

AGENDA - COUNCIL MEETING - TUESDAY - APRIL 3, 2007 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Garcia

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

2:00 P. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - APRIL 4, 2007 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE
CITY SECRETARY PRIOR TO COMMENCEMENT

MAYOR'S REPORT

9:00 A.M. - REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds

CONSENT AGENDA NUMBERS 1 through 37

AGENDA - APRIL 4, 2007 - PAGE 2

MISCELLANEOUS - NUMBERS 1 and 2

1. RECOMMENDATION from Director Finance & Administration Department to authorize and grant a waiver of certain requirements under the City of Houston Ordinance No. 97-416 with respect to the terms and conditions of certain refunding bonds to be issued by **BEECHNUT MUNICIPAL UTILITY DISTRICT**
2. RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$1,012,146.00 permit fees to the **HARRIS-GALVESTON SUBSIDENCE DISTRICT** for Permit Year 2007 aggregated Ground Water Withdrawal and accrual of Over-Conversion Credits Enterprise Fund

DAMAGES - NUMBER 3

3. RECOMMENDATION from City Attorney for settlement of lawsuit styled **DAVID FALK** v. City of Houston; in the County Civil Court at Law Number Three (3) of Harris County, Texas; Cause No. 856,583 - \$110,000.00 - Property and Casualty Fund

PROPERTY - NUMBER 4

4. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Dan Bankhead, Rey De La Reza Architects, Inc, on behalf of Houston Community College, for abandonment and sale of Redwood Street from Palmetto Street to Rustic Lane, in exchange for the conveyance to the City of a full-width utility easement, both located in the Pecan Park Replat and Extension, out of the Jacob Thomas Survey, A-74, Parcels SY7-019 and VY7-031 - **APPRAISERS** - **DISTRICT I - ALVARADO**

PURCHASING AND TABULATION OF BIDS - NUMBERS 5 through 11

5. **E-ONE, INC** for Automotive, E-One Fire Truck Replacement Parts and Services for Fire Department - \$2,000,000.00 - General Fund
6. **TYLER MOTOR CO., INC d/b/a HALL BUICK, PONTIAC, GMC** for Firefighting Trucks through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Fire Department - \$4,114,828.00 - Equipment Acquisition Consolidated Fund
7. **SHI GOVERNMENT SOLUTIONS, INC** for Maintenance Agreement and License Renewal of NETIQ Software through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for Information Technology Department - \$112,019.50 - Central Service Revolving Fund
8. **CHECKFREEPAY CORPORATION** for Automated Bill Collection and Payment Processing Services for the Department of Public Works & Engineering - \$162,000.00 - Enterprise Fund
9. **AMEND MOTION #2005-1066, 11/9/05, TO INCREASE** spending authority from \$136,184.00 to \$170,230.00, for John Deere Tractor Replacement Parts and Service for Various Departments, awarded to **BROOKSIDE EQUIPMENT SALES, INC**
10. **PITTSBURGH PAINT COMPANY (Bid No. 2)** - \$240,100.00 and **SOUTHWESTERN PAINT & WALLPAPER COMPANY** - \$895,200.00 for Paints, Solvents and Supplies for Various Departments - General and Enterprise Funds

PURCHASING AND TABULATION OF BIDS - continued

11. **DALLAS DODGE CHRYSLER JEEP** - \$184,055.00 and **PHILPOTT MOTORS, LTD.** - \$39,104.35 for Vans and Pickup Trucks through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Various Departments - Enterprise and Other Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 12 through 37

12. RESOLUTION designating a certain property at 2003 Decatur Street (Davies-Falk House) within the City of Houston as a landmark and a protected landmark - **DISTRICT H - GARCIA**
13. ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Parking; containing findings and other provisions relating to the foregoing subject; containing a savings clause; providing for severability
14. ORDINANCE **AMENDING ARTICLE VII OF CHAPTER 33, OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Historic Preservation
15. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of 13,681 square feet of land (0.3141 acres), more or less, Parcel LY5-012 of Stassen Street (a/k/a Roosevelt Avenue) right-of-way from Bassett Street to Mariah Street, located in the Benton H. Freeling Survey, A-270 and as shown on the plat of the Grigsby Terrace Subdivision in Houston, Harris County, Texas; vacating and abandoning the parcel to the City of Houston, as abutting owner; in consideration of its agreement to construct a detention basin for the Sunnyside Court Storm Sewer Laterals Project - **DISTRICT D - EDWARDS**
16. ORDINANCE granting the petition of Grogan's Forest, Ltd. to include certain land in Montgomery County, Texas within the extraterritorial jurisdiction of the City of Houston; expanding and extending the extraterritorial jurisdiction of the City of Houston to include all of such land in accordance with section 42.022(b) of the Texas Local Government Code; containing findings and other provisions relating to the foregoing subject; providing for severability
17. ORDINANCE releasing certain territory consisting of approximately .4634 acres in Montgomery County in the vicinity of the City of Shenandoah, Texas, from the extraterritorial jurisdiction of the City of Houston; containing findings and other provisions relating to the foregoing subject; providing for severability
18. ORDINANCE consenting to the addition of 8.9967 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 220**, for inclusion in its district
19. ORDINANCE consenting to the addition of 16.378 acres of land to **HARRIS-FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 5**, for inclusion in its district
20. ORDINANCE consenting to the creation of **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 119**
21. ORDINANCE approving and authorizing first amendment to agreement between the City of Houston and the **VILLAGE LEARNING CENTER, INC** to provide an additional \$300,000.00 grant of Federal Community Development Block Grant ("CDBG") Funds and to make other administrative changes - **DISTRICT E - WISEMAN**
22. ORDINANCE approving and authorizing amendment to agreement between the City of Houston and **AIDS COALITION OF COASTAL TEXAS, INC**, providing up to \$384,999.00 in Housing Opportunities For Persons With Aids ("HOPWA") Funds for the Administration of a Tenant-Based Rental Assistance and Short-Term Rent, Mortgage, and Utility Assistance Program

RESOLUTIONS AND ORDINANCES - continued

23. ORDINANCE approving and authorizing second amendment to Development Agreement between the City of Houston and **BUILDERS' COMMUNITY DEVELOPMENT CORPORATION** to Modify Development requirements for Leland Woods Subdivision - **DISTRICT B - JOHNSON**
24. ORDINANCE relating to proposed Citywide Wireless Network; approving and authorizing two contracts between the City and **EARTHLINK, INC** for 1) a Wireless Broadband Network License Agreement and 2) a Wireless Services Agreement; providing a maximum contract amount 5 Years - \$2,500,000.00 - Central Service Revolving Fund
25. ORDINANCE amending Ordinance No. 97-543, which authorized contract between the City and **ZUMMO & MIDKIFF, L.L.P. (Formerly ZUMMO & SCHIRMEISTER)** for Legal Services relating to the defense of the City's Sexually Oriented Businesses Ordinances - \$175,000.00 - Property and Casualty Fund
26. ORDINANCE approving and authorizing Concession Contract between the City of Houston and **WALTON GOLF MANAGEMENT** for the Operation of Melrose Golf Course - 8 Years with 2 two-year options - Revenue - **DISTRICT B - JOHNSON**
27. ORDINANCE amending Ordinance No. 2005-0137 to increase the maximum contract amount for the Interlocal Agreement between the City of Houston and **HARRIS COUNTY DEPARTMENT OF EDUCATION** for Record Storage and Retrieval Services for Various Departments - \$2,322,169.08 General, Enterprise and Grant Funds
28. ORDINANCE appropriating \$1,118,547.00 out of HAS Consolidated 2001 NONAMT Construction Fund; approving and authorizing contract for Professional Consulting Services between the City of Houston and **CH2M HILL, INC** for Consulting Services relating to an Environmental Impact Statement at William P. Hobby Airport; WBS A-000540-0001-3-01 - **DISTRICT I - ALVARADO**
29. ORDINANCE appropriating \$99,715.00 out of Public Library Consolidated Construction Fund and approving and authorizing Professional Services Contract between the City of Houston and **ENGLISH + ASSOCIATES ARCHITECTS, INC** for services related to the Kendall Neighborhood Library Replacement (WBS E-000094-0001-3); providing funding for the Civic Art Program **DISTRICT G - HOLM**
30. ORDINANCE approving and authorizing Sanitary Sewer Service Agreement between the City of Houston and the **CITY OF GALENA PARK**
31. ORDINANCE approving and authorizing Untreated Water Supply Contract between the City of Houston and **ROHM AND HAAS COMPANY-BAYPORT PLANT** - Revenue
32. ORDINANCE amending Ordinance No. 2006-1269, which awarded contract to **STANDARD CEMENT MATERIALS, INC** for Wastewater Collection System Rehabilitation and Renewal to correct the engineering and testing services contract number
33. ORDINANCE appropriating \$7,385,625.00 out of Street & Bridge Consolidated Construction Fund, \$1,162,375.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **JFT CONSTRUCTION, INC** for Neighborhood Street Reconstruction Project (NSR) 446, WBS N-000378-0001-4, S-000500-0050-4, R-000500-0050-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICT C - CLUTTERBUCK**

RESOLUTIONS AND ORDINANCES - continued

34. ORDINANCE appropriating \$4,810,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **R. K. WHEATON, INC** for Water Line Replacement in Buffalo Speedway Area, WBS S-000035-00E3-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT C - CLUTTERBUCK**
35. ORDINANCE appropriating \$2,399,300.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Waterline Replacements in Northwood Manor Area, WBS S-000035-00F4-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - JOHNSON**
36. ORDINANCE appropriating \$2,185,800.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **COLLINS CONSTRUCTION, L.L.C.** for Waterline Replacements in Parker Road Area, WBS S-000035-00F5-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - JOHNSON**
37. ORDINANCE appropriating \$4,913,900.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **BRH-GARVER CONSTRUCTION, L.P.** for 36-Inch Waterline along Eldridge Parkway, WBS S-000900-00AC-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - HOLM**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 38

PROPERTY

38. RECOMMENDATION from Director Building Services Department that City Council draw lots to determine the successful bidder inasmuch as identical high bids were received from **WASHINGTON 4500, LP** and **MATT TABRIZI** in connection with the sealed bid sale of Parcels S98-46A and S98-46B, the 7,750-square foot former Fire Station No. 11 and Center Street Lift Station, located at 4520 Washington Avenue, Lots 6 and 7, portion of abandoned alleyway, all within Block 56, Brunner Addition, John Austin Survey - **DISTRICT H - GARCIA**

AGENDA - APRIL 4, 2007 - PAGE 6

MATTERS HELD - NUMBERS 39 through 43

39. APPROVE a motion giving the Director of the Houston Airport System the authority to determine which alternative project delivery method for construction projects provides the best value for the City as set forth in Chapter 271, Subchapter H of the Texas Local Government Code, as it may be amended from time to time - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO**
TAGGED BY COUNCIL MEMBER WISEMAN
This was Item 3 on Agenda of March 28, 2007
40. APPROVE a motion giving the Director Department of Public Works & Engineering the authority to determine which alternative project delivery method for construction projects provides the best value for the City as set forth in Chapter 271, Subchapter H of the Texas Local Government Code, as it may be amended from time to time - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO** - **TAGGED BY COUNCIL MEMBER WISEMAN**
This was Item 4 on Agenda of March 28, 2007
41. ORDINANCE consenting to the addition of 28.099 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 460**; for inclusion in its district - **DISTRICT D - EDWARDS**
TAGGED BY COUNCIL MEMBER WISEMAN
This was Item 26 on Agenda of March 28, 2007
42. ORDINANCE approving and authorizing one-year contract between the City of Houston and **PATRIOT ADVERTISING, INC** for Advertising Services for the Houston Police Department \$300,000.00 - General Fund
TAGGED BY COUNCIL MEMBERS WISEMAN, LOVELL, KHAN, GREEN and GARCIA
This was Item 48 on Agenda of March 28, 2007
43. REVIEW on the record and make determination relative to the appeal from the decision of the General Appeals Board, filed by **TERESA ARGUETA** on the denial of an Application for a Manufactured Home Hardship Extension at 7911 Brays - **DISTRICT I - ALVARADO**
TAGGED BY COUNCIL MEMBER ALVARADO
This was Item 58 on Agenda of March 28, 2007

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Brown first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

**NOTICE OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF HOUSTON**

NOTICE is hereby given that a Regular Meeting of the City Council of the City of Houston will be held **TUESDAY, APRIL 3, 2007 at 1:30 p.m. and WEDNESDAY, APRIL 4, 2007 at 9:00 a.m.** with the reading of the descriptions, captions or titles of the agenda items by the City Secretary to begin not earlier than 60 minutes before the scheduled commencement, in the Council Chamber, Second Floor, City Hall, 901 Bagby, for the purpose of conducting the regular business and affairs of the City of Houston listed on the attached Agenda.

WITNESS my official signature this the 30th day of MARCH, 2007.

City Secretary

CERTIFICATE

I certify that the attached notice of meeting was posted on the Bulletin Board of the City Hall of the City of Houston, Texas, on MARCH 30, 2007 at : p.m.

by _____

for Anna Russell
City Secretary

**CITY COUNCIL CHAMBER – CITY HALL 2nd FLOOR – TUESDAY
APRIL 3, 2007 2:00 P.M.**

AGENDA

3MIN.

3MIN.

3MIN.

NON-AGENDA

3MIN.

3MIN.

3MIN.

MS. SUSAN STEIN – 3222 Hazy Park Dr. – 77082 – 713-907- 1101 - West Houston Revitalization

MS. BRENDA ROUTH – 8404 South Course, No. 302 – 77072 – 832-367-2742 – Religious organization putting micro chips in me (Cyber Crime)

MS. SHEILA JORDAN – 6502 W. Montgomery – 77091 – 713-692-5981 – My utilities

MS. ROSE GARCIA – 13802 E. Hardy Rd. – 77039 – 832-882-7668 – Denial of a claim

MR. KHOA NGUYEN – 14818 Hemlock Bridge Court – Sugarland – TX – 77478 – 832-654-3624 – Storage Facility

MS. BRANDT MANNCHEN – 5431 Carew – 77096 – 713-664-5962 – Air Pollution

MR. MARK EVANS – 8588 Katy Freeway – 77024 – 713-255-4407 – City Pharmacy Spend

PREVIOUS

1MIN.

1MIN.

1 MIN.

MS. THIEN AN VO – Post Office Box – 66636 – 832-275-5465 – Taxi Cab Medallions unfair Regulation

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

Subject: Beechnut Municipal Utility District proposed Waterworks and Sewer System Combination Unlimited Tax and Revenue Refunding Bonds, Series 2007 (the "Refunding Bonds").	Category #	Page 1 of 1	Agenda Item /
--	-------------------	--------------------	-----------------------------

FROM (Department or other point of origin): Department of Finance and Administration	Origination Date: March 19, 2007	Agenda Date APR 04 2007
--	--	---------------------------------------

DIRECTOR'S SIGNATURE 	Council District(s) affected: ETJ
---	---

For additional information contact: Michael Shannon Phone: 713 221-0201	Date and Identification of prior authorizing Council Action: Ordinance 97-416
---	--

RECOMMENDATION: (Summary) Approve a motion authorizing and granting a waiver of certain requirements under the City of Houston Ordinance No. 97-416 with respect to the terms and conditions of certain refunding bonds to be issued by Beechnut Municipal Utility District

Amount of Funding: Not Applicable	F&A Budget:
--	------------------------

SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund
 Other (Specify)

SPECIFIC EXPLANATION:

Beechnut Municipal Utility District (the "District") has petitioned the City to waive the requirements of Ordinance 97-416 (the "Ordinance") in order for the District to refund \$4,935,000 in Amended Bonds. The Ordinance sets forth the procedures and standards for the refunding of indebtedness by municipal utility districts located within the City's extraterritorial jurisdiction.

The District consists of approximately 261 acres and most of the area is developed with improvements. The District is located approximately twenty miles southwest of the central business district of Houston, Texas, in the southwestern portion of Harris County, Texas. The District is bounded on the east by Eldridge Road, on the west by Sugarland-Howell Road, and on the south by Renn Road. Beechnut Road runs east and west through the District.

On October 31, 1994, the District filed a voluntary petition to reorganize under Chapter 9 of the Federal Bankruptcy Code. The District sought bankruptcy to restructure the payments on its Series 1984 Bonds because the District did not experience the anticipated economic growth and development necessary to meet its debt service obligations as a result of the economic downturn in the Texas real estate and banking markets in the late 1980's. The District's First Amended Plan of Adjustment (the "Bankruptcy Plan") was confirmed by the United States Bankruptcy Court for the Southern District of Texas, Houston Division and became effective April 13, 1996 and amended the Series 1984 Bonds (the "Amended Bonds") to provide for payment of principal and interest on a "Cash flow" basis, that is payments are dependent on the District's net revenues and cash flows.

The District's intent is to refund all of the Amended Bonds by issuance of the Refunding Bonds and it now has the ability to do so. In the opinion of the District's financial advisor, the Refunding Bonds are now marketable. The District believes that the refunding will be extremely beneficial to its residents and taxpayers (and ultimately the City) because the refunding will replace debt at rates ranging from 10.50-11.25% per annum with debt accruing interest at 5.5%, and enable the District to lower its tax rate. The refunding will also allow the District to terminate its Bankruptcy Plan, which has several provisions that impairs development of property in the District.

Under section 2.08 of the Ordinance, Council is authorized to waive one or more conditions of the Ordinance if Council deems that such conditions are inappropriate with respect to a specific refunding. Specifically, the District is requesting a waiver of Section 3 of the Ordinance. This action will enable the refunding of the high interest rate Amended Bonds.

Approval is recommended.

c: Marty Stein, Mayor's Office
 Arturo G. Michel, City Attorney

F&A Director:	Other Authorization:	Other Authorization:
--------------------------	-----------------------------	-----------------------------

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Approval to pay Harris-Galveston Subsidence District \$1,012,146.00 for groundwater withdrawal permit fees and accrual of Over-Conversion Credits.	Category # 1	Page 1 of 1	Agenda Item # <i>2</i>
--	---------------------	--------------------	----------------------------------

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 2/21/07	Agenda Date APR 04 2007
--	------------------------------------	-----------------------------------

DIRECTOR'S SIGNATURE <i>MS</i>  Michael S. Marcotte, P.E., DEE, Director	Council District affected: ALL
---	--

For additional information contact: Dannelle H. Belhateche, P.E. Senior Assistant Director Phone: (713) 837-0847	Date and identification of prior authorizing Council action
---	--

RECOMMENDATION: (Summary)
That City Council approve payment of the \$1,012,146.00 permit fees to the Harris-Galveston Subsidence District for permit year 2007 aggregated groundwater withdrawal and accrual of Over-Conversion Credits.

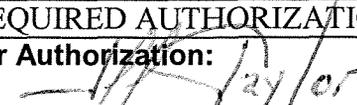
Amount of Funding: \$1,012,146.00	F & A Budget:
---	--------------------------

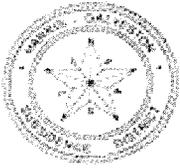
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input checked="" type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify) Water & Sewer System Operating Fund No. 8300	<i>WUNIZ 2/28/07</i>
--	----------------------

SPECIFIC EXPLANATION:

Requests Council action to approve payment of the permit fees totaling \$1,012,146.00 to Harris-Galveston Subsidence District (HGSD). These fees cover the period of 2/1/07 through 01/31/08. The City of Houston must pay for an aggregated permit for the City and all co-permittees in City's Groundwater Reduction Plan (GRP). The co-permittees are required by contract to reimburse the City for fees spent for their permits. The amount of the fees is based on a \$17.00 assessment per million gallons for an aggregated 59,538 million gallons. The 59,538 million gallons consists of anticipated groundwater withdrawal of 2,600 million gallons for HGSD Area 2 and 23,685 million gallons for HGSD Area 3; 11,072 million gallons for anticipated groundwater withdrawal by the co-permittees (\$188,224 to be reimbursed to the City), and 22,181 million gallons anticipated surface water use in HGSD's regulatory Area 3. The surface water permitted will allow the City of Houston to accrue over-conversion credits (OCCs) in Area 3. The OCCs can be used in lieu of conversion in the future and will permit the City to postpone major capital projects that will be required for compliance with HGSD's ultimate regulations.

cc: Michael S. Marcotte, P.E., DEE
Jeff Taylor
Marty Stein
Dannelle H. Belhateche, P.E.
Waynette Chan
Gary Norman

REQUIRED AUTHORIZATION		20DHB55
F & A Director	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	Other Authorization:  Dannelle H. Belhateche, P.E. Senior Assistant Director



INVOICE

Harris-Galveston Subsidence District

1660 West Bay Area Blvd
Friendswood TX 77546
Phone: 281-486-1105 Fax: 281-218-3700

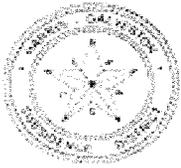
DATE: January 17, 2007
INVOICE # 158101
FOR: *Permit Fee Statement*

Bill To:

Houston, City of
Attn: Dannelle Belhateche, P.E.
611 Walker Street, 21st Floor, Rm 2152
Houston, TX 77002

DESCRIPTION	AMOUNT
Permit Fees Statement for Area 3	\$967,946.00
TOTAL	\$ 967,946.00

Make all checks payable to Harris-Galveston Subsidence District



INVOICE

Harris-Galveston Subsidence District

1660 West Bay Area Blvd
Friendswood TX 77546
Phone: 281-486-1105 Fax: 281-218-3700

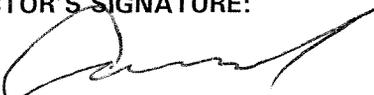
DATE: January 17, 2007
INVOICE # 158102
FOR: *Permit Fee Statement*

Bill To:

Houston , City of
Attn: Dannelle Belhateche, P.E.
611 Walker Street, 21st Floor, Rm 2152
Houston, TX 77002

DESCRIPTION	AMOUNT
Permit Fees Statement for Area 2	\$44,200.00
TOTAL	\$ 44,200.00

Make all checks payable to Harris-Galveston Subsidence District

SUBJECT: Settlement of Lawsuit styled <i>David Falk v. City of Houston</i> ; In the County Civil Court at Law Number Three (3) of Harris County, Texas; Cause No. 856,583; L.D. No. 035-0600186-001	Category	Page 1 of 2	Agenda Item # 3
FROM (Department or other point of origin): Legal	Origination Date 3/29/07	Agenda Date APR 04 2007	
DIRECTOR'S SIGNATURE: 	Council District affected: General		
For additional information contact: L.A. Teehan Phone: 713.247.1854	Date and identification of prior authorizing Council action:		

RECOMMENDATION: (Summary)

Approve the referenced settlement

Amount of Funding: \$110,000.00 - Property and Casualty Fund	F & A Budget: 
--	--

SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund

Other (Specify) Fund 1004

SPECIFIC EXPLANATION:

FOR SETTLEMENT PURPOSES ONLY

This accident occurred on September 20, 2005 at the intersection of Wilcrest and Harwin in Houston. City of Houston employee James Roberson failed to stop at his red light, and collided with David Falk, age fifty-seven. At the time, Mr. Roberson was employed as a mechanic with HFD and was driving an HFD white Chevy C-30 van. Mr. Falk was employed with Southwestern Bell and was driving a SBC Chevy 2500 van. As Mr. Roberson was driving south on Wilcrest, he began to apply the brakes of his van as he was approaching the intersection. Mr. Roberson had the red light. However, his brakes failed, he proceeded through the red light, and he struck three (3) vehicles, one of them being Mr. Falk's SBC van. Mr. Roberson had previously reported brake problems with his van. Upon being struck, the SBC van went over a median and landed on the driver's side. Mr. Falk was helped out of his van through the passenger side window by some people at the scene. All of the statements on the HPD report verify that Mr. Roberson had a red light. Mr. Roberson was issued a citation for running the red light. He does not dispute that he went through a red light.

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:

Date	Subject: Settlement of lawsuit styled David Falk v. City of Houston	Originator's Initials	Page ____ of ____
-------------	--	----------------------------------	-----------------------------

As a result of this accident, Mr. Falk sustained a herniated disc in his neck. He incurred actual medical expenses of 32,661.67. Expert testimony supports the need for additional medical in the future in the amount of \$50,000.00. At the time of the accident, Mr. Falk was employed by Southwestern Bell as a field technician. He is claiming, and has documented, \$28,000.00 in lost wages.

I recommend that this case be settled for \$110,000.00, payable to David Falk, his attorney Mark J. Salvato, tax I.D. # 458-80-9424, Sedgwick CMS, and Linda Falk.

G:\DEFENSE\LATIFALK\rca1.wpd\ahb

SUBJECT: Request for the abandonment and sale of Redwood Street from Palmetto Street to Rustic Lane, in exchange for the conveyance to the City of a full-width utility easement, both located in the Pecan Park Replat and Extension, out of the Jacob Thomas Survey, A-74. Parcels SY7-019 and VY7-031	Category # 7	Page 1 of 2	Agenda Item # <div style="text-align: center; font-size: 2em;">4</div>
--	---------------------	--------------------	--

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 2-22-07	Agenda Date APR 04 2007
--	--	---------------------------------------

DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: I Key Map 535E 00
---	---

For additional information contact: Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director-Real Estate	Date and identification of prior authorizing Council Action:
--	---

RECOMMENDATION: (Summary) It is recommended City Council approve a council motion authorizing the abandonment and sale of Redwood Street from Palmetto Street to Rustic Lane, in exchange for the conveyance to the City of a full-width utility easement, both located in the Pecan Park Replat and Extension, out of the Jacob Thomas Survey, A-74. **Parcels SY7-019 and VY7-031**

Amount and Source of Funding: Not Applicable	F & A Budget:
---	--------------------------

SPECIFIC EXPLANATION:

Dan Bankhead, Rey De La Reza Architects, Inc., on behalf of Houston Community College, requested the abandonment and sale of Redwood Street from Palmetto Street to Rustic Lane. Houston Community College plans to expand its campus by constructing pedestrian walkways and landscaped areas in the right-of-way being abandoned and sold. Signs notifying the public of the pending street abandonment application were posted for at least thirty days.

This transaction is Part One of a two-step process in which the applicant will first receive a City Council authorized council motion acknowledging the concept of the subject request. Upon the applicant satisfactorily completing all transaction requirements including those enumerated below, the Department of Public Works and Engineering will forward a subsequent recommendation to City Council requesting passage of an ordinance effecting the abandonment and sale. The Joint Referral Committee reviewed and approved this request subject to the conveyance to the City of a full-width utility easement. Therefore, it is recommended:

1. The City abandon and sell Redwood Street from Palmetto Street to Rustic Lane, in exchange for the conveyance to the City of a full-width utility easement, both located in the Pecan Park Replat and Extension, out of the Jacob Thomas Survey, A-74;
2. The applicant be required to a) eliminate the public street appearance of Redwood Street by designing and constructing changes approved by the Traffic and Transportation Division, b) notify the City in writing of the completion of the abandonment and sale so the City can request CenterPoint Energy to remove power from the public street lights, and c) agree to privately fund one to three speed bumps on Palmetto Street, between Redwood Street and Garland Street, if residents on Palmetto Street petition the City, at any time up to three years after the effective date of the ordinance abandoning and actual closure of the street, for the placement of speed bumps, and the Traffic and Transportation Division deems the placement of speed bumps is prudent. All of the above mentioned matters must be accomplished at no cost to the City and under the proper permits;

s:\dob\sy7-019.rc1.doc	CUIC #20DOB8793
------------------------	-----------------

REQUIRED AUTHORIZATION

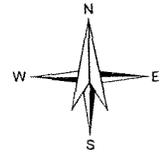
F&A Director:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division
--------------------------	-----------------------------	---

Date	SUBJECT: Request for the abandonment and sale of Redwood Street from Palmetto Street to Rustic Lane, in exchange for the conveyance to the City of a full-width utility easement, both located in the Pecan Park Replat and Extension, out of the Jacob Thomas Survey, A-74. Parcels SY7-019 and VY7-031	Originator's Initials JO	Page <u>2</u> of <u>2</u>
-------------	--	--	-------------------------------------

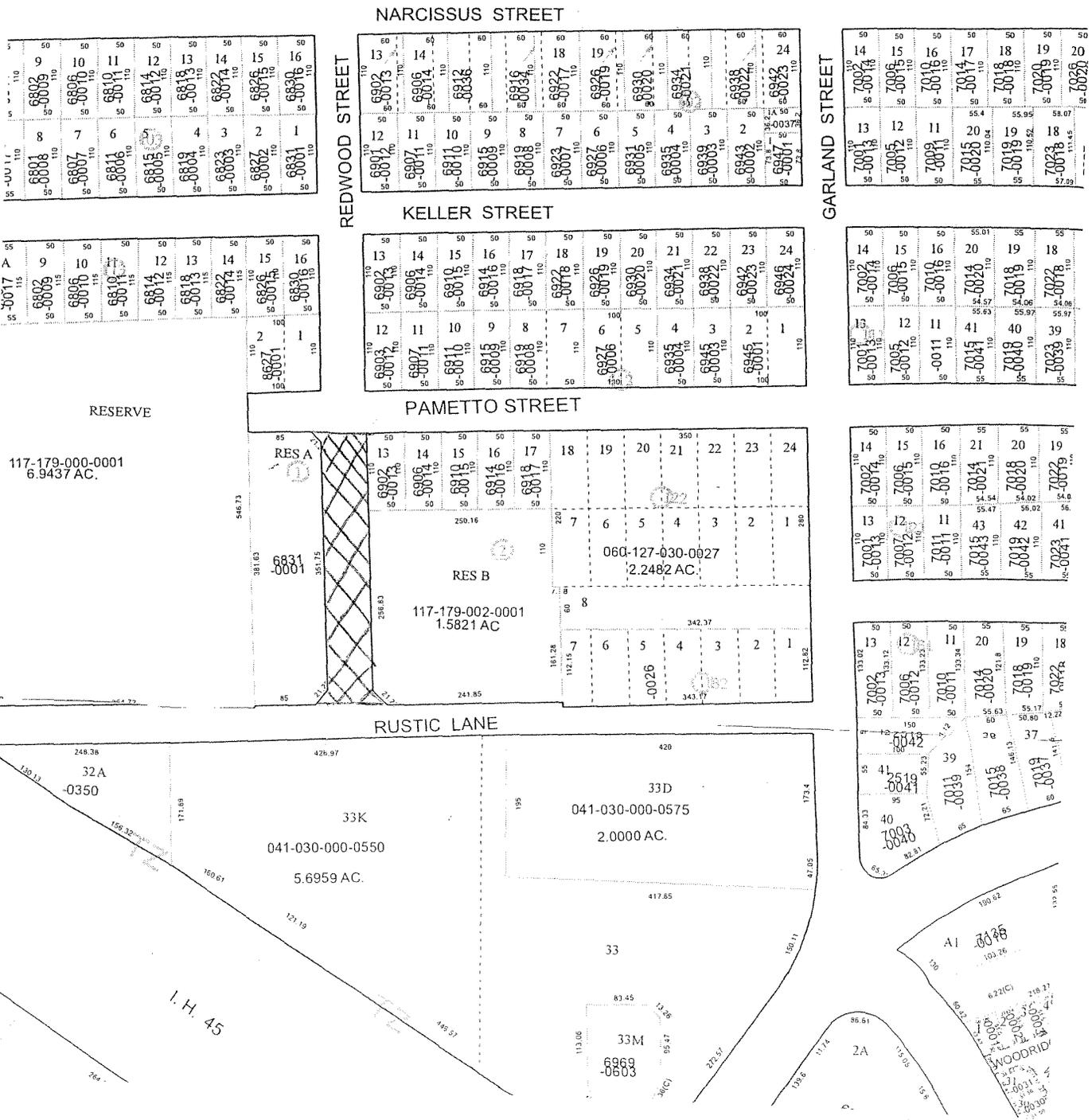
3. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the street right-of-way being abandoned and sold;
4. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
5. The Legal Department be authorized to prepare the necessary transaction documents; and,
6. Inasmuch as the value of the property interest is expected to exceed \$25,000.00, that the City Council appoint the following two independent real estate appraisers to establish the value – Jasmine Quinerly and George Coleman.

