



## Memo

To: City Manager's Office

From: Budget Office  
Finance Department

Date: September 17, 2021

Re: Budget Updates

City Manager Pearson,

Attached are a series of important updates regarding the FY22 Budget.

### **Section 1: Budget Memo #5**

A memo discussing Council's questions regarding a potential further property tax reduction, along with some additional scenarios that staff wish to make Council aware of.

### **Section 2: Food Establishment Inspection Process Memo**

A memo discussing Council's questions regarding the reinspection process and cost at food establishments.

### **Section 3: Texas Ambulance Supplemental Payment Program Memo**

A memo discussing an increase in one of the City's revenue streams that staff learned of on 9/14/21.

Best,

Eric Roche  
Budget Officer



**Memo**

To: City Manager's Office  
From: Finance Department  
Budget Office  
CC:  
Date: September 17, 2021  
Re: FY22 Budget Follow-Up Memo #5

City Manager Pearson,

The FY22 Proposed Budget was amended on September 13<sup>th</sup>, 2021 by the City Council. The only change made to the Budget resolution was to reduce General Fund expenditures by \$750,000. The intent is to remove the \$750,000 General Fund cash-funded Emergency Storage Facility as a one-time expense from FY 22 in the General Fund. With total expenditures in the General Fund thereby reduced, the new Attachment A for the Budget Resolution expenditures changes from \$100,332,064 to \$99,572,064.

Before finalizing the change at Second Reading, the City Council requested additional information on how this \$750,000 cut will affect the tax rate if Council chooses to further lower the tax rate on the 2<sup>nd</sup> and final reading of the budget on September 27<sup>th</sup>.

**Section 1: What is the TIRZ Administrative Fee?**

The City entered into a Development Agreement with Shadow Creek Ranch Development Company in September 1999. Section 5.2 of the agreement states that the City shall maintain the accounting records of the TIRZ and in return receives an Administrative Fee equal to 64 percent of the City's increment. However, the amount retained by the TIRZ shall not be less than \$0.255 per \$100 of the captured appraised value Revenue from the Administrative Fee is allocated to the General Fund; for FY 22, that amount is budgeted at \$13.2 million and in FY 21 it was \$12.6 million.

Below is a snippet from Page 15 of the City of Pearland Reinvestment Zone Number Two Project Plan and Financing Plan.

**Section III.A.2.C**

c. City Reimbursement: The City has already incurred and will continue to incur substantial administrative costs, including the time spent by its employees, in connection with the implementation of the Plans and the conduct of the Zone. To aid the City and the Zone by providing for certainty in budgeting, the reimbursement due to the City for its administrative costs is included as a Project Cost. The City's administrative reimbursement (not shown in Exhibit E, TIRZ Budget) shall be the following amounts in the applicable calendar years, expressed as a percentage of the City's Tax Increment (the "City Increment"),

Years 1-3 (1999-2001)	No reimbursement.
Years 4-8 (2002-2006)	36 percent of the City Increment.
Years 9-30 (2007-2028)	64 percent of the City Increment.

provided that the amount deposited and retained annually by the Zone attributable to the City Increment for the applicable year shall in no event be less than (i) 44¢ per \$100.00 of the “Captured Appraised Value” (as such term is defined in §311.012(b) of the Act) of the City Increment in years four through eight, and (ii) 25½¢ per \$100.00 of the Captured Appraised Value in years nine through thirty.

### Section 2: Interplay Between TIRZ Administrative Fee Calculation and Property Tax Rate

The Administrative Fee due to the City is equal to the *lesser* of 64 percent **or** the City’s Tax Rate less the Minimum Rate retained by the TIRZ, which is \$0.255 per \$100 of the captured appraised value.

The following chart shows the changes in the Administrative Fee percentage over the years as the City’s Tax Rate has changed. You can see with the total rate above 0.708250, the Administrative Fee from the TIRZ #2 to the City’s General Fund has been maximized at 64%.

TIRZ Year	Tax Year	Fiscal Year	City Tax Rate	Minimum Tax Rate to be retained by the TIRZ	Maximum Tax Rate to pay City (City Tax Rate - Minimum Retained by TIRZ)	City Tax Rate * Admin fee %	Lesser of Max Tax Rate or Calculated tax Rate (col H)	% of Current Tax Rate for Admin Fee
9	2007	2008	0.65260	0.2550	0.3976	0.4177	0.3976	60.93%
10	2008	2009	0.65260	0.2550	0.3976	0.4177	0.3976	60.93%
11	2009	2010	0.65260	0.2550	0.3976	0.4177	0.3976	60.93%
12	2010	2011	0.66510	0.2550	0.4101	0.4257	0.4101	61.66%
13	2011	2012	0.68510	0.2550	0.4301	0.4385	0.4301	62.78%
14	2012	2013	0.70510	0.2550	0.4501	0.4513	0.4501	63.83%
15	2013	2014	0.70510	0.2550	0.4501	0.4513	0.4501	63.83%
16	2014	2015	0.71210	0.2550	0.4571	0.4557	0.4557	64.00%
17	2015	2016	0.70530	0.2550	0.4503	0.4514	0.4503	63.85%
18	2016	2017	0.68120	0.2550	0.4262	0.4360	0.4262	62.57%
19	2017	2018	0.68506	0.2550	0.4301	0.4384	0.4301	62.78%
20	2018	2019	0.70916	0.2550	0.4542	0.4539	0.4539	64.00%
21	2019	2020	0.74121	0.2550	0.4862	0.4744	0.4744	64.00%
22	2020	2021	0.72000	0.2550	0.4650	0.4608	0.4608	64.00%
23	2021	2022*	0.70825	0.2550	0.4533	0.4533	0.4533	64.00%
23	2021	2022**	0.70142	0.2550	0.4464	0.4489	0.4464	63.64%

\*Total Property Tax Rate in FY22 recommended budget.  
 \*\*Total Property Tax Rate after additional \$750k in revenue reductions.

### Section 3: Minimum Property Tax Rate that Maximizes TIRZ Administrative Fee Revenue

The minimum Property Tax Rate that will generate the 64 percent rate for the Administrative Fee is the current proposed rate of \$0.708250 per \$100. A lower Property Tax Rate below that begins to decrease the Administrative Fee rate below 64 percent.

Therefore, a further decrease in the Property Tax Rate results in a reduction in the FY22 TIRZ Administrative Fee revenue in the General Fund as the TIRZ Fund cannot go below the minimum rate of 0.255 as per the Development Agreement.

#### Section 4: Reducing Property Tax Rate to Decrease Revenue by \$750,000

To reduce the General Fund Property Tax Revenue by \$750,000 the following changes would need to be amended onto the Property Tax Ordinance on 9/27/21.

The recommended FY 22 O&M Rate of 0.316250 would be reduced to 0.309416. This change would reduce Property Tax Revenue by \$678,266 and the TIRZ Admin Revenue by \$73,370 for a total reduction of \$751,636. The TIRZ Admin rate would be reduced from 64% to 63.64%. **The total tax rate would change from 0.708250 to 0.701416 – an additional total property tax rate reduction of 0.006834.**

**Second, an amendment to the Budget Ordinance Attachment A will need to be made that reduces the Total General Fund revenue from \$100,353,728 to \$99,602,092 – a \$751,636 decrease.**

#### Section 5: Council Goals and Opportunity Cost

The City Council has set several important initiatives for City staff. The goals were sorted by Council Members into different priorities and can be seen below:

**1. Top Priority**

- a. *Support small, local, and expanding businesses/Simplify permitting*
- b. *Scrub the general fund budget to identify \$0.01 and \$0.02 value options for expenditure reductions/reallocations for FY 23*

**2. High Priority**

- a. *Long term capital asset financial plan (asset management tracking, plan to create internal service funds, financing)*
- b. *Promote high-quality, dense development that adds the highest possible value – consider suite of options (residential and commercial)*

**3. Other**

- a. *Adopt stormwater utility fee*
- b. *Creation of anchor districts, catalyst, regional amenity*

The City's population growth, commercial and residential development, and inflation, even in normal inflationary times, will cause the services in terms of scale and variety to grow commensurate with our City's budget. Much of the FY 22 revenue/expenditure increase is due to the short-time infusion of ARPA money into the General Fund.

Despite having a larger population and seeing higher than normal inflation, the City has built-in a property tax rate decrease for the second year in a row.

## Property Tax Decreases Since FY20



Year	No-New-Revenue Tax Rate	City Adopted / Proposed Rate	Difference between No-New-Revenue Rate and City Rate
FY21	0.737640	0.720000 (adopted)	0.017640
FY22	0.735485	0.708250 (proposed)	0.027235
		<b>Total Tax Decrease</b>	<b>0.044875</b>



Decreasing the City property tax rate is significant and helps meet one of the City Council’s top priorities – 1B (Reducing Property Taxes).

The current proposed property tax rate of 0.708250 is below the No-New-Revenue and Voter-Approval Rates. Reducing the city’s revenue stream by further reducing the property tax rate from the current proposed rate will make other priorities, such as 1B exponentially harder to achieve in FY23 and beyond.

For a house valued at \$300,000 the FY22 initially recommended property tax rate of 0.708250 reduces the tax bill from FY21 by \$34.66, or \$2.88 per month.

