

**AGENDA - COUNCIL MEETING - TUESDAY - JULY 10, 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 - JULY 11, 2007 - 9:00 A. M.**

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

**MAYOR'S REPORT** - City of Houston federal agenda

**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 34**

## AGENDA - JULY 11, 2007 - PAGE 2

### MISCELLANEOUS - NUMBERS 1 and 2

1. RECOMMENDATION from Director Department of Public Works & Engineering for approval of an amendment to the FY2007 Operating Budget for the **HOUSTON AREA WATER CORPORATION (HAWC)** - \$550,000.00 - Enterprise Fund
2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of FY2008 Operating Budget for the **HOUSTON AREA WATER CORPORATION (HAWC)** \$23,351,450.00 - Enterprise Fund

### ACCEPT WORK - NUMBERS 3 and 4

3. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$501,005.52 payable to the **Surety, TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA** and acceptance of work on contract awarded to **TRIMBLE AND STEPHENS CONSTRUCTION SERVICES, INC d/b/a STEPHENS CONSTRUCTION SERVICES** for SEHAH Youth Activity Center, GFS Y-P-013-01-7 - 4.38% over the original contract amount **DISTRICT D - EDWARDS**
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,234,567.92 and acceptance of work on contract with **SPAWGLASS CIVIL CONSTRUCTION, INC** for Construction of Safe Sidewalk Program 01 Project, WBS N-00646H-001-4 - 18.45% under the original contract amount - **DISTRICT H - GARCIA**

### PROPERTY - NUMBER 5

5. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcels AY6-080, owned by D.E.F., Inc and AY6-083, owned by Francesca, Pier, Carlo, Caffey & Jones, Sunbelt Associates, a Maryland Limited Partnership, d/b/a Sunbelt Skillet Associates, for the **LOCKWOOD DRIVE PAVING PROJECT from Tidwell to Bennington**, N-000612-0001-2-01 **DISTRICT B - JOHNSON**

### PURCHASING AND TABULATION OF BIDS - NUMBERS 6 through 10B

6. RECOMMENDATION from Director Building Services Department for Professional Consulting Services provided by **WILLIAM T. AVILA** for preparation of a Base Redevelopment/Reuse Plan submission to the Department of Defense for the property located at 6903 and 7077 Perimeter Park Drive, Houston, Texas - \$55,555.00 - Grant Fund - **DISTRICT A - LAWRENCE**
7. **CHANNING BETE COMPANY, INC** for Printed and Audio-Visual Supplies for Health & Human Services Department - \$225,709.94 - Grant Fund
8. **SANOFI PASTEUR, INC** for Vaccines from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Health & Human Services Department - \$82,450.25 - Health Special Revenue Fund
9. **WALKER AND ASSOCIATES, INC** for Voice and Data Communications Conference Bridge and Mounting Shelves for the Houston Emergency Center - \$39,305.00 - Houston Emergency Center Fund

**PURCHASING AND TABULATION OF BIDS** - continued

10. ORDINANCE appropriating \$10,388,670.00 out of Equipment Acquisition Consolidated Fund for 290 Patrol Vehicles and Ancillary Equipment (to include Vehicle Consoles, Mobile Data Terminals, Police Radios, Antennas and Sirens) for Police Department
  - a. **AMEND MOTION #2007-218, 2/28/07, TO PURCHASE** 304 additional Patrol Vehicles for Police Department, for a total increase of \$7,807,632.00, awarded to **PHILPOTT MOTORS, LTD., d/b/a PHILPOTT FORD** - Equipment Acquisition Consolidated and Police Special Services Funds
  - b. **AMEND MOTION #2007-57, 1/17/07, TO PURCHASE** additional Vehicle Console Systems for Police Department, for a total increase of \$88,953.44, awarded to **BISON PROFAB, INC** Equipment Acquisition Consolidated and Police Special Services Funds

**RESOLUTIONS AND ORDINANCES** - NUMBERS 11 through 25

11. RESOLUTION authorizing the Houston Parks and Recreation Department (HPARD) to submit an application for a \$400,000 Outdoor Recreation Grant to the Texas Parks and Wildlife Department (TPWD) for the Telephone Road Project and certifying that the matching share is readily available; declaring the City's eligibility for such grant; authorizing the Director of the Parks and Recreation Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - **DISTRICT I - ALVARADO**
12. ORDINANCE consenting to the addition of 11.1035 acres of land to **CYPRESS HILL MUNICIPAL UTILITY DISTRICT NO. 1**, for inclusion in its district
13. ORDINANCE consenting to the addition of 38.6488 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 57**, for inclusion in its district
14. ORDINANCE consenting to the addition of 303.8154 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 287**, for inclusion in its district
15. ORDINANCE amending Ordinance Number 2003-0848 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City and **INTERFAITH CARE PARTNERS, INC** for Elderly Services - 1 Year - \$600,000.00 - Grant Fund
16. ORDINANCE amending Ordinance Number 2003-1052 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City and **ROBERT C. GOHLKE, DDS, INC** for Elderly Dental Services - 1 Year - \$379,425.00 - Grant Fund
17. ORDINANCE approving and authorizing first amendment to contract between the City and the **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** for an PM 2.5 Air Monitoring System 1 Year - \$68,000.00 - Grant Fund
18. ORDINANCE approving and authorizing second amendment to contract between the City and the **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** for an Air Monitoring System related to Biowatch activities - 1 Year - \$774,000.00 - Grant Fund
19. ORDINANCE approving and authorizing the use of \$659,482.85 in Community Development Block Grant ("CDBG") Funds to reimburse the City's CDBG Treasury Account due to an expenditure correction made by the City's Public Works & Engineering Department

**RESOLUTIONS AND ORDINANCES** - continued

20. ORDINANCE amending Ordinance 2006-1043 to increase the maximum contract amount of contracts between the City of Houston and **A-1 PERSONNEL OF HOUSTON, INC, ALSO TEMPS, INC, APPLE ONE TEXAS, INC, BERGAILA & ASSOCIATES, INC, ELITE COMPUTER CONSULTANTS, LP., ELITE PERSONNEL CONSULTANTS, INC d/b/a EVINS TEMPORARIES, EXECUTEAM STAFFING, L.P., and SILVER & ASSOCIATES, INC** for Temporary Employee Services and Information Technology Staffing Services - \$17,500,000.00 Central Service Revolving Fund
21. ORDINANCE approving and authorizing contract between the City and the **MUNICIPAL CODE CORPORATION** for Codification Services pertaining to the publication of the current City Code; providing a maximum contract amount - 3 Years - \$75,000.00 - General Fund
22. ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **HOUSTON AUTO AUCTION, INC (#C50625)** for auctioneering services on surplus vehicles for Finance and Administration Department - Revenue
23. ORDINANCE approving and authorizing second amendment to an Interlocal Contract between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** to increase the funding from TXDOT to the City for Law Enforcement, General Surveillance and Traffic Control in TXDOT Construction Zones - \$800,000.00 - Revenue
24. ORDINANCE appropriating \$200,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ARCADIS U.S., INC** for Negotiated Work Orders for Design of Rehabilitation and Replacement of Bridge Structure/Roadways, WBS N-00445N-0023-3; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund
25. ORDINANCE appropriating \$452,683.35 out of Police Consolidated Construction Fund, awarding construction contract to **F. W. WALTON, INC** for Roof Replacement at Gershan and Fleet Administration Buildings, WBS G-000066-0010-4; 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 contingencies relating to construction of facilities financed by Police Consolidated Construction Fund - **DISTRICT H - GARCIA**

