OPERATOR			\$1,312.00	\$1,550.00
PRICE PER MONTH WITHOUT OPERATOR			\$3,931.00	\$4,400.00
YEAR, MAKE AND MODEL			2010+ CAT CP563	N/A
SINGLE OR DUAL DRUM			SINGLE	SINGLE
DRUM WIDTH			84"	84"
HORSEPOWER			156	N/A
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE			30	N/A
RENTAL LOCATIONS			FREEPORT	PEARLAND, SEABROOK, HUMBLE

SELF PROPELLED SINGLE DRUM CAT CP433, HAMM 3307 OR EQUIVALENT

BID #14-18 EQUIPMENT RENTALS

		BIDDERS NAME	MUSTANG RENTAL SERVICES, INC	BLUELINE RENTAL, LLC	UNITED RENTALS INC
DATE OF BID OPENING		ADDRESS	3403 HWY 332 EAST	4650 S. SAM HOUSTON PKWY E.	2011 HIGHWAY 288
WEDNESDAY, DECEMBER 4, 2013			FREEPORT, TX 77541	HOUSTON, TX 77048	FREEPORT, TX 77541
CONTRACT TERM:		QUOTED BY	MIKE PILLOW	QUINT WARD	GARY SURBER
twelve (12) months		TELEPHONE NO.	979-233-7368	619-571-2122	979-233-5418
with the option of three (3) twelve (12) month renewal		FAX NUMBER	979-233-0888	760-859-3963	979-233-6946
		CONTACT NAME FOR RENTING	MIKE PILLOW - 281-734-2141	RICK WILKENFELD 281-474-2444	SPENCER SIKES 979-233-5418
		CONTACT NAME FOR BILLING	CHRISTINE FONDREN - 713-452-7764	MATT HOPPER - 713-987-0206	SPENCER SIKES 979-233-5418
DESCRIPTION:			PRIMARY AWARD	SECONDARY AWARD	SECONDARY AWARD
1.6 SELF-PROPELLED VIBRATORY SHEEPSFOOT (PADFOOT) ROLLER					
1.6.2 66" SINGLE DRUM CAT CP433, HAMM 3307 OR EQUIVALENT					
PRICE PER DAY WITHOUT OPERATOR			\$333.00	\$400.00	-
PRICE PER WEEK WITHOUT OPERATOR			\$999.00	-	\$1,166.00
PRICE PER MONTH WITHOUT OPERATOR			\$2,985.00	-	\$2,909.50
YEAR, MAKE AND MODEL			2010+ CAT CP433	N/A	HAMM 3307
SINGLE OR DUAL DRUM			SINGLE	SINGLE	SINGLE
DRUM WIDTH			66"	66"	66"
HORSEPOWER			100	N/A	91
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE			30	N/A	5
RENTAL LOCATIONS			FREEPORT	PEARLAND, SEABROOK, HUMBLE	FREEPORT, BAY CITY, TEXAS CITY

BRAZORIA COUNTY CONTRACT SHEETS

SELF PROPELLED FLAT-WHEELED (SMOOTH) ROLLER, 84" SINGLE DRUM

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MUSTANG RENTAL SERVICES, INC	BLUELINE RENTAL, LLC	R.B. EVERETT & COMPANY
DATE OF BID OPENING	ADDRESS	3403 HWY 332 EAST	4650 S. SAM HOUSTON PKWY E.	8211 RED BLUFF RD
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541	HOUSTON, TX 77048	PASADENA, TX 77507
CONTRACT TERM:	QUOTED BY	MIKE PILLOW	QUINT WARD	DEAN HENDERSON
twelve (12) months	TELEPHONE NO.	979-233-7368	619-571-2122	281-991-8161
with the option of three (3) twelve (12) month renewal	FAX NUMBER	979-233-0888	760-859-3963	281-991-5967
	CONTACT NAME FOR RENTING	MIKE PILLOW - 281-734-2141	RICK WILKENFELD 281-474-2444	WADE TINDALL - 281-991-8161 RICK VINCENT - 713-805-7970
	CONTACT NAME FOR BILLING	CHRISTINE FONDREN - 713-452-7764	MATT HOPPER - 713-987-0206	WADE TINDALL - 281-991-8161
DESCRIPTION:				
1.7 SELF-PROPELLED FLAT-WHEELED (SMOOTH) ROLLER		PRIMARY AWARD	SECONDARY AWARD	SECONDARY AWARD
1.7.1 84" SINGLE DRUM CAT CS56C, HAMM 3410 OR EQUIVALENT				
PRICE PER DAY WITHOUT OPERATOR		\$422.00	\$500.00	-
PRICE PER WEEK WITHOUT OPERATOR		\$1,261.00	\$1,550.00	-
PRICE PER MONTH WITHOUT OPERATOR		\$3,773.00	-	\$3,400.00
YEAR, MAKE AND MODEL		2010+ CAT CS56	N/A	2008-2012 DYNAPAS CA250D
SINGLE OR DUAL DRUM		SINGLE	SINGLE	SINGLE
DRUM WIDTH		84"	84"	8' 4"
HORSEPOWER		156	N/A	150
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		30	N/A	5
RENTAL LOCATIONS		FREEPORT	PEARLAND, SEABROOK, HUMBLE	

SELF PROPELLED FLAT-WHEELED (SMOOTH) ROLLER, 66" SINGLE DRUM

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MUSTANG RENTAL SERVICES, INC	BLUELINE RENTAL, LLC	UNITED RENTALS INC
DATE OF BID OPENING	ADDRESS	3403 HWY 332 EAST	4650 S. SAM HOUSTON PKWY E.	2011 HIGHWAY 288
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541	HOUSTON, TX 77048	FREEPORT, TX 77541
CONTRACT TERM:	QUOTED BY	MIKE PILLOW	QUINT WARD	GARY SURBER
twelve (12) months	TELEPHONE NO.	979-233-7368	619-571-2122	979-233-5418
with the option of three (3) twelve (12) month renewal	FAX NUMBER	979-233-0888	760-859-3963	979-233-6946
	CONTACT NAME FOR RENTING	MIKE PILLOW - 281-734-2141	MATT HOPPER - 713-987-0206	SPENCER SIKES 979-233-5418
	CONTACT NAME FOR BILLING	CHRISTINE FONDREN - 713-452-7764	MATT HOPPER - 713-987-0206	SPENCER SIKES 979-233-5418
DESCRIPTION:				
1.7 SELF-PROPELLED FLAT-WHEELED (SMOOTH) ROLLER		PRIMARY AWARD	SECONDARY AWARD	SECONDARY AWARD
1.7.2 66" SINGLE DRUM CAT CS433, HAMM 3307 OR EQUIVALENT				
PRICE PER DAY WITHOUT OPERATOR		\$301.00	\$400.00	-
PRICE PER WEEK WITHOUT OPERATOR		\$895.00	-	\$1,166.00
PRICE PER MONTH WITHOUT OPERATOR		\$2,671.00	-	\$2,909.50
YEAR, MAKE AND MODEL		2010+ CAT CS433	N/A	HAMM 3307
SINGLE OR DUAL DRUM		SINGLE	SINGLE	SINGLE
DRUM WIDTH		66"	66"	66"
HORSEPOWER		100	N/A	91
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		30	N/A	5
RENTAL LOCATIONS		FREEPORT	PEARLAND, SEABROOK, HUMBLE	FREEPORT, BAY CITY, TEXAS CITY

BRAZORIA COUNTY CONTRACT SHEETS

HIGH SPEED ROTARY MIXER FOR LIMING OPERATIONS

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MUSTANG RENTAL SERVICES, INC	R.B. EVERETT & COMPANY	
DATE OF BID OPENING	ADDRESS	3403 HWY 332 EAST	8211 RED BLUFF RD	
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541	PASADENA, TX 77507	
CONTRACT TERM:	QUOTED BY	MIKE PILLOW	DEAN HENDERSON	
twelve (12) months	TELEPHONE NO.	979-233-7368	281-991-8161	
with the option of three (3) twelve (12) month renewal	FAX NUMBER	979-233-0888	281-991-5967	
	CONTACT NAME FOR RENTING	MIKE PILLOW - 281-734-2141	WADE TINDALL - 281-991-8161 RICK VINCENT - 713-805-7970	
	CONTACT NAME FOR BILLING	CHRISTINE FONDREN - 713-452-7764	WADE TINDALL - 281-991-8161	
DESCRIPTION:		PRIMARY AWARD	SECONDARY AWARD	
1.8 HIGH-SPEED ROTARY MIXER FOR LIMING OPERATIONS TEREX RS350, CAT RM300 OR EQUIVALENT			BOMAG MPH 364 (2013)	BOMAG MPH 122 (2013)
PRICE PER DAY WITHOUT OPERATOR		\$906.00	\$2,250.00	\$2,500.00
PRICE PER WEEK WITHOUT OPERATOR		\$2,716.00	\$4,500.00	\$5,000.00
PRICE PER MONTH WITHOUT OPERATOR		\$8,148.00	\$13,000.00	\$15,000.00
YEAR, MAKE AND MODEL		2008+ CAT RM300		
SINGLE OR DUAL		SINGLE	SINGLE	SINGLE
WIDTH OF CUT (MAXIMUM)		8'	79"	96"
DEPTH OF CUT		18"	12"	16"
HORSEPOWER		350	359	482
OPERATING WEIGHT		53,911	39,000	46,187
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		10	3	3
RENTAL LOCATIONS		FREEPORT		

ASPHALT PAVER, 10' AND 12'

NO AWARD, NO BIDS RECEIVED

TELESCOPIC BOOM EXCAVATING & GRADING MACHINES

NO AWARD, NO BIDS RECEIVED

BRAZORIA COUNTY CONTRACT SHEETS

PNEUMATIC TIRED ROLLER

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MUSTANG RENTAL SERVICES, INC	R.B. EVERETT & COMPANY
DATE OF BID OPENING	ADDRESS	3403 HWY 332 EAST	8211 RED BLUFF RD
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541	PASADENA, TX 77507
CONTRACT TERM:	QUOTED BY	MIKE PILLOW	DEAN HENDERSON
twelve (12) months	TELEPHONE NO.	979-233-7368	281-991-8161
with the option of three (3) twelve (12) month renewal	FAX NUMBER	979-233-0888	281-991-5967
	CONTACT NAME FOR RENTING	MIKE PILLOW - 281-734-2141	WADE TINDALL - 281-991-8161 RICK VINCENT - 713-805-7970
	CONTACT NAME FOR BILLING	CHRISTINE FONDREN - 713-452-7764	WADE TINDALL - 281-991-8161
DESCRIPTION:			
1.11 PNEUMATIC TIRED ROLLER Must meet the following minimum specifications: Nine (9) wheel articulated, pneumatic tired roller, weighing at least 11,000 lbs., ballastable to at least 30,500 lbs.; diesel engine capacity of at least 80 HP @ 2500 RPM. Roller shall have a minimum of nine (9) wheels, with five (5) on the front and four (4) on the rear. Roller shall be equipped with 8x15 14 ply smooth compactor type tires. CAT PS150, DYNAPAC CP142 OR EQUIVALENT		PRIMARY AWARD	SECONDARY AWARD
PRICE PER DAY WITHOUT OPERATOR		\$239.00	\$1,200.00
PRICE PER WEEK WITHOUT OPERATOR		\$708.00	\$1,500.00
PRICE PER MONTH WITHOUT OPERATOR		\$2,118.00	\$2,700.00
NUMBER OF WHEELS		9	9
HORSEPOWER		100	74
OPERATING WEIGHT		10,775	27,000
YEAR, MAKE AND MODEL		2009+ CAT PS150C	2013 BOMAG BW11RH
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		5	2
RENTAL LOCATIONS		FREEPORT	

TRACK MOUNTED MULTI-PURPOSE MILLING MACHINE, 41,500 LBS OPERATING WEIGHT

NO AWARD –

TRACK MOUNTED MULTI-PURPOSE MILLING MACHINE, 83,000 LBS OPERATING WEIGHT

NO AWARD

BRAZORIA COUNTY CONTRACT SHEETS

MOTOR GRADER

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MUSTANG RENTAL SERVICES, INC
DATE OF BID OPENING	ADDRESS	3403 HWY 332 EAST
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541
CONTRACT TERM:	QUOTED BY	MIKE PILLOW
twelve (12) months	TELEPHONE NO.	979-233-7368
with the option of three (3) twelve (12) month renewal	FAX NUMBER	979-233-0888
	CONTACT NAME FOR RENTING	MIKE PILLOW - 281-734-2141
	CONTACT NAME FOR BILLING	CHRISTINE FONDREN - 713-452-7764
DESCRIPTION:		
1.13 MOTOR GRADER		
1.13.1 NORAM 65E OR EQUIVALENT		
Must meet the following minimum specifications: operating weight 18,500 lbs., 68 HP, 10' blade.		
PRICE PER DAY WITHOUT OPERATOR		\$411.00
PRICE PER WEEK WITHOUT OPERATOR		\$1,234.00
PRICE PER MONTH WITHOUT OPERATOR		\$3,702.00
HORSEPOWER		68
YEAR, MAKE AND MODEL		2010+ NORAM 65E
SIZE BLADE		10'
OPERATING WEIGHT		18,500
OPTIONS:		
12' BLADE		
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		6
RENTAL LOCATIONS		FREEPORT
1.13.2 CAT 12H, JOHN DEERE 672D OR EQUIVALENT		
Must meet the following minimum specifications: operating weight 31,000 lbs., 140 HP, 12' blade.		
PRICE PER DAY WITHOUT OPERATOR		\$577.00
PRICE PER WEEK WITHOUT OPERATOR		\$1,730.00
PRICE PER MONTH WITHOUT OPERATOR		\$5,177.00
HORSEPOWER		140
YEAR, MAKE AND MODEL		2008 CAT12H
SIZE BLADE		12'
OPERATING WEIGHT		28,830
OPTIONS:		
14' BLADE		
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		5
RENTAL LOCATIONS		FREEPORT

BRAZORIA COUNTY CONTRACT SHEETS

INDUSTRIAL EQUIPMENT

BUFFER

NO AWARD – NO BIDS RECEIVED

COMPACTOR, VIBRATING

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MUSTANG RENTAL SERVICES, INC	BLUELINE RENTAL, LLC	UNITED RENTALS INC
DATE OF BID OPENING	ADDRESS	3403 HWY 332 EAST	4650 S. SAM HOUSTON PKWY E.	2011 HIGHWAY 288
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541	HOUSTON, TX 77048	FREEPORT, TX 77541
CONTRACT TERM:	QUOTED BY	MIKE PILLOW	QUINT WARD	GARY SURBER
twelve (12) months	TELEPHONE NO.	979-233-7368	619-571-2122	979-233-5418
with the option of three (3) twelve (12) month renewal	FAX NUMBER	979-233-0888	760-859-3963	979-233-6946
	CONTACT NAME FOR RENTING	MIKE PILLOW - 281-734-2141	RICK WILKENFELD 281-474-2444	SPENCER SIKES 979-233-5418
	CONTACT NAME FOR BILLING	CHRISTINE FONDREN - 713-452-7764	MATT HOPPER - 713-987-0206	SPENCER SIKES 979-233-5418
DESCRIPTION:				
2.2 COMPACTOR RENTAL, VIBRATING 21 X 19" PLATE (Plate Tamps)		PRIMARY AWARD	SECONDARY AWARD	SECONDARY AWARD
PRICE PER DAY		\$47.00	\$65.00	-
PRICE PER WEEK		\$141.00	\$195.00	-
PRICE PER MONTH		\$422.00	-	\$484.00
YEAR, MAKE AND MODEL		2007 MQ MVC88 VGHW	N/A	WACKER WP1550AW
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		4	N/A	5

CEMENT MIXER, GAS OPERATED, TOWABLE

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	BLUELINE RENTAL, LLC	UNITED RENTALS INC
DATE OF BID OPENING	ADDRESS	4650 S. SAM HOUSTON PKWY E.	2011 HIGHWAY 288
WEDNESDAY, DECEMBER 4, 2013		HOUSTON, TX 77048	FREEPORT, TX 77541
CONTRACT TERM:	QUOTED BY	QUINT WARD	GARY SURBER
twelve (12) months	TELEPHONE NO.	619-571-2122	979-233-5418
with the option of three (3) twelve (12) month renewal	FAX NUMBER	760-859-3963	979-233-6946
	CONTACT NAME FOR RENTING	RICK WILKENFELD 281-474-2444	SPENCER SIKES 979-233-5418
	CONTACT NAME FOR BILLING	MATT HOPPER - 713-987-0206	SPENCER SIKES 979-233-5418
DESCRIPTION:			
2.3 CEMENT MIXER, GAS OPERATED, TOWABLE			
2.3.1 6 CUBIC FOOT			
PRICE PER DAY		\$80.00	-
PRICE PER WEEK		\$240.00	-
PRICE PER MONTH		\$720.00	-
2.3.2 9 CUBIC FOOT			
PRICE PER DAY		-	\$99.00
PRICE PER WEEK		-	\$215.00
PRICE PER MONTH		-	\$524.00
YEAR, MAKE AND MODEL		-	MULTIQUIP MC94
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		-	5

BRAZORIA COUNTY CONTRACT SHEETS

CONCRETE SAW, HAND HELD, ELECTRIC

NO AWARD – NO BIDS RECEIVED

CONCRETE SAW, WALK BEHIND

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MUSTANG RENTAL SERVICES, INC	BLUELINE RENTAL, LLC	UNITED RENTALS INC
DATE OF BID OPENING	ADDRESS	3403 HWY 332 EAST	4650 S. SAM HOUSTON PKWY E.	2011 HIGHWAY 288
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541	HOUSTON, TX 77048	FREEPORT, TX 77541
CONTRACT TERM:	QUOTED BY	MIKE PILLOW	QUINT WARD	GARY SURBER
twelve (12) months	TELEPHONE NO.	979-233-7368	619-571-2122	979-233-5418
with the option of three (3) twelve (12) month renewal	FAX NUMBER	979-233-0888	760-859-3963	979-233-6946
	CONTACT NAME FOR RENTING	MIKE PILLOW - 281-734-2141	RICK WILKENFELD 281-474-2444	SPENCER SIKES-979-233-5418
	CONTACT NAME FOR BILLING	CHRISTINE FONDREN - 713-452-7764	MATT HOPPER - 713-987-0206	SPENCER SIKES-979-233-5418
DESCRIPTION:				
2.4 CONCRETE SAW		PRIMARY AWARD	SECONDARY AWARD	SECONDAR AWARD
2.4.2 WALK BEHIND				
PRICE PER DAY		\$56.00	\$75.00	-
PRICE PER WEEK		\$169.00	\$225.00	-
PRICE PER MONTH		\$507.00	-	\$671.00
HORSEPOWER		13	20	13
YEAR, MAKE AND MODEL		2007+ MQ 13HP	N/A	HUSGVARNA K760
NUMBER OF MACHINES AVAILABLE FOR COUNTY USE		2	N/A	5
OPTIONS:				
14" HIGH SPEED BLADE, COST PER EACH		\$10.99	\$120.00	\$166.67
12" HIGH SPEED BLADE, COST PER EACH		\$13.99	\$100.00	\$695.00

CONCRETE VIBRATOR, 1", 1-3/8" AND 2" SHAFT HEAD

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MUSTANG RENTAL SERVICES, INC	UNITED RENTALS INC
DATE OF BID OPENING	ADDRESS	3403 HWY 332 EAST	2011 HIGHWAY 288
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541	FREEPORT, TX 77541
CONTRACT TERM:	QUOTED BY	MIKE PILLOW	GARY SURBER
twelve (12) months	TELEPHONE NO.	979-233-7368	979-233-5418
with the option of three (3) twelve (12) month renewal	FAX NUMBER	979-233-0888	979-233-6946
	CONTACT NAME FOR RENTING	MIKE PILLOW - 281-734-2141	SPENCER SIKES-979-233-5418
	CONTACT NAME FOR BILLING	CHRISTINE FONDREN - 713-452-7764	SPENCER SIKES-979-233-5418
DESCRIPTION:			
2.5 CONCRETE VIBRATOR 1", 1 3/8", 2" SHAFT HEAD		PRIMARY AWARD	SECONDARY AWARD
PRICE PER DAY		\$29.00	\$60.50
PRICE PER WEEK		\$85.00	\$154.00
PRICE PER MONTH		\$253.00	\$374.00
HORSEPOWER		2	2.3
YEAR, MAKE AND MODEL		2008+ MQ 2HP	WACKER M2000
NUMBER OF UNITS AVAILABLE FOR COUNTY USE		3	5

BRAZORIA COUNTY CONTRACT SHEETS

SURFACE GRINDER

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	UNITED RENTALS INC
DATE OF BID OPENING	ADDRESS	2011 HIGHWAY 288
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541
CONTRACT TERM:	QUOTED BY	GARY SURBER
twelve (12) months	TELEPHONE NO.	979-233-5418
with the option of three (3) twelve (12) month renewal	FAX NUMBER	979-233-6946
	CONTACT NAME FOR RENTING	SPENCER SIKES-979-233-5418
	CONTACT NAME FOR BILLING	SPENCER SIKES-979-233-5418
DESCRIPTION:		
2.6 SURFACE GRINDER (TERRAZZO GRINDER)		
PRICE PER DAY		\$112.00
PRICE PER WEEK		\$300.00
PRICE PER MONTH		\$750.00
GAS OR ELECTRIC		ELECTRIC
YEAR, MAKE AND MODEL		BLASTRAC BMG2500
NUMBER OF UNITS AVAILABLE FOR COUNTY USE		5
OPTIONS:		
GRINDING STONES (SET OF 6), 2"x 2"x 4", cost per set		\$0.00

MAGNETIC DRILL

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	UNITED RENTALS INC
DATE OF BID OPENING	ADDRESS	2011 HIGHWAY 288
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541
CONTRACT TERM:	QUOTED BY	GARY SURBER
twelve (12) months	TELEPHONE NO.	979-233-5418
with the option of three (3) twelve (12) month renewal	FAX NUMBER	979-233-6946
	CONTACT NAME FOR RENTING	SPENCER SIKES-979-233-5418
	CONTACT NAME FOR BILLING	SPENCER SIKES-979-233-5418
DESCRIPTION:		
2.7 MAGNETIC DRILL		
		1/2"
PRICE PER DAY		\$60.91
PRICE PER WEEK		\$125.31
PRICE PER MONTH		\$301.00
YEAR, MAKE AND MODEL		MILWAUKEE 4270-20
NUMBER OF UNITS AVAILABLE FOR COUNTY USE		5

BRAZORIA COUNTY CONTRACT SHEETS

PILOT BIT, 7/16" TO 1/2"; 9/16" TO 1"; 2"

NO AWARD, NO BIDS RECEIVED

ANNULAR CUTTER, BIT 3/4" SHANK, JANCY SLUGGER OR EQUIVALENT

NO AWARD, NO BIDS RECEIVED

FLAT BORING BIT, JANCY SLUGGER OR EQUIVALENT

NO AWARD, NO BIDS RECEIVED

CHIPPING HAMMER, 15LB, AIR

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	UNITED RENTALS INC	BLUELINE RENTAL, LLC
DATE OF BID OPENING	ADDRESS	2011 HIGHWAY 288	4650 S. SAM HOUSTON PKWY E.
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541	HOUSTON, TX 77048
CONTRACT TERM:	QUOTED BY	GARY SURBER	QUINT WARD
twelve (12) months	TELEPHONE NO.	979-233-5418	619-571-2122
with the option of three (3) twelve (12) month renewal	FAX NUMBER	979-233-6946	760-859-3963
	CONTACT NAME FOR RENTING	SPENCER SIKES-979-233-5418	RICK WILKENFELD 281-474-2444
	CONTACT NAME FOR BILLING	SPENCER SIKES-979-233-5418	MATT HOPPER - 713-987-0206
DESCRIPTION:			
2.8 CHIPPING HAMMER, 15 LB.		PRIMARY AWARD	SECONDARY AWARD
PRICE PER DAY		\$44.00	\$40.00
PRICE PER WEEK		\$99.00	\$120.00
PRICE PER MONTH		\$247.00	\$360.00
ELECTRIC OR AIR		AIR	N/A
YEAR, MAKE AND MODEL		APT M653	N/A
NUMBER OF UNITS AVAILABLE FOR COUNTY USE		5	N/A
OPTIONS:			
POINTED BITS, cost per each		\$15.64	\$0.00
CHISELED BITS, cost per each		\$16.76	\$0.00

BRAZORIA COUNTY CONTRACT SHEETS

DEMOLITION HAMMER, 30 LB

BID #14-18 EQUIPMENT RENTALS

		BIDDERS NAME	UNITED RENTALS INC
DATE OF BID OPENING		ADDRESS	2011 HIGHWAY 288
WEDNESDAY, DECEMBER 4, 2013			FREEPORT, TX 77541
CONTRACT TERM:		QUOTED BY	GARY SURBER
twelve (12) months		TELEPHONE NO.	979-233-5418
with the option of three (3) twelve (12) month renewal		FAX NUMBER	979-233-6946
		CONTACT NAME FOR RENTING	SPENCER SIKES-979-233-5418
		CONTACT NAME FOR BILLING	SPENCER SIKES-979-233-5418
DESCRIPTION:			
2.9 DEMOLITION HAMMER, 30 LB.			
PRICE PER DAY			\$46.00
PRICE PER WEEK			\$137.00
PRICE PER MONTH			\$411.00
ELECTRIC OR AIR			ELECTRIC
YEAR, MAKE AND MODEL			HILTI TE1000AVR
NUMBER OF UNITS AVAILABLE FOR COUNTY USE			2
OPTIONS:			
POINTED BITS, cost per each			\$12.50
CHISELED BITS, cost per each			\$9.80

RIVET BUSTER, 30 LB

BID #14-18 EQUIPMENT RENTALS

		BIDDERS NAME	UNITED RENTALS INC
DATE OF BID OPENING		ADDRESS	2011 HIGHWAY 288
WEDNESDAY, DECEMBER 4, 2013			FREEPORT, TX 77541
CONTRACT TERM:		QUOTED BY	GARY SURBER
twelve (12) months		TELEPHONE NO.	979-233-5418
with the option of three (3) twelve (12) month renewal		FAX NUMBER	979-233-6946
		CONTACT NAME FOR RENTING	SPENCER SIKES-979-233-5418
		CONTACT NAME FOR BILLING	SPENCER SIKES-979-233-5418
DESCRIPTION:			
2.10 RIVET BUSTER, 30 LB.			
PRICE PER DAY			\$55.00
PRICE PER WEEK			\$137.50
PRICE PER MONTH			\$335.50
ELECTRIC OR AIR			AIR
YEAR, MAKE AND MODEL			APT 133
NUMBER OF UNITS AVAILABLE FOR COUNTY USE			5
OPTIONS:			
POINTED BITS, cost per each			\$20.82
CHISELED BITS, cost per each			\$24.96

BRAZORIA COUNTY CONTRACT SHEETS

JACK HAMMER, 35LB

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	BLUELINE RENTAL, LLC
DATE OF BID OPENING	ADDRESS	4650 S. SAM HOUSTON PKWY E.
WEDNESDAY, DECEMBER 4, 2013		HOUSTON, TX 77048
CONTRACT TERM:	QUOTED BY	QUINT WARD
twelve (12) months	TELEPHONE NO.	619-571-2122
with the option of three (3) twelve (12) month renewal	FAX NUMBER	760-859-3963
	CONTACT NAME FOR RENTING	RICK WILKENFELD 281-474-2444
	CONTACT NAME FOR BILLING	MATT HOPPER - 713-987-0206
DESCRIPTION:		
2.11 JACK HAMMER		
2.11.1 35 LB.		
PRICE PER DAY		\$50.00
PRICE PER WEEK		\$150.00
PRICE PER MONTH		\$450.00
ELECTRIC OR AIR		AIR
YEAR, MAKE AND MODEL		N/A
NUMBER OF UNITS AVAILABLE FOR COUNTY USE		N/A
OPTIONS:		
POINTED BITS, cost per each		RENT
CHISELED BITS, cost per each		RENT

JACK HAMMER, 60LB

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	BLUELINE RENTAL, LLC	UNITED RENTALS INC
DATE OF BID OPENING	ADDRESS	4650 S. SAM HOUSTON PKWY E.	2011 HIGHWAY 288
WEDNESDAY, DECEMBER 4, 2013		HOUSTON, TX 77048	FREESPORT, TX 77541
CONTRACT TERM:	QUOTED BY	QUINT WARD	GARY SURBER
twelve (12) months	TELEPHONE NO.	619-571-2122	979-233-5418
with the option of three (3) twelve (12) month renewal	FAX NUMBER	760-859-3963	979-233-6946
	CONTACT NAME FOR RENTING	RICK WILKENFELD 281-474-2444	SPENCER SIKES-979-233-5418
	CONTACT NAME FOR BILLING	MATT HOPPER - 713-987-0206	SPENCER SIKES-979-233-5418
DESCRIPTION:			
2.11 JACK HAMMER			
2.11.2 60 LB.			
		PRIMARY AWARD	SECONDARY AWARD
PRICE PER DAY		\$50.00	\$84.00
PRICE PER WEEK		\$150.00	\$242.00
PRICE PER MONTH		\$450.00	\$599.00
ELECTRIC OR AIR		AIR	ELECTRIC
YEAR, MAKE AND MODEL		N/A	BOSCH 1130415
NUMBER OF UNITS AVAILABLE FOR COUNTY USE		N/A	5
OPTIONS:			
POINTED BITS, cost per each		RENT	\$22.42
CHISELED BITS, cost per each		RENT	\$25.82

BRAZORIA COUNTY CONTRACT SHEETS

JACK HAMMER, 90LB

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MUSTANG RENTAL SERVICES, INC	UNITED RENTALS INC
DATE OF BID OPENING	ADDRESS	3403 HWY 332 EAST	2011 HIGHWAY 288
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541	FREEPORT, TX 77541
CONTRACT TERM:	QUOTED BY	MIKE PILLOW	GARY SURBER
twelve (12) months	TELEPHONE NO.	979-233-7368	979-233-5418
with the option of three (3) twelve (12) month renewal	FAX NUMBER	979-233-0888	979-233-6946
	CONTACT NAME FOR RENTING	MIKE PILLOW - 281-734-2141	SPENCER SIKES-979-233-5418
	CONTACT NAME FOR BILLING	CHRISTINE FONDREN - 713-452-7764	SPENCER SIKES-979-233-5418
DESCRIPTION:			
2.11 JACK HAMMER			
2.11.3 90 LB.		PRIMARY AWARD	SECONDARY AWARD
PRICE PER DAY		\$29.00	\$49.50
PRICE PER WEEK		\$85.00	\$121.00
PRICE PER MONTH		\$253.00	\$302.50
ELECTRIC OR AIR		AIR	AIR
YEAR, MAKE AND MODEL		2009+ KENT 90LB	SULBIR MPB-90A
NUMBER OF UNITS AVAILABLE FOR COUNTY USE		2	5
OPTIONS:			
POINTED BITS, cost per each		\$25.00	\$22.42
CHISELED BITS, cost per each		\$30.00	\$25.82

BRAZORIA COUNTY CONTRACT SHEETS

LIFT ARTICULATING BOOM, 45' & 60' OR EQUIVALENT

BID #14-18 EQUIPMENT RENTALS

		BIDDERS NAME	UNITED RENTALS INC	BLUELINE RENTAL, LLC
DATE OF BID OPENING		ADDRESS	2011 HIGHWAY 288	4650 S. SAM HOUSTON PKWY E.
WEDNESDAY, DECEMBER 4, 2013			FREEPORT, TX 77541	HOUSTON, TX 77048
CONTRACT TERM:		QUOTED BY	GARY SURBER	QUINT WARD
twelve (12) months		TELEPHONE NO.	979-233-5418	619-571-2122
with the option of three (3) twelve (12) month renewal		FAX NUMBER	979-233-6946	760-859-3963
		CONTACT NAME FOR RENTING	SPENCER SIKES-979-233-5418	RICK WILKENFELD 281-474-2444
		CONTACT NAME FOR BILLING	SPENCER SIKES-979-233-5418	MATT HOPPER - 713-987-0206
DESCRIPTION:				
2.12 LIFT, ARTICULATING BOOM			PRIMARY AWARD	SECONDARY AWARD
2.12.1 45' OR EQUIVALENT				
PRICE PER DAY			\$268.40	\$275.00
PRICE PER WEEK			\$671.00	\$825.00
PRICE PER MONTH			\$1,677.50	\$2,150.00
BOOM LENGTH			45'	45'
YEAR, MAKE AND MODEL			GENIE Z45/25JK	N/A
NUMBER OF UNITS AVAILABLE FOR COUNTY USE			5	N/A
2.12.2 60' OR EQUIVALENT, 500 - 1000 LB. CAPACITY				
PRICE PER DAY			\$374.00	\$375.00
PRICE PER WEEK			\$935.00	\$1,125.00
PRICE PER MONTH			\$2,337.50	\$3,375.00
BOOM LENGTH			60'	65'
YEAR, MAKE AND MODEL			JLG 600AJ	N/A
NUMBER OF UNITS AVAILABLE FOR COUNTY USE			5	N/A

POST HOLE AUGER, ONE MAN, AUGER BIT 10" WIDE 36" DEEP

BID #14-18 EQUIPMENT RENTALS

		BIDDERS NAME	UNITED RENTALS INC
DATE OF BID OPENING		ADDRESS	2011 HIGHWAY 288
WEDNESDAY, DECEMBER 4, 2013			FREEPORT, TX 77541
CONTRACT TERM:		QUOTED BY	GARY SURBER
twelve (12) months		TELEPHONE NO.	979-233-5418
with the option of three (3) twelve (12) month renewal		FAX NUMBER	979-233-6946
		CONTACT NAME FOR RENTING	SPENCER SIKES-979-233-5418
		CONTACT NAME FOR BILLING	SPENCER SIKES-979-233-5418
DESCRIPTION:			
2.13 POST HOLE AUGER - ONE MAN, AUGER BIT 10" WIDE 36" DEEP			
PRICE PER DAY			\$77.00
PRICE PER WEEK			\$357.00
PRICE PER MONTH			\$678.00
YEAR, MAKE AND MODEL			LITTLE BEAVER MPL8H
NUMBER OF UNITS AVAILABLE FOR COUNTY USE			5

BRAZORIA COUNTY CONTRACT SHEETS

WATER PUMP, PORTABLE, 2"

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MUSTANG RENTAL SERVICES, INC	BLUELINE RENTAL, LLC
DATE OF BID OPENING	ADDRESS	3403 HWY 332 EAST	4650 S. SAM HOUSTON PKWY E.
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541	HOUSTON, TX 77048
CONTRACT TERM:	QUOTED BY	MIKE PILLOW	QUINT WARD
twelve (12) months	TELEPHONE NO.	979-233-7368	619-571-2122
with the option of three (3) twelve (12) month renewal	FAX NUMBER	979-233-0888	760-859-3963
	CONTACT NAME FOR RENTING	MIKE PILLOW - 281-734-2141	RICK WILKENFELD 281-474-2444
	CONTACT NAME FOR BILLING	CHRISTINE FONDREN - 713-452-7764	MATT HOPPER - 713-987-0206
DESCRIPTION:			
2.14 WATER PUMP, PORTABLE include 20 ft. suction hose, 50 ft. discharge hose and strainer)		PRIMARY AWARD	SECONDARY AWARD
2.14.1 2"			
PRICE PER DAY		\$37.00	\$55.00
PRICE PER WEEK		\$112.00	\$165.00
PRICE PER MONTH		\$337.00	\$495.00

WATER PUMP, PORTABLE, 3"

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MUSTANG RENTAL SERVICES, INC	BLUELINE RENTAL, LLC
DATE OF BID OPENING	ADDRESS	3403 HWY 332 EAST	4650 S. SAM HOUSTON PKWY E.
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541	HOUSTON, TX 77048
CONTRACT TERM:	QUOTED BY	MIKE PILLOW	QUINT WARD
twelve (12) months	TELEPHONE NO.	979-233-7368	619-571-2122
with the option of three (3) twelve (12) month renewal	FAX NUMBER	979-233-0888	760-859-3963
	CONTACT NAME FOR RENTING	MIKE PILLOW - 281-734-2141	RICK WILKENFELD 281-474-2444
	CONTACT NAME FOR BILLING	CHRISTINE FONDREN - 713-452-7764	MATT HOPPER - 713-987-0206
DESCRIPTION:			
2.14 WATER PUMP, PORTABLE include 20 ft. suction hose, 50 ft. discharge hose and strainer)		PRIMARY AWARD	SECONDARY AWARD
2.14.1 3"			
PRICE PER DAY		\$47.00	\$65.00
PRICE PER WEEK		\$141.00	\$195.00
PRICE PER MONTH		\$422.00	\$585.00

BRAZORIA COUNTY CONTRACT SHEETS

WATER PUMP, PORTABLE, 4"

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MUSTANG RENTAL SERVICES, INC	UNITED RENTALS INC	BLUELINE RENTAL, LLC
DATE OF BID OPENING	ADDRESS	3403 HWY 332 EAST	2011 HIGHWAY 288	4650 S. SAM HOUSTON PKWY E.
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541	FREEPORT, TX 77541	HOUSTON, TX 77048
CONTRACT TERM:	QUOTED BY	MIKE PILLOW	GARY SURBER	QUINT WARD
twelve (12) months with the option of three (3) twelve (12) month renewal	TELEPHONE NO.	979-233-7368	979-233-5418	619-571-2122
	FAX NUMBER	979-233-0888	979-233-6946	760-859-3963
	CONTACT NAME FOR RENTING	MIKE PILLOW - 281-734-2141	SPENCER SIKES-979-233-5418	RICK WILKENFELD 281-474-2444
	CONTACT NAME FOR BILLING	CHRISTINE FONDREN - 713-452-7764	SPENCER SIKES-979-233-5418	MATT HOPPER - 713-987-0206
DESCRIPTION:				
2.14 WATER PUMP, PORTABLE (include 20 ft. suction hose, 50 ft. discharge hose and strainer)		PRIMARY AWARD	SECONDARY AWARD	SECONDARY AWARD
2.14.3 4"				
PRICE PER DAY		\$66.00	-	\$90.00
PRICE PER WEEK		\$197.00	-	\$270.00
PRICE PER MONTH		\$591.00	\$672.50	-

WATER PUMP, PORTABLE, 6"

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MUSTANG RENTAL SERVICES, INC	UNITED RENTALS INC	BLUELINE RENTAL, LLC
DATE OF BID OPENING	ADDRESS	3403 HWY 332 EAST	2011 HIGHWAY 288	4650 S. SAM HOUSTON PKWY E.
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541	FREEPORT, TX 77541	HOUSTON, TX 77048
CONTRACT TERM:	QUOTED BY	MIKE PILLOW	GARY SURBER	QUINT WARD
twelve (12) months with the option of three (3) twelve (12) month renewal	TELEPHONE NO.	979-233-7368	979-233-5418	619-571-2122
	FAX NUMBER	979-233-0888	979-233-6946	760-859-3963
	CONTACT NAME FOR RENTING	MIKE PILLOW - 281-734-2141	SPENCER SIKES-979-233-5418	RICK WILKENFELD 281-474-2444
	CONTACT NAME FOR BILLING	CHRISTINE FONDREN - 713-452-7764	SPENCER SIKES-979-233-5418	MATT HOPPER - 713-987-0206
DESCRIPTION:				
2.14 WATER PUMP, PORTABLE (include 20 ft. suction hose, 50 ft. discharge hose and strainer)		PRIMARY AWARD	SECONDARY AWARD	SECONDARY AWARD
2.14.4 6"				
PRICE PER DAY		\$112.00	-	\$190.00
PRICE PER WEEK		\$337.00	-	\$580.00
PRICE PER MONTH		\$1,013.00	\$1,658.50	-
GASOLINE OR AIR		GAS	GAS	N/A
YEAR, MAKE AND MODEL		2010+ MQ	VARIOUS	N/A
NUMBER OF UNITS AVAILABLE FOR COUNTY USE		2	5	N/A
OPTIONS:				
ADDITIONAL 20 FT. SUCTION HOSE, add per day		\$10.00	\$0.00	\$0.00
ADDITIONAL 50 FT. DISCHARGE HOSE, add per day		\$10.00	\$0.00	\$0.00

**SCAFFOLDING
NO AWARD, NO BIDS RECEIVED**

BRAZORIA COUNTY CONTRACT SHEETS

SEWER AUGER

BID #14-18 EQUIPMENT RENTALS

DATE OF BID OPENING		BIDDERS NAME	UNITED RENTALS INC
WEDNESDAY, DECEMBER 4, 2013		ADDRESS	2011 HIGHWAY 288
			FREEPORT, TX 77541
CONTRACT TERM:		QUOTED BY	GARY SURBER
twelve (12) months		TELEPHONE NO.	979-233-5418
with the option of three (3) twelve (12) month renewal		FAX NUMBER	979-233-6946
		CONTACT NAME FOR RENTING	SPENCER SIKES-979-233-5418
		CONTACT NAME FOR BILLING	SPENCER SIKES-979-233-5418
DESCRIPTION:			
2.16 SEWER AUGER RENTAL			
2.16.1 2" (SINK) WITH 50' HOSE			
PRICE PER DAY			\$40.00
PRICE PER WEEK			\$139.00
PRICE PER MONTH			\$316.00
2.16.2 4" (MAIN LINE) WITH 100' HOSE			
PRICE PER DAY			\$66.00
PRICE PER WEEK			\$254.00
PRICE PER MONTH			\$568.00

TILLER

NO AWARD, NO BIDS RECEIVED

TRENCHER, WALK BEHIND, SELF PROPELLED, 2' DEEP 4" WIDE

BID #14-18 EQUIPMENT RENTALS

DATE OF BID OPENING		BIDDERS NAME	BLUELINE RENTAL, LLC	UNITED RENTALS INC
WEDNESDAY, DECEMBER 4, 2013		ADDRESS	4650 S. SAM HOUSTON PKWY E.	2011 HIGHWAY 288
			HOUSTON, TX 77048	FREEPORT, TX 77541
CONTRACT TERM:		QUOTED BY	QUINT WARD	GARY SURBER
twelve (12) months		TELEPHONE NO.	619-571-2122	979-233-5418
with the option of three (3) twelve (12) month renewal		FAX NUMBER	760-859-3963	979-233-6946
		CONTACT NAME FOR RENTING	RICK WILKENFELD 281-474-2444	SPENCER SIKES-979-233-5418
		CONTACT NAME FOR BILLING	MATT HOPPER - 713-987-0206	SPENCER SIKES-979-233-5418
DESCRIPTION:				
2.18 TRENCHER		PRIMARY AWARD		SECONDARY AWARD
2.18.1 WALK BEHIND, SELF PROPELLED				
1' DEEP, 2" WIDE				
PRICE PER DAY		\$125.00		-
PRICE PER WEEK		\$375.00		-
PRICE PER MONTH		\$1,125.00		-
2' DEEP, 4" WIDE				
PRICE PER DAY		\$125.00		\$170.50
PRICE PER WEEK		\$375.00		\$418.00
PRICE PER MONTH		\$1,125.00		\$1,039.50
2' DEEP, 6" WIDE				
PRICE PER DAY		\$125.00		-
PRICE PER WEEK		\$375.00		-
PRICE PER MONTH		\$1,125.00		-

BRAZORIA COUNTY CONTRACT SHEETS

RIDE ON TRENCHER

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	MUSTANG RENTAL SERVICES, INC	BLUELINE RENTAL, LLC
DATE OF BID OPENING	ADDRESS	3403 HWY 332 EAST	4650 S. SAM HOUSTON PKWY E.
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541	HOUSTON, TX 77048
CONTRACT TERM:	QUOTED BY	MIKE PILLOW	QUINT WARD
twelve (12) months	TELEPHONE NO.	979-233-7368	619-571-2122
with the option of three (3) twelve (12) month renewal	FAX NUMBER	979-233-0888	760-859-3963
	CONTACT NAME FOR RENTING	MIKE PILLOW - 281-734-2141	RICK WILKENFELD 281-474-2444
	CONTACT NAME FOR BILLING	CHRISTINE FONDREN - 713-452-7764	MATT HOPPER - 713-987-0206
DESCRIPTION:			
2.18 TRENCHER		PRIMARY AWARD	SECONDARY AWARD
2.18.2 RIDE ON			
3-4' DEEP, 6" WIDE			
PRICE PER DAY		\$197.00	\$250.00
PRICE PER WEEK		\$591.00	\$750.00
PRICE PER MONTH		\$1,772.00	\$1,850.00
3-4' DEEP, 8" WIDE			
PRICE PER DAY		\$197.00	\$250.00
PRICE PER WEEK		\$591.00	\$750.00
PRICE PER MONTH		\$1,772.00	\$1,850.00
3-4' DEEP, 10" WIDE			
PRICE PER DAY		\$197.00	\$250.00
PRICE PER WEEK		\$591.00	\$750.00
PRICE PER MONTH		\$1,772.00	\$1,850.00
3-4' DEEP, 12" WIDE			
PRICE PER DAY		\$197.00	\$250.00
PRICE PER WEEK		\$591.00	\$750.00
PRICE PER MONTH		\$1,772.00	\$1,850.00

SKID STEER LOADER, BOBCAT 773 OR EQUIVALENT

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	BLUELINE RENTAL, LLC	UNITED RENTALS INC
DATE OF BID OPENING	ADDRESS	4650 S. SAM HOUSTON PKWY E.	2011 HIGHWAY 288
WEDNESDAY, DECEMBER 4, 2013		HOUSTON, TX 77048	FREEPORT, TX 77541
CONTRACT TERM:	QUOTED BY	QUINT WARD	GARY SURBER
twelve (12) months	TELEPHONE NO.	619-571-2122	979-233-5418
with the option of three (3) twelve (12) month renewal	FAX NUMBER	760-859-3963	979-233-6946
	CONTACT NAME FOR RENTING	RICK WILKENFELD 281-474-2444	SPENCER SIKES-979-233-5418
	CONTACT NAME FOR BILLING	MATT HOPPER - 713-987-0206	SPENCER SIKES-979-233-5418
DESCRIPTION:			
2.19 SKID STEER LOADER			
BOBCAT S175, CAT 22652 OR EQUIVALENT			
PRICE PER DAY WITHOUT OPERATOR		\$180.00	-
PRICE PER WEEK WITHOUT OPERATOR		-	\$484.00
PRICE PER MONTH WITHOUT OPERATOR		-	\$1,210.00
YEAR, MAKE AND MODEL		-	BOBCAT S175
NUMBER OF UNITS AVAILABLE FOR COUNTY USE		-	5

BRAZORIA COUNTY CONTRACT SHEETS

ATTACHMENTS FOR BOBCAT 773 OR EQUIVALENT

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	BLUELINE RENTAL, LLC	UNITED RENTALS INC	MUSTANG RENTAL SERVICES, INC
DATE OF BID OPENING	ADDRESS	4650 S. SAM HOUSTON PKWY E.	2011 HIGHWAY 288	3403 HWY 332 EAST
WEDNESDAY, DECEMBER 4, 2013		HOUSTON, TX 77048	FREEPORT, TX 77541	FREEPORT, TX 77541
CONTRACT TERM:	QUOTED BY	QUINT WARD	GARY SURBER	MIKE PILLOW
twelve (12) months	TELEPHONE NO.	619-571-2122	979-233-5418	979-233-7368
with the option of three (3) twelve (12) month renewal	FAX NUMBER	760-859-3963	979-233-6946	979-233-0888
	CONTACT NAME FOR RENTING	RICK WILKENFELD 281-474-2444	SPENCER SIKES-979-233-5418	MIKE PILLOW - 281-734-2141
	CONTACT NAME FOR BILLING	MATT HOPPER - 713-987-0206	SPENCER SIKES-979-233-5418	CHRISTINE FONDREN - 713-452-7764
DESCRIPTION:				
2.20 SKID STEER LOADER ATTACHMENTS				
2.20.1 AUGER 12" BIT		SECONDARY AWARD		PRIMARY AWARD
PRICE PER DAY		\$50.00	-	\$16.00
PRICE PER WEEK		\$150.00	-	\$46.00
PRICE PER MONTH		\$450.00	-	\$138.00
2.20.2 AUGER 16" BIT		PRIMARY AWARD		
PRICE PER DAY		\$50.00	-	-
PRICE PER WEEK		\$150.00	-	-
PRICE PER MONTH		\$450.00	-	-
2.20.3 AUGER 18" BIT		SECONDARY AWARD		PRIMARY AWARD
PRICE PER DAY		\$50.00	-	\$22.00
PRICE PER WEEK		\$150.00	-	\$60.00
PRICE PER MONTH		\$450.00	-	\$178.00
2.20.4 AUGER 24" BIT		SECONDARY AWARD		PRIMARY AWARD
PRICE PER DAY		\$50.00	-	\$26.00
PRICE PER WEEK		\$150.00	-	\$74.00
PRICE PER MONTH		\$450.00	-	\$220.00
2.20.5 AUGER 36" BIT		SECONDARY AWARD		PRIMARY AWARD
PRICE PER DAY		\$50.00	-	\$27.00
PRICE PER WEEK		\$150.00	-	\$80.00
PRICE PER MONTH		\$450.00	-	\$232.00
2.20.6 CEMENT BREAKER 500 LB. HYDRAULIC DEMO HAMMER		SECONDARY AWARD	PRIMARY AWARD	
PRICE PER DAY		\$175.00	\$165.00	-
PRICE PER WEEK		\$525.00	\$412.50	-
PRICE PER MONTH		\$1,575.00	\$1,023.00	-
2.20.7 SWEEPER 6 FT.		PRIMARY AWARD		
PRICE PER DAY		\$165.00	-	-
PRICE PER WEEK		\$495.00	-	-
PRICE PER MONTH		\$1,450.00	-	-
2.20.8 FORK LIFT			PRIMARY AWARD	SECONDARY AWARD
PRICE PER DAY		-	\$44.00	\$52.00
PRICE PER WEEK		-	\$110.00	\$155.00
PRICE PER MONTH		-	\$269.50	\$464.00

BRAZORIA COUNTY CONTRACT SHEETS

AIR COMPRESSOR

BID #14-18 EQUIPMENT RENTALS

	BIDDERS NAME	BLUELINE RENTAL, LLC	UNITED RENTALS INC	MUSTANG RENTAL SERVICES, INC
DATE OF BID OPENING	ADDRESS	4650 S. SAM HOUSTON PKWY E. HOUSTON, TX 77048	2011 HIGHWAY 288 FREEPORT, TX 77541	3403 HWY 332 EAST FREEPORT, TX 77541
WEDNESDAY, DECEMBER 4, 2013				
CONTRACT TERM:	QUOTED BY	QUINT WARD	GARY SURBER	MIKE PILLOW
twelve (12) months	TELEPHONE NO.	619-571-2122	979-233-5418	979-233-7368
with the option of three (3) twelve (12) month renewal	FAX NUMBER	760-859-3963	979-233-6946	979-233-0888
	CONTACT NAME FOR RENTING	RICK WILKENFELD 281-474-2444	SPENCER SIKES-979-233-5418	MIKE PILLOW - 281-734-2141
	CONTACT NAME FOR BILLING	MATT HOPPER - 713-987-0206	SPENCER SIKES-979-233-5418	CHRISTINE FONDREN - 713-452-7764
DESCRIPTION:				
2.21 AIR COMPRESSOR				
2.21.2 185 CFM			SECONDARY AWARD	PRIMARY AWARD
PRICE PER DAY		-	\$99.00	\$71.00
PRICE PER WEEK		-	\$242.00	\$212.00
PRICE PER MONTH		-	\$605.00	\$633.00
2.21.3 250 CFM				PRIMARY AWARD
PRICE PER DAY		-	-	\$89.00
PRICE PER WEEK		-	-	\$268.00
PRICE PER MONTH		-	-	\$801.00
2.21.4 375 CFM		SECONDARY AWARD	SECONDARY AWARD	PRIMARY AWARD 400CFM
PRICE PER DAY		\$160.00	-	\$118.00
PRICE PER WEEK		\$500.00	-	\$352.00
PRICE PER MONTH		-	\$1,281.00	\$1,055.00
2.21.5 750 CFM		PRIMARY AWARD	SECONDARY AWARD	
PRICE PER DAY		\$300.00	\$388.00	-
PRICE PER WEEK		\$900.00	\$975.00	-
PRICE PER MONTH		\$2,595.00	\$2,250.00	-
2.21.6 1300 CFM			PRIMARY AWARD	
PRICE PER DAY		-	\$603.00	-
PRICE PER WEEK		-	\$1,729.00	-
PRICE PER MONTH		-	\$4,446.00	-
YEAR, MAKE AND MODEL		-	VARIOUS	2009 AIRMAN
NUMBER OF UNITS AVAILABLE FOR COUNTY USE		-	5	15

BRAZORIA COUNTY CONTRACT SHEETS

PORTABLE AND TOWABLE LIGHTS

BID #14-18 EQUIPMENT RENTALS

BIDDERS NAME		UNITED RENTALS INC	MUSTANG RENTAL SERVICES, INC
DATE OF BID OPENING		ADDRESS	2011 HIGHWAY 288
WEDNESDAY, DECEMBER 4, 2013		FREEPORT, TX 77541	3403 HWY 332 EAST
CONTRACT TERM:		QUOTED BY	FREEPORT, TX 77541
twelve (12) months		GARY SURBER	MIKE PILLOW
with the option of three (3) twelve (12) month renewal		TELEPHONE NO.	979-233-7368
		FAX NUMBER	979-233-0888
		CONTACT NAME FOR RENTING	SPENCER SIKES-979-233-5418
		CONTACT NAME FOR BILLING	MIKE PILLOW - 281-734-2141
DESCRIPTION:			CHRISTINE FONDREN - 713-452-7764
2.22 PORTABLE LIGHTS			
2.22.1 PORTABLE LIGHT CART WITH TWO 500 WATT BULBS		PRIMARY AWARD	
PRICE PER DAY		\$40.52	-
PRICE PER WEEK		\$90.04	-
PRICE PER MONTH		\$214.37	-
2.22.2 TOWER LIGHTS			
2.22.3 TOWABLE LIGHT PLANTS 30' HEIGHT, FOUR 1,000 WATT BULBS, 5000 WATT GENERATOR		PRIMARY AWARD	SECONDARY AWARD
PRICE PER DAY		\$82.50	\$85.00
PRICE PER WEEK		\$203.50	\$253.00
PRICE PER MONTH		\$506.00	\$732.00

TRAILER MOUNTED BOOM /LIFT (40' & 60' WORKING HEIGHT LIFT CAPACITY ANSI, CSA OF 500 LBS) SPLIT AWARD

BID #14-18 EQUIPMENT RENTALS

BIDDERS NAME		BLUELINE RENTAL, LLC	UNITED RENTALS INC
DATE OF BID OPENING		ADDRESS	4650 S. SAM HOUSTON PKWY E.
WEDNESDAY, DECEMBER 4, 2013		HOUSTON, TX 77048	2011 HIGHWAY 288
CONTRACT TERM:		QUOTED BY	FREEPORT, TX 77541
twelve (12) months		GARY SURBER	GARY SURBER
with the option of three (3) twelve (12) month renewal		TELEPHONE NO.	979-233-5418
		FAX NUMBER	979-233-6946
		CONTACT NAME FOR RENTING	RICK WILKENFELD
		CONTACT NAME FOR BILLING	281-474-2444
			SPENCER SIKES-979-233-5418
DESCRIPTION:		MATT HOPPER - 713-987-0206	SPENCER SIKES-979-233-5418
2.23 TRAILER MOUNTED BOOM / LIFT		PRIMARY AWARD	SECONDARY AWARD
2.23.1 40FT WORKING HEIGHT lift capacity ANSI, CSA of 500 lbs.			36'
PRICE PER DAY		\$200.00	\$228.00
PRICE PER WEEK		\$600.00	\$621.00
PRICE PER MONTH		\$1,800.00	\$1,485.00
YEAR, MAKE AND MODEL		N/A	JLG T350
NUMBER OF UNITS AVAILABLE FOR COUNTY USE		N/A	5
2.23.2 60FT WORKING HEIGHT lift capacity ANSI, CSA of 500 lbs.			50'
PRICE PER DAY		-	\$275.00
PRICE PER WEEK		-	\$687.50
PRICE PER MONTH		-	\$1,650.00
YEAR, MAKE AND MODEL		-	JLG T500
NUMBER OF UNITS AVAILABLE FOR COUNTY USE		-	5

BRAZORIA COUNTY CONTRACT SHEETS

WHEEL LOADER, 33,000 LB WITH 3.5 CU.YD. BUCKET

BID #14-18 EQUIPMENT RENTALS			
	BIDDERS NAME	ALVIN EQUIPMENT COMPANY LLC	MUSTANG RENTAL SERVICES, INC
DATE OF BID OPENING	ADDRESS	3375 E. HIGHWAY 6	3403 HWY 332 EAST
WEDNESDAY, DECEMBER 4, 2013		ALVIN, TX 77512	FREEPORT, TX 77541
CONTRACT TERM:	QUOTED BY	RICKY KUBECZKA	MIKE PILLOW
twelve (12) months	TELEPHONE NO.	281-331-3177	979-233-7368
with the option of three (3) twelve (12) month renewal	FAX NUMBER	281-585-4012	979-233-0888
	CONTACT NAME FOR RENTING	RICKY KUBECZKA - 281-331-3177	MIKE PILLOW - 281-734-2141
	CONTACT NAME FOR BILLING	SHANNON MATEJKA - 281-331-3177	CHRISTINE FONDREN - 713-452-7764
DESCRIPTION:			
2.24 WHEEL LOADER 33,000 LB with 3.5 Cu Yd Bucket CAT 938 OR EQUIVALENT		PRIMARY AWARD	SECONDARY AWARD
PRICE PER DAY		\$485.00	\$503.00
PRICE PER WEEK		\$1,455.00	\$1,510.00
PRICE PER MONTH		\$4,355.00	\$4,531.00
YEAR, MAKE AND MODEL		2011 HYUNDAI HL740	2010 CAT 938
HORSEPOWER		\$143.00	\$180.00
OPERATING WEIGHT		\$26,460.00	\$32,800.00
NUMBER OF UNITS AVAILABLE FOR COUNTY USE		2	20
RENTAL LOCATIONS		ALVIN	FREEPORT

SCISSOR LIFT

BID #14-18 EQUIPMENT RENTALS			
	BIDDERS NAME	BLUELINE RENTAL, LLC	UNITED RENTALS INC
DATE OF BID OPENING	ADDRESS	4650 S. SAM HOUSTON PKWY E.	2011 HIGHWAY 288
WEDNESDAY, DECEMBER 4, 2013		HOUSTON, TX 77048	FREEPORT, TX 77541
CONTRACT TERM:	QUOTED BY	QUINT WARD	GARY SURBER
twelve (12) months	TELEPHONE NO.	619-571-2122	979-233-5418
with the option of three (3) twelve (12) month renewal	FAX NUMBER	760-859-3963	979-233-6946
	CONTACT NAME FOR RENTING	RICK WILKENFELD 281-474-2444	SPENCER SIKES-979-233-5418
	CONTACT NAME FOR BILLING	MATT HOPPER - 713-987-0206	SPENCER SIKES-979-233-5418
DESCRIPTION:			
2.25 SCISSOR LIFT			
2.25.1 19' - GENIE GS1930 OR EQUIVALENT			
PRICE PER DAY		\$110.00	-
PRICE PER WEEK		-	\$192.50
PRICE PER MONTH		\$395.00	-
2.25.2 26' - GENIE GS26 OR EQUIVALENT			
PRICE PER DAY		\$125.00	-
PRICE PER WEEK		-	\$275.00
PRICE PER MONTH		\$600.00	-

Consent Agenda Item E

- E. **Consideration and Possible Action – Resolution No. R2014-97** – A Resolution of the City Council of the City of Pearland, Texas, authorizing the purchase of an extended warranty, associated with the Far Northwest Wastewater Treatment Plant, with Ultra Tech Systems, Inc., in the amount of \$54,190 for the period of August 21, 2015 through August 21, 2017.

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

AGENDA OF:	August 11, 2014	ITEM NO.: Resolution No. R2014-97
DATE SUBMITTED:	July 31, 2014	DEPT. OF ORIGIN: Finance
PREPARED BY:	Bob Pearce	PRESENTOR: Eric Wilson
REVIEWED BY:	Jon R. Branson	REVIEW DATE: August 4, 2014
SUBJECT: Purchase of Extended Warranty for Ultraviolet Disinfection System – Far Northwest WWTP		
EXHIBITS: Resolution R2014-97 UltraTech Systems, Inc. Quotation for Two (2) Year Extended Warranty		
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: \$54,190.00		AMOUNT BUDGETED: \$54,190.00
AMOUNT AVAILABLE: \$54,190.00		PROJECT NO.:
ACCOUNT NO.: 030-4042-554-05-00		
ADDITIONAL APPROPRIATION REQUIRED:		
ACCOUNT NO.:		
PROJECT NO.:		
To be completed by Department:		
X Finance Legal Ordinance Resolution		

EXECUTIVE SUMMARY

BACKGROUND

As part of the Far Northwest wastewater treatment plant improvements completed in FY2013, an ultraviolet (UV) disinfection system manufactured by UltraTech Systems, Inc. was installed at a cost of approximately \$477,900, as a component of an overall treatment process which allows the plant to produce reuse-quality water in accordance with Texas Commission on Environmental Quality standards. The UV disinfection system is comprised of approximately 480 lamps which provide a sufficient dosage of UV germicidal light into effluent flow through an

open channel to destroy bacterial and viral microbes in the wastewater flow. The UV disinfection process is faster and safer than traditional chemical treatment to achieve comparable levels of disinfection.

The system installed carries a 24 month warranty covering all system components, including lamps and ballasts, which will run through August, 2015. The lamps and ballasts are replaced at no cost upon failure, which typically occurs at approximately one (1) year of use for lamps and two (2) years for ballasts. The unit costs for lamps and ballasts would otherwise be \$45 and \$200, respectively.

Public Works management recommends the purchase of a two (2) year extended warranty covering the UV system and all components, as well as the system ballasts. The manufacturer requires that an agency must elect to purchase an extended warranty no less than six (6) months prior to the expiration of an existing warranty. Public Works requests to order the extended warranty at this time, because while the City has approximately one (1) year to run on the current warranty, the extended warranty period will not commence until the expiration of the existing warranty in August, 2015. Additionally, it is believed that obtaining an early quote for the extended period has resulted in a very competitive price, particularly in consideration of the City's investment in the UV system.

SCOPE OF CONTRACT

Provision of a two (2) year extended warranty on the UltraTech UV system and the UV system ballasts.

BID AND AWARD

The warranty on the proprietary UltraTech Systems UV disinfection system must be provided by the original equipment manufacturer, resulting in a single source procurement which is exempt from competitive bidding requirements pursuant to Texas Local Government Code, Section 252.022.

SCHEDULE

The extended warranty period will be August 21, 2015 through August 21, 2017.

POLICY/GOAL CONSIDERATION

This purchase is contemplated and recommended for the purpose of furthering the City's objective to provide for a safe and reliable water system.

CURRENT AND FUTURE FUNDING /FINANCIAL IMPACTS

Funding for the purchase of this system will be provided from the appropriate Public Works Departmental water and sewer operating budget.

O&M IMPACT INFORMATION

Fiscal Year	2014	2015
	\$54,190	\$0

RECOMMENDED ACTION

City Council approval of a resolution awarding the purchase of a two (2) year extended warranty for a UV disinfection system as described herein to UltraTech Systems, Inc. in the total amount of \$54,190 for the period of August 21, 2015 through August 21, 2017.

RESOLUTION NO. R2014-97

A Resolution of the City Council of the City of Pearland, Texas, authorizing the purchase of an extended warranty, associated with the Far Northwest Wastewater Treatment Plant, with Ultra Tech Systems, Inc., in the amount of \$54,190 for the period of August 21, 2015 through August 21, 2017.

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

Section 1. That the City Council hereby authorizing the purchase of an extended warranty with Ultra Tech Systems, Inc., in the amount reflected in Exhibit "A" attached hereto.

Section 2. The City Manager or his designee is hereby authorized to execute a contract for an extended warranty.

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

UltraTech Systems, Inc.

33 Sunset Ridge
 Carmel, NY 10512
 Tel (845) 225-5444
 Fax (845) 225-5455

Quotation

DATE	QUOTE #
7/16/2014	UTS-1093

NAME / ADDRESS
City of Pearland Finanace Department PO Box 2719 Pearland, TX 77588-2719

Ship To
Pearland WWTP 11322 Windfern Road Houston, TX 77064

TERMS	REP	FOB	Est. Ship Date
Net 20	EI2	Ship Point	

ITEM	DESCRIPTION	QTY	U/M	COST	TOTAL
2-Warr	2 Year extended warranty on UV system covering all components except for ballasts. Customer is responsible for shipping and must return the failed item(s) to UltraTech freight prepaid. Damaged or abused items are not covered under this warranty.			26,390.00	26,390.00
2-Warr-Ball	2 Year extended warranty on UV system ballasts only. Customer is responsible for shipping and must return the failed item(s) to UltraTech freight prepaid. Damaged or abused items are not covered under this warranty. This warranty commences on 8/21/2015 and ends 8/21/2017.	1		27,800.00	27,800.00

We hope to be favored with your order.	TOTAL	\$54,190.00
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This quote is valid for 30 days and subject to review at such time.

Consent Agenda Item F

- F. Consideration and Possible Action – Resolution No. R2014-86 – A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for purchase of three (3) Chevrolet Police Package vehicles, from Caldwell Country Chevrolet, in the amount of \$84,226.00.**

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

AGENDA OF:	August 11, 2014	ITEM NO.:	Resolution No. R2014-86
DATE SUBMITTED:	July 30, 2014	DEPT. OF ORIGIN:	Finance
PREPARED BY:	Bob Pearce	PRESENTOR:	Chris Doyle
REVIEWED BY:		REVIEW DATE:	8/4/2014
SUBJECT: Authorization for Purchase of Three (3) Chevrolet Police Package Tahoes			
EXHIBITS: Resolution #R2014-86 Buyboard Contract Price Proposal			
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: \$84,226.00		AMOUNT BUDGETED: \$84,226.00	
AMOUNT AVAILABLE: \$84,226.00		PROJECT NO.:	
ACCOUNT NO.: 010-2212-565-80-00			
ADDITIONAL APPROPRIATION REQUIRED:			
ACCOUNT NO.:			
PROJECT NO.:			
To be completed by Department:			
Finance	Legal	Ordinance	Resolution

EXECUTIVE SUMMARY

BACKGROUND

Due to vehicle accidents in FY2014, the Police Department has lost five (5) Ford Crown Victoria's from its fleet as total losses, as determined by the Texas Municipal League Risk Pool, from January – July 2014. The City is requesting to replace three (3) of the five (5), as projected in the fiscal year 2014 budget. The City has received \$23,419 in insurance proceeds for these three (3) losses, which will partially offset the cost of three (3) Chevrolet Tahoes requested herein as replacement units to the City fleet. At present, the affected PD patrol officers are utilizing either spare vehicles or vehicles currently intended for disposal via auction and will continue to use inventory for the remaining two totaled vehicles

Purchasing staff has obtained Texas Association of School Board (TASB) Buyboard contract pricing for these vehicle purchases, due to the historically advantageous pricing afforded by this cooperative purchasing program.

SCOPE OF CONTRACT

The awarded vendor will deliver three (3) Chevrolet Tahoes to the Public Works Service Center, for subsequent outfitting with the standard Police vehicle equipment (less reusable equipment, including mobile data terminals and mobile radios) per pricing from earlier bids. For informational purposes, it is estimated that the additional equipment costs for the three vehicles will be approximately \$17,704 with All America Sales Corp. for lightbars, sirens and related equipment and approximately \$18,075 with Coban Technologies, Inc. for video camera equipment.

BID AND AWARD

The TASB contract will be utilized for the purchase of the required vehicles in the total amount of \$84,226 from Caldwell Country Chevrolet. The contract meets all requirements of Local Government Code, Chapter 252 related to competitive bidding by Texas municipalities.

SCHEDULE

Delivery of the Chevrolet patrol vehicles will ideally be from dealership's remaining 2014 model inventory (29 units as of July 30, 2014). If dealership stock were depleted by the time of our order, it would be necessary to order 2015 models, which would result in a lead time of approximately 30 days or less, but would result in a cost increase of approximately \$1,500 per vehicle.

POLICY/GOAL CONSIDERATION

This bid award will provide sufficient and reliable transportation for City employees to carry out the City's stated service objectives for its residents.

CURRENT AND FUTURE FUNDING /FINANCIAL IMPACTS/DEBT SERVICE

Funding for this purchase will come from the Police Department budget, as reflected in summary.

O&M IMPACT INFORMATION

N/A

RECOMMENDED ACTION

Staff recommends approval of a resolution authorizing the purchase of three (3) Chevrolet Police Package vehicles from Caldwell Chevrolet in the amount of \$84,226 through the TASB Buyboard cooperative purchasing program.

RESOLUTION NO. R2014-86

A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for purchase of three (3) Chevrolet Police Package vehicles, from Caldwell Country Chevrolet, in the amount of \$84,226.00.

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

Section 1. That contract pricing for the purchase of fleet vehicles has been obtained through the TASB Buyboard Program.

Section 2. That the City Council hereby awards a bid to purchase three (3) Chevrolet Police Package vehicles from Caldwell Country Chevrolet, in the total amount of \$84,226.00.

Section 3. The City Manager or his designee is hereby authorized to execute a contract for the purchase of police vehicles.

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

QUOTE# 00C

CONTRACT PRICING WORKSHEET

End User: CITY OF PEARLAND			Contractor: CALDWELL COUNTRY		
Contact Name: BOB PEARCE			CALDWELL COUNTRY		
Email: BPEARCE@CI.PEARLAND.TX.US			Prepared By: Averyt Knapp		
Phone #: 281-652-1668			Email: aknapp@caldwellcountry.com		
Fax #: 281-652-1738			Phone #: 800-299-7283 or 979-567-6116		
Location City & State: PEARLAND, TX			Fax #: 979-567-0853		
Date Prepared: JULY 23, 2014			Address: P. O. Box 27, Caldwell, TX 77836		
Contract Number: BUY BOARD #430-13			Tax ID # 14-1856872		
Product Description: 2014 CHEVROLET TAHOE PPV CC10706					
A Base Price & Options:					\$27,942
B Fleet Quote Option:					
Code	Description	Cost	Code	Description	Cost
	LH SPOTLIGHT, DUAL BATTERIES, PPV PACKAGE, 5.3LV8-FFV, FRONT/REAR AIR CONDITION, 160 AMP ALTERNATOR AMFM-CD, TILT, CRUISE, POWER WINDOWS, POWER LOCKS, POWER MIRRORS, DEEP TINT GLASS, RUNNNING BOARDS, KEYLESS ENTRY, CLOTH BUCKET/VINYL REAR BENCH, SPECIAL WIRING				
				CALDWELL COUNTRY	
				PO BOX 27	
				CALDWELL, TEXAS 77836	
Subtotal B					INCL
C Unpublished Options					
Code	Description	Cost	Code	Description	Cost
Subtotal C					
D Other Price Adjustments (Installation, Delivery, Etc...)					
Subtotal D					INCL

E Unit Cost Before Fee & Non-Equipment Charges (A+B+C+D)		\$27,942
Quantity Ordered		3
X		
Subtotal E		\$83,826
F Non-Equipment Charges (Trade-In, Warranty, Etc...)		
BUY BOARD		\$400
G. Color of Vehicle: WHITE		
H. Total Purchase Price (E+F)		\$84,226

Estimated Delivery Date:	UNITS IN STOCK- IMMEDIATE DELIVERY
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Consent Agenda Item G

- G. Consideration and Possible Action – Resolution No. R2014-88 – A Resolution of the City Council of the City of Pearland, Texas, renewing a contract for custodial services with C & S Janitorial Services, in the estimated amount of \$149,884.00, annually for the period of September 3, 2014 through September 2, 2015.**

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

AGENDA OF:	August 11, 2014	ITEM NO.:	Resolution No. R2014-88
DATE SUBMITTED:	August 1, 2014	DEPT. OF ORIGIN:	Finance
PREPARED BY:	Bob Pearce	PRESENTOR:	Michelle Graham
REVIEWED BY:	Jon R. Branson	REVIEW DATE:	August 4, 2014
SUBJECT: Renewal of Contract for Custodial Services of City Facilities for Period September 3, 2014 through September 2, 2015			
EXHIBITS: Resolution #R2014-88 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: \$149,884 (annual est.)		AMOUNT BUDGETED: \$149,884 (est.)	
AMOUNT AVAILABLE: \$24,500 (rest of year FY2014): \$150,000 FY2015		PROJECT NO.:	
ACCOUNT NO: 010-1425-553-04-00			
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

Four (4) sealed bids were received August 20, 2013, for a contract for custodial services of City facilities, per the specifications of City Bid No. 0713-72. Bid notices were provided to twenty-four (24) companies, published in newspaper of record, and posted on the City's electronic bidding website in accordance with City Purchasing Policy.

SCOPE OF CONTRACT

Contractor will perform custodial services as required by the specifications of City Bid No. 0713-72.

BID AND AWARD

Bid specifications stated an initial term of one (1) year with no allowable price increases. At the expiration of the initial term, there is an allowable renewal option for two (2) additional years

upon the mutual agreement of both parties, and the subsequent approval of City Council. Any price increase request for a renewal period must be substantiated by a commensurate increase during the prior 12 month period in the "All Items" category of the Consumer Price Index for the Houston-Galveston-Brazoria region.

C & S Janitorial Services has agreed to renew this bid with no price increase requested, therefore pricing for this one-year renewal period will be at the amounts originally bid and awarded by Council, as reflected by the unit costs in the attached tabulation.

SCHEDULE

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

POLICY/GOAL CONSIDERATION

This bid renewal positively impacts the City's goal to explore contract opportunities for City services.

CURRENT AND FUTURE FUNDING /FINANCIAL IMPACTS/DEBT SERVICE

Funding for these services will come from the Parks and Recreation Departmental General Fund custodial services budget, with monies to be transferred from the various operating accounts as appropriate.

O&M IMPACT INFORMATION

Fiscal Year	2014	2015	2016
Est. Expenditures	\$24,500 (est.)	\$149,884 (annual estimate, w/ renewal option to be reviewed by Council in August, 2015.	\$154,830 *

*Based upon estimated 3.3% annual increases in available renewal period.

RECOMMENDED ACTION

Consideration and approval of a resolution to renew the contract for custodial services of City Facilities to C & S Janitorial Services at the unit costs denoted by the highlighted column in the attached tabulation, for the period of September 3, 2014 through September 2, 2015.