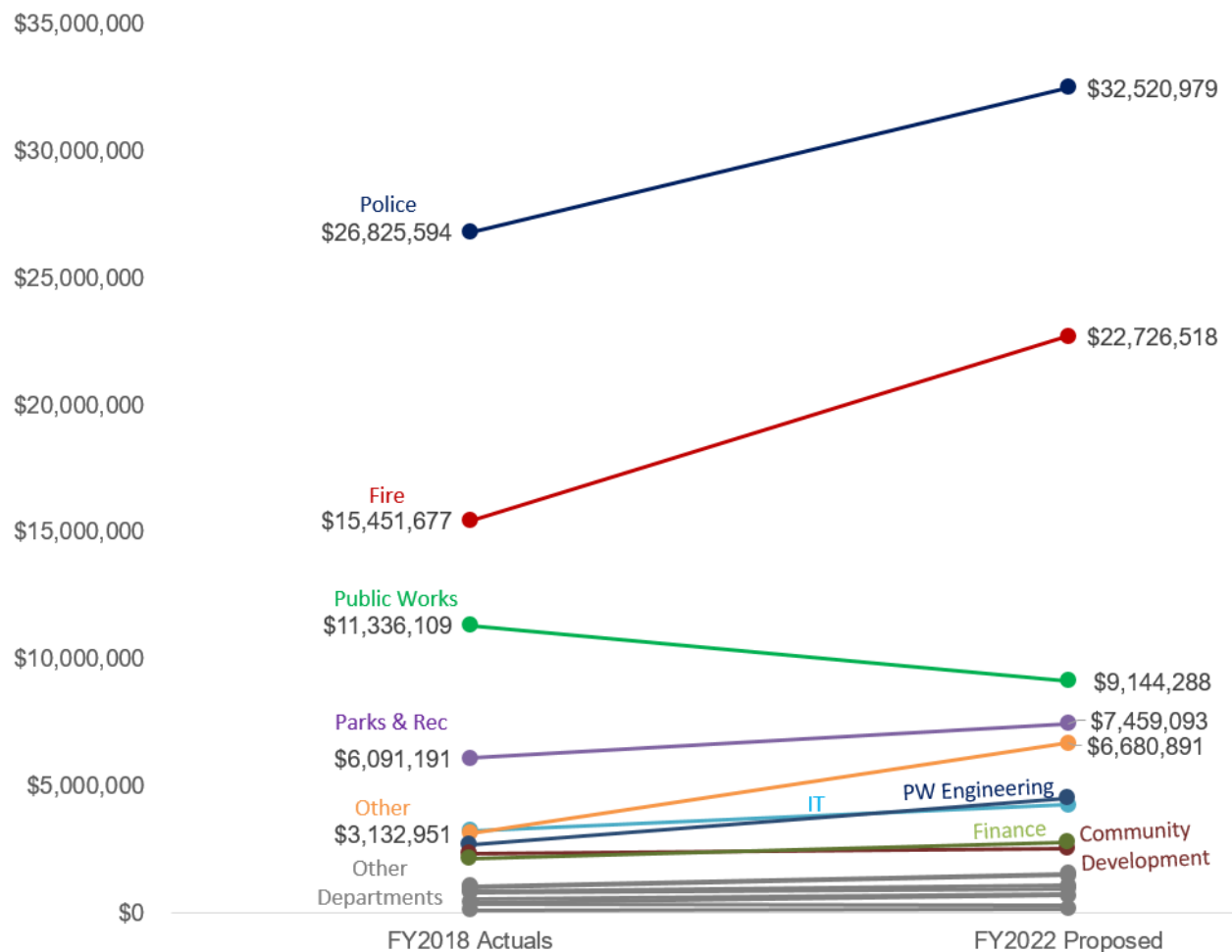
If the further property tax rate reduction noted in section 4 is enacted (a further rate reduction of 0.006834), a household valued at \$300,000 would see an additional savings of \$20.16 on their tax bill, or \$1.68 per month.

**At the City’s current level of development, it is not feasible to continue reducing revenue on the expectation that new construction revenues will come in high enough to offset infrastructure maintenance costs or support evolving City Council’s stated goals and objectives.** It is important that the city shift its mindset from one of “development” to one of maintenance.

**On the spending side of the equation, the growth in the City’s budget is almost entirely in Public Safety Departments. The chart below shows the change in each department between FY18 and the FY22 proposed budget.** It is important to note that the “Other” category, in orange, contains \$1.5M that will be redistributed to other departments for Comp and Class implementation. \$1M of this amount is the funding that Council requested be removed from other line-items to help further implement the Comp and Class recommendations in FY22. The other \$500,000 is for sick leave buyback and bi-lingual position pay.

To make the chart readable, the smallest departments are colored gray and not labeled. The full dataset can be found at the end of this memo.

Change in Budgets by Department Between FY18 and FY22 Proposed Budget



It's also important to understand that SB2 changed the way cities can raise revenue in times of need. Right now, due to growth in sales taxes caused by COVID-19 and an 'hot' housing market, Pearland has not been adversely affected. If total sales tax revenue begins to level off – as was the case for several years before COVID-19, then **the City could easily find itself in a situation where growth in base expenditures for essential services, where there is not any argument that majority of City expenditures are directed, exceed the City's ability to raise revenue under the 3.5% property tax revenue growth cap.** The State-mandated rollback rates make long-term impact of individual year rate rollbacks a long-term revenue challenge, particularly for growing cities such as Pearland.

For example, if residential development areas expand further necessitating another new fire station being built and staffed, that is an expensive operating proposition. Sustaining that operation will require growth in property tax revenue beyond the 3.5% cap – creating a funding gap. Costs of providing services will generally increase 2-3% each year. It doesn't take long to back ourselves into a problem if we are increasing costs and decreasing revenue. We must take the long-run view of revenues and expenditures. If Council wishes to continue cutting property tax

rates and resulting revenue, it is important to do it slowly, so that the City isn't hedging on future growth.

### **Alternatives for Consideration**

Should the City Council choose to cut property taxes further than proposed in FY22, they should be aware that it will have an opportunity cost. Alternatives are put forward for consideration.

#### **Alternative 1**

**The revenue could be levied and made available for allocating at mid-year FY 22 to Infrastructure.** According to the FY21 Street and Sidewalk Whitepaper (attached), the City should annually be spending \$4.6M on streets and \$1.7M on sidewalks to maintain current condition. If not maintained, deferred costs grow exponentially. The \$750,000 that reduced from the expenditure budget could be redirected towards infrastructure spending (Council Priority 2A). Currently, \$1,462,471 is being transferred to the Infrastructure Reinvestment Fund for Street and Sidewalk Maintenance. **Adding \$750,000 to the street and sidewalk budget would boost the amount of spending on infrastructure by 51%.** The City would still be behind on what it needs to spend, but it would be a major step in the right direction.

This option would require a transfer from the General Fund to the Infrastructure Reinvestment Fund, hence the amendment is a little more complicated than usual. To choose this option Council would need to amend the budget in the following way:

“Proposing an amendment to increase expenditures in the General Fund by \$750,000 for a total expenditure budget of \$100,332,064 and amending the Infrastructure and Reinvestment Fund by increasing total revenue to \$2,212,471 and expenditures to \$2,303,000.”

#### **Alternative 2**

**The revenue could be levied and made available to pay for the second part of the Class and Comp implementation in FY23.** The City could not fully fund the implementation in FY22, and cutting revenue would only make this harder in FY23. No changes to the current proposed budget would need to be made if this option is chosen by Council. The \$750,000 would fall to Fund Balance. The City Council could also choose to use this money to further implement the Class and Comp salary adjustments in FY22.

#### **Alternative 3**

**The revenue could be levied and made available to begin capitalizing the upcoming Facilities Fund.** Staff have been asked to create and begin funding a Facilities Fund to properly capitalize and maintain our facilities valued at \$75,115,000<sup>1</sup>. This fund will require significant revenue to be effective. Currently, the money for the facilities fund will have to come from future revenue growth or be carved out of existing operational line items. Using the \$750,000 in revenue to begin seeding the Fund would jump start it and help offset future facility repair/reinvestment needs. If this option is chosen by Council, staff would return with a budget amendment to appropriate the money once the Fund is prepared. No additional action would need to be taken to amend the proposed budget.

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<sup>1</sup> This is the current depreciated value. Figure comes from the City's Comprehensive Annual Financial Report for FY20, page 44 of the PDF document.

<https://www.pearlandtx.gov/departments/finance/comprehensive-annual-financial-report>

## Section 6: Conclusion

What level the property tax rate should be set at is entirely up to the City Council. Staff will make any adjustments that are needed should the rate be adjusted at the next council meeting. The City's Budget already struggles to fund all the Council's priorities and maintain current and expected levels of service. The proposed budget meets many of these goals – including a property tax rate cut. Staff believe that reducing property tax revenue further now a large assumption that those future revenues come in strong. If they do not, the City's financial position may not allow us to complete many of the priorities outlined by Council in Section 4 – and may even result in the need for a property tax *increase* in the future.

Regardless of the decision, the FY 22 Budget will advance another year of quality services and advances for Pearland. Decisions need to be made at the September 27 meeting and we look forward to the year ahead. Because of the necessity to adopt a budget on September 27 and the interrelated and complex nature of changes at this late date, any questions or clarifications are essential to be received and vetted fully for calculation before the 27<sup>th</sup>.