MSM:NPC:dob

c: Phil Boriskie
Raymond D. Chong, P.E., P.T.O.E.
Marlene Gafrick
Arturo G. Michel
Reid K. Mrsny, P.E.
Marty Stein
Jeff Taylor

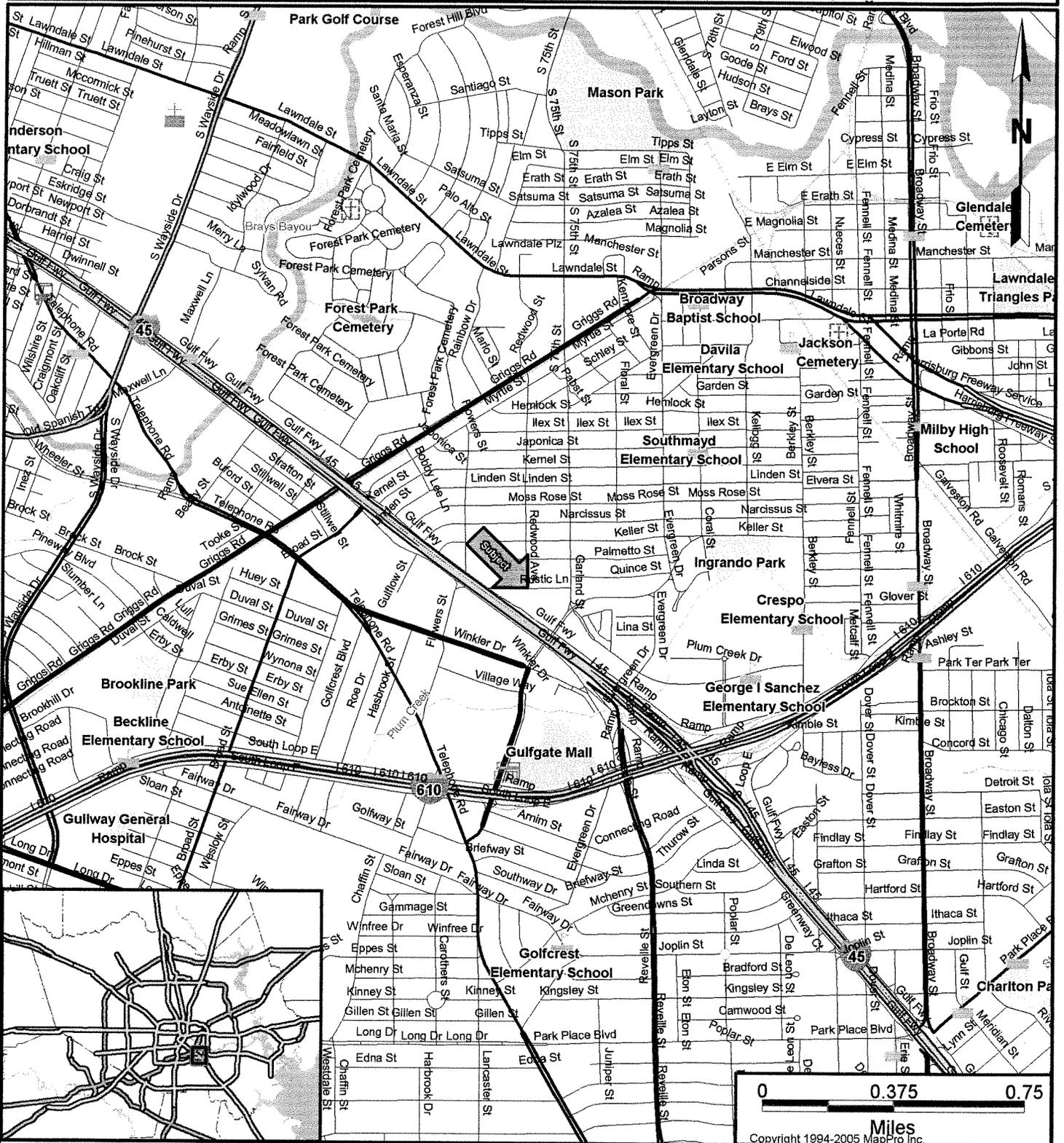


Abandonment and sale of Redwood Street from Palmetto Street to Rustic Lane, in exchange for the conveyance to the City of a full-width utility easement, both located in the Pecan Park Replat and Extension, out of the Jacob Thomas Survey, A-74. **Parcels SY7-019 and VY7-031**



LOCATION MAP

Abandonment and sale of Redwood Street from Palmetto Street to Rustic Lane, in exchange for the conveyance to the City of a full-width utility easement, both located in the Pecan Park Replat and Extension, out of the Jacob Thomas Survey, A-74. **Parcels SY7-019 and VY7-031**



CAUTION:

The location of property arrows shown on this map are approximate only. Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7341

Subject: Sole Bid Received for Automotive, E-One Fire Truck Replacement Parts and Services for the Fire Department S10-S22293

Category #
4

Page 1 of 1

Agenda Item

5

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

For Kevin M. Coleman

Origination Date

March 28, 2007

Agenda Date

APR 04 2007

DIRECTOR'S SIGNATURE

Council District(s) affected
All

For additional information contact:

Karen Dupont Phone: (713) 859-4934
Desiree Heath Phone: (713) 247-1722

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to E-One, Inc. on its sole bid in an amount not to exceed \$2,000,000.00 for automotive E-One fire truck replacement parts and services for the Fire Department.

Estimated Spending Authority: \$2,000,000.00

F & A Budget

\$2,000,000.00 General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to E-One, Inc. on its sole bid in an amount not to exceed \$2,000,000.00 for automotive E-One fire truck replacement parts and services for the Fire Department. It is further requested that authorization be given to issue purchase orders, as needed, for a 60-month period. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor. This award, consisting of one price list for replacement parts, which includes, but is not limited to, plugs, hoses, elbows, valves, bolts, clamps, and nuts, will be used by the Fire Department to maintain and repair the Department's E-One fire trucks. This award also includes a \$96,768.89 labor component to repair those items of equipment that cannot be repaired by City personnel.

This project was advertised in accordance with the requirements of the State of Texas bid laws, and only one bid was received. E-One, Inc. is the sole manufacturer and distributor of E-One fire truck parts within the Greater Houston Area.

M/WBE Subcontracting:

Because these replacement parts are shipped directly from the manufacturer to the City of Houston, the only M/WBE potential for this award is the repair work that cannot be performed by City personnel. This bid was issued with a 3% goal for M/WBE participation, and to the extent possible E-One, Inc. has agreed to subcontract the mechanical repair work to the below-named M/WBE subcontractor.

<u>Name</u>	<u>Type of Service</u>	<u>Amount</u>
General Truck Body Manufacturing, Inc.	Mechanical Repair	\$2,903.06

The Affirmative Action Division will monitor this award.

Buyer: Greg Hubbard

Estimated Spending Authority:

<u>DEPARTMENT</u>	<u>FY 2007</u>	<u>OUT YEARS</u>	<u>TOTAL</u>
FIRE	\$100,000.00	\$1,900,000.00	\$2,000,000.00

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

NOT

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7296

Subject: Purchase of Firefighting Trucks through the Houston-Galveston Area Council for the Fire Department
S34-N22333-H

Category #
4

Page 1 of 1

Agenda Item

6

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

February 23, 2007

Agenda Date

APR 04 2007

DIRECTOR'S SIGNATURE

Handwritten signature of Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Karen Dupont Phone: (713) 859-4934
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of firefighting trucks through the Houston-Galveston Area Council (H-GAC) in the total amount of \$4,114,828.00 for the Fire Department.

Award Amount: \$4,114,828.00

F & A Budget

\$4,114,828.00 - Equipment Acquisition Consolidated Fund (1800)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of six pumpers and two aerial ladder firefighting trucks through the Interlocal Agreement for Cooperative Purchasing with H-GAC in the total amount of \$4,114,828.00 for the Fire Department, and that authorization be given to issue a purchase order to the H-GAC contractor, Tyler Motor Co., Inc., d/b/a Hall Buick, Pontiac, GMC. These firefighting trucks will be used citywide by the Department, 24 hours a day, 7 days a week for fire suppression, high-rise rescues and responding to EMS incidents.

The six pumpers will come with a one-year bumper-to-bumper warranty and additional warranties of five years on the engine, transmission and air-conditioning system; two years on the hydraulic generator and fire pump; four years on paint fading, peeling, or blistering; ten years on the cab/body for surface perforation or corrosion and pump plumbing; a lifetime warranty on the tanks and frame, and will have a life expectancy of twelve years.

The two aerial ladder trucks will come with a one-year bumper-to-bumper warranty and additional warranties of five years on the engine, transmission, air-conditioning system and hydraulic generator; four years on paint fading, peeling, or blistering; ten years on the cab/body for surface perforation or corrosion and aerial waterway and seals; twenty years on the aerial structure; a lifetime warranty on the frame, and will have a life expectancy of fifteen years.

These firefighting trucks will meet the EPA's current emission standards for trucks with diesel engines. Five of the pumpers and the two ladder trucks will replace existing units in the Department's fleet that have reached their useful life and will be sent to auction for disposition. The replacement of these vehicles is budgeted as a part of the Department's annualized fleet replacement schedule. The remaining pumper is an addition to the Department's fleet and will be assigned to a new fire station, Station No. 105. For equipment usage and replacement details, see the attached Equipment Usage Summary.

Buyer: Larry Benka

Attachment: Equipment Usage Summary

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

Handwritten initials NDT

6

**EQUIPMENT USAGE SUMMARY
RCA 7296
FIREFIGHTING APPARATUS
FOR
FIRE DEPARTMENT
S34-N22333-H**

Description/ Requisition No.	Qty	New Unit Assignment			Existing Unit Reassignment	Unit Sent To Salvage		
		Station No./ Assignment	Address	Council District	Shop No./Assignment	Shop No.	Age	Mileage
Ferrara 1500 GPM Extruded Pumper- 1000 Gal Water Tank/10018121	1	E-105* *New Station	14014 W. Lake Houston Parkway	E	Addition to Fleet			
Ferrara 1500 GPM Extruded Pumper- 500 Gal Water Tank/10018121	5	E-33 E-82 E-74 E-73 E-68	7117 Fannin 11250 Braesridge 460 Aldine Bender 9640 Wilcrest 8602 Bissonnet	D C B F C	30181 to Reserves 30579 to Reserves 30179 to Reserves 31175 to Reserves 31575 to Reserves	25146 22760 22761 22764 22743	12 13 13 13 13	99,174 111,329 102,999 111,850 109,954
Ferrara 107' Rear Mounted Quint Aerial Ladder Truck/10018121	1	L-96	7409 Willow Chase Blvd.	A	26664 to Reserves	14520	21	N/A* *Odometer on unit inoperable
Ferrara 107' Rear Mounted Aerial Ladder Truck/10018121	1	L-16	1700 Richmond	D	26705 to Reserves	16863	21	70,646

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7363

Subject: Purchase of a Maintenance Agreement and License Renewal of NetIQ Software through the City's Master Agreement with the DIR for Texas CISV Master Catalog Purchases Under Chapter 2157 of the Government Code (Contract No. C56844)

Category #
4 & 5

Page 1 of 1

Agenda Item

7

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

for Kevin M. Liden

Origination Date

March 21, 2007

Agenda Date

APR 04 2007

DIRECTOR'S SIGNATURE

Council District(s) affected
All

For additional information contact:

Janis Jefferson Phone: (832) 393-0004
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

Ord. 2005-0322, passed 3/30/2005

RECOMMENDATION: (Summary)

Approve the purchase of a maintenance agreement and license renewal of NetIQ software in the total amount of \$112,019.50 through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Texas CISV Master Catalog Purchases.

Awarded Amount: \$112,019.50

F & A Budget

\$112,019.50 - Central Service Revolving Fund (1002)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of a twelve-month maintenance agreement, as well as a license renewal, for NetIQ software in the total amount of \$112,019.50 through the City's Master Agreement with the DIR for Texas CISV Master Catalog Purchases for the Information Technology (IT) Department and that authorization be given to issue a purchase order to DIR's Go Direct Vendor, SHI Government Solutions, Inc., a certified State of Texas Historically Underutilized Business. This is a reduction in cost from last year.

This renewal will allow the City's IT personnel to continue to receive support, updates and upgrades for the NetIQ software. The NetIQ software is utilized by IT personnel to monitor and manage servers, as well as report their availability, existing trends, and statistics.

Under the terms of this agreement, the vendor will be required to provide:

- Access to the latest version of software, as well as all service packs and patches
- Telephone, e-mail, and extended website support
- Quarterly visits from a NetIQ System's Engineer

Buyer: Murdock Smith III

ms

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

NDT

3-26-07

MW

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary			RCA #
Subject: Approval of Interim Purchase Order to CheckFreePay Corporation for Automated Bill Collection and Payment Processing Services for the Department of Public Works & Engineering.	Category #	Page 1 of 1	Agenda Item 8

FROM (Department or other point of origin): Michael S. Marcotte, P.E., DEE Department of Public Works & Engineering	Origination Date 3/29/07	Agenda Date APR 04 2007
--	------------------------------------	-----------------------------------

DIRECTOR'S SIGNATURE <i>M.S. Marcotte</i> for Mike Marcotte	Council District(s) affected All
---	--

For additional information contact: Karen Leback <i>AW</i> Phone: (713) 371-1136 Gary Norman Phone: (713) 837-7425	Date and identification of prior authorizing Council Action:
---	---

RECOMMENDATION: (Summary)
Approve a motion authorizing a purchase order to CheckFreePay Corporation and the related allocation of funds for the purchase of automated bill collection and payment processing services for the Department of Public Works & Engineering.

Estimated Spending Authority: \$162,000.00	<i>PLR 3/29/07</i>	F&A Budget
--	--------------------	-----------------------

Water and Sewer System Operating Fund No. 8300

SPECIFIC EXPLANATION:
The Director of the Department of Public Works and Engineering (PWE) recommends that City Council approve spending authority in an amount not to exceed \$162,000.00 to purchase automated bill collection and payment processing services and authorization be given to issue purchase orders to CheckFreePay Corporation as necessary. This procurement of services is necessary to ensure continuity collection and payment processing services until a new contract can be presented to City Council.

The computerized bill processing service is used by PWE's Utility Customer Service section to collect payments for water and wastewater bills at the customer service counters of over 300 Houston area grocery stores, including Fiesta, Foodarama, HEB, Kroger, Rice Epicurean and Randall's locations. Approximately 80,000 payments representing \$5,000,000.00 in revenues are processed by CheckFreePay Corporation through local grocery stores per month. Other utility billings for Reliant Energy, Center Point Energy and TXU are processed through the same area grocery stores in an exclusive arrangement between these utilities and CheckFreePay Corporation. The City pays a fee of \$0.31 for each transaction processed by CheckFreePay Corporation. CheckFreePay Corporation is the sole source provider of bill and payment processing at area grocery stores.

CheckFreePay Corporation purchased Automated Payment Systems, Inc., who had been the city's sole source contractor for these services since 1997 in 2004. The current contract with CheckFreePay Corporation expired on March 11, 2007 and was extended via purchase order until April 30, 2007. Contract negotiations are requiring longer than anticipated to complete due to indemnification issues and compliance issues with the U.S. Patriot Act, Bank Secrecy Act and other federal regulations. This spending authority is expected to cover the costs of services over the next six months until negotiations are completed and a new contract is in place.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (2) of the Texas Local Government Code for exempted procurement.

M/WDBE PARTICIPATION: Due to the unique nature of the services provided, and with the concurrence of the Affirmative Action Division, there will be no MWBE goal for this contract.

REQUIRED AUTHORIZATION		CUIC 20SB13
F&A Director:	Other Authorization: <i>Susan Bandy</i> Susan Bandy, Deputy Director PWE/Resource Management Division	Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7291

Subject: Amend Council Motion 2005-1066, Passed November 9, 2005 for John Deere Tractor Replacement Parts and Service for Various Departments
SC-R-2400-032-20606-A1

Category #
4

Page 1 of 1

Agenda Item

9

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

February 28, 2007

Agenda Date

APR 04 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Cheryl Johnson Phone: (713) 845-8034
Desiree Heath Phone: (713) 247-1722

Date and Identification of prior authorizing Council Action:

CM 2005-1066, Passed 11/9/2005

RECOMMENDATION: (Summary)

Amend Council Motion 2005-1066, passed November 9, 2005, to increase the spending authority of the John Deere tractor replacement parts and service contract for various departments from \$136,184.00 to \$170,230.00.

Estimated Spending Authority: \$34,046.00

F & A Budget

\$34,046.00 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council amend Council Motion 2005-1066, passed November 9, 2005, to increase the spending authority of the John Deere tractor replacement parts and service contract awarded to Brookside Equipment Sales, Inc. from \$136,184.00 to \$170,230.00. The additional spending is needed to meet the Parks and Recreation Department's operational needs for the remainder of the contract term.

This contract began November 9, 2005 for a 36-month term, with one one-year option to extend, for a total 48-month term in an amount not to exceed \$136,184.00. Expenditures as of February 28, 2007 totaled \$135,698.18. All other terms and conditions shall remain as originally approved by City Council. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

This award consisted of replacement parts, which includes, but is not limited to ignition switches, wheel assemblies and bearings used by the Solid Waste Management, Parks & Recreation and Public Works & Engineering Departments to repair mowers and tractors utilized for ground maintenance citywide.

This contract was awarded with a 3% goal for M/WBE participation. Brookside Equipment Sales, Inc. is currently exceeding the goal.

Buyer: Angela Dunn

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

NOT

2/28/07

C

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 6979

Subject: Formal Bids Received for Paints, Solvents and Supplies for Various Departments
SC-R-8010-098-20853

Category #
4

Page 1 of 2

Agenda Item

10

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

March 09, 2007

Agenda Date

APR 04 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Jacquelyn L. Nisby Phone: (713) 247-1814
Desiree Heath Phone: (713) 247-1722

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve various awards, as shown below, in an amount not to exceed \$1,135,300.00 for paints, solvents and supplies for various departments.

Estimated Spending Authority: \$1,135,300.00

F & A Budget

\$ 644,903.00 General Funding (1000)
\$ 273,500.00 HAS Revenue Fund (8001)
\$ 154,897.00 PW&E Water & Sewer System Operating Fund (8300)
\$ 62,000.00 C&E Civic Center Facility Revenue Fund (8601)
\$1,135,300.00

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve various awards, as shown below, in an amount not to exceed \$1,135,300.00 for paints, solvents and supplies for various departments. It is further requested that authorization be given to issue purchase orders, as needed, for a 60-month period. The City Purchasing Agent may terminate these awards at any time upon 30-days written notice to the contractors. These awards, consisting of architectural, industrial, professional and aerosol paint, lacquers and painting tools, will be used by the Building Services, Convention & Entertainment Facilities, Fire, Parks & Recreation, Public Works & Engineering and Solid Waste Management Departments and the Houston Airport System to maintain facilities throughout the City.

These are line item and price list contracts. Relative to a price list contract, the best discount which determines the low bid for a price list contract is the best bid received for quantities of high-use items selected as sample pricing items based on previous purchase history. The bid total for sample pricing items does not represent the total amount estimated to be purchased; rather, the award recommendations are for the total estimated expenditures projected over the life of the contracts based on the low bid submitted for the representative samples.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Twenty-eight prospective bidders viewed the solicitation document on SPD's e-bidding website, and four bids were received as outlined below:

Pittsburgh Paint Company (Bid No. 2): Award low bid for Price Lists V, VIII, X and XI (Pittsburgh Paint Price List 2007 – 2008; which includes, but is not limited to general paint, painting tools and sundry items) and low bid for Line Item Nos. 3, 9, 12, 15, 16, 18 – 21, and 25 - 29 (55-gallon drums of toluene, mineral spirits, lacquer thinner, acetone, butyccellosolve, 1 and 5-gallon pails of butyccellosolve, 1-gallon pail of acetone, and fees for the retrieval and disposal of discarded 55-gallon drums) in an amount not to exceed \$240,100.00.

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

NDT

Date: 3/9/2007	Subject: Formal Bids Received for Paints, Solvents and Supplies for Various Departments SC-R-8010-098-20853	Originator's Initials MC	Page 2 of 2
-------------------	---	--------------------------------	-------------

<u>Company</u>	<u>Sample Pricing & Line Item Total</u>
1. Southwestern Paint & Wallpaper Company	\$ 3,279.40 (Partial/Higher Unit Price)
2. Pittsburgh Paint Company (Bid No. 2)	\$42,128.61

Southwestern Paint & Wallpaper Company: Award low bid meeting specifications for Price Lists I, II, III, IV, VI, VII and IX (Benjamin Moore Price Catalog 2007 – 2008; which includes, but is not limited to architectural, professional, industrial, specialty, Superior Coatings, Sherwin-Williams traffic paint, Reaves Paint Sundry Products), low bid for Line Item Nos. 1, 2, 4, 5, 7, 8, 10, 11, 13, 14, 17 and 22 (1 and 5-gallon pails of toluene, xylene/xylol, mineral spirits, lacquer thinner, acetone and liquid sander/deglosser), and low bid meeting specifications for Line Item Nos. 23 and 24 (ICI Convention blue and red paint) in an amount not to exceed \$895,200.00.

<u>Company</u>	<u>Sample Pricing & Line Item Total</u>
1. Pittsburgh Paint Company (Bid No. 1)	\$ 2.26 (Incomplete Bid)
2. Stellar Kwal Paint	\$ 240.00 (Did Not Meet Specifications)
3. Pittsburgh Paint Company (Bid No. 2)	\$26,030.80 (Did Not Meet Specifications)
4. Southwestern Paint & Wallpaper Company	\$49,289.90

Line Item No. 6 is not being awarded.

M/WBE Subcontracting: This bid was issued with an 11% goal for M/WBE participation.

Pittsburgh Paint Company has designated the below-named company as its certified M/WBE subcontractor.

<u>Company</u>	<u>Type of Work</u>	<u>Dollar Amount</u>
Dixie Hardware Plumbing & Electrical, Inc.	Provide paint & sundry items	\$26,411.00

Southwestern Paint & Wallpaper Company has designated the below-named companies as its certified M/WBE subcontractors.

<u>Company</u>	<u>Type of Work</u>	<u>Dollar Amount</u>	<u>Percentage</u>
Advantage Wiping Materials	Provide industrial rags	\$71,616.00	8%
Gotcha Kovered	Provide company apparel	\$26,856.00	3%

The Affirmative Action Division will monitor this award.

Buyer: M.A. Cruz Goldman

Estimated Spending Authority:

<u>Department</u>	<u>FY 2007</u>	<u>Out Years</u>	<u>Sub-Total</u>
Building Services	\$60,400.00	\$241,900.00	\$302,300.00
Convention & Entertainment Facilities	\$12,400.00	\$49,600.00	\$62,000.00
Fire	\$5,000.00	\$20,000.00	\$25,000.00
Houston Airport System	\$54,700.00	\$218,800.00	\$273,500.00
Parks & Recreation	\$38,000.00	\$152,000.00	\$190,000.00
Police	\$12,200.00	\$48,800.00	\$61,000.00
Public Works & Engineering	\$43,300.00	\$173,200.00	\$216,500.00
Solid Waste Management	\$1,000.00	\$4,000.00	\$5,000.00
Grand Total	\$227,000.00	\$908,300.00	\$1,135,300.00

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7289

Subject: Purchase of Vans and Pickup Trucks Through the Houston-Galveston Area Council for Various Departments
S27-N22320-H

Category #
4

Page 1 of 1

Agenda Item

11

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Kevin M. Edmonson

Origination Date

March 15, 2007

Agenda Date

APR 04 2007

DIRECTOR'S SIGNATURE

Council District(s) affected
All

For additional information contact:

Gary Norman Phone: (713) 837-7425
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of vans and pickup trucks through the Houston-Galveston Area Council (H-GAC) in the amount of \$223,159.35 for various departments.

Award Amount - \$223,159.35

F & A Budget

KWC

- \$ 76,052.00 - Mobility Response Team Fund (2304)
- \$ 20,602.00 - Major Accessory Shop/15 (5010)
- \$ 19,493.00 - Health/Whole Air Monitoring Fund (5030)
- \$ 13,091.45 - HAS-AIF Capital Outlay Fund (8012)
- \$ 93,920.90 - PWE - Combined Utility System General Purchase Fund (8305)
- \$223,159.35 - Total**

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of eight passenger vans, two cargo vans, and three pickup trucks through the Interlocal Agreement for Cooperative Purchasing with H-GAC in the amount of \$223,159.35 for the Houston Airport System, and the Public Works & Engineering, Health & Human Services and Police Departments, and that authorization be given to issue purchase orders to the H-GAC contractors as shown below. These vehicles will be used by City personnel to conduct City business and to provide services to the citizens of Houston.

Dallas Dodge Chrysler Jeep: Approve the purchase of eight gasoline-powered, small extended, 7-passenger vans, and two gasoline-powered, 5500-lb. Gross Vehicle Weight Rating, cargo vans in the amount of \$184,055.00.

Philpott Motors, Ltd.: Approve the purchase of three gasoline-powered, compact, pickup trucks in the amount of \$39,104.35.

The vehicles will come with a full three-year/36,000-mile bumper-to-bumper warranty, have a life expectancy of seven years or 100,000 miles, and meet the EPA's current emission standards for low emission vehicles. For vehicle usage and replacement details, see attached Equipment Justification Summary. The vehicles that will be replaced have reached their life expectancies and will be sent to auction for disposition.

Buyer: Louis Reznicek

Attachment: Equipment Justification Summary

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

NOT

3-2-07

**EQUIPMENT USAGE SUMMARY
VANS AND PICKUP TRUCKS
FOR VARIOUS DEPARTMENTS
S27-N22320-H
RCA NO. 7289**

Requisition No.	Qty	Description	Department Usage	Equipment Replacement Age(Yrs.)/Mileage									
10010532	4	Series 741B, Small, Extended, Gasoline-Powered, 7-Passenger	Police Department These new vans will be used citywide by the Department's Mobility Response Team to respond to malfunctioning traffic signals, minor traffic accidents, and other acute mobility issues to reduce traffic congestion.	Additions to the Fleet These additional vans are required for the transportation of newly hired civilian Mobility Service Officers assigned to the Mobility Response Team.									
10019194	1	Series 741B, Small, Extended, Gasoline-Powered, 7-Passenger	Police Department This new van will be used citywide by the Department's undercover auto theft officers during covert and surveillance operations.	Addition to the Fleet This additional van is required to support surveillance operations to help reduce the overall auto theft rate in the City of Houston and will be purchased through a State grant fund.									
10004032	2	Series 741B, Small, Extended, Gasoline-Powered, 7-Passenger	Public Works & Engineering These new vans will be used citywide by the Department's Utility Customer Service for transportation of personnel for job training activities, meter readings, and investigations.	<table border="0"> <thead> <tr> <th><u>Shop No.</u></th> <th><u>Age(Yrs.)</u></th> <th><u>Mileage</u></th> </tr> </thead> <tbody> <tr> <td>32840</td> <td>5</td> <td>28,012*</td> </tr> <tr> <td>32902</td> <td>5</td> <td>22,270*</td> </tr> </tbody> </table> *The Department's existing 15-passenger vans have been declared as unsafe due to rollover risk per the National Transportation & Safety Board.	<u>Shop No.</u>	<u>Age(Yrs.)</u>	<u>Mileage</u>	32840	5	28,012*	32902	5	22,270*
<u>Shop No.</u>	<u>Age(Yrs.)</u>	<u>Mileage</u>											
32840	5	28,012*											
32902	5	22,270*											
10004081	1	Series 741B, Small, Extended, Gasoline-Powered, 7-Passenger	Health & Human Services This new van will be used citywide for the transportation of employee assigned to air quality monitoring.	Addition to the Fleet This additional van is required for the transportation of a newly hired employee assigned to the TCEQ 105 Air Monitoring Program for the completion of inspection activities mandated by the program.									
10004223	2	Series 668B, Small, 5500-lb. GVWR, Gasoline-Powered, Cargo Van	Public Works & Engineering These new vans will be used citywide by the Department's Public Utilities Division for transportation of crews, equipment, tools, and testing instruments for the maintenance of wastewater treatment plants and lift stations.	<table border="0"> <thead> <tr> <th><u>Shop No.</u></th> <th><u>Age(Yrs.)</u></th> <th><u>Mileage</u></th> </tr> </thead> <tbody> <tr> <td>19771</td> <td>17</td> <td>208,782</td> </tr> <tr> <td>27362</td> <td>12</td> <td>166,473</td> </tr> </tbody> </table>	<u>Shop No.</u>	<u>Age(Yrs.)</u>	<u>Mileage</u>	19771	17	208,782	27362	12	166,473
<u>Shop No.</u>	<u>Age(Yrs.)</u>	<u>Mileage</u>											
19771	17	208,782											
27362	12	166,473											

**EQUIPMENT USAGE SUMMARY
VANS AND PICKUP TRUCKS
FOR VARIOUS DEPARTMENTS
S27-N22320-H
RCA NO. 7289**

Requisition No.	Qty	Description	Department Usage	Equipment Replacement Age(Yrs.)/Mileage		
				Shop No.	Age(Yrs.)	Mileage
10003884	1	Series 843B, Gasoline-Powered, Compact, Pickup Truck	Houston Airport System This new pickup truck will be used at the William P. Hobby Airport to transport Electrical Section personnel and equipment for the maintenance of airside runway and taxiway lighting, landside lighting, and other electrical equipment.	19771	17	80,985
10004261	2	Series 843B, Gasoline-Powered, Compact, Pickup Truck	Public Works & Engineering These new pickup trucks will be used citywide by the Department's Public Utilities Division for transportation of crews, equipment, tools, and testing instruments for the maintenance of the City's groundwater plants.	22945 22973	13 13	170,950 171,852

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of a resolution designating the Davies-Falk House at 2003 Decatur Street as a Landmark and Protected Landmark		Category #	Page 1 of 1	Agenda Item # 12
FROM (Department or other point of origin): Planning and Development		Origination Date 2/15/2007		Agenda Date APR 04 2007
DIRECTOR'S SIGNATURE: <i>Ms Maureen R. Daffrick</i>		Council District affected: H		
For additional information contact: Thomas McWhorter Phone: 713-837-7963		Date and identification of prior authorizing Council action: August 16, 2005 Ord. 2005-0969		
RECOMMENDATION: (Summary) Approval of a resolution designating the Davies-Falk House at 2003 Decatur Street as a Landmark and Protected Landmark				
Amount and Source of Funding:			F & A Budget:	
SPECIFIC EXPLANATION: In accordance with Chapter 33 of the Code of Ordinances relating to historic preservation, a property owner may initiate the application for the designation of a Landmark and Protected landmark for which a 90-day waiver certificate may not be issued by the planning official. Public Hearings were held by the Houston Archaeological and Historical Commission and the Houston Planning Commission on January 24, 2007 and February 1, 2007 respectively. Both commissions determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of a Landmark and Protected Landmark designation. There were no objections to the application. MLG: rp tm Attachments: Application and Staff Report xc Marty Stein, Agenda Director Jill Jewett, Mayor's Liaison for Cultural Affairs Anna Russell, City Secretary Arturo G. Michel, City Attorney Deborah McAbee, Land Use Division, Legal Department Harold L. Hurtt, Chief, Police Department Phil Boriskie, Chief, Fire Department				
REQUIRED AUTHORIZATION				
F & A Director:		Other Authorization:		Other Authorization:

PROTECTED LANDMARK DESIGNATION REPORT

LANDMARK NAME: Davies-Falk House

OWNER: Jerry L. Harper

APPLICANT: Same as owner

LOCATION: 2003 Decatur Street – Old Sixth Ward Historic District

30-DAY HEARING NOTICE: N/A

AGENDA ITEM: II

HPO FILE NO.: 07PL37

DATE ACCEPTED: Sept-19-06

HAHC HEARING DATE: Jan-24-07

P.C. MEETING DATE: Feb-01-07

SITE INFORMATION:

Lot 7, Block 417, W. R. Baker Addition, NSBB, City of Houston, Harris County, Texas. The site includes a historic one-story, wood-frame residence.