RESOLUTION NO. R2014-88

A Resolution of the City Council of the City of Pearland, Texas, renewing a contract for custodial services with C & S Janitorial Services, in the estimated amount of \$149,884.00, annually for the period of September 3, 2014 through September 2, 2015.

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

Section 1. That the City previously awarded a unit supply bid for custodial services.

Section 2. That the City Council hereby renews the contract with C & S Janitorial Services, in the unit price amount reflected in Exhibit "A", attached hereto in.

Section 3. The City Manager or his designee is hereby authorized to execute a contract for custodial 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 #0713-72
Custodial Services of City Facilities

	C&S Janitorial Services		A&A Cleaning Services		GCA Services Group		NCC Services	
	3X Week	5X Week	3X Week	5X Week	3X Week	5X Week	3X Week	5X Week
Animal Control	\$4,740.00	\$7,140.00	\$4,740.00	\$6,240.00	\$4,268.28	\$7,113.84	\$6,043.80	\$9,273.00
City Hall	\$22,740.00	\$34,200.00	\$39,900.00	\$49,500.00	\$29,692.44	\$49,487.40	\$24,153.36	\$35,455.56
Community Center	\$16,740.00	\$25,200.00	\$19,380.00	\$28,800.00	\$22,269.36	\$37,115.52	\$18,714.12	\$27,162.48
Fire Marshal's Office	\$1,500.00	\$2,340.00	\$2,700.00	\$3,900.00	\$2,275.68	\$3,792.84	No Bid	\$7,200.00
Library	\$15,492.00	\$23,520.00	\$22,500.00	\$24,000.00	\$20,784.72	\$34,641.12	\$16,909.56	\$24,982.56
Knapp Senior Center	\$10,980.00	\$15,600.00	\$12,720.00	\$16,200.00	\$14,316.00	\$23,859.96	\$12,076.32	\$17,727.72
Parks Maintenance	\$1,440.00	\$1,908.00	\$5,100.00	\$7,200.00	\$1,569.48	\$2,615.76	\$4,832.88	\$7,254.72
Public Works Service Center	\$7,200.00	\$9,840.00	\$10,200.00	\$11,820.00	\$8,695.68	\$14,492.76	\$9,665.76	\$14,509.44
Hillhouse	\$5,100.00	\$4,200.00	\$3,900.00	\$4,800.00	\$5,302.20	\$8,837.04	\$6,043.80	\$9,273.00
Fire/EMS Admin.	\$6,300.00	\$5,376.00	\$5,100.00	\$6,600.00	\$7,211.04	\$12,018.36	\$8,465.76	\$13,309.44
Westside Event Center	\$5,136.00	\$8,160.00	\$7,500.00	\$9,300.00	\$6,892.92	\$11,488.20	\$6,043.80	\$9,273.00
Westside Library	\$4,744.80	\$7,200.00	\$6,300.00	\$7,800.00	\$6,362.64	\$10,604.40	\$6,043.80	\$9,273.00
Subtotal:	\$102,112.80	\$144,684.00	\$140,040.00	\$176,160.00	\$129,640.44	\$216,067.20	\$118,992.96	\$184,693.92

Annual Pricing for Quarterly Floor Service

	C&S Janitorial Services	A&A Cleaning Services	GCA Services Group	NCC Services
Fire Station #1	\$1,400.00	\$1,000.00	\$3,970.56	No Bid
Fire Station #4	\$1,800.00	\$1,100.00	\$1,985.28	No Bid
Fire Station #5	\$2,000.00	\$1,140.00	\$1,488.96	No Bid
Subtotal:	\$5,200.00	\$3,240.00	\$7,444.80	No Bid

	C&S Janitorial Services	A&A Cleaning Services	GCA Services Group	NCC Services
5X Week	\$144,684.00	\$176,160.00	\$216,067.20	\$184,693.92
Floor Service @ Fire Stations	\$5,200.00	\$3,240.00	\$7,444.80	No Bid
Grand Total:	\$149,884.00	\$179,400.00	\$223,512.00	\$184,693.92

Consent Agenda Item H

- H. **Consideration and Possible Action – Resolution No. R2014-89 – A** Resolution of the City Council of the City of Pearland, Texas, changing the regular meeting times and dates for September 2014 to comply with City Charter requirements for the City budget process.

The first regular City Council meeting for September will be changed from September 8, 2014 to September 22, 2014, 6:30pm. The second regular meeting date will change from September 22, 2014 to September 29, 2014, 6:30pm.

POLICY/GOAL CONSIDERATION

Compliance with City Charter and Truth-in-Taxation Requirements.

RECOMMENDED ACTION

Consideration and approval of Resolution 2014-89 to amend the regular meeting dates in September 2014 from the 8th to the 22th and from September 22 to September 29, 2014.

RESOLUTION NO. R2014-89

A Resolution of the City Council of the City of Pearland, Texas, changing the regular meeting times and dates for September 2014 to comply with City Charter requirements for the City budget process.

WHEREAS, the regular meeting dates of the City Council of the City of Pearland, Texas, are held on the second and fourth Monday of each month unless the City Council agrees upon alternate dates; and

WHEREAS, it has been determined that potential conflicts may arise with regard to the regularly scheduled September meetings; now, therefore,

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

That the first regular meeting date, which would have been held on September 8, 2014, at 6:30 p.m., be and the same is hereby changed to, and will commence at 6:30 p.m. on September 22, 2014; and that the second regular meeting date, which would have been held on September 22, 2014, at 6:30 p.m., be and the same is hereby changed to, and will commence at 6:30 p.m. on September 29, 2014, in the Council Chambers, City Hall, Pearland, Brazoria, Fort Bend, and Harris Counties, Texas.

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

**TOM REID
MAYOR**

RESOLUTION NO. R2014-89

ATTEST:

**YOUNG LORFING, TRMC
CITY SECRETARY**

APPROVED AS TO FORM:

**DARRIN M. COKER
CITY ATTORNEY**

Consent Agenda Item I

- I. **Consideration and Possible Action – Resolution No. R2014-96 – A** Resolution of the City Council of the City of Pearland, Texas, authorizing payment of the City Manager's relocation/moving expenses to Mayflower moving company and Action Auto Carriers.

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

AGENDA OF: 8-11-14	ITEM NO.: Resolution No. R2014-96
DATE SUBMITTED: 8-4-14	DEPARTMENT OF ORIGIN: Administration
PREPARED BY: Darrin Coker	PRESENTOR: Darrin Coker
REVIEWED BY: NA	REVIEW DATE: NA
SUBJECT: City Manager Moving Expenses	
EXHIBITS: R2014-96	
EXPENDITURE REQUIRED: AMOUNT AVAILABLE: ACCOUNT NO.:	AMOUNT BUDGETED: PROJECT NO.:
ADDITIONAL APPROPRIATION REQUIRED: ACCOUNT NO.: PROJECT NO.:	
To be completed by Department: <input type="checkbox"/> Finance <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution	

EXECUTIVE SUMMARY

If you recall, the City Manager's employment contract provides for the City to pay for or reimburse the City Manager for his relocation/ moving expenses. The contract specifically requires the City Manager to obtain three (3) written estimates for the moving costs and submit the same to the Council for approval. Included in your packet are quotes from Allied, United and Mayflower as well as Action Auto Carriers. The lowest quote is Mayflower's at \$18,295.70, and the vehicle relocation cost with Action Auto Carriers is \$1,095.00. The attached resolution seeks Council approval of the relocation costs.

RESOLUTION NO. R2014-96

A Resolution of the City Council of the City of Pearland, Texas, authorizing payment of the City Manager's relocation/moving expenses to Mayflower moving company and Action Auto Carriers.

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

Section 1. The City Council hereby authorizes payment of City Manager's relocation/moving expenses to Mayflower moving company and Action Auto Carriers in the combined amount of \$19,390.70 as reflected in Exhibits "A" and "B" attached hereto.

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



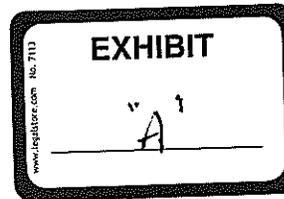
www.mayflower.com 800-241-1321



ESTIMATE

BIND DATE: 07/12/2014

U S DOT No 125563



PAGE 01 OF 01

n Point
Price Certainty

ESTIMATE NUMBER
M02828-2192473

FROM: CUSTOMER: Jennifer Pearson
 STREET ADDRESS: 43021 Emmerson Way
 CITY, STATE, ZIP: NOVI MI, 48375
 ORIGIN PHONE: 248-219-2473
 CONTACT: PHONE:
 EMAIL ADDRESS:
 COMPANY (Associated With):

MOVE TO: CUSTOMER:
 STREET ADDRESS: APT.:
 CITY, STATE, ZIP: PEARLAND TX, 77584
 DESTINATION PHONE: 248-219-2473
 CONTACT: PHONE:
 EMAIL ADDRESS: jcmotivate@aol.com

PACKING DATE: 08/26/2014

PICK UP DATE: 08/26/2014

FORM OF PAYMENT SELECTED: CREDIT CARD

CUSTOMER REQUESTS TO VIEW WEIGHINGS: YES NO

DELIVERY DATE RANGE: 09/02/2014 TO: 09/05/2014

WARNING: If a moving company loses or damages your goods, there are two (2) different standards for the company's liability based on the types of rates you pay. BY FEDERAL LAW, THIS FORM MUST CONTAIN A FILLED-IN ESTIMATE OF THE COST OF A MOVE FOR WHICH THE MOVING COMPANY IS LIABLE FOR THE FULL (REPLACEMENT) VALUE OF YOUR GOODS in the event of loss of, or damage to, the goods. This form may also contain an estimate of the cost of a move in which the moving company is liable for FAR LESS than the replacement value of your goods, typically at a lower cost to you. You will select the liability level later, on the bill of lading (contract) for your move. Before selecting a liability level, please read "Your Rights and Responsibilities When You Move," provided by the moving company, and seek further information at the government website "www.protectyourmove.gov."

YOUR TOTAL PRICE INCLUDES ONLY THE FOLLOWING:

SERVICE DESCRIPTION				CHARGE
ON POINT BOUND TOTAL BOUND WEIGHT 20,741 LBS.				17,756.95
FVP \$0 DEDUCTIBLE	\$124,500.00	IN COVERAGE		INCLUDED
CARTON TYPE	CARTONS ONLY	PACK	UNPACK	
DISH PACKS		39		INCLUDED
CARTON 1 1/2 CU. FT.		60		INCLUDED
CARTONS 3 CU. FT.		50		INCLUDED
CARTONS 4 1/2 CU FT.		28		INCLUDED
CARTONS 6 CU. FT.		13		INCLUDED
CARTONS 6 1/2 CU FT.		1		INCLUDED
WARDROBE CTN		13		INCLUDED
Q/K MAT CTN/BAG		2	2	INCLUDED
CORR MIRROR CTN		40		INCLUDED
EXTRA LABOR-REG AT ORIGIN	pack chandelier into original box			INCLUDED
**** NON-BOUND SERVICES ****				
ADV 3RD PARTY CHRGS AT ORIGIN	CRATING WITH ORIGINAL CRATE FOR THE MARBLE TOP			28.75
ADV 3RD PARTY CHRGS AT ORIGIN	CRATING OF MIRROR, 2 LARGE GLASS TOPS			295.50
ADV 3RD PARTY CHRGS AT ORIGIN	chandelier removal			41.50
ADV 3RD PARTY CHRGS AT DESTINATION	UNCRATING OF GLASS TOPS/MIRRORS/MARBLE			173.00

*7-28-14
Signed w/ these folks
CJR*

BINDING

For this binding estimate, Carrier must deliver the shipment upon payment of 100% of the On Point Price Certainty Total.

ON POINT PRICE CERTAINTY TOTAL: \$

18,295.70

(Unless an Addendum or a New Estimate is Executed)

WEIGHT ALLOWANCE CREDIT: If the shipment's Actual Weight is LESS than the Bound Weight, a weight allowance equal to \$ 18.00 Per Hundredweight (cwt) will be paid to the Customer based on the DIFFERENCE between the Bound Weight and either the shipment's Actual Weight or 2,100 Pounds (minimum weight), whichever is greater.

The Price Certainty Total on this binding estimate is valid when accepted and signed by 08/11/2014. The Price Certainty Total on this binding estimate applies only to the specific services and quantities listed above for loading on 08/26/2014. Changes to the Load Date could result in a price change. All bound services listed are included in the total.

FOR QUESTIONS OR TO BOOK YOUR MOVE, PLEASE CONTACT YOUR AGENT Premier Relocations
 Chuck Jerore 45200 Grand River
 313-585-3035 cjerore@premier-mayflower.com Novi MI, 48375

Estimate Acknowledgement

Customer's signature is required here, acknowledging the receipt of the following: 1) Estimate ; 2) Your Rights & Responsibilities When You Move and Ready to Move brochures (which I agree may be provided electronically); and 3) Inventory of Items valued In Excess of \$100 Per Pound Per Article (High Value Inventory) form.

X Customer's Signature (Date Received) X Carrier's Representative Signature (Agent Code)

BINDING ESTIMATE U.S. DOT NO. 125563



ON POINT PRICE CERTAINTY
ORDER FOR SERVICE / BILL OF LADING
(NON-NEGOTIABLE)
U.S. DOT No. 125563

n Point

ORDER NUMBER
M2828-25110-4

www.mayflower.com 800-241-1321

ESTIMATE NUMBER M02828-2192473

AGENT - after-hours phone # DRIVER - after-hours phone #

MOVE FROM	CUSTOMER : Jennifer Pearson	APT. :	MOVE TO	CUSTOMER: (CONSIGNEE)	APT. :
	STREET ADDRESS : 43021 Emmerson Way			STREET ADDRESS :	
	CITY, STATE, ZIP : NOVI MI,48375			CITY, STATE, ZIP : PEARLAND TX,77584	
	ORIGIN PHONE : 248-219-2473			DESTINATION PHONE : 248-219-2473	
	CONTACT: PHONE :			CONTACT: PHONE :	
COMPANY(Associated With) :			FORM OF PAYMENT SELECTED (on Estimate) CREDIT CARD		

CHANGE in FORM of PAYMENT: (per tariff) Cash Cert. Check Traveler's Check Bank Check Credit Card (Customer's Initials) _____

GUARANTEED PICK-UP and DELIVERY DATES - DAILY ALLOWANCE
(if applicable, per tariff, 3500 pound minimum): \$ 100.00 Per Day

REQUESTS NOTICE OF CHARGES BEFORE DELIVERY

CUSTOMER REQUESTS TO VIEW WEIGHINGS: YES NO

NOTIFY

NAME:
STREET ADDRESS :
CITY, STATE, ZIP :
PHONE :

** VOLUME / WEIGHT CONVERSION = 7.00 LBS. PER CUBIC FOOT **

E-MAIL / FAX:

HAULING	DRIVER I.D.	DRIVER NAME (please print)	VAN NO.	PICKUP DATE	FROM		DELIVERY DATE	TO	
					RES.	WHSE.		RES.	WHSE.

PACK DATE	AGREED PICKUP DATE	AGREED DELIVERY DATES			BINDING DATE	VALID THRU	TARIFF	PRICE PROGRAM	SECTION	BOUND WEIGHT
		Early	Last	Preferred						
08/25/2014	08/26/2014	09/02/2014	09/05/2014	09/02/2014	07/12/2014		MT01	W	3L	20,741

YOUR TOTAL PRICE INCLUDES ONLY THE FOLLOWING:

SERVICE DESCRIPTION				CHARGE
ON POINT BOUND TOTAL	BOUND WEIGHT	20,741 LBS.		17,756.95
FVP \$0 DEDUCTIBLE	\$124,500.00	IN COVERAGE		INCLUDED
CARTON TYPE	CARTONS ONLY	PACK	UNPACK	
DISH PACKS		39		INCLUDED
CARTON 1 1/2 CU. FT.		60		INCLUDED
CARTONS 3 CU. FT.		50		INCLUDED
CARTONS 4 1/2 CU FT.		28		INCLUDED
CARTONS 6 CU. FT.		13		INCLUDED
CARTONS 6 1/2 CU FT.		1		INCLUDED
WARDROBE CTN		13		INCLUDED
O/K MAT CTN/BAG		2	2	INCLUDED
CORR MIRROR CTN		40		INCLUDED
EXTRA LABOR-REG AT ORIGIN	pack chandelier into original box			INCLUDED
**** NON-BOUND SERVICES ****				
ADV 3RD PARTY CHRGS AT ORIGIN	CRATING WITH ORIGINAL CRATE FOR THE MARBLE TO			28.75
ADV 3RD PARTY CHRGS AT ORIGIN	CRATING OF MIRROR, 2 LARGE GLASS TOPS			295.50
ADV 3RD PARTY CHRGS AT ORIGIN	chandelier removal			41.50
ADV 3RD PARTY CHRGS AT DESTINATION	UNCRATING OF GLASS TOPS/MIRRORS/MARBLE			173.00

FOR MORE DETAILS ON VALUATION, PLEASE SEE PAGE 2.

ON POINT PRICE CERTAINTY TOTAL \$ 18,295.70
(Unless a New Estimate or Addendum is Executed)

WEIGHT ALLOWANCE: If the shipment's Actual Weight is LESS than the Bound Weight, an allowance equal to \$ 18.00 per hundredweight (cwt) will be paid to Customer based on the Difference between the Bound Weight and either the shipment's Actual Weight or 2,100 pounds (minimum weight), whichever is greater.

DELIVERY ACKNOWLEDGEMENT

Shipment was received in apparent good condition except as noted on inventory and services ordered were performed.

X
Received by Customer's Signature (Date)

X
Delivered by Van Operator's Signature Driver Code (Date)

PAYMENT ACKNOWLEDGEMENT

\$ BY Payment Received (Date)

\$ BY Payment Received (Date)

STORAGE ACKNOWLEDGEMENT

Received for Storage: (Destination Warehouse)

BY Warehouseman's Signature (Date) Control Number



www.mayflower.com 800-241-1321



ON POINT PRICE CERTAINTY
ORDER FOR SERVICE / BILL OF LADING
(NON-NEGOTIABLE)
U.S. DOT No. 125563

n Point

ESTIMATE NUMBER M02828-2192473

ORDER NUMBER
M2828-25110-4

CUSTOMER Jennifer Pearson

THE CONSUMER MUST SELECT ONE OF THESE OPTIONS
FOR THE CARRIER'S LIABILITY FOR LOSS OR DAMAGE TO YOUR HOUSEHOLD GOODS

CUSTOMER'S DECLARATION OF VALUE
THIS IS A TARIFF LEVEL OF CARRIER LIABILITY - IT IS NOT INSURANCE

OPTION 1 - The Cost Estimate that you receive from your mover MUST INCLUDE Full (Replacement) Value Protection for the articles that are included in your shipment. If you wish to waive the Full (Replacement) Level of protection you must complete the WAIVER of Full (Replacement) Value Protection shown below. (See Option 2)

Full (Replacement) Value Protection is the most comprehensive plan available for protection of your goods. If any article is lost, destroyed, or damaged while in your mover's custody, your mover will, at its option, either: 1) repair the article to the extent necessary to restore it to the same condition as when it was received by your mover, or pay you for the cost of such repairs; or 2) replace the article with an article of like kind and quality, or pay you for the cost of such a replacement. Under Full (Replacement) Value Protection, if you do not declare a higher replacement value on this form prior to the time of shipment, the value of your goods will be deemed to be equal to \$6.00 multiplied by the weight (in pounds) of the shipment, subject to a minimum valuation for the shipment of \$6,000. Under this option, the cost of your move will be composed of a base rate plus an added cost reflecting the cost of providing this full value cargo liability protection for your shipment.

If you wish to declare a higher value for your shipment than these default amounts, you must indicate that value here. Declaring a higher value may increase the valuation charge in your cost estimate.

The Total VALUE of my shipment is: \$ 124,500.00 (to be provided by the Customer)
Dollar Estimate of the COST of your move at Full (Replacement) Value Protection with No Deductible:
\$ 18,295.70 (to be provided by Carrier)

I acknowledge that for my shipment I have: 1) ACCEPTED the Full (Replacement) Level of protection included in this estimate of charges and declared a higher Total Value of my shipment (if appropriate); and 2) received a copy of the "Your Rights and Responsibilities When You Move" brochure explaining these provisions.

X (Customer's Signature) (Date)

DECLARATION OF ARTICLE(S) OF EXTRAORDINARY (UNUSUAL) VALUE - I acknowledge that I have prepared and retained a copy of the "Inventory of Items Valued in Excess of \$100 Per Pound per Article" that are included in my shipment and that I have given a copy of this Inventory to the mover's representative. I also acknowledge that the mover's liability for loss of or damage to any article valued in excess of \$100 per pound will be limited to \$100 per pound for each pound of such lost or damaged article(s) (based on actual article weight), not to exceed the declared value of the entire shipment, unless I have specifically identified such articles for which a claim for loss or damage may be made, on the attached inventory.

X (Customer's Signature) (Date)

OPTION 2 - WAIVER of Full (Replacement) Value Protection. This LOWER level of protection is provided at no additional cost beyond the base rate; however it provides only MINIMAL protection that is considerably less than the average value of household goods. Under this option, a claim for any article that may be lost, destroyed, or damaged while in your mover's custody will be settled based on the weight of the individual article multiplied by 60 cents. For example, the settlement of an audio component valued at \$1000 that weighs 10 pounds would be \$6.00 (10 pounds time 60 cents).

Dollar Estimate of the COST of your move under the 60-cents option: \$ 17,460.95 (to be provided by Carrier)

COMPLETE THIS PART ONLY if you wish to WAIVE the Full (Replacement) Level of Protection included in the HIGHER COST estimate provided above (see Option 1) for your shipment and instead select the LOWER Released Value of 60-Cents-Per-Pound Per Article; to do so you must initial and sign on the lines below:

I wish to Release My Shipment to a Maximum Value of 60-Cents-Per-Pound Per Article X (Customer's Initials)
I acknowledge that for my shipment I have: 1) WAIVED the Full (Replacement) Level of protection for which I have received an estimate of charges; and 2) received a copy of the "Your Rights and Responsibilities When You Move" brochure explaining these provisions.

X (Customer's Signature) (Date)



www.mayflower.com 800-241-1321

ON POINT PRICE CERTAINTY
ORDER FOR SERVICE / BILL OF LADING
(NON-NEGOTIABLE)
U.S. DOT No. 125563

n Point

ORDER NUMBER
M2828-25110-4

ESTIMATE NUMBER M02828-2192473

CUSTOMER Jennifer Pearson

Table with columns: AGENT, AGENT NBR, NAME, ADDRESS, CITY, STATE, ZIP, PHONE. Rows include Booker and Origin for Premier Relocations, LL.

[X] C.O.D. [] NAT. ACCT. #:

BILL TO

BILL TO:
STREET ADDRESS:
CITY, STATE, ZIP:
ATTN: P.O. NO.:

CUSTOMER REQUESTED REWEIGH [] YES [] NO

CUSTOMER WAIVES RIGHT TO OBSERVE REWEIGH [] YES [] NO

VALUATION CHANGES

IMPORTANT: PLEASE READ

- 1) To change valuation prior to load, please contact your move coordinator.
2) To change valuation on day of load, please make the applicable changes on Page 2 of this form.

IMPORTANT INFORMATION - PLEASE READ BEFORE SIGNING THE BILL OF LADING

- 1) Pricing Option W (Bound with Weight Allowance): This shipment is based on a Bound Estimate between the Carrier and the Customer...
2) The Total Bound Charges amount is for loading on 08/26/2014 and based on the estimated (Bound) weight and estimated (Bound) services...
3) COLLECT SHIPMENTS: Unless other payment arrangements are made with the Carrier in writing signed by the Carrier, this shipment is a collect shipment...
4) ADDITIONAL SERVICES OR QUANTITIES: The charges for services or quantities that are in addition to those collected at delivery must be presented to Customer within 15 days...
5) The Carrier must deliver and relinquish possession of property transported by it upon payment of 100% of the On Point Price Certainty Total.

Customer hereby makes, constitutes and appoints: (Name) _____

(Address) _____ (Phone) _____ as true and lawful agent for customer to act in customer's name, place and stead, to give carrier instructions, perform all acts and to execute all documents pertaining to the transportation and services ordered.

ORDER FOR SERVICE ACKNOWLEDGEMENT

You should sign below only if you wish MAYFLOWER TRANSIT, LLC to perform all of the services indicated above. By signing, the Customer also acknowledges receipt of the Order for Service. As evidenced by the signatures below, Customer and Carrier further agree to all terms, written or printed, stamped or typed on all pages (front and back) of this form.

X Customer's Signature (Date)

X Carrier's Representative Signature (Agent Code & Date)

This binding estimate (or revision thereto) shall remain effective and binding for a maximum period of up to 180 days or the Valid Thru date shown above, whichever is less.

BILL OF LADING ACKNOWLEDGEMENT

Customer acknowledges receipt of and accepts this Bill of Lading, including all terms written and printed, stamped or typed on all pages (front and/or back) of this form.

X (CUSTOMER'S SIGNATURE AT ORIGIN) (DATE)



Action Auto Carriers

1704 Oak St
Wyandotte, MI 48192

www.actionautocarriers.com

Phone # (877) 758-4486

katie@actionautocarriers.com

Fax # (734) 720-4226

www.actionautocarriers.com

Date	Estimate #
7/28/2014	1686

Name / Address		Ship To	
Pearson, Jennifer 43021 Emmerson Way Novi, MI 48375		Houston, TX 77001	
Customer E-mail	Customer Phone	Customer Alt. Phone	Referred by
jcmotivate@aol.com	248-219-2473		CJ
Description	Qty	Cost	Total
Mercury Mariner(SUV)	1	1,095.00	1,095.00
<p>This Guaranteed Price is good for 45 days. It includes door to door service and full coverage insurance. You can cancel at any time without penalty. You must notify upon delivery for any damages. Payment terms: 1. Deposit with a credit card over the phone on the day your vehicle is picked up. Balance due to the driver upon delivery in certified funds or cash. 2. Full payment upon delivery with certified funds or cash. 3. We can bill a company with PO# and verification. Please sign and send back via email, fax, or mail.</p>			

Signature _____

Total

\$1,095.00



www.unitedvanlines.com 800-948-4885



ESTIMATE

BIND DATE: 06/25/2014

U.S. DOT No. 077949

PAGE 01 OF 01



ESTIMATE NUMBER

U00640-QB21J4U

CUSTOMER : Clay Pearson
STREET ADDRESS : 43021 Emerson Way
CITY, STATE, ZIP : NOVI MI, 48374
ORIGIN PHONE : 248-926-3449
CONTACT :
EMAIL ADDRESS :
COMPANY (Associated With) :
PACKING DATE :
PICK UP DATE : 08/13/2014

APT. :

PHONE :

CUSTOMER :
STREET ADDRESS :
CITY, STATE, ZIP : PEARLAND TX, 77584
DESTINATION PHONE : 248-926-3449
CONTACT :
EMAIL ADDRESS : JCMOTIVATE@AOL.COM
FORM OF PAYMENT SELECTED : CASHIERS CHECK
CUSTOMER REQUESTS TO VIEW WEIGHINGS : YES NO
DELIVERY DATE RANGE : TO:

WARNING: If a moving company loses or damages your goods, there are two (2) different standards for the company's liability based on the types of rates you pay. **BY FEDERAL LAW, THIS FORM MUST CONTAIN A FILLED-IN ESTIMATE OF THE COST OF A MOVE FOR WHICH THE MOVING COMPANY IS LIABLE FOR THE FULL (REPLACEMENT) VALUE OF YOUR GOODS** in the event of loss of, or damage to, the goods. This form may also contain an estimate of the cost of a move in which the moving company is liable for **FAR LESS** than the replacement value of your goods, typically at a lower cost to you. You will select the liability level later, on the bill of lading (contract) for your move. Before selecting a liability level, please read "Your Rights and Responsibilities When You Move," provided by the moving company, and seek further information at the government website "www.protectyourmove.gov."

YOUR TOTAL PRICE INCLUDES ONLY THE FOLLOWING:

SERVICE DESCRIPTION	CHARGE
STRAIGHT TALK BOUND TOTAL BOUND WEIGHT 20,500 LBS.	18,226.18
FVP \$0 DEDUCTIBLE \$123,000.00 IN COVERAGE	INCLUDED
CARTON TYPE CARTONS ONLY PACK UNPACK	
DISH PACKS 44	INCLUDED
CARTON 1 1/2 CU. FT. 46	INCLUDED
CARTONS 3 CU. FT. 53	INCLUDED
CARTONS 4 1/2 CU FT. 20	INCLUDED
WARDROBE CTN 20	INCLUDED
Q/K MAT CTN/BAG 3 3	INCLUDED
LG TW MAT CT/BG 2 2	INCLUDED
CORR MIRROR CTN 49	INCLUDED
**** NON-BOUND SERVICES ****	
DRAYAGE AT DESTINATION 25 MILES 20500 LBS	INCLUDED
1ST DAY STG/WHDLG AT DESTINATION	INCLUDED
STG. EACH ADD'L DAY AT DESTINATION 29 DAYS	INCLUDED
STORAGE IN TRANSIT - FULL VALUE EXTENDED	INCLUDED
STORAGE IN TRANSIT TOTAL	5,417.65
ADV 3RD PARTY CHRGS AT ORIGIN APPLIANCES & CRATING	706.00
ADV 3RD PARTY CHRGS AT ORIGIN APPLIANCES & UNCRATE	330.00

BINDING

For this binding estimate, Carrier must deliver the shipment upon payment of 100% of the Straight Talk Price Assurance Total.

STRAIGHT TALK PRICE ASSURANCE TOTAL: \$ 24,679.83

(Unless an Addendum or a New Estimate is Executed)

WEIGHT ALLOWANCE CREDIT: If the shipment's Actual Weight is LESS than the Bound Weight, a weight allowance equal to \$ 18.00 Per Hundredweight (cwt) will be paid to the Customer based on the DIFFERENCE between the Bound Weight and either the shipment's Actual Weight or 2,100 Pounds (minimum weight), whichever is greater.

The Price Assurance Total on this binding estimate is valid when accepted and signed by 07/25/2014. The Price Assurance Total on this binding estimate applies only to the specific services and quantities listed above for loading on 08/13/2014. Changes to the Load Date could result in a price change. All bound services listed are included in the total.

FOR QUESTIONS OR TO BOOK YOUR MOVE, PLEASE CONTACT YOUR AGENT Corrigan Moving Systems
 Tina Galloway 3600 E. Ellsworth Rd.
 734-973-4413 tgalloway@corriganmoving.com Ann Arbor MI, 48108

Estimate Acknowledgement

Customer's signature is required here, acknowledging the receipt of the following: 1) Estimate ; 2) Your Rights & Responsibilities When You Move and Ready to Move brochures (which I agree may be provided electronically); and 3) Inventory of Items valued in Excess of \$100 Per Pound Per Article (High Value Inventory) form.

X Customer's Signature (Date Received) X Carrier's Representative Signature (Agent Code)

UNITED VAN LINES, LLC
 1 UNITED DRIVE
 FENTON MO, 63026
 PHONE (636) 326-3100

CONFIDENTIAL WORKSHEET

ESTIMATE NUMBER
 U00640-QB21J4U

ORIGIN
Clay Pearson 43021 Emerson Way NOVI, MI 48374 (248) 926-3449 (248) 219-2473

DESTINATION
PEARLAND, TX 77584 (248) 926-3449

BINDING DATE	PACK DATE 1	PACK DATE 2	LOAD DATES (EARLY/LATE/PREFERRED)			DELIVERY DATES (EARLY/LATE/PREFERRED)		
06/25/2014			08/13/2014	08/13/2014	08/13/2014			

TARIFF	PRICE PROGRAM	HHGD BOUND WEIGHT	TOTAL WEIGHT	WEIGHT ALLOWANCE PER CWT	MILEAGE
UVL1	GPP1 W	20,500	20,500	18.00	1285

\$723.63 Capacity Adjustment included in Total Transportation Amount.

TOTAL TRANSPORTATION: \$ 11,233.74

CUSTOM PACK	CARTON AND PACKING			UNPACKING			CARTONS ONLY			
	CARTON DESCRIPTION	UP TO QUANTITY	PER EACH	NET CHARGE	UP TO QUANTITY	PER EACH	NET CHARGE	UP TO QUANTITY	PER EACH	NET CHARGE
DISH PACKS	44	40.46	1,780.24							
CARTON 1 1/2 CU. FT.	46	9.56	439.76							
CARTONS 3 CU. FT.	53	14.41	763.73							
CARTONS 4 1/2 CU FT.	20	17.55	351.00							
WARDROBE CTN	20	21.15	423.00							
Q/K MAT CTN/BAG	3	29.65	88.95	3	6.24	18.72				
LG TW MAT CT/BG	2	17.94	35.88	2	3.79	7.58				
CORR MIRROR CTN	49	34.92	1,711.08							
SUBTOTAL			5,593.64			26.30				

TOTAL PACKING & UNPACKING: \$ 5,619.94

VALUATION		
TYPE	DEDUCTIBLE	CUSTOMER DECLARED FVP VALUATION
FULL VALUE PROTECTION (FVP)	0.00	123,000.00

VALUATION COST: \$ 826.50

SERVICES NOT INCLUDED IN BINDING ESTIMATE:

DESCRIPTION	POINT OF SERVICE	PURPOSE	CHARGE
ADV 3RD PARTY CHRGS	Origin	APPLIANCES & CRATING	706.00
ADV 3RD PARTY CHRGS	Origin	APPLIANCES & UNCRATE	330.00

TOTAL 3rd PARTY & ADVANCE CHARGES (NON-BOUND): \$ 1,036.00

DESTINATION SIT				
SIT PICKUP MILES		WEIGHT	RATE	CHARGE
25		20,500	2,916.65	2,916.65
1ST DAY	DATE IN:	08/13/2014	5.53	1,133.65
2ND DAY	DATE OUT:	09/11/2014	NO. DAYS: 29	0.23
EXTENDED VALUATION (Included in Bound Charges):				246.00

TOTAL STORAGE (NON-BOUND): \$ 5,417.65

UNITED VAN LINES, LLC
1 UNITED DRIVE
FENTON MO, 63026
PHONE (636) 326-3100

CONFIDENTIAL WORKSHEET

ESTIMATE NUMBER
U00640-QB21J4U

BOOKER ADJUSTMENT (+/-): \$	300.00
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TOTAL BOUND PRICE: \$	18,226.18
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TOTAL NON-BOUND SERVICES: \$	6,453.65
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STRAIGHT TALK PRICE ASSURANCE TOTAL: \$	24,679.83
---	-----------

ALLIED

ESTIMATE/ORDER FOR SERVICE GUARANTEED AND BINDING PRICE PLEDGE Order:

Shipper Jennifer Pearson 43021 Emerson Way NOVI, MI 48377 jcmotivate@aol.com (h) 248 219 2473	Consignee PEARLAND, TX 77581	Orig Agent Morse Moving & Storage Inc. 27651 Hildebrandt Rd #100 Romulus, MI 48174 (734) 740 2064 Contact: Tracy Parent
Book Agent Morse Moving & Storage Inc. 27651 Hildebrandt Rd #100 Romulus, MI 48174 (734) 740 2064 Contact: Tracy Parent	Carrier ALLIED VAN LINES, INC. P.O. Box 988 Fort Wayne, IN 46801-0988 (630) 570-3000 MC-15735 DOT-076235	
Packing Loading	Delivery Unpacking	Estimate Storage 7/10/2014

This GUARANTEED AND BINDING PRICE PLEDGE is based on articles and services listed. In the event unknown additional services are required to effect delivery, these costs will be in addition to the amount stated below and will be billed to the shipper 30 days after delivery. Such services and applicable charges will be based upon the tariff rates in effect on the date of this estimate. This estimate is valid for ___ days from date of signature.
Based on Tariff T.P.G., Effective 7/11/2014

05/01/14 FM 4.0.498

TRANSPORTATION (22,000 lb, 1280 miles)	-----\$ 13446.02
CUSTOMER'S DECLARATION of VALUE (\$ 150,000 w/ \$ 0 Deductible)	-----\$ 1148.00
MISCELLANEOUS SERVICES	
Packing Service Origin 4840.00	
Crating Origin 400.00	
	-----\$ 5240.00
TOTAL GUARANTEED PRICE\$ 19,834.02

2

PROTECTION OPTIONS	Maximum Level of Protection	Cost for Protection	Total Move Price
Options			
\$ 0 Deductible	\$ 150,000	\$ 1148.00	\$ 19,834.02
\$ 250 Deductible	\$ 150,000	\$ 972.00	\$ 19,658.02
\$ 500 Deductible	\$ 150,000	\$ 865.00	\$ 19,551.02
Basic Coverage (60 cents per pound per article)	\$ 13,200	\$ 0	\$ 18,686.02

WARNING: If a moving company loses or damages your goods, there are 2 different standards for the company's liability based on the types of rates you pay. **BY FEDERAL LAW, THIS FORM MUST CONTAIN A FILLED-IN ESTIMATE OF THE COST OF A MOVE FOR WHICH THE MOVING COMPANY IS LIABLE FOR THE FULL (REPLACEMENT) VALUE OF YOUR GOODS** in the event of loss of, or damage to, the goods. This form may also contain an estimate of the cost of a move in which the moving company is liable for **FAR LESS** than the replacement value of your goods, typically at a lower cost to you. You will select the liability level later, on the bill of lading (contract) for your move. Before selecting a liability level, please read "Your Rights and Responsibilities When You Move," provided by the moving company, and seek further information at the government website "www.protectyourmove.gov".
Guaranteed Rate Reduction: If actual weight is less than estimated weight of 22,000 lbs., the GPP price will be reduced by \$44.50 per cwt for the difference between actual and estimated weights.

IMPORTANT NOTICE TO SHIPPER: The following potential costs for additional services may be incurred while in route or at destination. You will be billed for the balance of the charges 30 days after delivery if these services are performed at your request or are required in order to accomplish delivery of your shipment. You are obligated to pay the balance of the charges within 7 days of receipt of invoice

SERVICE DESCRIPTION	RATE	ESTIMATED CHARGES
EXTRA STOPS (per Stop)	65.10	
SELF-STORAGE / MINI-STORAGE DELIVERY (Flat Charge Weight Based)		308.00
WAITING TIME (per Hour * per Vehicle) & (per Hour * per Man)	27.55	
1st DAY STORAGE-IN-TRANSIT (per Cwt)	8.80	1936.00
EACH ADDITIONAL DAY STORAGE-IN-TRANSIT (per Cwt * per Day)	0.34	74.80 per day
DELIVERY OUT OF STORAGE-IN-TRANSIT (Flat Charge Weight Based)		4930.00

-Delivery Spreads-

Your interstate relocation will involve a delivery spread of 4 to 7 days from the loading date. When counting out days for the delivery spread, start with the day after the loading date, and do not count Sundays or Holidays.

-Flat Rate or By the Weight Packing charge-

The price listed for packing is a flat rate or a "Pack by Weight" option; it covers the material and labor needed for the packing process, and is based on the estimated weight of the shipment. If adjustments are made to the inventory sheet, and the estimated weight changes, the price for packing will adjust in direct correlation with the estimated weight. This packing option does not cover crating services.

OFFICE NOTES:

2 Crate, one a glass pc on top of dinning table the other the glass table top in kitchen

METHOD OF PAYMENT: COD ___ PPD ___ NAT'L ACCT ___ CREDIT CARD _____

All COD charges are to be paid in cash, certified check, traveler's check or bank check (per tariff).

I HEREBY ACKNOWLEDGE THAT I HAVE RECEIVED THE FOLLOWING REQUIRED DOCUMENTS:

1) Your Rights and Responsibilities When You Move, including Allied's Complaint & Inquiry Handling Procedure 2) Dispute Settlement Program.

Customer X _____ Date _____ Agent X _____ Date _____

I acknowledge receipt of a copy of this Order for Service. I request the above named carrier to furnish the services described in this order, subject to the terms and conditions of the carriers household goods bill of lading issued at the time carrier takes possession of this shipment

Customer X _____ Date _____

Consent Agenda Item J

- J. Consideration and Possible Action** – Regarding the appointments to the Library Board of Dale E. Pillow, to Position No. 5 for unexpired term expiring November 1, 2016 and Roshanda Cayette-Contreras to Position No. 6 for an unexpired term expiring November 1, 2015.

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

AGENDA OF: 8-11-2014	ITEM NO.: Consent Agenda Item
DATE SUBMITTED: 8-4-2014	DEPARTMENT OF ORIGIN: City Secretary
PREPARED BY: Young Lorfing	PRESENTOR: Mayor Tom Reid
REVIEWED BY: Jon R. Branson	REVIEW DATE: August 4, 2014
SUBJECT: Appointments to the Library Board.	
EXHIBITS: Applications and Resumes.	
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

This action is to appoint Dale E. Pillow to Position No. 5, to serve on the Library Board for an unexpired term expiring November 1, 2016 and appoint Roshanda Cayette-Contreras to Position No. 6, to serve on the Library Board for an unexpired term expiring November 1, 2015.

RECOMMENDED ACTION

Council's approval of the appointments.



**CITY OF PEARLAND
BOARDS AND COMMISSIONS
APPLICATION AND INFORMATION STATEMENT**

NOTE: As an applicant for a City Board or Commission your name, address, and telephone number will be available under the provisions of the Public Information Act. All other information will remain confidential. Applications remain on file in the office of the City Secretary for a period of one year.

PLEASE TYPE OR PRINT CLEARLY

Date: April 23, 2014

Name: Dale E. Pillow

Telephone: _____ (H)

Address: 2246 N. Washington Avenue, Pearland

281.485.1000 (W)

Subdivision: Old Townsite

E-mail: dale.pillow@adultreadingcenter.org

Occupation: President & CEO

(If retired, please indicate former occupation or profession.)

Business Address: 2246 N. Washington Avenue, Pearland

Resident of City for 34 years.

Qualified Elector: (Yes) (No)

Personal References:

Name: Mayor Tom Reid

Address: 2716 Stratford, Pearland

Telephone: 281.485.3560

Name: Councilmember Scott Sherman

Address: 2607 Easton Springs Court, Pearland

Telephone: 832.651.8432

All applicants complete Pages (3) through (5) of the attached "Additional Information Statements" For the Planning and Zoning Page (6) is required.

Board/Commission Preference 1: Library Board

Board/Commission Preference 2: _____

BOARDS AND COMMISSIONS OF THE CITY OF PEARLAND:

THE FOLLOWING BOARDS AND COMMISSIONS MUST HAVE A RESUME ATTACHED

- Animal Shelter Advisory Committee – 3-year term
Time Commitment: Meets once a quarter on the 3rd Wednesday for approximately 2-3 hours.
- Building Code Board of Adjustments and Appeals – 5-year term and 2-year term for alternates
Time Commitment: Meets as needed for approximately 1-3 hours.
- Electrical Board – 2-year term
Time Commitment: Meets as needed for approximately 1-3 hours.
- Gas and Plumbing Code Board of Adjustments and Appeals – 5-year term and 5-year terms for alternates.
Time Commitment: Meets as needed for approximately 1-3 hours.
- Library Board – 3-year term
Time Commitment: Meets once a quarter on Thursdays for approximately 1-2 hours.

CITY OF PEARLAND BOARDS AND COMMISSIONS
APPLICATION AND INFORMATION STATEMENT

- Pearland Parks, Recreation and Beautification Board – 3-year term
Time Commitment: Meets the first Wednesday morning at 8:30 a.m. of each month for approximately 1-2 hours.
- Civil Service Commission – 3-year term
Time Commitment: Meets at least once a year and then as needed for approximately 1-2 hours.
- Development Authority of Pearland (DAP) 2-year term
Time Commitment: Meets as needed about 4 times a year for approximately 1-2 hours.
- Pearland Economic Development Corporation Board of Directors – 2-year term
Time Commitment: Meets the 4th or 5th Thursday of each month for approximately 2-3 hours.
- Planning and Zoning Commission – 3 year term **(All applicants for the Planning and Zoning Commission must be residents of Pearland and own real property within the City.)**
Time Commitment: Meets the 1st and 3rd Monday of each month approximately 3-5 hours.
- Tax Increment Reinvestment Zone (TIRZ) No. 2 – 2-year term
Time Commitment: Meets as needed about 4 times a year for approximately 1-2 hours.
- Zoning Board of Adjustments – 2-year term
Time Commitment: Meets the 1st Thursday of each month for approximately 1 hour.

I hereby certify that all statements made on this application and other supplementary information are true and correct. I acknowledge that any false statement or misrepresentation on this application or supplementary information will be cause for refusal of appointment or immediate dismissal at any time during the period of my appointment.

Signature of Applicant  **Date** 4/23/2014

Your application is not complete until you have the **“Information Statement”** has been completed and the application has been signed.

Thank you for taking the time to complete the application and information statement. The information will be helpful to the members of City Council in making appointments.

Please return this form with and Information Statement to:

City of Pearland
Attention: City Secretary
3519 Liberty Drive
Pearland, Texas 77581
(281) 652-1653 Voice
(281) 652-1719 Fax or
Email: citysecretary@ci.pearland.tx.us

All applicants complete Pages (3-5).

For the Planning and Zoning Commission complete the attached questionnaire and have it notarized. (Page 6)

QUALIFICATIONS FOR APPOINTMENT

The City of Pearland has certain qualifications that must be met by all members of city boards and commissions. In addition to any specific qualifications for service on a particular board, a board member must:

- ✓ Be a resident of Pearland prior to the date of appointment.
- ✓ Be a qualified City of Pearland voter at the time of appointment.
- ✓ Have a creditable record of attendance and participating performance.
- ✓ Maintain an open mind to all issues under consideration.
- ✓ Have the ability to listen, learn and discuss issues.
- ✓ Have the ability to make decisions based on information gathered and discussed and for the betterment of the city as seen through the City of Pearland Core Beliefs, Unified Development Code and Comprehensive Plan.
- ✓ Have the ability to see and understand the city long-term objectives and short-term benefits.

PLEASE TYPE OR PRINT CLEARLY

Applicant Name: Dale E. Pillow **Date:** April 23, 2014

1. Have you ever been a member of a Pearland board or commission? If so, please indicate the board or commission and approximate date of service.

Zoning Board of Adjustments, 2002 to present; Charter Review Commission, 2013

2. List the name of the Pearland Board/Commission Meetings you have attended and the number of times you attended.

Zoning Board of Adjustments, all meetings except possibly 4; Charter Review Commission, all meetings; Library Board, 1 meeting by Invitation

Planning & Zoning Commission, numerous times while working as a stringer for Pearland Reporter News

3. Have you ever been convicted of a crime, other than minor traffic violations?

No

CITY OF PEARLAND BOARDS AND COMMISSIONS
APPLICATION AND INFORMATION STATEMENT

4. What is your educational background?

B.A., Major In English, Minor In Psychology; Our Lady of the Lake University

5. What is your current place of employment or business affiliation? If you are self-employed, a homemaker, or not employed, please indicate. Describe briefly the nature of your current employment, include employer name or entity under which you are conducting business, and position and/or title.

Adult Reading Center, Inc.; President & CEO - oversee all operations of the Center

6. Do you or your spouse, either individually or through your employers, have any financial interest, directly or indirectly, in any contract or subcontract with the city or in the sale to the city of, materials, supplies or services? If so, please list below:

No

7. What civic or community endeavors have you been involved in? Please list name of organization, position held, date of service and whether your service was provided on a compensated or voluntary basis.

Please see list of Volunteer Activities on resume attached. All involvement has been voluntary.

8. What experience do you have that qualifies you for service on boards/commissions?

I have served on numerous boards and advisory committees. I only serve where I know I can be involved and meet all attendance requirements.

I have been involved with literacy since 1987 and considered an expert in my field.

8. Please indicate how much time you believe you would be able to commit to a board or commission caseload and review of caseload documentation.

I will commit as much time as necessary to be an effective board member.

9. What are your opinions of current and future growth in the City of Pearland?

I believe that we have a city council that has been judicious in managing our growth. The growth will happen and we need to manage it in

such a way that encourages individuals to move to and raise a family in Pearland.

CITY OF PEARLAND BOARDS AND COMMISSIONS
APPLICATION AND INFORMATION STATEMENT

**CITY SECRETARY'S OFFICE
CITY OF PEARLAND
3519 LIBERTY DRIVE
PEARLAND, TX 77581
281-652-1653
FAX: 281-652-1719**

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For Office Use Only

Date received: 4-24-14

Date scanned: 4-24-14

Date reviewed: 4-24-14

Date Interviewed: _____

Dale Villarreal Pillow

2302 Meadow Green Drive • Pearland, TX 77581 • 713.824.3279 • dale.pillow@adultreadingcenter.org

PROFESSIONAL EXPERIENCE

Adult Reading Center, Pearland, TX; September 2001 - Present

President & CEO

- Oversees all operations of the Center including management of federal grants
- Grant writing and provides annual reports to funders
- Liaison to the Board of Directors
- Represents the agency to the community

EDUCATION

- Our Lady of the Lake University, San Antonio, TX; B.A. (Major: English)
- San Antonio College, San Antonio, TX; A.A.

OTHER TRAINING

- Laubach tutor (ABE & ESL certified in 1987); achieved Master Tutor status, 1991
- Certified Laubach Tutor Trainer, 1994
- Certified TABE and BEST administrator
- Various annual adult literacy conferences and trainings

VOLUNTEER ACTIVITIES

- Clearinghouse Project Advisory Board Member, Texas Center for the Advancement of Literacy and Learning, Texas A&M, 6/2010 to present
- Houston Center for Literacy, Board of Directors, 2/2010 to 3/2014
- Literacy Texas; President, Board of Directors, 8/2006 thru 8/2008
- Literacy Texas; Member, Board of Directors, 8/2002 to 8/2010; 2012 to present
- Literacy Texas; Conference Chair, 2009, 2010, 2012, 2013, 2014
- Advisory Board, Child Development Council of Brazoria County, 12/2005 to present
- Advisory Board, Northern Brazoria County Education Alliance, 2008 to 2011
- ProLiteracy Program Advisory Committee, 6/2010 to 6/2011
- First Presbyterian Church, Pearland; Elected Elder and Deacon
- Keep Pearland Beautiful; President, 2000-2001; Board member; 1997-2009; Advisory Board member, 2009 to present
- Chair, Zoning Board of Adjustments, City of Pearland; appointed 2002 to present
- Chair, 2013 Pearland Charter Review Commission; appointed January 2013 (6 month term)
- Pearland Code Compliance Assistance Volunteer Program Class 1; graduated February 2006
- Pearland Police Department Citizens Police Academy Class 18; graduated November 2003
- Alvin Community College Board of Governors; Chairperson, Outreach/Scholarship Committee, 2000 to 2004
- Adult Reading Center; member of Board of Directors from 1987 to 2001; Board President, 1989-1990; Grant Writer, 1998 to 2001

RECOGNITIONS

- 2005 Citizen of the Year, Pearland Chamber of Commerce
- 2010 Community Builders Award, C.F. Spencer Masonic Lodge, Pearland
- 2010 Bank of America Local Hero, Greater Houston area
- June 2011, selected as a Daily Point of Light Honoree (Award Number 4531) by the Points of Light Institute, which was established by President George H.W. Bush.



**CITY OF PEARLAND
BOARDS AND COMMISSIONS
APPLICATION AND INFORMATION STATEMENT**

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PLEASE TYPE OR PRINT CLEARLY

Date: 3/26/2014

Name: Roshanda Cayette-Contreras Telephone: 281-993-4876 (H)

Address: 2920 Autumnbrook Ln 225-624-9209 (WC)

Subdivision: Shadow Creek Ranch E-mail: rocayette@yahoo.com

Occupation: Attorney

(If retired, please indicate former occupation or profession.)

Business Address: Sutherland, 1001 Fannin, Suite 3700, Houston, TX 77002

Resident of City for 7 years. Qualified Elector: (Yes) (No)

Personal References:

Name: Rainona McQueen Address: 14134 Merry Meadow, Houston 77049

Telephone: 713-962-4374

Name: Victoria Sadler Address: 3333 Wesleyan #1352 Houston 77027

Telephone: 713-878-8707

All applicants complete Pages (3) through (5) of the attached "Additional Information Statements" For the Planning and Zoning Page (6) is required.

Board/Commission Preference 1: Library Board

Board/Commission Preference 2: _____

BOARDS AND COMMISSIONS OF THE CITY OF PEARLAND:

THE FOLLOWING BOARDS AND COMMISSIONS MUST HAVE A RESUME ATTACHED

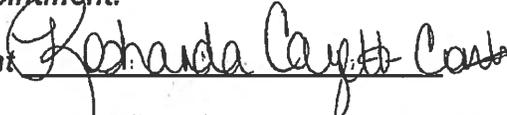
- Animal Shelter Advisory Committee – 3-year term
Time Commitment: Meets once a quarter on the 3rd Wednesday for approximately 2-3 hours.
- Building Code Board of Adjustments and Appeals – 5-year term and 2-year term for alternates
Time Commitment: Meets as needed for approximately 1-3 hours.
- Electrical Board – 2-year term
Time Commitment: Meets as needed for approximately 1-3 hours.
- Gas and Plumbing Code Board of Adjustments and Appeals – 5-year term and 5-year terms for alternates.
Time Commitment: Meets as needed for approximately 1-3 hours.
- Library Board – 3-year term
Time Commitment: Meets once a quarter on Thursdays for approximately 1-2 hours.

CITY OF PEARLAND BOARDS AND COMMISSIONS
APPLICATION AND INFORMATION STATEMENT

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Time Commitment: Meets at least once a year and then as needed for approximately 1-2 hours.
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Time Commitment: Meets as needed about 4 times a year for approximately 1-2 hours.
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Time Commitment: Meets as needed about 4 times a year for approximately 1-2 hours.
- Zoning Board of Adjustments – 2-year term
Time Commitment: Meets the 1st Thursday of each month for approximately 1 hour.

I hereby certify that all statements made on this application and other supplementary information are true and correct. I acknowledge that any false statement or misrepresentation on this application or supplementary information will be cause for refusal of appointment or immediate dismissal at any time during the period of my appointment.

Signature of Applicant

 Date 3/26/2014

Your application is not complete until you have the "Information Statement" has been completed and the application has been signed.

Thank you for taking the time to complete the application and information statement. The information will be helpful to the members of City Council in making appointments.

Please return this form with and Information Statement to:

City of Pearland
Attention: City Secretary
3519 Liberty Drive
Pearland, Texas 77581
(281) 652-1653 Voice
(281) 652-1719 Fax or
Email: citysecretary@ci.pearland.tx.us

All applicants complete Pages (3-5).

For the Planning and Zoning Commission complete the attached questionnaire and have it notarized. (Page 6)

QUALIFICATIONS FOR APPOINTMENT

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- ✓ Be a resident of Pearland prior to the date of appointment.
- ✓ Be a qualified City of Pearland voter at the time of appointment.
- ✓ Have a creditable record of attendance and participating performance.
- ✓ Maintain an open mind to all issues under consideration.
- ✓ Have the ability to listen, learn and discuss issues.
- ✓ Have the ability to make decisions based on information gathered and discussed and for the betterment of the city as seen through the City of Pearland Core Beliefs, Unified Development Code and Comprehensive Plan.
- ✓ Have the ability to see and understand the city long-term objectives and short-term benefits.

PLEASE TYPE OR PRINT CLEARLY

Applicant Name: Roshanda Cavette-Contreras Date: 8/7/14

1. Have you ever been a member of a Pearland board or commission? If so, please indicate the board or commission and approximate date of service.

No.

2. List the name of the Pearland Board/Commission Meetings you have attended and the number of times you attended.

I have not attended any.

3. Have you ever been convicted of a crime, other than minor traffic violations?

No

CITY OF PEARLAND BOARDS AND COMMISSIONS
APPLICATION AND INFORMATION STATEMENT

4. What is your educational background?
I have Bachelor Degrees in Legal Studies & Public Administration.
I also have a Juris Doctorate from South Texas
College of Law.
5. What is your current place of employment or business affiliation? If you are self-employed, a homemaker, or not employed, please indicate. Describe briefly the nature of your current employment, include employer name or entity under which you are conducting business, and position and/or title.
My employer is Sutherland, Asbill & Brennan. I am a
staff attorney in the litigation department. I help prepare
cases for trial, defend or bring lawsuits, etc.
6. Do you or your spouse, either individually or through your employers, have any financial interest, directly or indirectly, in any contract or subcontract with the city or in the sale to the city of, materials, supplies or services? If so, please list below:
No
7. What civic or community endeavors have you been involved in? Please list name of organization, position held, date of service and whether your service was provided on a compensated or voluntary basis.
• Texas Civil Rights Project Board of Councilors (Houston)
• Pearland Chamber of Commerce - Governmental Relations Sub-Team
Voluntary Positions / No Compensation
8. What experience do you have that qualifies you for service on boards/commissions?
As shown in the preceding question, I am on the Board of TCRP to help promote
its efforts in Houston. My work experience also qualifies me as I manage / supervise
attorneys at times. Also I am the mother of two kids growing up in Pearland.
8. Please indicate how much time you believe you would be able to commit to a board or commission caseload and review of caseload documentation.
A few hours per week.
9. What are your opinions of current and future growth in the City of Pearland?
I am excited about the current and future growth. Pearland is
a very diverse community that will have a huge impact on the
politics of Texas. Also I feel that Pearland will create and nurture
future leaders of the world.

CITY OF PEARLAND BOARDS AND COMMISSIONS
APPLICATION AND INFORMATION STATEMENT

**CITY SECRETARY'S OFFICE
CITY OF PEARLAND
3519 LIBERTY DRIVE
PEARLAND, TX 77581
281-652-1653
FAX: 281-652-1719**

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For Office Use Only

Date received: 3-28-14

Date scanned: _____

Date reviewed: _____

Date interviewed: _____

=====

ROSHANDA CAYETTE-CONTRERAS

2920 Autumnbrook Lane
Pearland, TX 77584
(225) 624-9209
rocayette@yahoo.com

EXPERIENCE

Sutherland, Asbill, & Brennan LLP., Houston, TX

Staff Attorney, October 2011 to Present, (*Contract Attorney* August 2010–October 2011)

- Assist with the defense of an international offshore oil drilling contractor in catastrophic rig explosion case involving federal and state environmental claims and claims for personal and economic injury.
- Manage and prepare discovery related projects such as production of documents to government agencies and opposing parties in response to Requests For Production (over 20 million documents were managed along with being produced, as well as managing a team of approximately 60 attorneys), composition of documents necessary for associates and partners to prepare for and conduct depositions, and manage other requested discovery projects.
- Prepare memorandums to assist with witness preparation and cross examination. Prepare summaries of documents and research for witness preparation and cross examinations.
- Supervise, manage, and train various groups of attorneys, while assisting with discovery related projects - manage and supervise a group of four (4) attorneys regarding an investigation by the Federal Energy Regulatory Commission, manage 45 attorneys on a Federal Trade Commission and Department of Defense Matter; supervise a team of six (6) attorneys reviewing contracts for indemnity and liability clauses, along with other projects.
- Review contracts for indemnity and liability clauses.

Attorney, Houston, TX

Temporary Projects, November 2007- August 2010

- **Locke, Lord, Bissell, & Liddell, LLP**—Assist with discovery for a breach of contract case involving one of the largest rental car companies in North America.
- **Gibbs & Bruns, LLP**—Assist with discovery for a breach of contract matter involving one of the largest construction companies in the United States.
- **Fulbright & Jaworski LLP**—Assist with discovery for investigation of an international oilfield services company. Team leader of 12 attorney reviewers.
- **Howrey, LLP**—Assist with a discovery for a patent infringement case involving an international drilling systems provider. Selected as one of 10 attorneys out of 64 for upper level document review.

Chargois, Mashayekh, & Herron, L.L.P., The Woodlands, TX

Associate, September 2006–October 2007

- Managed six large toxic tort cases involving benzene litigation; drafted pleadings and other pretrial motions, handled discovery along with attending pretrial hearings; conducted legal research and deposed witnesses.
- Managed large estate planning docket; drafted pleadings, wills, powers of attorney, directives to physicians, and other documents.
- Communicated with and counseled clients regarding estate planning needs.

Hissey, Kientz & Herron, P.L.L.C., Houston, TX

Associate, April 2005–September 2006

- Managed heavy estate planning docket consisting of over 100 probate matters; attended probate hearings, drafted pleadings, wills, powers of attorney, and directives to physicians.
- Communicated with and counseled clients regarding estate planning matters.
- Managed extensive defense-side asbestos litigation docket including extensive deposition preparation and numerous deposition appearances.

ROSHANDA CAYETTE-CONTRERAS

2920 Autumnbrook Lane
Pearland, TX 77584
(225) 624-9209
rocayette@yahoo.com

BAR ADMISSION AND EDUCATION

Bar Admission: Texas 2004

South Texas College of Law, Houston, TX—Juris Doctorate, 2004

Park University, Parkville, MO—Bachelor of Arts in Public Administration, Bachelor of Arts in Legal Studies, 2000

EXTRACURRICULAR ACTIVITIES & ORGANIZATIONS

Association of Women Attorneys, 2012 – 2013

Women's Energy Network 2012- present

Texas Civil Rights Project Board of Councilors, present

Pearland Co-Ed Volleyball League, 2011- present

Consent Agenda Item K

- K. Consideration and Possible Action – Resolution No. R2014-87 – A Resolution of the City Council of the City of Pearland, Texas, authorizing a contract for professional services associated with traffic signal timing to Gerry de Camp, in the estimated amount of \$50,000.00 for the period beginning August 2014 and ending July 2015.**

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

AGENDA OF:	August 11, 2014	ITEM NO.:	Resolution No. R2014-87
DATE SUBMITTED:	August 1, 2014	DEPT. OF ORIGIN:	Finance
PREPARED BY:	Bob Pearce	PRESENTOR:	Edward Kupferer
REVIEWED BY:	Jon R. Branson	REVIEW DATE:	August 4, 2014
SUBJECT: Award of Professional Services Contract for Traffic Signal Timing			
EXHIBITS: Resolution #R2014-87 Professional Services Contract Billing Rate - Gerry de Camp			
FUNDING:			
<input type="checkbox"/> Bonds To Be Sold		<input type="checkbox"/> Grant	<input type="checkbox"/> Developer/Other
<input type="checkbox"/> Bonds- Sold		<input type="checkbox"/> L/P – Sold	<input checked="" type="checkbox"/> Cash
			<input type="checkbox"/> L/P – To Be Sold
EXPENDITURE REQUIRED: \$50,000 (annual est.)		AMOUNT BUDGETED: \$50,000 (est.)	
AMOUNT AVAILABLE: \$13,725 (FY2014) - \$50,000 FY2015)		PROJECT NO.:	
ACCOUNT NO: 010-1425-555-11-00			
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

Traffic signal operations involve timing, phasing and coordination in order to keep the flow of traffic moving at a steady pace. Industry standards recommend that traffic signal timing sequences be adjusted every three (3) years. Due to Pearland's rapid population growth, the City Traffic Manager recommends annual adjustments in order to keep pace with evolving traffic patterns.

SCOPE OF CONTRACT

The City has utilized the professional services of a Traffic Signal Engineer, Gerry de Camp, since 2012 (though not to the volume of work which is expected in the coming year) and staff reports a high degree of satisfaction with his services, reporting virtually

immediate positive results from implementation of Mr. de Camp’s signal timing adjustments to date. Mr. de Camp currently performs similar traffic engineering services for the Texas Department of Transportation, and has proven to be highly qualified in addressing the City’s specific traffic needs. City Traffic Operations division will be installing flashing yellow arrows in most of the City’s intersections in the near future and Mr. de Camp will be providing new sequences and timings for those intersections at an hourly rate of \$175.00. In addition, Mr. de Camp will be upgrading traffic signal timings on an “as needed” basis for adjustments related to specific traffic concerns, either in person or by telephone with Traffic Operations staff. When needed, Mr. de Camp is available to assist the City’s Traffic Operations Department in any litigation involving City traffic signals.

BID AND AWARD

The professional engineering services included in the scope of this agreement are exempted from competitive bidding requirements in accordance with Local Government Code, Section 252.022.

SCHEDULE

Traffic signal timing services as needed throughout the term of the agreement.

POLICY/GOAL CONSIDERATION

This purchase is recommended for the purpose of furthering the City’s objective to provide for public safety and welfare, and to maintain the integrity of the City’s roadways.

CURRENT AND FUTURE FUNDING /FINANCIAL IMPACTS/DEBT SERVICE

Funding for these services will come from the Traffic Operation and Maintenance account.

O&M IMPACT INFORMATION

Fiscal Year	2014	2015
Est. Expenditures	\$13,725 (est.)	\$50,000 (annual estimate)

RECOMMENDED ACTION

Consideration and approval of a resolution to award a professional services contract to Gerry de Camp for traffic signal timing services at an hourly rate of \$175 for the period of August, 2014 through July, 2015.

RESOLUTION NO. R2014-87

A Resolution of the City Council of the City of Pearland, Texas, authorizing a contract for professional services associated with traffic signal timing to Gerry de Camp, in the estimated amount of \$50,000.00 for the period beginning August 2014 and ending July 2015.

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

Section 1. That certain contract for professional 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 traffic signal timing 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

CONTRACT FOR PROFESSIONAL SERVICES

THIS CONTRACT is entered into on _____, by and between the City of Pearland ("CITY") and Gerry de Camp, P.E., PTOE ("CONSULTANT").

The CITY engages the CONSULTANT to perform professional services for a project known and described as Traffic Signal Timing Services for Traffic Operations Department ("PROJECT").

SECTION I - SERVICES OF THE CONSULTANT

The CONSULTANT shall perform the following professional services to CITY standards and in accordance with the degree of care and skill that a professional in Texas would exercise under the same or similar circumstances:

- A. The CONSULTANT shall provide professional traffic signal timing services for the Traffic Operations Department, as needed.
- B. The CONSULTANT has prepared and submitted a detailed statement of cost of the PROJECT.
- C. The CONSULTANT acknowledges that the CITY (through its employee handbook) considers the following to be misconduct that is grounds for termination of a CITY employee: Any fraud, forgery, misappropriation of funds, receiving payment for services not performed or for hours not worked, mishandling or untruthful reporting of money transactions, destruction of assets, embezzlement, accepting materials of value from vendors, or consultants, and/or collecting reimbursement of expenses made for the benefit of the CITY. The CONSULTANT agrees that it will not, directly or indirectly; encourage a CITY employee to engage in such misconduct.
- D. The CONSULTANT recognizes that all documents or work product generated by the CONSULTANT under the CONTRACT shall be delivered to the CITY upon request, and shall subsequently become subject to the Open Records Laws of this State.
- E. The CONSULTANT shall procure and maintain for the duration of this Agreement, insurance against claims for injuries to persons, damages to property, or any errors and omissions relating to the performance of any work by the CONSULTANT, its agents, employees or subcontractors under this Agreement, as follows:
 - (1) Professional Liability Insurance in an amount not less than \$1,000,000 in the aggregate.

Certificates of Insurance and endorsements shall be furnished to the CITY before work commences. Each insurance policy shall be endorsed to state that coverage

shall not be suspended, voided, canceled, and/or reduced in coverage or in limits (“Change in Coverage”) except with prior written consent of the CITY and only after the CITY has been provided with written notice of such Change in Coverage, such notice to be sent to the CITY either by hand delivery to the City Manager or by certified mail, return receipt requested, and received by the City no fewer than thirty (30) days prior to the effective date of such Change in Coverage. Prior to commencing services under this CONTRACT, CONSULTANT shall furnish CITY with Certificates of Insurance, or formal endorsements as required by this CONTRACT, issued by CONSULTANT’S insurer(s), as evidence that policies providing the required coverage, conditions, and limits required by this CONTRACT are in full force and effect.

- F. The CONSULTANT shall indemnify and hold the CITY, its officers, agents, and employees, harmless from any claim, loss, damage, suit, and liability of every kind for which CONSULTANT is legally liable, including all expenses of litigation, court costs, and attorney's fees, for injury to or death of any person, for damage to any property, or errors in design, any of which are caused by the negligent act or omission of the CONSULTANT, his officers, employees, agents, or subcontractors under this CONTRACT.

- H. All parties intend that the CONSULTANT, in performing services pursuant to this CONTRACT, shall act as an independent contractor and shall have control of its own work and the manner in which it is performed. The CONSULTANT is not to be considered an agent or employee of the CITY.

SECTION II - PERIOD OF SERVICE

This CONTRACT will be binding upon execution and shall end one (1) year after the start date.

SECTION III - CONSULTANT'S COMPENSATION

- A. Total compensation for the services performed shall be **\$175.00 per hour, not to exceed \$50,000.00, without prior authorization of the Traffic Operations Department.**

- B. The CITY shall pay the CONSULTANT based upon required deliverables and supported by detailed invoices submitted by the CONSULTANT subject to the following conditions:

Payments shall be made based upon CONSULTANT’S successful completion of required deliverables and CITY acceptance of same.

- C. The CITY shall make any required payment to the CONSULTANT within thirty (30) days of receipt and approval of a detailed invoice. Invoices shall be submitted on the basis of completion of identified milestones.

SECTION IV - THE CITY'S RESPONSIBILITIES

- A. The CITY shall designate a project manager during the term of this CONTRACT. The project manager has the authority to administer this CONTRACT and shall monitor compliance with all terms and conditions stated herein. All requests for information from or a decision by the CITY on any aspect of the work shall be directed to the project manager.
- B. The CITY shall review submittals by the CONSULTANT and provide prompt response to questions and rendering of decisions pertaining thereto, to minimize delay in the progress of the CONSULTANT'S work. The CITY will keep the CONSULTANT advised concerning the progress of the CITY'S review of the work. The CONSULTANT agrees that the CITY'S inspection, review, acceptance or approval of CONSULTANT'S work shall not relieve CONSULTANT'S responsibility for errors or omissions of the CONSULTANT or its sub-consultant(s) or in any way affect the CONSULTANT'S status as an independent contractor of the CITY.

SECTION V - TERMINATION

- A. The CITY, at its sole discretion, may terminate this CONTRACT for any reason - with or without cause -- by delivering written notice to CONSULTANT personally or by certified mail at 1127 Eldridge Parkway South, Houston, Texas 77077. Immediately after receiving such written notice, the CONSULTANT shall discontinue providing the services under this CONTRACT.
- B. If this CONTRACT is terminated, CONSULTANT shall deliver to the CITY all reports, estimates and any and all other documents or work product generated by the CONSULTANT under the CONTRACT, entirely or partially completed, together with all unused materials supplied by the CITY on or before the 15th day following termination of the CONTRACT.
- C. In the event of such termination, the CONSULTANT shall be paid for services performed prior to receipt of the written notice of termination. The CITY shall make final payment within sixty (60) days after the CONSULTANT has delivered to the CITY a detailed invoice for services rendered and the documents or work product generated by the CONSULTANT under the CONTRACT.
- D. If the remuneration scheduled under this contract is based upon a fixed fee or definitely ascertainable sum, the portion of such sum payable shall be proportionate to the percentage of services completed by the CONSULTANT based upon the scope of work.
- E. In the event this CONTRACT is terminated, the CITY shall have the option of completing the work, or entering into a CONTRACT with another party for the completion of the work.

- F. If the CITY terminates this CONTRACT for cause and/or if the CONSULTANT breaches any provision of this CONTRACT, then the CITY shall have all rights and remedies in law and/or equity against CONSULTANT. Venue for any action or dispute arising out of or relating to this CONTRACT shall be in Brazoria County, Texas. The laws of the State of Texas shall govern the terms of this CONTRACT. The prevailing party in the action shall be entitled to recover its actual damages with interest, attorney's fees, costs and expenses incurred in connection with the dispute and/or action. CONSULTANT and CITY desire an expeditious means to resolve any disputes that may arise between under this CONTRACT. To accomplish this, the parties agree to mediation as follows: If a dispute arises out of or relates to this CONTRACT, or the breach thereof, and if the dispute cannot be settled through negotiation, then the parties agree first to try in good faith, and before pursuing any legal remedies, to settle the dispute by mediation of a third party who will be selected by agreement of the parties.

SECTION VI – ENTIRE AGREEMENT

This CONTRACT represents the entire agreement between the CITY and the CONSULTANT and supersedes all prior negotiations, representations, or contracts, either written or oral. This CONTRACT may be amended only by written instrument signed by both parties.

SECTION VII – COVENANT AGAINST CONTINGENT FEES

The CONSULTANT affirms that he has not employed or retained any company or person, other than a bona fide employee working for the CONSULTANT to solicit or secure this CONTRACT, and that he has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage brokerage fee, gift, or any other consideration, contingent upon or resulting from the award or making of the CONTRACT. For breach or violation of this clause, the CITY may terminate this CONTRACT without liability and in its discretion, may deduct from the CONTRACT price or consideration, or otherwise recover, the full amount of such fee, commission, percentage brokerage fee, gift, or contingent fee that has been paid.

SECTION VIII- SUCCESSORS AND ASSIGNS

This CONTRACT shall not be assignable except upon the written consent of the parties hereto.

The parties have executed this CONTRACT this _____ day of August, 2014.

CITY OF PEARLAND, TEXAS

CONSULTANT – GERRY DE CAMP, P.E., PTOE

From: [Edward Kupferer](#)
To: [Trisha Erndt](#)
Subject: FW: Billing rate for proposed contract
Date: Thursday, July 31, 2014 2:44:46 PM

From: GERRY de CAMP [mailto:gdecamp4@gmail.com]
Sent: Wednesday, July 30, 2014 8:59 AM
To: Edward Kupferer
Subject: Billing rate for proposed contract

Confirming our telephone discussion this morning, Ed, I propose the billing rate for the on-call contract you are in the process of preparing for the City of Pearland to retain my professional services on an ongoing basis to be \$ 175.- per hour. This rate is the same as the current rate I have been billing you for my current purchase order work for you, and is actually slightly less than the rate established by TxDot's auditors for me for subconsultant work I do for them.

Please let me know if you need any further information.

Thanks,

Gerry

GERRY de CAMP, P.E., PTOE
Traffic Signal Engineer
832-250-9408
Gerry@GdeCamp.com



Edward Kupferer | Traffic Manager | Traffic
City of Pearland | | Pearland, TX 77581
T: 281.997.5990 C: 281.299.7710 F:
pearlandtx.gov

Please note my new email address of EKupferer@pearlandtx.gov

Consent Agenda Item L

- L. **Consideration and Possible Action** – regarding appointments to the Animal Control Advisory Committee of Dr. Cara Campbell, to Position No. 1 for term expiring November 1, 2017, Cynthia Rothermel, to Position No. 4 for an unexpiring term November 1, 2015, Mary Hickling, to Position No. 5 for an unexpiring term November 1, 2016.