**END OF CONSENT AGENDA**

**CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA**

**MATTERS HELD** - NUMBERS 26 through 34

26. 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**  
**POSTPONED BY MOTION #2007-542, 6/6/07**  
This was Item 45 on Agenda of June 6, 2007
27. ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to redesignating the Building Services Department as the General Services Department  
**TAGGED BY COUNCIL MEMBERS LAWRENCE, WISEMAN and KHAN**  
This was Item 14 on Agenda of July 3, 2007
28. ORDINANCE approving and authorizing contract between the City and **GROTE CONSULTING CORPORATION** for employee relations training pertaining to discipline without punishment; providing a maximum contract amount - \$73,500.00 - Enterprise Fund to be reimbursed by user departments - **TAGGED BY COUNCIL MEMBERS WISEMAN, LAWRENCE, HOLM and KHAN**  
This was Item 32 on Agenda of July 3, 2007
29. ORDINANCE approving and authorizing the submission of an application for grant assistance to the **BUREAU OF JUSTICE ASSISTANCE** to fund the Marshal Area Response Service II Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - **TAGGED BY COUNCIL MEMBER WISEMAN**  
This was Item 33 on Agenda of July 3, 2007
30. ORDINANCE approving and authorizing contract between the City of Houston and **THE ACTIVE NETWORK, INC** for a Web-based Online Reservation System for City Recreation Facilities for the Parks & Recreation Department; providing a maximum contract amount - Initial allocation \$24,500.00 - General Fund - **TAGGED BY COUNCIL MEMBER WISEMAN**  
This was Item 35 on Agenda of July 3, 2007
31. ORDINANCE appropriating \$233,223.37 out of Water & Sewer System Consolidated Construction Fund and \$300,000.00 out of Drainage Improvement CPaper Series F Fund; approving and authorizing Developer Participation Contract between the City of Houston and **BUILDERS COMMUNITY DEVELOPMENT CORPORATION** for Construction of a Water, Sanitary Sewer and Storm Sewer Lines to serve Section Two of the Leland Woods Subdivision, WBS S-000800-00K8-4, R-000800-00K8-4 and M-000800-00K8-4 - **DISTRICT B - JOHNSON**  
**TAGGED BY COUNCIL MEMBERS JOHNSON and BROWN**  
This was Item 37 on Agenda of July 3, 2007
32. ORDINANCE appropriating \$358,276.18 out of Water & Sewer System Consolidated Construction Fund and \$378,000.00 out of Homeless and Housing Consolidated Fund; approving and authorizing Developer Participation Contract between the City of Houston and **INWOOD MONTGOMERY, L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for the Inwood Park Subdivision, WBS S-000800-00M7-4, R-000800-00M7-4 & M-000800-00M7-4  
**DISTRICT B - JOHNSON** - **TAGGED BY COUNCIL MEMBERS JOHNSON and BROWN**  
This was Item 38 on Agenda of July 3, 2007

**MATTERS HELD** – continued

33. ORDINANCE appropriating \$600,000.00 out of Public Library Consolidated Construction Fund, \$812,000.00 out of General Improvements Consolidated Construction Fund, \$205,000.00 out of Street & Bridge Consolidated Construction Fund, \$85,000.00 out of Parks Consolidated Construction Fund, \$154,400.00 out of Water & Sewer System Consolidated Construction Fund, WBS E-000JOC-0001-4, D-000108-0002-4, N-000649-0001-4, F-000585-0002-4, R-000267-00E4-4, as an additional appropriation to the existing job order contracts with **WILLIAM & THOMAS, LP dba JAMAIL CONSTRUCTION**, and **RHJ-JOC, INC**  
**TAGGED BY COUNCIL MEMBER BROWN**  
This was Item 40 on Agenda of July 3, 2007

34. ORDINANCE awarding contract to **EAGLE CONSTRUCTION & ENVIRONMENTAL SERVICES, L.P.** for Handling and Disposal of Hazardous Materials for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$2,127,490.45 - General, Enterprise, Fleet Management and Storm Water Funds  
**TAGGED BY COUNCIL MEMBER HOLM**  
This was Item 43 on Agenda of July 3, 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

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

**SUBJECT:** Approval of an Amendment to the FY 2007 Annual Operating Budget for the Houston Area Water Corporation (HAWC).      **Category #**      **Page 1 of 2**      **Agenda Item # 1**

**FROM (Department or other point of origin):** Department of Public Works and Engineering      **Origination Date** 7-5-07      **Agenda Date** JUL 11 2007

**DIRECTOR'S SIGNATURE:** *Michael S. Marcotte*  
 Michael S. Marcotte, P.E., DEE, Director      **Council District affected:**

**For additional information contact:** Dannelle H. Belhateche, P.E.  
 Senior Assistant Director  
 Phone: 713-837-0847      **Date and identification of prior authorizing Council action:** Res. #2000-42 & Ord. #2000-765 (8/23/00); Ord. #01-645, 01646, 01-647, 01-648 & 01-649 (7/3/01); Ord. #02-261 (4/3/02); Ord. #03-902 (10/01/03); Mot. #04-543 (5/19/04) Mot. #05-824 (8/24/05); Mot. #06-510 (6/21/06)

**RECOMMENDATION: (Summary)**  
 Approve by Council Motion the Amendment to the FY 2007 HAWC Annual Operating Budget.

**Amount of Funding:** \$550,000      **F&A Budget:**

**SOURCE OF FUNDING:**       General Fund       Grant Fund       Enterprise Fund  
 Other (Specify) Fund 8300 - Water & Sewer System Operating Fund      *SP 6/14/07*

**SPECIFIC EXPLANATION:**  
 The Houston Area Water Corporation ("HAWC") is a public non-profit local government corporation created by the City of Houston to coordinate and manage the construction and operation of the Northeast Water Purification Plant ("NEWPP"). The facility's first phase commenced operations at 40 million gallons per day (MGD) on August 1, 2005. The second phase providing an additional capacity of 40 MGD, for a total production capacity of 80 MGD, was completed in March 2006. The NEWPP is now fully operational and is part of the regional water distribution system serving the City and other customers.  
 The Amended and Restated Treated Water Supply Contract between the City and the HAWC, entered into on April 3, 2002, states that the City shall pay all Operations and Maintenance Expenses incurred by the Corporation, including debt service on the contract revenue bonds issued in 2002 (the "HAWC Bonds") to fund construction and other costs associated with the development of the NEWPP. The HAWC submits an Annual Operating Budget for City Council approval that includes all expenses not otherwise funded from the proceeds of HAWC Bonds, notes or other obligations, including debt service on the HAWC Bonds.

**REQUIRED AUTHORIZATION**      20DHB056

<b>F&amp;A Director</b>	<b>Other Authorization:</b> <i>Jeff Taylor</i> Jeff Taylor Deputy Director	<b>Other Authorization:</b> <i>Dannelle H. Belhateche</i> Dannelle H. Belhateche, P.E. Senior Assistant Director
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Date	Approval of an Amendment to the FY 2007 Annual Operating Budget for the Houston Area Water Corporation (HAWC).	Originator's Initials	Page 2 of 2
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The FY2007 Annual HAWC Operating Budget approved by the HAWC Board Members on April 19, 2006 was \$22,801,450.