TYPE OF APPROVAL REQUESTED: Landmark and Protected Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY:

The Davies-Falk House is a late Victorian “L” shaped cottage constructed in 1897. The home was built for Annie E. Davies by August Lebrun Metcalf, a notable Houston builder, who later constructed many houses in the fashionable Westmoreland neighborhood. The home represents one of Metcalf’s earliest works in Houston. The property was sold in 1909 after the death of Mrs. Davies. The Davies heirs sold it to Benjamin Riesner, notable Houston businessman, who purchased the property as an investment and consequently sold it to Emil and Rosa Falk in 1910. Emil Falk and his wife Rosa resided in the home until their deaths in the 1950s, but their daughter Adela, lived there until her death in 1987. The home was purchased by the present owner in 1988 and subsequently restored. The house was designated as “contributing” structure in both the National Register and City of Houston Historic Districts. The property qualifies for Landmark and Protected Landmark designation under criteria 1, 4, and 6, and the house was constructed before 1905.

HISTORY AND SIGNIFICANCE:

The Davies-Falk House at 2003 Decatur Street is located within the boundaries of the Old Sixth Ward Historic District, which was listed in the National Register of Historic Places on January 23, 1978 and was designated as a city historic district by City Council on June 25, 1998. The home is a one-story, wood frame cottage constructed in 1897 for Annie E. Davies. The house was constructed next door to her homestead at 2007 Decatur as an income producing property. Both the house at 2003 Decatur and the Davies homestead, located next door at 2007 Decatur, were situated on land purchased by James and Annie Davies prior to 1890.

James B. Davies was a native of England born in 1841. His wife Annie, nee Annie Aurand, was a Pennsylvania native born in 1844. The couple was married in Pennsylvania and had a son, Harry B. Davies, born circa 1863. The Davies family moved to Harris County prior to 1880 as evidenced by their enumeration in the 1880 U.S. census of Harris County, Texas. At that time, Davies’ occupation was given as “creosote works”. James Davies was later listed in City directories as the superintendent of the Southern Pacific Railway Company’s Creosote Works. Creosote is used as a wood preservative on railroad ties, telephone poles, and other utilitarian items made of wood that are subjected to extreme conditions. In his later years, Davies’ occupation was given simply as “machinist.” Their son Harry Davies’ occupation was also listed as “machinist.” Harry resided with them until the year of James Davies’ death in 1896. There is no record of Harry Davies after 1896.

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

The property, which is located at the southwest corner of Decatur and White Streets, was originally a 95' wide by 100' double lot on which the Davies family lived prior to 1890. In 1890 the Davies' address was given simply as 99 Decatur between Henderson and White. The Davies' home was renumbered 2007 Decatur in 1894. The Davies house at 2007 Decatur was situated to the far western edge of the property, which left ample room for another house on the same lot. An 1896 Sanborn fire Insurance Company map depicts a one-story wood frame house with a full-width front porch constructed to the far western edge of the Davies' property. This is the same house used as their residence

In 1897, the year after her husband's death, Annie had a new house constructed next to hers at 2003 Decatur. By this time the double lot had been divided into two 50' x 100' lots fronting on Decatur, which became known as 2003 and 2007 Decatur. A 1920s bungalow style home now occupies the site of the earlier Davies house at 2007 Decatur.

According to a building contract between Annie Davies and August Lebrun Metcalf, dated August 23, 1897, Metcalf was to furnish the materials and labor to construct a one-story wood frame house on Lot 7 Block 417 in the W.R. Baker Addition, more commonly known as 2003 Decatur. The contract stipulated that the house was to have a shingled roof and a perimeter fence with two gates, presumably to access the property from both the Decatur and White Street sides. Metcalf was also contracted to construct a water closet on the property. A 1907 Sanborn Fire Insurance Company map of the property depicts a very small room, with windows, appended to the rear of the home. This room likely represents the bathroom, which is currently located in this approximate area of the house, and is probably a replacement of the freestanding water closet constructed by A. L. Metcalf.

The house at 2003 Decatur represents one of August Lebrun Metcalf's earliest works in Houston as he did not arrive in the city until 1896. Metcalf later constructed many other houses in Houston, especially in Westmoreland and Houston Heights, using plans from George Franklin Barber, a Knoxville, Tennessee, architect, who published several catalogues of house plans, including "Cottage Souvenir No. 2", "Modern Homes", and "New Modern Homes." Metcalf also used plans from Barber and Klutz, catalogue, "Art and Architecture" in 1902-03. Numerous examples of houses constructed in Westmoreland were taken directly or were adapted from the plans of Barber, whose company revolutionized the sale of plans from catalogues, which were adapted by his firm if requested by the buyer, and then all materials necessary for its construction could be shipped to any city from their factory by railroad. Once the materials arrived, local contractors constructed the houses. Metcalf built a home at 228 Emerson in Westmoreland Addition on speculation in 1906 from a Barber catalogue. Metcalf then sold the house to Dr. Paul Whitfield Horn, who had just come to Houston to head up the Houston School System as its Superintendent. Metcalf also built 428 Westmoreland, as his own home in the Westmoreland Addition. He also built there the houses at 415 Emerson Street, 304 Hawthorne Street, 3604 Garrott Street, 210 Marshall Street, and 217 Marshal Street. Metcalf also constructed the Staiti House at 425 Westmoreland, which was relocated to Sam Houston Park in 1986. Metcalf also constructed the house at 443 Heights Boulevard, which originally was a twin of 304 Hawthorne, but the house on Heights was drastically altered in 1994.

The house at 2003 Decatur was presumably used as a rental property after its construction. However, the house's first tenants are unknown at this time. The first known tenant to inhabit the house was Thomas P. Cronan, who is known to have resided at that address in 1908. Cronan was a clerk for the Magnolia Brewery Company. The Houston Ice and Brewing Company, whose owners dubbed it the Magnolia Brewery, was founded in 1893 and had its factory and ice-making plant at Fourth and Washington streets on the north side of Buffalo Bayou. The company manufactured ice but was largely recognized for its lager beer that sold under the names "Standard," "Richelieu," "Magnolia Pale," and "Southern Select." Prior to renting the house at 203 Decatur, Thomas Cronan had lived in a house at 807 Trinity with other family members. In 1910 and 1911,

Cronan served as Secretary to the City of Houston Fire Commissioner, W.J. Kohlhauff. Cronan moved out of the Decatur house the following year.

Annie Davies died in 1909. After her death, her surviving heirs, consisting of brothers and sisters living in Colorado and Florida, sold the two lots and houses to Benjamin Riesner for \$2500 in September 1909. Riesner had been involved in the wagon making business in Houston since 1877, first in partnership with John Hoop in the firm of Hoop and Riesner. Riesner left that firm and started his own firm at 13-15 Commerce (now north side of 800 block of Commerce) in 1882 which was called the Benjamin A. Riesner Carriage and Wagon Manufacturing Company. Riesner also was involved in blacksmithing, general bridge and building work, and was agent for the Milburn Wagons of Toledo, Ohio. He built a new building in 1906 at 800 Commerce Street which today is "contributing" to both the National Register and City Main Street/Market Square Historic Districts. Riesner had also been a member of the Houston city council from 1887 to 1893, as well as a director of the Houston Lighting and Power Company. He also had large real estate holdings, including lots in the Sixth Ward, where he also resided. On July 30, 1910, Riesner sold the home at 2003 Decatur to Rosa Falk, wife of Emil G. Falk, for \$1500 payable in six installments. The house would serve as the Falk family residence for the next 75 years. Riesner sold the former Davies homestead, located next door at 2007 Decatur, in November 1910 for \$1225.

Emil Falk, a carpenter by trade, was a German immigrant who was born in Berlin. He moved to Houston in 1905. Rosa Falk was born Rosa Seeburger in Swiss Alp, Texas, a small Fayette County community located midway between Schulenburg and La Grange. The Seeburger family is credited as one of the founding families of the Swiss Alp community.

The Davies-Falk House has received notoriety in recent years. The house was featured in a 2004 episode on the Home and Gardens Television program "If Walls Could Talk", episode number WCT 708. The home was also the subject of an article in the July 2002 "Houston House and Home" magazine, Volume 9 Number 7.

Part of the Fourth Ward until 1876, the Old Sixth Ward Historic District has the largest concentration of Victorian-era buildings in Houston. The majority of the houses standing today were built in the 1870s, 80s, and 90s as modest, one-story frame cottages occupied by a single family. The distinctive Victorian character of these dwellings was enhanced by decorative millwork usually applied to the front porches. As the 20th Century progressed, new housing reflected changes in architectural style. Bungalows were built among the Victorian cottages, but the essential character of the neighborhood did not change. During World War II, many of the houses were converted from single to multi-family dwellings, often owned by absentee landlords. Since achieving recognition as both a nationally and locally designated historic district, the Old Sixth Ward has witnessed the restoration of many homes to single-family occupancy.

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:

The Davies-Falk house is a late Victorian "L" shaped wood frame cottage. The home is five bays in width with a prominent projecting, gable ended, square shaped bay to the western side of the front facade. The house is clad in wood clapboard and features two-over-two pane wood sash windows. An applied porch, supported by square wooden columns, is located along the front façade to the east of the projecting bay, which shelters the central entry. The main body of the house is a gable-ended structure oriented east to west on the lot facing Decatur Street. A double hung two-over-two sash, wood frame window is located in the east facing gable end and a smaller fixed rectangular wood sash window is located in the front facing pedimented gable. Roof eaves are enclosed and an unadorned wide, wooden band is located below, which follows the perimeter of the house.

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

During the brief time that the house was not owner occupied, after Adela Falk's death, it was used as a boarding house with multiple tenants. During this time the house was inhabited by eight tenants, which caused a rapid decline in the home's overall condition. The current owner purchased the home in 1988. After the purchase, the home underwent a full restoration. The restoration sought to remove inappropriate alterations, while simultaneously conserving historic materials and increasing the useable floor space.

An inappropriate shed roof addition, constructed to the eastern façade of the home facing White Street, was removed at this time. The pre-1907 water closet addition to the rear of the house originally appeared as a small "ell" to the rear of the house. While the water closet was attached, it was only accessible by exiting the rear of the home. The footprint of the home was slightly increased during the post-1988 renovation. Additional square footage was gained with the construction of a small one-story addition to the rear of the home, which brought the rear of the house southward in line with the southernmost wall of the water closet.

The information and sources provided by the applicant for this application have been reviewed, verified, edited and supplemented with additional research and sources by Thomas McWhorter, Planning and Development Department, City of Houston.

BIBLIOGRAPHY:

City of Houston Directories 1866-1926, Morrison-Fourmy Publishers.
 Harris County Contract Records 1890-1910.
 Harris County Deed Records 1880-1920.
 Harris County, Texas, U. S. Census records 1880.
 Johnston, Marguerite, Houston, The Unknown city 1836-1946, Texas A&M Press 1991.
 Houghton, Dorothy Knox Howe, Houston's Forgotten Heritage, Landscape, Houses, Interiors, 1824-1914, The Junior League Houston 1991.
 Sanborn Fire Insurance Map Company maps 1896-1925.

APPROVAL CRITERIA FOR PROTECTED LANDMARK DESIGNATION:

Sec. 33-224. Criteria for designation of a Protected Landmark.

- (a) The HAHC and the commission, in making recommendations with respect to designation, and the city council, in making a designation, shall consider three or more of the following criteria, as appropriate for the Protected Landmark designation. If the HAHC reviews an application for designation of a Protected Landmark initiated after the designation of the Landmark, the HAHC shall review the basis for its initial recommendation for designation and may recommend designation of the landmark as a protected landmark unless the property owner elects to designate and if the landmark has met at least (3) three of the criteria of Section 33-224 of the Historic Preservation Ordinance (HPO) at the time of its designation or, based upon additional information considered by the HAHC, the landmark then meets at least (3) three of criteria of Section 33-224 of the HPO, as follows:

S	NA	S - satisfies	D - does not satisfy	NA - not applicable
<input checked="" type="checkbox"/>	<input type="checkbox"/>	(1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation;		

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

- (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event;
- (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation;
- (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city;
- (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood;
- (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation;
- (7) Whether specific evidence exists that unique archaeological resources are present;
- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride.

OR

- The property was constructed before 1905;

OR

- The property was listed individually in the National Register of Historic Places or designated as a "contributing structure" in an historic district listed in the National Register of Historic Places;

OR

- The property was designated as a State of Texas Recorded Texas Historical Landmark.

STAFF RECOMMENDATION:

Staff recommends that the Houston Planning Commission accepts the recommendation of the Houston Archaeological and Historical Commission and recommends to Houston City Council the Landmark and Protected Landmark Designation of the Davies-Falk House at 2003 Decatur Street.

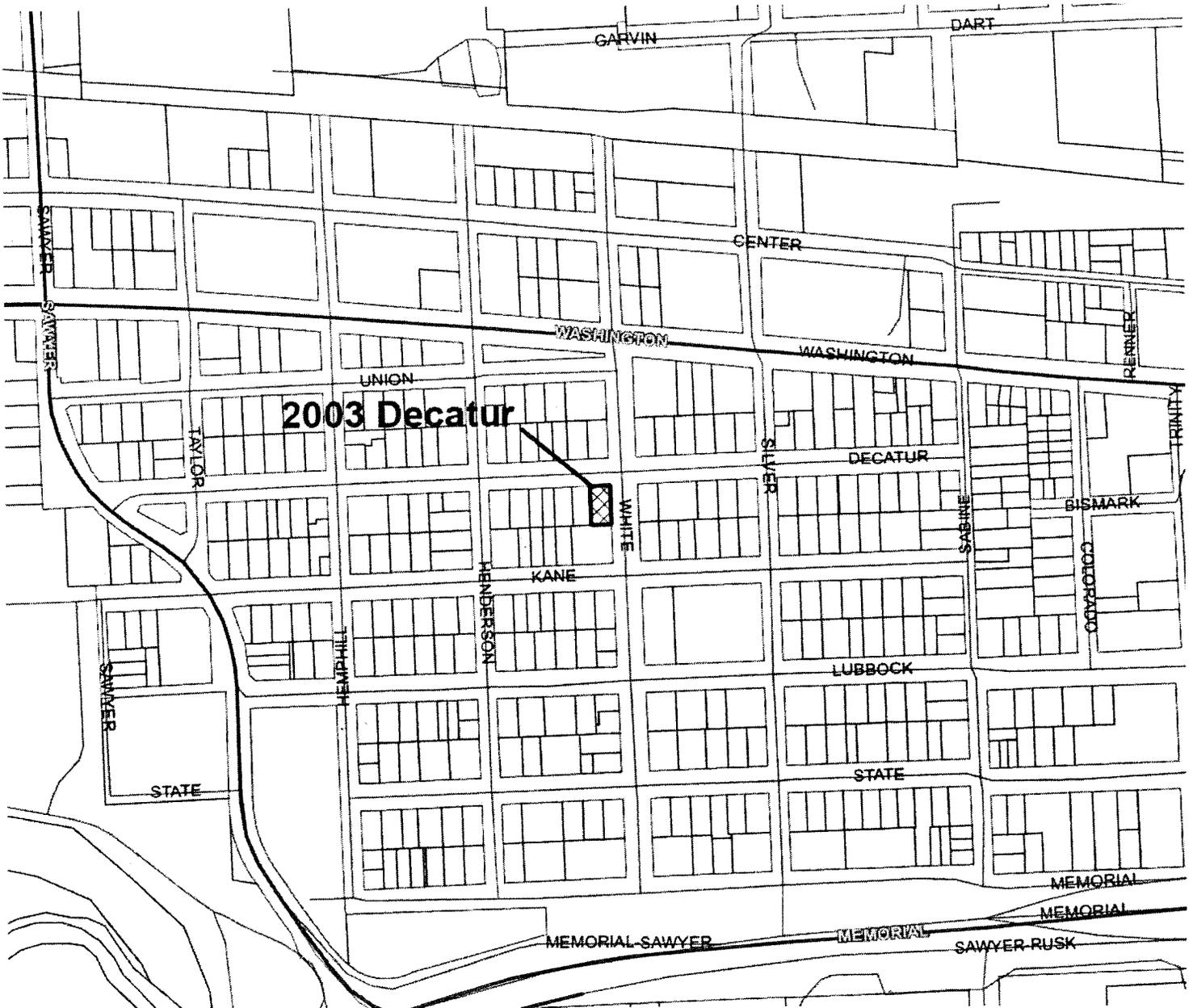
Public Comments: None

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

SITE LOCATION MAP
DAVIES-FALK HOUSE
2003 DECATUR STREET
NOT TO SCALE



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Consolidation of parking related ordinances into a new Chapter 26 for the Code of Ordinances.		Category #	Page 1 of 2	AGENDA ITEM # 13
FROM (DEPARTMENT OR OTHER POINT OF ORIGIN): Convention & Entertainment Facilities Department		ORIGINATION DATE 3-29-07		AGENDA DATE APR 04 2007
DIRECTOR'S SIGNATURE: Dawn Ullrich <i>Dawn Ullrich</i>		COUNCIL DISTRICT AFFECTED: All		
FOR ADDITIONAL INFORMATION CONTACT: Steve Lewis 713/853-8888 Liliana Rambo 713/853-8276		DATE AND IDENTIFICATION OF PRIOR AUTHORIZING COUNCIL ACTION:		

RECOMMENDATION: (SUMMARY)
That City Council approve amendments to the Code of Ordinances to create a new Chapter 26 for parking that consolidates on-street and off-street parking, updates obsolete items and incorporates changes recommended by the Public Parking Commission.

AMOUNT:
SOURCE OF FUNDING: N/A

SPECIFIC EXPLANATIONS:

OVERVIEW OF PARKING ORDINANCE

The Parking Management Division of the Convention and Entertainment Facilities Department, working with the Traffic & Transportation Division of the Public Works and Engineering Department, the Municipal Courts Judicial Department, the Legal Department, and the Houston Police Department, undertook a comprehensive reorganization of the City's parking-related ordinances. The goals of this reorganization include creating a more user-friendly Code of Ordinances by consolidating on-street and off-street parking regulations into one chapter to be known as the "Parking Ordinance," updating numerous obsolete items, and implementing changes recommended by the Public Parking Commission. The proposed new Chapter 26 was presented to and recommended by the Transportation, Infrastructure and Aviation Committee.

Generally, this reorganization:

- Contains a new article on "Parking Management" which includes the powers and duties of the parking official (Ch. 26, Art. I);
- Relocates provisions relating to the Public Parking Commission from Chapter 12, "Convention and Entertainment Facilities Department" to Chapter 26, Art. I;
- Relocates parking-related provisions, both administrative and regulatory, from Chapter 45, "Traffic" to Chapter 26 (currently named "Off-Street Parking") and renaming Chapter 26 "Parking." On-street parking provisions that were relocated from Chapter 45 include:
 - Parking Offenses (Ch. 26, Art. II)
 - Parking Meters (Ch. 26, Art. III)
 - Commercial Vehicle Loading Zones (Ch. 26, Art. IV)
 - Booting and Towing Delinquent Vehicles (Ch. 26, Art. V)
 - Residential Parking Permits (Ch. 26, Art. VI)
 - Valet Parking Zones (Ch. 26, Art. VII)
- Relocates provisions relating to the adjudication of parking citations from Chapter 45, "Traffic" to Chapter 16, "Municipal Courts" (Art. IV, Ch. 16);
- Updates the Code of Ordinances to reflect the previous transfer of certain parking-related duties from the chief clerk of the Municipal Courts and the Municipal Courts Administration Department to the Convention and Entertainment Facilities Department and the parking official; and
- Provides a general update of various parts of Chapters 2, 12, 26, 45, and 46 of Code of Ordinances, including updating obsolete references to state law.

F&A DIRECTOR:	OTHER AUTHORIZATION:	OTHER AUTHORIZATION:
--------------------------	-----------------------------	-----------------------------

E-MAILED
3/23/07

<p>SUBJECT: Consolidation of parking related ordinances into a new Chapter 26 for the Code of Ordinances.</p>	<p>Category #</p>	<p>Page 2 of 2</p>	<p>AGENDA ITEM #</p>
--	--------------------------	---------------------------	-----------------------------

SPECIFIC EXPLANATION (CONTINUED):

Substantive amendments to the parking regulations include:

- A requirement that delinquent parking citations be resolved before City permits will be issued for:
 - bagging of parking meter (Sec. 26-183)
 - commercial vehicle loading zone (Sec. 26-224)
 - residential parking (Sec. 26-341)
- Authority for the parking official, with the approval of the traffic engineer, to install signage in commercial vehicle loading zones (Sec. 26-221), valet zones (Sec. 26-371), tow away zones (Sec. 45-136), and no parking zones (Secs. 45-117, 45-118, 45-119).
- Updated provisions relating to “commercial vehicle loading zones,” previously referred to as “curb loading zones” and “truck loading zones” (Ch. 26, Art. IV).
- New definitions in Chapter 26 including “parking enforcement officer,” “parking management division,” and “parking meter collector” (Sec. 26-2). Definitions no longer used in Chapters 26 and 45 have been deleted.
- **Public Parking Commission:**
 - Adds an ex-officio member designated by the Houston Commission on Disabilities.
 - Amends the membership requirements to allow one of the regular members to be a non-resident of the City as long as he/she works full-time or owns a business within the City (Sec. 26-42(d)).
- **Parking Meters:**
 - Authorizes the parking official, with the approval of the traffic engineer, to install on-street parking meters (Sec. 26-152).
- **Commercial Vehicle Loading Zones:**
 - Transfers administration of commercial vehicle loading zone permits from the Public Works and Engineering Department to the parking official, effective May 1, 2007 (Sec. 26-224).
 - Adds a provision that net fees and/or revenues generated from the use of commercial vehicle loading zones will first be expended to defray all signage and administration costs. The remainder will be divided evenly among the transportation special revenue fund and the police special services fund (Sec. 26-231).
- **Booting and Towing:**
 - As recommended by the Parking Commission, amends the definition of “delinquent vehicle” to include a vehicle with a single unresolved parking citation for parking in a disabled parking space. This could result in a vehicle being booted and/or towed if the owner fails to make an appearance after receiving notice from Parking Management that the vehicle will be placed on the delinquent vehicle list (Sec. 26-261).
- **Residential Parking Permits:**
 - As recommended by the Parking Commission:
 - makes one-day visitor and service provider permits available to residents (Sec. 26-342)
 - allows residents to request residential parking permit areas with or without tow-away zones (Sec. 26-312).
 - Limits consideration of an area for residential parking permits to once every 12 months (Sec. 26-312).
 - Requires a \$50 non-refundable application fee with each request for a residential parking permit area (Sec. 26-312).
- **Valet Parking Zone:**
 - Authorizes parking enforcement officers to issue written citations to valet operators who park vehicles in on-street parking spaces in the central business district, a Class C misdemeanor (Sec. 26-371).
- **Neighborhood traffic projects:**
 - Adds the parking official to the interdepartmental review committee (Sec. 45-361).

The Convention & Entertainment Facilities Department recommends that City Council approve the subject amendments to the Code of Ordinances.

--	--	--

SUBJECT: Ordinance amending Article VII of Chapter 33, Code of Ordinances, Houston, Texas, relating to historic preservation.		Category #	Page 1 of 1	Agenda Item # 14
FROM (Department or other point of origin): Planning and Development Department		Origination Date March 28, 2007		Agenda Date APR 04 2007
DIRECTOR'S SIGNATURE: <i>Ms. Maureen A. Sepuck</i>		Council District affected: All		
For additional information contact: Randy Pace Phone: 713-837-7796		Date and identification of prior authorizing Council action: Ord. 95-228 3/5/1995; Ord. 2005-969, 8/17/05; Ord. 2006-073, 07/25/06		
RECOMMENDATION: (Summary) Adopt ordinance amending Article VII of Chapter 33 of the Code of Ordinances relating to historic preservation.				
Amount and Source of Funding: NA			F & A Budget:	
<p>SPECIFIC EXPLANATION: To enhance the Historic Preservation Ordinance as a more effective tool in expediting the designation and preservation of more historic sites and areas in Houston, the Planning and Development Department recommends changes to the Historic Preservation Ordinance as follows:</p> <p>First, amend Section 33-222 (b) (1) to reduce the percentage required for owner support to create a historic district by petition from 67% to 51%, a simple majority, which would be more in line with other preservation ordinances.</p> <p>Second, create Section 33-203 (d) to provide that if a city designated site is demolished illegally without a certificate of appropriateness, then the owner may not obtain building permits for that site for a period of 5 years, and a lien on said property would be filed in the Deed Records of Harris County. This provision is used by other municipalities to protect historic sites from being demolished illegally.</p> <p>Third, amend Section 33-223 and 228 that the Certificate of Non-Designation shall be an application considered by the HAHC, and if the HAHC determines that the building is worthy of designation, said certificate will not be granted for a period of 180 days to protect the site while the HAHC considers initiation of designation, other alternatives for preservation are explored and public input is sought.</p> <p>Fourth, amend Section 33-226 to allow for notifications regarding designations to be sent to property owners listed on the most recent city tax roll, which is consistent with other city ordinances, and to announce during the HAHC public hearing for a designation the date of the public hearing before the Planning Commission to expedite the designation process for property owners seeking designation.</p> <p>Public Hearings were held by the Houston Archaeological and Historical Commission and the Houston Planning Commission on March 14, 2007 and March 15, 2007 respectively. Both commissions recommended to City Council the adoption of Amendments to Article VII of Chapter 33 of the Code of Ordinances, Houston, Texas, relating to Historic Preservation.</p>				
xc: Marty Stein, Agenda Director Arturo Michel, City Attorney Deborah McAbee, Legal Department		Jill Jewett, Mayor's Liaison for Cultural Affairs Phil Boriskie, Fire Chief Harold L. Hurtt, Chief of Police		
REQUIRED AUTHORIZATION				
F & A Director:	Other Authorization:		Other Authorization:	

MS

As of

**PROPOSED AMENDMENTS TO HISTORIC PRESERVATION ORDINANCE
COMPARISON OF AMENDMENTS TO CURRENT CHAPTER 33
SECTIONS AFFECTED**

Sec. 33-203. Enforcement and penalties; remedies cumulative; other action not limited.

(a) The procedures set forth in this article are cumulative of all other remedies available to the city relating to the subject matter hereof. Specifically, the city attorney may institute any legal action necessary to enforce this article or enjoin or otherwise cause the abatement of any violations hereof, including legal action necessary to recover damages or require restoration or reconstruction under section 315.006 of the Texas Local Government Code. The city council finds that alteration, rehabilitation, restoration, construction, relocation or demolition of any building, structure, object or site that is subject to the provisions of this article without a certificate of appropriateness as required under this article adversely affects the structural, physical or visual integrity of the building, structure, object or site.

(b) The building official shall not issue a building permit for any activity that requires a certificate of appropriateness pursuant to this article unless the applicant for the building permit presents a certificate of appropriateness or a 90-day waiver certificate issued pursuant to section 33-250 of this Code.

(c) Any person who violates any provision of this article shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than \$50.00 nor more than \$500.00 for each violation. Each day during which any violation of this article continues shall constitute a separate offense.

<(d) If a landmark or protected landmark or a contributing or potentially contributing structure located in an historic district is demolished without a certificate of appropriateness required by this article or a 90-day waiver certificate issued pursuant to section 33-250 of this Code, the building official shall not issue a building permit, and no other person shall issue any other city permit, for the site where the landmark, protected landmark or structure was formerly located for a period of 5 years after the date of the demolition. The director shall cause notice of suspension of permitting pursuant to this subsection to be recorded in the real property records of the county in which the property is located. The owner of the site may appeal the denial of a permit under this subsection to the HAHC, which shall consider the circumstances under which the demolition occurred and whether the applicant has demonstrated an unreasonable economic hardship or unusual or compelling circumstance. The decision of the HAHC on the appeal shall be final.>

Sec. 33-222. Application.

(a) Application for designation of a landmark or an archaeological site shall be initiated by either:

- (1) The owner of the property for which the application is made or the owner's authorized representative; or
 - (2) The HAHC upon instructing the planning official to prepare an application for designation. Within ten working days following the action of the HAHC initiating an application, the planning official shall mail notice to the owner of the property or the owner's agent, as shown on the most recent city tax roll, that the HAHC has initiated an application.
- (b) Application for designation of an historic district shall be initiated by either:
- (1) The owners of at least ~~{67}~~ <51> percent of the tracts in the proposed district, which tracts shall constitute 51 percent of the land area within the proposed district exclusive of street, alley and fee simple pipeline or utility rights-of-way and publicly owned land, as determined by the planning official. In case of a dispute over whether the percentage requirements have been satisfied, it shall be the burden of the challenger to establish by a preponderance of the evidence through the real property records of the county or counties in which the proposed historic district is located or other public records that the applicants have not satisfied the percentage requirements; or
 - (2) The HAHC upon instructing the planning official to prepare an application for designation.
- (c) Application for designation of a protected landmark shall be initiated by the owner of the property proposed for designation. Application may be made in conjunction with an application for designation of a landmark or at any time after the city council has designated the property as a landmark.
- (d) The application for designation of a landmark, protected landmark, historic district or archaeological site shall be filed with the department in the form prescribed by the planning official. The application shall include a description and photographs of the property or properties and shall address each of the applicable criteria for designation contained in section 33-224 of this Code. The application for designation of an historic district shall also identify with respect to each building, structure, object or site within the proposed historic district whether it is proposed for designation as a contributing structure, a potentially contributing structure or a noncontributing structure. The application for designation of a protected landmark shall include an instrument suitable for recording in the real property records, in a form approved by the city attorney, signed by the owner indicating that the 90-day waiver provision of section 33-250 of this Code shall not apply to the protected landmark and that the property is subject to the demolition by neglect provisions of section 33-254 of this Code.

Sec. 33-223. Property pending designation.

(a) Upon initiation of an application for designation of a landmark, archaeological site or historic district that satisfies the minimum age criteria of section 33-224(b) <of this Code>, the building, structure, object or site proposed for designation as a landmark or archaeological site and any building, structure, object or site located in an area proposed for designation as an historic district shall be subject to the requirements of division 4 of this article as though the building, structure, object, site or area had been designated by the city council. The protected status provided by the foregoing shall not apply to any building, structure or object that is less than 50 years old or that is located in a proposed historic district in which the majority of buildings, structures and objects are less than 50 years old. <If the HAHC denies an application for certificate of non-designation for any property pursuant to section 33-228 of this Code, the property shall also be subject to the provisions of this section.>

(b) The protected status provided in subsection (a) above ends on the earliest of the following dates:

- (1) The day after an action of the city council rejecting an application for designation;
- (2) In the case of an application initiated by the HAHC, the day after an action of the HAHC recommending against the designation; ~~{or~~
- (3) In the case of an application for designation of a landmark or archaeological site initiated by the property owner, the day after the withdrawal of the application by the property owner~~; or~~
- (4) In the case of the denial of a certificate of non-designation by the HAHC, the 181st day after the decision of the HAHC.>~~{}~~

For purposes of this article, an application for designation is initiated immediately upon the occurrence of either the filing of an application for designation by the requisite owners pursuant to section 33-222 of this Code or, in the case of an application initiated by the HAHC, the date a majority of the HAHC votes to authorize the preparation of an application.

Sec. 33-226. Notice requirements.

(a) The planning official shall give notice of a public hearing before the HAHC on the designation of a landmark or archaeological site initiated by the HAHC not less than 30 days before the date of the public hearing to the owner of the property at the name and address ~~{shown on the last deed recorded in the real property records of the county in which the proposed landmark or archaeological site is located}~~ <as shown on the recently

approved ad valorem tax roll of the city. If the notice address for the owner as shown on the ~~{real property records}~~ <most recently approved ad valorem tax roll of the city> does not coincide with the street address of the property ~~{or if the last deed shows no address}~~, then the planning official shall also send a notice addressed ~~{"occupant"}~~ <'occupant'> to the street address for the proposed landmark or archaeological site. The planning director shall also publish notice of the public hearing in a newspaper of general circulation in the city not less than 30 days before the date of the public hearing.

(b) The planning director shall provide notice of a public hearing on the designation of a landmark or archaeological site by letter, first class mail, postage paid, by facsimile transmission or by electronic mail no later than the fifth day before the date of the public hearing to:

- (1) Any civic association registered with the planning official within whose service area the potential landmark or archaeological site is located; and
- (2) If the owner of the landmark or archaeological site initiated the application for designation, the owner.

