

# AGENDA

## CITY OF PEARLAND ♦ CITY COUNCIL

June 8, 2015

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, TRMC**  
**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.



**RECOGNITION AND AWARDS NOTICE**

Mayor Reid will be presenting the following:

A Proclamation proclaiming “June 14<sup>th</sup>, 2015 As National Flag Day.” To be accepted by Evelyn Marsh.

Presentation will be held:

**Monday, June 8, 2015  
6:15 p.m.  
City Hall Lobby  
3519 Liberty Drive  
Pearland, Texas 77581**

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**CITY COUNCIL AGENDA  
CITY OF PEARLAND  
REGULAR COUNCIL MEETING  
MONDAY, JUNE 8, 2015 | 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:** Regarding the City of Pearland's Application for Grant Funding from the Texas Parks & Wildlife Department Non-Urban Outdoor Grant Program – Centennial Park Improvements (Docketed Public Hearing)

**I. STAFF REVIEW**

**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 March 16, 2015, Joint Public Hearing, held at 6:30 p.m.
2. Minutes of the April 27, 2015, Regular Meeting, held at 6:30 p.m.
3. Minutes of the May 11, 2015, Regular Meeting, held at 6:30 p.m.
4. Minutes of the May 18, 2015, Joint Public Hearing, held at 6:30 p.m.

**B. Consideration and Possible Action – Resolution No. R2015-94 –** 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 audit services with Whitley Penn in the amount of \$75,300.00 for Fiscal Year 2015.

**C. Consideration and Possible Action – Resolution No. R2015-99 –** A Resolution of the City Council of the City of Pearland, Texas, authorizing a fixed unit rate contract for building plan review and inspection services with Mikayla Architects, in the estimated amount of \$90,000.00 for the period of June 9, 2015 to June 8, 2016.

**D. Consideration and Possible Action – Resolution No. R2015-102 –** A Resolution of the City Council of the City of Pearland, Texas, awarding a unit supply bid for the purchase of Fire Department Medical Supplies to Bound Tree Medical, LLC., Life Assist, Inc., Moore Medical, LLC., Nashville Medical & EMS Products and Southeastern Emergency Equipment in the estimated amount of \$115,000.00 for the period of June 26, 2015 to June 25, 2016.

- E. **Consideration and Possible Action – Resolution No. R2015-98** – A Resolution of the City Council of the City of Pearland, Texas, authorizing a fixed unit rate contract for development plan review services with Freese & Nichols, Inc., in the amount of \$50,000.00 for the period of August 1, 2015 to July 31, 2016.
- F. **Consideration and Possible Action – Resolution No. R2015-96** – A Resolution of the City Council of the City Of Pearland, Texas, authorizing participation in the Other Victim’s Assistance Grant (“OVAG”) through the Office of the Attorney General.
- G. **Consideration and Possible Action – Resolution No. R2015-101** – A Resolution of the City Council of the City of Pearland, Texas, approving the Amended Bylaws of the Pearland Parks, Recreation and Beautification Board.

**VII. MATTERS REMOVED FROM CONSENT AGENDA**

**VIII. NEW BUSINESS:**

- 1. **Consideration and Possible Action – First Reading of Ordinance No. CUP 2015-05** – An Ordinance of the City Council of the City of Pearland, Texas, approving a **Conditional Use Permit (CUP) to allow for an Auto Parts Sales (Indoors Only; With Repair Bays) facility**, for certain property, Being Lots 7 and 8, Thomas and Gilbert Industrial Tracts, a Subdivision of part of Lot 113, A.C.H. & B. Survey, Section 1, Abstract No. 147, Brazoria County, Texas. **(Located north of Swensen Drive, east of Main Street, Pearland, TX)**, Conditional Use Permit Application No 2015-05, within the General Commercial (GC) zoning district, at the request of Robert M. Atkinson, applicant; on behalf of MVN Investment LLC, owner; containing a savings clause, a severability clause, and an effective date and other provisions related to the subject.
- 2. **Consideration and Possible Action – First Reading of Ordinance No. CUP 2015-06** – An Ordinance of the City Council of the City of Pearland, Texas, approving a **Conditional Use Permit (CUP) to allow for an e-cigarette tenant classified as Cigars, Tobacco Shop (Retail Only)**, for certain property, Being a certain Tract out of Tract “A”, on the Final Plat of West Side Plaza, A Subdivision of Brazoria County, Texas, According to the Map or Plat thereof recorded in Volume 17, Pages 279-280, Plat Records, Brazoria County, Texas. **(Located at 5074 Broadway Street, Pearland, TX)**, Conditional Use Permit Application No 2015-06, within the Neighborhood Services (NS) zoning district, at the request of Ronny Hect, applicant; on behalf of Westside SC Pearland, Ltd., owner; containing a savings clause, a severability clause, and an effective date and other provisions related to the subject.

3. **Consideration and Possible Action – Resolution No. R2015-97** – 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 Non-Urban Outdoor 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.
4. **Consideration and Possible Action – Resolution No. R2015-100** – A Resolution of the City Council of the City of Pearland, Texas, authorizing the sole source purchase and installation of filter cloth media at the JHEC Wastewater Treatment Facility in the amount of \$590,000.00 from Hartwell Environmental Corporation.
5. **Consideration and Possible Action – Resolution No. R2015-105** – 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 Municipal Utility District No. 26 and Brazoria-Fort Bend County Municipal Utility District No. 1 (“Districts”), related to additional public park improvements at the Shadow Creek Ranch Sports Complex.
6. **Consideration and Possible Action – Resolution No. R2015-95** – A Resolution of the City Council of Pearland, Texas, identifying eligible projects for the U.S. Department of Housing and Urban Development Community Development Block Grant Program - Program Year 2015, Fiscal Year 2016.

## **IX. MAYOR/COUNCIL ISSUES FOR FUTURE CITY COUNCIL AGENDAS**

### **EXECUTIVE SESSION UNDER TEXAS GOVERNMENT CODE**

1. **Section 551.071 - Consultation with City Attorney** – Regarding potential litigation associated with public utilities.

**OTHER BUSINESS:** None.

## **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.

**All agenda supporting documents are available at [pearlandtx.gov](http://pearlandtx.gov)**

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

<b>AGENDA OF:</b>	June 8, 2015	<b>ITEM NO.:</b>	Public Hearing
<b>DATE SUBMITTED:</b>	May 26, 2015	<b>DEPT. OF ORIGIN:</b>	Finance/Parks
<b>PREPARED BY:</b>	Joel Hardy	<b>PRESENTOR:</b>	Joel Hardy
<b>REVIEWED BY:</b>	Jon R. Branson	<b>REVIEW DATE:</b>	June 1, 2015
<b>SUBJECT: Public Hearing on City of Pearland's Application for Grant Funding from the Texas Parks &amp; Wildlife Department Non-Urban Outdoor Grant Program – Centennial Park Improvements (Docketed Public Hearing)</b>			
<b>EXHIBITS: June 4, 2015 Public Notice Power Point Presentation</b>			
<b>FUNDING:</b>	<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
<b>EXPENDITURE REQUIRED: N/A</b>		<b>AMOUNT BUDGETED: N/A</b>	
<b>AMOUNT AVAILABLE: N/A</b>		<b>PROJECT NO.:</b>	
<b>ACCOUNT NO.: N/A</b>			
<b>ADDITIONAL APPROPRIATION REQUIRED: N/A</b>			
<b>ACCOUNT NO.: N/A</b>			
<b>To be completed by Department:</b>			
<input checked="" type="checkbox"/> Finance	<input type="checkbox"/> Legal	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution

**EXECUTIVE SUMMARY**

The City is proposing to Council a request for approval to apply for funding from the Texas Parks & Wildlife Department – Non-Urban Outdoor Grant Program. All grant applications must hold at least one public hearing 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.

**BACKGROUND**

The Fiscal Year 2014 and 2015 Capital Improvement Program Budget included funding for the improvement of Centennial Park. The total project budget totals \$2,366,295 of which \$2,011,800 is allocated for construction. The current estimated construction costs total \$2,459,502, which includes \$1,763,845 in base bid items, \$635,897 in alternate bid

items, and \$59,760 for small portions of demolition, hardscape and field development costs being covered by the owner/league. As such, the City is seeking grant funds for maximum allowable funds from Texas Parks & Wildlife Department in the amount of \$400,000.

The total scope of work includes the demolition of the existing soccer fields, construction of two new lighted softball fields, and installation of a new picnic pavilion and additional parking. The scope of work being presented to the TPWD will involve the use of matching grant funds for the improvement of Centennial Park; specifically, to support the costs of concrete walkways, a concession stand, and related HVAC, plumbing and electrical work.

### **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. Grant applications are due to the Texas Parks & Wildlife Department on March 31<sup>st</sup> and August 31<sup>st</sup> of each year. Public notices/advertisements were posted in the Pearland Journal on April 9<sup>th</sup> and June 4<sup>th</sup>, 2015.

### **RECOMMENDED ACTION**

Conduct a public hearing on the City of Pearland's Intent to Apply for Grant Funding from the Texas Parks & Wildlife Department Non-Urban Outdoor Grant Program – Centennial Park Improvements

# I. Call to Order



## PUBLIC HEARING

City of Pearland Grant Application

# Centennial Park Improvements

Texas Parks & Wildlife Department  
Non-Urban Outdoor Grant Program

RESPONSIVE

RESULTS-ORIENTED

TRUST-BUILDERS

ACCOUNTABLE



## II. Purpose of Hearing

Public Hearing on City of Pearland's  
Application for Grant Funding from the Texas  
Parks & Wildlife Department Non-Urban  
Outdoor Grant Program – Centennial Park  
Improvements (Docketed Public Hearing)



# Texas Parks & Wildlife Non-Urban Outdoor Grant Program

- 50% matching grant funds to units of government with less than 500,000 population
- Acquisition and development of parkland
- Renovation of existing public recreation areas
- Projects to be completed within 3 years
- Master-plan must be on file with TPWD 60 days prior to submission



# Texas Parks & Wildlife Non-Urban Outdoor Grant Program

- Requires the following:
  - Governing body certification that the jurisdiction is eligible to receive grant funds;
  - Commitment to provide required matching funds;
  - A public hearing to solicit public comments/input; and
  - The submission of a complete application that meets all requirements.



# Centennial Park Improvements

- Originally-completed in 1996 with local bonds and grant funding from TPWD.
- Improvements to the park funded with 2007 Bond Referendum. Improvements include:
  - Demolition of existing soccer fields, construction of two lighted softball fields
  - New picnic pavilion
  - Additional parking



# Centennial Park Improvements

- Estimated total construction costs: \$2,459,502
  - *Items covered by the league - \$59,760*
- Construction Budget: \$2,011,800
- TPWD Request for Funding - \$400,000:
  - *Concrete walkways, internal trail*
  - *Pavilion and Restrooms*
  - *Irrigation of non-field areas*



# **Public Hearing (cont.)**

**III. Persons to speak for or against the project.**

**IV. Council/Staff Discussion**

**V. Adjournment**

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

Notice is hereby given that on the 8<sup>th</sup> day of June, 2015, 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 31<sup>st</sup>, 2015.

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.

**MINUTES OF THE JOINT PUBLIC HEARING FOR THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION, CITY OF PEARLAND, TEXAS, HELD ON MARCH 16, 2015 AT 6:30 P.M., IN THE COUNCIL CHAMBERS - CITY HALL - 3519 LIBERTY DRIVE**

**CALL TO ORDER**

Mayor Tom Reid and P&Z Commissioner Mary Starr opened a series of public hearings at 6:36 p.m.

The following were present:

Mayor Tom Reid	P&Z Commissioner Mary Starr
Mayor Pro Tem Keith Ordeneaux	P&Z Commissioner Thomas Duncan
Council Member Tony Carbone	P&Z Commissioner Derrick Reed
Council Member Scott Sherman	P&Z Commissioner Elizabeth McLane
Council Member Gary Moore	P&Z Chairperson Henry Fuyertes (arrived at 7:15 p.m.)
Council Member Greg Hill	

Also present were City Attorney Darrin Coker, City Planner Johnna Matthews, Senior Planner Ian Clowes, Interim City Engineer Richard Mancilla, Deputy City Manager Jon Branson, Assistant City Manager Trent Epperson, Executive Director of Development Services and PEDC President Matt Buchanan and Office Supervisor Judy Brown.

City Planner Johnna Matthews presented the public hearing process and order of the agenda.

Mayor Tom Reid opened the public hearing for Conditional Use Permit Application No. 2014-11 at 6:39 p.m.

**PURPOSE OF HEARING**

P&Z Commissioner Mary Starr read the purpose of the hearing into the record.

**PURPOSE OF HEARING**

**CONDITIONAL USE PERMIT APPLICATION NO. 2014-11**

A request of William G. Crowell, applicant/owner for approval of a Conditional Use Permit to allow for the construction of a Residential Antenna Support Structure within the Single Family Residential - 3 (R-3) zoning district on approximately 0.1446 acres of land, to wit:

**Legal Description:** Being Lot 17, Block 3 of the Hazeldale Estates Plat, Recorded in Vol. 17, Pg. 243 of the Brazoria County Public Record, out of a tract of land containing 18.327 acres of land in the Perry Austin League Abstract III, Brazoria County, Texas.

**General Location:** 2716 Shauntel Street, Pearland, TX

Senior Planner Ian Clowes read the staff report stating the applicant was seeking a Conditional Use Permit to allow construction of a residential antenna support structure. Staff's recommendation was for denial for the following reasons:

1. Inability to ensure surrounding properties would not be affected by a potential tower failure in the future due to small lot size
2. In the event of an emergency situation, the guy wire located in the front yard could be a hazard as it may not be visible.

Staff received 2 emails in opposition, 13 phone calls inquiring with 1 in opposition, and 7 public comment forms in opposition.

Mr. William Crowell of 2716 Shauntel, Pearland Texas, applicant, gave a presentation speaking on issues such as height, structure and tower. Mr. Crowell addressed staffs' concern by stating it would meet windstorm requirements. He disagreed that it would be inappropriate.

Mr. Lance Foss of 1409 O'Day, #51, Pearland Texas spoke stating concern with the wattage being transmitted.

Council Member Greg Hill inquired if the applicant had the current structure. Mr. Crowell replied he did not. Council Member Hill commended Mr. Crowell on his knowledge of the tower but stated he did not feel it was the best location.

Mayor Pro Tem Keith Ordeneaux stated he knows of a tower on Garden/O'Day area but that it sits on 1 acres of land. Council Member Ordeneaux stated he did not feel this was the best fit in the neighborhood.

Council Member Scott Sherman expressed concern as the normal height of a home is 35 feet and this structure might be 50 feet in height. Council Member Scott Sherman suggested that maybe the UDC should be re-written to address the height, as 50 feet might be too tall.

Commissioner Thomas Duncan inquired if a structural engineer had looked at the plan. Mr. Crowell stated no, but he would hire one post approval. Commissioner Duncan inquired how the maximum height of 50 feet was determined, and did it include the antenna on top of the structure or just the structure.

Chairperson Henry Fuertes stated as a reference that the average telephone pole measures 40 feet in height.

Mayor Tom Reid adjourned the public hearing for Conditional Use Permit No. 2014-11 at 7:04 p.m.

Mayor Tom Reid opened the public hearing for Conditional Use Permit No. 2015-01 at 7:04

p.m.

## **CONDITIONAL USE PERMIT APPLICATION NO. 2015-01**

A request of Ben Searway, applicant; on behalf of SW40, LLC, owner; for approval of a Conditional Use Permit (CUP) for an exemption to the façade requirements for an existing structure located in the Garden/O'Day – Mixed Use (G/O-MU) district on approximately .568 acres of land, to wit:

**Legal Description:** Being lot Six (6) and the North 12.5 feet of lot Seven (7) in block Six (6), of Hickory Creek Place, a subdivision in Brazoria County, Texas according to the map or plat thereof, recorded in Volume 11, Page 1 of the Plat Records of Brazoria County, Texas

**General Location:** 2125 Garden Road, Pearland, TX

P&Z Chairperson Henry Fuertes read the purpose of the hearing into record.

Senior Planner Ian Clowes read the staff report stating staff recommended approval for the Conditional Use Permit for an exemption to the façade requirements for an existing structure. Due to the length of vacancy and surrounding site conditions, a Certificate of Occupancy would be issued once the structure came into compliance with landscaping and parking. Staff received one public comment in opposition.

Mr. Derrek Roach, representative for the applicant was present and added the applicant was seeking approval of the CUP.

There was no one present to speak for or against the proposed request.

Council and Commission all stated they were glad to see flexibility from staff and were in favor of the CUP.

Mayor Tom Reid adjourned the public hearing for Conditional Use Permit No. 2015-01 at 7:14 p.m.

Mayor Tom Reid opened the public hearing for Conditional Use Permit No. 2015-02 at 7:14 p.m.

## **CONDITIONAL USE PERMIT APPLICATION NO. 2015-02**

A request of BGE Kerry R. Gilbert and Associates, applicant; on behalf of Glass 518 Joint Venture, owner; for approval of a Conditional Use Permit (CUP) to allow for a Mini-Warehouse/Self Storage Facility located within the General Business (GB) zoning district on approximately 4.5496 acres of land, to wit:

**Legal Description:** Being all of Lot 1 of Pearland Senior Village, as recorded in Doc. #2010012628 of the Brazoria County Plat Records in the H.T. & B.R.R. Co. Survey, Abstract No. 242 in Brazoria County, Texas.

**General Location:** Southwest corner of Broadway Street and Brownstone Place, Pearland, TX

Senior Planner Ian Clowes read the staff report stating the applicant meets all the regulations to allow for a Mini-Warehouse/Self Storage Facility. Staff received 2 public comment forms in favor. Staff did recommend the following conditions of approval:

1. As part of the conditions for approval, staff requested that the applicant apply higher landscaping standards to Brownstone Place (a public access easement). This was intended to minimize the visual impact of the development along Brownstone Place. The applicant has complied with this request, providing a building setback along Brownstone Place of 25 feet as opposed to the required 10 feet, and by providing landscaping along Brownstone Place that is equal to the requirements of the COD. Staff requests that the applicant add a landscape calculation table to the site plan in order to enable staff to ensure all landscaping requirements are met.
2. Staff requests that the applicant add additional landscaping, consisting of a continuous hedge or berm, to the southern boundary of the property to screen buildings from adjacent uses.
3. All proposed fencing in all yards and buffers will be wrought iron and will be shown on the provided site plan. Also, add a note on the site plan that there will be no metal buildings.

Ms. Katheryn Edwards, applicant with BGE Kerry Gilbert and Associates made a presentation stating there would be an onsite residence 24/7.

Senior Planner Ian Clowes stated the applicant resubmitted changes earlier on this date, and even though the packet had not been thoroughly reviewed, it did appear that all the conditions had been met.

There was no one present to speak for or against the proposed request.

Council Member Greg Hill welcomed Ms. Edwards and thanked her for returning after a recent submittal that was not accepted. Council Member Tony Carbone agreed with Council Member Hill.

Mayor Pro Tem Keith Ordeneaux stated it was not an ideal location but is one of the better looking storage facilities that he has seen.

Senior Planner Ian Clowes stated that the applicant had met all of staff's comments and even put in additional shrubbery.

Council Member Carbone asked if there were any issues with pipelines, and Senior Planner Ian Clowes replied there were not.

Mayor Tom Reid adjourned the public hearing for Conditional Use Permit No. 2015-02 at 7:32 p.m.

Mayor Tom Reid opened the public hearing for Conditional Use Permit No. 2015-03 at 7:32 p.m.

## **CONDITIONAL USE PERMIT APPLICATION NO. 2015-03**

A request of Greg Gow (FCI) as Agent for Verizon Wireless, applicant; on behalf of Ace Manor Property Development 1, owner; for approval of a Conditional Use Permit (CUP) to allow for the construction of a Wireless Telecommunication Tower located within the General Commercial (GC) zoning district on approximately 2.046 acres of land, to wit:

**Legal Description:** Being 2.046 acres out of Lot 58 of the W. Zychlinski Subdivision, Vol. 29, Pg. 43 of the Brazoria County Deed Records, within the H.T. & B.R.R. Co. Survey, Abstract 542 City of Pearland, Brazoria County, Texas.

**General Location:** 1515 North Main Street, Pearland, TX

Senior Planner Ian Clowes read the staff report stating the applicant was seeking a CUP to allow for the construction of a wireless telecommunication tower and that staff recommended approval. The applicant would add additional landscaping and pave the access. Staff received 1 public comment form in favor of the request.

Mr. Greg Gow, representative from Verizon Wireless, was present.

Mr. Lance Voss of 1409 O'Day Rd, Pearland Texas spoke stating he was in favor of the tower. He did express concern of EMF radiation as related to health, and that the City should look into light pollution.

Council Member Tony Carbone inquired what value extra landscaping provides in an industrial use area, and Mayor Pro Tem Keith Ordeneaux agreed. Both stated they could see it being beneficial on FM 518 but not behind a building. Both did agree with the pavement.

Mayor Tom Reid adjourned the public hearing for Conditional Use Permit No. 2015-03 at 7:46 p.m.

## **ADJOURNMENT**

Mayor Tom Reid adjourned the series of public hearings at 7:46 p.m.

These minutes are respectfully submitted by:

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Judy Brown, Community Development Office Supervisor

Minutes approved as submitted and/or corrected on this 26th day of May, 2015 A.D.

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Mayor Tom Reid

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, APRIL 27, 2015, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

Mayor Reid called the meeting to order at 6:50 p.m. with the following present:

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

Absent: Councilmember Greg Hill.

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

The invocation was given by Mayor Pro-Tem Ordeneaux and the Pledge of Allegiance was led by Police Chief J.C. Doyle.

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

**CITIZEN COMMENTS:**

Anna Clark, 2015 Isla Drive, addressed Council stating she has lived in Pearland since 1968. She stated the last few years she has had dirty water, and it is getting worse. She further stated her concerns regarding the infrastructure in the area she lives is causing the dirty water. She stated the City has not done improvements in that area since 1990. She asked Council to do something regarding the infrastructure in the area of Pearland she is living.

Lance Foss, 1409 O'Day Road #57, addressed Council stating with the internet and twitter somehow this city was built on rock and roll. He stated his concerns regarding the right-of-way assessment, and paying taxes. He stated his concerns regarding the city using third party vendor photographs and presentations, and accepting their costs. He further stated his concerns regarding the Budget Officer position was open in December 2014, he applied for the position, and to this day it still has not been filled.

**PUBLIC HEARING – None**

**CONSENT AGENDA:**

**A. Consideration and Possible Action – Approval of Minutes:**

1. Minutes of the March 23, 2015, Regular Meeting, held at 6:30 p.m.
2. Minutes of the April 13, 2015, Regular Meeting, held at 6:30 p.m.

**B. Consideration and Possible Action – Second and Final Reading of Ordinance No. 1512 – An Ordinance of the City Council of the City of Pearland, Texas, finding that the City has established *Guidelines and Criteria for Granting Tax Abatement* pursuant to Resolution No. R2015-19; designating and describing a Reinvestment Zone (to be known as Reinvestment Zone #28) generally located near Kirby Drive and Beltway 8, in accordance with the Property Redevelopment and Tax Abatement Act; finding that the improvements sought are feasible and practical and would be a benefit to the land to be included in the zone and the municipality after the expiration of the Tax Abatement Agreement; authorizing the City Manager to sign tax abatement agreements when approved by the City Council; having a savings clause and a severability clause; and an effective date.**

**C. Consideration and Possible Action – Second and Final of Ordinance No. CUP 2015-01 – An Ordinance of the City Council of the City of Pearland, Texas, approving a **Conditional Use Permit (CUP) for an exemption to the façade requirements for an existing structure**, for certain property, being lot Six (6) and the North 12.5 feet of lot Seven (7) in block Six (6), of Hickory Creek Place, a subdivision in Brazoria County, Texas according to the map or plat thereof, recorded in Volume 11, Page 1 of the Plat Records of Brazoria County, Texas. **(Located at 2125 Garden Road, Pearland, TX)**, Conditional Use Permit Application No 2015-01, within the Garden/O’Day – Mixed Use (G/O-MU) zoning district, at the request of Ben Searway, applicant; on behalf of SW40, LLC, owner; containing a savings clause, a severability clause, and an effective date and other provisions related to the subject.**

**D. Consideration and Possible Action – Second and Final Reading of Ordinance No. CUP 2015-02 – An Ordinance of the City Council of the City of Pearland, Texas, approving a **Conditional Use Permit (CUP) to allow for a Mini-Warehouse/Self Storage Facility**, for certain property, being all of Lot 1 of Pearland Senior Village, as recorded in Doc. #2010012628 of the Brazoria County Plat Records in the H.T. & B.R.R. Co. Survey, Abstract No. 242 in Brazoria County, Texas. **(General location being the southwest corner of Broadway Street and Brownstone Place, Pearland, TX)**, Conditional Use Permit Application No 2015-02, within the General Business (GB) zoning district, at the request of BGE Kerry R. Gilbert and Associates, applicant; on behalf of Glass 518 Joint Venture, owner; containing a savings clause, a severability clause, and an effective date and other provisions related to the subject.**

- E. Consideration and Possible Action – Second and Final Reading of Ordinance No. CUP 2015-03** – An ordinance of the City Council of the City of Pearland, Texas, approving a **Conditional Use Permit (CUP) to allow for the construction of a Wireless Telecommunication Tower**, for certain property, 2.046 acres out of Lot 58 of the W. Zychlinski Subdivision, Vol. 29, Pg. 43 of the Brazoria County Deed Records, within the H.T. & B.R.R. Co. Survey, Abstract 542 City of Pearland, Brazoria County, Texas. **(Located at 1515 North Main Street, Pearland, TX)**, Conditional Use Permit Application No 2015-03, within the General Commercial (GC) zoning district, at the request of Greg Gow (FCI) as Agent for Verizon Wireless, applicant; on behalf of Ace Manor Property Development 1, owner; containing a savings clause, a severability clause, and an effective date and other provisions related to the subject
- F. Consideration and Possible Action – Second and Final Reading of Ordinance No. 633-2** – An Ordinance of the City Council of the City of Pearland, Texas, amending Chapter 13, *Health and Sanitation*, Article II, Offensive Conditions, of the City of Pearland Code of Ordinances, as it may have been, from time to time, amended; having a savings clause, a severability clause, and a repealer clause; providing for publication and codification.
- G. Consideration and Possible Action – Resolution No. R2015-65** – A Resolution of the City Council of the City of Pearland, Texas, accepting the City’s Investment Report for the quarter ending March 2015.
- H. Consideration and Possible Action – Resolution No. R2015-71** – A Resolution of the City Council of the City of Pearland, Texas, conveying a Storm Sewer easement to the Harris County Toll Road Authority for service to property in the vicinity of Beltway 8 and Mykawa Road.

Councilmember Carbone made the motion, seconded by Councilmember Sherman, to adopt Consent Agenda Items A through H as presented on the Consent Agenda.

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

Voting “No” None.

Motion Passed 4 to 0, with Councilmember Hill absent.

**NEW BUSINESS:**

**Council Input and Discussion** – Economic Update – Greater Houston Partnership.

Senior Vice-President of Research of the Greater Houston Partnership Patrick Jankowski gave an overview of the economic update for the Houston area in an effort to better understand trends and what impacts these could have on Pearland.

**Council Action – Resolution No. R2015-68** – A Resolution of the City Council of the City of Pearland, Texas, renewing a unit price bid for printing and mailing of water utility bills with Peregrine Services in the estimated amount of \$205,631.00 for the period of May 15, 2015 through May 14, 2016.

Councilmember Sherman made the motion, seconded by Mayor Pro-Tem Ordeneaux, to approve Resolution No. R2015-68.

City Manager Clay Pearson reported as printing and mailing of water utility bills are required for all active accounts, similar expenses are anticipated in future years, however, funding is appropriated on an annual basis. He stated staff is looking at an alternative means for next year that will be brought to Council at a later date.

Councilmember Carbone thanked staff for their work and background information. He stated at this time this is the right thing to do. He further stated regarding the other alternative means leaves him scratching his head, but he looks forward to hearing what staff presents.

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

Voting “No” None.

Motion Passed 4 to 0, with Councilmember Hill absent.

**Council Action – Resolution No. R2015-73** – A Resolution of the City Council of the City of Pearland, Texas, authorizing a contract for architectural design services with Hall, Barnum and Lucchesi Architects, in the amount of \$407,600.00 for design services associated with the City Hall Complex Renovation Project.

Mayor Pro-Tem Ordeneaux made the motion, seconded by Councilmember Sherman, to approve Resolution No. R2015-73.

City Manager Clay Pearson reported the City Hall Complex Renovation Project is part of the 2015-2019 Capital Improvement Program intended to renovate the City Hall and Community Center buildings collectively referred to as the City Hall Complex. Council is being asked to approve an Architectural Design Services contract to Hall Barnum Lucchesi (HBL) Architects, in the amount of \$407,600. for the City Hall Complex Renovation Project.

Councilmember Carbone stated he knows it would be great to rehab the City Hall and Community Center, but when you look at the City and there is infrastructure, sidewalks, water quality, and roads that are affecting residents. He stated he cannot see spending four and a half million dollars of additional CO’s which is debt to rehab this building. At this time he has not seen anything that makes sense to him to do this.

Mayor Pro-Tem Ordeneaux stated when you look at the mechanical systems that are running these buildings, they are putting more debt on the city. This is something that needs to be taken care of or it will cost the city more down the road. He stated we need to move forward to insure the city has space to serve the residents.

Mayor Reid stated the building is 30 years old and if we do not make sure it is structurally sound it will create more problems which in turn will cost the city more.

Councilmember Carbone stated he did not see anything in the documents provided that there is structural damage.

Assistant City Manager Trent Epperson stated as far as structural there is none, only mechanical, electrical and needed space.

Councilmember Moore stated it looks like the problems are mostly mechanical, electrical, plumbing, and fire issues. The general renovation looks to be a smaller amount.

Assistant City Manager Trent Epperson stated the City is looking at about half the cost to be with the HVAC system, the fire sprinkler system in the Community Center and upgrading electrical and plumbing. He further stated the general renovations will be the addition of office space by rearranging the existing office space.

Councilmember Sherman stated technologically the city is in a position that many of the residents will be able to do a lot of things through the internet, and not have to come to the city hall. He further stated the city cannot afford to build a new city hall more centrally located so we need to preserve the buildings we have. It is long overdue.

Councilmember Moore stated in the beginning he did think the same way as Councilmember Carbone until looking at the breakdown of the cost. He feels better knowing that most of the cost will be taking care of the plumbing, electrical, and HVAC.

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

Voting "No" Councilmember Carbone.

Motion Passed 3 to 1, with Councilmember Hill absent.

**Council Action – Resolution No. R2015-62** – A Resolution of the City Council of the City of Pearland, Texas ("city") denying the distribution cost recovery factor rate increase of CenterPoint Energy Houston Electric, LLC made on or about April 6, 2015; authorizing participation in a coalition of similarly situated cities; authorizing participation in related rate proceedings; requiring the reimbursement of municipal rate case expenses; authorizing the retention of special counsel; finding that the meeting complies with the open meetings act; making other findings and provisions related to the subject; and declaring an effective date.

Councilmember Moore made the motion, seconded by Mayor Pro-Tem Ordeneaux, to approve Resolution No. R2015-62.

City Attorney Darrin Coker reported it is recommended that the City deny CenterPoint's application to approve its Distribution Cost Recovery Factor (DCRF) rate increase. It is also recommended that the City retain the law firm of Herrera & Boyle, PLLC to represent the City's interest in matters related to CenterPoint's DCRF filing and to advise the City with regard to CenterPoint's application, and that the City intervene in the proceeding before the Public Utility Commission of Texas, and represent the City in appeals, if any, regarding CenterPoint's application.

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

Voting “No” None.

Motion Passed 4 to 0 with Councilmember Hill absent.

**Council Action – Resolution No. R2015-63** – A Resolution of the City Council of the City of Pearland, Texas suspending the effective date for ninety days in connection with the statement of intent filed by CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas – Texas Coast Division on or about March 27, 2015; authorizing participation in a coalition of similarly situated cities; authorizing participation in related rate proceedings; authorizing the retention of special counsel; requiring the reimbursement of municipal rate case expenses; finding that the meeting complies with the Open Meetings Act; making other findings and provisions related to the subject; and declaring an effective date.

Councilmember Carbone made the motion, seconded by Mayor Pro-Tem Ordeneaux, to approve Resolution No. R2015-63.

City Attorney Darrin Coker reported on or about March 27, 2015, CenterPoint Energy Resources Corporation, d/b/a CenterPoint Entex and CenterPoint Energy Texas Gas Company submitted a Statement of Intent to increase its base revenue on an overall basis by approximately \$6.8 million in the Company’s Texas Coast Division. It is recommended the City suspend CenterPoint’s proposed effective date for ninety (90) days, and retain the law firm of Herrera & Boyle, PLLC to represent the City’s interest in matters related to CenterPoint’s rate case.

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

Voting “No” None.

Motion Passed 4 to 0, with Councilmember Hill absent.

**Council Action – Resolution No. R2015-72** – A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into a System Raw Water Availability Agreement with the Gulf Coast Water Authority for 10 million gallons per day from the American Briscoe Water Canal Systems in an estimated amount of \$710,000.00 annually.

Councilmember Sherman made the motion, seconded by Councilmember Moore, to approve Resolution No. R2015-72.

City Manager Clay Pearson reported as a part of the City of Pearland’s long term water availability strategy it is necessary to enter into agreements for the procurement of water for potable, irrigation, and industrial uses within the City of Pearland. Council is being asked for approval to enter into a System Raw Water Availability Agreement with the Gulf Coast Water Authority.

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

Voting “No” None.

Motion Passed 4 to 0, with Councilmember Hill absent.

**Council Action – Resolution No. R2015-67** – A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for the construction of the Pearland Parkway Barrier Fence Project to Aber Fence and Supply Company, Inc. in the amount of \$253,003.00.

Mayor Pro-Tem Ordeneaux made the motion, seconded by Councilmember Sherman, to approve Resolution No. R2015-67.

City Manager Clay Pearson reported Council is being asked to approve the Bid results and award the contract for construction of the Pearland Parkway Barrier Fence (along the Shadycrest subdivision) to Aber Fence & Supply Company Inc. in the amount of \$253,003.

Discussion ensued between Council and Assistant City Manager Trent Epperson regarding if this was discussed with the effected homeowners and the number of bids received for this project.

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

Voting “No” None.

Motion Passed 4 to 0, with Councilmember Hill absent.

**Council Action – Resolution No. R2015-57** – A Resolution of the City Council of the City of Pearland, Texas, authorizing a contract for construction management and inspections services, associated with the Regency Park Paving and Drainage Project, to AARK Engineering, LLC, in the amount of \$312,811.00.

Councilmember Moore made the motion, seconded by Councilmember Sherman, to approve Resolution No. R2015-57.

City Manager Clay Pearson reported Council is being asked to approve the Construction Management and Inspection Services (CMCI) contract with ARKK Engineering, LLC. for the Regency Park Subdivision Paving in the amount of \$312,811.

Katherine Anthony, 3307 Jacquelyn, addressed Council thanking them for repairing the streets and waterlines in the Regency Park Subdivision. She stated several of the residents are concerned regarding a second entrance into the neighborhood. She further stated Regency Park is one of the oldest subdivisions in Pearland and there has never been a problem with having only one entrance. She stated if a second entrance is put in at the east parking lot of the school emergency vehicles would not be able to arrive at the subdivision in a timely manner during school hours. The residents would prefer not to have a second entrance.

Mayor Pro-Tem Ordeneaux stated he understands that nothing has never happened, but we do not want something to happen. He stated he would feel better by having the second entrance with the emergency gate.

Katherine Anthony, 3307 Jacquelyn, addressed Council stating if there was truly an emergency there are other ways into Regency Park Subdivision.

Mayor Reid stated every subdivision has to have two entrances, a way to get in and out at two different locations in case of an emergency. As a municipal government the safety and welfare of the residents is our business.

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

Voting "No" None.

Motion Passed 4 to 0, with Councilmember Hill absent.

**Council Action – Resolution No. R2015-70** – A Resolution of the City Council of the City of Pearland, Texas, awarding a bid for the construction of the Regency Park Paving and Drainage Project to SER Construction Partners, LLC., in the amount of \$3,308,684.25.

Councilmember Carbone made the motion, seconded by Councilmember Sherman, to approve Resolution No. R2015-70.

City Manager Clay Pearson reported in recent years the condition of the street pavement and waterlines throughout Regency Park Subdivision, the city's oldest concrete-paved subdivision, have become un-sustainable. The overall Construction Phase is scheduled to be substantially complete in eleven (11) months from the notice to proceed, with a thirty (30) day final completion period. Council is being asked to award a bid for the construction of the Regency Park Paving and Drainage Project to SER Construction Partners, LLC. in the amount of \$3,308,684.25.

Discussion ensued between Council and Director of Finance Claire Bogard regarding the budget for this project.

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

Voting "No" None.

Motion Passed 4 to 0, with Councilmember Hill absent.

**Council Action – Resolution No. R2015-69** – A Resolution of the City Council of the City of Pearland, Texas, awarding a contract for the purchase of hardware and licensing for the City Enterprise Resource Planning in the estimated amount of \$181,000.00.

Councilmember Sherman made the motion, seconded by Councilmember Moore, to approve Resolution No. R2015-69.

City Manager Clay Pearson reported Council is being asked to award a contract for the purchase of hardware and licensing for the City Enterprise Resource Planning (ERP) in the estimated amount of \$181,000.00.

Chief Information Officer Daniel McGhinnis gave an overview of the current infrastructure and how it was designed, the Enterprise Resource Planning (ERP) system, the proposed infrastructure, advantages and future infrastructure.

Discussion ensued between Council and Chief Information Officer Daniel McGhinnis regarding the storage system at Hill House verses the Public Safety Building.

Councilmember Carbone stated his concerns regarding the expense for the Enterprise Resource Planning (ERP).

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

Voting "No" None.

Motion Passed 4 to 0, with Councilmember Hill absent.

City Manager Clay Pearson asked that Resolution No. R2015-66 be postponed to a future Council meeting.

**Council Action – Resolution No. R2015-66** – A Resolution of the City Council of the City of Pearland, Texas, awarding a service contract for HVAC repair, maintenance and equipment to Sentinel A/C & Heating Company for package one (1) and to the Lee Thompson Company for package two (2) in the total estimated amount of \$130,000.00.

**OTHER BUSINESS:** None.

**MAYOR/COUNCIL ISSUES FOR FUTURE CITY COUNCIL AGENDAS:** None.

## **ADJOURNMENT**

Meeting was adjourned at 8:16 p.m.

Minutes approved as submitted and/or corrected this the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2015.

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Tom Reid  
Mayor

ATTEST:

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Young Lorfing, TRMC  
City Secretary

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, MAY 11, 2015, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

Mayor Reid called the meeting to order at 6:30 p.m. with the following present:

Mayor	Tom Reid
Mayor Pro-Tem	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: Daniel Baum Deputy Fire Chief; Claire Bogard Director of Finance; Jon Branson Deputy City Manager; J.C. Doyle Police Chief; Trent Epperson Assistant City Manager; Michelle Graham Director of Parks and Recreation; Bonita Hall Director of Human Resource; Lata Krishnarao Director of Community Development; Richard Mancilla Interim Deputy Director/ City Engineer; Vance Riley Fire Chief; Kim Sinistore Executive Director of the Convention/Visitors Bureau; Daniel McGhinnis Chief Information Officer; John McCarter Management Assistant; Sparkle Anderson Communications Manager; Lawrence Province Deputy City Attorney; Michael Leech Assistant. Director Public Works; Bob Pearce Purchasing Officer; Jennifer Huhn Municipal Court Administrator/Court Clerk; Joel Hardy Grants Coordinator.

The invocation was given by Councilmember Hill and the Pledge of Allegiance was led by Police Chief J.C. Doyle.

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

**CITIZEN COMMENTS:** None.

Mayor Reid called the Public Hearing to order at 6:32 p.m.

**PUBLIC HEARING** – Provide public comment on the City of Pearland’s expansions of the Far Northwest Wastewater Treatment Plant (also known as the Refection Bay Water Reclamation Facility) Project (Project) draft Environmental Information Document (EID), and to discuss the EID, which was formulated to best plan, manage, and respond to any environmental impacts that might occur in relation with the proposed Project.

**STAFF REVIEW:**

CDM Smith, Inc. Consultant Jeffrey S. Peters gave an overview of the Environmental Information Document (EID).

**CITIZEN COMMENTS:** None.

## **COUNCIL/STAFF DISCUSSION:**

Discussion ensued between Council and Assistant City Manager Trent Epperson regarding the amount of \$55,000,000. the temporary investment, the increase of the wastewater treatment capacity, and the construction timeline.

## **ADJOURNMENT:**

The Public Hearing was adjourned at 6:43 p.m.

## **CONSENT AGENDA:**

### **A. Consideration and Possible Action – Approval of Minutes:**

1. Minutes of the April 20, 2015, Special Meeting, held at 6:30 p.m.

### **B. Consideration and Possible Action – Resolution No. R2015-76 – A Resolution of the City Council of the City of Pearland, Texas, conveying a surface site easement, in the vicinity of Kingsley Drive and Shadow Creek Ranch Boulevard, to Kinder Morgan Texas Pipeline, LLC, in exchange for fair market value compensation of \$65,355.19.**

### **C. Consideration and Possible Action – Resolution No. R2015-66 – A Resolution of the City Council of the City of Pearland, Texas, awarding a service contract for HVAC repair, maintenance and equipment to American Mechanical Service of Houston, LLC for package one (1) and to the Lee Thompson Company for package two (2) in the total estimated amount of \$130,000.00.**

### **D. Consideration and Possible Action – Regarding Excuse the absence of Councilmember Greg Hill from the Regular Council Meeting held on April 27, 2015.**

Councilmember Carbone made the motion, seconded by Councilmember Moore, to adopt Consent Agenda Items A through D as presented on the Consent Agenda.

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

Voting “No” None.

Motion Passed 5 to 0.

City Manager Clay Pearson introduced Niema Marie Remegoso from the Philippines and Tram Thi Quynh Bui from Vietnam which they are a part of the Professional Fellows Program made possible through generous funding from the United States Department of State, Bureau of Educational and Cultural Affairs.

Tram Thi Quynh Bui thanked the City of Pearland for being the Host Organization, and giving her this experience. She stated she is learning how American Government works, and trying to get a better understanding of American society.

Niema Marie Remegoso thanked the City of Pearland and the City Manager's office for giving her the opportunity of this great experience. She stated she is here to learn how the local government of the City of Pearland works.

**NEW BUSINESS:**

**Council Possible Action – Resolution No. R2015-75** – A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into a Sub-Grantee Agreement with Brazoria County for use of the Coastal Impact Program (CIAP) funds and authorizing the City Manager to execute the Agreement.

City Manager Clay Pearson asked that Resolution No. R2015-75 be moved to a future Council meeting.

**Council Action – Resolution No. R2015-77** – A Resolution of the City Council of the City of Pearland, Texas, renewing a unit supply contract for landscape maintenance services (medians, right of ways and City facilities) with Maldonado Nursery Landscaping, Inc., in the estimated amount of \$577,130.00.

Councilmember Sherman made the motion, seconded by Mayor Pro-Tem Ordeneaux, to approve Resolution No. R2015-77.

City Manager Clay Pearson reported Council is being asked to renew a unit supply contract for landscape maintenance services (medians, right of ways and City facilities) with Maldonado Nursery & Landscaping, Inc. in the estimated amount of \$577,130.

Discussion ensued between Council and Assistant City Manager regarding native plants and Maldonado Nursery & Landscaping do very good work.

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

Voting "No" None.

Motion Passed 5 to 0.

**Council Action – Resolution No. R2015-74** – A Resolution of the City Council of the City of Pearland, Texas, awarding unit cost bids for street and sidewalk maintenance to Brooks Concrete, Inc. and Precise Services, Inc., in the estimated amount of \$800,000.00.

Mayor Pro-Tem Ordeneaux made the motion, seconded by Councilmember Moore, to approve Resolution No. R2015-74.

City Manager Clay Pearson reported Council is being asked to award the unit cost bids for street and sidewalk maintenance to Brooks Concrete, Inc. and Precise Services, Inc. in the estimated amount of \$800,000.

Discussion ensued between Council and Assistant City Manager Trent Epperson regarding the reason for having a primary vendor and a secondary vendor.

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

Voting "No" None.

Motion Passed 5 to 0.

**Council Action – Resolution No. R2015-79** – A Resolution of the City Council of the City of Pearland, Texas, authorizing an Oil and Gas Drilling Permit for Denbury Onshore in the vicinity of SH35 and Hastings Oil Field.

Councilmember Moore made the motion, seconded by Councilmember Hill, to approve Resolution No. R2015-79.

City Attorney Darrin Coker reported Council is being asked to authorize an Oil and Gas Drilling Permit for Denbury Onshore in the vicinity of SH35 and Hastings Oil Field.

Discussion ensued between Council and City Attorney Darrin Coker regarding the exemptions requested by Denbury Onshore.

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

Voting "No" Councilmember Sherman.

Motion Passed 4 to 1.

**Council Action – Resolution No. R2015-64** – 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 Tax Assessor-Collector implementation of a Scofflaw Program in accordance with Chapter 702 of the Texas Transportation Code.

Councilmember Hill made the motion, seconded by Councilmember Moore, to approve Resolution No. R2015-64.

City Manager Clay Pearson reported Council is being asked for approval of interlocal Agreement between the City of Pearland and the Brazoria County Tax Assessor-Collector establishing the Scofflaw Program.

Discussion ensued between Council and Perdue Brandon Fielder Collins Mott, LLP representative regarding the number of other counties utilizing Scofflaw.

Councilmember Hill thanked staff for getting the Scofflaw program started.

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

Voting "No" None.

Motion Passed 5 to 0.

**Council Action – First Reading of Ordinance No. 1513** – An Ordinance of the City Council of the City of Pearland, Texas, providing for collection of Scofflaw Fees pursuant to Texas Transportation Code Section 702.

Councilmember Carbone made the motion, seconded by Mayor Pro-Tem Ordeneaux, to approve Ordinance No. 1513 on its First Reading.

City Manager Clay Pearson reported with the initiation of the Scofflaw program it is necessary to create an Ordinance which establishes a fee so that the Brazoria County Tax Assessor-Collector may collect said fee from the City of Pearland in accordance with the Texas Transportation Code Section 702.

Councilmember Carbone stated he is pleased that the Scofflaw program is in place, and he is looking forward to seeing how much is collected through this program.

Discussion ensued between Council and Perdue Brandon Fielder Collins Mott, LLP representative regarding the \$20.00 fee.

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

Voting "No" Councilmember Sherman.

Motion Passed 4 to 1.

**Council Action – Resolution No. R2015-82** – 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 Brookside Village for emergency medical services.

Councilmember Sherman made the motion, seconded by Mayor Pro-Tem Ordeneaux, to approve Resolution No. R2015-82.

City Manager Clay Pearson reported Council is being asked for approval to enter into an Interlocal Agreement with Brookside Village for emergency medical services.

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

Voting "No" None.

Motion Passed 5 to 0.

## **OTHER BUSINESS:**

Council adjourned into Executive Session under Texas Government Code at 7:10 p.m. to discuss the following.

## **EXECUTIVE SESSION UNDER TEXAS GOVERNMENT CODE**

1. **SECTION 551.087** - Regarding consultations with City Attorney – Regarding economic development negotiations.
2. **SECTION 551.074 – Personnel Matters** – The appointment of a new department head position.

## **NEW BUSINESS CONTINUED:**

Council returned from Executive Session at 7:50 p.m.

**Council Action – Resolution No. R2015-78** – A Resolution of the City Council of the City of Pearland, Texas, authorizing the City Manager or his designee to enter into Purchase Agreements with the Pearland Independent School District (“PISD”) and American Commercial Contractor, LLC. for the transfer of real property located near the intersection of SH35 and Bailey Road.

Mayor Pro-Tem Ordeneaux made the motion, seconded by Councilmember Moore, to approve Resolution No. R2015-78.

City Manager Clay Pearson reported Council is being asked to approve the City Manager to enter into Sale and Purchase Agreements with the Pearland Independent School District and American Commercial Contractors, LLC.

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

Voting “No” None.

Voting “Abstain” Mayor Pro-Ordeneaux.

Motion Passed 4 to 0, with 1 abstention.

**Council Action** – Regarding the ratification of the City Manager’s appointment of a new department head position.

Councilmember Moore made the motion, seconded by Councilmember Hill, to approve the ratification of the City Manager’s appointment of a new department head position.

City Manager Clay Pearson stated as discussed in Executive Session there will be the appointment of a new City Engineer.

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

Voting "No" None.

Motion Passed 5 to 0.

**MAYOR/COUNCIL ISSUES FOR FUTURE CITY COUNCIL AGENDAS:**

Councilmember Carbone asked that the "MAYOR/COUNCIL ISSUES FOR FUTURE CITY COUNCIL AGENDAS" be moved before "EXECUTIVE SESSION" on future agendas.

**ADJOURNMENT**

Meeting was adjourned at 7:54 p.m.

Minutes approved as submitted and/or corrected this the \_\_\_\_ day of \_\_\_\_\_, A.D., 2015.

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Tom Reid  
Mayor

ATTEST:

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Young Lorfing, TRMC  
City Secretary

**MINUTES OF THE JOINT PUBLIC HEARING FOR THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION, CITY OF PEARLAND, TEXAS, HELD ON May 18, 2015 AT 6:30 P.M., IN THE COUNCIL CHAMBERS - CITY HALL - 3519 LIBERTY DRIVE**

**CALL TO ORDER**

Mayor Tom Reid and P&Z Commissioner Mary Starr opened a series of public hearings at 6:34 p.m.

The following were present:

Mayor Tom Reid	P&Z Commissioner Mary Starr
Mayor Pro Tem Keith Ordeneaux	P&Z Commissioner Thomas Duncan
Council Member Tony Carbone	P&Z Commissioner Derrick Reed
Council Member Scott Sherman	P&Z Vice Chairperson Daniel Tunstall
Council Member Gary Moore	
Council Member Greg Hill	

Also present were City Attorney Darrin Coker, Interim City Planner Ian Clowes, Associate Planner Vince Husted, Director of Community Development Lata Krishnarao, Interim City Engineer Richard Mancilla, City Manager Clay Pearson, Deputy City Manager Jon Branson, Assistant City Manager Trent Epperson, Executive Director of Development Services and PEDC President Matt Buchanan and Office Assistant Jennifer Tatum.

Interim City Planner Ian Clowes presented the public hearing process and order of the agenda.

Mayor Tom Reid opened the public hearing for Conditional Use Permit Application No. 2015-05 at 6:36 p.m.

**PURPOSE OF HEARING**

P&Z Vice Chairperson Daniel Tunstall read the purpose of the hearing into the record.

**Conditional Use Permit Application No. 2015-05**

A request of Robert M. Atkinson, applicant; on behalf of MVN Investment LLC, owner; for approval of a Conditional Use Permit (CUP) to allow for an Auto Parts Sales (Indoors Only; With Repair Bays) facility located within the General Commercial (GC) zoning district on approximately .41 acres of land, to wit:

**Legal Description:** Being Lots 7 and 8, Thomas and Gilbert Industrial Tracts, a Subdivision of part of Lot 113, A.C.H. & B. Survey, Section 1, Abstract No. 147, Brazoria County, Texas.

**General Location:** North of Swensen Drive, east of Main Street, Pearland, TX

Interim City Planner Ian Clowes read the staff report stating the applicant was seeking a Conditional Use Permit (CUP) to allow for Auto Parts Sales within the General Commercial (GC) zoning district. Mr. Clowes stated that staff recommended approval.

Mr. Robert Atkinson, Contractor for applicant, stated this would be a high end auto parts establishment and all work would be done inside. Mr. Atkinson also stated that this would be custom work, not oil changes and body work.

Ms. Janice Pasket 3905 Bracket Dr Pearland TX 77581 spoke about concerns with the traffic impact, drainage, and how close the building will be to her property.

Council Member Scott Sherman stated he would like the applicant to address Ms. Pasket's concerns. Robert Atkinson stated the drainage would be controlled by the city and that space would not be an issue. Interim City Planner Ian Clowes stated the concerns would be addressed in the permitting stages and that they would meet the UDC standards. Council Member Tony Carbone inquired about drainage and setbacks on the property. Interim City Engineer Richard Mancilla stated he did not have final plans yet. Mr. Mancilla also stated that the property was in a flood plain and that they would make sure drainage did not affect the neighbors. Mr. Clowes stated the setbacks were 10 feet from property line.

Mayor Tom Reid adjourned the public hearing for Conditional Use Permit No. 2015-05 at 6:49 p.m.

Mayor Tom Reid opened the public hearing for Conditional Use Permit No. 2015-01 at 6:50.

**Conditional Use Permit Application No. 2015-06**

A request of Ronny Hecht, applicant; on behalf of Westside SC Pearland, Ltd., owner; for approval of a Conditional Use Permit (CUP) to allow for an e-cigarette tenant classified as Cigars, Tabaco Shop (Retail Only) to occupy in the Neighborhood Service (NS) zoning district on approximately 5.044 acres of land, to wit:

**Legal Description:** Being a certain Tract out of Tract "A", on the Final Plat of West Side Plaza, A Subdivision of Brazoria County, Texas, According to the Map or Plat thereof recorded in Volume 17, Pages 279-280, Plat Records, Brazoria County, Texas.

**General Location:** 5074 Broadway Street, Pearland, TX

Interim City Planner Ian Clowes read the staff report stating the applicant was seeking approval of a Conditional Use Permit (CUP) to allow for an e-cigarette tenant classified as Cigars, Tobacco Shop to be allowed in Neighborhood Services (NS) zoning district. Mr. Clowes stated staff recommended approval and that the UDC requirements would be met.

The applicant was not present.

There was no one present to speak for or against the proposed request.

Council Member Greg Hill stated the applicant was not present to answer any questions that he had. Council Member Keith Ordeneaux inquired about the letter of opposition that was received by staff. Mr. Ordeneaux stated if there was opposition, he would like to have a reason. Council Member Scott Sherman stated it was disrespectful for the applicant to not be present and that this item should be postponed or voted against by the P&Z Commission.

Mayor Tom Reid adjourned the public hearing for Conditional Use Permit No. 2015-06 at 6:55 p.m.

These minutes are respectfully submitted by:

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Jennifer Tatum, Community Development Office Assistant

Minutes approved as submitted and/or corrected on this 27th day of May, 2015 A.D.

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Mayor Tom Reid

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

<b>AGENDA OF:</b>	June 8, 2015	<b>ITEM NO.:</b>	Resolution No. R2015-94
<b>DATE SUBMITTED:</b>	May 26, 2015	<b>DEPT. OF ORIGIN:</b>	Finance
<b>PREPARED BY:</b>	Rick Overgaard	<b>PRESENTOR:</b>	Claire Bogard
<b>REVIEWED BY:</b>	Jon R. Branson	<b>REVIEW DATE:</b>	May 26, 2015
<b>SUBJECT: Resolution 2015-94-</b> 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 audit services with Whitley Penn in the amount of \$75,300.00 for Fiscal Year 2015.			
<b>EXHIBITS:</b> Resolution 2015- 94 Engagement Letter			
<b>FUNDING:</b>			
<input type="checkbox"/> Grant <input type="checkbox"/> Developer/Other <input checked="" type="checkbox"/> Cash Opns <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			
<b>EXPENDITURE REQUIRED:</b> \$75,300		<b>AMOUNT BUDGETED:</b> \$75,300– FY16	
<b>AMOUNT AVAILABLE:</b> \$75,300		<b>PROJECT NO.:</b> N/A	
<b>ACCOUNT NO:</b> 010-1260-556.01-00			
<b>ADDITIONAL APPROPRIATION REQUIRED:</b> N/A			
<b>ACCOUNT NO.:</b> N/A			
<b>PROJECT NO.:</b> N/A			
<b>To be completed by Department:</b>			
<b>X Finance</b>		<b>X Legal</b>	<b>Ordinance</b>
			<b>X Resolution</b>

**EXECUTIVE SUMMARY**

**BACKGROUND**

State Statute requires that a municipality shall have its records and accounts audited annually and shall have an annual financial statement prepared based on the audit. A municipality shall employ a certified public accountant who is licensed in this state or a public accountant who holds a permit to practice from the Texas State Board of Public Accountancy to conduct the audit and to prepare the annual financial statement.

The City engaged the auditing services of Whitley Penn LLP beginning with the audit for fiscal year 2014, and are pleased with their work. The engagement followed after review and analysis of Request for Proposals received in fiscal year 2014.

### **POLICY/GOAL CONSIDERATION**

Strategic Priority – Fiscally Responsible

Excerpt from City's Financial Policy Statements regarding selection of auditors:

A. *Selection of Auditors*

At least every seven years, the City shall request proposals from qualified firms, including the current auditors if their past performance has been satisfactory. The City Council shall select an independent firm of certified public accountants to perform an annual audit of the accounts and records, and render an opinion on the financial statements of the City.

It is the City's preference to rotate auditor firms every seven years at the maximum, to ensure that the City's financial statements are reviewed and audited with an objective, impartial, and unbiased point of view. The rotation of the audit firm will be based upon the proposals received, the qualifications of the firm, and the firm's ability to perform a quality audit.

However, if through the proposal and review process, management and the Audit Committee select the current audit firm, then, it is the City's preference that the lead audit partner be rotated as well as the lead reviewer after a maximum of seven years.

### **BID AND AWARD**

Since professional services do not need to bid and staff and management are pleased with the current auditor's thoroughness and professionalism, staff is recommending engaging the auditing services of Whitley Penn LLP for the fiscal year ending September 30, 2015. Interim audit field work would begin the summer of 2015.

### **SCOPE OF CONTRACT**

To audit and opine on the City's fiscal year 2015 financial statements' conformity with U.S. generally-accepted accounting principles, specifically with respect to governmental and business-type activities, the blended component units, each major fund, and the aggregate remaining fund information, which collectively comprise the basic financial statements of the City. Required services also include the City's Federal Single Audit report for expenditures associated with federal grant awards. The scope of work also includes reporting on internal controls and compliance with laws, regulations, and the provisions of contracts or grant agreements, noncompliance with which could have a material effect on the financial statements or on each major grant program in accordance with Government Auditing Standards and the Single Audit Act Amendments of 1996.

### **SCHEDULE**

Interim audit field work would begin in summer 2015 with final audit work in November/December 2015. We anticipate a schedule that would have a draft Comprehensive Annual Financial Report to City staff January 2016 with the actual report filed with City Council February 2016. The City Council audit committee would meet with staff and the auditors prior to in-depth audit procedures and upon completion of the audit. If at any time during the audit where any substantial issues/concerns arise, an audit committee meeting would be called.

**O&M IMPACT INFORMATION**

Fiscal Year	2016	2017	2018
	\$75,300	Est \$77,800*	Est \$80,100*

\*Costs based on two major programs for single audit

**RECOMMENDED ACTION**

Consideration and approval of Resolution 2015-94 authorizing the City Manager, or his designee, to engage the firm of Whitley Penn for the City of Pearland's annual audit and preparation of the Comprehensive Annual Financial Report for the period ended September 30, 2015.

**RESOLUTION NO. R2015-94**

**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 audit services with Whitley Penn in the amount of \$75,300.00 for Fiscal Year 2015 .**

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

**Section 1.** That engagement letter for audit 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 an engagement letter for audit services.

PASSED, APPROVED and ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_,  
A.D., 2015.

\_\_\_\_\_  
TOM REID  
MAYOR

ATTEST:

\_\_\_\_\_  
YOUNG LORFING, TRMC  
CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
DARRIN M. COKER  
CITY ATTORNEY

May 7, 2015

To the Honorable Mayor, Members  
of City Council and City Manager  
City of Pearland, Texas

We are pleased to confirm our understanding of the services we are to provide City of Pearland, Texas (the "City") for the year ended September 30, 2015. We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements, of the City as of and for the year ended September 30, 2015. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's discussion and analysis.
- 2) General fund budgetary comparison schedule.
- 3) Schedule of funding progress for the City's participation in the Texas Municipal Retirement System and the City's Other Post-Employment Benefit Plan.

We have also been engaged to report on supplementary information other than RSI that accompanies the City's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America, and we will provide an opinion on it in relation to the financial statements as a whole, in a report combined with our auditor's report on the financial statements:

- 1) Schedule of expenditures of federal awards.
- 2) Combining and individual fund statements and schedules.
- 3) Budgetary comparison schedules.
- 4) Long-term debt amortization schedules.

The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditor's report will not provide an opinion or any assurance on that other information.

- 1) Introductory section.
- 2) Statistical section.

### **Audit Objectives**

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes reporting on—

- Internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The OMB Circular A-133 report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of OMB Circular A-133. Both reports will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of OMB Circular A-133, and will include tests of accounting records, a determination of major program(s) in accordance with OMB Circular A-133, and other procedures we consider necessary to enable us to express such opinions. We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Honorable Major, Members of City Council, and the City Manager. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements or the Single Audit compliance opinions are other than unmodified, we will discuss the reasons with you in advance. If circumstances occur related to the condition of your records, the availability of sufficient, appropriate audit evidence, or the existence of a significant risk of material misstatement of the financial statements caused by error, fraudulent financial reporting, or misappropriation of assets, which in our professional judgment prevent us from completing the audit or forming an opinion on the financial statements, we retain the right to take any course of action permitted

by professional standards, including declining to express an opinion or issue a report, or withdrawing from the engagement.

### **Management Responsibilities**

Management is responsible for the financial statements, schedule of expenditures of federal awards, and all accompanying information as well as all representations contained therein. Management is also responsible for identifying all federal awards received and understanding and complying with the compliance requirements, and for preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received) in accordance with the requirements of OMB Circular A-133. As part of the audit, we will assist with preparation of your financial statements, schedule of expenditures of federal awards, and related notes. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. You agree to assume all management responsibilities relating to the financial statements, schedule of expenditures of federal awards, related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Management is responsible for (a) establishing and maintaining effective internal controls, including internal controls over compliance, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (b) following laws and regulations; (c) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (d) ensuring that management is reliable and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities also include identifying significant vendor relationships in which the vendor has responsibility for program compliance and for the accuracy and completeness of that information. Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud

could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report. Additionally, as required by OMB Circular A-133, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan.

You are responsible for preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received) in conformity with OMB Circular A-133. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to [include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon OR make the audited financial statements readily available to intended users of the schedule of expenditures of federal awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon]. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with OMB Circular A-133; (2) you believe the schedule of expenditures of federal awards, including its form and content, is fairly presented in accordance with OMB Circular A-133; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon or make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

With regard to using the auditor's report, you understand that you must obtain our prior written consent to reproduce or use our report in bond offering official statements or other documents.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

### **Audit Procedures—General**

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

### **Audit Procedures—Internal Control**

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by OMB Circular A-133, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to OMB Circular A-133.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and OMB Circular A-133.

### **Audit Procedures—Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

OMB Circular A-133 requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Circular A-133 Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the City's major programs. The purpose of these procedures will be to express an opinion on the City's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to OMB Circular A-133.

### **Engagement Administration, Fees, and Other**

We understand that your employees will prepare all cash, accounts receivable, or other confirmations and schedules we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. If applicable, we will provide copies of our report for you to include with the reporting package you will

submit to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits.

We will provide copies of our reports to the City; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Whitley Penn, LLP and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Whitley Penn, LLP personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by a cognizant agency, oversight agency for audit, or pass-through entity. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit in May 2015 and to issue our reports no later than February 2016. Thomas Pedersen, CPA is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will not exceed \$75,300 as described below.

Financial statement audit and assistance with	
Comprehensive Annual Financial Report (CAFR) preparation	\$65,500
Federal single audit base fee (one major program)	5,500
Each additional major program	4,300
Maximum all-inclusive fee estimate	\$75,300

Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination.

To the Honorable Mayor, Members  
of City Council and City Manager  
City of Pearland, Texas  
Page 8

We would like to make the following comments regarding fee estimates:

- 1) The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.
- 2) Any deficiencies noted in internal control may affect the nature, timing, and extent of our procedures and accordingly our fees will be adjusted to reflect such changes.
- 3) Our fee estimates have not considered the effects of any changes to auditing standards and accounting principles, which may be promulgated by the AICPA, Congress or any other regulatory body in the future and are unknown to us at this time. If significant additional time is necessary resulting in increased fees, we will endeavor to notify you of any such circumstances as they are assessed.
- 4) The City's staff is responsible for the preparation of all items requested in the "PBC List" and received by the date requested. Any delays caused by not preparing the items when requested may result in additional fees.

We appreciate the opportunity to be of service to the City and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

You have requested that we provide you with a copy of our most recent external peer review report and any subsequent reports received during the contract period. Accordingly, our 2012 peer review report accompanies this letter.

Very truly yours,



**RESPONSE:**

This letter correctly sets forth the understanding of City of Pearland, Texas.

Management signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Governance signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**SYSTEM REVIEW REPORT**

June 28, 2012

To the Partners of Whitley Penn LLP,  
and the National Peer Review Committee of the AICPA

We have reviewed the system of quality control for the accounting and auditing practice of Whitley Penn LLP (the firm) applicable to non-SEC issuers in effect for the year ended April 30, 2012. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at [www.aicpa.org/prsummary](http://www.aicpa.org/prsummary).

As required by the standards, engagements selected for review included engagements performed under the *Government Auditing Standards* and audits of employee benefit plans.

In our opinion, the system of quality control for the accounting and auditing practice of Whitley Penn LLP applicable to non-SEC issuers in effect for the year ended April 30 2012, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Whitley Penn LLP has received a peer review rating of *pass*.

*Olsen Thielen + Co., Ltd.*

Olsen Thielen & Co., Ltd.

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

<b>AGENDA OF:</b>	May 18, 2015	<b>ITEM NO.:</b>	Resolution No. R2015-99
<b>DATE SUBMITTED:</b>	May 8, 2015	<b>DEPT. OF ORIGIN:</b>	Finance
<b>PREPARED BY:</b>	Bob Pearce	<b>PRESENTOR:</b>	Lata Krishnarao
<b>REVIEWED BY:</b>	Lata Krishnarao	<b>REVIEW DATE:</b>	May 28, 2015
<b>SUBJECT:</b> Resolution No. R2015-99 – A Resolution of the City Council of the City of Pearland, Texas, authorizing a fixed unit rate contract for building plan review and inspection services with Mikayla Architects, in the estimated amount of \$90,000.00 for the period of June 9, 2015 to June 8, 2016.			
<b>EXHIBITS:</b> 1. Resolution #R2015-99 2. RFP Tabulation 3. Contract with Mikayla Architects 4. White Paper: Healthy Local Economy - Permit Revenue Projections 5. Community Development Quarterly Report Second Quarter FY 2015			
<b>FUNDING:</b>			
<input type="checkbox"/> Bonds To Be Sold	<input type="checkbox"/> Grant	<input type="checkbox"/> Developer/Other	<input type="checkbox"/> Cash
<input type="checkbox"/> Bonds- Sold	<input type="checkbox"/> L/P – Sold	<input type="checkbox"/> L/P – To Be Sold	
<b>EXPENDITURE REQUIRED:</b> \$90,000		<b>AMOUNT BUDGETED:</b> \$90,000	
<b>AMOUNT AVAILABLE:</b> \$90,000		<b>PROJECT NO.:</b>	
<b>ACCOUNT NO.:</b> 010-1610-555-11-00			
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>			
<b>ACCOUNT NO.:</b>			
<b>PROJECT NO.:</b>			
<b>To be completed by Department:</b>			
<b>X Finance</b>	<b>X Legal</b>	<b>Ordinance</b>	<b>X Resolution</b>

**EXECUTIVE SUMMARY**

**BACKGROUND**

It is necessary for the City to retain the services of an outside contractor to perform plan review and inspection services. Due to workload and patterns of staff availability, the City's Inspection Services Division (ISD) desires to award a contract(s) to a qualified firm(s) in order to supplement its ability to perform plan reviews and third party inspections in a timely manner. The contractor will assist the Inspection Services Department to complete large commercial project plan reviews and inspections on an as needed basis. City's commercial growth, anticipated future projects, and the recent turnover has placed a great deal of strain to the department, making it difficult to keep up with the demand. The City has utilized third party plan reviews and inspections in the past on a lesser scale. These numbers increase the need for more inspections and plan reviews.

**SCOPE OF CONTRACT/AGREEMENT**

Third party plan review and inspection services for a one (1) year term, with two (2) subsequent one-year renewal options, upon the mutual agreement of the parties, and the approval of City Council.

**BID AND AWARD**

A total of three (3) proposals were received in response to the specifications of RFP#0415-32: BBG Construction, Bureau Veritas and Mikayla Architects. Specifications allow for the award of the contract to a single vendor or multiple, as deemed to be most advantageous to the City. ISD staff reviewed the proposals based on the evaluation criteria in the proposal, which were: compliance with proposal requirements, qualifications, and best value. Based on the scoring provided by the above referenced staff, it is respectfully recommended that the building plan review and inspections services be awarded to Mikayla Architects. The contributing factors is that Mikayla worked with the City during the robust commercial periods of 2006 through 2009 and there were never any issues reported with their service. They offer years of local experience and a greater number of employees to facilitate the City's needs. The City has previously been in contract with Bureau Veritas, however staff has expressed they have not been satisfied with their service in the last year. They have not invoiced the City in a timely manner and in recent months have been unable to provide the 24 hour turnaround time for inspections. As for BBG Construction, they do not have enough staff available to provide services necessary with the City's robust growth.

It is recommended that the proposal be awarded to Mikayla Architects at the unit price as shown in the attached fee schedule. The price quoted is per stop, and enables the City to combine multiple inspections in one stop, thereby achieving an equivalent per inspection rate as other lower bidders.

**SCHEDULE**

Commercial and residential plan reviews and inspections on an as needed basis throughout the year.

**POLICY/GOAL CONSIDERATION**

This contract is contemplated and recommended for the purpose of furthering the City's objective to provide a sustainable infrastructure and a healthy economy. The attached white paper presented to the City Council in February of 2015 had discussed how the City was planning to address staffing levels for near-term increased activity as well as future declines. Currently, the inspection numbers are at very high levels, amounting to daily averages of 28 inspections/inspector/day. These inspections have reached a high of 44 inspections/inspector in May 2015. Typically, one full time inspector can handle up to 20-23 inspections per day, depending on the complexity of the inspections. The additional inspections need inspectors to work overtime or assistance from third party contractors. When inspection numbers drop below an average of 23 inspections per inspector, we would terminate the use of contract inspection services. Full time staff, utilizing overtime, would be able to manage this level of service.

**CURRENT AND FUTURE CIP FUNDING /FINANCIAL IMPACTS/DEBT SERVICE**

Funding for the purchase of this system will come from the Inspection Services plan review and inspection fees.

<b>Fiscal Year</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
	\$90,000	\$90,000	\$90,000

**RECOMMENDED ACTION**

City Council consideration and approval of Resolution No. R2015-99, authorizing a fixed unit rate contract for building plan review and inspection services with Mikayla Architects, in the estimated amount of \$90,000 for the period of June 9, 2015 to June 8, 2016.

**RESOLUTION NO. R2015-99**

**A Resolution of the City Council of the City of Pearland, Texas, authorizing a fixed unit rate contract for building plan review and inspection services with Mikayla Architects, in the estimated amount of \$90,000.00 for the period of June 9, 2015 to June 8, 2016.**

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

**Section 1.** That certain contract for building plan review and inspection 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 building plan review and inspection services.

PASSED, APPROVED and ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_,  
A.D., 2015.

\_\_\_\_\_  
TOM REID  
MAYOR

ATTEST:

\_\_\_\_\_  
YOUNG LORFING, TRMC  
CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
DARRIN M. COKER  
CITY ATTORNEY

**RFP No. 0415-32 Plan Review and Inspection Services  
for Inspection Services Department  
Closed: 5/1/2015 @ 2:00 p.m.**

BBG Construction, Inc.	Plan Review Fees based on Valuation	Resubmittal Fee	Inspections # of Stops	Price per Stop <sup>1</sup>
Option A	\$10,000 or Less	\$45	\$25.00 1 <sup>2</sup>	\$75.00
	\$10,001 to \$50,000	\$45 for first \$10,000 plus \$2.95 for each additional \$1,000	\$25.00 2 to 3 <sup>2</sup>	\$65.00
	\$50,001 to \$100,000	\$189 for first \$50,000 plus \$2.15 for each \$1,000	\$25.00 4 to 6	\$50.00
	\$100,001 to \$500,000	\$294 for first \$100,000 plus \$1.45 for each additional \$1,000	\$100.00 7 to 9	\$45.00
	\$500,001 to \$1,000,000	\$873 for first \$500,000 plus \$0.95 for each additional \$1,000	\$100.00 10 to 12	\$42.00
	\$1,000,000 and up	\$1,347 for first \$1,000,000 plus \$0.90 for each additional \$1,000	\$100.00 13 to 15 16 or more	\$40.00 \$38.00
	*Additional Resubmittals - price may be negotiated on a case by case basis & a reduced fee may be applied as agreed upon by the City & Consultant			1 - Inspection fee based per stop regardless of number of
				2 - Inspection fee based per stop regardless of number of disciplines to be inspected at each stop.
Option B	Inspections and plan reviews			
	Hourly Rate \$65 for a minimum of 2 hours			
	Half Day Rate (4 hrs am or pm) \$250 for one half-day			
	Full Day Rate (8am - 5pm) \$475 per day			

**RFP No. 0415-32 Plan Review and Inspection Services  
for Inspection Services Department  
Closed: 5/1/2015 @ 2:00 p.m.**

<b>Bureau Veritas</b>	Plan Review Fees based on Valuation	Inspections	
	\$1.00 to \$100,000	\$387.59	\$80 SF Residential
	\$100,001 to \$500,000	\$387.59 for first \$100,000 plus \$2.19 for each additional \$1,000	Commercial & \$100 Multi-Family
	\$500,001 to \$1,000,000	\$1,263.59 for first \$500,000 plus \$1.85 for each additional \$1,000	Per address/building/unit
\$1,000,000 and up	\$2,188.59 for first \$1,000,000 plus \$1.23 for each additional \$1,000		

<b>Mikayla Architects</b>	Task Order B - Plan Reviews	Task Order C - Residential Inspections	Task Order D - Commercial Inspections
	75% of Plan Review Fee	Inspection Fee: \$425	< 5,000 SF: \$425
		Re-Inspection: \$125	5,001 - 10,000 SF: \$525
			>10,000 SF: \$625
			Re-Inspection: \$125

## **CONTRACT FOR PROFESSIONAL SERVICES**

THIS CONTRACT is entered into on June 8, 2015 by and between the City of Pearland ("CITY") and Mikayla Architects ("CONSULTANT").

The CITY engages the CONSULTANT to perform professional services for a project known and described as Commercial Construction Plan Review ("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 construction plan review services and inspection services as requested by the City. See Task A, B, C & D attached, for a detailed SCOPE OF WORK and PROJECT schedule. The PROJECT shall be completed within the scheduled included in Task A, B, C & D.
- B. The CONSULTANT shall prepare and submit a detailed work order/invoice for each plan review project submitted to the City.
- 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 plan review and inspection comments in both hard copy and electronic format. All other documents shall be Microsoft Office and/or Adobe Acrobat 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.
- E. The CONSULTANT recognizes that all work products 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 end upon written notice by the City.