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

AGENDA OF: 8-11-2014	ITEM NO.: Consent Agenda Item
DATE SUBMITTED: 8-4-2014	DEPARTMENT OF ORIGIN: Administration
PREPARED BY: Jon R. Branson	PRESENTOR: Mayor Reid
REVIEWED BY: Clay Pearson	REVIEW DATE: August 4, 2014
SUBJECT: Appointments to the Animal Control Advisory Committee	
EXHIBITS: Applications and Resumes.	
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

Robin Collins recently announced her resignation from the Animal Shelter Advisor Committee resulting in a total of three (3) vacancies on the Committee. In order to conduct a meeting, a minimum of two (2) individuals would need to be appointed to the Committee to have a quorum and three (3) would need to be appointed to fill all existing vacancies.

At the December 2013 Animal Shelter Advisory Committee meeting the Committee unanimously recommended appointment of Dr. Cara Campbell to the Committee. At the May 2014 Advisory Committee meeting, the Committee unanimously recommended the appointment of Mary Hickling to the Committee. With Robin Collins recent resignation and the appointment of Dr. Campbell and Mary Hickling, the Committee would still have one vacancy remaining.

The vacancy created by Robin Collins leaves a void on the Committee as it relates to one of the members being a representative from an animal welfare organization. As of this time, we only have one application on file from someone that is a representative from an animal welfare organization. That application belongs to Cynthia Rothermel. Cynthia is the current Director of Pug Hearts of Houston, a Pug Rescue organization.

RECOMMENDED ACTION

Based on the aforementioned information, consider the appointment of Dr. Cara Campbell to Position 1, Cynthia Rothermel to Position 4, and Mary Hickling to Position 5.



**BOARDS & COMMISSIONS
INFORMATION STATEMENT & APPLICATION
CITY OF PEARLAND, TEXAS**

Please complete the form, **attach a copy of your Resume** and specify which Board/Commission you wish to serve. (See list on Page 2)

For the **Planning and Zoning Commission** complete the attached questionnaire and have it notarized. (Page 3)

Please list the name of any Pearland Board/Commission Meetings you have attended and the number of times you attended. Animal Advisory Board (6)

THIS INFORMATION WILL BECOME PUBLIC RECORD

NAME: Campbell Cara D
(LAST) (FIRST) (M.I.)

HOME ADDRESS: 2723 MANVEL Rd **HOME TELEPHONE:**
Pearland, TX 77584 281-793-3586

SUBDIVISION NAME: Skyway Manor **BUSINESS TELEPHONE:**
PROFESSION: Veterinarian 281-485-9846

BUSINESS NAME & ADDRESS: WLS250c Veterinary Hospital **E-MAIL ADDRESS:** sbcglobal.net
6034 Broadway c.campbell1835@

PERSONAL REFERENCES: Susan Sherrouse 281-485-2992
(NAME) (TELEPHONE)

305 Shrinner Ct. Pearland Tx 77584
(ADDRESS) (STATE, ZIP)

Harry Axline 281-412-3071
(NAME) (TELEPHONE)

6507 Old Oaks Blvd Pearland, Tx 77584
(ADDRESS) (STATE, ZIP)

RESIDENT OF PEARLAND FOR <u>15</u> YEARS DO YOU OWN REAL PROPERTY WITHIN THE CITY OF PEARLAND? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO ARE YOU A QUALIFIED VOTER OF THE STATE OF TEXAS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

If you have been a member of a Pearland Board or Commission before, please indicate the Board or Commission and approximate dates of service:

Have you ever been convicted of a crime, other than minor traffic violations?

NO

What experience do you have that may qualify you for service on a particular Board or Commission (i.e., licenses, degrees and certificates)? There are a number of boards, which require special qualifications such as plumbers and electricians.

licensed veterinarian, have served on TVMA - AMVA Liason Committee
currently serving on TVMA Animal Welfare Committee
Please list any civic or community endeavors in which you have been involved:

Are you related to any City employee or current Councilmember?

NO

I hereby affirm the information provided herein is true and correct to the best of my knowledge.

Carl Peep DVM
(Signature)

9/5/13
(Date)

BOARDS AND COMMISSIONS OF THE CITY OF PEARLAND:

- Animal Shelter Advisory Committee – 3-year term
- Building Code Board of Adjustments and Appeals – 5 year term and 2 year term for alternates
- Charter Review Commission – 6-month term – appointed in odd numbered years
- Civil Service Commission – 3-year term
- Development Authority of Pearland (DAP) 2-year term
- Electrical Board – 2-year term
- Gas and Plumbing Code Board of Adjustments and Appeals – 5-year term
- Library Board – 3-year term
- Pearland Convention and Visitors Bureau Advisory Board – 3-year term
- Pearland Parks, Recreation and Beautification Board – 3-year term
- Pearland Economic Development Corporation – 2-year term
- Planning and Zoning Commission – 3 year term **(All applicants for the Planning and Zoning Commission must be residents of Pearland and own real property within the City.)**
- Tax Increment Reinvestment Zone (TIRZ) No. 2 – 2-year term
- Zoning Board of Adjustments – 2-year term

Thank you for taking the time to complete this application. It will be helpful to the Pearland City Council and Staff in making appointments and recommendations.

**CITY SECRETARY'S OFFICE
CITY OF PEARLAND
3519 LIBERTY DRIVE
PEARLAND, TX 77581
281-652-1840
FAX: 281-652-1719**

CARA D CAMPBELL DVM

2723 Manvel rd
Pearland, Texas 77584

EDUCATION

Texas A&M University	1987	Doctor of Veterinary Medicine
Texas A&M University	1985	Bachelor of Science, Animal Science
Texas A&M University	1982	Bachelor of Science, Biomedical Sciences

PROFESSIONAL

Westside Veterinary Hospital located in Pearland Texas. Owner 1992
to present.

VOLUNTEER WORK

Fox Terrier Rescue of Houston Help coordinate and provide veterinary services for rescues. Assess and make recommended treatments for those rescued through the rescue. 1995 to present.

Wire Fox Terrier Club of Central States Coordinate educational seminars for the membership at the annual meeting. 2000 to present

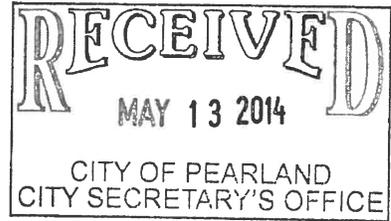
Community involvement

Longtime resident of Pearland.

Westside Veterinary Hospital has been a leader in coordinating spay/neuter programs with Pearland Animal Control as well as local rescues.

Supports local school functions as well as events hosted by Pearland Parks and Recreation.

Provides support to the Pearland Neighborhood Center.



**CITY OF PEARLAND
BOARDS AND COMMISSIONS
APPLICATION AND INFORMATION STATEMENT**

NOTE: As an applicant for a City Board or Commission your name, address, and telephone number will be available under the provisions of the Public Information Act. All other information will remain confidential. Applications remain on file in the office of the City Secretary for a period of one year.

PLEASE TYPE OR PRINT CLEARLY

Date: 5-12-2014

Name: Cynthia Rothermel

Telephone: 281 414 1777 (H)

Address: 2802 Owen Alvin

281 929 4125 (W)

Subdivision: _____

E-mail: Cindyrc@pughearts.com

Occupation: Clinical Support Analyst

(If retired, please indicate former occupation or profession.)

Business Address: _____

Resident of City for 0 years.

Qualified Elector: (Yes) _____ (No)

Personal References: Alvin 39 yrs

Name: Emily Wolfe

Address: 2419 Charter Oaks Ct, Pearland

Telephone: 832-721-3744

Name: Alice Franks

Address: 11310 Dorrance Ln Stafford

Telephone: 832-270-2276

All applicants complete Pages (3) through (5) of the attached "Additional Information Statements" For the Planning and Zoning Page (6) is required.

Board/Commission Preference 1: Animal Shelter Advisory Committee

Board/Commission Preference 2: 0

BOARDS AND COMMISSIONS OF THE CITY OF PEARLAND:

THE FOLLOWING BOARDS AND COMMISSIONS MUST HAVE A RESUME ATTACHED

- Animal Shelter Advisory Committee – 3-year term
Time Commitment: Meets once a quarter on the 3rd Wednesday for approximately 2-3 hours.
- Building Code Board of Adjustments and Appeals – 5-year term and 2-year term for alternates
Time Commitment: Meets as needed for approximately 1-3 hours.
- Electrical Board – 2-year term
Time Commitment: Meets as needed for approximately 1-3 hours.
- Gas and Plumbing Code Board of Adjustments and Appeals – 5-year term and 5-year terms for alternates.
Time Commitment: Meets as needed for approximately 1-3 hours.
- Library Board – 3-year term
Time Commitment: Meets once a quarter on Thursdays for approximately 1-2 hours.

CITY OF PEARLAND BOARDS AND COMMISSIONS
APPLICATION AND INFORMATION STATEMENT

- Pearland Parks, Recreation and Beautification Board – 3-year term
Time Commitment: Meets the first Wednesday morning at 8:30 a.m. of each month for approximately 1-2 hours.
- Civil Service Commission – 3-year term
Time Commitment: Meets at least once a year and then as needed for approximately 1-2 hours.
- Development Authority of Pearland (DAP) 2-year term
Time Commitment: Meets as needed about 4 times a year for approximately 1-2 hours.
- Pearland Economic Development Corporation Board of Directors – 2-year term
Time Commitment: Meets the 4th or 5th Thursday of each month for approximately 2-3 hours.
- Planning and Zoning Commission – 3 year term *(All applicants for the Planning and Zoning Commission must be residents of Pearland and own real property within the City.)*
Time Commitment: Meets the 1st and 3rd Monday of each month approximately 3-5 hours.
- Tax Increment Reinvestment Zone (TIRZ) No. 2 – 2-year term
Time Commitment: Meets as needed about 4 times a year for approximately 1-2 hours.
- Zoning Board of Adjustments – 2-year term
Time Commitment: Meets the 1st Thursday of each month for approximately 1 hour.

I hereby certify that all statements made on this application and other supplementary information are true and correct. I acknowledge that any false statement or misrepresentation on this application or supplementary information will be cause for refusal of appointment or immediate dismissal at any time during the period of my appointment.

Signature of Applicant  Date 5-12-14

Your application is not complete until you have the "**Information Statement**" has been completed and the application has been signed.

Thank you for taking the time to complete the application and information statement. The information will be helpful to the members of City Council in making appointments.

Please return this form with and Information Statement to:

City of Pearland
Attention: City Secretary
3519 Liberty Drive
Pearland, Texas 77581
(281) 652-1653 Voice
(281) 652-1719 Fax or
Email: citysecretary@ci.pearland.tx.us

All applicants complete Pages (3-5).

For the Planning and Zoning Commission complete the attached questionnaire and have it notarized. (Page 6)

QUALIFICATIONS FOR APPOINTMENT

The City of Pearland has certain qualifications that must be met by all members of city boards and commissions. In addition to any specific qualifications for service on a particular board, a board member must:

- ✓ Be a resident of Pearland prior to the date of appointment.
- ✓ Be a qualified City of Pearland voter at the time of appointment.
- ✓ Have a creditable record of attendance and participating performance.
- ✓ Maintain an open mind to all issues under consideration.
- ✓ Have the ability to listen, learn and discuss issues.
- ✓ Have the ability to make decisions based on information gathered and discussed and for the betterment of the city as seen through the City of Pearland Core Beliefs, Unified Development Code and Comprehensive Plan.
- ✓ Have the ability to see and understand the city long-term objectives and short-term benefits.

PLEASE TYPE OR PRINT CLEARLY

Applicant Name: Cynthia Rothermel Date: 5/12/2014

1. Have you ever been a member of a Pearland board or commission? If so, please indicate the board or commission and approximate date of service.

No

2. List the name of the Pearland Board/Commission Meetings you have attended and the number of times you attended.

None

3. Have you ever been convicted of a crime, other than minor traffic violations?

No

CITY OF PEARLAND BOARDS AND COMMISSIONS
APPLICATION AND INFORMATION STATEMENT

4. What is your educational background?

BS in Respiratory Care
MAEd - Adult Education and Training

5. What is your current place of employment or business affiliation? If you are self-employed, a homemaker, or not employed, please indicate. Describe briefly the nature of your current employment, include employer name or entity under which you are conducting business, and position and/or title.

Memorial Hermann Southeast Hospital - since 1995
CSA - Clinical liaison for Electronic Medical Record

6. Do you or your spouse, either individually or through your employers, have any financial interest, directly or indirectly, in any contract or subcontract with the city or in the sale to the city of, materials, supplies or services? If so, please list below:

No

7. What civic or community endeavors have you been involved in? Please list name of organization, position held, date of service and whether your service was provided on a compensated or voluntary basis.

Director - PugHearts (2007 - current)
Houston's Pug Rescue

8. What experience do you have that qualifies you for service on boards/commissions?

Run a successful breed specific dog rescue
Work with the majority of shelters in Houston area

8. Please indicate how much time you believe you would be able to commit to a board or commission caseload and review of caseload documentation.

As needed

9. What are your opinions of current and future growth in the City of Pearland?

Growth is a constant, management of that growth can maintain/improve the quality

CITY OF PEARLAND BOARDS AND COMMISSIONS
APPLICATION AND INFORMATION STATEMENT

CITY SECRETARY'S OFFICE
CITY OF PEARLAND
3519 LIBERTY DRIVE
PEARLAND, TX 77581
281-652-1653
FAX: 281-652-1719

=====
For Office Use Only

Date received: 5-13-14 Date scanned: 5-13-14
Date reviewed: 5-15-14 Date interviewed: _____
=====

Summary

Submitting resume in connection with the Application for the Animal Shelter Advisory Board position for the City of Pearland.

Having been involved with the rescue community for 10+ years, I have worked with many city run shelters and look forward to the opportunity to assist the City of Pearland. I founded and serve as the director for PugHearts, the Houston pug rescue since February 2007. We are one of the largest pug rescues in the nation with over 100 pugs in foster care at any given time. PugHearts provides full medical care and paid a vet bill totaling nearly \$190,000 in 2013.

Volunteer

PugHearts, the Houston Pug rescue 2007 to Present
Director and Founder

We are a breed specific dog rescue dedicated to the pug dog breed. Our mission is the rescue, rehabilitation and permanent placement of needy pugs into loving homes. PugHearts has rescued 1400+ pugs since February 2007. We work with multiple shelter and humane societies in the Houston area. PugHearts operates on a strictly volunteer basis. There are no paid positions.

We believe that each pug in our care is an individual and that as a group we have an opportunity to meet the needs of both pug and permanent family by making a match "from our hearts to yours".

Experience

Memorial Hermann Southeast Hospital, Houston, TX 2007 to Present
Clinical Resource Specialist

Serve the staff and facility of Memorial Hermann Southeast hospital in the area of on-boarding, annual competencies and clinical orientations.

- Facilitate New Employee Orientations
- Teach Breakthroughs in Patient Safety (BIPS)
- Care4 ACE and AC4 Pit Crew Member for the Education Department
- Plan, Implement and Document annual competencies for staff nurses and patient care assistants.
- Serve as clinical educator to the following areas: Ortho Rehab nursing unit, Float Pool, Respiratory, Lab, Imaging, Rehab Services (PT/OT/Speech) providing in-services, training, competencies, project roll outs and other needs as identified
- Coordinate and compile data and results for PBDS on-boarding nursing assessments.
- Facilitate student clinical rotations for ancillary students, including high schools, colleges, universities and training centers.
- Create and manage the SharePoint for the facility Education and Magnet sites.

Memorial Hermann Southeast hospital, Houston, TX 1995 to 2007
Respiratory Therapist III

Determined requirements for treatment, such as type and duration of therapy, and medication and dosages. Inspected and tested respiratory therapy equipment to ensure equipment is functioning safely and efficiently. Set up and operated devices, such as mechanical ventilators, therapeutic gas administration apparatus, environmental control systems, and aerosol generators. Consulted with

physician in event of adverse reactions. Maintained patient's chart that contains pertinent identification and therapy information. Demonstrated respiratory care procedures to trainees and other health care personnel

- Impressive time management skills, self motivated, detail oriented person. High energy level.
- Excellent communications skills. Participate during interdisciplinary rounds and frequently confer with physicians regarding needed changes in patient treatment.
- Respected by physicians and nursing staff for my knowledge and work ethic
- Ability to assess and make treatment determinations rapidly.
- Coordinated and maintained the quality data for the ABG lab and Cerner Millennium documentation system.

Education

University of Phoenix, Phoenix, AZ 2009
M.A., Adult Education

The curriculum encompasses instruction in andragogical theory, the needs of adult learners, critical issues in adult learning, instructional design and strategies, assessment and the growing use of technology for successful learning in the 21st century.

University of Texas Medical Branch, Galveston, TX 2005
B.S., Respiratory Care

The BS, RC degree plan is designed to improve and advance the RRT's ability to assess and manage critical patients. Research and Information analysis were a strong factor in the curriculum I completed the career ladder track in a short period of time, while maintaining my full time position and responsibilities as a team leader and weekend relief supervisor for the respiratory department here at Southeast. Successfully completed coursework in self-directed, self-paced learning environment. Dean's List, 2 semesters. Member: Phi Theta Kappa.

Alvin Community College, Alvin, TX 1996
Associate, Respiratory Care

Magna Cum Laude. Selected as a representative student for Alvin Community College.

Contributions

Partnered with Human Resources, Education and Management to develop and implement a redesign of the New Employee Orientation on-boarding process.

- Worked with the Employee of Choice committee to create a facility specific Employee Resource Guide to increase new employee satisfaction with the on-boarding process.
- Redesigned the on-boarding process to streamline the time from job offer to unit orientation timeline. Decreased nursing on-boarding timeline by 2 days.
- Taught multiple aspects for the on-boarding program including: infection control, Care4, Risk Management and Customer Service components.
- Increased manager satisfaction with on-boarding by providing calendars, meeting requests and a standardized process for nursing on-boarding.

Created and maintain SharePoint sites for both the Education and Magnet SharePoints for Memorial Hermann Southeast.

- Creates a information resource location available to all staff on a 24/7 basis.
- Allows for Magnet meeting minutes and agendas to be centrally located for all staff and council members.

- Allows for ease of communication and access to projects rolled out in the facility. For example: Port A Cath approved access staff are listed here. Chest Pain certification project material is posted. Bariatric surgical overview is also available. The Joint Commission of Accreditation follow up educational material is easily available to all staff and contract employees.
- Utilized for tri-annual nursing competencies pre-work and study material to be available at all times. This increases the compliance for supplemental, contract and float pool staff.

Prepare, compile and maintain records related to Performance Based Development Systems (PBDS) assessments used to evaluate the orientation needs of new nursing staff.

- Allows a personalized orientation process for on-boarding nurses.
- Decreased overlap and duplication of orientation processes and information for individual new hire nurses.
- Provides annual data for on-boarding evaluations focused on 90 day turn overs and time spent on orientation processes.

Monitored, maintained and evaluated the creation, revisions, and implementations of performance improvement, policies and results documentation in the blood gas lab to maintain consistent quality and adherence to the College of American Pathologists (CAP) certifications for the blood gas lab.

- Performance improvement goals were set to monitor "Read back" of critical arterial blood gas results.
- "Read back" results, as requires by Joint Commission of Accreditation's Patient Safety Goals, have been instituted and are in compliance with set goals.
- "Read back" is now a part of the mandatory documentation for blood gas reporting.
- Trained and monitored other members of the respiratory care team to the ensure these standards and quality measures were hardwired in practice.

Additional Skills

- Six Sigma Green Belt training
- Cerner product understanding including: Proficiency in Care4, and the communications between the systems. Functional ability in FirstNet, RadNet, PathNet, SurgiNet, PharmNet.
- Resource for documentation issues and questions to the education department, nursing units and quality department.
- Proficient in Microsoft Word, PowerPoint, Excel and SharePoint. Functional in Access and Publisher.
- Communication between diverse groups allowing for cultural diversity and collaboration between teams and individuals.

Licenses

Registered Respiratory Therapist, National Board for Respiratory Care, 1997 to 2013. License number 64601

Licensed Respiratory Care Practitioner, Texas Department of Health, 1996 to 2013

Basic Life Support Instructor, American Heart Association, 2007 to 2014

RECEIVED
CITY OF PEARLAND
CITY SECRETARY'S OFFICE



CITY OF PEARLAND

DEC 16 2013

CITY OF PEARLAND
13 DEC 16 AM 10:56 BOARDS AND COMMISSIONS HUMAN RESOURCES
APPLICATION AND INFORMATION STATEMENT

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PLEASE TYPE OR PRINT CLEARLY

Date: Dec 10, 2013

Name: Mary Hickling

Telephone: 281-485-5692 (H)

Address: 5003 Rockland Dr

n/a (W)

Subdivision: Corrigan So.

E-mail: mhickling@att.net

Occupation: Retired - City of Pearland - Human Resource Dir

(If retired, please indicate former occupation or profession.)

Business Address: n/a

Resident of City for 37 years.

Qualified Elector: (Yes) (No)

Personal References:

Name: Shari Coleman

Address: 2002 Old Alvin Rd.

Telephone: 281-652-1970

Name: Mike Allen

Address: 1601 N. MAIN ST.

DVM

Telephone: 281-485-2496

All applicants complete Pages (3) through (5) of the attached "Additional Information Statements" For the Planning and Zoning Page (6) is required.

Board/Commission Preference 1: Animal Shelter Advisory Committee

Board/Commission Preference 2: _____

BOARDS AND COMMISSIONS OF THE CITY OF PEARLAND:

THE FOLLOWING BOARDS AND COMMISSIONS MUST HAVE A RESUME ATTACHED

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- Building Code Board of Adjustments and Appeals – 5-year term and 2-year term for alternates
Time Commitment: Meets as needed for approximately 1-3 hours.
- Electrical Board – 2-year term
Time Commitment: Meets as needed for approximately 1-3 hours.
- Gas and Plumbing Code Board of Adjustments and Appeals – 5-year term and 5-year terms for alternates.
Time Commitment: Meets as needed for approximately 1-3 hours.
- Library Board – 3-year term
Time Commitment: Meets once a quarter on Thursdays for approximately 1-2 hours.

CITY OF PEARLAND BOARDS AND COMMISSIONS
APPLICATION AND INFORMATION STATEMENT

- Pearland Parks, Recreation and Beautification Board – 3-year term
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Time Commitment: Meets at least once a year and then as needed for approximately 1-2 hours.
- Development Authority of Pearland (DAP) 2-year term
Time Commitment: Meets as needed about 4 times a year for approximately 1-2 hours.
- Pearland Economic Development Corporation Board of Directors – 2-year term
Time Commitment: Meets the 4th or 5th Thursday of each month for approximately 2-3 hours.
- Planning and Zoning Commission – 3 year term (**All applicants for the Planning and Zoning Commission must be residents of Pearland and own real property within the City.**)
Time Commitment: Meets the 1st and 3rd Monday of each month approximately 3-5 hours.
- Tax Increment Reinvestment Zone (TIRZ) No. 2 – 2-year term
Time Commitment: Meets as needed about 4 times a year for approximately 1-2 hours.
- Zoning Board of Adjustments – 2-year term
Time Commitment: Meets the 1st Thursday of each month for approximately 1 hour.

I hereby certify that all statements made on this application and other supplementary information are true and correct. I acknowledge that any false statement or misrepresentation on this application or supplementary information will be cause for refusal of appointment or immediate dismissal at any time during the period of my appointment.

Signature of Applicant

Mary Hickling

Date *Dec 10, 2013*

Your application is not complete until you have the "**Information Statement**" has been completed and the application has been signed.

Thank you for taking the time to complete the application and information statement. The information will be helpful to the members of City Council in making appointments.

Please return this form with and Information Statement to:

City of Pearland
Attention: City Secretary
3519 Liberty Drive
Pearland, Texas 77581
(281) 652-1653 Voice
(281) 652-1719 Fax or
Email: citysecretary@ci.pearland.tx.us

All applicants complete Pages (3-5).

For the Planning and Zoning Commission complete the attached questionnaire and have it notarized. (Page 6)

QUALIFICATIONS FOR APPOINTMENT

The City of Pearland has certain qualifications that must be met by all members of city boards and commissions. In addition to any specific qualifications for service on a particular board, a board member must:

- ✓ Be a resident of Pearland prior to the date of appointment.
- ✓ Be a qualified City of Pearland voter at the time of appointment.
- ✓ Have a creditable record of attendance and participating performance.
- ✓ Maintain an open mind to all issues under consideration.
- ✓ Have the ability to listen, learn and discuss issues.
- ✓ Have the ability to make decisions based on information gathered and discussed and for the betterment of the city as seen through the City of Pearland Core Beliefs, Unified Development Code and Comprehensive Plan.
- ✓ Have the ability to see and understand the city long-term objectives and short-term benefits.

PLEASE TYPE OR PRINT CLEARLY

Applicant Name: Mary Hickling Date: Dec 10, 2013

1. Have you ever been a member of a Pearland board or commission? If so, please indicate the board or commission and approximate date of service.
As the Human Resources Director I served as Civil Service Director and was a member only in a non-voting capacity from mid 1980's - 2009; too many meetings to count.
2. List the name of the Pearland Board/Commission Meetings you have attended and the number of times you attended.
Civil Service Commission meetings for approximately 25 years; I don't believe I ever missed a meeting, but don't recall.
3. Have you ever been convicted of a crime, other than minor traffic violations?
No

CITY OF PEARLAND BOARDS AND COMMISSIONS
APPLICATION AND INFORMATION STATEMENT

4. What is your educational background?

Over 70 hours at Texas Christian University

5. What is your current place of employment or business affiliation? If you are self-employed, a homemaker, or not employed, please indicate. Describe briefly the nature of your current employment, include employer name or entity under which you are conducting business, and position and/or title.

Retired from City of Pearland - homemaker

6. Do you or your spouse, either individually or through your employers, have any financial interest, directly or indirectly, in any contract or subcontract with the city or in the sale to the city of, materials, supplies or services? If so, please list below:

No

7. What civic or community endeavors have you been involved in? Please list name of organization, position held, date of service and whether your service was provided on a compensated or voluntary basis.

Recently involved on voluntary basis with Animal Control as Adoption Coordinator & helper in office 2 half days per week (2012-2013)

8. What experience do you have that qualifies you for service on boards/commissions?

Dir of Civil Service Commission; Several Church boards

8. Please indicate how much time you believe you would be able to commit to a board or commission caseload and review of caseload documentation.

Six to Twelve hours per month

9. What are your opinions of current and future growth in the City of Pearland?

Pearland is destined to grow - it's up to the citizens to make sure it grows in a positive way.

Consent Agenda Item M

- M. Consideration and Possible Action– Resolution No. R2014-94 – A Resolution of the City Council of the City of Pearland, Texas, as hereinafter referred to as “Applicant,” designating certain officials as being responsible for, acting for, and on behalf of the Applicant in dealing with the Texas Parks & Wildlife Department, hereinafter referred to as “Department,” for the purpose of participating in the Local Park Grant Program, hereinafter referred to as the “Program”; certifying that the Applicant is eligible to receive program assistance; certifying that the Applicant matching share is readily available and is approved for use in the completion of this project; and dedicating the proposed site for permanent (or for the term of the lease for leased property) public park and recreational uses.**

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

AGENDA OF:	August 11, 2014	ITEM NO.:	
DATE SUBMITTED:	July 31, 2014	DEPT. OF ORIGIN:	Finance/Parks
PREPARED BY:	Joel Hardy	PRESENTOR:	Michelle Graham
REVIEWED BY:	Jon R. Branson	REVIEW DATE:	August 4, 2014
SUBJECT: Texas Parks & Wildlife Department Local Parks Grant Program Application - Shadow Creek Ranch Park Construction			
EXHIBITS: R2014-94 ; A – Memo to City Manager; B – TPWD Local Parks Grant Program Guidelines; C – TPWD Required Resolution; D – TPWD Resolution Approving Matching Funds			
FUNDING:	<input type="checkbox"/> Bonds To Be Sold	<input checked="" type="checkbox"/> Grant <input type="checkbox"/> Bonds- Sold	<input type="checkbox"/> Developer/Other <input type="checkbox"/> L/P – Sold
			<input type="checkbox"/> Cash <input type="checkbox"/> L/P – To Be Sold
EXPENDITURE REQUIRED:		AMOUNT BUDGETED:	
AMOUNT AVAILABLE:		PROJECT NO.:	P20002
ACCOUNT NO.:			
ADDITIONAL APPROPRIATION REQUIRED:			
ACCOUNT NO.:			
To be completed by Department:			
X Finance	X Legal	Ordinance	X Resolution

EXECUTIVE SUMMARY

On July 28, 2014, staff recommended that Council approve the negotiated Competitive Sealed Proposal and to award a Construction Contract to Crain Group, LLC for the new Sports Complex at Shadow Creek Ranch Park in the amount of \$6,569,575.96 and authorize the City Manager to execute the contract. Staff also recommended a budget adjustment to add \$340,000 to the Shadow Creek Ranch Park project budget from available fund balance in Fund 50.

Some of the items involved in the original scope of work for Shadow Creek Ranch Park were removed per budgetary considerations, and Council remarked with substantive concern that these items were important elements of the facility that should remain a part of the design. Staff has discovered a grant funding opportunity that may fund these items.

The Texas Parks & Wildlife Department's Local Park Grant Program consists of 5 individual programs that assist local units of government with the acquisition and/or development of public recreation areas and facilities throughout the State of Texas. The Program provides 50% matching grants on a reimbursement basis to eligible applicants. All grant assisted sites must be dedicated as parkland in perpetuity, properly maintained and open to the public.

Funding for these programs comes from a portion of the state sales tax on sporting goods through the Texas Recreation and Parks Account, the Texas Large County & Municipality Recreation & Parks Account, and from the federal Land and Water Conservation Fund. Grant agreements between the City and TPWD are issued pursuant the legally-binding measures to ensure a grant award of funding is utilized in accordance with State laws and other traditional regulatory considerations.

The TPWD grant application requirements call for Council approval for our request to be submitted. The City intends to request the maximum allowable funding – \$400,000.

BACKGROUND

The Fiscal Year 2012 Capital Improvement Program Budget included funding for the design of the Shadow Creek Ranch Community Park, which was part of the 2007 Bond election. Construction funding was contained in the 2013 and 2014 CIP's. As originally conceived the project included eight lighted softball/baseball fields, a restroom/concession building with a pavilion, one soccer field, parking, a hike and bike trail around the fields and a lawn amphitheater for special events.

The project was packaged as a Competitive Sealed Proposal (CSP), only one proposal was received in the amount of \$13,365,060.64, which exceeded the budget by nearly \$5 million. Council rejected that proposal on May 19, 2014, and staff began work to revise the scope of the project bid package and to prepare to re-bid the project. The re-bid project resulted in the award of a construction contract in the amount of \$6,569,575.96 to the Crain Group, LLC, but reduced the project scope for budgetary purposes and removed several items originally included in the park from consideration.

Council expressed its concern for including these items, and Financing Agreements are under consideration from Brazoria County MUD #26 and Brazoria/Fort Bend County MUD #1 for reimbursement of water, sewer, and drainage infrastructure associated with the Shadow Creek Ranch Community Park. This funding would free up City dollars to incorporate some or all of the amenities that have been excluded from the construction award.

Per Council concerns for the importance of including these items, particularly the amphitheater, staff is requesting Council's approval to solicit grant funding from Texas Parks & Wildlife Department via its Local Parks Grant program, to fund some of the alternate bid items modified from the original scope of work. The City intends to request the maximum allowable funds from Texas Parks & Wildlife Department in its application for a grant in the amount of \$400,000. The City would work closely and coordinate with the MUD's on any potential funding opportunities.

SCOPE OF CONTRACT/AGREEMENT

The scope of work being presented to the TPWD will involve the use of matching grant funds for the construction of Shadow Creek Ranch Community Park. TPWD-funded development projects may be individual or multi-site projects and may include new construction, renovation and/or redevelopment.

The City's application will request \$400,000 and will be applicable to the costs associated with including the "bid alternate items" that were not selected in the proposed construction contract and project budget details for Shadow Creek Ranch Park. This funding has the potential to fill a portion of the gap between the available City funds and the add alternates that were not funded. The City would also work closely with the MUD's to coordinate amounts that could potentially be funded from the MUD.

General repair and maintenance projects are not eligible. The following are examples of eligible and ineligible projects according to TPWD:

Examples of Eligible Development

- Sports fields
- Boating, Fishing, and Hunting Facilities
- Picnic facilities
- Playgrounds
- Splash pads
- Swimming Pools
- Trails
- Camp Sites
- Recreational Support Facilities
- Community Gardens
- Basketball, Volleyball and other sports courts
- Small Amphitheatres
- Small Bandstands
- Rodeo Arenas
- Exhibit / Interpretive Displays
- Golf Courses
- Landscaping using native plants

Examples of Ineligible Development

- Professional or semi-professional arts and athletics
- Monuments & landmarks
- Amusement Parks
- Residences and furnishings
- Lodges, hotels, motels and luxury cabins
- Support facilities for ineligible facilities
- Marinas and related support facilities
- Non-native plants

As the items above show, our project has many construction elements that are eligible for the use of grant funds to complete, but have not been included in the current contract with Crain Group, LLC.

APPLICATION

Due to the short turnaround available for completion of this application, no draft of the application was available at the time of this Agenda Request. However, the City has successfully received grant awards from the Texas Parks & Wildlife Department in the past and staff maintains a high level of familiarity with the State's "Rec Grants Online" grant application web portal. The City's application will consist of various narratives,

maps, technical descriptions, certifications of compliance with environmental standards, and budgetary/cost details.

BID AND AWARD

The grant application is being crafted with the intention of requesting \$400,000 for use in the construction of the park, and the application submission, review, and notification timeline should produce a response from the funder by February of 2015.

SCHEDULE

The process of reviewing grant applications requires about five months. A technical review by Recreation Grants staff will be followed by a review by agency resource staff. If environmental concerns are identified such as potential endangered species being located on the project site, additional environmental coordination and/or a survey may be required. Recreation Grants will also coordinate the review of a project with the Texas Historical Commission (THC).

When all of the information necessary to complete the application is received, the project is scored, put in priority order by score, and recommendations are presented to the Texas Parks & Wildlife Commission.

The TPW Commission makes all final decisions regarding awards of program funds. Each project applicant will be notified of the staff's recommendation shortly before the TPW Commission hearing. The public is welcome to attend and participate at the hearing. The application requesting funds from Texas Parks & Wildlife Department is due August 31st, 2014.

POLICY/GOAL CONSIDERATION

Per local goals, construction of this park will provide a multipurpose sports complex in this area of the community as called for in the Parks and Recreation Master Plan and originally identified in the 2007 bond program. The use of grant funds will meet the City's CIP funding strategy for using "other sources" when possible to fund major projects.

TPWD policies dictate that grant funds provided via the Local Park Grant program are issued on a matching basis with the local applicant providing 50% of the project costs. The match must be available at the time of application. The additional costs associated with the completion of this project suffice for the matching portion of funds to be provided as part of the "local share" of costs for completing Shadow Creek Ranch Park.

TPWD policies require that development projects consist of basic outdoor recreation facilities and related support facilities to serve the general public; provided that the funding of the project is in the best public interest in accord with local plans. Facilities may be developed, renovated, or redeveloped on lands or waters owned or adequately con-

trolled by the project applicant. Plans for recreational development should be based on public needs, expected use, and the type and character of the project areas.

Facilities should be attractive to the public and consistent with the natural setting and topographic limitations of the site. Recreational improvements should be designed to be harmonious with the natural environment. Emphasis should be given to public health, safety, the natural environment, barrier-free access, and the protection of recreational and community values of the area. These considerations should be part of the planning, design, and maintenance criteria for all grant-assisted areas.

Development projects may consist of the complete or partial development of a public recreation area. All projects must be logical units of work to be accomplished within three years.

All recreational facilities acquired and/or developed with grant assistance must be designed in accordance with the Texas Architectural Barriers Act (Texas Civil Statutes – Article 9102) and must comply with the Americans with Disabilities Act (ADA) (Public Law 101-336).

RECOMMENDED ACTION

Council consideration and approval of a resolution approving the City's request to pursue funding from the Texas Parks & Wildlife Department via its 2014 Local Park Grant Program, also approving the amount of matching funds intended for use in completion of this proposed project to be partially-funded by Texas Parks & Wildlife Department.

RESOLUTION NO. R2014-94

A Resolution of the City Council of the City of Pearland, Texas, as hereinafter referred to as “Applicant,” designating certain officials as being responsible for, acting for, and on behalf of the Applicant in dealing with the Texas Parks & Wildlife Department, hereinafter referred to as “Department,” for the purpose of participating in the Local Park Grant Program, hereinafter referred to as the “Program”; certifying that the Applicant is eligible to receive program assistance; certifying that the Applicant matching share is readily available and is approved for use in the completion of this project; and dedicating the proposed site for permanent (or for the term of the lease for leased property) public park and recreational uses.

WHEREAS, the Applicant is fully eligible to receive assistance under the Program;

WHEREAS, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the Department concerning the Program;

WHEREAS, the City of Pearland has agreed to apply for grant funding in the amount of \$400,000 from the Texas Parks & Wildlife Department for use in the construction of Shadow Creek Ranch Park; and

WHEREAS, the Texas Parks & Wildlife Department’s Local Park Grant Program requires applicants to provide no less than 50% in matching funds in the completion of a TWPD Local Park Grant Program approved project;

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

SECTION 1. That the Applicant hereby certifies that they are eligible to receive assistance under the Program, and that notice of the application has been posted according to local public hearing requirements.

SECTION 2. That the Applicant hereby certifies that the matching share for this application is readily available at this time.

RESOLUTION NO. R2014-94

SECTION 3. That the Applicant hereby authorizes and directs the City Manager to act for the Applicant in dealing with the Department for the purposes of the Program, and that Clay Pearson is hereby officially designated as the representative in this regard.

SECTION 4. The Applicant hereby specifically authorizes the official to make application to the Department concerning the site to be known as Shadow Creek Ranch Park in the City of Pearland or use as a park site and is hereby dedicated (or will be dedicated upon completion of the proposed acquisition) for public park and recreation purposes in perpetuity (or for the lease term, if legal control is through a lease). Projects with federal monies may have differing requirements.

SECTION 5. That the City of Pearland has allocated \$6,569,575.96 towards the completion of Shadow Creek Ranch Park.

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



Memo

To: Clay Pearson, City Manager

From: Joel Hardy, Grants Coordinator 

CC: Michelle Graham, Parks & Recreation Director

Date: July 29, 2014

Re: Parks Grant Application to TPWD

Per Council's concerns regarding the items removed from consideration in the construction of Shadow Creek Ranch Park, staff has engaged in the pursuit of \$400,000 in grant funding from the Texas Parks and Wildlife Department. This money could be used to fund the Amphitheater (\$150K), Playground (\$178K), Crushed Stone Road (\$13,825), and the Sub Concrete for Granite Trail (\$21,713.25), or other items that were removed from consideration.

This application is due August 31st. Capital Projects & Engineering, Parks & Recreation and Finance are working to prepare the initial application and complete the Agenda Request for Council to give staff approval to apply for the funds. A public hearing is required, as well as Council approval for proceeding with an application, both of which will be presented at the August 11th Regular Meeting of City Council. A public notice of these activities has been placed for advertisement with the local media outlet.

At this time we request that you establish an authorized official for acting on behalf of the City with Texas Parks & Wildlife Department for this grant program/application (yourself, Deputy Mgr, Asst City Mgr, or Parks Director). Please let me know your preference in this regard and I will proceed with completing that part of the application. Some other notable items that should be considered are:

1. Municipal Utility Districts in the jurisdiction are considering options for additional funding; and
2. The application process, review by TPWD, and timeframe for securing an award/contract from TPWD will require careful monitoring of construction and associated revenues/expenditures by the City, as a notice of award may not be available until mid-Winter 2015.

These are State funds and federal requirements aren't applicable, TPWD does prioritize projects that are designed to meet the needs of underserved communities and there is the possibility that certain limitations may be imposed on our ability to incur expenditures relative to grant-funded items using the existing contractor without rebidding for these items.



LOCAL PARK GRANT PROGRAM GENERAL INFORMATION

Overview:

The Local Park Grant Program consists of 5 individual programs that assist local units of government with the acquisition and/or development of public recreation areas and facilities throughout the State of Texas. The Program provides 50% matching grants on a reimbursement basis to eligible applicants. All grant assisted sites must be dedicated as parkland in perpetuity, properly maintained and open to the public.

Funding for these programs comes from a portion of the state sales tax on sporting goods through the Texas Recreation and Parks Account, the Texas Large County & Municipality Recreation & Parks Account, and from the federal Land and Water Conservation Fund.

Grant Program	Eligible Population (2010 Census)
Small Community	<20,000
Outdoor Recreation	<500,000
Indoor Recreation	<500,000
Urban Outdoor Recreation	>500,000
Urban Indoor Recreation	>500,000

Matching Funds:

Grant funds are provided on a matching basis with the local applicant providing 50% of the project costs. The match MUST be available at the time of application. The applicant's matching share may come from a number of sources including, but not limited to the following:

- Voter approved bonds
- Applicant cash and EDC funds
- Applicant in house labor, equipment, and materials
- Applicant publicly-owned non-parkland
- Fees or cash in-lieu of mandatory dedicated parkland
- Donated land, cash, labor, equipment, and materials.
- Other grants awarded

Applicant Eligibility:

Eligible applicants include political subdivisions of the State of Texas legally responsible for providing public recreation services to their citizens. This includes cities, counties, river authorities, municipal utility districts, and other special districts.

The following criteria will be used to determine applicant eligibility for additional funding:

- All previously completed Recreation Grant Projects must be in compliance with all the terms of the Project Agreement under which they received assistance and all program guidelines; and
- For active grants, all required project documentation (such as appraisals, construction plans, quarterly status reports, and reimbursement requests) must be complete and have been received on schedule, if

due; and

- For the Outdoor Recreation, Small Community and Indoor Recreation Grant Programs:
 - all active projects which are at least two years old must be reimbursed for a minimum of 50% of the approved grant amount; and
 - the total of approved grant funds which have not been reimbursed may not exceed \$2 million for all active grant projects.
- For the Urban Outdoor Recreation and Urban Indoor Recreation Grant Programs:
 - all active projects which are at least two years old must be reimbursed for a minimum of 25% of the approved grant amount; and
 - the total of approved grant funds which have not been reimbursed may not exceed \$4 million for all active grant projects.

A grantee may also be considered to be “high risk” based on financial stability or non-conforming management standards, requiring additional special conditions and restrictions as determined by grant management standards.

Project Eligibility:

Development projects may consist of basic outdoor recreation facilities and related support facilities to serve the general public; provided that the funding of the project is in the best public interest in accord with local plans. Facilities may be developed, renovated, or redeveloped on lands or waters owned or adequately controlled by the project applicant. Plans for recreational development should be based on public needs, expected use, and the type and character of the project areas.

Facilities should be attractive to the public and consistent with the natural setting and topographic limitations of the site. Recreational improvements should be designed to be harmonious with the natural environment. Emphasis should be given to public health, safety, the natural environment, barrier-free access, and the protection of recreational and community values of the area. These considerations should be part of the planning, design, and maintenance criteria for all grant-assisted areas.

Development projects may consist of the complete or partial development of a public recreation area. All projects must be logical units of work to be accomplished within three years.

Legal Control of Property:

Applicants requesting development funds are required to have full legal control of the property proposed for development. Adequate legal control of the property means that the applicant either has fee simple title to the property, is proposing to acquire the property as part of the project, or will lease the property from another government entity.

Leased property will only be eligible for fund support if it meets all of the following requirements:

1. Applicant has (or will have) full surface legal control of the property proposed for assistance; and
2. Applicant and lessor can guarantee that the project area will remain dedicated to public recreation use throughout the term of the lease. The lessor must be willing to comply with all program guidelines for the entire term of the lease; and
3. Project area must be leased to the applicant for a minimum of 25 years for most projects, and in some cases up to 40 years for major capital expenditures like aquatic and related facilities; and
4. The lease cannot be revocable at will by the lessor.

Barrier Free Access:

All recreational facilities acquired and/or developed with grant assistance must be designed in accordance with the Texas Architectural Barriers Act ([Texas Civil Statutes – Article 9102](#)) and must comply with the Americans with Disabilities Act (ADA) ([Public Law 101-336](#)). Texas Accessibility Standards can be found on the Texas Department of Licensing & Registration's website <http://www.license.state.tx.us/ab/ab.htm> .

Prevention of Surface Drilling and Mining:

The applicant must provide evidence that the surface of the project site is protected from any drilling or mining, or can demonstrate protection through the following:

- Existing ordinance or resolution
- Zoning
- Ownership of mineral rights by applicant
- Draft of ordinance, resolution or zoning, and statement that if funded, will authorize the ordinance or resolution.

Reservations and Rights Not Acquired:

Reservations and rights held by others (i.e. - mineral rights, property liens, easements, etc.) are permissible only if it is determined that the outdoor recreation activities and environment would not be adversely affected. The applicant shall list all outstanding rights or interests held by others on the boundary map. Reservations must also be discussed in the application to explain how these outstanding rights are to be dealt with to assure that recreation interests and the environment will not be adversely affected.

Public Hearing Requirements:

All grant applications must receive at least one public hearing prior to submission in compliance with the Texas Open Meetings Act <https://www.oag.state.tx.us/open/> . The hearing may be a separate public meeting, or it may occur at the time the governing body regularly meets. At this public hearing, the governing body must pass the resolution authorizing application submission. The public hearing must be properly posted and advertised in compliance with the Texas Open Meetings Act, and there must be an opportunity for public comment.

If the project is located in a floodplain/wetland area, the public must be notified that the project will have certain environmental impacts on that floodplain/wetland area, and must allow public comment. The following actions must be taken:

- The applicant must publish a notice in the local media describing the proposed action in the floodplain or wetland area and invite the public to provide their views on the proposal. This may be done by holding a public hearing or making the plans and other pertinent materials available for review at a public place (i.e., city hall, courthouse, library, etc.).
- The application must contain a copy of the published notice and any public comments received. If no public comments are received, this must be clearly stated.

Any public hearing or comments received within two years of the application submission will be accepted.

Development:

Development projects may be individual or multi-site projects and may include new construction, renovation and/or redevelopment. General repair and maintenance projects are not eligible. The following definitions are used to clarify the differences between these types of projects:

- **REPAIR AND MAINTENANCE:** Normally consist of minor work intended to mend a specific part of a facility which has become broken or otherwise inoperative, to return it to a useful state, or periodic minor work designed to merely maintain a specific part of a facility so such facility will be in a good state of maintenance and repair.
- **RENOVATION:** Renovate is defined in terms of “to renew or make over”. Work on existing facilities to completely renew, update, or modernize such facilities so the finished product will meet present-day standards and be comparable with newly constructed similar facilities is classified as renovation.
- **REDEVELOPMENT:** Redevelop is defined in terms of “to develop again.” Redevelopment of existing park areas includes demolition of obsolete facilities and the construction of new facilities.

Examples of Eligible Development

- Sports fields
- Boating, Fishing, and Hunting Facilities
- Picnic facilities
- Playgrounds
- Splash pads
- Swimming Pools
- Trails
- Camp Sites
- Recreational Support Facilities
- Community Gardens
- Basketball, Volleyball and other sports courts
- Small Amphitheatres
- Small Bandstands
- Rodeo Arenas
- Exhibit / Interpretive Displays
- Golf Courses
- Landscaping using native plants

Examples of Ineligible Development

- Professional or semi-professional arts and athletics
- Monuments & landmarks
- Amusement Parks
- Residences and furnishings
- Lodges, hotels, motels and luxury cabins
- Support facilities for ineligible facilities
- Marinas and related support facilities
- Non-native plants

Development on School Property

Although school districts are not eligible for grant assistance, facilities on public school grounds for joint school-general public use are allowed provided that the following conditions are met:

1. The property meets all requirements of the grant program, including requirements for development on leased property.
2. The proposed facilities are not required as part of the normal curriculum of the educational institution and must be primarily intended for general public use.
3. The lease agreement must include:
 - schedule of times the fund-assisted facilities are available to the public,
 - metes and bounds description of the project area, which includes the areas to be developed, and
 - ingress / egress route to the assisted facilities.

4. Adequate signage must be installed prior to the final grant payment/reimbursement that is:

- maintained throughout the term of the lease at the project site
- indicates when the fund-supported facilities are available to the public

Acquisition Projects:

Acquisition of lands, man-made improvements and waters, additions to existing parks, forests, wildlife areas, beaches, wetlands, and other similar areas dedicated to public outdoor recreation may be eligible for assistance.

Acquisitions which occur prior to grant approval, department authorization, or which do not meet the acquisition criteria, are not eligible for assistance.

The value of sponsor owned non-parkland may only be used as the sponsor's matching share if it has never been dedicated, platted, managed, used, or acquired for a public park or recreation use.

When proposing the acquisition of land or real property it is not appropriate to negotiate a price prior to grant and appraisal approval. You may contact the land owner to determine if the land is available for acquisition and you may determine if the owner is willing to donate, sell or partially donate the subject property.

Negotiation of an acquisition price prior to grant and appraisal approval may jeopardize the eligibility of the proposed acquisition for grant assistance. The level of grant assistance will be determined by an independent appraisal, approved by the Department. Projects approved for federal (LWCF) funding are required to complete appraisals in compliance with Uniform Appraisal Standards for Federal Land Acquisition ("yellow book" standards).

Delayed Development

Assistance may be available to acquire property on which recreational development is not planned until a future time. During the interim between the time the property is acquired and the time it is developed, the property should be open for those public recreational purposes which the land is capable of supporting, or which can be achieved with minimum public investment. Applicants submitting grant applications to acquire land for future development must submit a master plan for development with the application. Non-recreational uses, such as agriculture or grazing, which are occurring on the property at the time of acquisition, may continue for up to three years, or the remainder of the grant period, contingent on prior Department approval. In such cases the project applicant shall not receive reimbursement for the land until the non-recreational use is terminated.

If development will be delayed for more than two years from the date of acquisition, the following information must be included in the grant application:

1. Justification as to why the immediate acquisition is necessary;
2. A schedule for development, pursuant to the master plan;
3. Discussion of any non-recreational property uses, including when such uses will terminate. Non-recreational uses must terminate within three years from the date of acquisition;
4. Assurance that any income derived during the interim period will be used on the project site only;
5. Identification of the type of public recreational access to be provided during the interim period.

It is not necessary that the eventual development be carried out with grant assistance, or that such unassisted recreational development is Department approved as long as it is in accordance with the master plan and purpose for which the application was made. Once developed, all improvements on land acquired with fund assistance must be operated and maintained in accordance with program requirements. If acquisition assistance is received, development on the property must begin within three years of project approval. Public access to the site must be made available immediately after the site is acquired.

Waiver of Retroactivity

For land which may be under eminent threat of loss as an acquisition opportunity, the Department may authorize such acquisitions to occur prior to grant approval through a waiver of retroactivity. In addition, land may be transferred to a non-profit holding organization until an application has been reviewed and approved.

Ineligible Acquisitions

1. Historic sites and structures. Exceptions may be made with Department approval only when it is clearly demonstrated that the acquisition is primarily for public recreation purposes. This exclusion need not prevent the consideration of a project calling for the acquisition of real property interest contiguous to (or near) historic sites/structures which meet priority recreation needs. The acquisition must be in accordance with the [Texas Antiquities Code](#) if it is adjacent to or includes a site listed as a State Archaeological Landmark (SAL) or if it is a site eligible for listing as a SAL.
2. Museums, sites for museums or sites primarily for archaeological excavation.
3. Public school property. Acquisition will not be made for school property to help meet minimum acreage requirements, as established by state law or local regulations.
4. Areas and facilities to be primarily used for semi-professional or professional arts or athletics.
5. Areas/facilities to be used solely for game refuges or fish production.
6. Areas containing luxury lodges, motels, cabins or similar elaborate facilities.
7. Land primarily for agricultural purposes.
8. Areas for which the primary purpose of the acquisition is for non-recreational uses (such as an area to be impounded or excavated to serve as a future public water supply).
9. Lands already within the public domain which were previously dedicated, platted, managed, used, or acquired for public park, recreation and open space use are not eligible to serve as the applicant's matching project share.
10. Land which has been designated for acquisition as mitigation for other public domain activities may not be used for matching fund purposes and will not be eligible for acquisition assistance. Land acquired for mitigation of projects undertaken by the private sector are, however, eligible for acquisition under this program and may be used as matching funds if proposed as a donation in the grant application.

Means of Acquisition

Acquisition of lands / waters or interests therein may be accomplished through purchase, eminent domain or condemnation, dedication, transfer, donation, or a combination of these methods. When the acquisition is proposed by donation, the nature of any restriction on the use of the area or condition of donation will be examined to ensure that it is compatible with the purpose of the project. Full title must rest with the applicant with no outstanding liens on the property.

Acquisition of Structures

Acquisition projects may include structures and impoundments which are:

1. To be used for public recreation or related support facilities; or
2. A part of the recreation area to be acquired and are to be removed, demolished, or drained in the case of an impoundment.

Grant applications must identify all improvements and discuss the proposed use, disposition, or mitigation of these structures.

Acquisition of Lesser Interests

Proposed acquisitions of interests in lands/waters of less than fee simple title are acceptable where such lesser rights will ensure the desired public use. Proposals such as a permanent park or conservation easements will be evaluated on their merit and contribution to public recreation.

Application Review:

The process of reviewing grant applications requires about five months. A technical review by Recreation Grants staff will be followed by a review by agency resource staff. If environmental concerns are identified such as potential endangered species being located on the project site, additional environmental coordination and/or a survey may be required. Recreation Grants will also coordinate the review of your project with the Texas Historical Commission (THC).

When all of the information necessary to complete the application is received, the project is scored, put in priority order by score, and recommendations are presented to the Texas Parks & Wildlife Commission.

The TPW Commission makes all final decisions regarding awards of program funds. Each project applicant will be notified of the staff's recommendation shortly before the TPW Commission hearing. The public is welcome to attend and participate at the hearing.

Funded Projects:

Single Audit Requirement

It is the responsibility of the grantee to have a Single Audit done annually according to the Texas Single Audit Circular for state funded projects, and according to OMB Circular A-133 for federally funded projects. A copy of this audit must be furnished to the Department when completed.

Retention and Use

Property acquired or developed with grant assistance shall be retained and used for public recreation. Any property acquired or developed shall not be converted to other than public recreation uses without Department approval. Such approval will be given only with the substitution of other properties of at least equal fair market value and equivalent usefulness, quality, and location. Conversion Guidelines are available by contacting the Recreation Grants office.

Operation and Maintenance

Property acquired or developed with program assistance will be operated and maintained as follows:

1. The property will be maintained as attractive and inviting to the public.
2. Sanitation and sanitary facilities will be maintained in accordance with applicable health standards.
3. Properties will be kept reasonably safe for public use.
4. Buildings, roads, trails, and other improvements will be kept in reasonable repair throughout their estimated lifetime to prevent undue deterioration and to encourage public use. It is not necessary that assisted improvements be maintained in perpetuity. Once assisted improvements have exceeded their estimated lifetime, or they are no longer economically feasible to operate or maintain, they may be demolished as long as the area remains in use for public recreation and prior Departmental approval is received.

5. The facility will be kept open for public use at reasonable hours and times of the year.
6. Property which includes natural area, wetland, or open space dedication should be maintained to preserve the original characteristics of the area which were suitable for these designations. This might include restrictions on development, mowing, drainage, landscaping, intensity of use, or other considerations which could affect the habitat or species within these designated areas.

Availability to Users

Non-Discrimination: Property acquired or developed with program assistance shall be open to persons regardless of age, race, color, religion, sex, national origin, or handicap. Discrimination on the basis of residence, including preferential reservation or membership systems, is prohibited, except to the extent that reasonable differences may be charged on the basis of residence.

Reasonable Use Limitations: Participants may impose reasonable limits on the type and extent of use of the areas and facilities acquired or developed with program assistance when such a limitation is necessary for maintenance or preservation.

Additional on-going commitments

All property acquired and/or developed with fund assistance must remain dedicated in perpetuity and be used only for public recreation, with the exception of leased lands which may revert to other uses upon lease expiration;

1. No overhead utility lines may be installed;
2. The project area(s) must be open to the public and utilized for public recreation, free from discrimination pursuant to Title VI of the Civil Rights Act of 1964;
3. The project area(s) must be maintained so that it is safe, attractive, and inviting to the public;
4. A permanent program acknowledgement sign or plaque must be installed and maintained at all project sites;
5. Periodic post completion inspections by Department staff will generally be unannounced, and are intended to ensure that program compliance continues after the project is completed. The applicant may be asked periodically to participate in post completion self-inspection. Applicants who fail to comply with long-term program commitments may jeopardize future eligibility for funds for new projects and/or be subject to legal actions by the state and/or federal government to enforce program compliance.

© TPWD PWD LF P4000-1445 (9/13)

TPWD receives federal assistance from the U.S. Fish and Wildlife Service and other federal agencies and is subject to Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and state anti-discrimination laws which prohibit discrimination the basis of race, color, national origin, age, sex or disability. If you believe that you have been discriminated against in any TPWD program, activity or facility, or need more information, please contact Civil Rights Coordinator for Public Access, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Mail Stop: MBSP-4020, Arlington, VA 22203.

Consent Agenda Item N

- N. Consideration and Possible Action – Resolution No. R2014-90 – A**
Resolution of the City Council of the City of Pearland, Texas, adopting an Athletic Field Use Policy for public park facilities.

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

AGENDA OF:	August 11 , 2014	ITEM NO.:	Resolution No. R2014-90
DATE SUBMITTED:	August 1, 2014	DEPT. OF ORIGIN:	Parks and Recreation
PREPARED BY:	Michelle Graham	PRESENTOR:	Michelle Graham
REVIEWED BY:	Jon R. Branson	REVIEW DATE:	August 1, 2014
SUBJECT: Adoption of Athletic Field Use Policy			
EXHIBITS: R2014-90; Thursday Packet memo, Athletic Policies, Resolution			
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: \$		AMOUNT BUDGETED: \$	
AMOUNT AVAILABLE: \$		PROJECT NO.:	
ACCOUNT NO.:			
ADDITIONAL APPROPRIATION REQUIRED:			
ACCOUNT NO.:			
PROJECT NO.:			
To be completed by Department:			
Finance	X Legal	Ordinance	X Resolution

EXECUTIVE SUMMARY

BACKGROUND

In anticipation of the new athletic fields coming on line staff has been working on developing policies regarding the usage of those fields. With the active construction of the sports complex off of Max Road, we anticipate needing to use these policies within the next month so we would seek Council’s adoption of them.

Over the course of the development of these policies we have invested many staff hours and created many drafts of the document. We have also hosted a user group meeting, received additional feedback via a user group email, and received feedback through the Parks & Recreation Directors Association staff is involved with. In addition we reviewed and had multiple conversations about the policy with the Parks, Recreation & Beautification Board and believe we have a quality initial iteration of the policy to be adopted by Council. As with many policies and procedures there are issues that could arise once put into practice but based on feedback we have received this policy will be a great starting point.

Attached is the policy itself. There are various facilities and user groups so there is flexible language included that will allow us to create specific agreements with different sports associations/groups using these policies as a guide.

BID AND AWARD

N/A

SCHEDULE

N/A

POLICY/GOAL CONSIDERATION

O&M IMPACT INFORMATION

N/A

RECOMMENDED ACTION

Staff recommends approval and adoption of the Athletic Field Use Policies.

RESOLUTION NO. R2014-90

**A Resolution of the City Council of the City of Pearland, Texas,
adopting an Athletic Field Use Policy for public park facilities.**

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

Section 1. That the City Council hereby approves the Athletic field Use Policy attached hereto as Exhibit "A".

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

TOM REID
MAYOR

ATTEST:

YOUNG LORFING, TRMC
CITY SECRETARY

APPROVED AS TO FORM:

DARRIN M. COKER
CITY ATTORNEY



Memo

To: Jon Branson, Assistant City Manager

From: Michelle Graham, Director of Parks & Recreation

CC: Colene Cabezas, Chris Orlea, Rosalyn Epting

Date: July 3, 2014

Re: Athletic Field Usage Policy

To: Mayor & Council
From: Jon R. Branson
July 9, 2014

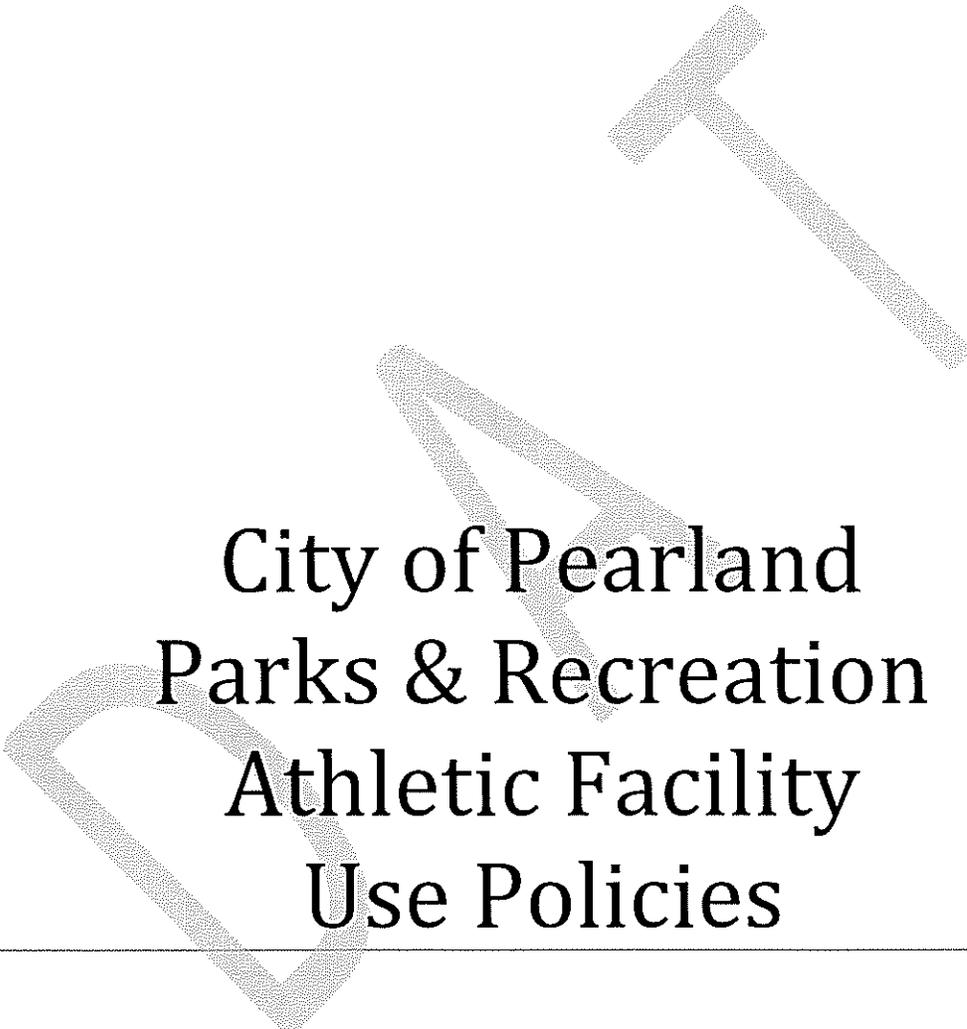
FYI: Important proposed policy to discuss with Council prior to new athletic facilities coming on-line.

As you know we have been working on the development of an Athletic Fields Use policy for the past few years. We have done so in anticipation of the new athletic fields coming on line. With the active construction of the sports complex off of Max Road, we anticipate needing to use these policies within the next month so we would seek Council's adoption of them.

Over the course of the development of these policies we have invested many staff hours and created many drafts of the document. We have also hosted a user group meeting, received additional feedback via a user group email, and received feedback through the Parks & Recreation Directors Association I am involved with. In addition we reviewed and had multiple conversations about the policy with the Parks, Recreation & Beautification Board and believe we have a quality initial iteration of the policy to be adopted by Council. As with many policies and procedures there are issues that could arise once put into practice but based on feedback we have received this policy will be a great starting point.

Attached is the policy itself. There are various facilities and user groups so there is flexible language included that will allow us to create specific agreements with different sports associations/groups using these policies as a guide.

Prior to these appearing on the council agenda for approval, I wanted to share the draft to see if there are any questions or concerns that could be addressed.



City of Pearland Parks & Recreation Athletic Facility Use Policies

To ensure the Parks & Recreation Department is providing the best service the following document has been created and will be reviewed annually and updated as needed.

Table of Contents

Department Mission Statement.....	3
Department Vision	3
Policy for Use of Park & Recreation Facilities	3
Guiding Principles.....	3
Recognized Sports Association (RSA)	4
Criteria for Becoming a Recognized Sports Association	4
Conditions for Use.....	5
Determining Facility Use.....	6
Special Use of Facilities.....	6
Procedures Regarding Athletic Facility or Field Time.....	7
Hours Available for Use	8
Concessions/Storage Buildings	8
Maintenance of Park & Recreation Fields & Facilities.....	9
Vandalism	9
Litter Control.....	10
Parking.....	10
Signage.....	10
Enhancements.....	10
Capital Improvement Projects	11
Restroom Facilities	11
Emergencies and Accidents	11
Proprietary or Commercial Groups	11
Community Building Reservations	12
Penalties	12
Field Usage Fees.....	12

Department Mission Statement

Pearland Parks & Recreation is dedicated to multiplying the Q4 factor: quality facilities, quality programs, quality service for your quality of life.

Department Vision

To be the leader in providing quality services that connect the community, through people, parks and programs.

Policy for Use of Park & Recreation Facilities

The policy for use of the City of Pearland Park & Recreation facilities composed of procedures, regulations and guidelines designed to ensure that all facilities are utilized in a safe and efficient manner. The City of Pearland develops and maintains various park and recreation facilities to serve the residents of Pearland. Athletic fields shall be primarily restricted to the sport for which the fields were constructed. **This policy applies to those fields designated and maintained as athletic fields by the department in the Parks Standards manual. This policy does not apply to "open play areas".**

Priority use of athletic facilities is reserved for associations requiring the ongoing, scheduled use of a facility to provide a recreational service or to meet a community recreational need. Sports Associations, as defined for the purpose of this document, is a **non-profit organization** that conducts its own affairs within the framework of policies established by the City of Pearland.

Groups other than Sports Associations are encouraged to utilize park facilities. Groups or individuals must be residents of the City of Pearland. (See "Conditions for Use" for further information)

City ordinance Section 21.5 Ordinance #1448 provides general guidelines for park usage

Guiding Principles

- The City will provide a high level of customer service, utilizing a qualified and professional staff and contractors.
- The City's image will be a pleasant, comfortable and visually stimulating place in which to live, work, and visit.
- The City will optimally utilize its natural and human resources.
- The City will meet the community's needs for services and facilities using sound financial management.
- The department will efficiently manage operations in order to provide affordable and diversified services to ensure residents equal opportunities.
- Joint use of athletic facilities by several Associations will be considered and encouraged
- The department strives to enhance the quality of life for each individual through parks & recreation opportunities.

- The department welcomes and actively seeks public input in planning and evaluating programs, activities, and facilities.
- The department will fully utilize the facilities of the department.
- The department will maintain the quality of fields by rotating and resting the fields on a regular basis.
- No person or business shall be permitted to use park facilities for financial gain or profit unless contracted by the Parks & Recreation Department or they have partnership agreements on file with the Parks & Recreation Department. These facilities are designed to serve the general public on a non-profit basis. Therefore, charging admission to any event in a City park is forbidden without written permission from the Director or designated staff.

Recognized Sports Association (RSA)

A list of recognized sports associations will be updated at the beginning of each calendar year and maintained by the Parks & Recreation Department. As per agreements with the RSA's they may be delegated responsibility for various levels of field maintenance, complex scheduling, etc.

Criteria for Becoming a Recognized Sports Association

The following factors will determine a "recognized" sports association:

1. **Historical presence**
 - a. Historical presence for the purpose of this document is defined as "the established ongoing use of specific City of Pearland facility, by a group, during a designated time frame or season that has occurred more than once." In cases where two associations have historical presence and each has acquired recognized status at a single facility, the group with the longer duration of presence will be given preference. In instances of new facilities, recognized associations serving the greatest number of residents will receive preference.
2. **Pearland based organization**
 - a. Sports Associations must have non-profit status with the paperwork identifying them as a Pearland based organization
3. **Pearland Resident participation**
 - a. Recognized Sports Associations percentage of Pearland resident participation **must be 75% of registration**. Rosters reflecting league participants mailing address (street, city, state, zip code) must be submitted prior to start of each league season.
 - b. Higher resident registration may be used to assign/reassign "recognized" status at specific facilities
4. **Non-exclusive program**
 - a. An Association that has as its primary program and largest number of registrants in a league that **does not exclude players based on level of ability**

Conditions for Use

All responsible parties representing organizations and seeking the use of City property must be 21 years of age or older and must provide verification of age and physical address with current Texas Drivers License or Identification Card.

All organizations will be required to submit written requests for the use of facilities to the Parks & Recreation Department at least 30 days prior to the beginning of any anticipated facility use. **Written requests shall be accompanied by proof of \$1,000,000 certificate of liability insurance naming the City as additionally insured, the latest season's financial statement, a list of the RSA's Board of Directors with appropriate addresses and phone numbers, tournaments, tryout, practice, game schedules, and a security deposit with a 501c3 non-profit status form. Failure to submit requested information can lead to the loss of "recognized" status and potential loss of priority user status, which could affect field allocation.**

Each RSA shall designate one (1) person and (1) alternate person to act as the contact for the Association and shall submit the person's name, title, address, home, and work phone numbers, email address to the Parks & Recreation Department. Each Association is responsible for updating their contact information as changes occur. The Director of the Parks & Recreation or his/her designee shall act as the City of Pearland's liaison with the Association.

The City strongly **recommends that the Association/Organization has all team managers and coaches in the league certified by a state-wide or nationally recognized youth sports coaches certification** program and that parent's of each participant attend a training on violence in youth sports. The coach's certification program should include a coaching skills clinic and a background check (state and county of residence). If requested, The City will assist you in scheduling and conducting certification and training programs.

Groups or individuals (not affiliated with an RSA) seeking reserved use of city athletic facilities may do so under the following conditions:

1. Individual making the application is a Pearland resident
2. If requesting use of a facility with a RSA, scheduling/arrangements must be done through the RSA
3. Times and dates do not conflict with other scheduled use
4. Reservations are subject to the approval of the Parks & Recreation Department/RSA, may be denied at any time, and use of the facility does not exceed three (3) consecutive days
5. Payment is required five (5) working days before requested date(s)(see fees section)
6. Application is made no more than thirty (30) days in advance and no less than five (5) working days before requested date.
7. Facilities will be rented "as is". Other arrangements (chalking and lining, dragging fields, nets, flags, bases, etc.) will be made by the applicant and at their expense in accordance

with requirements set forth by the responsible party with facility maintenance on designated fields.

8. Applicant must make arrangements to leave the facility in condition it was found. If an applicant does not leave the facility in the condition in which it was found then they are subject to forfeiting future usage of City of Pearland Athletic Facilities.
9. The City will be responsible for turning lights on/off for the applicant
10. Proof of insurance or signed waiver of liability releasing City of responsibility for injury or damages.
11. Conditions/playability of fields can be determined by calling the designated hotline
12. Permit must be available on site during the rental.

Determining Facility Use

Use by the public of designated “open play areas” will be on a first come first serve basis. The City of Pearland reserves the right to schedule facilities during times when the facilities are not being utilized.

Scheduled use of facilities will be determined by the Director of Parks & Recreation but the department reserves the right to delegate that scheduling responsibility to a Recognized Sports Association.

Recognized Sports Associations will be granted priority use of a facility by the City of Pearland on a **per season** (Season is defined as practices and/or games that continue for a period of six (6) weeks to a maximum of six (6) months) **basis.**

When fields are used for league play, scheduling is the responsibility of the league official for each field and/or an entire complex for the duration of the permitted use.

Appeal Process for Field Use Denial

In instances where the department has delegated scheduling responsibility to a Recognized Sports Association (RSA), requests for use of the fields will be directed to that RSA. In the event that a requesting individual/group feels they have been **wrongfully or unfairly denied** the use of fields by the RSA, then an **appeal can be submitted to the Parks & Recreation Department Director** and a final decision will be made.

Special Use of Facilities

The **City of Pearland reserves the right to host athletic leagues, special events, and programs at all public park facilities.** Sports Associations will be notified in advance of any special events or programs that may conflict with their scheduled use. The City will make every effort to schedule special events during non-use time periods.

The Parks & Recreation Department must be informed before any Sports Association enters into arrangement with other organizations for use of the public facilities. Organizations wishing to host clinics, workshops, etc. outside of seasonal practices and games are required to schedule such programs

with the City at least thirty (30) days prior to the beginning of the program. The Sports Association may be required to name the agency as an additional insured on their insurance policy.

Procedures Regarding Athletic Facility or Field Time

FOR SINGLE EVENT, PRACTICE/TOURNAMENT/HOURLY USAGE:

1. Requesting group must call the Parks & Recreation main office (281-412-8900) for availability.
2. Field rental requests can be made by phone as a tentative booking as long as the request is accompanied by an appointment within seven (7) business days at which time all fees will be due. Failure to appear for an appointment will void the tentative booking and the date will again be available to the public.
3. During the rental appointment, the renter must provide proof of liability insurance naming the City of Pearland as the co-insured, a copy of non-profit tax identification number 501(c)3 (if applicable), and all fees for reservation including deposit.
4. All reservations, contracts, and changes must be made in person by the responsible party at the Parks & Recreation Administrative offices located inside the Recreation Center & Natatorium.

RECOGNIZED SPORTS ASSOCIATION SEASONAL LEAGUE USAGE:

1. Requesting group must obtain a Request for Outdoor Athletic Fields from the Pearland Parks & Recreation office (4141 Bailey Road) or the website (www.pearlandparks.com) that contains the proper paperwork.
2. Requests will be filled based on field availability, group priority level, residency status, date submitted, and history with Pearland Parks & Recreation. All associations may submit requests up to twelve (12) months in advance and no less than thirty (30) days prior to the beginning of any anticipated field use.
3. The request form must be filled out in its entirety, accompanied by a \$500 deposit, a copy of non-profit tax identification number 501(c)3 (if applicable), and a \$1,000,000 certificate of liability insurance naming City of Pearland as the additionally insured.
4. Field rental requests can be made by phone as a tentative booking as long as the request is accompanied by an appointment within seven (7) business days. A representative will be required to attend a meeting with Department staff to discuss expectation and sign a contract. Failure to appear for an appointment will void the tentative booking and the date will again be available to the public.
5. Two (2) weeks after registration is complete and prior to the actual beginning of the season, final rosters and player information must be submitted along with games and practice schedules.