(c) The planning official shall give notice of a public hearing before the HAHC on the designation of an historic district not less than 30 days before the date of the public hearing on designation as follows:

- (1) Notice shall be given by mail (i) if the owner joined in the application, to the owner or the owner's representative at the notice address shown on the application; (ii) if the owner did not join in the application, ~~{then}~~ to the name and address shown on the ~~{last deed recorded in the real property records of the county in which the historic district is located}~~ <most recently approved ad valorem tax roll of the city>, and, if the notice address for the owner as shown on the ~~{real property records}~~ <most recently approved ad valorem tax roll of the city> does not coincide with the street address of the property ~~{or if the last deed shows no address}~~, then a notice shall also be sent addressed ~~{"occupant"}~~ <'occupant'> to the street address for the property proposed to be included in the historic district; and (iii) to any civic associations registered with the planning official within whose service area all or part of the historic district is located;
- (2) Notice shall be published in a newspaper of general circulation in the city; and
- (3) Notice shall be posted by sign in at least four locations within the district selected by the planning official at locations reasonably calculated to be seen easily by residents of the district and where each sign will be visible from at least one public right-of-way. In addition, where, in the opinion of the planning official, because of the size, configuration, traffic patterns or other

characteristics of the proposed historic district, additional signs would be beneficial in providing notice, the planning official shall cause an appropriate number of additional signs to be posted. The signs shall conform to specifications prescribed by the planning official.

(d) At each public hearing conducted under this division before the HAHC, the ~~{planning official shall maintain a register upon which interested persons may place their names and mailing addresses. Notice of a public hearing before the commission under this division shall be given by mail to each person on the register not less than 30 days prior to the date of the hearing}~~ <HAHC, upon making its recommendation to the commission regarding an application for landmark, protected landmark or historic district designation, shall also announce the date of the public hearing at which the commission will consider the application>.

(e) Written notice that is given by mail shall be deemed given when it is deposited in the United States mail, properly addressed, postage paid. The affidavit of a person who has knowledge of the fact that notice was mailed constitutes prima facie evidence that notice has been given as required by this section.

(f) Additional notice need not be given if the public hearing is adjourned or continued to another date, provided that the date, time and place to which the public hearing is adjourned or continued are specified in the public hearing.

Sec. 33-228. Certificate of non-designation.

(a) The ~~{planning official shall issue}~~ <owner or owner's agent of any property may submit an application for> a certificate of non-designation with respect to any building, structure, object, site, property or area~~{, upon application by the owner of the building, structure, object, site, property or area or the owner's agent, if}~~ <that has not been designated as a landmark, protected landmark, contributing or potentially contributing structure in an historic district or an archaeological site. Applications shall be filed with> the planning official ~~{finds that}~~ <and shall contain the following information:

(1) The name, address and daytime telephone number of the owner and the applicant, if different from the owner;

(2) The address and general description of the property that is> the subject of the application{;}<:>

~~{(1) Has not been designated by the city council as a landmark or archaeological site; and}~~

<(3) A current photograph of the property that is the subject of the application; and>

~~{(2) Is not located within the boundaries of}<~~

(4) Information demonstrating whether the property is eligible for designation as

a landmark or protected landmark or as a contributing or potentially contributing structure in an historic district ~~{designated by the city council; or, if located within an historic district, has been withdrawn from the requirements of division 4 of this article pursuant to section 3 of Ord. No. 95-228; and}~~ <or an archaeological site. >

~~{(3) Is not the subject of an application for designation of a landmark or archaeological site filed with the department or requested by the HAHC to be prepared; and~~

~~(4) Is not located in an area for which application for designation as an historic district has been filed with the department or has been requested by the HAHC to be prepared; and~~

~~(5) Has not been issued or denied a certificate of non-designation within the 12 months preceding the application.~~

~~(b)}~~ The application for a certificate of non-designation shall be accompanied by a nonrefundable fee of \$25.00.

<(b) The HAHC shall consider an application for certificate of non-designation at a regular meeting within 35 days of the date a complete application for the certificate is filed with the planning official or at a later time mutually agreed upon in writing by the planning official and the applicant. The HAHC may continue its consideration of an application for a certificate of designation to its next regular meeting upon finding that specific information is needed by the HAHC to enable it to reach its decision or upon agreement with the applicant for a continuance. If the HAHC does not act upon an application for a certificate of non-designation within the later of 70 days from the date the application is filed with the planning official or 35 days after the date mutually agreed on by the applicant and planning official for review of the application by the HAHC, the application shall be deemed approved, unless the applicant consents in writing to an extension to a specified date.

(c) The HAHC shall not grant the certificate of non-designation if it finds any of the following:

- (1) The building, structure, object, site, property or area is the subject of an pending application for designation as a landmark, protected landmark or archaeological site;
- (2) The building, structure, object, site, property or area is within an area that is the subject of a pending application for designation of an historic district;
- (3) The building, structure, object, site, property or area is eligible for designation as a landmark, protected landmark or archaeological site;

- (4) The building, structure, object, site, property or area is located in an area that is eligible for designation as an historic district, or
- (5) The building, structure, object, site, property or area is located in an area that is eligible for designation as an historic district, and meets the criteria for contributing or potentially contributing structure if the area were to be designated as an historic district.

Otherwise, the HAHC shall grant the certificate of non-designation.>

(c) The certificate of non-designation shall expire six months after the date of its issuance and shall be evidence that the subject of the certificate of non-designation will not be subject to the provisions of this article for a period of six months from the date of issuance of the certificate of non-designation. The certificate of non-designation shall run with the land and may not be transferred to any other building, structure, object, site, property or area.

(d) If the ~~{planning official}~~ <HAHC> finds that the subject of an application does not qualify for a certificate of non-designation, the ~~{planning official}~~ <HAHC> shall deny the application and shall notify the applicant in writing of the denial. <If the HAHC denies the certificate of non-designation, the property shall be subject to the provisions of section 33-223 of this Code for the time specified therein.>

(e) Following notice and an opportunity for hearing, the ~~{planning official}~~ <HAHC> may revoke a certificate of non-designation that is found to have been issued in error.

(f) If the city council designates as a landmark or archaeological site a building, structure, object or site that is the subject of an unexpired certificate of non-designation, the designation shall not be effective until the expiration of the certificate of non-designation. If the city council designates an historic district, the designation shall not be effective with respect to an individual building, structure, object or site located within the historic district that is the subject of an unexpired certificate of non-designation until the expiration of the certificate of non-designation with respect to the individual building, structure, object or site.

City of Houston, Texas, Ordinance No. 2007-_____

AN ORDINANCE AMENDING ARTICLE VII OF CHAPTER 33 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO HISTORIC PRESERVATION; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the City Council of the City of Houston adopted Ordinance No. 95-228 and subsequent amendments thereto, codified as Article VII of the Code of Ordinances, City of Houston, Texas (the "Historic Preservation Ordinance"), which established a program of historic preservation for landmarks, protected landmarks, historic districts and archaeological sites within the City; and

WHEREAS, the City Council finds that the Historic Preservation Ordinance has been beneficial to the health, safety, and welfare of the public by preserving historic assets within the City; and

WHEREAS, the City Council finds that a committee of members of the HAHC has evaluated the effectiveness of the Historic Preservation Ordinance and recommended certain amendments to improve the effectiveness and administration of the ordinance; and

WHEREAS, the City Council finds that the HAHC conducted a public hearing on and considered the proposed amendments at its regularly scheduled meeting on March 14, 2007, and recommended approval of the proposed amendments; and

WHEREAS, the City Council finds that the Houston Planning Commission conducted a hearing on and considered the proposed amendments at its regularly

scheduled meeting on March 15, 2007, and recommended approval of the proposed amendments; and

WHEREAS, the City Council finds that the adoption of amendments to the Ordinance would further enhance the benefits derived to the public health, safety, and welfare through preservation of historic assets; **NOW, THEREFORE;**

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

Section 1. That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That Section 33-203 of the Code of Ordinances, Houston, Texas, is hereby amended by adding a new Subsection (d), which shall read as follows:

“(d) If a landmark or protected landmark or a contributing or potentially contributing structure located in an historic district is demolished without a certificate of appropriateness required by this article or a 90-day waiver certificate issued pursuant to section 33-250 of this Code, the building official shall not issue a building permit, and no other person shall issue any other city permit, for the site where the landmark, protected landmark or structure was formerly located for a period of 5 years after the date of the demolition. The director shall cause notice of suspension of permitting pursuant to this subsection to be recorded in the real property records of the county in which the property is located. The owner of the site may appeal the denial of a permit under this subsection to the HAHC, which shall consider the circumstances under which the demolition occurred and whether the applicant has demonstrated an unreasonable economic hardship or unusual or compelling circumstance. The decision of the HAHC on the appeal shall be final.”

Section 3. That Item (1) of Subsection (b) of Section 33-222 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“(1) The owners of at least 51 percent of the tracts in the proposed district, which tracts shall constitute 51 percent of the land area

within the proposed district exclusive of street, alley and fee simple pipeline or utility rights-of-way and publicly owned land, as determined by the planning official. In case of a dispute over whether the percentage requirements have been satisfied, it shall be the burden of the challenger to establish by a preponderance of the evidence through the real property records of the county or counties in which the proposed historic district is located or other public records that the applicants have not satisfied the percentage requirements; or”

Section 4. That Section 33-223 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“Sec. 33-223. Property pending designation.

(a) Upon initiation of an application for designation of a landmark, archaeological site or historic district that satisfies the minimum age criteria of section 33-224(b) of this Code, the building, structure, object or site proposed for designation as a landmark or archaeological site and any building, structure, object or site located in an area proposed for designation as an historic district shall be subject to the requirements of division 4 of this article as though the building, structure, object, site or area had been designated by the city council. The protected status provided by the foregoing shall not apply to any building, structure or object that is less than 50 years old or that is located in a proposed historic district in which the majority of buildings, structures and objects are less than 50 years old. If the HAHC denies an application for certificate of non-designation for any property pursuant to section 33-228 of this Code, the property shall also be subject to the provisions of this section.

(b) The protected status provided in subsection (a) above ends on the earliest of the following dates:

- (1) The day after an action of the city council rejecting an application for designation;
- (2) In the case of an application initiated by the HAHC, the day after an action of the HAHC recommending against the designation;

- (3) In the case of an application for designation of a landmark or archaeological site initiated by the property owner, the day after the withdrawal of the application by the property owner; or
- (4) In the case of the denial of a certificate of non-designation by the HAHC, the 181st day after the decision of the HAHC.

For purposes of this article, an application for designation is initiated immediately upon the occurrence of either the filing of an application for designation by the requisite owners pursuant to section 33-222 of this Code or, in the case of an application initiated by the HAHC, the date a majority of the HAHC votes to authorize the preparation of an application."

Section 5. That Subsection (a) of Section 33-226 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(a) The planning official shall give notice of a public hearing before the HAHC on the designation of a landmark or archaeological site initiated by the HAHC not less than 30 days before the date of the public hearing to the owner of the property at the name and address as shown on the recently approved ad valorem tax roll of the city. If the notice address for the owner as shown on the most recently approved ad valorem tax roll of the city does not coincide with the street address of the property, then the planning official shall also send a notice addressed 'occupant' to the street address for the proposed landmark or archaeological site. The planning director shall also publish notice of the public hearing in a newspaper of general circulation in the city not less than 30 days before the date of the public hearing."

Section 6. That Item (1) of Subsection (c) of Section 33-226 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

- "(1) Notice shall be given by mail (i) if the owner joined in the application, to the owner or the owner's representative at the notice address shown on the application; (ii) if the owner did not join in the application, to the name and address shown on the most recently approved ad valorem tax roll of the city, and, if the notice address for the owner as shown on the most recently approved ad valorem tax roll of the city does not coincide with the street address of the property, then a notice

shall also be sent addressed 'occupant' to the street address for the property proposed to be included in the historic district; and (iii) to any civic associations registered with the planning official within whose service area all or part of the historic district is located;"

Section 7. That Subsection (d) of Section 33-226 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(d) At each public hearing conducted under this division before the HAHC, the HAHC, upon making its recommendation to the commission regarding an application for landmark, protected landmark or historic district designation, shall also announce the date of the public hearing at which the commission will consider the application."

Section 8. That Section 33-228 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 33-228. Certificate of non-designation.

(a) The owner or owner's agent of any property may submit an application for a certificate of non-designation with respect to any building, structure, object, site, property or area that has not been designated as a landmark, protected landmark, contributing or potentially contributing structure in an historic district or an archaeological site. Applications shall be filed with the planning official and shall contain the following information:

- (1) The name, address and daytime telephone number of the owner and the applicant, if different from the owner;
- (2) The address and general description of the property that is the subject of the application;
- (3) A current photograph of the property that is the subject of the application; and
- (4) Information demonstrating whether the property is eligible for designation as a landmark or protected landmark or as a contributing or potentially contributing structure in an historic district or an archaeological site.

The application for a certificate of non-designation shall be accompanied by a nonrefundable fee of \$25.00.

(b) The HAHC shall consider an application for certificate of non-designation at a regular meeting within 35 days of the date a complete application for the certificate is filed with the planning official or at a later time mutually agreed upon in writing by the planning official and the applicant. The HAHC may continue its consideration of an application for a certificate of designation to its next regular meeting upon finding that specific information is needed by the HAHC to enable it to reach its decision or upon agreement with the applicant for a continuance. If the HAHC does not act upon an application for a certificate of non-designation within the later of 70 days from the date the application is filed with the planning official or 35 days after the date mutually agreed on by the applicant and planning official for review of the application by the HAHC, the application shall be deemed approved, unless the applicant consents in writing to an extension to a specified date.

(c) The HAHC shall not grant the certificate of non-designation if it finds any of the following:

- (1) The building, structure, object, site, property or area is the subject of an pending application for designation as a landmark, protected landmark or archaeological site;
- (2) The building, structure, object, site, property or area is within an area that is the subject of a pending application for designation of an historic district;
- (3) The building, structure, object, site, property or area is eligible for designation as a landmark, protected landmark or archaeological site;
- (4) The building, structure, object, site, property or area is located in an area that is eligible for designation as an historic district;
or
- (5) The building, structure, object, site, property or area is located in an area that is eligible for designation as an historic district, and meets the criteria for contributing or potentially contributing structure if the area were to be designated as an historic district.

Otherwise, the HAHC shall grant the certificate of non-designation.

(c) The certificate of non-designation shall expire six months after the date of its issuance and shall be evidence that the subject of the certificate of non-designation will not be subject to the provisions of this article for a period of six months from the date of issuance of the certificate of non-designation. The certificate of non-designation shall run with the land and may not be transferred to any other building, structure, object, site, property or area.

(d) If the HAHC finds that the subject of an application does not qualify for a certificate of non-designation, the HAHC shall deny the application and shall notify the applicant in writing of the denial. If the HAHC denies the certificate of non-designation, the property shall be subject to the provisions of section 33-223 of this Code for the time specified therein.

(e) Following notice and an opportunity for hearing, the HAHC may revoke a certificate of non-designation that is found to have been issued in error.

(f) If the city council designates as a landmark or archaeological site a building, structure, object or site that is the subject of an unexpired certificate of non-designation, the designation shall not be effective until the expiration of the certificate of non-designation. If the city council designates an historic district, the designation shall not be effective with respect to an individual building, structure, object or site located within the historic district that is the subject of an unexpired certificate of non-designation until the expiration of the certificate of non-designation with respect to the individual building, structure, object or site.”

Section 9. That the provisions of this Ordinance, other than Section 2, shall apply to applications for designation of a landmark, protected landmark, historic district or archaeological site and applications for certificates of non-designation, as those terms are defined or used in Article VII of Chapter 33 of the Code of Ordinances, Houston, Texas, that are filed on or after the effective date of this Ordinance. Applications filed before the effective date of this Ordinance shall be governed by the former provisions of the Code of

Ordinances, Houston, Texas, which are hereby saved from repeal for the limited purpose of their continued application to previously filed applications. The provisions of Section 2 of this Ordinance shall become effective immediately upon the effective date of this Ordinance.

Section 10. That if any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their applicability to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 11. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on that date and shall take effect immediately upon its passage and approval by the Mayor.

PASSED AND APPROVED this _____ day of _____, 2007.

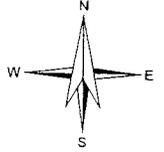
Mayor of the City of Houston

Prepared by the Legal Dep't 1 ~~DERON FAUCETT~~
DFM:dfm April 2, 2007 Senior Assistant City Attorney
Requested by Marlene L. Gafrick, Director
Planning and Development Department
L.D. File No. 0619400053007
H:\WPFILES\ORD\HISPRES\2007\adopting.wpd

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

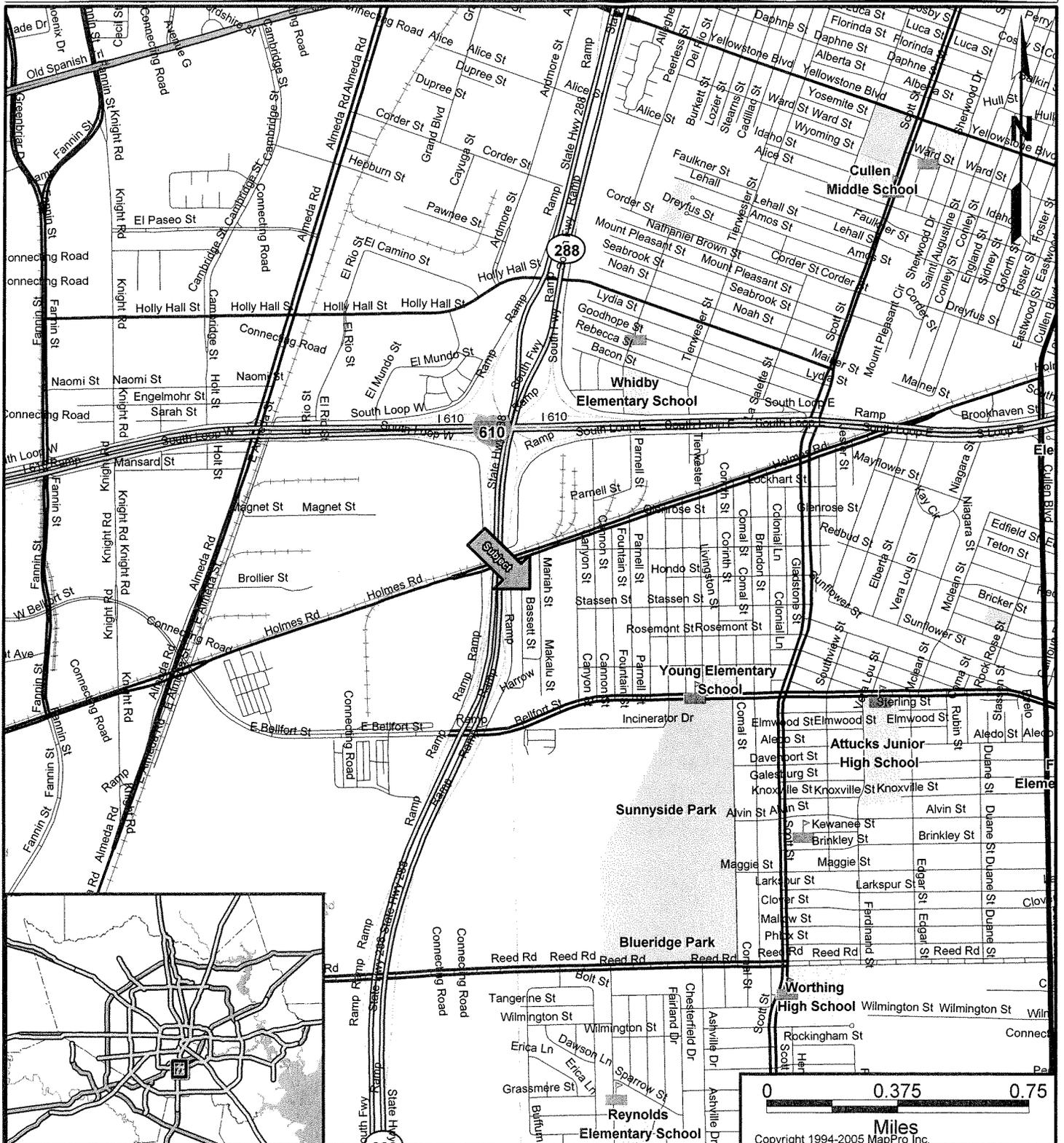
SUBJECT: Ordinance authorizing the abandonment of Stassen Street (aka Roosevelt Avenue) from Bassett Street to Mariah Street, located in the Grigsby Terrace subdivision, out of the Benton H. Freeling Survey. Parcel LY5-012		Category # 7	Page 1 of 1	Agenda Item # <i>15</i>
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date <i>3/29/07</i>		Agenda Date APR 04 2007
DIRECTOR'S SIGNATURE: <i>MS Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director		Council District affected: D Key Map 533T <i>00</i>		
For additional information contact: Nancy P. Collins Phone: (713) 837-0881 <i>(NPO)</i> Senior Assistant Director-Real Estate		Date and identification of prior authorizing Council Action:		
RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment of Stassen Street (aka Roosevelt Avenue) from Bassett Street to Mariah Street, located in the Grigsby Terrace subdivision, out of the Benton H. Freeling Survey. Parcel LY5-012				
Amount and Source of Funding: Not Applicable			F & A Budget:	
<p>SPECIFIC EXPLANATION: The Public Works and Engineering Department requires additional land to accommodate the construction of a detention basin for the Sunnyside Court Storm Sewer Laterals Project. To accommodate the construction of the detention basin the City will abandon Stassen Street (aka Roosevelt Avenue) from Bassett Street to Mariah Street, located in the Grigsby Terrace subdivision, out of the Benton H. Freeling Survey to incorporate it into the approximately 75,596-square feet of land required for the project. The City owns all the property abutting the street to be abandoned. This portion of Stassen Street has never been paved and is not open to through traffic. All public utilities will be cut, plugged, and abandoned as part of the detention basin construction project. There are no private utilities located within Stassen Street.</p> <p>After City Council approves the ordinance abandoning the street, the Real Estate Branch will adjust the City's property inventory records to reflect that the subject portion of Stassen Street has been abandoned as street right-of-way and incorporated into the Sunnyside Court Storm Sewer Laterals Project detention basin site.</p> <p>The Joint Referral Committee reviewed and approved this request. Therefore it is recommended City Council approve an ordinance authorizing the abandonment of Stassen Street (aka Roosevelt Avenue) from Bassett Street to Mariah Street, located in the Grigsby Terrace subdivision, out of the Benton H. Freeling Survey.</p> <p>MSM: NPC: dob</p> <p>c: Phil Boriskie Daniel W. Krueger, P.E. Raymond D. Chong, P.E., P.T.O.E. Arturo G. Michel Eric Dargan Reid K. Mrsny, P.E. Marlene Gafrick Marty Stein</p>				
dob\ly5-012.rcl.doc			CUIC #20DOB8789	
REQUIRED AUTHORIZATION				
F&A Director:	Other Authorization:	Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning and Development Services Division		

Abandonment of Stassen Street (aka Roosevelt Avenue) from Bassett Street to Mariah Street, located in the Grigsby Terrace subdivision, out of the Benton H. Freeling Survey. Parcel LY5-012



LOCATION MAP

Abandonment of Stassen Street (aka Roosevelt Avenue) from Bassett Street to Mariah Street, located in the Grigsby Terrace subdivision, out of the Benton H. Freeling Survey. **Parcel LY5-012**



CAUTION: The location of property arrows shown on this map are approximate only. Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.

R

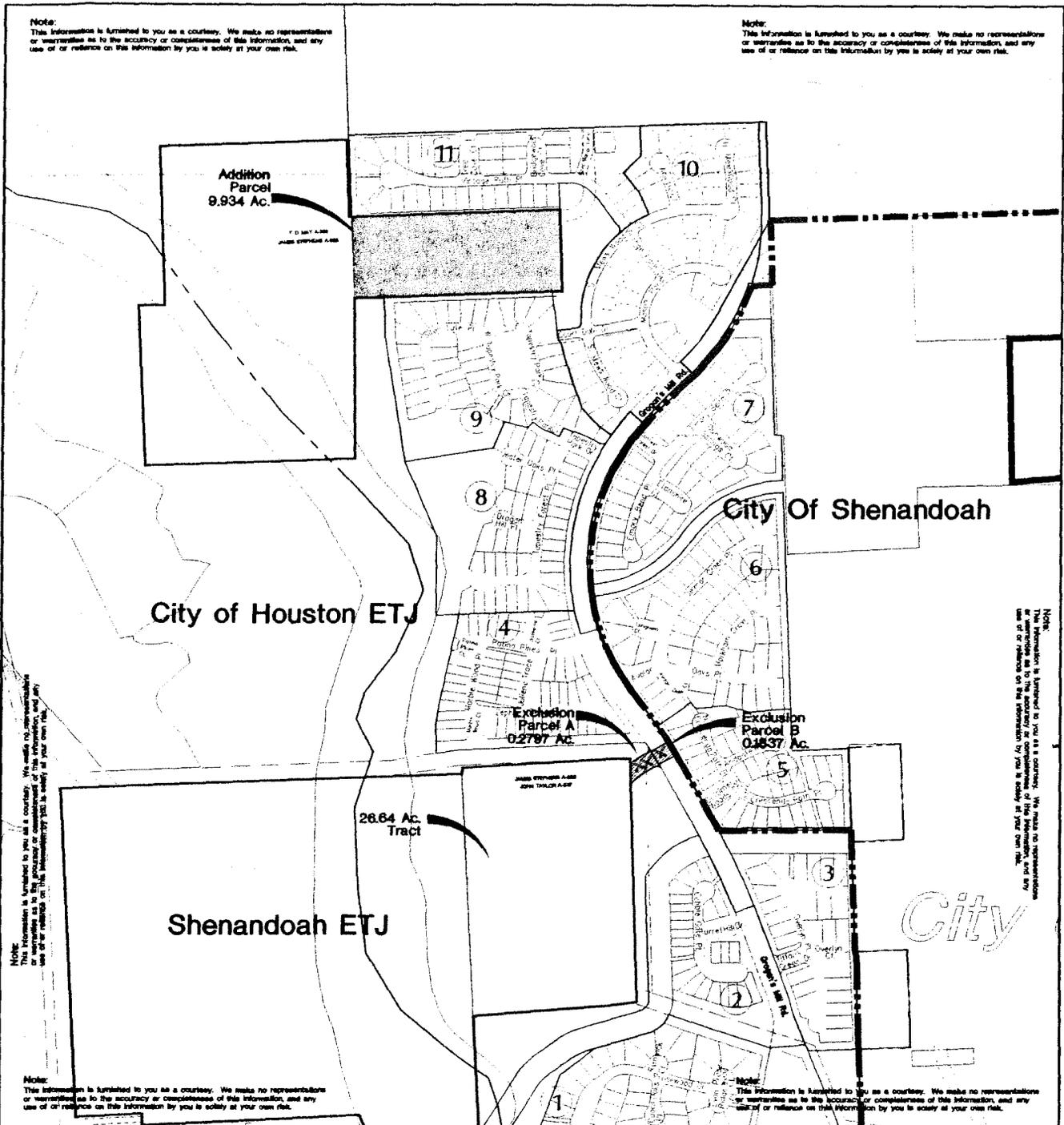
TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance extending the Extraterritorial Jurisdiction of the City of Houston in Montgomery County by petition from owner.		Category #	Page 1 of 1	Agenda Item # 16
FROM (Department or other point of origin): Marlene Gafrick - Department of Planning and Development		Origination Date March 29, 2007		Agenda Date APR 04 2007
DIRECTOR'S SIGNATURE: <i>NO Marlene A. Gafrick</i>		Council District affected: N/A		
For additional information contact: Margaret Wallace Phone: 713-837-7826		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) Council pass an ordinance extending the Extraterritorial Jurisdiction of the City of Houston to cover additional territory in Montgomery County by petition from owner				
Amount and Source of Funding: N/A			F & A Budget:	
SPECIFIC EXPLANATION: Much of the territory that makes up the master planned community of The Woodlands is located within the City of Houston ETJ as a result of a petition submitted to the City by the property owners. As The Woodlands has grown, additional parcels have been petitioned into Houston's ETJ. Grogan's Forest, LTD and First Continental Investment Co., Ltd., owner of the 9.934 acre tract, is now petitioning for the City to accept this additional property into its ETJ. Upon the City's acceptance of the petition, the developer will annex the property into an adjacent utility district and provide essential water, wastewater and drainage facilities to the property. Including the property in Houston ETJ benefits the City by allowing for development, providing for consistent regulatory standards and street patterns, and allowing the efficient provision of utility services. There is no fiscal impact to the city in accepting this property into the City's ETJ. XC: Arturo Michel Marty Stein Anna Russell				
REQUIRED AUTHORIZATION				
F & A Director:		Other Authorization:		Other Authorization:

1/1

Note:
This information is furnished to you as a courtesy. We make no representations or warranties as to the accuracy or completeness of this information, and any use of or reliance on this information by you is solely at your own risk.

Note:
This information is furnished to you as a courtesy. We make no representations or warranties as to the accuracy or completeness of this information, and any use of or reliance on this information by you is solely at your own risk.



Note:
This information is furnished to you as a courtesy. We make no representations or warranties as to the accuracy or completeness of this information, and any use of or reliance on this information by you is solely at your own risk.

Note:
This information is furnished to you as a courtesy. We make no representations or warranties as to the accuracy or completeness of this information, and any use of or reliance on this information by you is solely at your own risk.

Note:
This information is furnished to you as a courtesy. We make no representations or warranties as to the accuracy or completeness of this information, and any use of or reliance on this information by you is solely at your own risk.

Note:
This information is furnished to you as a courtesy. We make no representations or warranties as to the accuracy or completeness of this information, and any use of or reliance on this information by you is solely at your own risk.

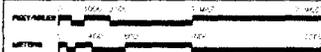
2006 COH ETJ Petition Parcels

LEGEND

-  Parcels Within Houston E.T.J. To Be Released by Houston
-  Parcel in 2006 Petition To Houston
-  Woodlands Acreage Within Houston E.T.J.

ET.J. = Extraterritorial Jurisdiction

Note:
This map or drawing is a preliminary concept plan only, is not a recorded plat, and the boundaries and other information hereon are subject to change at any time without notice.



Prepared By:
The Woodlands Development Company
Montgomery County, Texas

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: Ordinance for the release of a 0.1837 acre tract of land and a 0.2797 acre tract of land in Montgomery County from the Extraterritorial Jurisdiction of the City of Houston.	Category #	Page 1 of 1	Agenda Item # <i>17</i>
---	-------------------	--------------------	-----------------------------------

FROM (Department or other point of origin): Marlene Gafrick - Department of Planning and Development	Origination Date February 27, 2007	Agenda Date APR 04 2007
--	--	-----------------------------------

DIRECTOR'S SIGNATURE: <i>Marlene G. Gafrick</i>	Council District affected: N/A
---	--

For additional information contact: Margaret Wallace Phone: 713-837-7826	Date and identification of prior authorizing Council action:
--	---

RECOMMENDATION: (Summary)

Council pass an ordinance releasing a 0.1837 acre tract of land and an adjacent 0.2797 acre tract of land in Montgomery County from the City of Houston's Extraterritorial Jurisdiction.

Amount and Source of Funding: N/A	F & A Budget:
--	--------------------------

SPECIFIC EXPLANATION:

Upon a request from The Woodlands Development Company, L.P., the Department is recommending the release of a 0.1837 acre tract of land and an adjacent 0.2797 acre tract of land in Montgomery County from the City of Houston's Extraterritorial Jurisdiction. The request is reasonable for the following reasons.