Major budget categories are:

HAWC Direct O&M Costs	11,533,572
HAWC Debt Service	9,076,719
<b>TOTAL DIRECT HAWC COSTS</b>	<u>20,610,291</u>
Electricity & Personnel Costs incurred by City of Houston	2,191,159
<b>TOTAL APPROVED HAWC BUDGET</b>	<u>22,801,450</u>
Recommended Increase for HAWC Direct O&M Costs	550,000
<b>TOTAL REVISED HAWC BUDGET</b>	<u>23,351,450</u>

This increase in the O&M budget is the result of higher legal fees incurred by the HAWC and higher chemical costs for water treatment at the plant. These additional costs will be paid out of the City of Houston Water & Sewer System Operating Fund 8300; however, no net increase in funding is being requested for Fund 8300.

The HAWC Board approved this budget increase on June 6, 2007. It is recommended that City Council approve an amendment to the FY2007 Annual Operating Budget for the Houston Area Water Corporation in the amount of \$550,000.

DHB:mn

xc: Marty Stein  
 Legal  
 Waynette Chan  
 Gary Norman  
 Susan Bandy  
 Jeff Taylor  
 Danielle H. Belhateche, P.E.

**ANNUAL OPERATIONS AND MAINTENANCE BUDGET  
NORTHEAST WATER PURIFICATION PLANT  
FY2007**

**20 MGD to end of year with Solar Bees**

<b>CATEGORY</b>	<b>FY07 BUDGET Approved</b>	<b>FY07 Proposed Revised Budget</b>	<b>FY 07 Projections</b>	<b>Variance Budget to Projection</b>
<b>Management and Oversight:</b>				
Legal Fees - Actuals thru Oct. 05 only	50,000	350,000	350,000	(300,000)
Supplies	20,000	7,000	7,000	13,000
Insurance - Paid by HAWC - Officers Liability	50,000	35,000	35,000	15,000
Audit Services	25,000	19,000	19,000	6,000
Bank Charges	3,600	3,600	3,600	0
<b>Subtotal:</b>	<b>148,600</b>	<b>414,600</b>	<b>414,600</b>	<b>(266,000)</b>
<b>Engineering and Professional Services:</b>				
PBS&J	125,000	50,000	50,000	75,000
Weston	75,000	0	0	75,000
Public Education Program	200,000	200,000	200,000	0
Contingency and Misc. Expenses	200,000	2,000	2,000	198,000
<b>Subtotal:</b>	<b>600,000</b>	<b>252,000</b>	<b>252,000</b>	<b>348,000</b>
<b>Plant Operations and Maintenance:</b>				
MWH Phase 1 O&M Service Fee	1,624,864	2,530,000	2,527,552	(902,688)
Operations Period Insurance Pass thru	135,000	575,000	574,300	(439,300)
MWH Phase 2 Service Fee Adjustment	857,959	0	0	857,959
Plant Maintenance	74,856	151,000	150,582	(75,726)
Transmission Line Maintenance	28,791	29,000	28,958	(167)
AORFA	178,502	230,000	229,700	(51,198)
<b>Subtotal:</b>	<b>2,899,972</b>	<b>3,515,000</b>	<b>3,511,092</b>	<b>(611,120)</b>
Chemicals "Pass Thru from MWH"	2,891,000	3,610,000	3,605,329	(714,329)
<b>Subtotal:</b>	<b>2,891,000</b>	<b>3,610,000</b>	<b>3,605,329</b>	<b>(714,329)</b>
<b>Miscellaneous other:</b>				
Rental of Solar Bee Lake Circulators	264,000	264,000	264,000	0
Raw Water Cost	4,730,000	4,163,031	4,142,627	587,373
<b>Subtotal:</b>	<b>4,994,000</b>	<b>4,427,031</b>	<b>4,406,627</b>	<b>587,373</b>
<b>Subtotal HAWC Budget Line Item 3827</b>	<b>11,533,572</b>	<b>12,218,631</b>	<b>12,189,648</b>	<b>(656,076)</b>
Miscellaneous Office Supplies budgeted in PUD	1,000	0	0	1,000
Personnel/Other Costs budgeted in PUD	129,159	0	0	129,159
Electricity budgeted in PUD	2,061,000	2,056,100	2,056,100	4,900
<b>Subtotal:</b>	<b>2,191,159</b>	<b>2,056,100</b>	<b>2,056,100</b>	<b>135,059</b>
<b>O&amp;M SUBTOTAL</b>	<b>13,724,731</b>	<b>14,274,731</b>	<b>14,245,748</b>	<b>(521,017)</b>
<b>DEBT SERVICES BUDGETED IN ORG 1911</b>				
Bond Principal Retirement	2,518,334	2,518,334	2,518,334	0
Bond Interest Expense	6,558,385	6,558,385	6,558,385	0
<b>DEBT SERVICE SUBTOTAL</b>	<b>9,076,719</b>	<b>9,076,719</b>	<b>9,076,719</b>	<b>0</b>
<b>TOTAL EXPENDITURES WITH DEBT SERVICE</b>	<b>22,801,450</b>	<b>23,351,450</b>	<b>23,322,467</b>	<b>(521,017)</b>

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Approval of the FY2008 Annual Operating Budget for the Houston Area Water Corporation (HAWC).	<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b> <i>2</i>
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<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> <i>7-5-07</i>	<b>Agenda Date</b> JUL 1 1 2007
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<b>DIRECTOR'S SIGNATURE</b> <i>[Signature]</i> Michael S. Marcotte, P.E., DEE, Director	<b>Council District affected:</b>
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<b>For additional information contact:</b> Dannelle H. Belhateche, P.E. Senior Assistant Director Phone: 713-837-0847	<b>Date and identification of prior authorizing Council action:</b> Res. #2000-42 & Ord. #2000-765 (8/23/00); Ord. #01-645, 01646, 01-647, 01-648 & 01-649 (7/3/01); Ord. #02-261 (4/3/02); Ord. # 03-902 (10/01/03); Mot. #04-543 (5/19/04) Mot. #05-824 (8/24/05); Mot. #06-510 (6/21/06)
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**RECOMMENDATION: (Summary)**  
Approve by Council Motion the FY2008 HAWC Annual Operating Budget.

<b>Amount of Funding:</b> \$23,351,450	<b>F &amp; A Budget:</b>
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**SOURCE OF FUNDING:**       General Fund       Grant Fund       Enterprise Fund  
 Other (Specify)      Fund 8300 - Water & Sewer System Operating Fund. *JFO 6/14/07*

**SPECIFIC EXPLANATION:**  
The Amended and Restated Treated Water Supply Contract between the City and the Houston Area Water Corporation (HAWC), entered into on April 3, 2002, states that the City shall pay all Operations and Maintenance Expenses incurred by the Corporation, including debt service on the contract revenue bonds issued in 2002 (the "HAWC Bonds") to fund construction and other costs associated with the development of the NEWPP. The HAWC submits an Annual Operating Budget for City Council approval that includes all expenses not otherwise funded from the proceeds of HAWC Bonds, notes or other obligations, including debt service on the HAWC Bonds.

Payments made to the HAWC are based on actual monthly Operations and Maintenance costs (inclusive of debt service). This budget was prepared assuming the City of Houston would operate the NEWPP for the HAWC in FY08 instead of the current contractor. Because the timing of the transfer of duties to the City is uncertain, the HAWC Board of directors asked that a \$2,550,126 contingency be added to the HAWC budget.