6. Two (2) weeks after the end of the contract term, the Association will be required to pay all balances on account.
7. All reservations, contracts, and changes must be made in person by the responsible party at the Parks & Recreation Administrative offices located inside the Recreation Center & Natatorium.

Hours Available for Use

Designated athletic fields are located in Community Parks and are opened during posted hours. Field lighting is allowed per the department's facility lighting policy.

Hourly rentals of fields are required to be extend for a minimum of 2 consecutive rental hours Monday-Friday; 4 hours Saturday – Sunday.

Concessions/Storage Buildings

Scheduled use of concession/storage buildings will be on a per season basis with use determined by the Recognized Sports Association at a specific facility. Only one Sports Association per season will be granted priority use of a specific building. If another Sports Association requests use of that building during the same time frame, the Sports Association with priority use of the building may choose to share use contingent upon the City's approval. The City may use the concession and storage areas during city-sponsored activities. The City also reserves the right to enter into contracts with private companies for concession operation services.

Sports Associations may be required to furnish whatever equipment and supplies are necessary to operate the concession area and maintain in a sanitary manner, all restrooms, concession and storage areas based on facilities. An ice machine is the only equipment that the City may provide inside the concession area. Associations agree to abide by any and all health code requirements for food service including all appropriate permits.

All equipment stored at a concession/storage building must be removed at the end of the Sport's Associations season, unless otherwise approved by the City. The City will inspect facilities at least once a quarter to determine if flammable, hazardous, or toxic substances/materials are being stored and handled properly. Sports Associations must not block access to facility equipment such as air conditioners, heaters, ice machines, breaker panels, circuit panels, etc.

The City of Pearland shall be responsible for repairs and up keep of city owned concession/storage buildings that are the result of normal wear and tear and aging. Sports Associations will be responsible for repairs stemming from damages incurred by the facility due to the Sports Association's negligent or irresponsible use. All air conditioned facilities should maintain temperatures, especially those with ice machines, within the range of 76-80 degrees F.

Maintenance of Park & Recreation Fields & Facilities

The City of Pearland, with the help of the Sports Associations, will provide a level of maintenance service to all parks and recreation facilities that ensures the safe and efficient use of the facility by the sports associations and the general public. The city will follow the determined park maintenance standards for each park. The Sports Associations are responsible for reporting and correcting hazardous conditions related to the association's activities. Failure to address these hazardous conditions within 24 hours could result in the suspension of having a recognized league status. The City of Pearland will not provide maintenance or upkeep to property or facilities that are not owned by the City of Pearland but retain the right to remove the property.

Sports Associations and other organizations will be responsible for and bear all costs associated with the operation and maintenance of any and all league, season, or sport specific up keep to the facility (examples may include items such as bases, soccer goals, public address system, nets, etc.)

The Parks and Recreation department has established as a standard that a minimum of 90% of field lighting must be operational at all times. Every effort will be made to ensure this standard is maintained. In the event of a man made or natural disaster that impacts field lighting, the Department will make a determination as to whether sufficient lighting is operable to provide for the safety of the user group. The user group will be notified of such decisions and lights will be repaired or replaced as quickly as possible. Once 10% of the lighting on any given field has burnt out, at that time the light bulbs will be scheduled to be replaced.

The department has a work order system. The purpose of the system is to provide park maintenance personnel with documentation in order to better serve and track facility repairs, maintenance activities, and service requests. Its intent is to provide a better means of communication between persons requesting service and park maintenance personnel concerning park facilities.

If while on property the renting organization notices something that is wrong with the facility, please report it to the staff on site or call 281-412-8900 and leave a message regarding the issue. For site and facility related emergencies, please call XXX-XXX-XXXX.

Vandalism

The City will share in the responsibility of deterrence by providing sufficient lighting, frequent security patrols, overall security assessment, and other measures upon the review and permission of the Parks & Recreation Director.

Repairs to City facilities caused by vandalism will be the responsibility of the City. The city will repair or replace as necessary, the following equipment: air conditioners/heaters, electrical and lighting systems, phone systems, plumbing systems, or others upon review and permission of the Parks & Recreation Director.

Litter Control

The permit holder is responsible for the actions of the individuals participating in the permitted activity and should provide reasonable clean-up of the facilities and parking lots. All associations and individuals should make every effort to police the facilities, buildings, parking areas and common areas for trash, debris and litter with their activities. All trash, debris and litter can be deposited in the trash receptacles or dumpster on the park grounds.

The City will share the responsibility to keep all facilities clear of trash, debris, and litter. City staff collect trash from the receptacles on a once daily basis M-F at all Community Parks. Users are responsible for additional litter control needed during their use. If trash is not cleaned up, the deposit will be kept.

Recycling containers are located adjacent to most athletic facilities and users are encouraged to utilize them for appropriate materials. These receptacles are also emptied on a regular basis.

Parking

Parking is only allowed in designated areas and will be strictly enforced. No motorized vehicles will be allowed in the parks except in parking areas, the exception being emergency vehicles assisting an accident or injury, or the delivery of equipment, supplies and/or materials. When demands on the parking areas are expected to exceed availability, users should communicate and work with the Parks & Recreation Department to develop plans for such instances.

Signage

RSA's may be allowed to place sponsorship signs within designated areas. Sponsorship signs may be attached to ball field fencing under the following conditions:

- Must be 1'4" tall, at least ¼" thick and 8' long
- Colored a single approved color white lettering
- Legible from the ball field viewing area
- Well maintained
- Are all placed at the same height from the ground

All sponsorship signs that are damaged from weather, vandalism, or normal wear and tear must be repaired or replaced by the Sports Association. Exceptions to the policy may be made only with the approval of the city. If not repaired in a timely manner the signs will be removed at the City's discretion.

Enhancements

Associations will not install, build or perform any type of facility or property improvements without the express written consent of the City of Pearland. Requests for improvements must be submitted in writing to the Parks & Recreation Director at least 60 days prior to the desired date of performing the

improvement. All requests require approval of the Director and must meet the building/inspection codes and ordinance requirements.

Capital Improvement Projects

Associations wishing the City to consider funding specific capital improvement projects (projects over \$100,000) should submit, in writing, a detailed description of the type of project for consideration. (i.e. two additional youth soccer fields). Written request should be submitted to the Parks & Recreation Director by February 1 in order to be reviewed for consideration in the following fiscal year's program budget. Approval of projects is based on priority need and available funds.

Restroom Facilities

Restrooms are available at all Community parks owned by the City. The cleaning of restrooms and provision of necessary supplies is the joint responsibility of the city and the Sports Association. If facilities must remain open for general park usage, the City will clean the restrooms daily during the week Monday-Friday. The Sports Association will be responsible for subsequent cleanings. The Association may contract with outside contractors for the supplemental cleaning of the restrooms. The City expects assistance in meeting the health and safety needs of our park patrons. The City does not encourage the use of restroom facilities at private or semi-public facilities located adjacent to city owned parks.

In some instances, the cleaning of restrooms and provision of necessary supplies may be the sole responsibility of the Association per facility needs and arrangements. Restrooms should be cleaned and restocked on a regular basis.

Emergencies and Accidents

Organizations are required to report any and all accidents that require medical attention by health care professionals. Accidents involving the condition or maintenance of facilities should be reported to the Parks & Recreation office at the beginning of the first business day following the accident by calling 281-412-8900 and leaving a message.

Proprietary or Commercial Groups

No person or business shall be permitted to use park facilities for financial gain or profit unless contracted by the Parks & Recreation Department, or they have partnership agreements on file with the Parks & Recreation Department. These facilities are designed to serve the general public on a non-profit basis. Any commercial photography (i.e. video, still, catalog) must obtain permission from the City of Pearland.

Community Building Reservations

Community Centers are available for use by the Sports Associations. For information on fees, available dates and policies contact the Parks & Recreation office at 281.412.8900.

Penalties

Any sponsoring association, group or person violating any provision of the Athletic Facility Use Policy may be penalized in the following manner:

1. Any sponsoring association, group or person may be notified of the violation in a written notice from the Parks & Recreation Department
2. Any sponsoring association, group or person, upon written notification, may be provided the opportunity to resolve the violation determined by the Director of Parks & Recreation or designee
3. Any sponsoring association, group or person violating any of the Policies and Procedures may be refused the scheduled usage of athletic facilities if such action is deemed necessary by the Director of Parks & Recreation upon review and disposition of the violation

Field Usage Fees

Recognized Sports Associations		
Deposit (per season)	Player Fee	Utility Fee
\$500	\$10 (R) \$20 (NR)	\$150 month

Hourly Usage	Resident	Non-Resident
Field	\$15	\$30
Utility	\$15	\$15

Revision History

Created July 2011
Revised April 2013
Revised April 2014
Revised July 2014

City of Pearland Parks & Recreation Athletic Facility Use Policies

To ensure the Parks & Recreation Department is providing the best service the following document has been created and will be reviewed annually and updated as needed.

Table of Contents

Department Mission Statement.....	3
Department Vision	3
Policy for Use of Park & Recreation Facilities	3
Guiding Principles.....	3
Recognized Sports Association (RSA)	4
Criteria for Becoming a Recognized Sports Association	4
Conditions for Use.....	5
Determining Facility Use.....	6
Special Use of Facilities.....	6
Procedures Regarding Athletic Facility or Field Time.....	7
Hours Available for Use	8
Concessions/Storage Buildings	8
Maintenance of Park & Recreation Fields & Facilities.....	9
Vandalism	9
Litter Control.....	10
Parking.....	10
Signage.....	10
Enhancements.....	10
Capital Improvement Projects	11
Restroom Facilities	11
Emergencies and Accidents	11
Proprietary or Commercial Groups	11
Community Building Reservations	12
Penalties	12
Field Usage Fees.....	12

Department Mission Statement

Pearland Parks & Recreation is dedicated to multiplying the Q4 factor: quality facilities, quality programs, quality service for your quality of life.

Department Vision

To be the leader in providing quality services that connect the community, through people, parks and programs.

Policy for Use of Park & Recreation Facilities

The policy for use of the City of Pearland Park & Recreation facilities composed of procedures, regulations and guidelines designed to ensure that all facilities are utilized in a safe and efficient manner. The City of Pearland develops and maintains various park and recreation facilities to serve the residents of Pearland. Athletic fields shall be primarily restricted to the sport for which the fields were constructed. This policy applies to those fields designated and maintained as athletic fields by the department in the Parks Standards manual. This policy does not apply to “open play areas”.

Priority use of athletic facilities is reserved for associations requiring the ongoing, scheduled use of a facility to provide a recreational service or to meet a community recreational need. Sports Associations, as defined for the purpose of this document, is a non-profit organization that conducts its own affairs within the framework of policies established by the City of Pearland.

Groups other than Sports Associations are encouraged to utilize park facilities. Groups or individuals must be residents of the City of Pearland. (See “Conditions for Use” for further information)

City ordinance Section 21.5 Ordinance #1448 provides general guidelines for park usage

Guiding Principles

- The City will provide a high level of customer service, utilizing a qualified and professional staff and contractors.
- The City’s image will be a pleasant, comfortable and visually stimulating place in which to live, work, and visit.
- The City will optimally utilize its natural and human resources.
- The City will meet the community’s needs for services and facilities using sound financial management.
- The department will efficiently manage operations in order to provide affordable and diversified services to ensure residents equal opportunities.
- Joint use of athletic facilities by several Associations will be considered and encouraged
- The department strives to enhance the quality of life for each individual through parks & recreation opportunities.

- The department welcomes and actively seeks public input in planning and evaluating programs, activities, and facilities.
- The department will fully utilize the facilities of the department.
- The department will maintain the quality of fields by rotating and resting the fields on a regular basis.
- No person or business shall be permitted to use park facilities for financial gain or profit unless contracted by the Parks & Recreation Department or they have partnership agreements on file with the Parks & Recreation Department. These facilities are designed to serve the general public on a non-profit basis. Therefore, charging admission to any event in a City park is forbidden without written permission from the Director or designated staff.

Recognized Sports Association (RSA)

A list of recognized sports associations will be updated at the beginning of each calendar year and maintained by the Parks & Recreation Department. As per agreements with the RSA's they may be delegated responsibility for various levels of field maintenance, complex scheduling, etc.

Criteria for Becoming a Recognized Sports Association

The following factors will determine a “recognized” sports association:

1. Historical presence
 - a. Historical presence for the purpose of this document is defined as “the established ongoing use of specific City of Pearland facility, by a group, during a designated time frame or season that has occurred more than once.” In cases where two associations have historical presence and each has acquired recognized status at a single facility, the group with the longer duration of presence will be given preference. In instances of new facilities, recognized associations serving the greatest number of residents will receive preference.
2. Pearland based organization
 - a. Sports Associations must have non-profit status with the paperwork identifying them as a Pearland based organization
3. Pearland Resident participation
 - a. Recognized Sports Associations percentage of Pearland resident participation must be 75% of registration. Rosters reflecting league participants mailing address (street, city, state, zip code) must be submitted prior to start of each league season.
 - b. Higher resident registration may be used to assign/reassign “recognized” status at specific facilities
4. Non-exclusive program
 - a. An Association that has as its primary program and largest number of registrants in a league that does not exclude players based on level of ability

Conditions for Use

All responsible parties representing organizations and seeking the use of City property must be 21 years of age or older and must provide verification of age and physical address with current Texas Drivers License or Identification Card.

All organizations will be required to submit written requests for the use of facilities to the Parks & Recreation Department at least 30 days prior to the beginning of any anticipated facility use. **Written requests shall be accompanied by proof of \$1,000,000 certificate of liability insurance naming the City as additionally insured, the latest season's financial statement, a list of the RSA's Board of Directors with appropriate addresses and phone numbers, tournaments, tryout, practice, game schedules, and a security deposit with a 501c3 non-profit status form. Failure to submit requested information can lead to the loss of "recognized" status and potential loss of priority user status, which could affect field allocation.**

Each RSA shall designate one (1) person and (1) alternate person to act as the contact for the Association and shall submit the person's name, title, address, home, and work phone numbers, email address to the Parks & Recreation Department. Each Association is responsible for updating their contact information as changes occur. The Director of the Parks & Recreation or his/her designee shall act as the City of Pearland's liaison with the Association.

The City strongly recommends that the Association/Organization has all team managers and coaches in the league certified by a state-wide or nationally recognized youth sports coaches certification program and that parent's of each participant attend a training on violence in youth sports. The coach's certification program should include a coaching skills clinic and a background check (state and county of residence). If requested, The City will assist you in scheduling and conducting certification and training programs.

Groups or individuals (not affiliated with an RSA) seeking reserved use of city athletic facilities may do so under the following conditions:

1. Individual making the application is a Pearland resident
2. If requesting use of a facility with a RSA, scheduling/arrangements must be done through the RSA
3. Times and dates do not conflict with other scheduled use
4. Reservations are subject to the approval of the Parks & Recreation Department/RSA, may be denied at any time, and use of the facility does not exceed three (3) consecutive days
5. Payment is required five (5) working days before requested date(s)(see fees section)
6. Application is made no more than thirty (30) days in advance and no less than five (5) working days before requested date.
7. Facilities will be rented "as is". Other arrangements (chalking and lining, dragging fields, nets, flags, bases, etc.) will be made by the applicant and at their expense in accordance

with requirements set forth by the responsible party with facility maintenance on designated fields.

8. Applicant must make arrangements to leave the facility in condition it was found. If an applicant does not leave the facility in the condition in which it was found then they are subject to forfeiting future usage of City of Pearland Athletic Facilities.
9. The City will be responsible for turning lights on/off for the applicant
10. Proof of insurance or signed waiver of liability releasing City of responsibility for injury or damages.
11. Conditions/playability of fields can be determined by calling the designated hotline
12. Permit must be available on site during the rental.

Determining Facility Use

Use by the public of designated “open play areas” will be on a first come first serve basis. The City of Pearland reserves the right to schedule facilities during times when the facilities are not being utilized. Scheduled use of facilities will be determined by the Director of Parks & Recreation but the department reserves the right to delegate that scheduling responsibility to a Recognized Sports Association.

Recognized Sports Associations will be granted priority use of a facility by the City of Pearland on a per season (Season is defined as practices and/or games that continue for a period of six (6) weeks to a maximum of six (6) months) basis.

When fields are used for league play, scheduling is the responsibility of the league official for each field and/or an entire complex for the duration of the permitted use.

Appeal Process for Field Use Denial

In instances where the department has delegated scheduling responsibility to a Recognized Sports Association (RSA), requests for use of the fields will be directed to that RSA. In the event that a requesting individual/group feels they have been wrongfully or unfairly denied the use of fields by the RSA, then an appeal can be submitted to the Parks & Recreation Department Director and a final decision will be made.

Special Use of Facilities

The City of Pearland reserves the right to host athletic leagues, special events, and programs at all public park facilities. Sports Associations will be notified in advance of any special events or programs that may conflict with their scheduled use. The City will make every effort to schedule special events during non-use time periods.

The Parks & Recreation Department must be informed before any Sports Association enters into arrangement with other organizations for use of the public facilities. Organizations wishing to host clinics, workshops, etc. outside of seasonal practices and games are required to schedule such programs

with the City at least thirty (30) days prior to the beginning of the program. The Sports Association may be required to name the agency as an additional insured on their insurance policy.

Procedures Regarding Athletic Facility or Field Time

FOR SINGLE EVENT, PRACTICE/TOURNAMENT/HOURLY USAGE:

1. Requesting group must call the Parks & Recreation main office (281-412-8900) for availability.
2. Field rental requests can be made by phone as a tentative booking as long as the request is accompanied by an appointment within seven (7) business days at which time all fees will be due. Failure to appear for an appointment will void the tentative booking and the date will again be available to the public.
3. During the rental appointment, the renter must provide proof of liability insurance naming the City of Pearland as the co-insured, a copy of non-profit tax identification number 501(c)3 (if applicable), and all fees for reservation including deposit.
4. All reservations, contracts, and changes must be made in person by the responsible party at the Parks & Recreation Administrative offices located inside the Recreation Center & Natatorium.

RECOGNIZED SPORTS ASSOCIATION SEASONAL LEAGUE USAGE:

1. Requesting group must obtain a Request for Outdoor Athletic Fields from the Pearland Parks & Recreation office (4141 Bailey Road) or the website (www.pearlandparks.com) that contains the proper paperwork.
2. Requests will be filled based on field availability, group priority level, residency status, date submitted, and history with Pearland Parks & Recreation. All associations may submit requests up to twelve (12) months in advance and no less than thirty (30) days prior to the beginning of any anticipated field use.
3. The request form must be filled out in its entirety, accompanied by a \$500 deposit, a copy of non-profit tax identification number 501(c)3 (if applicable), and a \$1,000,000 certificate of liability insurance naming City of Pearland as the additionally insured.
4. Field rental requests can be made by phone as a tentative booking as long as the request is accompanied by an appointment within seven (7) business days. A representative will be required to attend a meeting with Department staff to discuss expectation and sign a contract. Failure to appear for an appointment will void the tentative booking and the date will again be available to the public.
5. Two (2) weeks after registration is complete and prior to the actual beginning of the season, final rosters and player information must be submitted along with games and practice schedules.

6. Two (2) weeks after the end of the contract term, the Association will be required to pay all balances on account.
7. All reservations, contracts, and changes must be made in person by the responsible party at the Parks & Recreation Administrative offices located inside the Recreation Center & Natatorium.

Hours Available for Use

Designated athletic fields are located in Community Parks and are opened during posted hours. Field lighting is allowed per the department's facility lighting policy.

Hourly rentals of fields are required to be extend for a minimum of 2 consecutive rental hours Monday-Friday; 4 hours Saturday – Sunday.

Concessions/Storage Buildings

Scheduled use of concession/storage buildings will be on a per season basis with use determined by the Recognized Sports Association at a specific facility. Only one Sports Association per season will be granted priority use of a specific building. If another Sports Association requests use of that building during the same time frame, the Sports Association with priority use of the building may choose to share use contingent upon the City's approval. The City may use the concession and storage areas during city-sponsored activities. The City also reserves the right to enter into contracts with private companies for concession operation services.

Sports Associations may be required to furnish whatever equipment and supplies are necessary to operate the concession area and maintain in a sanitary manner, all restrooms, concession and storage areas based on facilities. An ice machine is the only equipment that the City may provide inside the concession area. Associations agree to abide by any and all health code requirements for food service including all appropriate permits.

All equipment stored at a concession/storage building must be removed at the end of the Sport's Associations season, unless otherwise approved by the City. The City will inspect facilities at least once a quarter to determine if flammable, hazardous, or toxic substances/materials are being stored and handled properly. Sports Associations must not block access to facility equipment such as air conditioners, heaters, ice machines, breaker panels, circuit panels, etc.

The City of Pearland shall be responsible for repairs and up keep of city owned concession/storage buildings that are the result of normal wear and tear and aging. Sports Associations will be responsible for repairs stemming from damages incurred by the facility due to the Sports Association's negligent or irresponsible use. All air conditioned facilities should maintain temperatures, especially those with ice machines, within the range of 76-80 degrees F.

Maintenance of Park & Recreation Fields & Facilities

The City of Pearland, with the help of the Sports Associations, will provide a level of maintenance service to all parks and recreation facilities that ensures the safe and efficient use of the facility by the sports associations and the general public. The city will follow the determined park maintenance standards for each park. The Sports Associations are responsible for reporting and correcting hazardous conditions related to the association's activities. Failure to address these hazardous conditions within 24 hours could result in the suspension of having a recognized league status. The City of Pearland will not provide maintenance or upkeep to property or facilities that are not owned by the City of Pearland but retain the right to remove the property.

Sports Associations and other organizations will be responsible for and bear all costs associated with the operation and maintenance of any and all league, season, or sport specific up keep to the facility (examples may include items such as bases, soccer goals, public address system, nets, etc.)

The Parks and Recreation department has established as a standard that a minimum of 90% of field lighting must be operational at all times. Every effort will be made to ensure this standard is maintained. In the event of a man made or natural disaster that impacts field lighting, the Department will make a determination as to whether sufficient lighting is operable to provide for the safety of the user group. The user group will be notified of such decisions and lights will be repaired or replaced as quickly as possible. Once 10% of the lighting on any given field has burnt out, at that time the light bulbs will be scheduled to be replaced.

The department has a work order system. The purpose of the system is to provide park maintenance personnel with documentation in order to better serve and track facility repairs, maintenance activities, and service requests. Its intent is to provide a better means of communication between persons requesting service and park maintenance personnel concerning park facilities.

If while on property the renting organization notices something that is wrong with the facility, please report it to the staff on site or call 281-412-8900 and leave a message regarding the issue. For site and facility related emergencies, please call XXX-XXX-XXXX.

Vandalism

The City will share in the responsibility of deterrence by providing sufficient lighting, frequent security patrols, overall security assessment, and other measures upon the review and permission of the Parks & Recreation Director.

Repairs to City facilities caused by vandalism will be the responsibility of the City. The city will repair or replace as necessary, the following equipment: air conditioners/heaters, electrical and lighting systems, phone systems, plumbing systems, or others upon review and permission of the Parks & Recreation Director.

Litter Control

The permit holder is responsible for the actions of the individuals participating in the permitted activity and should provide reasonable clean-up of the facilities and parking lots. All associations and individuals should make every effort to police the facilities, buildings, parking areas and common areas for trash, debris and litter with their activities. All trash, debris and litter can be deposited in the trash receptacles or dumpster on the park grounds.

The City will share the responsibility to keep all facilities clear of trash, debris, and litter. City staff collect trash from the receptacles on a once daily basis M-F at all Community Parks. Users are responsible for additional litter control needed during their use. If trash is not cleaned up, the deposit will be kept.

Recycling containers are located adjacent to most athletic facilities and users are encouraged to utilize them for appropriate materials. These receptacles are also emptied on a regular basis.

Parking

Parking is only allowed in designated areas and will be strictly enforced. No motorized vehicles will be allowed in the parks except in parking areas, the exception being emergency vehicles assisting an accident or injury, or the delivery of equipment, supplies and/or materials. When demands on the parking areas are expected to exceed availability, users should communicate and work with the Parks & Recreation Department to develop plans for such instances.

Signage

RSA's may be allowed to place sponsorship signs within designated areas. Sponsorship signs may be attached to ball field fencing under the following conditions:

- Must be 1'4" tall, at least ¼" thick and 8' long
- Colored a single approved color white lettering
- Legible from the ball field viewing area
- Well maintained
- Are all placed at the same height from the ground

All sponsorship signs that are damaged from weather, vandalism, or normal wear and tear must be repaired or replaced by the Sports Association. Exceptions to the policy may be made only with the approval of the city. If not repaired in a timely manner the signs will be removed at the City's discretion.

Enhancements

Associations will not install, build or perform any type of facility or property improvements without the express written consent of the City of Pearland. Requests for improvements must be submitted in writing to the Parks & Recreation Director at least 60 days prior to the desired date of performing the

improvement. All requests require approval of the Director and must meet the building/inspection codes and ordinance requirements.

Capital Improvement Projects

Associations wishing the City to consider funding specific capital improvement projects (projects over \$100,000) should submit, in writing, a detailed description of the type of project for consideration. (i.e. two additional youth soccer fields). Written request should be submitted to the Parks & Recreation Director by February 1 in order to be reviewed for consideration in the following fiscal year's program budget. Approval of projects is based on priority need and available funds.

Restroom Facilities

Restrooms are available at all Community parks owned by the City. The cleaning of restrooms and provision of necessary supplies is the joint responsibility of the city and the Sports Association. If facilities must remain open for general park usage, the City will clean the restrooms daily during the week Monday-Friday. The Sports Association will be responsible for subsequent cleanings. The Association may contract with outside contractors for the supplemental cleaning of the restrooms. The City expects assistance in meeting the health and safety needs of our park patrons. The City does not encourage the use of restroom facilities at private or semi-public facilities located adjacent to city owned parks.

In some instances, the cleaning of restrooms and provision of necessary supplies may be the sole responsibility of the Association per facility needs and arrangements. Restrooms should be cleaned and restocked on a regular basis.

Emergencies and Accidents

Organizations are required to report any and all accidents that require medical attention by health care professionals. Accidents involving the condition or maintenance of facilities should be reported to the Parks & Recreation office at the beginning of the first business day following the accident by calling 281-412-8900 and leaving a message.

Proprietary or Commercial Groups

No person or business shall be permitted to use park facilities for financial gain or profit unless contracted by the Parks & Recreation Department, or they have partnership agreements on file with the Parks & Recreation Department. These facilities are designed to serve the general public on a non-profit basis. Any commercial photography (i.e. video, still, catalog) must obtain permission from the City of Pearland.

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3. Any sponsoring association, group or person violating any of the Policies and Procedures may be refused the scheduled usage of athletic facilities if such action is deemed necessary by the Director of Parks & Recreation upon review and disposition of the violation

Field Usage Fees

Recognized Sports Associations		
Deposit (per season)	Player Fee	Utility Fee
\$500	\$10 (R) \$20 (NR)	\$150 month

Hourly Usage	Resident	Non-Resident
Field	\$15	\$30
Utility	\$15	\$15

Revision History

Created July 2011
Revised April 2013
Revised April 2014
Revised July 2014

New Business Item No. 1

1. **Consideration and Possible Action – Resolution No. R2014-93** – A Resolution of the City Council of the City of Pearland, Texas, authorizing a contract for professional services, associated with the Far Northwest Wastewater Treatment Plant Expansion Project, with CDM Smith, Inc., in the amount of \$4,162,000.00.

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

AGENDA OF: August 11, 2014	ITEM NO.: Resolution No. R2014-93
DATE SUBMITTED: July 25, 2014	DEPT. OF ORIGIN: Projects
PREPARED BY: Andrea Brinkley	PRESENTOR: Trent Epperson
REVIEWED BY: Trent Epperson	REVIEW DATE: August 5, 2014
SUBJECT: Far Northwest Wastewater Treatment Plant Expansion – Professional Engineering Services	
EXHIBITS: R2014-93; Exhibit A – Contract for Engineering Services, B – 7/24/14, 5/27/14, 6/18/14 Administrative Packet Memoranda, C- Site Location Map	
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: \$4,162,000 AMOUNT BUDGETED: 4,900,000 AMOUNT AVAILABLE: \$4,483,950 PROJECT NO.: WW1405 ACCOUNT NO.: 042-0000-565-01-01 ADDITIONAL APPROPRIATION REQUIRED: ACCOUNT NO.: NA PROJECT NO.: NA	
To be completed by Department: <input checked="" type="checkbox"/> Finance <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution	

RECOMMENDED ACTION

Staff recommends that Council approve the proposal and award a professional services contract to CDM Smith, Inc. for the Far Northwest Wastewater Treatment Plant Expansion project in the amount of \$4,162,000.00 and authorize the City Manager to execute the agreement.

EXECUTIVE SUMMARY

BACKGROUND

The City's Far Northwest Wastewater Treatment Plant (FNW WWTP) was the City's second Sequential Batch Reactor (SBR) plant, built in 2003 with a 2 million gallon a day (MGD) capacity. The plant is currently functioning near ninety percent (90%) of

hydraulic flow capacity wherein the Texas Commission on Environmental Quality (TCEQ) requires the City to begin design and construction as soon as possible.

This project was budgeted in the FY 2014-2018 CIP as a Plant Expansion to a total capacity of four million gallons per day (4 MGD), a 2 MGD expansion. The Plant serves an area west of SH 288 that has experienced rapid development over the last ten years with high density growth expected over the next ten years.

In November, 2013, The Preliminary Engineering Report (PER) work was started by CDM Smith, Inc., and included an analysis of future growth in the service area, sizing of the plant expansion and the plant process requirements and recommendations for the current and future plant expansion. The PER found that four key factors impact the plant expansion: past and current growth in the service area, high organics loading of current flows, future densities in the Lower Kirby Urban District, and the redirection of part of the Southdown WWTP service area flows to the FNW WWTP in 2024. These factors together resulted in a need for 5 MGD by 2024, and a current 4 MGD expansion at this time, for a total of 6 MGD of capacity by the time the Southdown package plant flows are shifted to the Far Northwest plant.

SCOPE OF CONTRACT/AGREEMENT

The design engineering scope of services includes a 4 MGD expansion with improvements to every plant process, the installation of key ultimate size plant components, the construction of new infrastructure and the rehabilitation and re-purposing of existing infrastructure. Specifically, the construction cost estimate is \$29,606,000 and the improvements are: new infrastructure at the Influent Lift station, new Headworks structure sized for a ultimate 7 MGD capacity, new grit removal system, four new continuous flow Sequential Batch Reactors (SBRs) and modification of existing basins to convert from 4 tanks to 2 continuous flow tanks, blowers for all SBR basins housed in new blower/electrical building with accommodations for future expansion, cloth-disk filters and accommodations for future filter expansion, expansion of the UltraViolet disinfection system, expansion of sludge holding tanks and aeration equipment, new dewatering feed pumps to supply the Belt Press dewatering equipment, a screw conveyor system and polymer feed system, modifications to existing dewatering building for new equipment, piping and code compliance, new non-potable water transfer and booster pumps and ground storage tank, new building to accommodate chlorine disinfection for the NPW system, and generator to provide power redundancy for up to 7 MGD (28 MGD peak) expanded capacity.

The Professional Engineering Services contract with CDM Smith Inc., is divided into two components; Basic Services and Additional Services. The Basic Services Lump Sum total \$2,636,000 (8.9% of estimated construction costs) and include engineering design phase services, bidding services, construction phase services. Additional Services (billed as hourly not to exceed) total \$1,526,000, (or 5.1% of construction) for which include the programming of the plant process control system, supervisory control and data acquisition (SCADA) standards development and training, Reuse Authorization under Texas Administrative Code Chapter 210, Texas Water Development Board (TWDB) Funding assistance, TWDB Funding National Environmental Policy Act (NEPA) Compliance, Spill Prevention Control and Countermeasures (SPCC) plan, Storm water pollution prevention (SWPPP) plan, Electronic Operations and Maintenance (O&M) manuals, a supplement to the Geotechnical Report, the cost for a Field Project Representative for 24 months of construction, record drawings reflecting plant

construction and 12 month warranty services. The sum total of all fees is \$4,162,000. These fees reflect the higher level of effort necessary for the plant design and rehabilitation of an operating wastewater treatment plant.

Attached is a proposal from CDM Smith, Inc. in the total amount of \$4,162,000.00. The contract schedule includes 1 year to complete the Design, 2 months for Bidding and approximately two years of construction. CDM Smith, Inc. has a long standing relationship with the City and has performed well on previous projects. The design of the Alice Street Water Plant and Transmission water line, and the Bailey Road design are a few of the most recent projects designed by CDM Smith, Inc.

BID AND AWARD

N/A

SCHEDULE

The design phase is estimated to be completed in the third quarter of 2015. The construction is estimated to begin in the fourth quarter of 2015 and is anticipated to be 24 months in duration, completing in the fourth quarter of 2017.

POLICY/GOAL CONSIDERATION

This project has been funded as part of the 5 Year Capital Improvement Program for 2014 – 2018 and continued in the 2015-2019 5 Year Program. The current work effort will allow the Far Northwest Wastewater Treatment plant to meet existing and future flows, and meet TCEQ permit requirements.

CURRENT AND FUTURE CIP FUNDING /FINANCIAL IMPACTS/DEBT SERVICE

The project is anticipated to be funded from Water and Sewer Revenue Bonds budgeted for in the FY 2014 CIP in the amount of \$1,032,000 and \$3,868,000 from Impact Fee fund balance, or cash on hand. Construction in future years 2016 and 2017 will be funded from the issuance of Water and Sewer Revenue Bonds.

Year	To Date	2015	2016	2017	2018	Total
Budget	\$ 4,900,000		\$ 19,014,000	\$ 10,500,000		\$ 34,414,000
Prior Expenditures						
PER	416,050					416,050
Land/ROW						-
Design/Survey						-
Construction						-
FF&E						-
Current Request						
Design/Survey	4,162,000					4,162,000
Future Expenditures						
PER						-
Land/ROW						-
Design/Survey						-
Construction			19,335,950	10,500,000		29,835,950
FF&E						-
Total Expenditures	\$ 4,578,050	\$ -	\$ 19,335,950	\$ 10,500,000	\$ -	\$ 34,414,000
Remaining Balance	\$ 321,950	\$ 321,950	\$ -	\$ -	\$ -	\$ -

Debt Sold						
Debt to Be Sold	1,032,000		19,014,000	10,500,000		
Annual Debt Service		69,145	69,145	1,345,000	2,050,000	

O&M IMPACT INFORMATION

An increase in Operations and Maintenance is anticipated when the Plant is expanded

Year	2014	2015	2016	2017	2018
Operation and Maintenance Costs				\$ 300,430	\$ 300,430

RESOLUTION NO. R2014-93

A Resolution of the City Council of the City of Pearland, Texas, authorizing a contract for professional services, associated with the Far Northwest Wastewater Treatment Plant Expansion Project, with CDM Smith, Inc., in the amount of \$4,162,000.00.

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

Section 1. That certain contract for professional 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 professional services associated with the Far Northwest Wastewater Treatment Plant Expansion Project.

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 FOR PROFESSIONAL SERVICES

THIS CONTRACT is entered into upon final execution by and between the City of Pearland ("CITY") and CDM Smith, Inc. ("CONSULTANT").

The CITY engages the CONSULTANT to perform professional services for a project known and described as Far Northwest Wastewater Treatment Plant Expansion ("PROJECT"). (Project # WW1405)

SECTION I - SERVICES OF THE CONSULTANT

The CONSULTANT shall perform the following professional services to CITY standards and in accordance with the degree of care and skill that a professional in Texas would exercise under the same or similar circumstances:

- A. The CONSULTANT shall perform engineering tasks to complete final design services, bid phase services, and design services during construction, including additional services for the expansion to the Far Northwest Wastewater Treatment Plant for the City of Pearland. See Exhibit A, attached, for a detailed SCOPE OF WORK and PROJECT schedule. The PROJECT schedule shall be submitted in digital and hard copy form in the Microsoft Project for Windows format.
- B. The CONSULTANT shall prepare and submit a detailed opinion of estimated cost of the PROJECT.
- C. The CONSULTANT acknowledges that the CITY (through its employee handbook) considers the following to be misconduct that is grounds for termination of a CITY employee: Any fraud, forgery, misappropriation of funds, receiving payment for services not performed or for hours not worked, mishandling or untruthful reporting of money transactions, destruction of assets, embezzlement, accepting materials of value from vendors, or consultants, and/or collecting reimbursement of expenses made for the benefit of the CITY. The CONSULTANT agrees that it will not, directly or indirectly; encourage a CITY employee to engage in such misconduct.
- D. The CONSULTANT shall submit all final construction documents in both hard copy and electronic format. Plans shall be AutoCAD compatible and all other documents shall be Microsoft Office compatible. The software version used shall be compatible to current CITY standards. Other support documents, for example, structural calculations, drainage reports and geotechnical reports, shall be submitted in hard copy only. All Record Drawings electronic files shall be submitted to the CITY in TIF format.
- E. The CONSULTANT recognizes that all drawings, special provisions, field survey notes, reports, estimates and any and all other documents or work product generated by the CONSULTANT under the CONTRACT shall be delivered to the CITY upon request, shall become subject to the Open Records Laws of this State.

F. The CONSULTANT shall procure and maintain for the duration of this Agreement, insurance against claims for injuries to persons, damages to property, or any errors and omissions relating to the performance of any work by the CONSULTANT, its agents, employees or subcontractors under this Agreement, as follows:

- (1) Workers' Compensation as required by law.
- (2) Professional Liability Insurance in an amount not less than \$1,000,000 in the aggregate.
- (3) Comprehensive General Liability and Property Damage Insurance with minimum limits of \$1,000,000 for injury or death of any one person, \$1,000,000 for each occurrence, and \$1,000,000 for each occurrence of damage to or destruction of property.
- (4) Comprehensive Automobile and Truck Liability Insurance covering owned, hired, and non-owned vehicles, with minimum limits of \$1,000,000 for injury or death of any one person, \$1,000,000 for each occurrence, and \$1,000,000 for property damage.

The CONSULTANT shall include the CITY as an additional insured under the policies, with the exception of the Professional Liability Insurance and Workers' Compensation. Certificates of Insurance and endorsements shall be furnished to the CITY before work commences. Each insurance policy shall be endorsed to state that coverage shall not be suspended, voided, canceled, and/or reduced in coverage or in limits ("Change in Coverage") except with prior written consent of the CITY and only after the CITY has been provided with written notice of such Change in Coverage, such notice to be sent to the CITY either by hand delivery to the City Manager or by certified mail, return receipt requested, and received by the City no fewer than thirty (30) days prior to the effective date of such Change in Coverage. Prior to commencing services under this CONTRACT, CONSULTANT shall furnish CITY with Certificates of Insurance, or formal endorsements as required by this CONTRACT, issued by CONSULTANT'S insurer(s), as evidence that policies providing the required coverage, conditions, and limits required by this CONTRACT are in full force and effect.

- G. The CONSULTANT shall indemnify and hold the CITY, its officers, agents, and employees, harmless from any claim, loss, damage, suit, and liability of every kind for which CONSULTANT is legally liable, including all expenses of litigation, court costs, and attorney's fees, for injury to or death of any person, for damage to any property, or errors in design, any of which are caused by the negligent act or omission of the CONSULTANT, his officers, employees, agents, or subcontractors under this CONTRACT.
- H. All parties intend that the CONSULTANT, in performing services pursuant to this CONTRACT, shall act as an independent contractor and shall have control of its own work and the manner in which it is performed. The CONSULTANT is not to be considered an agent or employee of the CITY.

SECTION II - PERIOD OF SERVICE

This CONTRACT will be binding upon execution and deliver Final Contract documents within 45 calendar days of receipt of City's comments on the 90% review documents.

SECTION III - CONSULTANT'S COMPENSATION

- A. The total compensation for the services performed shall not exceed the total noted in Section B.
- B. The CITY shall pay the CONSULTANT in installments based upon monthly progress reports and detailed invoices submitted by the CONSULTANT based upon the following:

1. Final Design Basic Services (Lump Sum)	<u>\$2,132,000.00</u>
2. Bid Phase Services (Hourly Not to Exceed)	<u>\$99,000.00</u>
3. Construction Phase Services (Hourly Not to Exceed)	<u>\$405,000.00</u>
4. Additional Services (Hourly Not to Exceed)	<u>\$1,526,000.00</u>
5. Total:	<u>\$4,162,000.00</u>
- C. The CITY shall make payments to the CONSULTANT within thirty (30) days after receipt and approval of a detailed invoice. Invoices shall be submitted on a monthly basis.

SECTION IV - THE CITY'S RESPONSIBILITIES

- A. The CITY shall designate a project manager during the term of this CONTRACT. The project manager has the authority to administer this CONTRACT and shall monitor compliance with all terms and conditions stated herein. All requests for information from or a decision by the CITY on any aspect of the work shall be directed to the project manager.
- B. The CITY shall review submittals by the CONSULTANT and provide prompt response to questions and rendering of decisions pertaining thereto, to minimize delay in the progress of the CONSULTANT'S work. The CITY will keep the CONSULTANT advised concerning the progress of the CITY'S review of the work. The CONSULTANT agrees that the CITY'S inspection, review, acceptance or approval of CONSULTANT'S work shall not relieve CONSULTANT'S responsibility for errors or omissions of the CONSULTANT or its sub-consultant(s) or in any way affect the CONSULTANT'S status as an independent contractor of the CITY.

SECTION V - TERMINATION

- A. The CITY, at its sole discretion, may terminate this CONTRACT for any reason - with or without cause -- by delivering written notice to CONSULTANT personally or by certified mail at 3050 Post Oak Blvd., Ste. 300, Houston, Texas 77056. Immediately after receiving such written notice, the CONSULTANT shall discontinue providing the services under this CONTRACT.
- B. If this CONTRACT is terminated, CONSULTANT shall deliver to the CITY all drawings, special provisions, field survey notes, reports, estimates and any and all other documents or work product generated by the CONSULTANT under the CONTRACT, entirely or partially completed, together with all unused materials supplied by the CITY on or before the 15th day following termination of the CONTRACT.
- C. In the event of such termination, the CONSULTANT shall be paid for services performed prior to receipt of the written notice of termination. The CITY shall make final payment within sixty (60) days after the CONSULTANT has delivered to the CITY a detailed invoice for services rendered and the documents or work product generated by the CONSULTANT under the CONTRACT.
- D. If the remuneration scheduled under this contract is based upon a fixed fee or definitely ascertainable sum, the portion of such sum payable shall be proportionate to the percentage of services completed by the CONSULTANT based upon the scope of work.

- E. In the event this CONTRACT is terminated, the CITY shall have the option of completing the work, or entering into a CONTRACT with another party for the completion of the work.
- F. If the CITY terminates this CONTRACT for cause and/or if the CONSULTANT breaches any provision of this CONTRACT, then the CITY shall have all rights and remedies in law and/or equity against CONSULTANT. Venue for any action or dispute arising out of or relating to this CONTRACT shall be in Brazoria County, Texas. The laws of the State of Texas shall govern the terms of this CONTRACT. The prevailing party in the action shall be entitled to recover its actual damages with interest, attorney's fees, costs and expenses incurred in connection with the dispute and/or action. CONSULTANT and CITY desire an expeditious means to resolve any disputes that may arise between under this CONTRACT. To accomplish this, the parties agree to mediation as follows: If a dispute arises out of or relates to this CONTRACT, or the breach thereof, and if the dispute cannot be settled through negotiation, then the parties agree first to try in good faith, and before pursuing any legal remedies, to settle the dispute by mediation of a third party who will be selected by agreement of the parties.

SECTION VI – ENTIRE AGREEMENT

This CONTRACT represents the entire agreement between the CITY and the CONSULTANT and supersedes all prior negotiations, representations, or contracts, either written or oral. This CONTRACT may be amended only by written instrument signed by both parties.

SECTION VII – COVENANT AGAINST CONTINGENT FEES

The CONSULTANT affirms that he has not employed or retained any company or person, other than a bona fide employee working for the CONSULTANT to solicit or secure this CONTRACT, and that he has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage brokerage fee, gift, or any other consideration, contingent upon or resulting from the award or making of the CONTRACT. For breach or violation of this clause, the CITY may terminate this CONTRACT without liability, and in its discretion, may deduct from the CONTRACT price or consideration, or otherwise recover, the full amount of such fee, commission, percentage brokerage fee, gift, or contingent fee that has been paid.

SECTION VIII- SUCCESSORS AND ASSIGNS

This CONTRACT shall not be assignable except upon the written consent of the parties hereto.

CITY OF PEARLAND, TEXAS



CONSULTANT

DATE



DATE



3050 Post Oak Blvd., Ste. 300
Houston, Texas 77056
Texas Firm No. F-3043
tel: 713 423-7300

July 30, 2014

Mrs. Andrea Brinkley
City of Pearland
Engineering & Capital Projects
3519 Liberty Drive
Pearland, Texas 77581

Subject: Proposal for Professional Engineering Services
Far Northwest Wastewater Treatment Plant Expansion

Dear Mrs. Brinkley:

CDM Smith is proud of the history of success we have enjoyed in partnership with the City of Pearland and excited to have the opportunity to provide professional engineering services in conjunction with the subject project.

Please find the attached **Exhibit A – Scope of Services** which provides the detailed scope of services for the final design, bidding services, engineering services during construction, and additional services as discussed for the Far Northwest Wastewater Treatment Plant (FNW WWTP).

Based on the scope of services included in **Exhibit A**, we propose to complete the work under a maximum not to exceed basis in the amount of **\$4,162,000** as shown in the task breakdown on **Table A-1**. Also, please find the attached detailed level of effort tabulation as well as the anticipated completion schedule.

We look forward to beginning work on this important project and appreciate the opportunity to serve the City of Pearland. If you have any questions or require additional information, please contact me at 713-423-7300

Sincerely,

Jeffrey S. Peters, P.E., BCEE
Principal Engineer
CDM Smith Inc.
TBPE Firm Registration No. F-3043

Attachment



EXHIBIT A



SCOPE OF SERVICES

FOR

FAR NORTHWEST WASTEWATER TREATMENT PLANT EXPANSION

The Engineer will perform necessary tasks to complete final design services, bid phase services, and design services during construction, including additional services for the expansion to the Far Northwest Wastewater Treatment Plant (FNW WWTP) for the City of Pearland as defined in this scope. The work associated with these engineering services is separated into the following tasks:

- I. Preliminary Engineering Services – Completed Under Separate Contract
- II. Final Design Services
- III. Bid Phase Services
- IV. Design Services During Construction
- V. Additional Services

I. PRELIMINARY ENGINEERING SERVICES

Completed Under Separate Contract

II. FINAL DESIGN SERVICES

A. General

1. Final design services will be only for expansion and improvements identified for design and construction as indicated in the Final Preliminary Engineering Report (PER). The project will include provisions for expansion of the average daily flow (ADF) treatment capacity of FNW WWTP from 2 MGD to 6 MGD, with some provisions to account for a future ultimate ADF of 7 MGD documented below in each process area detailed description. Anticipated construction costs to expand the ADF treatment capacity to 6 MGD are expected to be approximately \$29.6 million.
2. Engineer will conduct monthly progress meetings during the design phase with City staff to review work completed to date, project schedule, and other issues. These meetings will be approximately 2-hours in duration.
3. Engineer will perform project management duties through the design phase, including tracking budget and schedule and meeting with City staff as required.
4. Engineer will perform quality assurance/quality control procedures during the design phase. Those procedures will include a technical review of the 30 percent, 60 percent, and 90 percent review documents. Table of contents for specifications will be submitted at 30%. Full technical specifications for review will be submitted at 60%. Bid form and completed "front end documents" will be included at 90%.
5. Engineer will coordinate client reviews in accordance with City procedures. Reviews are anticipated at 30 percent, 60 percent, and 90 percent completion of design. Engineer will review, consolidate and prepare written response to City's review committee.
6. Engineer will coordinate with external regulatory and permitting agencies, including but not limited to TCEQ, Brazoria Drainage District #4, and Harris County Flood Control District (HCFCD).

B. Plans and Specifications

1. The Engineer will prepare complete contract documents (plans and specifications) for use in bidding and constructing the work associated with the expansion project. Plans and specifications will be prepared for a single construction contract for the wastewater treatment plant expansion, as identified in the Final PER. Anticipated components may include, but may not be exclusive or limited to the following:
 - a. Lift station expansion
 - (1) Three (3) new pumps for 6 MGD (24 MGD Peak) expanded ADF capacity.

- (2) Pre-rotation pumping system for floating debris removal
 - (3) New VFDs for all pumps, housed in a new electrical building.
- b. A single new headworks structure consisting of two (2) mechanical bar screens one grit removal train, and integral splitter box to convey flow to the SBR trains (6 + 1 future) will be designed as described below. To account for unforeseen growth and/or more stringent permit discharge limits requiring additional SBR trains and/or another grit removal train, space will be planned and provided for a future structure consisting of a second grit removal train and/or flow splitter structure.
- (1) Two (2) fully redundant 28-MGD (minimum) capacity step-style mechanical bar screens with dedicated screenings washing compactors
 - (2) Scope does not include bypass channel or manually raked bar screen
 - (3) Single (1) stacked-tray grit capture basin with two (2) grit pumps and single (1) train of grit handling equipment.
 - (4) Integral flow splitter structure to 7 separate SBR trains (6 proposed and 1 future).
 - (5) Piping and/or gates and/or valves(s) to connect to a possible future grit removal train and/or flow splitter box.
- c. New SBR trains to handle increased flow and improvements to existing SBR trains, including blowers
- (1) Modification of existing SBR basins to convert from four (4) true batch SBR tanks to two (2) continuous flow SBR tanks, including internal equipment, diffusers, waste sludge pumping equipment, and necessary piping modifications
 - (2) Four (4) new SBR basins including internal equipment, diffusers, waste sludge pumping equipment, and necessary piping
 - (3) Blowers for all SBR basins, housed in new blower/electrical building with accommodations for a future blower and piping to serve an additional 1 MGD ADF SBR Basin.
- d. New tertiary filtration and demolition of existing filter structure
- (1) Demolition of existing filter structure
 - (2) Two (2) new cloth-disk filter basins (concrete) with associated back-washing pumps and piping with accommodations for a future third cloth-disk filter basin (concrete).
 - (3) Scope does not include multiple designs to accommodate differing filter equipment. Design shall be based upon system recommended in Final PER.
- e. Expansion of UV disinfection system capacity, utilizing existing structure
- (1) Three (3) new UV modules installed in existing channels and powered from existing switchgear or complete replacement in kind of existing UV Modules of another compatible manufacturer/model that will treat the entire expanded plant capacity and the existing UV structure will accommodate with minimal modifications.
 - (2) Scope does not include additional modules and switchgear for reuse quality disinfection or in-channel redundancy

- (3) New UV channel effluent weirs for expanded flow
 - (4) Piping accommodations to allow for tie-in to new future UV disinfection structure to accommodate future expanded flows.
- f. Expansion of sludge holding tank and new dewatering feed pumps
- (1) Two (2) additional common-wall aerated sludge holding tanks with associated aeration equipment
 - (2) New blowers to supply air to new and existing aerated sludge holding tanks
 - (3) Accommodations to allow a future additional common-wall aerated sludge holding tank with associated aeration equipment.
 - (4) Three (3) new double-disk or progressing cavity feed pumps to supply new belt presses
- g. New belt presses equipment to be installed in existing building
- (1) Two (2) 2.0 meter 3-belt, belt filter presses.
 - (2) Two (2) inclined screw conveyors with a single collection hopper and single discharge.
 - (3) Two (2) horizontal screw conveyors with two collection hoppers and three discharge chutes, two of which equipped with motorized slide gates to allow discharge in multiple locations within a single dumpster.
 - (4) Two (2) packaged polymer feed systems and associated piping
 - (5) Associated switchgear to be housed in existing dewatering building electrical room
- h. Modifications to existing dewatering building to provide adequate ventilation and accommodate installation of new equipment and piping.
- i. New non-potable water (NPW) system
- (1) NPW transfer pumps to on-site storage.
 - (2) Ground storage tank to accommodate the peak NPW demand between SBR decant cycles.
 - (3) NPW booster pumps from the storage tanks to plant distribution.
- j. Non-potable water disinfection system generally consisting of the following:
- (1) 150 lb cylinder dual feed chlorine system (1 standby, 1 spare).
 - (2) Automatic vacuum regulator.
 - (3) Appropriate emergency and safety devices including chlorine gas detectors and notification systems, ventilation, emergency shut off valves, and standard industry personal protection equipment (PPE). (A chlorine gas scrubber is not included in the design).
 - (4) Scales and other appurtenances.
- k. Chemical feed building consisting of chlorine feed room, chlorine cylinder room, and separate electrical room to locate the NPW electrical and equipment
- l. New generator to accommodate equipment at 7 MGD ADF (28 MGD Peak) expanded capacity

- m. SCADA improvements to provide monitoring and control of all process areas in a single location within the existing administration building
 - n. Miscellaneous other improvements, including yard piping (to accommodate 28 MGD ultimate peak capacity where appropriate), paving and drainage improvements, and site lighting
2. Engineer will meet all requirements for notification and submission to the TCEQ for review/approval of documents and design.
 3. Engineer will submit plans for City Engineer's signature.
 4. Engineer will provide electronic versions of plans and specifications to the City for bidding.

C. Cost Estimate

Engineer will prepare opinions of probable cost for the construction of the expansion at the 30, 60, and 90 percent design completion stages and when final contract documents are completed.

D. Deliverable

Engineer will provide City staff five (5) sets of half-size review documents at the 30 percent, 60 percent, and 90 percent design completion, five (5) sets of half-size bid documents and five (5) sets of half-size conformed documents after bid award. Electronic PDF versions on CD will be provided with each copy.

III. BIDDING SERVICES

A. Bidding services will be performed as described below:

1. Engineer will provide Notice to Bidders (NTB) and list of bid items to the Project Manager in an electronic form appropriate for the e-bid system format. City is responsible for advertising.
2. Engineer will provide electronic copy of bid-ready plans to the Project Manager for the e-bid system.
3. Engineer will chair the pre-bid conference and attend bid opening.
4. Engineer will respond in writing to questions from bidders and prepare addenda, coordinate with Project Manager as necessary.
5. Engineer will prepare Engineer's Recommendation of Award Letter that includes the following required content:
 - a. Check for math errors and reconciliation of any mathematical discrepancies

- b. Review for unbalance bid items
 - c. Certified Bid Tabulation including Engineer's Opinion of Probable Construction Costs (EOPCC)
 - d. Review of contractor's financial standing and references provided
 - e. Explanation of discrepancies between the EOPCC and bids
 - f. Recommendation to award
6. Engineer will attend City Council meeting and recommendation for award of Contract for Construction.
 7. Engineer will produce and transmit to selected contractor electronic format copies of conformed plans and specifications and one electronic format copy to Project Manager, ready for execution with City's Notice of Intent to Award (NOI).

IV. ENGINEERING SERVICES DURING CONSTRUCTION

A. General

1. Engineer will attend pre-construction meeting to provide information & answer questions.
2. Engineer will attend monthly construction progress meetings with Construction Manager, Contractor, and City of Pearland. Up to 24 total meetings will be attended.
3. Engineer shall make visits to the site at intervals appropriate to the various stages of construction as Engineer deems necessary in order to observe as an experienced and qualified design professional the progress and quality of the various aspects of Contractor's work. Such visits and observations by Engineer are to include spot checking, selective review and similar methods of general observation of the work based on Engineer's exercise of professional judgment. Based on information obtained during such visits and such observations, Engineer shall endeavor to determine in general if such work is proceeding in accordance with the Contract Documents and Engineer shall keep City informed of the progress of the work. Site visit reports will be provided documenting the details of each site visit.
4. Engineer will perform project management duties similar to those in the previous phases, throughout construction.
5. Engineer will review and approve monthly pay applications using the City of Pearland's Pro Trak system after the CM has completed their review and approval. Engineer's approval of pay applications is approval of work progress and not an acceptance of the work. Engineer shall not be responsible for the acts or omissions of any Contractor, or of any subcontractor, any supplier, or of any other person or

organization performing or furnishing any of the work. Engineer shall not be responsible for Contractor's failure to perform or furnish the work in accordance with the Contract Documents.

6. Engineer will coordinate with CM to review progress of work for Substantial Completion (in the form of a Substantial Completion walkthrough inspection); with production of punch list; substantiation that items are completed; and issue both Certificate of Substantial Completion & Final Acceptance executed with concurrence of the City's CM.
7. Engineer will issue letter to City recommending acceptance & release of final payment after CM review and concurrence.

B. Submittal Review

1. Engineer will review and comment on Contractor's submittals, RFIs, RCOs including coordination with Construction Manager on Change Directives and Change Orders using the City of Pearland's Pro Trak system
2. Engineer will provide interpretive guidance for Contractor and Construction Manager in resolution of problems
3. Engineer will attend witness factory tests for equipment and factory acceptance tests (FATs) for control systems as required by the design documents.

C. Deliverable

1. Engineer will utilize City's Pro Trak system for all construction documentation, in lieu of hard copy deliverables.

V. **ADDITIONAL SERVICES**

Additional services will be provided on an as-needed basis as described below.

- A. Programming of Plant Process Control System (Human-Machine Interface (HMI) and Program Logic Controllers (PLCs)) – The plant expansion will include a significant amount of automated processes, some of which are manufacturer provided and some of which are customized for this particular facility. In order to join these multiple systems into a single consolidated graphically based user system, the expertise of instrumentation and automation engineers is necessary. This task involves providing the labor and expertise necessary to perform programming and automating plant operations throughout all process units based on specific design criteria established with the City and through the required operational parameters defined as part of the final plant design process. Having the programming process performed by the design engineer ensures that the plant operates as designed and allows maximum input from City operations staff to ensure that the plant is more easily operated and maintained.

1. Kick-off Meeting

The purpose of the kick-off meeting will be to:

- a. Establish and document project goals, parameters, and project protocols
- b. Introduction of all project stakeholders
- c. Review the anticipated construction dates of the various contracts
- d. Determine preliminary schedule of activities with regard to previously developed programming standards
- e. Team brainstorming session regarding goals and overall measurements for success of the project

Subsequent to the kickoff meeting, Engineer will begin the effort of programming the Human Machine Interface (HMI) and Programmable Logic Controller (PLC) components associated with this project.

2. Supervisory Control and Data Acquisition (SCADA) System Project Management, Clerical and Accounting

The objective of the SCADA Project Management, Clerical and Accounting task is to ensure the project is delivered to achieve high quality standards and to meet the City of Pearland's overall expectations. The subtasks identified to accomplish this objective are listed herein:

a. Budget Monitoring and Control

The Project Management task includes administrative, clerical and general management to maintain scope, schedule, budget, and overall quality assurance / quality control (QA/QC) throughout the duration of the project. A primary component that will aid in ensuring a successful project will be for Engineer's project manager to proactively coordinate and openly communicate issues with, not only with the City of Pearland's personnel, but also the General Contractor's personnel. Engineer's project management team will accomplish this by maintaining constant verbal and written communication with all parties.

Additionally, Engineer's project management team will continually monitor project costs to ensure compliance with the established budgets. Engineer's internal reporting system requires that estimates to complete on all projects be provided monthly. The tools we have in place allow our project managers to effectively monitor conformance to project budgets and schedules. Although we do not anticipate any budgeting issues or concerns for this project, should they arise, Engineer will immediately apprise the City of Pearland management team to aid in determining the appropriate action that should be taken.

b. Monthly Progress Reports and Invoicing

Engineer's project manager will submit monthly progress reports to ensure all project stakeholders are continually apprised of Engineer's efforts associated with this project.

The general topics of the progress report will include the following:

- (1) Overall project status
- (2) Work completed since the last report
- (3) Anticipated work to be completed during the next reporting period
- (4) Updated programming progress schedule
- (5) List of outstanding issues that require resolution by others

The report will be included as support documentation to Engineer's monthly invoices throughout the duration of the project.

Deliverables: Monthly Progress Report

c. Meeting Attendance

Upon receipt of notice to proceed, Engineer will immediately schedule an internal project kickoff meeting. The primary objective of this internal kickoff meeting will be to identify key points of contact and to establish and document overall project goals, parameters and protocols.

Further Engineer recognizes that at times, issues may arise that require City of Pearland project stakeholders to immediately discuss particular issues. Often times, these discussions are more efficient and effective if all parties are meeting together. Therefore, Engineer will perform and attend up to five one-day meetings as directed by the City of Pearland staff.

Deliverables: Meeting minutes detailing the discussion and decisions made during all meetings conducted by Engineer.

3. Submittals

Each submittal defined below will be submitted first as a draft for review and comment. Engineer will update the draft submittal incorporating comments and submit a final submittal that will serve as the basis for all programming.

a. Project Plan Submittal

This subtask includes the preparation of a single project plan. The purpose of this submittal is to detail the approach Engineer will take towards executing the work associated with this proposal. The submittal will provide the City of Pearland with reassurance that Engineer has defined milestones and project goals based on our understanding of the design requirements and of the future design

requirements that are to be undertaken. This submittal will include the approach to work, the proposed work schedule indicating milestones and potential meetings, project organization, overview of system programming, details of factory testing and field testing, details of training programs, and deliverables. The schedule will be coordinated and updated to ensure it accurately depicts the major project milestones. Typical of the milestones anticipated are the following:

- (1) Submittals
- (2) Coordination meetings and Workshops
- (3) HMI database design
- (4) HMI display design
- (5) Control strategy (PLC) design
- (6) System Integration Test
- (7) Witnessed Factory Test
- (8) Shipment of the Development System Operator Work Station (OWS), PLC, cables, etc) provided by the Process Control System Supplier (PCSS).
- (9) Field startup (installation of displays and PLC programs, Operational Readiness Test, and Field Demonstration Test)
- (10) Training
- (11) 30-day test
- (12) Final System documentation

Deliverables: 2 copies of the draft Project Plan Submittal 2 copies of the final Project Plan Submittal

b. Control Loop Narratives Submittal

Engineer will use the control loop narratives developed and published in the design specification as the basis for the control loop narrative submittal. At this point in time the Engineer Programming team will make a thorough check to insure that any new developments added in the course of the project are incorporated into the narratives. This document will be submitted for review by City of Pearland staff. Furthermore, the Control Loop Narrative Submittal will provide details required from a programming perspective such as software permissives, failure scenarios, etc. Upon receipt of approval of the submitted narratives, Engineer will use these documents, along with the programming standards previously developed as the basis for PLC programming and HMI graphic display development.

Deliverables: 2 copies of draft Control Loop Narratives Submittal 2 copies of final Control Loop Narratives Submittal

c. Process Graphic Displays and Input/Output (I/O) Submittal

This subtask includes development of process graphic displays and trends. The graphic displays will be developed in accordance with the approved HMI system standards and conventions. Graphic displays will include process overview displays, unit process displays, system diagnostic displays, tabular displays, equipment control pop-up displays, strategy set up displays, and alarm set point

displays. The process graphics will be submitted for the City of Pearland to review and comment, prior to final implementation.

Deliverables: 2 copies of draft Process Graphic and I/O Submittal 2 copies of final Process Graphic and I/O Submittal

d. Testing Plan Submittal

This submittal will detail Engineer's approach for testing of the various components of the system to ensure the HMI/PLC programming accurately depicts the requirements set forth within the design documents. In addition to defining the overall tests anticipated for the various construction projects, sample test forms and procedures will be included to allow the City of Pearland the opportunity to comment on format and content prior to developing the formal test procedures. Additional components of this submittal will include test approval and punch list procedures.

Deliverables: 2 copies of the draft Testing Plan Submittal 2 copies of the final Testing Plan Submittal

e. Training Plan Submittal

This submittal will include an overview of the training plan that is anticipated for the construction project. The training plan will include courses for operations, maintenance, and management staff. The training will be coordinated with the City of Pearland staff so that the schedule and content meets their needs. The training plan will be submitted for the City of Pearland review and comment.

Deliverables: 2 copies of the draft Training Submittal 2 copies of the final Training Submittal

f. Reports Submittal

Engineer will conduct a one-day Reports workshop with the City of Pearland staff to discuss requirements and determine all report definitions and formats. At the conclusion of this meeting, Engineer will provide detailed meeting minutes and request that the City of Pearland confirm our understanding of the discussions. Next, Engineer will provide to the City of Pearland, a Report submittal that will detail the approach we anticipate taking for the Reports development. Upon acceptance by the City of Pearland of the Reports submittal, Engineer will commence with the Reports development effort.

Deliverables: 2 copies of draft Report Submittal 2 copies of final Report Submittal

4. Programming, Configuration and Startup Services

a. HMI Database and Configuration

This subtask includes the development of the HMI database and the configuration of the City of Pearland Operator Workstations (OWS). The HMI database defines all I/O interface points between the PLC and HMI nodes. It contains both field I/O points and pseudo points. The field I/O points are analog inputs (AI), analog outputs (AO), digital inputs (DI), and digital outputs (DO) that provide the interface between the field equipment and the Programmable Logic Controllers (PLC). Pseudo points are start/stop control points, auto/manual control points, process set points, flow totals, equipment runtimes and any other calculated points in the PLC that are transmitted to the Operator Workstations (OWS) for monitoring, recording and reporting. Each database point includes various parameters that include items such as tag name, description, engineering range, alarm limits, etc. For this construction project, the HMI database will be developed based on the City of Pearland naming conventions previously developed within the programming standards document.

Engineer estimates that the HMI system configuration will consist of developing up to 50 process displays with all associated pop-ups to reflect the equipment and I/O provided under the construction project. Additionally, a trending scheme will be provided that allows the users to configure and save user-defined trends.

b. Control Logic Programming

PLC programming will provide monitoring and control of the processes at the City of Pearland Far Northwest Wastewater Treatment Plant. Engineer will develop a field I/O list and PLC database list for coordination with other Contractors. The Field I/O list will include tag name, description, rack, slot, and point for each PLC. The PLC database list will include tag name, description, point type (AI, DI, etc.), data type (Real, Integer, Boolean, etc.), and the register address to be used for data transfer by other systems.

Engineer will use the PLC programming standards and conventions as the basis for logic development and organization on this project. This will ensure a consistent applications software product. Hardware and software will be provided to Engineer for its use in development, testing and commissioning of the PLC logic. During construction, an Early Development System (EDS), as defined in the contract documents, will be shipped to Engineer's office by the Process Control System Supplier (PCSS) for use by Engineer throughout the programming phase. The EDS shall include all software and tools required for development. The specifications will be written such that the PCSS will be responsible for retrieval from Engineer's office prior to factory testing. Engineer's scope does not include any costs for shipment of equipment; however, Engineer anticipates including provisions in the design documents to require the PCSS to cover these costs as part of the construction contract.

c. Historical Database/Reports

This subtask includes the programming and configuration of the historical data management system. Historical data will be available for trending and report generation. Engineer has budgeted to provide up to 10 single page operational reports for this construction project. An operational report is defined as a single 8 ½ X 11 inch page. The reports development will commence based on the approved final reports submittal.

d. Coordination Meetings and Workshops

Engineer will attend the three mandatory Contractor construction coordination meetings and will conduct two workshops as follows:

Workshop 1 – Project Plan Review

Purpose – To review the project plan document and ensure that all parties are in agreement on how the project will be executed and who the contacts are along with the communication protocol.

Workshop 2 – Graphics Submittal Review / Report Development

Purpose – To review the comments from the graphics submittal and to define the required reports and their format.

These two workshops will be conducted as a single session immediately following the first contractor construction coordination meeting.

e. Testing and Startup System Support

(1) Pre-Factory Configuration Development and Testing

The Pre-Factory Configuration Development and Testing will be an un-witnessed test conducted at Engineer's staging facility. By utilizing the Early Development System (EDS) provided by the PCSS, Engineer will perform equipment configuration, develop, install and test the HMI and PLC application software programs required for the control system. This test will verify the functionality, performance, and stability of the HMI and PLC programming software. The objective of this test is to confirm the development of HMI and PLC software programs prior to shipping the EDS back to the PCSS' facility. Engineer's scope assumes that Engineer will be able to retain the EDS system for the specified time duration. Upon completion of the development and testing period, the PCSS will ship the EDS back to their staging facility to prepare for the System Integration Test.

(2) System Integration Test

This test will be an un-witnessed test conducted at the PCSS' staging facility. Engineer will install the application software onto the control system. The purpose of this test will be to verify the functionality, performance, and stability

of the control system hardware and software as a complete integrated system. The objective of this test is to confirm the control system is ready for demonstration to the City of Pearland. This test will include a complete point-by-point test. Engineer's scope assumes that the PCSS will assist in the test and will correct any deficiencies with the equipment and control panels in a timely manner.

(3) Witnessed Factory Test

This test will be conducted at the PCSS system staging facility. Engineer will demonstrate to the City of Pearland representative that the control system operates as designed. The test will demonstrate the system I/O functionality, process graphic displays, PLC control logic, historical data collection, storage, retrieval, and reports. Engineer's scope assumes that the PCSS will assist in the test and will correct any deficiencies with the equipment and control panels in a timely manner.

(4) Plant Startup and Demonstration Testing

Engineer will provide field startup services, including confirmation of field I/O, graphics, trends, alarms, reports, and process control strategy startup. Engineer's scope assumes that the PCSS will assist in the field testing and startup and will correct any deficiencies in the installation and equipment operation in a timely manner. Once a facility is started up and is operational, Engineer will demonstrate to the City of Pearland representative that the control system application software performs as designed. The system application engineering services shall be considered substantially complete for this construction project when the system has met the design intent and any minor problems or issues have been noted on the project punch list.

A final punch list of outstanding items shall be prepared. Engineer will clear all final punch list items, with the exception of items beyond Engineer's control, within an agreed upon time. Examples of items considered beyond Engineer's control include items dependent on process equipment or repairs, hardware or software bugs inherent to vendor supplied equipment (i.e., defects that require manufacturer revisions to correct), etc.

5. Training

a. System Training

Training will be coordinated with City of Pearland staff to provide optimized training for operations and maintenance staff. Engineer will provide the training as defined below.

(1) Operations Training

Training will be provided for operations staff in the operation of the control system as it relates to monitoring and controlling process operation for this project. Engineer will provide two identical sessions (8 hours each session) on

two consecutive days. Engineer will coordinate scheduling to meet the needs of the City of Pearland.

(2) Management Training

Training will be provided for management staff. Management will be given an overview of the control system configuration and operation. Engineer will provide one session lasting 2 hours. Engineer will coordinate scheduling to meet the needs of the City of Pearland.

(3) System Administrator Training

Training will be provided for System Administrator staff in the operation of the control system as it relates to monitoring and controlling process operation for this project. Engineer will provide one, two-day session (8 hours) on two consecutive days. The primary purpose of this training will be to review the specific programming developed by Engineer. Engineer will coordinate scheduling to meet the needs of the City of Pearland.

Deliverables: 6 copies of Operations Training Manual 2 copies of Management Training Manual 2 copies of System Administrator Training Manual

6. Documentation

a. System Documentation

Engineer will assemble final documentation generated from the previously defined activities for this project. The final documentation will consist of the final control loop narratives (Hard and soft copy), the final Process Graphic Displays (Hard and soft copy), the PLC control logic programs (Soft copy only), and the HMI programming applications (Soft copy only). The soft copies of the documents generated will be provided in the Adobe PDF format and in the native programming language, where appropriate.

Deliverables: Two hard copies

Deliverables: One soft copy (CD)

B. SCADA Standards Development/Training

1. Engineer will conduct a single day workshop to define the new HMI standards and conventions. These standards and conventions will be used as the basis for all future development that will take place on this project. At the conclusion of the workshop, Engineer will provide detailed meeting minutes and request that Pearland personnel confirm our understanding of the discussions. Upon receipt of confirmation of these meeting minutes from Pearland, Engineer will formulate the minutes and all decisions made in the workshop into a detailed HMI development standards document. This document will be submitted to Pearland for review and acceptance and will provide the basis for all future development efforts. Upon acceptance by Pearland of the HMI programming standards submittal, Engineer will commence with the HMI

development effort. This will also provide Pearland with a document that can be used during future projects to ensure that any work that is undertaken is consistent with the screens developed under this project. These standards shall include, but not be limited to:

- a. Naming Conventions
- b. Operator interface, set point entry, equipment control, display navigation, etc.
- c. Graphic standards, including display types, display format, colors, equipment and icon symbols, etc.
- d. System security and access levels
- e. Alarming

C. Chapter 210 Reuse Authorization

Engineer will prepare and submit on behalf of the City notification for reuse authorization in accordance with Texas Administrative Code 210 for the treated effluent from the improved facility.

D. Texas Water Development Board (TWDB) Funding Assistance

1. Engineer will prepare an application for funding assistance from the Texas Water Development Board (TWDB). This scope item will only be utilized if specifically authorized by the City of Pearland should they decide to apply for TWDB funding. Otherwise, this scope item will not be utilized and no work or subsequent invoices will be accrued towards this task item. Specific scope items include the following:
 - a. Attendance at TWDB Pre-Application Meeting
 - b. Preparation of Financial Assistance Application
 - c. Assistance with preparation of Closing Documents (if applicable)
 - d. Incorporation of Davis-Bacon Act wage rates into the Contract Documents (SRF loans)
 - e. Incorporation of EPA's Disadvantaged Business Enterprise documents into the Contract Documents (SRF loans)
 - f. Clarifications/Limitations and Assumptions
 - (1) City's Financial Advisor and Legal will provide all financial and legal related data necessary for the application
 - (2) Assumes City already has an approved Water Conservation and Drought Contingency Plan required by TWDB

E. TWDB Funding NEPA Compliance

1. Should the City elect to apply for Federal SRF, NEPA compliance will be required. This scope item will only be utilized if specifically authorized by the City of Pearland should this task be required by the terms and conditions of the TWDB funding. Otherwise, this scope item will not be utilized and no work or subsequent invoices will be accrued towards this task item. Because the history and extent of the current site conditions are not completely known, Engineer proposes to provide the following services, as authorized by the City of Pearland, up to the allowance amount specified in Table A-1. Specific scope items may include the following:
 - a. Documentation necessary for Categorical Exclusion (CE); and/or
 - b. Performance and submittal of an Environmental Assessment (EA); and/or
 - c. Preparation of an Environmental Impact Statement (EIS)
2. If the above services are authorized, a full budget estimate for each task will be prepared, submitted and authorized prior to commencement of work. Should the proposed budget exceed the remaining allowance, Engineer will perform work (if authorized) up to the maximum allowance and pause work until additional funding is authorized to complete the task.