## **SECTION III - CONSULTANT'S COMPENSATION**

- A. The method of payment for this CONTRACT is lump sum not to exceed rate. Total compensation for the services performed shall 75% of the plan review fee collected by the City for each review and the inspection fees listed in Task C & D.
- B. The CITY shall pay the CONSULTANT in installments based upon work orders completed. City will issue requests for work orders as needed with the City obligated to make lump sum payments for specific work orders. Cumulative compensation is not obligated to but shall not exceed \_\_\_\_\_.
- 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 upon delivery of review comments to the City.

## **SECTION IV - THE CITY'S RESPONSIBILITIES**

- A. The CITY's designee shall be the Building Official during the term of this CONTRACT. The Building Official 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 Building Official.
- B. The CITY shall review submittals by the CONSULTANT and provide prompt response to questions to minimize delay in the progress of the CONSULTANT'S work.

## 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 4829 Briarbend Drive, Houston Texas 77035. 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 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 15<sup>th</sup> 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 CONTRACTOR 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 8th day of June, 2015.

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CITY OF PEARLAND, TEXAS

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Michael Herman, CONSULTANT

# **TASK ORDER A**

## **A. Scope of Services: Commercial Plan Review Services for the City of Pearland**

### **1. Mikayla Architects will review assigned Commercial Construction Documents for compliance with the following codes:**

<b>International Building Code</b>	<b>2012 Edition</b>
<b>International Plumbing Code</b>	<b>2012 Edition</b>
<b>International Mechanical Code</b>	<b>2012 Edition</b>
<b>International Fuel Gas Code</b>	<b>2012 Edition</b>
<b>International Energy (IECC) Code</b>	<b>2012 Edition</b>
<b>National Electrical Code</b>	<b>2011 Edition</b>

- a. Plan submittals will be picked-up within 24 hours of being notified by the City**
- b. Reviews will be completed within ten (10) business days**
- c. A Plan Review Report will be provided to the City**

### **Documents provided by the owner:**

**Construction Documents  
City Permit Application**

## **B. Compensation:**

### **Fees for services described in Section A.**

- 1. 75% of the Plan Review Fee collected by the City  
(Based on the City's permit fee schedule revised 2/25/2015)**

# **TASK ORDER B**

## **A. Scope of Services: Residential Plan Review Services for the City of Pearland**

### **1. Mikayla Architects will review assigned Residential Construction Documents for compliance with the following codes:**

**International Residential Code                      2012 Edition**

**International Energy (IECC) Code                      2012 Edition**

- a. Plan submittals will be picked-up within 24 hours of being notified by the City**
- b. Reviews will be completed within ten (10) business days**
- c. A Plan Review Report will be provided to the City**

### **Documents provided by the owner:**

**Construction Documents  
City Permit Application**

## **B. Compensation:**

### **Fees for services described in Section A.**

- 1. 75% of the Plan Review Fee collected by the City  
(Based on the City's permit fee schedule revised 2/25/2015)**



# **TASK ORDER D**

## **A. Scope of Services: Commercial Inspection Services for the City of Pearland**

### **1. Mikayla Architects will inspect assigned Commercial Construction for compliance with the following codes:**

<b>International Building Code</b>	<b>2012 Edition</b>
<b>International Plumbing Code</b>	<b>2012 Edition</b>
<b>International Mechanical Code</b>	<b>2012 Edition</b>
<b>International Fuel Gas Code</b>	<b>2012 Edition</b>
<b>International Energy (IECC) Code</b>	<b>2012 Edition</b>
<b>National Electrical Code</b>	<b>2011 Edition</b>

- a. Inspection services will be completed within 24 hours of being notified by the City.**
- b. Inspections services will be completed during normal business hours of 8:00 AM to 5:30 PM, Monday through Friday.**

## **B. Compensation:**

### **1. Fees for services described in Section A.**

<b>a. Inspection Fee:</b>	<b>&lt; 5,000 SF</b>	<b>\$425.00</b>
	<b>5,001 SF- 10,000 SF</b>	<b>\$525.00</b>
	<b>&gt; 10,000 SF</b>	<b>\$625.00</b>
<b>b. Re-inspection Fee:</b>		<b>\$125.00</b>

**Inspection fees are based on a per stop basis, regardless of number of disciplines to be inspected at each stop.**



# Healthy Local Economy

The local and regional economies have been the driving force behind much of the growth in Pearland over the last decade. Our organization continuously strives to build and support the local economy. Revenues from property taxes and that result from development incentives and sales and hotel occupancy tax revenue, are some of the items that are considered in determining the health and vibrancy of our local economy. Economic growth and development are critical aspects of our City's ability to serve citizens with the quality of life, mobility, and access to services they require.

Although entities like the Pearland Economic Development Corporation (PEDC) and the Convention & Visitors Bureau (CVB) are actively charged with developing our local economy, economic development is really everybody's business within the City. Parks & Recreation programs help define our community and attract new residents, interactions with the Police Department give assurance that this is a great place to live and do business, fire inspections help prevent problems and protect property, and Community Development responds to inquiries and helps guide projects. Everyone at the City contributes to economic growth because as our local economy grows, so does the City of Pearland.

<b>Applicable White Papers</b>	<b>Page</b>
Permit Revenue Projections	29
What Makes a Valuable Development?	34
SH 35 Plan	41



# White Paper

To: Clay Pearson, City Manager

From: Kevin Byal, Building Official

CC: Lata Krishnarao, Director of Community Development

Date: February 16, 2015

Re: Permit Revenue Projections

This paper reviews the trends that have occurred in the City of Pearland concerning construction and development over the last decade and what we may anticipate in the coming years. The following takes into consideration staffing levels for near-term increased activity as well as future declines.

## **BACKGROUND**

The U.S. Census Bureau identified Pearland as the 15th fastest growing community in the nation among cities with 10,000 or more residents in 2000. Pearland's population growth of 142 percent during the 2000s made it the fastest growing city in the Houston metropolitan area and the second fastest growing city in Texas during that decade.

During the 2013/2014 fiscal year, 15,102 permits were issued resulting in nearly \$3.8 million in revenue being collected. In our current fiscal year, 2014/2015, permit activity for new single family homes is tracking *ahead* of last year at the end of the first quarter with 316 new home permits being issued, an increase of 107 over the first quarter last fiscal year.

Looking to the 2015/2016 fiscal year, indicators such as the available inventory of platted lots, current platting activity and permit submissions indicate that construction activity will remain consistent and possibly increase over the course of the year and into 2016.

Prosperous economic periods drive construction booms and both are cyclical. Inevitably there will be a downturn in the volume of construction activity in Pearland. Any decline in permitting activity will result in a corresponding reduction in revenues and in more severe declines, staffing levels will need to be evaluated for potential staff reductions with attrition. Current staff levels alone are insufficient to handle the present growth. Capacity deficiencies are made up by utilizing contract review and inspection services.

## **POLICY/GOAL CONSIDERATION**

The goal of the Community Development department is to improve the environment and quality of life in Pearland by establishing and implementing quality standards for new development and by encouraging maintenance, preservation and reinvestment throughout the city. Our task is to effectively manage the growth of development through the consistent and equitable application of standards that City Council has adopted and within the resources we are provided.

Displayed in Table 1, Future Potential Housing Needs, are the results of calculating the potential housing units that will be needed within the city at the population levels projected for certain

milestone years in Section 2 of the Draft Comprehensive Plan Update, Growth Capacity and Infrastructure. The total number of housing units in the city could increase to nearly 70,000 units by 2030, building upon the estimated 36,385 existing units as of 2011

These numbers are intended primarily as a baseline against which comparisons can be made as actual trends unfold in the years ahead. For ease of calculation, they assume that the 2011 median household size (2.84 persons per household), the 2012 proportion of owner-occupied units (80.9 percent), and the 2012 proportion of single-family detached units (82.2 percent) will all remain constant into the future. They are also gross and not net housing unit projections as they do not account for demolition and/or replacement of any existing units. While it is even more challenging to pinpoint a potential future housing unit count for the combined City limits and extraterritorial jurisdiction, one possibility is 81,818 units if the projected 225,000 buildout population in 2042 is divided by a somewhat reduced figure of 2.75 persons per household.

Historic and Future Population Milestone	% Population Increase	Projected Housing Units at Milestone	Projected Units Milestone	Average Units Added Per Year	Potential Owner-Occupied Units	Potential SF-Detached Units
95,644 (2011 ACS)	49.5%	36,385 (2011 ACS)	--	--	80.9% (2012 ACS)	82.2% (2012 ACS)
132,320 (2020 in-city)	38.3%	49,299	12,914	1,435	10,477	10,615
158,559 (2025 in-city)	19.8%	58,538	22,153	1,582	17,922	18,210
190,000 (2030 in-city)	16.5%	69,609	33,224	1,749	26,878	27,310

TABLE 1, Future Potential Housing Needs source: American Community Survey

s shown in Figure 2, Trend in Single-Family Residential Building Permits, 1996-2014, Pearland saw its building permit activity volume for single-family home construction rise and fall dramatically over the last decade, as reported in the Pearland Economic and Demographic Profile 2013. Issued permits peaked above 2,600 in 2005, and then fell off with the national recession brought on by the banking and mortgage crisis post 2008. Numbers have rebounded to 1,068 in 2014. Despite the recession years, permitting activity remains higher than it was at any point in the late 1990s. As shown in Figure 3, the associated value of the permits issued has held steady over the last several years up until 2013/2014 where values appear to be trending slightly higher.

### New Single-family Home starts

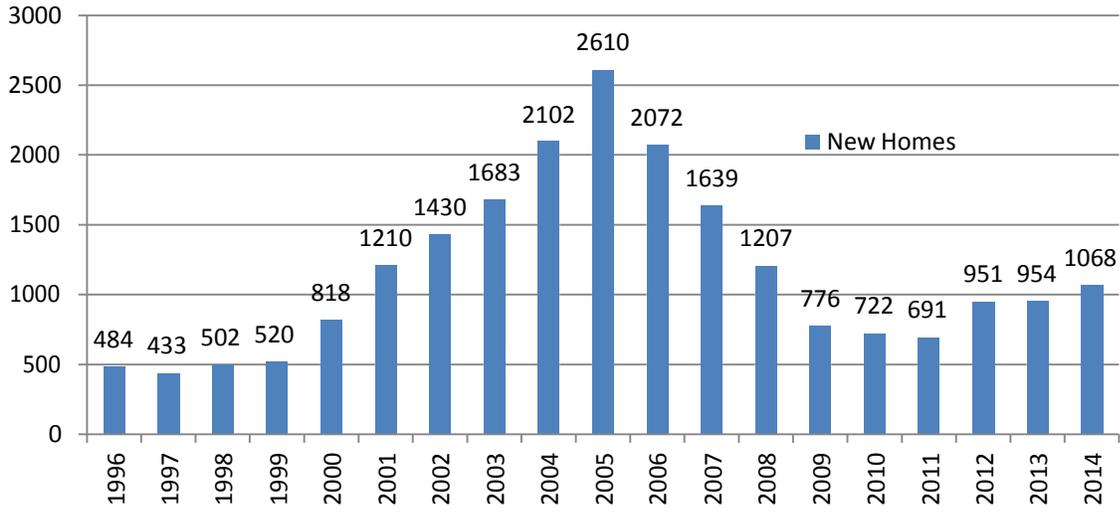


Figure 2, Trend in Single-Family Residential Building Permits, 1996-2014

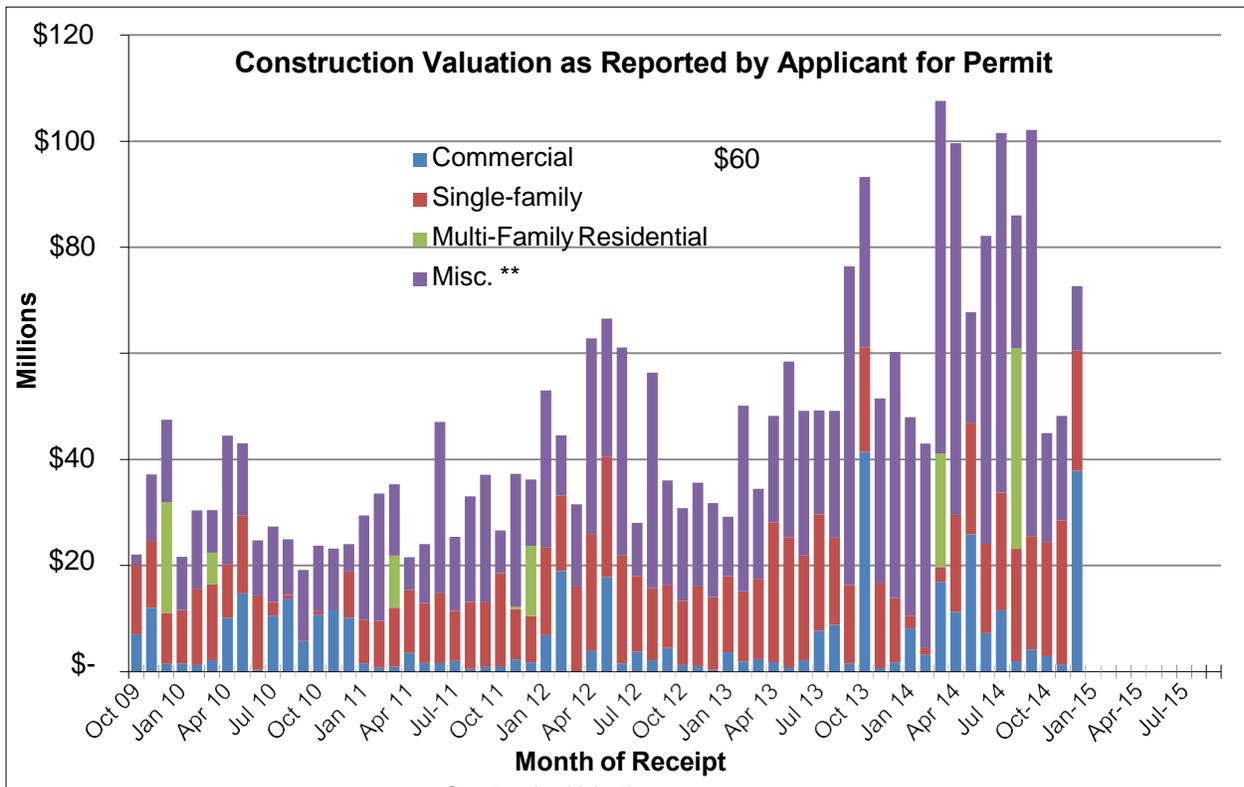


Figure 3: Residential Building Permits Construction Valuation  
 \*\* Misc. includes Fire, Mechanical, Moving, Swimming Pools, Signs, Sitework and Tenant Occupancy Permits.

**BUDGET IMPACT**

The current development activity, available land, economic strength and cyclical patterns are indicators that we will see sustained or increased development activity for approximately the next 5 years. For the last several months, inspection activity has maintained an average of 26 inspections per day, per inspector, whereas, the industry standard is established at 18. We have managed this volume by supplementing our staffing levels with overtime and contract inspection service and propose to continue this practice. The fact that the majority of housing starts are in large tract projects provides for more inspections as inspectors for new construction are in the same area with a consistent cadre of builders and subcontractors.

At the end of the 2013/2014 fiscal year, permit revenues totaled \$3.8 million and the Inspection Services Division expenses were \$991,115. Using this as our baseline we can forecast that, with sustained growth, our revenues will remain at approximately the same level at the end of the 2015/ 2016 fiscal year.

In the past when development slowdowns occurred, it has been at a rate of approximately +/-10% annually. The following are activity levels that would be considered for both near and long range planning.

**Near Term Considerations (less than 5 years):**

In evaluating current and near term activity, the addition of a Development Coordinator is being proposed. This position will serve as a liaison/ombudsperson between the development community and the city. Furthermore, due to the current volume of inspections, budget allocation for overtime and contract inspection services will need to increase. In the current 2014/2015 budget, \$18,000 was allocated for overtime and \$25,000 for contract inspection services. By the end of the 1st quarter, over 57% of the overtime funds and 106% of the contract inspection services had been expended.

Bearing in mind that historical patterns show that permitting and construction activity increase in the spring and summer months, we are anticipating that the activity will follow the same pattern. Compensating for current level of activity and the expected increase, the overtime budget and contact inspection services will need to be increased by an additional \$17,000 and \$25,000 respectively for the remainder of 2015 budget year. For the next fiscal year (2015/2016) overtime budget and contact inspection services would need to be increased to \$35,000 and \$90,000.

**Long Term Considerations (5 years and beyond):**

HGAC's 2014, 4th quarter forecast<sup>1</sup>, illustrates the continuation of steady growth at a rate of 1.7% increase per year through 2040. Nevertheless, construction & development are not immune to economic downturns. Budgetary impacts due to the reductions in permit activity will be address on the measure of decline. Looking at prior cyclical patterns and the available inventory of lots, we can anticipate that permitting and inspection numbers may decline beyond the next 4 to 5 years, and a phased reduction in resources would be initiated as follows:

**Phase 1** – When inspection numbers drop below an average of 23 inspections per inspector, we would terminate the use of contract inspection services. Full time staff, utilizing overtime, would be able to manage this level of service.

<sup>1</sup> H-GAC 2014 Q4 Forecast - <http://www.h-gac.com/community/socioeconomic/2040-regional-growth-forecast/default.aspx>

**Phase 2** – As inspection numbers decline to an average of 18 inspections per inspector, overtime would become unnecessary and ultimately eliminated.

**Phase 3** – A consistent reduction in inspection requests below an average of 13 inspections per inspector would necessitate staff reduction through attrition and/or combining positions. This would be achieved by cross-training staff to perform the functions of vacated positions within their department or possibly transfer to other city departments to fill vacancies.

**Phase 4** – Once development activity and revenue approach levels that will no longer support the existing staffing levels, staff lay-offs will become unavoidable.

**Phase 5** – Outsourcing the inspection function of the department may be a consideration in the event that we experience a radical economic slump. Using current salary levels vs. contract inspection costs, the inspection levels would need to drop to less than 5 inspections per day in order for contract service to cost less than a full time staff position.

#### **CONTRACT/AGREEMENT IN PLACE**

In the past, the City of Pearland has utilized the services of Mykela Architects, Bureau Veritas North American, Inc. and Freese & Nichols, Inc. to sustain staffing levels necessary to manage increased development activity as well as offsetting staff shortages when vacancies occur. These contracts are written for an “as needed” basis and afford either party the ability to terminate the contract for any reason. The only contract in place currently is with Bureau Veritas North American, Inc. to provide inspection services.

#### **KEY STAFF**

Short term, Community Development and Engineering staff are most immediately affected by both increases and declines in development activities in the city. With increased activity both departments are tasked with insuring the development adheres to the appropriate standards. Once the development and construction activity are complete, the service required by these two departments nearly diminishes. In the long term, nearly all city departments are impacted with increased service levels required to serve the increase population.



# White Paper

To: Clay Pearson, City Manager

From: Lata Krishnarao, Director of Community Development

CC: Matt Buchanan, President, PEDC  
Johnna Matthews, City Planner

Date: February 19, 2015

Re: What Makes a Valuable Development?

This paper discusses ways the City of Pearland can encourage sustained value in its real estate development and what value a private development should provide to the community. The paper focuses on not just living up to a high standard of development and redevelopment for the sake of the same, but also on how high standards can contribute to the city's ultimate goal of fiscal health, sustained property values, diversity of services, and a high quality of life.

## **DEFINING VALUE**

Adding value to private development is a multi-disciplinary task that involves a coordination of land planning, zoning, marketing, economic analysis, infrastructure planning, community relations, and a variety of other simultaneous activities.

From a real estate perspective, value is evaluated in terms of the "highest and best use of a property" – the proposed use of a property must generate adequate revenue to justify the costs of construction plus a profit for the developer. While this definition works well for the real estate market, it does not necessarily address all the complexities that the term "highest and best use" involves for the City. However, municipalities can learn valuable lessons from real estate developers who are constantly looking for ways to advance their portfolios. Savvy developers understand their marketplace, their competition and even what that market will look like 20 to 30 years into the future. They are also conscious of how all the parts of their portfolios are performing<sup>1</sup>. Similarly, it is important for cities to think beyond "value" as defined by assessed value, and account for the **time value of money, long term return of investment (ROI), and quality of life.**

## **WHAT MAKES A VALUABLE PRIVATE DEVELOPMENT?**

Development has two major components – type of development in terms of uses, and type of development in terms of quality, that add value.

### Development and Land Uses

For years, cities have struggled to come up with a formula for an optimum mix of land uses. Varying characteristics such as local sentiments and desires, prevailing industries, economic drivers, location, have precluded a universal "one size fits all" magic ratio of land uses.

With recent economic downturns emphasizing the need for communities to be financially solid, more and more cities are now paying more attention to the expenditure required to

<sup>1</sup> Thinking Differently about Development by Joe Minicozzi – August 2013 – Government Finance Review.

accommodate new growth in addition to the revenue from property taxes. Annual tax yield per acre analyses that focused on land uses and revenue profiles, while being an important tool, is not sufficient to gauge City's financial health.

Cities are focusing on the "fiscal-impact quotient"<sup>2</sup> within the development review process to ensure that future revenues from the approved developments will be sufficient to pay for infrastructure and other services provided by the City to support the development.

Further, when using taxable revenue as a benchmark for success, it is important to look at a multiple year trend, whereas a community's product mix can suppress increases in property values particularly when there is an oversupply of one product type and lack of supply of other products.

A similar analysis for the City of Pearland and surrounding cities, with consideration to market forces, would be beneficial in understanding this fiscal impact quotient and product mix, to assist in formulating policies for future development and answer the question - what do we want the city's current average NET value per acre to be?" The city's current average NET value per acre is key to understanding the fiscal advantages of various development types. The FIQ can then be determined by estimating the costs for providing public infrastructure for a particular land use and comparing that figure to the expected annual property tax.

As mentioned, the per acre valuation seeks to determine the highest and best use of a piece of land which is often a matter of perspective and is usually reasonably probable, physically possible, supported by the market and returns the highest profit to the developer. A FIQ focuses on the impact that a particular land use will have on the costs and revenues, enabling the city to estimate the difference between the costs of providing services for various land uses and the revenues – taxes and fees that will be generated by a particular land use.

<sup>2</sup> "The Missing Matrix" by Peter Katz.

Below is an example of a per-acre valuation study done in Sarasota County, Florida; a comparison of the taxable yield of various land uses on a per acre basis. As indicated below, Urban Mixed Uses, particularly mixed use high rises provided the highest yield per acre; while residential uses provided the lowest yield.

Use	Annual Tax Yield per Acre in Sarasota County per acre use	Classification of Use
County Single Family	\$3,651	Residential
County Multi-family	\$7,807	Residential
City Single Family	\$8,211	Residential
Big Box Discount Shopping Center	\$8374	Single Use Commercial
Regional Mall	\$10,579	Single Use Commercial
Grocery Anchored Shopping Center	\$13,019	Single Use Commercial
Fast Food Restaurant	\$15,458	Single Use Commercial
Upscale Mall	\$21,752	Single Use Commercial
Mixed Use Low Rise	\$91,472	Urban Mixed Use
Mixed Use Mid Rise	\$790,452	Urban Mixed Use
Mixed Use High Rise	\$1,195,740	Urban Mixed Use

Source: Government Finance Review, August 2013 – Rethinking Economic and Community Development – Peter Katz

### Quality of Development

All developments provide an increase in the ad valorem tax. Naturally, the higher the appraised value of the property, the higher the tax contribution. The property value is not just affected by the actual value of the land and improvements on site; there are a myriad of factors that affect property value - property location, accessibility, surrounding uses, amenities, neighborhood quality, good schools, recent nearby transactions, facilities, physical state of the property, quality of construction, master plans, desirability of uses, and adjacency predictability.<sup>3</sup>

For example, high-end and full-service hotels are typically desirable as an addition to property taxes. Additionally, the occupants and users are also prone to general spending, which also contributes to the local sales tax revenue. Whereas, lower end developments contribute less in taxes, which reduces the city's tax base and results in higher taxes or fewer services for existing tax payers.

Within new residential neighborhoods, the addition of amenities such as parks and playgrounds, public spaces and trails, walkable schools, and strong connections to activity areas within the community; cannot only result in higher and sustained values among residential products, but less traffic congestion, lower crime rates, a stronger jobs-housing balance, and fewer impacts on public infrastructure, and can ultimately serve to make the community more livable and add value.

<sup>3</sup> Source: <http://www.propertylogy.com/knowledge/10-timeless-factors-that-affect-property-price>

### **WHAT MEASURES CAN THE CITY TAKE TO ENSURE PRIVATE DEVELOPMENTS LIVE UP TO A HIGH STANDARD OF DEVELOPMENT?**

Any development should add value to the city's entire "portfolio of assets." As mentioned earlier, developments should contribute to the city's ultimate goal of fiscal health, sustained property values, diversity of services, and a high quality of life.

The City of Pearland needs to conduct a "fiscal-impact quotient" (FIQ) analysis to ascertain where we are now and where we want to be in the future. This will also paint a clear picture of our future fiscal health if we continue to follow the current practices, and highlight the need for rethinking our current development policies and codes.

Subsequently, by utilizing available tools such as zoning regulations, comprehensive plans, development codes, financial incentives, and adopting others such as neighborhood plans, high development standards, proactive code enforcement through an inspection program, the gap between our current situation and our goals can be closed.

Provisions must be made for changing zoning regulations, as conditions change or new conditions arise and zoning ordinances become out dated. However, land use decisions need to be based on established criteria, including compliance with the goals and policies of the comprehensive plan. Varying from approved ordinances and laws can result in a decline in property values, a lack of diversity in land uses, a disproportionate amount of a particular zoning district over another and an influx of incompatible uses which will result in the deterioration of the quality of life in a community.

### **HOW CAN THE CITY MAINTAIN THAT HIGH STANDARD OF DEVELOPMENT AS INFILL AND REDEVELOPMENT HAPPENS?**

Higher development standards, particularly in infill and redeveloping areas are essential in order for market conditions to improve; however, they cannot be imposed on private investment without acknowledgement that with higher standards come higher costs, yet ultimately higher revenues.

Additionally, in older areas with existing building inventory, blight management is needed to supplement the benefits of new development. While blighted properties make neighborhoods unlivable, unsafe, and unsightly, they also reduce the value of nearby properties, increase the chances of foreclosures, and lead to a reduction in the tax base.

Acknowledging that current codes and regulations pose a challenge to development of brownfields and infill sites, the City needs to first identify these critical areas and formulate **Neighborhood Plans** for each of these neighborhoods. The plans would explore alternate avenues and assemble appropriate resources that encourage a high standard of development in infill and redeveloping areas.

The Neighborhood Plans would address measures such as flexible zoning standards to address non-conformities and encourage reuse and expansions; tailored building codes for older buildings; rehabilitation and repair grants; tax incentives for remediation and redevelopment of brownfields; improvement grants signage, streetscape and landscaping; pro-active inspections

programs to arrest blight; prioritizing rehabilitation/maintenance of infrastructure in existing older neighborhoods vs. new construction; and other public/private partnership.

By creating partnerships with HOAs, neighborhood and citizen groups, private groups and various other stakeholders for planning and funding opportunities, the City can increase neighborhood integrity, sense of place and community and ultimately improve the quality of life.

### **POLICY/GOAL CONSIDERATION**

The potential actions listed in this paper will further the following City Council goals for FY 2015:

1. Policy on Future Residential Development - Low Density on Large Lots/Cluster Plans/Higher Standards
2. Incentives to Encourage Reuse/Redevelopment/Conform to Standards for Existing Businesses and Infill Development in Older Areas.
3. Implementation of 20/20 Blueprint Strategic Plan elements:
  - a. Develop a comprehensive community beautification strategy.
  - b. Develop iconic and visually appealing gateways to Pearland.
  - c. Continue evaluating the feasibility of establishing a city demolition program for distressed properties.
  - d. Create a FM 518/Broadway master development plan.
  - e. Implement the recommendations of the Lower Kirby Urban Center Master Plan and Implementation Strategy.
  - f. Ensure Pearland's retail sector remains vibrant.
  - g. Old Townsite- Complete any needed additional master planning (i.e., housing rehabilitation and infill opportunities) and incorporate into the consolidated Master Implementation Plan.
  - h. Incorporate key outcomes of master planning for FM 518 and SH 35 into a comprehensive review of all completed Old Townsite development reports, including the Grand Boulevard Master Plan.
  - i. Consider the development of form-based zoning code overlay for the Old Downtown district recommends in the Pearland Comprehensive Plan.
  - j. Continue evaluating the feasibility of establishing a city demolition program for distressed properties.

With the presumption that “value”, in the context of this paper, could be monetary, social, physical, or community values, the following goals can assist the City to add sustainable value in private development.

Goals	Action Item
Evaluate the future fiscal health of the City if the current development practices are continued. Determine what the city's current average value per acre needs to be.	Conduct a “fiscal-impact quotient” (FIQ) analysis to ascertain City's future fiscal health if the City continues to follow the current development practices, standards, and codes.
Institute high design standards that are implemented consistently, and are context sensitive. Encourage private developments to provide high level of	Amend Development Codes. Examine the current standards, and propose changes in appropriate areas. Incorporate recommendations of the Master Parks Plan,

amenities by formulating and enforcing clear polices and expectations for private development, with the goal of being the “most livable city in the country”	Comprehensive Plan, The Pearland 20-20 Plan to identify <b>metrics</b> to chart a direction for the future. Examine measures being implemented in the aspiration cities identified in the Benchmark study <sup>4</sup> . Revise current development codes accordingly.
Ensure that the current zoning, property maintenance, and building codes encourage redevelopment and infill development.	Identify areas of concern, and review zoning codes, International Property Maintenance Codes (IPMC) and International Building Codes (IBC), propose local amendments.
Encourage a high FIQ and greater return on investment for high impact/high value/highly visible areas that are currently vulnerable to typical suburban developments. E.g. – Pearland Parkway, future corridors etc.	Identify context sensitive development codes, higher standards of development and form based codes where applicable. Review Comprehensive Plan, Engineering Design Criteria manual, City’s infrastructure development and CIP policies and other development regulations.
Ensure that all land use decisions are made in conformance to the Comprehensive Plan and other adopted policy documents.	Adoption of the new Comprehensive Plan. Educate the decision makes and staff on how smaller decisions affect the overall goals.
Make older areas viable by encouraging a high standard of infill and redevelopment, arrest blight, and enhance property values.	Formulate Neighborhood Plans to identify barriers such as codes and development fees and costs; encourage property maintenance by pro-active inspections programs; explore private-public partnerships; identify TIFs and other funding sources; target CIP; identify areas suitable for city-initiated zoning, etc.

<sup>4</sup> Benchmarking 2014 - Pearland, Texas. Prepared for the City of Pearland by CDS Market Research, November 2014.

Goals	Action Item
Proactively plan for Transit Oriented Development Projects (depending on the market and region) to tap the potential for high return of investments in these areas.	Based on regional plans, identify appropriate areas. Examine existing and proposed land use entitlements to encourage high density, mixed use, higher quality development in these areas.
Ensure high quality, high-end commercial uses that enhance property taxes, and contribute to the local sales tax revenue.	Review the current land use matrix to identify and include uses that needed in certain locations to encourage quality and diverse development. (micro-breweries, high end restaurants, etc.
Ensure high quality residential development that provides an increase in the ad valorem tax and high return on investment.	Examine current development polices and require high level of amenities; great parks and playgrounds; neighborhood features and landscaping that enhance development; higher quality of materials and construction; master planned developments; better adjacency predictability; complete streets concepts; and alternative housing options for variety and diversity.

### **BUDGET IMPACT**

It is anticipated that the action items identified above will result in long term revenue enhancement and expansion of the City's tax base. The short term expenditure may require the services of a consultant to formulate plans identified in the action items.

### **CONTRACT/AGREEMENT IN PLACE**

- Contract with Kendig Keast Associates to complete the Comprehensive Plan.
- Contract with Richer Cunningham to complete the SH 35 Redevelopment plan
- Contract with Design Concepts to Update the Parks and Recreation Plan.

### **KEY STAFF**

It is proposed that Community Development will take lead on this. However, other City departments such as PEDC, Parks and Recreation, Capital Projects, Public Works, Engineering, will be involved and impacted. The City continues to work in partnership with developers to ensure new and infill developments are of high quality. The assistance of consultants may be required, as outlined above.



## COMMUNITY DEVELOPMENT

### QUARTERLY REPORT

JANUARY – MARCH 2015

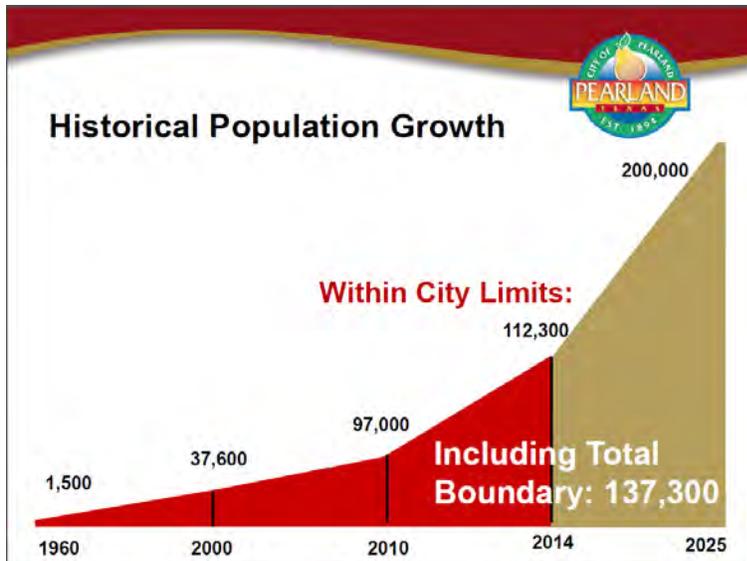
Similar to the high growth experienced in the first quarter of FY 2015, the second quarter began and ended in the same manner.

While construction continued for the Memorial Hermann Hospital on SH 288, Sprouts on Broadway, and new homes in subdivisions such as Riverstone Ranch, Enclave at Highland Glen, Sothern Trails, and Shadow Creek Ranch, some notable developments permitted in this quarter included - City of Pearland's Fire Station #2 on Fite Rd, Medical Offices on 8520 Broadway St, MHI Compressor Warehouse on 14888 Kirby Drive, Excelsior Montessori School on 11203 Shadow Creek Pkwy, Waffle House on 1507 Broadway St., and a Raising Cane's Restaurant on 1601 Broadway St. **Total building permit revenue for this quarter was almost one million dollars, compared to \$0.85 million for the same quarter last year.** Keeping with our metro Houston market, **new single family permits in March reached a high of 147 permits, the highest monthly total in the last 5 years. A total of 643 single family residential permits have been issued for the first six months of FY 2015, a 46% increase as compared to the same period in 2014. (433 permits)**



The Houston housing market rebounded strongly in March after a slowdown in February. Total property sales, single-family home sales, total dollar volume and pricing all posted over the year gains. Houston-area realtors sold 6,232 homes in March '15, up 3.8 percent from 6,005 sold the same time last year. Total dollar volume increased 9.0 percent over the year to \$2.0 billion in March. Home prices reached record highs for a March with the average sales price of a single-family home increasing 6.5 percent to \$276,837 and the median price of a single-family home rising 8.9 percent to \$208,000.

The growth in construction activity is reflected in the population growth and, as stated at the Mayor's State of the City address, Pearland has reached a population estimate of 112,300 within the incorporated City limits and a total of 137,300 including the city's growth boundary defined by its Extraterritorial Jurisdiction (ETJ).



[MAYOR TOM REID DELIVERS ANNUAL STATE OF THE CITY](#)

To view the presentation please visit: [www.pearlandtx.gov/stateofthecity](http://www.pearlandtx.gov/stateofthecity)

### New Staff



The Planning department started the quarter with the addition of a new **Associate Planner Vince Husted**. Vince started work on January 12, 2015. Prior to working for Pearland, Vince was the Planning and Economic Development Administrator for Lafayette County, Missouri. Vince had also spent nine years working for the City of Kansas City, Missouri, first in the City Planning and Development Department then later in the Housing Department. Vince earned his AICP certification while working in Little Rock, Arkansas. Vince first went to work for the City of Abilene, TX after graduating from the University of Oklahoma with a Masters in Regional and City Planning.

### Planning

Platting activity remained steady with 29 plats processed in this quarter. This resulted in 889 lots reviewed. Of those lots, 159 are lots in final and minor plats making them current buildable lots. The remaining 730 lots are from preliminary plats, leading to a large amount of final plats projected in the coming months. **From the total number of platted lots, preliminary and final, 876 were residential lots added to the city's inventory**, primarily in the subdivisions of Shadow Creek (Southlake) Canterbury Park, Southern Oaks, and Lakes of Savannah (Laurel Heights).

**Zone Changes/CUP's** – The activity in this sector confirmed that development in Pearland will continue to happen, with developers ensuring the zoning entitlements were in place for potential new projects. **Total zoning cases processed to date in FY2015 is already equivalent to the total number of cases processed in FY 2014.** Despite separate exploratory meeting for new

projects with Planning Department only, the total number of pre-development meetings are high. Three zone changes, four Conditional Use Permits (CUP), two Planned Developments (PD) and one potential Planned Development were reviewed this quarter. CUP submittals included requests for a residential radio antenna, building façade exemption, use of a self-storage facility, and construction of a cellular communications tower. Zone changes included a change from M-1 to GB at the corner of Orange and Mykawa; a change from GC to M-1 at 3706 Alice Street; PD Amendments for the Broadway Kingsley PD located at the Southeast corner of Broadway and Kingsley Dr; and a PD for a residential development known as Baker's Landing located between Main Street and Old Alvin Road, south of East Walnut Street on approximately 79.94 acres of land.

**Other Planning Activity** – In this quarter, Planning Staff conducted 24 formal Pre-development meetings and six preliminary Pre-development meetings. Overall, permit review numbers were pretty consistent with the previous quarters with Planning Staff reviewing 14 Site Plans, 85 commercial Build outs and Tenant Occupancy permits, 78 Sign Permits, and 102 Residential Permits. A total of 19 Public Information Requests were processed, four Zoning Verification Letters were completed, and 53 items were discussed at the DRC meetings throughout the quarter. Permits and plats reviewed included the review of a site work permit and a plat for Costco Wholesale - a membership warehouse club, to be located on the west side of Business Center Drive, south of the Pearland Town Center. A new commercial structure located at the SE corner of Broadway and Kirby was also reviewed for a mattress store and Zoë's Kitchen as planned tenants. Vineyard Church located on Harkey south of Fite also submitted for their building permits, as well as Cypress Station Car Wash located at 1840 Pearland Parkway.

### **Inspection Services**

**Commercial development** – Permits were issued for 25 commercial addition/alterations, 21 build-outs and 11 new commercial buildings with a combined total square footage of 283,686 sq. ft. **The total reported valuation of all commercial projects for the period is \$31,086,452.**

**Residential development** – 327 single family home permits were issued during the 2<sup>nd</sup> quarter of the fiscal year. 147 of those were issued in March. This is a 46% increase as compared to the same period in 2014. The total valuation being reported for new single family residential was \$75,774,124

This fiscal year the single family detached residential permitting activity is equivalent to the activity of 2008, pre-Hurricane Ike. A total of 643 residential permits have been issued since the start of this fiscal year.

### **New commercial projects reviewed and permitted:**

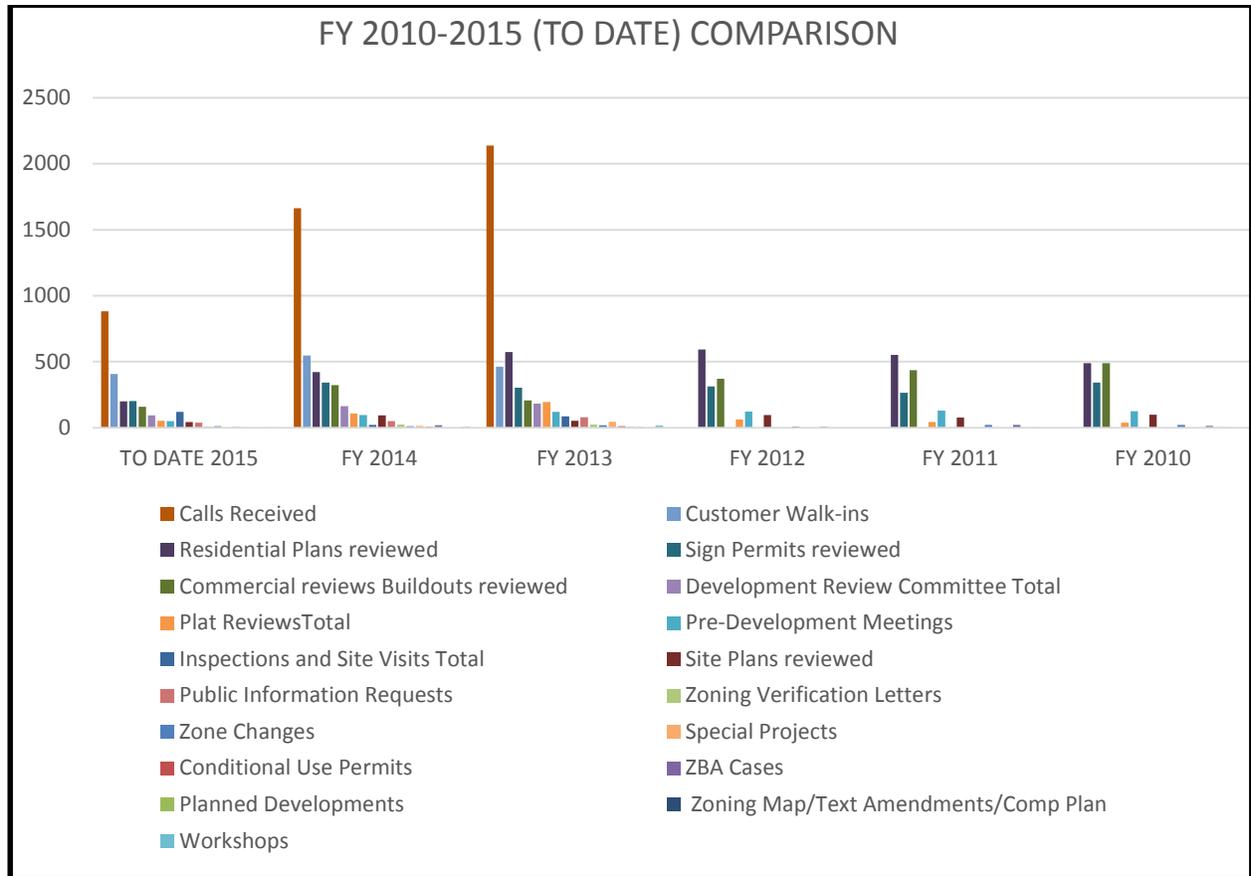
Amerlux, 14905 Kirby Dr. 82,895 square feet  
City of Pearland-Fire Station #2, 6050 Fite Rd. 9,613 square feet  
Retail Center #2, 1332 Broadway St. 4,872 square feet  
Associated Properties, 1603 Main St., 23,000 square feet  
Pearland Medical, 8520 Broadway St., 47,059 square feet  
MHI Compressor Warehouse, 14888 Kirby Drive #30, 49,500 square feet  
Profile Wire, 8831 Industrial Rd., 24,000 square feet

Excelsior Montessori School, 11203 Shadow Creek Pkwy., 26,250 square feet  
 Waffle House, 1507 Broadway St., 1,635 square feet  
 Anu Mohammed, 2975 Kingsley Dr., 11,850 square feet  
 Raising Cane's Restaurant, 1601 Broadway St., 2,724 square feet

<b>FY 2015</b>	<b>Jan-15</b>	<b>Feb-15</b>	<b>Mar-15</b>	<b>2<sup>nd</sup> Qrt. Total</b>
<b>Total plans reviewed by Inspection Services Division</b>	111	96	162	<b>369</b>
<b>Total building inspections</b>	2,719	2,891	3,088	<b>8698</b>
<b>Average number of inspections per inspector</b>	27	29	29	<b>85</b>
<b>Number of structures demolished</b>	2	3	3	<b>8</b>
<b>Total permits processed</b>	1,214	1,330	1,656	<b>4200</b>
<b>Open Records Requests</b>	30	25	31	<b>86</b>

**Reports**

<b>FY 2010 - 2014 ACTIVITY</b>	<b>TO DATE 2015</b>	<b>FY 2014</b>	<b>FY 2013</b>	<b>FY 2012</b>	<b>FY 2011</b>	<b>FY 2010</b>
Zone Changes	11	11	18	9	22	22
Conditional Use Permits	5	8	12	*	*	*
Planned Developments		0	4	1	2	4
ZBA Cases	1	18	5	6	22	15
Pre-Development Meetings	51	97	121	122	131	126
Plat Review sTotal	53	108	194	62	43	38
Zoning Map/Text Amendments/Comp Plan	1	0	2	0	1	2
Site Plans review ed	43	93	53	97	76	99
Commercial review s Buildouts review ed	158	322	208	372	436	489
Residential Plans review ed	199	421	574	592	552	489
Sign Permits review ed	203	343	304	314	265	343
Calls Received	881	1663	2138			
Customer Walk-ins	408	547	462			
Public Information Requests	39	50	79			
Zoning Verification Letters	10	23	23			
Development Review Committee Total	94	164	182			
Workshops	2	6	16			
Special Projects	0	14	45			
Inspections and Site Visits Total	120	21	87			
*CUPs were included w ith Zone Change #'s for 2010-2012						
Plats & Pre Development Meetings were not split out specifically until 2013						

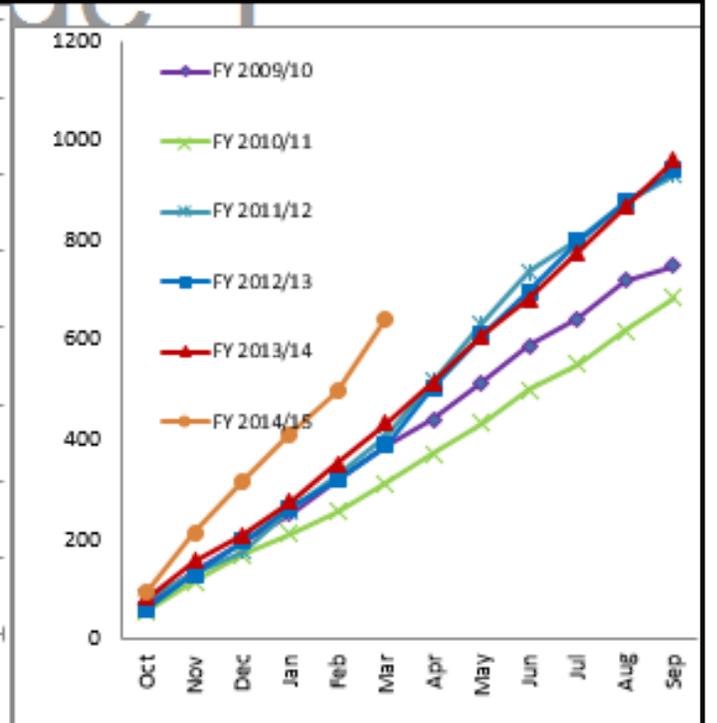
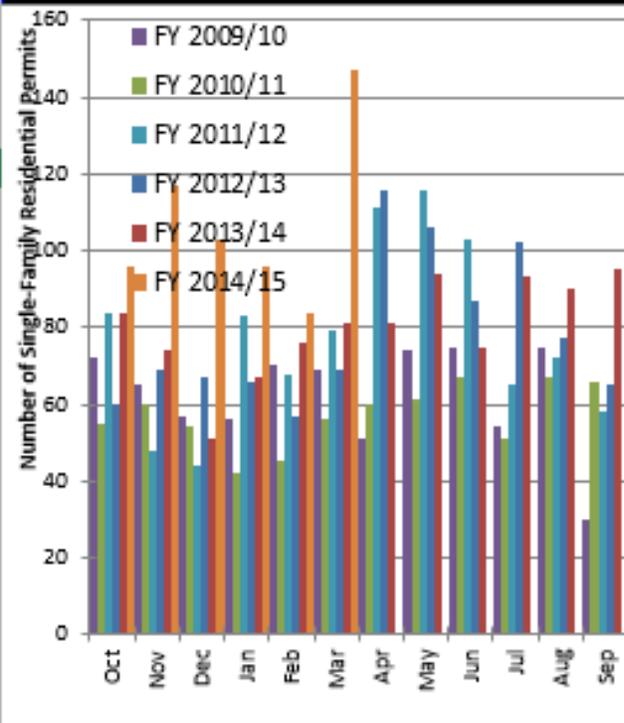


### Single-Family Detached Residential Construction

City of Pearland, Texas

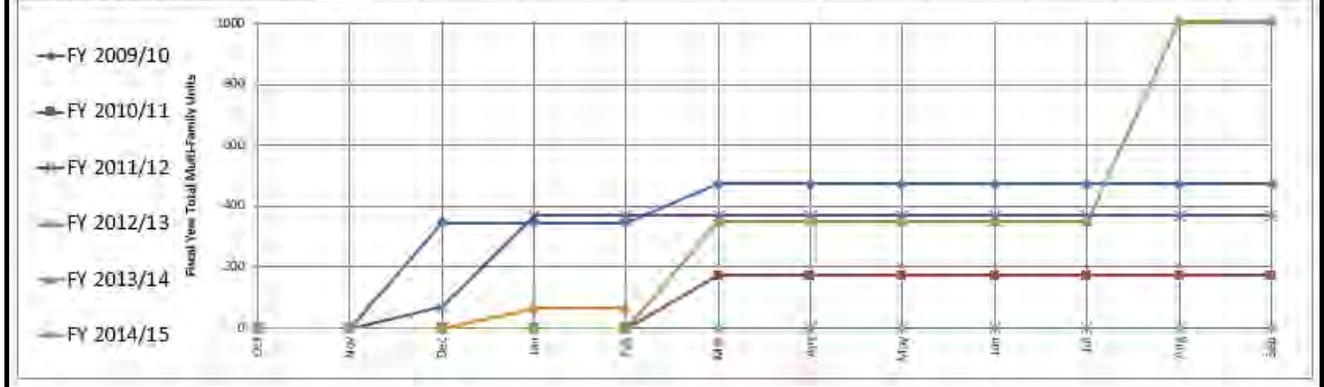
	FY 2009/10		FY 2010/11		FY 2011/12		FY 2012/13		FY 2013/14		FY 2014/15	
	Actual		Actual		Actual		Actual		Actual		Actual	
	Month	YTD										
Oct	72	72	55	55	84	84	60	60	84	84	96	96
Nov	65	137	60	115	48	132	69	129	74	158	117	213
Dec	57	194	54	169	44	176	67	196	51	209	103	316
Jan	56	250	42	211	83	259	66	262	67	276	96	412
Feb	70	320	45	256	68	327	57	319	76	352	84	496
Mar	69	389	56	312	79	406	69	388	81	433	147	643
Apr	51	440	60	372	111	517	116	504	81	514		
May	74	514	61	433	116	633	106	610	94	608		
Jun	75	589	67	500	103	736	87	697	75	683		
Jul	54	643	51	551	65	801	102	799	93	776		
Aug	75	718	67	618	72	873	77	876	90	866		
Sep	30	748	66	684	58	931	65	941	95	961		
Change from Previous Year				-64		247		10		20		

Prepared by City of Pearland Building Department



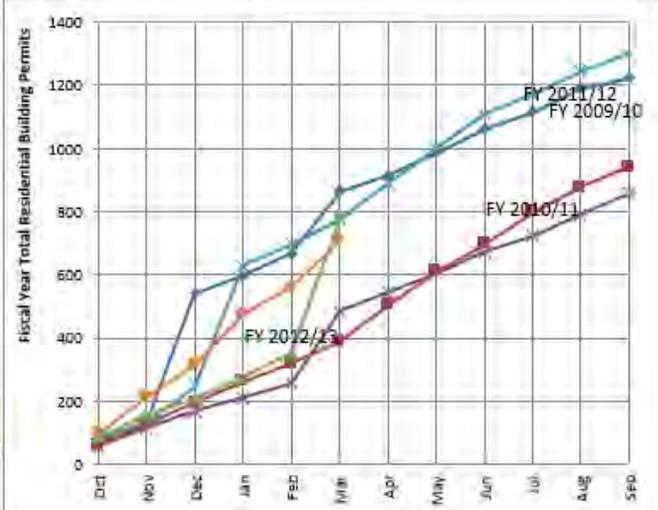
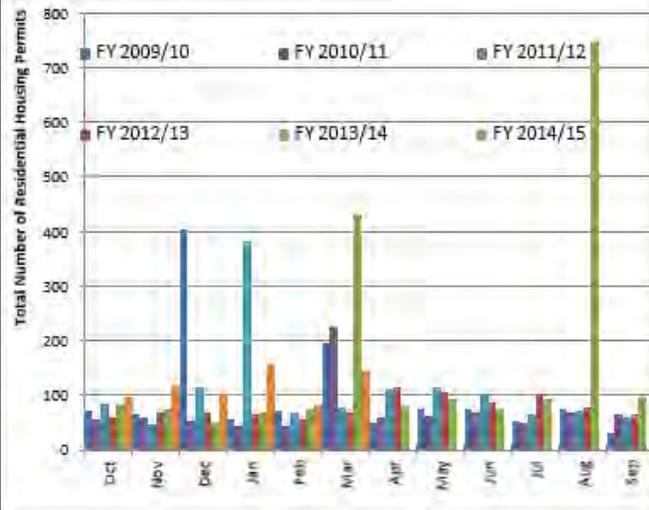
Multi-family Residential units														
City of Pearland, Texas														
	FY 2009/10 Actual		FY 2010/11 Actual		FY 2011/12 Actual		FY 2012/13 Actual		FY 2013/14 Actual		FY 2014/15 Actual			
	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
Oct	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Nov	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dec	347	347	0	0	70	70	0	0	0	0	0	0	0	0
Jan	0	347	0	0	300	370	0	0	0	0	0	0	63	63
Feb	0	347	0	0	0	370	0	0	0	0	0	0	0	63
Mar	126	473	172	172	0	370	0	0	350	350	0	0	0	63
Apr	0	473	0	172	0	370	0	0	0	350				
May	0	473	0	172	0	370	0	0	0	350				
Jun	0	473	0	172	0	370	0	0	0	350				
Jul	0	473	0	172	0	370	0	0	0	350				
Aug	0	473	0	172	0	370	0	0	658	1008				
Sep	0	473	0	172	0	370	0	0	0	1008				
Change from Previous Year		N/A		-64%		115%		-100%		N/A				

Prepared by City of Pearland Building Department



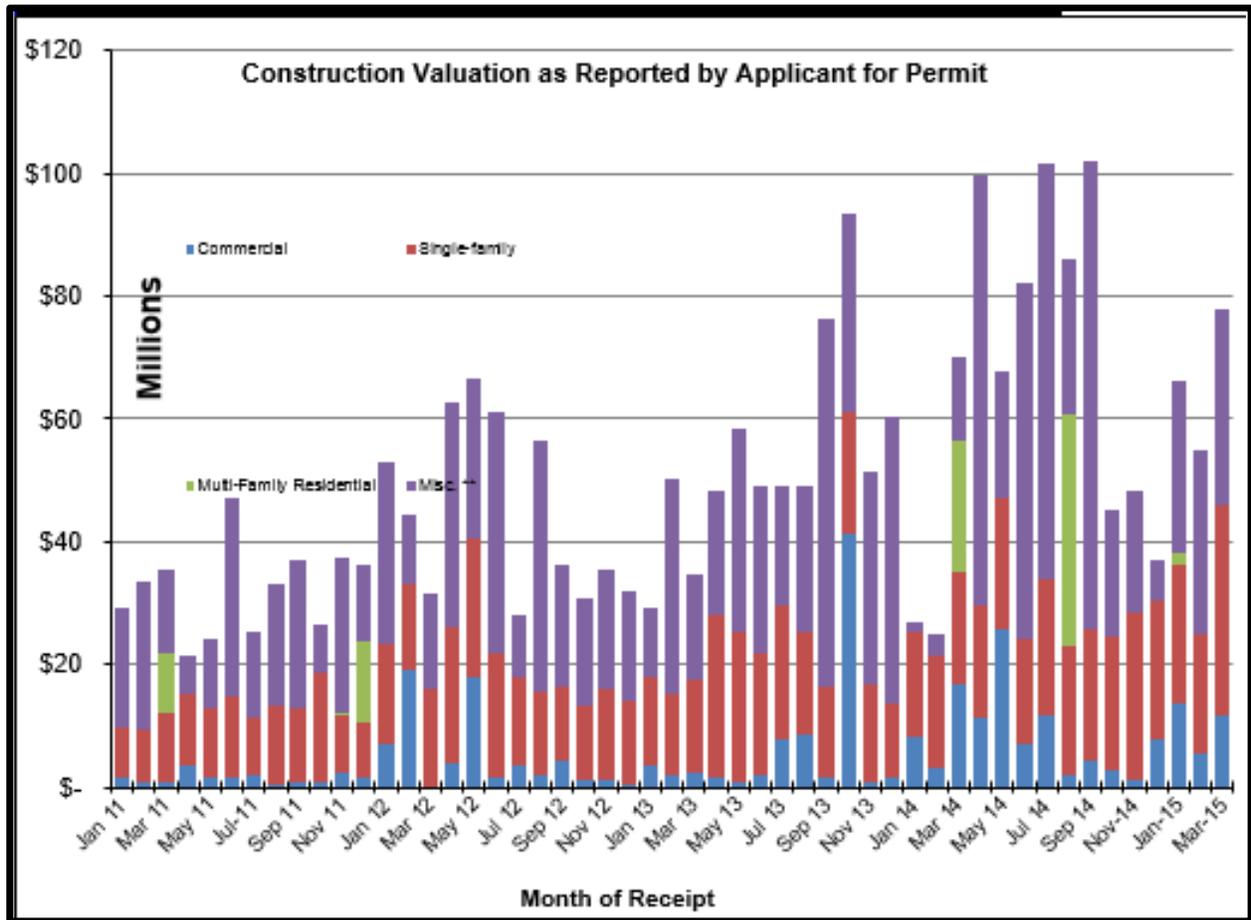
Total Housing Units (Single-Family Detached and Multi-Family) City of Pearland, Texas												
	FY 2009/10		FY 2010/11		FY 2011/12		FY 2012/13		FY 2013/14		FY 2014/15	
	Actual		Actual		Actual		Actual		Actual		Actual	
	Month	YTD	Month	YTD								
Oct	72	72	55	55	84	84	60	60	84	84	96	96
Nov	65	137	60	115	48	132	69	129	74	158	117	213
Dec	404	541	54	169	114	246	67	196	51	209	103	316
Jan	56	597	42	211	383	629	66	262	67	276	159	475
Feb	70	667	45	256	68	697	57	319	76	352	84	559
Mar	195	862	228	484	79	776	69	388	431	783	147	706
Apr	51	913	60	544	111	887	116	504	81	864		
May	74	987	61	605	116	1003	106	610	94	958		
Jun	75	1062	67	672	103	1106	87	697	75	1033		
Jul	54	1116	51	723	65	1171	102	799	93	1126		
Aug	75	1191	67	790	72	1243	77	876	748	1874		
Sep	30	1221	66	856	58	1301	65	941	95	1969		
Change from Previous Year				-365		445		-360		1028		

Prepared by City of Pearland Building Department.



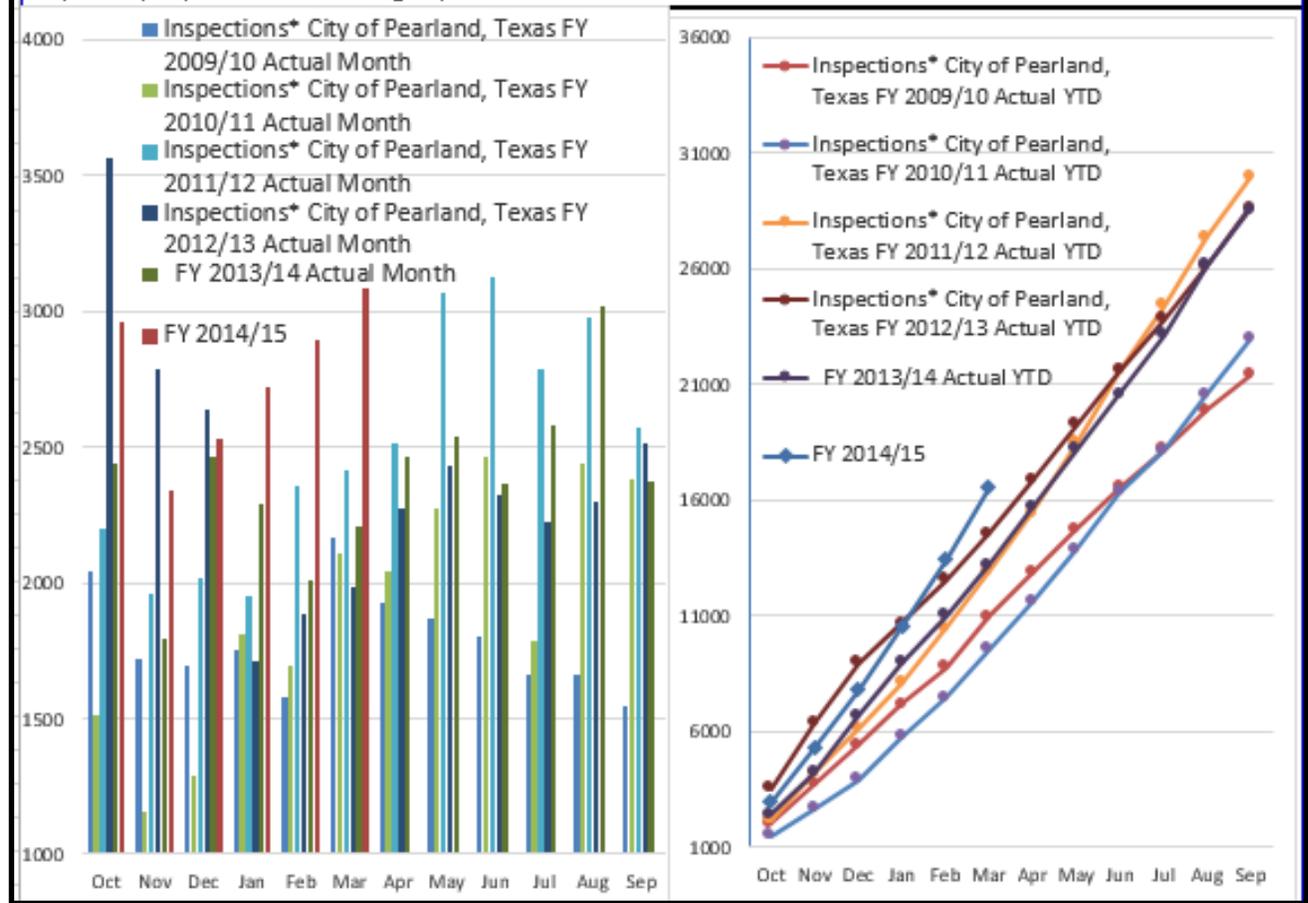
<b>Total Construction Valuation as Reported by Applicant on Building</b>						
City of Pearland, Texas						
<b>VALUATION</b>						
	<b>Commerci- al</b>	<b>Single- Family</b>	<b>Multi- Family</b>	<b>Misc. **</b>	<b>TOTAL Valuation</b>	
Jan 11	1,500,000	8,215,163	0	19,698,233	29,413,396	
Feb 11	750,000	8,780,894	0	24,061,348	33,592,242	
Mar 11	958,027	11,102,705	9,800,576	13,436,784	35,298,092	\$190,969,498
Apr 11	3,515,000	11,897,239	0	6,152,699	21,564,938	
May 11	1,675,000	11,241,498	0	11,103,401	24,019,899	
Jun 11	1,622,000	13,087,987	0	32,370,944	47,080,931	
Jul 11	2,000,000	9,413,613	0	13,977,179	25,390,792	
Aug 11	500,000	12,616,248	0	19,924,242	33,040,490	
Sep 11	890,000	12,142,756	0	24,095,798	37,128,554	\$195,654,339
Oct 11	975,000	17,574,654	0	8,057,907	26,607,561	
Nov 11	2,344,290	9,470,647	489,000	24,987,020	37,290,957	
Dec 11	1,709,675	8,773,886	13,203,000	12,509,424	36,195,985	
Jan 12	6,895,405	16,456,459	0	29,637,629	52,989,493	
Feb 12	18,957,382	14,228,816	0	11,344,386	44,530,584	
Mar 12	87,774	15,997,299	0	15,470,231	31,555,304	\$319,543,052
Apr 12	3,906,000	22,076,661	0	36,870,580	62,853,241	
May 12	17,888,000	22,656,968	0	25,991,594	66,536,562	
Jun 12	1,536,456	20,350,400	0	39,191,012	61,077,868	
Jul 12	3,689,900	14,323,063	0	10,039,358	28,052,321	
Aug 12	2,148,000	13,608,283	0	40,600,983	56,357,266	
Sep 12	4,470,000	11,752,663	0	19,816,873	36,039,536	\$218,656,138
Oct 12	1,258,970	12,015,483	0	17,538,670	30,813,123	
Nov 12	1,034,878	15,033,236	0	19,533,169	35,601,283	
Dec 12	314,500	13,756,401	0	17,721,708	31,792,609	
Jan 13	3,659,590	14,318,957	0	11,209,792	29,188,339	
Feb 13	1,831,998	13,330,021	0	34,937,517	50,099,536	
Mar 13	2,360,500	15,152,469	0	16,980,117	34,493,086	\$269,608,278
Apr 13	1,756,974	26,407,384	0	20,032,842	48,197,200	
May 13	842,222	24,528,410	0	33,102,392	58,473,024	
Jun 13	2,132,018	19,772,615	0	27,252,560	49,157,193	
Jul 13	7,749,508	21,887,773	0	19,564,745	49,202,026	
Aug 13	8,776,700	16,453,574	0	23,958,578	49,188,852	
Sep 13	1,511,990	14,827,644	0	60,033,749	76,373,383	\$379,822,739
Oct 13	41,401,250	19,773,405	0	32,103,244	93,277,899	
Nov 13	665,800	16,110,548	0	24,756,953	51,533,301	
Dec 13	1,743,900	12,078,629	0	46,424,749	60,247,278	
Jan 14	8,129,139	17,055,625	0	1,625,317	26,810,081	
Feb 14	3,225,150	18,221,081	0	3,495,412	24,941,643	
Mar 14	16,921,488	17,957,907	21,458,081	15,682,253	70,019,729	\$371,258,408
Apr 14	11,279,070	18,290,635	0	70,018,329	99,588,034	
May 14	25,885,608	21,048,988	0	20,832,735	67,767,331	
Jun 14	7,250,669	16,845,180	0	58,035,741	82,131,590	
Jul 14	11,539,782	22,199,141	0	67,800,859	101,539,782	
Aug 14	1,949,432	21,172,017	37,806,108	25,094,936	86,022,494	
Sep 14	4,160,064	21,403,832	0	76,538,656	102,102,552	\$419,702,151
Oct 14	2,897,100	21,561,503	0	20,531,490	44,990,093	
Nov 14	1,343,100	27,217,946	0	19,624,267	48,185,313	
Dec 14	7,736,890	22,645,509	0	6,479,518	36,861,917	
Jan 15	13,738,942	22,394,964	2,000,000	27,858,487	65,992,393	
Feb 15	5,506,605	19,303,034	0	30,162,859	54,972,498	
Mar 15	11,840,905	34,076,126	0	32,105,365	78,022,396	\$198,987,287

\*\*Miscellaneous include Fire, Mechanical, Moving, Swimming Pools, Signs, Sitework and Tenant Occupancy



<b>Inspections*</b>												
City of Pearland, Texas												
	FY 2009/10		FY 2010/11		FY 2011/12		FY 2012/13		FY 2013/14		FY 2014/15	
	Actual		Actual		Actual		Actual		Actual		Actual	
	Month	YTD										
Oct	2042	2042	1510	1510	2202	2202	3566	3566	2443	2443	2957	2957
Nov	1720	3762	1153	2663	1962	4164	2788	6354	1795	4238	2340	5297
Dec	1692	5454	1287	3950	2017	6181	2637	8991	2460	6698	2530	7827
Jan	1751	7205	1811	5761	1947	8128	1708	10699	2291	8989	2719	10546
Feb	1581	8786	1697	7458	2359	10487	1882	12581	2009	10998	2891	13437
Mar	2164	10950	2110	9568	2414	12901	1987	14568	2204	13202	3088	16525
Apr	1930	12880	2042	11610	2511	15412	2271	16839	2463	15665		
May	1866	14746	2271	13881	3064	18476	2433	19272	2534	18199		
Jun	1799	16545	2461	16342	3124	21600	2327	21599	2363	20562		
Jul	1664	18209	1783	18125	2787	24387	2222	23821	2577	23139		
Aug	1665	19874	2437	20562	2977	27364	2295	26116	3021	26160		
Sep	1546	21420	2384	22946	2575	29939	2512	28628	2370	28530		
Change from Previous Year				1526		6993		-1311		-98		

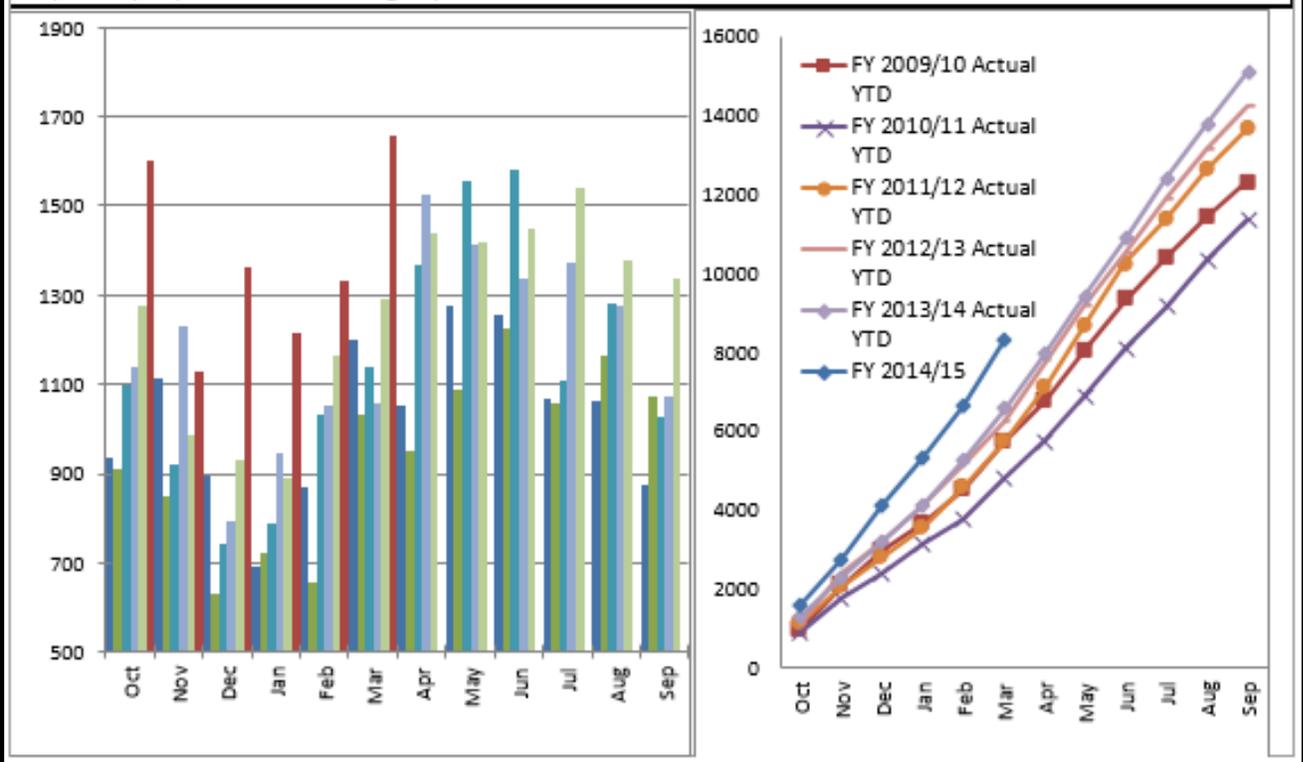
\*Inspections include Building, Electrical, Mechanical, Plumbing, Tenant Occupancies, Swimming Pools and Miscellaneous Inspections that include overtime and emergency Inspections.  
Prepared by City of Pearland Building Department



<b>Processed Permits*</b>														
City of Pearland, Texas														
FY 2009/10		FY 2010/11		FY 2011/12		FY 2012/13		FY 2013/14		FY 2014/15				
Actual		Actual		Actual		Actual		Actual		Actual				
Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD			
Oct	937	937	911	911	1100	1100	1140	1140	1276	1276	1599	1599		
Nov	1113	2050	849	1760	919	2019	1230	2370	987	2263	1129	2728		
Dec	895	2945	631	2391	743	2762	794	3164	929	3192	1365	4093		
Jan	692	3637	720	3111	787	3549	947	4111	891	4083	1214	5307		
Feb	871	4508	658	3769	1033	4582	1051	5162	1166	5249	1330	6637		
Mar	1199	5707	1033	4802	1141	5723	1058	6220	1290	6539	1656	8293		
Apr	1053	6760	949	5751	1366	7089	1526	7746	1437	7976				
May	1277	8037	1090	6841	1557	8646	1411	9157	1419	9395				
Jun	1256	9293	1227	8068	1580	10226	1336	10493	1451	10846				
Jul	1069	10362	1056	9124	1109	11335	1372	11865	1539	12385				
Aug	1063	11425	1162	10286	1282	12617	1278	13143	1379	13764				
Sep	874	12299	1071	11357	1029	13646	1075	14218	1338	15102				
Change from Previous Year			-942			2289			572			884		

\*Permits include Residential, Garage Sales, Banner, Plumbing, Electrical, Site Work, Commercial, Mechanical, Swimming Pool, Moving/Placement, Demolition Tenant Occupancies, Signs, Residential Add/Alterations, Commercial Add/Alterations, Commercial Build Outs and Irrigation Permits

Prepared by City of Pearland Building Department



Building Permit Revenue ** City of Pearland, Texas																
	FY 2009/10		FY 2010/11		FY 2011/12		FY 2012/13		FY 2013/14		FY 2014/15		YTD Over (Under) Budget %	YTD Over (Under) Budget Amount		
	Actual Month	YTD	Budget Month	YTD												
Oct	\$108,823	\$108,823	\$101,691	\$101,691	\$127,608	\$127,608	\$151,910	\$151,910	\$387,684	\$387,684	\$270,093	\$270,093	\$112,478	\$112,478	140%	\$157,615
Nov	\$146,811	\$255,633	\$93,934	\$195,626	\$129,715	\$257,323	\$206,298	\$358,208	\$204,901	\$592,585	\$231,632	\$501,725	\$132,384	\$244,862	105%	\$256,863
Dec	\$189,803	\$445,436	\$94,143	\$289,769	\$138,626	\$395,949	\$148,216	\$506,424	\$226,921	\$819,507	\$358,942	\$860,668	\$131,014	\$375,876	123%	\$484,791
Jan	\$95,649	\$541,085	\$100,540	\$390,309	\$118,098	\$514,047	\$162,251	\$668,675	\$186,851	\$1,006,157	\$288,756	\$1,149,424	\$109,381	\$485,257	137%	\$664,167
Feb	\$119,272	\$660,357	\$104,131	\$494,439	\$174,318	\$668,365	\$231,339	\$900,014	\$249,452	\$1,255,609	\$307,261	\$1,456,685	\$144,389	\$629,646	131%	\$827,039
Mar	\$160,135	\$820,492	\$141,402	\$635,841	\$141,994	\$830,359	\$177,326	\$1,077,340	\$420,672	\$1,676,282	\$387,972	\$1,844,657	\$142,506	\$772,152	139%	\$1,072,504
Apr	\$137,433	\$957,926	\$108,340	\$744,181	\$237,090	\$1,067,449	\$274,237	\$1,351,578	\$340,782	\$2,017,064			\$173,779	\$945,931		
May	\$150,660	\$1,108,586	\$121,065	\$865,246	\$267,729	\$1,335,177	\$292,039	\$1,643,616	\$320,469	\$2,337,532			\$190,854	\$1,136,785		
Jun	\$133,426	\$1,242,012	\$168,315	\$1,033,561	\$249,292	\$1,584,469	\$244,462	\$1,888,078	\$329,620	\$2,667,152			\$182,591	\$1,319,376		
Jul	\$128,063	\$1,370,075	\$120,620	\$1,154,181	\$140,095	\$1,724,564	\$240,781	\$2,128,858	\$462,887	\$3,130,039			\$144,504	\$1,463,880		
Aug	\$113,531	\$1,483,606	\$133,913	\$1,288,094	\$177,908	\$1,902,472	\$249,162	\$2,378,021	\$393,954	\$3,523,992			\$154,823	\$1,618,702		
Sep	\$95,182	\$1,578,788	\$135,595	\$1,423,689	\$168,308	\$2,070,780	\$257,241	\$2,635,262	\$275,866	\$3,799,858			\$150,648	\$1,769,350		
Change from Previous Year				-9.8%		45.5%		27.3%		44.2%						
											Original BUDGET	\$1,769,350				
											Mid-year Estimate for Budget	\$1,769,350				

**\*\*The Building Permit Revenue identified in this schedule is compiled from the monthly Cash Receipt report and differs slightly than what is reported on the General Ledger due to timing.\*\***

Amount shown are Actual Fees Collected.