REQUIRED AUTHORIZATION

20DHB057

<b>F &amp; A Director</b>	<b>Other Authorization:</b> <i>[Signature]</i> Jeff Taylor Deputy Director	<b>Other Authorization:</b> <i>[Signature]</i> Dannelle H. Belhateche, P.E. Senior Assistant Director
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It is recommended that City Council approve the HAWC FY 2008 Annual Operating Budget, approved by the HAWC Board on June 7, 2007, in the amount of \$23,351,450. This amount is equal to the FY2007 amended HAWC budget.

Major budget categories are:

HAWC Direct O&M Costs	9,270,806
HAWC Debt Service	9,077,119
Contingency	2,550,126
TOTAL DIRECT HAWC COSTS	<u>20,898,051</u>
Electricity, Personnel & Equipment Costs incurred by City of Houston	2,453,399
TOTAL PROPOSED HAWC BUDGET	<u>23,351,450</u>

DHB:mn

- xc: Marty Stein
- Legal
- Waynette Chan
- Gary Norman
- Susan Bandy
- Jeff Taylor
- Dannelle H. Belhateche, P.E.

ANNUAL OPERATIONS AND MAINTENANCE BUDGET  
 NORTHEAST WATER PURIFICATION PLANT  
 FY2007 and FY2008  
 34 MGD to end of year with Solar Bees

CATEGORY	FY07 BUDGET Approved	FY08 BUDGET Preliminary	FY 08 Budget vs. FY 07 Budget	DESCRIPTION Explanation of FY08 lineitem and variance
<b>Management and Oversight:</b>				
City of Houston Labor & Benefits	0	0	0	
Security	0	274,000	(274,000)	Contract Security and HPD 40018/520102 & 522740
Legal Fees -	50,000	200,000	(150,000)	Locke, Liddell & Sapp services 40018/521445
Supplies	20,000	57,500	(37,500)	office supplies, equip. rental, postage, computer supplies, cleaning supplies, bottling supplies - 40018/521445
Insurance - Paid by HAWC - Officers Liability	50,000	50,000	0	Board liability, general liability, building insurance
Audit Services	25,000	25,000	0	Annual audit
Bank Charges	3,600	3,600	0	Monthly Fees
<b>Subtotal:</b>	<b>148,600</b>	<b>610,100</b>	<b>(461,500)</b>	
				Variance justification: All City labor included in PUD Line Item 1000
<b>Engineering and Professional Services:</b>				
PBS&J	125,000	75,000	50,000	Operational audits, M&O Engineering Services, Operations support
Weston	75,000	0	75,000	Construction services support for MUD tie-ins
Public Education Program	200,000	200,000	0	Water Works Museum Construction
Contingency and Misc. Expenses	200,000	2,550,126	(2,350,126)	
<b>Subtotal:</b>	<b>600,000</b>	<b>2,825,126</b>	<b>(2,225,126)</b>	
<b>Plant Operations and Maintenance:</b>				
MWH Phase 1 O&M Service Fee	1,624,864	0	1,624,864	
Operations Period Insurance Pass thru	135,000	0	135,000	
MWH Phase 2 Service Fee Adjustment	857,959	0	857,959	
Plant Maint - 40016/520124	0	310,000	(310,000)	UV Maint, Misc. other repairs, other equipment services - 40016/520124
Plant Maint - 40018/521445	74,856	62,000	12,856	tools/equipment, Other Equip. Services 40018/521445
Building Maint. - 40018/521445		51,000	(51,000)	trash p/u, janitorial, elevators, doors, HVAC, pest control... 40018/521445
Land & Grounds Maint - 40016/521415		100,000	(100,000)	Land & Grounds Maint 40016/521415
Vehicles - 40018/521445		78,000	(78,000)	Vehicle maintenance, fuel 40018/521445
Misc. - 40018/521445		24,000	(24,000)	memberships, training, metro, printing, freight, drug testing, clothing - 40018/521445
Transmission Line Maintenance	28,791	0	28,791	
AORFA	178,502	0	178,502	
Sludge Disposal		220,000	(220,000)	McCarty Rd. Landfill, Merrell Brothers 40018/521445
<b>Subtotal:</b>	<b>2,899,972</b>	<b>845,000</b>	<b>2,054,972</b>	
Chemicals "Pass Thru from MWH"	2,891,000	1,773,000	1,118,000	
Electricity See line 48	0	0	0	Will be included in PUD Electrical Budget
Telephone		100,000	(100,000)	Telephone Service - 40018/521445
<b>Subtotal:</b>	<b>2,891,000</b>	<b>1,873,000</b>	<b>1,018,000</b>	
<b>Miscellaneous other:</b>				
Solar Bee Lake Circulators	264,000	520,000	(256,000)	Purchase units in FY 08 - 40018/521445
Raw Water Cost	4,730,000	5,147,706	(417,706)	365 days @ \$0.4238/1000 gal @ 33MGD.
Less: Interest Income / Misc. Revenue				
<b>Subtotal:</b>	<b>4,994,000</b>	<b>5,667,706</b>	<b>(673,706)</b>	
<b>Subtotal HAWC Budget Line Item 521445</b>	<b>11,533,572</b>	<b>11,820,932</b>	<b>(287,360)</b>	
Personnel Cost budgeted in PUD	130,159	646,399	(516,240)	Drinking Water Operations - 40018
Non-Capital Equip. budgetd in PUD	0	7,000	(7,000)	Furniture & Computers - 40018/551010 & 551015
Electricity budgeted in PUD	2,061,000	1,800,000	261,000	Electricity - 40018/521505
<b>Subtotal:</b>	<b>2,191,159</b>	<b>2,453,399</b>	<b>(262,240)</b>	
<b>TOTAL</b>	<b>13,724,731</b>	<b>14,274,331</b>	<b>(549,600)</b>	
<b>DEBT SERVICES BUDGETED IN Cost Center 50002</b>				
Bond Principal Retirement	2,518,334	2,585,000	(66,666)	
Bond Interest Expense	6,558,385	6,492,119	66,266	
<b>Subtotal</b>	<b>9,076,719</b>	<b>9,077,119</b>	<b>(400)</b>	
<b>TOTAL EXPENDITURES WITH DEBT SERVICE</b>	<b>22,801,450</b>	<b>23,351,450</b>	<b>(550,000)</b>	

<b>SUBJECT:</b> Accept Work Trimble and Stephens Construction Services, Inc. d/b/a Stephens Construction Services/ Travelers Casualty and Surety Company of America SEHAH Youth Activity Center GFS No. Y-P-013-01-7	Page 1 of 2	Agenda Item  3
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<b>FROM (Department or other point of origin):</b> Building Services Department	<b>Origination Date</b> 6.26.07	<b>Agenda Date</b> JUL 11 2007
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. <i>Issa Z. Dadoush</i> 6/19/07	<b>Council District affected:</b> D
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<b>For additional information contact:</b> Jacquelyn L. Nisby <i>J. Nisby</i> Phone: 713-247-1814	<b>Date and identification of prior authorizing Council action:</b> Ordinance 2004-153; dated 03/03/04
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**RECOMMENDATION:** Pass a motion approving the final contract amount of \$501,005.52, accept the work, and authorize final payment.