### Appendix A – Total Department Spending Over Time (GF Only)

Department	FY2018 Actuals	2019 Actual Amount	2020 Actual Amount	2021 Estimated Amount	FY2022 Proposed
Police	\$26,825,594	\$28,107,629	\$28,803,190	\$32,463,366	\$32,520,979
Fire	\$15,451,677	\$16,715,815	\$18,044,718	\$20,252,583	\$22,726,518
Public Works	\$11,336,109	\$9,226,353	\$7,473,977	\$7,945,222	\$9,144,288
Parks and Recreation	\$6,091,191	\$6,219,982	\$5,739,764	\$6,442,897	\$7,459,093
IT	\$3,235,567	\$3,204,528	\$3,404,134	\$4,084,073	\$4,250,081
Other	\$3,132,951	\$3,101,404	\$4,460,586	\$6,051,264	\$6,680,891
Public Works Engineering and Capital Projects	\$2,661,694	\$3,600,590	\$4,028,156	\$4,264,200	\$4,504,518
Community Development	\$2,335,786	\$2,204,508	\$2,104,098	\$2,577,837	\$2,555,102
Finance	\$2,152,389	\$2,313,468	\$2,248,061	\$2,792,097	\$2,793,563
Human Resources	\$1,049,617	\$1,116,854	\$1,305,744	\$1,630,329	\$1,563,637
City Manager's Office	\$996,292	\$1,090,049	\$1,084,453	\$1,526,386	\$1,475,446
Legal	\$846,919	\$817,676	\$932,163	\$981,369	\$1,083,771
Municipal Court	\$815,148	\$782,870	\$756,735	\$907,093	\$949,065
Communications	\$531,915	\$520,436	\$576,213	\$641,696	\$724,395
City Seretary's Office	\$413,327	\$459,457	\$474,434	\$671,055	\$692,264
Library	\$367,628	\$407,906	\$361,895	\$423,612	\$278,587
City Council	\$109,438	\$137,640	\$130,792	\$172,841	\$169,866



**EXHIBIT A**  
**City of Pearland**  
**Fiscal Year 2021-2022 Budget**

Fund Description	Revenues	Expenses
	Adopted Budget	Adopted Budget
<b>OPERATIONS</b>		
100 General	100,353,728	99,572,064
200 Debt Service-General	43,172,285	44,425,764
900 PEDC	11,917,344	26,346,571
<u>Special Revenue Funds</u>		
305 Hotel/Motel	927,900	1,067,623
310 Municipal Court Security	48,004	45,609
315 Citywide Donation	30,067	50,459
320 Court Technology	45,100	48,533
330 Parks Donations	105,650	105,550
331 Tree Trust	2,100	280,500
332 Parks Financial Assistance Donations	2,550	2,500
335 Police State Seizure	108	37,200
336 Federal Police	100	
340 Park & Recreation Development	98,000	458,754
345 Sidewalk	5,100	
350 Grant	1,841,796	1,843,115
351 Community Development	462,666	462,666
352 CDBG - Disaster Recovery Fund		
353 Disaster Recovery Fund		
354 Hazard Mitigation Fund	1,073,790	1,073,790
355 Coronavirus Relief Fund		
356 ARPA Fund	5,944,486	5,964,486
360 Traffic Impact Improvement	100	214,920
365 Truancy Prevention and Diversion	52,600	51,984
366 Municipal Jury Fund	1,025	1,000
370 Municipal Channel	236,500	860,500
380 Regional Detention		
510 Lower Kirby		
514 Infrastructure Reinvestment Fund	1,462,471	1,553,000
<u>Internal Service Fund</u>		
700 Risk Management Fund	2,496,691	2,478,801
702 Medical Self-Insurance	9,775,632	9,775,633
703 Motor Pool	12,802,969	4,562,078
<u>Proprietary Funds</u>		
600 Water and Sewer	54,437,322	64,055,530
601 Water and Sewer Debt Fund	30,676,991	26,416,290
610 Solid Waste	8,203,800	8,200,000
<b>SUB TOTAL - OPERATIONS</b>	<b>286,176,875</b>	<b>299,954,920</b>
<b>CAPITAL IMPROVEMENT PROGRAM</b>		
<u>Water/Sewer Capital Projects Funds</u>		
550 Utility Impact Fee	1,100,000	7,299,324
551 Water Impact Fee		
552 Sewer Impact Fee		
555 Shadow Creek Impact Fee		
565 1999 W & S Revenue Bonds		2,154,393
566 W & S Revenue Bonds 2020		29,239
567 TWDB Revenue Bond Series 2020		60,381
568 W & S Revenue Bonds 2021		101,992
569 W & S Revenue Bonds 2022	94,859,397	60,949,508
570 Water/Sewer Pay As You Go	3,819,000	2,889,938
571 TWDB Bonds 2021		43,645
572 TWDB Bonds 2022		
573 TWDB Bonds 2023		
574 W&S Revenue Bonds 2023		72,716,490
575 MUD 4 Capital Program		
576 W&S Revenue Bonds 2024		43,795,365
<u>Capital Projects Funds</u>		
500 Capital Projects	2,162,000	2,307,802
501 Capital Projects-CO 2001	450,000	1,338,212
503 Capital Projects-CO 2006		3,542
506 Capital Projects-GO 2009		987,032
507 Capital Projects-GO 2020		329,934
508 Capital Projects-CO 2020	2,553,600	5,657,767
509 Capital Projects-GO 2021		38,327
511 PEDC Projects		
512 Capital Projects-CO 2021		55,834
513 Capital Projects-GO 2022	36,387,377	17,367,565
515 Capital Projects-CO 2020 (TIRZ)		282,303
516 Capital Projects-CO 2021 (TIRZ)	18,472,464	55,498
517 Capital Projects-CO 2022	32,808,776	26,786,884
518 Capital Projects-CO 2022 (TIRZ)	19,539,500	17,085,372
519 Capital Projects-GO 2023		5,118,985
520 Capital Projects-CO 2023		5,575,506
<b>SUB TOTAL - CIP</b>	<b>212,152,114</b>	<b>273,030,838</b>
<b>GRAND TOTAL:</b>	<b>498,328,989</b>	<b>572,985,758</b>

# FY22 White Paper

To: Clay Pearson, City Manager

From: Clarence Wittwer, Director of Public Works

CC: Trent Epperson, Assistant City Manager  
David Van Riper, Assistant Director of Public Works  
Eric Hammond, Assistant Director of Public Works

Date: December 15, 2020

Re: Streets & Sidewalks Investment (Update)



## **Background:**

The intent of this memo is to provide an update on the prior year Streets & Sidewalks Investment White Paper dated January 31, 2020.

In FY20, City Council adopted a Budget which restored the street and sidewalk reinvestment programs to \$1,104,522. and \$701,266. respectively.

Budget dollars in FY20 are to accomplish reinvestment in the existing street and sidewalk networks to improve mobility, reduce degradation in the pavement condition index, and sustain commuter safety. However, COVID-19, a broadscale pandemic impacted the Pearland community and the country in March of 2020, severely impacting the ability to maintain adequate staffing levels, safely conduct maintenance operations and secure both materials & contracted services for extended periods of time. Because of the pandemic, Brazoria County, whom we partner with under an interlocal agreement are also severely affected. County realized staffing shortfalls and schedule conflicts, resulted in their inability to assist in interlocal paving work scheduled for FY20, until FY21. As such, decreases in completion of planned work were realized in all maintenance services and the full budget allocation was not utilized.

In addition to the obstacles presented by COVID 19, the Public Works Department spent much of the year understaffed due to turnover, suffered multiple equipment failures, and underwent a reorganization to provide long-term service level improvements and provide a complete streets approach to right of way management. The internal organizational change included the merger of streets and drainage services into the Right of Way Division which historically provided more traditional right of way services such as landscape management, pavement marking, traffic sign management, utility locates & permitting as well as general aesthetic and enhancement services. The merger was conducted in the fourth quarter of FY2020 (July) and placed all management under a single chain of command.

The above impacts *resulted in minimal reinvestment of only \$190,550 (17%) in streets and \$386,093 (55%) in sidewalks.* A positive is that in FY 19 a dedicated streets and sidewalks asset fund had been established and those monies remain earmarked and ready for use to that purpose.

Despite these challenges, the follow list captures several of the improvements made to the pavement network and related services in FY20.

### **Streets:**

- Through the use of contracted services, reclamation and overlay of 1.19 miles ft of asphalt road on O'Day RD at a cost of \$80,371
- Using in-house services, filled 3,304 Potholes

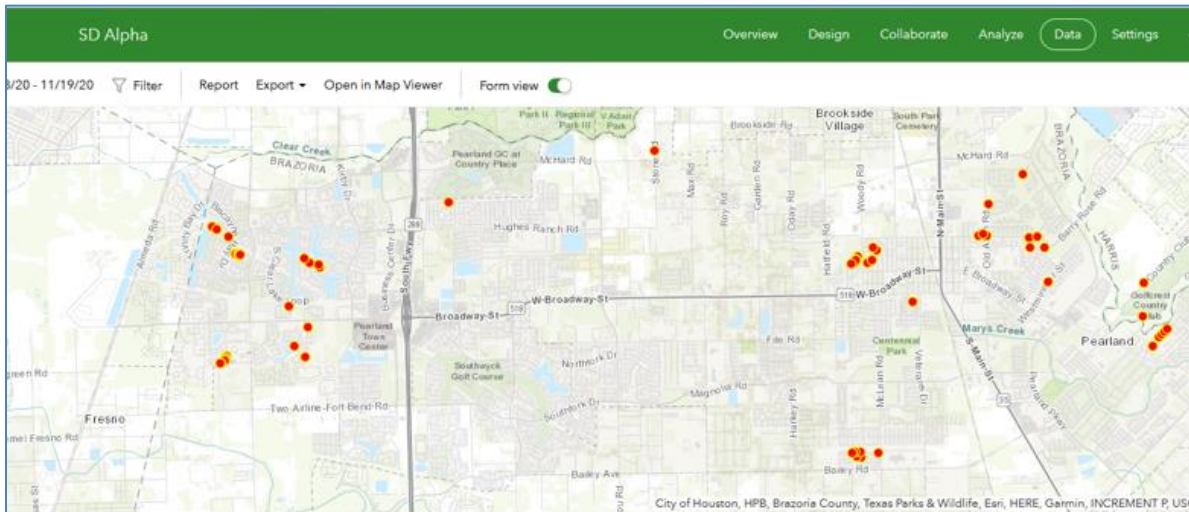
### **Sidewalks:**

- .65 Miles (3,448.18 linear feet) of sidewalk was removed and replaced at a cost of \$114,561.
- 406.95 Inch Foot (In-Ft) of sidewalks sliced to remove trip hazards at a cost of \$20,348.
- 83,729 ft<sup>2</sup> of sidewalks mud raised at a cost of \$251,184.
- 992 Sidewalk work requests closed.