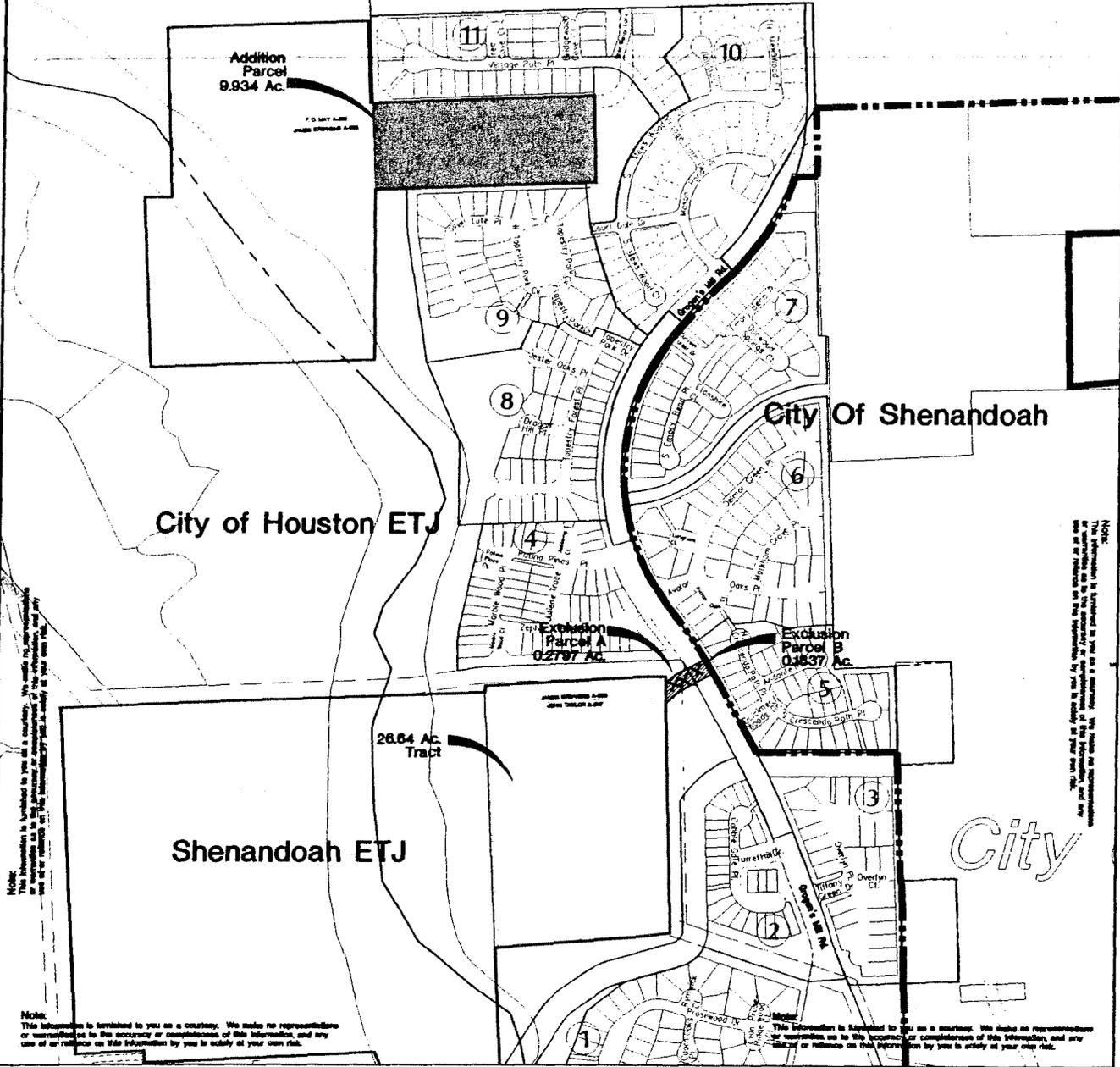
The property is currently undeveloped and is likely to stay so as long as it remains within our ETJ. It is over ten miles away from the nearest City of Houston water or sewer system and cannot obtain utility service without unreasonable expense. Further, the area is too small to justify creation of a utility district and no other existing utility district is available to provide these utilities. Finally, there is no significant fiscal or economic impact to the city in releasing this property out of the City's ETJ.

XC: Arturo Michel
Marty Stein
Anna Russell

REQUIRED AUTHORIZATION		
F & A Director:	Other Authorization:	Other Authorization:

Note:
This information is furnished to you as a courtesy. We make no representations or warranties as to the accuracy or completeness of this information, and any use of or reliance on this information by you is solely at your own risk.

Note:
This information is furnished to you as a courtesy. We make no representations or warranties as to the accuracy or completeness of this information, and any use of or reliance on this information by you is solely at your own risk.



Note:
This information is furnished to you as a courtesy. We make no representations or warranties as to the accuracy or completeness of this information, and any use of or reliance on this information by you is solely at your own risk.

Note:
This information is furnished to you as a courtesy. We make no representations or warranties as to the accuracy or completeness of this information, and any use of or reliance on this information by you is solely at your own risk.

Note:
This information is furnished to you as a courtesy. We make no representations or warranties as to the accuracy or completeness of this information, and any use of or reliance on this information by you is solely at your own risk.

Note:
This information is furnished to you as a courtesy. We make no representations or warranties as to the accuracy or completeness of this information, and any use of or reliance on this information by you is solely at your own risk.

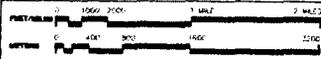
2006 COH ETJ Petition Parcels

LEGEND

-  Parcels Within Houston E.T.J. To Be Released by Houston
-  Parcel in 2006 Petition To Houston
-  Woodlands Acreage Within Houston E.T.J.

E.T.J. = Extraterritorial Jurisdiction

Note:
This map or drawing is a preliminary conceptual plan only, is not a recorded plat, and the boundaries and other information hereon are subject to change at any time without notice.



Prepared by
The Woodlands Development Company
Montgomery County, Texas

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the addition of 8.9967 acres of land to Harris County Municipal Utility District No. 220 (Key Map No. 410-T)	Category #	Page 1 of 1	Agenda Item # 18
---	-------------------	-----------------------	--------------------------------

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 3/22/07	Agenda Date APR 04 2007
--	------------------------------------	-----------------------------------

DIRECTOR'S SIGNATURE <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE	Council District affected: "ETJ"
---	--

For additional information contact: Jun Chang, P.E. <i>gc</i> Senior Assistant Director Phone: (713) 837-0433	Date and identification of prior authorizing Council action:
--	---

RECOMMENDATION: (Summary)
The petition for the addition of 8.9967 acres of land to Harris County Municipal Utility District No. 220 be approved.

Amount of Funding: NONE REQUIRED	F & A Budget:
--	--------------------------

SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund
 Other (Specify)

SPECIFIC EXPLANATION:

Harris County Municipal Utility District No. 220 has petitioned the City of Houston for consent to add 8.9967 acres of land, located in the city's extraterritorial jurisdiction, to the district.

The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.

The district is located in the vicinity of West Little York, Emmott Road, Windfern and Fairbanks N Houston. The district desires to add 8.9967 acres, thus yielding a total of 171.6124 acres. The annexation tract will be served by the City of Houston's Northwest Wastewater Treatment Plant. The nearest major drainage facility for the proposed annexation tract to Harris County Municipal Utility District No. 220 is Cole Creek which flows to White Oak Bayou and then to Buffalo Bayou and finally into the Houston Ship Channel.

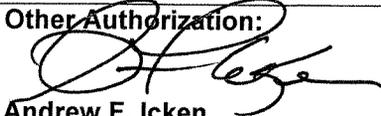
Potable water will be provided by the City of Houston. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

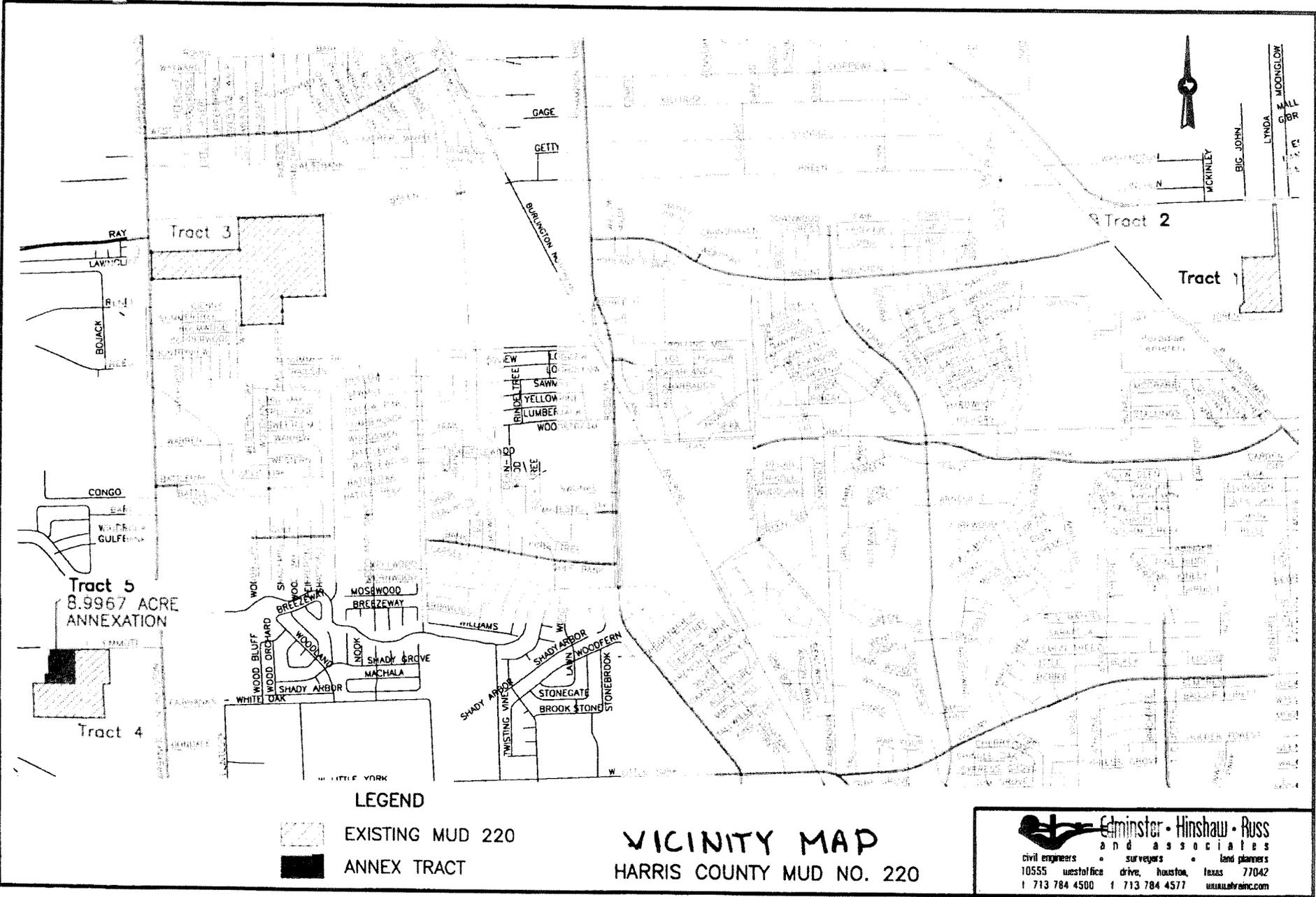
The Utility District Review Committee recommends that the subject petition be approved.

AFI:daw/255hcmud220.b.doc

Attachments

cc: Marty Stein Marlene Gafrick Jeff Taylor Earl Travis Dan Krueger Jack Sakolosky
Bill Zrioka Waynette Chan Deborah McAbee Gary Norman

REQUIRED AUTHORIZATION 20JZC255	
F & A Director	Other Authorization:  Andrew F. Icken Deputy Director Planning & Development Services Div.
	Other Authorization:





CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Application Accepted as Complete (to be completed by PW&E)

03-07-07A11:39 RCVD V.O.

Application is hereby made for consent of the City of Houston to the creation/ addition of 8.9967 acres to Harris County MUD No. 220 under the provisions of Chapters 49 and 54 Texas Water Code.

Attorney for the District

Attorney: W. James Murdaugh, Jr.

Address: 1100 Louisiana Street, Suite 400, Houston, TX Zip: 77002 Phone: 713/652-6500

Engineer: Dano Lozano, P.E.

Address: 10555 Westoffice Drive, Houston, TX Zip: 77042 Phone: 713/784-4500

Owners: NDI Houston Industrial, Ltd. (Richard Nelson)

Address: 3701 West Alabama, Suite 255, Houston, TX Zip: 77027 Phone: 713/572-1680

(If more than one owner, attach additional page. List all owners of property within the District)

LOCATION

INSIDE CITY OUTSIDE CITY NAME OF COUNTY (S) Harris
Survey George E. Williams Abstract 858

Geographic Location: List only major streets, bayous or creeks:

North of: West Little York East of: Windfern
South of: Emmott Road West of: Fairbanks-N Houston

WATER DISTRICT DATA

Total Acreage of District: 162.6157 Existing Plus Proposed Land 171.6124

Development Breakdown (Percentage) for tract being considered for annexation:

Single Family Residential 0% Multi-Family Residential 0%

Commercial 0% Industrial 100% Institutional 0%

Sewage generated by the District will be served by a : District Plant Regional Plant

Sewage Treatment Plant Name: Harris County MUD No. 23 WWTP

NPDES/TPDES Permit No: WQ 0011485 TCEQ Permit No: _____



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): N/A

Ultimate Capacity (MGD): N/A

Size of treatment plant site: N/A square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: N/A MGD.

If the treatment plant is to serve other Districts or properties (i.e. regional), please indicate total permitted capacity of the plant. List all Districts served, or to be served, within the plant and their allotted capacities

(If more than two Districts – attach additional page):

Total permitted capacity: 0.750 MGD

MGD of (Regional Plant).

Name of District: Harris Co. MUD 23

MGD Capacity Allocation 0.62

or property owner(s)

Name of District: Harris Co. MUD 220

MGD Capacity Allocation 0.13

Water Treatment Plant Name: Harris County MUD No. 23 Water Plants

Water Treatment Plant Address: 7314 Shady Mill Road and 7510 Woodland West Drive

Well Permit No: 117982 and 117983

Existing Capacity:

Well(s): 1987

GPM

Booster Pump(s): 3650

GPM

Tank(s): 0.920

MG

Ultimate Capacity:

Well(s): 1987

GPM

Booster Pump(s): 3650

GPM

Tank(s): 0.920

MG

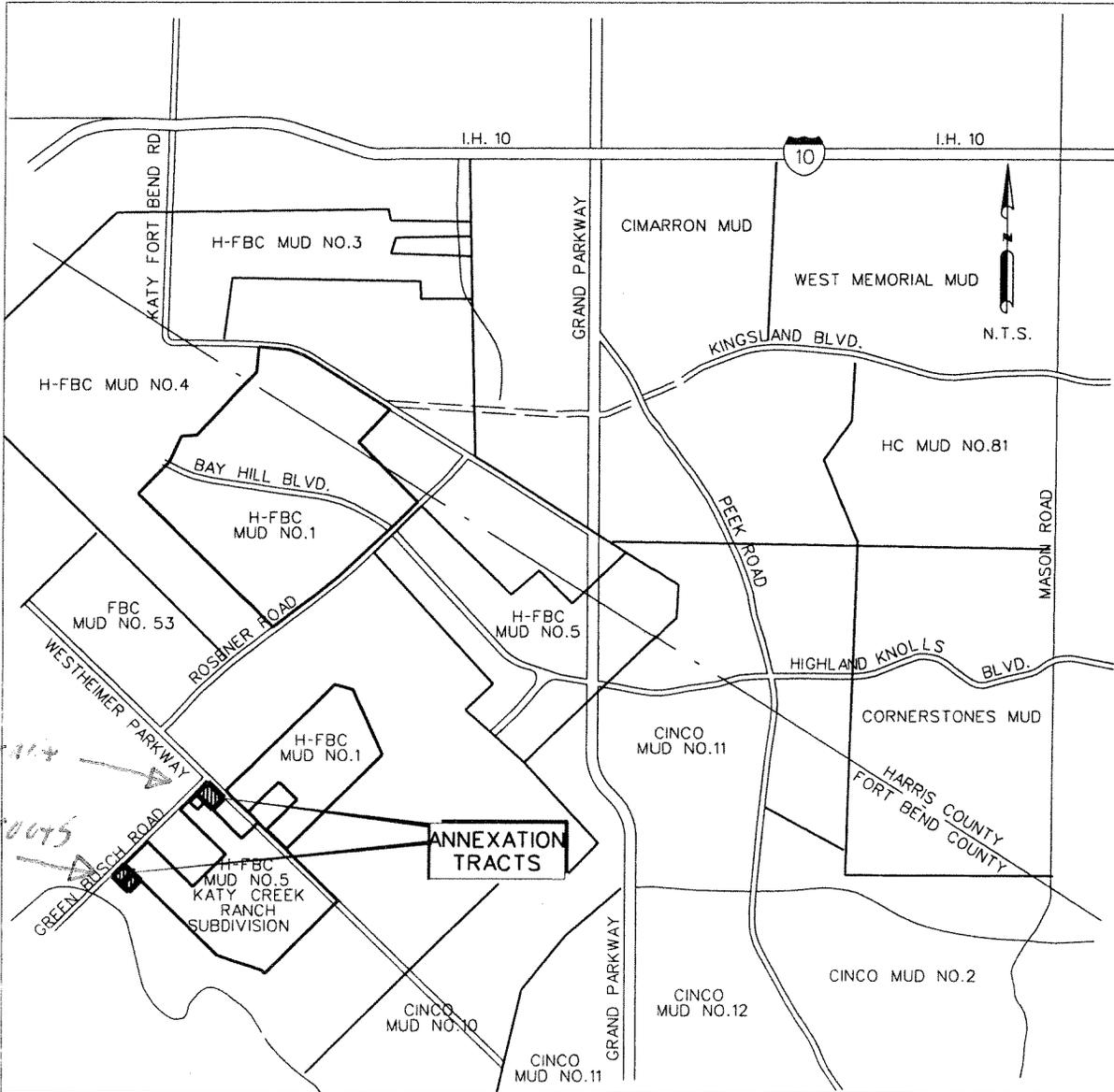
Size of Treatment Plant Site: 1.92 ac. and 0.63 ac.

square feet/acres.

Comments or Additional Information: The District is served by Harris Co. MUD No. 23 pursuant

to existing contracts by and between both districts for water & sewer service. HOWEVER,

THE TRACT BEING ANNEXED (TRACT 5) WILL BE SERVED BY THE CITY OF HOUSTON.



1 Tract
2 Tracts

ANNEXATION TRACTS

VICINITY MAP

KEY MAP 485J&N

SITE LOCATION MAP

<i>VanDeWiele</i> Engineering <i>Incorporated</i>	Consulting Engineers
	2925 Briarpark, Suite 275 Houston, Texas 77042-3778 713/782-0042 www.vandewiele-eng.com



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Application Accepted as Complete (to be completed by PW&E)

2/28/07 v.o.

Application is hereby made for consent of the City of Houston to the creation/ addition of 16.378 acres to Harris-Fort Bend MUD No. 5 under the provisions of Chapter 49 Texas Water Code.

Attorney for the District

Attorney: Howard M. Cohen, Schwartz, Page & Harding, L.L.P.

Address: 1300 Post Oak Blvd., Suite 1400, Houston, Texas Zip: 77056 Phone: 713-623-4531

Engineer: Asim Tufail, Van De Wiele Engineering, Inc.

Address: 2925 Briarpark, Suite 275, Houston, Texas Zip: 77042 Phone: 713-782-0042

Owners: SEE ATTACHED CHART

Address: _____ Zip: _____ Phone: _____

(If more than one owner, attach additional page. List all owners of property within the District)

LOCATION

INSIDE CITY OUTSIDE CITY NAME OF COUNTY (S) Harris and Fort Bend Counties
Survey Stephen Habermacher Abstract A-189
I.&G. N. RR Company A-1448, A-262, A-265

Geographic Location: List only major streets, bayous or creeks:

North of: F.M. 1093 East of: Katy Gaston Road
South of: Interstate 10 West of: State Highway 99

WATER DISTRICT DATA

Total Acreage of District: 431.755 Existing Plus Proposed Land 448.133

Development Breakdown (Percentage) for tract being considered for annexation:

Single Family Residential 97% Multi-Family Residential 0%
Commercial 3% Industrial 0% Institutional 0%

Sewage generated by the District will be served by a : District Plant Regional Plant

Sewage Treatment Plant Name: Harris-Fort Bend Counties MUD No. 5 WWTP

NPDES/TPDES Permit No: TX-0115894 TCEQ Permit No: 13775-001



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 0.7

Ultimate Capacity (MGD): 0.995

Size of treatment plant site: 4.422 square feet/ acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: N/A MGD.

If the treatment plant is to serve other Districts or properties (i.e. regional), please indicate total permitted capacity of the plant. List all Districts served, or to be served, within the plant and their allotted capacities

(If more than two Districts – attach additional page):

Total permitted capacity: 0.995

MGD of (Regional Plant).

Name of District: Harris-Fort Bend MUD No1

MGD Capacity Allocation 0.37

or property owner(s)

Name of District: N/A

MGD Capacity Allocation N/A

Water Treatment Plant Name: Water Plant No. 1 & Water Plant No. 2

Water Treatment Plant Address: 24235 Roesner Road (WP No.1); TBD (WP No.2)

Well Permit No: 716

Existing Capacity:

Well(s): 1,200 GPM

Booster Pump(s): 2,250 GPM

Tank(s): .63 MG

Ultimate Capacity:

Well(s): 2,400 GPM

Booster Pump(s): 6,250 GPM

Tank(s): 1.05 MG

Size of Treatment Plant Site: 1.647 (# 1); 1.060 (# 2)

square feet/ acres.

Comments or Additional Information: Water Plant No. 2 & Well No. 1239 are under construction, and will be operational following the Summer of 2007.

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: Petition for the City's consent to the creation of 589.17 acres of land as Montgomery County Municipal Utility District No. 119 (Key Map No. 293-E, F,G)	Category #	Page 1 of <u>1</u>	Agenda Item # 20
--	-------------------	------------------------------	---------------------------------------

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 3/22/07	Agenda Date APR 04 2007
--	---	--

DIRECTOR'S SIGNATURE <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director	Council District affected: "ETJ"
---	--

For additional information contact: Jun Chang, P.E. <i>jc</i> Senior Assistant Director Phone: (713) 837-0433	Date and identification of prior authorizing Council action:
--	---

RECOMMENDATION: (Summary)

The petition for the creation of 589.17 acres of land as Montgomery County Municipal Utility District No. 119 be approved.

Amount of Funding: NONE REQUIRED	F & A Budget:
--	--------------------------

SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund
 Other (Specify)

SPECIFIC EXPLANATION:

The owners of 589.17 acres of land, located in the city's extraterritorial jurisdiction, have petitioned the City of Houston for consent to create a district.

The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.

The district is located in the vicinity of Spring Creek, Riley Fuzzell Road, Hardy Toll Road and Birnham Woods Drive. The district will consist of 589.17 acres. The district will be served by a regional plant, Montgomery County Municipal Utility District No. 119 Wastewater Treatment Plant. The other district served by the regional plant is Montgomery County Municipal Utility District No. 94. The nearest major drainage facility for Montgomery County Municipal Utility District No. 119 is Spring Creek which flows to the San Jacinto River and finally into Lake Houston.

Potable water will be provided by the district. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

The Utility District Review Committee recommends that the subject petition be approved.

AFI:daw/252mcmud119.b.doc

Attachments

cc: Marty Stein Marlene Gafrick Jeff Taylor Earl Travis Dan Krueger
Jack Sakolosky Bill Zrioka Waynette Chan Deborah McAbee Gary Norman

REQUIRED AUTHORIZATION		20JZC252
F & A Director	Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken Deputy Director Planning & Development Services Div.	Other Authorization:

N.T.S.

MONTGOMERY COUNTY

MONTGOMERY COUNTY
MUD NO. 119

PROPOSED
MONTGOMERY COUNTY
MUD NO. 120

HARRIS COUNTY

SPRING

EXHIBIT A



Montgomery & Associates
450 GEARS ROAD, SUITE 200
HOUSTON, TEXAS 77067
PH. (281)775-4550; FAX. (281)876-4688

VICINITY MAP

DATE: 12-6-06 PROJ. No. 12600-05

Jan 22, 2007 - 4:13pm - Renewals - J17590436 - LAND TEXAS MUD Creation Project - MUD 119, 12600-05 - LDD - 05 - VICINITY MAP - EXHIBIT A.DWG

Handwritten notes and signatures at the bottom right of the page, including the number '12600-05' and a signature.



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Application Accepted as Complete (to be completed by PW&E)

Application is hereby made for consent of the City of Houston to the creation/ addition of 589.17 acres to Montgomery County MUD No. 119 under the provisions of Chapter 49 and 54 Texas Water Code.

Martha Bensch
Attorney for the District

Attorney: Schwartz, Page & Harding, L.L.P.

Address: 1300 Post Oak Boulevard, Suite 1400 Zip: 77056 Phone: 713-623-4531

Engineer: Montgomery & Associates, LLC

Address: 450 Gears Road, Suite 200, Zip: 77067 Phone: 281 775-4650

Owners: See attached list.

Address: _____ Zip: _____ Phone: _____

(If more than one owner, attach additional page. List all owners of property within the District)

LOCATION

INSIDE CITY OUTSIDE CITY NAME OF COUNTY (S) Montgomery
Survey Montgomery County School Land Abstract 351

Geographic Location: List only major streets, bayous or creeks:

North of: Spring Creek East of: Hardy Toll Road
South of: Riley Fuzzell Road West of: Birnham Woods Drive

WATER DISTRICT DATA

Total Acreage of District: 589.17 Existing Plus Proposed Land 589.17

Development Breakdown (Percentage) for tract being considered for annexation:

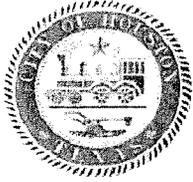
Single Family Residential 76% Multi-Family Residential 6%

Commercial 8% Industrial _____ Institutional 10%

Sewage generated by the District will be served by a : District Plant Regional Plant

Sewage Treatment Plant Name: Montgomery County MUD No. 94

NPDES/TPDES Permit No: TX0128295 TCEQ Permit No: 14656-001



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 20 MGD

Ultimate Capacity (MGD): 1.08 MGD

Size of treatment plant site: 8.3 Acres square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: _____ MGD.

If the treatment plant is to serve other Districts or properties (i.e. regional), please indicate total permitted capacity of the plant. List all Districts served, or to be served, within the plant and their allotted capacities

(If more than two Districts – attach additional page):

Total permitted capacity: 1.08 MGD

MGD of (Regional Plant).

Name of District: MCMUD No. 94

MGD Capacity Allocation 0.27 MGD

or property owner(s)

Name of District: MCMUD No. 119

MGD Capacity Allocation 0.81 MGD

Water Treatment Plant Name: MCMUD No. 119

Water Treatment Plant Address: Not yet assigned but will be on Water Bend Cove

Well Permit No: Not yet assigned

Existing Capacity:

(Projected Phase II)

Well(s): 1,200

GPM

Booster Pump(s): 4,100

GPM

Tank(s): .424

MG

Ultimate Capacity:

Well(s): 1,200

GPM

Booster Pump(s): 4,100

GPM

Tank(s): .424

MG

Size of Treatment Plant Site: 2 Acres

square feet/acres.

Comments or Additional Information: _____

OWNERS:

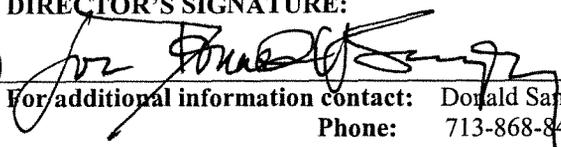
Address: **Land Tejas Spring Trails, Ltd.**
2450 Fondren, Suite 210
Houston, Texas Zip: 77063 Phone: 713 783-6702

Address: **Conroe Independent School District**
c/o Land Tejas Spring Trails, Ltd.
2450 Fondren, Suite 210
Houston, Texas Zip: 77063 Phone: 713 783-6702

Address: **RPM4M Ventures, LP**
1 Waterway Court, No. 2-C
The Woodlands, Texas Zip: 77380 Phone: 832 375-2543

SUBJECT: Ordinance approving first amendment to agreement with Village Learning Center, Inc. to allocate additional funds	Category #	Page 1 of 1	Agenda Item # 21
--	-------------------	--------------------	----------------------------

FROM (Department or other point of origin): Richard Celli, Director Housing and Community Development	Origination Date 3/29/2007	Agenda Date APR 04 2007
--	--------------------------------------	-----------------------------------

DIRECTOR'S SIGNATURE: 	Council District affected: "E"
--	---------------------------------------

For additional information contact: Donald Sampley, Assistant Director Phone: 713-868-8458	Date and identification of prior authorizing Council action: Ordinance 2006-0449 May 10, 2006
--	---

RECOMMENDATION: (Summary) Adopt ordinance approving first amendment to agreement between the City of Houston and the Village Learning Center, Inc. to allocate additional funds

Amount of Funding: \$300,000 (Previous funding - \$500,000)	F&A Budget: 
---	---

SOURCE OF FUNDING	<input type="checkbox"/> General Fund	<input checked="" type="checkbox"/> Grant Fund	<input type="checkbox"/> Enterprise Fund	<input checked="" type="checkbox"/> Other
Community Development Block Grant Fund (5000)				

SPECIFIC EXPLANATION:

The Housing and Community Development Department (HCDD) requests City Council approval to amend the agreement with the Village Learning Center, Inc. to provide additional CDBG funding in the amount of \$300,000 and modify reimbursement provisions.

In May 2006, the Village Learning Center, Inc. received a \$500,000 CDBG-funded grant to renovate a former Kinder Care facility at 3819 Plum Valley, Kingwood, Texas. This 7,800 SF facility was purchased by a third party and donated to Village Learning Center, Inc. The renovated facility will be used to provide social services to low to moderate-income children and adults with special needs. Renovations will comply with ADA regulations and will include new electrical, new plumbing, new air conditioning, and energy efficient features.

In 2005 the construction estimate for the project was \$500,000. While the project scope of work has remained the same, construction is now estimated to cost over \$800,000, based on competitive bids.

Proposed Changes:

- Allocate an additional \$300,000 to complete the scope of work due to cost increases
- Amend contract provisions to allow reimbursement for work completed without requiring the agency to pay in advance

The Village Learning Center, Inc., a 501©3 non-profit corporation, was formed in 2000 to provide programs and services to young adults with developmental and physical disabilities.

The Housing and Community Development Committee reviewed this item on 03/01/2007 and recommended it for favorable consideration.

cc: City Attorney
City Secretary
Finance and Administration
Mayor's Office

REQUIRED AUTHORIZATION NDT

F&A Director:	Other Authorization	Other Authorization:
--------------------------	----------------------------	-----------------------------

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

HCD 07-24A

SUBJECT: An Ordinance Authorizing the Execution of a First Contract Amendment Between the City of Houston and AIDS Coalition of Coastal Texas, Inc. for a HOPWA Emergency Housing Assistance Program.	Category #	Page 1 of 2	Agenda Item # <i>22</i>
--	-------------------	-----------------------	-----------------------------------

FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development Department	Origination Date 03/12/07	Agenda Date APR 04 2007
--	-------------------------------------	-----------------------------------

DIRECTOR'S SIGNATURE: <i>[Signature]</i>	Council District affected: NA
--	---

For additional information contact: Dena Gray Phone: 713.868.8335	Date and identification of prior authorizing Council action: 01/25/06 Ordinance No. 2006-0079
---	---

RECOMMENDATION: (Summary)
Approval of an ordinance authorizing the execution of a First Contract Amendment between the City of Houston and AIDS Coalition of Coastal Texas, Inc. to provide additional funding for the administration and operation of a "Tenant-Based Rental Assistance and Short-Term Rent, Mortgage, and Utility Assistance" project under the Housing Opportunities for Persons with AIDS ("HOPWA") Program.

Amount of Funding: \$384,999 HOPWA Grant	F&A Budget: <i>[Signature]</i>
--	--

SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

Other (Specify) Grant Fund (5000)

SPECIFIC EXPLANATION:
The Housing and Community Development Department ("HCDD") recommends approval of a First Contract Amendment between the City of Houston ("City") and AIDS Coalition of Coastal Texas, Inc. ("AIDS Coastal") to finance the organization's administrative and emergency housing assistance costs associated with its HIV/AIDS program. AIDS Coastal will provide supportive services and direct emergency financial housing assistance to persons living with HIV/AIDS who are presently on a HUD Section 8 waiting list, as well as those who are at risk of becoming homeless due to lost employment, long-term hospitalization/illness and similar circumstances.

By passage of Ordinance No. 2006-0079, on January 25, 2006, City Council authorized and approved a contract between the City of Houston and AIDS Coalition of Coastal Texas, Inc., which provided funding for the administration and operation of its emergency housing assistance HOPWA project. The initial funding of the contract provided for program costs in the amount of \$186,500. HCDD extended the contract to April 1, 2007, pursuant to Article II, Time of Performance, Section 2.3. AIDS Coastal now desires to amend the contract with the City to provide for additional funding in the amount of \$384,999 and extend the term of performance to April 1, 2008.