<b>Amount and Source of Funding:</b> No Additional Funding Required <b>Previous Funding:</b> \$157,512.00 CDBG BFY96/132/32/3238/NFAR/3109/C633 \$203,683.00 CDBG BFY97/132/32/3238/NFAR/3109/C732 \$213,205.00 CDBG BFY00/132/32/25/1420/NFAR/3109/C023 <b>\$574,400.00 TOTAL</b>	<b>F &amp; A Budget:</b>
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**SPECIFIC EXPLANATION:** The Building Services Department recommends that City Council approve the final contract amount of \$501,005.52 or 4.38% over the original contract amount, accept the work, and authorize final payment to the surety, Travelers Casualty and Surety Company of America.

Stephens Construction Services abandoned the project after the City granted substantial completion. Final completion of the project was granted to the surety. On January 11, 2006, Motion 2006-0029, City Council debarred Stephens Construction Services from receiving or bidding on City public works contracts for the maximum period allowed of two years. The surety fulfilled its obligation under the performance and payment bonds and has expended funds to resolve payment bond claims filed by subcontractors on the project.

**PROJECT LOCATION:** SEHAH Youth Activity Center  
 5110 Martin Luther King Jr. Blvd. (534E)

**PROJECT DESCRIPTION:** The project demolished the existing building structures, including foundations and paving and installed a 2,000 square foot metal building which included HVAC, plumbing and electrical systems; new storm sewer piping and reinforced concrete paving; new fencing, millwork, toilet partitions, carpentry, masonry work, ceramic tile, painting, glazing and flooring.

**CONTRACT COMPLETION AND COST:** The project was completed within the contract time, plus 74 additional days allowed by Change Order No. 1. The final cost of the project, including Change Order No. 1, is \$501,005.52, an increase of \$21,005.52 over the original contract amount.

**REQUIRED AUTHORIZATION** CUIC ID# 25RAV168

<b>Building Services Department:</b>  <i>Wendy Teas Heger</i> Wendy Teas Heger, AIA Chief of Design & Construction Division	<b>Other Authorization</b>	<b>Housing and Community Development Department:</b>  <i>Richard Celli</i> Richard Celli Director
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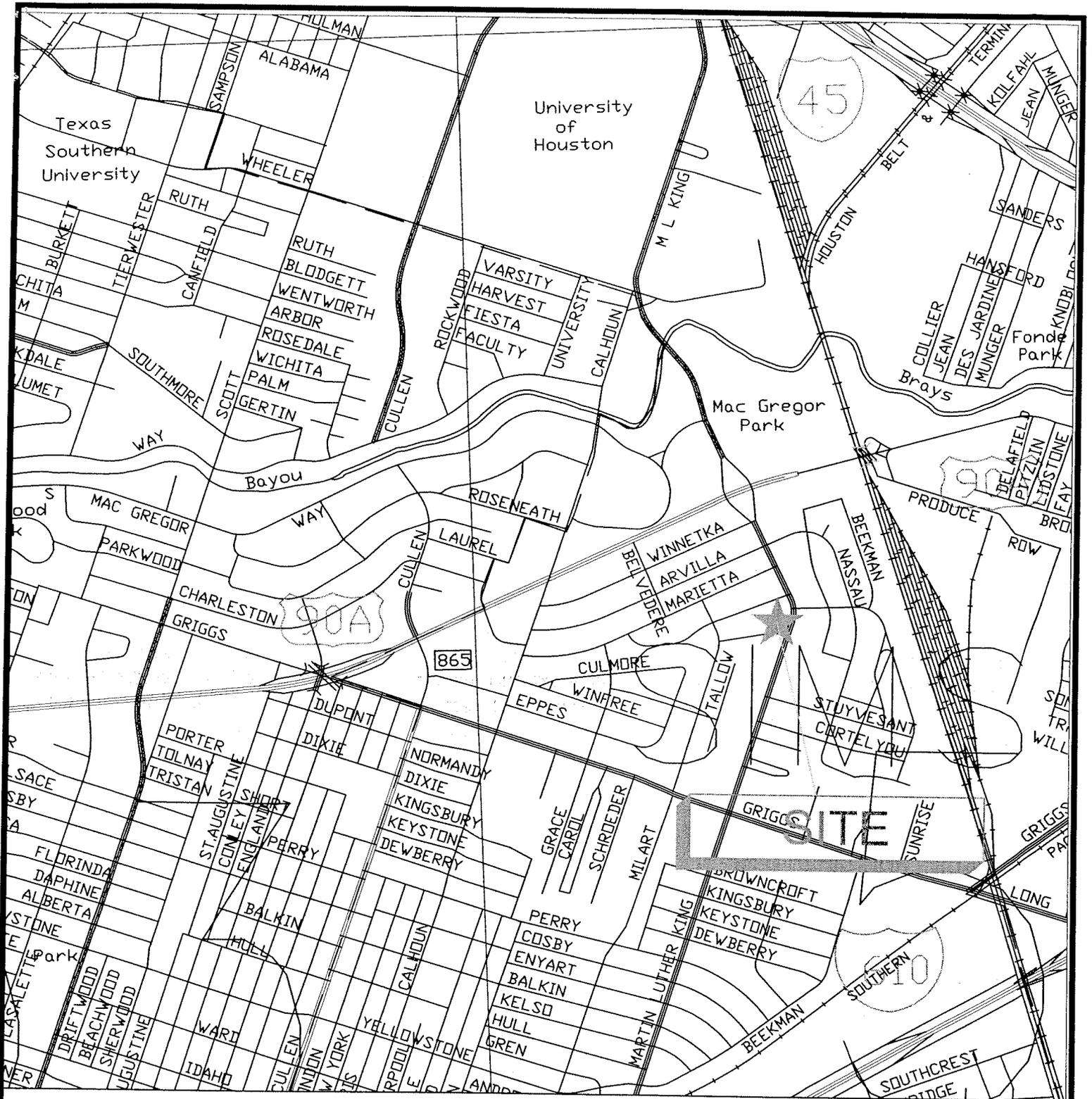
<b>Date</b>	<b>SUBJECT:</b> Accept Work Trimble and Stephens Construction Services, Inc. d/b/a Stephens Construction Services/Travelers Casualty and Surety Company of America SEHAH Youth Activity Center GFS No. Y-P-013-01-7	<b>Originator's Initials</b>  JWA	<b>Page</b> 2 of 2
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The project design consultant was Lay-Su, Inc. The construction manager for the project was Sunland Engineering Company.

**PREVIOUS CHANGE ORDERS:** Change Order No. 1 addressed an unforeseen condition related to the existing storm sewer line in the MLK Boulevard right-of-way and added costs of the pre-fabricated steel building; installed a ceramic tile floor in the shower room in lieu of vinyl tile; added waterproofing fabric behind the concrete block front wall; added dirt and sod behind the concrete curbs; and installed concrete floor sealer to act as a moisture barrier to allow the application of the finish flooring.