### **General Accomplishments:**

- The Right of Way (ROW) Division successfully merged the street and drainage services with the traditional right of way management services to form a new unified ROW Division, tasked with providing a complete streets approach to right of way management.
- The Division, in conjunction with the IT-GIS Division and many other business partners developed an innovative way of capturing and documenting damage assessment throughout hurricane and storm related events.
- *Developed a Sidewalk Repair Policy that outlines the qualifications and prioritization of sidewalk repair needs.* This policy is now used in place of subjectivity and includes criteria such as life safety; pedestrian use; connectivity and work order aging to determine the severity, priority and repair method of the sidewalk network. In conjunction with this policy, the Division designated maintenance zones to more equitably utilize the sidewalk repairs funds across the community. These zones dissect the community into five areas and allow equal budget dollars to be invested based on policy determination. Past practice could exhaust most of an annual operations budget within a single subdivision and not allow for service provision City wide.
- Developed and implemented a work order submission and tracking tool Survey 123, used to identify, record, track and geo locate needed or completed work conducted along street and drainage infrastructure. Below is an image from the Division's new sidewalk tracking application.

## Image from Work Order Tracking Application



### Shift in Strategy – Brazoria County Inter-local Agreement:

In FY20, to further the maintenance of the pavement network, the City partnered with Brazoria County to expand the services of the Inter-local Agreement. That expansion included *revising the scope of joint pavement services within the City*. Historically, pavement support from Brazoria County was received in the form of asphalt overlay services on roads where City staff previously completed necessary base repairs and committed to provide all traffic control services throughout the duration of the overlay project. This method of providing municipal base repairs and all traffic control services, taxed staffing resources for an extended period before and through the duration of the project

City staff met with the County paving operations team and County engineer to review the status of the program and shift to County provided *full depth reclamation with no assistance from the City except for funding and coordinating a contracted traffic control company to perform traffic control and flagging throughout the duration of the project*. The new strategy allows City staff to focus on planned in-house paving, drainage maintenance and sidewalk repair work. The County agreed to provide full depth reclamation for asphalt roadways when needed at a rate of one third (1/3) the miles receiving asphalt overlay services, due to the added cost and time necessary to provide this full-depth service.

It should be acknowledged that 1/3 of the County operating and road/bridge mileage revenue comes from residents and businesses within the incorporated City of Pearland portion of Brazoria County and (separate from the Road and Bridge fund) sales tax revenue from incorporated areas within Brazoria that are also within the City of Pearland. As such, the City of Pearland currently receives more asphalt paving services than any other city within the county. On average, *the City receives three times the annual pavement services provided to competing municipalities*.

Lastly a modification to the inter-local agreement is in the works to allow City staff to utilize County paving equipment, free of charge, on City projects with the understanding that the City will fund any necessary repairs to loaned equipment while in the City's possession. Brazoria County is resourced with a robust asphalt services fleet and specialty tools that are oftentimes challenging for the City to acquire. *Thanks to the good road cooperation with Brazoria County, the loan program under the current inter-local can provide these necessary resources to the City for in-house operations, without the initial purchase cost and long-term maintenance costs for equipment we cannot utilize on a regular basis.*

Unfortunately, due to COVID-19, concurrent major restructuring of the streets & drainage division resulting in a completely new leadership team, and scheduling conflicts for Brazoria County to begin paving operations within the Pearland community, interlocal paving was postponed until the final days of FY20. Stone Road and Harkey Road were selected for the FY20 interlocal paving plan with the combined lengths of these roads equaling the 1/3 annual allowance of full depth services when compared to traditional asphalt overlaying. (On average, the City receives 5-6 miles of asphalt overlay services annually. However, when more substantial road repairs are necessary, the City receive full depth reclamation services which involve the milling and restoration of base failures prior to overlaying with asphalt. Based on the requirement for additional resources when full depth reclamation services are provided, one mile of full depth reclamation is equal to three miles of asphalt overlay) Stone Road was the first to be completed under this new agreement and did not begin until September 29, 2020 and was completed November 25, 2020.

Due to the unprecedented challenges of 2020, City staff again provided in-house traffic control for this project which impacted most of the Division’s staff resources for a period of two (2) months. Harkey Road is currently underway.

**FY20 Programmed Street Work:**

To more appropriately align the City’s limited street maintenance resources, the FY20 budget was funded at \$1,104,522. for street related activities. As mentioned above and in previous pavement memos, a majority of the roadwork competed in FY 20 occurred on O’Day Road, which underwent a delayed restoration process due to prolonged equipment failures and a impacts from a Tropical Storm that undermined repair efforts and ultimately required the support a resourced contractor to complete the repairs. The following tables identify the street maintenance work planned for FY20 and programmed approach to invest back into the pavement infrastructure. As indicated in the column to the right of each section, the status of each planned project illustrates the magnitude of the impact COVID-19 as well as plagued equipment failure on the completion of the annual work plan.

**I. In-house planned work**

<b>Street</b>	<b>To</b>	<b>From</b>	<b>PCI</b>	<b>Length</b>	<b>Width</b>	<b>Status</b>
<b>Laurie St</b>	Garden Rd	O'Day Rd	37	2028	20	Incomplete
<b>Lazy Bend</b>	Gardenia	Broadway	36	1440	21	Incomplete
<b>Thelma St</b>	Gardenia	Broadway	62	1235	19	Incomplete
<b>Gardenia</b>	O'Day	Garden Rd	40	2019	18	Incomplete
<b>Knapp Rd</b>	Dead End	Main St.	33	2700	20	Incomplete
<b>Alice St</b>	Profax	Main St.	42	1403	28	Incomplete
<b>Zychlinski Dr</b>	Grand Blvd	Park Ave		305	30	Incomplete
<b>S. Houston Ave</b>	Walnut	Broadway	29	1230	18	Incomplete

<b>Rayburn</b>	Dead End	Dixie Farm Rd	32	872	14	Incomplete
<b>Hawk</b>	Cullen Rd	Norfolk	63	2629	22	Incomplete
<b>Hillhouse</b>	Dead End	Hughes Ranch Rd.	52	2086	20	Incomplete
			3.40	Miles		

## II. County Turnkey (full-depth) Reclamation and Paving

Street	To	From	PCI	Length	Width	Status
Stone Rd.	Hughes Ranch Rd	Brookside Dr	51	7800	20	Complete
Harkey	Bailey Rd	Magnolia	58	4545	29	In process

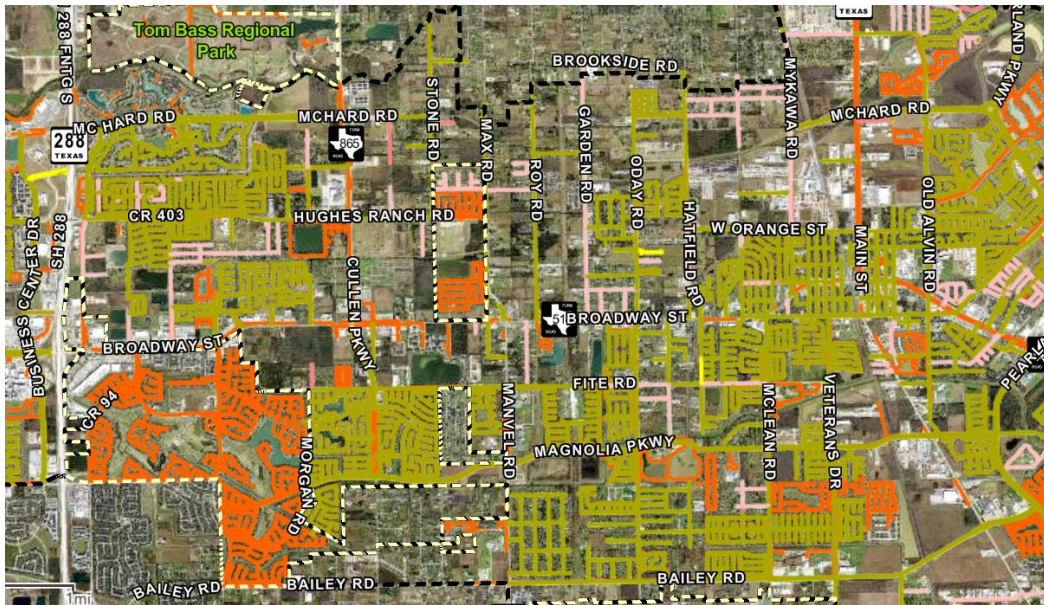
2.34 Miles

## III. Curb Repair and Crack Seal Program

Two additional street related programs that were planned for FY20 include the development of a curb repair and replacement program to address the increasing number of broken curbs in the city as well as the development of crack seal program to maintain current streets.