Data from City of Pearland Community Development Department

Issued	Business Name		Permit #	Address	Valuation	SQFT	Contractor
1/13/15	Amerlux	New	14-7935	14305 Kirby Dr	\$6,700,000	82,895	Turner Construction
1/14/15	City of Pearland-Fire Station #2	New	14-7986	6050 Fite Rd	\$3,669,000	9,613	Crain Group
1/13/15	Retail Center #2	New	14-6662	1332 Broadway St	\$375,000	4,872	R. West Development
1/26/15	Piscaso	Addition/Alteration	14-7280	2750 Miller Ranch RD	\$650,000	N/A	Barcelo Construction
1/6/15	Pasadena ISD	Addition/Alteration	14-7901	1801 Riverstone Ranch Dr	\$21,000	N/A	ASA Builders
1/5/15	Strawbridge Apt	Addition/Alteration	15-0011	2502 Alexander Ln	\$16,360	N/A	Du-West Foundation Repair
1/5/15	Bella Vita HOA	Addition/Alteration	15-0013	1548 N. Riviera Cir	\$425,000	N/A	Hurricane Fence
1/26/15	Pearland Stonebridge	Addition/Alteration	15-0135	3426 Brentwood	\$6,500	N/A	Star Concrete
1/26/15	Pearland Stonebridge	Addition/Alteration	15-0168	2080 Tall Timbers	\$6,500	N/A	Star Concrete
1/28/15	Sharif Ali	Addition/Alteration	15-0270	5752 Bailey Rd	\$10,000	N/A	Sea Fast Builders
1/21/15	Pearwood Skate	Addition/Alteration	15-0364	1230 Broadway St	\$73,292	N/A	Centrimark
1/30/15	Nov Tuboscope	Addition/Alteration	15-0489	16811 Main St	\$30,000	N/A	Tripoint Construction
1/7/15	Edge Realty	Build Out	14-6241	15718 South FRWY	\$48,500	1,575	TK Design & Construction
1/5/15	Payless Shoe Source	Build Out	14-6538	2650 Pearland PKWY 120	\$220,000	6,700	5 Diamonds Construction
1/12/15	Neri-Hair Studios	Build Out	14-7131	2504 Westminiter	\$35,000	3,967	Trimcos LLC
1/6/15	Vintage Mens Groom Lounge	Build Out	14-7392	15718 South FRWY 130	\$106,000	1,362	Custom Practices LLC
1/22/15	Dr. Thien Quoc Pham	Build Out	14-7551	1909 Main St 107	\$250,000	2,534	Pham Construction
1/23/15	Sprint Store	Build Out	14-7712	2680 Pearland PKWY 120	\$46,790	1,525	CTC Construction
1/23/15	Sambay LLC	Build Out	14-7718	2850 Kirby Drive	\$800,000	8,003	Landcore Development
1/28/15	Providence Plaza Shop Center	Build Out	14-8075	2705 Broadway St 119	\$20,000	1,300	Mada Properties, LLC
1/26/15	Orange Theory	Build Out	14-8099	9517 Broadway St 115	\$175,000	2,940	Cheval Builders, INC
1/28/15	Vanilla Box	Build Out	14-8188	2705 Broadway St 113	\$40,000	4,190	Mada Properties, LLC
2/9/15	Associated Properties	New	14-7478	1603 Main St	\$975,000	23,000	Crain Group
2/17/15	Pearland Medical	New	14-5466	8520 Broadway St	\$2,909,000	47,059	Arrowmont Constructors
2/13/15	Berge Simonian	Addition/Alteration	14-6043	2810 Business Center Dr 120	\$250,000	N/A	Texas Aim Construction
2/10/15	Justin Vidoure -HOA Agent	Addition/Alteration	14-7876	4842 Northfork	\$52,697	N/A	JR. D Construction
2/4/15	Moshe Allen	Addition/Alteration	14-8057	2705 Broadway St	\$40,000	N/A	Mada Properties, LLC
2/24/15	Gringo's Ybarra Investments	Addition/Alteration	14-8135	3005 Kirby Dr	\$300,000	N/A	Harvey Construction Services
2/23/15	Federal Toxicology Lab	Addition/Alteration	14-8219	2809 Miller Ranch Rd 425	\$35,000	N/A	Custom Re-Design
2/19/15	Mike Greandjean	Addition/Alteration	15-0642	5517 Broadway St	\$9,000	N/A	Coach's Construction
2/5/15	Shadycrest Bapt	Addition/Alteration	15-0630	3017 Yost Rd	\$59,937	N/A	ABM Restoration
2/5/15	Kristin	Addition/Alteration	15-0700	7902 Broadway St 106	\$12,000	N/A	J Larson Construction

2/27/15	Renovation Diva	Addition/Alteration	15-1132	3202 Vanity Dr	\$10,000	N/A	Renovation Diva
2/5/15	Menchie's Frozen Yogurt	Build Out	14-6838	2680 Pearland PKWY 130	\$75,000	8,400	CTC Constructors, LLC-Yale St.
2/26/15	Mattress One	Build Out	14-7002	2701 Pearland PKWY	\$105,000	3,750	Otwell Constructions
2/9/15	Brask-Neela	Build Out	14-7213	8720 Industrial	\$200,000	3,682	Alpine Engineer & Construction
2/2/15	Stream Realty	Build Out	14-7402	2680 Pearland PKWY 150	\$175,000	4,000	Angler Retail Construction LLC
2/3/15	Paris Nails	Build Out	14-7510	2682 Pearland PKWY	\$63,000	2,100	Buuanh
2/4/15	AJM Farmers	Build Out	14-8085	2011 Broadway St	\$162,131	2,300	Sage Commercial Group, LLC
2/12/15	Rotal Pharmacy	Build Out	14-8170	12002 Shadow Creek PKWY 106	\$30,000	1,210	Space City Construction
2/18/15	Vanilla Box	Build Out	15-0356	2705 Broadway St 107	\$20,000	2,100	MADA Properties
2/12/15	Craig Parilloux	Build Out	15-0490	2637 Lazy Ben	\$23,840	1,304	Diversified General Contractor
3/5/15	MHI Compressor	New	14-5802	14888 Kirby Drive #30	\$3,000,000	49,500	Turner Construction
3/23/15	AL Nilo LTD Partnership	New	14-7322	4501 Knapp Rd	\$18,843	288	Cotton Construction
3/12/15	Profile Wire	New	14-7422	8831 Industrial Rd	\$2,030,000	24,000	Angler Construction
3/10/15	Excelsior Montessori School	New	14-1835	11203 Shadow Creek PKWY	\$1,328,000	26,250	Bridges of Mercy Foundation
3/30/15	Waffle House	New	14-6081	1507 Broadway St	\$250,000	1,635	Waffle House, INC
3/25/15	Anu Mohammed	New	14-7236	2975 Kingsley Dr	\$595,250	11,850	U.S. Builders
3/23/15	Raising Cane's Restaurant	New	14-7937	1601 Broadway St	\$900,000	2,724	Embree Construction Group, INC
3/10/15	RM 2013, LLC	New	15-0975	13601 Broadway St	\$180,000	N/A	Fencrete America
3/6/15	Pearland ISD	Addition/Alteration	14-7493	2405 Shady Bend Dr	\$1,000,000	N/A	Purocell Construction INC.
3/31/15	Compass Bank	Addition/Alteration	15-0524	11091 Broadway St	\$49,000	N/A	Westmoreland Builders
3/6/15	U.T. Physicians	Addition/Alteration	15-0673	10305 Memorial Hermann Dr 130	\$165,000	N/A	Proconstruct
3/4/15	Pearland ISD	Addition/Alteration	15-0762	1928 Main St	\$48,000	N/A	Crescent Electric
3/23/15	MHI Compressor	Addition/Alteration	15-0951	14888 Kirby Drive #20	\$750,000	N/A	Turner Construction
3/18/15	Investors of Sunrise, LLC	Addition/Alteration	15-0987	9223 Broadway St 109	\$9,000	N/A	Boss Builders
3/19/15	Proverbial Care	Addition/Alteration	15-1599	4604 W. Walnut St	\$400,000	N/A	Rytam Construction Services
3/12/15	R. West Development	Build Out	15-0195	1332 Broadway St	\$200,000	4,872	R. West Development
3/4/15	CBL & Associate	Build Out	15-0415	11200 Broadway St #120	\$200,000	4,057	Triad Retail Construction
3/31/15	Massage Envy & SPA	Build Out	15-0627	2682 Pearland PKWY	\$220,000	3,700	Startex Services, LLC
3/31/15	European Wax Center	Build Out	15-0628	2680 Pearland PKWY #110	\$120,000	1,400	Startex Services, LLC
3/16/15	Cellular Sales of TX, LTD	Build Out	15-0657	1439 Broadway St	\$200,000	2,187	Triad Retail Construction
3/23/15	Investors of Sunrise, LLC	Build Out	15-0943	9223 Broadway St 117	\$84,000	2,059	Boss Builders
3/24/15	Investors of Sunrise, LLC	Build Out	15-0989	9307 Broadway St 101	\$90,000	3,149	Boss Builders

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

<b>AGENDA OF:</b>	June 08, 2015	<b>ITEM NO.:</b>	Resolution No. R2015-102
<b>DATE SUBMITTED:</b>	May 29, 2015	<b>DEPT. OF ORIGIN:</b>	Finance
<b>PREPARED BY:</b>	Bob Pearce	<b>PRESENTOR:</b>	Vance Riley
<b>REVIEWED BY:</b>	Jon R. Branson	<b>REVIEW DATE:</b>	May 29, 2015
<b>SUBJECT: Resolution No. R2015-102</b> – A Resolution of the City Council of the City of Pearland, Texas, awarding a unit supply bid for the purchase of Fire Department Medical Supplies to Bound Tree Medical, LLC., Life Assist, Inc., Moore Medical, LLC., Nashville Medical & EMS Products and Southeastern Emergency Equipment in the estimated amount of \$115,000 for the period of June 26, 2015 to June 25, 2016.			
<b>EXHIBITS:</b> R2015-102 Exhibit A – Bid Tabulation			
<b>FUNDING:</b>			
<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			
<b>EXPENDITURE REQUIRED:</b> \$115,000 (annual est.)			
<b>AMOUNT AVAILABLE:</b> \$115,000		<b>AMOUNT BUDGETED:</b> \$115,000	
<b>ACCOUNT NO.:</b> 010-2320-542-15-00		<b>PROJECT NO.:</b>	
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>		<b>ACCOUNT NO.:</b>	
<b>PROJECT NO.:</b>			
<b>To be completed by Department:</b>			
Finance	Legal	Ordinance	Resolution

**EXECUTIVE SUMMARY**

**BACKGROUND**

In order to assure the continued provision of high quality medical emergency services to our citizens, it is necessary for the City to procure stable suppliers (in terms of pricing, product quality, and delivery reliability) for its medical supplies and pharmaceuticals. To achieve this requirement, City Bid No. 0415-37 was issued for the purchase of medical supplies for use by the Fire Department, with a total of nine (9) sealed bids received on May 12, 2015. The award recommendations are predicated on the lowest responsive, responsible bidder for each line item, with the provision that a vendor must win at least 20% of the total items in the bid to be considered for award, in order to avoid an unwieldy number of vendors for the department when ordering supplies.

**SCOPE OF CONTRACT**

One (1) year agreement for the purchase of medical supplies as needed by the City’s Fire Department with two (2) subsequent one-year renewal options, upon the mutual agreement of the parties, and the approval of City Council.

**BID AND AWARD**

The bid specifications required firm unit costs for a period of one (1) year, with two (2) one-year renewal options available upon the mutual agreement of both parties, and the subsequent approval of City Council. Specifications allow awarded contractors, at the time of renewal, the opportunity to request a price increase percentage not to exceed the rate of increase in the “All Items” category of the Consumer Price Index (CPI), Houston-Galveston-Brazoria region, during the prior 12 month period.

Fire Department personnel have reviewed the responses and concur with the awards as reflected in the attached bid tabulation (denoted by the highlighted regions). In several instances, the recommended award is to other than the lowest bid for the item – in each, the recommendation is based on either the 20% line item award provision referenced above, or that the lower bidder(s) bid an item that Fire management staff determined to be noncompliant with specifications.

**SCHEDULE**

Supply of medical supplies will occur as needed throughout the term of the agreement.

**POLICY/GOAL CONSIDERATION**

Purchase of these medical supplies will ensure the Fire Department’s continued capability to provide outstanding emergency medical services to its citizens.

**CURRENT AND FUTURE FUNDING /FINANCIAL IMPACTS**

Funding for these items come from the General Fund for Fire Department Materials and Supplies.

**O&M IMPACT INFORMATION**

Fiscal Year	2015	2016	2017
Est. Expenditure	\$115,000 (est.)	\$130,000 (est.)	\$150,000 (est.)

**RECOMMENDED ACTION**

City Council consideration and approval of Resolution No. R2015-102 awarding a unit supply bid for the purchase of Fire Department Medical Supplies to Bound Tree Medical, LLC., Life Assist, Inc., Moore Medical, LLC., Nashville Medical & EMS Products and Southeastern Emergency Equipment in the estimated amount of \$115,000 for the period of June 26, 2015 to June 25, 2016.

**RESOLUTION NO. R2015-102**

**A Resolution of the City Council of the City of Pearland, Texas, awarding a unit supply bid for the purchase of Fire Department Medical Supplies to Bound Tree Medical, LLC., Life Assist, Inc., Moore Medical, LLC., Nashville Medical & EMS Products and Southeastern Emergency Equipment in the estimated amount of \$115,000.00 for the period of June 26, 2015 to June 25, 2016.**

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

**Section 1.** That the City obtained unit supply pricing for Fire Department Medical Supplies, and such bids have been reviewed and tabulated.

**Section 2.** That the City Council hereby awards the bid to Bound Tree Medical, LLC., Life Assist, Inc., Moore Medical, LLC., Nashville Medical & EMS Products and Southeastern Emergency Equipment, in the unit supply amounts reflected in Exhibit "A" attached hereto.

**Section 3.** The City Manager or his designee is hereby authorized to execute a contract for the purchase of Fire Department Medical Supplies.

PASSED, APPROVED and ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_,  
A.D., 2015.

\_\_\_\_\_  
TOM REID  
MAYOR

ATTEST:

\_\_\_\_\_  
YOUNG LORFING, TRMC  
CITY SECRETARY

APPROVED AS TO FORM:

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DARRIN M. COKER  
CITY ATTORNEY

**Bid No. 0415-37 Addendum 1 Fire Department Medical Supplies  
Closing - May 12, 2015 @ 2:00 p.m.**

Line	Description	UOM	QTY	Nashville Medical & EMS Products Inc.		MMS- A Medical Supply Company		Southeastern Emergency Equipment		Life-Assist, Inc.		Bound Tree Medical		Henry Schein EMS		Moore Medical LLC		
				Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	
<b>AIRWAY</b>																		
1.1	AUTOVENT 3000 PATIENT VENTILATOR CIRCUIT	EA	10	\$4.19	\$41.90	\$6.95	\$69.50	\$2,118.30	\$21,183.00	\$6.23	\$62.30	\$2,543.49	\$25,434.90	\$5.41	\$54.10	\$66.62	\$666.20	
1.2	BITE STICK, INDIVIDUAL	EA	20	\$0.29	\$5.80	\$0.30	\$6.00	\$0.34	\$6.80	\$0.27	\$5.40	\$0.28	\$5.60	\$0.23	\$4.60	\$0.22	\$4.40	
1.3	BLADE, FIBEROPTIC, MAC 1, AMERICAN, STAINLESS DISP.	EA	10	\$3.49	\$34.90	\$3.87	\$38.70	\$3.43	\$34.30	\$4.64	\$46.40	\$3.54	\$35.40	\$3.80	\$38.00	\$4.86	\$48.60	
1.4	BLADE, FIBEROPTIC, MAC 2, AMERICAN, STAINLESS DISP.	EA	10	\$3.49	\$34.90	\$3.87	\$38.70	\$3.43	\$34.30	\$4.64	\$46.40	\$3.54	\$35.40	\$3.80	\$38.00	\$4.86	\$48.60	
1.5	BLADE, FIBEROPTIC, MAC 3, AMERICAN, STAINLESS DISP.	EA	40	\$3.49	\$139.60	\$3.87	\$154.80	\$3.43	\$137.20	\$4.64	\$185.60	\$3.54	\$141.60	\$3.80	\$152.00	\$4.86	\$194.40	
1.6	BLADE, FIBEROPTIC, MAC 4, AMERICAN, STAINLESS DISP.	EA	60	\$3.49	\$209.40	\$3.87	\$232.20	\$3.43	\$205.80	\$4.64	\$278.40	\$3.54	\$212.40	\$3.80	\$228.00	\$4.86	\$291.60	
1.7	BLADE, FIBEROPTIC, MIL 0, AMERICAN, STAINLESS DISP.	EA	10	\$3.49	\$34.90	\$3.87	\$38.70	\$3.43	\$34.30	\$4.64	\$46.40	\$3.54	\$35.40	\$3.80	\$38.00	\$4.86	\$48.60	
1.8	BLADE, FIBEROPTIC, MIL 1, AMERICAN, STAINLESS DISP.	EA	10	\$3.49	\$34.90	\$3.87	\$38.70	\$3.43	\$34.30	\$4.64	\$46.40	\$3.54	\$35.40	\$3.80	\$38.00	\$4.86	\$48.60	
1.9	BLADE, FIBEROPTIC, MIL 2, AMERICAN, STAINLESS DISP.	EA	10	\$3.49	\$34.90	\$3.87	\$38.70	\$3.43	\$34.30	\$4.64	\$46.40	\$3.54	\$35.40	\$3.80	\$38.00	\$4.86	\$48.60	
1.10	BLADE, FIBEROPTIC, MIL 3, AMERICAN, STAINLESS DISP.	EA	10	\$3.49	\$34.90	\$3.87	\$38.70	\$3.43	\$34.30	\$4.64	\$46.40	\$3.54	\$35.40	\$3.80	\$38.00	\$4.86	\$48.60	
1.11	BLADE, FIBEROPTIC, MIL 4, AMERICAN, STAINLESS DISP.	EA	10	\$3.49	\$34.90	\$3.87	\$38.70	\$3.43	\$34.30	\$4.64	\$46.40	\$3.54	\$35.40	\$3.80	\$38.00	\$4.86	\$48.60	
1.12	BOUGIE TUBE INDUCER, 15 FR X 70 CM		25	\$2.79	\$69.75	\$4.18	\$104.50	\$4.69	\$117.25	\$5.68	\$142.00	\$4.06	\$101.50	\$7.17	\$179.25	\$7.56	\$189.00	
1.13	EMERGENT, CPAP BREATHING CIRCUIT	EA	40	No Bid	\$0.00	No Bid	\$0.00	No Bid	\$0.00	No Bid	\$0.00	\$41.84	\$1,673.60	\$42.51	\$1,700.40	No Bid	\$0.00	
1.14	EMERGENT, CPAP LARGE MASK	EA	2	No Bid	\$0.00	No Bid	\$0.00	No Bid	\$0.00	No Bid	\$0.00	\$6.74	\$13.48	\$13.02	\$26.04	No Bid	\$0.00	
1.15	EMERGENT, CPAP SMALL MASK	EA	2	No Bid	\$0.00	No Bid	\$0.00	No Bid	\$0.00	No Bid	\$0.00	\$9.26	\$18.52	\$9.93	\$19.86	No Bid	\$0.00	
1.16	END TIDAL, CO2 DETECTOR PHILLIPS MONITOR #M2526A	EA	75	No Bid	\$0.00	\$23.00	\$1,725.00	\$14.69	\$1,101.75	\$9.73	\$729.75	\$8.53	\$639.75	\$15.11	\$1,133.25	No Bid	\$0.00	
1.17	END TIDAL, CO2 DETECTOR PHILLIPS CANNULA #M1920A	EA	75	No Bid	\$0.00	\$16.00	\$1,200.00	\$10.20	\$765.00	\$13.39	\$1,004.25	\$8.34	\$625.50	\$10.51	\$788.25	\$9.94	\$745.50	
1.18	ET TUBE STYLET ADULT	EA	1	\$1.19	\$1.19	\$1.85	\$1.85	\$1.73	\$1.73	\$1.79	\$1.79	\$1.47	\$1.47	\$2.98	\$2.98	No Bid	\$0.00	
1.19	ET TUBE STYLET PEDIATRIC	EA	1	\$1.19	\$1.19	\$1.85	\$1.85	\$1.73	\$1.73	\$1.79	\$1.79	\$1.47	\$1.47	\$2.98	\$2.98	No Bid	\$0.00	
1.20	ET/STYLE, NO CUFF, 4.0 MM, RUSCH FLEXI-SET	EA	12	\$1.09	\$13.08	\$1.40	\$16.80	\$3.29	\$39.48	\$1.67	\$20.04	\$0.48	\$5.76	\$3.67	\$44.04	\$3.37	\$40.44	
1.21	ET/STYLE, NO CUFF, 4.5 MM, RUSCH FLEXI-SET	EA	12	\$1.09	\$13.08	\$1.40	\$16.80	\$3.29	\$39.48	\$1.67	\$20.04	\$0.48	\$5.76	\$3.66	\$43.92	\$3.37	\$40.44	
1.22	ET/STYLE, CUFF, 5.0 MM, RUSCH FLEXI-SET	EA	12	\$1.19	\$14.28	\$1.43	\$17.16	\$3.41	\$40.92	\$1.67	\$20.04	\$0.60	\$7.20	\$4.05	\$48.60	\$3.49	\$41.88	
1.23	ET/STYLE, CUFF, 5.5 MM, RUSCH FLEXI-SET	EA	12	\$1.19	\$14.28	\$1.43	\$17.16	\$3.41	\$40.92	\$1.67	\$20.04	\$0.60	\$7.20	\$4.05	\$48.60	\$3.49	\$41.88	
1.24	ET/STYLE, CUFF, 6.0 MM, RUSCH FLEXI-SET	EA	36	\$1.19	\$42.84	\$1.43	\$51.48	\$3.41	\$122.76	\$1.67	\$60.12	\$0.60	\$21.60	\$4.04	\$145.44	\$3.49	\$125.64	
1.25	ET/STYLE, CUFF, 6.5 MM, RUSCH FLEXI-SET	EA	36	\$1.19	\$42.84	\$1.43	\$51.48	\$3.41	\$122.76	\$1.67	\$60.12	\$0.60	\$21.60	\$4.04	\$145.44	\$3.49	\$125.64	
1.26	ET/STYLE, CUFF, 7.0 MM, RUSCH FLEXI-SET	EA	96	\$1.19	\$114.24	\$1.43	\$137.28	\$3.41	\$327.36	\$1.67	\$160.32	\$0.60	\$57.60	\$4.04	\$387.84	\$3.49	\$335.04	
1.27	ET/STYLE, CUFF, 7.5 MM, RUSCH FLEXI-SET	EA	96	\$1.19	\$114.24	\$1.43	\$137.28	\$3.41	\$327.36	\$1.67	\$160.32	\$0.60	\$57.60	\$4.04	\$387.84	\$3.49	\$335.04	
1.28	ET/STYLE, CUFF, 8.0 MM, RUSCH FLEXI-SET	EA	36	\$1.19	\$42.84	\$1.43	\$51.48	\$3.41	\$122.76	\$1.67	\$60.12	\$0.60	\$21.60	\$4.04	\$145.44	\$3.49	\$125.64	
1.29	ET/STYLE, CUFF, 8.5 MM, RUSCH FLEXI-SET	EA	12	\$1.19	\$14.28	\$1.43	\$17.16	\$3.41	\$40.92	\$1.67	\$20.04	\$0.60	\$7.20	\$4.04	\$48.48	\$3.49	\$41.88	
1.30	ET/STYLE, CUFF, 9.0 MM, RUSCH FLEXI-SET	EA	12	\$1.19	\$14.28	\$1.43	\$17.16	\$3.41	\$40.92	\$1.67	\$20.04	\$0.60	\$7.20	\$4.01	\$48.12	\$3.49	\$41.88	
1.31	ET/STYLE, NO CUFF, 2.0 MM, RUSCH FLEXI-SET	EA	12	\$1.09	\$13.08	\$4.15	\$49.80	\$3.29	\$39.48	\$1.80	\$21.60	\$0.48	\$5.76	\$4.06	\$48.72	No Bid	\$0.00	
1.32	ET/STYLE, NO CUFF, 2.5 MM, RUSCH FLEXI-SET	EA	12	\$1.09	\$13.08	\$3.52	\$42.24	\$3.29	\$39.48	\$1.67	\$20.04	\$0.48	\$5.76	\$3.66	\$43.92	\$3.37	\$40.44	
1.33	ET/STYLE, NO CUFF, 3.0 MM, RUSCH FLEXI-SET	EA	12	\$1.09	\$13.08	\$1.40	\$16.80	\$3.29	\$39.48	\$1.67	\$20.04	\$0.48	\$5.76	\$3.67	\$44.04	\$3.37	\$40.44	
1.34	ET/STYLE, NO CUFF, 3.5 MM, RUSCH FLEXI-SET	EA	12	\$1.09	\$13.08	\$1.40	\$16.80	\$3.29	\$39.48	\$1.67	\$20.04	\$0.48	\$5.76	\$3.67	\$44.04	\$3.37	\$40.44	
1.35	FORCEP, KELLY, STRAIGHT, 5.5"	EA	10	\$0.71	\$7.10	\$2.90	\$29.00	\$0.92	\$9.20	\$2.20	\$22.00	\$0.76	\$7.60	\$1.05	\$10.50	\$7.52	\$75.20	

Line	Description	UOM	QTY	Nashville Medical & EMS Products Inc.		MMS- A Medical Supply Company		Southeastern Emergency Equipment		Life-Assist, Inc.		Bound Tree Medical		Henry Schein EMS		Moore Medical LLC	
				Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended
1.36	FORCEPS, MAGILL, ADULT, 10"	EA	10	\$2.89	\$28.90	\$4.15	\$41.50	\$3.44	\$34.40	\$3.75	\$37.50	\$3.30	\$33.00	\$3.36	\$33.60	\$3.21	\$32.10
1.37	FORCEPS, MAGILL, CHILD, 8"	EA	10	\$2.59	\$25.90	\$3.80	\$38.00	\$3.44	\$34.40	\$3.75	\$37.50	\$3.33	\$33.30	\$3.31	\$33.10	\$2.94	\$29.40
1.38	HANDLE, LARYN, LARGE, STANDARD FIBER OPTIC	EA	10	\$27.19	\$271.90	\$32.20	\$322.00	\$39.00	\$390.00	\$34.40	\$344.00	\$9.32	\$93.20	\$9.10	\$91.00	\$56.44	\$564.40
1.39	HANDLE, LARYN, SMALL, STANDARD FIBER OPTIC	EA	10	\$27.19	\$271.90	\$32.20	\$322.00	\$39.00	\$390.00	\$34.40	\$344.00	\$9.32	\$93.20	\$9.11	\$91.10	\$67.73	\$677.30
1.40	KING TUBE KLTD 212, SIZE 2	EA	4	No Bid	\$0.00	\$33.25	\$133.00	\$26.53	\$106.12	\$24.09	\$96.36	\$28.03	\$112.12	No Bid	\$0.00	\$24.44	\$97.76
1.41	KING TUBE KLTD 2125, SIZE 2.5	EA	4	No Bid	\$0.00	\$33.25	\$133.00	\$26.53	\$106.12	\$24.09	\$96.36	\$28.03	\$112.12	No Bid	\$0.00	\$24.44	\$97.76
1.42	KING TUBE KLTS 413, SIZE 3	EA	12	No Bid	\$0.00	\$35.67	\$428.04	\$29.05	\$348.60	\$24.09	\$289.08	\$30.81	\$369.72	No Bid	\$0.00	\$24.44	\$293.28
1.43	KING TUBE KLTS 414, SIZE 4	EA	24	No Bid	\$0.00	\$35.67	\$856.08	\$29.05	\$697.20	\$24.09	\$578.16	\$30.81	\$739.44	No Bid	\$0.00	\$24.44	\$586.56
1.44	KING TUBE KLTS 415, SIZE 5	EA	24	No Bid	\$0.00	\$35.67	\$856.08	\$29.05	\$697.20	\$24.09	\$578.16	\$30.81	\$739.44	No Bid	\$0.00	\$24.44	\$586.56
1.45	KING VISION DISP BLADE CHANNELED, #3 KVL03C	EA	36	No Bid	\$0.00	No Bid	\$0.00	\$27.65	\$995.40	\$27.19	\$978.84	\$28.03	\$1,009.08	No Bid	\$0.00	No Bid	\$0.00
1.46	KING VISION DISP BLADE NON CHANNELED, #3 KVL03	EA	24	No Bid	\$0.00	No Bid	\$0.00	\$27.65	\$663.60	\$27.19	\$652.56	\$28.03	\$672.72	No Bid	\$0.00	No Bid	\$0.00
1.47	LUBRICATING JELLY, IND. PACK	EA	24	No Bid	\$0.00	\$0.04	\$0.96	\$0.347	\$8.328	\$0.05	\$1.20	\$0.057	\$1.368	\$10.08	\$241.92	\$4.61	\$110.64
1.48	MASK, OX, PEDI/CHILD, NON-REBREATHER, 50/CS	CS	6	\$32.19	\$193.14	\$35.99	\$215.94	\$48.00	\$288.00	\$37.99	\$227.94	\$31.50	\$189.00	\$1.07	\$6.42	\$1.29	\$7.74
1.49	MASK, OX, ADULT, NON-REBREATHER, 50/CS	CS	24	\$31.99	\$767.76	\$32.27	\$774.48	\$46.00	\$1,104.00	\$30.50	\$732.00	\$31.50	\$756.00	\$1.18	\$28.32	\$1.06	\$25.44
1.50	MASK, OX, INFANT, SIMPLE FACE MASK, 50/CS	CS	2	\$34.29	\$68.58	\$37.23	\$74.46	\$95.00	\$190.00	\$40.79	\$81.58	\$57.50	\$115.00	\$2.82	\$5.64	\$0.60	\$1.20
1.51	MECONIUM ASPIRATOR	EA	2	No Bid	\$0.00	\$4.19	\$8.38	\$4.02	\$8.04	\$3.66	\$7.32	\$3.83	\$7.66	\$3.99	\$7.98	\$3.89	\$7.78
1.52	NASAL CANNULA, ADULT, 7", 50/CS	CS	30	\$12.29	\$368.70	\$12.26	\$367.80	\$13.00	\$390.00	\$12.32	\$369.60	\$12.00	\$360.00	\$8.83	\$264.90	\$0.26	\$7.80
1.53	NEBULIZER, ADULT, MASK, 7", 50/CS	CS	8	\$36.49	\$291.92	\$38.77	\$310.16	\$31.50	\$252.00	\$48.72	\$389.76	\$24.00	\$192.00	\$37.00	\$296.00	\$0.89	\$7.12
1.54	NEBULIZER, PEDI, MASK, 7", 50/CS	CS	2	\$38.19	\$76.38	\$53.09	\$106.18	\$72.00	\$144.00	\$51.52	\$103.04	\$37.00	\$74.00	\$29.00	\$58.00	\$0.78	\$1.56
1.55	OPA, 100MM	EA	12	\$0.137	\$1.644	\$0.14	\$1.68	\$0.14	\$1.68	\$0.13	\$1.56	\$0.14	\$1.68	\$0.14	\$1.68	\$0.13	\$1.56
1.56	OPA, 110MM	EA	12	\$0.137	\$1.644	\$0.14	\$1.68	\$0.14	\$1.68	\$0.13	\$1.56	\$0.14	\$1.68	\$0.14	\$1.68	\$0.13	\$1.56
1.57	OPA, 43MM	EA	12	\$0.137	\$1.644	\$0.14	\$1.68	\$0.14	\$1.68	\$0.13	\$1.56	\$0.14	\$1.68	\$0.14	\$1.68	\$0.13	\$1.56
1.58	OPA, 60MM	EA	12	\$0.137	\$1.644	\$0.14	\$1.68	\$0.14	\$1.68	\$0.13	\$1.56	\$0.14	\$1.68	\$0.14	\$1.68	\$0.13	\$1.56
1.59	OPA, 80MM	EA	12	\$0.137	\$1.644	\$0.14	\$1.68	\$0.14	\$1.68	\$0.13	\$1.56	\$0.14	\$1.68	\$0.14	\$1.68	\$0.13	\$1.56
1.60	OPA, 90MM	EA	12	\$0.137	\$1.644	\$0.14	\$1.68	\$0.14	\$1.68	\$0.13	\$1.56	\$0.14	\$1.68	\$0.14	\$1.68	\$0.13	\$1.56
1.61	RESUS, ADULT, BAG, MASK, COLLAPSED	EA	216	\$7.79	\$1,682.64	\$7.33	\$1,583.28	\$8.08	\$1,745.28	\$7.50	\$1,620.00	\$9.32	\$2,013.12	\$8.38	\$1,810.08	No Bid	\$0.00
1.62	RESUS, INFANT, BAG, MASK, MAN, COLLAPSED	EA	12	\$7.99	\$95.88	\$7.87	\$94.44	\$8.08	\$96.96	\$7.50	\$90.00	\$9.32	\$111.84	\$11.11	\$133.32	No Bid	\$0.00
1.63	RESUS, PEDI, BAG, MASK, MAN, COLLAPSED	EA	24	\$7.99	\$191.76	\$8.78	\$210.72	\$8.08	\$193.92	\$7.50	\$180.00	\$9.32	\$223.68	\$11.11	\$266.64	No Bid	\$0.00
1.64	THOMAS ADULT ET TUBE HOLDER	EA	200	\$2.05	\$410.00	\$2.66	\$532.00	\$2.70	\$540.00	\$2.30	\$460.00	\$2.51	\$502.00	\$2.60	\$520.00	\$2.61	\$522.00
1.65	THOMAS PEDI ET TUBE HOLDER	EA	20	No Bid	\$0.00	\$2.66	\$53.20	\$2.70	\$54.00	\$2.30	\$46.00	\$2.51	\$50.20	\$2.59	\$51.80	\$2.61	\$52.20
1.66	SUCT. CATH, 10 FR, STRAIGHT, GRAD	EA	12	\$0.145	\$1.74	\$0.17	\$2.04	\$0.19	\$2.28	\$0.30	\$3.60	\$0.11	\$1.32	\$0.34	\$4.08	\$0.22	\$2.64
1.67	SUCT. CATH, 12 FR, STRAIGHT, GRAD	EA	12	\$0.145	\$1.74	\$0.17	\$2.04	\$0.19	\$2.28	\$0.30	\$3.60	\$0.11	\$1.32	\$0.21	\$2.52	\$0.22	\$2.64
1.68	SUCT. CATH, 14 FR, STRAIGHT, GRAD	EA	12	\$0.145	\$1.74	\$0.17	\$2.04	\$0.19	\$2.28	\$0.30	\$3.60	\$0.11	\$1.32	\$0.48	\$5.76	\$0.22	\$2.64
1.69	SUCT. CATH, 16 FR, STRAIGHT, GRAD	EA	12	\$0.145	\$1.74	\$0.17	\$2.04	\$0.19	\$2.28	\$0.30	\$3.60	\$0.11	\$1.32	\$0.21	\$2.52	\$0.22	\$2.64
1.70	SUCT. CATH, 18 FR, STRAIGHT, GRAD	EA	12	\$0.145	\$1.74	\$0.17	\$2.04	\$0.19	\$2.28	\$0.30	\$3.60	\$0.11	\$1.32	\$0.48	\$5.76	\$0.22	\$2.64
1.71	SUCT. CATH, 8 FR, STRAIGHT, GRAD	EA	12	\$0.145	\$1.74	\$0.17	\$2.04	\$0.19	\$2.28	\$0.30	\$3.60	\$0.11	\$1.32	\$0.34	\$4.08	\$0.22	\$2.64
1.72	SUCTION CANISTER, 1200CC DISP, BEMIS ONLY	EA	120	\$2.72	\$326.40	\$2.76	\$331.20	\$3.10	\$372.00	\$2.65	\$318.00	\$2.74	\$328.80	\$2.57	\$308.40	\$2.83	\$339.60
1.73	SUCTION TUBING, 6' LONG, 1/4 ID	EA	120	\$0.63	\$75.60	\$0.63	\$75.60	\$0.86	\$103.20	\$0.79	\$94.80	\$0.52	\$62.40	\$1.01	\$121.20	\$0.68	\$81.60
1.74	SUCTION YANKAUER W/VACUUM CONTROL	EA	120	\$0.31	\$37.20	\$0.36	\$43.20	\$0.36	\$43.20	\$0.37	\$44.40	\$0.33	\$39.60	\$0.56	\$67.20	\$1.67	\$200.40
<b>Total Package 1</b>				\$6,417.694		\$12,386.50		\$35,212.848		\$12,290.16		\$38,420.558		\$10,714.11		\$8,278.62	

<b>TRAUMA</b>																	
2.1	BAND-AID, KNUCKLE, 100/BX	BXS	6	\$2.99	\$17.94	\$2.71	\$16.26	\$3.43	\$20.58	\$3.35	\$20.10	\$3.43	\$20.58	\$1.92	\$11.52	\$2.13	\$12.78
2.2	BAND-AID, 1X3, 100/BX	BXS	12	\$1.19	\$14.28	\$1.16	\$13.92	\$1.77	\$21.24	\$1.39	\$16.68	\$1.28	\$15.36	\$0.92	\$11.04	\$0.98	\$11.76

Line	Description	UOM	QTY	Nashville Medical & EMS Products Inc.		MMS- A Medical Supply Company		Southeastern Emergency Equipment		Life-Assist, Inc.		Bound Tree Medical		Henry Schein EMS		Moore Medical LLC	
				Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended
2.3	BLADE, FOR RING CUTTER	EA	12	\$1.19	\$14.28	\$4.60	\$55.20	\$1.21	\$14.52	\$1.65	\$19.80	\$1.61	\$19.32	\$2.03	\$24.36	\$1.78	\$21.36
2.4	BURN SHEET, 60 X 96, STERILE	EA	48	\$1.19	\$57.12	\$1.81	\$86.88	\$2.40	\$115.20	\$1.77	\$84.96	\$2.48	\$119.04	\$1.66	\$79.68	\$1.89	\$90.72
2.5	C-COLLAR, AMBU PERFIT ACE ADULT	EA	720	No Bid	\$0.00	\$5.73	\$4,125.60	\$5.07	\$3,650.40	\$4.25	\$3,060.00	\$4.43	\$3,189.60	\$4.52	\$3,254.40	\$5.22	\$3,758.40
2.6	C-COLLAR, AMBU MINI PERFIT ACE PEDI	EA	240	No Bid	\$0.00	\$5.73	\$1,375.20	\$5.07	\$1,216.80	\$4.25	\$1,020.00	\$4.43	\$1,063.20	\$4.52	\$1,084.80	\$5.22	\$1,252.80
2.7	EYEWASH, 4 OZ.	EA	24	\$1.79	\$42.96	\$1.99	\$47.76	\$1.90	\$45.60	\$1.58	\$37.92	\$2.59	\$62.16	\$1.09	\$26.16	\$1.22	\$29.28
2.8	GAUZE SP, 4" STERILE, 12 PLY, 2 PK, 25/PK, 600/CS	CS	2	\$32.89	\$65.78	\$16.80	\$33.60	\$41.25	\$82.50	\$42.00	\$84.00	\$1.34	\$2.68	\$48.25	\$96.50	\$2.10	\$4.20
2.9	GAUZE, 4 X 4, 3 PLY, 4000/CS, NON-STERILE	CS	24	\$22.00	\$528.00	\$32.47	\$779.28	\$45.23	\$1,085.52	\$73.60	\$1,766.40	\$52.60	\$1,262.40	\$56.61	\$1,358.64	\$3.56	\$85.44
2.10	HEAD IMMOBILIZER/I-TEC MULTI-GRIP ADULT	EA	600	No Bid	\$0.00	\$4.41	\$2,646.00	\$3.97	\$2,382.00	\$4.06	\$2,436.00	\$3.82	\$2,292.00	\$3.87	\$2,322.00	\$3.89	\$2,334.00
2.11	HEAT PACK, DISPOSABLE, 24/CA	EA	96	\$0.59	\$56.64	\$0.56	\$53.76	\$0.4413	\$42.3648	\$0.41	\$39.36	\$0.263	\$25.248	\$6.48	\$622.08	\$0.70	\$67.20
2.12	HYDROGEN PEROXIDE, 3%, 16 OZ.	EA	96	\$1.09	\$104.64	\$0.56	\$53.76	\$0.44	\$42.24	\$0.75	\$72.00	\$0.81	\$77.76	\$0.63	\$60.48	\$0.44	\$42.24
2.13	ICE PACKS, DISPOSABLE	EA	144	\$0.49	\$70.56	\$0.39	\$56.16	\$0.27	\$38.88	\$0.27	\$38.88	\$0.26	\$37.44	\$0.27	\$38.88	\$0.22	\$31.68
2.14	KED OR GENERIC EQUIVALENT	EA	2	\$49.99	\$99.98	\$54.94	\$109.88	\$78.32	\$156.64	\$58.00	\$116.00	\$53.81	\$107.62	\$80.30	\$160.60	\$103.33	\$206.66
2.15	KERLEX BANDAGE, 4" CRINKLE GAUZE, NON-STERILE	EA	400	\$0.49	\$196.00	\$0.45	\$180.00	\$0.41	\$164.00	\$0.58	\$232.00	\$0.60	\$240.00	\$0.71	\$284.00	No Bid	\$0.00
2.16	MCI TRIAGE TAGS	EA	1	No Bid	\$0.00	\$0.90	\$0.90	\$0.78	\$0.78	\$0.43	\$0.43	\$0.79	\$0.79	\$38.50	\$38.50	\$37.25	\$37.25
2.17	NEEDLE DECOMPRESSION KIT, TO CONTAIN (AT A MINIMUM): IODINE SWABS, STERILE GAUZE, 20 CC SYRINGE WITH SLIP LOCK, 14 G X 2" CATHETERS, 3 WAY STOPCOCK WITH 21" TUBING	EA	10	No Bid	\$0.00	\$13.63	\$136.30	\$12.60	\$126.00	\$56.64	\$566.40	\$56.37	\$563.70	\$12.13	\$121.30	No Bid	\$0.00
2.18	RING CUTTER	EA	1	\$3.89	\$3.89	\$11.90	\$11.90	\$4.46	\$4.46	\$5.40	\$5.40	\$3.86	\$3.86	\$3.58	\$3.58	\$5.83	\$5.83
2.19	SAM SPLINT OR EQUIVALENT	EA	108	\$2.89	\$312.12	\$3.15	\$340.20	\$3.68	\$397.44	\$3.60	\$388.80	\$4.77	\$515.16	\$3.87	\$417.96	\$6.33	\$683.64
2.20	SPLINT, FERNOTRAC, TRACTION, ADULT	EA	5	\$114.19	\$570.95	\$139.77	\$698.85	\$336.18	\$1,680.90	\$260.03	\$1,300.15	\$147.72	\$738.60	\$273.14	\$1,365.70	No Bid	\$0.00
2.21	SPLINT, FERNOTRAC, TRACTION, PEDI	EA	5	\$114.19	\$570.95	\$139.77	\$698.85	\$336.18	\$1,680.90	\$260.03	\$1,300.15	\$147.72	\$738.60	\$273.14	\$1,365.70	No Bid	\$0.00
2.22	TAPE, CLEAR, 1" X 10 YD., TRANSPORE 3M BRAND ONLY, 12/BX	BXS	24	\$9.96	\$239.04	\$10.09	\$242.16	\$14.02	\$336.48	\$12.20	\$292.80	\$13.64	\$327.36	\$10.78	\$258.72	\$13.67	\$328.08
2.23	CAT- COMBAT APPLICATION TOURNIQUET- BLACK		24	\$27.99	\$671.76	\$25.96	\$623.04	\$25.12	\$602.88	\$23.10	\$554.40	\$24.72	\$593.28	\$23.17	\$556.08	\$23.33	\$559.92
2.24	TRAUMA DRESSING, 12" X 30", STERILE	EA	48	\$0.73	\$35.04	\$0.76	\$36.48	\$1.16	\$55.68	\$0.65	\$31.20	\$0.94	\$45.12	\$1.06	\$50.88	\$0.38	\$18.24
2.25	TRIANGUL/BANDAGE, 40 X 40 X 56	EA	144	\$0.29	\$41.76	\$0.19	\$27.36	\$1.02	\$146.88	\$0.30	\$43.20	\$0.20	\$28.80	\$0.24	\$34.56	\$0.37	\$53.28
2.26	PETROLEUM GAUZE, 3 X 9	EA	24	\$0.57	\$13.68	\$0.61	\$14.64	\$0.55	\$13.20	\$0.64	\$15.36	\$0.60	\$14.40	\$0.59	\$14.16	\$29.17	\$700.08
2.27	WEBBING PRE-CUT, 30 FT. ROLL	EA	100	\$5.59	\$559.00	No Bid	\$0.00	No Bid	\$0.00	\$12.00	\$1,200.00	\$5.99	\$599.00	No Bid	\$0.00	No Bid	\$0.00
2.28	WHITE MEDICAL TAPE "DUCT TAPE", 2" X 60 YDS.	EA	96	\$6.69	\$642.24	\$7.97	\$765.12	\$5.57	\$534.72	\$5.30	\$508.80	\$4.83	\$463.68	\$5.42	\$520.32	\$6.55	\$628.80
<b>Total Package 2</b>					\$4,928.61		\$13,229.06		\$14,658.8048		\$15,251.19		\$13,166.758		\$14,182.60		\$10,963.64

<b>MEDICATIONS</b>																	
3.1	ACETAMINOPHEN SUSPENSION, 160 MG/5 ML	EA	24	No Bid	\$0.00	\$2.65	\$63.60	No Bid	\$0.69	\$16.56	\$1.68	\$40.32	\$2.38	\$57.12	\$28.68	\$688.32	
3.2	ACETAMINOPHEN TABLET 500 MG INDIVIDUALLY WRAPPED		50	No Bid	\$0.00	No Bid	\$0.00	No Bid	\$0.04	\$2.00	\$0.029	\$1.45	\$10.00	\$500.00	No Bid	\$0.00	
3.3	ADENOSINE, 6 MG/2 ML VIAL, ADENOCARD	EA	48	No Bid	\$0.00	No Bid	\$0.00	No Bid	\$6.00	\$288.00	\$4.70	\$225.60	\$12.12	\$581.76	\$42.68	\$2,048.64	
3.4	ALBUTEROL SULFATE, 3 ML, 25/BX	BXS	6	No Bid	\$0.00	No Bid	\$0.00	No Bid	\$4.06	\$24.36	\$3.94	\$23.64	\$16.06	\$96.36	\$4.04	\$24.24	
3.5	AMIODARONE, 150 MG/3 ML, VIAL	EA	40	No Bid	\$0.00	No Bid	\$0.00	No Bid	\$1.82	\$72.80	\$1.86	\$74.40	\$52.19	\$2,087.60	\$1.72	\$68.80	
3.6	ASPIRIN, CHILD, 81 MG, CHEWABLE, 36/BTL	EA	40	No Bid	\$0.00	\$0.60	\$24.00	No Bid	\$0.72	\$28.80	\$0.64	\$25.60	\$0.69	\$27.60	\$0.69	\$27.60	
3.7	ATROPINE SULFATE, 1 MG/10 ML LUER JET	EA	100	No Bid	\$0.00	No Bid	\$0.00	No Bid	\$4.13	\$413.00	\$5.92	\$592.00	\$34.24	\$3,424.00	\$4.88	\$488.00	
3.8	ATROVENT, .5 MG, UNIT DOSE, 25/BX	BXS	4	No Bid	\$0.00	No Bid	\$0.00	No Bid	\$4.72	\$18.88	\$4.20	\$16.80	\$9.91	\$39.64	No Bid	\$0.00	
3.9	BENADRYL HCL, 50 MG/ML, 1 ML VIAL	EA	200	No Bid	\$0.00	No Bid	\$0.00	No Bid	\$1.07	\$214.00	\$1.02	\$204.00	\$4.69	\$938.00	\$26.04	\$5,208.00	

Line	Description	UOM	QTY	Nashville Medical & EMS Products Inc.		MMS- A Medical Supply Company		Southeastern Emergency Equipment		Life-Assist, Inc.		Bound Tree Medical		Henry Schein EMS		Moore Medical LLC	
				Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended
3.10	CALCIUM CHLR, 10%, 1000 MG/10 ML LUER JET	EA	12	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$4.84	\$58.08	\$5.82	\$69.84	\$33.12	\$397.44	\$5.79	\$69.48
3.11	CARDIZEM, 25 MG/5 ML, VIAL	EA	24	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$3.23	\$77.52	\$2.78	\$66.72	\$18.50	\$444.00	\$24.63	\$591.12
3.12	DEXTROSE, 25%, 2.5 G/10 ML, INJ ANSYR	EA	12	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$7.26	\$87.12	\$9.38	\$112.56	\$27.82	\$333.84	\$8.05	\$96.60
3.13	DEXTROSE, INJ, 50%, 25 G/50 ML LUER JET	EA	200	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$6.27	\$1,254.00	\$8.40	\$1,680.00	\$38.18	\$7,636.00	No Bid	\$0.00
3.14	DOPAMINE, 40 MG/ML VIAL	EA	24	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$1.70	\$40.80	\$2.08	\$49.92	\$8.43	\$202.32	\$1.52	\$36.48
3.15	EPINEPHRINE INJECTION, USP, 1:10,000, 1 MG/10 ML, LUER JET	EA	300	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$5.78	\$1,734.00	\$7.14	\$2,142.00	\$20.07	\$6,021.00	\$7.32	\$2,196.00
3.16	EPINEPHRINE, 1 MG AMPULE, 1-1000 ML, INJECTION	EA	50	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$1.68	\$84.00	\$1.92	\$96.00	\$8.13	\$406.50	\$2.39	\$119.50
3.17	EPINEPHRINE, RACEMIC 2.25%	EA	24	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$1.43	\$34.32	\$1.92	\$46.08	\$1.36	\$32.64	No Bid	\$0.00
3.18	EPINEPHRINE, 1:1,000, 1 MG/ML, MULTI-DOSE, 30 ML	EA	24	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$8.78	\$210.72	\$10.54	\$252.96	\$22.08	\$529.92	\$8.07	\$193.68
3.19	EPIPEN, EPINEPHRINE AUTO-INJECTOR, 0.3 MG, FOR ADULTS 66 LBS. OR MORE	EA	24	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$249.00	\$5,976.00	\$764.58	\$18,349.92	\$925.45	\$22,210.80	\$709.23	\$17,021.52
3.20	EPIPEN JR., EPINEPHRINE AUTO-INJECTOR FOR PEDI	EA	24	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$249.00	\$5,976.00	\$764.58	\$18,349.92	\$925.45	\$22,210.80	\$709.23	\$17,021.52
3.21	ETOMIDATE, 2 MG/ML, 40 MG VIAL	EA	80	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$8.32	\$665.60	\$8.93	\$714.40	\$36.13	\$2,890.40	\$8.45	\$676.00
3.22	FENTENYL, 100 MCG/2 ML AMPULE	EA	144	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$2.15	\$309.60	\$1.23	\$177.12	\$4.81	\$692.64	\$14.63	\$2,106.72
3.23	GLUCAGEN, INJ, 1 MG	EA	24	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$188.76	\$4,530.24	\$279.76	\$6,714.24	\$688.97	\$16,535.28	\$264.00	\$6,336.00
3.24	KETAMINE, 500 MG/10 ML VIAL	EA	12	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$12.70	\$152.40	\$9.25	\$111.00	\$14.33	\$171.96	\$4.02	\$48.24
3.25	LABELALOL, 100 MG/20 ML, VIAL	EA	12	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$2.93	\$35.16	\$5.27	\$63.24	\$9.47	\$113.64	\$2.74	\$32.88
3.26	LIDOCAINE, 1 GRAM, VIAL	EA	24	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$4.83	\$115.92	\$1.88	\$45.12	\$8.87	\$212.88	No Bid	\$0.00
3.27	LIDOCAINE, PREMIX BAG, 1 GRAM IN 250 CC		24	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$7.21	\$173.04	No Bid	\$0.00	\$20.91	\$501.84	No Bid	\$0.00
3.28	LIDOCAINE HCl INJECTION, USP, 2%, 100 MG/5 ML, LUER JET	EA	60	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$3.85	\$231.00	\$5.22	\$313.20	\$10.55	\$633.00	\$4.18	\$250.80
3.29	LORAZEPAM, 4 MG/1 ML VIAL	EA	120	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$2.45	\$294.00	\$2.55	\$306.00	\$6.86	\$823.20	No Bid	\$0.00
3.30	MAGNESIUM SULFATE, 1 G/2 ML, VIAL	EA	25	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$2.19	\$54.75	\$2.43	\$60.75	\$4.61	\$115.25	No Bid	\$0.00
3.31	METOPROLOL, 5 MG/5 ML, VIAL	EA	12	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$3.09	\$37.08	\$1.63	\$19.56	\$9.35	\$112.20	\$8.54	\$102.48
3.32	MORPHINE, 10 MG/1 ML, VIAL	EA	50	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$2.65	\$132.50	\$1.47	\$73.50	\$3.93	\$196.50	\$30.79	\$1,539.50
3.33	NACL, 0.9%, INJ, 1000 ML	EA	1200	No Bid	\$0.00	\$2.17	\$2,604.00	No Bid		\$1.95	\$2,340.00	\$2.16	\$2,592.00	\$7.82	\$9,384.00	\$4.27	\$5,124.00
3.34	NACL, 0.9%, INJ, 500 ML		1200	No Bid	\$0.00	\$2.36	\$2,832.00	No Bid		\$1.88	\$2,256.00	\$1.52	\$1,824.00	\$7.82	\$9,384.00	\$4.27	\$5,124.00
3.35	NACL, 0.9%, INJ, 250 ML	EA	144	No Bid	\$0.00	\$2.25	\$324.00	No Bid		\$1.80	\$259.20	\$2.33	\$335.52	\$5.90	\$849.60	\$4.27	\$614.88
3.36	NACL, 0.9%, USP, 100 ML, INJ	EA	72	No Bid	\$0.00	\$1.92	\$138.24	No Bid		\$3.16	\$227.52	\$1.90	\$136.80	\$7.82	\$563.04	\$1.89	\$136.08
3.37	NACL, 0.9%, PREFILL 10 CC SYRINGE W/MALE LUER LOCK	EA	2400	No Bid	\$0.00	\$0.3773	\$905.52	No Bid		\$0.58	\$1,392.00	\$0.36	\$864.00	\$0.88	\$2,112.00	No Bid	\$0.00
3.38	NALOXONE, 2MG/2ML LUER JET LUER LOCK PRE-FILLED SYRINGE	EA	120	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$34.38	\$4,125.60	\$35.46	\$4,255.20	\$132.48	\$15,897.60	\$47.49	\$5,698.80
3.39	NITROMIST SPRAY, 230 METERED DOSES	EA	20	No Bid	\$0.00	\$168.23	\$3,364.60	No Bid		\$150.15	\$3,003.00	\$234.43	\$4,688.60	\$1,612.70	\$32,254.00	\$213.33	\$4,266.60
3.40	ONDANSETRON, 4 MG/2 ML, VIAL	EA	360	No Bid	\$0.00		\$0.00	No Bid		\$1.24	\$446.40	\$0.81	\$291.60	\$3.37	\$1,213.20	\$11.59	\$4,172.40
3.41	ORAL GLUTOSE/GLUCOSE, 15 G, GEL	EA	60	No Bid	\$0.00	\$0.99	\$59.40	No Bid		\$1.10	\$66.00	\$0.99	\$59.40	\$3.49	\$209.40	\$10.32	\$619.20
3.42	PROMETHAZINE, 25 MG/1 ML AMPULE	EA	240	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$1.12	\$268.80	\$1.88	\$451.20	\$8.95	\$2,148.00	\$48.78	\$11,707.20
3.43	SODIUM BICARB, 4.2% PEDI, LUER LOCK	EA	12	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$9.35	\$112.20	\$13.24	\$158.88	\$35.85	\$430.20	No Bid	\$0.00
3.44	SODIUM BICARB, 8.4%, 50 MEQ/50 ML, LUER JET	EA	60	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$6.88	\$412.80	\$7.89	\$473.40	\$25.21	\$1,512.60	\$7.46	\$447.60
3.45	SOLUMEDROL ACTVIL, 125 MG/2 ML	EA	60	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$7.30	\$438.00	\$9.37	\$562.20	\$24.33	\$1,459.80	\$6.84	\$410.40
3.46	SUCCINYLCHOLINE, 20 MG/1 ML, 200 MG VIAL	EA	50	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$6.41	\$320.50	\$26.40	\$1,320.00	\$65.44	\$3,272.00	\$19.88	\$994.00
3.47	THIAMINE, 100 MG/2 ML VIAL	EA	25	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$12.00	\$300.00	\$13.71	\$342.75	\$39.94	\$998.50	\$12.13	\$303.25
3.48	TORADOL/KETOROLAC, 60 MG VIAL	EA	25	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$3.40	\$85.00	\$2.74	\$68.50	\$8.03	\$200.75	\$2.32	\$58.00
3.49	VASOPRESSIN, 40 UNITS VIAL	EA	50	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$112.00	\$5,600.00	\$141.19	\$7,059.50	No Bid	\$0.00	No Bid	\$0.00
3.50	VECURONIUM, 10 MG/10 ML VIAL	EA	50	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$13.80	\$690.00	\$11.26	\$563.00	\$22.74	\$1,137.00	\$10.37	\$518.50

Line	Description	UOM	QTY	Nashville Medical & EMS Products Inc.		MMS- A Medical Supply Company		Southeastern Emergency Equipment		Life-Assist, Inc.		Bound Tree Medical		Henry Schein EMS		Moore Medical LLC	
				Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended
3.51	VERSED/MIDAZOLAM, 10 MG/2 ML VIAL	EA	72	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$3.90	\$280.80	\$1.464	\$105.408	\$22.64	\$1,630.08	\$11.59	\$834.48
3.52	XOPENEX, 0.63 MG, 24/BX	BXS	36	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$4.98	\$179.28	\$280.87	\$10,111.32	\$684.75	\$24,651.00	\$104.23	\$3,752.28
3.53	XOPENEX, 1.25 MG, 24/BX	BXS	72	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$4.98	\$358.56	\$264.49	\$19,043.28	\$684.75	\$49,302.00	\$104.23	\$7,504.56
3.54	ZEMURON, 10 MG/10 ML VIAL	EA	20	No Bid	\$0.00	No Bid	\$0.00	No Bid		\$6.36	\$127.20	\$9.16	\$183.20	\$26.09	\$521.80	\$6.46	\$129.20
<b>Total Package 3</b>				<b>No Bid</b>	<b>\$0.00</b>	<b>No Bid</b>	<b>\$10,315.36</b>	<b>No Bid</b>	<b>\$0.00</b>	<b>\$46,631.11</b>	<b>\$106,507.618</b>	<b>\$250,306.70</b>	<b>\$109,407.55</b>				

<b>MISCELLANEOUS ITEMS</b>																	
4.1	ARMBOARD, IV, DISP, 2' X 6"	EA	24	No Bid	\$0.00	\$0.61	\$14.64	\$0.69	\$16.56	\$0.83	\$19.92	\$0.72	\$17.28	\$1.20	\$28.80	\$0.58	\$13.92
4.2	BAG, RED BIOHAZARD, 23 X 23, 1.2 ML, 500/CS	CS	2	No Bid	\$0.00	\$53.45	\$106.90	\$52.00	\$104.00	\$60.22	\$120.44	\$14.30	\$28.60	\$44.12	\$88.24	\$48.70	\$97.40
4.3	BAG, RED BIOHAZARD, 33 X 39, 1.2 ML, 250/CS	CS	1	No Bid	\$0.00	\$54.50	\$54.50	\$54.00	\$54.00	\$81.08	\$81.08	\$49.76	\$49.76	\$999.21	\$999.21	No Bid	\$0.00
4.4	B-D, INTERLINK VIAL ACCESS CANNULA, #303067	EA	100	No Bid	\$0.00	\$0.326	\$32.60	\$0.3198	\$31.98	\$0.35	\$35.00	\$0.31	\$31.00	\$0.32	\$32.00	No Bid	\$0.00
4.5	BAXTER INTERLINK INJECTION SITE #2N3399		20	No Bid	\$0.00	\$1.47	\$29.40	\$0.82	\$16.40	\$1.33	\$26.60	\$1.32	\$26.40	\$1.59	\$31.80	\$1.60	\$32.00
4.6	BLOOD PRESSURE CUFF, ADULT, NAVY BLUE, LATEX INFLATION BLADDER & BULB, LEATHERETTE CARRYING CASE	EA	12	\$5.29	\$63.48	\$4.95	\$59.40	\$33.95	\$407.40	\$5.29	\$63.48	\$6.30	\$75.60	\$5.69	\$68.28	\$9.72	\$116.64
4.7	BLOOD PRESSURE CUFF, CHILD, NAVY BLUE, LATEX INFLATION BLADDER & BULB, LEATHERETTE CARRYING CASE	EA	6	\$5.29	\$31.74	\$4.95	\$29.70	\$33.95	\$203.70	\$7.84	\$47.04	\$7.01	\$42.06	\$14.89	\$89.34	\$9.72	\$58.32
4.8	BLOOD PRESSURE CUFF, INFANT, NAVY BLUE, LATEX INFLATION BLADDER & BULB, LEATHERETTE CARRYING CASE	EA	4	\$5.29	\$21.16	\$4.95	\$19.80	\$33.95	\$135.80	\$7.15	\$28.60	\$7.01	\$28.04	\$18.32	\$73.28	\$9.72	\$38.88
4.9	BLOOD PRESSURE CUFF, LARGE ADULT, NAVY BLUE, LATEX INFLATION BLADDER & BULB, LEATHERETTE CARRYING CASE	EA	12	\$5.69	\$68.28	\$5.11	\$61.32	\$38.27	\$459.24	\$9.63	\$115.56	\$7.01	\$84.12	\$13.11	\$157.32	\$12.78	\$153.36
4.10	BROSELOW TAPE	EA	2	No Bid	\$0.00	No Bid	\$0.00	No Bid	\$0.00	No Bid	\$0.00	No Bid	\$0.00	\$35.30	\$70.60	No Bid	\$0.00
4.11	C-COLLAR BAG, BLUE	EA	2	No Bid	\$0.00	\$17.28	\$34.56	\$17.05	\$34.10	\$23.00	\$46.00	\$11.34	\$22.68	\$24.10	\$48.20	\$21.00	\$42.00
4.12	CONMED ECG ELECTRODES, HUGGABLES, PEDI, 4 PACK, 600/CS	CS	1	No Bid	\$0.00	\$91.36	\$91.36	\$94.20	\$94.20	\$100.00	\$100.00	\$88.40	\$88.40	No Bid	\$0.00	No Bid	\$0.00
4.13	CONMED ECG ELECTRODES, SURETRACE, ADULT, 30/PK, 20 PK/CS, 600/CS	CS	72	No Bid	\$0.00	\$76.85	\$5,533.20	No Bid	\$0.00	\$87.48	\$6,298.56	\$79.40	\$5,716.80	\$152.21	\$10,959.12	\$136.00	\$9,792.00
4.14	FACEMASK, DISP, W/EYE SHIELD	EA	12	No Bid	\$0.00	\$0.3494	\$4.1928	\$0.8856	\$10.6272	\$1.05	\$12.60	\$0.52	\$6.24	\$0.28	\$3.36	\$12.12	\$145.44
4.15	ECONOMY SAFETY GOGGLES	EA	6	No Bid	\$0.00	\$1.28	\$7.68	\$1.31	\$7.86	\$0.99	\$5.94	\$1.47	\$8.82	\$2.32	\$13.92	\$0.89	\$5.34
4.16	EMESIS BAG, WHITE OPAQUE	EA	480	No Bid	\$0.00	\$1.09	\$523.20	\$1.1833	\$567.984	\$0.36	\$172.80	\$0.87	\$417.60	\$1.11	\$532.80	\$1.04	\$499.20
4.17	EXT SET, ICU MEDICAL #B3302 WITH MICROCLAVE CLAMP AND ROTATING LUER	EA	2400	No Bid	\$0.00	\$2.29	\$5,496.00	No Bid	\$0.00	\$2.20	\$5,280.00	\$2.12	\$5,088.00	\$2.77	\$6,648.00	No Bid	\$0.00
4.18	FILTER STRAW, 5 MICRON	EA	100	No Bid	\$0.00	\$0.3857	\$38.57	\$0.3994	\$39.94	\$0.22	\$22.00	\$0.39	\$39.00	\$0.45	\$45.00	\$47.49	\$4,749.00
4.19	GLOVE, LARGE, NITRILE NON-LATEX, DEFENDER, 10" CUFF	BXS	288	No Bid	\$0.00	\$9.75	\$2,808.00	\$9.64	\$2,776.32	\$9.80	\$2,822.40	\$8.83	\$2,543.04	\$8.86	\$2,551.68	No Bid	\$0.00
4.20	GLOVE, MEDIUM, NITRILE NON-LATEX, DEFENDER, 10" CUFF	BXS	288	No Bid	\$0.00	\$9.75	\$2,808.00	\$9.64	\$2,776.32	\$9.80	\$2,822.40	\$8.83	\$2,543.04	\$8.83	\$2,543.04	No Bid	\$0.00
4.21	GLOVE, X-SMALL, NITRILE NON-LATEX, DEFENDER, 10" CUFF	BXS	120	No Bid	\$0.00	No Bid	\$0.00	\$9.64	\$1,156.80	\$9.80	\$1,176.00	\$8.83	\$1,059.60	\$8.83	\$1,059.60	No Bid	\$0.00
4.22	GLOVE, SMALL, NITRILE NON-LATEX, DEFENDER, 10" CUFF	BXS	120	No Bid	\$0.00	\$9.75	\$1,170.00	\$9.64	\$1,156.80	\$9.80	\$1,176.00	\$8.83	\$1,059.60	\$8.83	\$1,059.60	No Bid	\$0.00
4.23	GLOVE, X-LARGE, NITRILE NON-LATEX, DEFENDER, 10" CUFF	BXS	288	No Bid	\$0.00	\$9.75	\$2,808.00	\$9.64	\$2,776.32	\$9.80	\$2,822.40	\$8.83	\$2,543.04	\$8.83	\$2,543.04	No Bid	\$0.00
4.24	GLUCOMETER TEST STRIPS PRECISION XTRA, 50/BX	BXS	60	\$22.49	\$1,349.40	\$10.50	\$630.00	\$31.25	\$1,875.00	\$30.00	\$1,800.00	\$19.32	\$1,159.20	\$18.20	\$1,092.00	\$80.64	\$4,838.40
4.25	INTEROSSEOUS NEEDLE, 15 GAUGE	EA	6	No Bid	\$0.00	\$19.59	\$117.54	\$9.55	\$57.30	\$8.62	\$51.72	\$8.58	\$51.48	\$18.91	\$113.46	\$18.73	\$112.38
4.26	IODINE PREP PADS, 100/BX	BX	1	\$3.49	\$3.49	\$3.38	\$3.38	\$4.64	\$4.64	\$4.31	\$4.31	\$3.18	\$3.18	\$3.31	\$3.31	\$3.09	\$3.09

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				Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended
4.27	IV DRIP SET BRAND ICU MEDICAL #B9900-299, 84" Y TYPE	EA	1800	No Bid	\$0.00	\$4.26	\$7,668.00	No Bid	\$0.00	\$4.08	\$7,344.00	\$3.08	\$5,544.00	No Bid	\$0.00	\$197.88	\$356,184.00
4.28	IV, CATH, PROTECTIVE PLUS, 14 G X 1.25", 50/BX	EA	100	\$1.57	\$157.00	\$1.49	\$149.00	\$1.5444	\$154.44	\$1.66	\$166.00	\$1.63	\$163.00	\$1.47	\$147.00	\$89.27	\$8,927.00
4.29	IV, CATH, PROTECTIVE PLUS, 16 G X 1.25", 50/BX	EA	300	\$1.57	\$471.00	\$1.49	\$447.00	\$1.5444	\$463.32	\$1.66	\$498.00	\$1.63	\$489.00	\$1.47	\$441.00	\$89.27	\$26,781.00
4.30	IV, CATH, PROTECTIVE PLUS, 18 G X 1.25", 50/BX	EA	1200	\$1.57	\$1,884.00	\$1.49	\$1,788.00	\$1.5444	\$1,853.28	\$1.66	\$1,992.00	\$1.63	\$1,956.00	\$1.47	\$1,764.00	\$89.27	\$107,124.00
4.31	IV, CATH, PROTECTIVE PLUS, 20 G X 1.25", 50/BX	EA	2400	\$1.57	\$3,768.00	\$1.49	\$3,576.00	\$1.5444	\$3,706.56	\$1.66	\$3,984.00	\$1.63	\$3,912.00	\$1.47	\$3,528.00	\$89.27	\$214,248.00
4.32	IV, CATH, PROTECTIVE PLUS, 22 G X 1", 50/BX	EA	800	\$1.57	\$1,256.00	\$1.49	\$1,192.00	\$1.5444	\$1,235.52	\$1.66	\$1,328.00	\$1.63	\$1,304.00	\$1.47	\$1,176.00	\$89.27	\$71,416.00
4.33	IV, CATH, PROTECTIVE PLUS, 24 G X 3/4", 50/BX	EA	300	\$1.57	\$471.00	\$1.49	\$447.00	\$1.5444	\$463.32	\$1.66	\$498.00	\$1.63	\$489.00	\$1.47	\$441.00	\$89.27	\$26,781.00
4.34	LANCETS, DISPOSABLE, SAFETY, 100/BX	BXS	48	\$9.65	\$463.20	\$9.30	\$446.40	\$9.94	\$477.12	\$7.19	\$345.12	\$9.22	\$442.56	\$9.49	\$455.52	\$5.98	\$287.04
4.35	LEVER LOCK/CLIP LOCK CANNULAS	EA	100	No Bid	\$0.00	\$0.472	\$47.20	\$0.463	\$46.30	\$0.51	\$51.00	\$0.45	\$45.00	\$0.31	\$31.00	\$45.10	\$4,510.00
4.36	MUCOSAL ATOMIZATION DEVICE, 3 CC SYR	EA	120	No Bid	\$0.00	\$4.14	\$496.80	\$4.05	\$486.00	\$3.69	\$442.80	\$3.60	\$432.00	\$3.99	\$478.80	\$99.00	\$11,880.00
4.37	MULTIFUNCTION PADS, KENDALL MEDITRACE #1310P	EA	12	\$16.95	\$203.40	\$15.38	\$184.56	\$18.96	\$227.52	\$17.92	\$215.04	\$7.67	\$92.04	\$18.20	\$218.40	\$113.67	\$1,364.04
4.38	N95 MASK, LARGE, 20/BX	BX	1	\$13.29	\$13.29	\$20.58	\$20.58	No Bid	\$0.00	\$23.00	\$23.00	\$11.92	\$11.92	\$17.20	\$17.20	\$16.21	\$16.21
4.39	N95 MASK, MEDIUM, 20/BX	BX	1	\$13.29	\$13.29	\$20.58	\$20.58	\$17.24	\$17.24	\$15.00	\$15.00	\$13.00	\$13.00	\$17.22	\$17.22	\$16.21	\$16.21
4.40	N95 MASK, SMALL, 20/BX	BX	1		\$0.00	\$20.58	\$20.58	\$17.24	\$17.24	\$15.00	\$15.00	\$11.92	\$11.92	\$17.23	\$17.23	\$16.21	\$16.21
4.41	NEEDLE, 18 G X 1" W/SAFETY CAP OR NEEDLE SAFETY DEVICE, 100/BX	BXS	4	No Bid	\$0.00	\$23.48	\$93.92	\$11.61	\$46.44	\$18.00	\$72.00	\$4.00	\$16.00	\$19.12	\$76.48	\$20.27	\$81.08
4.42	NEEDLE, 23 G X 1" W/SAFETY CAP OR NEEDLE SAFETY DEVICE, 100/BX	BXS	4	No Bid	\$0.00	\$19.88	\$79.52	\$11.61	\$46.44	\$28.00	\$112.00	\$28.00	\$112.00	\$18.93	\$75.72	\$20.27	\$81.08
4.43	GASTRIC SUMP TUBE W/RADIOPAQUE LINE 10 FR	EA	6	No Bid	\$0.00	\$1.77	\$10.62	\$2.32	\$13.92	\$1.73	\$10.38	\$1.70	\$10.20	\$2.01	\$12.06	\$2.36	\$14.16
4.44	GASTRIC SUMP TUBE W/RADIOPAQUE LINE 12 FR	EA	6	No Bid	\$0.00	\$1.77	\$10.62	\$2.32	\$13.92	\$1.73	\$10.38	\$1.70	\$10.20	\$2.01	\$12.06	\$2.36	\$14.16
4.45	GASTRIC SUMP TUBE W/RADIOPAQUE LINE 14 FR	EA	6	No Bid	\$0.00	\$1.77	\$10.62	\$2.32	\$13.92	\$1.73	\$10.38	\$1.70	\$10.20	\$2.01	\$12.06	\$2.36	\$14.16
4.46	GASTRIC SUMP TUBE W/RADIOPAQUE LINE 16 FR	EA	6	No Bid	\$0.00	\$1.77	\$10.62	\$2.32	\$13.92	\$1.73	\$10.38	\$1.70	\$10.20	\$2.01	\$12.06	\$2.36	\$14.16
4.47	GASTRIC SUMP TUBE W/RADIOPAQUE LINE 18 FR	EA	6	No Bid	\$0.00	\$1.77	\$10.62	\$2.32	\$13.92	\$1.73	\$10.38	\$1.70	\$10.20	\$2.01	\$12.06	\$2.36	\$14.16
4.48	OB KIT, PLASTIC BAG	EA	12	\$4.59	\$55.08	\$4.89	\$58.68	\$4.60	\$55.20	\$6.80	\$81.60	\$4.86	\$58.32	\$5.83	\$69.96	\$5.72	\$68.64
4.49	PADS, ALCOHOL, MEDIUM, 200/BX, STERILE	BXS	24	\$1.69	\$40.56	\$1.34	\$32.16	\$1.21	\$29.04	\$1.44	\$34.56	\$1.28	\$30.72	\$1.30	\$31.20	\$1.44	\$34.56
4.50	PEDI-MATE PEDIATRIC RESTRAINT DEVICE	EA	1	\$139.00	\$139.00	\$281.00	\$281.00	\$40.00	\$40.00	\$253.28	\$253.28	\$220.04	\$220.04	\$199.29	\$199.29	\$255.83	\$255.83
4.51	PENLIGHT, DISPOSABLE	EA	72	\$0.52	\$37.44	\$0.56	\$40.32	\$0.66	\$47.52	\$0.65	\$46.80	\$0.61	\$43.92	\$0.84	\$60.48	\$3.30	\$237.60
4.52	PORTABLE O2 REGULATOR, 1-25 LPM W/ONE PTO	EA	12	\$25.29	\$303.48	\$29.58	\$354.96	\$42.50	\$510.00	\$59.74	\$716.88	\$65.89	\$790.68	\$59.51	\$714.12	No Bid	\$0.00
4.53	PORTABLE O2 REGULATOR SEAL, PLASTIC	EA	200	\$0.42	\$84.00	No Bid	\$0.00	\$0.05	\$10.00	\$0.44	\$88.00	\$0.048	\$9.60	\$0.20	\$40.00	No Bid	\$0.00
4.54	REGULATOR TOP MOUNT W/ CONTENTS GUAGE LEFT HANDED 50 PSI "H" SIZE		4	\$69.00	\$276.00	\$86.50	\$346.00	\$80.63	\$322.52	\$72.24	\$288.96	\$82.91	\$331.64	\$138.10	\$552.40	No Bid	\$0.00
4.55	PPE KIT, DISPOSABLE, ECONOMY	EA	12	\$3.19	\$38.28	\$3.80	\$45.60	\$7.76	\$93.12	\$5.67	\$68.04	\$3.93	\$47.16	\$4.18	\$50.16	\$8.88	\$106.56
4.56	PRESSURE INFUSER, DISPOSABLE, 1,000 CC	EA	24	\$7.89	\$189.36	\$7.94	\$190.56	\$10.63	\$255.12	\$13.79	\$330.96	\$10.79	\$258.96	\$10.81	\$259.44	\$14.21	\$341.04
4.57	PRESSURE INFUSER, DISPOSABLE, 500 CC		24	\$7.89	\$189.36	\$7.45	\$178.80	\$10.63	\$255.12	\$13.55	\$325.20	\$10.60	\$254.40	No Bid	\$0.00	No Bid	\$0.00
4.58	RAZOR, PREP, DISPOSABLE	BXS	2	\$19.00	\$38.00	\$16.80	\$33.60	\$17.00	\$34.00	\$15.84	\$31.68	\$15.00	\$30.00	\$16.33	\$32.66	\$15.33	\$30.66
4.59	RAPTOR IV SECURING DEVICE PN:30-0006		12	No Bid	\$0.00	\$1.55	\$18.60	No Bid	\$0.00	\$1.88	\$22.56	\$11.99	\$143.88	No Bid	\$0.00	\$12.00	\$144.00
4.60	SAFETY CONTROL DRUG SEALS, PLASTIC, RED, NUMBERED	EA	300	\$14.99	\$4,497.00	\$0.154	\$46.20	\$0.1772	\$53.16	\$0.09	\$27.00	\$0.145	\$43.50	\$0.16	\$48.00	\$16.86	\$5,058.00
4.61	SCALPEL, #10, SAFETY	EA	6	No Bid	\$0.00	\$0.664	\$3.984	\$2.15	\$12.90	\$0.58	\$3.48	\$0.37	\$2.22	\$0.36	\$2.16	\$6.19	\$37.14