IZD:WTH:RAVJLN:jwa:mp.

c: Marty Stein, Richard Celli, Jacquelyn Nisby, Issa Z. Dadoush, P.E., Wendy Teas Heger, AIA, James Tillman, File



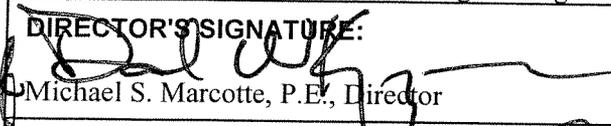
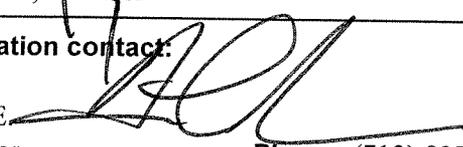
SEHAH COMMUNITY CENTER  
5110 MLK BLVD

COUNCIL DISTRICT "D"

KEY MAP NO. 534 E

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work for Construction of Safe Sidewalk Program 01 Project. WBS No. N-00646H-001-4.		<b>Category #</b> 7	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 4
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 7-5-07	<b>Agenda Date</b> JUL 11 2007	
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., Director		<b>Council Districts affected:</b> H <i>BK</i>		
<b>For additional information contact:</b> J. Timothy Lincoln, P.E. Senior Assistant Director  Phone: (713) 837-7074		<b>Date and Identification of prior authorizing Council Action:</b> Ord. #2005-929 dated 07/27/2005 <i>A</i>		
<b>RECOMMENDATION:</b> (Summary) Pass a motion to approve the final Contract Amount of \$1,234,567.92 or 18.45% under the original Contract Amount, accept the Work, and authorize final payment.				
<b>Amount and Source of Funding:</b> No additional funding required. Original appropriation of \$1,786,100.00 for construction and contingencies from the Street and Bridge Consolidated Construction Fund No. 4506.				
<b>SPECIFIC EXPLANATION:</b>				
<b>PROJECT NOTICE/JUSTIFICATION:</b> This project was part of the Safe Sidewalk Program and was required to address the health, safety, and welfare of pedestrians.				
<b>DESCRIPTION/SCOPE:</b> The project consists of construction and replacement of sidewalks and curb ramps of various widths and lengths. ESOR Consultants, Inc. designed the project with 240 calendar days allowed for construction. The project was awarded to SpawGlass Civil Construction, Inc. with an original Contract Amount of \$1,513,820.00.				
<b>LOCATION:</b> The project area is various locations in North Houston. The project is located in various Key Map grids.				
<b>CONTRACT COMPLETION AND COST:</b> The Contractor, SpawGlass Civil Construction, Inc., has completed the Work under subject Contract. The project was completed within the Contract Time with 5 additional days allowed by Change Order No. 1. The final cost of the project, including overrun and underrun of estimated bid quantities, and previously approved Change Order Nos. 1 and 2 will be \$1,234,567.92, a decrease of \$279,252.08 or 18.45% under the original Contract Amount.				
The decreased cost is a result of the differences between planned and measured quantities. This decrease is primarily due to underrun in Bid item No 12 – Relocate existing water meter and box, Bid item No. 14 – 24” Reinforced concrete pipe, Bid item No. 15 – Junction box with lid, Bid item No. 16 – “D-1” inlet with grate top, Bid item No. 18 – 6” Reinforced concrete driveway, Bid item No. 26 – Relocate existing fences & gates, all types, Bid item No. 28 – Tree planting, and Bid item No. 29 – Solid sodding including watering and fertilization, which were not necessary to complete the work.				
<b>REQUIRED AUTHORIZATION</b> <span style="float: right;"><b>CUIC ID # 20BK009</b></span>				
<b>F&amp;A Budget:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division		

MS

gl

NOT

Date:

SUBJECT: Accept Work for Construction of Safe Sidewalk Program 01  
Project. WBS No. N-00646H-001-4.

Originator's  
Initials

Page  
2 of 2

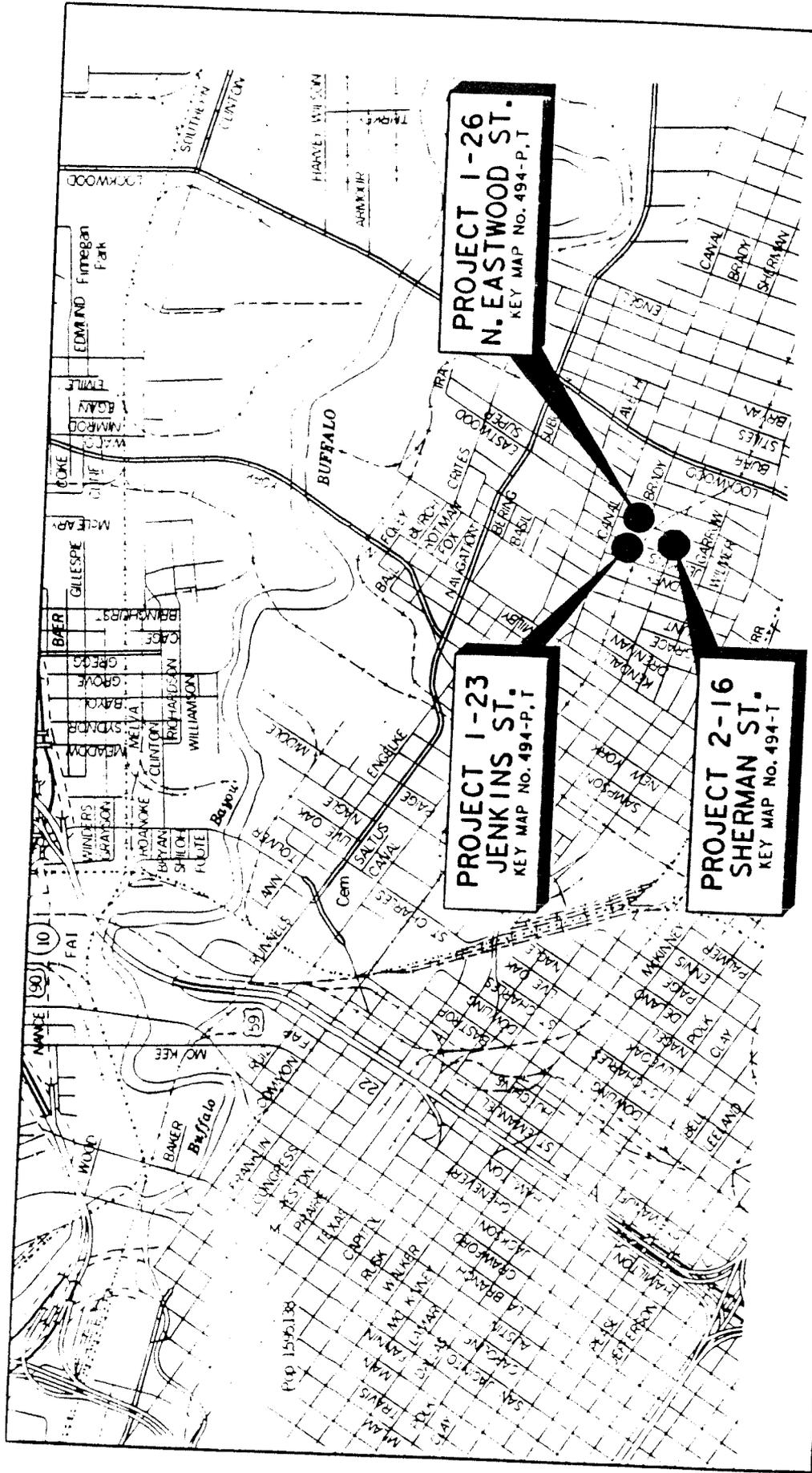
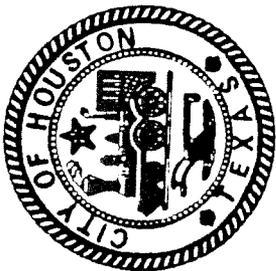
**M/WBE PARTICIPATION:** The advertised bid specifications for this project did not include an M/WBE goal because the estimated cost was below the \$1 million threshold. Because the lowest bid exceeded that amount, PWE negotiated with the contractor to add contract language stipulating they will make a good faith efforts to include certified M/WBE participation on this project. According to the Affirmative Action and Contract Compliance Division, the actual participation was 3.83%. Contractor's M/WBE performance evaluation was rated satisfactory.