- The *curb repair* program remains in development, however, since the transition of this program to the Right of Way Division, staff have already made monumental strides in development of a curb management program. The initial step was to leverage the power of the IMS survey and quantify all curbing within the network. Data was mined from past infrastructure audits and all curbing as well as the condition was plotted on a GIS mapping system. The condition of the curb network ranges from very good, good, fair, poor and very poor. The team then divided the community into program zones for management and routing purposes. Next steps in the development of the curb repair program, which are planned for third quarter FY21, is to develop a curb repair policy and initiate a contract for outsourced repairs. Below is an image from the curbing condition layer housed on the City's GIS system.

## Curb Inventory & Condition Image



- *Crack sealing* is essential for preventing moisture from undermining the base of City streets. The Division acquired its first crack sealing machine in January of 2021. While in the early stages of program development, staff intend to leverage the data provided by the IMS survey to identify specific locations throughout the pavement network that would benefit from this sealing services. As listed further within the memo, staff intend to partner with RoadBotics for the purchase of in-house pavement surveying system. The RoadBotics tool allows staff to drive a desired roadway and record the pavement surface. The video is then run through a software to dissect the road network into 10' segments. This software then identifies deficiencies in the pavement surface and geolocates them on a GIS map for quick repair by staff. Crack sealing is an integral part of any asphalt management program and it is anticipated that the first cracks to be sealed by City staff will occur in the second quarter of FY21.

### **FY20 Sidewalk Work:**

Like the realignment of the street operations budget, the FY20 sidewalk budget was also enhanced last year to provide for a more robust sidewalk management program. The FY20 sidewalk budget was funded at \$701,266. However, COVID-19 and the resulting impacts from the pandemic affected this service as well. The following sidewalk work was planned and completed based on repair method:

- 11,123 LF of Sidewalk replacement planned; 3,448.18 LF at a contract cost of \$114,560.87 completed
- 64,021 ft<sup>2</sup> of sidewalk mud raising planned; 83,729 ft<sup>2</sup> completed at a contract cost of \$251,184
- 10,543 In-ft of sidewalk planned for slicing; 406.95 In-Ft completed at a contract cost of \$20,347.67

### **FY21 Programmed Sidewalk Work:**

The plan of the Streets & Drainage Team is to continue focusing on addressing the multiple backlogged work orders submitted community wide with priority based on the Sidewalk Repair Policy. The approach is intended to improve community safety, maximize resources and restore a level of customer service to residents that in many cases have not received sidewalk services for several years following their submission. \$525,019 was approved in the FY21 budget process for FY21. Coupled with the remaining funds from FY20, we have a total of \$821,000 programmed for FY21. As of December 2020, \$205,349 (33%) was invested back into the network. The estimated sidewalk work planned for FY21 and based on each repair type is listed below

- 25,855 LF of Sidewalk replaced at a contract cost of \$446,000
- 110,000 ft<sup>2</sup> of sidewalk mud raised at a contract cost of \$330,000
- 474 In-ft of sidewalk sliced at a contract cost of \$45,000

### **FY21 Programmed Street Work:**

In FY21 the Department will expand further the new sidewalk repair tracking tool, to include pothole tracking, drainage services, and other general division related tasks that can be enhanced by leveraging available technology and asset management. As well as further develop the joint seal and curb repair/replacement programs as previously identified for second and third quarter of 2021. \$1,000,000 was funded in the FY21 budget process for street reinvestment. With the remaining funds from FY20, we have a total of \$1,815,972 programmed for FY21. As of January, 2021, \$211,794 (12%) has been invested into the network. This total expenditure is omissive of any invoices that are currently being generated for interlocal paving operations underway along Harkey Road

Also planned for FY21 is the implementation of a new data collection tool from RoadBotics. This tool allows for City staff to conduct a road survey and determine the condition/PCI score inhouse by mounting a smart phone to the windshield of a vehicle and recording while driving the roadway. Video data captured by the phone's camera is analyzed and broken into 10' segments by RoadBotics. The condition of each segment is used to determine a score for the road surface, geo locate exact areas of potholes and other deficiencies. This data is then uploaded into the City's GIS system in a easy-to-use format to better communicate repair needs throughout the organization and improve efficacies when dispatching staff to needed repair sites. We are currently conducting a pilot program with RoadBotics before purchasing the tool. It is anticipated that RoadBotics will be implemented in conjunction with a forthcoming update to the pavement condition audit provided by the previous surveyor IMS. Additional information on that topic is outlined later in this memo. The following is a list of streets to be improved within FY21, in addition to those which were unable to be completed during FY20 due to COVID-19 and other service interruptions.



## I. FY 21 Streets to be Repaved

Street	To	From	PCI	Length	Width
Garden	City Limits	Broadway	69	11069	20
Veterans	Walnut	Mary's Creek	79	2030	20
Old Alvin	McHard Rd	Hickory Slough	64	2,463	20
S. Grand Blvd	Broadway	Walnut	55	658	36
S. Grand Blvd	Broadway	Walnut	58	699	73
E. Pear	S. Main	S. Galveston	50	1300	28
S. Park Ave	Broadway	Walnut	50	1140	24
Roy	City Limits	Broadway	54	9908	20
Max	City Limits	Broadway	49	7188	20

Total cost for streets listed above for full reclamation and overlay is **\$833,151.86**.

County Assisted and /or Contracted Overlay						
Street	To	From	PCI	Length	Width	Status
<b>O'Day Rd</b>	City Limits	Broadway		9806	20	FY21 interlocal agreement
<b>Veterans</b>	Walnut	Mary's Creek	79	2030	20	FY21 interlocal agreement
<b>Old Alvin</b>	McHard Rd	Hickory Slough	64	2,463	20	FY21 interlocal agreement

2.70 Miles

### **Fiscal Year 2021 Funding Streets Investment and Impacts:**

Presently, based on the ROW Assessment, the recommended annual funding to maintain the overall system PCI at a value of 72 is \$4.6 million for the street network, and \$1.7 million for the sidewalk network. The chart shows the relationship between funding the maintenance or losing ground on the pavement condition. With the ever-present reality of competing priorities for scarce funding, the following funding options and pavement conditions impacts are presented for consideration. The highlighted impacts are the amounts that we currently fund our street investments:

- \$4.6 million annually: Maintains the average network PCI at 72 over 5 years.
- \$3 million annually: Maintains the average network PCI at 70 over 5 years..
- \$2 million annually: Results in a 3 point average network PCI reduction to 69 over 5 years.
- \$1 million annually: Results in a 4 point average network PCI reduction to 68 over 5 years.

- \$450,000 annually: Results in a 4.5 point average network PCI reduction to 67.5 over 5 years.
- Do Nothing: Results in a 5 point average network PCI reduction to 67 over 5 years.

### **Funding Mechanism Recommendation**

It is imperative to fund street maintenance now, or it will snowball into exponentially higher costs down the road. Those higher costs mean less flexibility for the budget, and ultimately restrain the city's ability to provide other services as the money will be going to roads instead. Once a street degrades to a certain point, it requires reconstruction. Reconstruction is dramatically more expensive compared to regular maintenance and is paid for with capital project dollars. The council and public must be aware that not funding street maintenance now will not only restrain future service expansion, but also reduce flexibility in capital projects.

To that end, a multi-year strategy is needed to increase funding to the necessary levels. The current budget and three options are presented. The longer it takes to achieve full funding the more funding will be required as the system ages. These options are meant to be a starting point for elected officials and staff. The numbers used in the options below are illustrative and may need to be adjusted up or down depending on revenue trends and the need for additional staff and/or equipment to administer the (proposed) larger street and sidewalk maintenance operations. The longer it takes to achieve full funding the more funding will be required as the system ages – as reflected in the options below.

#### **Current Budget**

The FY21 adopted budget allocated \$1M for streets and \$525K for sidewalks.

#### **Option 1 – Quickly Establish Full Funding**

This option is designed to reach \$3M in annual budget for streets and \$1M for sidewalks within two budget cycles.

FY22 – Build the base budget around street funding, increasing it to \$2.5M and sidewalks to \$750K.

FY23 – Increase the budget to \$3M for streets and \$1M for sidewalks.

#### **Option 2 - Three Year Plan**

This option is designed to reach \$3.25M in annual budget for streets and \$1.1M for sidewalks within three budget cycles.

FY22 – Increase the budget for streets to \$1.75M and sidewalks to \$720K.

FY23 – Increase the budget to \$2.5M for streets and \$900K for sidewalks.

FY24 – Increase the budget to \$3.25M for streets and \$1.1M for sidewalks

#### **Option 3 - Immediately Double Streets, then Ramp for Four Years.**

This option is designed to provide an immediate boost to streets, but full funding takes longer. This option is designed to reach 3.5M in annual budget for streets and \$1.2M for sidewalks.