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				Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended
4.62	SHARPS CONTAINER, 1 QT W/LID, NO MFG. PREFERENCE, 6.25 X 4.25 X 4.5	EA	40	\$1.39	\$55.60	\$1.66	\$66.40	\$1.63	\$65.20	\$1.51	\$60.40	\$1.26	\$50.40	\$1.58	\$63.20	\$1.59	\$63.60
4.63	SHARPS CONTAINER, 5 QT W/LID, NO MFG. PREFERENCE, 12 H X 11.25 W X 4.25 D	EA	60	\$3.89	\$233.40	\$2.65	\$159.00	\$4.27	\$256.20	\$3.12	\$187.20	\$4.20	\$252.00	\$3.72	\$223.20	\$2.59	\$155.40
4.64	SHEARS, UTILITY/EMS, 5.5 INCH	EA	24	\$0.71	\$17.04	\$0.73	\$17.52	\$0.97	\$23.28	\$0.91	\$21.84	\$0.78	\$18.72	\$0.84	\$20.16	\$1.00	\$24.00
4.65	SILVER EMERGENCY BLANKET	EA	6	\$0.49	\$2.94	\$0.45	\$2.70	\$0.39	\$2.34	\$0.60	\$3.60	\$0.42	\$2.52	\$0.59	\$3.54	\$0.42	\$2.52
4.66	SOFT PATIENT RESTRAINTS, PAIR, DISPOSABLE W/D-RING	EA	48	\$2.99	\$143.52	\$3.22	\$154.56	\$4.53	\$217.44	\$3.94	\$189.12	\$3.20	\$153.60	\$2.65	\$127.20	\$3.41	\$163.68
4.67	STERILE WATER, IRRIG, POUR BOTTLE, 500 ML	EA	180	No Bid	\$0.00	\$2.67	\$480.60	\$1.68	\$302.40	\$2.00	\$360.00	\$2.27	\$408.60	\$6.02	\$1,083.60	\$1.13	\$203.40
4.68	STETHOSCOPE, PROSCOPE DUAL HEAD	EA	12	\$3.29	\$39.48	\$1.75	\$21.00	\$4.53	\$54.36	\$4.53	\$54.36	\$2.87	\$34.44	\$3.85	\$46.20	\$4.01	\$48.12
4.69	STRETCHER, ALUMINUM, BREAK APART	EA	1	\$399.00	\$399.00	\$517.95	\$517.95	No Bid	\$0.00	\$655.27	\$655.27	\$404.79	\$404.79	\$357.82	\$357.82	\$443.33	\$443.33
4.70	SYRINGE, 20 CC, LUER LOCK	EA	20	No Bid	\$0.00	\$0.203	\$4.06	\$0.21	\$4.20	\$0.26	\$5.20	\$0.20	\$4.00	\$0.06	\$1.20	\$12.20	\$244.00
4.71	SYRINGE, 10 CC, LUER LOCK	EA	200	No Bid	\$0.00	\$0.0808	\$16.16	\$0.10	\$20.00	\$0.10	\$20.00	\$0.08	\$16.00	\$0.10	\$20.00	\$11.92	\$2,384.00
4.72	SYRINGE, 1 CC, LUER LOCK	EA	50	No Bid	\$0.00	\$0.1322	\$6.61	\$0.168	\$8.40	\$0.13	\$6.50	\$0.06	\$3.00	\$0.08	\$4.00	\$11.70	\$585.00
4.73	SYRINGE, 30 CC, LUER LOCK	EA	20	No Bid	\$0.00	\$0.3068	\$6.136	\$0.36	\$7.20	\$0.39	\$7.80	\$0.30	\$6.00	\$0.35	\$7.00	\$19.69	\$393.80
4.74	SYRINGE, 3 CC, LUER LOCK	EA	200	No Bid	\$0.00	\$0.0426	\$8.52	\$0.057	\$11.40	\$0.06	\$12.00	\$0.07	\$14.00	\$0.07	\$14.00	\$6.65	\$1,330.00
4.75	SYRINGE, 60 CC, CATHETER TIP	EA	12	No Bid	\$0.00	\$0.63	\$7.56	\$0.43	\$5.16	\$0.38	\$4.56	\$0.43	\$5.16	\$0.46	\$5.52	\$33.11	\$397.32
4.76	TEGADERM FILM- 6 IN X 8 IN	EA	12	No Bid	\$0.00	\$0.227	\$2.724	\$3.28	\$39.36	\$35.95	\$431.40	\$0.487	\$5.844	\$3.09	\$37.08	\$31.00	\$372.00
4.77	THERMOMETER PROBE COVERS, WELCH ALLYN #05031	EA	480	\$0.036	\$17.28	\$0.0358	\$17.184	\$0.0314	\$15.072	\$0.0352	\$16.896	\$0.039	\$18.72	\$0.04	\$19.20	\$9.06	\$4,348.80
4.78	TOURNIQUET, NON-LATEX	EA	2400	\$0.079	\$189.60	\$0.0664	\$159.36	\$0.08	\$192.00	\$0.096	\$230.40	\$0.075	\$180.00	\$0.10	\$240.00	\$0.82	\$1,968.00
4.79	TUBEX HOLDER	EA	12	No Bid	\$0.00	No Bid	\$0.00	No Bid	\$0.00	\$0.02	\$0.24	\$0.02	\$0.24	\$0.03	\$0.36	No Bid	\$0.00
4.80	VENI-GARD TM TAPE, 100/BX OR EQUIVALENT	EA	2400	\$0.22	\$528.00	\$0.25	\$600.00	\$0.375	\$900.00	\$0.25	\$600.00	\$0.243	\$583.20	\$0.45	\$1,080.00	\$44.44	\$106,656.00
4.81	VIONEX TOWELETTE OR EQUIVALENT	CS	4	\$67.95	\$271.80	\$84.93	\$339.72	\$7.97	\$31.88	\$79.19	\$316.76	\$87.60	\$350.40	\$72.90	\$291.60	\$7.73	\$30.92
4.82	WRENCH, D/E CYL, PLASTIC	EA	24	\$0.39	\$9.36	\$0.78	\$18.72	\$0.85	\$20.40	\$0.76	\$18.24	\$0.58	\$13.92	\$0.75	\$18.00	\$0.54	\$12.96
4.83	WRENCH, H METAL, LARGE	EA	6	\$3.95	\$23.70	\$4.87	\$29.22	\$1.28	\$7.68	\$3.47	\$20.82	\$3.60	\$21.60	\$3.61	\$21.66	\$3.93	\$23.58
4.84	ZOLL CPR STAT-PADZ MULTIFUNCTION #8900-0402	EA	72	No Bid	\$0.00	\$67.36	\$4,849.92	\$62.62	\$4,508.64	\$75.00	\$5,400.00	\$63.62	\$4,580.64	\$62.04	\$4,466.88	\$63.76	\$4,590.72
4.85	ZOLL PEDI PADZ MULTI FUNCTION 8900-3000-01	EA	36	No Bid	\$0.00	\$37.27	\$1,341.72	\$235.77	\$8,487.72	\$41.50	\$1,494.00	\$51.82	\$1,865.52	\$34.34	\$1,236.24	\$207.50	\$7,470.00
4.86	ZOLL X-SERIES MONITOR PAPER #0650-000009	EA	144	No Bid	\$0.00	\$2.49	\$358.56	\$2.314	\$333.216	\$4.84	\$696.96	\$1.39	\$200.16	\$3.32	\$478.08	No Bid	\$0.00
<b>Total Package 4</b>					\$18,056.01		\$50,028.5508		\$41,304.8792		\$55,436.276		\$49,275.534		\$51,725.48		\$988,706.22
<b>Grand Total</b>					\$ 29,402.3140		\$ 85,959.4708		\$ 91,176.532		\$ 129,608.736		\$ 207,370.468		\$326,928.890		#####

Name	No. of Lines Responded	Response Total
Interboro Packaging Corporation*	5	\$3,510.72
Gulfstar Supply*	4	\$6,297.60
Nashville Medical & EMS Products Inc.	123	\$29,402.314
MMS- A Medical Supply Company	187	\$85,959.4708
Southeastern Emergency Equipment	176	\$91,176.532
Life-Assist, Inc.	238	\$129,608.736
Bound Tree Medical	240	\$207,370.468
Henry Schein EMS	229	\$326,928.89
Moore Medical LLC	198	\$1,117,356.03

\*Companies who did not meet the 20% required for award are not included in tabulation  
No award

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

<b>AGENDA OF:</b>	June 8, 2015	<b>ITEM NO.:</b>	Resolution No. R2015-98
<b>DATE SUBMITTED:</b>	May 22, 2015	<b>DEPT. OF ORIGIN:</b>	Finance
<b>PREPARED BY:</b>	Bob Pearce	<b>PRESENTOR:</b>	Lata Krishnarao
<b>REVIEWED BY:</b>	Lata Krishnarao	<b>REVIEW DATE:</b>	May 28, 2015
<b>SUBJECT: Resolution No. R2015-98</b> – A Resolution of the City Council of the City of Pearland, Texas, authorizing a fixed unit rate contract for development plan review services with Freese and Nichols, Inc. in the amount of \$50,000.00 for the period of August 1, 2015 to July 31, 2016.			
<b>EXHIBITS:</b> 1. Resolution #R2015-98 2. RFP Tabulation 3. Contract with Frees and Nichols 4. White Paper: Healthy Local Economy - Permit Revenue Projections & What Makes a Valuable Development 5. Community Development Quarterly Report Second Quarter FY 2015			
<b>FUNDING:</b>			
<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			
<b>EXPENDITURE REQUIRED:</b> \$50,000		<b>AMOUNT BUDGETED:</b> \$50,000	
<b>AMOUNT AVAILABLE:</b> \$50,000		<b>PROJECT NO.:</b>	
<b>ACCOUNT NO.:</b> 010-1650-555-11-00			
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>			
<b>ACCOUNT NO.:</b>			
<b>PROJECT NO.:</b>			
<b>To be completed by Department:</b>			
<input checked="" type="checkbox"/> Finance	<input checked="" type="checkbox"/> Legal	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution

**EXECUTIVE SUMMARY**

**BACKGROUND**

It is necessary for the City to retain the services of an outside contractor to perform development plan review. Due to workload and recent turnover, the City's Planning Department is seeking to award a contract to a qualified firm in order to supplement its ability to perform site plan, plat and permit reviews in a timely manner. Under the general direction of the City Planner, the contractor will provide professional development review services. The City's commercial growth and the recent turnover has placed a great deal of strain on the department, making it difficult to keep up with the demand.

**SCOPE OF CONTRACT/AGREEMENT**

Third party development review services on an as needed basis for a one (1) year term, with two (2) subsequent one-year renewal options, upon the mutual agreement of the parties, and the approval of City Council.

**BID AND AWARD**

A total of four (4) proposals were received in response to the specifications of RFP#0415-33: Burditt Consultants, LLC, Freese & Nichols, Masterplan and Shelmark Engineering. Specifications allow for the award of the contract to a single vendor or multiple, as deemed to be most advantageous to the City. The Planning Department reviewed the proposals based on the evaluation criteria in the proposal, which were: compliance with proposal requirements, qualifications, best value and delivery. Based on the scoring provided by the Planning and Community Development staff, it is respectfully recommended that the development plan review services be awarded to Freese and Nichols. Contributing factors are that Freese and Nichols worked with the City through FY 2014 and the start of FY 2015 and Planning department has reported a high level of satisfaction. For routine plan review, Freese and Nichols has designated an entry level staff member for City use, as denoted by the "Professional -1" category at the attached fee schedule. This staff member will be able to work in the City offices and assist with customer service and site inspections also. Freese and Nichols has provided fee schedule for increased expertise level personnel, when the City Planning determines that to be necessary.

It is recommended that the proposal be awarded to Freese and Nichols, Inc. as proposed in the attached fee schedule.

**SCHEDULE**

Development plan reviews on an as needed basis throughout the year.

**POLICY/GOAL CONSIDERATION**

This contract is contemplated and recommended for the purpose of furthering the City's objective to provide compliance with the City's Unified Development Code and a healthy local economy. The attached white paper presented to the City Council in February of 2015 had discussed the use of third party services to address the near-term increased development activity. The development processes include all or some of the following – pre-development meetings, zone changes, planned developments, platting, site plan reviews, permit reviews, and other approvals administered by the Planning Department. As shown in the attached quarterly reports, the development activity is at very high levels, and third party assistance has been required to meet this work load. When development activity declines, the City would terminate the use of development review services, and full time staff, utilizing overtime, would be able to manage the level of service.

This contract will also assist in undertaking some of the action items listed in the attached white paper on What Makes a Valuable Development, by ensuring that all land use decisions are made in conformance to the Comprehensive Plan and other adopted policy documents; encouraging high quality, high-end commercial uses that enhance property taxes, and contribute to the local sales tax revenue; and promoting high quality residential development that provides an increase in the ad valorem tax and high return on investment.

**CURRENT AND FUTURE CIP FUNDING /FINANCIAL IMPACTS/DEBT SERVICE**

Funding for the purchase of this system will come from the plan review fees.

Fiscal Year	2015	2016	2017
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	\$50,000	\$100,000	\$100,000
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**RECOMMENDED ACTION**

City Council consideration and approval of Resolution No. R2015-98, authorizing a fixed unit rate contract for development plan review services with Freese and Nichols, Inc., in the amount of \$50,000.00 for the period of August 1, 2015 to July 31, 2016.

**RESOLUTION NO. R2015-98**

**A Resolution of the City Council of the City of Pearland, Texas, authorizing a fixed unit rate contract for development plan review services with Freese & Nichols, Inc., in the amount of \$50,000.00 for the period of August 1, 2015 to July 31, 2016.**

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

**Section 1.** That certain contract for development plan review 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 development plan review services.

PASSED, APPROVED and ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_,  
A.D., 2015.

\_\_\_\_\_  
TOM REID  
MAYOR

ATTEST:

\_\_\_\_\_  
YOUNG LORFING, TRMC  
CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
DARRIN M. COKER  
CITY ATTORNEY

**RFP No. 0415-33 Development Plan Review Services  
for Planning and Zoning Department  
Closed: 5/1/2015 @ 2:00 p.m.**

Line	Description	UOM	QTY	Burditt Consultants	Freese & Nichols	Masterplan	Shelmark Engineering
<b>1 Tier I Tasks</b>							
1.1	Review sign permit applications for compliance with the City of Pearland Unified Development Code (UDC) and other regulations. Provide review comments to City Staff and/or the applicant as instructed by the Client.	HR	1	\$ 95.00	See notes below	\$ 97.50	Fees were not included. See notes below
1.2	Respond to requests for zoning verification letters submitted to the City.	HR	1	\$ 95.00		\$ 97.50	
<b>2 Tier II Tasks</b>							
2.1	Provide Planning Department review of site plans and site work permit applications. Provide review comments that identify required revisions and corrections per the UDC.	HR	1	\$ 95.00		\$ 126.75	
2.2	Provide Planning Department review of subdivision plats. Provide review comments that identify required revisions and corrections per the UDC.	HR	1	\$ 95.00		\$ 126.75	
2.3	Review zoning change applications, and provide a report and recommendation for support or denial of the requested zone change.	HR	1	\$ 95.00		\$ 126.75	
<b>3 Tier III Tasks</b>							
3.1	Review Conditional Use Permit requests, and provide a report and recommendation for support or denial of the request.	HR	1	\$ 95.00		\$ 156.00	

**RFP No. 0415-33 Development Plan Review Services  
for Planning and Zoning Department  
Closed: 5/1/2015 @ 2:00 p.m.**

Line	Description	UOM	QTY	Burditt Consultants	Freese & Nichols	Masterplan	Shelmark Engineering
3.2	Review Zoning Board of Adjustment Special Exception applications and prepare a report for consideration by the Board of Adjustment.	HR	1	\$ 95.00		\$ 156.00	
3.3	Review the Comprehensive Plan or proposed revisions to the Comprehensive Plan, and provide City staff with feedback and review comments.	HR	1	\$ 95.00		\$ 156.00	
3.4	Assist City staff with special planning projects.	HR	1	\$ 95.00		\$ 156.00	

<b>Freese &amp; Nichols Proposed Rates - depending on experienced professional &amp; project</b>			
Professional - 1	HR	1	\$ 96.00
Professional - 2	HR	1	\$ 116.00
Professional - 3	HR	1	\$ 125.00
Professional - 4	HR	1	\$ 144.00
Professional - 5	HR	1	\$ 180.00
Professional - 6	HR	1	\$ 210.00
Corporate Project Support - 1	HR	1	\$ 76.00
Corporate Project Support - 2	HR	1	\$ 120.00
Intern/Coop	HR	1	\$ 60.00

**Note from Shelmark:**

"It is Shelmark's interpretation of the Texas Engineering Act, that engineering firms to do work for public entities must be selected based on qualifications. Based on that interpretation, Shelmark has not included fees for review services in this RFP. If selected, Shalmark will provide a more detailed fee schedule."

## **CONTRACT FOR PROFESSIONAL SERVICES**

THIS CONTRACT is entered into on August 1, 2015, by and between the City of Pearland ("CITY") and Freese and Nichols, Inc. ("CONSULTANT").

The CITY engages the CONSULTANT to perform professional services for a project known and described as Review Services for City of Pearland Planning 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 review services for the Planning Department to include, but not be limited to: the review of all permits, site plans, Zoning Board of Adjustment projects, cluster plans and conditional use permits, 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 in a period estimated to be eight (8) weeks, or until current vacant positions are filled.

## **SECTION III - CONSULTANT'S COMPENSATION**

- A. Total compensation for the services performed shall be **\$96.00 per hour, not to exceed \$50,000.00.**
  
- 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 11200 Broadway Street, Suite 2332, Pearland, TX 77584. 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 15<sup>th</sup> 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 June, 2015.

\_\_\_\_\_  
CITY OF PEARLAND, TEXAS

\_\_\_\_\_  
CONSULTANT – FREESE & NICHOLS, INC.



# Healthy Local Economy

The local and regional economies have been the driving force behind much of the growth in Pearland over the last decade. Our organization continuously strives to build and support the local economy. Revenues from property taxes and that result from development incentives and sales and hotel occupancy tax revenue, are some of the items that are considered in determining the health and vibrancy of our local economy. Economic growth and development are critical aspects of our City's ability to serve citizens with the quality of life, mobility, and access to services they require.

Although entities like the Pearland Economic Development Corporation (PEDC) and the Convention & Visitors Bureau (CVB) are actively charged with developing our local economy, economic development is really everybody's business within the City. Parks & Recreation programs help define our community and attract new residents, interactions with the Police Department give assurance that this is a great place to live and do business, fire inspections help prevent problems and protect property, and Community Development responds to inquiries and helps guide projects. Everyone at the City contributes to economic growth because as our local economy grows, so does the City of Pearland.

<b>Applicable White Papers</b>	<b>Page</b>
Permit Revenue Projections	29
What Makes a Valuable Development?	34
SH 35 Plan	41



# White Paper

To: Clay Pearson, City Manager

From: Kevin Byal, Building Official

CC: Lata Krishnarao, Director of Community Development

Date: February 16, 2015

Re: Permit Revenue Projections

This paper reviews the trends that have occurred in the City of Pearland concerning construction and development over the last decade and what we may anticipate in the coming years. The following takes into consideration staffing levels for near-term increased activity as well as future declines.

## **BACKGROUND**

The U.S. Census Bureau identified Pearland as the 15th fastest growing community in the nation among cities with 10,000 or more residents in 2000. Pearland's population growth of 142 percent during the 2000s made it the fastest growing city in the Houston metropolitan area and the second fastest growing city in Texas during that decade.

During the 2013/2014 fiscal year, 15,102 permits were issued resulting in nearly \$3.8 million in revenue being collected. In our current fiscal year, 2014/2015, permit activity for new single family homes is tracking *ahead* of last year at the end of the first quarter with 316 new home permits being issued, an increase of 107 over the first quarter last fiscal year.

Looking to the 2015/2016 fiscal year, indicators such as the available inventory of platted lots, current platting activity and permit submissions indicate that construction activity will remain consistent and possibly increase over the course of the year and into 2016.

Prosperous economic periods drive construction booms and both are cyclical. Inevitably there will be a downturn in the volume of construction activity in Pearland. Any decline in permitting activity will result in a corresponding reduction in revenues and in more severe declines, staffing levels will need to be evaluated for potential staff reductions with attrition. Current staff levels alone are insufficient to handle the present growth. Capacity deficiencies are made up by utilizing contract review and inspection services.

## **POLICY/GOAL CONSIDERATION**

The goal of the Community Development department is to improve the environment and quality of life in Pearland by establishing and implementing quality standards for new development and by encouraging maintenance, preservation and reinvestment throughout the city. Our task is to effectively manage the growth of development through the consistent and equitable application of standards that City Council has adopted and within the resources we are provided.

Displayed in Table 1, Future Potential Housing Needs, are the results of calculating the potential housing units that will be needed within the city at the population levels projected for certain

milestone years in Section 2 of the Draft Comprehensive Plan Update, Growth Capacity and Infrastructure. The total number of housing units in the city could increase to nearly 70,000 units by 2030, building upon the estimated 36,385 existing units as of 2011

These numbers are intended primarily as a baseline against which comparisons can be made as actual trends unfold in the years ahead. For ease of calculation, they assume that the 2011 median household size (2.84 persons per household), the 2012 proportion of owner-occupied units (80.9 percent), and the 2012 proportion of single-family detached units (82.2 percent) will all remain constant into the future. They are also gross and not net housing unit projections as they do not account for demolition and/or replacement of any existing units. While it is even more challenging to pinpoint a potential future housing unit count for the combined City limits and extraterritorial jurisdiction, one possibility is 81,818 units if the projected 225,000 buildout population in 2042 is divided by a somewhat reduced figure of 2.75 persons per household.

Historic and Future Population Milestone	% Population Increase	Projected Housing Units at Milestone	Projected Units Milestone	Average Units Added Per Year	Potential Owner-Occupied Units	Potential SF-Detached Units
95,644 (2011 ACS)	49.5%	36,385 (2011 ACS)	--	--	80.9% (2012 ACS)	82.2% (2012 ACS)
132,320 (2020 in-city)	38.3%	49,299	12,914	1,435	10,477	10,615
158,559 (2025 in-city)	19.8%	58,538	22,153	1,582	17,922	18,210
190,000 (2030 in-city)	16.5%	69,609	33,224	1,749	26,878	27,310

TABLE 1, Future Potential Housing Needs source: American Community Survey

s shown in Figure 2, Trend in Single-Family Residential Building Permits, 1996-2014, Pearland saw its building permit activity volume for single-family home construction rise and fall dramatically over the last decade, as reported in the Pearland Economic and Demographic Profile 2013. Issued permits peaked above 2,600 in 2005, and then fell off with the national recession brought on by the banking and mortgage crisis post 2008. Numbers have rebounded to 1,068 in 2014. Despite the recession years, permitting activity remains higher than it was at any point in the late 1990s. As shown in Figure 3, the associated value of the permits issued has held steady over the last several years up until 2013/2014 where values appear to be trending slightly higher.

### New Single-family Home starts

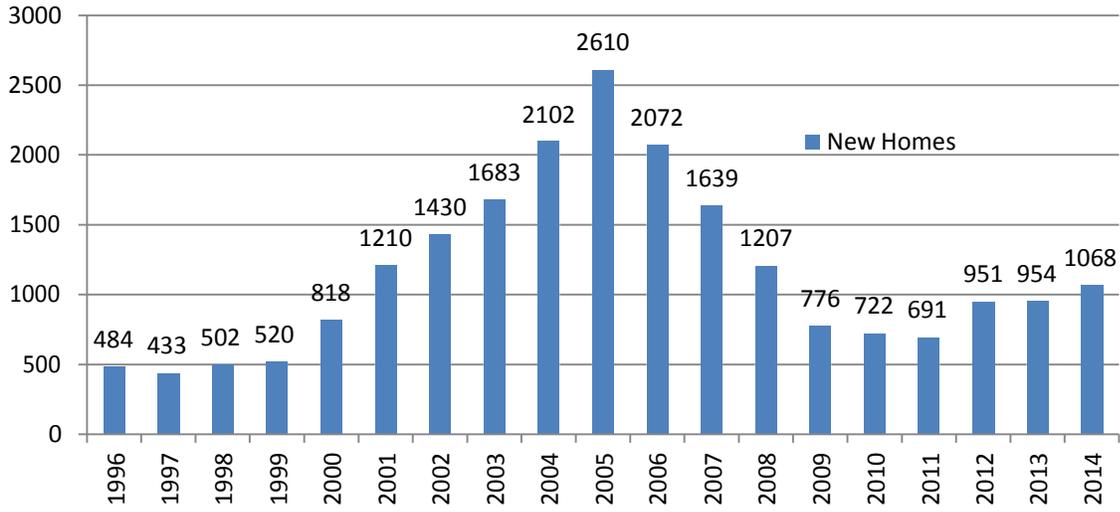


Figure 2, Trend in Single-Family Residential Building Permits, 1996-2014

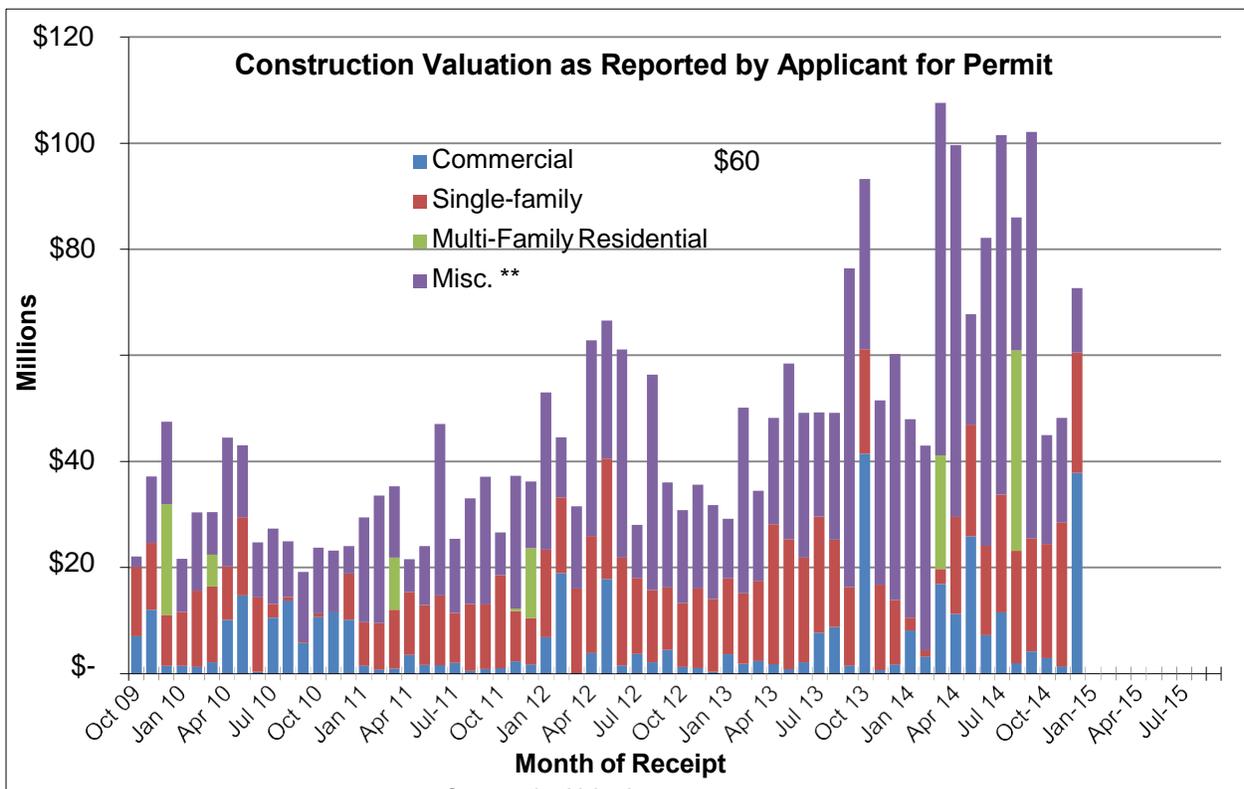


Figure 3: Residential Building Permits Construction Valuation  
 \*\* Misc. includes Fire, Mechanical, Moving, Swimming Pools, Signs, Sitework and Tenant Occupancy Permits.

**BUDGET IMPACT**

The current development activity, available land, economic strength and cyclical patterns are indicators that we will see sustained or increased development activity for approximately the next 5 years. For the last several months, inspection activity has maintained an average of 26 inspections per day, per inspector, whereas, the industry standard is established at 18. We have managed this volume by supplementing our staffing levels with overtime and contract inspection service and propose to continue this practice. The fact that the majority of housing starts are in large tract projects provides for more inspections as inspectors for new construction are in the same area with a consistent cadre of builders and subcontractors.

At the end of the 2013/2014 fiscal year, permit revenues totaled \$3.8 million and the Inspection Services Division expenses were \$991,115. Using this as our baseline we can forecast that, with sustained growth, our revenues will remain at approximately the same level at the end of the 2015/ 2016 fiscal year.

In the past when development slowdowns occurred, it has been at a rate of approximately +/-10% annually. The following are activity levels that would be considered for both near and long range planning.

**Near Term Considerations (less than 5 years):**

In evaluating current and near term activity, the addition of a Development Coordinator is being proposed. This position will serve as a liaison/ombudsperson between the development community and the city. Furthermore, due to the current volume of inspections, budget allocation for overtime and contract inspection services will need to increase. In the current 2014/2015 budget, \$18,000 was allocated for overtime and \$25,000 for contract inspection services. By the end of the 1st quarter, over 57% of the overtime funds and 106% of the contract inspection services had been expended.

Bearing in mind that historical patterns show that permitting and construction activity increase in the spring and summer months, we are anticipating that the activity will follow the same pattern. Compensating for current level of activity and the expected increase, the overtime budget and contact inspection services will need to be increased by an additional \$17,000 and \$25,000 respectively for the remainder of 2015 budget year. For the next fiscal year (2015/2016) overtime budget and contact inspection services would need to be increased to \$35,000 and \$90,000.

**Long Term Considerations (5 years and beyond):**

HGAC's 2014, 4th quarter forecast<sup>1</sup>, illustrates the continuation of steady growth at a rate of 1.7% increase per year through 2040. Nevertheless, construction & development are not immune to economic downturns. Budgetary impacts due to the reductions in permit activity will be address on the measure of decline. Looking at prior cyclical patterns and the available inventory of lots, we can anticipate that permitting and inspection numbers may decline beyond the next 4 to 5 years, and a phased reduction in resources would be initiated as follows:

**Phase 1** – When inspection numbers drop below an average of 23 inspections per inspector, we would terminate the use of contract inspection services. Full time staff, utilizing overtime, would be able to manage this level of service.

<sup>1</sup> H-GAC 2014 Q4 Forecast - <http://www.h-gac.com/community/socioeconomic/2040-regional-growth-forecast/default.aspx>

**Phase 2** – As inspection numbers decline to an average of 18 inspections per inspector, overtime would become unnecessary and ultimately eliminated.

**Phase 3** – A consistent reduction in inspection requests below an average of 13 inspections per inspector would necessitate staff reduction through attrition and/or combining positions. This would be achieved by cross-training staff to perform the functions of vacated positions within their department or possibly transfer to other city departments to fill vacancies.

**Phase 4** – Once development activity and revenue approach levels that will no longer support the existing staffing levels, staff lay-offs will become unavoidable.

**Phase 5** – Outsourcing the inspection function of the department may be a consideration in the event that we experience a radical economic slump. Using current salary levels vs. contract inspection costs, the inspection levels would need to drop to less than 5 inspections per day in order for contract service to cost less than a full time staff position.

#### **CONTRACT/AGREEMENT IN PLACE**

In the past, the City of Pearland has utilized the services of Mykela Architects, Bureau Veritas North American, Inc. and Freese & Nichols, Inc. to sustain staffing levels necessary to manage increased development activity as well as offsetting staff shortages when vacancies occur. These contracts are written for an “as needed” basis and afford either party the ability to terminate the contract for any reason. The only contract in place currently is with Bureau Veritas North American, Inc. to provide inspection services.

#### **KEY STAFF**

Short term, Community Development and Engineering staff are most immediately affected by both increases and declines in development activities in the city. With increased activity both departments are tasked with insuring the development adheres to the appropriate standards. Once the development and construction activity are complete, the service required by these two departments nearly diminishes. In the long term, nearly all city departments are impacted with increased service levels required to serve the increase population.



# White Paper

To: Clay Pearson, City Manager

From: Lata Krishnarao, Director of Community Development

CC: Matt Buchanan, President, PEDC  
Johnna Matthews, City Planner

Date: February 19, 2015

Re: What Makes a Valuable Development?

This paper discusses ways the City of Pearland can encourage sustained value in its real estate development and what value a private development should provide to the community. The paper focuses on not just living up to a high standard of development and redevelopment for the sake of the same, but also on how high standards can contribute to the city's ultimate goal of fiscal health, sustained property values, diversity of services, and a high quality of life.

## **DEFINING VALUE**

Adding value to private development is a multi-disciplinary task that involves a coordination of land planning, zoning, marketing, economic analysis, infrastructure planning, community relations, and a variety of other simultaneous activities.

From a real estate perspective, value is evaluated in terms of the "highest and best use of a property" – the proposed use of a property must generate adequate revenue to justify the costs of construction plus a profit for the developer. While this definition works well for the real estate market, it does not necessarily address all the complexities that the term "highest and best use" involves for the City. However, municipalities can learn valuable lessons from real estate developers who are constantly looking for ways to advance their portfolios. Savvy developers understand their marketplace, their competition and even what that market will look like 20 to 30 years into the future. They are also conscious of how all the parts of their portfolios are performing<sup>1</sup>. Similarly, it is important for cities to think beyond "value" as defined by assessed value, and account for the **time value of money, long term return of investment (ROI), and quality of life.**

## **WHAT MAKES A VALUABLE PRIVATE DEVELOPMENT?**

Development has two major components – type of development in terms of uses, and type of development in terms of quality, that add value.

### Development and Land Uses

For years, cities have struggled to come up with a formula for an optimum mix of land uses. Varying characteristics such as local sentiments and desires, prevailing industries, economic drivers, location, have precluded a universal "one size fits all" magic ratio of land uses.

With recent economic downturns emphasizing the need for communities to be financially solid, more and more cities are now paying more attention to the expenditure required to

<sup>1</sup> Thinking Differently about Development by Joe Minicozzi – August 2013 – Government Finance Review.

accommodate new growth in addition to the revenue from property taxes. Annual tax yield per acre analyses that focused on land uses and revenue profiles, while being an important tool, is not sufficient to gauge City's financial health.

Cities are focusing on the "fiscal-impact quotient"<sup>2</sup> within the development review process to ensure that future revenues from the approved developments will be sufficient to pay for infrastructure and other services provided by the City to support the development.

Further, when using taxable revenue as a benchmark for success, it is important to look at a multiple year trend, whereas a community's product mix can suppress increases in property values particularly when there is an oversupply of one product type and lack of supply of other products.

A similar analysis for the City of Pearland and surrounding cities, with consideration to market forces, would be beneficial in understanding this fiscal impact quotient and product mix, to assist in formulating policies for future development and answer the question - what do we want the city's current average NET value per acre to be?" The city's current average NET value per acre is key to understanding the fiscal advantages of various development types. The FIQ can then be determined by estimating the costs for providing public infrastructure for a particular land use and comparing that figure to the expected annual property tax.

As mentioned, the per acre valuation seeks to determine the highest and best use of a piece of land which is often a matter of perspective and is usually reasonably probable, physically possible, supported by the market and returns the highest profit to the developer. A FIQ focuses on the impact that a particular land use will have on the costs and revenues, enabling the city to estimate the difference between the costs of providing services for various land uses and the revenues – taxes and fees that will be generated by a particular land use.

<sup>2</sup> "The Missing Matrix" by Peter Katz.

Below is an example of a per-acre valuation study done in Sarasota County, Florida; a comparison of the taxable yield of various land uses on a per acre basis. As indicated below, Urban Mixed Uses, particularly mixed use high rises provided the highest yield per acre; while residential uses provided the lowest yield.

Use	Annual Tax Yield per Acre in Sarasota County per acre use	Classification of Use
County Single Family	\$3,651	Residential
County Multi-family	\$7,807	Residential
City Single Family	\$8,211	Residential
Big Box Discount Shopping Center	\$8374	Single Use Commercial
Regional Mall	\$10,579	Single Use Commercial
Grocery Anchored Shopping Center	\$13,019	Single Use Commercial
Fast Food Restaurant	\$15,458	Single Use Commercial
Upscale Mall	\$21,752	Single Use Commercial
Mixed Use Low Rise	\$91,472	Urban Mixed Use
Mixed Use Mid Rise	\$790,452	Urban Mixed Use
Mixed Use High Rise	\$1,195,740	Urban Mixed Use

Source: Government Finance Review, August 2013 – Rethinking Economic and Community Development – Peter Katz

### Quality of Development

All developments provide an increase in the ad valorem tax. Naturally, the higher the appraised value of the property, the higher the tax contribution. The property value is not just affected by the actual value of the land and improvements on site; there are a myriad of factors that affect property value - property location, accessibility, surrounding uses, amenities, neighborhood quality, good schools, recent nearby transactions, facilities, physical state of the property, quality of construction, master plans, desirability of uses, and adjacency predictability.<sup>3</sup>

For example, high-end and full-service hotels are typically desirable as an addition to property taxes. Additionally, the occupants and users are also prone to general spending, which also contributes to the local sales tax revenue. Whereas, lower end developments contribute less in taxes, which reduces the city's tax base and results in higher taxes or fewer services for existing tax payers.

Within new residential neighborhoods, the addition of amenities such as parks and playgrounds, public spaces and trails, walkable schools, and strong connections to activity areas within the community; cannot only result in higher and sustained values among residential products, but less traffic congestion, lower crime rates, a stronger jobs-housing balance, and fewer impacts on public infrastructure, and can ultimately serve to make the community more livable and add value.

<sup>3</sup> Source: <http://www.propertylogy.com/knowledge/10-timeless-factors-that-affect-property-price>

### **WHAT MEASURES CAN THE CITY TAKE TO ENSURE PRIVATE DEVELOPMENTS LIVE UP TO A HIGH STANDARD OF DEVELOPMENT?**

Any development should add value to the city's entire "portfolio of assets." As mentioned earlier, developments should contribute to the city's ultimate goal of fiscal health, sustained property values, diversity of services, and a high quality of life.

The City of Pearland needs to conduct a "fiscal-impact quotient" (FIQ) analysis to ascertain where we are now and where we want to be in the future. This will also paint a clear picture of our future fiscal health if we continue to follow the current practices, and highlight the need for rethinking our current development policies and codes.

Subsequently, by utilizing available tools such as zoning regulations, comprehensive plans, development codes, financial incentives, and adopting others such as neighborhood plans, high development standards, proactive code enforcement through an inspection program, the gap between our current situation and our goals can be closed.

Provisions must be made for changing zoning regulations, as conditions change or new conditions arise and zoning ordinances become out dated. However, land use decisions need to be based on established criteria, including compliance with the goals and policies of the comprehensive plan. Varying from approved ordinances and laws can result in a decline in property values, a lack of diversity in land uses, a disproportionate amount of a particular zoning district over another and an influx of incompatible uses which will result in the deterioration of the quality of life in a community.

### **HOW CAN THE CITY MAINTAIN THAT HIGH STANDARD OF DEVELOPMENT AS INFILL AND REDEVELOPMENT HAPPENS?**

Higher development standards, particularly in infill and redeveloping areas are essential in order for market conditions to improve; however, they cannot be imposed on private investment without acknowledgement that with higher standards come higher costs, yet ultimately higher revenues.

Additionally, in older areas with existing building inventory, blight management is needed to supplement the benefits of new development. While blighted properties make neighborhoods unlivable, unsafe, and unsightly, they also reduce the value of nearby properties, increase the chances of foreclosures, and lead to a reduction in the tax base.

Acknowledging that current codes and regulations pose a challenge to development of brownfields and infill sites, the City needs to first identify these critical areas and formulate **Neighborhood Plans** for each of these neighborhoods. The plans would explore alternate avenues and assemble appropriate resources that encourage a high standard of development in infill and redeveloping areas.

The Neighborhood Plans would address measures such as flexible zoning standards to address non-conformities and encourage reuse and expansions; tailored building codes for older buildings; rehabilitation and repair grants; tax incentives for remediation and redevelopment of brownfields; improvement grants signage, streetscape and landscaping; pro-active inspections

programs to arrest blight; prioritizing rehabilitation/maintenance of infrastructure in existing older neighborhoods vs. new construction; and other public/private partnership.

By creating partnerships with HOAs, neighborhood and citizen groups, private groups and various other stakeholders for planning and funding opportunities, the City can increase neighborhood integrity, sense of place and community and ultimately improve the quality of life.

### **POLICY/GOAL CONSIDERATION**

The potential actions listed in this paper will further the following City Council goals for FY 2015:

1. Policy on Future Residential Development - Low Density on Large Lots/Cluster Plans/Higher Standards
2. Incentives to Encourage Reuse/Redevelopment/Conform to Standards for Existing Businesses and Infill Development in Older Areas.
3. Implementation of 20/20 Blueprint Strategic Plan elements:
  - a. Develop a comprehensive community beautification strategy.
  - b. Develop iconic and visually appealing gateways to Pearland.
  - c. Continue evaluating the feasibility of establishing a city demolition program for distressed properties.
  - d. Create a FM 518/Broadway master development plan.
  - e. Implement the recommendations of the Lower Kirby Urban Center Master Plan and Implementation Strategy.
  - f. Ensure Pearland's retail sector remains vibrant.
  - g. Old Townsite- Complete any needed additional master planning (i.e., housing rehabilitation and infill opportunities) and incorporate into the consolidated Master Implementation Plan.
  - h. Incorporate key outcomes of master planning for FM 518 and SH 35 into a comprehensive review of all completed Old Townsite development reports, including the Grand Boulevard Master Plan.
  - i. Consider the development of form-based zoning code overlay for the Old Downtown district recommends in the Pearland Comprehensive Plan.
  - j. Continue evaluating the feasibility of establishing a city demolition program for distressed properties.

With the presumption that “value”, in the context of this paper, could be monetary, social, physical, or community values, the following goals can assist the City to add sustainable value in private development.

Goals	Action Item
Evaluate the future fiscal health of the City if the current development practices are continued. Determine what the city's current average value per acre needs to be.	Conduct a “fiscal-impact quotient” (FIQ) analysis to ascertain City's future fiscal health if the City continues to follow the current development practices, standards, and codes.
Institute high design standards that are implemented consistently, and are context sensitive. Encourage private developments to provide high level of	Amend Development Codes. Examine the current standards, and propose changes in appropriate areas. Incorporate recommendations of the Master Parks Plan,

amenities by formulating and enforcing clear polices and expectations for private development, with the goal of being the “most livable city in the country”	Comprehensive Plan, The Pearland 20-20 Plan to identify <b>metrics</b> to chart a direction for the future. Examine measures being implemented in the aspiration cities identified in the Benchmark study <sup>4</sup> . Revise current development codes accordingly.
Ensure that the current zoning, property maintenance, and building codes encourage redevelopment and infill development.	Identify areas of concern, and review zoning codes, International Property Maintenance Codes (IPMC) and International Building Codes (IBC), propose local amendments.
Encourage a high FIQ and greater return on investment for high impact/high value/highly visible areas that are currently vulnerable to typical suburban developments. E.g. – Pearland Parkway, future corridors etc.	Identify context sensitive development codes, higher standards of development and form based codes where applicable. Review Comprehensive Plan, Engineering Design Criteria manual, City’s infrastructure development and CIP policies and other development regulations.
Ensure that all land use decisions are made in conformance to the Comprehensive Plan and other adopted policy documents.	Adoption of the new Comprehensive Plan. Educate the decision makes and staff on how smaller decisions affect the overall goals.
Make older areas viable by encouraging a high standard of infill and redevelopment, arrest blight, and enhance property values.	Formulate Neighborhood Plans to identify barriers such as codes and development fees and costs; encourage property maintenance by pro-active inspections programs; explore private-public partnerships; identify TIFs and other funding sources; target CIP; identify areas suitable for city-initiated zoning, etc.

<sup>4</sup> Benchmarking 2014 - Pearland, Texas. Prepared for the City of Pearland by CDS Market Research, November 2014.

Goals	Action Item
Proactively plan for Transit Oriented Development Projects (depending on the market and region) to tap the potential for high return of investments in these areas.	Based on regional plans, identify appropriate areas. Examine existing and proposed land use entitlements to encourage high density, mixed use, higher quality development in these areas.
Ensure high quality, high-end commercial uses that enhance property taxes, and contribute to the local sales tax revenue.	Review the current land use matrix to identify and include uses that needed in certain locations to encourage quality and diverse development. (micro-breweries, high end restaurants, etc.
Ensure high quality residential development that provides an increase in the ad valorem tax and high return on investment.	Examine current development polices and require high level of amenities; great parks and playgrounds; neighborhood features and landscaping that enhance development; higher quality of materials and construction; master planned developments; better adjacency predictability; complete streets concepts; and alternative housing options for variety and diversity.

### **BUDGET IMPACT**

It is anticipated that the action items identified above will result in long term revenue enhancement and expansion of the City's tax base. The short term expenditure may require the services of a consultant to formulate plans identified in the action items.

### **CONTRACT/AGREEMENT IN PLACE**

- Contract with Kendig Keast Associates to complete the Comprehensive Plan.
- Contract with Richer Cunningham to complete the SH 35 Redevelopment plan
- Contract with Design Concepts to Update the Parks and Recreation Plan.

### **KEY STAFF**

It is proposed that Community Development will take lead on this. However, other City departments such as PEDC, Parks and Recreation, Capital Projects, Public Works, Engineering, will be involved and impacted. The City continues to work in partnership with developers to ensure new and infill developments are of high quality. The assistance of consultants may be required, as outlined above.



## COMMUNITY DEVELOPMENT

### QUARTERLY REPORT

JANUARY – MARCH 2015

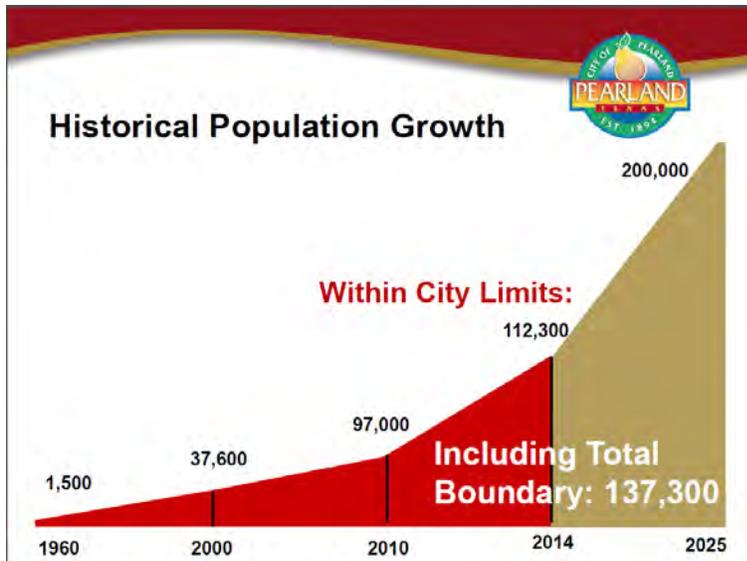
Similar to the high growth experienced in the first quarter of FY 2015, the second quarter began and ended in the same manner.

While construction continued for the Memorial Hermann Hospital on SH 288, Sprouts on Broadway, and new homes in subdivisions such as Riverstone Ranch, Enclave at Highland Glen, Sothern Trails, and Shadow Creek Ranch, some notable developments permitted in this quarter included - City of Pearland's Fire Station #2 on Fite Rd, Medical Offices on 8520 Broadway St, MHI Compressor Warehouse on 14888 Kirby Drive, Excelsior Montessori School on 11203 Shadow Creek Pkwy, Waffle House on 1507 Broadway St., and a Raising Cane's Restaurant on 1601 Broadway St. **Total building permit revenue for this quarter was almost one million dollars, compared to \$0.85 million for the same quarter last year.** Keeping with our metro Houston market, **new single family permits in March reached a high of 147 permits, the highest monthly total in the last 5 years. A total of 643 single family residential permits have been issued for the first six months of FY 2015, a 46% increase as compared to the same period in 2014. (433 permits)**



The Houston housing market rebounded strongly in March after a slowdown in February. Total property sales, single-family home sales, total dollar volume and pricing all posted over the year gains. Houston-area realtors sold 6,232 homes in March '15, up 3.8 percent from 6,005 sold the same time last year. Total dollar volume increased 9.0 percent over the year to \$2.0 billion in March. Home prices reached record highs for a March with the average sales price of a single-family home increasing 6.5 percent to \$276,837 and the median price of a single-family home rising 8.9 percent to \$208,000.

The growth in construction activity is reflected in the population growth and, as stated at the Mayor's State of the City address, Pearland has reached a population estimate of 112,300 within the incorporated City limits and a total of 137,300 including the city's growth boundary defined by its Extraterritorial Jurisdiction (ETJ).



[MAYOR TOM REID DELIVERS ANNUAL STATE OF THE CITY](#)

To view the presentation please visit:  
[www.pearlandtx.gov/stateofthecity](http://www.pearlandtx.gov/stateofthecity)

### New Staff



The Planning department started the quarter with the addition of a new **Associate Planner Vince Husted**. Vince started work on January 12, 2015. Prior to working for Pearland, Vince was the Planning and Economic Development Administrator for Lafayette County, Missouri. Vince had also spent nine years working for the City of Kansas City, Missouri, first in the City Planning and Development Department then later in the Housing Department. Vince earned his AICP certification while working in Little Rock, Arkansas. Vince first went to work for the City of Abilene, TX after graduating from the University of Oklahoma with a Masters in Regional and City Planning.

### Planning

Platting activity remained steady with 29 plats processed in this quarter. This resulted in 889 lots reviewed. Of those lots, 159 are lots in final and minor plats making them current buildable lots. The remaining 730 lots are from preliminary plats, leading to a large amount of final plats projected in the coming months. **From the total number of platted lots, preliminary and final, 876 were residential lots added to the city's inventory**, primarily in the subdivisions of Shadow Creek (Southlake) Canterbury Park, Southern Oaks, and Lakes of Savannah (Laurel Heights).

**Zone Changes/CUP's** – The activity in this sector confirmed that development in Pearland will continue to happen, with developers ensuring the zoning entitlements were in place for potential new projects. **Total zoning cases processed to date in FY2015 is already equivalent to the total number of cases processed in FY 2014.** Despite separate exploratory meeting for new

projects with Planning Department only, the total number of pre-development meetings are high. Three zone changes, four Conditional Use Permits (CUP), two Planned Developments (PD) and one potential Planned Development were reviewed this quarter. CUP submittals included requests for a residential radio antenna, building façade exemption, use of a self-storage facility, and construction of a cellular communications tower. Zone changes included a change from M-1 to GB at the corner of Orange and Mykawa; a change from GC to M-1 at 3706 Alice Street; PD Amendments for the Broadway Kingsley PD located at the Southeast corner of Broadway and Kingsley Dr; and a PD for a residential development known as Baker's Landing located between Main Street and Old Alvin Road, south of East Walnut Street on approximately 79.94 acres of land.

**Other Planning Activity** – In this quarter, Planning Staff conducted 24 formal Pre-development meetings and six preliminary Pre-development meetings. Overall, permit review numbers were pretty consistent with the previous quarters with Planning Staff reviewing 14 Site Plans, 85 commercial Build outs and Tenant Occupancy permits, 78 Sign Permits, and 102 Residential Permits. A total of 19 Public Information Requests were processed, four Zoning Verification Letters were completed, and 53 items were discussed at the DRC meetings throughout the quarter. Permits and plats reviewed included the review of a site work permit and a plat for Costco Wholesale - a membership warehouse club, to be located on the west side of Business Center Drive, south of the Pearland Town Center. A new commercial structure located at the SE corner of Broadway and Kirby was also reviewed for a mattress store and Zoë's Kitchen as planned tenants. Vineyard Church located on Harkey south of Fite also submitted for their building permits, as well as Cypress Station Car Wash located at 1840 Pearland Parkway.

### **Inspection Services**

**Commercial development** – Permits were issued for 25 commercial addition/alterations, 21 build-outs and 11 new commercial buildings with a combined total square footage of 283,686 sq. ft. **The total reported valuation of all commercial projects for the period is \$31,086,452.**

**Residential development** – 327 single family home permits were issued during the 2<sup>nd</sup> quarter of the fiscal year. 147 of those were issued in March. This is a 46% increase as compared to the same period in 2014. The total valuation being reported for new single family residential was \$75,774,124

This fiscal year the single family detached residential permitting activity is equivalent to the activity of 2008, pre-Hurricane Ike. A total of 643 residential permits have been issued since the start of this fiscal year.

### **New commercial projects reviewed and permitted:**

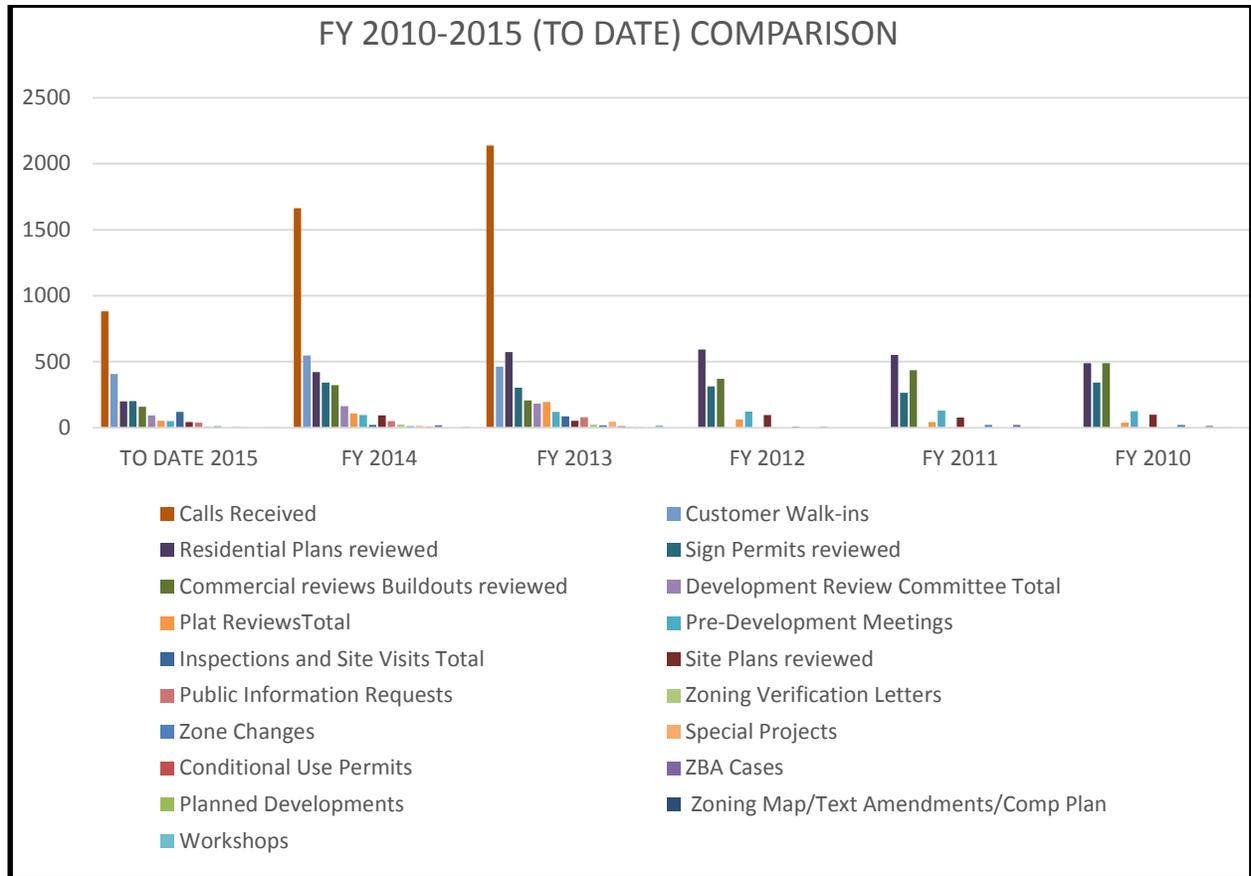
Amerlux, 14905 Kirby Dr. 82,895 square feet  
City of Pearland-Fire Station #2, 6050 Fite Rd. 9,613 square feet  
Retail Center #2, 1332 Broadway St. 4,872 square feet  
Associated Properties, 1603 Main St., 23,000 square feet  
Pearland Medical, 8520 Broadway St., 47,059 square feet  
MHI Compressor Warehouse, 14888 Kirby Drive #30, 49,500 square feet  
Profile Wire, 8831 Industrial Rd., 24,000 square feet

Excelsior Montessori School, 11203 Shadow Creek Pkwy., 26,250 square feet  
 Waffle House, 1507 Broadway St., 1,635 square feet  
 Anu Mohammed, 2975 Kingsley Dr., 11,850 square feet  
 Raising Cane's Restaurant, 1601 Broadway St., 2,724 square feet

<b>FY 2015</b>	<b>Jan-15</b>	<b>Feb-15</b>	<b>Mar-15</b>	<b>2<sup>nd</sup> Qrt. Total</b>
<b>Total plans reviewed by Inspection Services Division</b>	111	96	162	<b>369</b>
<b>Total building inspections</b>	2,719	2,891	3,088	<b>8698</b>
<b>Average number of inspections per inspector</b>	27	29	29	<b>85</b>
<b>Number of structures demolished</b>	2	3	3	<b>8</b>
<b>Total permits processed</b>	1,214	1,330	1,656	<b>4200</b>
<b>Open Records Requests</b>	30	25	31	<b>86</b>

**Reports**

<b>FY 2010 - 2014 ACTIVITY</b>	<b>TO DATE 2015</b>	<b>FY 2014</b>	<b>FY 2013</b>	<b>FY 2012</b>	<b>FY 2011</b>	<b>FY 2010</b>
Zone Changes	11	11	18	9	22	22
Conditional Use Permits	5	8	12	*	*	*
Planned Developments		0	4	1	2	4
ZBA Cases	1	18	5	6	22	15
Pre-Development Meetings	51	97	121	122	131	126
Plat Review sTotal	53	108	194	62	43	38
Zoning Map/Text Amendments/Comp Plan	1	0	2	0	1	2
Site Plans review ed	43	93	53	97	76	99
Commercial review s Buildouts review ed	158	322	208	372	436	489
Residential Plans review ed	199	421	574	592	552	489
Sign Permits review ed	203	343	304	314	265	343
Calls Received	881	1663	2138			
Customer Walk-ins	408	547	462			
Public Information Requests	39	50	79			
Zoning Verification Letters	10	23	23			
Development Review Committee Total	94	164	182			
Workshops	2	6	16			
Special Projects	0	14	45			
Inspections and Site Visits Total	120	21	87			
*CUPs were included with Zone Change #'s for 2010-2012						
Plats & Pre Development Meetings were not split out specifically until 2013						

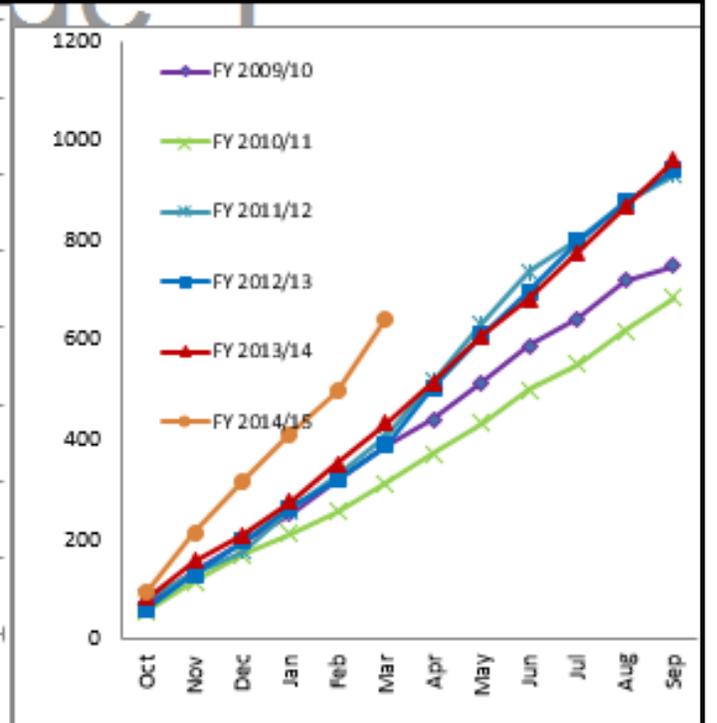
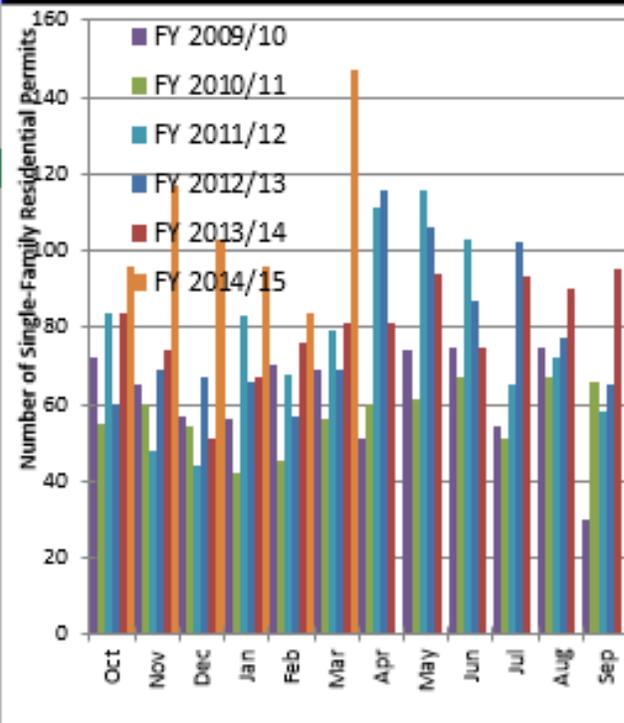


### Single-Family Detached Residential Construction

City of Pearland, Texas

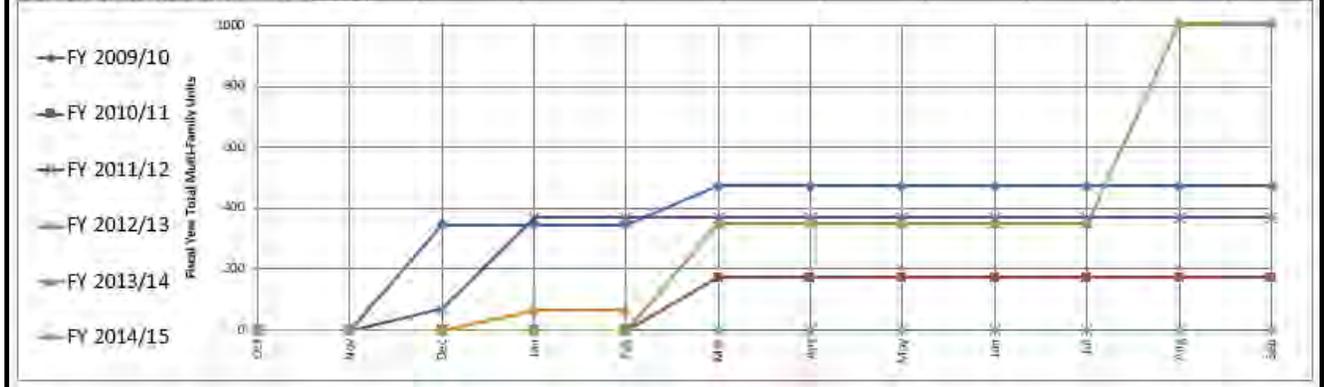
	FY 2009/10		FY 2010/11		FY 2011/12		FY 2012/13		FY 2013/14		FY 2014/15	
	Actual		Actual		Actual		Actual		Actual		Actual	
	Month	YTD										
Oct	72	72	55	55	84	84	60	60	84	84	96	96
Nov	65	137	60	115	48	132	69	129	74	158	117	213
Dec	57	194	54	169	44	176	67	196	51	209	103	316
Jan	56	250	42	211	83	259	66	262	67	276	96	412
Feb	70	320	45	256	68	327	57	319	76	352	84	496
Mar	69	389	56	312	79	406	69	388	81	433	147	643
Apr	51	440	60	372	111	517	116	504	81	514		
May	74	514	61	433	116	633	106	610	94	608		
Jun	75	589	67	500	103	736	87	697	75	683		
Jul	54	643	51	551	65	801	102	799	93	776		
Aug	75	718	67	618	72	873	77	876	90	866		
Sep	30	748	66	684	58	931	65	941	95	961		
Change from Previous Year				-64		247		10		20		

Prepared by City of Pearland Building Department



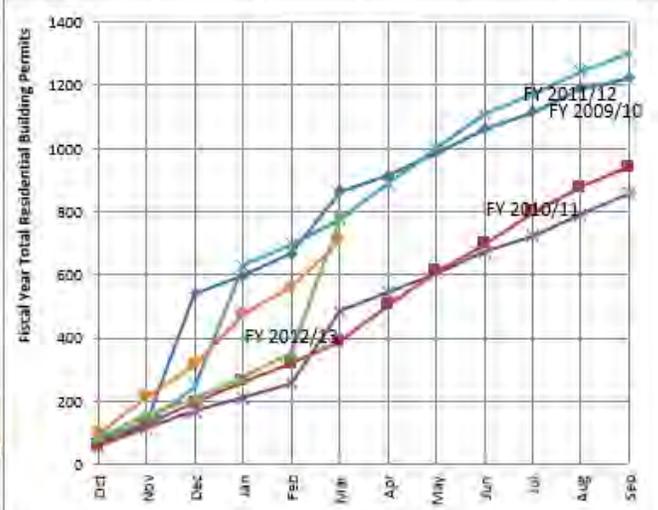
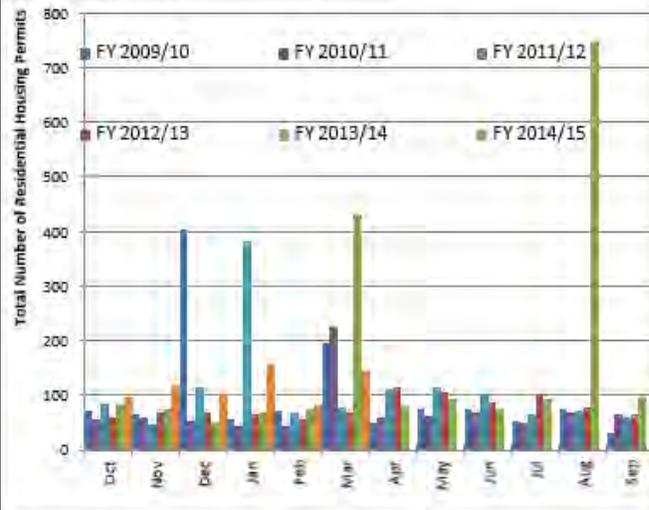
Multi-family Residential units														
City of Pearland, Texas														
	FY 2009/10 Actual		FY 2010/11 Actual		FY 2011/12 Actual		FY 2012/13 Actual		FY 2013/14 Actual		FY 2014/15 Actual			
	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
Oct	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Nov	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dec	347	347	0	0	70	70	0	0	0	0	0	0	0	0
Jan	0	347	0	0	300	370	0	0	0	0	0	63	63	63
Feb	0	347	0	0	0	370	0	0	0	0	0	0	63	63
Mar	126	473	172	172	0	370	0	0	350	350	0	63	63	63
Apr	0	473	0	172	0	370	0	0	0	350				
May	0	473	0	172	0	370	0	0	0	350				
Jun	0	473	0	172	0	370	0	0	0	350				
Jul	0	473	0	172	0	370	0	0	0	350				
Aug	0	473	0	172	0	370	0	0	658	1008				
Sep	0	473	0	172	0	370	0	0	0	1008				
Change from Previous Year		N/A		-64%		115%		-100%		N/A				

Prepared by City of Pearland Building Department



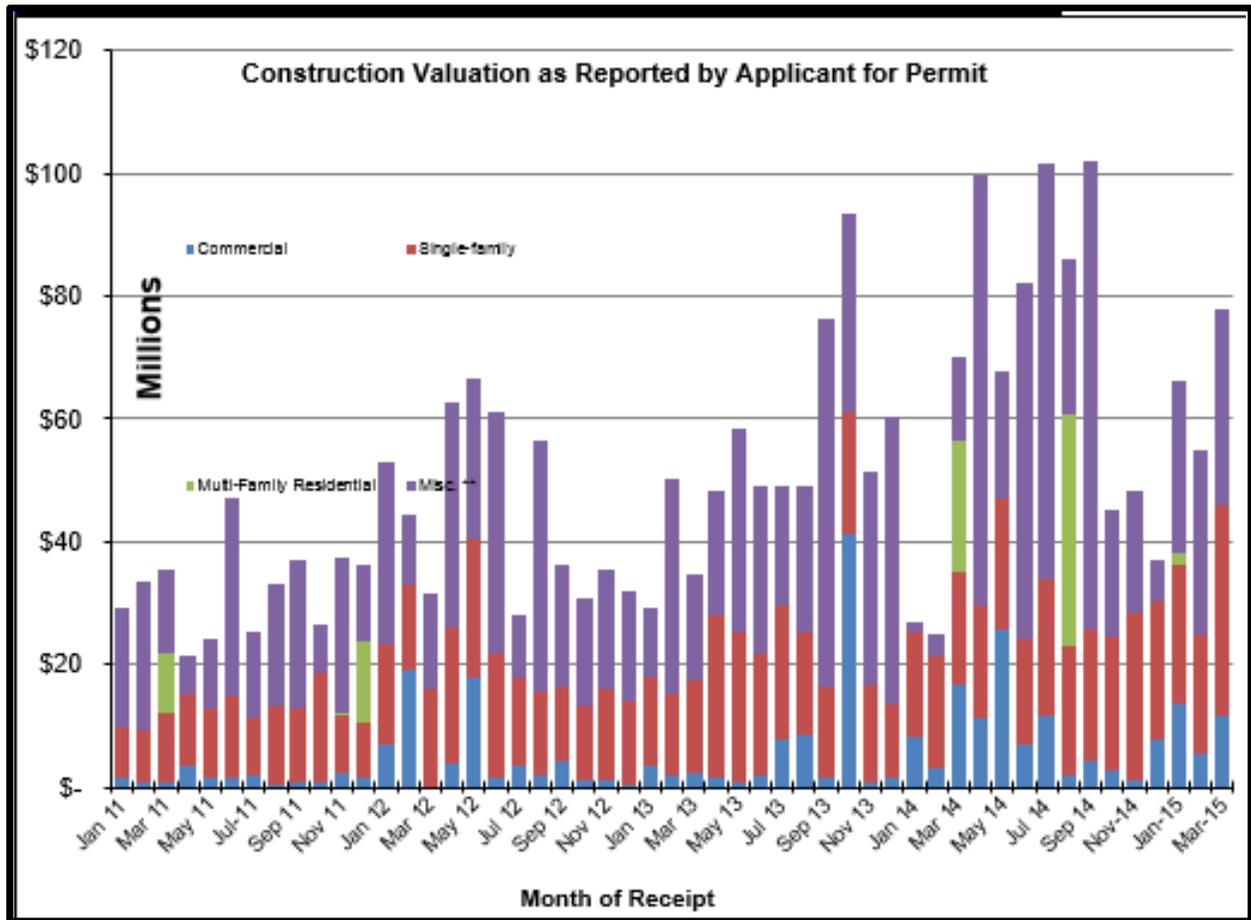
Total Housing Units (Single-Family Detached and Multi-Family) City of Pearland, Texas												
	FY 2009/10		FY 2010/11		FY 2011/12		FY 2012/13		FY 2013/14		FY 2014/15	
	Actual		Actual		Actual		Actual		Actual		Actual	
	Month	YTD	Month	YTD								
Oct	72	72	55	55	84	84	60	60	84	84	96	96
Nov	65	137	60	115	48	132	69	129	74	158	117	213
Dec	404	541	54	169	114	246	67	196	51	209	103	316
Jan	56	597	42	211	383	629	66	262	67	276	159	475
Feb	70	667	45	256	68	697	57	319	76	352	84	559
Mar	195	862	228	484	79	776	69	388	431	783	147	706
Apr	51	913	60	544	111	887	116	504	81	864		
May	74	987	61	605	116	1003	106	610	94	958		
Jun	75	1062	67	672	103	1106	87	697	75	1033		
Jul	54	1116	51	723	65	1171	102	799	93	1126		
Aug	75	1191	87	790	72	1243	77	876	748	1874		
Sep	30	1221	66	856	58	1301	65	941	95	1969		
Change from Previous Year				-365		445		-360		1028		

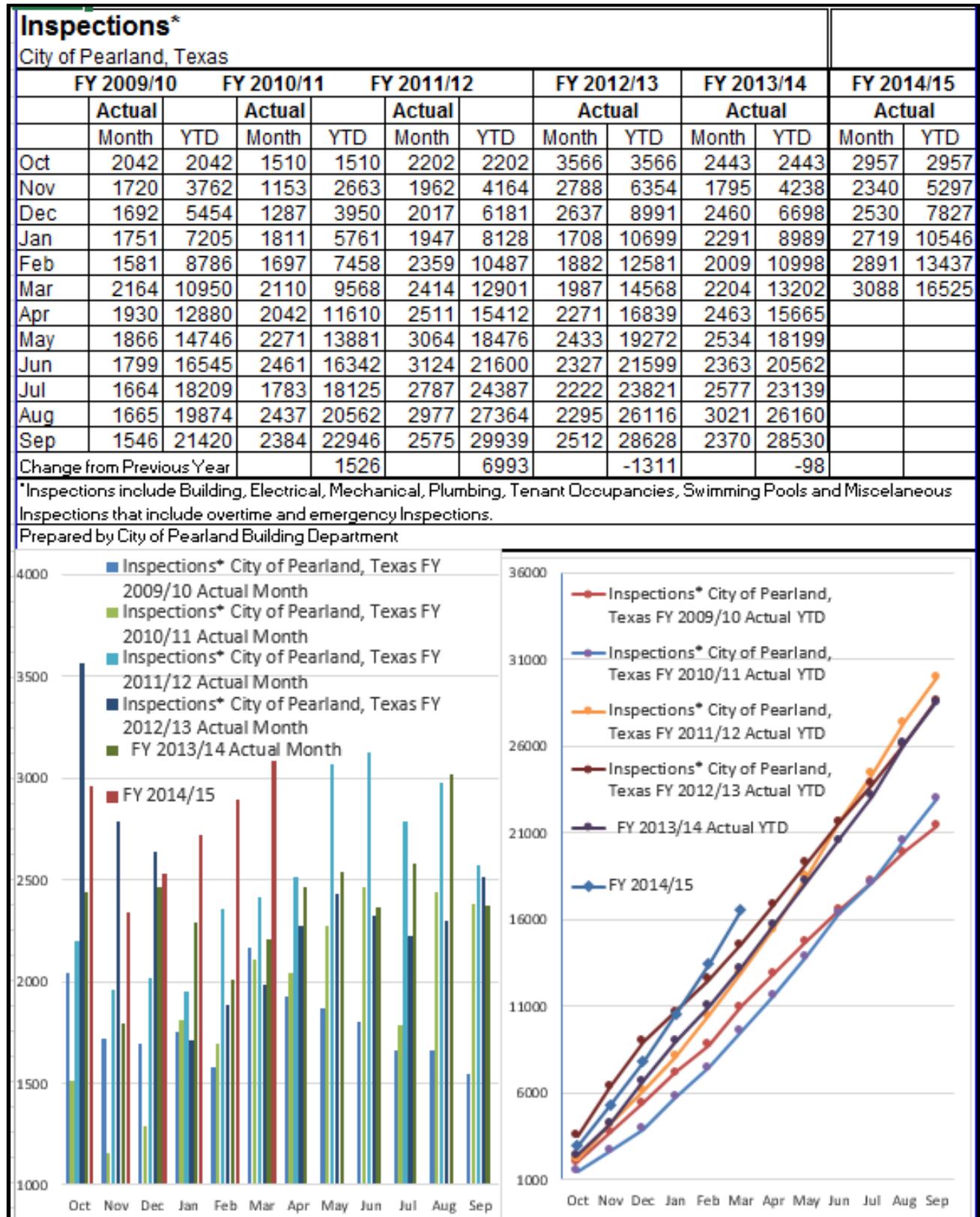
Prepared by City of Pearland Building Department.