*DL* *AR* *SK*  
MSM:DWK:JTL:AR:BK:ce

cc: Marty Stein  
Daniel W. Krueger, P.E.  
Velma Laws  
Craig Foster  
Susan Bandy  
Michael Ho, P.E.  
File No.: SB9185-01

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
 ENGINEERING, CONSTRUCTION AND REAL ESTATE DIVISION

NEIGHBORHOOD SAFE SIDEWALK PROGRAM  
 COUNCIL DISTRICT H - FY2005 - CONTRACT 1  
 GFS NO. N-0646H-01-3 FILE NO. SB9185-01



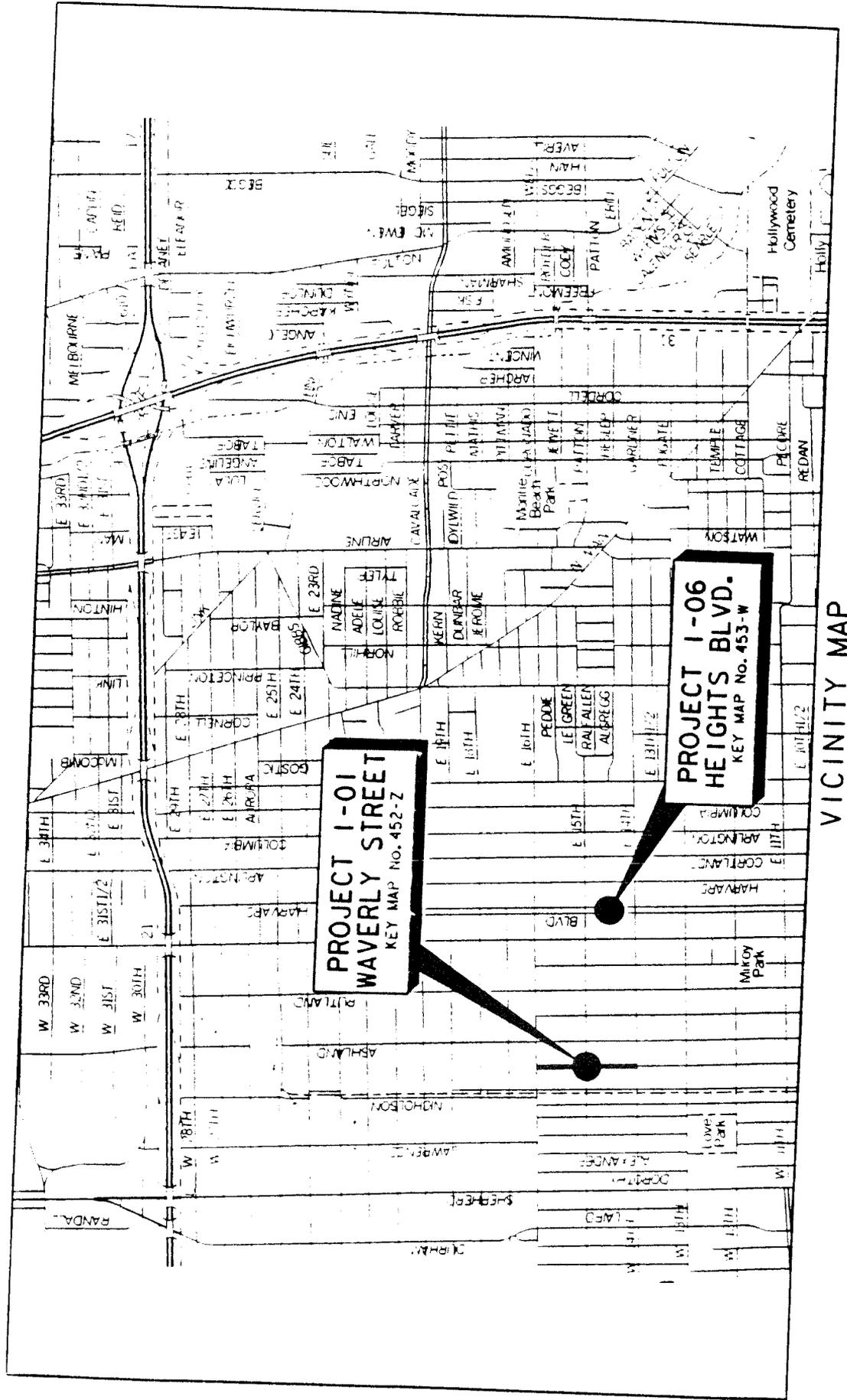
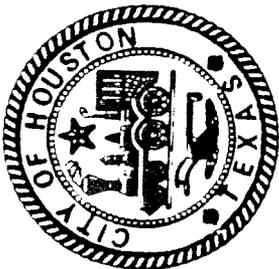
VICINITY MAP

NOT TO SCALE



DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
 ENGINEERING, CONSTRUCTION AND REAL ESTATE DIVISION

NEIGHBORHOOD SAFE SIDEWALK PROGRAM  
 COUNCIL DISTRICT H - FY2005 - CONTRACT 1  
 GFS NO. N-0646H-01-3 FILE NO. SB9185-01