AIDS Coastal is located in the city of Galveston, Texas. Prior to its HOPWA grant with the City of Houston, AIDS Coastal received housing assistance funds under the Texas Department of Health/ Galveston County Health District's HOPWA grant for nine years. However, in 2005, the City of Houston was assigned the responsibility for Galveston and Brazoria counties as part of its Eligible Metropolitan Statistical Area (EMSA) for its HOPWA Program. The City of Houston's EMSA for the HOPWA Program now consists of Austin, Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, San Jacinto and Waller Counties.

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:

Date 03/12/07	Subject: An Ordinance Authorizing the Execution of a First Contract Amendment Between the City of Houston and AIDS Coalition of Coastal Texas, Inc. for a HOPWA Emergency Housing Assistance Program.	Originator's Initials 	Page 2 of 2
-------------------------	--	---	-----------------------

AIDS Coastal has served approximately sixty (60) households (individuals with HIV/AIDS and their family members), to-date, under the current contract with the City. General services have included case management, nutritional services, client advocacy, and housing assistance. The agency is requesting additional funding to provide: (1) tenant-based rental assistance and supportive services at forty (40) scattered-site units, and (2) short-term rent, mortgage, and utility assistance and supportive services at fifty-six (56) scattered-site units for low-income, HIV/AIDS infected individuals and their families.

The tenant-based rental assistance program will provide approximately \$400/month to clients in long-term rental situations. This assistance will be available each month for a 12-month period, at the end of which the client must re-qualify for the program.

The short-term rent, mortgage and utility assistance program will be provided to clients facing loss of housing and/or utilities due to a temporary emergency situation. According to HOPWA regulations, an agency can provide up to 21 weeks of assistance to an individual in any 52-week period.

This contract will provide funding for the following HOPWA activities during the next 12-month period.

Total Funds and Services:	\$384,999
Number of Persons Served:	96 clients and family members
Category of Persons:	Low-income individuals living with HIV/AIDS

Services Provided	Amounts
Administration	\$23,906.00
Supportive Services	\$53,994.00
Tenant-Based Rental Assistance	\$224,669.00
Short-term Rent, Mortgage and Utility Assistance	\$82,430.00
Total	\$384,999.00

This project was reviewed by the Housing and Community Development Committee on February 22, 2007, and was recommended for Council Action.

RC:ab

C: City Secretary
Finance and Administration
Legal Department
Mayor's Office

HCD 07-82

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

07-Builder CDC

SUBJECT: An Ordinance authorizing a Second Amendment to a Contract between the City of Houston and Builders' Community Development Corporation.		Category #	Page 1 of 2	Agenda Item # 23
FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development Department		Origination Date 3/20/07	Agenda Date APR 04 2007	
DIRECTOR'S SIGNATURE: <i>Richard S. Celli</i>		Council District affected: "B" Johnson		
For additional information contact: Donald H. Sampley Phone: 713-868-8458		Date and identification of prior authorizing Council action: Ord. # 04-1073 Ord. # 04-1148 FC56419		

RECOMMENDATION: (Summary)
 The Department recommends approval of an Ordinance authorizing a Second Amendment to a Contract between the City of Houston and Builders' Community Development Corporation to release the current restriction ratio of 300 affordable lots to 75 market lots on all the Leland Woods Subdivision remaining single-family residential lots. At the builder's discretion, any number of lots may be sold to market or affordable buyers.

Amount of Funding: No Additional Funds	F&A Budget:
--	------------------------

SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

Other (Specify) TIRZ

SPECIFIC EXPLANATION:

Of the total three hundred and seventy-five (375) Leland Woods Subdivision lots, three hundred (300) lots, are currently restricted for use as affordable housing, for homes that do not exceed the latest available median sales price as published by the Real Estate Center at Texas A&M University. The remaining seventy-five (75) lots currently can exceed these sales prices in order to insure a more diverse neighborhood. Currently, all affordable homes are to be sold to families and individuals whose annual incomes do not exceed eighty percent (80%) of the median income in the area as determined by the U. S. Department of Housing and Urban Development ("HUD").

According to Builders' Community Development Corporation ("Builders' CDC"), the availability of affordable home buyers are now too small in the Leland Woods Subdivision market area who can qualify for financing the purchase of a home. Builders' CDC has requested The City of Houston to cancel the current 375 total lot restricted ratio of 300 affordable to 75 market lot sales. By canceling the current affordable to market buyer ratio, now in place, their builders can price the homes at a \$5,000 discount for those buyers qualifying at 80% area median income and the homes sold to a buyer above 80% area median income, \$5,000 will be repaid to the City at time of closing the sale. It will be Builders' CDC sole digression to sale homes to market home buyers or affordable home buyers.

REQUIRED AUTHORIZATION			NDT
F&A Director:	Other Authorization:	Other Authorization:	

The uses and sources of funds are as follows:

USE OF FUNDS:

Land Acquisition:	\$ 1,082,340
Phase I Development Costs:	1,860,656
Soft Costs:	<u>745,650</u>
Total	\$ 3,688,646

SOURCE OF FUNDS:

City of Houston Grant	\$ 1,500,000
North Houston Bank	<u>2,188,646</u>
Total	\$ 3,688,646

The project is anticipated to provide a wide range of economic benefits to the North Forest community and the City. New sales opportunities and increased revenues will be available to the surrounding businesses. Because of the presence of new residents, the development is expected to stimulate retail markets in the area.

In November 2004, the Leland Woods Subdivision City funding was reviewed and approved by Council.

On March 1, 2007, the Housing and Community Development Committee reviewed this item and voted to forward it for full Council consideration with recommendation.

This project is consistent with the City's Consolidated Plan to provide Affordable Housing for Low to Moderate Income Families. The Department recommends approval of a Second Amendment to the Contract between the City and Builders' Community Development Corporation.

DS:DB

cc: Finance and Administration
 Legal Department
 City Secretary
 Mayor's Office

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

Subject: Definitive Agreements for the private financing and management of a Citywide Wireless Network, i.e. Network License Agreement and a Wireless Service Agreement for City Government Use

Category #

Page 1 of 2

Agenda Item

24

FROM (Department or other point of origin):

Richard Lewis
Chief Information Officer
Information Technology

Origination Date

March 20, 2007

Agenda Date

APR 04 2007

DIRECTOR'S SIGNATURE

Richard Lewis

Council District(s) affected

All

For additional information contact:

Richard Lewis Phone: (832) 393-0065
Janis Jefferson Phone: (832) 393-0004

Date and Identification of prior authorizing Council Action:

February 28, 2007 Ordinance # 07-0271 Approving Term Sheet

RECOMMENDATION: (Summary)

Approve a Wireless Broadband Network License Agreement and a Wireless Service Agreement with EarthLink, Inc.

Spending Authority: \$2,500,000.00 - Wireless Services Agreement

N/A

- Wireless Broadband Network License Agreement

F & A Budget

Source: Central Services Revolving Fund (1002) - FY07 - \$0.00 Out Years - \$2,500,000.00

SPECIFIC EXPLANATION:

This request for Council action follows Council approval of a term sheet on February 28, 2007 between the City and Earthlink outlining eighteen essential terms for the private financing and management of a citywide wireless network. Two agreements are being recommended, i.e., a Wireless Broadband Network License Agreement and a Wireless Services Agreement (city government's use of the network).

Broadband Network License

This agreement provides the terms that will obligate the City and Earthlink over the initial 10 year term and two five year renewal periods consistent with the term sheet approved by Council on February 28, 2007. The agreement provides authorization for use of the public rights of way, including a master lease for City property, describes the network undertaking to be required, provides compensation to the City, outlines an implementation plan, and includes assignment, termination, remedies and insurance provisions.

Coverage requirements and measurement metrics as well as specific acceptance testing processes have been delineated in the License Agreement. In addition, network performance and related service levels, which will be periodically tested by the City, have been specified in the License Agreement.

Payments to the City, i.e., 3% of subscriber revenue, MWBE participation, low-income accounts, a 24 month build out plan secured by a \$5 million letter of credit, and free public access for up to 5% of the City's geographic areas have all been included consistent with the term sheet.

Wireless Services

This agreement specifies the rates and minimum obligations for the city government's use of the network. The basic rate for a city government user is \$120 per year compared to \$540 per year for comparable connectivity through a commercial carrier. Currently mobile computing by civilian city field workers is limited to building inspectors, restaurant inspectors and Blackberry users. The field inspectors have seen a significant increase in productivity in the past few years by entering inspection reports wirelessly, thus limiting travel and office time. It is anticipated that other civilian inspectors as well as maintenance crews will use the Wi-Fi connectivity to realize similar productivity improvements.

REQUIRED AUTHORIZATION

NDT

F&A Director:

Other Authorization:

Other Authorization:

Date: 3/20/07	Subject: Term Sheet relating to a Definitive Agreement for the private financing and management of a Citywide Wireless Network	Originator's Initials RL	Page 2 of 2
------------------	--	--------------------------------	-------------

Public Safety responders have limited mobile computing in police and fire/EMS vehicles. With the advent of this wireless network across the City, efforts will be made to provide photography, video, maps, and building plans for these mission critical responders as well as "office in the vehicle" concepts.

During the two year build out period, the City's IT organizations will begin to develop the wireless applications to achieve productivity increases by field and mobile workers. The Services Agreement includes an "anchor tenant" obligation for the City to purchase a minimum of \$500,000 of wireless services per year for the first five years after completion of the network build out. There are special service and change order provisions, given the term of the agreement (potentially 20 years) and the likelihood that wireless products/services will evolve overtime. These provisions will be subject to the maximum spending cap approved by City Council, i.e., initially \$2.5 million, that can be increased by City Council. The appropriation for the purchase of these wireless services will be included in budgets, potentially in FY08 and more likely in FY09, as approved by City Council.

Conclusion

With approval of these two agreements, Houston will be positioned to have the largest Wi-Fi deployment in North America and to benefit by improving City employees productivity, providing broadband consumers additional choices and bridging the digital divide for low-income communities.

Attachment: RCA related to Council Consideration of a Term Sheet between the City and EarthLink for a privately financed and managed Wireless Broadband Network.

SUBJECT: An ordinance to increase funding in an agreement with the law firm of Zummo & Midkiff, L.L.P. for legal services relating to the defense of the City's sexually oriented business (SOB) ordinance		Category #	Page 1 of 1	Agenda Item # <div style="text-align: right; font-size: 2em; font-weight: bold;">25</div>
FROM (Department or other point of origin): Legal Department		Origination Date 03/13/07	Agenda Date APR 04 2007	
DIRECTOR'S SIGNATURE: <div style="font-size: 1.5em; font-family: cursive;"> Arturo G. Michel </div>		Council District affected: N/A		
For additional information contact: Don Cheatham Phone: (713) 437-6738		Date and identification of prior authorizing Council action: 5/14/97-Ord 97-543; 11/24/98-Ord 98-1097; 9/14/05-Ord 2005-1065; 10/11/06-Ord 2006-1045		
RECOMMENDATION: (Summary) That City Council approve an ordinance to provide additional funding for the legal services contract with Zummo & Midkiff, L.L.P. to continue the City's defense against challenges to the SOB ordinance and to provide additional legal services in connection with the enforcement of such ordinance..				
Amount of Funding: \$175,000 in additional funding requested; Fund 1004 (200,000 initial contract amount; total \$767,500)		F & A Budget:		
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify) Property & Casualty Fund				
SPECIFIC EXPLANATION: The City Attorney recommends that City Council pass an ordinance to amend Ord. 97-543 approving the legal services contract with Zummo & Midkiff, L.L.P. (Formerly Zummo & Schirrmeister) to provide for additional funding. In 1997, City Council approved the contract to provide legal services in connection with multiple state and federal lawsuits arising from amendments to sexually oriented business regulations adopted in Ordinance No. 97-75. To date, the City has successfully defended the SOB ordinance against all challenges, including the 1,500' distance rule. The plaintiffs have given notice of appeal of the District Court's ruling to the 5 th Circuit Court of Appeals which will require the continued rendition of legal services by our outside counsel to defend the City's successful defense of the SOB ordinance. It is anticipated that those services will include post-trial motions and hearings in the trial court, potential emergency proceedings in the 5 th Circuit, the preparation of exhibits for appeal and the review of trial evidence, briefing and arguments in the 5 th Circuit and a response to an anticipated Petition for Certiorari to the U.S. Supreme Court. In addition, the City anticipates an expanded and stepped-up enforcement program of the ordinance, pending appeal and in the absence of a stay of such enforcement by either the District Court or the 5 th Circuit which will entail additional legal expenses. The additional funding sought by the proposed ordinance will cover the aforesaid expenses which include post-judgment legal services already rendered and future and anticipated expenses in connection with enforcement of the SOB ordinance. The City Attorney requests Council to approve an additional \$175,000, bringing the total contract amount to \$767,500.				
K:\RCA\RDC3323.WPD Revised March 30, 2007 (12:18pm)				
REQUIRED AUTHORIZATION				NDT
F&A Director:		Other Authorization:		Other Authorization:

REQUEST FOR COUNCIL ACTION

R

TO: Mayor via City Secretary

Subject: Ordinance approving a revenue contract for the operation of Melrose Golf Course	Category #	Page 1 of 1	Agenda Item 26
---	------------	-------------	--------------------------

FROM (Department or other point of origin): Houston Parks and Recreation Department	Origination Date: March 14, 2007	Agenda Date: APR 04 2007
---	--	------------------------------------

DIRECTOR'S SIGNATURE:  Joe Turner, Director	Council District(s) affected: B
---	--

For additional information contact: Fred Buehler, 713-867-0386 Olaf Krause, 713-845-8075	Date and Identification of prior authorizing Council Action: Ordinance # 2006-0882, August 22, 2006
--	---

RECOMMENDATION: (Summary):

Adopt an ordinance approving a revenue contract for the operation of Melrose Golf Course for a period of eight (8) years with no more than two (2) successive two-year renewal options

Amount of Funding: REVENUE	F&A Budget:
-----------------------------------	------------------------

SPECIFIC EXPLANATION:
Houston Parks and Recreation Department (HPARD) recommends that City Council approve a revenue contract with Walton Golf Management for the operation of Melrose Golf Course for a period of eight (8) years with no more than two (2) successive two-year renewal options with the current concessionaire, Walton Golf Management.

Walton Golf Management has been successfully managing and operating Melrose Golf Course since Council approved assignment of the previous contract on August 22, 2006. Over the past 6 months HPARD has reviewed Walton's performance as well as alternative management options. Melrose is a small par-3 course with limited revenue potential, but the facility provides an important community resource. HPARD concluded that Walton has provided excellent service to Melrose patrons and would best serve the management needs of this unique course.

Under the proposed new contract Walton Golf Management will continue to operate Melrose Park Golf Course and incorporate a First Tee "North" youth golf program at no charge to the participants. Walton Golf Management will be required to remit to the City 5% of its monthly gross revenue generated by all classifications of goods and services. The contract also requires that Walton perform capital improvements valued at a minimum of \$28,000 within the first four (4) years. These will include picket fence replacement, new course street sign, yardage signs on each tee with laser-measured distances, new portion of chair link fence and improvements to the enclosed patio. HPARD projects approximately \$7,000 as the 5% revenue payment to the City on an annual basis based on FY '06 gross revenue of \$138,711. A monthly revenue breakdown for FY '06 is attached, along with a comparison of the proposed and prior contract terms.

The prior contract that was assigned to Walton in August 2006 had been assigned four times previously, each due to limited revenue potential that led to operating losses. The City now has an opportunity to work with an experienced and motivated concessionaire who wants to continue to operate Melrose Golf Course for the benefit of its clientele.

The Quality of Life Committee favorably voted it to full council consideration on March 26, 2007.

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:

Melrose Revenue FY06		
Month	Gross Sales	Commission Paid
July	\$ 11,973	\$ 958
August	10,700	856
September	9,341	747
October	13,574	1,086
November	12,682	1,015
December	11,010	881
January	11,937	955
February	7,559	605
March	13,581	1,087
April	15,893	1,271
May	10,762	861
June	9,700	776
Total	\$ 138,711	\$ 11,097

Melrose Contract Comparison

- Contract with prior vendor that was assigned to Walton was for 10 years with two 5-year options, both of which were exercised.
 - New contract is for 8 years, with two 2-year options, which is in line with more recent contracts.
- Prior contract called for no payments to the City for the first three years, followed by initial percentage payments of 5.5% of green fees and range fees only. Future years of the contract called for escalating fees based on total gross revenue. Final five years were 8% of gross.
 - New contract calls for a flat percentage payment of 5% of gross per month. This is more in line with recent golf course management contract renewals that have reduced but fixed payments.
- Both Contracts call for capital improvements. Old contract called for \$66,000 in improvements, with variable-completion requirements.
- New contract calls for a minimum value of \$28,000 in improvements over the first 4 years of the term. Improvements include: picket fence replacement, a new course street sign, yardage signs on each tee with laser measured distances, new portion of chain link perimeter fence, and improvement to and air conditioning of the enclosed patio. All proposed improvements must be approved by the Director.
- New contract calls for use of facility by the HPARD's First Tee program at no charge to the City or participants.
- New contract establishes specific maintenance standards, such as fertilizer requirements, mowing frequency and heights, and weed control that are enforceable. Previous contract had out-of-date standards that are not consistent with modern maintenance practices and were not enforceable. The Director's directive was to ensure we have an enforceable contract, which it is. The result will be better turf conditions and maintenance of the City's prime asset, the land.
- New contract has the City's current insurance, indemnification, drug detection deterrence and conflict of interest reporting requirements.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7258

Subject: Approve an Amending Ordinance to Establish the Spending Authority for Contract No. C56710 for Record Storage and Retrieval Services for Various Departments
LC-N-0734-039-20518-A1

Category #
4

Page 1 of 2

Agenda Item

27

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

April 04, 2007

Agenda Date

APR 04 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Louis Aulbach Phone: (713) 837-9521
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

Ord. No. 2005-0137, Passed 2/16/2005

RECOMMENDATION: (Summary)

Approve an amending ordinance to establish the spending authority for Contract No. C56710 between the City of Houston and the Harris County Department of Education from \$206,000.00 to \$2,528,169.08 for record storage and retrieval services for various departments.

Spending Authority Increase: \$2,322,169.08

F & A Budget

\$1,924,416.08 General Fund (1000)
\$ 16,405.00 C&E Civic Center Facility Revenue Fund (8601)
\$ 253,348.00 HAS - Revenue Fund (8001)
\$ 78,000.00 Water & Sewer System Operating Fund (8300)
\$ 50,000.00 Federal Government Grant Fund (5000)
\$2,322,169.08

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance to establish the spending authority for Contract No. C56710 between the City of Houston and the Harris County Department of Education (HCDE) from \$206,000.00 to \$2,528,169.08 for record storage and retrieval services for various departments.

This contract was awarded on February 16, 2005, by Ordinance No. 2005-0137 for a one-year term, with nine automatic one-year options to extend, for a total ten-year term, in an amount not to exceed \$206,000.00. Expenditures as of March 12, 2007 totaled \$194,322.39. The additional spending authority is needed to transfer the storage and maintenance of approximately 192,000 cubic feet (160,000 boxes) of records to the HCDE contract. The rates for the storage and associated services are the same as the original contract agreement with HCDE, and are approximately 10% to 20% lower than the current contract. By consolidating all the City's records into one contract/facility, the City will realize a yearly cost saving of approximately \$81,000.00. The City Purchasing Agent may terminate this contract at any time upon 120-days written notice to the contractor.

The scope of work requires HCDE to provide all facilities, labor, materials, equipment, transportation and supervision necessary to provide records storage, retrieval and destruction services for all City Departments. The Harris County Department of Education's vault meets the protection requirements of sensitive security information as defined by the U.S. Department of Homeland Security for the secure and fire-proof protection of tape rotation services. The Harris County Department of Education requires its employees to undergo criminal history background checks to ensure regulations set by the U.S. Department of Homeland Security are met.

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

Date:
4/4/2007

Subject: Approve an Amending Ordinance to Establish the Spending Authority for Contract No. C56710 for Record Storage and Retrieval Services for Various Departments
LC-N-0734-039-20518-A1

Originator's
Initials
DP

Page 2 of 2

This recommendation is made pursuant to Chapter 791 of the Texas Local Government Code for exempt procurements.

Buyer: David Petersen

Estimated Spending Authority			
DEPARTMENT	FY 2007	OUT YEARS	TOTAL
Building Services	\$3,500.00	\$31,500.00	\$35,000.00
Municipal Courts	\$10,500.00	\$94,500.00	\$105,000.00
Planning and Development	\$700.00	\$6,500.00	\$7,200.00
Controllers	\$23,100.00	\$207,900.00	\$231,000.00
Houston Public Library	\$2,500.00	\$22,500.00	\$25,000.00
F&A	\$30,300.00	\$163,650.00	\$193,950.00
Convention & Entertainment Facilities	\$3,281.00	\$13,124.00	\$16,405.00
Health & Human Services	\$25,000.00	\$100,000.00	\$125,000.00
AAD	\$3,500.00	\$14,000.00	\$17,500.00
HR	\$23,583.00	\$112,081.00	\$135,664.00
HPD	\$200,000.00	\$800,000.00	\$1,000,000.00
H&CD	\$2,500.00	\$47,500.00	\$50,000.00
HAS	\$57,353.00	\$195,995.00	\$253,348.00
Parks & Recreation	\$947.28	\$33,154.80	\$34,102.08
Solid Waste Management	\$1,500.00	\$13,500.00	\$15,000.00
Public Works & Engineering	\$19,500.00	\$58,500.00	\$78,000.00
Grand Total	\$407,764.28	\$1,914,404.80	\$2,322,169.08

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Professional Consulting Services Contract with CH2M Hill, Inc. for the preparation of an Environmental Impact Statement (EIS) for William P. Hobby Airport; Project No. 579; WBS# A-000540-0001-3-01.	Category #9	Page 1 of 2	Agenda Item # 28
---	--------------------	--------------------	----------------------------

FROM (Department or other point of origin): Houston Airport System	Origination Date March 12, 2007	Agenda Date APR 04 2007
--	---	-----------------------------------

DIRECTOR'S SIGNATURE: <i>Rae</i> <i>Jan</i>	Council District affected: I
---	--

For additional information contact: Eric R. Potts <i>ERP</i> Phone: 281/233-1999 Kent R. McLemore <i>KRM</i> 281/233-1973	Date and identification of prior authorizing Council action: N/A
--	--

AMOUNT & SOURCE OF FUNDING: CIP A-0540.03.02 \$1,118,547.00 HAS-Consolidated 2001 Non AMT Construction (8202) <i>CP</i>	Prior appropriations: N/A
--	-------------------------------------

RECOMMENDATION: (Summary)
Enact an ordinance to approve a Professional Consulting Services Contract with CH2M Hill, Inc. and appropriate the necessary funds to finance the cost of these services.

SPECIFIC EXPLANATION:

A Professional Consulting Services Contract has been prepared with CH2M Hill, Inc. for the preparation of an Environmental Impact Statement (EIS) for William P. Hobby Airport (HOU). CH2M Hill, Inc. will assist the Federal Aviation Administration (FAA) and the Houston Airport System (HAS) in identifying a long-term development program that will optimize the balance of cost, operational efficiency and environmental considerations. These services will include data collection, aviation activity forecasts update, review of planning assumptions, airfield planning and operational assumptions, airport planning and land use, surface transportation access, public meetings and other activities related to the research, development, coordination and preparation of the EIS.

The HOU EIS is a three-phase study:

- Phase I - Develop a Preliminary Scope of Services and an Aviation Forecast.
- Phase II - Develop the Final Scope of Services and produce an EIS.
- Phase III - Secure a Record of Decision (ROD) from the FAA.

The initial appropriation of \$1,118,547.00 is for Phase I services. The scope of services for Phases II and III is contingent upon the outcome of Phase I, which involves several specialized studies, including computer modeling. Therefore, an additional appropriation request for Phases II and III will be submitted at a future date.

REQUIRED AUTHORIZATION

NDT

F&A Budget: <i>[Signature]</i>	Other Authorization:	Other Authorization:
--	-----------------------------	-----------------------------

Date March 12, 2007	Subject: Professional Consulting Services Contract with CH2M Hill, Inc. for the preparation of an Environmental Impact Statement (EIS) for William P. Hobby Airport; Project No. 579; WBS# A-000540-0001-3-01.	Originator's Initials CO	Page 2 of 2
-------------------------------	---	------------------------------------	-----------------------

DBE Participation:

The Disadvantaged Business Enterprise (DBE) goal for this project is twenty-four percent (24.0%) and will be met by the following certified firms:

Firm	Type of Work	Amount	% of Contract
ESC Polytech Consultants, Inc.	Planning Services	\$ 96,195.05	8.60 %
Roberta F. Burroughs & Associates	Planning, Economic Impact Analysis	\$ 51,453.17	4.60 %
Community Awareness Services	Required Public Meetings		
	(Conducted Per FAA Regulations)	\$ 50,334.62	4.50 %
Lopez Garcia Group, Inc.	Aerial Mapping and Surveying	\$ 97,313.59	8.70 %
	Total	\$295,296.43	26.40 %

This project may be eligible for federal funding through the FAA's AIP program (AIP No. 3-48-0111-XX). It is also eligible for Passenger Facility Charge (PFC) Funding. Appropriate fund source adjustments will be made in the future if additional AIP or PFC funding becomes available.

RMV: ERP: KRM: CAO: JDW

Attachments

- | | |
|---|---|
| cc: Ms Marty Stein
Mr. Anthony W. Hall, Jr.
Mr. Arturo G Michel
Ms. Velma Laws
Mr. Richard M. Vacar
Ms. Sara S. Culbreth
Mr. Dave Arthur
Ms. Kathy Elek
Ms. Ellen Erenbaum
Mr. Eric R. Potts | Mr. Adil Godiwalla
Dr. Kent R. McLemore
Mr. Frank Crouch
Mr. John S. Kahl
Mr. Dara N. Umrigar
Ms. Janice D. Woods
Ms. Carolyn A. Walker
Mr. Richard Fernandez
Mr. J. Goodwille Pierre |
|---|---|

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Professional Services Contract English + Associates Architects, Inc. Kendall Neighborhood Library Replacement WBS E-000094-0001-3	Page 1 of 2	Agenda Item 29
--	-----------------------	--------------------------

FROM (Department or other point of origin): Building Services Department	Origination Date 3-28-07	Agenda Date APR 04 2007
--	------------------------------------	-----------------------------------

DIRECTOR'S SIGNATURE:  Issa Z. Dadoush, P. E.	Council District(s) affected: G
--	--

For additional information contact: Jacquelyn L. Nisby  Phone: 713-247-1814	Date and identification of prior authorizing Council action:
--	---

RECOMMENDATION: Approve and authorize a Professional Services Contract and appropriate funds for the project.

Amount and Source of Funding: \$ 99,715.00 Public Library Consolidated Fund (4507)	F&A Budget: 
--	---

SPECIFIC EXPLANATION: The Building Services Department (BSD) recommends that City Council approve a Professional Services Contract with English + Associates Architects, Inc. to provide programming services for replacement of the Kendall Neighborhood Library on a new site.

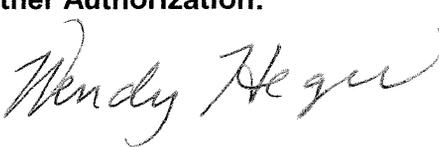
On August 11 and August 23, 2006, BSD advertised a Request for Qualifications (RFQ) for three design projects for the FY07 Library Program. The RFQ contained selection criteria that ranked respondents on experience, technical approach, and quality assurance program. The Statements of Qualifications were due on September 11, 2006 and twenty-one firms responded. BSD formed a selection committee comprised of representatives from the Houston Public Library and Building Services Department to evaluate the respondents. The selection committee short-listed six firms based on the advertised criteria. These firms were interviewed and the following top three firms were selected and assigned projects that best fit their qualifications: English + Associates Architects, Inc., mArchitects, and James Ray Architects.

PROJECT LOCATION: 609 N. Eldridge Parkway (488G)

PROJECT DESCRIPTION AND SCOPE: The consultant will study various square footage scenarios and analyze building configurations to determine the optimal building size for the site and the needs of the community, including appropriate space for landscaping and pedestrian areas. The scope of work includes gathering site and library data, and conceptual site feasibility studies with estimated operating and construction costs.

REQUIRED AUTHORIZATION CUIC ID # 25WTH28

Other Authorization:



Wendy Teas Heger, AIA
Chief of Design & Construction Division
Building Services Department

Other Authorization: NOT



Rhea Brown Lawson, PhD., Director
Houston Public Library

Date	SUBJECT: Professional Services Contract English + Associates Architects, Inc. Kendall Neighborhood Library Replacement WBS E-000094-0001-3	Originator's Initials CPR	Page 2 of 2
------	--	---	-----------------------

SCOPE OF CONTRACT AND FEE: The contract provides for a Programming Services Fee to be paid as a lump sum and certain Additional Services to be paid on a reimbursable basis.

FUNDING SUMMARY:

\$ 72,000.00	Programming Services
\$ 26,000.00	Additional Services and Reimbursable Expenses
\$ 98,000.00	Total Contract Services
\$ 1,715.00	Civic Art (1.75%)
<hr/>	
\$ 99,715.00	Total Funding

MWBE PARTICIPATION: Due to the limited scope of work, Affirmative Action has approved a 0% M/WBE goal as described in the attached correspondence.

MS

IZD:WTH:MCP:CPR:JLN:cr

- c: Marty Stein
- Michael Shannon
- John Middleton
- Gabriel Mussio
- File



CITY OF HOUSTON
Building Services Department

Interoffice

Correspondence

A handwritten signature in black ink, appearing to read "Issa Z. Dadoush".

To: Velma Laws, Director
Affirmative Action and Contract
Compliance

From: Issa Z. Dadoush, P.E., Director

Date: January 10, 2007

Subject: Kendall Neighborhood Library
Replacement - MWBE Goal
WBS No. E-000094-0001-3

We would like to request the establishment of a 0% goal for the Kendall Neighborhood Library Replacement programming contract with English + Associates Architects, Inc.

Programming Services are pre-design services that are performed primarily by the prime consultant. The possible MWBE participation level for this Programming Contract will produce a negligible MWBE participation based on MWBE availability. We anticipate achieving the 24% MWBE participation under the upcoming FY08 Design Contract with the same firm.

If you have any questions regarding this information, please call me directly at (713) 247-2157.

READ AND APPROVED:

A handwritten signature in black ink, appearing to read "Velma Laws".

Velma Laws, Director
Affirmative Action and Contract Compliance

Handwritten initials in black ink, possibly "MZD" or similar.

IZD:WTH:CRG:MCP:CPR:cr

c: Marty Stein, File

***TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION**

SUBJECT: An Ordinance authorizing the execution of a Sanitary Sewer Service Agreement between the City of Houston and the City of Galena Park.	Category #	Page 1 of 1	Agenda Item # 30
--	-------------------	-----------------------	---------------------------------------

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 3/29/07	Agenda Date APR 04 2007
--	------------------------------------	-----------------------------------

DIRECTOR'S SIGNATURE <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director	Council District affected: ALL
---	--

For additional information contact: Jun Chang Phone: 837-0433	Date and identification of prior authorizing Council action:
---	---

RECOMMENDATION: (Summary)
It is recommended that City Council approve an ordinance authorizing the Mayor to execute a Sanitary Sewer Service Agreement between the City of Houston and the City of Galena Park

Amount of Funding: NO FUNDS REQUIRED	F & A Budget:
--	--------------------------

SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund
 Other (Specify)

SPECIFIC EXPLANATION:
Request that City Council approve a Sanitary Sewer Service Agreement between the City of Houston (the "City") and the City of Galena Park ("Galena Park"). The service area that will be discharging into the City's sanitary sewer system is located in the vicinity of Clinton Drive, Federal Road, and Hunting Bayou. This service area is currently being treated by the City of Galena Park Wastewater Treatment Plant No. 2, which will cease its operations once it has diverted its wastewater effluent to the City .

The City will provide a maximum of 100,000 gallons per day of wastewater capacity to Galena Park.

Galena Park's wholesale wastewater service rate is in accordance with Chapter 47-140 (2) of the City of Houston's Code of Ordinances which is currently \$3.044 per 1,000 gallons.