<b>Total Construction Valuation as Reported by Applicant on Building</b>						
City of Pearland, Texas						
<b>VALUATION</b>						
	<b>Commerci- al</b>	<b>Single- Family</b>	<b>Multi- Family</b>	<b>Misc. **</b>	<b>TOTAL Valuation</b>	
Jan 11	1,500,000	8,215,163	0	19,698,233	29,413,396	
Feb 11	750,000	8,780,894	0	24,061,348	33,592,242	
Mar 11	958,027	11,102,705	9,800,576	13,436,784	35,298,092	\$190,969,498
Apr 11	3,515,000	11,897,239	0	6,152,699	21,564,938	
May 11	1,675,000	11,241,498	0	11,103,401	24,019,899	
Jun 11	1,622,000	13,087,987	0	32,370,944	47,080,931	
Jul 11	2,000,000	9,413,613	0	13,977,179	25,390,792	
Aug 11	500,000	12,616,248	0	19,924,242	33,040,490	
Sep 11	890,000	12,142,756	0	24,095,798	37,128,554	\$195,654,339
Oct 11	975,000	17,574,654	0	8,057,907	26,607,561	
Nov 11	2,344,290	9,470,647	489,000	24,987,020	37,290,957	
Dec 11	1,709,675	8,773,886	13,203,000	12,509,424	36,195,985	
Jan 12	6,895,405	16,456,459	0	29,637,629	52,989,493	
Feb 12	18,957,382	14,228,816	0	11,344,386	44,530,584	
Mar 12	87,774	15,997,299	0	15,470,231	31,555,304	\$319,543,052
Apr 12	3,906,000	22,076,661	0	36,870,580	62,853,241	
May 12	17,888,000	22,656,968	0	25,991,594	66,536,562	
Jun 12	1,536,456	20,350,400	0	39,191,012	61,077,868	
Jul 12	3,689,900	14,323,063	0	10,039,358	28,052,321	
Aug 12	2,148,000	13,608,283	0	40,600,983	56,357,266	
Sep 12	4,470,000	11,752,663	0	19,816,873	36,039,536	\$218,656,138
Oct 12	1,258,970	12,015,483	0	17,538,670	30,813,123	
Nov 12	1,034,878	15,033,236	0	19,533,169	35,601,283	
Dec 12	314,500	13,756,401	0	17,721,708	31,792,609	
Jan 13	3,659,590	14,318,957	0	11,209,792	29,188,339	
Feb 13	1,831,998	13,330,021	0	34,937,517	50,099,536	
Mar 13	2,360,500	15,152,469	0	16,980,117	34,493,086	\$269,608,278
Apr 13	1,756,974	26,407,384	0	20,032,842	48,197,200	
May 13	842,222	24,528,410	0	33,102,392	58,473,024	
Jun 13	2,132,018	19,772,615	0	27,252,560	49,157,193	
Jul 13	7,749,508	21,887,773	0	19,564,745	49,202,026	
Aug 13	8,776,700	16,453,574	0	23,958,578	49,188,852	
Sep 13	1,511,990	14,827,644	0	60,033,749	76,373,383	\$379,822,739
Oct 13	41,401,250	19,773,405	0	32,103,244	93,277,899	
Nov 13	665,800	16,110,548	0	24,756,953	51,533,301	
Dec 13	1,743,900	12,078,629	0	46,424,749	60,247,278	
Jan 14	8,129,139	17,055,625	0	1,625,317	26,810,081	
Feb 14	3,225,150	18,221,081	0	3,495,412	24,941,643	
Mar 14	16,921,488	17,957,907	21,458,081	15,682,253	70,019,729	\$371,258,408
Apr 14	11,279,070	18,290,635	0	70,018,329	99,588,034	
May 14	25,885,608	21,048,988	0	20,832,735	67,767,331	
Jun 14	7,250,669	16,845,180	0	58,035,741	82,131,590	
Jul 14	11,539,782	22,199,141	0	67,800,859	101,539,782	
Aug 14	1,949,432	21,172,017	37,806,108	25,094,936	86,022,494	
Sep 14	4,160,064	21,403,832	0	76,538,656	102,102,552	\$419,702,151
Oct 14	2,897,100	21,561,503	0	20,531,490	44,990,093	
Nov 14	1,343,100	27,217,946	0	19,624,267	48,185,313	
Dec 14	7,736,890	22,645,509	0	6,479,518	36,861,917	
Jan 15	13,738,942	22,394,964	2,000,000	27,858,487	65,992,393	
Feb 15	5,506,605	19,303,034	0	30,162,859	54,972,498	
Mar 15	11,840,905	34,076,126	0	32,105,365	78,022,396	\$198,987,287

\*\*Miscellaneous include Fire, Mechanical, Moving, Swimming Pools, Signs, Sitework and Tenant Occupancy

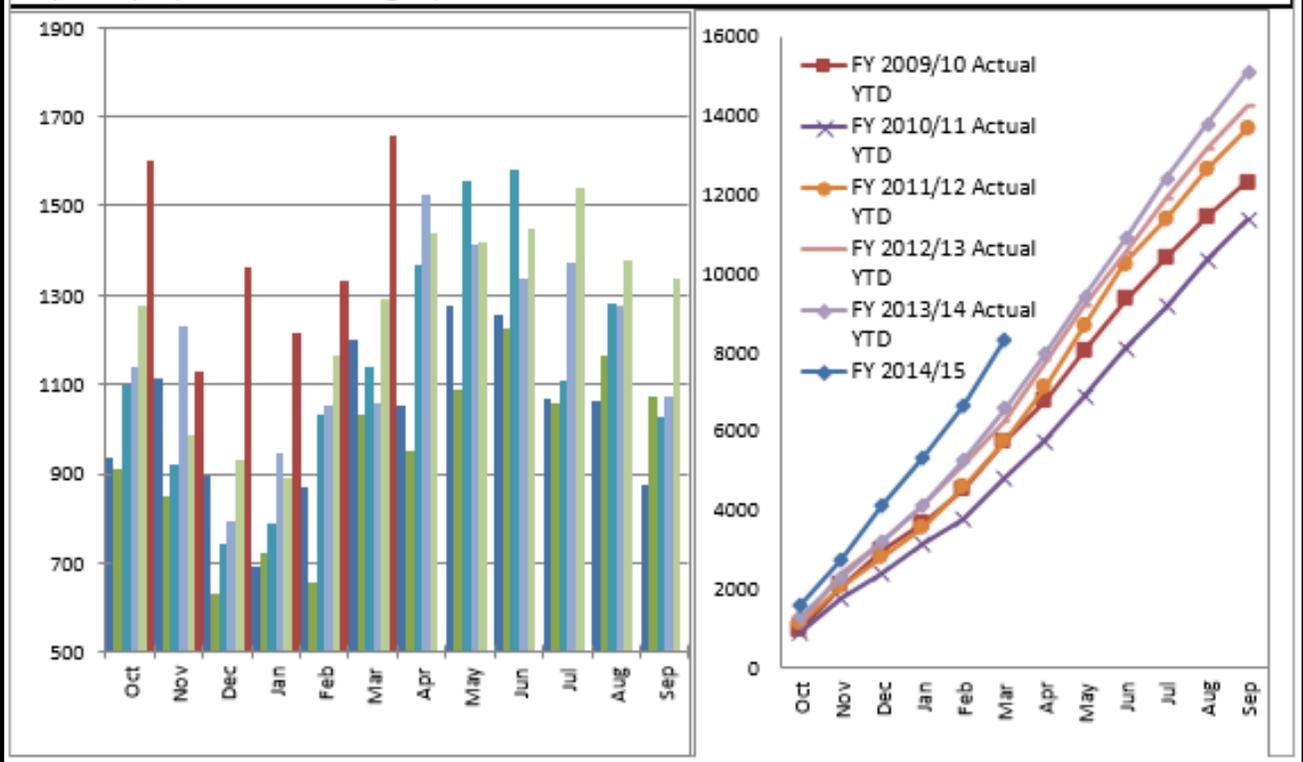




<b>Processed Permits*</b>														
City of Pearland, Texas														
FY 2009/10		FY 2010/11		FY 2011/12		FY 2012/13		FY 2013/14		FY 2014/15				
Actual		Actual		Actual		Actual		Actual		Actual				
Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD			
Oct	937	937	911	911	1100	1100	1140	1140	1276	1276	1599	1599		
Nov	1113	2050	849	1760	919	2019	1230	2370	987	2263	1129	2728		
Dec	895	2945	631	2391	743	2762	794	3164	929	3192	1365	4093		
Jan	692	3637	720	3111	787	3549	947	4111	891	4083	1214	5307		
Feb	871	4508	658	3769	1033	4582	1051	5162	1166	5249	1330	6637		
Mar	1199	5707	1033	4802	1141	5723	1058	6220	1290	6539	1656	8293		
Apr	1053	6760	949	5751	1366	7089	1526	7746	1437	7976				
May	1277	8037	1090	6841	1557	8646	1411	9157	1419	9395				
Jun	1256	9293	1227	8068	1580	10226	1336	10493	1451	10846				
Jul	1069	10362	1056	9124	1109	11335	1372	11865	1539	12385				
Aug	1063	11425	1162	10286	1282	12617	1278	13143	1379	13764				
Sep	874	12299	1071	11357	1029	13646	1075	14218	1338	15102				
Change from Previous Year			-942			2289			572			884		

\*Permits include Residential, Garage Sales, Banner, Plumbing, Electrical, Site Work, Commercial, Mechanical, Swimming Pool, Moving/Placement, Demolition Tenant Occupancies, Signs, Residential Add/Alterations, Commercial Add/Alterations, Commercial Build Outs and Irrigation Permits

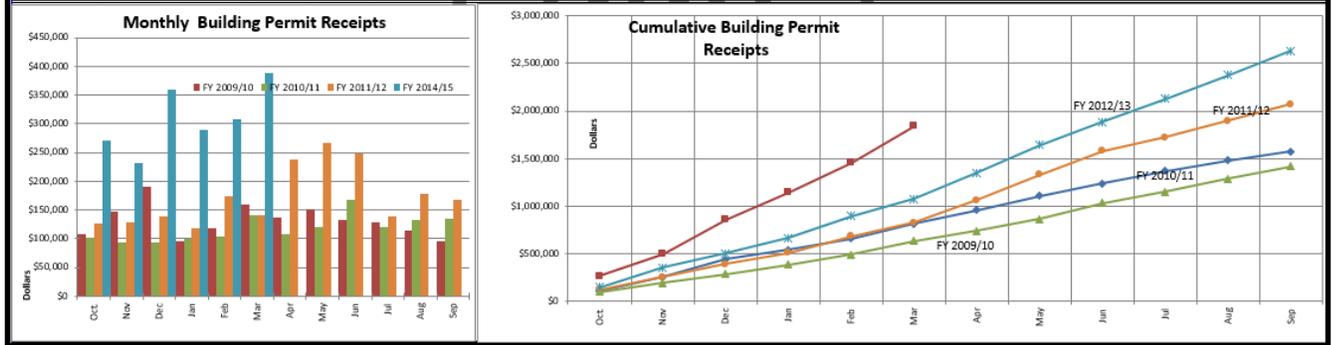
Prepared by City of Pearland Building Department



Building Permit Revenue ** City of Pearland, Texas																
	FY 2009/10		FY 2010/11		FY 2011/12		FY 2012/13		FY 2013/14		FY 2014/15		YTD Over (Under) Budget %	YTD Over (Under) Budget Amount		
	Actual Month	YTD	Budget Month	YTD												
Oct	\$108,823	\$108,823	\$101,691	\$101,691	\$127,608	\$127,608	\$151,910	\$151,910	\$387,684	\$387,684	\$270,093	\$270,093	\$112,478	\$112,478	140%	\$157,615
Nov	\$146,811	\$255,633	\$93,934	\$195,626	\$129,715	\$257,323	\$206,298	\$358,208	\$204,901	\$592,585	\$231,632	\$501,725	\$132,384	\$244,862	105%	\$256,863
Dec	\$189,803	\$445,436	\$94,143	\$289,769	\$138,626	\$395,949	\$148,216	\$506,424	\$226,921	\$819,507	\$358,942	\$860,668	\$131,014	\$375,876	123%	\$484,791
Jan	\$95,649	\$541,085	\$100,540	\$390,309	\$118,098	\$514,047	\$162,251	\$668,675	\$186,851	\$1,006,157	\$288,756	\$1,149,424	\$109,381	\$485,257	137%	\$664,167
Feb	\$119,272	\$660,357	\$104,131	\$494,439	\$174,318	\$668,365	\$231,333	\$900,014	\$249,452	\$1,255,609	\$307,261	\$1,456,685	\$144,389	\$629,646	131%	\$827,039
Mar	\$160,135	\$820,492	\$141,402	\$635,841	\$141,994	\$830,359	\$177,326	\$1,077,340	\$420,672	\$1,676,282	\$387,972	\$1,844,657	\$142,506	\$772,152	139%	\$1,072,504
Apr	\$137,433	\$957,926	\$108,340	\$744,181	\$237,090	\$1,067,449	\$274,237	\$1,351,578	\$340,782	\$2,017,064		\$173,779	\$945,931			
May	\$150,660	\$1,108,586	\$121,065	\$865,246	\$267,729	\$1,335,177	\$292,039	\$1,643,616	\$320,469	\$2,337,532		\$190,854	\$1,136,785			
Jun	\$133,426	\$1,242,012	\$168,315	\$1,033,561	\$249,292	\$1,584,469	\$244,462	\$1,888,078	\$329,620	\$2,667,152		\$182,591	\$1,319,376			
Jul	\$128,063	\$1,370,075	\$120,620	\$1,154,181	\$140,095	\$1,724,564	\$240,781	\$2,128,858	\$462,887	\$3,130,039		\$144,504	\$1,463,880			
Aug	\$113,531	\$1,483,606	\$133,913	\$1,288,094	\$177,908	\$1,902,472	\$249,162	\$2,378,021	\$393,954	\$3,523,992		\$154,823	\$1,618,702			
Sep	\$95,182	\$1,578,788	\$135,595	\$1,423,689	\$168,308	\$2,070,780	\$257,241	\$2,635,262	\$275,866	\$3,799,858		\$150,648	\$1,769,350			
Change from Previous Year				-9.8%		45.5%		27.3%		44.2%						
											Original BUDGET	\$1,769,350				
											Mid-year Estimate for Budget	\$1,769,350				

\*\*The Building Permit Revenue identified in this schedule is compiled from the monthly Cash Receipt report and differs slightly than what is reported on the General Ledger due to timing.\*\*

Amount shown are Actual Fees Collected.  
Data from City of Pearland Community Development Department



Issued	Business Name	Permit #	Address	Valuation	SQFT	Contractor
1/13/15	Amerlux	New	14-7935 14305 Kirby Dr	\$6,700,000	82,895	Turner Construction
1/14/15	City of Pearland-Fire Station #2	New	14-7986 6050 Fite Rd	\$3,669,000	9,613	Crain Group
1/13/15	Retail Center #2	New	14-6662 1332 Broadway St	\$375,000	4,872	R. West Development
1/26/15	Piscaso	Addition/Alteration	14-7280 2750 Miller Ranch RD	\$650,000	N/A	Barcelo Construction
1/6/15	Pasadena ISD	Addition/Alteration	14-7901 1801 Riverstone Ranch Dr	\$21,000	N/A	ASA Builders
1/5/15	Strawbridge Apt	Addition/Alteration	15-0011 2502 Alexander Ln	\$16,360	N/A	Du-West Foundation Repair
1/5/15	Bella Vita HOA	Addition/Alteration	15-0013 1548 N. Riviera Cir	\$425,000	N/A	Hurricane Fence
1/26/15	Pearland Stonebridge	Addition/Alteration	15-0135 3426 Brentwood	\$6,500	N/A	Star Concrete
1/26/15	Pearland Stonebridge	Addition/Alteration	15-0168 2080 Tall Timbers	\$6,500	N/A	Star Concrete
1/28/15	Sharif Ali	Addition/Alteration	15-0270 5752 Bailey Rd	\$10,000	N/A	Sea Fast Builders
1/21/15	Pearwood Skate	Addition/Alteration	15-0364 1230 Broadway St	\$73,292	N/A	Centrimark
1/30/15	Nov Tuboscope	Addition/Alteration	15-0489 16811 Main St	\$30,000	N/A	Tripoint Construction
1/7/15	Edge Realty	Build Out	14-6241 15718 South FRWY	\$48,500	1,575	TK Design & Construction
1/5/15	Payless Shoe Source	Build Out	14-6538 2650 Pearland PKWY 120	\$220,000	6,700	5 Diamonds Construction
1/12/15	Neri-Hair Studios	Build Out	14-7131 2504 Westminiter	\$35,000	3,967	Trimcos LLC
1/6/15	Vintage Mens Groom Lounge	Build Out	14-7392 15718 South FRWY 130	\$106,000	1,362	Custom Practices LLC
1/22/15	Dr. Thien Quoc Pham	Build Out	14-7551 1909 Main St 107	\$250,000	2,534	Pham Construction
1/23/15	Sprint Store	Build Out	14-7712 2680 Pearland PKWY 120	\$46,790	1,525	CTC Construction
1/23/15	Sambay LLC	Build Out	14-7718 2850 Kirby Drive	\$800,000	8,003	Landcore Development
1/28/15	Providence Plaza Shop Center	Build Out	14-8075 2705 Broadway St 119	\$20,000	1,300	Mada Properties, LLC
1/26/15	Orange Theory	Build Out	14-8099 9517 Broadway St 115	\$175,000	2,940	Cheval Builders, INC
1/28/15	Vanilla Box	Build Out	14-8188 2705 Broadway St 113	\$40,000	4,190	Mada Properties, LLC
2/9/15	Associated Properties	New	14-7478 1603 Main St	\$975,000	23,000	Crain Group
2/17/15	Pearland Medical	New	14-5466 8520 Broadway St	\$2,909,000	47,059	Arrowmont Constructors
2/13/15	Berge Simonian	Addition/Alteration	14-6043 2810 Business Center Dr 120	\$250,000	N/A	Texas Aim Construction
2/10/15	Justin Vidoure -HOA Agent	Addition/Alteration	14-7876 4842 Northfork	\$52,697	N/A	JR. D Construction
2/4/15	Moshe Allen	Addition/Alteration	14-8057 2705 Broadway St	\$40,000	N/A	Mada Properties, LLC
2/24/15	Gringo's Ybarra Investments	Addition/Alteration	14-8135 3005 Kirby Dr	\$300,000	N/A	Harvey Construction Services
2/23/15	Federal Toxicology Lab	Addition/Alteration	14-8219 2809 Miller Ranch Rd 425	\$35,000	N/A	Custom Re-Design
2/19/15	Mike Greandjean	Addition/Alteration	15-0642 5517 Broadway St	\$9,000	N/A	Coach's Construction
2/5/15	Shadycrest Bapt	Addition/Alteration	15-0630 3017 Yost Rd	\$59,937	N/A	ABM Restoration
2/5/15	Kristin	Addition/Alteration	15-0700 7902 Broadway St 106	\$12,000	N/A	J Larson Construction

2/27/15	Renovation Diva	Addition/Alteration	15-1132	3202 Vanity Dr	\$10,000	N/A	Renovation Diva
2/5/15	Menchie's Frozen Yogurt	Build Out	14-6838	2680 Pearland PKWY 130	\$75,000	8,400	CTC Constructors, LLC-Yale St.
2/26/15	Mattress One	Build Out	14-7002	2701 Pearland PKWY	\$105,000	3,750	Otwell Constructions
2/9/15	Brask-Neela	Build Out	14-7213	8720 Industrial	\$200,000	3,682	Alpine Engineer & Construction
2/2/15	Stream Realty	Build Out	14-7402	2680 Pearland PKWY 150	\$175,000	4,000	Angler Retail Construction LLC
2/3/15	Paris Nails	Build Out	14-7510	2682 Pearland PKWY	\$63,000	2,100	Buuanh
2/4/15	AJM Farmers	Build Out	14-8085	2011 Broadway St	\$162,131	2,300	Sage Commercial Group, LLC
2/12/15	Rotal Pharmacy	Build Out	14-8170	12002 Shadow Creek PKWY 106	\$30,000	1,210	Space City Construction
2/18/15	Vanilla Box	Build Out	15-0356	2705 Broadway St 107	\$20,000	2,100	MADA Properties
2/12/15	Craig Parilloux	Build Out	15-0490	2637 Lazy Ben	\$23,840	1,304	Diversified General Contractor
3/5/15	MHI Compressor	New	14-5802	14888 Kirby Drive #30	\$3,000,000	49,500	Turner Construction
3/23/15	AL Nilo LTD Partnership	New	14-7322	4501 Knapp Rd	\$18,843	288	Cotton Construction
3/12/15	Profile Wire	New	14-7422	8831 Industrial Rd	\$2,030,000	24,000	Angler Construction
3/10/15	Excelsior Montessori School	New	14-1835	11203 Shadow Creek PKWY	\$1,328,000	26,250	Bridges of Mercy Foundation
3/30/15	Waffle House	New	14-6081	1507 Broadway St	\$250,000	1,635	Waffle House, INC
3/25/15	Anu Mohammed	New	14-7236	2975 Kingsley Dr	\$595,250	11,850	U.S. Builders
3/23/15	Raising Cane's Restaurant	New	14-7937	1601 Broadway St	\$900,000	2,724	Embree Construction Group, INC
3/10/15	RM 2013, LLC	New	15-0975	13601 Broadway St	\$180,000	N/A	Fencrete America
3/6/15	Pearland ISD	Addition/Alteration	14-7493	2405 Shady Bend Dr	\$1,000,000	N/A	Purocell Construction INC.
3/31/15	Compass Bank	Addition/Alteration	15-0524	11091 Broadway St	\$49,000	N/A	Westmoreland Builders
3/6/15	U.T. Physicians	Addition/Alteration	15-0673	10305 Memorial Hermann Dr 130	\$165,000	N/A	Proconstruct
3/4/15	Pearland ISD	Addition/Alteration	15-0762	1928 Main St	\$48,000	N/A	Crescent Electric
3/23/15	MHI Compressor	Addition/Alteration	15-0951	14888 Kirby Drive #20	\$750,000	N/A	Turner Construction
3/18/15	Investors of Sunrise, LLC	Addition/Alteration	15-0987	9223 Broadway St 109	\$9,000	N/A	Boss Builders
3/19/15	Proverbial Care	Addition/Alteration	15-1599	4604 W. Walnut St	\$400,000	N/A	Rytam Construction Services
3/12/15	R. West Development	Build Out	15-0195	1332 Broadway St	\$200,000	4,872	R. West Development
3/4/15	CBL & Associate	Build Out	15-0415	11200 Broadway St #120	\$200,000	4,057	Triad Retail Construction
3/31/15	Massage Envy & SPA	Build Out	15-0627	2682 Pearland PKWY	\$220,000	3,700	Startex Services, LLC
3/31/15	European Wax Center	Build Out	15-0628	2680 Pearland PKWY #110	\$120,000	1,400	Startex Services, LLC
3/16/15	Cellular Sales of TX, LTD	Build Out	15-0657	1439 Broadway St	\$200,000	2,187	Triad Retail Construction
3/23/15	Investors of Sunrise, LLC	Build Out	15-0943	9223 Broadway St 117	\$84,000	2,059	Boss Builders
3/24/15	Investors of Sunrise, LLC	Build Out	15-0989	9307 Broadway St 101	\$90,000	3,149	Boss Builders

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

<b>AGENDA OF:</b> 6/8/15	<b>ITEM NO.:</b> Resolution No. R2015-96
<b>DATE SUBMITTED:</b> 5/26/15	<b>DEPT. OF ORIGIN:</b> Finance Department
<b>PREPARED BY:</b> Joel Hardy	<b>PRESENTOR:</b> Joel Hardy
<b>REVIEWED BY:</b> Jon R. Branson	<b>REVIEW DATE:</b> June 1, 2015
<b>SUBJECT: Resolution R2015 – 96 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AUTHORIZING PARTICIPATION IN THE OTHER VICTIM’S ASSISTANCE GRANT (OVAG) THROUGH THE OFFICE OF THE ATTORNEY GENERAL.</b>	
<b>EXHIBITS: Resolution: 2015-96 OAG-OVAG Grant application</b>	
<b>FUNDING:</b> <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"/> Cash <input type="checkbox"/> L/P – Sold <input type="checkbox"/> L/P – To Be Sold	
<b>EXPENDITURE REQUIRED: N/A</b> <b>AMOUNT BUDGETED:</b> <b>AMOUNT AVAILABLE:</b> <span style="float: right;"><b>PROJECT NO.:</b></span> <b>ACCOUNT NO.:</b> <b>ADDITIONAL APPROPRIATION REQUIRED:</b> <b>ACCOUNT NO.:</b> <b>PROJECT NO.:</b>	
<b>To be completed by Department:</b> <input checked="" type="checkbox"/> Finance <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution	

**EXECUTIVE SUMMARY**

**BACKGROUND**

The Other Victim’s Assistance Grant (OVAG) provides funding to municipalities and other non-profit agencies for crime victim’s services. The City of Pearland has provided crime victim services for 23 years and has operated a Crime Victims Assistance Program for 13 years.

Since 2012, the program has assisted 1,812 Pearland crime victims, providing children, adults, the elderly, men and women, and those of a variety of races and national origins with access to crisis intervention, counseling programs, accompaniment to court, referrals to shelters, assistance with the completion of Crime Victim Compensation applications, and the follow-up resources for the victim to monitor progress of a case against an alleged offender through the SAVNS (Statewide Automated Victim Notification System) or VINE (Victim Information and Notification Everyday) systems.

### **SCOPE OF CONTRACT**

This application to the Office of the Attorney General for the OVAG program will provide funding for a portion of costs associated with two Crime Victim Liaisons in the Pearland Police Department's Crime Victim Assistance Program.

This program assists victims of crime, protect and advocate for the rights of victims, provides information about other assistive resources in the community, and prevent further victimization. Victims of thefts, assaults, DWI/DUI crashes, domestic violence, and other crimes, who file a police report, are subsequently contacted by phone, mail, or in person. A Liaison will then inform the victim(s) about police procedures, community resources, and available programs that will assist victims during the aftermath of a crime. Liaisons also respond to after-hour emergencies.

The term of this grant period is up to two years from September 1, 2015 through August 31, 2017. For each fiscal year of the grant term, the minimum that can be reimbursed is \$20,000, and the maximum amount is \$42,000. The City's application is for \$41,387. This grant application is in line with a previous Council goal to seek and secure grant funding.

### **BID AND AWARD**

Award notifications are typically provided to successful applicants in late July, but may be sent to grantees during the month of August.

### **SCHEDULE**

Upon Council's approval, the resolution authorizing our application to move forward in the submission process will be submitted to the Office of the Attorney General. Application deadline for this grant is May 27, 2015. Since Governing Body actions approving an application to OAG can occur following that date, applicants are allowed to provide OAG with their local resolutions authorizing the submission of an application at a later date. Again, notification of a successful request for funding will be provided to the City immediately prior to the start of the grant period of performance.

**POLICY/GOAL CONSIDERATION**

Staff anticipates the efforts associated with this program’s activities tying into the City’s “Safe Community” Strategic Goal.

**CURRENT AND FUTURE FUNDING /FINANCIAL IMPACTS**

The Office of the Attorney General – Other Victim Assistance Grant (OAG-OVAG) program provides approximately \$42,000 annually towards the costs of two Pearland Police Department Crime Victim Liaisons.

The City has also applied to the Criminal Justice Division – Office of the Governor, for pass-thru funds from the U.S. Department of Justice Victims Of Crime Act (VOCA) program for additional funds in the amount of \$70,509 to further supplement the costs of the two positions. If awards from both the OAG-OVAG and CJD-OOG grant programs are received by the City, the City receive a total of \$112,509 towards total personnel costs of \$120,479 for both positions.

**O&M IMPACT INFORMATION**

It is anticipated that the City will be responsible for the following costs associated with the positions:

<b>Fiscal Year</b>	<b>2016</b>
2016	\$7,970

**RECOMMENDED ACTION**

Consideration and approval of a resolution of the City Council of the City of Pearland, Texas authorizing participation in the Other Victim’s Assistance Grant (OVAG) Through the Office of the Attorney General.

**RESOLUTION NO. 2015-96**

**A Resolution of the City Council of the City Of Pearland, Texas, authorizing participation in the Other Victim's Assistance Grant ("OVAG") through the Office of the Attorney General.**

**WHEREAS**, the City of Pearland wishes to apply to the Office of the Attorney General (OAG) Crime Victim Services Division, under its legal name, and has been assigned the Unique Application Number O0132-16-0182 for its application for OVAG grant funds from the Texas Office of the Attorney General; and

**WHEREAS**, the City Council of the City of Pearland (hereinafter "City") has considered and supports the Application filed or to be filed with the OAG and finds it in the best interest of the citizens of Pearland to participate in the OVAG program; and

**WHEREAS**, the City designates the Chief of Police or his designee as the grantee's Authorized Official and is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency, and also has been given the authority to sign all grant adjustment requests, inventory reports, progress reports and financial reports or any other official documents related to the grant on behalf of the grantee; now therefore,

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

**SECTION 1.** That the City approves submission of the grant application for the OVAG to the Office of the Attorney General, Crime Victim Service Division as well as the designation of the Authorized Official.

PASSED, APPROVED and ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2015.

\_\_\_\_\_  
TOM REID  
MAYOR

ATTEST:

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YOUNG LORFING, TRMC  
CITY SECRETARY

APPROVED AS TO FORM:

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DARRIN M. COKER  
CITY ATTORNEY

00132-16-0182

1. ORGANIZATION			
Unique Application Number (UAN)	00132-16-0182		
Legal Name of Applicant	City of Pearland Police Department		
Name of Agency Contact	Joel Hardy		
Agency Contact's Telephone Number	281-652-1795		
<input type="checkbox"/> Check if applying for an OVAG Statewide Project	Amount Requested	%of Personnel and Fringe Requested	
	FY 2016	\$41,387.00	100%
	FY 2017	\$41,387.00	100%

2. MISSION STATEMENT
2.1 Provide the mission statement of your organization.
<p>The mission of the Pearland Police Department is to provide professional service to the community and develop citizen partnerships to work together to enforce laws, reduce fear and positively impact the quality of life in Pearland. Pearland's Victim Assistance Program's mission is to provide impassioned leadership, offer emotional support, build partnerships with service providers and a commitment to empower victims of crime with the goal of preventing further victimization.</p>

3. DESCRIPTION OF THE ORGANIZATION
3.1 Give a description of the history of your organization including the purpose for which it was created.
<p>The purpose of the Pearland Police Department is to provide the equitable, fair and impartial application of laws and ordinances without regard to race, color, creed, sex or station in life; treating all individuals with tolerance, compassion and dignity.</p>
3.2 Give a description of how the organization has evolved to its current structure, this may include the scope of service, geographic areas covered, staff heirarchy, legal organization, etc.
<p>From 1993 to 2002, the Pearland Police Department handled victim assistance services through the assignment of duties to an existing investigator/detective. In addition to the normal duties associated with investigating crimes, this person also handled the act of providing victim assistance services to local citizens. As population and geographic growth increased, crime increased and the complexity of the impact on victims. Population dynamics have resulted in the need for more types of support/services. Increased family violence and assault in Pearland has resulted in the need for more accompaniments and crisis counseling support for victims. A westward expansion of the City's boundaries through annexation, as well as new residents and commercial growth, resulted in the need for more dedicated services. 2010 Census calculations indicate that Pearland has experienced a massive 142% growth since 2000. It is imperative, based on the City's growth, that additional staff resources be incorporated into the Police Investigations Division's Victim Assistance Program. The City itself is operated and managed under the direct leadership of a City Manager. Elected officials, in the form of a City Council and Mayor, provide governance over the City's operations. Department directors appropriate duties in the various sectors of municipal operations required to meet the needs of our citizens. The Police Department, as such, has an appointed Chief of Police and the standard hierarchy of officers assigned to distribute required law enforcement duties throughout the public safety organization.</p>

4. VICTIM SERVICES EXPERIENCE	YEARS
4.1 How many years has the organization been providing victim-related services or assistance?	23

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<b>5. VICTIM SERVICES WORK</b>	
<b>5.1 Provide a description of the work the organization is doing on behalf of victims of crime.</b>	
<p>The goal of the Victim Assistance Program is to assist victims of crime, protect and advocate the rights of victims, provide necessary information, and prevent further victimization. Crime victims who make a police report are subsequently contacted by phone, mail or in person. The liaison informs victims about police procedures, community resources, and available programs that will assist victims during the aftermath of a crime. The liaison is also on call to respond to after-hour emergencies, and to provide assistance. The program provides updates on case status, information about the criminal justice system, court and hospital accompaniment, and emergency transportation to women shelters for victims that seek support from the Crime Victim Assistance Program. Depending on the type of crime that has occurred, victims can receive information on shelters, counseling services or referrals to support and social service agencies. The program can also assist with information about parole notification, and assist with a parole protest. Crime victims are contacted to determine their eligibility for financial assistance when they have exhausted their own financial resources. The Crime Victims' Compensation Fund - paid out of court costs generated by criminal convictions - provides for medical bills, counseling, lost wages, funeral expenses and other crime related expenses without any cost to taxpayers.</p>	
<b>5.2 How does this work fit into the organization's overall goals and objectives?</b>	
<p>Providing Pearland citizens with victims' assistance services has been part of the work of the Pearland Police Department for just over two decades now. Dedicating professional and effective staff roles to the effort to improve the support that crime victims receive in their efforts to seek justice and experience restoration has been a significant priority over the past twelve years. For nine of those, one staff person has handled the duties of administering such services. However, Pearland has experienced tremendous population and geographic growth during that time span. In fact, being one of the fastest growing jurisdictions in the State of Texas, it is incumbent upon the City to vastly increase the capacity for attending to the needs of local crime victims. According to the Pearland Citizens Survey, the Police Department rates as having the highest percentage of contact with local households. Therefore, it is critical that the supportive and community-based services provided for crime victims be of the highest caliber and have positive outcomes. One of three objectives for the Police Investigations Division of the Pearland Police Department is to secure funding for a second position in the victim assistance program to enhance communication between victims of crime and the Police Department.</p>	

<b>6. VOLUNTEERS</b>	
<b>6.1 Does the organization currently have a volunteer program, or plan to implement one this grant term?</b>	<b>Yes</b>
<b>6.2 How many volunteers were active within the last year?</b>	<b>37</b>
<b>6.3 Describe how the organization utilizes or plans to utilize volunteers to support the organization's mission, including any specific victim-related services.</b>	
<p>In addition to the Citizen Patrol, made up of local volunteers that are trained and screened for the purposes of providing support for local law enforcement activities, the Police Crime Victim Assistance Program utilizes two volunteers that support the efforts to provide victim-related services to Pearland crime victims. One intern and one community volunteer assist with administrative and programmatic duties of grant-funded aspects of the Victim Assistance Program. They perform some duties involving information distribution and referrals. Interns and volunteers work under the direction of the Crime Victim Liaison and are required to adhere to all policies and procedures of the Police Department; particularly those involving victims' rights, privacy and confidentiality, and the agreed upon hours of service they provide to the City. Through initial training periods, interns and volunteers are considered probationary.</p>	
<b>6.4 Describe training for volunteers including both training required prior to providing services and ongoing training conducted throughout the volunteer's service.</b>	
<p>Volunteers are trained to provide administrative and introductory level crime victim assistance services. They assist with grant reporting, data collection and management, as well as coordination of materials distributed for information and referral purposes. Two volunteers participate in this training as part of the requirement for being selected for their assistive duties. The training activities are conducted by the Crime Victim Liaison and are delivered in conjunction with written materials. The internship program is designed to attract participants that have an interest in criminal justice and/or law enforcement careers and may also have some academic focus on these career areas. Therefore, they are many times receiving experiential training and exposure to that which they are already receiving in the formal classroom setting of higher education. Their training and duties provide them with the opportunity to learn about victims' rights, crime victim compensation, and the referral network that is a critical part of helping victims achieve restoration. Unrelated to the direct activities of the program, but certainly supportive of overall efforts to identify and prevent crime in Pearland, the Citizens' Patrol participate in a 12-week intensive training program that provides applicants with the ability to identify criminal and civil violations of local ordinances, and participate in the process of securing the proper law enforcement non-civilian responses needed to remediate the crime.</p>	

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**6.5 Describe how the organization recruits and retains volunteers or plans to do so.**

Alvin Community College and the University of Houston - Clear Lake have allowed the City's Police Department to pursue opportunities to place an intern with the Department. Opportunities for other volunteer roles are posted on the Police Department's webpage, with additional advertising posted on local bulletin boards in our government buildings. The program seeks volunteers that have the skills, background, and availability to provide support for activities, many of which do not involve those associated with direct victim assistance. Interns are allowed to receive course credit for their participation, but regular volunteers are not compensated for their time and effort.

**7. COLLABORATIONS**

**7.1 Describe the benefits realized by victims of crime as a result of your organization's collaboration(s) with other organizations (if your organization collaborates) or through your organization alone (if your organization does not collaborate).**

Victims benefit greatly from the collaborative efforts of the Pearland Police Crime Victim Assistance Program. They are able to receive quality crisis counseling services, referrals to shelters and legal advocacy resources, and support for their efforts to remove themselves from environments containing family violence or abuse. Staff are able to maintain a current inventory of information about law updates, best practices approaches to delivering victims' assistance services, and also receive training that can be passed along to other internal practitioners such as officers and volunteers.

**7.2 If your organization collaborates, provide a list of the organizations, including the organization type (law enforcement agency, advocacy center, hospital, task force, etc.) the applicant collaborates with to serve victims of crime for the purpose of supporting or assisting in victim recovery.**

- Judicial/Law Enforcement
  - Brazoria County Sheriff's Office
  - Pearland Municipal Court
  - Brazoria County Court
  - Texas Department of Public Safety
  - Child Protective Services
- Non-profit
  - Pearland Neighborhood Center
  - Adult Reading Center
  - Brazoria County Women's Center
- Community-Based Organizations
  - Multi-County Interagency Coalition Against Sexual Abuse
  - Brazoria County Sexual Assault Response Team (SART)

<b>8. STATE AND FEDERAL FUNDS EXPERIENCE</b>		<b>YEARS</b>
<b>8.1 How many years of experience does the organization have in managing state or federal grant funds?</b>		17

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9. OUTPUT TARGET CATEGORIES	Grant Funded Personnel listed In Section 10 of TAB C		Professional/Consultant listed In Section 11 of TAB C	
	OUTPUT TARGET		OUTPUT TARGET	
	FY 2016	FY 2017	FY 2016	FY 2017
<b>OUTPUT TARGET CALCULATION</b>				
<b>DIRECT VICTIM SERVICES</b>				
Number of Unique Victims Served	500	515	0	0
Assistance with Crime Victims' Compensation	25	30	0	0
Assistance with Texas SAVNS/VINE	32	36	0	0
Information and Referral	500	515	0	0
Assistance with Restitution	0	0	0	0
Assistance with Victim Impact Panels	0	0	0	0
Assistance with Victim Impact Statements	0	0	0	0
Criminal Justice Accompaniment	5	8	0	0
Crisis Intervention	135	140	0	0
Emergency Funds	0	0	0	0
Follow-up with Victim	500	515	0	0
Individual Counseling	0	0	0	0
Law Enforcement Accompaniment	20	25	0	0
Legal Assistance	0	0	0	0
Lodging	0	0	0	0
Medical Accompaniment	0	0	0	0
Other	0	0	0	0
Peer Support Services	0	0	0	0
Support Groups	0	0	0	0
Therapeutic Groups	0	0	0	0
Transportation	0	0	0	0
Victim Advocacy	55	60	0	0
<b>VICTIM SERVICES TRAINING</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2016</b>	<b>FY 2017</b>
Faith-Based Individuals Trained	0	0	0	0
Law Enforcement Individuals Trained	80	90	0	0
Medical Individuals Trained	0	0	0	0
Other Individuals Trained	0	0	0	0
Prosecution/Judicial Individuals Trained	0	0	0	0
School Faculty Individuals Trained	0	0	0	0
Volunteer Individuals Trained	2	2	0	0
Total Number of all Training Sessions	7	7	0	0
Total Number of all Individuals Trained	82	92	0	0
<b>OUTREACH OR COMMUNITY EDUCATION</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2016</b>	<b>FY 2017</b>
Outreach or Community Education Presentations	4	4	0	0
Outreach or Community Education Participants	60	60	0	0
Informational Fairs	0	0	0	0
Total Attendees at Informational Fairs	0	0	0	0
25% of Total Attendees (auto-calculates)	0	0	0	0
Total Outreach or Community Ed Presentations	4	4	0	0
<b>STRUCTURED EDUCATION</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2016</b>	<b>FY 2017</b>
Structured Education Participants	7	12	0	0
Structured Education Presentations	5	7	0	0

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10. PERSONNEL & FRINGE												
Title of Position	Sched- uled to work	Sched- uled on this grant.	Direct Services on this grant.	Admin. on this grant.	Other on this grant.	Annual Salary	Total Salary Requested on this grant.	% Salary Funded by this grant.	Annual Fringe Benefits for the Position	Fringe Funds Requested on this grant.	% Fringe Funded by this grant.	
<b>FY 2016</b>		<b>HOURS PER WEEK</b>				<b>SALARY</b>			<b>FRINGE</b>			
1. Crime Victim Liaison - Toth	40	14	14	0	0	\$44,676.00	\$15,637.00	35.00%	\$17,325.00	\$ 4,900.00	28.28%	
2. Crime Victim Liaison - Guadiana	40	15	15	0	0	\$46,800.00	\$17,550.00	37.50%	\$11,678.00	\$ 3,300.00	28.26%	
3.		0				\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	
4.		0				\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	
5.		0				\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	
6.		0				\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	
							<b>\$ 33,187</b>			<b>\$ 8,200</b>		
<b>FY 2017</b>		<b>HOURS PER WEEK</b>				<b>SALARY</b>			<b>FRINGE</b>			
1. Crime Victim Liaison - Toth	40	14	14	0	0	\$44,676.00	\$15,637.00	35.00%	\$17,325.00	\$ 4,900.00	28.28%	
2. Crime Victim Liaison - Guadiana	40	15	15	0	0	\$46,800.00	\$17,550.00	37.50%	\$11,678.00	\$ 3,300.00	28.26%	
3.		0				\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	
4.		0				\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	
5.		0				\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	
6.		0				\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	
							<b>\$33,187.00</b>			<b>\$ 8,200</b>		

**10.1 FY 2016 POSITION NARRATIVE**

Provide a justification, which relates to the project's goal.

1. Crime Victim Liaison - Toth	The goal of the program is to sustain the Crime Victim Assistance Program in Pearland, with the ability to provide substantive crime victim assistance services to all Pearland crime victims seeking support.
2. Crime Victim Liaison - Guadiana	The goal of the program is to sustain the Crime Victim Assistance Program in Pearland, with the ability to provide substantive crime victim assistance services to all Pearland crime victims seeking support.
3.	
4.	
5.	
6.	

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10.2 FY 2017 POSITION NARRATIVE	
Provide a justification, which relates to the project's goal.	
1. Crime Victim Liaison - Toth	The goal of the program is to sustain the Crime Victim Assistance Program in Pearland, with the ability to provide substantive crime victim assistance services to all Pearland crime victims seeking support.
2. Crime Victim Liaison - Guadiana	The goal of the program is to sustain the Crime Victim Assistance Program in Pearland, with the ability to provide substantive crime victim assistance services to all Pearland crime victims seeking support.
3.	
4.	
5.	
6.	

10.3 REQUEST FOR EXCEPTION TO OVAG REQUIREMENTS	
Indicate in the space provided below the reason and justification for why the Applicant is asking for the exception.	
N/A	

11. PROFESSIONAL & CONSULTANT SERVICES							
Name of Professional/Company that Applicant will contract with to perform Professional & Consultant Services	Description of Professional & Consultant Services	No. of Days of Consultation	FY 2016		FY 2017		
			Daily Rate of Compensation	Cost	No. of Days of Consultation	Daily Rate of Compensation	Cost
1			\$ -	\$ -	\$ -	\$ -	\$ -
2			\$ -	\$ -	\$ -	\$ -	\$ -
3			\$ -	\$ -	\$ -	\$ -	\$ -
4			\$ -	\$ -	\$ -	\$ -	\$ -
5			\$ -	\$ -	\$ -	\$ -	\$ -
6			\$ -	\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -	\$ -

11.1 FY 2016 PROFESSIONAL & CONSULTANT SERVICES NARRATIVE	
Provide a justification for Professional & Consultant Services which relates to the project's goal.	

11.2 FY 2017 PROFESSIONAL & CONSULTANT SERVICES NARRATIVE	
Provide a justification for Professional & Consultant Services which relates to the project's goal.	

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12. TRAVEL								
Travel Purpose	Positions: List all positions (separated by a comma) requested within travel type.	Expense Type	FY 2016			FY 2017		
			Total Cost of Travel	% Requested by this OAG Grant	Cost Requested by this OAG Grant	Total Cost of Travel	% Requested by this OAG Grant	Cost Requested by this OAG Grant
<b>OAG Sponsored Training</b>								
OAG Sponsored Training		Airfare/Mileage	\$ -	0%	\$ -	\$ -	0%	\$ -
		Hotel	\$ -	0%	\$ -	\$ -	0%	\$ -
		Per diem	\$ -	0%	\$ -	\$ -	0%	\$ -
		Car Rental/Shuttle	\$ -	0%	\$ -	\$ -	0%	\$ -
		Parking	\$ -	0%	\$ -	\$ -	0%	\$ -
		Misc./Hotel Tax	\$ -	0%	\$ -	\$ -	0%	\$ -
		TOTAL		\$ -		\$ -	\$ -	
<b>Additional Training</b>								
		Airfare/Mileage	\$ -	0%	\$ -	\$ -	0%	\$ -
		Hotel	\$ -	0%	\$ -	\$ -	0%	\$ -
		Per diem	\$ -	0%	\$ -	\$ -	0%	\$ -
		Car Rental/Shuttle	\$ -	0%	\$ -	\$ -	0%	\$ -
		Parking	\$ -	0%	\$ -	\$ -	0%	\$ -
		Misc./Hotel Tax	\$ -	0%	\$ -	\$ -	0%	\$ -
		TOTAL		\$ -		\$ -	\$ -	
<b>Additional Training</b>								
		Airfare/Mileage	\$ -	0%	\$ -	\$ -	0%	\$ -
		Hotel	\$ -	0%	\$ -	\$ -	0%	\$ -
		Per diem	\$ -	0%	\$ -	\$ -	0%	\$ -
		Car Rental/Shuttle	\$ -	0%	\$ -	\$ -	0%	\$ -
		Parking	\$ -	0%	\$ -	\$ -	0%	\$ -
		Misc./Hotel Tax	\$ -	0%	\$ -	\$ -	0%	\$ -
		TOTAL		\$ -		\$ -	\$ -	
<b>Additional Training</b>								
		Airfare/Mileage	\$ -	0%	\$ -	\$ -	0%	\$ -
		Hotel	\$ -	0%	\$ -	\$ -	0%	\$ -
		Per diem	\$ -	0%	\$ -	\$ -	0%	\$ -
		Car Rental/Shuttle	\$ -	0%	\$ -	\$ -	0%	\$ -
		Parking	\$ -	0%	\$ -	\$ -	0%	\$ -
		Misc./Hotel Tax	\$ -	0%	\$ -	\$ -	0%	\$ -
		TOTAL		\$ -		\$ -	\$ -	
<b>Additional Training</b>								
		Airfare/Mileage	\$ -	0%	\$ -	\$ -	0%	\$ -
		Hotel	\$ -	0%	\$ -	\$ -	0%	\$ -
		Per diem	\$ -	0%	\$ -	\$ -	0%	\$ -
		Car Rental/Shuttle	\$ -	0%	\$ -	\$ -	0%	\$ -
		Parking	\$ -	0%	\$ -	\$ -	0%	\$ -
		Misc./Hotel Tax	\$ -	0%	\$ -	\$ -	0%	\$ -
		TOTAL		\$ -		\$ -	\$ -	
<b>Additional Training</b>								
		Airfare/Mileage	\$ -	0%	\$ -	\$ -	0%	\$ -
		Hotel	\$ -	0%	\$ -	\$ -	0%	\$ -
		Per diem	\$ -	0%	\$ -	\$ -	0%	\$ -
		Car Rental/Shuttle	\$ -	0%	\$ -	\$ -	0%	\$ -
		Parking	\$ -	0%	\$ -	\$ -	0%	\$ -
		Misc./Hotel Tax	\$ -	0%	\$ -	\$ -	0%	\$ -
		TOTAL		\$ -		\$ -	\$ -	
<b>Local Travel</b>								
Travel Purpose	Positions: List all positions (separated by a comma) requested within travel type.	Expense Type	Number of Miles	Cost Per Mile Requested by this OAG Grant	Cost Requested by this OAG Grant	Number of Miles	Cost Per Mile Requested by this OAG Grant	Cost Requested by this OAG Grant
Local Travel (Mileage Only)		Mileage		\$ -	\$ -		\$ -	\$ -

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**12.1 FY 2016 TRAVEL NARRATIVE**

Provide a justification describing the travel staff members will perform. This should include the location to be traveled to, the number of trips planned, the title of the staff member who will be making the trips, and how the travel supports the goal of the grant.

**12.2 FY 2017 TRAVEL NARRATIVE**

Provide a justification describing the travel staff members will perform. This should include the location to be traveled to, the number of trips planned, the title of the staff member who will be making the trips, and how the travel supports the goal of the grant.

**13. EQUIPMENT**

Item	FY 2016			FY 2017		
	Total Cost of Equipment	% Requested by this OAG Grant	Cost Requested by this OAG Grant	Total Cost of Equipment	% Requested by this OAG Grant	Cost Requested by this OAG Grant
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
			\$ -			\$ -

**13.1 FY 2016 EQUIPMENT NARRATIVE**

Provide a justification for Equipment which relates to the project's goal.

**13.2 FY 2017 EQUIPMENT NARRATIVE**

Provide a justification for Equipment which relates to the project's goal.

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14. SUPPLIES						
Item	FY 2016			FY 2017		
	Total Cost of Supplies	% Requested by this OAG Grant	Cost Requested by this OAG Grant	Total Cost of Supplies	% Requested by this OAG Grant	Cost Requested by this OAG Grant
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
<b>14.1 FY 2016 SUPPLIES NARRATIVE</b>			\$ -		\$ -	
Provide a justification for Supplies which relates to the project's goal.						
<b>14.2 FY 2017 SUPPLIES NARRATIVE</b>						
Provide a justification for Supplies which relates to the project's goal.						

15. OTHER DIRECT OPERATING EXPENSES (ODOE)						
Item	FY 2016			FY 2017		
	Total Cost of ODOE	% Requested by this OAG Grant	Cost Requested by this OAG Grant	Total Cost of ODOE	% Requested by this OAG Grant	Cost Requested by this OAG Grant
OAG Sponsored Training Registration	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
	\$ -	0%	\$ -	\$ -	0%	\$ -
<b>15.1 FY 2016 OTHER DIRECT OPERATING EXPENSES NARRATIVE</b>			\$ -		\$ -	
Provide a justification for Other Direct Operating Expenses which relates to the project's goal.						
<b>15.2 FY 2017 OTHER DIRECT OPERATING EXPENSES NARRATIVE</b>						
Provide a justification for Other Direct Operating Expenses which relates to the project's goal.						

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**16. PROJECT SUMMARY**

16.1 Complete the following statement, which may be used by the OAG to summarize or describe the project. "This project funds [number of staff] to serve victims by providing [types of ] services in [geographic locations]."

The City of Pearland Crime Victim Assistance Program will request funding for its project to provide a portion of the salary and benefits for 2 Pearland Crime Victim Liaisons. These positions will continue to allow the program to serve victims of crimes in Pearland, Texas. Pearland population estimates for 2015 indicate that the City has grown by 17,548 people since the 2010 U.S. Census. Based on the City's tremendous growth since 2000, two Crime Victim Liaisons are needed for our program to handle the capacity for delivering services to victims, managing grant program compliance, administration, and providing training/technical assistance to police officers and other stakeholders.

**17. TARGET POPULATION**

SPECIFIC VICTIMIZATIONS		SPECIFIC POPULATIONS	
Adults Molested as Children	X	African-American	X
Assault	X	Asian	X
Child Abuse	X	Elderly (65 and up)	X
DUI/DWI	X	Gay/Lesbian/Bisexual/Transgender	X
Family Violence	X	Hispanic	X
Hate/Bias Crimes	X	Persons with Disabilities	X
Human Trafficking		Rural	X
Physical Abuse and/or Neglect	X	Spanish-speaking	X
Robbery	X	Other	X
Sexual Assault	X		
Survivors of Homicide Victims	X		
Other Victims of Crime	X		

**18. PROBLEM STATEMENT**

18.1 Provide a brief description of the specific victim-related issue(s) this project is designed to address as it relates to the specific victimization types reported in 17. Target Population of Tab D - Project Summary.

The City of Pearland Crime Victim Assistance Program will provide supportive services to victims of crime in our community. Victim-related issues addressed will include emotional and financial restoration, achieving justice, and assisting victims establish the practices and behaviors that prevent further victimization. The economy and growing population in Pearland continue to drive criminal activity. The program, through the addition of a Crime Victim Specialist, will assist victims with crime victim advocacy, referrals, access health and safety services, court and hospital accompaniment, education and awareness information, and general recovery support efforts. Approximately 13 percent of Pearland's population has been provided with crime victim assistance from the Pearland Police Department's Crime Victim Liaison, made up of our community's women, children, men, minorities and the elderly. In 2002 and 2003, 21 percent of all victims served were minorities. While only one percent has required translation services, 15 percent require victim advocacy and crime victims' compensation support. Responding to the growing diversity in Pearland will be a critical objective of this grant-funded assignment. According to the most recent Census data, the increases in Pearland's African-American, Hispanic/Latino and Asian populations purport to a change of more than 1,580 percent. These groups made up less than 10,000 Pearland residents in 2000. Now, based on 2010 Census statistics, they comprise more than 35,000 Pearlanders and make up almost 40 percent of the total population. The City demography has grown to make Pearland one of the more diverse suburban communities with more than 51% of our population being of dissimilar ethnicity, nationality, race and culture.

**19. SUPPORTING DATA**

19.1 Provide data that supports the victim-related issue(s) and/or specific victimization types this project is designed to address. Cite research and/or data that is geographically relevant and specific to your service area.

The Pearland Police Department was called upon to serve 621 crime victims in 2014. From the prior year, the demographics of victims served was relatively consistent in 2014, but some crimes demanded more attention than others. DUI/DWI victim assistance activities increased from 12 in 2013 to 22 in 2014. In 2013 no victims of terroristic threats were served, but 46 required supportive services in 2014. Fewer cases of homicides and robberies resulted in lower victim assistance services in these areas, but victims of assaults requiring services increased by 5 percent. Overall, significant crime victim services were necessary in the areas of crisis counseling (159 victims), justice support (84 victims), and personal advocacy (148 victims requiring accompaniment, restitution, medical advocacy. From 2013 to 2014, cleared cases of crimes against persons reduced by 8%. Consistent with prior years, crime victim services for those affected by domestic abuse continues to make up 48% of the total services provided to victims. Assault victims make up the next highest recipients of services at 17%.

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**20. PROJECT GOAL**

20.1 Provide a project goal, which relates to your Problem Statement, that shows what the project plans to achieve over the next two years with these grant funds. The goal should be a "SMART" goal: Specific, Measurable, Achievable, Realistic and Timely.

The primary goal of the project is to enhance the capacity of the current Pearland Crime Victim Assistance Program by increasing personnel available to provide support for information and referral, outreach, crisis counseling and follow-up contacts with victims of crimes in Pearland. Our Victim Assistance Program protects the rights of victims through advocacy, while preventing further victimization by providing them with the proper information and referrals, crisis counseling, emergency financial support and shelter needed to cover their transition into restoration. Along with these key objectives, it is the aim of the program to expand its ability to provide on-call resources during after-hours emergencies, informing victims about police procedures, available community resources and other programs designed to assist victims during the aftermath of a crime. Victim assistance services fall within the Police Department's Police Investigations Division and are subject to meeting the goals, objectives, forecasted accomplishments and performance measures of the Division. Thorough investigation of crimes and apprehension of violators, as well as gathering, analyzing and disseminating information on criminal activity and the persons responsible for such activity are two important goals of the Division. Others include supporting all officers of the department with their criminal investigations and building strong cases for prosecution.

**21. OUTPUT ASSESSMENT AND EVALUATION**

21.1 Describe the systems, including tools and/or processes, written policies and procedures, databases, tracking forms or quality control testing, which will be used to track and verify the project's outputs.

Direct Victim Services are tracked through data management activities that account the demographics, victimization categories, and service areas for each victim. Alongside the tracking of information regarding caseload, victim's served and the categories of services provided, qualitative assessments that allow the program to determine the impact its services are having on victims will be ongoing. Surveys of victims throughout the process will be conducted and a customer satisfaction report may also be generated to show how citizens feel about the services they have received. Uniform Crime Report data is always utilized to enable the Crime Victim Liaison to manage its commitment to attempt to serve all those that are victims of crimes.

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21.2 OUTPUTS SUMMARY	PROJECTED TARGET	
	FY 2016	FY 2017
<b>DIRECT VICTIM SERVICES</b>		
Number of Unique Victims Served	500	515
Assistance with Crime Victims' Compensation	25	30
Assistance with Texas VINE	32	36
Information and Referral	500	515
Assistance with Restitution	0	0
Assistance with Victim Impact Panels	0	0
Assistance with Victim Impact Statements	0	0
Criminal Justice Accompaniment	5	8
Crisis Intervention	135	140
Emergency Funds	0	0
Follow-up with Victim	500	515
Individual Counseling	0	0
Law Enforcement Accompaniment	20	25
Legal Assistance	0	0
Lodging	0	0
Medical Accompaniment	0	0
Other	0	0
Peer Support Services	0	0
Support Groups	0	0
Therapeutic Groups	0	0
Transportation	0	0
Victim Advocacy	55	60
<b>VICTIM SERVICES TRAINING</b>	<b>FY 2016</b>	<b>FY 2017</b>
Faith-Based Individuals Trained	0	0
Law Enforcement Individuals Trained	80	90
Medical Individuals Trained	0	0
Other Individuals Trained	0	0
Prosecution/Judicial Individuals Trained	0	0
School Faculty Individuals Trained	0	0
Volunteer Individuals Trained	2	2
Total Number of all Training Sessions	7	7
Total Number of all Individuals Trained	82	92
<b>OUTREACH OR COMMUNITY EDUCATION</b>	<b>FY 2016</b>	<b>FY 2017</b>
Outreach or Community Education Presentations	4	4
Outreach or Community Education Participants	60	60
Informational Fairs	0	0
Total Attendees at Informational Fairs	0	0
25% of Total Attendees (auto-calculates)	0	0
Total Outreach or Community Ed Presentations	4	4
<b>STRUCTURED EDUCATION</b>	<b>FY 2016</b>	<b>FY 2017</b>
Structured Education Participants	7	12
Structured Education Presentations	5	7
<b>21.3 PUBLIC AWARENESS CAMPAIGN (Statewide Applicants Only)</b>		
21.3 Describe the types of public service campaign products and activities (Internet, press releases, press conferences, tv and radio, etc.) the applicant plans to provide in English and in other languages.		
<p>The Crime Victim Assistance Program in Pearland will continue to utilize the City's website, the Police Department's website, and local media to publicize services and reach the community with educational materials and awareness. The City's Communications Department will be working with the Program to develop a short PSA for our local Municipal Channel to further inform the public of our capabilities, and to highlight the importance of victims' seeking support from our Program in the aftermath of a crime. The City will work with OAG officials to ensure the materials are consistent with regulatory requirements and the proper acknowledgements associated with the OAG-OVAG program's support of our objectives.</p>		

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<b>22. OUTCOMES</b>		
<b>SELECT ONLY TWO (2) OUTCOMES TO BE MEASURED BY YOUR PROJECT</b>		
<b>A. DIRECT SERVICE OUTCOMES</b>		<b>Outcome Target %</b>
<input checked="" type="checkbox"/> Increase in knowledge of crime victims' rights.		20%
<input checked="" type="checkbox"/> Increase in knowledge of community resources and services.		30%
<b>Direct Service Outcomes: Mark an "X" for the instrument you plan to use to measure the Outcome.</b>		
Pre- and Post- Tests		
Staff Observations	x	
Surveys		
Other (Provide Name/Type of Instrument)		
<b>B. PROFESSIONAL TRAINING OUTCOME</b>		<b>Outcome Target %</b>
<input checked="" type="checkbox"/> Increase in knowledge of crime victims' rights.		10%
<b>Professional Training Outcome: Mark an "X" for the instrument you plan to use to measure the Outcome.</b>		
Pre- and Post- Tests	x	
Staff Observations		
Surveys		
Other (Provide Name/Type of Instrument)		
<b>C. COMMUNITY EDUCATION OUTCOME</b>		<b>Outcome Target %</b>
<input type="checkbox"/> Increase in knowledge of community resources and services.		
<b>Community Education Outcome: Mark an "X" for the instrument you plan to use to measure the Outcome.</b>		
Pre- and Post- Tests		
Staff Observations		
Surveys		
Other (Provide Name/Type of Instrument)		
<b>D. CHILDREN'S ADVOCACY CENTERS (CAC) and COURT APPOINTED SPECIAL ADVOCATES (CASA) (CAC and CASA APPLICANTS ONLY)</b>		<b>Outcome Target %</b>
<input type="checkbox"/> Reduction in trauma, crisis, stress and/or anxiety of child victim and/or protective family members.		
<input type="checkbox"/> Increase understanding/knowledge regarding criminal and civil justices system process in general and/or in regard to their specific case.		
<b>CAC and CASA: Mark an "X" for the instrument you plan to use to measure the Outcome.</b>		
Pre- and Post- Tests		
Staff Observations		
Surveys		
Other (Provide Name/Type of Instrument)		

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**23. DETAILED IMPLEMENTATION PLAN**

**23.1 Describe this project's specific activities, which will be done over the next two years.**

The Crime Victim Liaisons will continue to deliver the proper appropriation of duties associated with the needs of citizens that were once underserved due to historical capacity challenges. Increasing staff has allowed more face-to-face time with victims, prevented scheduling challenges that arose due to situations requiring the Victim Liaisons to perform call-out duties, and increased outreach and follow-up contact with victims. Over the past two-year period, evaluation and outcome measurement were managed carefully and monitored to determine any changes or alterations in service-delivery standards of practice. A steady and consistent implementation of crime victim assistance has been provided over the past 14 years and the City plans to continue its successful history of doing so. Coordinating and strengthening relationships with community-based organizations and resources will be a substantive part of the Crime Victim Liaison's role. In addition, the Liaisons will spend significant time researching best practices and proposing strategies to implement new and innovative approaches to delivering victim assistance services. Assisting with oversight of community volunteer(s) and the academic intern(s) will also be a part of the specific activities of the Liaisons. The plan will also include measures to make an appropriate division of duties that allow the Crime Victim Liaisons to provide specialized levels of support for particular types of crime. Bi-lingual services and support for violence against women will be part of the specialized support that Liaisons continue to provide.

**23.1 Continued:**

**23.1 Continued:**

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**23.2 Describe how these activities will help to reach the project's goal.**

Crime Victim Liaisons will be able to provide expansive service to more victims. Without Crime Victim Liaison staff, victims are left to fend for themselves where dealing with the psychological, emotional, physical and financial toll crimes against persons often result in. Having these resources, for a locality that has grown, and that continues to grow, as aggressively as Pearland has, means that our community is safer and our unfortunate victims are well-supported in the aftermath of a crime. Our project's goal, now supports a larger Strategic Goal developed by the City. We are engaged in the process of using a variety of local government functions, beyond those of law enforcement procedures, that provide us with the ability to create a "Safe City" through planning, development, code enforcement, and other aspects of the City's role in our community. Helping victims deal with the process of seeking justice, particularly those that have become the victims of domestic violence or assaults, prevents criminals from carrying on the belief that Pearland is a city that tolerates crime, and that its population of citizens will allow it to prevail over the safety and well-being of its residents. Providing victims with assistance in finding shelters or obtaining financial assistance through Crime Victim Compensation funds, accompanying them to court, providing them with educational materials or information about counseling services in the area, and supporting their need for regular updates about the status of their cases helps victims deal with the burdens of having become the subject of a crime; thus, meeting the goals of the program.

<b>24. COMMUNITY RESOURCES</b>		<b>Yes/No</b>
24.1 Is collaboration with one or more outside organizations required to achieve specific project activities in the detailed implementation plan?		Yes
24.2 Do these collaborations currently exist?		Yes
24.3 Describe why these agreements are required.		
<p>Local government agencies typically rely on community-based organizations and other entities to provide specialized services for those it services. Where crime victim services are concerned, the need for counseling expertise, medical professionals, legal advocacy, shelter and more intensive financial assistance must often come from outside organizations. Working agreements with these organizations allows the City to properly refer victims to local hospitals, crisis counseling professionals, housing organizations and other non-profit entities that can extend proper services to them. While the Crime Victim Liaison and Specialist will be able to provide most basic and general support services, it is incumbent upon our organization to partner with groups such as the Women's Center of Brazoria County, Texas Department of Public Safety, Pearland area hospitals, Pearland Neighborhood Center and Adult Reading Center to provide victims with the immediate, and sometimes long-term, support they need. Traditionally, the program has maintained steady involvement with the Multi-County Interagency Coalition Against Sexual Assault, the Pearland Network, as well as Brazoria County's Sexual Assault Response Team (SART).</p>		

<b>25. SUSTAINABILITY PLAN</b>	
25.1 Briefly describe what would happen to the proposed grant project in the event that the OAG grant funds are no longer available.	
<p>While grant funds support a substantive portion of the personnel costs of each crime victim staff person working for the City, the City of Pearland's Police Department has a commitment to maintain this program to the extent financially feasible. The City is committed to meeting the requirements set forth in Texas Code Article 56.04 and this program will continue to operate with, or without, grant funds. However, considering the ongoing concerns for local economic success and the existing trail of challenges that our fiscal budget faces from prior years of economic downturn, it is in our best interest to utilize available public and/or private assistance from grants to produce these results. Grant funds provide the structured programmatic activities that allow us to uniformly serve each victim. The reporting standards, fiscal accountability measures, and partnership with OAG that this grant represents helps our citizens to benefit from the presence of a grant in ways that otherwise may not be available.</p>	

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<b>26. FINANCIAL</b>
<b>26.1 FINANCIAL SYSTEMS</b>
<b>26.2 Describe the financial systems, internal controls, written policies and procedures, accounting software, databases, tracking forms or quality control testing, which will be used to track and verify the project's financial activities.</b>
The City of Pearland utilizes an traditional system of financial management with internal controls, written policies and procedures, accounting software, databases, grants administration and audits that ensure its compliance with local, state and federal guidelines. Separation of Duties exists for requesting payments from grant funding sources and accounting software is utilized to track expenses and report financial management activities. The Finance Department handles all grants received by the City and administers the functions of budget, accounting, purchasing, and audits associated with management of funds. A system of internal controls is procedurally outlined in our Purchasing Manual, Grants Policies and Procedures, Employee Manual and in various written guidelines distributed and officiated by the Finance Director. Annual audits, including Single Audit in compliance with OMB Circular A-133, are conducted and federal assistance is well documented and reported. Grant expenses are presented to the Finance Department for payment, once requested by the Grants Coordinator and authorized/approved by the Finance Director. Once approved, payments are drafted and the expenses are recorded in the City's accounting software in accordance with the project's approved budget. Other procedures, controls and purchasing guidelines are maintained throughout the process of financial administration. The City of Pearland has no recent audit findings and has been a consecutive recipient of the Government Finance Officers Association Distinguished Budget Presentation Award since 1988, the Excellence in Financial Reporting since 1978 and has received a Certificate of Achievement Award from the ICMA Center for Performance Management since 2009.
<b>26.3 BUDGET NARRATIVE</b>
<b>26.4 Provide a justification, which relate to the project's goal, for each requested budget category summarized in 27. Budget on Tab D - Project Summary.</b>
The City of Pearland's Finance Department, Police Department, and Human Resources Department have collaboratively conducted a proper assessment of the duties required to enhance the capacity of the Crime Victim Assistance Program in Pearland, and have developed a proper pay scale and benefits structure for the Crime Victim Liaison positions. The rate of pay is commensurate with a local government position in similarly-situated jurisdictions that provide services and duties that are consistent with our desired professional. The City's "Class Code 2116" consists of a salary range of \$42,536 - \$63,814 annually, of which the City is requesting \$33,187 each fiscal year. Benefits calculated at 28.2 percent of each Liaison's calculated benefits result in \$8,200 which will be requested each fiscal year of the grant. Of the \$120,479 in total program costs, \$41,387 will be requested from the Office of the Attorney General. The City and other sources of funding will provide the remaining \$79,092 of the program costs. The total funds requested for the two-year project equal \$82,774. Altogether, the Liaison's will provide two 100% FTE to the tasks of providing crime victim assistance to Pearland residents, and those that become victims of crimes here in Pearland. The OAG-OVAG program will provide 34 percent of the funding required to operate the program in its entirety.