FY22 – Increase the budget for streets to \$2M and sidewalks to \$600K

FY23 – Increase the budget for streets to \$2.5M and sidewalks to \$700K

FY24 – Increase the budget for streets to \$3M and sidewalks to \$800K

FY25 – Increase the budget for streets to \$3.5M and sidewalks to \$1.2M

**Setting PCI Threshold:**

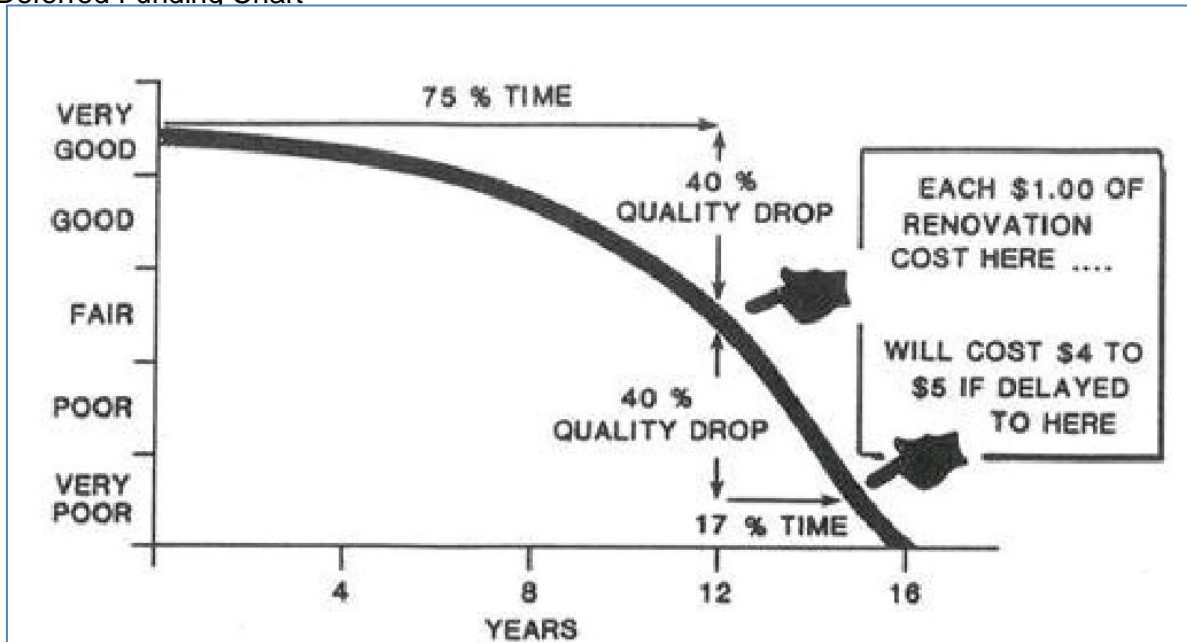
Although the City has utilized PCI for several years to communicate the overall network average and road specific conditions this assessment is only as good as the frequency in which a municipality partners with a third-party company to conduct a survey of its road network. How diligently the municipality manages that data after receiving it, adds to the shelf life and accuracy of the assessment. The assessment needs to be conducted regularly to ensure the accuracy of the data. Although the City’s average network PCI received a score of 72 during the last audit (2017), based on normal degradation and our level of reinvestment since 2017 it is estimated that the City’s current network average PCI is closer to 68.

In reviewing past white papers and discussion on PCI, it has come to our attention that the City of Pearland has only discussed PCI as a scoring criterion but never designated a PCI as a service level expectation, standard or threshold. As such we have yet to determine a target PCI to base funding and service provision assumptions upon.

Based on national standards and consultation with the pavement management company, who has conducted the previous two network audits, *it is the recommendation of the Public Works department to set its average network PCI score at 70.* Based on national data the average PCI goal for municipalities in the southern United States is 65, with road networks in the northern United States averaging a PCI of 60. The most impactful reasoning for the separation between the averages are the effects of snow and freeze-thaw cycles in the north which increase deterioration to pavement networks. Per the chart below, a score of 65 is defined as a “good” network with standard repair options necessary to maintain this standard. Further, determining a PCI allows staff to focus efforts and determine reoccurring budgets to systematically ensure the road network remains above this defined threshold. In order to maintain an average network PCI of 70, it is estimated that an annual budget of 2.9M will need to be provided annually for the next 5 years.

PCI Range	Description	Relative Remaining Life	Definition
85 – 100	Excellent	15 to 25 Years	Like new condition – little to no maintenance required when new; routine maintenance such as crack and joint sealing.
70 – 85	Very Good	12 to 20 Years	Routine maintenance such as patching and crack sealing with surface treatments such as seal coats or slurries.
60 – 70	Good	10 to 15 Years	Heavier surface treatments and thin overlays. Localized panel replacements.
40 – 60	Fair to Marginal	7 to 12 Years	Heavy surface-based inlays or overlays with localized repairs. Moderate to extensive panel replacements.
25 – 40	Poor	5 to 10 Years	Sections will require very thick overlays, surface replacement, base reconstruction, and possible subgrade stabilization.
0 – 25	Very Poor	0 to 5 Years	High percentage of full reconstruction.

Deferred Funding Chart



**Data Driven Approach to Pavement Management:**

As mentioned previously, a data driven approach to pavement management is only as good as the management of the data itself. As such it is the intent of the City to conduct a complete pavement audit in the FY22 budget process. Based on previous IMS surveys purchased by the City, it is anticipated that this service will cost an estimated \$300,000.00 but will allow a real-time view of our pavement infrastructure. It is the desire of the Public Works Department to set a standard to acquire a full pavement audit every five years to ensure this service is provided on a reoccurring basis that allows for regular confirmation of the average PCI threshold. In conjunction with this complete audit, it is planned that the City will acquire the pavement management software from RoadBotics and begin conducting annual inhouse audits to remain current on specific pavement management needs and locations. This initial cost for the assessment (data analysis) portion would be \$100,000, to conduct an inhouse audit through RoadBotics. Each subsequent year would require an annual licensing payment \$12,000 but provides the real time data needed to support asset management advancements and ensures application of resources and maintenance programs in location that will best maximize the life of the infrastructure.

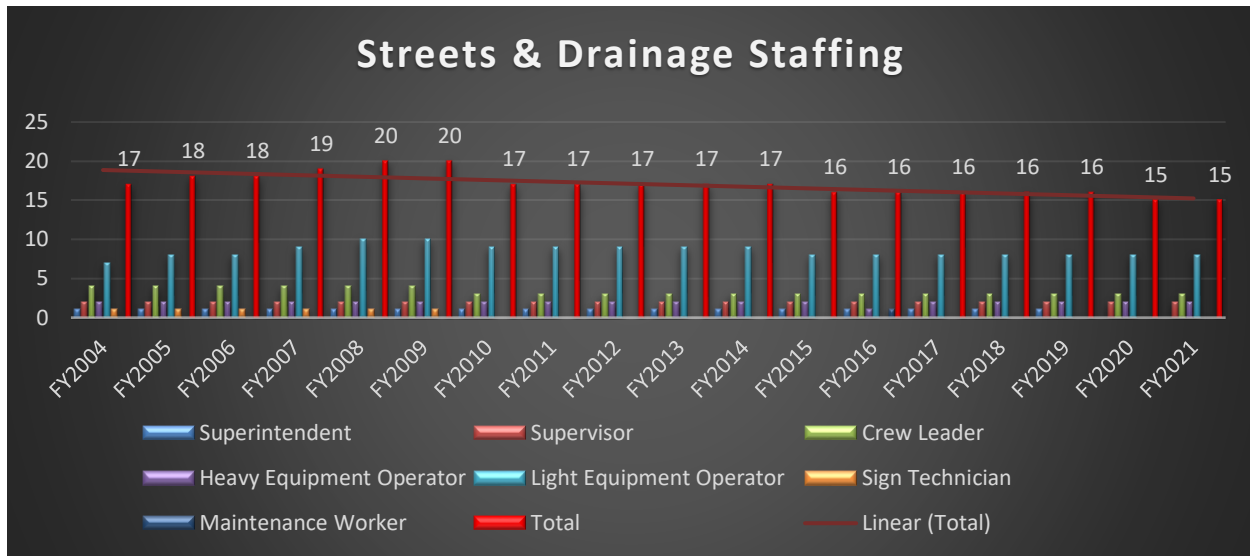
**Human Assets:**

It should be noted that streets and drainage service has not received an increase in staffing levels since 2009. In fact, division staffing has decrease by five positions between 2009 and 2020. A chart has been provided below to illustrate the staffing levels for the last 18 years. In comparison, the pavement network for both streets and sidewalk have realized a trend of steady growth during this same timeframe and resulted on more infrastructure being maintain by fewer and fewer team members. A chart indicating the growth of infrastructure in comparison to the decrease in staff has also been provided as a reference. Currently the City maintains 980 miles of streets and 650 miles of sidewalk, which is an increase of 58% and 56% respectively when compared to the 575 miles of street and 364 miles of sidewalk maintained in 2004