The contract defines and limits prohibited waste and addresses levels of infiltration and inflow ("I & I") originating within the Galena Park service area and ultimately affecting the City of Houston's collection and treatment systems. The agreement details the remedial steps Galena Park must take to address I & I problems if they occur.

The Department of Public Works and Engineering recommends approval of the Sanitary Sewer Service Contract between the City of Houston and the City of Houston Galena Park.

S:usa\USA\RCA\Galena Park RCA.doc

AFI:JC:VO

REQUIRED AUTHORIZATION 20JZC248	
F & A Director	Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director

SUBJECT: Untreated Water Supply Contract with Rohm and Haas Company-Bayport Plant		Page 1 of 1	Agenda Item # 31
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 3/29/07	Agenda Date APR 04 2007
DIRECTOR'S SIGNATURE <i>[Signature]</i> Michael S. Marcotte, P.E., D.E.E. <i>for Mike Marcotte</i>		Council District affected: ALL	
For additional information contact: Ann Marie Sheridan <i>AMS</i> Phone: (713) 837-9142		Date and identification of prior authorizing Council action	
RECOMMENDATION: (Summary) Approve an Ordinance authorizing an Untreated Water Supply Contract with Rohm and Haas Company-Bayport Plant.			
Amount and Source of Funding: No funds required. Revenue contract for untreated water.			
SPECIFIC EXPLANATION: Rohm and Haas Company has requested to enter into a standard form Untreated Water Supply Contract for the City to supply untreated water to their Bayport facility for use in their industrial processes. This contract will charge rates for untreated water as specified in City of Houston Code of Ordinances, Section 47-85, currently \$0.41232 per thousand gallons. The standard form contract contains a maximum daily use quantity that, if the customer exceeds by more than 10%, assesses a 5% surcharge on the consumption above the maximum. A telephone Dial-Inbound Automatic Meter Reading System allows PWE to monitor daily usage. Rohm and Haas Company-Bayport Plant's maximum quantity will be 304,000 gallons per day. Yearly revenue to the city from this contract is expected to be approximately \$45,750.00. The untreated water will be supplied to the Bayport facility via the Trinity River water supply system which is managed by the Coastal Water Authority. The City of Houston Utility Planning and Analysis Branch has evaluated the request and found that the water supply and delivery system is adequate to provide the requested quantities. cc: Marty Stein Gary Norman Jeff Taylor Susan Bandy Jun Chang, P.E. <i>JK</i>			
REQUIRED AUTHORIZATION CUIC# 20JZC159			
F & A Director	Other Authorization: <i>[Signature]</i> Andrew F. Icken, Deputy Director Planning & Development Services Div.		Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Amendment to Ordinance No. 2006-1269 awarding a wastewater collection system rehabilitation and renewal contract to Standard Cement Materials, Inc. WBS# R-000266-00G5-4		Page 1 of <u>1</u>	Agenda Item # 32
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 3/29/07	Agenda Date APR 04 2007
DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> 3/19/07 Michael S. Marcotte, P.E., DEE, Director		Council District affected: All	
For additional information contact: Roger B. Whitney, P.E. Sr. Assistant Director Phone: (713) 641-9198		Date and identification of prior authorizing Council action: Ordinance No. 2006-1269 dated, 12/20/2006	
RECOMMENDATION: (Summary) Approve ordinance-amending Ordinance No. 2006-1269.			
Amount and Source of Funding: No additional funding required.			F&A Budget:
SPECIFIC EXPLANATION: City Council approved Ordinance No. 2006-1269 on December 20, 2006 awarding a construction contract to Standard Cement Materials, Inc. for wastewater collection system rehabilitation and renewal. Subsequent to its passing, it was discovered that the Outline Agreement Number for the Engineering and Testing portion of the ordinance was incorrectly stated. This proposed restated ordinance is necessary in order to correct the Engineering Testing Outline Agreement No. from 4600006513 to 4600006415 in section 1 of the original ordinance. <i>MSM JT RBW JGM FOS</i> MSM:JT:RBW:JGM:FOS:jsc cc: Marty Stein Susan Bandy, CPA John Sakolosky, P.E. Velma Laws Craig Foster Michael Ho, P.E. Carol Ellinger, P.E. File No. WW 4235-32			
File/Project No. WW 4235-32		REQUIRED AUTHORIZATION CUIC ID #20RBW162	
F&A Director:	Other Authorization:	Other Authorization: <i>Jeff Taylor</i> Jeff Taylor, Deputy Director Public Utilities Division	

SUBJECT: Contract Award for Neighborhood Street Reconstruction (NSR) 446;
W.B.S. No. N-000378-0001-4; S-000500-0050-4; R-000500-0050-4

Page 1 of 2
Agenda Item # 33

FROM: (Department or other point of origin): Department of Public Works and Engineering
Origination Date: 3/29/07
Agenda Date: APR 04 2007

DIRECTOR'S SIGNATURE: *[Signature]*
Michael S. Marcotte, P.E. DEE
for Mike Marcotte
Council District affected: C *JEC*

For additional information contact: *[Signature]*
Reid K. Mrsny, P. E. Phone: (713) 837-0452
Senior Assistant Director
Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)
Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding:
\$7,385,625.00 Street & Bridge Consolidated Construction Fund #45062/07
\$1,162,375.00 Water & Sewer System Consolidated Construction Fund #8300
\$8,548,000.00 Total Cost

PROJECT NOTICE/JUSTIFICATION: This project is part of the Neighborhood Street Reconstruction program and is required to improve the condition of residential streets in addition to enhancing the quality of life in the neighborhoods.

DESCRIPTION/SCOPE: This project consists of reconstruction of the neighborhood streets. The proposed improvements will consist of concrete roadways with curbs, sidewalks and underground utilities. The Contract duration for this project is 540 calendar days. This project was designed by Claunch & Miller, Inc.

LOCATION: The streets included in this project are listed below.

Street	Limit	Key Map Grid
1. Woodvalley	From Stella Link to Timberside	532 S,T
2. Sun Valley	From Latma to Timberside	532 N,P,S,T
3. Woodmeadow	From Woodvalley to Sun Valley	532 P,T
4. Westridge	From Sun Valley to Timberside	532 P
5. Kapri	From Woodvalley to Sun Valley	532 S,N
6. Marlive	From Woodvalley to Sun Valley	532 S,N
7. Riddlewood	From Woodvalley to Sun Valley	532 S,N
8. Linkmeadow	From Woodvalley to Sun Valley	532 S,N
9. Ilona	From Woodvalley to Sun Valley	532 S,N
10. Silverlake	From Woodvalley to Sun Valley	532 T,P
11. Timberside	From 610 Frontage Road to Westridge	532 T,P
12. Latma	From Westridge to 263 Feet West	532 P

BIDS: Bids were received on November 9, 2006. The seven (7) bids are as follows:

Bidder	Bid Amount
1. JFT Construction, Inc.	\$7,404,402.31
2. Total Construction Limited	\$7,467,542.24
3. Texas Sterling Construction, L.P.	\$7,578,279.00
4. Reytec Construction Resources, Inc.	\$7,687,525.00
5. Metro City Construction, L.P.	\$8,091,181.90
6. Conrad Construction Co., LTD	\$8,410,573.75
7. Triple B Services, LLP	\$8,622,965.95

REQUIRED AUTHORIZATION CUIC ID #20JXC11

F&A Budget: *[Signature]*
Other Authorization: *[Signature]*
Daniel W. Krueger, P.E., Deputy Director
Engineering and Construction Division

AWARD: It is recommended that this construction Contract be awarded to JFT Construction, Inc. with a low bid of \$7,404,402.31 and Addenda Numbers 1, 2 and 3 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$8,548,000.00 to be appropriated as follows:

- Bid Amount \$7,404,402.31
- Contingencies \$370,220.00
- Engineering and Testing Services \$255,000.00
- Project Management \$148,157.69
- Construction Management \$370,220.00

Engineering and Testing Services will be provided by Raba-Kistner Consultants, Inc. under a previously approved contract.

Construction Management Services will be provided by the City.

M/WBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 15% M/WBE goal and 5% SBE goal for this project.

<u>MWBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Bedo Construction Products, Inc.	Concrete Pipe & Manholes	\$ 507,000.00	6.85%
2. C. Sanchez Trucking	Hauling	\$ 593,660.00	8.02%
3. Perez Construction Company	Concrete Curb	\$ 10,000.00	0.13%
	TOTAL	\$1,110,660.00	15.00%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Two Way Barricades Equipment Sales & Rentals, Inc.	Traffic Control	\$370,220.00	5.00%
	TOTAL	\$370,220.00	5.00%

All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.

RLW mm MW JEC

MSM:DWK:RKM:MAM:MW:JEC

S:\design\A-NP-DIV\CORONA\NSR 446 N 000378 0001 4 2006 11 30\3.0 Final Design Phase III\3.7 Advertisements Bid Award Records\RCA Construction Contract Award 2007 01 25.DOC

- c: Daniel W. Krueger, P.E.
Marty Stein
Velma Laws
Susan Bandy
Michael Ho, P.E.
Craig Foster
WBS No. N-000378-0001-4
3.7 Advertisement/Bid/Award Records

26/March/2007
Neighborhood Street Reconstruction (NSR) 446
GFS No. N-000378-0001-4
Key Map Grid #'s 532 N, P, S, T
Council Districts C
List of Streets

<u>Street</u>	<u>Limit</u>	<u>Key Map Grid</u>
1. Woodvalley	From Stella Link to Timberside	532 S,T
2. Sun Valley	From Latma to Timberside	532 N,P,S,T
3. Woodmeadow	From Woodvalley to Sun Valley	532 P,T
4. Westridge	From Sun Valley to Timberside	532 P
5. Kapri	From Woodvalley to Sun Valley	532 S,N
6. Marlive	From Woodvalley to Sun Valley	532 S,N
7. Riddlewood	From Woodvalley to Sun Valley	532 S,N
8. Linkmeadow	From Woodvalley to Sun Valley	532 S,N
9. Ilona	From Woodvalley to Sun Valley	532 S,N
10. Silverlake	From Woodvalley to Sun Valley	532 T,P
11. Timberside	From 610 Frontage Road to Westridge	532 T,P
12. Latma	From Westridge to 263 Feet West	532 P



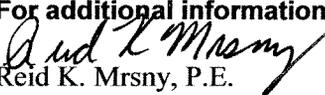
VICINITY MAP
Not to Scale

KEY MAP NO. 532N, 532S, 532P and 532T
GIMS MAP NO. 5254C & 5254D

SUBJECT: Contract Award for Water Line Replacement in Buffalo Speedway Area. W.B.S. Number S-000035-00E3-4.	Page 1 of 2	Agenda Item # 34
---	-----------------------	----------------------------

FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date: 3/29/07	Agenda Date: APR 04 2007
---	-------------------------------------	------------------------------------

DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E. DEE	Council District affected: C Acem
---	--

For additional information contact:  Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director	Date and identification of prior authorizing Council action:
--	---

RECOMMENDATION: (Summary)
 Accept low bid, award construction contract and appropriate funds.

Amount and Source of Funding:
 \$4,810,000.00 Water and Sewer System Consolidated Construction Fund 8500/07
Accepted 02/16/07

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Water Line Replacement Program and is required to replace and upgrade water lines within the City to increase circulation and the availability of water.

DESCRIPTION/SCOPE: This project consists of approximately 1,435 linear feet of 6-inch, 20,440 linear feet of 8-inch and 9,604 linear feet of 12-inch diameter water lines including valves, fittings, connections, fire hydrants, appurtenances as shown on the construction drawings and project manual. The work also includes site and pavement restoration, tree protection, storm water pollution prevention and traffic control in relation to the construction of the water lines. The contract duration for this project is 300 calendar days. This project was designed by SCL Engineering, L.L.C.

LOCATION: The project area is generally bound by Westheimer Road on the north, Richmond Avenue on the south, Kirby Drive on the east and Buffalo Speedway on the west. The project is located in Key Map Grids 492-T, U, X, Y.

BIDS: Bids were received on December 7, 2006. The three (3) bids are as follows:

Bidder	Bid Amount
1. R. K. Wheaton, Inc.	\$4,252,167.61
2. D. L. Elliott Enterprises, Inc.	\$4,428,841.61
3. C. E. Barker, Ltd.	\$4,478,742.85

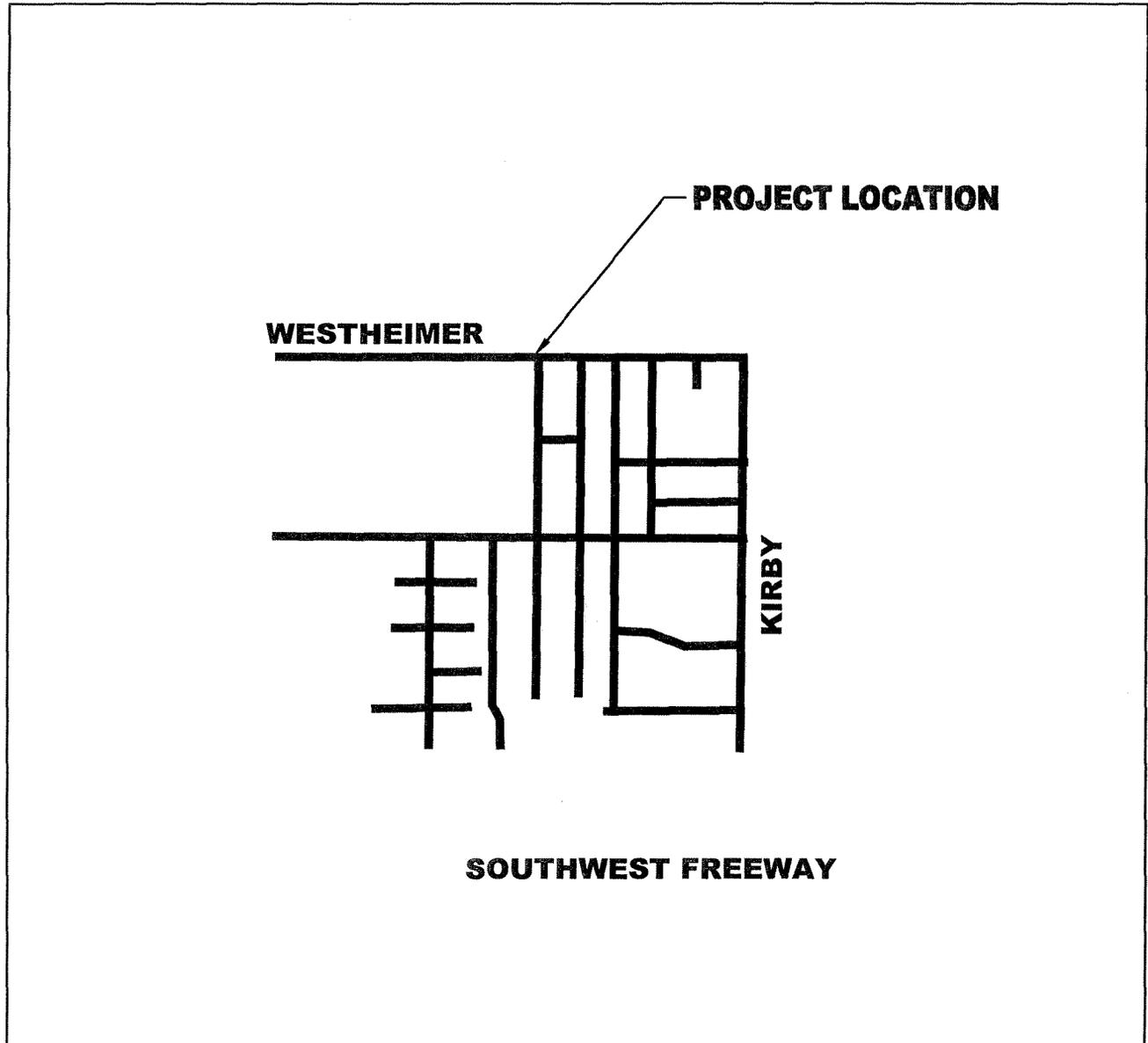
REQUIRED AUTHORIZATION CUIC ID 20ACM48 NDT

F&A Budget: 	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
--	---	--

CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
ENGINEERING AND CONSTRUCTION DIVISION

WATER LINE REPLACEMENT IN BUFFALO SPEEDWAY AREA

WBS NO. S-000035-00E3-4



VICINITY MAP

KEY MAP NO 492-T, U, X, Y
GIMS MAP NO 5256 B, D

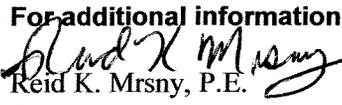
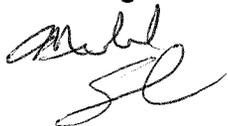
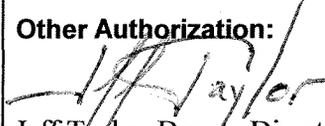


NOT TO SCALE



SCALE: N.T.S. JOB No. 014-0200 EXHIBIT No. 01

Buffalo-wmap-itr(1:1)

SUBJECT: Contract Award for Water Line Replacements in Northwood Manor Area. WBS No. S-000035-00F4-4.		Page 1 of 2	Agenda Item # 35														
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 3-29-07	Agenda Date APR 04 2007														
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director		Council District affected: B SD.															
For additional information contact:  Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director		Date and identification of prior authorizing Council action:															
RECOMMENDATION: (Summary) Accept low bid, award construction contract and appropriate funds.																	
Amount and Source of Funding: \$2,399,300.00 from the Water and Sewer System Consolidated Construction Fund 08500. <i>Reiko 3/30/07</i>																	
PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Water Line Replacement Program. This program is required to replace and upgrade water lines within the City to increase availability of water, improve circulation and fire protection.																	
DESCRIPTION/SCOPE: This project consists of approximately 28,884 linear feet of 4 thru 12-inch diameter water lines, valves and appurtenances. The contract duration for this project is 270 calendar days. This project was designed by Cobb, Fendley & Associates, Inc.																	
LOCATION: The project area is generally bound by Mt. Houston Road on the north, Little York Road on the south, North Wayside on the east and Homestead on the west. The project is located in Key Map Grids 415-N, P, S, T.																	
BIDS: Bids were received on January 25, 2007. The six (6) bids are as follows:																	
<table border="1"> <thead> <tr> <th>Bidder</th> <th>Bid Amount</th> </tr> </thead> <tbody> <tr> <td>1. D. L. Elliott Enterprises, Inc.</td> <td>\$2,034,630.82</td> </tr> <tr> <td>2. RWL Construction, Inc.</td> <td>\$2,235,419.82</td> </tr> <tr> <td>3. Metro City Construction, L.P.</td> <td>\$2,236,499.28</td> </tr> <tr> <td>4. Resicom, Inc.</td> <td>\$2,328,991.82</td> </tr> <tr> <td>5. Collins Construction L.L.C.</td> <td>\$2,341,848.00</td> </tr> <tr> <td>6. C.E. Barker, Ltd.</td> <td>\$2,946,751.10</td> </tr> </tbody> </table>		Bidder	Bid Amount	1. D. L. Elliott Enterprises, Inc.	\$2,034,630.82	2. RWL Construction, Inc.	\$2,235,419.82	3. Metro City Construction, L.P.	\$2,236,499.28	4. Resicom, Inc.	\$2,328,991.82	5. Collins Construction L.L.C.	\$2,341,848.00	6. C.E. Barker, Ltd.	\$2,946,751.10		
Bidder	Bid Amount																
1. D. L. Elliott Enterprises, Inc.	\$2,034,630.82																
2. RWL Construction, Inc.	\$2,235,419.82																
3. Metro City Construction, L.P.	\$2,236,499.28																
4. Resicom, Inc.	\$2,328,991.82																
5. Collins Construction L.L.C.	\$2,341,848.00																
6. C.E. Barker, Ltd.	\$2,946,751.10																
REQUIRED AUTHORIZATION		CUIC ID #20SD79															
F&A Budget: 	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division															

Date	Subject: Contract Award for Water Line Replacements in Northwood Manor Area. WBS No. S-000035-00F4-4.	Originator's Initials	Page <u>2</u> of <u>2</u>
-------------	---	------------------------------	-------------------------------------

AWARD: It is recommended that this construction contract be awarded to D. L. Elliott Enterprises, Inc. with a low bid of \$2,034,630.82 and that no Addendum be made a part of this contract.

PROJECT COST: The total cost of this project is \$2,399,300.00 to be appropriated as follows:

• Bid Amount	\$2,034,630.82
• Contingencies	\$101,732.00
• Engineering and Testing Services	\$60,000.00
• Project Management	\$40,774.18
• Construction Management	\$162,163.00

Engineering and Testing Services will be provided by Paradigm Consultants, Inc. under a previously approved contract. Construction Management Services will be provided by S & B Infrastructure, Ltd. under a previously approved contract.

M/WBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 15 % M/WBE goal and 5 % SBE goal for this project.

<u>M/WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. S & F Contractors, LLC	Water Line Construction	\$148,297.32	7.29%
2. Texas Fluid Power Products, Inc.	Pipe & Fittings Supplies	\$152,597.31	7.50%
3. "As Is" Photos	<u>Pre-Construction Photos</u>	<u>\$4,300.00</u>	<u>0.21%</u>
	Subtotal	\$305,194.63	15.00%
<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Ramon's Trucking	Trucking	\$40,865.78	2.01%
2. Lopez Brothers Enterprises, Inc.	Trucking	\$40,865.77	2.01%
3. Two-Way Barricade Equipment Sales & Rentals, Inc.	Traffic Control	\$20,000.00	0.98%
	Subtotal	\$101,731.55	5.00%
	TOTAL	\$406,926.18	20.00%

All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.


MSM:DWK:RKM:HH:SD:TT:tt
S:\design\A-WS-DIV\WPDATA\TTC56776\S-000035-00F4-3 (NorthWood Manor)\PostBid\RCA.doc

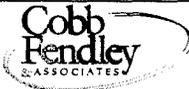
c: Marty Stein
Velma Laws
Susan Bandy
Michael Ho, P.E.
Craig Foster
File: S-000035-00F4-4 (3.7)



North Arrow
Not to Scale



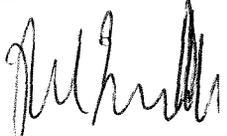
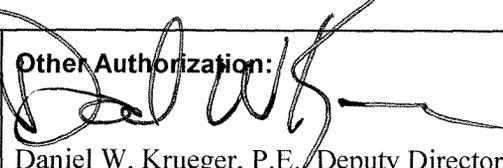
CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING



13430 NW FRWY, SUITE 1100
HOUSTON, TEXAS 77040
(713) 462-3242
(713) 462-3262 Fax

**WATER LINE REPLACEMENTS
IN NORTHWOOD MANOR AREA**
WBS NO. S-000035-00F4-4

VICINITY MAP

SUBJECT: Contract Award for Water Line Replacements in Parker Road Area. WBS No. S-000035-00F5-4.		Page 1 of <u>2</u>	Agenda Item # <u>36</u>												
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 3/22/07	Agenda Date APR 04 2007												
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director		Council District affected: B 													
For additional information contact: Reid K. Mrsny, P.E.  Phone: (713) 837-0452 Senior Assistant Director		Date and identification of prior authorizing Council action:													
RECOMMENDATION: (Summary) Accept low bid, award construction contract and appropriate funds.															
Amount and Source of Funding: \$2,185,800.00 from the Water and Sewer System Consolidated Construction Fund No. <u>08500</u> 															
PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Water Line Replacement Program. This program is required to replace and upgrade water lines within the City to increase availability of water, improve circulation and fire protection.															
DESCRIPTION/SCOPE: This project consists of approximately 340 linear feet of 6-inch, 24,220 linear feet of 8-inch and 2,966 linear feet of 12-inch diameter water lines, valves and appurtenances. The contract duration for this project is 270 calendar days. This project was designed by Cobb, Fendley & Associates, Inc.															
LOCATION: The project area is generally bound by Little York on the north, Parker Road on the south, Shady Lane on the east and Paxton on the west. The project is located in Key Map Grids 413-V, Z; 414-S, W.															
BIDS: Bids were received on January 25, 2007. The five (5) bids are as follows:															
<table border="1"> <thead> <tr> <th>Bidder</th> <th>Bid Amount</th> </tr> </thead> <tbody> <tr> <td>1. Collins Construction, L.L.C.</td> <td>\$1,919,600.15</td> </tr> <tr> <td>2. D. L. Elliott Enterprises, Inc.</td> <td>\$2,099,886.35</td> </tr> <tr> <td>3. Resicom, Inc.</td> <td>\$2,101,742.12</td> </tr> <tr> <td>4. Metro City Construction, L.P.</td> <td>\$2,367,784.70</td> </tr> <tr> <td>5. C. E. Barker, Ltd.</td> <td>\$2,677,042.18</td> </tr> </tbody> </table>		Bidder	Bid Amount	1. Collins Construction, L.L.C.	\$1,919,600.15	2. D. L. Elliott Enterprises, Inc.	\$2,099,886.35	3. Resicom, Inc.	\$2,101,742.12	4. Metro City Construction, L.P.	\$2,367,784.70	5. C. E. Barker, Ltd.	\$2,677,042.18		
Bidder	Bid Amount														
1. Collins Construction, L.L.C.	\$1,919,600.15														
2. D. L. Elliott Enterprises, Inc.	\$2,099,886.35														
3. Resicom, Inc.	\$2,101,742.12														
4. Metro City Construction, L.P.	\$2,367,784.70														
5. C. E. Barker, Ltd.	\$2,677,042.18														
REQUIRED AUTHORIZATION		CUIC ID #20SD78													
F&A Budget: 	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division													

AWARD: It is recommended that this construction contract be awarded to Collins Construction, L.L.C. with a low bid of \$1,919,600.15 and that no Addendum be made a part of this contract.

PROJECT COST: The total cost of this project is \$2,185,800.00 to be appropriated as follows:

- Bid Amount \$1,919,600.15
- Contingencies \$95,980.00
- Engineering and Testing Services \$55,000.00
- Project Management \$115,219.85

Engineering and Testing Services will be provided by Terra-Mar, Inc. under a previously approved contract.

M/WBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 15 % M/WBE goal and 5 % SBE goal for this project.

<u>M/WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Suzanne Hall Photography	Photography Services	\$15,000.00	0.78%
2. Vikki's Service & Supply	Materials	\$143,971.00	7.50%
	<u>Service Tap Connections</u>	<u>\$128,971.00</u>	<u>6.72%</u>
	Subtotal	\$287,942.00	15.00%
<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Fredith's Trucking	<u>Hauling Services</u>	<u>\$95,980.00</u>	<u>5.00%</u>
	Subtotal	\$95,980.00	5.00%
TOTAL		\$383,922.00	20.00%

All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.


MSM:DWK:RKM:HH:SD:TT:tt

S:\design\A-WS-DIV\WPDATA\TTC56776\IS-000035-00F5-3 (Parker Road)\PostBid\RCA.doc

- C: Marty Stein
Velma Laws
Susan Bandy
Michael Ho, P.E.
Craig Foster
File: S-000035-00F5-4 (3.7)



Not To Scale
 KEY MAP: 413 V & Z
 414 S & W

PROPOSED WATER LINE SCHEDULE

STREET NAME	START STREET	END STREET	PIPE SIZE (IN.)	LENGTH (LF)
CRESLINE	BURDEN	ALDINE WESTFIELD	8	880
CRESLINE	ALDINE WESTFIELD	RAYMONDVILLE	8	1,312
DEUTSER	ALDINE WESTFIELD	RAYMONDVILLE	8	1,375
CHARLES	BURDEN	ALDINE WESTFIELD	8	868
CHARLES	ALDINE WESTFIELD	RAYMONDVILLE	8	1,284
MARGARET	BURDEN	ALDINE WESTFIELD	8	839
MARGARET	ALDINE WESTFIELD	RAYMONDVILLE	8	2,076
HARDWOOD	ALDINE WESTFIELD	SHADY LANE	8	2,291
PINE TREE	ALDINE WESTFIELD	SHADY LANE	8	2,585
BURDEN	PARKER ROAD	MARGARET	8	2,056
TRIPPELL	CHARLES	MARGARET	8	874
GWEN	SOUTH DEAD END	MARGARET	8	1,083
LANGLEY	ALDINE WESTFIELD	EAST DEAD END	6	288
SEVEN MILE	SOUTH DEAD END	LITTLE YORK	8	1,611
PARK LANE	SOUTH DEAD END	HARDWOOD	8	812
SOMERSET	SOUTH DEAD END	LITTLE YORK	8	1,804
RAYMONDVILLE	PARKER ROAD	NORTH DEAD END	8	1,675
SHADY LANE	PARKER ROAD	DEUTSER	12	891
SHADY LANE	MARGARET	LITTLE YORK	12	2,126
WOODY LANE	SOUTH DEAD END	HARDWOOD	8	796

TOTAL (LF): 27,526



CITY OF HOUSTON
 DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

KIT Professionals, Inc.

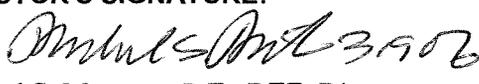
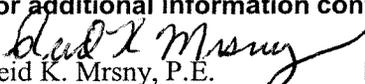
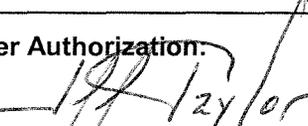
Engineers • Planners • Construction Managers
 2826 Wilcrest Drive, Suite 600
 Houston, Texas 77048
 Phone: (713)783-8700, Fax: (713)783-8747



13430 NW FRWY, SUITE 1100
 HOUSTON, TEXAS 77040
 (713) 462-3242
 (713) 462-3262 Fax

WATER LINE REPLACEMENTS
 IN PARKER ROAD AREA
 WBS NO.: S-000035-00F5-4

VICINITY MAP

SUBJECT: Contract Award for 36-Inch Water Line along Eldridge Parkway from Sandbridge to Westheimer. WBS No. S-000900-00AC-4		Page 1 of 2	Agenda Item # 37																										
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 3-29-07	Agenda Date																											
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: G																												
For additional information contact:  Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director	Date and identification of prior authorizing Council action:																												
RECOMMENDATION: (Summary) Accept low bid, award construction contract and appropriate funds.																													
Amount and Source of Funding: \$4,913,900.00 from the Water and Sewer System Consolidated Construction Fund No. 8300. <i>Pacta 02/09/07</i>																													
PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Surface Water Transmission Program and is required to increase circulation and availability of water in the area.																													
DESCRIPTION/SCOPE: This project consists of installation of approximately 10,200 linear feet of 36-inch water distribution line, valves, and appurtenances along Eldridge Parkway from Sandbridge to Westheimer, including 3 connections to the existing 16-inch water line along Eldridge Parkway and cathodic protection devices. The contract duration for this project is 240 calendar days. This project was designed by Texas American Engineering, Inc.																													
LOCATION: The project is located along Eldridge Parkway from Sandbridge on the north to Westheimer on the south. The project is located in Key Map Grids 488K, 488P and 488T.																													
BIDS: Bids were received on September 28, 2006. The twelve (12) bids are as follows:																													
<table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 10%;"><u>Bidder</u></th> <th style="text-align: right; width: 15%;"><u>Bid Amount</u></th> </tr> </thead> <tbody> <tr><td>1. BRH-Garver Construction, L.P.</td><td style="text-align: right;">\$4,196,474.00</td></tr> <tr><td>2. Texas Sterling Construction, L.P.</td><td style="text-align: right;">\$4,417,170.75</td></tr> <tr><td>3. George Construction, Inc.</td><td style="text-align: right;">\$4,716,511.20</td></tr> <tr><td>4. D.L. Elliott Enterprises, Inc.</td><td style="text-align: right;">\$4,730,434.50</td></tr> <tr><td>5. Reytec Construction Resources, Inc.</td><td style="text-align: right;">\$4,762,744.00</td></tr> <tr><td>6. Calco Construction, Ltd.</td><td style="text-align: right;">\$4,865,203.35</td></tr> <tr><td>7. Huff & Mitchell, Inc.</td><td style="text-align: right;">\$4,877,086.50</td></tr> <tr><td>8. E.P. Brady, Ltd.</td><td style="text-align: right;">\$4,890,257.50</td></tr> <tr><td>9. Pace Services, L.P.</td><td style="text-align: right;">\$5,028,005.00</td></tr> <tr><td>10. JFT Construction, Inc.</td><td style="text-align: right;">\$5,230,927.10</td></tr> <tr><td>11. Triple B Services, L.L.P.</td><td style="text-align: right;">\$5,959,273.40</td></tr> <tr><td>12. Total Contracting Limited</td><td style="text-align: right;">\$6,026,178.00</td></tr> </tbody> </table>				<u>Bidder</u>	<u>Bid Amount</u>	1. BRH-Garver Construction, L.P.	\$4,196,474.00	2. Texas Sterling Construction, L.P.	\$4,417,170.75	3. George Construction, Inc.	\$4,716,511.20	4. D.L. Elliott Enterprises, Inc.	\$4,730,434.50	5. Reytec Construction Resources, Inc.	\$4,762,744.00	6. Calco Construction, Ltd.	\$4,865,203.35	7. Huff & Mitchell, Inc.	\$4,877,086.50	8. E.P. Brady, Ltd.	\$4,890,257.50	9. Pace Services, L.P.	\$5,028,005.00	10. JFT Construction, Inc.	\$5,230,927.10	11. Triple B Services, L.L.P.	\$5,959,273.40	12. Total Contracting Limited	\$6,026,178.00
<u>Bidder</u>	<u>Bid Amount</u>																												
1. BRH-Garver Construction, L.P.	\$4,196,474.00																												
2. Texas Sterling Construction, L.P.	\$4,417,170.75																												
3. George Construction, Inc.	\$4,716,511.20																												
4. D.L. Elliott Enterprises, Inc.	\$4,730,434.50																												
5. Reytec Construction Resources, Inc.	\$4,762,744.00																												
6. Calco Construction, Ltd.	\$4,865,203.35																												
7. Huff & Mitchell, Inc.	\$4,877,086.50																												
8. E.P. Brady, Ltd.	\$4,890,257.50																												
9. Pace Services, L.P.	\$5,028,005.00																												
10. JFT Construction, Inc.	\$5,230,927.10																												
11. Triple B Services, L.L.P.	\$5,959,273.40																												
12. Total Contracting Limited	\$6,026,178.00																												
REQUIRED AUTHORIZATION																													
F&A Budget: 	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division	CUIC ID # 20BLL12 NDT																										

AWARD: It is recommended that this construction contract be awarded to BRH-Garver Construction, L.P. with a low bid of \$4,196,474.00 and that Addendum Number 1 be made a part of this contract.