F. Spill Prevention Control and Countermeasures (SPCC) Plan

Engineer will complete a spill prevention control and countermeasures (SPCC) plan as needed for proposed expansion.

G. Storm Water Pollution Prevention Plan (SWPPP)

Engineer will provide storm water pollution prevention plan (SWPPP) requirements as needed for proposed expansion.

H. Electronic Operations and Maintenance (O&M) Manuals

1. Engineer will develop and implement an information system to document plant operation and maintenance activities. Reliable access to facility operation information such as equipment manuals, drawings, standard operating procedures, design documents etc. is a concern for most organizations. A computer-based information system has replaced paper libraries as the method of safeguarding essential documents and foundational operation knowledge of assets. The proposed electronic operation information system (EOMIS) will be implemented with a Web-based system that will reside on the City's Intranet. The core foundation of the EOMIS will be the facility O&M manual and related information assets. The EOMIS will provide an organized structure aligned to the facility with easy to navigate controls that give access to essential operation information for knowledge transfer, training and troubleshooting process operation. The EOMIS is a living, revisable operation and maintenance documentation solution and this proposal includes tools and training to

allow City staff to maintain content thus keeping the EOMIS current at all times. The following outlines task details and deliverables for developing an Electronic Operation and Maintenance manual.

Engineer will perform the following tasks and subtasks as part of the scope of work.

2. Project Management, Quality Meetings and Design Workshop

a. Meeting and Workshop

Engineer will coordinate and facilitate a one-day workshop to present and discuss details of the EOMIS. The workshop will be conducted in two sessions (1) project kick-off and (2) design.

The project kick-off session will facilitate presentation and discussion of the following elements that will be used to successfully complete the project on-time and within budget.

- (1) Team roles with contacts and communication protocol;
- (2) Project Work-Plan with goals and milestones for key deliverables and decision points;

The design session of the workshop will be focused on stakeholder preferences gained from review of a variety of example EOMIS of similar treatment systems. A draft O&M manual TOC list will be reviewed to establish the framework of the O&M information content. A sample O&M manual section will be selected to develop draft documents.

Assumption: The workshop will have in attendance representation from all City stakeholder departments

Deliverables: Workshop agenda and handouts of the presentation

b. Technical Memorandum

Engineer will prepare a technical memorandum (TM) based on discussions and comments from the workshop sessions. The TM will provide additional clarification to the scope of services and set criteria for deliverables. The approved TM will also establish the basis for overall reviews of quality and conformance of the work product. Engineer will transmit the TM to the City within ten working days following the workshop.

Deliverables: Technical Memorandum and Revised TOC listing

c. Project Management

Engineer will establish roles, responsibilities and communication protocols for project staff. Engineer will establish project objectives, identify critical success factors and the actions needed to achieve them. Engineer will manage the tasks to

meet the proposed deliverable schedule and provide monthly invoices in a format agreed upon with the City.

d. Project Meetings

Engineer will engage in meetings and workshops with the City, including a kickoff meeting and up to five additional site visits for workshops/meetings, interviews and data collection with City staff to discuss various aspects of the project, as needed. Engineer will plan, prepare and facilitate the kickoff meeting.

Based on planned workshops and possible additional meetings, it is anticipated that Engineer will meet with the City as needed, but approximately on a monthly basis.

3. Develop EOMIS

Engineer will develop the EOMIS following the final TOC listing, and format approved by the City. Efficient development of the EOMIS requires early approval of the content format and overall structure. The purpose of the Draft Pilot EOMIS (See H.3.a) is to establish the baseline for the balance of the EOMIS content. The Draft EOMIS will be provided to the City for review and hands-on demonstration. Upon approval, Engineer will complete development of the EOMIS content through field verification (See H.3.b) including photographs, figures (See H.3.c&d) and as-built drawings and vendor supplied equipment manuals (See H.4&5). The field verified EOMIS will be provided to the City for review over a 30 day period as a fully functional Web-based information system. City review comments will be addressed to finalize the EOMIS (See H.3.f) prior to installation and training (See H.6).

Draft documents will be delivered to the city as electronic MS Word format with track changes enabled for communicating review comments and printing purposes. Color photos will be included in the final O&M documents.

The following subtasks outline Engineer's activities and deliverables for this task of the project.

a. Draft O&M Section

Based on City comments and selected section, Engineer will develop a draft section (e.g. Tertiary Filtration) for the City to review.

Engineer will prepare a draft "pilot" EOMIS that will include a working graphic user interface (GUI) – see below for description of the GUI, with the sample subsection approved by the City. The draft GUI will focus on establishing the content layout and demonstrate functionality of the EOMIS. Functionality of the EOMIS system will include interactive links throughout the Operation information, and lists to other categorized information such as drawings and equipment O&M manuals, and a complete text based search feature.

The EOMIS user interface will be a Web-based Internet browser window. The graphical user interface (GUI) will divide the browser window into three areas:

- (1) Dashboard Banner: A fixed dashboard banner area that spans the width of the window at the top edge and will display text and graphics to identify the Far Northwest WWTP; and include buttons to navigate to the home page, search page, drawings and vendor O&M manuals.
- (2) Navigation Tree: A fixed area on left margin of the window will display a hierarchal table of contents tree and provide the primary navigation that will allow quick access to process and support system topics.
- (3) Main Content Area: The balance of the window will display the body of the EOMIS content as the narrative Operation information in the form of text, lists and tables with integrated photos and links to relative support information.

The pilot EOMs will be submitted to the City in a fully functioning electronic format for a period of fifteen (15) work days to review and provide comments. The draft pilot EOMIS will facilitate a thorough review of the layout and functionality to complete the EOM.

Deliverables: Draft EOMIS Pilot as a fully functional system for review and hands-on demonstration. Engineer will schedule a presentation to demonstrate the Draft EOMIS at a workshop meeting with the City.

The Draft EOMIS will be delivered on DVD discs.

b. Complete and Field Verify Draft O&M Information

Based on review comments of the draft EOMIS (See H.3.a), Engineer will complete the draft EOMIS through field verification. Since the O&M information document structure and format will be established and approved per other subtasks, Engineer will develop and field verify the remaining documents prior to further city review.

During field verification, Engineer will be on site at the WWTP and other City facilities as needed to clarify and verify O&M information to complete the draft.

Upon completion of field verification, the draft documents will be submitted in electronic format for the City for a period of thirty (30) work days to review and provide comments. This will facilitate a final City review of the EOMIS.

Deliverables: Field Verified EOMIS in Web-based format. Engineer will provide a Field Verified EOMIS on electronic media (USB drive) of a size that can hold the full EOMIS file structure. Engineer will schedule a presentation to demonstrate the Field Verified EOMIS at a workshop meeting with the City.

c. Photographs

Engineer will capture and process photographs for inclusion in the manual. Photographs of select processes and process equipment will be annotated to identify important features and integrated into relative locations of the documents.

Assumption: For budgeting purposes, up to 100 photographs are assumed

d. Operational Figures

Engineer will develop graphic figures processes for reference in the EOMIS. Graphic figures will developed from design drawings, photographs, diagrams and other information. An image of the figure will be integrated into the process narratives and also linked as a scalable PDF document for printing at any size.

Deliverables: For budgeting purposes, the following three figures will be developed

- (1) Process Flow Diagram
- (2) Hydraulic Profile
- (3) Overall Plan View

e. Final EOMIS

Engineer will incorporate City comments from the draft EOMIS and field verified O&M information along with photographs and support components into the final EOMIS. The final EOMs will be delivered to the City on back-up on electronic media. Subtask 5 below details installation of the EOMs.

Deliverables: Final EOMs

f. Drawings

Engineer will include final as-built record drawings in a tabular listing as Adobe PDF files. The drawing list will be programmed to link to each drawing by drawing title.

Deliverables: Final as-built facility drawings as PDF files incorporated into the EOMIS.

4. Equipment O&M Manuals

Vendor supplied equipment O&M manuals are a key source of information for operation, SOPs and general process maintenance.

Task 5 provides for listing and linking O&M manuals for electronic storage and reference in operation narratives.

a. Equipment O&M Manual Programming

Engineer will review equipment O&M manuals for function of search ability and bookmarking requirements per project specifications as needed to include in the EOM search index.

The EOMIS will have a dashboard button to display a full list of the equipment O&M manuals where each listing will be linked to a specific submittal stored in the EOMIS.

The equipment O&M manuals will be incorporated into the EOMIS search index to allow their content to be listed in search results

Assumption: The EOMIS server will store all vendor O&M manuals, and the final listing of vendor O&M manuals will be provided by the project contractor.

Deliverables: Electronic PDF files of equipment O&M manuals incorporated into the EOMIS

5. EOMIS Implementation

Implementation of the EOMIS will include software and procedures for version control and publish content via User Role accounts.

Engineer will coordinate with the City to establish an installation schedule for implementing the EOMIS onto a computer provided by the City.

a. User Account Configurations

Implementation of User Roles-based access provides multi-level control to view and modify content via the EOMIS. The implementation will manage organization of EOMIS user information for User Role account configurations. User Role accounts consist the following roles:

- (1) End-user access to the operation information a Web browser;
- (2) Publishing roles with access to view edit and update content to the EOMIS. This role can also serve as approver for publishing content; and
- (3) Administrator roles for account configuration and table of content updates.

Deliverables: Assistance to City for account configuration. Engineer will coordinate with the City's IT for scheduling system configuration.

b. EOMIS Server Configuration

Engineer will coordinate with the City to specify a computer to be the server for the EOMIS.

The EOMIS server will be specified and implemented to provide adequate storage and processing capacity for the EOMIS. Network connectivity will be coordinated with the City's IT and policies.

Assumption: The WWTP will have required power, location and network infrastructure to support the EOMIS server.

c. EOM System Software Configuration

Engineer will provide the following the EOMIS software and noted license quantities.

Web Server Software – The Web server is assumed to be Microsoft Internet Information Server (IIS) 7 running on a computer system with Microsoft Windows 2008 Server operating system. The services included with Web server will be used to administer end-user access to the facility Web sites of the EOMIS along with file storage/backup services.

Engineer will provide the Web server license with the server computer.

EOMIS Content Revision Software – Engineer will provide software applications to manage all aspects of the operation content, navigation revisions, revision permissions, search indexing, versioning and revision logs.

The EOMIS will consist of the following software applications and licenses:

- (1) 5-licenses of Adobe® Contribute®
- (2) 1-license of Wrensoft Zoom Search Enterprise edition
- (3) 1-license of Cool Tree js and Cool Builder
- (4) 1-license of Adobe Acrobat Professional

d. End User Familiarization Training

The user familiarization training will be presented in a classroom setting using a Power Point presentation followed by a hands-on session that includes the use of navigation and information organization.

e. EOMIS Authoring and Reviewer Training

The EOMIS training will presented in a classroom setting using a Power Point presentation followed by a hands-on session that includes content revision tools and the use of review procedures & tools.

f. EOMIS Administrator Training

Administrator training will include lecture and hands-on training. Written procedures for specific tasks associated maintaining EOM System user accounts and the table of contents will be provided.

I. Supplement to Geotechnical Investigation

1. Engineer will prepare a supplementary geotechnical investigation to include borings that will provide adequate subsurface information for the balance of the expansion not covered in Geotechnical Report delivered with the Preliminary Engineering scope. The Preliminary Engineering scope did not consider borings for a new headworks structure, a new NPW system (including storage tank and chemical feed building), and SBR basins to expand to 6 MGD. The geotechnical investigation scope to be completed in Preliminary Engineering phase covers some of these structures, but postpones the deepest borings to have a chance to analyze the first set of borings and economize additional borings that will be required to complete the analysis for the entire expansion.
2. Engineer will prepare a Supplement to the Geotechnical Report including complete design recommendation for the project, citing boring locations and depths, tailoring field investigation & laboratory activities to specific requirements of the project, customary and in keeping with best practices for the project type and requirements.

J. Resident Engineering Services

1. Engineer shall furnish a Resident Project Representative (RPR), assistants and other field staff to assist Engineer in observing progress and quality of the work of Contractor.
2. Through more extensive on-site observations of the work in progress and field checks of materials and equipment by the RPR and assistants, Engineer shall endeavor to provide further protection for City against defects and deficiencies in the work of Contractor. However, Engineer shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work nor shall Engineer have authority over or responsibility for the means, methods, techniques, sequences or procedures selected by Contractor, for safety precautions and programs incident to the work of Contractor, for any failure of Contractor to comply with laws, rules, regulations, ordinances, codes or orders applicable to Contractor's performing and furnishing the work, or responsibility of construction for Contractor's failure to furnish and perform the Work in accordance with the Contract Documents.
3. The duties and responsibilities of the RPR are limited to those of Engineer in Engineer's agreement with the City and in the construction Contract Documents, and are further limited and described as follows:
4. General
 - a. RPR is Engineer's agent at the site, will act as directed by and under the supervision of Engineer, and will confer with Engineer regarding RPR's actions. RPR's dealings in matters pertaining to the on-site work shall in general be with Engineer and Contractor, keeping City advised as necessary. RPR's dealings with subcontractors shall only be through or with the full knowledge and approval of

Contractor. RPR shall generally communicate with City with the knowledge of and under the direction of Engineer.

5. Duties and Responsibilities of RPR

- a. *Schedules*: Review the progress schedule, schedule of Shop Drawing submittals and schedule of values prepared by Contractor and consult with Engineer concerning acceptability.
- b. *Conferences and Meetings*: Attend meetings with Contractor, such as pre-construction conferences, progress meetings, job conferences and other project-related meetings, and prepare and circulate copies of minutes thereof.
- c. *Liaison*:
 - (1) Serve as Engineer's liaison with Contractor, working principally through Contractor's superintendent and assist in understanding the intent of Contract Documents; and assist Engineer in serving as City's liaison with Contractor when Contractor's operations affect City's onsite operations.
 - (2) Assist in obtaining from City additional details or information, when required for proper execution of the Work.
- d. *Shop Drawings and Samples*:
 - (1) RPR shall maintain a tracking log of Submittals, Shop Drawings and Samples.
 - (2) Receive Samples which are furnished at the site by Contractor, and notify Engineer of availability of Samples for examination.
 - (3) Advise Engineer and Contractor of the commencement of any Work requiring a Shop Drawing or Sample if the submittal has not been approved by Engineer.
- e. *Review of Work, Rejection of Defective Work, Inspections and Tests*:
 - (1) Conduct on-site observations of the Work in progress to assist Engineer in determining if the Work is in general proceeding in accordance with the Contract Documents.
 - (2) Report to Engineer whenever RPR believes that any Work will not produce a completed Project that conforms generally to the Contract Documents or will prejudice the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents, or has been damaged, or does not meet the requirements of any inspection, test or approval required to be made; and advise Engineer of Work that RPR believes should be corrected or rejected or should be uncovered for observation, or requires special testing, inspection or approval.
 - (3) Verify that tests, equipment and systems start-up and operating and maintenance training are conducted in accordance with the Contract Documents in the presence of appropriate personnel, and that Contractor maintains adequate records thereof; and observe, record and report to Engineer appropriate details relative to the test procedures and start-ups.

- (4) Accompany visiting inspectors representing public or other agencies having jurisdiction over the Project, record the results of these inspections and report to Engineer.
- f. *Interpretation of Contract Documents:* Report to Engineer when clarifications and interpretations of the Contract Documents are needed and transmit to Contractor clarifications and interpretations as issued by Engineer.
- g. *Modifications:* Consider and evaluate Contractor's suggestions for modifications in Drawings or Specifications and report with RPR's recommendations to Engineer. Transmit to Contractor in writing decisions as issued by Engineer.
- h. *Records:*
 - (1) Maintain at the job site orderly files (using City file codes) for correspondence, reports of job conferences, Shop Drawings and Samples, reproductions of original Contract Documents including all Addenda, Change Orders, RFIs, additional Drawings issued subsequent to the execution of the Contract, Engineer's clarifications and interpretations of the Contract Documents, progress reports, Shop Drawing submittals received from and delivered to Contractor and other Project related documents.
 - (2) Prepare a daily report and keep a diary or log book, recording Contractor's hours on the job site, weather conditions, data relative to questions of Work Change Directives, Change Orders or changed conditions, list of job site visitors, daily activities, decisions, observations in general, and specific observations in more detail as in the case of observing test procedures; and send copies to Engineer.
 - (3) Record names, addresses and telephone numbers of all Contractors, subcontractors and major suppliers of materials and equipment, provide the information to the City and provide updates if such information changes.
- i. *Reports:*
 - (1) Furnish to Engineer monthly reports as required of progress of the Work and of Contractor's compliance with the progress schedule and schedule of Shop Drawing and Sample submittals.
 - (2) Consult with Engineer and City in advance of scheduled major tests, inspections or start of important phases of the Work.
 - (3) Draft proposed Change Orders and Work Change Directives, obtaining backup material from Contractor and recommend to Engineer Change Orders, Work Change Directives, and RFIs.
 - (4) Report immediately to Engineer and City the occurrence of any accident.
- j. *Payment Requests:* Review Applications for Payment with Contractor for compliance with the established procedure for their submission and forward with recommendations to Engineer, noting particularly the relationship of the payment requested to the schedule of values, Work completed and materials and equipment delivered at the site but not incorporated in the Work.

- k. *Certificates, Maintenance and Operation Manuals*: During the course of the Work, verify that certificates, maintenance and operation manuals and other data required to be assembled and furnished by Contractor are applicable to the items actually installed and in accordance with the Contract Documents, and have this material delivered to Engineer for review and forwarding to City as required in the Contract Documents.
- l. *Completion*:
 - (1) Before Engineer issues a Certificate of Substantial Completion, coordinate with the Contractor to prepare a list of observed items requiring completion or correction.
 - (2) Observe whether Contractor has had performed inspections required by laws, rules, regulations, ordinances, codes, or orders applicable to the work, including but not limited to those to be performed by public agencies having jurisdiction over the work.
 - (3) Conduct a final inspection in the company of Engineer, City and Contractor and prepare a final list of items to be completed or corrected.
 - (4) Observe whether all items on final list have been completed or corrected and make recommendations to Engineer concerning acceptance and issuance of the Final Completion Certificate.

6. Limitations of Authority by RPR

- a. Shall not authorize any deviation from the Contract Documents or substitution of materials or equipment (including "or-equal" items), unless authorized by Engineer and City.
- b. Shall not exceed limitations of Engineer's authority as set forth in the Agreement or the Contract Documents.
- c. Shall not undertake any of the responsibilities of Contractor, Subcontractors, Suppliers, or Contractor's superintendent.
- d. Shall not advise on, issue directions relative to or assume control over any aspect of the means, methods, techniques, sequences or procedures of construction unless such advice or directions are specifically required by the Contract Documents.
- e. Shall not advise on, issue directions regarding or assume control over safety precautions and programs in connection with the Work.
- f. Shall not accept Shop Drawing or Sample submittals from anyone other than Contractor.
- g. Shall not authorize City to occupy the Project in whole or in part.
- h. Shall not participate in specialized field or laboratory tests or inspections conducted by others except as specifically authorized by Engineer.

7. The RPR services are based on twenty three (24) months of full time inspection. Inspection shall be conducted upon commencement of construction activity.

K. Record Drawings

1. Engineer will coordinate with general contractor and sub-contractors as necessary to obtain complete record of As-Built “redlines”.
2. Engineer will provide Record Drawings from Contractor’s As-Built “redlines” in electronic format (CD) & hard copy format
3. Definitions:
 - a. As-Builts “redlines”: Contractor’s record of field changes to the work in line, grade & elevation
 - b. Record Drawings: Engineer’s incorporation of Contractor’s As-Builts

L. 12-Month Warranty and Support Services

Engineer will consult with City’s plant and engineering staff on a monthly basis, for a period not to exceed 12 months, to review outstanding issues, problems with plant and related matters, and advise on possible solutions and actions to be undertaken by the City.

VI. SCHEDULE

- A. The Engineer shall initiate each phase of work described herein immediately upon the execution of the Agreement and upon issuance by City of Notice to Proceed.
- B. The supplement to the Geotechnical Report delivered during Preliminary Engineering phase will be delivered within 60 calendar days of Notice to Proceed.
- C. Engineer shall deliver 30% review documents within 90 calendar days of delivery of Notice to Proceed.
- D. Engineer shall deliver 60% review documents within 90 calendar days of receipt of City’s comments on the 30% review documents.
- E. Engineer shall deliver 90% review documents within 90 calendar days of receipt of City’s comments on the 60% review documents.
- F. Engineer shall deliver Final Contract documents within 45 calendar days of receipt of City’s comments on the 90% review documents.

VII. COST

- A. A summary of proposed fees is shown in Table A-1 and the fee schedule and breakdown is included as Exhibit B.

VIII. PAYMENT SCHEDULE

- A. Engineer shall invoice lump sum portions monthly for basic services, based on the percentage of the task that has been completed.
- B. Payment for additional services shall be for reimbursable costs accrued at the time of each invoice, in accordance with the billing rates shown in Table A-2.
- C. Engineer shall only commence work for each Phase as authorized by the City in writing or email.

IX. CLARIFICATIONS AND EXCLUSIONS

- A. It is assumed that expansion will be confined within the existing property and no work will be done outside of the plant fence, including modification of the outfall or discharge piping.
- B. Engineer assumes that storm water detention requirement shall be met off-site and no design of detention structures shall be required. Also, Engineer assumes no separate report shall be required for documentation of storm water management plan. Engineer will provide storm water and cut and fill calculations as part of the final design package for City documentation.
- C. Engineer shall provide the number of hard copies of each deliverable as shown in the deliverable task above for each phase. Engineer assumes no costs for reproduction of bid documents for distribution to bidders. Any additional copies as required in writing from the City of Pearland via letter, email, or fax will be invoiced "at cost" to Engineer plus 5%.
- D. In reference to Section I, paragraphs D and E of the Contract For Professional Services, City and Consultant (Engineer) agree that only deliverables as defined in Sections I through IV, and items included as Additional Services in Section IV of this Exhibit shall be provided as final construction documents, support documents, and work products referenced. These documents will be provided in PDF format, with the exception of modified City specifications and Record Drawings. Modified City specifications will be provided in Microsoft Word format. Record Drawings will be provided in both PDF format and AutoCAD compatible single-layer format, with the exception of standard details, which will be provided in PDF format only.

TABLE A-1

TO AGREEMENT BETWEEN ENGINEER AND OWNER FOR PROFESSIONAL SERVICES
FOR
CITY OF PEARLAND
FAR NORTHWEST WASTEWATER TREATMENT PLANT EXPANSION

BASIC AND ADDITIONAL SERVICES FEES

TASK NO.	TASK DESCRIPTION	AMOUNT
	<u>Basic Services</u>	
I.	Final Design (Lump Sum)	\$2,132,000
A.	30% Percent Design Submittal	\$618,000
B.	60% Percent Design Submittal	\$618,000
C.	90% Percent Design Submittal	\$618,000
D.	Final Plans and Specifications	\$245,000
E.	Coordination with Regulatory Agencies	\$33,000
II.	Bidding Services (Hourly Not to Exceed)	\$99,000
A.	Attend Pre-Bid Meeting	\$8,000
B.	Prepare Addenda	\$62,000
C.	Conformed Drawings and Specifications	\$23,000
D.	Bid Opening/Award	\$6,000
III.	Engineering Services During Construction (Hourly Not to Exceed)	\$405,000
A.	Pre-Construction Meeting	\$5,000
B.	Monthly Meetings	\$58,000
C.	Review Submittals	\$183,000
D.	Evaluate RFIs/CORs	\$112,000
E.	Special Inspections/Witness Testing	\$47,000
	Subtotal Basic Services	\$2,636,000

IV.	Additional Services (Hourly Not to Exceed)	
A.	Programming of Process Control System	\$306,000
B.	SCADA Standards Development/Training	\$46,500
C.	210 Reuse Authorization	\$8,500
D.	TWDB Funding Assistance	\$20,000
E.	TWDB Funding NEPA Compliance	\$50,000
F.	SPCC Plan	\$15,000
G.	SWPPP	\$12,000
H.	Electronic O&M Manuals	\$250,000
I.	Supplement to Geotech Report	\$28,000
J.	Field Project Representative	\$634,000
K.	Record Drawings	\$110,000
L.	12-Month Warrantee Service and Support	\$46,000
	Subtotal Additional Services	\$1,526,000
	Total Contract Value	\$4,162,000

TABLE A-2
TO AGREEMENT BETWEEN ENGINEER AND OWNER
FOR
PROFESSIONAL SERVICES
FOR
CITY OF PEARLAND
FAR NORTHWEST WASTEWATER TREATMENT PLANT EXPANSION

HOURLY LABOR RATES

LABOR CATEGORY	Hourly Rate
Principal/Project Director	\$225.00
Sr. Tech Specialist (QA/QC)	\$225.00
Sr. Project Manager	\$200.00
Discipline Manager	\$175.00
Engineer 7	\$185.00
Engineer 5/6	\$175.00
Engineer 3/4	\$150.00
Engineer 1/2	\$135.00
Cost Estimator	\$125.00
Senior Designer/Drafter	\$135.00
Designer/Drafter	\$110.00
Sr. GIS Technician	\$135.00
GIS Technician	\$100.00
Senior Administrative Personnel	\$110.00
Administrative Accounting	\$90.00
Administrative Assistant	\$75.00

City of Pearland
 Far Northwest WWTP Expansion Project
 Exhibit C - Draft Schedule for Engineering Services

ID	Task Name	Calendar Days	Start	Finish	2015				2016				2017							
					Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4		
1	Final Design Contract on Council Agenda	0	Mon 8/11/14	Mon 8/11/14	◆ 8/11															
2	Notice to Proceed	0	Tue 8/12/14	Tue 8/12/14	◆ 8/12															
3	Detailed Design	359	Wed 8/13/14	Thu 8/6/15	◆ 8/13															
4	Detailed Design	0	Wed 8/13/14	Wed 8/13/14	◆ 8/13															
5	Detailed Design	0	Thu 8/6/15	Thu 8/6/15	◆ 8/6															
6	Geotechnical Report Supplement	62	Wed 8/13/14	Mon 10/13/14	◆ 8/13															
7	30% Deliverable	90	Wed 8/13/14	Mon 11/10/14	◆ 8/13															
8	Client Review	14	Tue 11/11/14	Mon 11/24/14	◆ 8/13															
9	60% Deliverable	91	Tue 11/25/14	Mon 2/23/15	◆ 8/13															
10	Client Review	14	Tue 2/24/15	Mon 3/9/15	◆ 8/13															
11	90% Deliverable	91	Tue 3/10/15	Mon 6/8/15	◆ 8/13															
12	Client Review	14	Tue 6/9/15	Mon 6/22/15	◆ 8/13															
13	Final Documents	45	Tue 6/23/15	Thu 8/6/15	◆ 8/13															
14	Bidding Services	74	Fri 8/7/15	Tue 10/20/15	◆ 8/13															
15	Advertise for Bid	42	Fri 8/7/15	Thu 9/17/15	◆ 8/13															
16	Prebid Meeting	1	Thu 8/20/15	Thu 8/20/15	◆ 8/13															
17	Bid Opening	1	Fri 9/18/15	Fri 9/18/15	◆ 8/13															
18	Recommendation for Award	5	Mon 9/21/15	Fri 9/25/15	◆ 8/13															
19	Council Approval	21	Tue 9/29/15	Mon 10/19/15	◆ 8/13															
20	NTP to Contractor	0	Tue 10/20/15	Tue 10/20/15	◆ 10/20															
21	Construction	728	Tue 10/20/15	Mon 10/16/17	◆ 10/20															
22	Completion of Expansion Facilities	546	Tue 10/20/15	Mon 4/17/17	◆ 10/20															
23	Completion of Rehabilitation of Existing Facilities	182	Tue 4/18/17	Mon 10/16/17	◆ 10/20															
24	Construction Complete	0	Mon 10/16/17	Mon 10/16/17	◆ 10/16															



Memo

To: Clay Pearson, City Manager
 From: Trent Epperson, Assistant City Manager
 CC: Jon Branson, Deputy City Manager
 Eric Wilson, Director of Public Works
 Date: July 24, 2014
 Re: Far Northwest Wastewater Treatment Plant Expansion

7/25/14
 To: Mayor & City Council Members
 Looking ahead, the wastewater treatment plant needs to be sized more than anticipated

The Preliminary Engineering Report (PER) for the expansion of the Far Northwest Wastewater Treatment Plant (FNW-WWTP) is nearing completion. Staff is working with the design engineers from CDM Smith, Inc. to incorporate the recommendations of the PER into the project scope. The end result is a recommendation for a larger expansion than was contemplated prior to the PER. This information is being provided for Council to preview the scope changes prior to considering approval of the design contract. The contract is scheduled to be on a City Council Agenda in August 2014.

History

The FNW-WWTP is a 2.0 million gallon per day (MGD) plant that was constructed in 2001. The FY 2014 budget included the FNW WWTP Expansion project (WW1405), with a scope that included: a 2 MGD expansion, assessment of the type of treatment process, and effluent re-use for irrigation for the Shadow Creek Ranch Park. The plant was originally designed for a 2 MGD average daily flow. The original scope of the expansion provided a total of 4 MGD of treatment capacity for the plant. As plant capacity reached 75% of designed hydraulic flows for three consecutive months, the Texas Commission on Environmental Quality TCEQ regulations (30TAC§305.126) require the permit holder to start the design process for the expansion of the facility. The Preliminary Design phase was started with a Preliminary Engineering Report (PER) in November 2013. At 90% of hydraulic flow capacity for three consecutive months, the TCEQ require that the expansion to be under construction. While developing the PER, the plant has approached 90% of its hydraulic capacity and needs to be expanded as soon as possible. Due to high organics loading a contract for a rented belt filter press was approved by Council on July 14, 2014 (see attached Council Updates from May 27, 2014 and July 3, 2014).

PER Scope and Findings

The scope of the PER was to address three main areas:

- 1) Recommend a treatment technology to be utilized for the expansion
- 2) Evaluate the ultimate size of the wastewater basin for the plant

3) Confirm the size of the expansion.

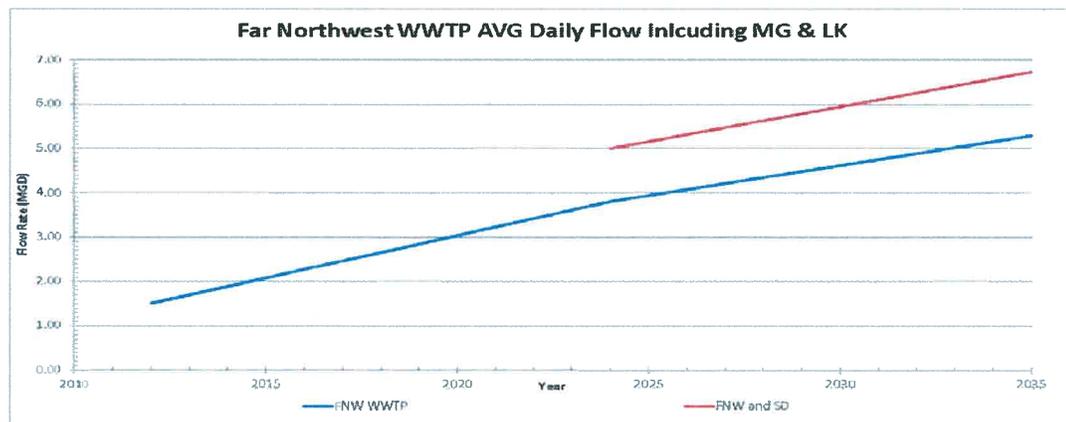
The recommended technology is to stay with Sequential Batch Reactor (SBR) technology but to convert it to a “continual flow” process to improve the ease of operation. **The ultimate size of the wastewater collection basin is estimated to be approximately 7.0 MGD.**

For the expansion size, four major factors have impacted original scope and the PER recommendation:

- 1) Growth in the service area has accelerated in the past year and is expected to continue for 2-4 years.
- 2) High organics loading (carbonaceous biological oxygen demand, CBOD) of the influent wastewater exceeds the original design parameters
- 3) Adoption of the Lower Kirby Urban District Plan into the Comprehensive Plan, which adds higher density to the service area
- 4) Southdown WWTP Decommissioning Plans – When McHard Road is constructed infill development will place added loads on the water and sanitary sewer systems within the Southdown service basin. By 2024 the Southdown Plant is projected to reach its capacity at which time it will be converted to a regional lift station to divert 1.2 MGD to the FNW WWTP.

These four factors result in the projected flows shown on the chart below, which indicates a need for approximately 5.0 MGD of capacity of treatment by 2024. These projections include current residential development, growth in the mixed use Lower Kirby area, and the addition of the Southdown WWTP service area flow. **The design and construction of an expansion will take three years to complete.** A smaller 2.0 MGD expansion to 4.0 MGD would most likely result in starting another expansion in 2020 when flows hit 75% of capacity (3.0 MGD). Therefore, the PER shows a minimum expansion to 5.0 MGD but recommends expansion to 6.0 MGD. The expansion to 6.0 MGD will extend the life of the expansion to approximately 2024, when the Southdown Plan is scheduled to be re-directed to the FNW-WWTP, will provide some capacity for growth, and will optimize timing sequences of basin operations.

FNW		FNW With LK & MG	
2012	1.50		1.50
2024	3.30		3.80
2035	3.81		5.29
FNW + SD		FNW + SD With LK & MG	
2024	4.50		5.00
2035	5.25		6.73



Budget Implications

The original project to expand from 2.0 to 4.0 MGD included improvements to the existing plant infrastructure and the installation of many ultimate size plant components and was estimated at approximately \$20.0M. The current cost of construction to expand to 5.0 MGD is estimated to be approximately \$26 M and an expansion to 6.0 MGD is \$ 29.6M. This is an incremental difference of \$3.6M to add 1.0 MGD of additional treatment capacity, which is much lower than the cost of \$5.2M per MGD for the first 5.0 MGD. The expansion to 6.0 MGD will include many of the components that will serve the ultimate 7.0 MGD plant, which is the full build-out of the wastewater basin. Providing those components with this expansion is a cost effective way to set the plant up for its final capacity expansion and will eliminate future upsizing and replacement of components that are installed with this expansion. The cost of those upgrades is included in the 6.0 MGD estimate. The costs are detailed below:

Table 5-1 Summary of Costs for Proposed Expansions to 5 MGD and 6 MGD ADF

Cost Breakdown by Process Area	Current Expansion (5 MGD Avg)	Ultimate Build-Out (6 MGD Avg)
Site Work/Demolition	\$567,000	\$567,000
Lift Station	\$671,000	\$878,000
Headworks	\$2,704,000	\$2,703,000
Sequential Batch Reactors	\$5,437,000	\$6,440,000
Blower/Electrical Building	\$2,403,000	\$2,656,000
Filters	\$1,620,000	\$1,620,000
UV Disinfection	\$495,000	\$494,000
NPW System	\$880,000	\$880,000
Aerated Sludge Holding Tanks	\$1,352,000	\$1,352,000
Dewatering Improvements	\$3,123,000	\$3,121,000
Yard Piping	\$1,800,000	\$1,908,000
Generator and Associated Switchgear	-	\$1,334,000
Sub Total Before Contingency and Escalation	\$21,052,000	\$23,953,000
Contingency (20%) and Escalation (30%)	\$4,968,000	\$5,653,000
Total	\$26,020,000	\$29,606,000

The current CIP budget has sufficient funds available for the design of the larger project. The upcoming 2015-2019 CIP Budget and the FY2015 Utility Rates reflect the change in scope and additional construction cost of the larger expansion. The project has been listed in the Texas Water Development Board's Intended Use Plan, which makes the project eligible for Clean Water State Revolving Funds. These funds are available at interest rates between 1.2% and 1.55% lower than market value. The project will be submitted for funds next summer prior to construction. Additional detail on the debt service cost saving will be presented if the project is selected for this source of funding.

Design Contract Scope

Final Design Services for the Expansion will include the design of the following components:

Lift station improvements, new headworks structure, new and modified Sequential Batch Reactor (SBR) trains, conversion of tertiary filtration to disk filters, expansion of the ultraviolet disinfection system, expansion of sludge holding tanks, new belt press dewatering equipment, modifications to the existing dewatering building, adding a non-potable water (NPW) system, and a new generator.

Design Contract Fee

The Professional Engineering Services contract with CDM Smith, Inc., is divided into two components; Basic Services and Additional Services. The Basic Services total \$2,771,000 and include engineering design phase services, bidding services, construction phase services. Additional Services total \$1,526,000, which include the programming of the plant process control system, supervisory control and data acquisition (SCADA) standards development and training, Reuse Authorization under Texas Administrative Code Chapter 210, Texas Water Development Board (TWDB) Funding assistance, TWDB Funding National Environmental Policy Act (NEPA) Compliance, Spill Prevention Control and Countermeasures (SPCC) plans, Storm water pollution prevention (SWPPP) plans, Electronic Operations and Maintenance (O&M) manuals, a supplement to the Geotechnical Report, the cost for a Field Project Representative for 24 months of construction, record drawings reflecting plant construction and 12 month warranty services.

The sum total of all fees is \$4,297,000. These fees reflect the higher level of effort necessary for the design and rehabilitation of an operating wastewater treatment plant.

Project Schedule

Design	August 2014 – August 2015
Bid/Council Award	September 2015
Construction	October 2015 - October 2017

Recommendation

Staff recommends expanding the plant from 2.0 MGD to 6.0 MGD, with appropriate components sized for the ultimate 7.0 MGD plant. The engineering design contract for this work will be presented to the City Council in August for consideration and approval.

Council



Memo

To: Clay Pearson, City Manager

From: Eric Wilson, Director of Public Works

CC: Jon Branson, Assistant City Manager
Mike Hodge, Assistant City Manager

Date: 2014-05-27

Re: TCEQ Wastewater Treatment Plant (WWTP) TPDES Permit Renewals

5/29/14

To: Mayor & City Council Members

Another wastewater issue that we are working.

The Texas Pollution Discharge Elimination System (TPDES) permits are renewed by the TCEQ on a five year rotation. In 2014 four of the City's five WWTPs will have their permits renewed. This year the TCEQ made one significant change to those permits. This was a change in a constituent testing method from carbonaceous biochemical oxygen demand (CBOD5) to biochemical oxygen demand (CBOD). [This change in conjunction with required ammonia testing can have a major impact on both design and operations of all Pearland WWTPs]. See the article titled "Aerated Lagoon Technology" for further discussion on CBOD5 v. BOD5. When questioned on the change, TCEQ responded that there is a conflict in the regulations and this testing requirement must be changed in all TPDES permits within the Clear Lake watershed (affected: Houston, Clear Lake Water Authority, Gulf Coast Waste Disposal Authority, Webster, etc.).

The conflict between 30TAC309.1 (c) & (d) and 30TAC311. 21 (a) are highlighted below.

The City's Environmental Counsel (Lloyd Gosslink LLC.) has requested clarification to this conflict from the TCEQ. In order to keep these permit changes from becoming irreversible based on back slide provisions Counsel is filing a motion to overturn (MTO) these permit changes as they are received by the City. Counsel is currently drafting the MTO for the renewal permit for the Far Northwest WWTP. Staff is expecting the renewal permits the other three WWTPs any time.

If this issue is not resolved in a manner favorable to the City it could result in a significant increase in treatment plant construction costs. Preliminary estimates on the magnitude of these increased construction costs could reach 30-35%. In relative terms the Far Northwest WWTP currently in the preliminary engineering stage for expansion could see construction costs go from an estimated \$25 million to possibly as high as \$33.75 million. This would be the case for all other WWTP expansions scheduled for the coming years.

Additional updates will follow as information becomes available.

<<Prev Rule

Texas Administrative Code

Next Rule>>

TITLE 30 ENVIRONMENTAL QUALITY**PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY****CHAPTER 311 WATERSHED PROTECTION****SUBCHAPTER C WATER QUALITY MANAGEMENT IN THE CLEAR LAKE WATERSHED****RULE §311.21 Clear Lake Watershed Effluent Quality Criteria**

- (a) All municipal waste discharges within the Clear Lake watershed (excluding those discharges which have pursued an acceptable alternative, such as diversion of effluent out of the watershed) shall improve and upgrade their waste treatment facilities and operations as needed to achieve, at a minimum, the following effluent quality criteria.

Figure: 30 TAC §311.21(a)

Item	Not to Exceed Effluent Concentration (mg/l)	
	30-Day Average	7-Day Average
Biochemical Oxygen Demand 5-day (BOD ₅)	5	10
Total Suspended Solids (TSS)	12	20
Amonia as Nitrogen (NH ₃ -N	2	10

- (b) Effluent disinfection shall conform to Effluent Set A of "A Policy for Effluent Standards for Domestic Wastewater Treatment Plants," contained in §309.4 of this title (relating to Table 1, Effluent Standards for Domestic Wastewater Treatment Plants). The commission, upon a satisfactory showing by the applicant that no significant adverse water quality condition will occur may provide in the permit that the ammonia as nitrogen limitation may be calculated on an annual basis or grant variances for seasonal variations during winter months so long as such seasonal variation does not exceed 5 mg/liter monthly average or 2 mg/liter on an annual average.
- (c) All industrial waste discharges within the Clear Lake watershed (excluding those discharges which have pursued an acceptable alternative, such as diversion of effluent out of the watershed) shall improve and upgrade their waste treatment facilities and operations as needed to achieve, at a minimum, effluent limitations commensurate with the treatment efficiencies required of municipal waste discharges to the Clear Lake watershed. In addition, each industrial discharge should be prepared to meet more stringent effluent limitations on a case-by-case basis if warranted by water quality considerations.

Source Note: The provisions of this §311.21 adopted to be effective October 20, 1986, 11 TexReg 4166

<<Prev Rule

Texas Administrative Code

Next Rule>>

TITLE 30 ENVIRONMENTAL QUALITY**PART 1** TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**CHAPTER 309** DOMESTIC WASTEWATER EFFLUENT LIMITATION AND PLANT SITING**SUBCHAPTER A** EFFLUENT LIMITATIONS**RULE §309.1** **Scope and Applicability**

- (a) The purpose of these sections is to promulgate a set of effluent quality limitations for treated domestic sewage which will be required of permittees as appropriate to maintain water quality in accordance with the commission's surface water quality standards. Any incorporation of federal regulations into this chapter shall apply only to disposal of domestic sewage.
- (b) Secondary treatment, with exceptions applicable to certain stabilization pond systems and other natural systems, is defined as a minimum reduction of pollutants to meet the following quality:

Biochemical Oxygen Demand (BOD₅), 5-Day (milligram per liter, mg/l)

30-Day Average	20
7-Day Average	30
Daily Maximum	45
Single Grab	65

Total Suspended Solids (TSS) (mg/l)

30-Day Average	20
7-Day Average	30
Daily Maximum	45
Single Grab	65

Dissolved Oxygen (DO) (mg/l)

Single Grab 2.0
(minimum)

pH (Standard Units)

Within limits of 6.0 – 9.0

- (c) Effective April 1988, all permits containing an ammonia-nitrogen effluent limit are hereby modified to change BOD₅ to carbonaceous biochemical oxygen demand (CBOD₅).
- (d) Effective January 1, 1988, any permit containing a BOD₅ effluent limitation may be monitored and reported as CBOD₅ as long as nitrogen is monitored and reported as ammonia-nitrogen at the same sampling frequency. If the permit authorizes a discharge to land or an evaporation pond only, ammonia-nitrogen monitoring and reporting are not required to change to CBOD₅.
- (e) The State of Texas has established a state water quality management program and a continuing planning process which sets forth the strategy and procedures for accomplishing the management program's objectives. Essential elements of the program include updates of basin plans, total maximum daily loads, and wasteload evaluations by basin segments. In order to achieve compliance with water quality standards within certain segments, more stringent effluent quality limitations other than basic secondary treatment may be required to protect water quality.

Source Note: The provisions of this §309.1 adopted to be effective March 19, 1990, 15 TexReg 1160; amended to be effective October 8, 1990, 15 TexReg 5500; amended to be effective June 5, 1998, 23 TexReg 5723.

AERATED LAGOON TECHNOLOGY

by
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Technical Number 1

EFFLUENT BOD5

A MISLEADING PARAMETER FOR THE PERFORMANCE

OF AERATED LAGOONS TREATING MUNICIPAL WASTEWATERS

In spite of the fact that **effluent BOD5** is a key parameter in many discharge permits for **aerated lagoons**, it is the most misleading. Most effluent BOD5 data are flawed as the result of being inflated by **nitrification** that occurs in the BOD5 test itself. It has been reported that as many as 60 percent of the BOD5 violations nationally may have been caused by nitrification in the BOD5 test rather than by improper design or operation (Hall and Foxen 1983). Consequently, millions of dollars may have been spent needlessly on new treatment facilities.

The total BOD of a wastewater is composed of two components – a **carbonaceous oxygen demand** and a **nitrogenous oxygen demand**. Traditionally, because of the slow growth rates of those organisms that exert the nitrogenous demand, it has been assumed that no nitrogenous demand is exerted during the 5-day BOD5 test. Although, such assumption is valid when the test is performed on untreated municipal wastewaters, it is not valid when performed on secondary effluents, especially those from aerated lagoons. The BOD5 of effluents from the latter are almost always inflated by a nitrogenous component. Moreover, unlike the carbonaceous demand which is proportional to the concentration of the biodegradable carbon constituents in the effluent, the nitrogenous demand exerted during the 5-day test is proportional to the number of nitrifying organisms that happen to be caught in the sample being tested. Thus the argument that the test provides insight on the impact that the effluent will have on the receiving water can not be defended. Neither can

the practice of making waste-load allocations from models that contain both a BOD5 (assumed to be a measure of the carbonaceous demand) and a nitrogenous demand.

The severity of the problem is illustrated in Figs. 1 and 2. Figure 1 compares the effluent BOD5 with the CBOD5 (carbonaceous component of the BOD5). The CBOD5 is determined by using a nitrification suppressant in the BOD5 test. Figure 2 compares the two parameters in filtered samples. Note should be taken of the magnitude of the nitrification factor in the 5-day test. Similar magnitudes are observed in effluents from aerated lagoons in warmer climates.

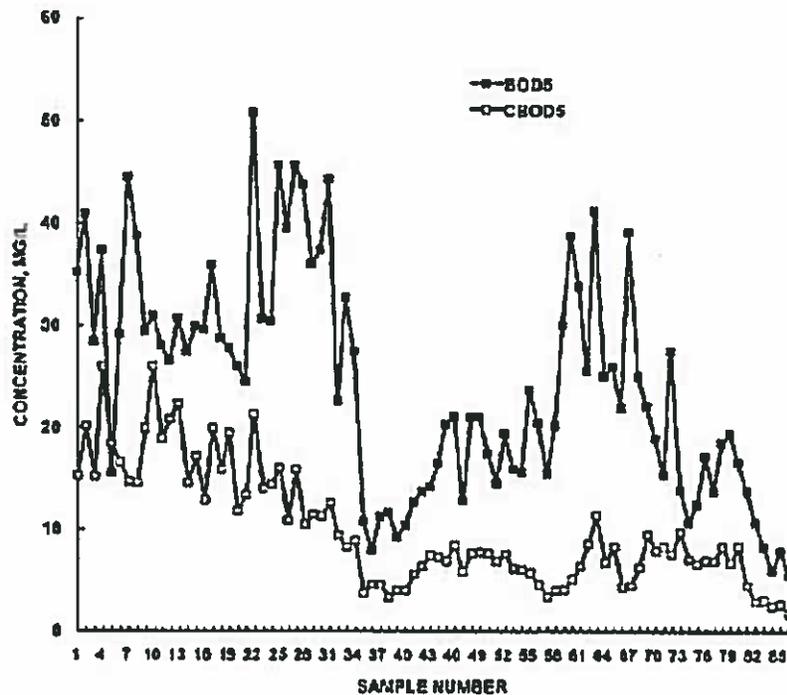


Figure 1

[click on graph to enlarge](#)

Figure 1 above illustrates Effluent BOD5 and CBOD5 data from an aerated lagoon system in Maine that treats a domestic wastewater. (Courtesy of George Bloom, Woodard and Curran, Engrs. Taken from Rich (1999))

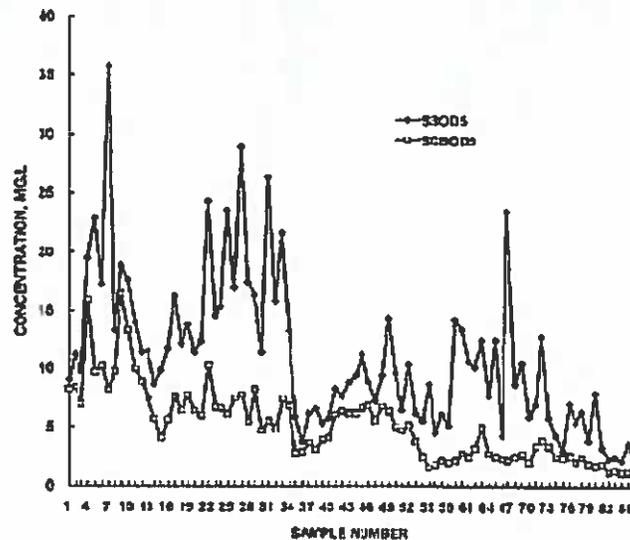


Figure 2

[click on graph to enlarge](#)

Nitrification in the BOD5 test has been thoroughly researched and documented (Young 1973; Dague 1981; Barth 1981; Carter 1983; Chapman et al. 1991). Such nitrification can be eliminated by the use of commercially available nitrification inhibitors, a practice recommended by Standard Methods (1995). Chapman et al. (1991) demonstrated that by cleaning the sampler tubing weekly with chlorine bleach, nitrification in the BOD5 test can be reduced. The U.S. EPA has given their approval to the use of a nitrification inhibitor, provided that the effluent permit states the limit in terms of the CBOD5 instead of the BOD5. Arguing that secondary BOD5 limits were initially established on the basis of values flawed by nitrification, the EPA has suggested that the CBOD5 limit for secondary treatment be 25 mg/L rather than the 30 mg/L allowed when the limit is stated in terms of BOD5 (Hall and Foxen 1983). Considering the fact that the nitrification component of the BOD5 is generally at least 5 mg/L and frequently as high as 50 mg/L, the 25 mg/L limit appears to impose no handicap.

In summary, BOD5 is an ambiguous parameter when applied to secondary effluents, especially those of aerated lagoons, and should not be used. Instead, use should be made of the CBOD5 test which specifically measures the concentration of the biodegradable carbonaceous materials.

REFERENCES

Barth, E. F. (1981). "To inhibit or not to inhibit: that is the question." J. Wat. Pollut. Control Fed., 53(11), 1651-1652.

Carter, K. B. (1984). "30/30 hindsight." J. Wat. Pollut. Control Fed., 56(4), 301-305.

Chapman et al. (1991). "Minimizing the impact of nitrification in nitrifying wastewaters." Operations Forum, WPCF, Sept. 14-16.

Dague, R. E. (1981). "Inhibition of nitrogenous BOD and treatment plant performance evaluation." J. Wat. Pollut. Control Fed., 53(12), 1738-1741.

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Young, J. C. (1973). "Chemical methods for nitrification control." J. Wat. Pollut. Control Fed., 45(4), 637-646.



Memo

To: Clay Pearson, City Manager
 From: Eric Wilson, Director of Public Works
 CC: Jon Branson, Assistant City Manager
 Mike Hodge, Assistant City Manager
 Date: 2014-05-27
 Re: Far Northwest WWTP Operational Update

5/28/14
 To: Mayor & City Council Members
 Working to interim adjustments on wastewater treatment.

As a result of the continued rapid growth in the Shadow Creek area of Pearland the City's Far Northwest Wastewater Treatment Plant is close to its hydraulic flow operational capacity of 2.0 million gallons per day and exceeding the designed biological loading capacity of 200 mg/L of BOD5.

The hydraulic flows would be manageable if it were not for the excessive biological loading. Based on test data the facility is currently operating at approximately 128% of capacity or 256 mg/L of BOD5. Operations of a WWTP become very sensitive to changes in biomass when operating at this level of biological loading.

In order to have an efficiently operating WWTP it must maintain a balance biomass in the biological treatment process. To maintain this balance a portion of the biomass must be removed on a regular basis. This process is known as wasting solids. These wasted solids are known as Biosolids (sludge). Once the biosolids are wasted from the system they must be concentrated for final disposal in a landfill. The City of Pearland has historically used a centrifuge to achieve this concentration. However, the centrifuge at the FNW WWTP has had several mechanical problems over the last 18 months resulting in an inability to remove solids from the treatment process. This backing up of the process has led to a number of operational problems and expenses. The ability to maintain a properly balanced biomass was one of the more critical items discussed with the TCEQ in Austin on May 12, 2014.

In order to maintain compliance with the current Texas Pollutant Discharge Elimination System (TPDES) permit staff has had to employ a service to complete the concentration process for this facility. Over the past three months this process has cost the City \$110,000.

In an effort to reduce the removal expenses of the biosolids the City with the assistance of CDM-Smith has prepared a specification to rent a piece of equipment, belt filter press, which will complete the concentrating function. It is currently anticipated that the belt filter press will be needed for approximately 18 to 24 months. With an estimated cost of \$10,000-\$18,000 per month (depending on bids received). Staff did evaluate the purchase of a belt filter press as opposed to rental but in addition to a capital cost of approximately \$600,000-\$700,000 there is a

20 to 36 week lead time for its construction. Staff is hoping to have a belt filter rental agreement before Council in June.

As a result of the solids handling issue staff is suggesting the separation of the solids handling facility from the expansion of the FNW WWTP in an effort to expedite the construction and installation of the permanent solids handling equipment. If it remains part of the expansion it could delay having a functional solids handling operation by an additional 12 months.

Staff is diligently working to insure the most efficient operations of the facility and reducing expenses where possible while remaining in compliance with the TPDES permit.



Memo

To: Clay Pearson, City Manager

From: Eric Wilson, Director of Public Works

CC: Jon Branson, Assistant City Manager

Date: 2014-06-18

Re: TCEQ Wastewater Treatment Plant (WWTP) TPDES Permit Renewals

6/18/14
To: Mayor & City
Council Members
Follow-up to TCEQ
permitting issue that
we gave heads-up a
couple weeks ago.



The purpose of this memorandum is to update the status of the TD PES Permit Renewals with the TCEQ for various City owned and operated WWTPs.

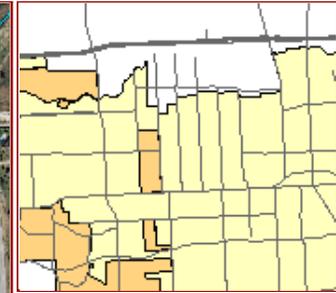
The TCEQ has realized that there was not actually a conflict in the regulations. TCEQ staff has already updated and corrected two of the City's draft permits and is working to revise the two permits that have been issued with the incorrect parameters.

Staff will do all that is reasonably possible to comply with the TD PES permits that have been issued until such time that they are corrected.

Staff will send additional updates as the permitting issues move forward.

Should there be any questions please do not hesitate to ask.

FNW WWTP Expansion Location Map

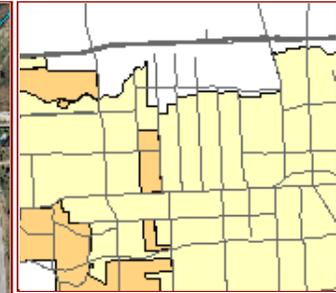


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Scale 1:10,593
1 in = 883 ft
July 28, 2014



FNW WWTP Expansion Location Map



This product is for informational 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.

Scale 1:10,593
1 in = 883 ft
July 28, 2014



New Business Item No. 2

- 2. Consideration and Possible Action – Resolution No. R2014-98 – A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for construction services, associated with the Hughes Ranch Road Sanitary Sewer Improvement Project, to Calco Contracting, Ltd., in the amount of \$897,607.00.**

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

AGENDA OF: August 11, 2014	ITEM NO.: Resolution No. R2014-98
DATE SUBMITTED: July 25, 2014	DEPT. OF ORIGIN: Projects
PREPARED BY: Andrea Brinkley	PRESENTOR: Trent Epperson
REVIEWED BY: Trent Epperson	REVIEW DATE: August 5, 2014
SUBJECT: Award of Construction Contract for the Abandonment of Somersetshire and West Oaks Lift Stations and Installation of Sanitary Sewer at Hughes Ranch Rd.	
EXHIBITS: R2014 –XX; A – Engineer’s Recommendation Letter & Certified Bid Tab; B – Site Map; C – 7/24/14 Thursday Packet Memo	
FUNDING: <input type="checkbox"/> Grant <input type="checkbox"/> Developer/Other <input checked="" type="checkbox"/> Cash <input checked="" 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: \$ 897,607 AMOUNT BUDGETED: \$412,066 AMOUNT AVAILABLE: \$ 356,360 PROJECT NO.: WW1303, WW1304 & WW1204 ACCOUNT NO.: 067 and 301-0000-565-03-00 ADDITIONAL APPROPRIATION REQUIRED: \$595,000 to be transferred from other water/sewer capital projects ACCOUNT NO.: PROJECT NO.:	
To be completed by Department: Finance X Legal Ordinance X Resolution	

RECOMMENDED ACTION

Staff recommends that Council award a construction contract to Calco Contracting, Ltd. for the Abandonment of the West Oaks and Somersetshire Lift Stations and Installation of the Hughes Ranch Road Sanitary Sewer in the amount of \$897,607.00 and authorize the City Manager to execute the contract on behalf of the City.

Staff recommends a budget transfer from the Twin Creek Lift Station Rehabilitation, in the amount of \$300,000, and from the McHard Road Waterline Project, in the amount of \$295,000, to the West Oaks Lift Station, Somersetshire Lift Station and Hughes Ranch Road Sanitary Sewer projects.

EXECUTIVE SUMMARY

BACKGROUND

The FY 2014 CIP included the West Oaks Lift Station Retirement project and Hughes Ranch Rd sanitary sewer under the Hickory Slough Detention project. The Somersetshire Lift Station Retirement projects were originally included in the Public Works Operations and Maintenance program, with only the material costs budgeted. Due to the depth of the lift stations it was determined to be beyond the capability of City equipment were included as projects to be bid for construction. The lift stations were built when the subdivisions were constructed and are now suitable for either major rehabilitation or retirement and diversion of sanitary flows to gravity sanitary sewer lines in the vicinity. The Hughes Ranch Rd sanitary sewer is required to provide sanitary sewer service to the Max Rd. Sports Complex.

The three projects were grouped together due to the similar scope of work, and to make the combined project more attractive to larger contractor firms. To provide additional flexibility, the Somersetshire lift station and Hughes Ranch Rd sanitary sewer were included as Add Alternates, allowing these to be selected or not selected due to price.

SCOPE OF CONTRACT/AGREEMENT

The Construction Contract entails the work at the three locations, in a sequence to be approved by the City. The Somersetshire and West Oaks Lift Station scope of work includes the construction of 8 in. and 12 in. gravity sanitary sewer to connect to existing adjacent gravity lines and the conversion of the existing lift station wet well into junction manholes that continue to function as part of the sanitary collection system. The retirement of the lift stations will reduce the burden of continued repair, operation and maintenance. The Hughes Ranch Road sanitary sewer scope of work includes the construction of 8 in. gravity sanitary sewer from the Sports Complex to the Avalon Terrace Lift Station, and connection to the existing manhole at the Lift Station.

BID AND AWARD

The Plans and Specifications were completed in June 2014. Bids were opened on August 1, 2014 via the E-Bid system. Four (4) construction firms bid the project, with prices ranging from \$897,607.00 to \$1,918,739.50. One bidder withdrew their bid due to a mathematical error. The low bid of \$897,607.00 was submitted by Calco Contracting, Ltd. was 8% more than the Engineer's estimate. This information is included in the certified bid tabulation. In order to preserve the economy of scale and complete the work, Staff recommends proceeding with the Base Bid and both Add Alternates.

The combined available project budgets total \$356,360. Additional funding in the amount of \$591,247 is required for the work, which is available from savings and unexpended costs from the McHard Rd Water Line and Twin Creek Regional Lift Station projects, respectively.

A couple of cost factors contributed to costs exceeding the budget. The first cost factor is the requirement of the pipeline company to add the steel sheeting for trench shoring on the West Oaks segment, which is noted to be the most significant cost increase, and this was not originally anticipated. The second cost factor is the short length of bored and cased segments of sanitary sewer that were required under Harkey Road, as contractors must mobilize the same equipment and personnel for both small and large bores. This

mobilization cost makes the unit price increase in unpredictable ways as this work is usually subcontracted. Lastly, construction costs have been rising due to labor, trucking and material cost increases as the economy improves. A number of contractors indicated that due to the large size and amount of projects they were currently involved in, they would not bid this work.

Calco Contracting, Ltd. is located in Houston, Texas and has previously performed work for the City of Pearland on the FM 518 Water Line and Walnut Street Roadway and Drainage Improvement projects. The Design Consultant, ARKK Engineers, LLC, completed a reference check and found no performance or financial issues either pending or historically. See attached Engineer's Recommendation Letter.

SCHEDULE

Work is scheduled to begin within 10 days from the Notice to Proceed, and the contract specifies a construction schedule of 90 days to Substantial Completion. With 30 days for Final Completion, the total time to final completion is 120 calendar days. Barring weather delays, Substantial Completion will be early November 2014.

POLICY/GOAL CONSIDERATION

These projects were identified in the 2014-2018 CIP. This project will help meet the City's goal to reduce ongoing and future operation and maintenance costs by eliminating aging infrastructure where possible.

CURRENT AND FUTURE CIP FUNDING /FINANCIAL IMPACTS/DEBT SERVICE

The reconstruction of these lift stations will reduce long-term operation and maintenance costs, provide sanitary service to the Sports Complex and meet the goal of providing dependable sanitary sewer service to the City.

The available budget in the capital improvement funds for these three projects is \$356,360, short of the award by \$591,247. Funding will be transferred from savings on the Twin Creek Lift Station Rehabilitation in the amount of \$300,000 and \$295,000 will be transferred from savings on the McHard Road Waterline Project, for a total project budget of \$1,007,066 available.

Year	To Date	2015	2016	2017	2018	Total
Budget	\$ 1,007,066					\$ 1,007,066
Prior Expenditures						
PER						-
Land/ROW	-					-
Design/Survey	55,706					55,706
Construction						-
FF&E						-
Current Request						
Construction	897,607					897,607
Future Expenditures						
PER						-
Land/ROW						-
Design/Survey						-
Construction	50,000					50,000
FF&E						-
Total Expenditures	\$ 1,003,313	\$ -	\$ -	\$ -	\$ -	\$ 1,003,313
Remaining Balance	\$ 3,753	\$ 3,753	\$ 3,753	\$ 3,753	\$ 3,753	\$ 3,753

Debt Sold						
Debt to Be Sold	531,300					
Annual Debt Service		35,600	35,600	35,600	35,600	

O&M IMPACT INFORMATION

Once complete, it is anticipated that the City will realize a decrease in operations and maintenance cost due to elimination of two lift stations.

Year	2014	2015	2016	2017	2018
Operation and Maintenance Costs		\$ (17,826)	\$ (17,826)	\$ (17,826)	\$ (17,826)

RESOLUTION NO. R2014-98

A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for construction services, associated with the Hughes Ranch Road Sanitary Sewer Improvement Project, to Calco Contracting, Ltd., in the amount of \$897,607.00 and authorizing the use of available funds from the Twin Creek Regional Lift Station and McHard Road Waterline Projects.

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

Section 1. That bids were obtained for the construction of the Hughes Ranch Road Sanitary Sewer Improvement Project.

Section 2. That the Project will also include the abandonment of the West Oaks and Somersetshire lift stations.

Section 3. That the City Council hereby awards a bid to Calco Contracting, Ltd., in the total amount of \$897,607.00.

Section 4. The City Manager or his designee is hereby authorized to execute a contract for the construction of Hughes Ranch Road Sanitary Sewer Improvement Project.

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



August 4, 2014

Mr. Skipper Jones
Assistant Director of Capital Projects
City of Pearland
3519 Liberty Drive
Pearland, Texas 77581

Re: **Letter of Recommendation for: Abandonment of the Somersetshire and West Oaks Lift Stations**
ARKK Job No. 13-018

Dear Mr. Jones:

On August 1, 2014 four (4) bids were received for the above referenced project. This project involves the installation of gravity sanitary sewer lines and conversion of two existing lift stations into passive junction manholes. The following is a summary of our bid evaluation:

1. Bid Tabulation Sheet – Four (4) construction firms participated in the bidding process. The bids were checked for mathematical errors and/or bid irregularities. The project was bid with a base bid and two (2) add alternates. The Base Bid includes converting the West Oaks Lift Station into a passive junction manhole and installing a deep gravity sanitary sewer line. Add Alternate No. 1 includes installation of approximately 900 linear feet of 8" gravity sanitary sewer lines and manholes on Hughes Ranch Road. Add Alternate No. 2 includes converting the Somersetshire Lift Station into a passive junction manhole and installing deep gravity sanitary sewer lines.
2. As discussed with the City of Pearland, the Base Bid and both Add Alternates were utilized as a basis for award of the contract. The bids for the project (Base Bid + Add Alternates) are as follows:

<u>Bidder</u>	<u>Total Bid</u>
Calco Contracting, Ltd.	\$897,607.00
Statewide Services	\$933,840.00
Jimerson Underground, Inc.	\$1,719,482.00
E.P. Brady, Ltd.	\$1,918,739.50

A copy of the bid tabulation is attached to this letter.

3. Qualifications and References – The low bidder, Calco Contracting, Ltd., provided a List of qualifications and references. The references provided by Calco Contracting, Ltd. were contacted and information on their performance and capabilities to perform similar work was obtained. The references contacted did not have any negative responses that would lead us to believe that Calco Contracting, Ltd., is not capable of performing the work.
4. Bid Withdrawal – The second low bidder, Statewide Services submitted a letter withdrawing the bid due to mathematical error on their bid submission.

For these reasons, we recommend that the City of Pearland award the Abandonment of Somersetshire and West Oaks Lift Stations Project to Calco Contracting, Ltd. for a total amount of **\$897,607.00**.

If you have any questions, please contact me.

Sincerely,
ARKK ENGINEERS, LLC

A handwritten signature in blue ink, appearing to read 'D. Kasper', is written over the typed name below.

David W. Kasper, P.E., CFM
Senior Project Manager/Principal

Line #	Description	QTY	UOM	Engineer's Estimate		Calco Contracting, Ltd.		Statewide Services		Jimerson Underground, Inc.		E.P. Brady, Ltd.	
				Total Price	\$705,490.00	Total Price	\$897,607.00	Total Price	\$933,840.00	Total Price	\$1,719,482.00	Total Price	\$1,918,739.50
				Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended
1	General Items	1			\$31,000.00		\$60,000.00		\$154,500.00		\$72,500.00		\$76,950.00
1.1	Mobilization (Not to exceed 3%) (01505)	1	LS	\$17,000.00	\$17,000.00	\$24,000.00	\$24,000.00	\$125,000.00	\$125,000.00	\$51,000.00	\$51,000.00	\$57,300.00	\$57,300.00
1.2	Traffic Control and Regulation, including flagmen as required, complete in place, the sum of: (01555)	1	LS	\$10,000.00	\$10,000.00	\$30,000.00	\$30,000.00	\$25,000.00	\$25,000.00	\$19,000.00	\$19,000.00	\$10,000.00	\$10,000.00
1.3	Storm Water Pollution Prevention Plan include all types, complete with maintenance, complete in place, the sum of: (01560)	1	LS	\$4,000.00	\$4,000.00	\$6,000.00	\$6,000.00	\$4,500.00	\$4,500.00	\$2,500.00	\$2,500.00	\$9,650.00	\$9,650.00
2	West Oaks Lift Station Abandonment Items	1			\$235,155.00		\$474,480.00		\$310,410.00		\$1,172,754.00		\$1,315,217.50
2.1	Trench safety system for sanitary sewer mains, for depths greater than 5-feet, Inclusive of required steel sheet pile trench shoring where shown on plans for sanitary sewers and inline structures complete in place, the sum of: (01570)	675	LF	\$5.00	\$3,375.00	\$1.00	\$675.00	\$30.00	\$20,250.00	\$830.00	\$560,250.00	\$1,396.55	\$942,671.25
2.2	Bored/Augered 20" Steel Casing w/ 12" PVC SDR-26 sanitary sewer line for road crossings, 14-16' depth, with spacers, complete in place, the sum of: (02415)	99	LF	\$250.00	\$24,750.00	\$900.00	\$89,100.00	\$575.00	\$56,925.00	\$684.00	\$67,716.00	\$325.00	\$32,175.00
2.3	Proposed 12-inch PVC SDR-26 sanitary sewer line by open cut construction, 14-16' Depth, complete in place, the sum of: (02530)	675	LF	\$175.00	\$118,125.00	\$400.00	\$270,000.00	\$150.00	\$101,250.00	\$684.00	\$461,700.00	\$409.55	\$276,446.25
2.4	Proposed 4-foot diameter pre-cast corrosion resistant sanitary sewer manhole, up to 8-ft deep, with hinged cover, with base extension, and with stainless steel inflow dish, complete in place, the sum of: (02542)	3	EA	\$7,000.00	\$21,000.00	\$9,000.00	\$27,000.00	\$6,550.00	\$19,650.00	\$9,300.00	\$27,900.00	\$5,000.00	\$15,000.00
2.5	Extra depth of 4-foot diameter pre-cast corrosion resistant sanitary sewer manhole, complete in place, the sum of: (02542)	19	VF	\$525.00	\$9,975.00	\$600.00	\$11,400.00	\$550.00	\$10,450.00	\$700.00	\$13,300.00	\$315.00	\$5,985.00
2.6	Concrete pavement repair, complete in place, the sum of: (2980)	40	SY	\$60.00	\$2,400.00	\$160.00	\$6,400.00	\$175.00	\$7,000.00	\$135.00	\$5,400.00	\$125.00	\$5,000.00
2.7	Asphalt pavement repair, complete in place, the sum of: (2980)	135	SY	\$50.00	\$6,750.00	\$135.00	\$18,225.00	\$175.00	\$23,625.00	\$90.00	\$12,150.00	\$60.00	\$8,100.00
2.8	Gravel pavement repair, complete in place, the sum of: (2980)	42	SY	\$40.00	\$1,680.00	\$40.00	\$1,680.00	\$30.00	\$1,260.00	\$39.00	\$1,638.00	\$20.00	\$840.00
2.9	but not limited to: filling lift station bottom with cement and cement stabilized sand to lowest invert level, connecting new sanitary sewer into manhole, corrosion resistant liner of walls, roof, and bench, convert hatch to hinged manhole cover, removal of fences and gates, complete in place, the sum of: (02542)	1	LS	\$10,000.00	\$10,000.00	\$42,000.00	\$42,000.00	\$60,000.00	\$60,000.00	\$17,900.00	\$17,900.00	\$28,000.00	\$28,000.00
2.10	Cut, plug, and abandon existing sanitary sewer gravity mains and force mains, complete in place, the sum of: (02669)	2	EA	\$800.00	\$1,600.00	\$4,000.00	\$8,000.00	\$5,000.00	\$10,000.00	\$2,400.00	\$4,800.00	\$500.00	\$1,000.00
3	Supplemental Items: as authorized by engineer	1			\$54,500.00		\$65,330.00		\$93,370.00		\$65,730.00		\$89,310.00
3.1	Control of Ground Water by Well pointing for sanitary sewers and in-line structures/manholes, all depths, as authorized by engineer, complete in place, the sum of: (01564)	1302	LF	\$20.00	\$26,040.00	\$20.00	\$26,040.00	\$30.00	\$39,060.00	\$20.00	\$26,040.00	\$35.00	\$45,570.00
3.2	Control of Ground Water by Well pointing for stand-alone excavations, stand alone manholes, and stand-alone tie-ins, as authorized by engineer, complete in place, the sum of: (01564)	2	EA	\$500.00	\$1,000.00	\$500.00	\$1,000.00	\$1,000.00	\$2,000.00	\$500.00	\$1,000.00	\$1,250.00	\$2,500.00
3.3	Wet condition bedding for sanitary sewers, all sizes, as authorized by engineer, complete in place, the sum of: (02318)	1302	LF	\$20.00	\$26,040.00	\$20.00	\$26,040.00	\$30.00	\$39,060.00	\$20.00	\$26,040.00	\$20.00	\$26,040.00
3.4	Wet condition bedding for manhole stand-alone installation, all sizes, as authorized by engineer, complete in place, the sum of: (02318)	2	EA	\$500.00	\$1,000.00	\$500.00	\$1,000.00	\$1,000.00	\$2,000.00	\$500.00	\$1,000.00	\$500.00	\$1,000.00
3.5	Pile Support for manhole installation, as authorized by engineer, complete in place, the sum of: (02318)	7	EA	\$1,000.00	\$7,000.00	\$1,000.00	\$7,000.00	\$1,000.00	\$7,000.00	\$1,000.00	\$7,000.00	\$1,000.00	\$7,000.00
3.6	Installation and removal of piezometer, as authorized by engineer, complete in place, the sum of: (01564)	5	EA	\$100.00	\$500.00	\$100.00	\$500.00	\$100.00	\$500.00	\$100.00	\$500.00	\$100.00	\$500.00
3.7	Additional concrete pavement repair, as authorized by engineer, complete in place, the sum of: (02980)	20	SY	\$55.00	\$1,100.00	\$55.00	\$1,100.00	\$55.00	\$1,100.00	\$55.00	\$1,100.00	\$125.00	\$2,500.00
3.8	Additional asphalt pavement repair, as authorized by engineer, complete in place, the sum of: (02980)	30	SY	\$35.00	\$1,050.00	\$35.00	\$1,050.00	\$35.00	\$1,050.00	\$35.00	\$1,050.00	\$60.00	\$1,800.00
3.9	Extra cement stabilized sand, as authorized by engineer, complete in place, the sum of: (02252)	80	TON	\$20.00	\$1,600.00	\$20.00	\$1,600.00	\$20.00	\$1,600.00	\$25.00	\$2,000.00	\$30.00	\$2,400.00
BASE BID SUBTOTAL					\$320,655.00		\$599,810.00		\$558,280.00		\$1,310,984.00		\$1,481,477.50

4	Add Alternate No. 1 - Hughes Ranch Road Sanitary Sewer	1			\$190,200.00	\$109,650.00	\$141,650.00	\$198,045.00	\$180,175.00				
4.1	Proposed 8" PVC SDR-26 Sanitary Sewer by open cut construction, 12' to 14' Deep, complete in place, the sum of (2530)	900	LF	\$150.00	\$135,000.00	\$60.00	\$54,000.00	\$96.00	\$86,400.00	\$150.00	\$135,000.00	\$160.00	\$144,000.00
4.2	Proposed 4-foot diameter pre-cast corrosion resistant sanitary sewer manhole, up to 8-ft deep, with non-hinged cover, with base extension, and with stainless steel inflow dish, complete in place, the sum of: (2542)	4	EA	\$7,000.00	\$28,000.00	\$7,000.00	\$28,000.00	\$6,800.00	\$27,200.00	\$9,300.00	\$37,200.00	\$4,700.00	\$18,800.00
4.3	Extra depth of 4-foot diameter pre-cast corrosion-resistant sanitary sewer manhole, complete in place, the sum of: (2542)	20	VF	\$525.00	\$10,500.00	\$600.00	\$12,000.00	\$500.00	\$10,000.00	\$700.00	\$14,000.00	\$295.00	\$5,900.00
4.4	Proposed 8-inch PVC SDR-26 sanitary sewer line by mandatory bore/auger construction, 12-14' Depth, complete in place, the sum of: (2415)	60	LF	\$250.00	\$15,000.00	\$200.00	\$12,000.00	\$200.00	\$12,000.00	\$137.00	\$8,220.00	\$135.00	\$8,100.00
4.5	Standard Manhole Drop, 6" to 8" diameter, complete in place, the sum of (2542)	1	EA	\$800.00	\$800.00	\$1,100.00	\$1,100.00	\$3,500.00	\$3,500.00	\$1,600.00	\$1,600.00	\$1,500.00	\$1,500.00
4.6	Concrete pavement repair, complete in place, the sum of (2980)	15	SY	\$60.00	\$900.00	\$170.00	\$2,550.00	\$170.00	\$2,550.00	\$135.00	\$2,025.00	\$125.00	\$1,875.00
7	Add Alternate 2 - Somersetshire Lift Station Abandonment Items	1			\$194,635.00	\$188,147.00	\$233,910.00	\$210,453.00	\$257,087.00				
7.1	Trench safety system for sanitary sewer mains, for depths greater than 5-feet, complete in place, the sum of: (01570)	627	LF	\$5.00	\$3,135.00	\$1.00	\$627.00	\$5.00	\$3,135.00	\$1.00	\$627.00	\$1.00	\$627.00
7.2	Proposed 8-inch PVC SDR-26 sanitary sewer line by mandatory bore/auger construction, 10-12' Depth, complete in place, the sum of: (02415)	151	LF	\$250.00	\$37,750.00	\$125.00	\$18,875.00	\$200.00	\$30,200.00	\$147.00	\$22,197.00	\$210.00	\$31,710.00
7.3	Proposed 8-inch PVC SDR-26 sanitary sewer line by open cut construction, 10-12' Depth, complete in place, the sum of: (02530)	589	LF	\$125.00	\$73,625.00	\$70.00	\$41,230.00	\$105.00	\$61,845.00	\$125.00	\$73,625.00	\$190.00	\$111,910.00
7.4	Proposed 8-inch PVC SDR-26 sanitary sewer line by open cut construction, 12-14' Depth, complete in place, the sum of: (02530)	38	LF	\$150.00	\$5,700.00	\$180.00	\$6,840.00	\$105.00	\$3,990.00	\$138.00	\$5,244.00	\$885.00	\$33,630.00
7.5	Reconnection of sewer services (all sizes and depths), complete in place, the sum of: (02531)	9	EA	\$1,300.00	\$11,700.00	\$1,200.00	\$10,800.00	\$800.00	\$7,200.00	\$800.00	\$7,200.00	\$1,050.00	\$9,450.00
7.6	Sanitary Sewer Service stacks, up to 3 vertical feet, complete in place, the sum of:	9	EA	\$450.00	\$4,050.00	\$850.00	\$7,650.00	\$760.00	\$6,840.00	\$1,200.00	\$10,800.00	\$750.00	\$6,750.00
7.7	Extra depth of sanitary sewer service stack, complete in place, the sum of:	45	VF	\$30.00	\$1,350.00	\$105.00	\$4,725.00	\$28.00	\$1,260.00	\$150.00	\$6,750.00	\$35.00	\$1,575.00
7.8	Proposed 4-foot diameter pre-cast corrosion resistant sanitary sewer manhole, up to 8-ft deep, with hinged cover, with base extension, and with stainless steel inflow dish, complete in place, the sum of: (02542)	2	EA	\$7,000.00	\$14,000.00	\$7,000.00	\$14,000.00	\$6,650.00	\$13,300.00	\$9,300.00	\$18,600.00	\$4,700.00	\$9,400.00
7.9	Proposed 4-foot diameter pre-cast corrosion resistant sanitary sewer manhole, up to 8-ft deep, with bolt down cover, with base extension, complete in place, the	2	EA	\$7,000.00	\$14,000.00	\$6,500.00	\$13,000.00	\$6,650.00	\$13,300.00	\$8,900.00	\$17,800.00	\$4,450.00	\$8,900.00
7.10	Extra depth of 4-foot diameter pre-cast corrosion-resistant sanitary sewer manhole, complete in place, the sum of: (02542)	9	VF	\$525.00	\$4,725.00	\$450.00	\$4,050.00	\$500.00	\$4,500.00	\$700.00	\$6,300.00	\$295.00	\$2,655.00
7.11	Standard Manhole Drop, 6-inch to 8-inch diameter, complete in place, the sum of:	1	EA	\$800.00	\$800.00	\$1,250.00	\$1,250.00	\$2,000.00	\$2,000.00	\$1,600.00	\$1,600.00	\$1,500.00	\$1,500.00
7.12	Extra Depth Manhole Drop, 6-inch to 8-inch diameter, complete in place, the sum of: (02542)	4	VF	\$50.00	\$200.00	\$50.00	\$200.00	\$210.00	\$840.00	\$200.00	\$800.00	\$45.00	\$180.00
7.13	Concrete pavement repair, complete in place, the sum of: (2980)	140	SY	\$60.00	\$8,400.00	\$160.00	\$22,400.00	\$170.00	\$23,800.00	\$135.00	\$18,900.00	\$75.00	\$10,500.00
7.14	Gravel pavement repair, complete in place, the sum of: (2980)	90	SY	\$40.00	\$3,600.00	\$50.00	\$4,500.00	\$30.00	\$2,700.00	\$39.00	\$3,510.00	\$20.00	\$1,800.00
7.15	Cut, plug, and abandon existing sanitary sewer gravity mains and force mains, complete in place, the sum of: (02669)	2	EA	\$800.00	\$1,600.00	\$3,000.00	\$6,000.00	\$4,500.00	\$9,000.00	\$2,200.00	\$4,400.00	\$500.00	\$1,000.00
7.16	Convert existing Somersetshire Lift Station's wet well into junction manhole, including, but not limited to: filling lift station bottom with cement and cement stabilized sand to lowest invert level, connecting new sanitary sewer into manhole, corrosion resistant liner of walls, roof, and bench, complete in place, the sum of: (02542)	1	LS	\$10,000.00	\$10,000.00	\$32,000.00	\$32,000.00	\$50,000.00	\$50,000.00	\$12,100.00	\$12,100.00	\$25,500.00	\$25,500.00

REFERENCE: City of Houston
TELEPHONE NO.: 832-465-6216
CONTACT: David Catadod
PROJECT: Wastewater Collection Rehabilitation

QUESTIONS

1. How did Calco Contracting, LTD perform on the project? (On a scale of 1-10)

ANSWER: 8

2. Were you satisfied with their performance?

ANSWER: Yes

3. How would you rate the quality of their work? (On a scale of 1-10)

ANSWER: 7-8

4. How would you rate their ability to coordinate the work with neighboring property owners?
(Scale of 1-10)

ANSWER: 8

5. Did they have any problems with the job? If so, what was the nature of the problem?

ANSWER: None

6. Were there many change orders on the project? If so, what were the reasons? Were they reasonable?

ANSWER: Yes, Work added out of contract scope.