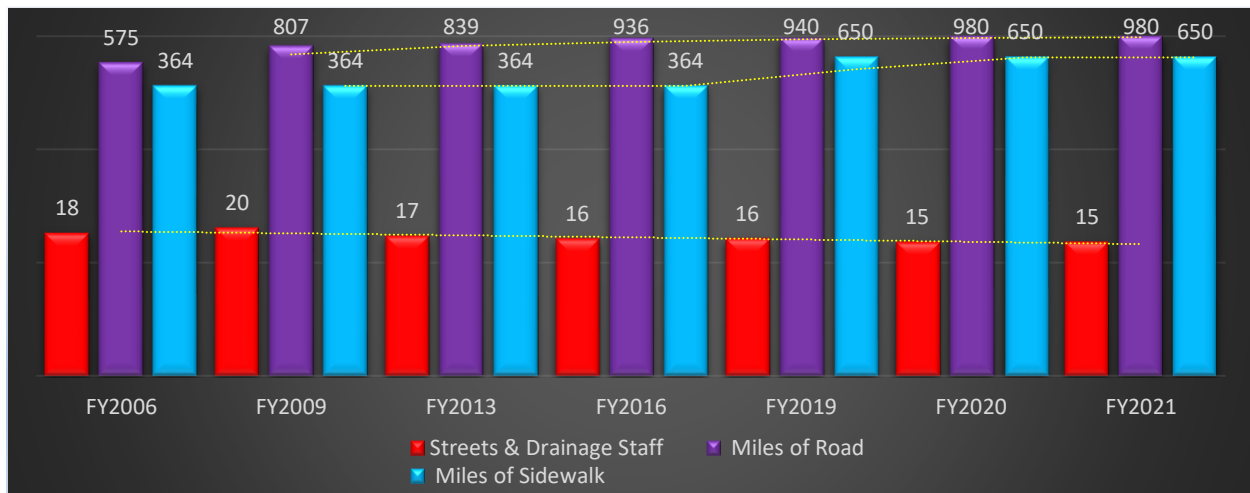
There has been much desire and discussion to fund the streets and sidewalk budgets to a point that will ensure the aging infrastructure is maintained and the City's average PCI is sustained. However, no matter how high the increase in operations & maintenance funds, the unfortunate reality is work will continue to be delayed or postponed until the human capital needed to exhaust these budget dollars and provide the necessary services is funded. It is anticipated that 6 maintenance workers, 1 heavy equipment operator, 2 crew leaders and 1 contract inspector will be requested in FY22 budget process. In order to optimize the staffing request and ensure only those necessary positions are added to the division, staff intend to create an entry level position (maintenance worker) and recommend funding at a lower pay grade than the current entry level position of an equipment operator. This will not only allow for the necessary labor positions but create additional advancement opportunities within the division and improve retention. The maintenance worker positions, equipment operator and crew leaders are intended to staff new services such as crack sealing, curb repair and hot shot teams for both streets and drainage needs. In most cases, reactive needs can only be met when scheduled projects such as interlocal paving, street repair or major ditching efforts have concluded since they require all current team members. The addition of hot shot services will allow for dedicated teams to address needs as requests are received and as resident safety dictate without the need to pull crews off of planned work. Further, the contract inspector positions are intended to support the transition of this division from relying heavily on in-house services to an outsourced services approach to many of the cost prohibitive services provided by the division.

One additional transition that is anticipated by FY22 is a subsequent reorganization of the in-house concrete crew currently residing within the Distribution & Collection Division. This service is currently funded through the enterprise fund and it is anticipated that funding source will remain the majority provider moving forward. The restructuring of this team among the remaining pavement management professionals will improve process management and further the initiative for a complete streets approach to right of way management. Although this team has historically focused on conducting sidewalk, driveway and concrete road repairs when impacted by utility work, the combining of this team along with its resources, inclusive of a concrete truck, within the Right of Way Division will ensure optimal utilization of department resources and improved service provision network wide. Transitioning this team will allow for increased in-house capacity and general service improvement by broadening the scope of their current focus to include not only utility related repairs but also, curbs, sidewalks and any other minor concrete repair within the right of way.

## Funded Position Chart



## Growth Trend Chart:



## Shift in Maintenance Method:

It is the intent of the Right of Way Division to improve the level of services rendered to our pavement network. For years, the desire of the service providers has been to retain as many of the tasks in-house and grow overburdened with task management. It should be noted here that these fifteen team members not only provide all concrete & asphalt street repair, curb repair, pothole patching and sidewalk management but also all open ditch drainage maintenance, enclosed pipe drainage system maintenance, waterway obstruction removal, high water management and much more. Because of this varied list of services, it is the intention of the division to transition to a contract-based approach to service provision. The transition to contracted services has proven cost effective and tremendously beneficial for other services managed by the Right of Way Division. Most appropriately the contracting of grounds management.

While this division can provide all facets of street and drainage repair, its heaviest consumer of staff resources is traffic control and major road repair/replacement. As such, these are two key services that the division intends to focus on outsourcing in FY21 and throughout FY22. The most recent pilot project for this study was the completion of asphalt overlay on O'Day Road. Staff efforted to conduct this major road repair in house but due to limited staffing, inclement weather and repeated equipment failure, we were unable to complete the task. Upon transition of these services to the ROW Division, staff developed construction specifications, awarded a contract, oversaw the repair project and closed the task in a matter of weeks. Moving forward all major road rehabilitation not completed under the interlocal agreement with Brazoria County is anticipated to be outsourced. This will allow staff to focus on key maintenance programs such as pot hole patching, isolated base repairs and patching, drainage management, flood mitigation, curb repair, and much more.

**Equipment Needs:**

As echoed throughout, this service has been plagued with equipment failures. The Division currently maintains the oldest equipment in the Public Works fleet with many pieces having a purchase date prior to 1999 Through the FY21 budget process, it is anticipated that the Fleet Division of Public Works will be acquiring several pieces of much needed equipment. Those units include the replacement of a Vac-truck, (2) Gradalls, Backhoe, and a mini dump truck. Once confirmation of this purchase is received, a subsequent list of additional and necessary equipment will be submitted in the FY22 budget process. Those items include an asphalt patch truck, small roller, Skid Steer, haul trailer, walk behind saw, push camera and (2) crew trucks to ensure this division is adequately equipped to provide the work it continues to be accountable for. It should be noted that this is all required equipment for routine maintenance services such as pothole patching, minor roadway repairs, culvert cleaning, ditch cleaning & maintenance, which the division will continue to provide as our primary work and not inclusive of equipment used for major road projects



# PEARLAND FIRE DEPARTMENT

2703 Veterans Dr. Pearland, Texas 77584  
281.997.5850

*One City, One Mission, One Fire Department*

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## MEMO:

To: Clay Pearson, City Manager

From: Vance Riley, Fire Chief; Marisa Vasquez, Code Enforcement Supervisor

CC: Ron Fraser, Assistant City Manager; Curtis Birt, Interim Assistant Fire Chief

Date: September 17, 2021

Re: Food Establishment Inspection Processes

### Executive Summary

Annually, food service businesses obtain a health permit to operate. Per City Ordinance, these businesses are inspected every six months. There are no additional fees charged for these, unannounced, initial inspections. A letter grade (A-C) is assigned after each initial inspection. Shortly after the initial inspection, there is a follow-up inspection if corrections are required, at no additional cost, to ensure full compliance with the Health Code. The letter grade does not change based upon the follow-up inspection. Some businesses have requested to improve their letter grade to an A. Though not specifically in the ordinance, as a courtesy to the business, Health Code Officers will conduct a full reinspection and charge a reinspection fee to recoup the costs. It takes more than missing or incorrect required paperwork to drop from an A to a B in grade.

### Background

The City of Pearland Code Enforcement staff perform health inspections at every food establishment every six months per the City's Ordinance Sec.11-21 Inspections. Staff are trained and dedicated to ensuring the safety of our residents and consumers at eateries in the City of Pearland. At the time of food establishment inspections, staff uses the State of Texas Health Inspection Form that is in the Texas Food Establishment Rules (TFER) which has been adopted by the City of Pearland's Code of Ordinances.

Staff continuously works with food establishments by educating, allowing time for compliance and leniency on small violations while working on abatement (more so during this pandemic). This is not at all a variance for food safety and only for minor violations.

**While working with food establishments to flourish and become a well-established business in the City of Pearland is paramount, staff's number one goal is to ensure the safety of the consumer. *Both* are considered a high priority.**





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## Grade Scoring System

Research of other cities, using the placement of grade scoring placards at the entrances of food establishments, was conducted. The City of Pearland successfully incorporated this plan with great feedback from City Council. This transparency continues to aid enforcement as these scores are highly visible to the public and are a direct reflection of the most recent full inspection of the establishment. The scoring is as follows:

Inspection Score:	Letter Grade:
100 – 92 points	A
91 – 84 points	B
83 – 76 points	C

**\*A score of 75 and below will be displayed in public view; and all major violations and/or health hazards are required to be corrected.** The 75 scoring is the cut-off for ceasing operations until the problems have been rectified. Additionally, closures of food establishments may occur for extreme cases such as infestations, no water, no hot water, and **major** violations that cannot be corrected on the spot or within a few hours, for which the establishment *does not* have a backup plan.

Per our City's Ordinance No. 1559 Chapter 11 Food and Food Handlers, amended and approved by Council on May 14<sup>th</sup>, 2018.

Sec.11-21 Inspections: Any establishment scoring seventy-five (75) or below on an inspection will automatically receive a follow-up inspection within ten (10) days. A reinspection fee must be paid prior to a follow up inspection. Failure to pay reinspection fee or a second score of seventy-five (75) or below on an inspection shall result in an order to immediately cease all food service operations. Any person, firm, or food establishment proven to have failed to immediately cease all food service operations upon an order from the city shall be deemed guilty of a misdemeanor and shall, upon conviction by a court of competent jurisdiction, be assessed fines or other punishment as provided by this Code.