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<b>27. BUDGET SUMMARY</b>						
<b>PERSONNEL</b>						
Description	% of Positions	Hrs./Week	FY 2016 Requested	FY 2017 Requested	Total Project Cost	
Crime Victim Liaison - Toth	35%	14	\$ 15,637	\$ 15,637	\$ 31,274	
Crime Victim Liaison - Guadiana	38%	15	\$ 17,550	\$ 17,550	\$ 35,100	
	0%		\$	\$	\$	
	0%		\$	\$	\$	
	0%		\$	\$	\$	
	0%		\$	\$	\$	
<b>Total FTEs</b>	0.73					
<b>Personnel Total</b>			<b>\$ 33,187</b>	<b>\$ 33,187</b>	<b>\$ 66,374</b>	
<b>FRINGE</b>						
Crime Victim Liaison - Toth			\$ 4,900	\$ 4,900	\$ 9,800	
Crime Victim Liaison - Guadiana			\$ 3,300	\$ 3,300	\$ 6,600	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
<b>Fringe Total</b>			<b>\$ 8,200</b>	<b>\$ 8,200</b>	<b>\$ 16,400</b>	
<b>PROFESSIONAL &amp; CONSULTANT</b>						
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
<b>Professional &amp; Consultant Total</b>			<b>\$</b>	<b>\$</b>	<b>\$</b>	
<b>TRAVEL</b>						
OAG Sponsored Training			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
Local Travel (Mileage Only)			\$	\$	\$	
<b>Travel Total</b>			<b>\$</b>	<b>\$</b>	<b>\$</b>	
<b>EQUIPMENT</b>						
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
<b>Equipment Total</b>			<b>\$</b>	<b>\$</b>	<b>\$</b>	
<b>SUPPLIES</b>						
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
<b>Supplies Total</b>			<b>\$</b>	<b>\$</b>	<b>\$</b>	
<b>OTHER DIRECT OPERATING EXPENSES</b>						
OAG Sponsored Training Registration			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
<b>Other Direct Operating Expenses Total</b>			<b>\$</b>	<b>\$</b>	<b>\$</b>	
<b>TOTAL BUDGET</b>			<b>\$ 41,387</b>	<b>\$ 41,387</b>	<b>\$ 82,774</b>	



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

<b>AGENDA OF: 6.8.15</b>	<b>ITEM NO.:</b> Resolution No. R2015-101
<b>DATE SUBMITTED: 5.18.15</b>	<b>DEPARTMENT OF ORIGIN:</b>
<b>PREPARED BY: Michelle Graham</b>	<b>PRESENTOR: Clay Pearson</b>
<b>REVIEWED BY: Jon R. Branson</b>	<b>REVIEW DATE: May 18, 2015</b>
<b>SUBJECT: R2015-101 A Resolution of the City Council of the City of Pearland, Texas, approving the Amended Bylaws of the Pearland Parks, Recreation and Beautification Board.</b>	
<b>EXHIBITS:</b> First Amended By-laws, Original By-laws showing edits, Thursday Packet	
<b>EXPENDITURE REQUIRED: AMOUNT AVAILABLE: ACCOUNT NO.:</b>	<b>AMOUNT BUDGETED: \$ PROJECT NO.:</b>
<b>ADDITIONAL APPROPRIATION REQUIRED: ACCOUNT NO.: PROJECT NO.:</b>	
<b>To be completed by Department:</b> <input type="checkbox"/> Finance <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution	

**EXECUTIVE SUMMARY**

Following the lead of City Council, in January of 2015, the Parks, Recreation and Beautification Board adopted a relevant set of Rules and Order of Business. During the creation of these Rules & Order of Business there was a review of the By-laws to ensure these documents complemented one another and therefore alterations were recommended to be made to the By-laws.

The changes to the by-laws were minimal including some formatting corrections, clarifying language in term expiration information and a section on duties was removed from the By-laws as it is included now in the Rules and Order of Business document.

These amended by-laws were adopted by the Parks, Recreation and Beautification Board in April of 2015 but according to Article 19 of their by-laws the City Council must approve the By-laws and any changes there to before they become effective.

**RECOMMENDED ACTION**

Staff recommends approval of the First Amended By laws for the Parks, Recreation & Beautification Board.

**RESOLUTION NO. R2015-101**

**A Resolution of the City Council of the City of Pearland, Texas, approving the Amended Bylaws of the Pearland Parks, Recreation and Beautification Board.**

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

**Section 1.** That the City Council hereby approves the Amended Bylaws of the Pearland Parks, Recreation and Beautification Board attached hereto as Exhibit "A".

PASSED, APPROVED, AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2015.

\_\_\_\_\_  
TOM REID  
MAYOR

ATTEST:

\_\_\_\_\_  
YOUNG LORFING, TRMC  
CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
DARRIN M. COKER  
CITY ATTORNEY

First Amended By-Laws  
For  
Pearland Parks, Recreation and Beautification Board

NAME

Article 1. The name of this body shall be the Parks, Recreation and Beautification Board of the City of Pearland.

PURPOSE

Article 2. The purpose of this board shall be the following as they concern recreational needs and facilities for the citizens of Pearland:

1. to promote interest throughout the community;
2. to act as liaison between citizens and the City Council;
3. to review and recommend to the City Council a Parks and Recreation department budget;
4. to provide recommendations to the City Council regarding policies, procedures, programs and services provided by the Parks and Recreation Department;
5. Provide recommendations to the City Council regarding the planning for and the construction of parks and facilities for the City.

MEMBERSHIP

Article 3. The Board shall consist of seven (7) voting members.

Article 4. Each regular member shall have one vote.

Article 5. Each regular member shall be charged with the responsibility of representing all of the citizens of the community, with membership on the Board requiring an interest in the recreational facilities and activities within the City of Pearland.

Article 6. Vacancies that occur through regular termination, resignation, removal from the Board or death shall be filled by appointment to the Board by the City Council.

Article 7. Interested individuals wanting to serve on the Board must submit a volunteer application form with the City Secretary's office of the City of Pearland.

Adopted April 9, 2015

Article 8. The members shall serve three-year terms, may succeed themselves only twice.

Article 9. Terms of office start November 1, of each year.

Article 10. The officers of the Board shall serve one-year terms beginning each October and shall be elected at the prior September meeting by active regular members serving at the time.

Article 11. Committee positions shall be:

1. Chairman:

- a. To preside over all meetings. Speak for the Board and signs all official documents of the Board.
- b. Shall be selected from the members who were active in the preceding year.

2. Vice Chairman:

- a. In the absence of the Chairman, shall preside over all meetings, speak for the Board, and sign all official documents of the Board.
- b. Shall be selected from the members who were active in the preceding year.

## PROCEDURES

Article 12. The Board shall meet once a month and may call special meetings at the Board's discretion.

Article 13. Meetings will be at a regularly scheduled day, time and place to be determined at the first meeting in October of each year.

Article 14. All meetings shall be held in accordance with the Texas Open Meeting Act.

Article 15. Failure to attend three (3) consecutive un-excused absences and/or five absences in one calendar year may result in removal from the Board, by Majority vote of the Board.

Article 16. The meetings shall be conducted in accordance with Robert's Rules of Order.

Article 17. Decisions of the Board shall be by simple majority of membership except on changes to the By-Laws which require a two-thirds vote of the membership required.

Article 18. Official recommendations of the Board shall be made to City Council through the City Manager in the form of a memo from the Parks and Recreation Director and the Chairman of the Parks, Recreation and Beautification Board.

Article 19. The City Council of the City of Pearland shall approve these By-Laws and any changes thereto, before they can become effective.

First Amended By-Laws

For

Pearland Parks, Recreation and Beautification Board

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Article ~~6~~7. Vacancies that occur through regular termination, resignation, removal from the Board or death shall be filled by appointment to the Board by the City Council.

Article ~~7~~8. Interested individuals wanting to serve on the Board must submit a volunteer application form with the City Secretary's office of the City of Pearland.

Article ~~89~~. The members shall serve three-year terms, with half of the members terminating in alternate years, and **may succeed themselves only twice (i.e. may serve for three successive terms only)**.

Commented [MG1]: Was in the original by-laws adopted by Council in 2010

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Article ~~910~~. Terms of office start November 1, of each year.

Article ~~101~~. The officers of the Board shall serve one-year terms beginning each October and shall be elected at the prior September meeting by active regular members serving at the time.

Article ~~112~~. Committee positions shall be:

1. Chairman:

- a. To preside over all meetings. Speak for the Board and signs all official documents of the Board.
- b. Shall be selected from the members who were active in the preceding year.

2. Vice Chairman:

- a. In the absence of the Chairman, shall preside over all meetings, speak for the Board, and sign all official documents of the Board.
- b. Shall be selected from the members who were active in the preceding year.

## PROCEDURES

Article ~~132~~. The Board shall meet once a month and may call special meetings at the Board's discretion.

Article ~~143~~. Meetings will be at a regularly scheduled day, time and place to be determined at the first meeting in October of each year.

Article ~~154~~. All meetings shall be held in accordance with the Texas Open Meeting Act.

Article ~~165~~. Failure to attend three (3) consecutive un-excused absences and/or five absences in one calendar year may result in removal from the Board, by Majority vote of the Board.

Article ~~176~~. The meetings shall be conducted in accordance with Robert's Rules of Order.

Article ~~187~~. Decisions of the Board shall be by simple majority of membership except on changes to the By-Laws which require a two-thirds vote of the membership required.

Article ~~198~~. Official recommendations of the Board shall be made to City Council through the City Manager in the form of a memo from the Parks and Recreation Director and the Chairman of the Parks, Recreation and Beautification Board.

Article ~~1920~~. The City Council of the City of Pearland shall approve these By-Laws and any changes thereto, before they can become effective.

Removed Duties section to be included in Rules & Order of Business instead



# Memo

To: Jon Branson, Deputy City Manager

From: Michelle Graham, Parks & Recreation Director

CC: Clay Pearson, City Manager; Chris Orlea, Parks & Recreation  
Assistant Director

Date: May 13, 2015

Re: Parks, Recreation & Beautification Board By-laws and Rules & Order  
of Business

5/13/2015  
To: Mayor and City  
Council members  
Upcoming for  
consideration.  
Clay

Following the lead of City Council, in January of 2015, the Parks, Recreation and Beautification Board adopted a relevant set of Rules and Order of Business.

During the creation of these Rules & Order of Business there was a review of the By-laws to ensure these documents complemented one another. During this review some alterations were recommended to be made to the By-laws.

The changes to the by-laws were minimal including some formatting corrections, clarify language in termination expiration information and a section on duties was removed from the By-laws as it is included now in the Rules and Order of Business document.

According to the By-laws, Article 19, the City Council must approve the By-laws and any changes there to, so I would like to request that these be placed on a future Council agenda for formal adoption.

Included in this packet are the By-laws and the Rules of Order of Business so you can see the documents combined and how they work together. The only document Council will be asked to take formal action on will be the By-laws.

First Amended By-Laws  
For  
Pearland Parks, Recreation and Beautification Board

NAME

Article 1. The name of this body shall be the Parks, Recreation and Beautification Board of the City of Pearland.

PURPOSE

Article 2. The purpose of this board shall be the following as they concern recreational needs and facilities for the citizens of Pearland:

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4. to provide recommendations to the City Council regarding policies, procedures, programs and services provided by the Parks and Recreation Department;
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Article 6. Vacancies that occur through regular termination, resignation, removal from the Board or death shall be filled by appointment to the Board by the City Council.

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Adopted April 9, 2015

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Article 16. The meetings shall be conducted in accordance with Robert's Rules of Order.

- Article 17. Decisions of the Board shall be by simple majority of membership except on changes to the By-Laws which require a two-thirds vote of the membership required.
- Article 18. Official recommendations of the Board shall be made to City Council through the City Manager in the form of a memo from the Parks and Recreation Director and the Chairman of the Parks, Recreation and Beautification Board.
- Article 19. The City Council of the City of Pearland shall approve these By-Laws and any changes thereto, before they can become effective.

## Parks, Recreation & Beautification Board Rules and Order of Business

### 1. ORGANIZATION

The advisory board shall consist of seven (7) voting board members. Board members are appointed and serve at the will of City Council. The Chairman of the board shall be the presiding officer for Board meetings. The Parks & Recreation Director serves as the staff liaison between the City Administration and City Council and is not a voting member of the board. These rules shall serve as guidelines for the organization and conduct of board to ensure that the City is governed in an orderly fashion.

### 2. REGULAR MEETINGS

The board shall meet once per month in accordance with their by-laws. Regular meetings times shall be established at the October meeting for terms beginning in November. For November 2014-October 2015, the meetings of the board shall be held on the 2<sup>nd</sup> Thursday of each month at 8:30 A.M. in the 2<sup>nd</sup> floor conference room of the Recreation Center & Natatorium, and the public is invited to attend the meetings.

If the board meets at a place or time other than its regular meeting place, then public notice to such effect shall be posted in accordance with the Texas Open Meetings Act.

### 3. SPECIAL MEETINGS

A special meeting may be held upon the request of the Parks & Recreation Director or written request by any two (2) board members provided to the Parks & Recreation Director. Notice of special meetings must be posted in accordance with the Texas Open Meetings Act.

### 4. JOINT MEETINGS

The Board may hold Joint Meetings with various Boards, Commissions, and/or various governmental entities that share a community interest with the City. Such meetings shall be scheduled for a specific purpose or goal, agreed to by the City and the other entity prior to the meeting and posted for public information in accordance with the Texas Open Meetings Act.

### 5. AGENDA

The Parks & Recreation Director and the Administrative Assistant shall prepare an agenda for business to be considered at each regular Board meeting. It shall be the practice of the City to include on any regular Board meeting agenda all items that are deemed appropriate by the Parks & Recreation Director or any one board member. For any board member to have an item placed on the regular meeting agenda, the request shall be in writing and shall be filed with the Administrative Assistant no later than noon on the Wednesday the week before the regular meeting at which it is requested for consideration. If the filing is later than noon on that

Wednesday before the regular meeting, the item shall be placed on the agenda of the next regular meeting, unless the Parks & Recreation Director determines that delaying the requested item would be contrary to the City's best interest. The format for agendas shall include:

- I. Call to Order
- II. Roll Call
- III. Approval of Minutes
- IV. Board Report
- V. Citizen Comment
- VI. Discussion/Action Items
- VII. Director's Report
- VIII. Adjournment

#### 6. PUBLIC COMMENT RULES

- A. All members of the audience addressing the Board("Speaker") shall direct their remarks to the person in charge of the meeting ("Chair").
- B. No Speaker shall address the Board unless recognized by the Chair for that purpose.
- C. Remarks shall be limited to those pertaining to matters before the Board, to related City business or policy, or to issues of community concern or interest. Profane, vulgar or abusive language or personal attacks will not be tolerated.
- D. No Speaker shall continue to address the Board after being informed by the Chair that the Speaker's time for addressing the Board has expired.
- E. The Speaker shall be limited to 3 minutes to address the Board. If a single individual has been designated, on behalf of a larger group, to speak for the group, then such individual shall be allowed a maximum of 5 minutes to speak. The Chair has the authority to grant additional time, if requested by a Speaker, for good cause. At the end of the Speaker's allotted time, the Chair shall direct the Speaker to wrap up and the Speaker shall not exceed 1 additional minute of speaking time.
- F. Board shall not respond to Speakers; however the Parks & Recreation Director or designee may respond to the Speaker, if appropriate, outside of or during the meeting.

## 7. QUORUM

Two-thirds (2/3) of the qualified members of the Board shall constitute a quorum for conducting business. A quorum for conducting business can be achieved with four board members physically present at the meeting. Board members must RSVP by responding prior to the meetings to ensure quorum. If quorum cannot be established 24 hours prior to the meeting, the meeting will be canceled and a notice sent.

## 8. VOTING

Unless otherwise provided by City Charter, law or ordinance, the affirmative vote of the majority of those Board members present shall be necessary to adopt any ordinance or resolution. The vote on Parks & Recreation ordinances and resolutions shall be taken by roll call and entered into the City's official record.

## 9. DEBATE AND DECORUM

Robert's Rules of Order Newly Revised shall, to the extent feasible, govern the proceedings of Board. The Parks & Recreation Director or designee shall act as Parliamentarian for Board meetings.

## 10. ETHICAL STANDARDS

It is the official policy of the city that:

A. City officials shall be independent, impartial, and responsible to the citizens of the city;

B. City officials shall not have a financial interest, and shall not engage in any business, transaction, or professional activity, or incur any obligation that conflicts with the proper discharge of their duties for the city in the public interest;

C. The principles of personal conduct and ethical behavior that should guide the behavior of city officials include:

- (1) A commitment to the public welfare;
- (2) Respect for the value and dignity of all individuals;
- (3) Accountability to the citizens of the city;
- (4) Truthfulness; and
- (5) Fairness.

D. Under such principles of conduct and ethical behavior, city officials should:

(1) Conduct business with integrity and in a manner that merits the trust and support of the public;

(2) Be responsible stewards of the taxpayers' resources; and

(3) Take no official actions that would result in personal benefit in conflict with the best interests of the city.

E. To implement the aforementioned purpose and principles, the City Council has enacted rules of ethical conduct to govern city officials (City Ordinance No. 1462-1 as it may be amended from time to time). It is the purpose and intent of this city board to comply with these rules of ethical conduct and assure a fair opportunity for all of the city's citizens to participate in government, to adopt standards of disclosure and transparency in government, and to promote public trust in government.

#### 11. NEW BOARD MEMBER ORIENTATION

Each new Board member shall, at their first meeting, be provided various forms of vital information which shall include, but not be limited to, the following:

- A. By-laws
- B. Park & Trail Master Plan
- C. Annual Goals & Action Plan
- D. Information on Capital Improvement Projects
- E. Department Organizational Charts
- F. Department Timeline/Monthly Schedule

Each November board meeting members will review the by-laws and participate in other board related training.

#### 12. ROLES/FUNCTIONS/EXPECTATIONS:

In accordance with the by-laws the board will specifically:

- a. Submit budget recommendations to the Parks and Recreation Department staff, City Manager and City Council as required for inclusion in the City budget.
- b. Recommend priorities for projects to be funded by the City.
- c. Assist the Parks and Recreation Department staff in seeking grant aid for projects, land purchases, park equipment and other associated materials and supplies.
- d. Recommend policies and procedures for the operation, maintenance, construction and programming for parks, facilities and recreation programs.
- e. Seek advice and information from other City, County, State and Federal agencies.

- f. Review and recommend updates to the Parks and Recreation Master Plan(s) every five years.
- g. Provide recommendations to City Council regarding conflicts of usage of any park or recreation facility belonging to the City of Pearland.
- h. Provide recommendations to the Parks and Recreation Department staff for department special events. Board will serve as the Event Advisory Committee. In the capacity as the event advisory committee, board members will be asked to provide recommendations on band/entertainment selections, food vendors, and parade themes. Board members may be asked to research possible types of activities and provide staff with findings, provide suggestions/input event rain plans, the creation of new events and the discontinuation of existing events.
- i. The Board will be involved in reviewing and approving applications for projects for proposed enhancements to public park property. Project applications will be submitted by individuals, non-profits, businesses wishing to make these improvements.
- j. The board will review applications from sporting associations to be designated as Recognized Sports Associations (RSA) in accordance with the departments Athletic User Group policies. The board will also hear and approve/deny appeals regarding use of Athletic Fields brought forward by potential users.
- k. When possible, the board will review proposals submitted by developers for park amenities and provide a written opinion to the Planning and Zoning Commission for consideration.
- l. Board members are the eyes and ears of the community to the Department and should be advocates for the Parks & Recreation Department as well as communicate with/to the department. Board members should be familiar with and promote the department vision and mission to the community and other organizations. Other actions board members can take to become advocates include:
  - i. Attend Council meetings to support the department
  - ii. Assist and establish contacts within the community
  - iii. Assist in identifying community resources to aid in meeting the needs of the public at large
  - iv. Know and communicate various functions of the department to the public
  - v. Be a spokesperson for the department at various organizations
  - vi. Actively participate in events/programs/projects
  - vii. Provide constructive feedback to Parks & Recreation Department received by others to address community needs
  - viii. Relay information gathered from Parks & Recreation department to community and council
  - ix. Educate the community as to the benefits of parks and recreation programs and facilities.
- m. Undertake other duties consistent with the Board's purpose as requested by the City Council.



## **EXECUTIVE SUMMARY**

The applicant is requesting approval of a Conditional Use Permit (CUP) to allow for an Auto Parts Sales (Indoor Only; With Repair Bays) facility located in the General Commercial (GC) district on approximately .41 acres located north of Swensen Drive and east of South Main/State Highway 35. The property is currently undeveloped. The proposed development will consist of a 5,615 square foot building with two 12' x 14' overhead doors at the front of the building and two 10' x 12' overhead doors on the opposite wall at the rear of the building. No outdoor storage or display of any kind is proposed. As per the Unified Development Code (UDC), the Auto Parts Sales use is described as an establishment that sells auto parts and accessories and offers installation services. This use would not permit general auto repair of any type.

### **Recommendation**

Staff recommends approval of the request to allow for an Auto Parts Sales (Indoor Only; With Repair Bays) facility on the approximately .41 acre site in the GC zoning district for the following reasons:

1. The proposed CUP request is in conformance with the Comprehensive Plan as the request is compatible with surrounding properties.
2. The property is located within the General Commercial (GC) zoning district. An "Auto Parts Sales (Indoor Only; With Repair Bays)" facility is permitted, with approval of a Conditional Use Permit.
3. The proposed CUP is compatible with the surrounding area, which is a mix of auto related and light industrial commercial uses, and thus, meets the requirement of the UDC.
4. The proposed use will not significantly impact surrounding properties, as this site is located near other similar commercial uses.

### **Public Notification**

Staff sent 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. Additionally, a legal notice of the public hearing was published in the local newspaper, and a notification sign was placed on the property by the applicant.

### **PLANNING AND ZONING COMMISSION DISCUSSION**

At the regular meeting of the Planning and Zoning Commission on May 18, 2015, P&Z Commissioner Derrick Reed made a motion to recommend approval of the CUP request. The motion was seconded by P&Z Commissioner Thomas Duncan. The vote

was 4-0 and the motion was approved. Commissioners Reed, Starr, Tunstall, and Duncan all voted in favor of the requested CUP.

## **Ordinance No. CUP 2015-05**

An ordinance of the City Council of the City of Pearland, Texas, approving a **Conditional Use Permit (CUP) to allow for an Auto Parts Sales (Indoors Only; With Repair Bays) facility**, for certain property, Being Lots 7 and 8, Thomas and Gilbert Industrial Tracts, a Subdivision of part of Lot 113, A.C.H. & B. Survey, Section 1, Abstract No. 147, Brazoria County, Texas. **(Located north of Swensen Drive, east of Main Street, Pearland, TX)**, Conditional Use Permit Application No 2015-05, within the General Commercial (GC) zoning district, at the request of Robert M. Atkinson, applicant; on behalf of MVN Investment LLC, owner; containing a savings clause, a severability clause, and an effective date and other provisions related to the subject.

**WHEREAS**, Robert M. Atkinson, applicant; on behalf of MVN Investment LLC, owner; is requesting approval of a Conditional Use Permit (CUP) to allow for an Auto Parts Sales (Indoors Only; With Repair Bays) facility on approximately 0.41 acres of land on the following described property; said property being legally described in the legal description attached hereto and made a part hereof for all purposes as Exhibit "A," and more graphically depicted in the vicinity map attached hereto and made a part hereof for all purposes as Exhibit "B"; and

**WHEREAS**, on the 18th day of May 2015, 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 "C," said call and notice being in strict conformity with provisions of Section 1.2.2.2 of Ordinance No. 2000T; and

**WHEREAS**, on the 18th day of May 2015, the Planning and Zoning Commission submitted its report and recommendation to the City Council regarding the proposed Conditional Use Permit to allow for an Auto Parts Sales (Indoors Only; With Repair Bays) facility on approximately 0.41 acres of land, said recommendation attached

hereto and made a part hereof for all purposes as Exhibit “D”; 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 8th day of June 2015 and the 22nd day of June 2015; 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 Robert M. Atkinson, applicant; on behalf MVN Investment LLC, owner; for approval of a Conditional Use Permit on approximately 0.41 acres of land to allow for an Auto Parts Sales (Indoors Only; With Repair Bays) facility; 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 being located within the General Commercial (GC) zoning district, is hereby granted a Conditional Use Permit to allow for the construction for an Auto Parts Sales (Indoors Only; With Repair Bays) facility, subject to all requirements of the GC zoning district and the site plan attached hereto and made a part hereof for all purposes as Exhibit “E”, in accordance with all conditions and requirements of the current Unified Development Code and the following conditions approved by the City Council and incorporated for all purposes, such property being more particularly described as:

**LEGAL DESCRIPTION:** Being Lots 7 and 8, Thomas and Gilbert Industrial Tracts, a Subdivision of part of Lot 113, A.C.H. & B. Survey, Section 1, Abstract No. 147, Brazoria County, Texas.

**GENERAL LOCATION:** North of Swensen Drive, east of Main Street, Pearland, TX

**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 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 8th day of June, 2015.

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TOM REID  
MAYOR

ATTEST:

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YOUNG LORFING, TRMC  
CITY SECRETARY

PASSED, APPROVED, and ADOPTED on Second and Final Reading this 22nd  
day of June, 2015.

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TOM REID  
MAYOR

ATTEST:

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YOUNG LORFING, TRMC  
CITY SECRETARY

APPROVED AS TO FORM:

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DARRIN M. COKER  
CITY ATTORNEY

**Exhibit A**  
**Legal Description**

Being Lots 7 and 8, Thomas and Gilbert Industrial Tracts, a Subdivision of part of Lot 113, A.C.H. & B. Survey, Section 1, Abstract No. 147, Brazoria County, Texas.

**Exhibit B  
Vicinity Map**

**Exhibit 1**

**AERIAL MAP**

**CUP 2015-05**

**Swensen Rd.  
East of Main St.**

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 = 177 feet  
May 2015  
PLANNING DEPARTMENT

**Exhibit C  
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 APPLICATION NO:CUP  
2015-05**

Notice is hereby given that on May 18, 2015 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 Robert M. Atkinson, applicant; on behalf of MVN Investment LLC, owner; for approval of a Conditional Use Permit (CUP) to allow for an Auto Parts Sales (Indoors Only; With Repair Bays) facility located within the General Commercial (GC) zoning district on approximately .41 acres of land, to wit:

Being Lots 7 and 8, Thomas and Gilbert Industrial Tracts, a Subdivision of part of Lot 113, A.C.H. & B. Survey, Section 1, Abstract No. 147, Brazoria County, Texas.

General Location: North of Swenson Drive, east of Main Street, 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  
Interim City Planner

**Exhibit D**  
**Planning and Zoning Commission Recommendation Letter**



# Planning & Zoning Commission

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**Recommendation Letter**

May 19, 2015

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

Re: Recommendation on CUP Application 2015-05

Honorable Mayor and City Council Members:

At their regular meeting on May 18, 2015, the Planning and Zoning Commission considered the following:

A request of Robert M. Atkinson, applicant; on behalf of MVN Investment LLC, owner; for approval of a Conditional Use Permit (CUP) to allow for an Auto Parts Sales (Indoors Only; With Repair Bays) facility located within the General Commercial (GC) zoning district on approximately .41 acres of land, on the following described property:

**LEGAL DESCRIPTION:** Being Lots 7 and 8, Thomas and Gilbert Industrial Tracts, a Subdivision of part of Lot 113, A.C.H. & B. Survey, Section 1, Abstract No. 147, Brazoria County, Texas.

**GENERAL LOCATION:** North of Swensen Drive, east of Main Street, Pearland, TX

P&Z Commissioner Derrick Reed made a motion to recommend approval of the CUP request. The motion was seconded by P&Z Commissioner Thomas Duncan. The vote was 4-0 and the motion was approved. Commissioners Reed, Starr, Tunstall, and Duncan all voted in favor of the requested CUP.

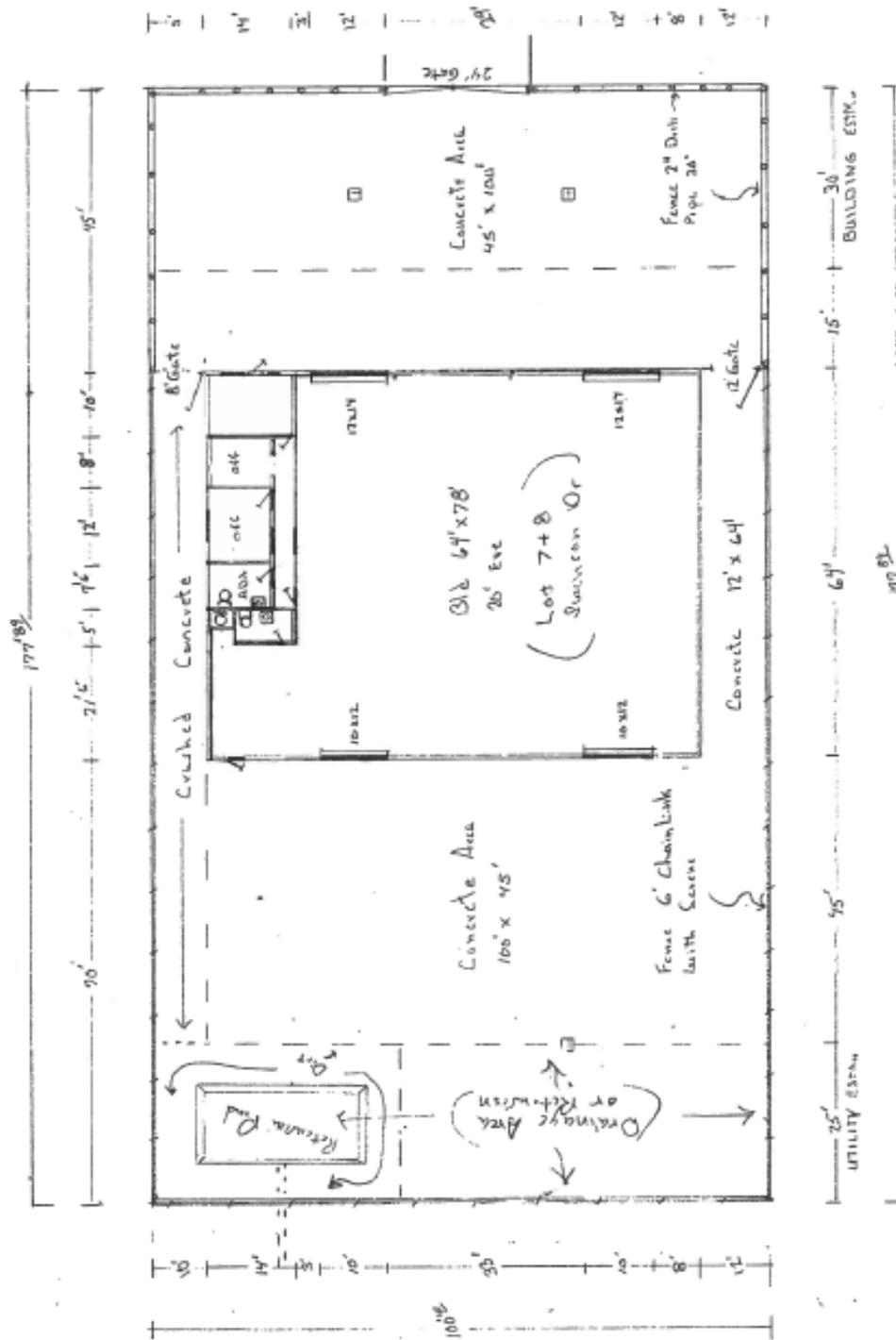
Sincerely,

A handwritten signature in blue ink, appearing to read 'Ian Clowes', with a stylized flourish at the end.

Ian Clowes  
Interim City Planner  
On behalf of the Planning and Zoning Commission

# Exhibit E Site Plan

Atk





## **JOINT PUBLIC HEARING**

THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF  
THE CITY OF PEARLAND, TEXAS,  
**MONDAY, MAY 18, 2015 AT 6:30 P.M.**  
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

### **I. CALL TO ORDER**

### **II. PURPOSE OF HEARING**

#### **Conditional Use Permit Application No. 2015-05**

A request of Robert M. Atkinson, applicant; on behalf of MVN Investment LLC, owner; for approval of a Conditional Use Permit (CUP) to allow for an Auto Parts Sales (Indoors Only; With Repair Bays) facility located within the General Commercial (GC) zoning district on approximately .41 acres of land, to wit:

**Legal Description:** Being Lots 7 and 8, Thomas and Gilbert Industrial Tracts, a Subdivision of part of Lot 113, A.C.H. & B. Survey, Section 1, Abstract No. 147, Brazoria County, Texas.

**General Location:** North of Swensen Drive, east of Main Street, Pearland, TX

### **III. APPLICATION INFORMATION AND CASE SUMMARY**

- A. STAFF REPORT
- B. APPLICANT PRESENTATION
- C. STAFF WRAP UP

### **IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST**

### **V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION**

### **VI. ADJOURNMENT**

**This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.**



## Staff Report

To: City Council and Planning and Zoning Commission

From: Planning Department (KW)

Date: April 27, 2015

Re: Conditional Use Permit Application Number 2015-05

A request of Robert M. Atkinson, applicant; on behalf of MVN Investment LLC, owner; for approval of a Conditional Use Permit (CUP) to allow for a Auto Parts Sales (Indoors Only; With Repair Bays) facility located within the General Commercial (GC) zoning district on approximately .41 acres of land, located north of Swensen Drive, east of South Main/State Highway 35, Pearland, TX.

### **Summary of Request**

The applicant is requesting approval of a Conditional Use Permit (CUP) to allow for an Auto Parts Sales (Indoor Only; With Repair Bays) facility located in the General Commercial (GC) district on approximately .41 acres located north of Swensen Drive and east of South Main/State Highway 35. The property is currently undeveloped. The proposed development will consist of a 5,615 square foot building with two 12' x 14' overhead doors at the front of the building and two 10' x 12' overhead doors on the opposite wall at the rear of the building. No outdoor storage or display of any kind is proposed. As per the UDC, the Auto Parts Sales use is described as an establishment that sells auto parts and accessories and offers installation services. This use would not permit general auto repair of any type.

### **Recommendation**

Staff recommends approval of the request to allow for an Auto Parts Sales (Indoor Only; With Repair Bays) facility on the approximately .41 acre site in the GC zoning district for the following reasons:

1. The proposed CUP request is in conformance with the Comprehensive Plan as the request is compatible with surrounding properties.
2. The property is located within the General Commercial (GC) zoning district. An "Auto Parts Sales (Indoor Only; With Repair Bays)" facility is permitted, with approval of a Conditional Use Permit.

3. The proposed CUP is compatible with the surrounding area, which is a mix of auto related and light industrial commercial uses, and thus, meets the requirement of the UDC.
4. The proposed use will not significantly impact surrounding properties, as this site is located near other similar commercial uses.

### **Staff Recommended Conditions**

No conditions above and beyond the requirements of the UDC are recommended.

### **Public Notification**

Staff sent 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. Additionally, a legal notice of the public hearing was published in the local newspaper, and the applicant placed a notification sign on the property.

### **Opposition to or Support of Proposed Request**

Staff has not received any returned notices in opposition to or in support of the proposed change in zoning request.

### **Site History**

The subject property is currently undeveloped and consists of Lots 7 and 8 of the Thomas and Gilbert Industrial Tracts. The property was annexed into the City of Pearland in 1960. The site is surrounded by non-residential uses. Mary Creek is located just north of the property, and the creek serves as a boundary that separates undeveloped land on Hampshire Street being used for sports fields. The table below identifies surrounding uses and zoning districts.

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	General Commercial (GC)	Mary Creek, Undeveloped
<b>South</b>	General Commercial (GC)	Auto Window Tinting and Undercoating
<b>East</b>	General Commercial (GC)	Contractor or Machine Shop
<b>West</b>	General Commercial (GC)	Martial Arts and Fitness Center

### **Conformance with the Thoroughfare Plan**

The subject property has approximately 100 feet of frontage along Swensen Road, which is classified as a local street.

### **Conformance with the Unified Development Code**

This property was platted prior to the adoption of the UDC, and it does not meet the minimum lot size or minimum lot width required by the GC zoning district. However, the Planning and Zoning Commission granted a variance to the minimum lot size and minimum lot width on April 20, 2015. At the time of development, all other requirements of the Unified Development Code will be met.

General Commercial (GC) Area Regulations		
Size of Lots	Required	Existing Lot Dimensions
Minimum Lot Size	22,500 sf.	13,285.8 sf.*
Minimum Lot Width	150 ft.	100 ft.*
Minimum Lot Depth	125 ft.	178ft.

\*Variance granted by P & Z on April 20, 2015.

### **Platting Status**

The applicant is in the process of platting the property, combining two existing lots which will meet the requirements of the UDC with the approved Planning and Zoning Variance.

### **Availability of Utilities**

The subject property has an available 10-inch sewer line running along the south side of Swensen Road, and a 6-inch water line runs along the north side of Swensen Road.

### **Impact on Existing and Future Development**

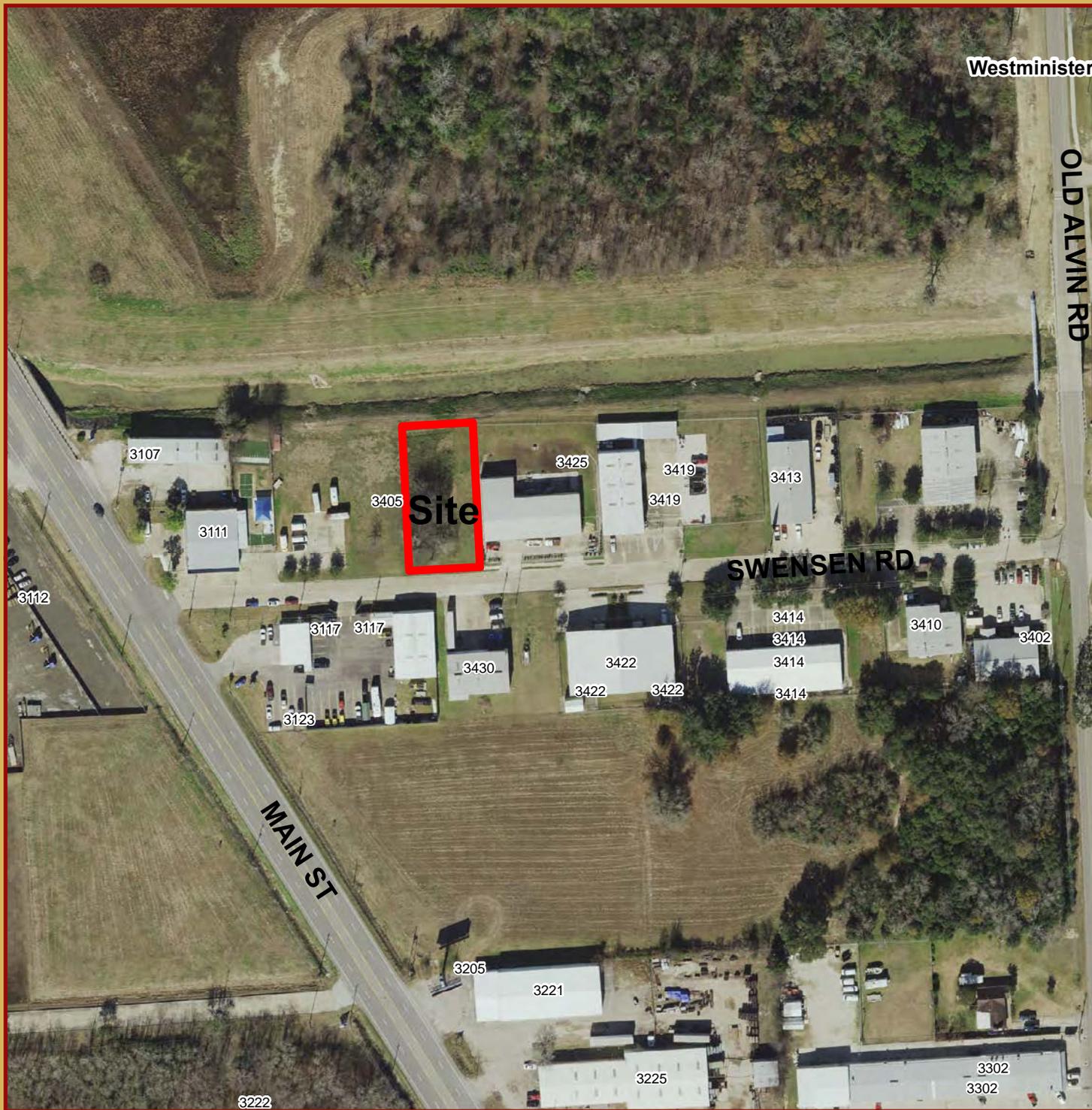
The proposed CUP will not significantly impact surrounding properties or developments. The property is surrounded mostly by commercial uses including other auto accessory businesses and commercial shops. The proposed building design and preliminary site plan submitted with the CUP application is compatible with the surrounding properties.

**Additional Comments**

The City's Development Review Committee (DRC) has reviewed the request, and there were no additional comments from other departments at the time of this report.

**Exhibits**

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Notification Map
5. Notification List
6. Applicant Packet



# Exhibit 1

**AERIAL MAP**

**CUP 2015-05**

**Swensen Rd.  
East of Main St.**

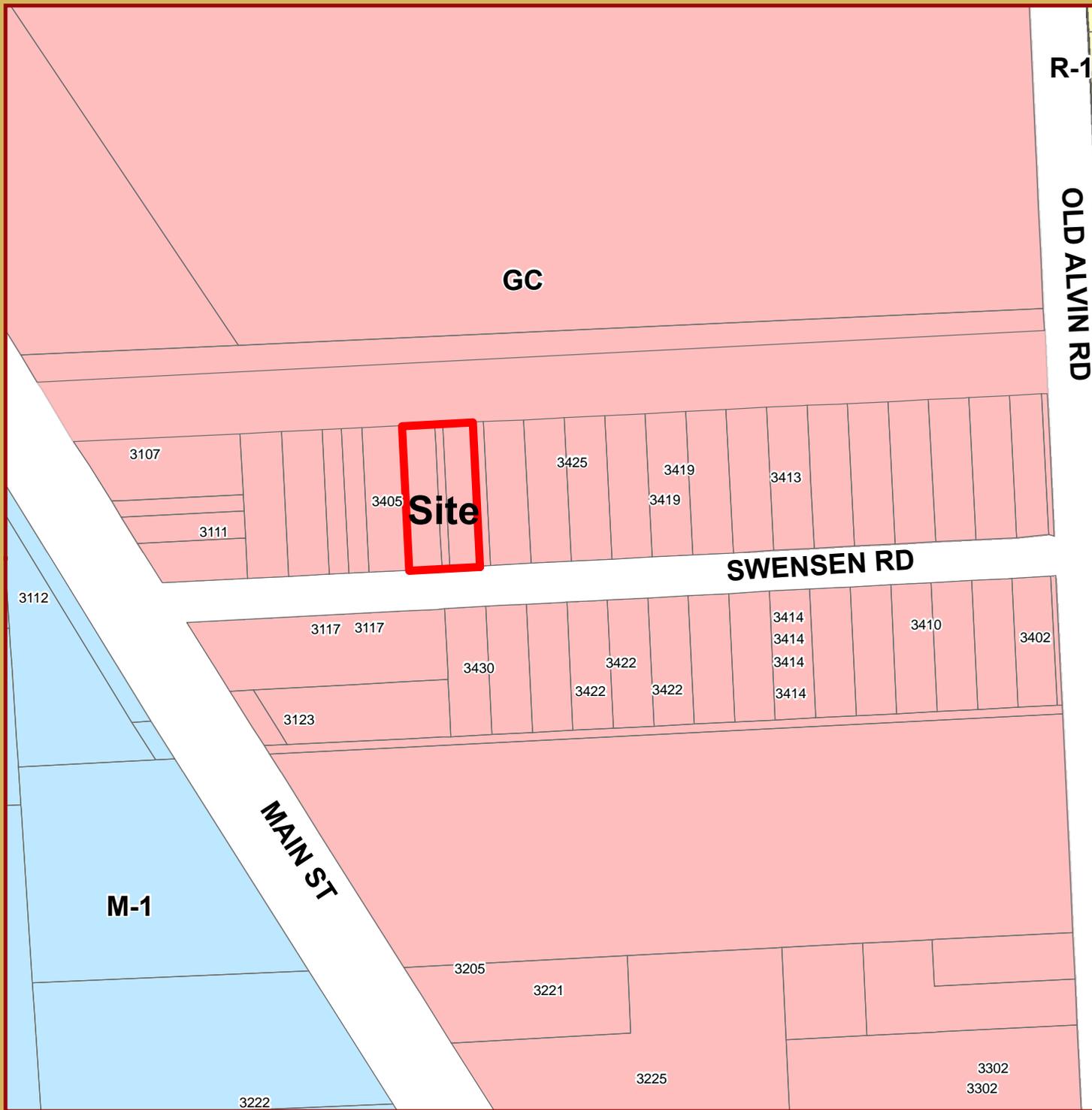


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 177 feet

May 2015  
PLANNING DEPARTMENT





# Exhibit 2

ZONING MAP

CUP 2015-05

Swensen Rd.  
East of Main St.

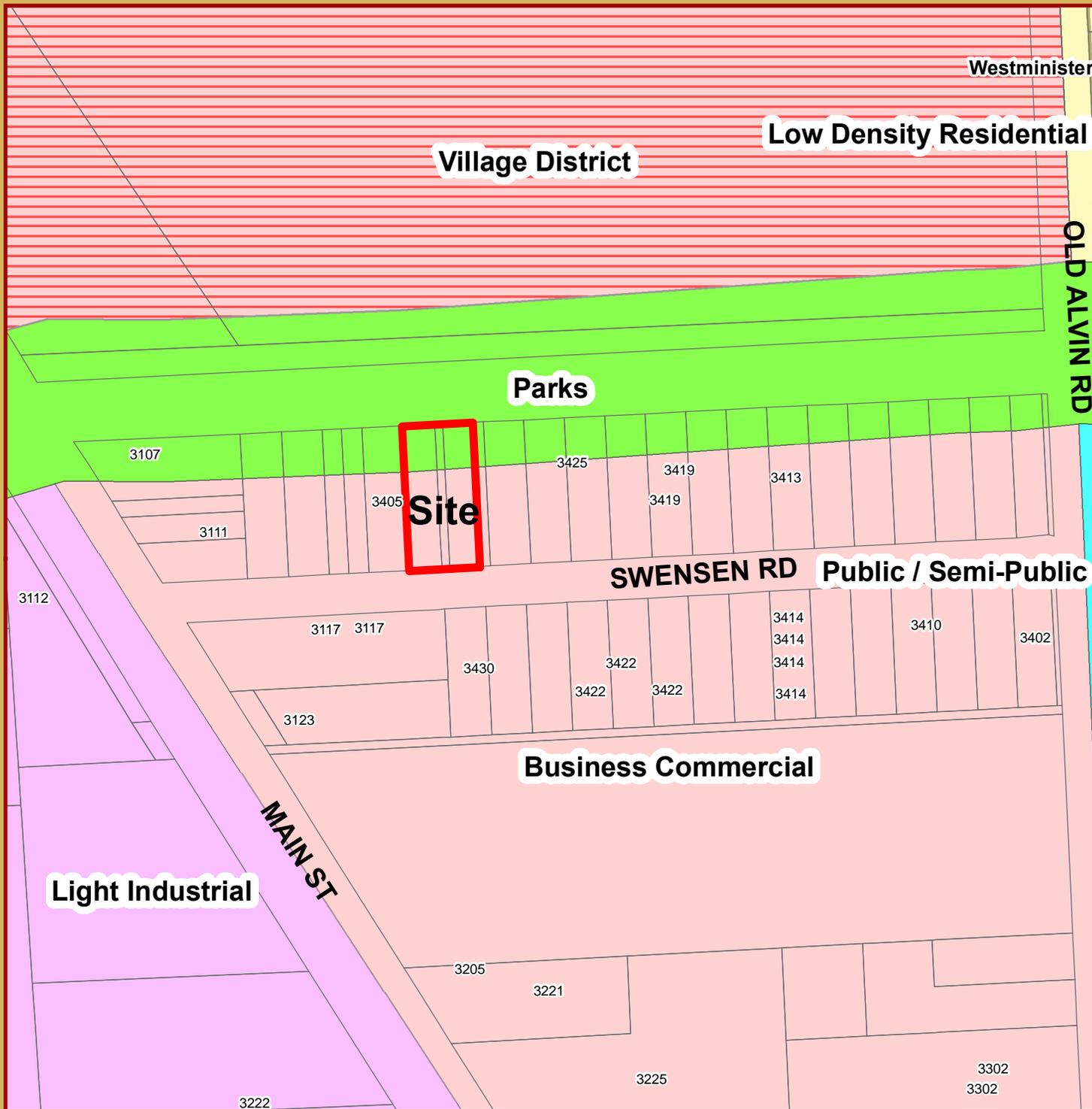


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 177 feet

May 2015  
PLANNING DEPARTMENT





# Exhibit 3

FLUP MAP

CUP 2015-05

Swensen Rd.  
East of Main St.

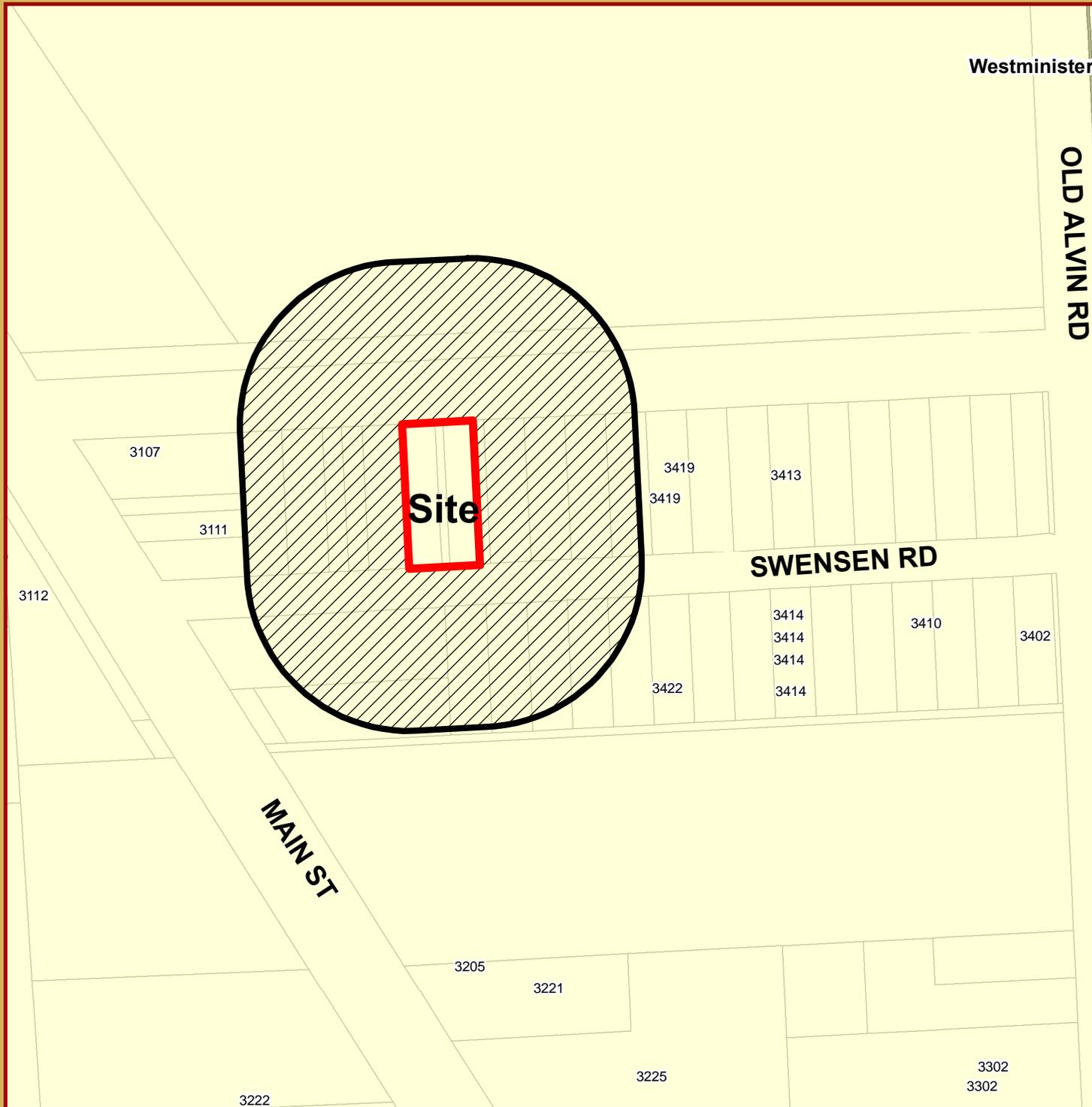


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 177 feet

May 2015  
PLANNING DEPARTMENT





# Exhibit 4

## NOTIFICATION MAP

CUP 2015-05

Swensen Rd.  
East of Main St.



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1 inch = 177 feet

May 2015  
PLANNING DEPARTMENT



**Exhibit 5**

CUP 2015-05, Swensen Rd. East of Main St.

<b>Owner</b>	<b>Street</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
HAWLEY FRANK & CRYSTAL	21142 BLUE TEAL	CLEVELAND	TX	77328
HAWLEY FRANK & CRYSTAL	21142 BLUE TEAL	CLEVELAND	TX	77328
BCG INC	3117 S MAIN ST	PEARLAND	TX	77581
BAKER FELTON M & MARY C REVOCABLE TRUST	3506 LOCKHEED ST	PEARLAND	TX	77581
HAWLEY FRANK & CRYSTAL	21142 BLUE TEAL	CLEVELAND	TX	77328
J & H ENTERPRISES	6002 OSBORN ST	HOUSTON	TX	77033
LHD INVESTMENTS LLC	3606 PARKSIDE DR	PEARLAND	TX	77584
MVN INVESTMENTS LLC	9503 SAGE DECK LN	HOUSTON	TX	77089
PASKET JAMES R & JANICE	PO BOX 3291	PEARLAND	TX	77588
PEARLAND FAMILY TAE KWON DO LLC	3111 S MAIN ST	PEARLAND	TX	77581
TEMPO TRANSPORT BROKER CO	PO BOX 219	PEARLAND	TX	77588
WALLACE JAMES N & ROBSON	6002 OSBORN ST	HOUSTON	TX	77033
ATKINSON ROBERT	11905 ALGONQUIN	HOUSTON	TX	77089



# City of Pearland Planning Department Universal Application

City of Pearland  
Community Development  
3523 Liberty Drive  
(Community Center)  
Pearland, Texas 77581  
281.652.1768  
281.652.1702 (fax)  
pearlandtx.gov

Please complete each field - incomplete applications will **not** be accepted.  
Include the applicable checklist for each project type with this application.  
Refer to the schedule on the City's website and/or within the Planning Department  
for deadlines and anticipated meeting dates for each project type.

### TYPE OF APPLICATION:

- Zoning Change
- Cluster Development Plan
- Planned Development Workshop
- Plat (list type): \_\_\_\_\_
- ZBA Variance
- P&Z Variance
- Special Exception
- Conditional Use Permit

### PROJECT INFORMATION:

- Residential
- Commercial
- Property Platted
- Property Not Platted

Project Name: \_\_\_\_\_ Tax ID: \_\_\_\_\_

Project Address/Location: Lot 7+8 Swanson Rd. Pearland TX

Subdivision: one lot off 35 Hx No. of Lots: 2 Total Acres: less than 1

Brief Description of Project: Small, Auto parts Sales - Speed Shop, No out side Sales of Parts, Individually owned one owner private Company

**\*\*When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda according to Section 1.2.1.2 of the Unified Development Code.\*\***

### PROPERTY OWNER INFORMATION:

### APPLICANT/AGENT INFORMATION:

Name: M.V.N. Investment L.L.C. Name: Robert M Atkinson  
 Address: 9503 Sage Deck Lane Address: 11805 Algonquin Dr #1  
 City: Houston State: TX Zip: 77089 City: Houston State: TX Zip: 77089  
 Phone: \_\_\_\_\_ Phone: 281 922 6200  
 Fax: \_\_\_\_\_ Fax: 281 922 6201  
 Email Address: \_\_\_\_\_ Email Address: atkinsonconst @ Ad.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: \_\_\_\_\_ Date: \_\_\_\_\_

Agent's/  
Applicant's Signature: \_\_\_\_\_ Date: 3/23/15

### OFFICE USE ONLY:

FEES PAID: <u>\$1025</u>	DATE PAID: <u>3/23/15</u>	RECEIVED BY: <u>ja</u>	RECEIPT NUMBER: <u>179249</u>
			APPLICATION NUMBER: <u>2015-05</u>

**ZONE CHANGE/ VARIANCE/ PLAT/ RECORDATION**

(circle one)  
\$ 1025 **BA** or **PF** or **FE**

Description: Input who the check is from

**COMMENTS/DESCRIPTION (F10):**

Location or Address Swenson Rd

Applicant Robert Atkinson

Owner MVN Investment

CITY OF PEARLAND  
\*\*\* CUSTOMER RECEIPT \*\*\*  
Oper: JMATA Type: DC Drawer: 1  
Date: 3/26/15 01 Receipt no: 179245

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$1025.00
		4797240

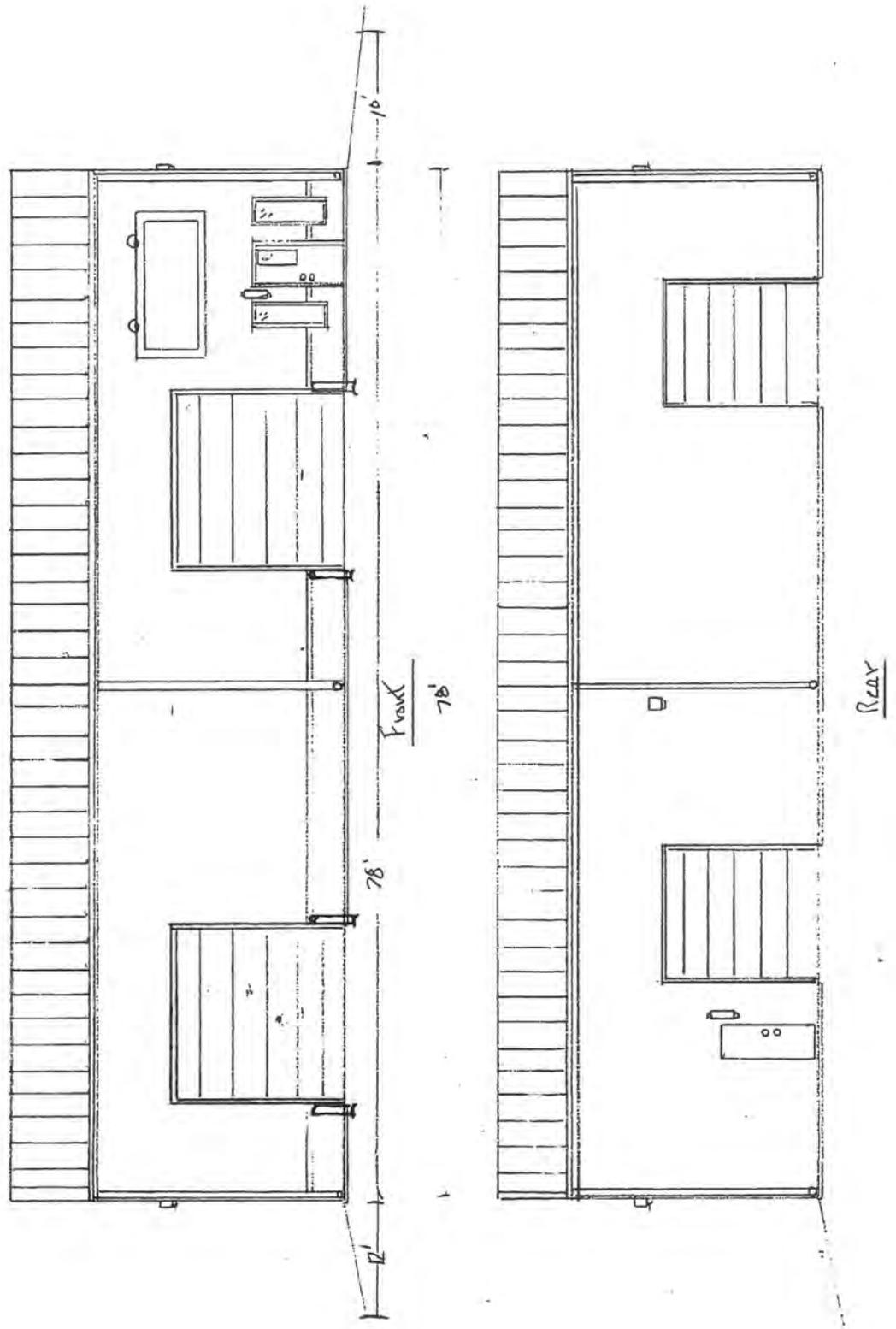
Trans number: 1549

THANH THUY NGUYEN  
9503 SAGE DECK  
MVN INVESTMENT

Tender detail  
CK CHECK 1549 \$1025.00  
Total tendered \$1025.00  
Total payment \$1025.00

Trans date: 3/26/15 Time: 8:35:58

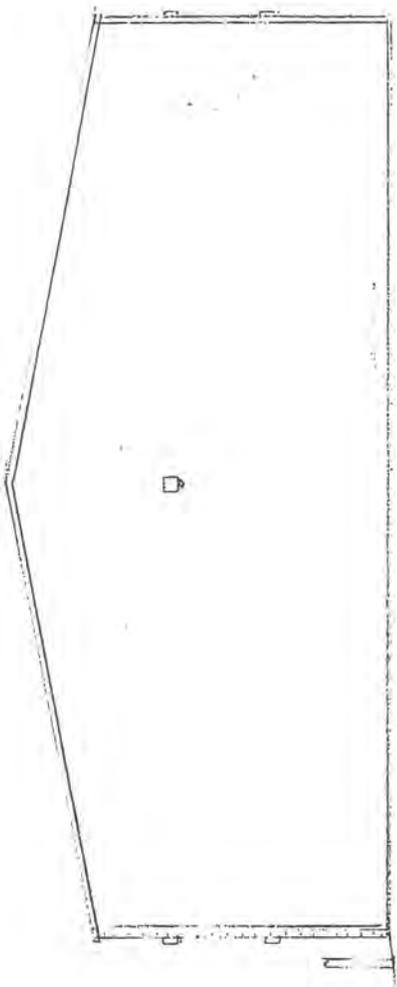
Atkinson Const. Inc.  
281-460-5604



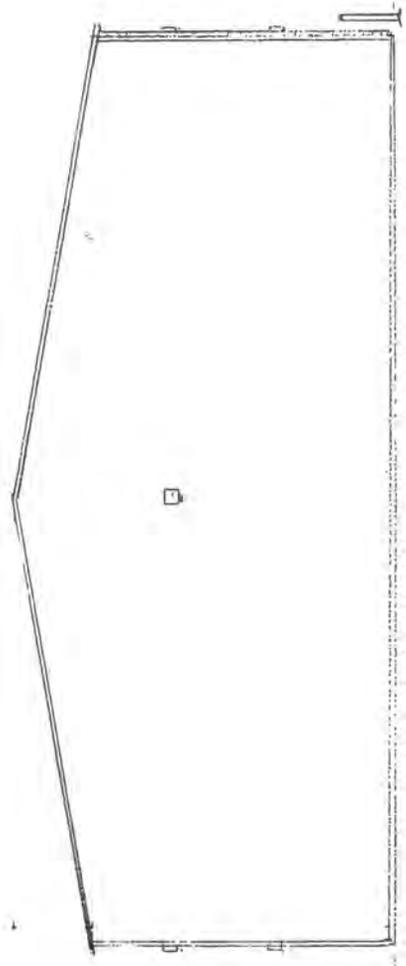


Atkinson Courts, Inc.  
281 - 4/60 - 5/60 NY

Left



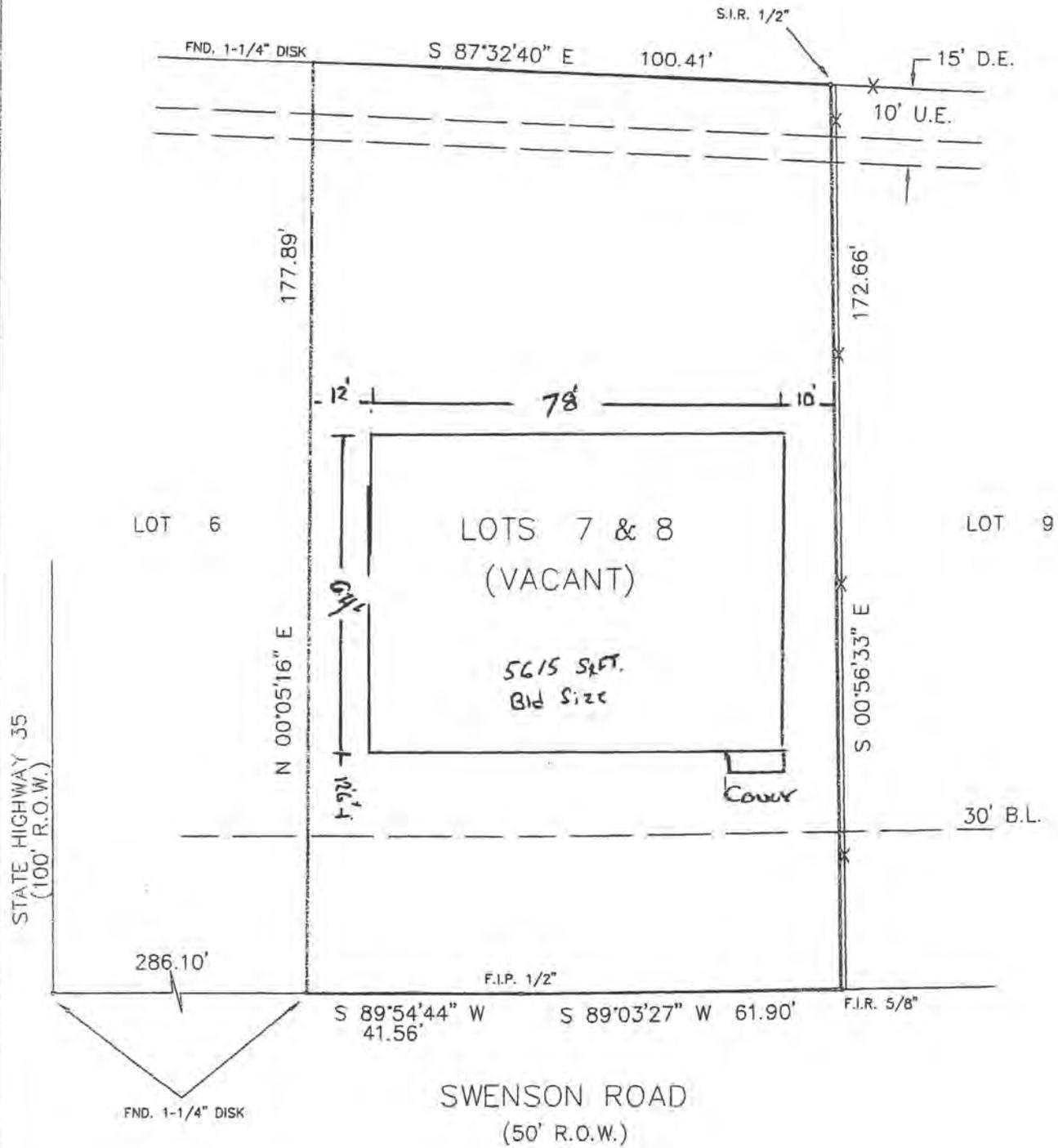
Right



Atkinson Construction, Inc.  
 11905 Algonquin Dr. #1  
 Houston, TX 77089

MARY'S CREEK

SCALE  
 1" = 30'



Reviewed & Accepted by: \_\_\_\_\_ Date \_\_\_\_\_ / \_\_\_\_\_ Date \_\_\_\_\_

BUYER  
 ANH-DUNG VU NGUYEN

PROPERTY ADDRESS  
 SWENSON ROAD  
 PEARLAND, TEXAS 77568

LEGAL DESCRIBED PROPERTY

LOTS 7 & 8, THOMAS AND GILBERT INDUSTRIAL TRACTS, A SUBDIVISION OF PART OF LOT 113, A C & B. SURVEY, SECTION 1, ABSTRACT NO. 147, BRAZORIA COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 15, PAGES 317-318, OF THE PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS.

MARY'S CREEK



SCALE  
1" = 30'



STATE HIGHWAY 35  
(100' R.O.W.)

LOT 6

LOTS 7 & 8  
(VACANT)

LOT 9

286.10'

FND. 1-1/4" DISK

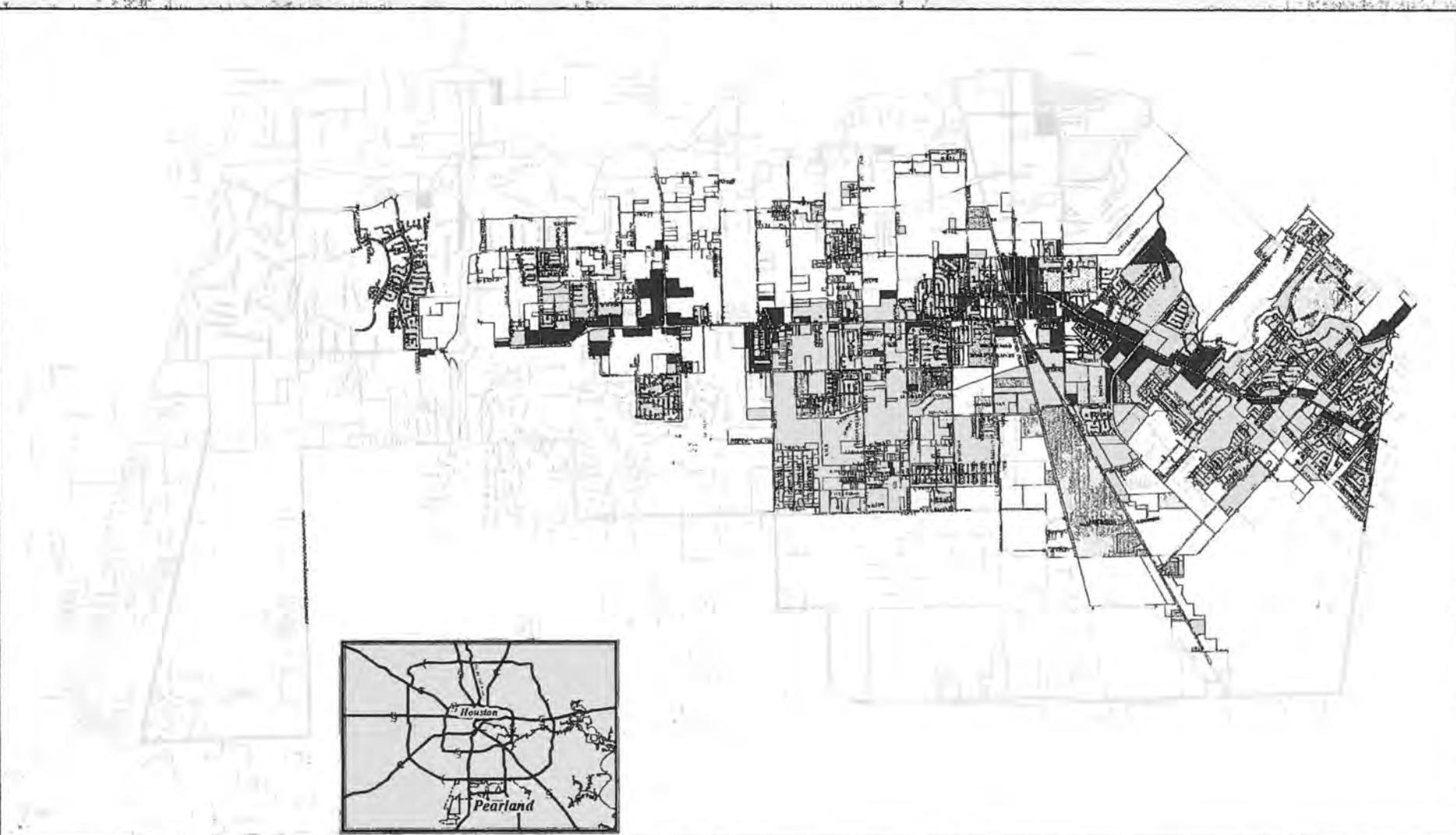
SWENSON ROAD  
(50' R.O.W.)