7. Were they able to complete the project within the time allotted? If not, what was the reason?

ANSWER: Yes

8. How would you rate their ability to cooperate with a client? (On a scale of 1-10)

ANSWER: 10

9. Would you like to have them perform a job for you again?

ANSWER: Yes

REFERENCE: North Hampton MUD
TELEPHONE NO.: 281 363 4039
CONTACT: J. White (Jones & Carter)
PROJECT: Gosling Rd. Water & Sewer Extension

QUESTIONS

1. How did Calco Contracting, LTD. perform on the project? (On a scale of 1-10)

ANSWER: 8-9

2. Were you satisfied with their performance?

ANSWER: Yes

3. How would you rate the quality of their work? (On a scale of 1-10)

ANSWER: 8-9

4. How would you rate their ability to coordinate the work with neighboring property owners? (Scale of 1-10)

ANSWER: 8-9 Subcontractor had issues with property owners, but Calco did not

5. Did they have any problems with the job? If so, what was the nature of the problem?

ANSWER: Subcontractors had a couple issues, but no longer appear to work with Calco according to the reference.

6. Were there many change orders on the project? If so, what were the reasons? Were they reasonable?

ANSWER: Yes, unforeseen circumstances

7. Were they able to complete the project within the time allotted? If not, what was the reason?

ANSWER: Yes

8. How would you rate their ability to cooperate with a client? (On a scale of 1-10)

ANSWER: 10

9. Would you like to have them perform a job for you again?

ANSWER: Yes

REFERENCE: North Ft. Bend Water Authority
TELEPHONE NO.: 713-780-4100
CONTACT: Doug Schmidt
PROJECT: 36" Waterline @ Fulshear-Gaston Rd.

QUESTIONS

1. How did Calco Contracting Ltd. perform on the project? (On a scale of 1-10)

ANSWER: 8.5

2. Were you satisfied with their performance?

ANSWER: Yes

3. How would you rate the quality of their work? (On a scale of 1-10)

ANSWER: 9

4. How would you rate their ability to coordinate the work with neighboring property owners?
(Scale of 1-10)

ANSWER: 9

5. Did they have any problems with the job? If so, what was the nature of the problem?

ANSWER: No, minor water leak was fixed with no problems

6. Were there many change orders on the project? If so, what were the reasons? Were they reasonable?

ANSWER: Yes, revisions were made to the drawings

7. Were they able to complete the project within the time allotted? If not, what was the reason?

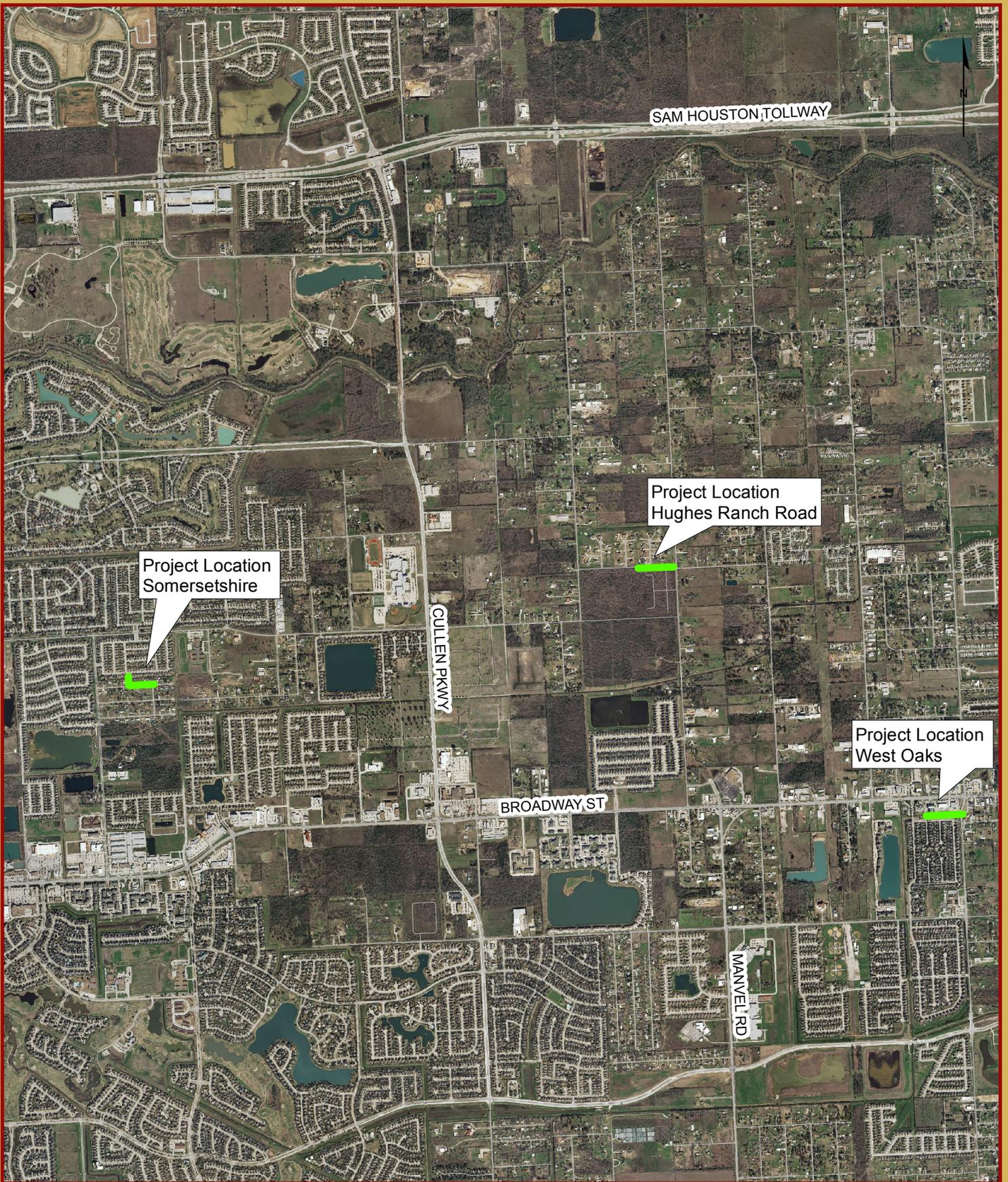
ANSWER: Yes

8. How would you rate their ability to cooperate with a client? (On a scale of 1-10)

ANSWER: 9

9. Would you like to have them perform a job for you again?

ANSWER: Yes



**ABANDONMENT OF SOMERSETSHIRE AND
WEST OAKS LIFT STATIONS
AND INSTALLATION OF SANITARY SEWER AT
HUGHES RANCH ROAD**

Agenda Request



1 inch = 2,829 feet

AUGUST 5, 2014
CAPITAL PROJECTS

This product is for informational 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.



Memo

To: Michelle Graham, Director of Parks and Recreation
 From: Andrea Brinkley, Project Manager
 CC: Skipper Jones, Assistant Director, Projects
 Rosalyn Epting, Assistant Director, Parks and Recreation

Date: July 25, 2014

RE: Max Road Sports Complex Phase 1 *Construction Update*

7/25/14
To: Mayor & City Council/Max
Park improvement update coming closer to reality


Background – Max Road Sports Complex Phase 1

The FY 2013 CIP included the Max Road Sports Complex Phase 1 (Project No. P20005). The Sports Complex provides soccer and sports fields to meet the need identified in the Parks Master Plan. Other parks with sports fields such as Centennial Park will be converted to provide for youth softball, allowing for a growth and geographic consolidation of the recreation programs, as a larger number of fields are constructed at each facility.

The Sports Complex construction followed the completion of the Hickory Slough Detention Pond, as the facilities are co-located on the same site. The Sports Complex project scope includes six international size soccer fields, of which 2 are multipurpose fields, capable of supporting other sports such as lacrosse or football. Three fields are lighted. The Complex also includes restroom and concession buildings, a promenade with pedestrian lighting, and a 392 space parking lot.

> Construction Status Update

- Restroom and Concession buildings are 80% complete, roofing underway, and plumbing being completed inside the buildings.
- Completed dumpster and electrical enclosure.
- Completed Musco Sports Lighting and LED parking lot and pedestrian lighting.
- Awaiting energizing for power by Centerpoint
- Topsoil placement for sports fields is complete with laser grading underway on the 6th and final field.
- Irrigation work is 90 % complete with irrigation on all fields, being completed. Pump to be set when site is energized.
- Big roll sod installation 60% complete, with 2 fields remaining.
- Continuing electrical work for main line wiring to buildings and field lighting.
- Landscaping scheduled to be installed in the 2 weeks
- Entry sign awaiting re-design

Other remaining work – Hughes Ranch Rd Sanitary Sewer to serve Sports Complex

As mentioned, Hickory Slough Regional Detention Pond, Hughes Ranch Rd (2 lanes) and Max Rd Sports Complex are situated within the same site. Phase 1 of the detention pond was bid as a heavy civil construction package in 2012. Max Road Sports Complex, Ph 1 was bid as a site work and landscaping construction package in late 2013. The heavy civil work included the pond, the sports complex parking lot and the Hughes Ranch Rd. sanitary sewer, a temporary manhole- housed grinder pump and forcemain. These sanitary sewer items were bid at a cost prohibitive price and were removed from the scope of construction of the Detention Pond.

The Developer Agreement with MHI Partnership Ltd. (Avalon Terrace) provided for the construction of a sanitary sewer forcemain and connection to existing infrastructure south of Hickory Slough and the subsequent sanitary sewer lift station at Max Road and Hughes Ranch Road to serve the subdivision and the City, located to the west of the project. The sanitary sewer lift station is now nearing completion and acceptance, so the scope of the Hughes Ranch Rd. sanitary sewer can be reduced to a shorter gravity sanitary sewer and connection to the lift station.

The sanitary project design has been revised and included with another project with similar work items, the Abandonment of Lift Stations at Somersetshire and West Oaks Subdivisions for expeditious bidding and economy of scale pricing.

The Hughes Ranch Rd Sanitary Sewer will be bid on August 1, 2014, with a Council award anticipated in August.

Project Schedule

Sports Complex Design	Jan 2013 – November 2013
Sports Complex Bid/Council Award	December 2013
Sports Complex Notice to Proceed with Construction	January 2014 – August 2014
Hughes Ranch Rd Sanitary Sewer	August 2014 – October 2014*

*anticipated best schedule

Photos: See Below



View of the Promenade, pedestrian lighting



Placing big roll sod on field.



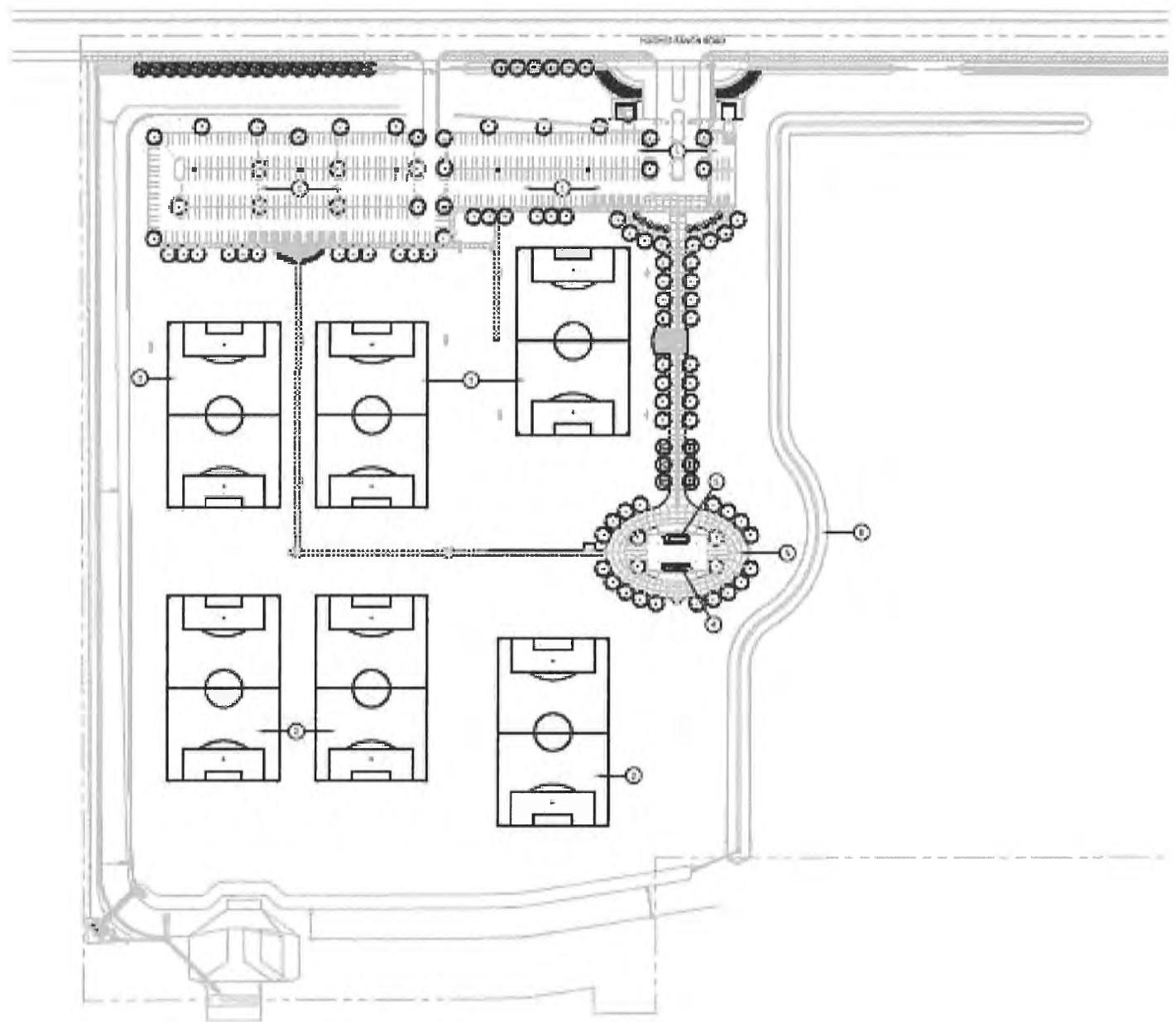
Concession building



Restroom building, and accent stone being placed by mason.



Installed coiling door for concession stand window



01 OVERALL SITE PLAN



Max Rd Sports Complex

Hughes Ranch Rd

Cullen Pkwy

Max Rd

FM 518



New Business Item No. 3

- 3. Consideration and Possible Action – Resolution No. R2014-91 – A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for construction services, associated with the McHard Waterline Project (Phase 1), to Calco Contracting, Ltd., in the amount of \$3,740,000.00.**

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

AGENDA OF:	August 11, 2014	ITEM NO.:	Resolution No. R2014-91
DATE SUBMITTED:	July 29, 2014	DEPT. OF ORIGIN:	Projects
PREPARED BY:	Jennifer Lee	PRESENTOR:	Trent Epperson
REVIEWED BY:	Trent Epperson	REVIEW DATE:	August 5, 2014
SUBJECT: Award of Construction Contract for McHard Waterline Phase 1- Business Center Dr. to Cullen Blvd. and Mykawa to SH 35			
EXHIBITS: R2014-XXX; A – Engineer’s Recommendation Letter and Bid Tab; B – Project Location Exhibit; C – Memo to City Manager			
FUNDING:	<input type="checkbox"/> Grant	<input type="checkbox"/> Developer/Other	<input type="checkbox"/> Cash
	<input checked="" type="checkbox"/> Bonds To Be Sold	<input checked="" type="checkbox"/> Bonds- Sold	<input type="checkbox"/> L/P – To Be Sold
		<input type="checkbox"/> L/P – Sold	
EXPENDITURE REQUIRED: \$3,740,360.00		AMOUNT BUDGETED: \$5,880,347	
AMOUNT AVAILABLE: \$4,338,889		PROJECT NO.: WA1201	
ACCOUNT NO.: 42-0000-565.03-00			
ADDITIONAL APPROPRIATION REQUIRED: No			
ACCOUNT NO.:			
PROJECT NO.:			
To be completed by Department:			
X Finance	X Legal	Ordinance	X Resolution

RECOMMENDED ACTION

Staff recommends that Council approve the Bid results, Award the Contract for the construction of the McHard Waterline Phase 1 (SH35 to Mykawa Road and Business Center Drive to Cullen Parkway) in the amount of \$3,740,360.00 to Calco Constructing, Ltd. and authorize the City Manager to execute the contract.

EXECUTIVE SUMMARY

Staff recommend Council approve the Bid results and award a contract for construction to Calco Contracting, Ltd. (Calco) in the amount of \$3,740,360.00 for the construction of McHard Road Waterline and authorize the City Manager to execute the agreement.

BACKGROUND

Originally programmed as a component of the McHard Road Extension project, the 16" water line was designed to connect our existing water system from SH35 to Business Center Drive along the future McHard Road corridor. The waterline portion of the project was pulled from the overall McHard Road Extension project as a standalone plan after the roadway received federal funding and became subject to federal right of way environmental regulations. Staff decided to phase the waterline project in order to move forward with those portions of the line in existing right of way and to take advantage of current utility construction cost.

Phase 1 of the project includes an alignment that does not require the acquisition of additional ROW. Phase 2 of the waterline project is still planned to follow the alignment of the proposed roadway which must complete a full Environmental Assessment prior to right of way acquisition. The Design Engineering for the entire project was performed by Freese and Nichols Engineers and completed in June this year.

SCOPE OF CONTRACT/AGREEMENT

The construction scope includes the installation of approximately 15,700 linear feet of 16-inch water line and all associated appurtenances between Business Center Drive and Cullen Blvd and Mykawa Road and SH 35. Work includes valves and fire hydrants, maintenance of existing potable water service, pavement removal and replacement and tree protection. Control of surface and ground water, preparation and implementation of traffic control and storm water pollution prevention plans, required testing, site preparation and restoration, and all associated construction related permits, including those for TxDOT, are also included in this scope of work.

The contractor will use the trenchless construction method to install segments of the water line under SH 288 and at various locations throughout the alignment where open cut excavation is not feasible. Because of the rising market cost for construction material, the project allows the contractor to select pipe and fittings from a preapproved list. The alignment requires crossing three private pipeline easements, TxDOT ROW, and BNSF ROW and coordination with private utilities.

BID AND AWARD

The project was advertised June 12th and 19th of 2014 and bids were opened on July 17, 2014, via the E-Bid system. Six construction firms bid the project with bids ranging from \$3,740,360.00 to \$4,773,523.00. The low bid of \$3,740,360.00, submitted by Calco Constructing, Ltd., was approximately 15% below the engineers estimated construction cost of \$4,387,110.25.

Calco has a long and positive history with the City; having installed a waterline along FM 518 and reconstructed Walnut Street. The Design Consultant, Freese and Nichols, completed a reference check and found no performance or financial issues either pending or historically, see attached Engineer's Recommendation Letter.

SCHEDULE

Successful award of the construction contract is planned to be followed by a Pre-Construction conference held late in the week of August 18, 2014, and issuance of the Notice to Proceed (NTP) at that same meeting. Barring weather delays, substantial completion for the work will be two hundred and forty (240) days from NTP with final completion two hundred and seventy (270) days from NTP.

POLICY/GOAL CONSIDERATION

The water line project is in accordance with the Council goals for planning and constructing for future economic and population growth and is based on the requirements set out by the City's Water Model Updates. In addition, the project will significantly reduce the City's O&M cost for surface water and delay the need to expend funds on the future surface water plant.

CURRENT AND FUTURE CIP FUNDING /FINANCIAL IMPACTS/DEBT SERVICE

Year	To Date	2015	2016	2017	2018	Total
Budget	\$ 5,880,347		\$ 4,130,762			\$ 10,011,109
Prior Expenditures						
PER						-
Land/ROW						-
Design/Survey	1,297,018					1,297,018
Construction	244,440					244,440
FF&E						-
Current Request						
Construction	3,740,360					3,740,360
Future Expenditures						
PER						-
Land/ROW						-
Design/Survey			100,000			100,000
Construction	150,000		4,030,762			4,180,762
FF&E						-
Total Expenditures	\$ 5,431,818	\$ -	\$ 4,130,762	\$ -	\$ -	\$ 9,562,580
Remaining Balance	\$ 448,529	\$ 448,529	\$ 448,529	\$ 448,529	\$ 448,529	\$ 448,529

Debt Sold	2,166,673					
Debt to Be Sold	2,753,235		4,130,762			
Annual Debt Service	145,167	329,634	329,634	606,395	606,395	

O&M IMPACT INFORMATION

Based on Average Day Demand in the 2015 water model scenario, the completion of the 16" McHard Water Line will reduce the take at the SCR plant by approximately 1.1 MGD. The cost of the Alice Street Water versus the SCR water results in an estimated \$931,444 annual savings on the purchase of surface water.

Year	2014	2015	2016	2017	2018
Operation and Maintenance Costs		\$ (2,978)	\$ (2,978)	\$ (931,144)	\$ (931,144)

RESOLUTION NO. R2014-91

A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for construction services, associated with the McHard Waterline Project (Phase 1- SH35 to Mykawa Road and Business Center Drive to Cullen Parkway), to Calco Contracting, Ltd., in the amount of \$3,740,000.00.

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

Section 1. That bids were obtained for the construction of the McHard Waterline Project (Phase 1).

Section 2. That the City Council hereby awards a bid to Calco Contracting, Ltd., in the total amount of \$3,740,000.00.

Section 3. The City Manager or his designee is hereby authorized to execute a contract for the construction of the McHard Waterline Project (Phase 1).

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

7/25/2014

Jennifer Lee
Project Manager
City of Pearland
3519 Liberty Drive
Pearland, Texas 77581

**RE: Project No.: WA1201
Bid No.: 0314-31
McHard Road Trunk Sewer – Phase 1**

Dear Ms. Lee:

Listed below is the summary of bids for the McHard Road Trunk Sewer – Phase 1 – Business Center to Cullen and Mykawa to SH 35 project. A total of six bid proposals were received on July 17, 2014.

Summary of Bids:

	<u>Base Bid</u>	<u>Extra Work Items</u>	<u>Base Bid plus Extra Work</u>
1) Calco Contracting Ltd.	\$ 3,621,360.00	\$ 119,000.00	\$ 3,740,360.00
2) Resicom, Inc.	\$ 3,658,640.00	\$ 134,500.00	\$ 3,793,140.00
3) Metro City Construction, L.P.	\$ 3,845,913.50	\$ 111,500.00	\$ 3,957,413.50
4) E.P. Brady Ltd.	\$ 3,911,940.00	\$ 111,500.00	\$ 4,023,440.00
5) SER Construction Partners, LLC	\$ 4,511,770.10	\$ 113,750.00	\$ 4,625,520.10
6) S.J. Louis of Texas Construction LLC	\$ 4,647,023.30	\$ 126,500.00	\$ 4,773,523.30

Freese and Nichols' estimate for the Total Project was \$ 4,387,110.25. A copy of the bid tabulation is attached for your use and information.

Based on their previous experience with the City of Pearland and the references checked, Calco Contracting Ltd. appears to have a good record on this type of project. Based on this information, Freese and Nichols recommends that the City of Pearland award the construction contract for this project to Calco Contracting Ltd. in the amount of \$3,740,360.00.

Please call me at (832) 456-4715 if you have any questions.

Sincerely,

Freese and Nichols, Inc.



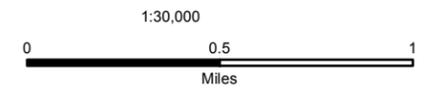
William (Clay) Herndon, P.E.
Project Manager

Bid # 0314-31 McHard Road Water Line Phase I - Business Center to Cullen and Mykawa to SH 35

Specification Responses			Calco Contracting, Ltd.		Resicom, Inc.		Metro City Construction, L.P.		E.P. Brady, Ltd.		SER Construction Partners, LLC		S.J. Louis Construction of Texas, L		Average Bid		Engineer's Estimate		
Line	Description	UOM	QTY	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended
1	Base Bid Items	PKG	1	\$3,621,360.00		\$3,658,640.00		\$3,845,913.50		\$3,911,940.00		\$4,511,770.10		\$4,647,023.30		\$4,032,774.48		\$4,261,610.00	
1.1	MOBILIZATION (MAX 3% OF CONTRACT) TRAFFIC CONTROL & REGULATION	LS	1	\$113,000.00	\$113,000.00	\$112,000.00	\$112,000.00	\$118,700.00	\$118,700.00	\$127,500.00	\$127,500.00	\$219,995.00	\$219,995.00	\$130,000.00	\$130,000.00	\$136,865.83	\$136,865.83	\$127,560.00	\$127,560.00
1.2	INCL. FLAGGERS SWPPP PREPARATION, IMPLEMENTATION & MAINTENANCE	LS	1	\$70,000.00	\$70,000.00	\$225,000.00	\$225,000.00	\$105,000.00	\$105,000.00	\$30,000.00	\$30,000.00	\$62,100.00	\$62,100.00	\$45,000.00	\$45,000.00	\$89,516.67	\$89,516.67	\$100,000.00	\$100,000.00
1.3	CONTROL OF GROUND WATER (OPEN EXCAVATION) (WELL POINTING)	LF	10330	\$25.00	\$258,250.00	\$5.00	\$51,650.00	\$27.20	\$280,976.00	\$25.00	\$258,250.00	\$25.00	\$258,250.00	\$25.00	\$258,250.00	\$22.03	\$227,604.33	\$25.00	\$258,250.00
1.4	TRENCH SAFETY SYSTEM (UTILITIES)	LF	10330	\$1.00	\$10,330.00	\$5.00	\$51,650.00	\$1.00	\$10,330.00	\$1.00	\$10,330.00	\$0.10	\$1,033.00	\$0.01	\$103.30	\$1.35	\$13,962.72	\$1.00	\$10,330.00
1.5	SITE PREPARATION REMOVE AND REPLACE EXISTING	AC	7	\$500.00	\$3,500.00	\$4,300.00	\$30,100.00	\$1,500.00	\$10,500.00	\$10,000.00	\$70,000.00	\$3,293.30	\$23,053.10	\$10,000.00	\$70,000.00	\$4,932.22	\$34,525.52	\$1,500.00	\$10,500.00
1.6	REMOVE AND REPLACE EXISTING BARB-WIRE FENCE	LF	70	\$10.00	\$700.00	\$45.00	\$3,150.00	\$15.00	\$1,050.00	\$6.00	\$420.00	\$19.90	\$1,393.00	\$13.00	\$910.00	\$18.15	\$1,270.50	\$15.00	\$1,050.00
1.7	REMOVE AND REPLACE EXISTING STORM DRAIN INLET	EA	4	\$2,300.00	\$9,200.00	\$800.00	\$3,200.00	\$3,600.00	\$14,400.00	\$2,250.00	\$9,000.00	\$2,869.30	\$11,477.20	\$4,800.00	\$19,200.00	\$2,769.88	\$11,079.53	\$3,000.00	\$12,000.00
1.8	REMOVE AND REPLACE EXISTING CONCRETE SIDEWALK	SF	1400	\$10.00	\$14,000.00	\$6.50	\$9,100.00	\$11.00	\$15,400.00	\$9.00	\$12,600.00	\$8.00	\$11,200.00	\$10.00	\$14,000.00	\$9.08	\$12,716.67	\$5.00	\$7,000.00
1.9	REMOVE AND REPLACE EXISTING CONCRETE SLOPE PAVING	SY	105	\$100.00	\$10,500.00	\$81.00	\$8,505.00	\$83.00	\$8,715.00	\$75.00	\$7,875.00	\$77.50	\$8,137.50	\$100.00	\$10,500.00	\$86.08	\$9,038.75	\$50.00	\$5,250.00
1.10	REMOVE AND REPLACE EXISTING CONCRETE END TREATMENT	EA	5	\$1,700.00	\$8,500.00	\$2,000.00	\$10,000.00	\$3,300.00	\$16,500.00	\$575.00	\$2,875.00	\$2,484.00	\$12,420.00	\$2,800.00	\$14,000.00	\$2,143.17	\$10,715.83	\$500.00	\$2,500.00
1.11	REMOVE AND REPLACE EXISTING 18" RCP	LF	10	\$75.00	\$750.00	\$125.00	\$1,250.00	\$105.00	\$1,050.00	\$60.00	\$600.00	\$125.80	\$1,258.00	\$100.00	\$1,000.00	\$98.47	\$984.67	\$42.00	\$420.00
1.12	REMOVE AND REPLACE EXISTING 24" RCP	LF	10	\$85.00	\$850.00	\$175.00	\$1,750.00	\$105.00	\$1,050.00	\$75.00	\$750.00	\$134.60	\$1,346.00	\$100.00	\$1,000.00	\$112.43	\$1,124.33	\$55.00	\$550.00
1.13	12" GATE VALVE	EA	2	\$2,500.00	\$5,000.00	\$2,300.00	\$4,600.00	\$3,800.00	\$7,600.00	\$2,250.00	\$4,500.00	\$2,147.40	\$4,294.80	\$2,500.00	\$5,000.00	\$2,582.90	\$5,165.80	\$3,500.00	\$7,000.00
1.14	16" GATE VALVE	EA	13	\$7,500.00	\$97,500.00	\$6,500.00	\$84,500.00	\$13,600.00	\$176,800.00	\$6,000.00	\$78,000.00	\$6,203.50	\$80,645.50	\$7,000.00	\$91,000.00	\$7,800.58	\$101,407.58	\$5,500.00	\$71,500.00
1.15	FIRE HYDRANT ASSEMBLY, INCL. LEAD & 6" GATE VALVE	EA	21	\$5,200.00	\$109,200.00	\$5,985.00	\$125,685.00	\$5,350.00	\$112,350.00	\$6,100.00	\$128,100.00	\$5,768.90	\$121,146.90	\$9,500.00	\$199,500.00	\$6,317.32	\$132,663.65	\$5,500.00	\$115,500.00
1.16	2" COMBINATION AIR RELEASE/VACUUM VALVE AND VAULT	EA	20	\$6,500.00	\$130,000.00	\$9,500.00	\$190,000.00	\$6,050.00	\$121,000.00	\$12,500.00	\$250,000.00	\$3,799.20	\$75,984.00	\$8,500.00	\$170,000.00	\$7,808.20	\$156,164.00	\$7,500.00	\$150,000.00
1.17	CONNECT TO EXIST 16" WATER MAIN AT BUSINESS CENTER (WET CONNECTION)	EA	1	\$3,000.00	\$3,000.00	\$2,500.00	\$2,500.00	\$3,000.00	\$3,000.00	\$6,500.00	\$6,500.00	\$2,628.50	\$2,628.50	\$4,000.00	\$4,000.00	\$3,604.75	\$3,604.75	\$1,500.00	\$1,500.00
1.18	CONNECT TO EXIST 12" WATER MAIN AT CULLEN (WET CONNECTION)	EA	1	\$2,700.00	\$2,700.00	\$2,600.00	\$2,600.00	\$2,000.00	\$2,000.00	\$6,600.00	\$6,600.00	\$2,403.00	\$2,403.00	\$4,800.00	\$4,800.00	\$3,517.17	\$3,517.17	\$2,500.00	\$2,500.00
1.19	CONNECT TO EXIST 12" WATER MAIN AT MYKAWA (WET CONNECTION)	EA	1	\$2,700.00	\$2,700.00	\$2,600.00	\$2,600.00	\$2,000.00	\$2,000.00	\$6,600.00	\$6,600.00	\$2,443.80	\$2,443.80	\$4,000.00	\$4,000.00	\$3,390.63	\$3,390.63	\$2,500.00	\$2,500.00
1.20	CONNECT TO EXIST 16" WATER MAIN AT SH 35 (WET CONNECTION)	EA	1	\$6,000.00	\$6,000.00	\$5,200.00	\$5,200.00	\$3,000.00	\$3,000.00	\$8,500.00	\$8,500.00	\$4,487.90	\$4,487.90	\$6,500.00	\$6,500.00	\$5,614.65	\$5,614.65	\$3,500.00	\$3,500.00
1.21	12" DIA. WATER MAIN (OPEN EXCAVATION)	LF	140	\$80.00	\$11,200.00	\$70.00	\$9,800.00	\$117.00	\$16,380.00	\$100.00	\$14,000.00	\$75.20	\$10,528.00	\$150.00	\$21,000.00	\$98.70	\$13,818.00	\$90.00	\$12,600.00
1.22	16" DIA. WATER MAIN (OPEN EXCAVATION)	LF	10200	\$65.00	\$663,000.00	\$95.00	\$969,000.00	\$116.00	\$1,183,200.00	\$85.00	\$867,000.00	\$80.00	\$816,000.00	\$92.00	\$938,400.00	\$88.83	\$906,100.00	\$120.00	\$1,224,000.00
1.23	16" DIA. WATER MAIN (TRENCHLESS)	LF	2670	\$210.00	\$560,700.00	\$130.00	\$347,100.00	\$169.75	\$453,232.50	\$200.00	\$534,000.00	\$307.40	\$820,758.00	\$370.00	\$987,900.00	\$231.19	\$617,281.75	\$240.00	\$640,800.00
1.24	24" DIA. STEEL CASING FOR 16" DIA. WATER MAIN (AUGER)	LF	2740	\$535.00	\$1,465,900.00	\$465.00	\$1,274,100.00	\$383.00	\$1,049,420.00	\$530.00	\$1,452,200.00	\$687.70	\$1,884,298.00	\$580.00	\$1,589,200.00	\$530.12	\$1,452,519.67	\$520.00	\$1,424,800.00
1.25	Additional Cost for 30" Casing in lieu of 24" Casing. This cost will be added to the cost of Item 1.25 if the Contractor choses to install a 30" casing. If 24" casing is installed, this item will not be paid.	LF	2740	\$12.00	\$32,880.00	\$10.00	\$27,400.00	\$40.00	\$109,600.00	\$1.00	\$2,740.00	\$5.00	\$13,700.00	\$14.00	\$38,360.00	\$13.67	\$37,446.67	\$0.00	\$0.00
1.26	SITE RESTORATION (HYDRO-MULCH SEEDING)	AC	8	\$1,500.00	\$12,000.00	\$9,400.00	\$75,200.00	\$1,770.00	\$14,160.00	\$1,000.00	\$8,000.00	\$4,523.80	\$36,190.40	\$1,800.00	\$14,400.00	\$3,332.30	\$26,658.40	\$2,500.00	\$20,000.00
2	EXTRA ITEMS	PKG	1	\$119,000.00		\$134,500.00		\$111,500.00		\$111,500.00		\$113,750.00		\$126,500.00		\$119,458.33		\$125,500.00	
2.1	REMOVE AND REPLACE IRRIGATION LINES (ALLOWANCE)	LS	1	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00
2.2	CRITICAL LOCATE OF EXISTING UTILITY LINE	EA	15	\$1,500.00	\$22,500.00	\$1,200.00	\$18,000.00	\$700.00	\$10,500.00	\$1,000.00	\$15,000.00	\$1,150.00	\$17,250.00	\$2,000.00	\$30,000.00	\$1,258.33	\$18,875.00	\$1,500.00	\$22,500.00
2.3	Railroad Flaggers (allowance)if needed.	LS	1	\$7,500.00	\$7,500.00	\$7,500.00	\$7,500.00	\$7,500.00	\$7,500.00	\$7,500.00	\$7,500.00	\$7,500.00	\$7,500.00	\$7,500.00	\$7,500.00	\$7,500.00	\$7,500.00	\$7,500.00	\$7,500.00
2.4	EXTRA WORK - LABOR (UNSKILLED)	MAN HR	300	\$20.00	\$6,000.00	\$20.00	\$6,000.00	\$20.00	\$6,000.00	\$20.00	\$6,000.00	\$20.00	\$6,000.00	\$20.00	\$6,000.00	\$20.00	\$6,000.00	\$25.00	\$7,500.00
2.5	EXTRA WORK - LABOR (SKILLED)	MAN HR	300	\$35.00	\$10,500.00	\$35.00	\$10,500.00	\$35.00	\$10,500.00	\$35.00	\$10,500.00	\$35.00	\$10,500.00	\$35.00	\$10,500.00	\$35.00	\$10,500.00	\$35.00	\$10,500.00
2.6	EXTRA WORK - MACHINE EXCAVATION	CY	500	\$20.00	\$10,000.00	\$20.00	\$10,000.00	\$20.00	\$10,000.00	\$20.00	\$10,000.00	\$20.00	\$10,000.00	\$20.00	\$10,000.00	\$20.00	\$10,000.00	\$20.00	\$10,000.00
2.7	EXTRA WORK - CEMENT STABILIZED SAND	CY	500	\$25.00	\$12,500.00	\$25.00	\$12,500.00	\$34.00	\$17,000.00	\$25.00	\$12,500.00	\$25.00	\$12,500.00	\$25.00	\$12,500.00	\$26.50	\$13,250.00	\$25.00	\$12,500.00
2.8	EXTRA WORK - DUCTILE IRON FITTINGS, ALL CLASSES AND SIZES, IN PLACE	TON	10	\$2,500.00	\$25,000.00	\$4,500.00	\$45,000.00	\$2,500.00	\$25,000.00	\$2,500.00	\$25,000.00	\$2,500.00	\$25,000.00	\$2,500.00	\$25,000.00	\$2,833.33	\$28,333.33	\$3,000.00	\$30,000.00
Total					\$3,740,360.00		\$3,793,140.00		\$3,957,413.50		\$4,023,440.00		\$4,625,520.10		\$4,773,523.30		\$4,152,232.8167		\$4,387,110.00
Mobilization Check					3.0%		3.0%		3.0%		3.2%		4.8%		2.7%		3.3%		2.9%



CITY OF PEARLAND
 McHard Water Line Project Phasing



This product is for informational 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.

MAP PREPARED: <DATE>
 CITY OF PEARLAND <DEPARTMENT>



Memo

To: Clay Pearson, City Manager

From: Skipper Jones, AD, Projects Department 

CC: Jon Branson, Deputy City Manager
Trent Epperson, Assistant City Manager
Eric Wilson, Director of Public Works
Richard Mancilla, Interim City Engineer

Date: July 30, 2014

Re: McHard Waterline Phase I

7/31/14
To: Mayor & City Council Members
FYI on water main
(contract award (good prices)
that give us redundancy and
mix of sources to the system.

The purpose of this memo is to provide background and technical information on the McHard Waterline, Phase I and the contract scheduled for award to Calco Contracting, Ltd. August 11. 

History:

The 2007 Water Model updates projected increased water demands on the west side of the City currently served by the Shadow Creek Booster Pump Station. This plant has a rated capacity of approximately 180 million gallons per month (or 6 MGD) and receives water from the City of Houston's Federal Road Plant at a contract cost of \$2.722 per thousand gallons plus \$0.675 per thousand gallons for flows exceeding the minimum 40 million gallons per month (or 1.33 MGD). Currently, the City actually receives approximately 60+/- million gallons per month or about 2 MGD through this plant. Water, available from the City of Houston's Southeast Water Plant is available at a rate of \$0.5845 per thousand gallons with the opportunity to negotiate a higher take rate contract to avoid surcharges for greater flows. Additionally, this single source of water at this location left the west side of the City vulnerable to a single point failure.

In 2009, Staff commissioned CDM Smith to design the first phase expansion of the Alice Street Water Plant and a 30 inch transmission line from the City of Houston's closest 72 inch main to bring water in from Houston's Southeast Plant to the Alice Street plant. The 30 inch transmission line was completed in January, 2013 and the water plant was completed in June, 2013. In early 2012 the water model was updated again to include recently completed water projects, confirm expected water demand for the west side and to provide a positive size recommendation for the McHard Road water transmission line.

In February that same year, Staff commissioned Freese and Nichols for a combined Preliminary Engineering Report for McHard Road and Waterline. The determined alignment for the waterline was planned to follow the expected McHard Road alignment from the intersection with Mykawa to Cullen Parkway. From there it was to follow the existing McHard right of way, crossing beneath the SH288 right of way and terminating approximately 400 feet west of Market Place Boulevard where it would tie into the existing 16 inch transmission line.

When the McHard Road project received confirmation of federal funding through the TIP in May, 2013, federal funding requirements dictated that the road alignment could not be positively identified, nor right of way acquired, until the full environmental assessment was completed and approved by the Federal Highway Administration, scheduled for approximately two years later.

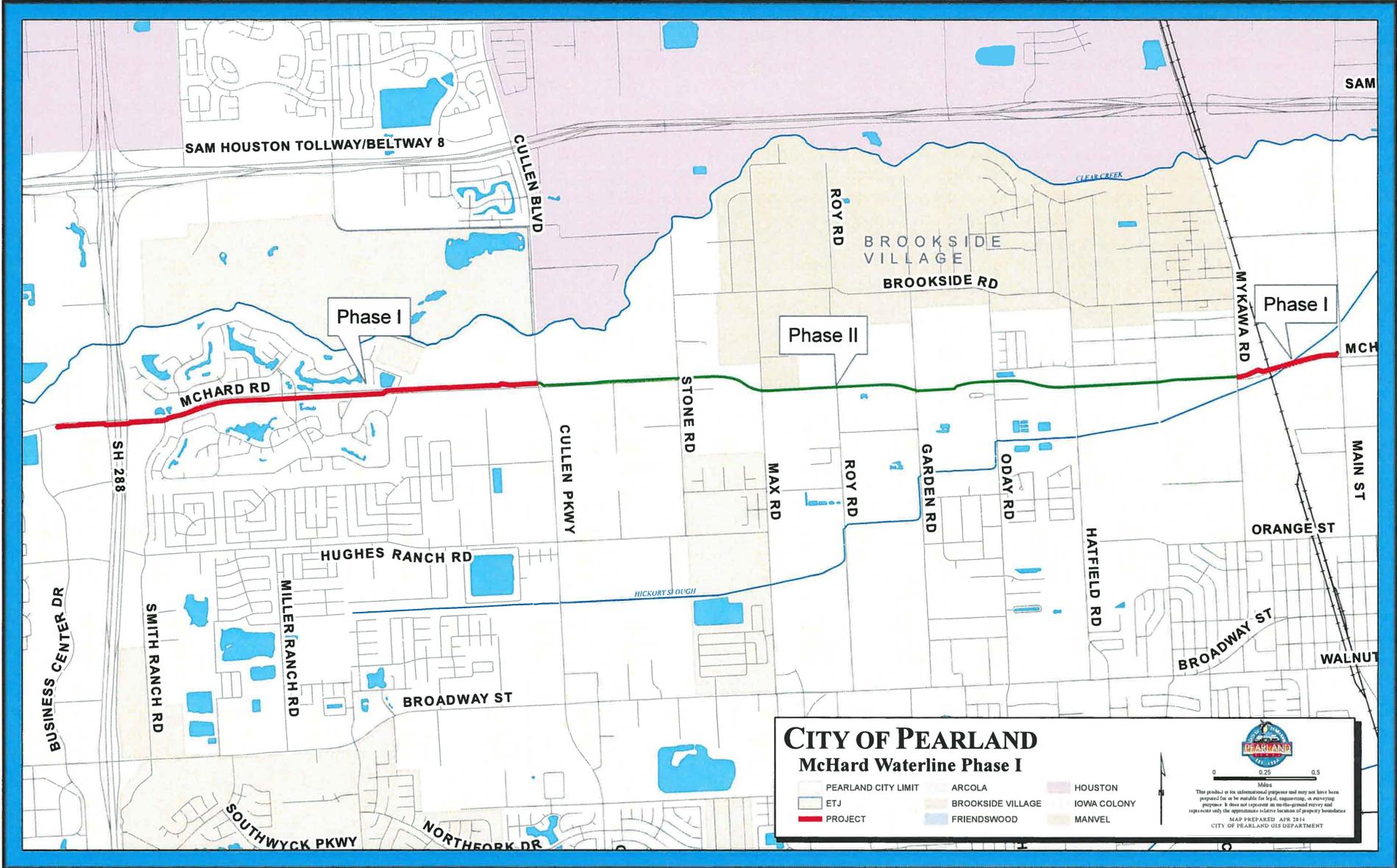
Design:

Design for the water line proceeded directly from the PER and when the design reached 60% in late 2013 Staff concluded that the timeline for the road right of way acquisition was unnecessarily delaying progress on completion of the waterline design and would likely delay construction by the two plus years projected for the environmental clearance required. A decision was made in April, 2014 to phase the waterline project to allow the City to move forward with the first phase within existing right of way.

Phase 1 of this project now consist of work in two locations: from State Highway 35 to Mykawa where it will tie into the 12 inch line along Mykawa and temporarily terminate. The second portion begins on McHard Road, west of Market Place Boulevard, and extends beneath State Highway 288 along the existing McHard Road corridor and ties into the existing 12 inch line on Cullen Parkway and again temporarily terminate. (See Exhibit) The line consists of 10,200 linear feet of 16 inch line installed by open cut; 2670 feet installed by trenchless methods and 2740 by auger construction plus associated valves and interim connections. These two segments will improve water circulation and providing redundant supply within areas that have experienced periods of less than optimum water pressures.

Current Status:

X The Phase 1 portion of this project bid out on July 17th with six bidders participating. The engineer's estimate for Phase 1 construction costs was \$4,387,110 and the low bid came in at \$3,740,360 from Calco Contracting. Construction is scheduled to be substantially complete in 240 calendar days from Notice to Proceed with final completion/ acceptance 30 days later. The work could begin within 25 days after award to allow for material submittal approvals and procurement.



CITY OF PEARLAND McHard Waterline Phase I

<ul style="list-style-type: none"> PEARLAND CITY LIMIT ETJ PROJECT 	<ul style="list-style-type: none"> ARCOLA BROOKSIDE VILLAGE FRIENDSWOOD 	<ul style="list-style-type: none"> HOUSTON IOWA COLONY MANVEL
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0 0.25 0.5
Miles

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

MAP PREPARED: APR 2014
CITY OF PEARLAND GIS DEPARTMENT

New Business Item No. 4

- 4. Consideration and Possible Action – First Reading of Ordinance No. Cup 2014-05** An Ordinance of the City Council of the City of Pearland, Texas, approving a Conditional Use Permit for certain property, being 5.00 Acres out of the G.T. & B.R.R. Company Survey, A-304 in Brazoria County, Texas being the same land described as 5.00 Acres in a warranty deed from Steven C. Muth to Houston Chinese Church, dated July 5, 2007 and recorded as Document No. 2007039242, official records of Brazoria County, Texas. **(located at the 2500 Block of Miller Ranch RD., Pearland, TX** Conditional Use Permit Application No. CUP 2014-05 to allow for a church, temple, or place of worship in the single family residential-1 (R- 1) District at the request of Raymond JJ ZHUO, Applicant, on behalf of Houston Chinese Church, owner, containing a savings clause, a severability clause, an effective date and other provisions related to the subject.

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

AGENDA OF: August 11, 2014 DATE SUBMITTED: July 31, 2014 PREPARED BY: Ian Clowes REVIEWED BY: Lata Krishnarao	ITEM NO.: Ordinance No. CUP2014-05 DEPT. OF ORIGIN: Planning PRESENTOR: Lata Krishnarao REVIEW DATE: 8/7/14				
SUBJECT: A request of Raymond JJ Zhuo, applicant for Houston Chinese Church, owner, for approval of a Conditional Use Permit to allow for a Church, Temple, or Place of Worship in the Single Family Residential (R-1) Zoning District, on the following described property: General Location: 2500 Block of Miller Ranch Rd.					
EXHIBITS: Ordinance No. CUP 2014-05 and Exhibits (Exhibit A – Legal Description; Exhibit B – Location Map; Exhibit C – Site Plan; Exhibit D – Legal Ad; Exhibit E – Planning and Zoning Commission Recommendation Letter), Joint Public, Hearing Staff Report, Site Plan, Vicinity and Zoning Map, Future Land Use Map, Aerial Map, Planning and Zoning Commission Recommendation Letter, Applicant Packet					
<table style="width: 100%;"> <tr> <td style="width: 50%;"> EXPENDITURE REQUIRED: N/A AMOUNT AVAILABLE: N/A ACCOUNT NO.: N/A </td> <td style="width: 50%;"> AMOUNT BUDGETED: N/A PROJECT NO.: N/A </td> </tr> <tr> <td colspan="2" style="padding-top: 10px;"> ADDITIONAL APPROPRIATION REQUIRED: N/A ACCOUNT NO.: N/A PROJECT NO.: N/A </td> </tr> </table>		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	
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

SUMMARY: The applicant is requesting approval of a Conditional Use Permit (CUP) to construct a church campus on 5.00 acres of land. The applicant has plans to construct the church campus in 3 phases. Phase 1 will consist of roughly 7,500 square feet

dedicated to worship and classroom space. Per the site plan, the site will be heavily landscaped and include approximately 277 parking spaces. The applicant has an existing CUP for the same use that was approved on August 26, 2013. Due to unforeseen issues, the applicant has yet to proceed with the proposed project. The Unified Development Code (UDC) states that if an approved CUP is unable to be acted on within a year, the CUP may be extended for up to one year or it shall become void. The applicant is seeking a one (1) year extension of the originally approved CUP.

Trees will be planted along Miller Ranch Road to satisfy the street tree requirement and a vegetative screen with a 30 foot landscaped buffer along the north, east and south property lines as required to meet residential adjacency requirements. At least fifteen percent (15%) of the gross site area is required to be maintained in landscaped area. As illustrated by the site plan, the applicant proposes to exceed the requirement. Access will be provided from Miller Ranch Road and 6 foot sidewalks will be constructed.

STAFF RECOMMENDATION: Staff recommends approval of the CUP 2014-05 to allow for the construction of a church on the approximately 5.00 acres of land for the following reasons, and with the following condition:

1. The proposed church should not negatively impact surrounding properties or developments. However increased traffic may be an issue. A Traffic Impact Analysis is required as part of the platting process in order to determine if any improvements would be required to mitigate any adverse impacts as it relates to traffic.
2. The subject property is adjacent to single family on the north, east, south, and west. The building setback requirements in addition to the residential adjacency requirements will ensure minimal impacts to the existing and future residential developments. Pursuant to Section 4.2.4.1, because the applicant proposes a vegetative screen, a 30-foot buffer area is required dense enough to be completely opaque year round, which is at least four feet (4') tall at the time of planting and at least eight feet (8') tall within twelve (12) months. The applicant proposes to use new and existing trees.
3. As illustrated by the site plan, the applicant proposes to exceed the required 15% landscaped area.

Condition

1. The site is developed in accordance with the attached site plan provided by the applicant.

PLANNING AND ZONING COMMISSION DISCUSSION: At the regular meeting of the Planning and Zoning Commission on July 21, 2014, P&Z Vice Chairperson Daniel Tunstall made a motion to approve with the following conditions:

- 1) The site to be developed in accordance with the attached site plan provided by

the applicant.

P&Z Commissioner Derrick Reed seconded. There was no discussion. The vote was 6-0 and the motion passed.

STAFF RECOMMENDATION TO COUNCIL: Consider the conditional use permit.

ORDINANCE NO. CUP 2014-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, APPROVING A CONDITIONAL USE PERMIT FOR CERTAIN PROPERTY, BEING 5.00 ACRES OUT OF THE G.T. & B.R.R. COMPANY SURVEY, A-304 IN BRAZORIA COUNTY, TEXAS BEING THE SAME LAND DESCRIBED AS 5.00 ACRES IN A WARRANTY DEED FROM STEVEN C. MUTH TO HOUSTON CHINESE CHURCH, DATED JULY 5, 2007 AND RECORDED AS DOCUMENT NO. 2007039242, OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS. **(LOCATED AT THE 2500 BLOCK OF MILLER RANCH RD., PEARLAND, TX)** CONDITIONAL USE PERMIT APPLICATION NO. CUP 2014-05 TO ALLOW FOR A CHURCH, TEMPLE, OR PLACE OF WORSHIP IN THE SINGLE FAMILY RESIDENTIAL-1 (R-1) DISTRICT AT THE REQUEST OF RAYMOND JJ ZHUO, APPLICANT, ON BEHALF OF HOUSTON CHINESE CHURCH, OWNER, CONTAINING A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AN EFFECTIVE DATE AND OTHER PROVISIONS RELATED TO THE SUBJECT.

WHEREAS Raymond JJ Zhuo, applicant for Houston Chinese Church, owner, filed an application for a Conditional Use Permit to allow for an Church, Temple, or Place of Worship, on certain property, said property being legally described in the original applications for amendment attached hereto and made a part hereof for all purposes as Exhibit "A", and more graphically depicted in the location map attached hereto and made a part hereof for all purposes as Exhibit "B" and the site plan identified as Exhibit "C"; and

WHEREAS, on the 21st day of July, 2014, a Joint Public Hearing was held before the Planning and Zoning Commission and the City Council of the City of Pearland, Texas, notice being given by publication in the official newspaper of the City, the affidavit of publication being attached hereto and made a part hereof for all purposes as Exhibit "D", said call and notice being in strict conformity with provisions of Section 1.2.2.2 of Ordinance No. 2000T; and

WHEREAS, on the 21st day of July, 2014, the Planning and Zoning Commission

of the City submitted its report and recommendation to the City Council regarding the proposed Conditional Use Permit application for Raymond JJ Zhuo, applicant for Houston Chinese Church, owner, whereby the Commission recommended approval of the Conditional Use Permit, said recommendation attached hereto and made a part hereof for all purposes as Exhibit "E"; and

WHEREAS, upon receipt of the report from the Planning and Zoning Commission, the City Council considered this application and the recommendation of the Planning and Zoning Commission at regular meeting(s) on August 11, 2014; and August 25, 2014; and

WHEREAS, the City Council, having fully heard the testimony and argument of all interested parties, and having been fully advised in the premises, finds that in the case of the application of Raymond JJ Zhuo, applicant for Houston Chinese Church, owner, presented which, in the judgment of the City Council, would justify the approval of said application; now, therefore,

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

Section I. The following described property located within the corporate limits of the City of Pearland, Texas, and presently classified as Single Family Residential – 1 (R-1), is hereby granted a Conditional Use Permit to allow for a Church, Temple, or Place of Worship in said zoning district; such property being more particularly described as:

Being 5.00 acres out of the G.T. & B.R.R. Company Survey, A-304 in Brazoria County, Texas. Being the same land described as 5.00 acres in a warranty deed from Steven C. Muth to Houston Chinese Church, dated July 5, 2007 and recorded as document No. 2007039242, official records of Brazoria County, Texas

Located at the 2500 Block of Miller Ranch Rd. Pearland, TX

Subject to the following Conditions:

- 1) The site to be developed in accordance with the attached site plan provided by the applicant. (Exhibit "C")

Section II. The City Council of the City of Pearland finds and determines that the recitations in the preamble hereof are true and that all necessary prerequisites of law have been accomplished. The City Council further finds and determines that there has been compliance with the mandates of law in the posting and presentation of this matter to the Planning and Zoning Commission and to the City Council for consideration and decision.

Section III. The City Council of the City of Pearland finds and determines that the amendment adopted herein promotes the health, safety, and general welfare of the public and is a proper valid exercise of the City's police powers.

Section IV. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional 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 V. All rights and remedies, which have accrued in the favor of the City under this Ordinance and its amendments thereto, shall be and are preserved for the benefit of the City.

Section VI. This Ordinance shall become effective after its passage and

approval on second and final reading.

PASSED, APPROVED, and ADOPTED on First Reading this 11th day of August, 2014.

TOM REID
MAYOR

ATTEST:

YOUNG LORFING, TRMC
CITY SECRETARY

PASSED, APPROVED, and ADOPTED on Second and Final Reading this 25th day of August, 2014.

TOM REID
MAYOR

ATTEST:

YOUNG LORFING, TRMC
CITY SECRETARY

APPROVED AS TO FORM:

DARRIN M. COKER
CITY ATTORNEY

Exhibit A
Legal Description

Being 5.00 acres out of the G.T. & B.R.R. Company Survey, A-304 in Brazoria County, Texas. Being the same land described as 5.00 acres in a warranty deed from Steven C. Muth to Houston Chinese Church, dated July 5, 2007 and recorded as document No. 2007039242, official records of Brazoria County, Texas.

**Exhibit B
Location Map**

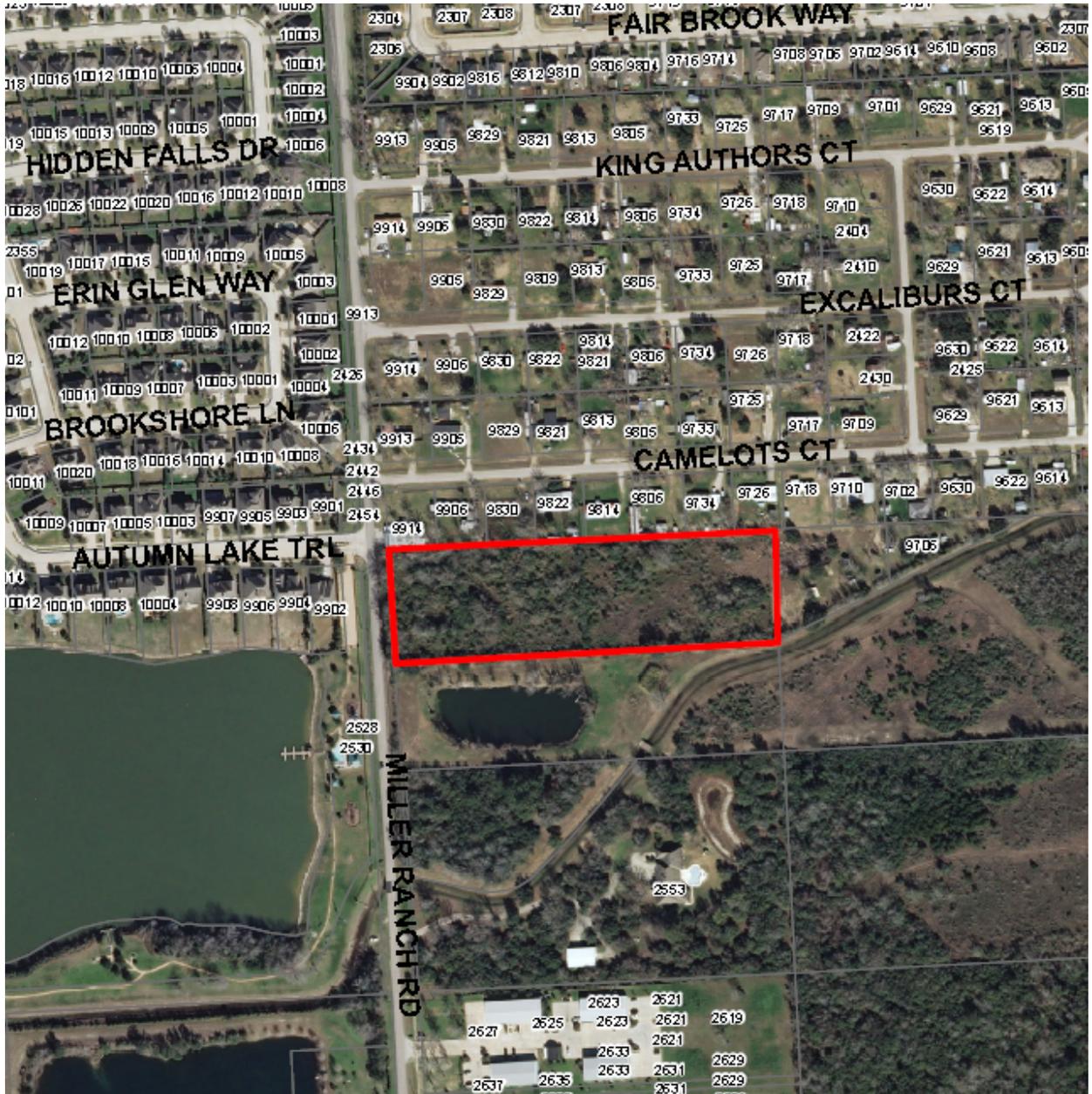
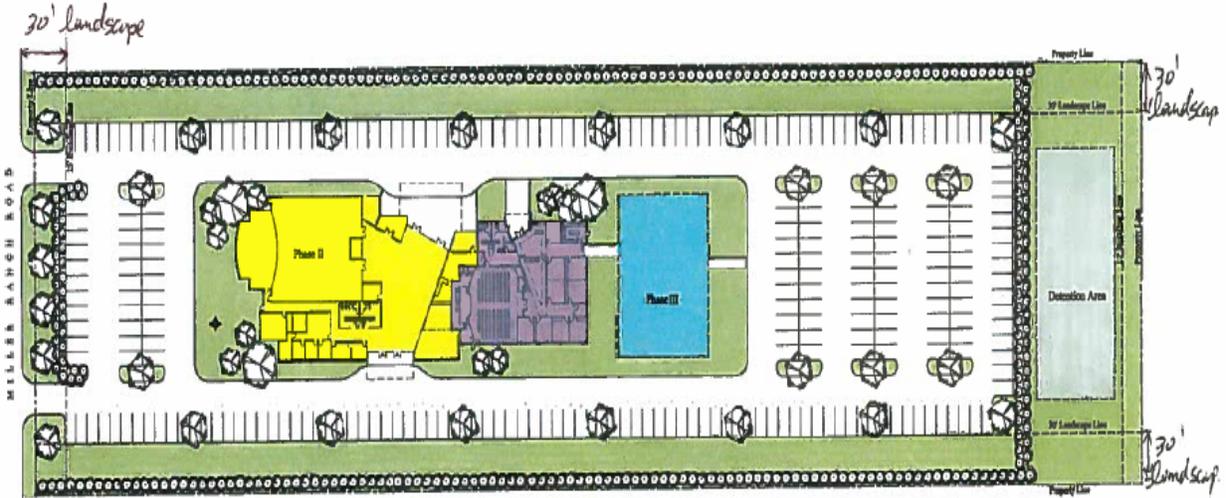


Exhibit C Site Plan



HCC PEARLAND CAMPUS LAND USE PLAN



- Phase I
- Phase II
- Phase III

**Exhibit D
Legal Ad**

**NOTICE OF A JOINT PUBLIC HEARING OF
THE CITY COUNCIL**

AND

**THE PLANNING AND ZONING COMMISSION
OF THE CITY OF PEARLAND, TEXAS**

**CONDITIONAL USE PERMIT (CUP) APPLICATION NO.
CUP 2014-05**

Notice is hereby given that on July 21, 2014 at 6:30 p.m., the City Council and Planning and Zoning Commission of the City of Pearland, in Brazoria, Harris and Fort Bend Counties, Texas, will conduct a joint public hearing in the Council Chambers of City Hall, located at 3519 Liberty Drive, Pearland, Texas, on the request of Raymond JJ Zhuo, applicant; on behalf of Houston Chinese Church, owner; for approval of a Conditional Use Permit to allow for a Church, Temple, or Place of Worship within the Single Family Residential (R-1) zoning district, on property located at the 2500 Block of Miller Ranch Rd., more specifically described as:

Being 5.00 acres out of the G.T. & B.R.R. Company Survey, A-304 in Brazoria County, Texas. Being the same land described as 5.00 acres in a warranty deed from Steven C. Muth to Houston Chinese Church, dated July 5, 2007 and recorded as document No. 2007039242, official records of Brazoria County, Texas

General Location: 2500 Block of Miller Ranch Rd.
Pearland, TX

At said hearing, all interested parties shall have the right and opportunity to appear and be heard on the subject. For additional information, please contact the Planning Department at 281-652-1765.

Ian Clowes
Senior Planner

Exhibit E
Planning and Zoning Commission Recommendation Letter



Planning & Zoning Commission

Recommendation Letter

July 22, 2014

Honorable Mayor and City Council Members
3519 Liberty Drive
Pearland, TX 77581

Re: Recommendation on CUP 2014-05

Honorable Mayor and City Council Members:

At their regular meeting on July 21, 2014, the Planning and Zoning Commission considered the following:

A request of Raymond JJ Zhuo, applicant for Houston Chinese Church, owner, for approval of a Conditional Use Permit to allow for a Church, Temple, or Place of Worship in the Single Family Residential (R-1) Zoning District, on the following described property:

LEGAL DESCRIPTION: Being 5.00 acres out of the G.T. & B.R.R. Company Survey, A-304 in Brazoria County, Texas. Being the same land described as 5.00 acres in a warranty deed from Steven C. Muth to Houston Chinese Church, dated July 5, 2007 and recorded as document No. 2007039242, official records of Brazoria County, Texas.

GENERAL LOCATION: 2500 Block of Miller Ranch Rd. Pearland, TX

Vice Chairperson Daniel Tunstall made a motion to approve with the following conditions:

- 1) The site to be developed in accordance with the attached site plan provided by the applicant.

P&Z Commissioner Derrick Reed seconded. The vote was 6-0 and the motion passed.

Sincerely,



Ian Clowes
Senior Planner
On behalf of the Planning and Zoning Commission



Exhibit 1 Staff Report

Summary of Analysis

The applicant is requesting approval of a Conditional Use Permit (CUP) to construct a church campus on 5.00 acres of land. The applicant has plans to construct the church campus in 3 phases. Phase 1 will consist of roughly 7,500 square feet dedicated to worship and classroom space. Per the site plan, the site will be heavily landscaped and include approximately 277 parking spaces. The applicant has an existing CUP for the same use that was approved on August 26, 2013. Due to unforeseen issues, the applicant has yet to proceed with the proposed project. The Unified Development Code (UDC) states that if an approved CUP is unable to be acted on within a year, the CUP may be extended for up to one year or it shall become void. The applicant is seeking a one (1) year extension of the originally approved CUP.

Trees will be planted along Miller Ranch Road to satisfy the street tree requirement and a vegetative screen with a 30 foot landscaped buffer along the north, east and south property lines as required to meet residential adjacency requirements. At least fifteen percent (15%) of the gross site area is required to be maintained in landscaped area. As illustrated by the site plan, the applicant proposes to exceed the requirement. Access will be provided from Miller Ranch Road and 6 foot sidewalks will be constructed.

Surrounding Zoning and Land Uses

Surrounding uses include single family to the north, east, south and west. The property directly to the north and west is developed as a single family subdivision. The property directly to the south and east is undeveloped but is currently in the platting stages for a single family subdivision with the proposed detention area being located adjacent to the southern property line of the subject property.

	Zoning	Land Use
North	Suburban Residential – 12 (SR-12)	Single Family
South	Single Family Residential 3 (R-3)	Detention Pond (Future)
East	Single Family Residential 1 and 3 (R-1, R-3)	Undeveloped Land
West	Single Family Residential 3 (R-3)	Single Family

Conformance with the Unified Development Code

The subject property is located within the Single Family Residential 1 (R-1) zoning district. The proposed use is permitted with approval of a Conditional Use Permit. A non-residential use located within a residential zone is required to meet the regulations of the Neighborhood Services (NS) zone. The NS zone requires a 25' setback in the front, 15' on the side' and 15' in the rear. The nonresidential use of a church or place of worship will be subject to all

commercial screening requirements. This includes a 25' buffer with a masonry wall or a 30' buffer with a vegetative wall for all areas that abut residential property. The landscape buffer shall remain open and unobstructed (i.e., no parking, driveways or other use of the buffer area.) The applicant is proposing a 30 foot buffer with screening being achieved through vegetation as opposed to fencing.