Once an initial inspection is performed, and the score is documented, follow-ups on food establishments are *only* conducted to ensure corrections are made for any additional minor violations. This is not justification for a grade score change and it is not a full inspection. If a reinspection is needed per code for a failure, a reinspection fee is obtained, and the establishment is placed on the inspector's schedule to perform within the ordinance timeframe (10 business days). The new inspection report is then documented and becomes the most current inspection, and the grade score is changed to reflect the updated score.



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## Reinspection to Improve Grade Score

The City of Pearland's Food and Food Handlers ordinance, under Chapter 11, has no specifications for providing a reinspection of a food facility for the sole reason of obtaining a better grade from an initial 6-month random inspection. The grade at the time of the random inspection is what is posted as declared on the inspection report for that date and time, based on conditions at the time of the full inspection.

We have been asked by food establishment owners and management if they could work to improve their score and get reinspected prior to waiting for the next 6 months. Since there is a reinspection fee on our fee schedule, and in fairness to **all** food establishments, we have allowed establishment owners a second chance to improve their score. This was a process initiated as a courtesy, not an ordinance.

Any business owner making corrections and wishing to improve their score due to making corrections per the prior inspection report may pay the same reinspection fee as those that fail an initial inspection, resulting in an additional full inspection of the establishment. This does not guarantee a better grade. The updated score will be declared as of the date of the inspection.

## Inspection Score Information

**Per the state inspection form used by Health Code Officers, it is not possible for an establishment to make a B grade score on an inspection due to any one criterion.** Areas of the form requiring certification documentation, such as Certified Food Manager (CFM), are on the inspection sheet under items 21,22, and 47. Points deducted for these types of items are: 2 points for missing CFM, 2 points for food handlers of employees, and 1 point for not having a CFM certification posted. If all three were missing at the time of inspection, it would only total five points. The establishment's grade is 95, and the score is an A. A copy of the adopted inspection form is attached below for reference.

This point system assigned by the inspection form is not a process of the City of Pearland, but an adopted mechanism to ensure proper scoring and fairness to each establishment based on state standards.

**Certified Food Manager (CFM).** Having a certified food manager is one way to ensure someone in the facility is inspecting and watching over food handling, proper temperatures, and proper storage. This is not a *may have*, but a *shall have* requirement.

Food establishments are required to have a Certified Food Manager (CFM) per the Texas Food Establishment Rules (TFER) adopted by our City's Ordinances.

TFER rule 228.31 Subchapter B. Management and Personnel.

228.31 Responsibility – the permit holder shall be the person in charge or **shall** designate



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a person in charge and **shall** ensure that a person in charge is present at the food establishment **during all hours of operation**.

228.32 Knowledge, 228.32B CMF This person **shall** demonstrate this knowledge by being a certified food protection manager who has shown proficiency of required information through **passing a test that is part of an Accredited Program**.

228.33 Certified Food Protection Manager and Food Handler Requirements.

(a) At least one employee that has supervisory and management responsibility and the authority to direct and control food preparation and service **shall** be a certified food protection manager who has shown proficiency of required information **through passing a test that is part of an accredited program**. (b) **the original food manager certificate shall be posted in a location in the food establishment that is conspicuous to consumers.**

## Recommendation

Along with routine enforcement of our City of Pearland Health Ordinances, we will continue education with all food establishments to ensure the safety of our residents, their guests, and our visitors while making every effort to educate food establishments on best practices and safety/public health. Our recommendation is to *not* dilute the requirements by absorbing the costs of a full reinspection solely for the purpose of improving a grade.



**Memo**

To: City Manager's Office

From: Budget Office  
Finance Department  
Chief Vance Riley

Date: September 17, 2021

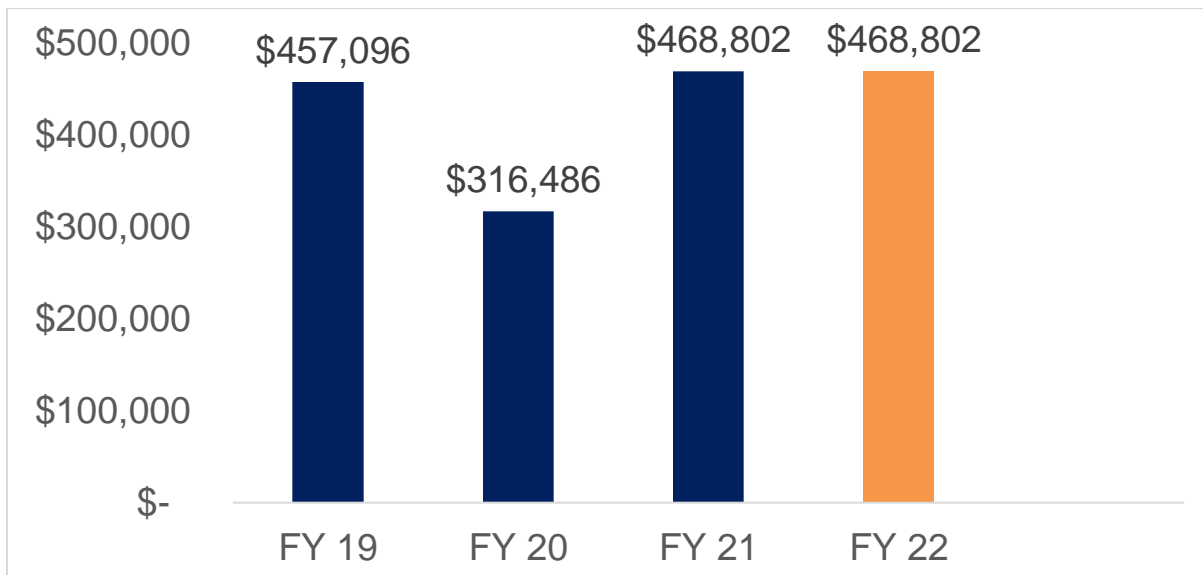
Re: Texas Ambulance Supplemental Payment Program – Large  
Additional FY 22 Funding Anticipated

City Manager Pearson,

At 4PM on Thursday, September 16<sup>th</sup> 2021, the City learned it will receive \$2,212,534 from the Texas Department of Health and Human Services (DHHS) for our Ambulance Cost Settlement in FY22. DHHS's announcement makes the FY 22 payment significantly higher compared to past years - which have been around \$450,000/year. In this case, the revenue comes from the Texas Ambulance Supplemental Payment Program (TASPP), which provides annual supplemental payments to the City for healthcare services provided without expectation of reimbursement of uninsured patients who meet the City's charity-care policy. We have paid external consultant expert in this field that manages and advises us on the program.

**Section 1: How is this Item Budgeted in FY22?**

Pearland's TASPP revenue stream is budgeted to receive \$468,802 in FY22, in line with what the City has received in previous years. Historical actuals are shown below.



## Section 2: What is Changing?

**Actual revenue for this revenue stream is now projected to be \$2,212,534, an increase of \$1,743,732 from what is currently budgeted in FY22 (\$468,802).** Staff was unaware of this change until 9/16/21 – which is why it is not included in the proposed budget. Payment is anticipated to arrive on 10/1/21 and will be accounted for towards FY22.

## Section 3: Great news. But why is the amount so much larger this year?

**Indeed, it is great news.** The one-year bump in revenue is due to staff's hard work over the last two years to prepare for the State's shift in the cost reporting requirements to the charity methodology. Staff knew to do this after consultation with our TASPP Consultant, Kevin Coyle with Change Healthcare. Many providers did not anticipate the change to the charity methodology and did not submit a cost report, resulting in a higher payment for those who did submit. It is estimated that only half the number of participants made this change. **The fruitful partnership between city staff and the private consultant is another instance where leveraging taxpayer dollars results in a strong net benefit to the public that outweighs the cost.**

## Section 4: Is this a one-time bump in revenue, or can we expect it every-year?

The difference between what the City budgeted to receive and what it will actually receive is \$1,743,732. **The revenue is a one-time revenue source.** Because so few providers submitted cost reports this year and the way that the State calculates the amount due to ambulance providers, along with an anticipated increase in the number of providers submitting cost reports next year, **the revenue to providers next year, including Pearland, will be significantly less.**

## Section 5: When can this money be spent?

Money will not be allocated in the FY22 Budget before adoption. Instead, **an early budget amendment will be brought to Council in October** that recognizes the revenue, allocates it to the proper Funds, and designates specific expenditure options for Council to review, revise, and approve.

## Section 6: What can this money be spent on?

Per Section II.C of the [City's Financial Policies](#) (Page 4 of PDF) one time revenue are to only be spent on one-time expenditures. Below is the relevant snippet from the City's Financial Policies.

### *C. Use of Non-Recurring Revenues*

Non-recurring revenue sources, such as a one-time revenue remittance of fund balance in excess of policy can only be budgeted/used to fund non-recurring expenditures, such as capital purchases or capital improvement projects. This will ensure that recurring expenditures are not funded by non-recurring sources.

Items like Street and Sidewalk Maintenance, Vehicle and Equipment Purchases, Park Repairs, or cash-funded CIP projects are eligible for funding with this money. This money cannot fund recurring expenditures like salaries, benefits, fuel purchases, utilities, etc. It also cannot be used to offset a tax decrease because it is a one-time revenue source. **Staff will provide a list of suggested items for funding when the relevant ordinance in October.**