Reviewed & Accepted by: \_\_\_\_\_ Date \_\_\_\_\_ / \_\_\_\_\_ Date \_\_\_\_\_

BUYER  
ANH-DUNG VU NGUYEN

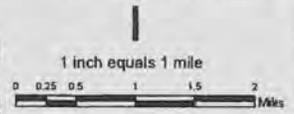
PROPERTY ADDRESS  
SWENSON ROAD  
PEARLAND, TEXAS 77584

LEGAL DESCRIBED PROPERTY  
LOTS 7 & 8, THOMAS AND GILBERT INDUSTRIAL TRACTS, A SUBDIVISION OF PART OF LOT 113, A.C. & B. SURVEY, SECTION 1, ABSTRACT NO. 147, BRAZORIA COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 15, PAGES 317-318, OF THE PLAT RECORDS OF BRAZORIA



# City of Pearland Zoning Districts

Commercial District	Heavy Industrial District	Office Professional District	Medium Density Single Family	School
City Priority	Multi-Family Dwelling District	Parks	High Density Single Family	Suburban Development District
General Business District	Mobile Home Park District	Planned Unit Development	Maximum Density Single Family	Suburban Development Business District
Light Industrial District	Neighborhood Service District	Low Density Single Family	Estate Lot Single Family, 1/2 AC	Suburban Development Residential District

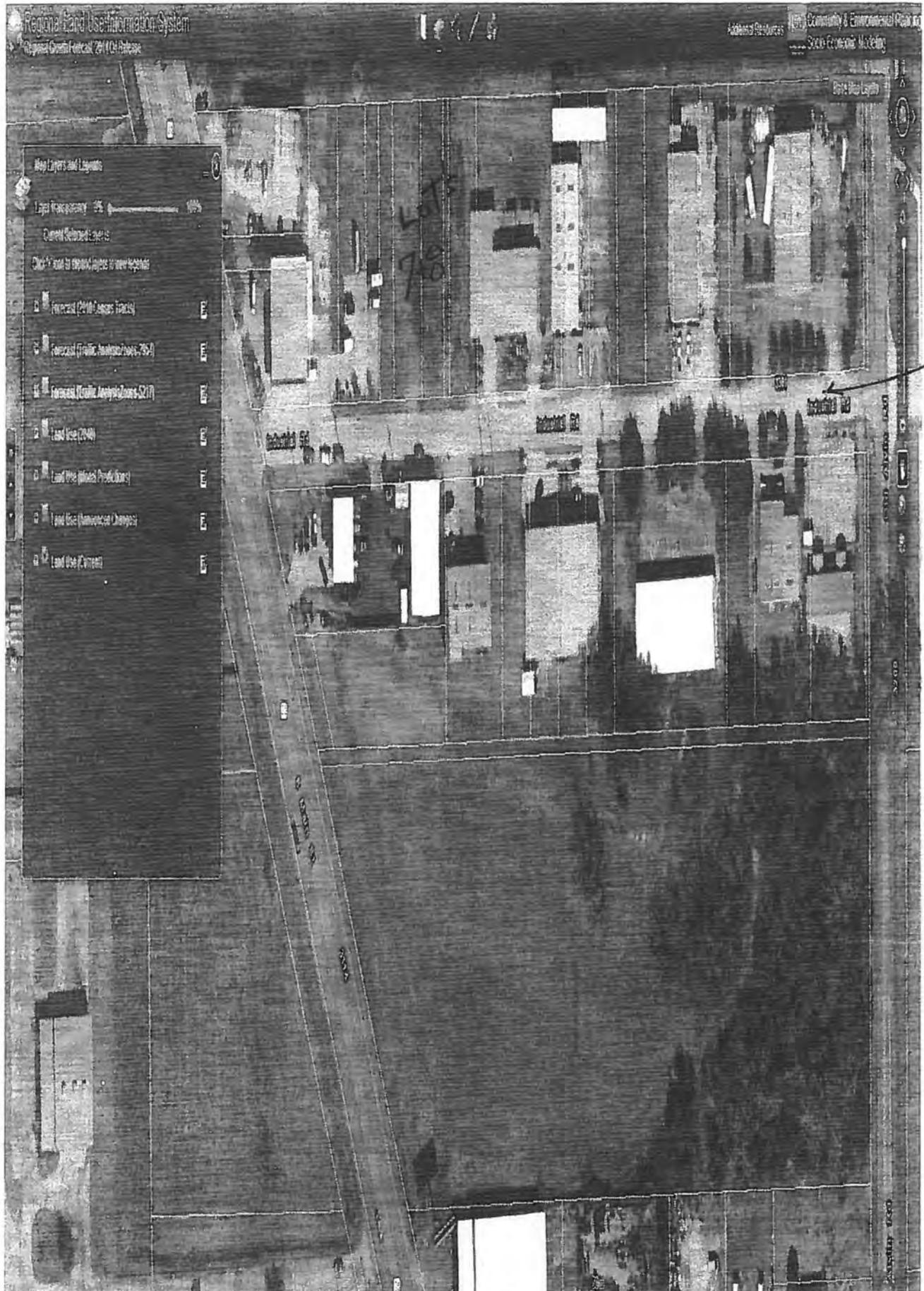


THE ZONING DISTRICT DESIGNATIONS AND BOUNDARIES SHOWN ON THIS MAP ARE REPRESENTATIVE OF THE OFFICIAL, LEGALLY DESCRIBED DISTRICT BOUNDARIES UNDER EXISTING ORDINANCES. ANY DISCREPANCY BETWEEN ANY OF THE DISTRICTS SHOWN ON THIS MAP AND THE LEGALLY DESCRIBED BOUNDARIES OF THE DISTRICT OR TOWNSHIP OF INTEREST TO THE DISTRICT SHOULD BE REFERRED TO THE CITY OF PEARLAND DEVELOPMENT CODE.

THIS MAP HAS BEEN PREPARED FROM VARIOUS SOURCES OF DATA AND THE CITY OF PEARLAND ASSURES NO LIABILITY OR GUARANTEE AS TO ACCURACY OR COMPLETENESS OF THE DATA.

MAP PREPARED BY FEBRUARY 2006

www.pearlandcity.com



#### Section 2.4.4.6 GC, General Commercial District

- (a) **Purpose.** The General Commercial District (GC) is intended to permit a wide variety of businesses characterized by those uses that may require an extensive amount of land for the conduct of business and/or that may require outside storage areas.
- (b) **Authorized Uses.** The following are authorized uses under the regulations established in this chapter:
- (1) Permitted and conditional uses as authorized in the Land Use Matrix in Article 5, Division 2 of this Chapter 2;
  - (2) Accessory uses as authorized in Article 5, Division 3 of this Chapter 2.
- (c) **Area Regulations.**
- (1) Size of Lots:
    - a. Minimum Lot Size – Twenty-two thousand and five hundred (22,500) square feet in area.
    - b. Minimum Lot Width - One hundred and fifty feet (150').
    - c. Minimum Lot Depth - One hundred and twenty-five feet (125').
  - (2) Size of Yards:
    - a. Minimum Front Yard - Twenty-five feet (25')
    - b. Minimum Side Yard
      1. Ten feet (10'), except as provided below.
      2. Twenty-five feet (25') if side yard abuts a residential zoning district or a public right-of-way.
    - c. Minimum Rear Yard - Twenty-five feet (25')
- (d) **Height Restrictions.** No building shall exceed forty-five feet (45') in height. Additional height may be approved through a Conditional Use Permit (CUP).
- (e) **Outdoor Activities or Uses.** In connection with any permitted use, there shall be allowed outdoor activities or uses subject to the following limitations:
- (1) Except as provided below, out of doors display, storage and sale of merchandise, equipment and vehicles shall be permitted.
  - (2) Out of doors display, storage and sale of merchandise, equipment and vehicles shall not be permitted on property adjacent to a residential zoning district.
    - a. Such activities/uses shall be permitted on such property upon City Council approval of a Conditional Use Permit (in accordance with Article 2, Division 3 of this chapter) authorizing said activities/uses.
    - b. Outdoor storage, as defined by Section 5.1.1.1, is allowed only upon obtaining a CUP and providing screening pursuant to Section 4.2.4.1 (d). In no case shall outdoor storage be permitted along any yard that abuts any street or public right-of-way.
- (f) **Fences & Screening.** Fences and screening shall be provided and maintained as set forth in Chapter 4, Article 2, Division 4 of this UDC.
- (g) **Parking.** Parking and loading shall be provided in conformance with Chapter 2, Article 5, Division 2 and Chapter 4, Article 2, Division 1 of this UDC.

Letter for CUP

1) See Side Drawing  
Building 78' x 24'

Purposed Building approx 3000 sq. ft.

Parking approx 20 spaces in Front Area

2 Lot's in subdivision Backs up to  
Creek

want to Build a 5000 sq ft  
auto Speed Part's small individual  
Business (Not ORITs) no oil changes  
or mechanics shop.



## **APPLICATION CHECKLIST FOR THE FOLLOWING: Conditional Use Permit (CUP)**

- Application and checklist, filled out completely and signed by the owner of the property.
- 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 (UDC).
- Metes and Bounds Description (survey or plat of the property that provides or contains the metes and bounds description).
- Parcel map, printer 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:
  - o Proposed Uses: \_\_\_\_\_
  - o Specific Operations of the use: \_\_\_\_\_
  - o Square footage of buildings/lot sizes: \_\_\_\_\_
  - o Unique characteristics of the property: \_\_\_\_\_
  - o Other necessary information (list here): \_\_\_\_\_
- Site plan that shows the following:
  - o Proposed layout of the subject property
  - o Proposed buildings
  - o Parking
  - o Landscape plan
  - o Detention ponds
  - o Fences
  - o Other relevant information (list here): \_\_\_\_\_
- Acknowledgement of the sign to be posted on the property ten (10) days prior to the public hearing.
- Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.

## Posting of Notification Signs on Property under Consideration for a Variance or Special Exception

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**  
**281-652-1765**

- ❖ Signs must be professionally made; handwritten signs are not allowed.
- ❖ Signs must be freestanding and cannot be attached to a tree, fence, or building.

Signature

Date

3/23/15

# DUPLICATE TAX RECEIPT



RO'VIN GARRETT, PCC  
 BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
 111 E. LOCUST  
 ANGLETON, TEXAS 77515

**Certified Owner:**

**MVN INVESTMENTS LLC**  
 9503 SAGE DECK LN  
 HOUSTON, TX 77089-5899

**Legal Description:**

THOMAS & GILBERT INDUSTRIAL (A0147 A C  
 H & B R R)(PEARLAND), LOT 7A

Parcel Address: SWENSON DR  
 Legal Acres: 0.1053

Remit Seq No: 27790342  
 Receipt Date: 01/07/2015  
 Deposit Date: 01/08/2015  
 Print Date: 03/23/2015 02:21 PM  
 Printed By: JACKIEG

Deposit No: 410711173132  
 Validation No: 627  
 Account No: **7958-0007-110**  
 Operator Code: LATOYA

Year	Tax Unit Name	Rec Type	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2014	Brazoria County	TL	8,610	0.438500	37.75	0.00	0.00	37.75
2014	Special Road & Bridge	TL	8,610	0.060000	5.17	0.00	0.00	5.17
2014	Pearland Isd	TL	8,610	1.415700	121.89	0.00	0.00	121.89
2014	Brazoria Drainage Dist 4	TL	8,610	0.156000	13.43	0.00	0.00	13.43
2014	City Of Pearland	TL	8,610	0.712100	61.31	0.00	0.00	61.31
					<b>\$239.55</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$239.55</b>

> - -  
Check Number(s):  
 00001536

**PAYMENT TYPE:**

Checks: --< \$239.55

Exemptions on this property:

Total Applied: \$239.55

Change Paid: \$0.00

**PAYER:**  
 MVN INVESTMENTS LLC  
 9503 SAGE DECK LN  
 HOUSTON, TX 77089-5899

**ACCOUNT PAID IN FULL**

(979) 864-1320, (979) 388-1320, (281) 756-1320

# DUPLICATE TAX RECEIPT



RO'VIN GARRETT, PCC  
 BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
 111 E. LOCUST  
 ANGLETON, TEXAS 77515

**Certified Owner:**

**MVN INVESTMENTS LLC**  
 9503 SAGE DECK LN  
 HOUSTON, TX 77089-5899

**Legal Description:**

THOMAS & GILBERT INDUSTRIAL (A0147 A C  
 (I & B R R)(PEARLAND), LOT 8

**Parcel Address:** SWENSON DR  
**Legal Acres:** 0.1997

**Remit Seq No:** 27790342  
**Receipt Date:** 01/07/2015  
**Deposit Date:** 01/08/2015  
**Print Date:** 03/23/2015 01:50 PM  
**Printed By:** JACKIEG

**Deposit No:** 410711173132  
**Validation No:** 627  
**Account No:** **7958-0008-000**  
**Operator Code:** LATOYA

Year	Tax Unit Name	Rec Type	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2014	Brazoria County	TL	16,310	0.438500	71.52	0.00	0.00	71.52
2014	Special Road & Bridge	TL	16,310	0.060000	9.79	0.00	0.00	9.79
2014	Pearland Isd	TL	16,310	1.415700	230.90	0.00	0.00	230.90
2014	Brazoria Drainage Dist 4	TL	16,310	0.156000	25.44	0.00	0.00	25.44
2014	City Of Pearland	TL	16,310	0.712100	116.14	0.00	0.00	116.14
					<b>\$453.79</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$453.79</b>

> --  
**Check Number(s):**  
 00001536

**PAYMENT TYPE:**

**Checks:** \$453.79

**Exemptions on this property:**

**Total Applied:** \$453.79

**Change Paid:** \$0.00

**PAYER:**  
**MVN INVESTMENTS LLC**  
 9503 SAGE DECK LN  
 HOUSTON, TX 77089-5899

**ACCOUNT PAID IN FULL**

(979) 864-1320, (979) 388-1320, (281) 756-1320

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

<b>AGENDA OF:</b> June 8, 2015	<b>ITEM NO.:</b> Ordinance No. CUP 2015-06				
<b>DATE SUBMITTED:</b> May 20, 2015	<b>DEPT. OF ORIGIN:</b> Planning				
<b>PREPARED BY:</b> Ian Clowes	<b>PRESENTOR:</b> Lata Krishnarao				
<b>REVIEWED BY:</b> Lata Krishnarao	<b>REVIEW DATE:</b> June 1, 2015				
<p><b>SUBJECT:</b> Ordinance No. CUP 2015-06 - An ordinance of the City Council of the City of Pearland, Texas, approving a <b>Conditional Use Permit (CUP) to allow for an e-cigarette tenant classified as Cigars, Tobacco Shop (Retail Only)</b>, for certain property, Being a certain Tract out of Tract "A", on the Final Plat of West Side Plaza, A Subdivision of Brazoria County, Texas, According to the Map or Plat thereof recorded in Volume 17, Pages 279-280, Plat Records, Brazoria County, Texas. <b>(Located at 5074 Broadway Street, Pearland, TX)</b>, Conditional Use Permit Application No 2015-06, within the Neighborhood Services (NS) zoning district, at the request of Ronny Hect, applicant; on behalf of Westside SC Pearland, Ltd., owner; containing a savings clause, a severability clause, and an effective date and other provisions related to the subject.</p>					
<p><b>ATTACHMENTS:</b> Ordinance No. CUP 2015-06 and Exhibits (Exhibit A – Legal Description; Exhibit B – Location Map; Exhibit C - Legal Ad; Exhibit D- Planning and Zoning Commission Recommendation Letter) Joint Public Hearing Packet (5.18.15)</p>					
<p><b>EXPENDITURE REQUIRED:</b> N/A                      <b>AMOUNT BUDGETED:</b> N/A  <b>AMOUNT AVAILABLE:</b> N/A                      <b>PROJECT NO.:</b> N/A  <b>ACCOUNT NO.:</b> N/A</p> <p><b>ADDITIONAL APPROPRIATION REQUIRED:</b> N/A  <b>ACCOUNT NO.:</b> N/A  <b>PROJECT NO.:</b> N/A</p>					
<p><b>To be completed by Department:</b></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 allow for an e-cigarette shop to operate within a 1,125 square foot retail lease space. Although e-cigarettes contain no tobacco, the UDC classifies the use as Cigars, Tobacco Shop (Retail Only). Within the Neighborhood Service (NS) district, the use is only permitted with approval of a CUP. The property is developed with a one-story building totaling 55,000 square feet. Currently, other tenants operating within the shopping center include restaurants, a movie theater, and other retail and personal service uses. As per the Unified Development Code (UDC), the Cigars, Tobacco Shop (Retail Only) is described as a shop that specializes in the sale of cigars or other tobacco products.

### **Recommendation**

Staff recommends approval of the request to allow for a Cigar, Tobacco Shop (Retail Only) facility to operate within the 1,125 square foot retail space within the existing shopping center. The proposed use is appropriate at this location for the following reasons:

1. The proposed CUP is compatible with the NS zone with an approved CUP, and will meet all requirements of the UDC.
2. The proposed use will not significantly impact surrounding properties or tenants, as this site is located near other retail uses.
3. The proposed CUP request is in conformance with the Comprehensive Plan as the request is compatible with surrounding properties.

### **Public Notification**

Staff sent 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. Additionally, a legal notice of the public hearing was published in the local newspaper, and a notification sign was placed on the property by the applicant.

### **PLANNING AND ZONING COMMISSION DISCUSSION**

At the regular meeting of the Planning and Zoning Commission on May 18, 2015, P&Z Commissioner Derrick Reed made a motion to recommend approval of the CUP request. The motion was seconded by P&Z Commissioner Thomas Duncan. The vote was 0-4 and the motion was denied. Commissioners Reed, Starr, Tunstall, and Duncan all voted in opposition of the requested CUP.

## **Ordinance No. CUP 2015-06**

An ordinance of the City Council of the City of Pearland, Texas, approving a **Conditional Use Permit (CUP) to allow for an e-cigarette tenant classified as Cigars, Tobacco Shop (Retail Only)**, for certain property, Being a certain Tract out of Tract "A", on the Final Plat of West Side Plaza, A Subdivision of Brazoria County, Texas, According to the Map or Plat thereof recorded in Volume 17, Pages 279-280, Plat Records, Brazoria County, Texas. **(Located at 5074 Broadway Street, Pearland, TX)**, Conditional Use Permit Application No 2015-06, within the Neighborhood Services (NS) zoning district, at the request of Ronny Hect, applicant; on behalf of Westside SC Pearland, Ltd., owner; containing a savings clause, a severability clause, and an effective date and other provisions related to the subject..

**WHEREAS**, Ronny Hect, applicant; on behalf of Westside SC Pearland, Ltd., owner; is requesting approval of a Conditional Use Permit (CUP) to allow for an e-cigarette tenant classified as Cigars, Tobacco Shop (Retail Only), on approximately 5.044 acres of land on the following described property; said property being legally described in the legal description attached hereto and made a part hereof for all purposes as Exhibit "A," and more graphically depicted in the vicinity map attached hereto and made a part hereof for all purposes as Exhibit "B"; and

**WHEREAS**, on the 18th day of May 2015, 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 "C," said call and notice being in strict conformity with provisions of Section 1.2.2.2 of Ordinance No. 2000T; and

**WHEREAS**, on the 18th day of May 2015, the Planning and Zoning Commission submitted its report and recommendation to the City Council regarding the proposed Conditional Use Permit to allow for an e-cigarette tenant classified as Cigars, Tobacco

Shop (Retail Only) on approximately 5.044 acres of land, said recommendation attached hereto and made a part hereof for all purposes as Exhibit “D”; 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 8th day of June 2015 and the 22nd day of June 2015; 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 Ronny Hect, applicant; on behalf Westside SC Pearland, LTD., owner; for approval of a Conditional Use Permit on approximately 5.044 acres of land to allow for an e-cigarette tenant classified as Cigars, Tobacco Shop (Retail Only); 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 being located within the Neighborhood Services (NS) zoning district, is hereby granted a Conditional Use Permit to allow for an e-cigarette tenant classified as Cigars, Tobacco Shop (Retail Only), subject to all requirements of the GC zoning district, in accordance with all conditions and requirements of the current Unified Development Code and the following conditions approved by the City Council and incorporated for all purposes, such property being more particularly described as:

**LEGAL DESCRIPTION:** Being a certain Tract out of Tract “A”, on the Final Plat of West Side Plaza, A Subdivision of Brazoria County, Texas, According to the Map or Plat thereof recorded in Volume 17, Pages 279-280, Plat Records, Brazoria County, Texas.

**GENERAL LOCATION:** 5074 Broadway Street, Pearland, Pearland, TX

**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 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 8th day of June, 2015.

---

TOM REID  
MAYOR

ATTEST:

\_\_\_\_\_  
YOUNG LORFING, TRMC  
CITY SECRETARY

PASSED, APPROVED, and ADOPTED on Second and Final Reading this 22nd  
day of June, 2015.

\_\_\_\_\_  
TOM REID  
MAYOR

ATTEST:

\_\_\_\_\_  
YOUNG LORFING, TRMC  
CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
DARRIN M. COKER  
CITY ATTORNEY

**Exhibit A**  
**Legal Description**

Being a certain Tract out of Tract "A", on the Final Plat of West Side Plaza, A Subdivision of Brazoria County, Texas, According to the Map or Plat thereof recorded in Volume 17, Pages 279-280, Plat Records, Brazoria County, Texas.

# Exhibit B Vicinity Map



**Exhibit C  
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 APPLICATION NO: CUP  
2015-06**

Notice is hereby given that on May 18, 2015 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 Ronny Hecht, applicant; on behalf of Westside SC Pearland, Ltd., owner; for approval of a Conditional Use Permit (CUP) to allow for an e-cigarette tenant classified as Cigars, Tabaco Shop (Retail Only) to occupy in the Neighborhood Service (NS) zoning district on approximately 5.044 acres of land, to wit:

Being a certain Tract out of Tract "A", on the Final Plat of West Side Plaza, A Subdivision of Brazoria County, Texas, According to the Map or Plat thereof recorded in Volume 17, Pages 279-280, Plat Records, Brazoria County, Texas.

General Location: 5074 Broadway Street, 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  
Interim City Planner

**Exhibit D**  
**Planning and Zoning Commission Recommendation Letter**



# Planning & Zoning Commission

---

**Recommendation Letter**

May 19, 2015

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

Re: Recommendation on CUP Application 2015-06

Honorable Mayor and City Council Members:

At their regular meeting on May 18, 2015, the Planning and Zoning Commission considered the following:

A request of Ronny Hecht, applicant; on behalf of Westside SC Pearland, Ltd., owner; for approval of a Conditional Use Permit (CUP) to allow for an e-cigarette tenant classified as Cigars, Tabaco Shop (Retail Only) to occupy in the Neighborhood Service (NS) zoning district on approximately 5.044 acres of land, on the following described property:

**LEGAL DESCRIPTION:** Being a certain Tract out of Tract "A", on the Final Plat of West Side Plaza, A Subdivision of Brazoria County, Texas, According to the Map or Plat thereof recorded in Volume 17, Pages 279-280, Plat Records, Brazoria County, Texas.

**GENERAL LOCATION:** 5074 Broadway Street, Pearland, TX

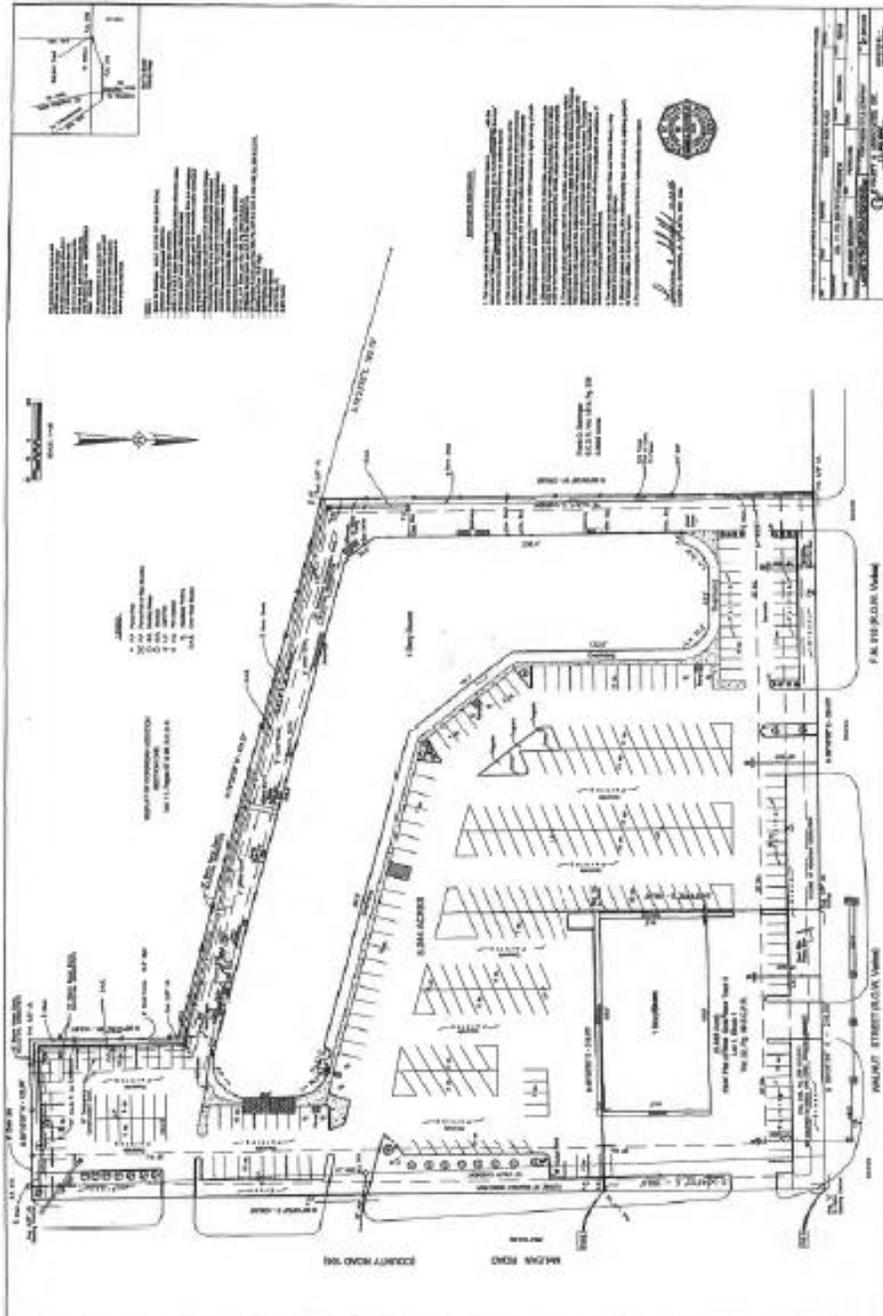
P&Z Commissioner Derrick Reed made a motion to recommend approval of the CUP request. The motion was seconded by P&Z Commissioner Thomas Duncan. The vote was 0-4 and the motion was denied. Commissioners Reed, Starr, Tunstall, and Duncan all voted in opposition of the requested CUP.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ian Clowes', with a stylized flourish at the end.

Ian Clowes  
Interim City Planner  
On behalf of the Planning and Zoning Commission

# Exhibit E Site Plan





**JOINT PUBLIC HEARING**  
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF  
THE CITY OF PEARLAND, TEXAS,  
**MONDAY, MAY 18, 2015 AT 6:30 P.M.**  
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**Conditional Use Permit Application No. 2015-06**

A request of Ronny Hecht, applicant; on behalf of Westside SC Pearland, Ltd., owner; for approval of a Conditional Use Permit (CUP) to allow for an e-cigarette tenant classified as Cigars, Tobacco Shop (Retail Only) to occupy in the Neighborhood Service (NS) zoning district on approximately 5.044 acres of land, to wit:

**Legal Description:** Being a certain Tract out of Tract "A", on the Final Plat of West Side Plaza, A Subdivision of Brazoria County, Texas, According to the Map or Plat thereof recorded in Volume 17, Pages 279-280, Plat Records, Brazoria County, Texas.

**General Location:** 5074 Broadway Street, Pearland, TX

**III. APPLICATION INFORMATION AND CASE SUMMARY**

- A. STAFF REPORT
- B. APPLICANT PRESENTATION
- C. STAFF WRAP UP

**IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST**

**V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION**

**VI. ADJOURNMENT**

**This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.**



## Staff Report

To: City Council and Planning and Zoning Commission

From: Planning Department

Date: April 27, 2015

Re: Conditional Use Permit Application Number 2015-06

A request of Ronny Hecht, applicant; on behalf of Westside SC Pearland, Ltd., owner; for approval of a Conditional Use Permit (CUP) to allow for an e-cigarette tenant classified as Cigars, Tobacco Shop (Retail Only) to occupy in the Neighborhood Service (NS) zoning district on approximately 5.044 acres of land, located at 5010 – 5096 Broadway Street, at the southwest corner of Broadway Street/F.M. 518 and McLean Road/County Road 104, Pearland, TX.

### **Summary of Request**

The applicant is requesting approval of a Conditional Use Permit (CUP) to allow for an e-cigarette shop to operate within a 1,125 square foot retail lease space. Although e-cigarettes contain no tobacco, the UDC classifies the use as Cigars, Tobacco Shop (Retail Only). Within the Neighborhood Service (NS) district, the use is only permitted with approval of a CUP. The property is developed with a one-story building totaling 55,000 square feet. Currently, other tenants operating within the shopping center include restaurants, a movie theater, and other retail and personal service uses. As per the UDC, the Cigars, Tobacco Shop (Retail Only) is described as a shop that specializes in the sale of cigars or other tobacco products.

### **Recommendation**

Staff recommends approval of the request to allow for a Cigar, Tobacco Shop (Retail Only) facility to operate within the 1,125 square foot retail space within the existing shopping center. The proposed use is appropriate at this location for the following reasons:

1. The proposed CUP is compatible with the NS zone with an approved CUP, and will meet all requirements of the UDC.
2. The proposed use will not significantly impact surrounding properties or tenants, as this site is located near other retail uses.

3. The proposed CUP request is in conformance with the Comprehensive Plan as the request is compatible with surrounding properties.

### **Staff Recommended Conditions**

No conditions above and beyond the requirements of the UDC are recommended.

### **Public Notification**

Staff sent 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. Additionally, a legal notice of the public hearing was published in the local newspaper, and the applicant placed a notification sign on the property.

### **Opposition to or Support of Proposed Request**

Staff has not received any returned notices in opposition to or in support of the proposed change in zoning request.

### **Site History**

The subject property contains a 55,000 square foot shopping center built in 1985. The property was annexed into the City of Pearland in 1963. Across Broadway Street to the north are additional retail uses and small offices. Single-family residential uses are located adjacent to the property to the south. A bank is located to the west of the site, and across McLean Road to the east is a bail bond facility at the corner surrounded by single-family residential uses. The table below summarizes the surrounding uses and zoning districts.

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	General Business Retail (GB)	Retail Center, Insurance Office
<b>South</b>	Single-Family Residential-2 (R-2)	Single- Family Residential
<b>East</b>	General Business Retail (GB) and Single-Family Residential-2 (R-2)	Bail Bond and Single-Family Residential
<b>West</b>	Neighborhood Services (NS)	Bank

### **Conformance with the Thoroughfare Plan**

The property has approximately 324 linear feet of frontage on Broadway Street, which is indicated on the Thoroughfare Plan as Major Thoroughfare – To Be Widened. However, since the property is already platted and developed, additional right-of-way dedication is not required. The property also has 438 linear feet of frontage along McLean Road, which is classified as a Minor Collector Street – Sufficient Width. The property has an approved plat in place which does not require additional right-of-way.

### **Conformance with the Unified Development Code**

At the time of certificate of occupancy, all applicable requirements of the Unified Development Code will have been met per the requirements of this CUP.

<b>Neighborhood Services (NS) Regulations</b>		
<b>Size of Lots</b>	<b>Required</b>	<b>Existing Lot Dimensions</b>
Minimum Lot Size	12,500 sf.	219,716.64 sf.
Minimum Lot Width	100 ft.	539 ft.
Minimum Lot Depth	100 ft.	379 ft.

### **Platting Status**

The subject property is platted as Tract I of the West Side Plaza subdivision recorded with Brazoria County on November 13, 1984.

### **Impact on Existing and Future Development**

The proposed CUP will not significantly impact surrounding properties or developments, as the property is surrounded mostly by other neighborhood services and retail uses except for the homes that back up to the existing shopping center. The addition of this proposed use will not have a significant adverse impact on the adjoining properties as no outside activities are proposed or permitted.

### **Additional Comments**

The City's Development Review Committee (DRC) has reviewed the request, and there were no additional comments from other departments at the time of this report.

**Exhibits**

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Notification Map
5. Notification List
6. Applicant Packet



# Exhibit 1

**AERIAL MAP**

**CUP 2015-06**

**5074 Broadway St.**



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 = 295 feet

MAY 2015  
PLANNING DEPARTMENT

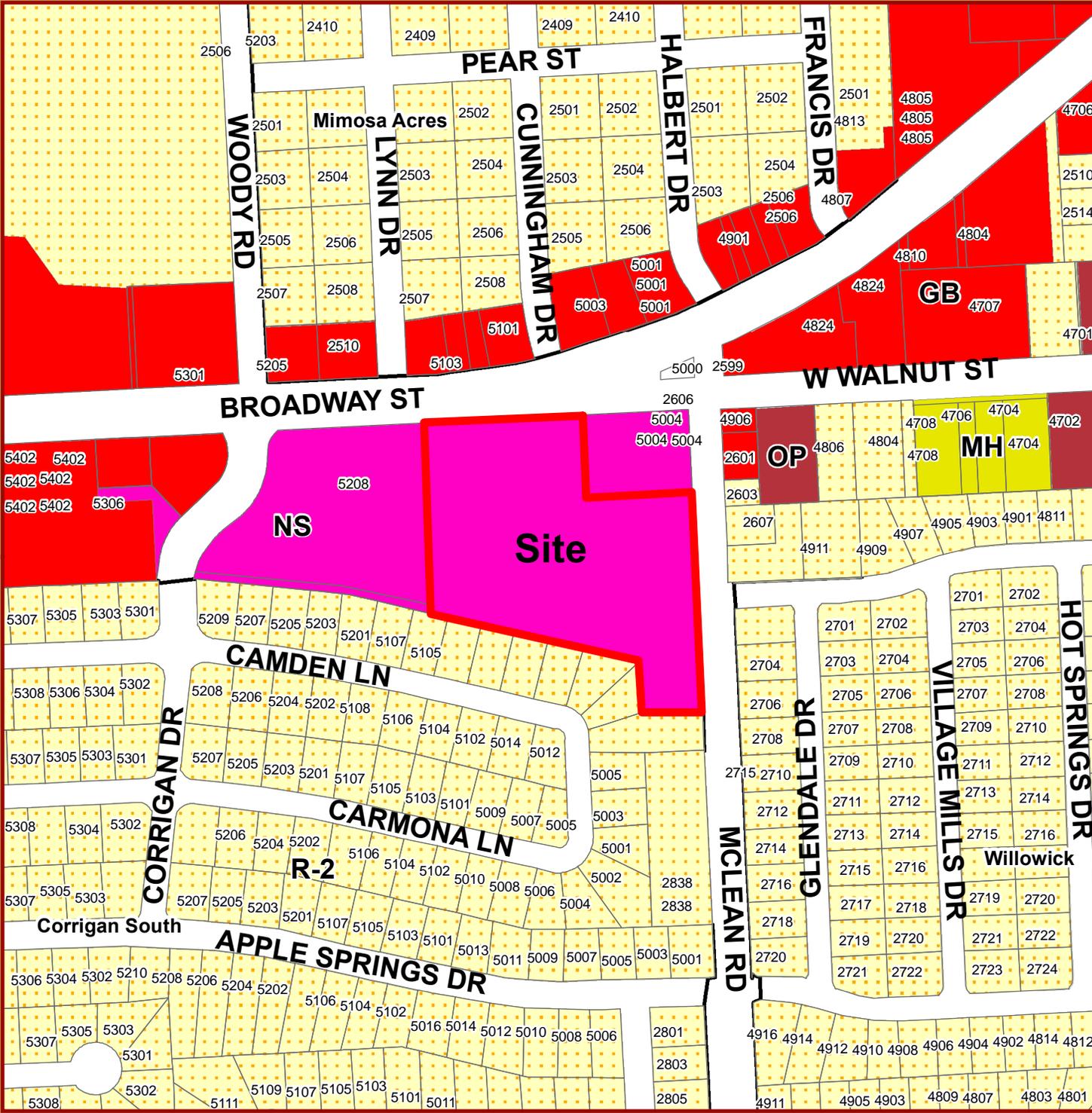


# Exhibit 2

## ZONING MAP

CUP 2015-06

5074 Broadway St.



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1 inch = 295 feet

MAY 2015  
PLANNING DEPARTMENT

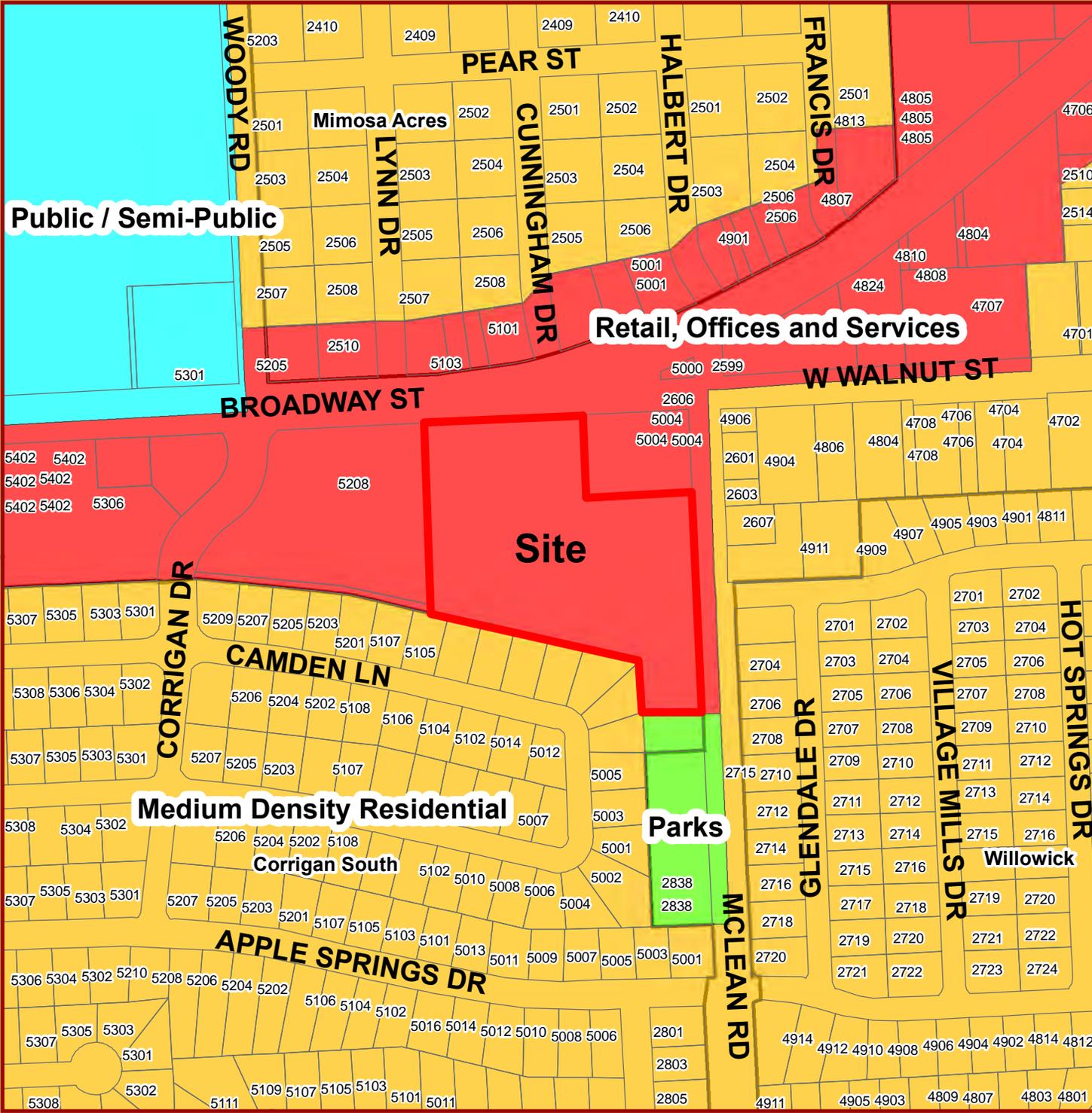


# Exhibit 3

FLUP MAP

CUP 2015-06

5074 Broadway St.

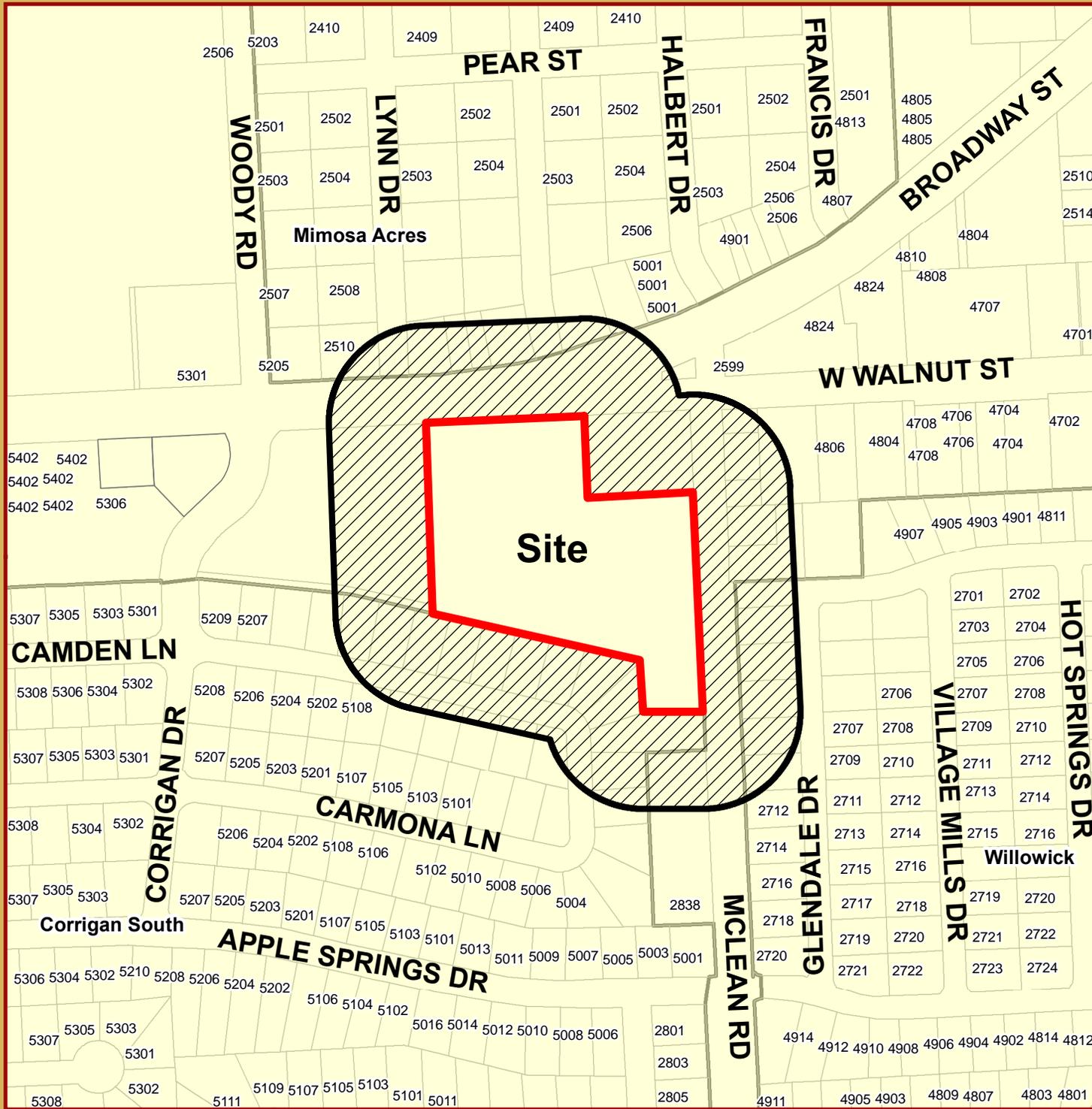


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1 inch = 295 feet

MAY 2015  
PLANNING DEPARTMENT





# Exhibit 4

## NOTIFICATION MAP

CUP 2015-06

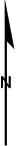
5074 Broadway St.



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1 inch = 295 feet

MAY 2015  
PLANNING DEPARTMENT



**EXHIBIT 5**

CUP 2015-06, 5074 Broadway Street.

<b>Owner</b>	<b>Street</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
ALMAGUER RICHARD	5201 CAMDEN LN	PEARLAND	TX	77584
ARMSTRONG DAVID E	2702 GLENDALE DR	PEARLAND	TX	77584
2 BARNETTS LTD	5402 RYAN ACRES DR	PEARLAND	TX	77584
FELTS ALBERT C	2927 VEVA DR	PEARLAND	TX	77584
BARNES CLEDITH	5015 CAMDEN LN	PEARLAND	TX	77584
BLOCK ANNE T	5012 CAMDEN LN	PEARLAND	TX	77584
BUCKLEY KELLY	2710 GLENDALE DR	PEARLAND	TX	77584
FELTS ALBERT	2927 VEVA DR	PEARLAND	TX	77584
FROST NATIONAL BANK	100 W HOUSTON ST STE 100	SAN ANTONIO	TX	78205
GUERRERO EDGAR	2706 GLENDALE DR	PEARLAND	TX	77584
GUTHRIE GARY	5102 CAMDEN LN	PEARLAND	TX	77584
HERNANDEZ JOSEPH	2704 GLENDALE DR	PEARLAND	TX	77584
HOLLEY BILL	5105 CAMDEN LN	PEARLAND	TX	77584
JONES CHERLYN	5107 CAMDEN LN	PEARLAND	TX	77584
JORDAN JEANIE	2609 MCLEAN RD	PEARLAND	TX	77584
KHAN AFSAR	3801 CANYON LAKE DR	PEARLAND	TX	77581
LANDA MONICA	5009 CAMDEN LN	PEARLAND	TX	77584
MALDONADO CHRISTOBAL	4911 SILSBEE DR	PEARLAND	TX	77584
MCDONALD JOHN D ESTATE	4704 9TH ST	BACLIFF	TX	77518
MCLEHANY TROY	15702 SEASIDE LN	HOUSTON	TX	77062
MORALES GRACE	2708 GLENDALE DR	PEARLAND	TX	77584
PARRA GREGORY R & VANESSA M	5108 CAMDEN LN	PEARLAND	TX	77584
PHAM HIEP	PO BOX 84117	PEARLAND	TX	77584
PHAM MIKE	918 SHAWNEE ST	HOUSTON	TX	77034
PRENDERGAST MICHAEL	5011 CAMDEN LN	PEARLAND	TX	77584
SCARDINO JOHN	5014 CAMDEN LN	PEARLAND	TX	77584
SCHOCK RICHARD W SR	5005 CAMDEN LN	PEARLAND	TX	77584
SHELLENBERG WAYNE	PO BOX 12862	HOUSTON	TX	77217
SPARKS JONATHAN	5103 CAMDEN LN	PEARLAND	TX	77584
TRAN MAI	2405 SUNSET BLVD	HOUSTON	TX	77005
TRIPLETT MELVIN L	5003 CAMDEN LN	PEARLAND	TX	77584
TRUFANT LIONEL & NAJI & BILAL	5203 CAMDEN LN	PEARLAND	TX	77584
WESTSIDE SC PEARLAND LTD	4808 GIBSON ST	HOUSTON	TX	77007
WILLIAMS MARILEE	5013 CAMDEN LN	PEARLAND	TX	77584
WILLIS PEGGY L	5104 CAMDEN LN	PEARLAND	TX	77584



# City of Pearland Planning Department Universal Application

City of Pearland  
Community Development  
3523 Liberty Drive  
(Community Center)  
Pearland, Texas 77581  
281.652.1768  
281.652.1702 (fax)  
pearlandtx.gov

Please complete each field - incomplete applications will **not** be accepted.  
Include the applicable checklist for each project type with this application.  
Refer to the schedule on the City's website and/or within the Planning Department  
for deadlines and anticipated meeting dates for each project type.

**TYPE OF APPLICATION:**

- |   |  |
|---|--|
| <input type="checkbox"/> Zoning Change                | <input type="checkbox"/> ZBA Variance                      |
| <input type="checkbox"/> Cluster Development Plan     | <input type="checkbox"/> P&Z Variance                      |
| <input type="checkbox"/> Planned Development Workshop | <input type="checkbox"/> Special Exception                 |
| <input type="checkbox"/> Plat (list type): _____      | <input checked="" type="checkbox"/> Conditional Use Permit |

**PROJECT INFORMATION:**

Residential       Commercial       Property Platted       Property Not Platted  
 Project Name: Westside Shopping Center      Tax ID: 264571  
 Project Address/Location: 5074 Broadway  
 Subdivision: N/A      No. of Lots: N/A      Total Acres: N/A  
 Brief Description of Project: 55,000 square foot retail shopping center seeking an e-cigarette tenant in a 1,125 sq. ft. space

\*\*When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda according to Section 1.2.1.2 of the Unified Development Code.\*\*

**PROPERTY OWNER INFORMATION:**

**APPLICANT/AGENT INFORMATION:**

Name: Westside SC Pearland, Ltd.  
 Address: 4808 Gibson, 3rd Fl.  
 City: Houston      State: TX      Zip: 77007  
 Phone: 713-457-1923 (Ronny Hecht)  
 Fax: \_\_\_\_\_  
 Email Address: ronny@urbanmeridian.com

Name: Westside SC Pearland, Ltd.  
 Address: 4808 Gibson, 3rd Fl.  
 City: Houston      State: TX      Zip: 77007  
 Phone: 713-457-1923 (Ronny Hecht)  
 Fax: \_\_\_\_\_  
 Email Address: ronny@urbanmeridian.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: *Ronny Hecht*      Date: 3/23/15  
 Agent's/  
 Applicant's Signature: *Ronny Hecht*      Date: 3/23/15

<b>OFFICE USE ONLY:</b>			
FEES PAID: <u>\$1025</u>	DATE PAID: <u>3/31</u>	RECEIVED BY: <u>je</u>	RECEIPT NUMBER: <u>183270</u>
			APPLICATION NUMBER: <u>2015-00</u>

**WESTSIDE SC PEARLAND, LTD.**

**4808 Gibson, 3<sup>rd</sup> fl.**

**Houston, TX 77007**

**Ph: 713-457-1923 Fax: 713-457-1929**

March 24, 2015

Ms. Laura Evans  
City of Pearland  
3523 Liberty  
Pearland, TX 77581

Re: Conditional Use Permit  
5010 – 5096 Broadway St., Pearland, TX

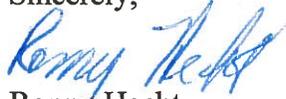
Dear Ms. Evans:

Attached please find the following:

1. Application Checklist;
2. Planning Department Universal Application;
3. Site map and legal description of the affected property;
4. Parcel map showing the current zoning;
5. Letter of Intent with explanation for conditional use permit;
6. Acknowledgement of posting of sign;
7. Paid tax receipt, and
8. Check for \$1,025.

If you need anything else from me, please let me know. Also, since I have not done this process before, please keep me in the loop for attendance at hearings and when I need to post the applicable notices.

Sincerely,



Ronny Hecht

# APPLICATION CHECKLIST FOR THE FOLLOWING: Conditional Use Permit (CUP)

Application and checklist, filled out completely and signed by the owner of the property.

N/A

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 (UDC).

Metes and Bounds Description (survey or plat of the property that provides or contains the metes and bounds description).

Parcel map, printer 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/lot sizes: \_\_\_\_\_
- Unique characteristics of the property: \_\_\_\_\_
- Other necessary information (list here): \_\_\_\_\_

N/A

Site plan that shows the following:

- Proposed layout of the subject property
- Proposed buildings
- Parking
- Landscape plan
- Detention ponds
- Fences
- Other relevant information (list here): \_\_\_\_\_

Acknowledgement of the sign to be posted on the property ten (10) days prior to the public hearing.

Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.

Application fee by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only)

- 0 to less than 25 acres
  - \$1000.00, plus \$25.00 per each type of CUP requested *\$1,025*
- 25 to less than 50 acres
  - \$1025.00, plus \$25.00 per each type of CUP requested
- 50 to less than 75 acres
  - \$1050.00, plus \$25.00 per each type of CUP requested
- 75 to less than 100 acres
  - \$1075.00, plus \$25.00 per each type of CUP requested
- 100 acres and above
  - \$1100.00, plus \$25.00 per each type of CUP requested

CITY OF PEARLAND  
\*\*\* CUSTOMER RECEIPT \*\*\*  
Oper: JCOTTER Type: OC Drawer: 1  
Date: 3/31/15 01 Receipt no: 183276

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$1025.00
Trans number:		4801489

WESTSIDE SC PEARLAND LTD  
4800 GIBSON ST  
HOUSTON  
5074 BROADWAY - RONNY HECHT

Tender detail		
CK CHECK	1441	\$1025.00
Total tendered		\$1025.00
Total payment		\$1025.00

Trans date: 3/31/15 Time: 7:55:51

**ZONE CHANGE/ VARIANCE/ PLAT/ RECORDATION**

\$ 1025 (circle one)  
**BA** or **PF** or **FE**

Description: Input who the check is from

**COMMENTS/DESCRIPTION (F10):**

Location or  
Address 5074 Broadway

Applicant Ronny Hecht

Owner \_\_\_\_\_



**Exhibit A -- Legal Description****TRACT I:**

A CERTAIN TRACT OUT OF TRACT "A", OF THE FINAL PLAT OF WEST SIDE PLAZA, A SUBDIVISION OF, BRAZORIA COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 17, PAGES 279-280, PLAT RECORDS, BRAZORIA COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

A TRACT OF LAND OUT OF RESERVE "A" IN THE REPLAT OF CORRIGAN ADDITION, SECTION 1, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 11, PAGE 97-98 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT AN IRON ROD FOUND FOR THE SOUTHWEST CORNER OF RESERVE "A" AND THE NORTHWEST CORNER OF LOT 1, BLOCK 1 OF SAID REPLAT OF CORRIGAN ADDITION;

THENCE SOUTH 87°54'05" EAST ALONG THE COMMON LINE OF SAID RESERVE "A" AND SAID BLOCK 1, A DISTANCE OF 298.95 FEET TO AN IRON ROD FOUND FOR AN ANGLE POINT OF SAID COMMON LINE;

THENCE SOUTH 75°23'52" EAST A DISTANCE OF 192.79 FEET TO A 5/8 INCH IRON ROD SET FOR THE PLACE OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 00°54'04" WEST A DISTANCE OF 376.88 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER IN THE SOUTH LINE OF WALNUT STREET (F.M. 518);

THENCE NORTH 89°05'55" EAST ALONG THE SOUTH LINE OF SAID WALNUT STREET A DISTANCE OF 542.00 FEET TO A CUT "X" IN CONCRETE FOR CORNER AT THE POINT OF INTERSECTION OF THE SOUTH ROW LINE OF SAID WALNUT STREET AND THE WEST LINE OF MCLEAN ROAD (C.R. 104);

THENCE SOUTH 00°43'52" EAST ALONG THE WEST LINE OF SAID MCLEAN ROAD, A DISTANCE OF 605.20 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;

THENCE SOUTH 89°14'40" WEST A DISTANCE OF 125.00 FEET TO A 5/8 INCH IRON ROD FOUND FOR CORNER;

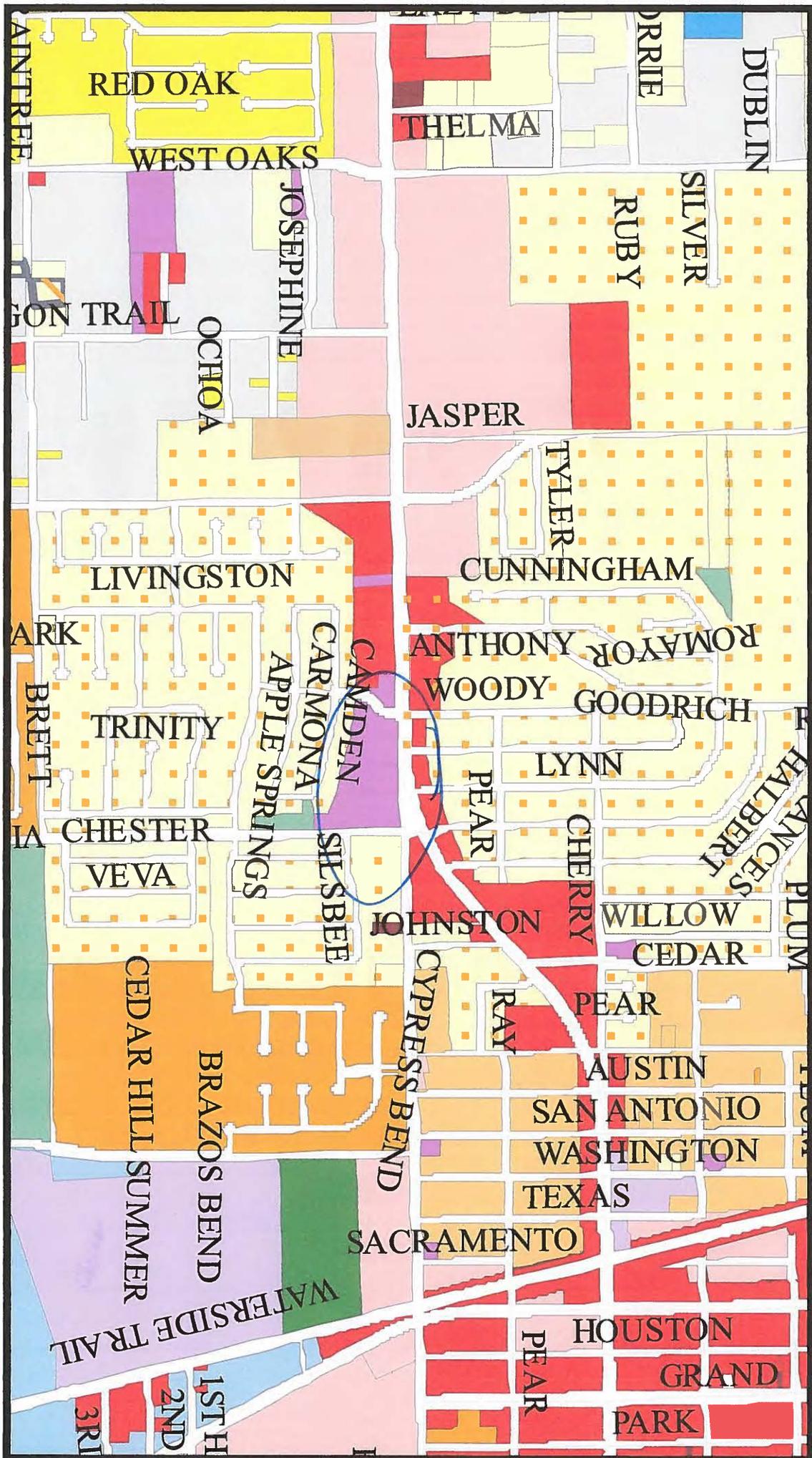
THENCE NORTH 00°43'52" WEST PARALLEL TO THE WEST LINE OF SAID MCLEAN ROAD A DISTANCE OF 112.67 FEET TO A 5/8 INCH IRON ROD FOR CORNER;

THENCE NORTH 75°23'25" WEST, A DISTANCE OF 431.26 FEET TO THE PLACE OF BEGINNING;

SAVE AND EXCEPT, HOWEVER, ALL OF LOT ONE (1), BLOCK ONE (1), BEING A 0.846 ACRE TRACT OF LAND OF THE FINAL PLAT OF WEST SIDE PLAZA II, A SUBDIVISION OF BRAZORIA COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 22, PAGE 39 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, AS CONVEYED TO PEARLAND WESTSIDE II ASSOCIATES LIMITED BY CORRECTION DEED RECORDED UNDER BRAZORIA COUNTY CLERK'S FILE NO. 2012001988, AND, BEING A CORRECTION OF DEED RECORDED UNDER BRAZORIA COUNTY CLERK'S FILE NO. 03 056766 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS.

**TRACT II:**

EASEMENT ESTATE FOR AN APPURTENANT, NON-EXCLUSIVE RECIPROCAL EASEMENT AND RIGHT-OF-WAY, AS CREATED BY THAT CERTAIN RECIPROCAL EASEMENT AGREEMENT EXECUTED BY PEARLAND WESTSIDE ASSOCIATES LIMITED, A TEXAS LIMITED PARTNERSHIP, AND, MILLENNIUM DEVELOPMENT II, INC., A TEXAS CORPORATION, AS RECORDED ON AUGUST 15, 2003 UNDER BRAZORIA COUNTY CLERK'S FILE NO. 03 051050 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS.



## **Letter of Intent**

Westside SC Pearland, Ltd. (the "Owner") owns the 55,000 square foot retail shopping center located at 5010 – 5096 Broadway St (the "Property"). The Property is zoned "NS". The Owner is seeking to lease an 1,125 square foot retail space to an e-cigarette tenant (the "Tenant"). The Tenant will sell e-cigarettes and other related items, none of which contain tobacco. The current Pearland zoning ordinances allows "cigars, tobacco shop (retail only)" in other non-residential zoning districts but a Conditional Use Permit is necessary for NS district. The current Pearland zoning ordinance permits "convenience stores (without gasoline sales)" and "general retail store, other than listed", in NS districts both of which could sell e-cigarettes. The Owner is therefore requesting a conditional use permit for an e-cigarette store at the Property. The Property presently contains multiple restaurants, a movie theater and other retailers so this use will not be incompatible with the current tenants, neighborhood or general location. The Tenant will not overly burden the parking or be a nuisance to the neighborhood.

# Posting of Notification Signs on Property under Consideration for a Zone Change

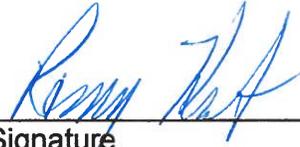
Any person, firm or corporation requesting a zoning change, a conditional use permit (CUP), or a variance shall be required to erect and maintain a sign(s), to be inspected by the City, upon the property for which a variance or zoning change has been requested.

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**  
**281-652-1765**

- ❖ Signs must be professionally made; handwritten signs are not allowed.
- ❖ Signs must be freestanding and cannot be attached to a tree, fence, or building.

  
Signature

  
Date

# TAX RECEIP



RO'VIN GARRETT, PCC  
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
111 E. LOCUST  
ANGLETON, TEXAS 77515

**Certified Owner:**

WESTSIDE SC PEARLAND LTD  
4808 GIBSON ST  
3RD FL  
HOUSTON, TX 77007-5480

**Legal Description:**

WEST SIDE PLAZA (A0240 HT &  
B)(PEARLAND), LOT 7C-7C2 TRACT A, ACRES  
5.043

Parcel Address: 5040 BROADWAY FM 518  
Legal Acres: 5.0430

Remit Seq No: 27696910  
Receipt Date: 12/31/2014  
Deposit Date: 01/06/2015  
Print Date: 01/06/2015 11:35 AM  
Printed By: LATOYA

Deposit No: 1500616C  
Validation No: 900000034679972  
Account No: **8248-0000-000**  
Operator Code: LATOYA

Year	Tax Unit Name	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2014	Brazoria County	2,354,040	0.438500	10,322.47	0.00	0.00	10,322.47
2014	Special Road & Bridge	2,354,040	0.060000	1,412.42	0.00	0.00	1,412.42
2014	Pearland Isd	2,354,040	1.415700	33,326.14	0.00	0.00	33,326.14
2014	Brazoria Drainage Dist 4	2,354,040	0.156000	3,672.30	0.00	0.00	3,672.30
2014	City Of Pearland	2,354,040	0.712100	16,763.12	0.00	0.00	16,763.12
				<b>\$65,496.45</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$65,496.45</b>

Check Number(s):  
1394

**PAYMENT TYPE:**

Checks: \$65,496.45

Exemptions on this property:

Total Applied: \$65,496.45  
Total Tendered: \$65,496.45  
(for accounts paid on 12/31/2014)  
Change Paid: \$0.00

**PAYER:**  
WESTSIDE SC PEARLAND LTD  
4808 GIBSON ST  
3RD FL  
HOUSTON, TX US 77007-5480

**ACCOUNT PAID IN FULL**

(979) 864-1320, (979) 388-1320, (281) 756-1320

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

<b>AGENDA OF:</b>	June 8, 2015	<b>ITEM NO.:</b>	Resolution No. R2015-97
<b>DATE SUBMITTED:</b>	May 26, 2015	<b>DEPT. OF ORIGIN:</b>	Finance/Parks
<b>PREPARED BY:</b>	Joel Hardy	<b>PRESENTOR:</b>	Joel Hardy
<b>REVIEWED BY:</b>	Jon R. Branson	<b>REVIEW DATE:</b>	June 1, 2015
<p><b>SUBJECT: RESOLUTION R2015 – 97</b> – 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 &amp; Wildlife Department, hereinafter referred to as “Department,” for the purpose of participating in the Non-Urban Outdoor 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.</p>			
<p><b>EXHIBITS: Resolution R2015-97</b>  <b>A. Centennial Park Phase II Aerial</b>  <b>B. Centennial Park Phase II Concept Layout</b></p>			
<p><b>FUNDING:</b>      <input type="checkbox"/> Bonds To Be Sold      <input checked="" type="checkbox"/> Grant      <input type="checkbox"/> Developer/Other      <input type="checkbox"/> Cash                           <input type="checkbox"/> Bonds- Sold      <input type="checkbox"/> L/P – Sold      <input type="checkbox"/> L/P – To Be Sold</p>			
<b>EXPENDITURE REQUIRED:</b>		<b>AMOUNT BUDGETED:</b>	
<b>AMOUNT AVAILABLE:</b>		<b>PROJECT NO.:</b>	
<b>ACCOUNT NO.:</b>			
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>			
<b>ACCOUNT NO.:</b>			
<p><b>To be completed by Department:</b>  <input checked="" type="checkbox"/> Finance      <input type="checkbox"/> Legal      <input type="checkbox"/> Ordinance      <input checked="" type="checkbox"/> Resolution</p>			

**EXECUTIVE SUMMARY**

The Texas Parks & Wildlife Department’s Non-Urban Outdoor Grant Program consists of 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. 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 2014 and 2015 Capital Improvement Program Budget included funding for the improvement of Centennial Park. The improvements to this park were funded as part of a 2007 Bond Referendum, approved by voters.

Staff is requesting Council's certification that the City is eligible to participate in the program; in that it is authorized to receive public assistance from the State of Texas, that matching funds are readily available, and that the proposed site has been dedicated for permanent (or for the term of the lease for leased property) public park and recreational uses. 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.

## **SCOPE OF CONTRACT/AGREEMENT**

The Fiscal Year 2014 and 2015 Capital Improvement Program Budget included funding for the improvement of Centennial Park. The total project budget totals \$2,366,295 of which \$2,011,800 is allocated for construction. Anticipating, based on current pricing, that bids would exceed the project budget, projects is planning to bid a base bid with alternatives. Alternatives include part of the internal park trail, pavilion structure, trees and irrigation in non-field areas. The current estimated construction costs total \$2,459,502, which includes \$1,763,845 in base bid items, \$635,897 in total alternate bid items, and \$59,760 for small portions of demolition, hardscape and field development costs being covered by the owner/league. As such, the City is seeking grant funds for maximum allowable funds from Texas Parks & Wildlife Department in the amount of \$400,000. The scope of work being presented to TPWD will involve the use of matching grant funds to support the costs of concrete walkways, a concession stand, and related HVAC, plumbing and electrical work.

## **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 Department by the end of August 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. Applications for this program, and others, are accepted by TPW on March 31<sup>st</sup> and August 31<sup>st</sup> of each year.

### **POLICY/GOAL CONSIDERATION**

This project meets the Strategic Goals associated with the City's Parks, Recreation & Events and Fiscally Responsible. The project was part of the 2007 voted bond referendum and Centennial Park is listed in the City's 2005 25-year Parks and Recreation Master-Plan. The overall improvements of the park help to accommodate more youth softball, as the relocation of adult sports league activities to Max Road Sports Complex takes place.

### **RECOMMENDED ACTION**

Council consideration and approval of a resolution 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 Non-Urban Outdoor 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.

**RESOLUTION NO. R2015-97**

**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 Non-Urban Outdoor 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 renovation and related construction activities of Centennial Park; and

**WHEREAS**, the Texas Parks & Wildlife Department’s Non-Urban Outdoor Grant Program requires applicants to provide no less than 50% in matching funds in the completion of a TWPD Non-Urban Outdoor 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.

**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 Centennial 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 \$2,688,181 towards the completion of Centennial Park.

PASSED, APPROVED and ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2015.

\_\_\_\_\_  
TOM REID  
MAYOR

ATTEST:

\_\_\_\_\_  
YOUNG LORFING, TRMC  
CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
DARRIN M. COKER  
CITY ATTORNEY

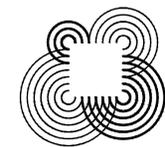
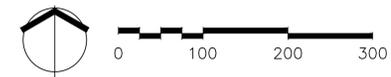


THIS DRAWING IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE.  
 NO WARRANTIES OR REPRESENTATIONS, EXPRESSED OR IMPLIED CONCERNING  
 THE ACTUAL DESIGN, LOCATION OR CHARACTER OF THIS PLAN ARE INTENDED  
 THIS PLAN IS NOT FOR PERMIT OR CONSTRUCTION PURPOSES.

CONCEPTUAL DRAWING  
 MARCH 31, 2015  
 CCA PROJECT NO. 113-044

## CENTENNIAL PARK

Phase 2  
 Aerial  
 City of Pearland  
 Pearland, TX



**CLARK CONDON**  
**ASSOCIATES**  
 LANDSCAPE ARCHITECTURE

10401 Stella Link Road Houston, Texas 77025  
 TEL 713.871.1414 FAX 713.871.0888  
 www.clarkcondon.com



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

<b>AGENDA OF:</b>	June 8, 2015	<b>ITEM NO.:</b>	R2015-100
<b>DATE SUBMITTED:</b>	June 3, 2015	<b>DEPT. OF ORIGIN:</b>	Finance
<b>PREPARED BY:</b>	Bob Pearce	<b>PRESENTOR:</b>	Eric Wilson
<b>REVIEWED BY:</b>	Trent Epperson	<b>REVIEW DATE:</b>	June 3, 2015
<b>SUBJECT:</b> Resolution No. 2015-100 A resolution of the City Council of the City of Pearland, Texas, authorizing the sole source purchase & installation of filter cloth media at JHEC–Wastewater Treatment Facility in the amount of \$590,000 from Harwell Environmental Corporation.			
<b>EXHIBITS:</b> Hartwell Environmental Corporation Cost Proposal Aqua-Aerobic Systems, Inc. – Process Design Report Aqua-Aerobic Systems, Inc.– Sole Source Designation Resolution #R2015-100			
<b>FUNDING:</b>			
<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			
<b>EXPENDITURE REQUIRED:</b> \$590,000		<b>AMOUNT BUDGETED:</b> \$700,000	
<b>AMOUNT AVAILABLE:</b> \$700,000		<b>PROJECT NO.:</b> WW1504	
<b>ACCOUNT NO.:</b> 067-0000-565-03-00			
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>			
<b>ACCOUNT NO.:</b>			
<b>PROJECT NO.:</b>			
<b>To be completed by Department:</b>			
<b>X Finance</b>	<b>X Legal</b>	<b>Ordinance</b>	<b>X Resolution</b>

**EXECUTIVE SUMMARY**

**BACKGROUND**

The John Hargrove Environmental Complex wastewater treatment plant currently utilizes AquaDisk filtration units manufactured by Aqua-Aerobic Systems, Inc. in its treatment process,

filtering the effluent water from the plant’s sequencing batch reactors prior to its entry into the ultraviolet disinfection stage, assuring that the plant produces reuse-quality water in accordance with Texas Commission on Environmental Quality standards. The plant was designed and constructed with four (4) concrete basins for final installation of AquaDisk filtration units, only three (3) of which were originally installed, with the installation of the fourth filtration intended for a later date dependent upon plant flow. Additionally, the fourth filter will allow for operators to periodically bring units down on an alternating basis for preventative maintenance in order to extend the equipment life, which is not feasible with the three (3) unit capacity.

As the three (3) filtration units in service at the plant are all manufactured by Aqua-Aerobic Systems, Inc. and the basins designed for that equipment, the additional unit requested is an Aqua-Aerobic Systems model, with Hartwell Environmental Corporation of Tomball designated as the sole source turnkey provider for Aqua-Aerobic cloth filter media products in Texas. A cost proposal from Hartwell Environmental Corporation in the amount of \$590,000 is attached for Council review and consideration.

**SCOPE OF CONTRACT**

Provision of all labor, insurance, equipment and materials necessary to install one (1) AquaDisk Model filtration unit into an existing concrete basin at the JHEC plant.

**BID AND AWARD**

It is necessary at this time to purchase, and have installed, an Aqua-Aerobic Systems filtration provided by the original equipment manufacturer and installed by its exclusive turnkey provider, Hartwell Environmental Corporation, resulting in a sole source procurement which is exempt from competitive bidding pursuant to Texas Local Government Code, Section 252.022.

**SCHEDULE**

It is anticipated that all equipment and parts will be delivered 16-18 weeks from date of order, with an additional 4-6 weeks for installation.

**POLICY/GOAL CONSIDERATION**

Sustainable infrastructure - this purchase is contemplated and recommended for the purpose of furthering the City’s provision of a safe and reliable water system.

**CURRENT AND FUTURE FUNDING /FINANCIAL IMPACTS**

Funding for the purchase of this system will be provided from the Public Works Department’s operating budget.

**O&M IMPACT INFORMATION**

<b>Fiscal Year</b>	<b>2015</b>	<b>2016</b>
	\$590,000	N/A

**RECOMMENDED ACTION**

City Council approval of a resolution authorizing the sole source purchase & installation of filter cloth media at JHEC–Wastewater Treatment Facility in the amount of \$590,000 from Harwell Environmental Corporation.

**RESOLUTION NO. R2015-100**

**A Resolution of the City Council of the City of Pearland, Texas, authorizing the sole source purchase and installation of filter cloth media at the JHEC Wastewater Treatment Facility in the amount of \$590,000.00 from Hartwell Environmental Corporation.**

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

**Section 1.** That the City Council hereby authorizes the sole source purchase and installation of filter cloth media at the JHEC Wastewater Treatment Facility in the amount of \$590,000.00 from Hartwell Environmental Corporation .

**Section 2.** That the City Manager or his designee is hereby authorized to execute a contract for the purchase and installation of filter cloth media for the JHEC Wastewater Treatment Facility.

PASSED, APPROVED and ADOPTED this the \_\_\_\_ day of \_\_\_\_\_,  
A.D., 2015.

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TOM REID  
MAYOR

ATTEST:

---

YOUNG LORFING, TRMC  
CITY SECRETARY

APPROVED AS TO FORM:

---

DARRIN M. COKER  
CITY ATTORNEY



**HARTWELL  
ENVIRONMENTAL  
CORPORATION**

Houston  
Austin  
Dallas  
Tulsa

**22115 Hufsmith Kohrville Rd.  
Tomball, TX 77375**

**281.351.8501 Tel  
281.351.8323 Fax**

April 20, 2015

City of Pearland, TX  
Attn: Mark Wahlstrom  
Re: SWEC WWTP Filter Addition

Mark,  
Hartwell Environmental Corporation, as the sole authorized representative of Aqua Aerobic Systems for the State of Texas is proud to offer the following quotation.