The below table illustrates the above regulations and how the site will comply:

NS Requirements		Subject Property
Minimum Lot Area	12,500 square feet	217,800 square feet
Minimum Lot Width	100 feet	255 feet
Minimum Lot Depth	100 feet	852 feet
Minimum Front Yard	25 feet	302 feet
Minimum Side Yard	15 feet	90 feet
Minimum Rear Yard	10 feet	410 feet
Minimum Landscaped Area	15%	>15%
30 feet	30 feet	30 feet

All other requirements will be met including façade requirements, dumpster screening, platting, etc.

Site History

The subject property was annexed into the City of Pearland in 1998. When a property is annexed into the City, the default zoning is Suburban Development (SD) district. As a result of the adoption of the Unified Development Code in 2006, the site was rezoned to R-1. The property is undeveloped and is not platted. A Conditional Use Permit (CUP) for a Church was approved for the site on August 26, 2013; however is about to expire, as the permit was not acted upon. The original CUP was approved with the condition that the site be developed in accordance with the submitted Site Plan (as seen in Exhibit 8).

Platting Status

The site is not platted. Platting will be required prior to development and the release of any permits. Platting will trigger right-of-way dedication, the installation of 6-foot sidewalks along the frontage of the property, various easements such as water and sewer easements, fire hydrants, detention facilities and a Traffic Impact Analysis (TIA).

Conformance with the Comprehensive Plan

The site is located within the Low Density Residential future land use designation, and was added to the Comprehensive Plan (The Plan) as a result of the 2004 update. The Plan recommends single family residential within this designation and zoning districts Residential Estate (RE), Suburban Residential 15 (SR-15), Suburban Residential 12 (SR-12), and Single Family Residential 1 (R-1). The existing zoning designation is in compliance with the Future Land Use Plan. The proposed use will is not in compliance with the Future Land Use designation

designation. In these situations, The Plan recommends that these developments should be evaluated on their own merit, on a case-by-case basis.

Conformance with the Thoroughfare Plan

The subject property has frontage on Miller Ranch Road; a local street, which requires a minimum of 60 feet of right-of-way. Miller Ranch Road is not in conformance with the thoroughfare plan, as the width of the roadway in this location is 40 feet. Additional right-of-way will be dedicated at the time of platting.

Availability of Utilities

The subject property has access to public water and public sewer. The applicant is responsible for extending lines onto the subject property, if necessary.

Impact on Existing and Future Development

The subject property is surrounded by single family zoning on all four sides. There are residential subdivisions to the west, which is separated by Miller Ranch Road, and to the north. The property to the south and east is zoned for single family dwellings and is currently being platted as a single family subdivision. The property adjacent to the south will be utilized solely as detention and park space for the new subdivision. Residential adjacency standards apply to the north, east, and south of the subject property, which will help to mitigate any negative impacts on the existing and future single family developments. The applicant proposes a 30 foot vegetative screen along the northern and southern property lines, using existing and new trees.

Additionally, a traffic impact analysis is required prior to development. This process will determine if improvements may be required to mitigate any traffic issues.

Additional Comments

A Pre-Development Meeting was held with the applicant on April 17, 2013. Additionally, the request has been reviewed by the Development Review Committee (DRC) and there were no additional comments from the DRC at the time of this report.

Public Notification

Public notices, comment forms, and a vicinity map were mailed to the applicant as well as property owners within 200 feet of the subject property under consideration for the CUP. Additionally a legal notice of public hearing was published in the local newspaper and notification signs were placed on the property by the applicant.

Opposition to or Support of Proposed Request

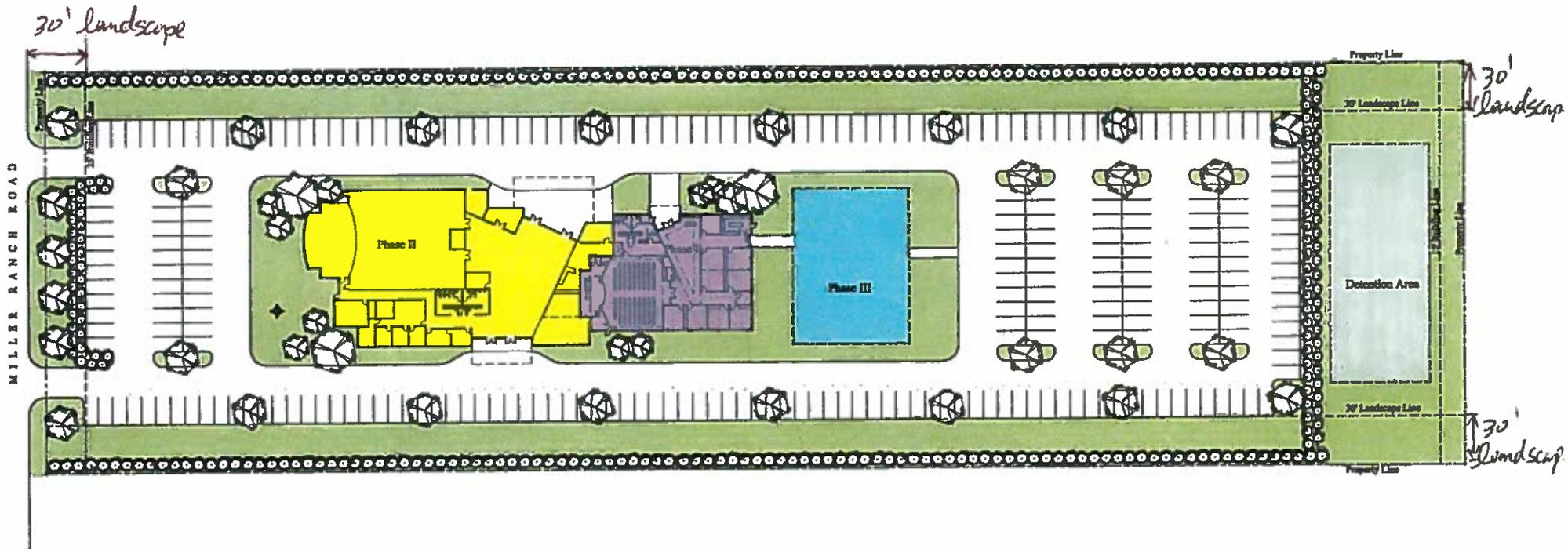
Staff has not received any comments either in opposition or in support of the CUP at the time of this report.

Staff recommends approval of the CUP 2014-05 to allow for the construction of a church on the approximately 5.00 acres of land for the following reasons:

1. The proposed church should not negatively impact surrounding properties or developments. However increased traffic may be an issue. A Traffic Impact Analysis is required as part of the platting process in order to determine if any improvements would be required to mitigate any adverse impacts as it relates to traffic.
2. The subject property is adjacent to single family on the north, east, south, and west. The building setback requirements in addition to the residential adjacency requirements will ensure minimal impacts to the existing and future residential developments. Pursuant to Section 4.2.4.1, because the applicant proposes a vegetative screen, a 30-foot buffer area is required dense enough to be completely opaque year round, which is at least four feet (4') tall at the time of planting and at least eight feet (8') tall within twelve (12) months. The applicant proposes to use new and existing trees.
3. As illustrated by the site plan, the applicant proposes to exceed the required 15% landscaped area.

Conditions

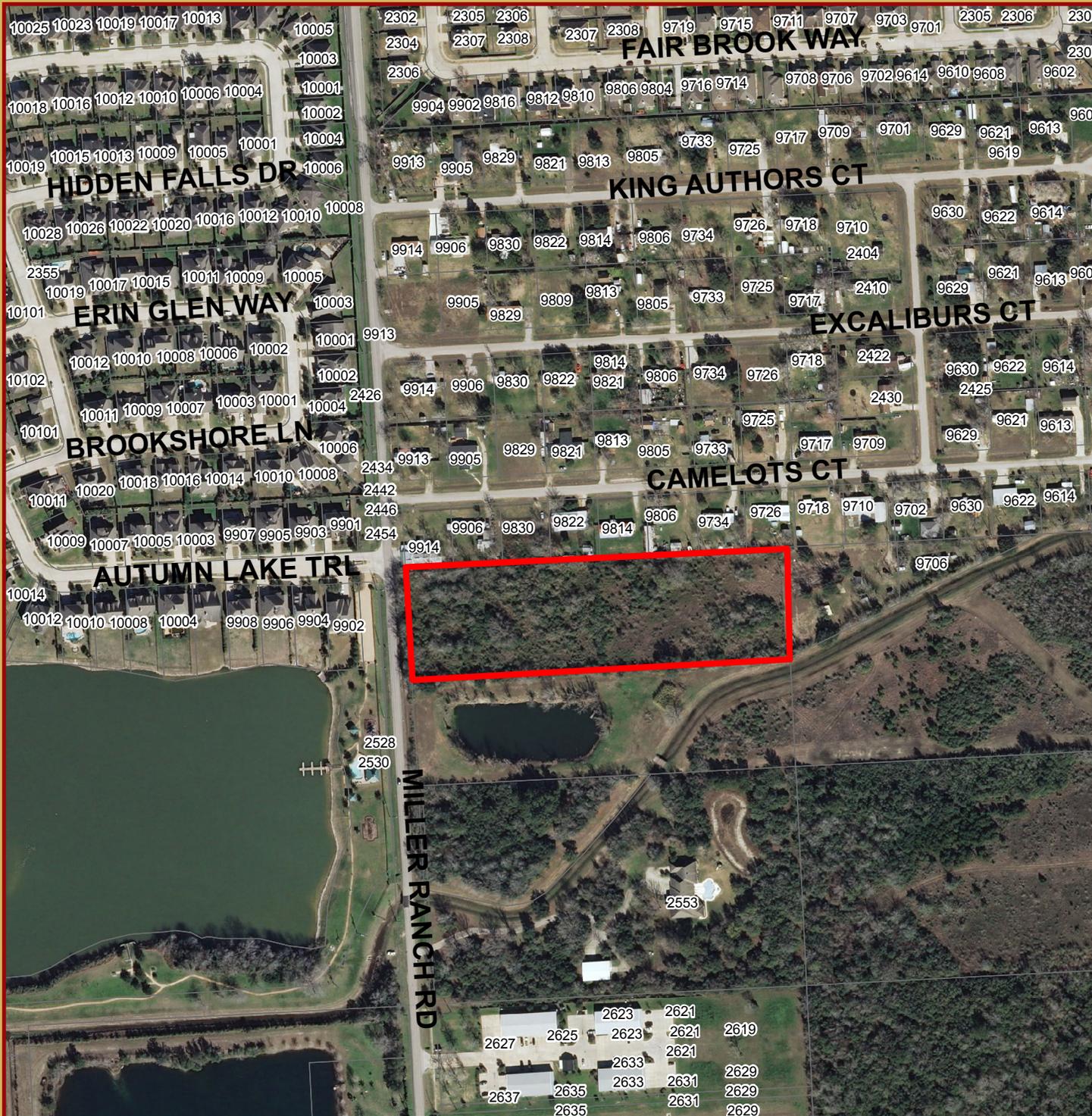
1. The site is developed in accordance with the attached site plan provided by the applicant.



**HCC PEARLAND CAMPUS
LAND USE PLAN**

- Phase I
- Phase II
- Phase III





AERIAL MAP

CUP 2014-05

2500 BLOCK OF MILLER RANCH

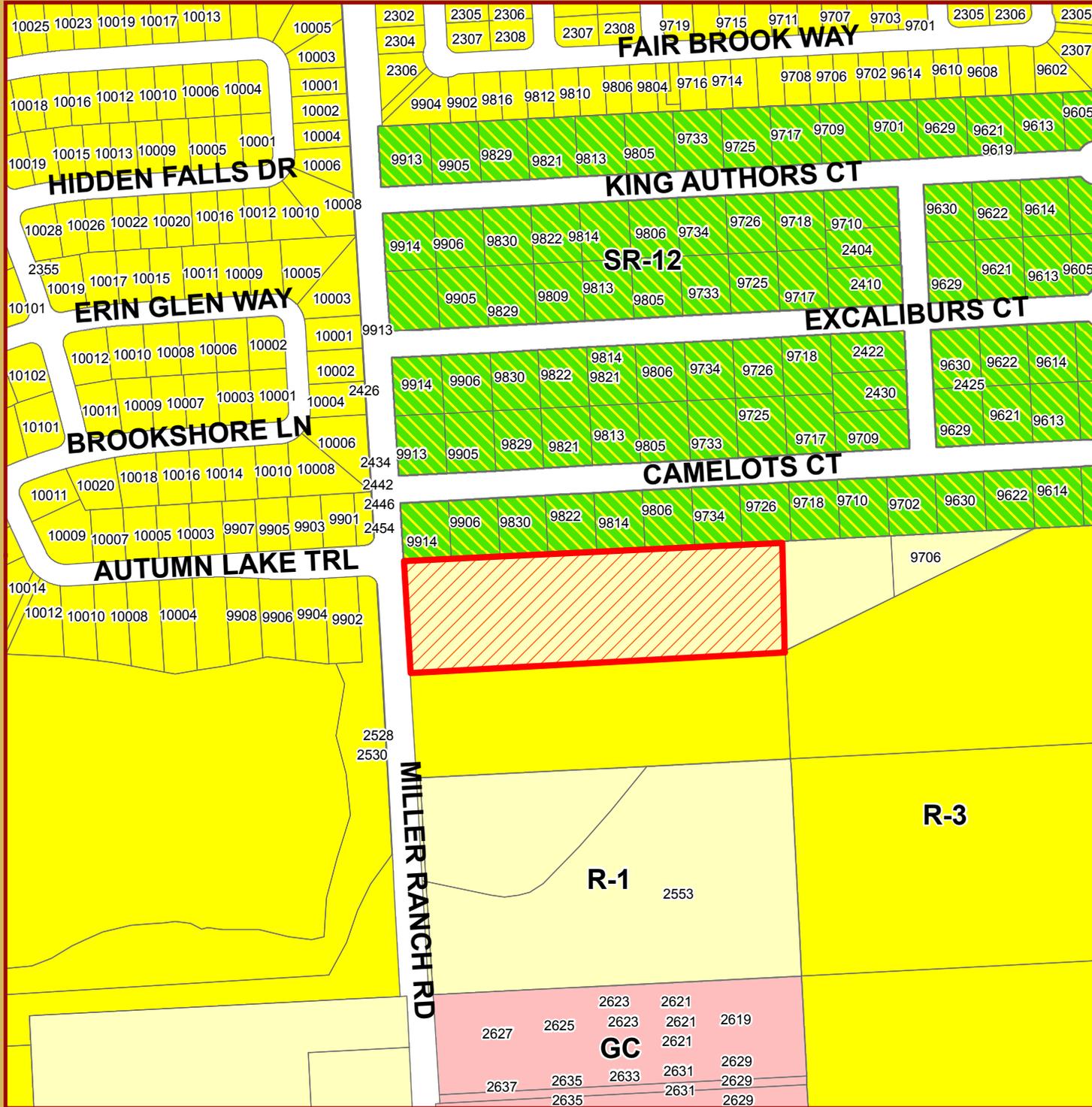


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 327 feet

MAY 2014
PLANNING DEPARTMENT





ZONING MAP

CUP 2014-05

2500 BLOCK OF MILLER RANCH

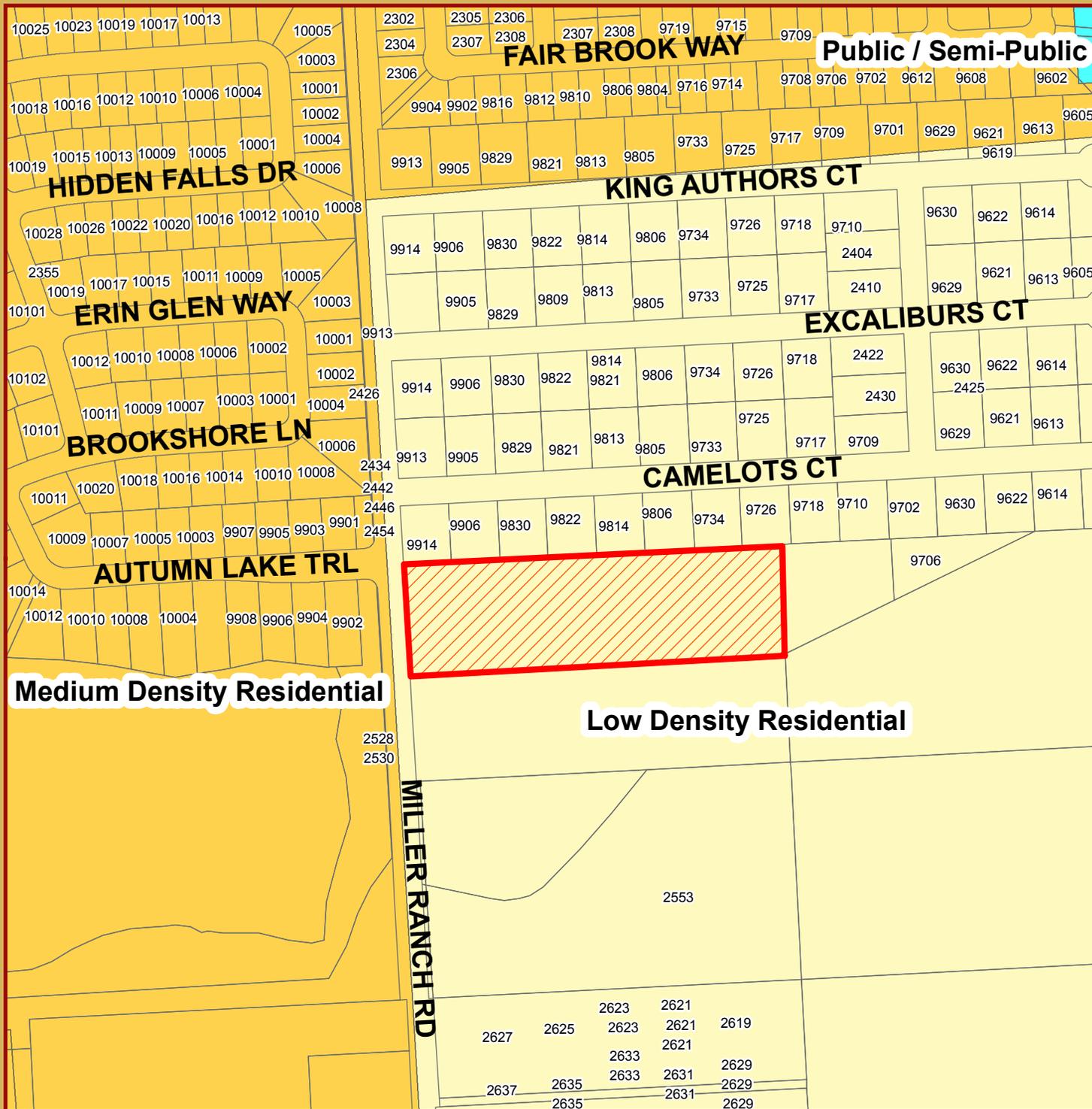


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1 inch = 327 feet

MAY 2014
PLANNING DEPARTMENT





FLUP MAP

CUP 2014-05

2500 BLOCK OF MILLER RANCH



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1 inch = 327 feet

MAY 2014
PLANNING DEPARTMENT





Abutter Map

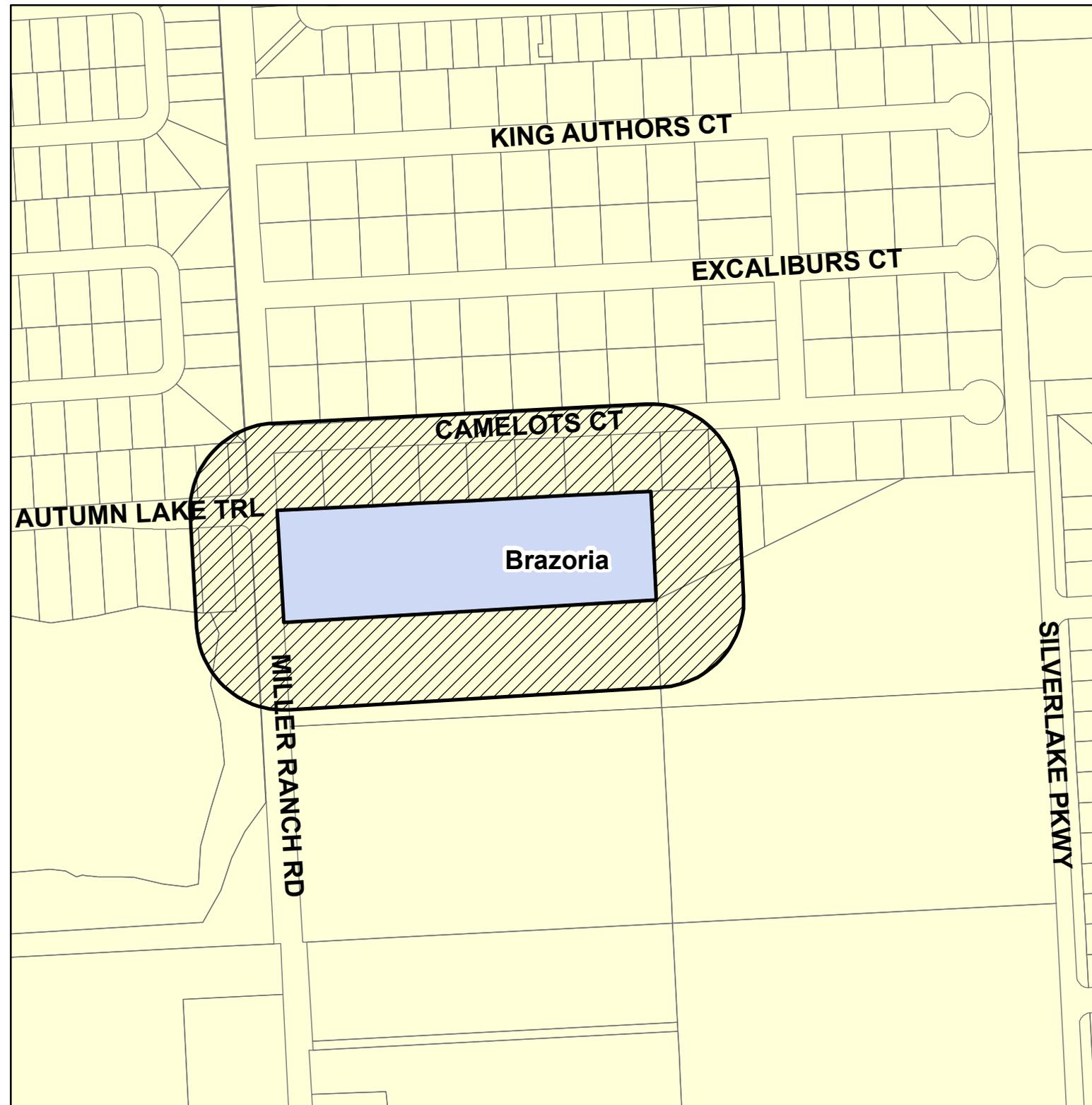
CUP 2013-05

2500 Block of Miller Ranch

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.

N

0 75 150 300 Feet



CUP 2014-05

2500 Block of Miller Ranch Rd. - Church Temple, Place of Worship

NAME	ADDRESS	CITY	STATE	ZIP
CRUZ GERARDO	9726 CAMELOTS CT	PEARLAND	TX	77584-8521
GOLDEN RICHARD SYLVAN II	9904 AUTUMN LAKE TRL	PEARLAND	TX	77584-3053
RITCHEY KAREN	3110 BRUNO WAY	PEARLAND	TX	77581
BRAZORIA COUNTY MUD NO 19	3200 SOUTHWEST FWY STE 260	HOUSTON	TX	77027-7537
PEREZ GUADALUPE & BETZAIDA	9734 CAMELOTS CT	PEARLAND	TX	77584-8521
GRIFFITH BILL D	7235 PALMETTO ST	MANVEL	TX	77578-4753
TABORA REINA XIOMARA	9814 CAMELOTS CT	PEARLAND	TX	77584
AUTUMN LAKE PROPERTY	17049 EL CAMINO REAL STE 100	HOUSTON	TX	77058-2611
CARRANZA JESUS & GUADALUPE	3702 GRASSMERE ST	HOUSTON	TX	77051-3261
BROWN CHARLES D JR & MYRIS M	9901 AUTUMN LAKE TRL	PEARLAND	TX	77584-3054
GONZALEZ JOSE JR	1018 COUNTY ROAD 712B	ALVIN	TX	77511
ELUMIR ARTEMIO	9903 AUTUMN LAKE TRL	PEARLAND	TX	77584-3054
WHITWORTH KENNETH M	9906 CAMELOTS CT	PEARLAND	TX	77584-8525
MACKINNON ALEXANDER	275 SHIN OAK WAY	KERRVILLE	TX	78028-2084
RITCHEY KAREN	3110 BRUNO WAY	PEARLAND	TX	77581
TREADWAY GEORGANNE & J C	2302 ANTHONY LN	PEARLAND	TX	77581-3711
HOUSTON CHINESE CHURCH	10305 MAIN ST	HOUSTON	TX	77025-5509
WILLIAMS DAVID & CONSTANCE	9902 AUTUMN LAKE TRL	PEARLAND	TX	77584-3053
RAMIREZ OLGA V	9701 BERKSHIRE TRCE	PEARLAND	TX	77584-3058
FERNANDEZ EDWARD	16503 NIGHTENGALE FALLS CT	CYPRESS	TX	77429
GARCIA GUADALUPE	9733 CAMELOTS CT	PEARLAND	TX	77584
MARTINEZ BEATRIZ	9805 CAMELOTS CT	PEARLAND	TX	77584-8524
CLARK JEFFREY	9813 CAMELOTS CT	PEARLAND	TX	77584-8524
BISHOP JEFFERY A & ELIZABETH C	9821 CAMELOTS CT	PEARLAND	TX	77584-8524
OKORO EMMANUEL & ANNETTE	9905 CAMELOTS CT	PEARLAND	TX	77584-8526
HAYES BOBBY D & STEPHANIE SAU HAYES	4706 PECAN GROVE DR	PEARLAND	TX	77584-8602
MCGAHEE JAMES & JENNIFER	10006 BROOKSHORE LN	PEARLAND	TX	77584-3059
MCCLURE JASON R & CYNTHIA FREDRICK	10008 BROOKSHORE LN	PEARLAND	TX	77584-3059
GOSSETT KENNETH	9718 CAMELOTS CT	PEARLAND	TX	77584-8521



APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)

City of Pearland
Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281-652-1768
281-652-1702 fax
www.cityofpearland.com



Conditional Use Permit Request for: church

(list proposed use from the Table of Uses of the UDC)

Current Zoning District: R-1

Property Information:

Address or General Location of Property: Miller Ranch RD. CR93 5.00 Acres.
H0304 HT & BRR, Tract 45, Acres 5.00

Tax Account No. 0304-0051-000

Subdivision: _____ Lot: _____ Block: _____

A complete application must include all information shown on the Application Checklist attached to this application.

PROPERTY OWNER INFORMATION:

NAME Houston Chinese Church
ADDRESS 10305 Main St.
CITY Houston STATE Tx ZIP 7758X
PHONE (713) 663-7550
FAX() _____
E-MAIL ADDRESS _____

APPLICANT/AGENT INFORMATION:

NAME Raymond Zhuo
ADDRESS 10002 Autumn Lake Trl
CITY Pearland STATE Tx ZIP 7758X
PHONE (713) 503-888X
FAX() _____
E-MAIL ADDRESS raymond_zhuo@yahoo.com

*Property owner must be the current owner of the property at the time of submittal of the application, and not the party that has the property under contract.

As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: Andy Chang Date: 6/16/2014

Agent's/
Applicant's Signature: Raymond Zhuo Date: 6/18/2014

OFFICE USE ONLY:

FEES PAID: <u>\$250.00</u>	DATE PAID: <u>19 June 14</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>263463</u>
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Application No. CUP2014-05

May 15, 2014
City of Pearland
Community Development
3523 Liberty Drive
Pearland, TX 77581

RE: Letter of Intent – CUP Request

Proposed Project: Houston Chinese Church – Pearland Church Building

Subject Property: Property ID 168307

Existing Zoning: Residential

To Whom It May Concern,

On behalf of Houston Chinese Church (hereafter HCC), we hereby apply for a Conditional Use Permit (CUP) for the subject property with the intent to build and establish a church.

HCC has had a vision of Pearland ministry for a long time. Our first small group meeting in Pearland started in 1998, where throughout the years we have witnessed the growth of Chinese populations in this area. Based on an unofficial survey in 2007, there were more than 800 Chinese families in Pearland. As our Church leaders recognized the need of gospel for those Chinese families, HCC purchased a 5 acre lot in 2007 for our future church building. In May 2011, we started the Pearland Campus and held the Sunday service in Pearland area. It is exciting that we have witnessed the Pearland congregation growth in both of number of attendant and faith. We just recruited a full time pastor to minister the Pearland congregation and he will start in June 2013.

God has appealed us to start the next milestone of Pearland ministry, the church building. We have established a multiple-stages plan for the Pearland church. The 1st stage will be a building of around 6,000 square feet and is expected to be finished by the end of 2015. The 1st Stage will include a multi-function fellowship, classrooms, kitchen, office rooms, and sanitary facilities. It will host our future Sunday service, Sunday school, children programs, fellowship activities, and some religious events.

We are grateful if you will take consideration of our needs and approve the application. Please don't hesitate to contact us if you need more information.

Sincerely,

Raymond Zhuo

A handwritten signature in black ink that reads "Raymond" followed by a stylized, cursive flourish that extends to the right.



HOUSTON CHINESE CHURCH

10305 S. Main Street, Houston, TX 77025
Tel: (713) 663-7550 (800) 663-6691 Fax: (713) 663-6896
hccoffice@hcchome.org www.hcchome.org

曉
士
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May 11, 2013

To Whom It May Concern:

Raymond Zhuo and Andy Chang are authorized by the Houston Chinese Church Council to sign documents on behalf of Houston Chinese Church with regards to the Pearland Campus building, land development, and related needs up to the \$25,000.00 budget allocated. In the event Mr. Zhuo and Mr. Chang are not available to sign, any Trustee of Houston Chinese Church can sign the necessary documents.

Very Truly Yours,

Karen Ho, 2013 Deaconess, General Affairs
2013 HCC Council Chair



Texas Star Surveying

15502 Old Galveston Rd Suite# 706 Webster, TX 77598

281-331-8414 Fax 281-486-0642

FIELD NOTE DESCRIPTION

**5.000 ACRE TRACT, G. T. AND B. R. R. COMPANY SURVEY,
ABSTRACT NO. 304
BRAZORIA COUNTY, TEXAS**

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE G. T. AND B. R. R. COMPANY SURVEY, ABSTRACT NO. 304 IN BRAZORIA COUNTY, TEXAS. BEING THE SAME LAND DESCRIBED AS 5.000 ACRES IN A WARRANTY DEED FROM STEVEN C. MUTH TO HOUSTON CHINESE CHURCH, DATED JULY 5, 2007 AND RECORDED AS DOCUMENT NO. 2007039242, OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS. SAID 5.000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

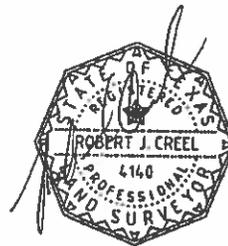
BEGINNING AT A 5/8" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 5.000 ACRE TRACT. SAID POINT FORMERLY BEING THE NORTHEAST CORNER OF THE NORTH HALF OF LOT 45 OF THE ALLISON RICHEY GULF COAST HOME COMPANY SUBDIVISION OF SECTION 85 IN SAID SURVEY, RECORDED BY PLAT, IN VOLUME 2, PAGE 107, PLAT RECORDS OF BRAZORIA COUNTY, TEXAS;

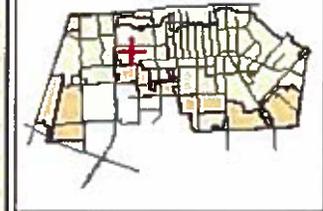
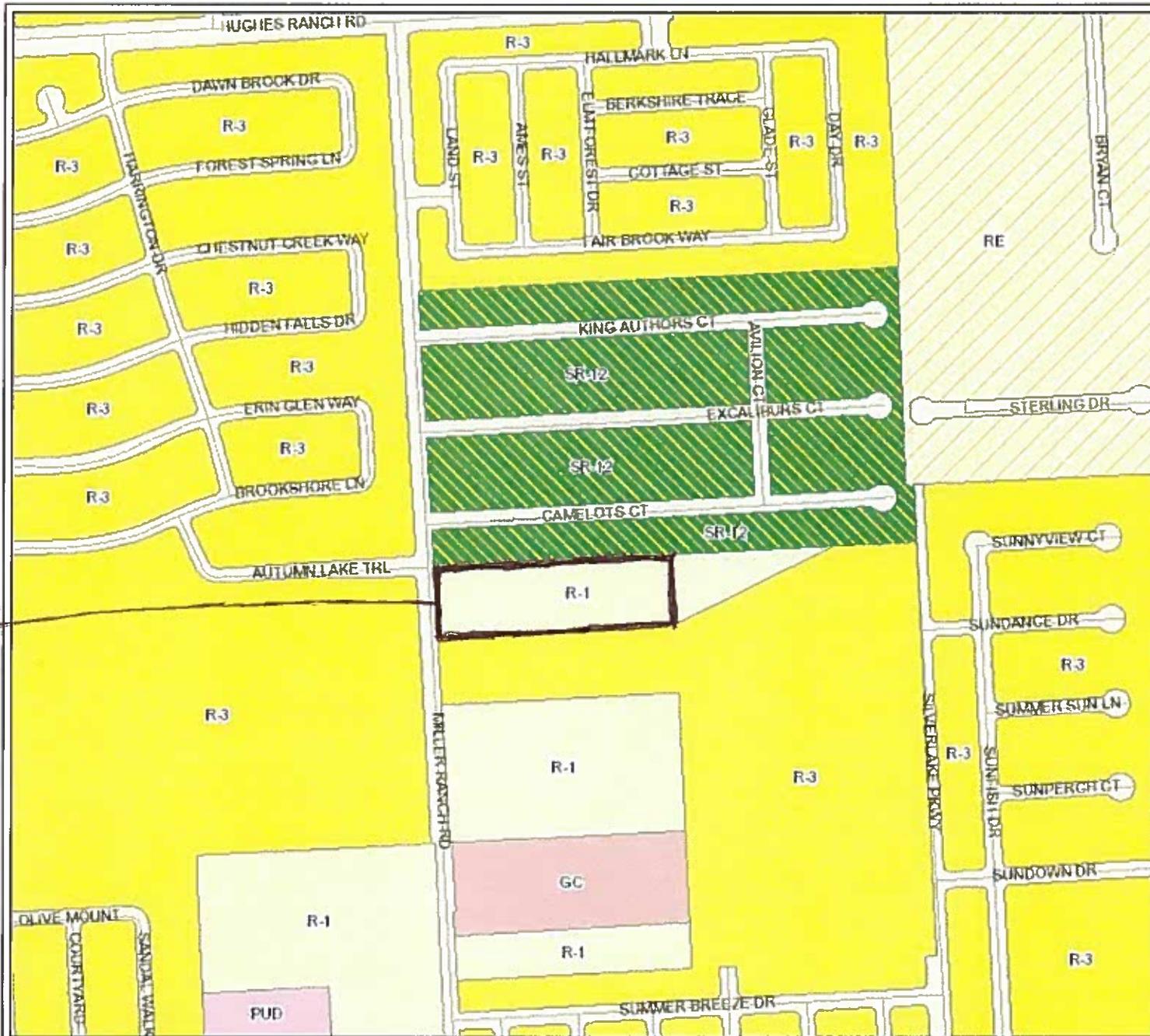
THENCE SOUTH, 247.50 FEET TO A 5/8" IRON ROD FOUND FOR CORNER;

THENCE WEST, 880.00 FEET TO A POINT FOR CORNER IN THE CENTER OF MILLER ROAD (60' RIGHT OF WAY). A 5/8" IRON ROD FOUND FOR REFERENCE BEARS EAST 30.00 FEET;

THENCE NORTH, WITH THE CENTER OF MILLER ROAD, SAME BEING THE WEST LINE OF SAID 5.000 ACRE TRACT, 247.50 FEET TO A POINT FOR CORNER IN SAME, AND BEING THE NORTHWEST CORNER OF SAID 5.000 ACRE TRACT. A 1/2" IRON ROD FOUND FOR REFERENCE BEARS EAST 30.00 FEET;

THENCE EAST WITH THE NORTH LINE OF 5.000 ACRE TRACT, 880.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.000 ACRES OF LAND.



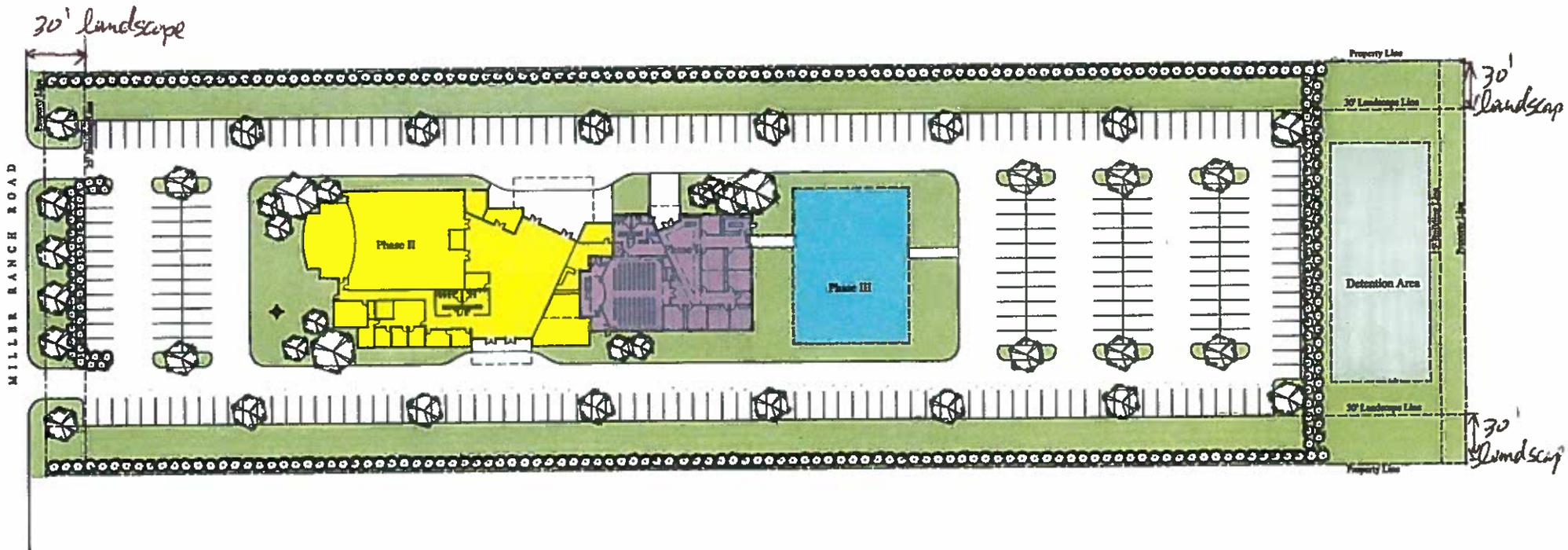


Legend

Zoning

- TH
- SR-15
- SR-12
- SP5
- SP4
- SP3
- SP2
- SP1
- SD
- RE
- R-4
- R-3
- R-2
- R-1 CLUSTER
- R-1
- PUD
- OT-R
- OT-MU
- OT-GB
- OP
- NS
- MH
- MF
- M-2
- M-1
- GC

Scale 1:5,793
1 in = 483 ft



**HCC PEARLAND CAMPUS
LAND USE PLAN**

- Phase I
- Phase II
- Phase III

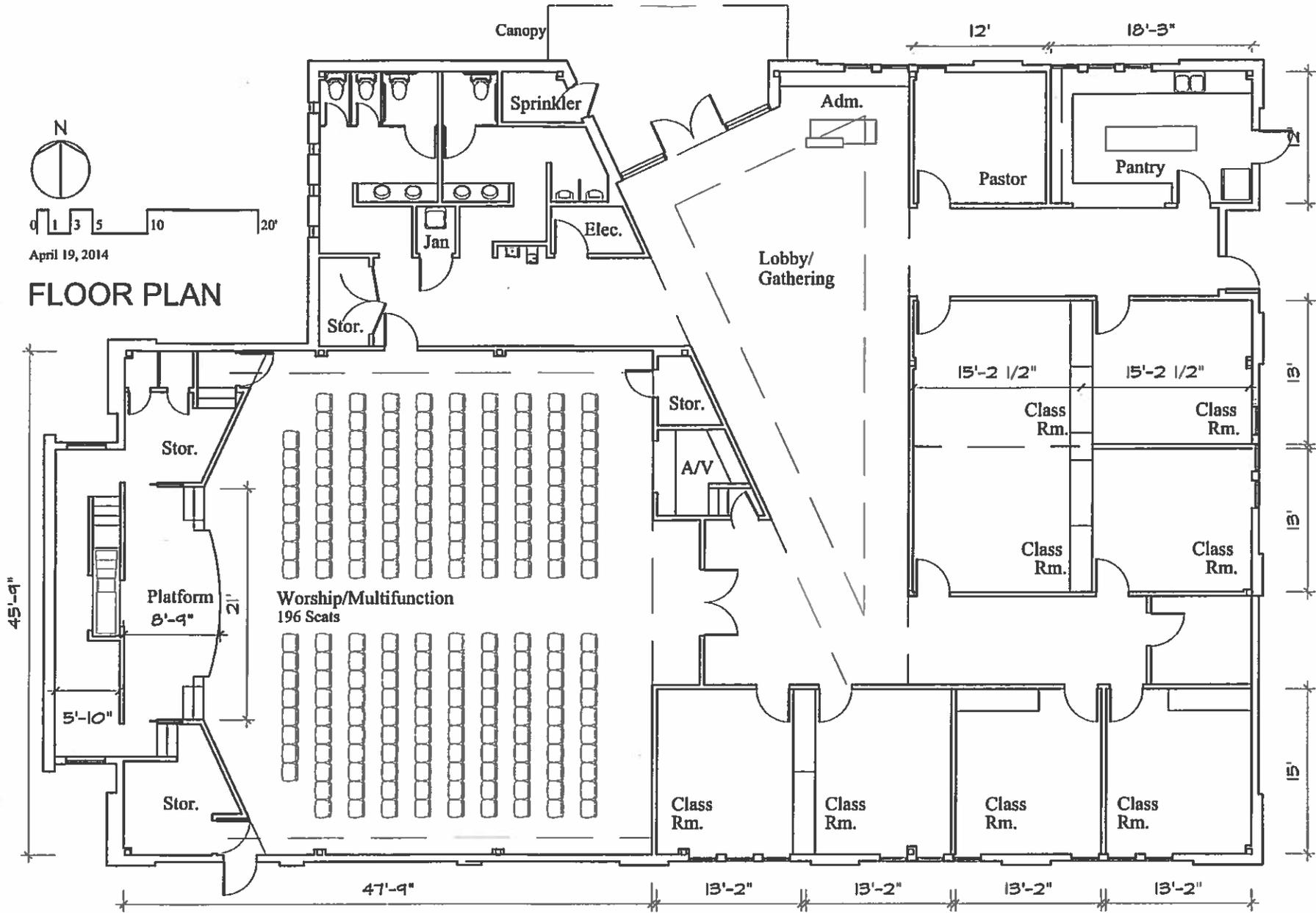




0 1 3 5 10 20'

April 19, 2014

FLOOR PLAN



Canopy

Sprinkler

Adm.

Pastor

Pantry

Elec.

Jan

Lobby/
Gathering

Stor.

Stor.

A/V

15'-2 1/2"

Class
Rm.

15'-2 1/2"

Class
Rm.

Stor.

Platform
8'-9"

Worship/Multifunction
196 Seats

Class
Rm.

Class
Rm.

5'-10"

Stor.

Class
Rm.

Class
Rm.

Class
Rm.

Class
Rm.

47'-9"

13'-2"

13'-2"

13'-2"

13'-2"

45'-9"

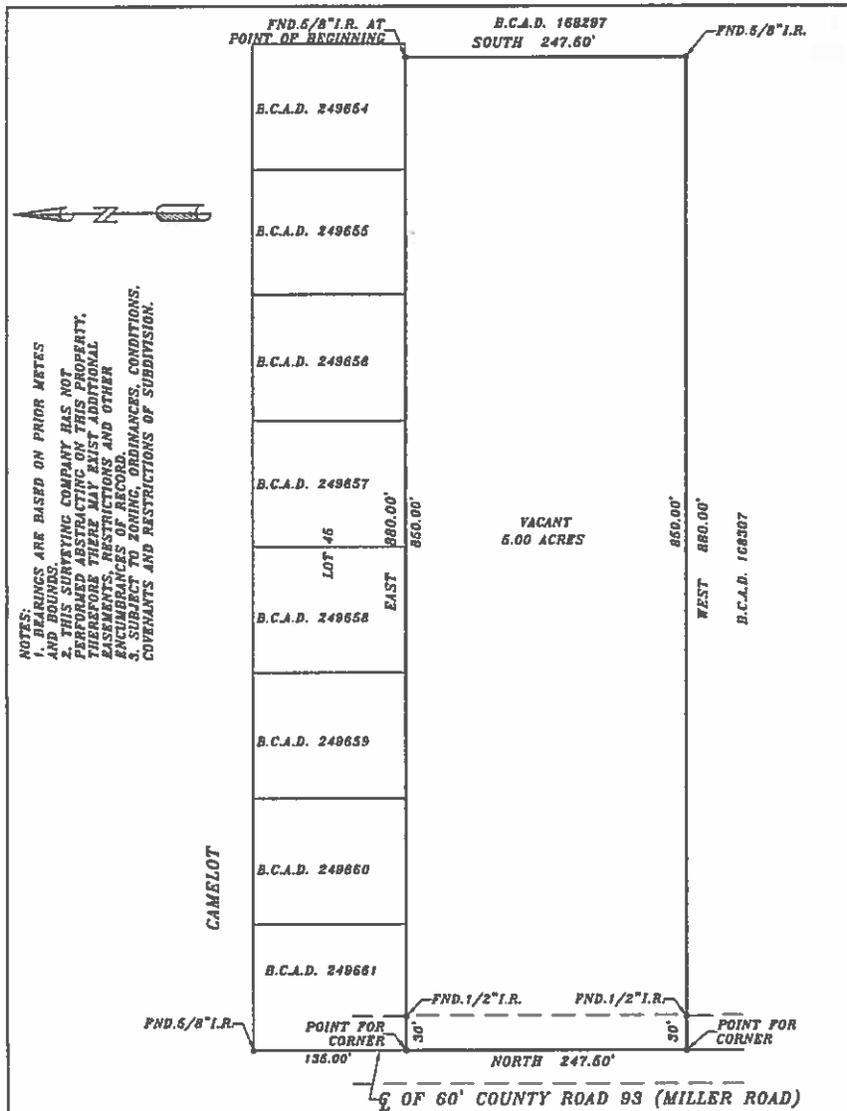
15'

15'

15'

12'

18'-3"



NOTES:
 1. BEARINGS ARE BASED ON PRIOR METES AND BOUNDS SURVEYING COMPANY HAS NOT FORWARDED ABSTRACT ON THIS PROPERTY. THEREFORE THERE MAY EXIST ADDITIONAL EASEMENTS, RESTRICTIONS AND OTHER ENCUMBRANCES OF RECORD. SUBJECT TO ZONING, ORDINANCES, CONDITIONS, COVENANTS AND RESTRICTIONS OF SUBDIVISION.

BORROWER: HOUSTON CHINESE CHURCH
 ADDRESS: 0 MILLER ROAD - PEARLAND, TEXAS 77584

LEGAL DESCRIPTION: 5.000 ACRES OUT OF THE G. T. & B. R. R. COMPANY SURVEY, A-304, BRAZORIA COUNTY, TEXAS, STEVEN C. MUTH TO HOUSTON CHINESE CHURCH DATED JULY 5, 2007, DOCUMENT NO. 2007039243 O. R. BRAZORIA COUNTY, TEXAS.
 (N.1/2 OF LOT 45, ALLISON RICHEY CULP COAST HOME COMPANY SUBD.)
 (SEE METES AND BOUNDS)

This lot DOES NOT lie in the 100 year flood plain and is not subject as located by the Federal Insurance Administration designated Flood Hazard Area Community Panel No. 240188 0040 dated 08-11-88. No responsibility assumed for Flood Plain Determination or Floodway.

LENDER: _____ TITLE COMPANY: _____

I do certify that this survey was this day made on the ground and that this plat correctly represents the property legally described herein. That the facts found at the time of this survey show the improvements and that there are no discrepancies apparent on the ground except as shown. This survey is based on the title commitment referenced in C. F. No. _____ This survey is certified for this transaction only.



Robert J. Creel
 TEXAS STAR SURVEYING

18802 Old Calveston Road, Webster, Texas 77598
 PHONE (281) 331-8414 FAX (281) 488-0642

C.F. NO. _____
 SCALE: 1"=100'
 DATE: 05-14-13
 JOB NO. 051213-57

**POSTING OF ZONING NOTIFICATION SIGNS
ON PROPERTY UNDER CONSIDERATION
FOR A ZONE CHANGE (OR CONDITIONAL USE PERMIT)**

Any person, firm or corporation requesting a zoning change, a conditional use permit (CUP), or a variance shall be required to erect and maintain a sign(s), to be inspected by the City, upon the property for which a variance or zoning change has been requested.

Such sign(s) shall be located as follows:

- (1) One (1) sign per street frontage shall be located within thirty feet (30') of the abutting street, or as determined by the City.
- (2) So as to be clearly visible and readable from the public right-of-way and not obstructed in any manner.
- (3) So as not to create a hazard to traffic on the public rights-of-way abutting the property.
- (4) On the subject property at least ten (10) days prior to the hearing of such zoning change request by the Planning and Zoning Commission, and to remain continuously on said property until final action by the City Council or withdrawal of the case by the applicant. Removal of the sign by the applicant prior to a recommendation by the Planning and Zoning Commission and/or a final decision by the City Council shall constitute a withdrawal of the request.
- (5) The signs shall be as follows:
 - A minimum sign size of 2 feet by 3 feet, but no larger than 4 feet by 4 feet
 - At least 2 feet above the ground
 - Blue or black lettering that is a minimum of 3 inches by 1/2 inch, on a white background
 - Message content as follows:

PROPOSED (SPECIFY REQUEST)
Contact City of Pearland
281-652-1768

***Signs must be professionally made; handwritten signs are not allowed.**

***Signs must be freestanding and cannot be attached to a tree, fence, or building.**

TAX CERTIFICATE



RO'VIN GARRETT, PCC
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
111 E. LOCUST
ANGLETON, TEXAS 77515

Issued To:
ZHUO RAYMOND
10002 AUTUMN LAKE TRAIL
PEARLAND, TX 77584

Legal Description:
A0304 H T & B R R, TRACT 45, ACRES 5.000

Fiduciary Number: 23239308

Parcel Address: MILLER RANCH RD CR 93
Legal Acres: 5.0000

>--
Account Number: 0304-0051-000
Certificate No: 220856302
Certificate Fee: \$10.00

Print Date: 06/16/2014
Paid Date: 06/16/2014
Issue Date: 06/16/2014
Operator ID: AMBER

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2013. ALL TAXES ARE PAID IN FULL

Exemptions:

Certified Owner:
HOUSTON CHINESE CHURCH
10305 MAIN ST
HOUSTON, TX 77025-5509

Table with 2 columns: Description and Amount. Rows include 2013 Value (78,750), 2013 Levy (\$2,180.45), 2013 Levy Balance (\$0.00), Prior Year Levy Balance (\$0.00), Total Levy Due (\$0.00), P&I + Attorney Fee (\$0.00), and Total Amount Due (\$0.00).

Certified Tax Unit(s):
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

Reference (GF) No: N/A
Issued By: RO'VIN GARRETT, PCC
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
(979) 864-1320, (979) 388-1320, (281) 756-1320
[Signature]

OFFICIAL TAX RECEIPT
ROVIN GARRETT, RTA
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
111 E. LOCUST
ANGLETON, TEXAS 77515

Account No. 0304-0053-000
Certified Owner: HOUSTON CHINESE CHURCH
2012 VALUE: 78,750

FIRST CLASS
U.S. POSTAGE PAID
PERMIT NO. 4
ANGLETON TX

A03C4 H T & B R R, TRACT 45, ACRES 5.000

Jr	Year	Levy Paid	P&I	Parcel Address: MILLER RANCH RD CR 93
1	2012	335.36	0.00	Legal Acres: 5.0000
9	2012	47.25	0.00	Appr No: 168307
28	2012	1,117.78	0.00	Deposit No: 21231104024
54	2012	122.85	0.00	Paid Date: 01/23/2013
96	2012	555.27	0.00	Total Paid: \$2,178.51
				Check No: 00017614
				Balance Due: 50.00

Exemption(s): NONE

INT

HOUSTON CHINESE CHURCH
10305 MAIN ST
HOUSTON, TX 77025-5509

OFFICIAL TAX RECEIPT
ROVIN GARRETT, RTA
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
111 E. LOCUST
ANGLETON, TEXAS 77515
Account No: 0304-0051-000
Certified Owner: HOUSTON CHINESE CHURCH
2013 VALUE: 78,750

FIRST CLASS
U.S. POSTAGE PAID
PERMIT NO. 4
ANGLETON TX
A0304 H T & B R R, TRACT 45, ACRES 5.000

Jr	Year	Levy Paid	P&I	Parcel Address: MILLER RANCH RD CR 93
1	2013	340.22	0.00	Legal Acres: 5.0000
9	2013	47.25	0.00	Appr No: 168307
28	2013	1,114.86	0.00	Deposit No: 31221106094
54	2013	122.85	0.00	Paid Date: 01/22/2014
96	2013	555.27	0.00	Total Paid: \$2,180.45

Check No: 00019357
Balance Due: \$0.00
Exemption(s): NONE

HOUSTON CHINESE CHURCH
10305 MAIN ST
HOUSTON , TX 77025-5509





Planning & Zoning Commission

Recommendation Letter

July 22, 2014

Honorable Mayor and City Council Members
3519 Liberty Drive
Pearland, TX 77581

Re: Recommendation on CUP 2014-05

Honorable Mayor and City Council Members:

At their regular meeting on July 21, 2014, the Planning and Zoning Commission considered the following:

A request of Raymond JJ Zhuo, applicant for Houston Chinese Church, owner, for approval of a Conditional Use Permit to allow for a Church, Temple, or Place of Worship in the Single Family Residential (R-1) Zoning District, on the following described property:

LEGAL DESCRIPTION: Being 5.00 acres out of the G.T. & B.R.R. Company Survey, A-304 in Brazoria County, Texas. Being the same land described as 5.00 acres in a warranty deed from Steven C. Muth to Houston Chinese Church, dated July 5, 2007 and recorded as document No. 2007039242, official records of Brazoria County, Texas.

GENERAL LOCATION: 2500 Block of Miller Ranch Rd. Pearland, TX

P&Z Vice Chairperson Daniel Tunstall made a motion to approve with the following conditions:

- 1) The site to be developed in accordance with the attached site plan provided by the applicant.

P&Z Commissioner Derrick Reed seconded. The vote was 6-0 and the motion passed.

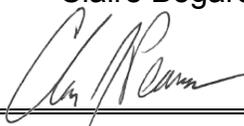
Sincerely,

Ian Clowes
Senior Planner
On behalf of the Planning and Zoning Commission

New Business Item No. 5

5. **Council input and Discussion on:** Fiscal Year 2015 Budget, Multi-Year Financial Plan – Debt Service Fund and Tax Rate.

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

AGENDA OF:	August 11, 2014	ITEM NO.: New Business No. 5
DATE SUBMITTED:	August 7, 2014	DEPT. OF ORIGIN: Finance
PREPARED BY:	Claire Bogard	PRESENTOR: Claire Bogard
REVIEWED BY:		REVIEW DATE: 8/7/2014
SUBJECT: Fiscal Year 2015 Budget and Multi-Year Plan – Debt Service Fund and Tax Rate		
EXHIBITS: PowerPoint Presentation – Debt Service Fund and Tax Rate August 6 Information Sent to City Council		
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: N/A	
AMOUNT AVAILABLE: N/A	PROJECT NO.:	
ACCOUNT NO.: N/A		
ADDITIONAL APPROPRIATION REQUIRED:		
ACCOUNT NO.:		
PROJECT NO.:		
To be completed by Department:		
X Finance	Legal	Ordinance Resolution

EXECUTIVE SUMMARY

BACKGROUND

City Council held its first budget workshop for the 2014-2015 budget on August 4th, 2014. The budget as filed included a proposed tax rate of \$0.7201 per \$100 valuation; .4950 for the debt service component of the tax rate and .2251 for the operating component of the tax rate. The proposed tax rate as filed of \$0.7201 is a 1.50 cent increase from the current tax rate of \$0.7051: half a cent increase on the debt component and a penny increase on the operating component.

At the August 4th budget workshop, it was requested that staff run a debt service forecast based on leaving the debt service component of the tax rate the same, at \$0.4900. Given that there is

not a significant impact, staff recommends leaving the debt service tax rate at the \$0.4900. With that recommendation, the tax rate for the fiscal year 2014-2015 budget would be 7151.

The filed budget anticipated that the proposed tax rate would exceed the effective tax rate but be below the rollback rate, which is the maximum tax rate allowed before triggering a potential petition by the voters and as such the budget and tax calendar planned for the notice and public hearing process. Staff has received the effective tax rate and rollback tax rate calculations and based on a .4950 debt service tax rate, the rollback tax rate is .717156, lower than the proposed tax rate of .7201 by .002944.

When using the .4900 debt service tax rate, the rollback tax rate is .712156 versus the revised tax rate of .7151. The City will need to lower the operating component of the tax rate from .2251 as proposed to .2221, in order to stay within the rollback tax rate, for a total tax rate of .7121; .4900 debt service and .2221 operations. This means a revenue loss to the General Fund of \$259,774. Since the revenue loss is recurring and has a compounding effect for future years, staff will be looking at reducing recurring expenditures in the General Fund. The recommendations will be presented to City Council at its August 25th budget discussion.

At the August 11, 2014 meeting, City Council will need to concur and provide direction to City staff on the debt service component of the tax rate and to the total rate tax, in order to meet the truth-in-taxation requirements and process pursuant to State law as well as comply with the City Charter on adoption of the budget.

Truth-In-Taxation Publication Requirements

There are new publication requirements this year, with the adoption of Senate Bill 1510, effective January 1, 2014. The publication requirement is actually more efficient and replaces the following three notification requirements under Chapter 26 of the Tax Code with one:

Effective and Rollback Tax Rate Publication
Notice of Public Hearing on Tax Increase
Notice of Tax Revenue Increase

The proposed property tax rate notice must be published by September 1 and must be published at least seven days before the first public hearing on the tax rate. The first public hearing is scheduled for Tuesday, September 2, 2014. This means that the public notice must be published by Thursday August 21st, pursuant to the City's newspaper of record.

Council will meet on Wednesday, August 13th to vote on the proposed tax rate. This means on August 11, Council must concur on the debt service component of the tax rate and the total tax rate for fiscal year 2014-2015.

The vote on the tax rate still must be a record vote, though not published, and the motion still needs to include a percent increase above the effective tax rate as follows:

Motion to propose a tax rate of \$.7121/\$100, a 5.62% increase above the effective tax rate, and to be placed on the agenda of a future meeting for adoption.

SCHEDULE

After the meeting on August 13th, a budget workshop is scheduled for Monday, August 25th to follow-up on Council questions and the water/sewer rate increase. The first public hearing is scheduled for Tuesday, September 2rd beginning at 6:30 p.m. and the second public hearing on September 8, 2013 beginning at 6:30 p.m. First reading of the ordinances (budget and tax rate) are scheduled for September 22 with second and final reading on September 29, 2014, prior to the start of the new FY 2014/15 Fiscal Year on October 1, 2014.

POLICY/GOAL CONSIDERATION

Pursuant to State Statute and City Charter, the fiscal year 2015 budget was filed with the City Secretary and submitted to City Council 60 to 90 days prior to the beginning of the fiscal year. The budget provides a complete financial plan for the program of services to be provided in the upcoming fiscal year – 2015.

Pursuant to State Statute, the tax rate needs to be adopted by September 30 or the 60th day after receiving the certified rolls, whichever is later.

The budget is to be adopted no later than the last regular scheduled council meeting in September, pursuant to City Charter provision.

The proposed budget is a public record is on the City's web-site, a copy was provided to each library, and is available for viewing in the City's Secretary's office as well.

RECOMMENDED ACTION

Review and discuss the proposed budget for Fiscal Year 2014-2015, Multi-Year Financial Plan including the Debt Service Fund and the proposed Tax Rate.



CITY OF PEARLAND

Proposed Budget, Multi-Year
Financial Plan and Five Year CIP

Fiscal Year 2015-2019

August 11, 2014

A photograph of a young green plant with several leaves and a network of roots extending into dark, rich soil. The plant is positioned on the left side of the slide, symbolizing growth and future development.

Planting
Seeds for
the Future

MULTI-YEAR FORECAST DEBT SERVICE SCENARIOS

	2015	2016	2017	2018	2019
Scenario I					
Fund Balance	4,312,560	4,016,752	4,352,730	4,448,403	4,404,054
Over Min Policy 10%	1,293,136	702,954	916,047	768,368	284,399
DS Tax Rate	.4950	.5050	.5050	.5100	.5375
Scenario II – Recommended					
Fund Balance	4,022,182	3,721,844	4,057,823	4,153,495	4,292,775
Over Min Policy 10%	1,002,759	408,046	621,139	473,460	173,120
DS Tax Rate	0.4900	.5050	.5050	.5100	.5400
New Debt Issuance	27,960,000	19,785,000	24,330,000	22,865,000	7,150,000

Revised based on Brazoria County Certification

MULTI-YEAR FORECAST

Tax Rate Forecast

	2015	2016	2017	2018	2019
Scenario I					
Total Tax Rate	.7201	.7401	.7501	.7551	.7826
O&M	.2251	.2351	.2451	.2451	.2451
DS	.4950	.5050	.5050	.5100	.5375
Change	.0150	.0200	.0100	.0050	.0275
Scenario II - Recommended					
Total Tax Rate	.7151	.7401	.7501	.7551	.7851
O&M	.2251	.2351	.2451	.2451	.2451
DS	0.4900	.5050	.5050	.5100	.5400
Change	.0100	.0250	.0100	.0050	.0300

Debt Service Tax Rate Forecast Beginning 2020

- Long-Term Forecast based off Financial Advisor Analysis. Includes refinancing and 20-year term debt for new issuances 2014 - 2019
- Does not include additional debt that may be issued during the time period

– 2020	.5200	2029	.4250
– 2021	.4950	2030	.3400
– 2022	.4700		
– 2023	.4600		
– 2024-2027	.4500		
– 2028	.4400		



Texas Constitution

Truth in Taxation Provisions

Subject to any exceptions prescribed by state law, the total amount of property taxes imposed by a political subdivision in any year may not exceed the total amount of property taxes imposed by the subdivision in the preceding year unless the governing body of the subdivision gives notice of its intent to consider increasing taxes and holds two public hearings on the proposed increase.....

Texas Constitution

Truth in Taxation Provisions

Effective Tax Rate = the rate that would provide the taxing unit with about the same amount of revenue it received in the year before on properties taxes in both years.

If property values rise, the effective tax rate goes down. If values fall, the effective tax rate goes up. With rising property values, the effective tax rate notice is usually triggered, just as it has in Pearland most years other than last year

Texas Constitution

Truth in Taxation Provisions

Rollback Rate = the maximum tax rate allowed by law without voter approval. Provides for the same amount of tax revenue for operations plus 8%, in addition to the debt service tax rate needed to pay debt in the coming year.

If a unit adopts a tax rate higher than the rollback rate, voters can petition for an election to limit the size of the tax increase.

We are not projecting to meet the Rollback Rate Threshold.



Texas Constitution

Truth in Taxation Provisions

If the proposed tax rate exceeds the effective tax rate or rollback rate, whichever is lower, then the governing body must hold two public hearings.....and

Must vote to place a proposal to adopt the rate on the agenda of a future meeting. The vote must be recorded and specify the desired rate.



EFFECTIVE TAX RATE Calculation

	Scenario I – in budget presentation	Scenario II - Recommended
Proposed Tax Rate	.7201	.7151
Tax Rate Calculation		
Effective Tax Rate	.674238	.674238
Rollback Rate	.717156	.712156
Revised Tax Rate*	.7171	.7121
O&M	.2221	.2221
Debt Service	.4950	.4900
Revenue Loss to GF	206,307	259,774

With Brazoria County numbers received 8/5; to not exceed rollback rate

State Statute

Notice Provisions

Senate Bill 1510, effective January 1, 2014

Changes publication requirements to provide one publication, published by September 1

Replaces

- Effective Tax Rate and Rollback Rate Publication
- Notice of Public Hearing on Tax Increase
- Notice of Tax Revenue Increase

Has to be published a minimum of seven days before the first public hearing on the tax rate



State Statute

Notice Provisions

Public Hearings

- Tuesday – September 2
- Monday – September 8

Notice has to be published August 21st

Meeting on Wednesday – August 13th

- Set budget public hearing date

- Record vote on proposed tax rate and set tax rate public hearings



Budget Calendar

- August 13 Vote on Tax Rate and Tax Increase
Set Budget and Tax Public Hearings
- August 25 Budget Workshop
 - General Fund Budget Reductions
 - Water/Sewer Rate Option
 - Other Information as Requested
- September 2 First Public Hearing – Tax and Budget
- September 8 Second Public Hearing – Tax Only
- September 22 1st Reading of Ordinances
- September 29 2nd Reading of Ordinances



Questions?

Fiscal Year
2014-2015
Proposed Budget
Five Year CIP
August 11, 2014

Claire Bogard

From: Clay Pearson
Sent: Wednesday, August 06, 2014 3:29 PM
To: Council1
Cc: Darrin Coker; Claire Bogard; Bobby Pennington; Rick Overgaard; Jon Branson; Trent Epperson; Young Lorfing; Yvette Connevey; Randi Wyatt
Subject: FW: Rollback Tax Rate and New Tax Notice Provisions
Attachments: SB 15 Local Government Code regarding notice.pdf

Good afternoon,

We have had another hit on the budget come in after we met on Monday night. The tax calculation from Brazoria County, our majority of the property tax base, came in to Finance. After reviewing that Brazoria County number, we need to *lower* the proposed tax rate slightly to stay under the potential rollback threshold. That means another \$206,307 less in FY 2014/15 General Fund revenue (which compounds through the multi-year budget). We will need some time to come up with the recommendation to accomplish this reduced revenue from what you saw.

The rest of Claire's e-mail below goes into the notice requirements and meeting dates within which we are working. We are looking at moving the August 18 budget meeting, instead just having the five Joint Public Hearings that night beginning at 7:30 p.m. that have already been advertised. Young has separately sent you a request for schedule availability for Wednesday, August 13 to what should be a fairly brief session.

We wanted to get this information to you early as it is unfolding. We will have an item on Monday night to preview some of this before the August 13 session, in addition to the CIP presentation.

Any questions or thoughts, just give me a shout.

Clay

-----Original Message-----

From: Claire Bogard
Sent: Wednesday, August 06, 2014 12:34 PM
To: Clay Pearson; Jon Branson
Cc: Yvette Connevey; Darrin Coker; Trent Epperson
Subject: Rollback Tax Rate and New Tax Notice Provisions

Effective and Rollback Tax Rate

Just yesterday, I received and reviewed the effective and rollback tax rate calculations (Brazoria County portion) and they are as follows. This is based on the proposed 0.4950 DS Tax Rate:

Effective Tax Rate	.674238
Rollback Rate	.717156
Proposed Tax Rate	.7201

The effective rate is the tax rate that would provide the same amount of revenue on properties taxed in both years, excluding new value. The rollback rate is the rate that provides the same revenues for operations as in the preceding year plus 8%, plus the funds required to cover debt service. If a unit adopts a tax rate that is higher than the rollback rate, then voters can circulate a petition calling for an election to "rollback" the tax rate.

The proposed tax rate exceeds the rollback rate by .002944. As such, we would need to lower the proposed tax rate to .7171 (you cannot round up to .7172 or we can take out six digits) as follows: .4950 to Debt Service and .2221 for Operations versus the .2251 proposed. This would mean a revenue loss of \$206,307 to the General Fund from what we had for the recommended budget. If the Debt Service component of the tax rate changes, so does the Rollback Rate, so lowering the debt service tax rate would not fix the issue.

Since this revenue reduction will affect future years, staff will come back to City Council on August 25th with recommendations on where to eliminate recurring expenditures in the General Fund from what had been recommended

New Tax Notice Provisions (see attached new law)

Effective Jan. 2014 - there are new notice requirements for adoption of the tax rate.

First of all - the notice has to be published by September 1 and seven days before the first public hearing. As currently scheduled, the notice would need to be published on August 21 which has to be to the newspaper by morning of August 19 in order to meet this requirement for the public hearing tentatively scheduled for Sept 2.

The notice provides for the proposed tax rate for adoption as well as publishes the effective and rollback tax rates. The notice also provides the dates of the two public hearing dates.

This "one" notice takes the place of the "three" notices required in the past, in essence combining most of the information into one publication. The previous notices are listed below.

Notice of Effective and Rollback Tax Rates Notice of Public Hearing on Tax Increase, which also listed the Councilmembers and how they voted.

Notice of Tax Revenue Increase - that was published after the public hearings.

As the publication is due to the paper on Tuesday morning (August 19th), council will need to take a record vote on the proposed tax rate and x% tax increase above the effective tax rate, prior to August 19th. Except for last year, the Council has had to vote on a tax increase, as the tax rate exceeded the effective tax rate, and publish the required notices since I have been with the City, so this is not new for many of the Councilmembers. The increases in revaluation, in a level that has not been seen in the last few years, drives the x% tax increase requirement. Most cities, will be in the same vote and notification process. In fact the new law, has a vote and notice requirement, even if a city is proposing a tax rate that does not exceed the lower of the effective or rollback rate.

We had identified August 18th in the tentative budget calendar for Council to vote on the proposed tax rate and tax increase, however two members of Council will not be present.

As such we will need to meet prior to August 18th to set in motion the truth in taxation requirements, pursuant to state law. The City Secretary will be polling the Councilmembers for either Wednesday August 13 or Thursday August 14th for a Special Meeting. There would be two action items: 1) to set the public hearing dates on the budget and 2) to discuss and take a record vote to propose a tax rate of \$.7171/\$100, (for example), a x% tax increase above the effective tax rate and schedule two public hearings for additional public input opportunity.

We will be reviewing the debt service and tax rate information with City Council on Monday, August 11th, so that all Councilmembers are informed prior to the vote.

The information would go out in advance in the agenda packet as well.

Legislative Session: 83(R)

Senate Bill 1510
Effective: 1-1-14

Senate Author: Hinojosa
House Sponsor: Hilderbran

Senate Bill 1510 amends the Local Government Code to establish notice requirements regarding a municipality's or county's proposed property tax rate that specify the content of such notice, depending on whether the proposed tax rate exceeds the lower of the effective tax rate or the rollback rate, and that establish a September 1 deadline for providing notice by publishing the notice in a newspaper having general circulation in the applicable taxing unit, mailing the notice to each property owner in the taxing unit, or posting the notice on the taxing unit's Internet website. The bill requires each county and municipality to provide notice of its proposed property tax rate in the manner provided unless the county or municipality is authorized to provide a simplified tax rate notice because of its low tax levies, in which case the county or municipality may provide notice of its proposed property tax rate either in the manner provided under the bill's provisions or in the manner provided for the simplified tax rate notice.

Senate Bill 1510 exempts a county or municipality that provides notice under the bill's provisions from notice and publication requirements under Tax Code provisions relating to effective and rollback tax rates, tax rates of taxing units with low tax levies, and tax increases and from injunction for failure to comply with those requirements. The bill requires a county or municipality that provides notice under the bill's provisions to provide, on request, any information regarding the county or municipality that a taxing unit is required to provide in a notice relating to the unit's effective or rollback tax rate.

1 AN ACT
2 relating to the public notice required to be provided by certain
3 taxing units before adopting an ad valorem tax rate.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 140, Local Government Code, is amended
6 by adding Section 140.010 to read as follows:

7 Sec. 140.010. PROPOSED PROPERTY TAX RATE NOTICE FOR
8 COUNTIES AND MUNICIPALITIES. (a) In this section, "effective tax
9 rate" and "rollback tax rate" mean the effective tax rate and
10 rollback tax rate of a county or municipality, as applicable, as
11 calculated under Chapter 26, Tax Code.

12 (b) Except as provided by this subsection, each county and
13 municipality shall provide notice of the county's or municipality's
14 proposed property tax rate in the manner provided by this section.
15 A county or municipality to which Section 26.052, Tax Code, applies
16 may provide notice of the county's or municipality's proposed
17 property tax rate in the manner provided by this section or in the
18 manner provided by Section 26.052, Tax Code.

19 (c) A county or municipality that provides notice of the
20 county's or municipality's proposed property tax rate in the manner
21 provided by this section is exempt from the notice and publication
22 requirements of Sections 26.04(e), 26.052, and 26.06, Tax Code, as
23 applicable, and is not subject to an injunction for failure to
24 comply with those requirements.

26.04 - Effective & Rollback Tax Rates
26.06 - Notice of Public Hearing on Tax Increase
26.052 - Notice of Units w/ Low Tax Levies - does not apply to
Pearland

1 (insert Internet website address, if applicable)"
2 (e) A county or municipality that proposes a property tax
3 rate that exceeds the lower of the effective tax rate or the
4 rollback tax rate shall provide the following notice:

5 "NOTICE OF (INSERT CURRENT TAX YEAR) TAX YEAR PROPOSED PROPERTY TAX
6 RATE FOR (INSERT NAME OF COUNTY OR MUNICIPALITY)

7 "A tax rate of \$_____ per \$100 valuation has been proposed for
8 adoption by the governing body of (insert name of county or
9 municipality). This rate exceeds the lower of the effective or
10 rollback tax rate, and state law requires that two public hearings
11 be held by the governing body before adopting the proposed tax rate.