PROJECT COST: The total cost of this project is \$4,913,900.00 to be appropriated as follows:

•	Bid Amount	\$4,196,474.00
•	Contingencies	\$209,823.70
•	Engineering and Testing Services	\$125,000.00
•	Project Management	\$83,955.30
•	Construction Management	\$298,647.00

Engineering and Testing Services will be provided by Atser, L.P. under a previously approved contract.

Construction Management Services will be provided by Lockwood, Andrews & Newnam, Inc. under a previously approved contract.

M/WBE PARTICIPATION: The low bidder has submitted the following proposed MWBE and SBE participation to satisfy the 15% MWBE and 5% SBE goals for this project:

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Choctaw Pipe & Equipment, Inc.	Manhole Supplier	\$141,458.00	3.37%
2. Ocanas Constructors Company	Paving	\$545,411.00	13.00%
		MWBE Subtotal	16.37%
3. Work Zone Products, Inc.	Traffic Control	\$65,485.00	1.56%
4. J. A. Gamez, Trucking Services	Trucking	\$157,280.00	3.75%
		SBE Subtotal	5.31%
		TOTAL	21.68%

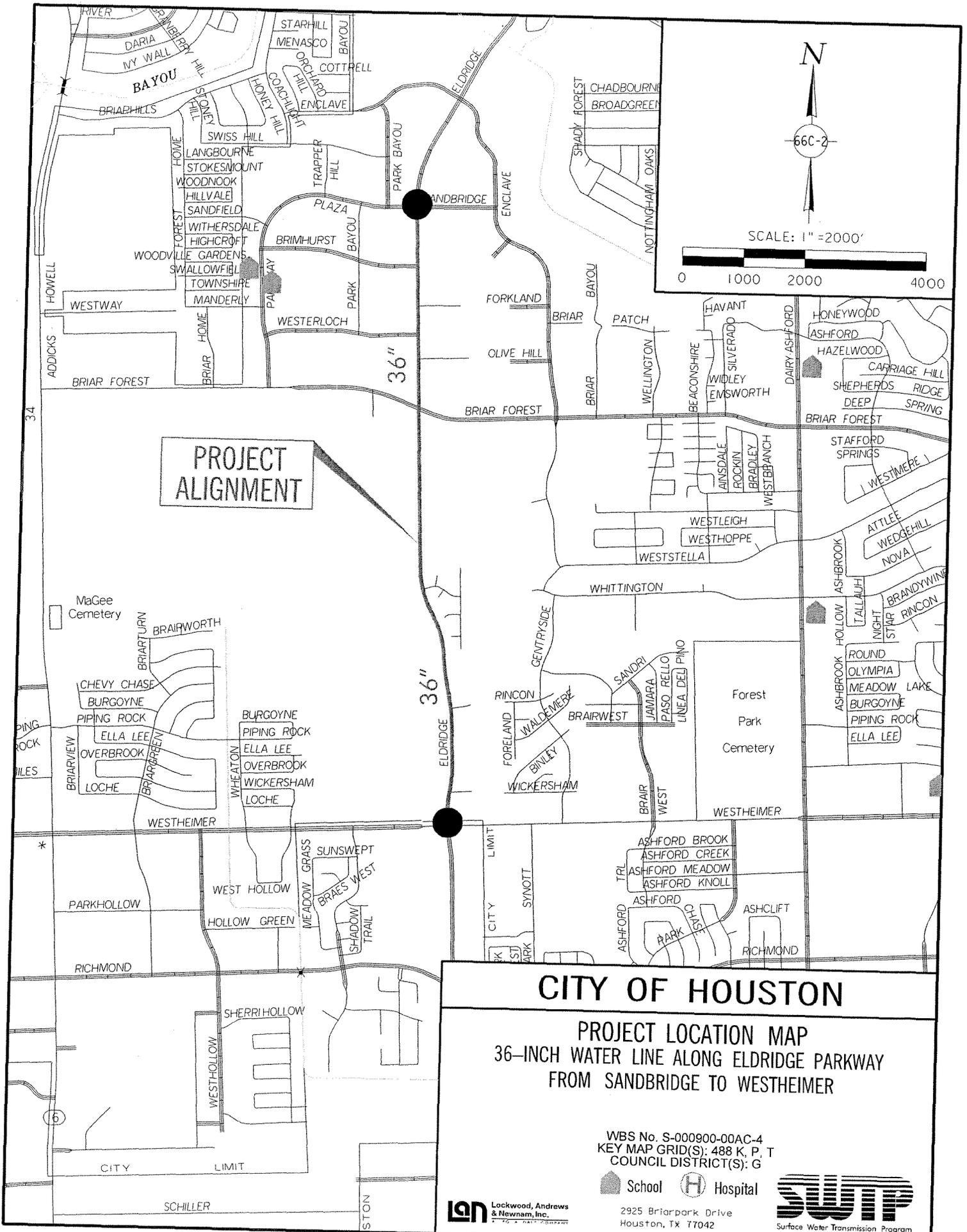
All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.

BRH

MSM:DWK:RKM:HH:BLL

S:\ecreshare\PROJECTS\WATER\S-000900-00AC-4\POSTBID\RCA.doc

- c: Marty Stein
Velma Laws
Susan Bandy
Michael Ho, P.E.
Craig Foster
File S-000900-00AC-4 (3.7)



CITY OF HOUSTON

PROJECT LOCATION MAP 36-INCH WATER LINE ALONG ELDRIDGE PARKWAY FROM SANDBRIDGE TO WESTHEIMER

WBS No. S-000900-00AC-4
KEY MAP GRID(S): 488 K, P, T
COUNCIL DISTRICT(S): G

School Hospital

2925 Briarpark Drive
Houston, TX 77042



LAN Lockwood, Andrews & Newnam, Inc.
1102 - 2nd Street, Suite 200
Houston, TX 77002

<p>SUBJECT: Motion to draw lots for the tied sealed bid sale of the former Fire Station No.11 and Center Street Lift Station, located at 4520 Washington Avenue, Lots 6 and 7, portion of abandoned alleyway, all within Block 56, Brunner Addition, John Austin Survey. Parcels S98-46A and S98-46B.</p>	<p>Category</p>	<p>Page 1 of 1</p>	<p>Agenda Item</p> <p style="text-align: right; font-size: 2em;">38</p>
--	------------------------	-------------------------------	--

<p>FROM (Department or other point of origin): Building Services Department</p>	<p>Origination Date 3-29-07</p>	<p>Agenda Date</p>
--	--	---------------------------

<p>DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>[Signature]</i> 3/22/07</p>	<p>Council District(s) affected: H</p>
--	---

<p>For additional information contact: Jacquelyn L. Nisby <i>[Signature]</i> Phone: (713) 247-1814</p>	<p>Date and identification of prior authorizing Council Action: Resolution 2006-5; May 10, 2006 Motion 2007-0111; January 31, 2007</p>
---	---

RECOMMENDATION: That City Council draw lots for the two bids of \$350,000.00 to determine the highest bidder for the sealed bid sale of Parcels S98-46A and S98-46B, the 7,750-square-foot former Fire Station No. 11 and Center Street Lift Station, located at 4520 Washington Avenue, Lots 6 and 7, portion of abandoned alleyway, all within Block 56, Brunner Addition, John Austin Survey.

Amount and Source of Funding: Not Applicable **F & A Budget:**

SPECIFIC EXPLANATION: By Resolution 2006-5 and Motion 2007-0111, City Council designated Parcels S98-46A and S98-46B as a Protected Landmark and authorized their sealed bid sale.

On March 8, 2007, 12 bids were received for Parcels S98-46A and S98-48B, the 7,750-square-foot former Fire Station No. 11 and Center Street Lift Station, located at 4520 Washington Avenue. Two of the 12 bidders submitted identical bids in the amount of \$350,000.00, which is the highest bid amount. The following are the two bidders who represent the highest bid:

<u>Bidder</u>	<u>Bid Amount</u>
Washington 4500, LP	\$350,000.00
Matt Tabrizi	\$350,000.00

Therefore, the Building Services Department recommends that City Council draw lots for the two bids of \$350,000.00 to determine the highest bidder for the sealed bid sale of Parcels S98-46A and S98-48B. Upon determination by City Council of the successful bidder, the necessary ordinance will be submitted for the sale.

IZD:BC:JLN:FA:fa

REQUIRED AUTHORIZATION CUIC #25FA 04

<p>Building Services Department: <i>[Signature]</i> Forest R. Christy, Jr., Director, Real Estate Division</p>	<p>Other Authorization:</p>
---	------------------------------------

SUBJECT: Approve a motion giving the Director of the Houston Airport System the authority to determine which alternative project delivery method for construction projects provides the best value for the City as set forth in Chapter 271, Subchapter H of the Texas Local Government Code, as it may be amended from time to time.		Category #	Page 1 of 2	Agenda Item # 39
FROM (Department or other point of origin): Houston Airport System		Origination Date March 22, 2007	Agenda Date MAR 28 2007 APR 04 2007	
DIRECTOR'S SIGNATURE: <i>[Signature]</i>		Council District affected: B, E, I		
For additional information contact: Eric Potts Phone: 281/233-1999		Date and identification of prior authorizing Council action:		
AMOUNT & SOURCE OF FUNDING: N/A		Prior appropriations:		
RECOMMENDATION: (Summary) Approve a motion giving the Director of the Houston Airport System the authority to determine which alternative project delivery method for construction projects provides the best value for the City as set forth in Chapter 271, Subchapter H of the Texas Local Government Code, as it may be amended from time to time.				
SPECIFIC EXPLANATION: Chapter 271, Subchapter H of the Texas Local Government Code authorizes municipalities to use five alternative delivery methods, in addition to traditional competitive bid, for facility construction: (1) Competitive Sealed Proposal (CSP); (2) Design/Build; (3) Construction Manager (CM) at Risk; (4) Job Order Contract (JOC); and (5) Construction Manager as Agent. These alternative delivery methods permit the City to select the construction method and contractor that will provide the best value. Currently, the Houston Airport System (HAS) has been authorized to utilize CM at Risk and JOC. HAS is requesting broader authority to determine which alternative project delivery method will provide the best value. Once selected, the contract will be presented to Council for consideration. The HAS FY 2007 – 2011 Capital Improvement Plan includes various security, terminal, runway and customer service enhancements as well as federally mandated projects. In the execution of this plan, HAS will construct numerous interconnected complex facilities, which are dependent on industry demand factors. The success of these projects often results from factors other than price. Under the traditional competitive bid process, the City often does not obtain the best value for the work due to inexperienced or poor performing contractors, costly change orders and delays.				
REQUIRED AUTHORIZATION				
Other Authorization:		Other Authorization:		Other Authorization:

mgf

*UP
502*

Date March 22, 2007	Subject: Approve a Motion giving the Director of Houston Airport System the authority to determine when use of alternative project delivery methods for construction projects are in the best interest of the City, provided they are in compliance with Chapter 271, Subchapter H of the Texas Local Government Code, as it may be amended from time to time.	Originator's Initials	Page 2 of 2
-------------------------------	---	------------------------------	-----------------------

In contrast, alternative delivery methods allow the City to select the contractor that offers the best value based on selection criteria and weighted ranking system published in the proposal documents. Selection is generally based on a combination of price and/or other factors that the City deems in its best interest, such as the contractor's experience, expertise in the specialized type of work being requested, experience in scheduling and project coordination, and the ability to complete projects on schedule and within budget. For example, HAS use of CM at Risk for Project 417F at William P. Hobby, which involves expansion to the Central Concourse, demolition of existing Concourses A and C and completion of airport apron, has resulted in construction cost savings of approximately \$5M, an expedited schedule and slight increase in MWBE participation.

The nature of the aviation industry produces system projects that vary in complexity, duration and cost. The flexibility to select the appropriate delivery method based on these factors will facilitate efficiency and timely project completion. Additionally, the FAA requires that architectural engineering services remain separate from construction project scope; therefore, the process to select these firms will remain unchanged. Likewise, the use of alternative project delivery methods will not impact MWBE/SBE process, goals, and/or objectives. Therefore, it is recommended that City Council Approve a motion giving the Director of the HAS the authority to determine which alternative project delivery method for construction projects provides the best value for the City as set forth in Chapter 271, Subchapter H of the Texas Local Government Code, as it may be amended from time to time.

cc: Ms. Marty Stein Mr. Anthony W. Hall, Jr. Mr. Arturo G. Michel Mr. Eric Potts Ms. Kathy Elek

SUBJECT: Motion giving the Director of the Public Works and Engineering Department authority to determine which alternative project delivery method for construction projects provides the best value for the City

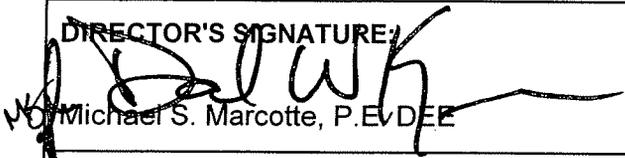
Page 1 of 2
 Agenda Item # **40-4**

FROM (Department or other point of origin):
 Department of Public Works and Engineering

Origination Date
 3-23-06

Agenda Date
~~MAR 28 2007~~

DIRECTOR'S SIGNATURE:



Michael S. Marcotte, P.E./D.E.E.

Council District affected:
 ALL

APR 04 2007

For additional information contact:

Reid K. Mrsny, P.E. Phone: (713) 837-0452
 Senior Assistant Director

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

Approve a motion giving the Director of the Public Works and Engineering Department the authority to determine which alternative project delivery method for construction projects provides the best value for the City as set forth in Chapter 271, Subchapter H of the Texas Local Government Code, as it may be amended from time to time

Amount and Source of Funding: N/A

SPECIFIC EXPLANATION: The Texas Local Government Code authorizes municipalities to use five alternative delivery methods, in addition to traditional competitive bid, for facility construction: (1) Competitive Sealed Proposal (CSP); (2) Design/Build; (3) Construction Manager (CM) at Risk; (4) Job Order Contract (JOC); and (5) Construction Manager as Agent. These alternative delivery methods permit the City to select the construction method and contractor that will provide the best value for vertical construction. Current state law requires municipalities to use the traditional competitive bidding method for selection of contractors for horizontal construction projects in excess of \$1.5 million, including roads, streets, bridges, drainage projects, utilities, water supply projects, water plants, wastewater plants, water and wastewater distribution or conveyance infrastructure, as well as airport runways and taxiways.

The Director PWE is charged with implementing the infrastructure portion of the City's Capital Improvement Plan for infrastructure improvements to include street, drainage, water, and sewer improvements, through design and construction of projects so that they are delivered timely, with quality and within budget. These projects account for the majority portion of the City's capital investment. This delegation would allow the Director to determine on behalf of the City the best value contracting method for such infrastructure projects that Department delivers. The City's current Capital Improvement Plan includes thoroughfare reconstruction, utility plant rehabilitation, and other work for which the success of the project is dependent on factors other than price to include time and quality.

Under current State Law, this authority would extend to the vertical construction for which the Director of PWE is responsible in implementing the City's Capital Improvement Plan. These projects include the construction and rehabilitation of water treatment plants and wastewater treatment facilities. These plants and facilities are highly technical and require innovative methods of design and construction to provide dependable and continuous service to the public. House Bill 447 and Senate Bill 356 are under consideration in the Texas State Legislature. If passed, this authority is expected to provide the Director of PWE the ability to determine the best construction delivery system for infrastructure projects constructed as part of the Capital Improvement Plan.

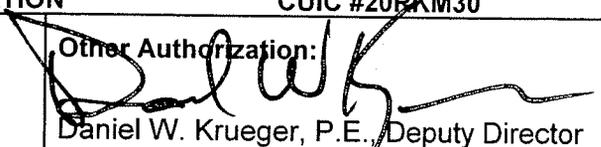
REQUIRED AUTHORIZATION

CUIC #20BKM30

F&A Budget:

Other Authorization:

Other Authorization:



Daniel W. Krueger, P.E., Deputy Director
 Engineering and Construction Division

Date	SUBJECT: Delegate authority to Director PWE to determine which alternative project delivery method for construction projects provides the best value for the City.	Originator's Initials	Page 2 of 2
-------------	---	------------------------------	--------------------

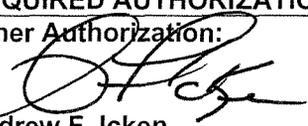
Under the traditional competitive bid process, the City often does not obtain the best value for the work due to quality of work by inexperienced or poor performing contractors, and adverse impacts due to lack of appropriate contract framework to establish the value of timeliness, or to frame a quality versus cost value framework. In contrast, by using alternative delivery methods, PWE would determine when methods authorized by state law would allow the City to select a contractor that offers the best value based on selection criteria and weighted ranking system published in the proposal documents. Selection is generally based on a combination of price and/or other factors that the City deems in its best interest, such as the contractor's experience, expertise in the specialized type of work being requested, experience in scheduling and project coordination, and the ability to complete projects on schedule and within budget.

MSM:DWK:RKM

S:\constr\admin\const\rc_a_alternative proj delivery.doc

c: Marty Stein
Daniel W. Krueger, P.E.
Susan Bandy
Velma Laws

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the annexation of two (2) tracts of land totaling 28.099 acres to the in-city district, Harris County Municipal Utility District No. 460 (Key Map No. 574N,P)		Category #	Page 1 of 1	Agenda Item # 41 26
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 3/22/07	Agenda Date MAR 28 2007	
DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., DEE, Director		Council District affected: "D" APR 04 2007		
For additional information contact: Jun Chang, P.E.  Senior Assistant Director Phone: (713) 837-0433		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) The petition for the annexation of 28.099 acres of land to the in-city district, Harris County Municipal Utility District No. 460 be approved.				
Amount of Funding: NONE REQUIRED			F & A Budget:	
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)				
SPECIFIC EXPLANATION: <p>Harris County Municipal Utility District No. 460 has petitioned the City of Houston for consent to annex 28.099 acres to its district located entirely within the corporate limits of the city.</p> <p>The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.</p> <p>The district is located in the vicinity of South Sam Houston Parkway East, Schurmier, South Wayside and Mykawa. The district desires to add 28.099 acres, thus yielding a total of 449.4786 acres. The district will be served by the City of Houston's Chocolate Bayou Wastewater Treatment Plant. The nearest major drainage facility for Harris County Municipal Utility District No. 460 is Clear Creek which flows into Clear Lake and finally into Galveston Bay.</p> <p>Potable water for the district will be provided by the City of Houston. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.</p> <p>The Utility District Review Committee recommends that the subject petition be approved.</p>				
Attachments cc: Marty Stein Marlene Gafrick Jeff Taylor Earl Travis Dan Krueger Jack Sakolosky Bill Zrioka Waynette Chan Deborah McAbee Gary Norman				
REQUIRED AUTHORIZATION 20JZC245				
F & A Director		Other Authorization:  Andrew F. Icken Deputy Director Planning & Development Services Division		Other Authorization:

MS

John



City of Houston
CITY COUNCIL

Interoffice

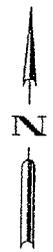
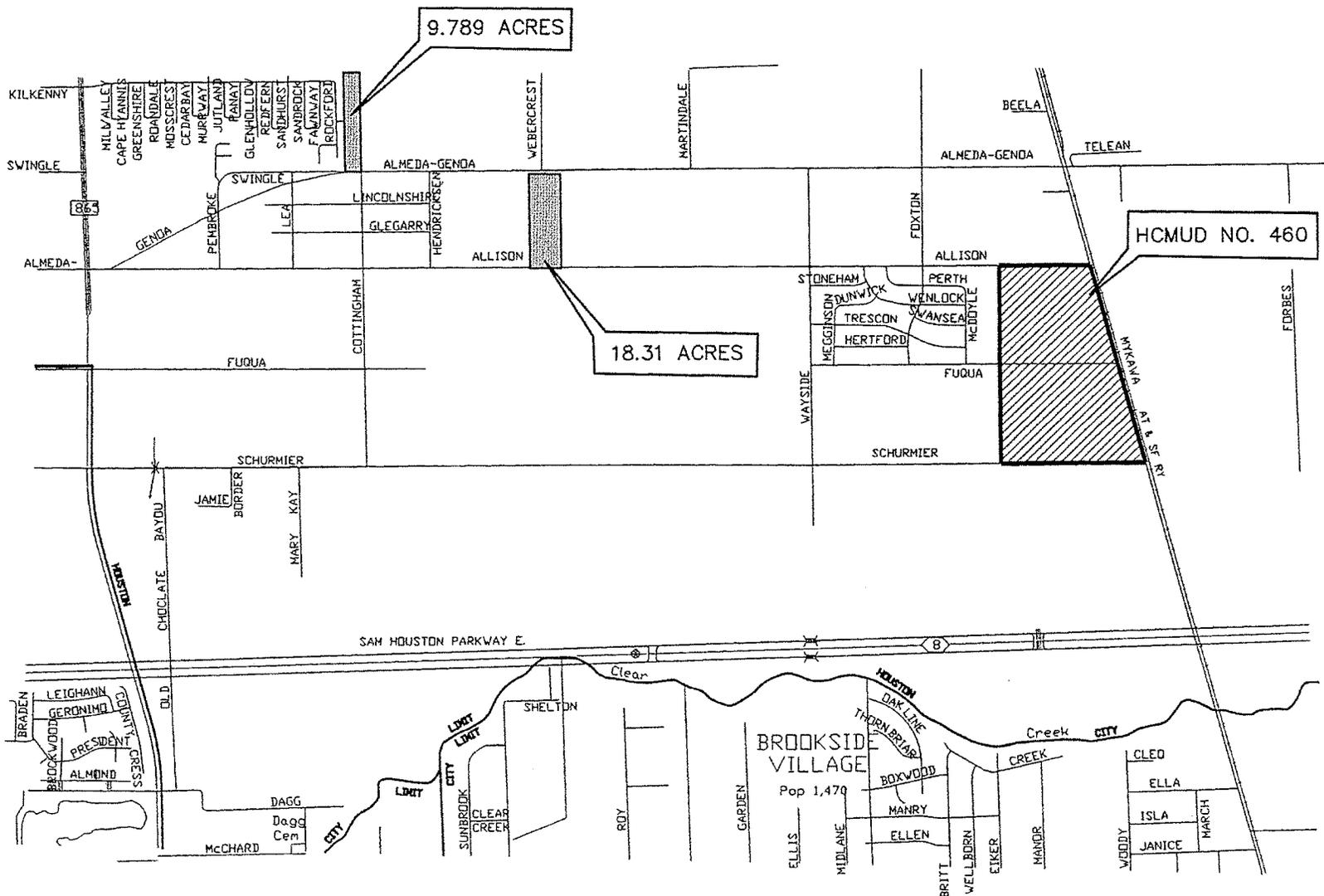
Correspondence

Ada Edwards
City Council Member
District D

To: Gary Norman
Senior Staff Analyst
Public Works and Engineering Department

From: Council Member Ada Edwards
Date: March 12, 2007
Subject: Annexation of 28.099 acres
of land to MUD 460

I am in full support of the annexation of 28.099 acres of land to Harris County MUD 460. If you have any questions, please contact my Chief of Staff, Karen Haller at 713.247.2557



VICINITY MAP

HARRIS COUNTY KEY MAP PAGE 574

BROWN & GAY			
CIVIL ENGINEERS & SURVEYORS 19777 WESTHEIMER, SUITE 400 HOUSTON, TEXAS 77042 (281) 658-8700			
ANNEXATION OF 28.099 ACRES			
Scale:	Job No.:	Date:	Exhibit:
N.T.S.	46060	FEB. 2007	1



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Application Accepted as Complete (to be completed by PW&E) *revised/resubmit. 2/9/07 v.s.o.*

Application is hereby made for consent of the City of Houston to the creation/ addition of 28.099 acres to Harris Co. MUD No. 460 under the provisions of Chapters 49 & 54 Texas Water Code.

Julie B. Kugle/Att
Attorney for the District

Attorney: Coats Rose Yale Ryman & Lee, Julianne B. Kugle

Address: 3 Greenway Plaza, Suite 2000 Zip: 77046 Phone: 713.651.0111

Engineer: Brown & Gay Engineers, Rodney R. Heisch, PE

Address: 10777 Westheimer Zip: 77042 Phone: 281.558.8700

Owners: See Attachment No. 1

Address: _____ Zip: _____ Phone: _____

(If more than one owner, attach additional page. List all owners of property within the District)

LOCATION

INSIDE CITY OUTSIDE CITY NAME OF COUNTY (S) Harris
Survey See Attachment No. 2 Abstract _____

Geographic Location: List only major streets, bayous or creeks:

North of: _____ East of: _____
South of: _____ West of: _____

WATER DISTRICT DATA

Total Acreage of District: $\frac{129.84 \pm}{167.8856}$ (pending) Existing Plus Proposed Land 449.4786
 ± 124.454 (pending)

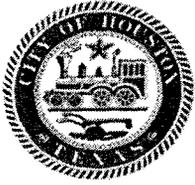
Development Breakdown (Percentage) for tract being considered for annexation:

Single Family Residential 100% Multi-Family Residential N/A
Commercial N/A Industrial N/A Institutional N/A

Sewage generated by the District will be served by a : District Plant Regional Plant

Sewage Treatment Plant Name: City of Houston -- Chocolate Bayou WWTP

NPDES/TPDES Permit No: _____ TCEQ Permit No: _____



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): _____

Ultimate Capacity (MGD): _____

Size of treatment plant site: _____ square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: _____ MGD.

If the treatment plant is to serve other Districts or properties (i.e. regional), please indicate total permitted capacity of the plant. List all Districts served, or to be served, within the plant and their allotted capacities

(If more than two Districts – attach additional page):

Total permitted capacity: _____

MGD of (Regional Plant).

Name of District: _____

MGD Capacity Allocation _____

or property owner(s)

Name of District: _____

MGD Capacity Allocation _____

Water Treatment Plant Name: City of Houston

Water Treatment Plant Address: _____

Well Permit No: _____

Existing Capacity:

Well(s): _____

GPM

Booster Pump(s): _____

GPM

Tank(s): _____

MG

Ultimate Capacity:

Well(s): _____

GPM

Booster Pump(s): _____

GPM

Tank(s): _____

MG

Size of Treatment Plant Site: _____

square feet/acres.

Comments or Additional Information: The District is located within the corporate limits of the City of Houston and receives both water and sanitary sewer service from the City.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract with Patriot Advertising, Inc., for Advertising Services for the Houston Police Department	Category # 9	Page 1 of -	Agenda Item # 48 42
--	--------------	-------------	--------------------------------

FROM (Department or other point of origin): Harold L. Hurtt, Chief of Police Houston Police Department	Origination Date March 22, 2007	Agenda Date MAR 28 2007 APR 04 2007
--	------------------------------------	---

MS

DIRECTOR'S SIGNATURE: <i>Harold L. Hurtt, Chief of Police</i>	Council District affected: All
--	--------------------------------

For additional information contact: Kirk Munden, Assistant Chief Phone: 713-308-1890 Approved by: Joseph A. Fenninger, Deputy Director Phone: 713-308-1708	Date and identification of prior authorizing Council action:
--	--

RECOMMENDATION: (Summary)

Approve an ordinance authorizing a contract with Patriot Advertising, Inc., in an amount not to exceed \$300,000 for advertising services for the Houston Police Department.

Amount and Source of Funding: \$ 300,000 General Fund FY07 - 1 year	F & A Budget:
--	---------------

SPECIFIC EXPLANATION:

The Chief of Police recommends that City Council approve a one-year contract to Patriot Advertising Inc., for advertising services in an amount not to exceed \$300,000 for the Houston Police Department. Patriot Advertising has performed probono work for the Houston Police Department's open house for approximately one year and is familiar with our recruiting program practices. At no cost to HPD, Patriot Advertising, Inc., has interviewed police officers to determine what attracts them to their choice of career, thereby building advertising goals to recruit more officers. The agency has presented aggressive recruiting ideas, which would be cost effective.

The scope of services requires the contractor to develop a public relations and media advertising campaign plan to recruit qualified applicants as Houston Police Officer Trainees and Senior Police Trainees. The plan will specify the (1) target audience, (2) media to be used, (3) type and frequency of advertising and (4) estimated total costs. The plan shall also include proposed Website work.

M/WBE Subcontracting:
The contract has a 5% M/WBE participation goal. Patriot Advertising, Inc., has designated the below-named company as its certified M/WBE subcontractor. The Affirmative Action Department will monitor this award.

<u>Company</u>	<u>Type of Work</u>	<u>Dollar Amount</u>
The Premier Company	Printing Services	\$15,000

hlh:jaf:jpe

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:



CITY OF HOUSTON

Legal Department

Interoffice

Correspondence

43

APR 04 2007

58

~~MAR 26 2007~~

To: Anna Russell
City Secretary

From: Arturo G. Michel
City Attorney

Date: January 19, 2007

Subject: Teresa Argueta's Appeal to City
Council from a Decision of the
General Appeals Board
District I

By the attached memorandum dated January 5, 2007, you have requested advice as to whether an appeal filed by Teresa Argueta, regarding the denial of a manufactured home hardship extension by the General Appeals Board ("Board") is timely and may be granted.

The Board denied the extension of Teresa Argueta's manufactured home hardship permit following a hearing held December 21, 2006. Section 112.3 of the Houston Building Code provides that an appeal from a decision of the Board may be perfected by filing a written request with the city secretary within ten days after the date that the written decision of the Board is mailed to the appellant by the Board secretary. Since the Board's written decision was mailed on January 9, 2007, and your date stamp on the request shows filing on January 3, 2007, the appeal is timely. Please note that pursuant to Rule 12, City Council Rules, this matter may only be considered on the basis of the written record of the proceeding before the board. Thus, it may not be placed on the City Council Agenda until the written record is received by your office.

If you have any questions concerning this memorandum, please advise.

AGM:MNA *ma*

Attachment

cc: Gary Bridges, PWE
Richard Torres, PWE

H:\MNA\GENAPPI\APPMEMO\ARGUETA.WPD

NOTE: TRANSCRIPT SENT
with agenda item
58 3/28/07

RECEIVED
JAN 22 2007
CITY SECRETARY