**Turnkey Supply and Installation of Quantity (1) AquaDisk Model ADFC-54x12E-PC**

**Supply will include:**

**Basin Accessories**

Concrete basin (already existing)  
Gearmotor mounting brackets  
Centertube support beam wall brackets  
Backwash manifold wall brackets  
304SS anchors  
Painted steel backwash pump stand  
Effluent seal plate weldment

**Influent Flow Assembly**

Influent weir

**Centertube Assemblies**

304SS centertube weldment  
UHMW polyethelene multi-segment driven sprockets  
Lower quad wheel carrier assembly  
Centertube position maintainer  
Centertube end support bearing kits  
Effluent centertube lip seals  
Disk segment stainless steel support rods  
Neoprene media sealing gaskets  
Pile cloth and non-corrosive support frame assemblies

**Drive System Assembly**

Gearbox with motor  
Stationary drive bracket weldments  
Drive chain with pins  
Warning labels  
Chain guard weldment  
Drive sprockets

**Backwash/Sludge Assembly**

Backwash and sludge pumps  
Premium efficiency motors  
Heater  
Throttling gate valves  
3" ball valves  
Backwash support weldments  
External Piping Accessory Kit  
    0 to 30 inches mercury vacuum gauges  
    0 to 15 psi pressure gauges  
    Vacuum transducers  
Backwash collection nozzle  
PVC sludge collection manifolds  
Combination nipples for hose to pipe connections  
Stainless steel backwash nozzle springs  
(1) 1/2 " flexible hose  
2" flexible hose  
Stainless steel hose clamps  
304SS backwash collection manifolds

**Instrumentation**

Pressure transducer assembly  
    Level sensing pressure transducers  
    304SS probe mounting brackets  
    Float switch

**Aquadisk Valves**

Influent valve consisting of:  
    Manual butterfly valve  
    Valve extension painted steel  
Backwash valve consisting of:  
    2" full port, two piece, stainless steel body ball valves, flanged end connections with  
    single phase electric actuators.  
Sludge valve consisting of:  
    2" full port, two piece, stainless steel body ball valves, flanged end connections with  
    single phase electric actuators.

**Aquadisk Controls with Starters**

316SS NEMA 4X enclosure  
Fuse and fuse blocks  
Motor starter  
115V power line filter  
Operator interface  
Allen Bradley SLC5/05 central processing unit with 32k memory and Ethernet connection  
Analog input card  
Ethernet switches  
Modbus Plus communication module  
Panel Heater  
Air conditioner  
Surge arrestors  
UPI

**Installation will include:**

- Installation of (1) complete Aquadisk system
  - Gearmotor drive assembly
  - Centertube assembly
  - Backwash pumps and piping
  - Effluent seal plate
  - Instrumentation
  - Backwash/influent/sludge valves
  - Controls
  - Conduit (to match existing basins)
  - Concrete coring
  - Grout
  - Labor
  - Startup

**Notes:**

This is an identical unit to match the three AquaDisk units that have previously been installed at the SWEC plant. Please see attached Aqua Aerobic Systems Design Report for the design conditions, design parameter, filter recommendations, and filter calculations.

**Net Price for Equipment Supply and Installation = \$590,000.00**



**AQUA-AEROBIC SYSTEMS, INC.**  
Partnering for Solutions

May 4, 2015

To whom it may concern;

Hartwell Environmental Corporation, 22115 Hufsmith Kohrville Rd, Tomball, TX is the sole source Turn Key provider of Aqua-Aerobic Systems for all Cloth Media products in the State of Texas.

Sincerely,

William Moore  
West Regional Manager

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# ***PROCESS DESIGN REPORT***



## **PEARLAND SWEC EXP TX**

**Design#: 139458**

**Option: Preliminary Filter Design**

***Designed By: Angelica Sunday on Wednesday, February 4, 2015***

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The enclosed information is based on preliminary data which we have received from you. There may be factors unknown to us which would alter the enclosed recommendation. These recommendations are based on models and assumptions widely used in the industry. While we attempt to keep these current, Aqua-Aerobic Systems, Inc. assumes no responsibility for their validity or any risks associated with their use. Also, because of the various factors stated above, Aqua-Aerobic Systems, Inc. assumes no responsibility for any liability resulting from any use made by you of the enclosed recommendations.

Copyright 2015, Aqua-Aerobic Systems, Inc

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## ***Design Notes***

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### **Filtration**

- The anticipated filtered effluent quality is based on the filter influent conditions as shown under "Design Parameters" of this Process Design Report. In addition, the filter influent should be free of algae and other solids that are not filterable through a nominal 10 micron pore size media. Provisions to treat algae and condition the solids to be filterable are the responsibility of others.
- The anticipated effluent quality is based upon filterable influent solids.
- For this application, pile filter cloth is recommended.
- The cloth media filter recommendation following the SBR is predicated on an equalization basin preceding the filter.

### **Equipment**

- Aqua-Aerobic Systems, Inc. (AASI) is familiar with the Buy American provision of the American Recovery and Reinvestment Act of 2009 as well as other Buy American provisions (i.e. FAR 52.225, EXIM Bank, USAid, etc.). AASI can provide a system that is in full compliance with Buy American provisions. As the project develops AASI can work with you to ensure full compliance with a Buy American provision, if required. Please contact the factory should compliance with a Buy American provision be required.

# AquaDISK Tertiary Filtration - Design Summary

## DESIGN INFLUENT CONDITIONS

Pre-Filter Treatment: SBR  
 Avg. Design Flow = 1.33 MGD = 923.61 gpm = 5035 m<sup>3</sup>/day  
 Max Design Flow = 5.33 MGD = 3701.4 gpm = 20176 m<sup>3</sup>/day

<u>DESIGN PARAMETERS</u>	Influent	mg/l	Effluent			
			Required	<= mg/l	Anticipated	<= mg/l
Avg. Total Suspended Solids:	TSSa	20	TSSa	5	TSSa	5
Max. Total Suspended Solids:	TSSm	30	--	--	--	--

## AquaDISK FILTER RECOMMENDATION

Qty Of Filter Units Recommended = 1 (Add to 3 existing)  
 Number Of Disks Per Unit = 12  
 Total Number Of Disks Recommended = 12  
 Total Filter Area Provided = 645.6 ft<sup>2</sup> = (59.98 m<sup>2</sup>)  
 Filter Model Recommended = AquaDisk Concrete Model 54E: 12 Disk Unit  
 Filter Media Cloth Type = OptiFiber PA2-13

## AquaDISK FILTER CALCULATIONS

### Filter Type:

Vertically Mounted Cloth Media Disks featuring automatically operated vacuum backwash.

### Average Flow Conditions:

Average Hydraulic Loading = Avg. Design Flow (gpm) / Recommended Filter Area (ft<sup>2</sup>)  
 = 923.6 / 645.6 ft<sup>2</sup>  
 = 1.43 gpm/ft<sup>2</sup> (0.97 l/s/m<sup>2</sup>) at Avg. Flow

### Maximum Flow Conditions:

Maximum Hydraulic Loading = Max. Design Flow (gpm) / Recommended Filter Area (ft<sup>2</sup>)  
 = 3701.4 / 645.6 ft<sup>2</sup>  
 = 5.73 gpm/ft<sup>2</sup> (3.90 l/s/m<sup>2</sup>) at Max. Flow

### Solids Loading:

Solids Loading Rate = (lbs TSS/day at max flow and max TSS loading) / Recommended Filter Area (ft<sup>2</sup>)  
 = 1333.6 lbs/day / 645.6 ft<sup>2</sup>  
 = 2.07 lbs. TSS /day/ft<sup>2</sup> (10.07 kg. TSS/day/m<sup>2</sup>)

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# Equipment Summary

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## Cloth Media Filters

### AquaDisk Tanks/Basins

#### **1 AquaDisk Model # ADFC-54x12E-PC Concrete Filter Basin Accessories consisting of:**

- Concrete basin(s) (by others).
- Gearmotor mounting bracket(s).
- Centertube support beam wall brackets.
- Backwash manifold wall brackets.
- 304SS anchors.
- Painted steel backwash pump stand.
- Effluent seal plate weldment.

#### **1 Influent Flow Assembly(ies) consisting of:**

- Influent weir(s).

### AquaDisk Centertube Assemblies

#### **1 Centertube Assembly(ies) consisting of:**

- 304 stainless steel centertube weldment(s).
- U.H.M.W. polyethylene multi-segment driven sprocket(s).
- Lower quad wheel carrier assembly(ies).
- Centertube position maintainer.
- Centertube end support bearing kit(s).
- Effluent centertube lip seal(s).
- Disk segment stainless steel support rods.
- Neoprene media sealing gaskets.
- Pile cloth media and non-corrosive support frame assemblies.

### AquaDisk Drive Assemblies

#### **1 Drive System Assembly(ies) consisting of:**

- Gearbox with motor.
- Stationary drive bracket weldment(s).
- Drive chain(s) with pins.
- Warning label(s).
- Chain guard weldment(s).
- Drive sprocket(s).

### AquaDisk Backwash/Sludge Assemblies

#### **1 Backwash Pump Installation(s) consisting of:**

- Backwash and sludge pump(s).
- Motor(s) will be rated for premium efficiency.
- Heater
- Throttling gate valve(s).
- 3" ball valve(s).

#### **1 Backwash Support Assembly(ies) consisting of:**

- Backwash support weldment(s).

#### **1 External Piping Accessory Kit(s) consisting of:**

- 0 to 30 inches mercury vacuum gauge(s).
- 0 to 15 psi pressure gauge(s).
- Vacuum transducer(s).

#### **1 Backwash System Assembly(ies) consisting of:**

- Backwash collection nozzle.

- PVC sludge collection manifold(s).
- Combination nipple(s) for hose to pipe connection(s).
- Stainless steel backwash nozzle springs.
- 1 1/2" flexible hose.
- 2" flexible hose.
- Stainless steel hose clamps.
- 304 stainless steel backwash collection manifold(s).

#### **AquaDisk Instrumentation**

##### **1 Pressure Transducer Assembly(ies) consisting of:**

- Level sensing pressure transducer(s).
- 304 stainless steel probe mounting bracket(s).
- Float switch(es).

#### **AquaDisk Valves**

##### **1 Influent Valve(s) consisting of:**

- Manual butterfly valve(s).
- Valve extension(s) painted steel.
- Valve extension support bracket (by others).

##### **1 Set(s) of Backwash Valve(s) consisting of:**

- 2" full port, two piece, stainless steel body ball valve(s), flanged end connections with single phase electric actuator(s). Valve / actuator combination shall be TCI / RCI (RCI, a division of Rotork), Nibco, or equal.

##### **1 Sludge Valve(s) consisting of:**

- 2" full port, two piece, stainless steel body ball valve(s), flanged end connections with single phase electric actuator(s). Valve / actuator combination shall be TCI / RCI (RCI, a division of Rotork), Nibco, or equal.

#### **AquaDisk Controls w/Starters**

##### **1 Controls Package(s) will be provided as follows:**

- 316 stainless steel NEMA 4X enclosure(s).
- Fuse(s) and fuse block(s).
- Motor starter(s).
- 115 V power line filter(s).
- Operator interface(s).
- Allen Bradley SLC5/05 central processing unit with 32K memory and Ethernet connection.
- Analog input card(s).
- Ethernet switch(es).
- Ethernet switch(es).
- Modbus Plus communication module(s).
- Panel heater.
- Air Conditioner
- Surge arrester(s).
- Uninterrupted power supply.

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

<b>AGENDA OF: 6-8-15</b>	<b>ITEM NO.:</b> Resolution No. R2015-105
<b>DATE SUBMITTED: 6-1-15</b>	<b>DEPARTMENT OF ORIGIN: Planning</b>
<b>PREPARED BY: Darrin Coker</b>	<b>PRESENTOR: Darrin Coker</b>
<b>REVIEWED BY: NA</b>	<b>REVIEW DATE: NA</b>
<p><b>SUBJECT: 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 Municipal Utility District No. 26 and Brazoria-Fort Bend County Municipal Utility District No. 1 (“Districts”), related to additional public park improvements at the Shadow Creek Ranch Sports Complex.</b></p>	
<b>EXHIBITS: R2015-105; Interlocal Agreement</b>	
<b>EXPENDITURE REQUIRED: AMOUNT AVAILABLE: ACCOUNT NO.:</b>	<b>AMOUNT BUDGETED: PROJECT NO.:</b>
<b>ADDITIONAL APPROPRIATION REQUIRED: ACCOUNT NO.:</b>	
<b>PROJECT NO.:</b>	
<b>To be completed by Department:</b>	
<input type="checkbox"/> Finance <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution	

**EXECUTIVE SUMMARY**

Last November the City entered into an interlocal agreement with BCMUD No. 26 and Brazoria-Fort Bend MUD No. 1 (“Districts”) whereby the Districts agreed to fund a portion of the public water, sewer and drainage improvements at the SCR Sports Complex. Each District agreed to contribute \$685,000 in exchange for the City’s agreement to fund additional recreational facilities using the savings. The TCEQ recently approved the use of the use of the funds which in turn makes an additional \$1.37 million in funding available for additional recreational facilities.

The proposed interlocal agreement addresses the expenditure of the funds for the additional recreational facilities by establishing a priority list. The City agrees to use the funds to construct the following improvements in accordance with the priority listing until such time as the funds are entirely expended:

- Crushed granite trail around detention pond
- Clear and grubbing Phase 2 open space
- Playground
- Lawn Amphitheater
- Volleyball Courts
- Maintenance Building
- 4<sup>th</sup> lighted softball field
- Scoreboards for softball fields

**Note: THE CURRENT DRAFT OF THE AGREEMENT STATES THAT THE AMENITIES MUST BE CONSTRUCTED WITHIN 1 YEAR AFTER THE CITY RECEIVES THE FUNDS, BUT THE PROPOSED TIME FRAME SHOULD ACTUALLY STATE 18 MONTHS. SOME OF THE AMENITIES WILL BE BID SEPARATELY FROM THE EXISTING CONTRACT AND WILL NOT BE ABLE TO COMMENCE UNTIL THE CONTRACTOR COMPLETES THE EXISTING CONTRACT. ADDING AN ADDITIONAL 6 MONTHS HELPS INSURE THAT THE AMENITIES ARE COMPLETED IN ACCORDANCE WITH THE INTERLOCAL AGREEMENT.**

**RESOLUTION NO. R2015-105**

**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 Municipal Utility District No. 26 and Brazoria-Fort Bend County Municipal Utility District No. 1 (“Districts”), related to additional public park improvements at the Shadow Creek Ranch Sports Complex.**

**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 the Districts, 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 the Districts.

PASSED, APPROVED and ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_,  
A.D., 2015.

\_\_\_\_\_  
TOM REID  
MAYOR

ATTEST:

\_\_\_\_\_  
YOUNG LORFING, TRMC  
CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
DARRIN M. COKER  
CITY ATTORNEY

INTERLOCAL AGREEMENT  
BETWEEN  
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 26,  
BRAZORIA-FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 1,  
AND  
THE CITY OF PEARLAND RELATED TO  
CONSTRUCTION OF ADDITIONAL PUBLIC PARK IMPROVEMENTS

THE STATE OF TEXAS           §  
  §  
COUNTY OF BRAZORIA       §

This Agreement (this "Agreement") is made and entered into as of the \_\_\_ day of \_\_\_\_\_, 2014, by and between Brazoria County Municipal Utility District No. 26, Brazoria-Fort Bend County Municipal Utility District No. 1 (individually "MUD 26" and "MUD 1," respectively, and collectively, the "Districts"), political subdivisions of the State of Texas, organized pursuant to Article XVI, Section 59 of the Constitution of the State of Texas and Chapters 49 and 54 of the Texas Water Code, as amended, and the City of Pearland, Texas (the "City"), a Texas home rule city.

RECITALS

WHEREAS, the City is developing a tract which is split between the boundaries of the Districts, as is more particularly shown on the map attached as Exhibit "A", as the Shadow Creek Ranch Regional Sports Park (the "Tract"); and

WHEREAS, pursuant to a separate agreement entered into by the Parties ("the Utility Agreement"), a copy of which is attached as Exhibit "B", the Districts are funding the cost of the public water, sanitary sewer and drainage facilities needed for development of the Tract (the "Facilities"), in exchange for the City's agreement to fund additional recreational facilities on the Tract.

AGREEMENT

Now therefore, for and in consideration of the mutual promises, covenants, benefits, and obligations herein set forth, the Districts and the City hereby agree and contract as follows:

Section 1: The City shall proceed with the development of the Tract. Pursuant to the Utility Agreement, the Districts will pay the costs for the construction of the Facilities, which will result in a cost savings to the City in the development of the

Tract. The City agrees it shall use such savings to construct additional portions of future phases of development of the Tract in the priority listed below:

1. Crushed granite trail around detention pond;
2. Clear and grubbing Phase 2 open space;
3. Playground;
4. Lawn amphitheatre;
5. Volleyball courts;
6. Maintenance Building;
7. 4<sup>th</sup> lighted softball field; and
8. Scoreboards for softball fields.

Section 2: Upon receipt of the funds from the Districts, the City shall construct additional public improvements on the Tract in accordance with Section 1 above. The City shall complete such construction within one year from the date it receives the funds from the Districts for the Facilities.

Section 3: The City and the Districts each represent to the other that each has full right and authority to enter into this Agreement and that the person signing on behalf of each has full authority to bind such party by executing this Agreement.

Section 4: While the provisions of this Agreement are, in part, intended to establish as between the parties an acceptable manner of allocating responsibilities for the development of this Tract that will benefit the residents of the Districts, this Agreement shall be for the sole and exclusive benefit of the Parties hereto and shall not be construed to confer any benefit or right upon any customers, residents, or members of the Districts or the City, or on any other party.

Section 5: This Agreement shall not be deemed to create a partnership or joint venture of any sort between the City and the Districts.

Section 6: This Agreement may only be amended by written agreement of the Parties.

Section 7: The term of this Agreement shall be two (2) years from the date first shown above, except when both Districts have paid their \$685,000, and the additional recreational improvements have been constructed, this Agreement and the Utility Agreement shall terminate.

Section 8: This Agreement shall become effective upon the date first written above and upon the date a separate agreement between all of the Parties is signed.

Section 9: This Agreement is not assignable by any Party hereto except with the prior written consent of the other Parties.

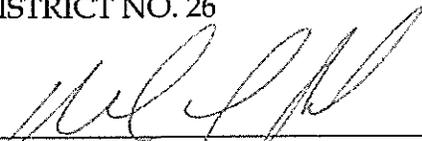
Section 10: In addition to any other available remedies, the Parties hereto shall have the right to injunctive relief in the event a Party hereto violates any term of this Agreement.

Section 11: This Agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are to be performed in Brazoria and Fort Bend County, Texas, as the Tract is located in both Counties.

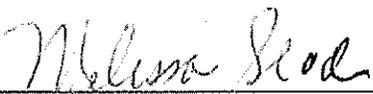
[EXECUTION PAGES FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Agreement in multiple copies, each of which shall be deemed an original as of the date and year first written above.

BRAZORIA COUNTY MUNICIPAL UTILITY  
DISTRICT NO. 26

  
\_\_\_\_\_  
President, Board of Directors

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Directors

(SEAL)



IN WITNESS WHEREOF, the parties have executed this Agreement in multiple copies, each of which shall be deemed an original as of the date and year first written above.

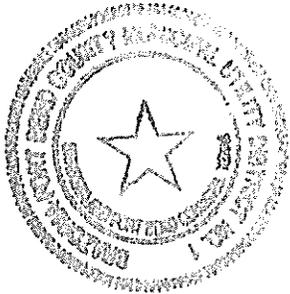
BRAZORIA-FORT BEND COUNTY  
MUNICIPAL UTILITY DISTRICT NO. 1

Doyle D. Kroll  
President, Board of Directors

ATTEST:

Jerry Ruiz  
Secretary, Board of Directors

(SEAL)



IN WITNESS WHEREOF, the parties have executed this Agreement in multiple copies, each of which shall be deemed an original as of the date and year first written above.

City of Pearland, Texas

By: \_\_\_\_\_  
Mayor, City of Pearland

ATTEST:

\_\_\_\_\_  
City Secretary, City of Pearland

(SEAL)

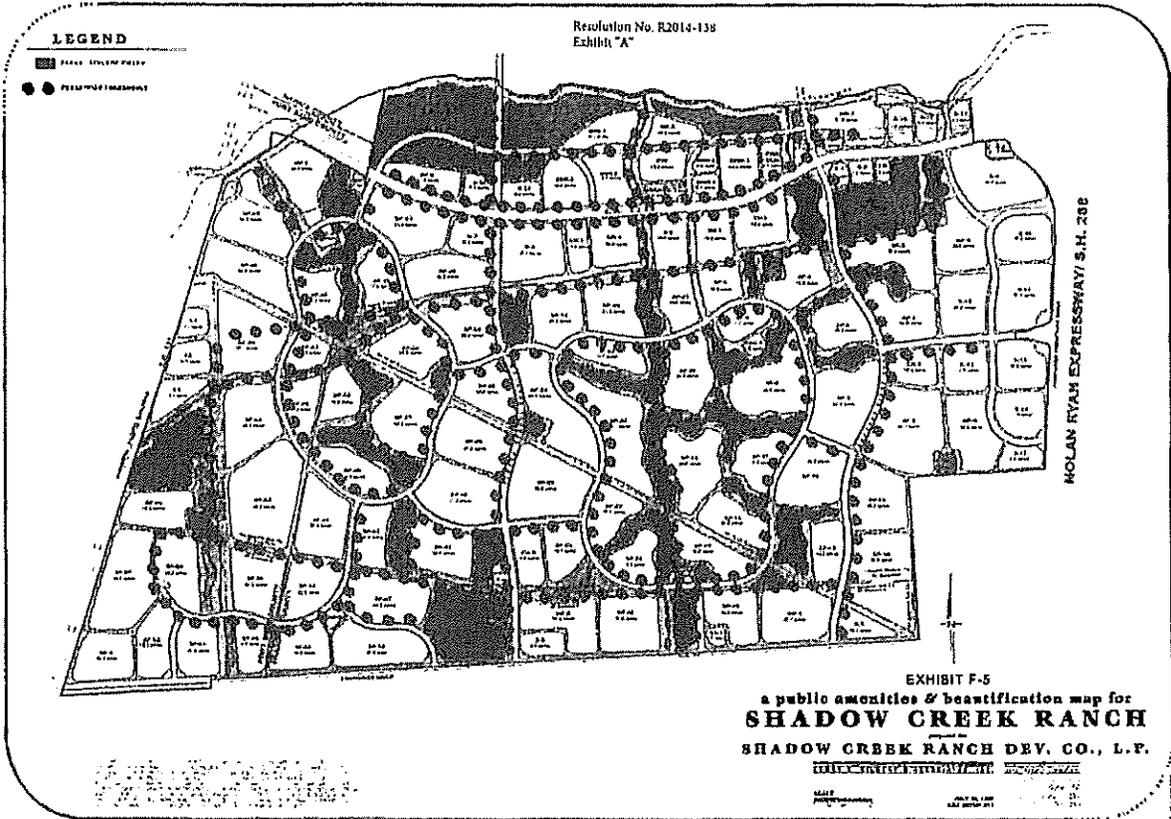


Exhibit A

INTERLOCAL AGREEMENT  
BETWEEN  
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 26,  
BRAZORIA-FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 1,  
AND  
THE CITY OF PEARLAND RELATED TO  
CONSTRUCTION OF PUBLIC WATER, SEWER AND DRAINAGE FACILITIES

THE STATE OF TEXAS           §  
  §  
COUNTY OF BRAZORIA         §

This Agreement (this "Agreement") is made and entered into as of the 12<sup>th</sup> day of November, 2014, by and between Brazoria County Municipal Utility District No. 26, Brazoria-Fort Bend County Municipal Utility District No. 1 (individually "MUD 26" and "MUD 1," respectively, and collectively, the "Districts"), political subdivisions of the State of Texas, organized pursuant to Article XVI, Section 59 of the Constitution of the State of Texas and Chapters 49 and 54 of the Texas Water Code, as amended, and the City of Pearland, Texas (the "City"), a Texas home rule city.

RECITALS

WHEREAS, pursuant to Chapter 54.012 of the Texas Water Code, as amended, the Districts were created (among other purposes) for the purposes of providing water, sanitary sewer and drainage improvements to property within the boundaries of the Districts; and

WHEREAS, pursuant to Chapter 54.201 and Chapter 49.211 of the Texas Water Code, as amended, the Districts have the authority to purchase, construct, acquire, maintain, repair, improve or extend (among other things) water, sanitary sewer and drainage improvements and facilities necessary to accomplish the purposes of its creation or the purposes authorized by law; and

WHEREAS, pursuant to Chapter 49.227 of the Texas Water Code, as amended, the Districts have the authority to act jointly with (among others) a public entity in the performance of any of the powers and duties permitted by State law; and

WHEREAS, the City is developing a tract which is split between the boundaries of the Districts, as is more particularly shown on the map attached as Exhibit "A" (the "Tract"); and

WHEREAS, the Districts and the City agree that their cooperation of efforts in jointly financing and constructing certain public improvements so as to avoid

duplication of effort and to minimize cost, pursuant to the Interlocal Cooperation Act, will allow the City to more quickly develop the Tract; and

WHEREAS, the Districts and the City have determined that it is more economical for the City to construct the public water, sanitary sewer and drainage facilities needed for development of the Tract (the "Facilities"), and to invoice the Districts for the cost of these projects, which they shall share equally; and

WHEREAS, the City will be responsible for operation and maintenance of all Facilities constructed by the City on the Tract.

### AGREEMENT

Now therefore, for and in consideration of the mutual promises, covenants, benefits, and obligations herein set forth, the Districts and the City hereby agree and contract as follows:

Section 1: The City shall proceed with the development of the Tract, and will design the Facilities at its cost. The Districts shall pay the costs for the construction of the Facilities. The City recognizes that the assumption of the cost of construction of the Facilities results in a cost savings to the City in the development of the Tract; therefore, the City agrees it shall use such savings to construct additional portions of future phases of development of the Tract as agreed upon in a separate agreement between the City and the Districts.

Section 2: The City shall proceed to construct and complete the Facilities in accordance with applicable competitive bidding requirements. The City has informed the Districts the total construction cost of the Facilities is estimated to be approximately \$1,370,000 based upon bids received by the City. The Districts agree each to include \$685,000 toward the construction cost in their next bond applications submitted to the Texas Commission of Environmental Quality ("TCEQ"). Within 30 days of receipt of funds from the sale of the bonds approved by the TCEQ for the funding of the cost of the Facilities, the Districts each shall pay \$685,000 to the City ("Reimbursement Funds") as reimbursement for their pro rata equal share of the cost.

Section 3: Upon receipt of the Reimbursement Funds from the Districts, the City shall construct additional public improvements on the Tract in accordance with a separate agreement with the Districts.

Section 4: The City and the Districts each represent to the other that each has full right and authority to enter into this Agreement and that the person signing on behalf of each has full authority to bind such party by executing this Agreement.

Section 5: While the provisions of this Agreement are, in part, intended to establish as between the parties an acceptable manner of allocating responsibilities for the development of this Tract that will benefit the residents of the Districts, this Agreement shall be for the sole and exclusive benefit of the Parties hereto and shall not be construed to confer any benefit or right upon any customers, residents, or members of the Districts or the City, or on any other party.

Section 6: This Agreement shall not be deemed to create a partnership or joint venture of any sort between the City and the Districts.

Section 7: This Agreement may only be amended by written agreement of the Parties.

Section 8: The term of this Agreement shall be two (2) years from the date first shown above, except when both Districts have paid their \$685,000, and the additional improvements constructed pursuant to the Parties separate agreement, this Agreement shall terminate.

Section 09: This Agreement shall become effective upon the date first written above and upon the date a separate agreement between all of the Parties is signed.

Section 10: This Agreement is not assignable by any Party hereto except with the prior written consent of the other Parties.

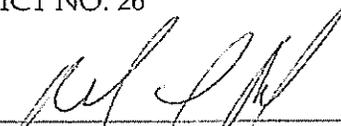
Section 11: In addition to any other available remedies, the Parties hereto shall have the right to injunctive relief in the event a Party hereto violates any term of this Agreement.

Section 12: This Agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are to be performed in Brazoria and Fort Bend County, Texas, as the Tract is located in both Counties.

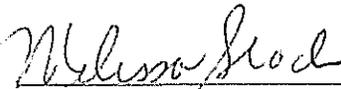
[EXECUTION PAGES FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Agreement in multiple copies, each of which shall be deemed an original as of the date and year first written above.

BRAZORIA COUNTY MUNICIPAL UTILITY  
DISTRICT NO. 26

  
\_\_\_\_\_  
President, Board of Directors

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Directors

(SEAL)



IN WITNESS WHEREOF, the parties have executed this Agreement in multiple copies, each of which shall be deemed an original as of the date and year first written above.

BRAZORIA-FORT BEND COUNTY  
MUNICIPAL UTILITY DISTRICT NO. 1

*Mark D. Hall*  
President, Board of Directors

ATTEST:

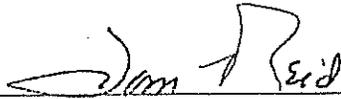
*Jerry Ring*  
Secretary, Board of Directors

(SEAL)

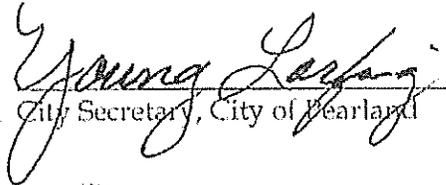


IN WITNESS WHEREOF, the parties have executed this Agreement in multiple copies, each of which shall be deemed an original as of the date and year first written above.

CITY OF PEARLAND, TEXAS

By:   
Mayor, City of Pearland

ATTEST:

  
City Secretary, City of Pearland



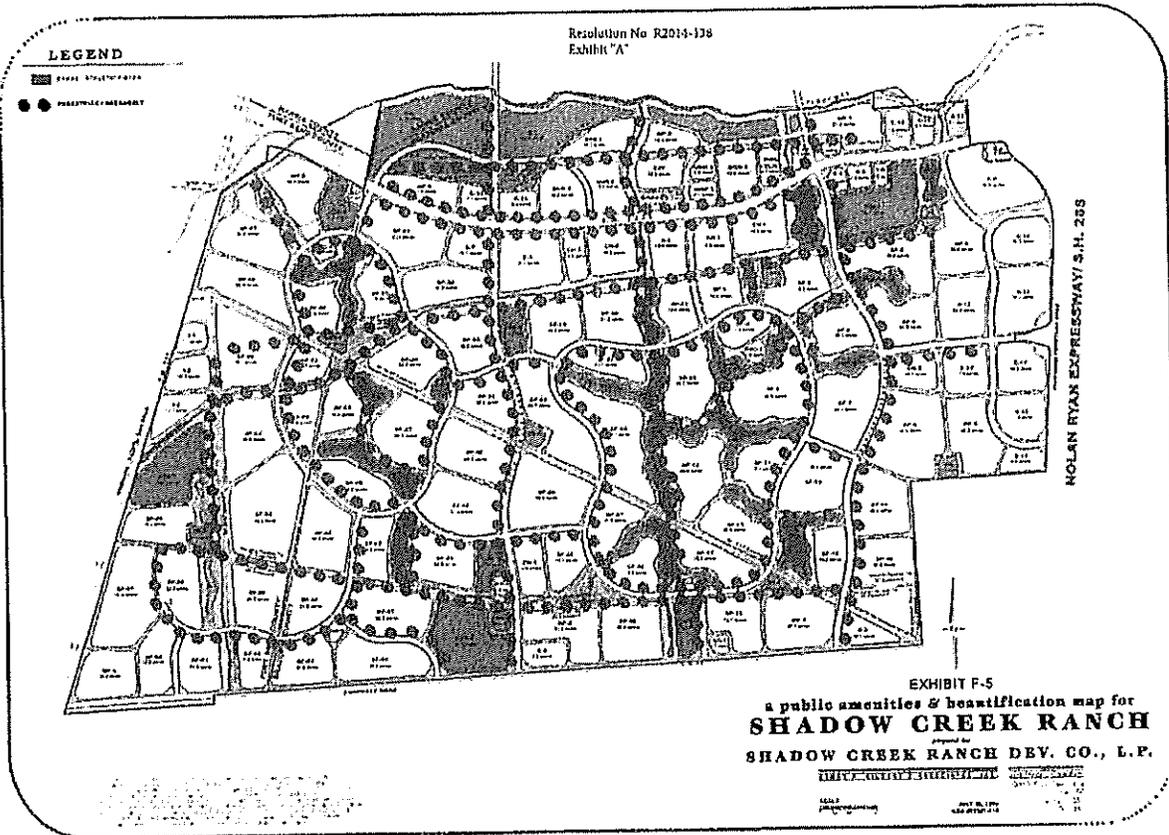


Exhibit A

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

April 27, 2015

Mr. Michael Parks, President  
Brazoria County MUD No. 26  
c/o Allen Boone Humphries Robinson, LLP  
3200 Southwest Freeway, Ste. 2600  
Houston, Texas 77027-7537

Re: Brazoria County Municipal Utility District No. 26; Application for Approval to Use \$685,000 in Surplus Funds from Operating and Maintenance Tax Revenue.  
TCEQ Internal Control No. D-04062015-001 (TC/FA)  
CN: 601364987 RN: 102689387

Dear Mr. Parks:

Brazoria County Municipal Utility District No. 26 (District) requests Texas Commission on Environmental Quality (TCEQ) approval to use \$685,000 in surplus funds from operating and maintenance tax revenue for the District's share of construction costs for water, wastewater, and drainage (W, WW, & D) facilities serving Sports Complex at Shadow Creek Ranch, Phase 1.

The District has provided an executed cost sharing agreement, land use plan, breakdown of costs, operating budget, and plans and specifications approved by all entities with jurisdiction.

The requested and eligible amounts are detailed as follows:

<u>Item</u>	<u>Contract Amount</u>	<u>District's Share<sup>(1)</sup></u>
Sports Complex at Shadow Creek Ranch, Phase 1 - W, WW, & D	\$1,371,934 <sup>(2)</sup>	\$685,000 <sup>(3)</sup>
<b>Total</b>		\$685,000

Notes:

1. The District has requested a waiver of the 30% developer contribution requirement based on the District's existing acceptable credit rating as defined in Title 30 Texas Administrative Code (30 TAC) § 293.47(b)(4). By letter dated May 30, 2014, the District's financial advisor indicated that the District expects to maintain an investment grade rating. Accordingly, a waiver of the 30% developer contribution requirement can be granted pursuant to 30 TAC § 293.47(a)(2).
2. Represents W, WW, & D portion of the contract.
3. Pursuant to the Interlocal Agreement executed on November 12, 2014, between Brazoria-Fort Bend County MUD (BFBCMUD) No. 1, the District, and the City of Pearland, the construction cost for W, WW, & D will be shared equally between BFBCMUD No. 1 and the District. The total estimated cost is \$1,370,000; therefore, the pro-rata share for each district is \$685,000.

Mr. Michael Parks, President

Page 2

April 27, 2015

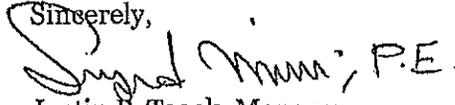
A letter from the District's bookkeeper, dated March 11, 2015, indicates that the District has \$1,885,287 in surplus funds from operating and maintenance tax revenue.

Approval

The application and supporting documents have been reviewed and appear to be in order. Therefore, on behalf of the Executive Director of the TCEQ, the District's request for approval to use \$685,000 in surplus funds from operating and maintenance tax revenue for the District's share of construction costs for W, WW, & D facilities serving Sports Complex at Shadow Creek Ranch, Phase 1 is hereby approved as shown in the District's Share column of the above table.

Please contact Kristy Nguyen at 512/239-4634 or by e-mail at [kristy.nguyen@tceq.texas.gov](mailto:kristy.nguyen@tceq.texas.gov) if you have any questions.

Sincerely,

 Justin P. Taack, P.E.

FOR  
Justin P. Taack, Manager  
Districts Section  
Texas Commission on Environmental Quality

JPT/kn

cc: Ms. Lynne Humphries – Allen Boone Humphries Robinson, LLP (via e-mail)  
Mr. Ken Heroy, P.E. – Jones-Heroy & Associates, Inc. (via e-mail)  
Mr. James Ross, P.E. – LJA Engineering & Surveying, Inc. (via e-mail)

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

April 27, 2015

Mr. Michael Rozell, President  
Brazoria-Fort Bend County MUD No. 1  
c/o Allen Boone Humphries Robinson, LLP  
3200 Southwest Freeway, Ste. 2600  
Houston, Texas 77027-7537

Re: Brazoria-Fort Bend County Municipal Utility District No. 1; Application for Approval to Use \$685,000 in Surplus Funds from Operating and Maintenance Tax Revenue. TCEQ Internal Control No. D-03242015-034 (TC/FA)  
CN: 602563736 RN: 104403241

Dear Mr. Rozell:

Brazoria-Fort Bend County Municipal Utility District No. 1 (District) requests Texas Commission on Environmental Quality (TCEQ) approval to use \$685,000 in surplus funds from operating and maintenance tax revenue for the District's share of construction costs for water, wastewater, and drainage (W, WW, & D) facilities serving Sports Complex at Shadow Creek Ranch, Phase 1.

The District has provided an executed cost sharing agreement, land use plan, breakdown of costs, operating budget, and plans and specifications approved by all entities with jurisdiction.

The requested and eligible amounts are detailed as follows:

<u>Item</u>	<u>Contract Amount</u>	<u>District's Share<sup>(1)</sup></u>
Sports Complex at Shadow Creek Ranch, Phase 1 - W, WW, & D	\$1,371,934 <sup>(2)</sup>	\$685,000 <sup>(3)</sup>
<b>Total</b>		\$685,000

Notes:

1. The District has requested a waiver of the 30% developer contribution requirement based on the District's existing acceptable credit rating as defined in Title 30 Texas Administrative Code (30 TAC) § 293.47(b)(4). By letter dated April 21, 2014, the District's financial advisor indicated that the District expects to maintain an investment grade rating. Accordingly, a waiver of the 30% developer contribution requirement can be granted pursuant to 30 TAC § 293.47(a)(2).
2. Represents W, WW, & D portion of the contract.
3. Pursuant to the Interlocal Agreement executed on November 12, 2014, between Brazoria County Municipal Utility District (BCMUD) No. 26, the District, and the City of Pearland, the construction cost for W, WW, & D will be shared equally between BCMUD No. 26 and the District. The total estimated cost is \$1,370,000; therefore, the pro-rata share for each district is \$685,000.

Mr. Michael Rozell, President

Page 2

April 27, 2015

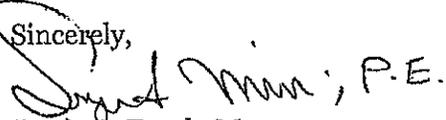
A letter from the District's bookkeeper, dated March 11, 2015, indicates that the District has \$1,016,417 in surplus funds from operating and maintenance tax revenue.

Approval

The application and supporting documents have been reviewed and appear to be in order. Therefore, on behalf of the Executive Director of the TCEQ, the District's request for approval to use \$685,000 in surplus funds from operating and maintenance tax revenue for the District's share of construction costs for W, WW, & D facilities serving Sports Complex at Shadow Creek Ranch, Phase 1 is hereby approved as shown in the District's Share column of the above table.

Please contact Kristy Nguyen at 512/239-4634 or by e-mail at [kristy.nguyen@tceq.texas.gov](mailto:kristy.nguyen@tceq.texas.gov) if you have any questions.

Sincerely,

 Justin P. Taack, P.E.

Justin P. Taack, Manager  
Districts Section  
Texas Commission on Environmental Quality

For

JPT/kn

cc: Ms. Lynne Humphries – Allen Boone Humphries Robinson, LLP (via e-mail)  
Mr. Ken Heroy, P.E. – Jones-Heroy & Associates, Inc. (via e-mail)

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

<b>AGENDA OF:</b>	June 8, 2015	<b>ITEM NO.:</b>	Resolution No. R2015-95
<b>DATE SUBMITTED:</b>	May 26, 2015	<b>DEPT. OF ORIGIN:</b>	Finance
<b>PREPARED BY:</b>	Joel Hardy	<b>PRESENTOR:</b>	Joel Hardy
<b>REVIEWED BY:</b>	Jon R. Branson	<b>REVIEW DATE:</b>	June 1, 2015
<b>SUBJECT: RESOLUTION R2015 – 95 –</b> A Resolution of the City Council of Pearland, Texas, identifying eligible projects for the U.S. Department of Housing and Urban Development Community Development Block Grant Program - Program Year 2015, Fiscal Year 2016.			
<b>EXHIBITS: Resolution R2015-95</b> A. HUD CDBG FY16 Allocation Notice B. Action Plan Development and Submission Schedule w/ CDBG Area Map C. Map of proposed Transite Waterline Replacement activities D. Table of Proposed CDBG FY16 Projects and Activities E. Table of Council-approved CDBG FY15 Projects and Activities F. Copy of Thursday Packet Memorandum G. End of the Year Assessment Letter for Program Year (PY) 2013			
<b>FUNDING:</b>			
<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"/> Cash <input type="checkbox"/> L/P – Sold <input type="checkbox"/> L/P – To Be Sold			
<b>EXPENDITURE REQUIRED:</b> N/A		<b>AMOUNT BUDGETED:</b> \$319,085 FY2016	
<b>AMOUNT AVAILABLE:</b> \$319,085 FY2016		<b>PROJECT NO.:</b>	
<b>ACCOUNT NO.:</b> Fund 113			
<b>ADDITIONAL APPROPRIATION REQUIRED:</b> No			
<b>ACCOUNT NO.:</b>			
<b>PROJECT NO.:</b>			
<b>To be completed by Department:</b>			
<input type="checkbox"/> Finance <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution			

**EXECUTIVE SUMMARY**

**BACKGROUND**

The City has been allocated \$319,085 from U.S. Department of Housing & Urban Development – Community Planning and Development (CPD) for the Community Development Block Grant program for FY 2015-2016; CPD Program Year 2015. This is \$5,291 more than the current year’s allocation amount of \$313,794. CDBG funding

allocation amounts are formula-based and determining factors include population, income levels, and other demographics.

HUD restricts the use of these funds, allowing up to 15% of the total for social services programs and no more than 20% for planning and administration, leaving the remainder for infrastructure, public facilities, code enforcement and/or housing. However, it is not required that budgets meet these caps, only that they not be exceeded in the areas of public services and program administration.

*Proposed use of Public Service Funding (15% cap)*

Local agencies, subrecipients, submitted applications requesting FY 2016 CDBG funding in May of this year. These 501(c)3 charitable agencies request funds that provide social services to the community, based on a specified number of units of service (number of households), with a certain amount of indirect financial support. The City received a request for funding from one agency this year:

- The Pearland Neighborhood Center requested \$25,000 for continuation of its emergency rental/utility assistance program, to serve 50 households. Prior year allocation of \$20,000 provided the necessary units of service to serve 62 households. In addition, staff reviewed the spending history of CDBG funds for the subrecipient.

**Pearland Neighborhood Center**

PY 2012		PY 2013		PY 2014		PY 2015	
Alloca- tion	Actual	Alloca- tion	Actual	Alloca- tion	Actual YTD Ex- pendi- tures	Re- quest	Recom- mended
\$ 15,000	\$ 15,000	\$ 20,000	\$ 14,406	\$ 20,000	\$ 7,732	\$ 25,000	\$ 16,500

Therefore, based on the units of service calculation of the prior year, and how much of each year’s allocation the agency has spent, staff recommends providing the agency with \$16,500 for FY2016.

*Proposed use of Local Infrastructure Improvements Funding (no cap)*

City departments are proposing to utilize CDBG funds for the replacement of approximately 4,941 linear feet of Transite Waterlines in the Old Townsite in the following manner:

- \$165,312 in base PY 2015 CDBG funding;
- \$77,259 in unused CDBG funds re-allocated from Program Year 2012 for this purpose by Council in '14 from prior year unspent funds; and
- \$68,003 in unused CDBG funds re-allocated from Program Year 2012 that was previously re-allocated by Council for additional housing rehabilitation activities in FY 2015.

This gives the project a total of \$310,574 in total CDBG funding for replacing Transite Waterlines. The table utilized to outline the proposed expenditures and re-allocations associated with Council's previous actions has been attached for reference.

A total of \$73,456 will be used to support the personnel costs for CDBG code enforcement and single-family housing rehabilitation program activities in Pearland:

Code Enforcement:

- \$50,020 for Code Enforcement personnel costs.
- \$690 in program delivery costs (vehicle mileage)

Total Available - \$50,710

Single Family Housing Rehab

- \$22,436 for PY 2015 Single-Family Housing Rehabilitation Program personnel costs.
- \$159,981 available from PY 2014 for housing rehabilitation activities (unspent).
- \$310 for PY 2015 program delivery costs (vehicle mileage).

Total Available - \$182,727

*Proposed use of Program Administration Funding (20% cap)*

Staff recommends that the City continue to budget for the use of the 20% allowable portion of the allocation amount for program administration (\$63,817).

**SCOPE OF CONTRACT/AGREEMENT**

The CDBG PY 2015 contract between the City and HUD will be for one year beginning October 1, 2015 and ending September 30, 2016, and will only restrict the use of program administration and public services funds for that period of performance. Infrastructure/improvement monies unspent for code enforcement and single family housing rehab activities, as well as those associated with the replacement of AC Waterlines, may be carried over and used in following years as such projects may take longer to complete.

Citizen involvement is a required component of the CDBG planning process, and a 30-day public comment period is allotted for the purpose of giving citizens an opportunity to provide their input. The submission of the final Action Plan for Council's consideration and approval in July will include such comments, as required by law.

**BID AND AWARD**

The award/allocation from HUD will be \$319,085 for PY 2015 and will be issued to the City upon the successful completion, and subsequent HUD approval, of the City's 9<sup>th</sup> Annual Action Plan. This plan will include overall objectives for administrative, public services and infrastructure activities, including our efforts to continue affirmatively furthering fair housing. The plans are due to HUD on August 15, 2015 and are on the proper course and timeline for completion, Council approval, and submission to HUD.

**POLICY/GOAL CONSIDERATION**

Strategic Objective – Healthy Economy and Safe Community

Also, HUD National Objectives to serve low-moderate income communities and reduce poverty are met by completing these projects. The City's citizens benefit by having improved public services, infrastructure, and efforts that affirmatively further fair housing.

### **SCHEDULE**

The remaining activities that will follow Council review and consideration, if approved, will take place as follows.

#### **June**

- June 11<sup>th</sup> – Public Notice of Public Hearing #2 (undocketed) and open 30-day Public Comment Period
- June 17<sup>th</sup> – Public Hearing #2

#### **July**

- July 13<sup>th</sup> – Close of Public Comment Period on CDBG Draft Action Plan
- July 27<sup>th</sup> – Presentation of Final CDBG Action Plan to Council for Consideration and Approval
- July 28<sup>th</sup> to 31<sup>st</sup> – Prep Submission Package of COP PY '15 (FY '16) Action Plan to HUD

### **OTHER**

The City has received a congratulatory year-end performance assessment from HUD based on our efforts during Program Year 2013 (October 1, 2013 – September 30, 2014). This assessment is based on HUD's determinations that the City has "carried out its program substantially as described in its Consolidated Plan, ...complied with the requirements of the HUD Act and other applicable laws/regulations, and ...has the continuing capacity to carry out the program..." The letter is attached for review by Council and the public.

### **ATTACHMENTS**

In addition to the Agenda Request, the backup documentation for this agenda item includes:

1. The CDBG PY 2015 Allocation Notice from HUD.
2. A schedule of the year's planning activities associated with the submission of the Action Plan to HUD that contains a map of low-moderate income areas of the City.
3. A map locating the segment of AC Waterlines being proposed for replacement.
4. A table with the list of projects and activities proposed for PY 2015.
5. A table with the list of projects and activities approved by Council for PY 2014.
6. A copy of the Thursday Packet used to update City management and staff of the allocation activities associated with the City's CDBG program.
7. HUD's Year-End Assessment Letter for PY 2013 Performance (Oct 1, 2013 – Sept. 30, 2014).

### **RECOMMENDED ACTION**

Council consideration and approval of a Resolution of the City Council of Pearland, Texas, identifying eligible projects for the U.S. Department of Housing and Urban Development Community Development Block Grant Program - Program Year 2015, Fiscal Year 2016.

**RESOLUTION NO. R2015-95**

**A Resolution of the City Council of Pearland, Texas, identifying eligible projects for the U.S. Department of Housing and Urban Development Community Development Block Grant Program - Program Year 2015, Fiscal Year 2016.**

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

**Section 1.** That certain Projects for the Community Development Block Grant Program Annual Action Plan, attached hereto as Exhibit "A", are hereby identified as eligible projects to be included in the Annual Action Plan.

PASSED, APPROVED and ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_,  
A.D., 2015.

\_\_\_\_\_  
TOM REID  
MAYOR

ATTEST:

\_\_\_\_\_  
YOUNG LORFING, TRMC  
CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
DARRIN M. COKER  
CITY ATTORNEY



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-7000

OFFICE OF THE ASSISTANT SECRETARY FOR  
COMMUNITY PLANNING AND DEVELOPMENT

February 10, 2015

The Honorable Tom Reid  
Mayor of Pearland  
3519 Liberty Dr  
Pearland, TX 77581-5416

Dear Mayor Reid,

I am pleased to inform you of your jurisdiction’s Fiscal Year (FY) 2015, allocations for the Office of Community Planning and Development’s (CPD) formula programs, which provide funding for housing, community and economic development activities, and assistance for low and moderate-income persons and special populations across the country. President Obama signed Public Law 113-235 on December 16, 2014, which includes FY 2015 funding for these programs. Your jurisdiction’s FY 2015 available amounts are:

Community Development Block Grant (CDBG)	\$319,085
HOME Investment Partnerships (HOME)	\$ 0
Housing Opportunities for Persons with AIDS (HOPWA)	\$ 0
Emergency Solutions Grants (ESG)	\$ 0

This letter highlights several important points related to these programs. First, Secretary Julián Castro is committed to making HUD the “Department of Opportunity” and is establishing a number of initiatives intended to achieve that goal. In 2015, we are celebrating the 50<sup>th</sup> anniversary of the Department’s establishment and these initiatives will build on HUD’s mission to promote homeownership, support community development, and increase access to affordable housing free from discrimination. The Department looks forward to working with grantees on these key goals and urges you to review the entire plan at: <http://portal.hud.gov/hudportal/HUD?src=/hudvision>

Second, HUD recommends that grantees effectively plan and implement programs that leverage these critical Federal financial resources to achieve the greatest possible return for the communities and individuals they are intended to assist. If you would like assistance from CPD in redesigning, prioritizing or targeting your programs, either you or the head of the agency that administers your program may request technical assistance through your local CPD Director.

Third, HUD urges grantees to consider using CDBG funds, to the extent possible, to support investments in predevelopment activities for infrastructure and public facilities activities. A Presidential Memorandum (<http://www.whitehouse.gov/the-press-office/2015/01/16/presidential-memorandum-expanding-federal-support-predevelopment-activit>) issued January 16, 2015, instructed federal agencies to expand support for predevelopment activities and HUD will be sending CDBG grantees a separate letter detailing this initiative and outlining key predevelopment principles.

Fourth, HUD encourages grantees to use funds from all CPD programs to work towards the goals of *Opening Doors: Federal Strategic Plan to Prevent and End Homelessness*. Specifically, with the increase in the FY 2015 ESG allocation nationally, HUD expects that communities will allocate as much of their ESG funds for Rapid Re-housing activities as possible, to end homelessness for more individuals and families living on the streets and in shelters.

Finally, the Integrated Disbursement and Information System (IDIS), which is HUD's financial and data system for managing these formula programs, will no longer commit and disburse grant funds on a first-in first-out (FIFO) basis beginning with the FY 2015 grants. Going forward, FY 2015 and future grants will be committed and disbursed on a grant specific basis and HUD will provide further guidance on this change in the near future.

The Office of Community Planning and Development looks forward to working with you in partnership to successfully meet the challenges we face. Please contact your local CPD office if you or your staff has any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Cliff Taffet". The signature is fluid and cursive, with a long horizontal stroke at the end.

Cliff Taffet  
General Deputy Assistant Secretary

# City of Pearland - HUD PY 2015 (FY 2016) CDBG Action Plan Development Calendar

Allocation: \$319,085

Submission Deadline: August 15, 2015

## CALENDAR

### March *(Complete)*

- March 17<sup>th</sup> – Public Hearing and Information Session on Availability of Funds
  - CDBG Subrecipient Program Funding Application Workshop.
  - General Public Comments on Overall CDBG Spending Priorities acceptable.

### May

- May 1<sup>st</sup> – Deadline for Proposed Infrastructure Projects – CDBG *(if applicable)*.
- May 15<sup>th</sup> – Deadline for CDBG Subrecipient Program Funding Applications.
- May 28<sup>th</sup> – Administrative Review and Prioritization of CDBG Subrecipient Program Funding Applications and Proposed Infrastructure Improvements.

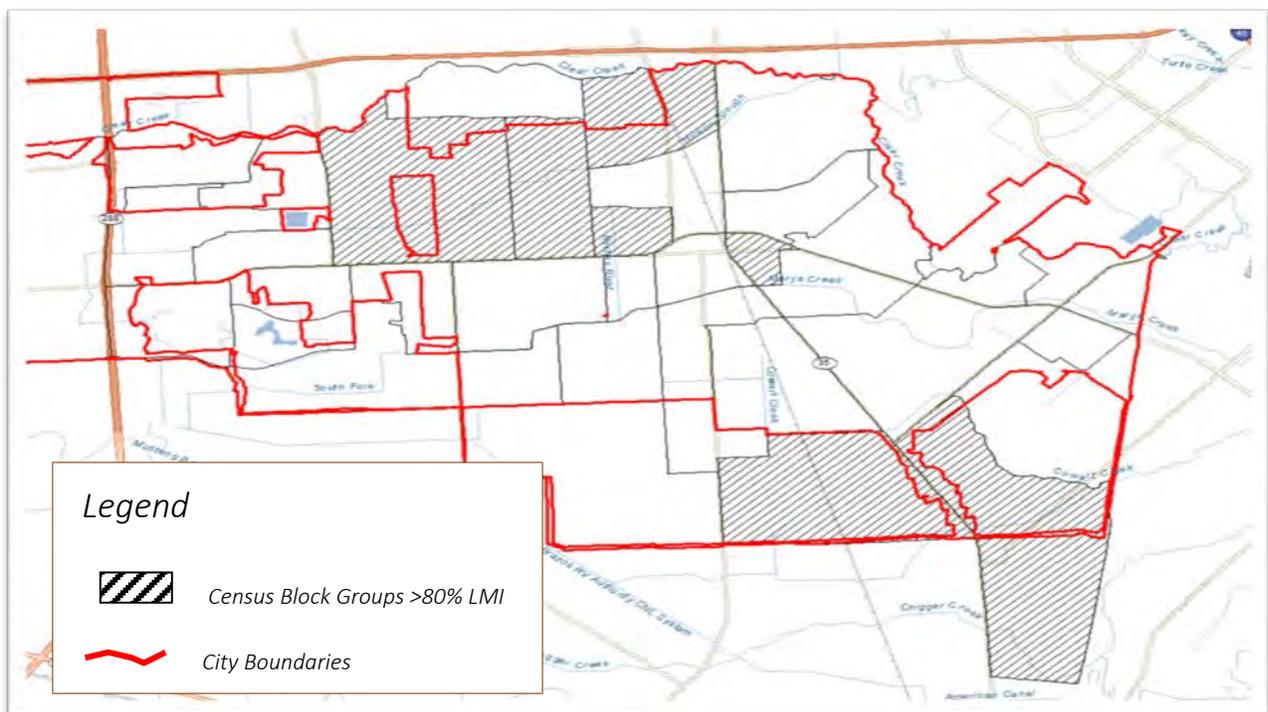
### June

- June 5<sup>th</sup> – Completion of Draft Action Plan – HUD PY '15 (COP FY '16).
- June 8<sup>th</sup> – Presentation of Recommended CDBG Project Funding to Council.
- June 11<sup>th</sup> – Public Notice of Public Hearing #2 and open 30-day Public Comment Period
- June 17<sup>th</sup> – Public Hearing #2

### July

- July 13<sup>th</sup> – Close of Public Comment Period on CDBG Draft Action Plan
- July 27<sup>th</sup> – Presentation of Final CDBG Action Plan to Council for Consideration and Approval
- July 28<sup>th</sup> to 31<sup>st</sup> – Prep Submission Package of COP PY '15 (FY '16) Action Plan to HUD

## CDBG TARGET AREA MAP



Street Detail Map Available Upon Request

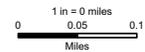


# CITY OF PEARLAND

AC Water Lines-CDBG Zone  
 4" =1025'  
 6" =1861'  
 10"=2055'

### Legend

- AC
- WL
- CDBG\_elligible
- CenterlinesMaster14
- BCAD2015



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: MAY 4, 2015  
 CITY OF PEARLAND PUBLIC WORKS

**CITY OF PEARLAND**  
**Community Development Block Grant Projected Use of PY 2015 Funds**

<b>CDBG Project Code</b>	<b>Projects</b>	<b>Units</b>	<b>PY 2015 Recommended Allocation</b>	<b>Re-allocations from Prior Year CDBG Funds</b>	<b>Totals</b>
05Q	Pearland Neighborhood Center's Emergency Assistance	01-People: 50	\$16,500*	-	\$16,500
<b>Subtotal</b>		<b>01-People: 50</b>	<b>\$16,500</b>	<b>N/A</b>	<b>\$16,500</b>
03J	Water/Sewer Improvements (Old Townsite Transite Waterline Replacement)	01 – People: 1,037	\$165,312**	\$145,262***	\$310,574
15	Code Enforcement & Rehabilitation Program Coordination	01-People: 3,733	\$50,020	-	\$50,020
15	Code Enforcement Program Delivery Costs (Mileage)	N/A	\$690	-	\$690
14A	Single Family Housing Rehab Program Coordination	01-People: 10	\$22,436	-	\$22,436
14A	Single Family Housing Rehab Program Delivery Costs (Mileage)	N/A	\$310	-	\$310
<b>Subtotal</b>		<b>01-People: 4,780</b>	<b>\$238,768</b>	<b>\$145,262</b>	<b>\$384,030</b>
21	General administration, contract consultants, in-house staff & regulatory compliance expenditures.	N/A	\$63,817	-	\$63,817
<b>Subtotal</b>		<b>N/A</b>	<b>\$63,817</b>	<b>N/A</b>	<b>\$63,817</b>
<b>Total PY 2015 Related CDBG Expenditures</b>		<b>01-People: 4,830</b>	<b>\$319,085</b>	<b>\$145,262</b>	<b>\$464,347</b>

\*Based on historical proposed units of service (50 in PY 2013 @ \$15,000 and 62 in PY 2014 @ \$20,000, and that no major local economic factors indicate rent or utility burdens have increased, it is recommended that the agency's request to provide 50 units of service be used to determine the cost-reasonableness for allocating funds per OMB Circular A-87. This calculates to approximately \$16,129 and the City should award funds based on this formula.

\*\*Council in June 9, 2014 Regular Meeting approved the use of \$77,259 for Transite Waterline Replacement (TWR) in the Old Townsite, so that amount can be added to the \$165,312 being proposed in PY 2015. In addition, it is being recommended that \$68,003, previously re-allocated for housing rehabilitation activities in FY 2015, be re-allocated to the TWR project as well. This will make the available funds for this project total \$310,574.

\*\*\*This specific amount is directly tied to a CDBG Program Year 2012 project (N. Houston/E.Orange Sidewalks/Drainage Improvements) that was not completed with CDBG funds, and does not include unspent funds from the current program year that can be carried over for use in future year projects.

Originated 5/22/15 and updated/revised 5/28/15

## Community Development Block Grant Projected Use of PY 2014 Funds and Prior Year Re-allocations

CDBG Project Code	Projects	Units	PY 2014 Allocation	Prior Year CDBG Re-Allocations	Totals
05Q	Pearland Neighborhood Center's Emergency Assistance (LMC) - 2335 N. Texas Avenue	01-People: 62	\$20,000	\$0	\$20,000
<b>Subtotal</b>		<b>01-People: 62</b>	<b>\$20,000</b>	<b>\$0</b>	<b>\$20,000</b>
03J	Water/Sewer Improvements (Old Townsite AC Waterlines)	01 – People: 1,037	\$0	\$77,259* (PY '12)	\$77,259
15	Code Enforcement & Rehabilitation Program Coordination	01-People: 3,733	\$70,055	\$0	\$71,684
14A	Single Family Housing Rehab	01-People: 15	\$160,981	\$68,003* (PY '12)	\$227,355
<b>Subtotal</b>		<b>01-People: 4,785</b>	<b>\$231,036</b>	<b>\$145,262*</b>	<b>\$376,298</b>
21 A - E	Contract consultants and in-house staff & expenses	N/A	\$62,758	\$0	\$62,758
<b>Subtotal</b>			<b>\$62,758</b>	<b>\$0</b>	<b>\$62,758</b>
<b>Total CDBG Expenditures</b>		<b>01-People: 4,847</b>	<b>\$313,794</b>	<b>\$145,262</b>	<b>\$459,056</b>

\*These funds were previously allocated to install sidewalks and associated drainage on North Houston and East Orange in Program Year 2012 (FY '13), but HUD denied the release of funds due to the fact that 2006-2010 American Community Survey data from the U.S. Census Bureau had not yet been approved for use in planning activities at the Entitlement Jurisdiction levels. This funding is now available for use in another capacity and City staff is recommending its re-allocation to projects that will replace old AC Waterlines and associated infrastructure and offer rehabilitation grants to local low-moderate income households that occupy their homes that are in need of minor repairs and code compliant improvements.

5/22/14



# Memo

To: Clay Pearson

From: Claire Bogard

*VIA Joel Hardy*

CC: Jon Branson, Trent Epperson, Matt Buchanan, Eric

Date: April 16, 2015

Re: HUD PY 2015 CDBG Allocation – City of Pearland

4/16/2015  
 To: Mayor and City  
 Council members  
 Status update on current and  
 future meetings on next round of  
 Federal CDBG funds into  
 Pearland.  
 Clay

In February, Mayor Reid received the City's annual CDBG Allocation Notice from HUD indicating that Pearland will receive \$319,085 for HUD Program Year 2015 (City of Pearland Fiscal Year 2016). The FY '16 allocation is up \$5,291 from the current year amount of \$313,794.

In March, the City hosted the first of two required Public Hearing/Information sessions on the planning activities associated with the use of CDBG funding for next year. Now, we can begin the process for determining Pearland's intentions for using these funds.

The anticipated breakdown for Pearland's \$319,085 CDBG Allocation for fiscal year 2016 includes the following: (1), a maximum of \$47,862 (15%) can be allocated to local Public Service activities; (2) a maximum of \$63,817 (20%) can be allocated to the local government Entitlement Jurisdiction (City of Pearland) for Program Administration; and (3), the use of \$207,406 in CDBG funds for eligible infrastructure and local housing improvements in our City. The application for requesting CDBG Public Service funding for local non-profits has been made available to the public and 501(c)3 entities have begun the process of completing these in solicitation of funding for their programs, due May 15<sup>th</sup>.

As you know, the current CDBG Program Year 2014 funding included two new initiatives - home rehabilitation and code enforcement. The City has devoted \$231,036 of this year's allocation of \$313,794 to these two strategies, for improving certain housing conditions in situations associated with low-moderate income households. Rudolph "Rance" Rhame, our newly-hired Code Enforcement Officer, has been deployed to inspect areas of Pearland made of 40.93% low-moderate income households. He has also tagged along with other Officers as they patrol other areas of the City, so as to gain more knowledge and experience with the code enforcement practices of the City.

To date, Rance has performed a total of 116 code inspections, 65% of these have been located in the CDBG Target Area. Rance has also completed his basic Code Enforcement training and has received his Code Enforcement Officer I certification. Rance, Marisa Vazquez, Fire Marshal Roland Garcia, Grants Coordinator Joel Hardy, with technical assistance from CDBG Consultant Peg Purser (MKP Consulting), have all assembled various portions of their time and effort into the required CDBG planning and program delivery activities for the parts of the CDBG Action Plan that involve Code Enforcement and the Single Family Housing Rehabilitation Program.

In addition, the application period for accepting requests for grant funds for single family owner-occupied home repair and rehabilitation began in April, with a due date for Round 1 scheduled for May 15<sup>th</sup>. Since the opening of the application period, three requests have been submitted to the City and are currently being reviewed for merit and eligibility. As applications are submitted to the City, the aforementioned team of staff members, with technical support from the Pearland Neighborhood Center, will begin the review and assessment process. This will determine if the applicants are eligible to receive assistance, and to what extent HUD funds may be used to repair or rehabilitate their homes. A second round will be considered as applications are approved and expenditure projections determine if additional funds are available for future projects.

In preparation for the need to perform actual CDBG-funded home repair activities, staff is in the process of finalizing the completion of an RFP to be publicized for eligible agencies to bid on a City repair and rehabilitation contract. Certain 501(c)3 entities perform housing rehabilitation services as CDBG Subrecipient agencies in the area, and this has become a traditional method for completing such repairs and rehabilitation activities. The RFP is at 90% substantial completion and will be available for procurement review no later than April 23<sup>rd</sup>.

City staff and our contract consultant(s) agree that the use of a Subrecipient, as opposed to local building construction contractor(s), is the best way to proceed with securing an entity to perform these activities. Local contractors assumedly lack the capacity to attend to the various regulatory requirements associated with completing these types of projects; particularly where HUD Section 3 regulations and those associated with federal cost-principles or uniform administrative requirements. Surrounding jurisdictions, by and large, use these types of entities and our studies of CDBG programs in Sugar Land, Missouri City and other Entitlement Jurisdictions in the southeast Texas area suggest this is the best way for Pearland to proceed.

One element of the process for determining which homeowners actually receive funding is missing. We must organize or identify a committee that can act in an advisory role to provide a cursory level of consent to fund rehabilitation projects. SNAP is one option, but no final determination of its availability to act in this regard has been reached. Guidelines, a grant application, an RFP for repair and rehabilitation services, and a process for reviewing eligibility have all been prepared. However, the final decision-making component of the repair and rehabilitation grant award process has not been finalized. As the May 15<sup>th</sup> deadline for applications comes nearer, staff will complete this task and present it to the City Manager for approval.

Attached is a calendar outlining the actions and timetable needed in order to meet the filing deadline for submission of a CDBG Action Plan to HUD. Please note City Council actions scheduled for Regular Meetings on June 8<sup>th</sup> and July 27<sup>th</sup>. The calendar also includes a basic map of our City's CDBG Target Area for your review, but a detailed set of maps are being produced for the more thorough inspection of spending opportunities we'll consider in the coming weeks.

# City of Pearland - HUD PY 2015 (FY 2016) CDBG Action Plan Development Calendar

Allocation: \$319,085

Submission Deadline: August 15, 2015

## CALENDAR

### March (Complete)

- March 17<sup>th</sup> – Public Hearing and Information Session on Availability of Funds
  - CDBG Subrecipient Program Funding Application Workshop.
  - General Public Comments on Overall CDBG Spending Priorities acceptable.

### May

- May 1<sup>st</sup> – Deadline for Proposed Infrastructure Projects – CDBG (if applicable).
- May 15<sup>th</sup> – Deadline for CDBG Subrecipient Program Funding Applications.
- May 20<sup>th</sup> – Administrative Review and Prioritization of CDBG Subrecipient Program Funding Applications and Proposed Infrastructure Improvements.

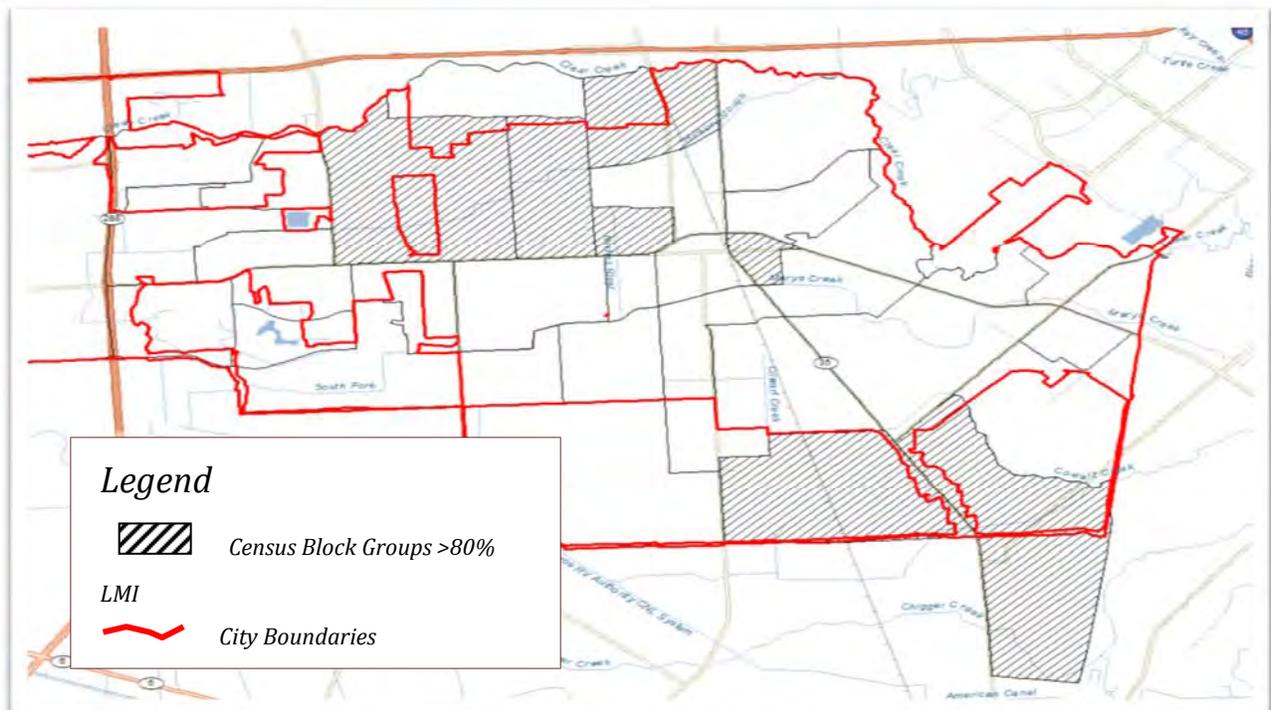
### June

- June 5<sup>th</sup> – Completion of Draft Action Plan – HUD PY '15 (COP FY '16).
- June 8<sup>th</sup> – Presentation of Recommended CDBG Project Funding to Council.
- June 11<sup>th</sup> – Public Notice of Public Hearing #2 and open 30-day Public Comment Period
- June 17<sup>th</sup> – Public Hearing #2

### July

- July 13<sup>th</sup> – Close of Public Comment Period on CDBG Draft Action Plan
- July 27<sup>th</sup> – Presentation of Final CDBG Action Plan to Council for Consideration and Approval
- July 28<sup>th</sup> to 31<sup>st</sup> – Prep Submission Package of COP PY '15 (FY '16) Action Plan to HUD

## CDBG TARGET AREA MAP



Street Detail Map Available Upon Request



**U.S. Department of Housing and Urban Development**  
Houston Field Office, Region VI  
Office of Community Planning & Development  
1301 Fannin, Suite 2200  
Houston, Texas 77002  
(713) 718-3199 - FAX (713) 718-3247  
www.hud.gov

**MAY 15 2015**

Ms. Claire Bogard  
Director of Finance  
City of Pearland  
3519 Liberty  
Pearland, Texas 77581

Dear Ms. Bogard:

**Subject: End of the Year Assessment Letter for Program Year (PY) 2013**  
(October 1, 2013 through September 30, 2014)

The Consolidated Annual Performance and Evaluation Report (CAPER) for the City of Pearland, Texas was received on December 29, 2014 and considered timely as it was received within 90 days of the end of the City's program year in accordance with 24 CFR 91.520 (a). HUD has determined the City of Pearland has the capacity to implement and administer the programs for which assistance is received. This **End of Year Assessment Letter** serves as the mechanism for HUD to communicate to Pearland, Texas and its citizens the results of HUD's determinations for the program year.

Under the Housing and Community Development Act of 1974, as amended, and the National Affordable Housing Act of 1990, the Department of Housing and Urban Development (HUD) is required annually to determine whether the grant recipient is carrying out activities and reporting within the statutory requirements. The evaluation of these actions is based upon the grantee's CAPER, data as reported in IDIS and other information (Annual Action Plan, Consolidated Plan, financial reports, etc.) available to this office.

The City of Pearland received \$333,253 in Community Development Block Grant (CDBG) funds in PY 2013. This is the second year of the City's five year Consolidated Plan (2012-2016) and HUD's report on our assessment of the use of grant funds.

Our review includes an analysis of the City's planning process, its management of funds, progress in carrying out the strategies and goals expressed in the Consolidated Plan, compliance with statutory and regulatory requirements, accuracy of required performance reports, and evaluation of its accomplishments in meeting key departmental objectives. Our end of the year assessment is directed not only toward meeting the mandates of the statutes but to provide the basis for working together collaboratively to achieve the goals of your community.

The review of the CAPER indicates no concerns or open findings of noncompliance with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Executive Order 11063, The Age Discrimination Act of 1975, Section 3 of the Housing and Urban Development Act of 1968 or

regulations promulgated under such statutes and authorities. However, the review by Fair Housing and Equal Opportunity (FHEO) noted the following:

- Section 3 reporting system is still unavailable for the submission of the 2013-2014 reports and The Economic Opportunity Division of the City will issue a notice when the system is re-launched.

During PY 2013 the City of Pearland addressed three (3) primary goals along and high priority goals identified to meet CDBG national objectives in the 2012 five-year Consolidated Plan:

### **PRIMARY GOALS**

- Assisted a non-profit organization for the provision of subsistence payment to aid households at risk of homelessness;
- completed the construction of a sidewalk project along Westchester; and
- begin work for the new traffic control signalization on Broadway (FM 518) and Garden

### **HIGH PRIORITY GOALS – CDBG NATIONAL OBJECTIVE**

- funding eligible public service agencies that serve low-to-moderate income Pearland residents
- developing and implementing long-range plan for infrastructure improvements
- providing facility improvements in CDBG Target Areas and for limited clientele populations and
- preparing for the implementation of new activities aimed at the prevention of impediments to fair housing

### **ACCOMPLISHMENTS**

- Westchester Circle sidewalk and associated drainage project fully completed
- Installation of 4-way traffic signal on FM 518 Broadway at Garden Road
- Forgotten Angels Day Habitation Center expansion of 1,000 square feet and fire sprinkler system completed
- Adult Reading Center remaining ADA ramp installation work was completed
- Pearland Neighborhood Center Emergency Assistance provided emergency financial assistance to 60 beneficiaries in 28 low-moderate income households
- Timeliness ratio is in compliance with CDBG regulation 24 CFR 570.902
- Benefits to low and moderate-income individuals exceeds 70% standard for overall program benefits

As a result of this office's assessment and the information provided in the CAPER, the following has been determined: (1) the City carried out its program substantially as described in its Consolidated Plan submission, (2) as implemented, the Plan complies with requirements of the Housing and Community Development Act and other applicable laws and regulations and (3) the City has the continuing capacity to carry out the approved program in a timely manner.

This report is to be shared with the public. You may provide copies to interested persons such as the news media, members of local advisory committees, and citizens attending public

hearings. We request that you provide this letter to the Independent Public Accountant who performs the single audit of the City of Pearland accordance in with OMB Circular A-133.

Please recognize that the comments and conclusions made in this letter are subject to a 30-day review and comment period by the City. We may revise this letter after consideration of the City's views and will make the letter, the City's comments and any revisions available to the public within 30 days after receipt of the City's comments. Absent any comments by the City, this will be considered the final letter on this subject.

We congratulate the City of Pearland on its accomplishments achieved during the 2013 Program Year. If you have any questions, please contact me or Lisa Peoples, Community Planning and Development Representative at 713-718-3116.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sandra H. Warren".

Sandra H. Warren, Director  
Community Planning & Development