12 PROPOSED TAX RATE _____ \$_____ per \$100
13 PRECEDING YEAR'S TAX RATE \$_____ per \$100
14 EFFECTIVE TAX RATE _____ \$_____ per \$100
15 ROLLBACK TAX RATE _____ \$_____ per \$100

16 "The effective tax rate is the total tax rate needed to raise the
17 same amount of property tax revenue for (insert name of county or
18 municipality) from the same properties in both the (insert
19 preceding tax year) tax year and the (insert current tax year) tax
20 year.

21 "The rollback tax rate is the highest tax rate that (insert name of
22 county or municipality) may adopt before voters are entitled to
23 petition for an election to limit the rate that may be approved to
24 the rollback rate.

1 "YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS
2 FOLLOWS:

3 property tax amount = (rate) x (taxable value of your property) /
4 100

5 "For assistance or detailed information about tax calculations,
6 please contact:

7 (insert name of county or municipal tax assessor-collector)
8 (insert name of county or municipality) tax
9 assessor-collector
10 (insert address)
11 (insert telephone number)
12 (insert e-mail address)
13 (insert Internet website address, if applicable)

14 "You are urged to attend and express your views at the following
15 public hearings on the proposed tax rate:

16 First Hearing: (insert date and time) at (insert location of
17 meeting).

18 Second Hearing: (insert date and time) at (insert location
19 of meeting)."

20 (f) A county or municipality shall:

21 (1) provide the notice required by Subsection (d) or
22 (e), as applicable, not later than September 1 by:

23 (A) publishing the notice in a newspaper having
24 general circulation in:

25 (i) the county, in the case of notice
26 published by a county; or

27 (ii) the county in which the municipality

1 is located or primarily located, in the case of notice published by
2 a municipality; or

3 (B) mailing the notice to each property owner in:
4 (i) the county, in the case of notice
5 provided by a county; or

6 (ii) the municipality, in the case of
7 notice provided by a municipality; and

8 (2) post the notice on the Internet website of the
9 county or municipality, if applicable, beginning not later than
10 September 1 and continuing until the county or municipality adopts
11 a tax rate.

12 (g) If the notice required by Subsection (d) or (e) is
13 published in a newspaper:

14 (1) the notice may not be smaller than one-quarter
15 page of a standard-size or a tabloid-size newspaper; and

16 (2) the headline on the notice must be in 24-point or
17 larger type.

18 (h) A county or municipality that provides notice under this
19 section shall on request provide any information described by
20 Sections 26.04(e)(1)-(7), Tax Code, regarding the county or
21 municipality, as applicable.

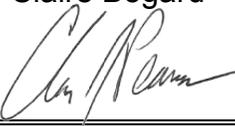
22 SECTION 2. This Act applies only to an ad valorem tax year
23 that begins on or after the effective date of this Act.

24 SECTION 3. This Act takes effect January 1, 2014.

New Business Item No. 6

- 6 Council input and Discussion on:** Fiscal Year 2015 Budget, Multi-Year Financial Plan – Including 5-Year Capital Improvement Plan – Budget 2015-2019.

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

AGENDA OF:	August 11, 2014	ITEM NO.:	New Business No. 6
DATE SUBMITTED:	July 30, 2014	DEPT. OF ORIGIN:	Finance
PREPARED BY:	Claire Bogard	PRESENTOR:	Clay Pearson/Trent Epperson/Claire Bogard
REVIEWED BY:		REVIEW DATE:	8/7/2014
SUBJECT: Fiscal Year 2015 Budget, Multi-Year Financial Plan, including 5-Year CIP 2015-2019			
EXHIBITS: PowerPoint Presentation - CIP			
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: N/A	
AMOUNT AVAILABLE: N/A		PROJECT NO.:	
ACCOUNT NO.: N/A			
ADDITIONAL APPROPRIATION REQUIRED:			
ACCOUNT NO.:			
PROJECT NO.:			
To be completed by Department:			
<input checked="" type="checkbox"/> Finance	<input type="checkbox"/> Legal	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution

EXECUTIVE SUMMARY

BACKGROUND

Pursuant to State law and according to City Charter, the City must adopt a budget by the last regularly scheduled Council meeting in September, prior to the beginning of the fiscal year. The budget must contain a complete financial statement of the City and City must hold a public hearing on the budget and follow truth-in-taxation requirements. The budget process began the last week of July, with the filing and submission of the budget. Council had its first workshop on Monday, August 4th.

The workshop tonight will cover the 2015-2019 Five-Year Capital Improvement Program.

POLICY/GOAL CONSIDERATION

Pursuant to State Statute and City Charter, the fiscal year 2015 budget was filed with the City Secretary and submitted to City Council 60 to 90 days prior to the beginning of the fiscal year. The budget provides a complete financial plan for the program of services to be provided in the upcoming fiscal year – 2015.

The proposed budget is a public record is on the City's web-site, a copy was provided to each library, and is available for viewing in the City's Secretary's office as well.

CURRENT AND FUTURE FUNDING /FINANCIAL IMPACTS

The budget serves as the financial plan (revenues and expenditures) and provides for the annual program of services for the City in fiscal year 2015. As filed, the budget includes a 1.50 cent tax rate increase from the current tax rate of \$0.7051 per \$100 valuation to \$0.7201; a half-cent increase on the debt service side and a one-cent increase on the operating side of the tax rate. The budget also includes a 4.63% revenue increase in the water/sewer fund to fund operations, debt service, reserves and bond coverage.

The Five-Year Capital Improvement Plan for 2015-2019 totals \$419.3 million, of which \$55.1 million is in year 2015 of the plan, and will be appropriated for funding with the adoption of the fiscal year 2015 budget. Street projects totaling \$170.6 million represents 41% of the total, with water/sewer projects totaling \$165.1 million or 39% of the total. Funding for these projects come from a variety of sources, with the issuance of debt being the main source. General Obligation Bonds, from voted authorization from the 2007 bond referendum totals \$79.4 million, Certificates of Obligation included is \$22.7 million for facility construction and improvements that were not part of the 2007 propositions, and \$136.6 million is funded from water/sewer revenue bonds.

There are \$70.6 million in projects identified but with no funding source, \$5.4 million in parks, \$18.8 million in facilities, and \$46.2 million in streets.

Staff will review the 2015-2019 CIP, including projects and funding sources. The budget discussion on August 25th will cover water/sewer rate structure and other information that City Council requested additional information on.

RECOMMENDED ACTION

Review and discuss the proposed budget for Fiscal Year 2014-2015, Multi-Year Financial Plan - 5-Year Capital Improvement Program 2015-2019



CITY OF PEARLAND

Proposed Budget, Multi-Year
Financial Plan and Five Year CIP

Fiscal Year 2015-2019

August 11, 2014

A photograph of a young green plant with three leaves and a thin stem, growing out of a mound of dark, rich soil. The roots are visible, spreading out in the soil. The background is a plain, light color.

Planting
Seeds for
the Future

Capital Projects

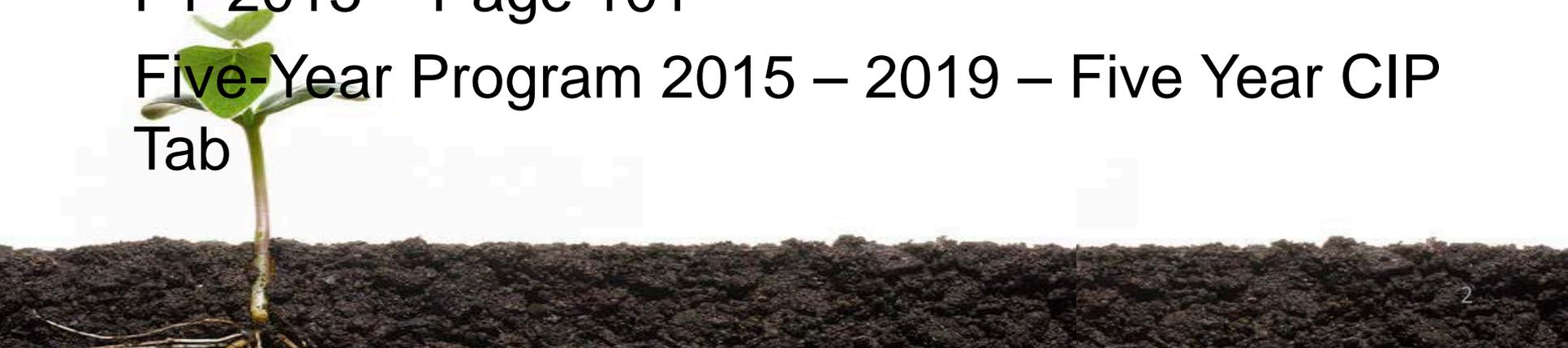
FY 2015 Capital Projects

Five Year Capital Improvement Program

Approved by Planning & Zoning on June 2, 2014

FY 2015 – Page 101

Five-Year Program 2015 – 2019 – Five Year CIP
Tab



What is a Capital Improvement?

- Major, non-routine expenditure for new construction
- Improvements to existing buildings, facilities, and infrastructure
- \$100,000 +
- Long-life expectancy
- Results in the creation of an asset or extends the life of an existing asset
- Includes costs for design, legal fees, land, construction, etc.
- Does not include the purchase of a piece of equipment such as a fire truck.



Hickory Slough Detention Pond

Inlet outside pump station



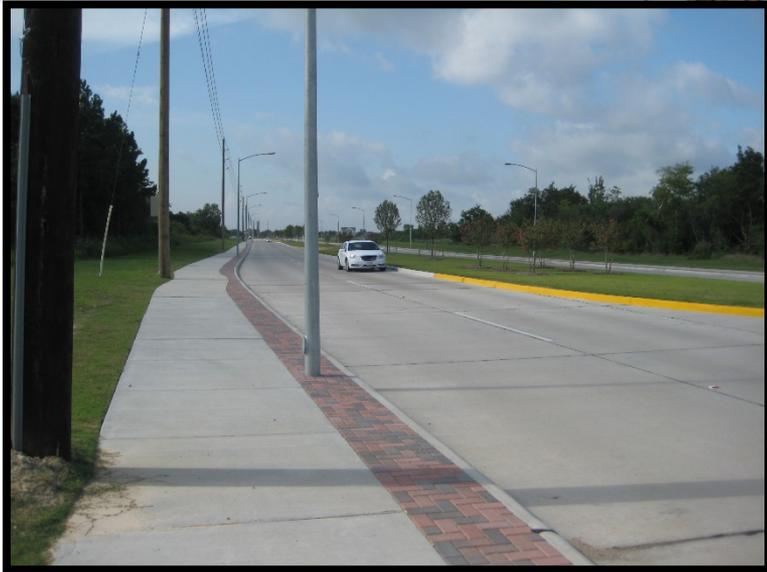
Pump station



Max Road Sports Complex

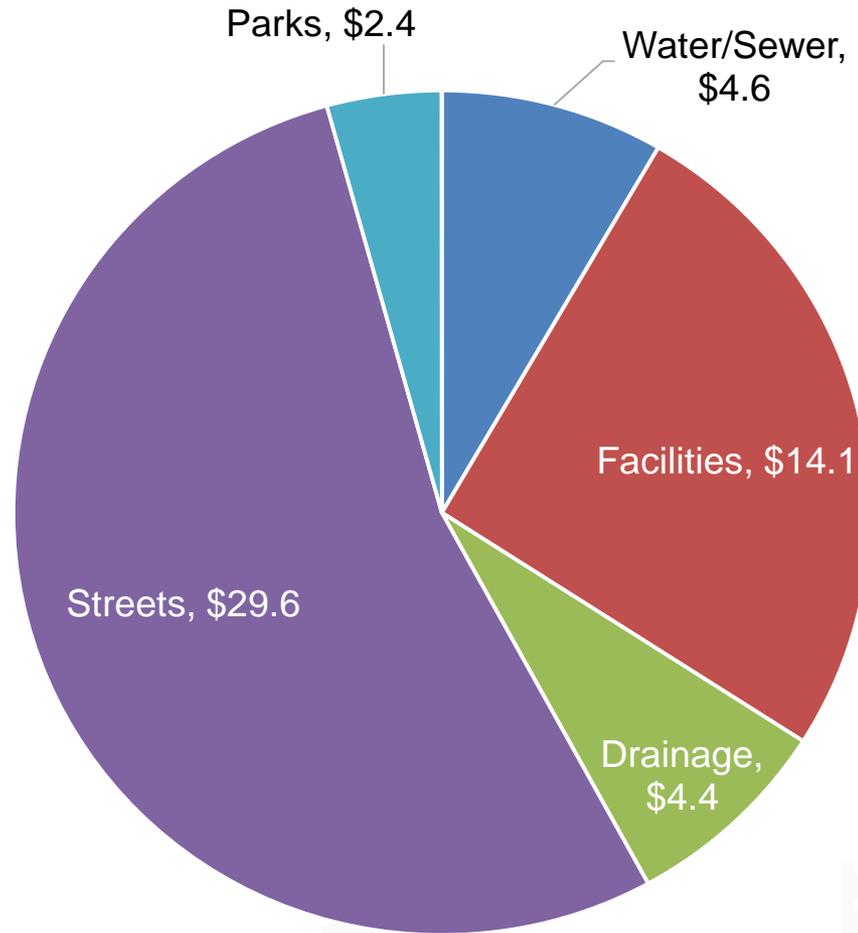


Business Center Drive



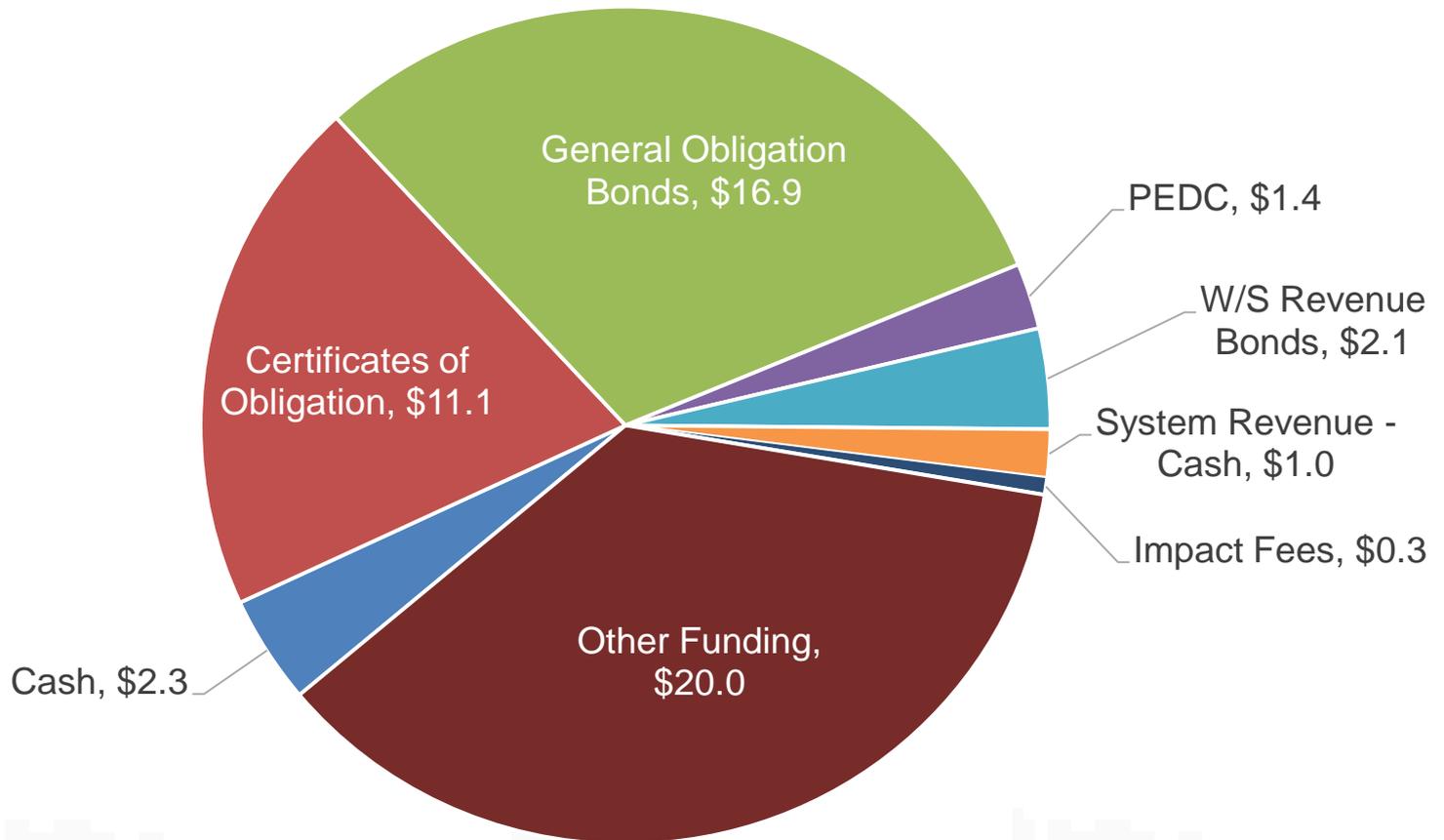
Fiscal Year 2015 CIP

\$55,134,653 - Uses



Fiscal Year 2015 CIP

\$55,134,653 - Sources



2015 Drainage CIP Uses & Sources

<i>Cowart Creek Diversion</i>	\$ 1,600,000
<i>Cullen/FM 518 Regional Detention (ROW/Design)</i>	\$ 464,000
<i>Old Townsite Drainage</i>	<u>\$ 2,312,200</u>
Total	\$ 4,376,200
GO Bonds to be Sold - 2015	\$ 3,836,359
Other Funding Sources	\$ 75,841
GO Bonds Already Sold	\$ 464,000

Italics – Changed from 2014 -2018 Adopted CIP

2015 Parks CIP Uses & Sources

<i>Independence Park Phase I (Design)</i>	\$ 179,810
<i>Delores Fenwick Nature Center Ph I (Design)</i>	\$ 158,000
<i>Centennial Park Phase II</i>	\$ 1,828,000
Shadow Creek Ranch Trail (ROW)	\$ 115,733
Green Tee Terrace Trail (ROW)	<u>\$ 105,183</u>
Total	\$ 2,386,726
Certificates of Obligation to be Sold - 2015	\$ 267,248
GO Bonds to be Sold - 2015	\$ 1,842,746
Other Funding Sources	\$ 276,732

CIP includes \$2.1 in additional GO bonds for SCR in timing with construction

Italics – Changed from 2014 - 2018 Adopted CIP

2015 Facilities CIP Uses & Sources

<i>Tom Reid Library Expansion</i>	\$ 3,807,300
<i>City Hall Complex</i>	\$ 4,445,900
<i>Fire Station #2</i>	\$ 3,769,954
<i>Orange Street Service Center</i>	<u>\$ 2,120,000</u>
Total	\$14,143,154

Cash	\$ 100,000
Certificates of Obligation to be Sold - 2015	\$10,599,953
GO Bonds to be Sold - 2015	\$ 882,600
Other Funding Sources	\$ 48,201
Additional GO Bonds to be sold in 2016 for Tom Reid Library (\$2.5 million)	

Italics – Changed from 2014 - 2018 Adopted CIP

2015 Streets CIP Uses & Sources

<i>Bailey Road – Veterans to FM 1128</i>	\$ 9,140,000
Old Town Area Sidewalks	\$ 200,000
Hughes Ranch Road - CR 403 (Design)	\$ 200,000
<i>Fite Road</i>	\$ 3,332,631
<i>Max Road</i>	\$ 4,248,428
Regency Park Subdivision Repaving	\$ 2,766,600
Kirby Drive Expansion	\$ 988,545
<i>McHard Road Extension - (ROW)</i>	\$ 3,855,469
<i>Hooper Road Extension</i>	\$ 3,334,000

Italics – Changed from 2014 - 2018 Adopted CIP

2015 Streets CIP Uses & Sources

Smith Ranch Road Expansion - CR 94 (Design)	\$ 328,668
<i>Industrial Drive Realignment</i>	<u>\$ 1,190,000</u>
Total	\$29,584,341
Certificates of Obligation to be Sold - 2015	\$ 200,000
GO Bonds to be Sold - 2015	\$ 8,328,857
PEDC	\$ 1,184,500
Other Funding Sources (HGAC TIP Funds, etc)	\$19,870,984

Italics – Changed from 2014 - 2018 Adopted CIP

2015 Water CIP Uses & Sources

General Engineering/CIP Administration	\$ 50,000
Tom Bass Park Loop	\$ 527,444
<i>Hooper Road Water Line</i>	\$ 114,000
<i>Regency Park Subdivision 8" Water Line</i>	\$ 626,245
<i>FM 521 Waterline - Broadway to Mooring Pointer (ROW/Design)</i>	<u>\$ 211,890</u>
Total	\$ 1,529,579

Italics – Changed from 2014 - 2018 Adopted CIP

2015 Water CIP Uses & Sources

PEDC	\$ 114,000
W/S Revenue Bonds to be Sold - 2015	\$ 579,230
System Revenue - Cash	\$ 331,882
Impact Fees - Cash	\$ 348,522
Other Funding Sources	\$ 155,945



2015 Wastewater CIP Uses & Sources

<i>Riverstone Ranch Oversizing</i>	\$ 128,167
<i>Southdown (North Central) WWTP Rehabilitation</i>	\$ 540,545
<i>McHard Rd Trunk Sewer - Garden to Southdown WWTP (Design)</i>	\$ 34,771
<i>Hooper Road Sanitary Sewer</i>	\$ 110,000
<i>Roy/Max/Garden Roads Basin Sewage System (ROW/Design)</i>	\$ 330,000
<i>Barry Rose WWTP Expansion (PER)</i>	\$ 350,000
<i>Green Tee 1 to Riverstone Wastewater Diversion</i>	\$ 324,170

Italics – Changed from 2014 - 2018 Adopted CIP

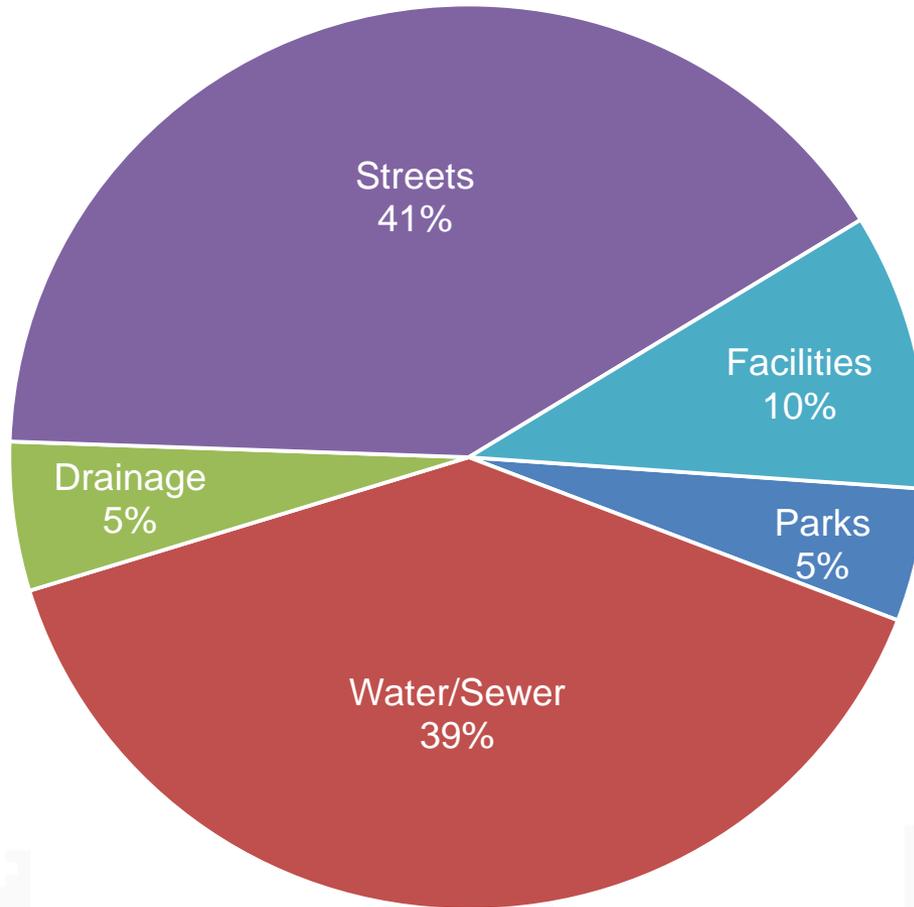
2015 Wastewater CIP Uses & Sources

<i>(JHEC) SWEC Filter and Bar Screen Improvements</i>	\$ 1,240,000
<i>Springfield Lift Station Abandonment (Design)</i>	<u>\$ 57,000</u>
Total	\$ 3,114,653
PEDC	\$ 110,000
W/S Revenue Bonds to be Sold - 2015	\$ 1,564,170
System Revenue - Cash	\$ 699,771
Other Funding Sources	\$ 740,712

Italics – Changed from 2014 - 2018 Adopted CIP

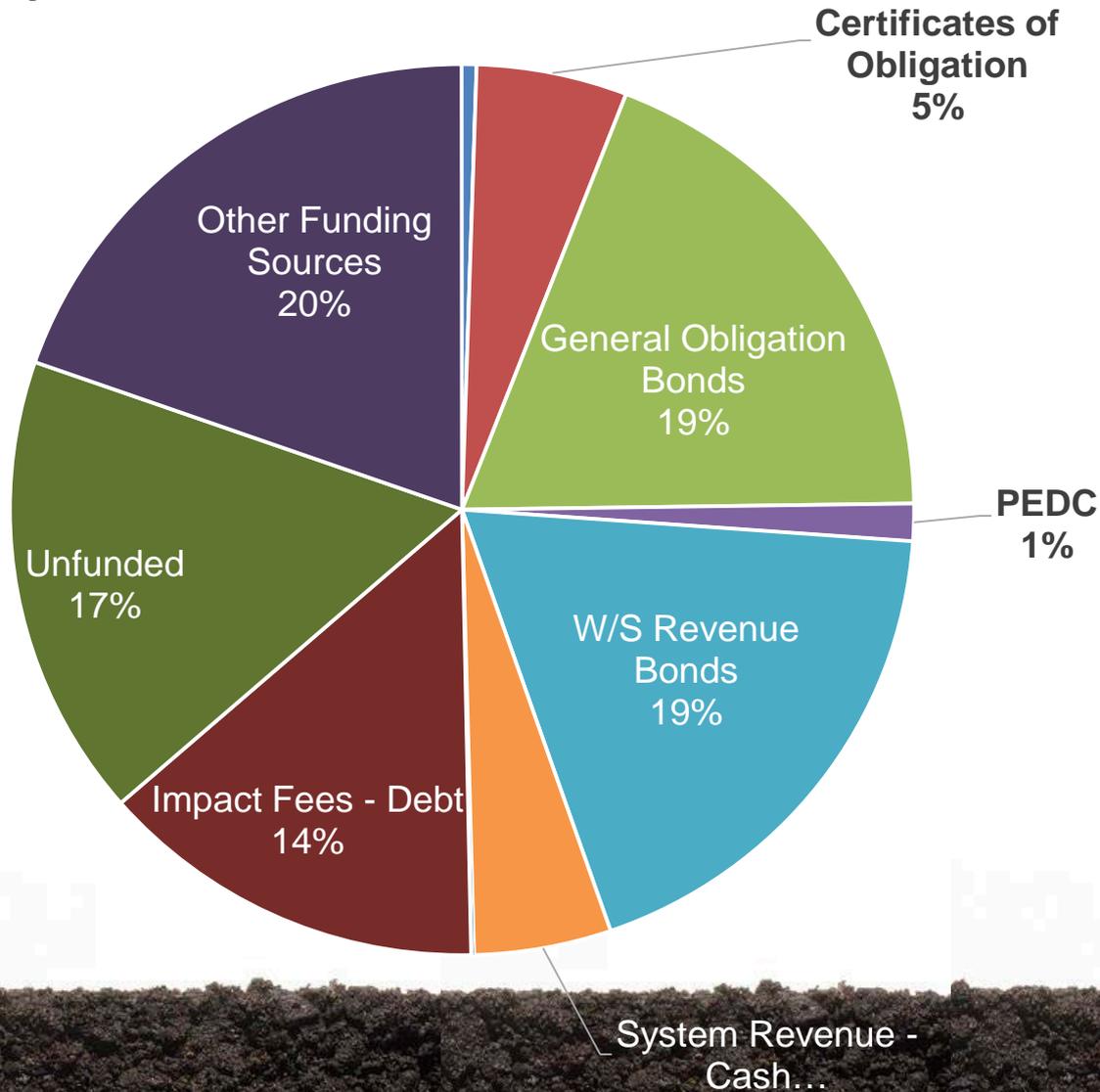
2015 – 2019 Five Year CIP

\$419,292,794 - Uses



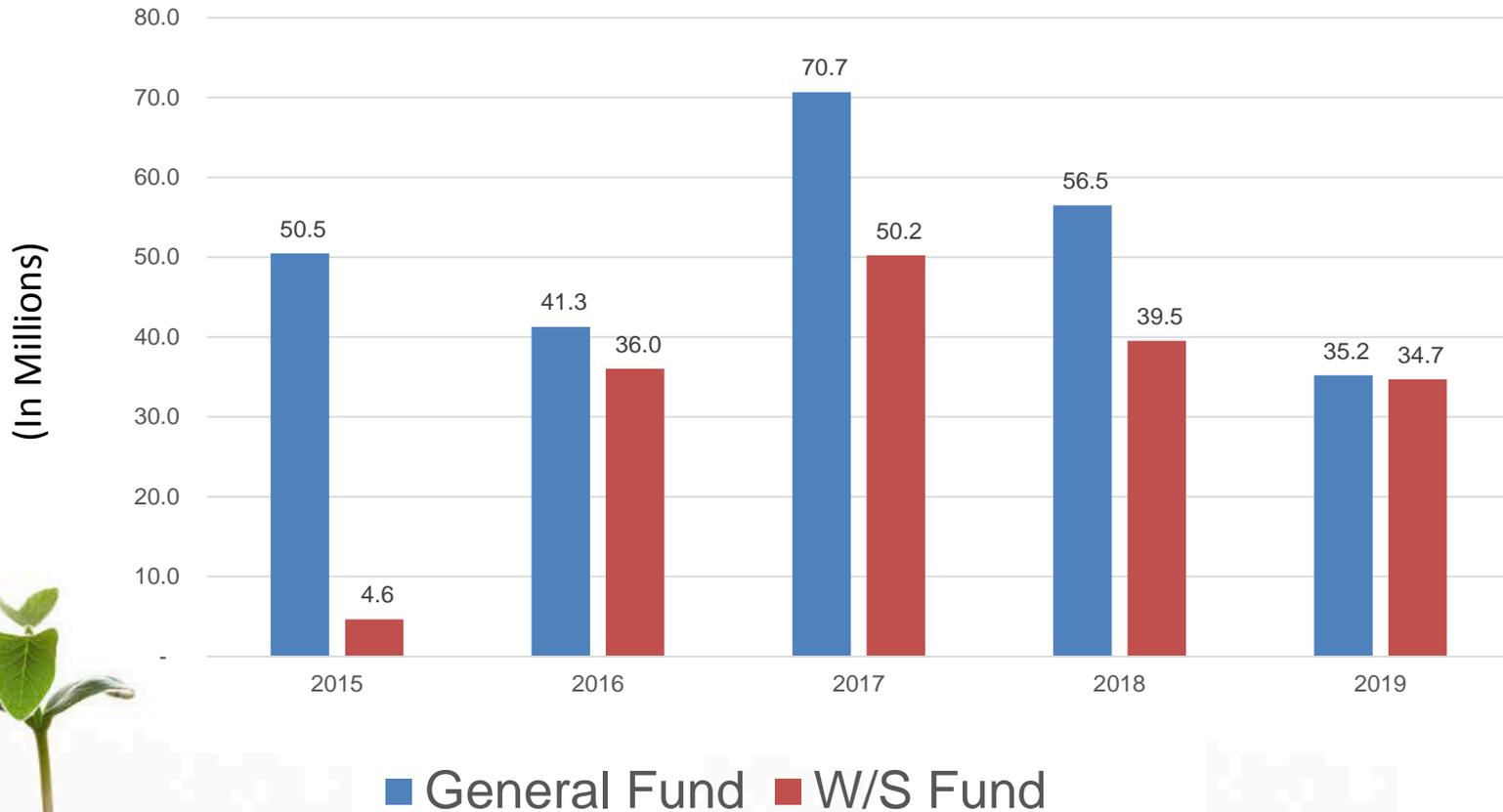
2015 – 2019 Five Year CIP

\$419,292,794 - Uses



2015 – 2019 CIP

\$419.3 Million Total



Five Year CIP Uses Summary

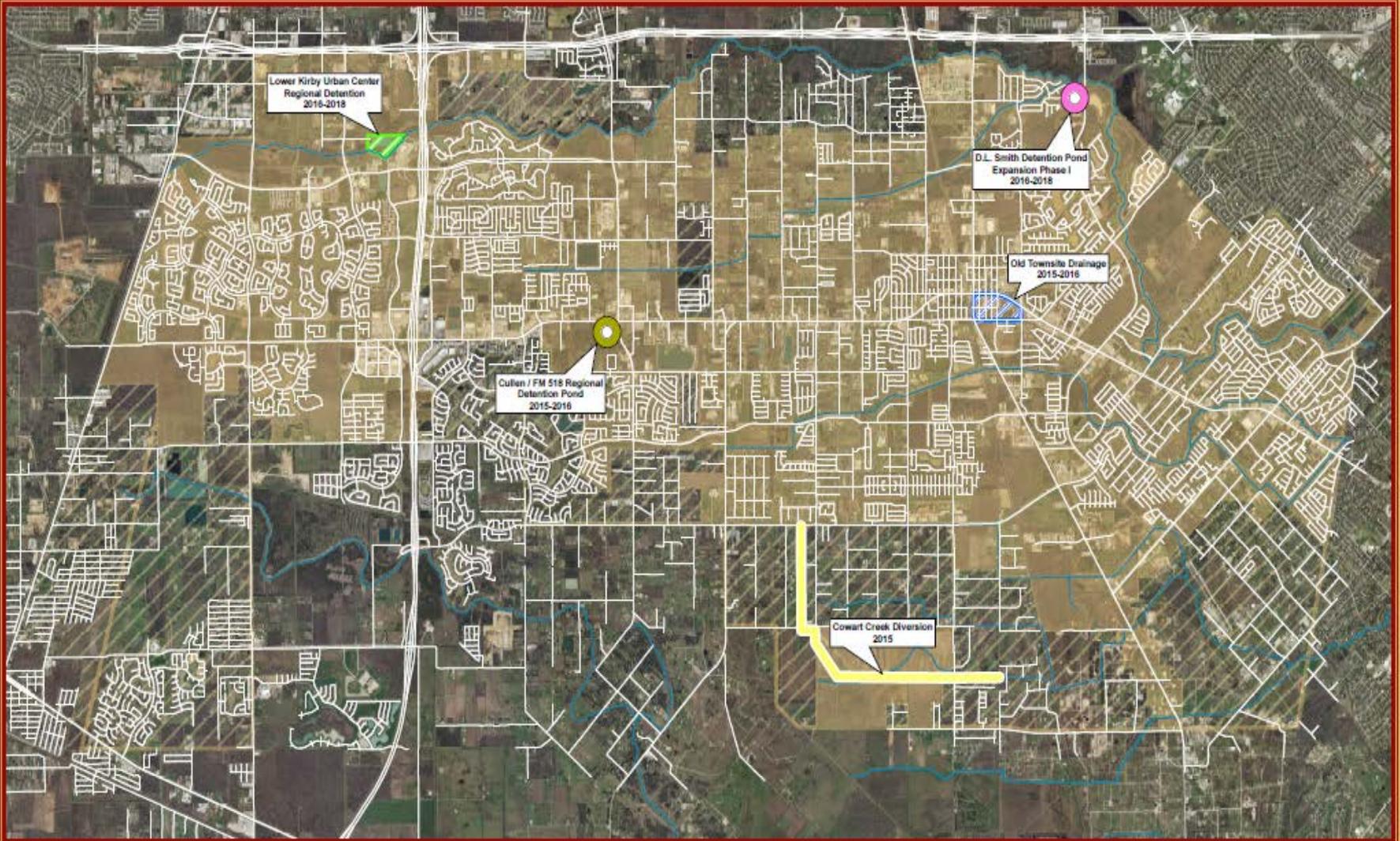
USE	2015	2016	2017	2018	2019	TOTAL
Drainage	4,376,200	6,574,724	6,270,742	5,045,536		22,267,202
Parks	2,386,726	7,900,400	5,137,087	486,000	3,992,500	19,902,713
Facilities	14,143,154	1,056,840	8,684,145	2,429,536	15,096,250	41,409,925
Streets	29,584,341	25,753,548	50,583,541	48,545,000	16,123,626	170,590,056
Water	1,529,579	11,117,198	14,708,266	12,291,908	29,314,462	68,961,413
Wastewater	3,114,653	24,924,898	35,512,656	27,221,528	5,387,750	96,161,485
TOTAL	\$ 55,134,653	\$ 77,327,608	\$ 120,896,437	\$ 96,019,508	\$ 69,914,588	\$ 419,292,794

Drainage CIP - Uses

Use	2015	2016	2017	2018	2019	TOTAL
Cowart Creek Diversion	1,600,000					1,600,000
Cullen/FM 518 Detention Pond ⁽²⁾	464,000	3,858,000				4,322,000
Lower Kirby Urban Center Regional Detention ⁽²⁾		1,767,000	2,528,000	2,145,000		6,440,000
Old Townsite Drainage ⁽²⁾	2,312,200	826,800				3,139,000
PER for Future Bond Referendum ⁽²⁾			1,000,000			1,000,000
D.L. Smith Detention Pond Expansion Phase I ^{(1) (2)}		122,924	2,742,742	2,900,536		5,766,202
TOTAL	4,376,200	6,574,724	6,270,742	5,045,536		22,267,202

(1) Additional money needed

(2) Timing



CITY OF PEARLAND
Proposed
2015 - 2019 CIP
Drainage



Old Townsite Drainage



Cullen/FM 518 Regional Detention Pond

Cowart Creek Diversion

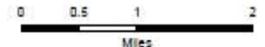


Lower Kirby Urban Center Regional Detention



D.L. Smith Detention Pond Expansion Phase I

1:63,360 or 1 in = 1 miles



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MAP PREPARED: AUG 2014
 CITY OF PEARLAND GIS DEPARTMENT

Parks CIP - Uses

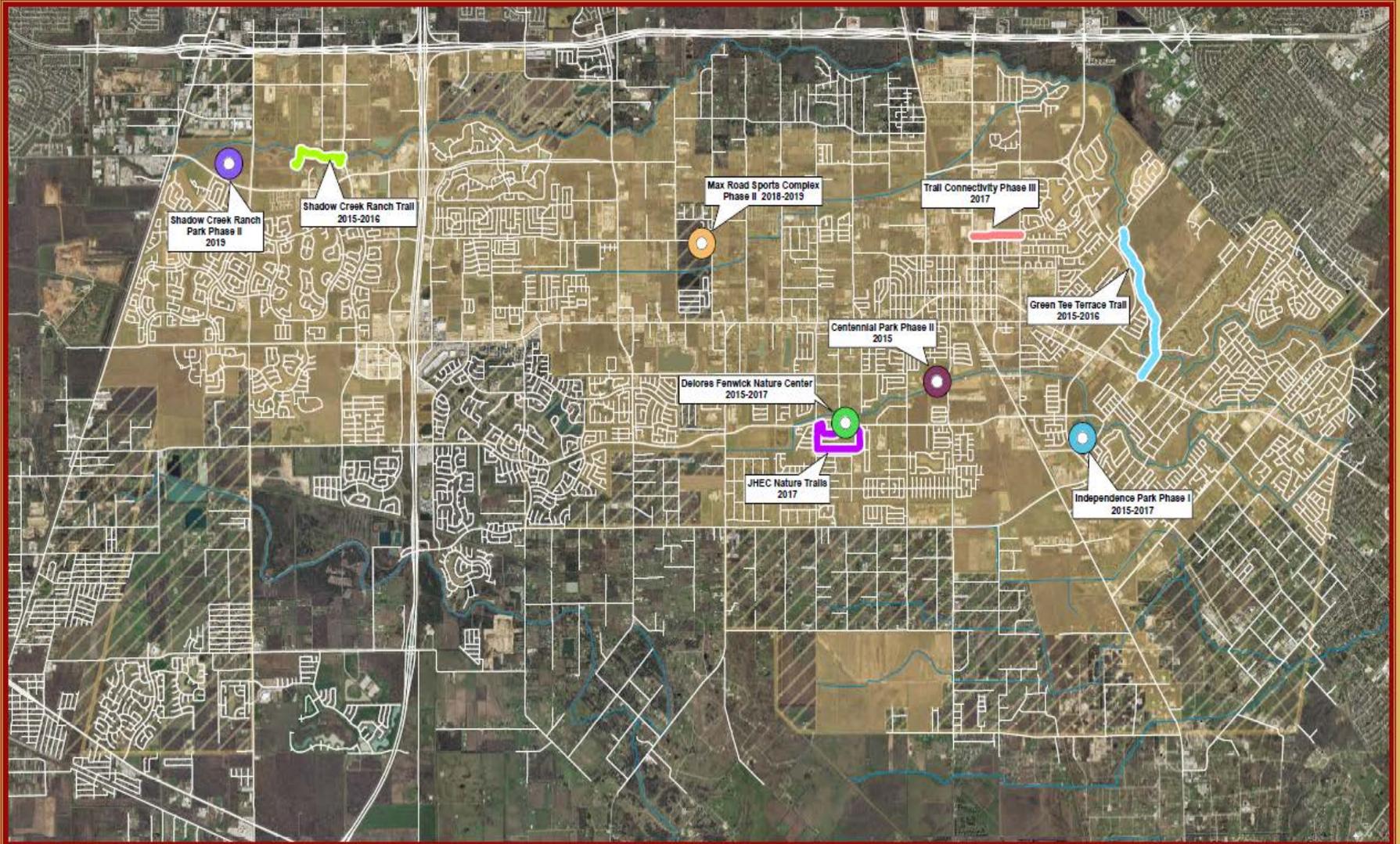
Use	2015	2016	2017	2018	2019	TOTAL
Independence Park Ph 1 ⁽¹⁾	179,810	1,906,803	1,522,460			3,609,073
Delores Fenwick Nature Center-Ph 1 ⁽¹⁾	158,000	736,026	1,639,627			2,533,653
JHEC Nature Trails ⁽²⁾			950,000			950,000
Centennial Park Ph 2 ⁽¹⁾	1,828,000					1,828,000
Shadow Creek Ranch Trail	115,733	1,624,755				1,740,488
Green Tee Terrace Trail	105,183	3,632,816				3,737,999
PER for Future Bond Referendum ⁽²⁾⁽³⁾			300,000			300,000
Trail Connectivity			725,000			725,000
Sports Complex at Max Road Ph 2 ⁽²⁾				486,000	2,914,500	3,400,500
Shadow Creek Ranch Park Ph 2 ⁽²⁾					1,078,000	1,078,000
TOTAL	\$ 2,386,726	\$ 7,900,400	\$ 5,137,087	\$ 486,000	\$ 3,992,500	\$19,902,713

Bold - Unfunded

⁽¹⁾ Additional money needed

⁽²⁾ Timing

⁽³⁾ Project Budget Reduced

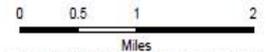


CITY OF PEARLAND

Proposed 2015 - 2019 CIP Parks

- Green Tee Terrace Trail
- JHEC Nature Trails
- Shadow Creek Ranch Trail
- Trail Connectivity Phase III
- Centennial Park Phase II
- Delores Fenwick Nature Center
- Independence Park Phase I
- Max Road Sports Complex Phase II
- Shadow Creek Ranch Park Phase II

1:63,360 or 1 in = 1 miles



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MAP PREPARED: AUG 2014
CITY OF PEARLAND GIS DEPARTMENT

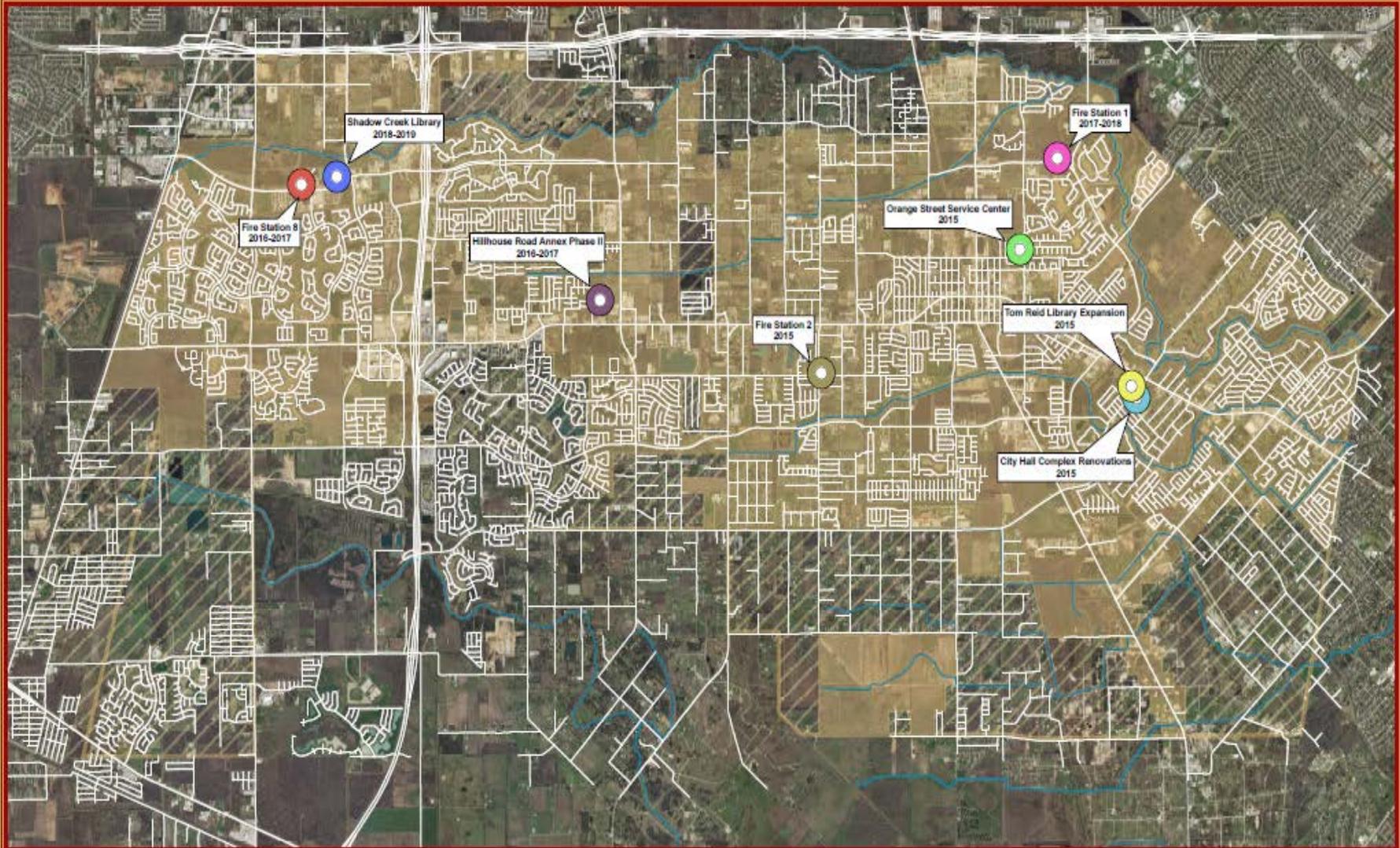
Facilities CIP - Uses

Use	2015	2016	2017	2018	2019	TOTAL
Tom Reid Library Expansion ⁽¹⁾	3,807,300					3,807,300
City Hall Complex Renovations ⁽¹⁾	4,445,900					4,445,900
Fire Station #2 ⁽¹⁾	3,769,954					3,769,954
Hillhouse Road Annex PH 2		240,000	1,579,000			1,819,000
Orange Street Service Center ⁽¹⁾⁽²⁾	2,120,000					2,120,000
Fire Station #8 ⁽¹⁾		816,840	5,792,645			6,609,485
Fire Station #1			1,312,500	1,525,786		2,838,286
Shadow Creek Library ⁽²⁾				903,750	15,096,250	16,000,000
TOTAL	14,143,154	1,056,840	8,684,145	2,429,536	15,096,250	41,409,925

Bold - Unfunded

⁽¹⁾ Additional money needed

⁽²⁾ New Project

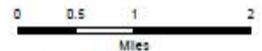


CITY OF PEARLAND

Proposed 2015 - 2019 CIP Facilities

- | | | | | | | | |
|---|------------------------------|---|-------------------------------|---|----------------|---|-------------------------------|
|  | Shadow Creek Library |  | Fire Station 8 |  | Fire Station 1 |  | Hillhouse Road Annex Phase II |
|  | Orange Street Service Center |  | City Hall Complex Renovations |  | Fire Station 2 |  | Tom Reid Library Expansion |

1:63,360 or 1 in = 1 miles



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MAP PREPARED: AUG 2014
CITY OF PEARLAND GIS DEPARTMENT

Street CIP - Uses

Use	2015	2016	2017	2018	2019	TOTAL
Bailey Road - Veterans to FM 1128 ⁽²⁾	9,140,000	18,244,345				27,384,345
Old Alvin Rd Widening (Plum Street to McHard Road)			1,094,500	4,600,000	2,024,715	7,719,215
Mykawa Road Widening (BW8 to FM 518) ⁽¹⁾			2,707,318	10,262,032	10,111,911	23,081,261
Old Town Area Sidewalks	200,000	200,000	100,000			500,000
Hughes Ranch Road (CR 403)	200,000	3,972,600	16,690,400			20,863,000
Fite Road	3,332,631					3,332,631
Max Road	4,248,428					4,248,428
Regency Park Subdivision Repaving	2,766,600					2,766,600
Kirby Drive Expansion	988,545					988,545

Bold - portion or all unfunded

⁽¹⁾ **Additional money needed**

⁽²⁾ **Timing**

Street CIP - Uses

Use	2015	2016	2017	2018	2019	TOTAL
McHard Road Extension (Mykawa Road to Cullen Parkway) ⁽²⁾	3,855,469		20,824,047	13,825,364		38,504,880
Hooper Road Extension ⁽³⁾	3,334,000					3,334,000
SH288 Tollway ⁽³⁾						
Smith Ranch Road Expansion (CR 94)	328,668	916,803	82,167	3,656,852		4,984,490
Industrial Drive Realignment ⁽³⁾	1,190,000					1,190,000
Traffic Signal Intersection Improvements ⁽¹⁾		353,000	353,000	353,000	353,000	1,412,000
Safe Routes to School Improvements ^{(1) (2)}		900,000	900,000	900,000	900,000	3,600,000
Park-N-Ride ⁽³⁾		1,166,800	6,364,000	10,000,000		17,530,800
Old Alvin Road Rehabilitation ⁽²⁾			175,000	1,458,750		1,633,750

Bold - Unfunded

⁽¹⁾ Additional money needed

⁽²⁾ Timing

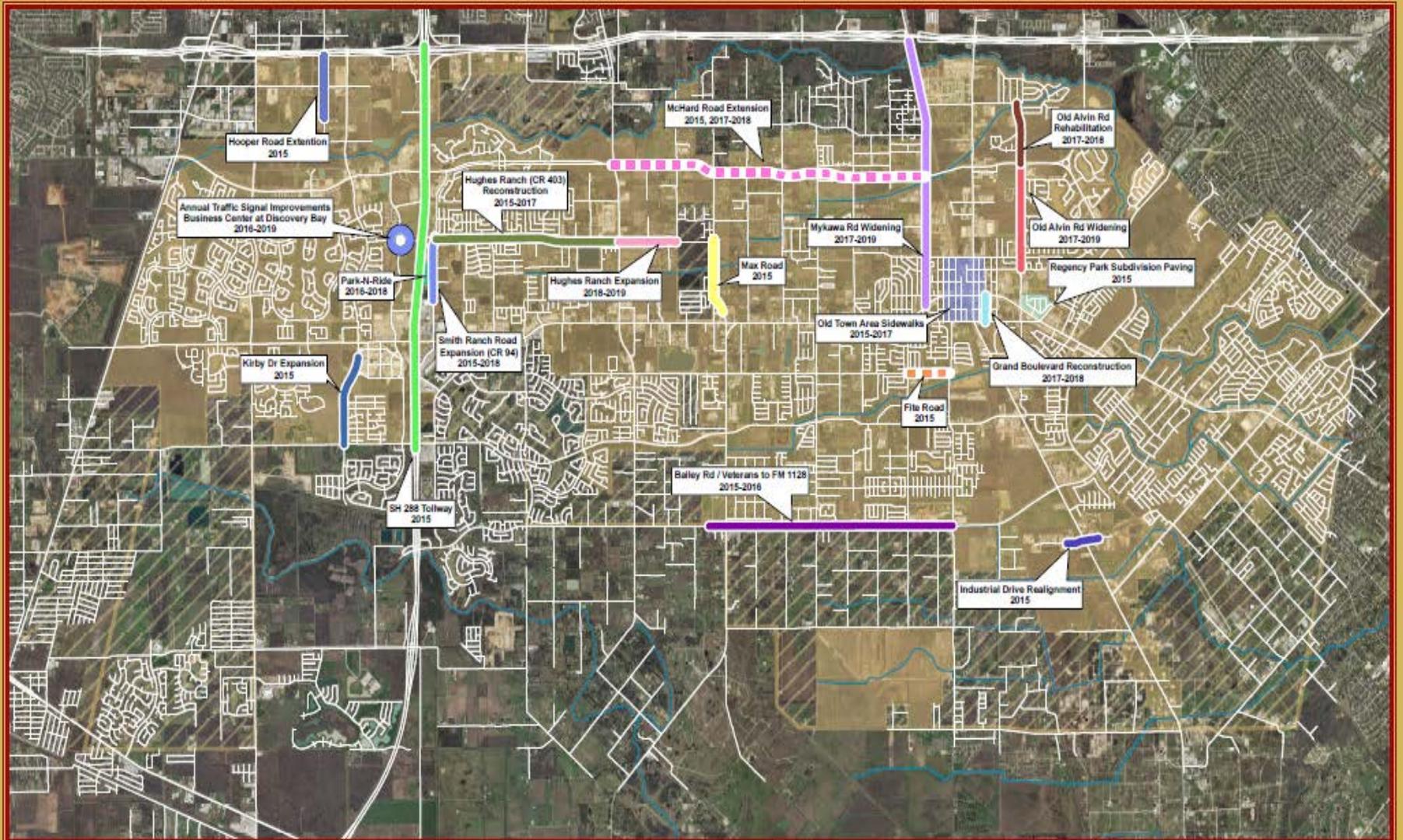
⁽³⁾ New Project

Street CIP - Uses

Use	2015	2016	2017	2018	2019	TOTAL
PER for Future Bond Referendum			500,000			500,000
Grand Boulevard Reconstruction ⁽¹⁾			793,109	2,741,502		3,534,611
Hughes Ranch Road Expansion ⁽¹⁾				747,500	2,734,000	3,481,500
TOTAL	29,584,341	25,753,548	50,583,541	48,545,000	16,123,626	170,590,056

Bold - Unfunded

⁽¹⁾ Timing



CITY OF PEARLAND

Proposed 2015 - 2019 CIP Streets

- | | | | | |
|------------------------------|----------------------------------|-------------------------------|----------------------------|--|
| Hooper Road Expansion | Grand Boulevard Reconstruction | Max Road Widening | Smith Ranch Road Expansion | Park-N-Ride |
| SH 288 Tollway | Hughes Ranch Road Expansion | Mykawa Road Widening | McHard Road Extension | Regency Park Subdivision Paving |
| Industrial Drive Realignment | Hughes Ranch Road Reconstruction | Old Alvin Road Rehabilitation | File Road Extension | Annual Traffic Signal
2016 - Business Center at Discovery Bay |
| Bailey Road Improvement | Kirby Drive Expansion | Old Alvin Road Widening | Old Town Area Sidewalks | |

1:63,360 or 1 in = 1 miles



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MAP PREPARED: AUG 2014
CITY OF PEARLAND GIS DEPARTMENT

Water CIP - Uses

Use	2015	2016	2017	2018	2019	TOTAL
Surface Water Plant			2,500,000	5,002,700	22,000,000	29,502,700
General Engineering / CIP Administration	50,000	50,000	50,000	50,000		200,000
Tom Bass Park Loop	527,444					527,444
Southeast Water Plant ⁽³⁾				233,625	1,766,962	2,000,587
Hooper Road Water Line ⁽²⁾	114,000					114,000
AC Water Line Replacement ⁽²⁾		1,000,000	1,000,000	2,000,000	2,000,000	6,000,000
Regency Park Subdivision 8" Water Line ⁽²⁾	626,245					626,245
FM 521 Waterline (Broadway to Mooring Pointer) ⁽¹⁾	211,890	1,232,010				1,443,900
Water Meter Changeout ⁽²⁾		2,625,000	2,625,000	2,625,000	2,625,000	10,500,000
Hughes Ranch Road West 12" Water Line ⁽²⁾		428,000	609,400			1,037,400

Bold - Unfunded

⁽¹⁾ **Additional money needed**

⁽²⁾ **New Project**

⁽³⁾ **Project budget reduced**

Water CIP - Uses

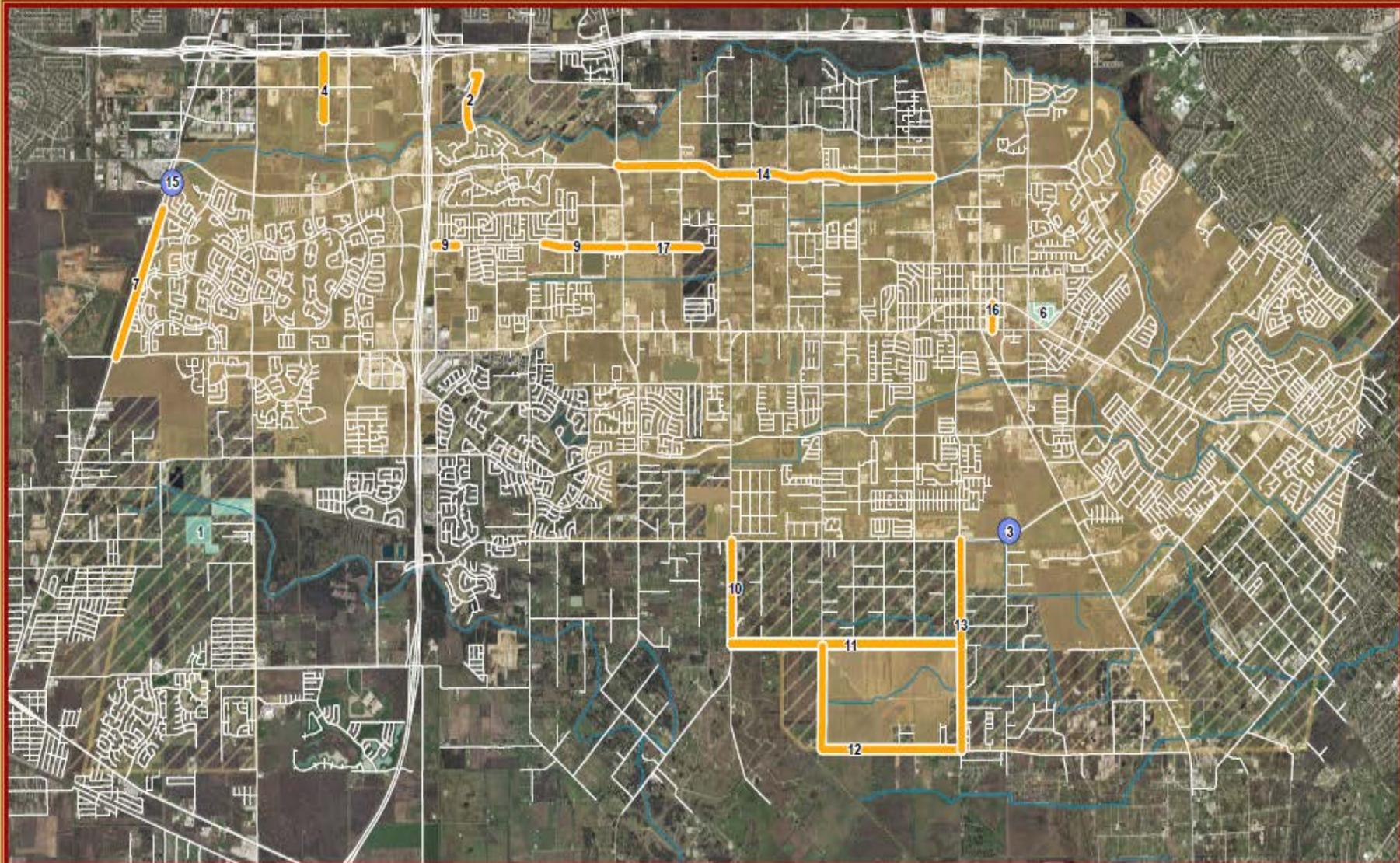
Use	2015	2016	2017	2018	2019	TOTAL
FM 1128 16" Waterline ⁽²⁾		210,384	1,092,000			1,302,384
CR 100 Waterline ⁽²⁾		463,450	2,371,210			2,834,660
Harkey Rd. from CR100 to CR128 & CR 128 from Harkey to Veterans ⁽²⁾		468,296	2,070,704			2,539,000
Veterans Dr. Bailey Rd. to CR 128 16" Waterline ⁽²⁾		509,296	2,070,704			2,580,000
McHard Water Line Phase II ^{(1) (2)}		4,130,762				4,130,762
Far NW GST Expansion			305,050	2,171,900		2,476,950
Grand Blvd Waterline - Old Townsite Southeast Quadrant ⁽²⁾			14,198	133,683		147,881
Hughes Ranch Road East 12" Water Line ⁽³⁾				75,000	922,500	997,500
TOTAL	1,529,579	11,117,198	14,708,266	12,291,908	29,314,462	68,961,413

Bold - Unfunded

⁽¹⁾ **Additional money needed**

⁽²⁾ **Timing**

⁽³⁾ **New Project**

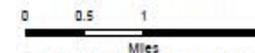


CITY OF PEARLAND

Proposed 2015 - 2019 CIP Water

1	Surface Water Plant.....	2017-2019	10	FM 1128 16" Waterline.....	2016-2017
2	Tom Bass Park Loop.....	2015	11	CR 100 Waterline.....	2016-2017
3	Southeast Water Plant.....	2018-2019	12	Harkey Rd Waterline from CR 100 to CR 128 and CR 128 from Harkey to Veterans.....	2016-2017
4	Hooper Road Waterline.....	2015	13	Veterans Dr Bailey Rd to CR 128 16" Waterline.....	2016-2017
5	AC Waterline Replacement (not shown).....	2016-2019	14	McHard Waterline Phase II.....	2016
6	Regency Park 8" Waterline.....	2015	15	Far Northwest Ground Storage Tank Expansion.....	2017-2018
7	FM 521 Waterline.....	2015-2016	16	Grand Boulevard Waterline - Old Townsite Quadrant.....	2017-2018
8	Water Meter Changeout (not shown).....	2016-2019	17	Hughes Ranch Road East 12" Waterline.....	2018-2019
9	Hughes Ranch Road West 12" Waterline.....	2016-2017			

1:63,360 or 1 in = 1 miles



Miles

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MAP PREPARED: AUG 2014
CITY OF PEARLAND GIS DRP#092607

Wastewater CIP - Uses

Use	2015	2016	2017	2018	2019	TOTAL
Riverstone Ranch Oversizing	128,167	163,452				291,619
Southdown (North Central) WWTP Rehabilitation ⁽¹⁾	540,545					540,545
Far NW WWTP Expansion (Garden to Southdown WWTP) ⁽¹⁾	34,771	19,014,000	10,500,000			29,514,000
Hooper Road Sanitary	110,000					110,000
Roy/Max/Garden Roads Basin Sewage System ⁽¹⁾	330,000	2,321,800				2,651,800
Barry Rose WWTP	350,000	1,000,000	12,816,650			14,166,650
Green Tee 1 to Riverstone Wastewater Diversion ⁽²⁾	324,170					324,170
(JHEC) SWEC Filter and Bar Screen Improvements ⁽²⁾	1,240,000					1,240,000

Bold - Unfunded

⁽¹⁾ Additional money needed

⁽²⁾ New Project

Wastewater CIP - Uses

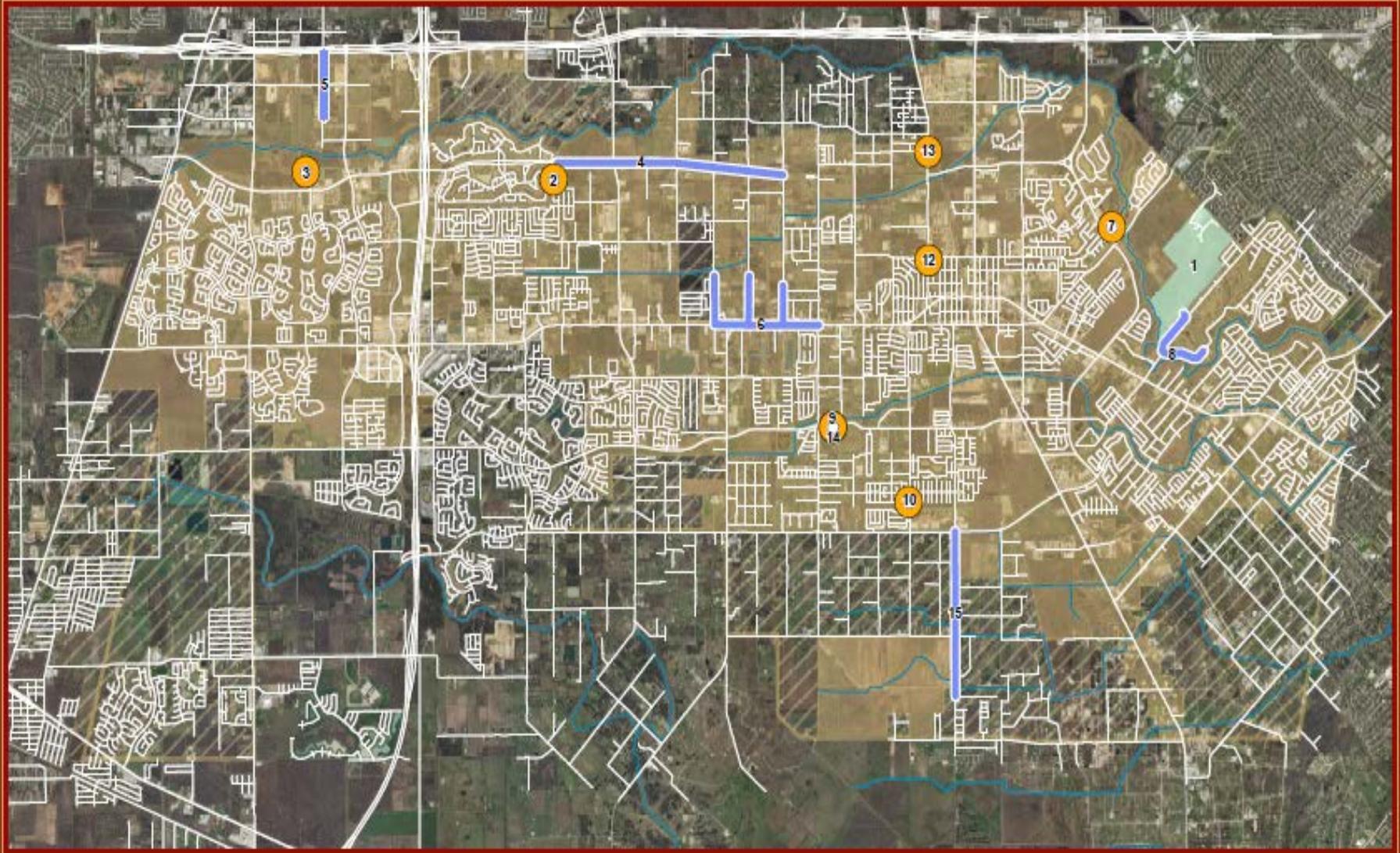
Use	2015	2016	2017	2018	2019	TOTAL
Springfield Lift Station Abandonment ⁽³⁾	57,000	400,000				457,000
Sanitary Sewer Rehabilitation ⁽³⁾		1,000,000	1,000,000	1,000,000	2,000,000	5,000,000
Orange Mykawa Lift Station Retirement ⁽²⁾		119,945	481,238			601,183
Relocation Mykawa/Scott LS ⁽¹⁾		505,701	2,719,878			3,225,579
JHEC WWTP Expansion		400,000	2,200,000	19,197,250	3,387,750	25,185,000
Veterans Drive Lift Station Service Area ⁽²⁾			1,178,450	7,024,278		8,202,728
TOTAL	3,114,653	24,924,898	35,512,656	27,221,528	5,387,750	96,161,485

Bold - Unfunded

⁽¹⁾ **Additional money needed**

⁽²⁾ **Timing**

⁽³⁾ **New Project**



CITY OF PEARLAND
Proposed
2015 - 2019 CIP
Wastewater

1 Riverstone Ranch Over sizing.....	2015-2018	9 JHEC Filter and Bar Screen Improvements.....	2015
2 Southdown WWTP Rehabilitation (WWM Project 31A).....	2015	10 Springfield Lift Station Abandonment.....	2015-2018
3 Fair NW WWTP Expansion.....	2016-2017	11 Sanitary Sewer Rehabilitation (not shown).....	2016-2019
4 McHard Road Trunk Sewer.....	2015, 2017	12 Orange Mykawa Lift Station Retirement (WWM Project 33).....	2016-2017
5 Hooper Road Sanitary Sewer.....	2015	13 Relocation Mykawa/Scott Lift Station (WWM Project 5).....	2016-2017
6 Ritz/Mead/Garden Rds Basin Sewage System (WWM Project 12).....	2015-2018	14 JHEC WWTP Expansion (WWM Project 28A).....	2016-2019
7 Barry Rose WWTP Expansion.....	2015-2017	15 Veterans Dr Lift Station Service Area (WWM Project 11).....	2017-2018
8 Green Tee 1 to Riverstone Wastewater Diversion.....	2015		

1:63,360 or 1 in = 1 mile



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MAP PREPARED: AUG 2014
 CITY OF PEARLAND GIS DEPARTMENT

Five Year CIP Sources Summary

SOURCE OF FUNDS	2015	2016	2017	2018	2019	TOTAL
General Revenue - Cash	100,000	380,000	633,000	533,000	533,000	2,179,000
Certificates of Obligation	11,067,201	2,414,553	9,203,371			22,685,125
General Obligation Bonds	16,888,546	17,366,390	15,122,613	22,862,054	7,150,710	79,390,313
PEDC	1,408,500	1,767,000	2,528,000			5,703,500
W/S Revenue Bonds	2,143,400	17,506,286	24,259,597	18,753,739	15,383,337	78,046,359
System Revenue - Cash	1,031,653	3,875,713	4,208,763	4,908,625	6,625,000	20,649,754
Impact Fees - Cash	348,522					348,522
Impact Fees - Debt		12,650,987	19,034,939	14,216,039	12,693,875	58,595,840
Unfunded		1,166,800	26,124,207	16,538,221	26,808,666	70,637,894
Other Funding Sources	21,168,415	22,312,776	20,115,900	18,242,230	720,000	82,559,321
Less Projects Appropriated in Previous Year						(1,502,834)
TOTAL	54,156,237	79,440,505	121,230,390	96,053,908	69,914,588	419,292,794

General Fund O & M for CIP 2016 - 2019

Project	2016	2017	2018	2019
Cowart Creek Diversion	8,200	8,200	8,200	8,200
Independence Park Phase I		26,163	58,475	60,045
Delores Fenwick Nature Center			172,369	261,130
JHEC Nature Trails			74,106	56,951
Centennial Park Phase II	56,966	76,045	76,118	76,118
Shadow Creek Ranch Trail		4,170	5,560	5,560
Green Tee Terrace Trail		2,930	5,860	5,860
Trail Connectivity Phase III			61,458	66,657
Tom Reid Library Expansion	90,382	90,382	90,382	90,382
Fire Station #2	914,299	939,184	964,816	991,216
Hillhouse Road Annex Phase II			56,570	56,570
Fire Station #8		2,147,435	1,015,466	1,041,963
Shadow Creek Library				66,102

General Fund O & M for CIP 2016 - 2019

Project	2016	2017	2018	2019
Bailey Road - Veterans to FM 1128		25,886	76,773	76,773
Old Alvin Road Widening				4,807
Mykawa Road Widening				43,017
Hughes Ranch Road (CR 403)		10,697	47,786	47,786
Fite Road	13,286	13,286	13,286	13,286
Max Road	26,886	26,886	26,886	26,886
Kirby Drive Extension	8,613	17,226	17,226	17,226
McHard Road Extension			47,650	103,533
Smith Ranch Road Extension	5,593	21,186	21,186	21,186
Industrial Drive Realignment	1,563	3,126	3,126	3,126
Old Alvin Road Rehabilitation			6,750	9,000
Grand Boulevard Reconstruction			3,510	7,020
TOTAL	1,125,788	3,412,802	2,853,559	3,160,400

W/S Fund O & M for CIP 2016 - 2019

Project	2016	2017	2018	2019
McHard Rd 16" Waterline Phase II		(375,000)	(750,000)	(750,000)
Far Northwest Ground Storage Tank Expansion				60,086
Riverstone Ranch Oversizing		(12,300)	(16,400)	(16,400)
Far NW WWTP Expansion			180,258	240,344
Roy/Max/Garden Roads Basin Sewage System		(10,933)	(16,400)	(16,400)
Barry Roase WWTP Expansion			126,181	168,241
Springfield Lift Station Abandonment	(2,050)	(8,200)	(8,200)	(8,200)
Orange Mykawa Lift Station Retirement		(4,100)	(8,200)	(8,200)
Relocation Mykawa Scott LS		(2,050)	(8,200)	(8,200)
JHEC WWTP Expansion				80,115
Veterans Drive Lift Station Service Area			(8,200)	(16,400)
TOTAL	(2,050)	(412,583)	(509,161)	(275,014)



Questions?

Fiscal Year
2014-2015
Proposed Budget
Five Year CIP
August 11, 2014