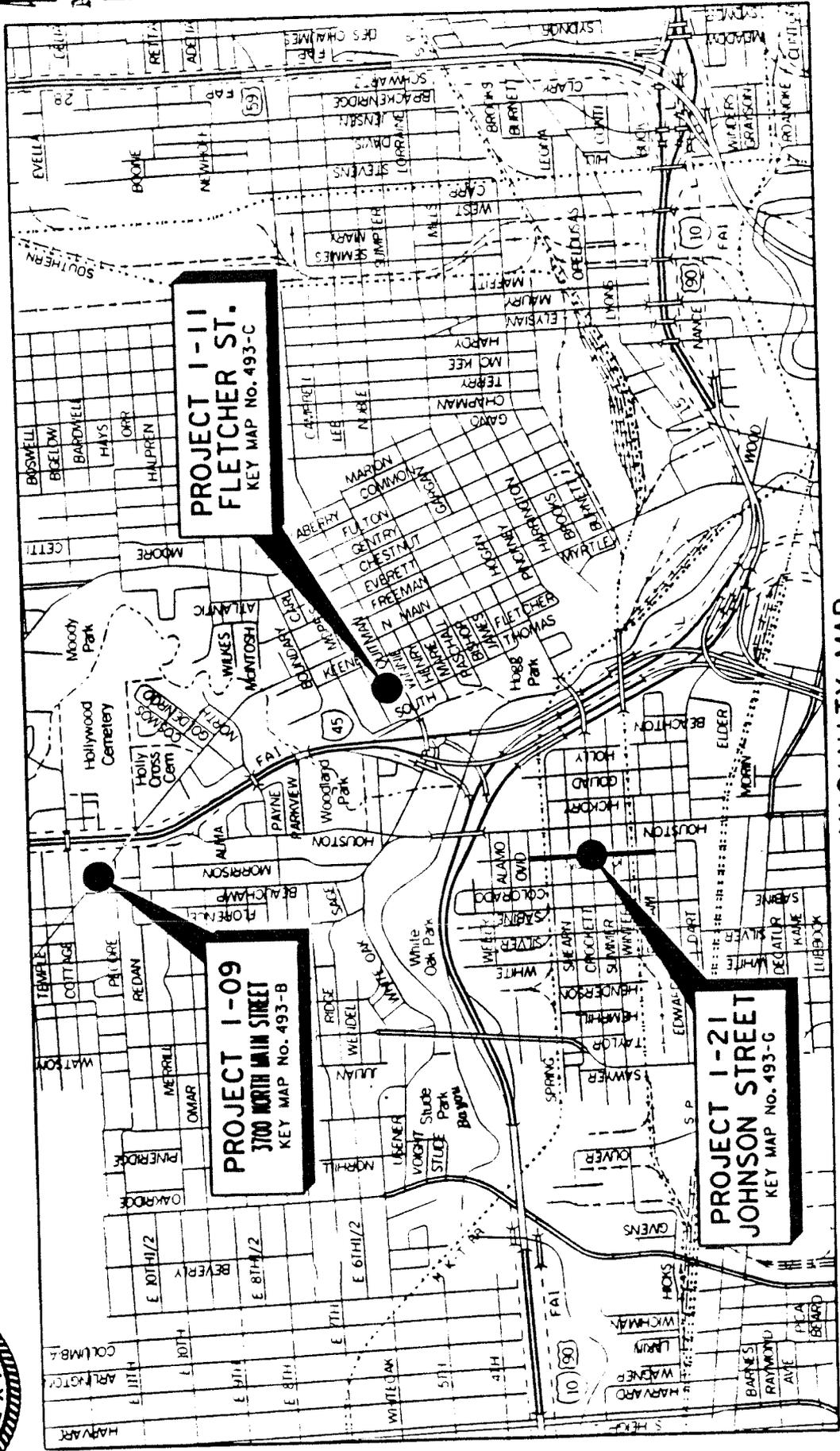
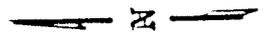


VICINITY MAP

NOT TO SCALE



NEIGHBORHOOD  
 COUNCIL DISTRICT H - FY2005 - CONTRAC I  
 GFS NO. N-0646H-01-3 FILE NO. SB9185-01



**PROJECT I-II**  
**FLETCHER ST.**  
 KEY MAP NO. 493-C

**PROJECT I-09**  
**3700 NORTH MAIN STREET**  
 KEY MAP NO. 493-B

**PROJECT I-21**  
**JOHNSON STREET**  
 KEY MAP NO. 493-G

**VICINITY MAP**

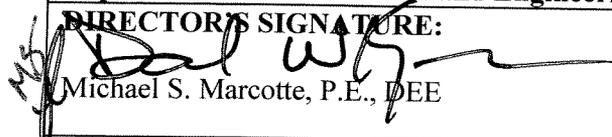
NOT TO SCALE

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> PROPERTY: CONDEMNATION of Parcels AY6-080 and AY6-083 for the LOCKWOOD DRIVE PAVING PROJECT (from Tidwell to Bennington). N-000612-0001-2-01	<b>Category #7</b>	<b>Page 1 of 2</b>	<b>Agenda Item #</b> <b>5</b>
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<b>FROM: (Department or other point of origin):</b> <b>Department of Public Works and Engineering</b>	<b>Origination Date</b> 7/5/07	<b>Agenda Date</b> JUL 11 2007
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., DEE	<b>Council District affected:</b> B Key Map 454G and 454L
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<b>For additional information contact:</b> Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director		<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2005-397, Passed April 20, 2005
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**RECOMMENDATION: (Summary)**  
Authority be given through Council Motion to CONDEMN Parcels AY6-080 and AY6-083

<b>Amount and Source of Funding:</b> To be determined by condemnation proceedings (covered under Blanket Appropriation Ordinance 2005-397 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 437)	<b>F&amp;A Budget:</b>
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**SPECIFIC EXPLANATION:**  
The project provides for improvements to the Lockwood Drive Paving area to improve traffic flow, reduce congestion and eliminate potential hazards in connection with the LOCKWOOD DRIVE PAVING PROJECT (from Tidwell to Bennington).

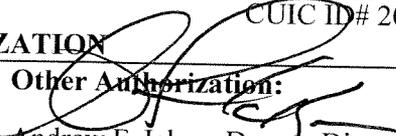
**CONDEMNATION:**  
The City desires to acquire the parcels listed below. Condemnations are recommended to acquire these properties because parcel AY6-080 owner of record rejected the City's offer. Parcel owner AY6-083 had title issues which could not be resolved. The properties were appraised by Tommie Crowell, Independent Fee Appraiser. The valuations were reviewed and recommended for approval by a senior staff appraiser of this department. The appraised value for each parcel is as follows:

Parcel AY6-080 (corner clip)	
LAND.....	\$ 73.00®
The City made a minimum offer of \$200.00 in compliance with City policy.	
Parcel AY6-083 (corner clip plus street right of way easement)	
LAND.....	\$2,104.00
IMPROVEMENTS AND COST TO CURE.....	\$2,117.00
TOTAL LAND AND IMPROVEMENTS.....	\$4,294.00

It is recommended that authority be given through Council Motion to condemn the land and improvements thereon, if applicable, for Parcels AY6-080 and AY6-083 as described below:

Parcel AY6-080 owned by D.E.F., Inc. contains 50 square feet situated in the Harris and Wilson Survey, Abstract 32 in Harris County, Texas being out of Lot 1, Block 1 of Forest Lawn Addition, a subdivision according to the plat thereof recorded in Volume 725, Page 686 of the Harris County Deed Records in said Harris County, Texas. Said Lot 1 conveyed unto Shield Petroleum Company by deed recorded under Harris County Clerk's File No. F877192 of the Official Public Records of Real Property in said Harris County, Texas.

**REQUIRED AUTHORIZATION** CUIC ID# 20cdr10

<b>F&amp;A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division
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<b>SUBJECT: PROPERTY: CONDEMNATION</b> of Parcels AY6-080 and AY6-083 for the LOCKWOOD DRIVE PAVING PROJECT (from Tidwell to Bennington). N-000612-0001-2-01	<b>Category</b> #7	<b>Page</b> 2 of 2	<b>Agenda Item</b> #
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Parcel AY6-083 owned by Francesca, Pier, Carlo, Caffey & Jones, Sunbelt Associates, a Maryland Limited Partnership, d/b/a Sunbelt Skillet Associates contains 1,451 square feet or 0.0333 acres situated in the Harris and Wilson Survey, Abstract 32 in Harris County, Texas, being out of Lot 6 in Block 3 of Wedgewood Place Subdivision, a subdivision according to the plat thereof recorded in Volume 20, Page 43 of the Harris County Map Records in said Harris County, Texas. Said Lot 6 and Lot 5 of said Block 3 conveyed unto Francesca, Pier, Carlo, Caffey and Jones, Sunbelt Associates by deed recorded under Harris County Clerk's File No. G174204 of the Official Public Records for Real Property in said Harris County, Texas.

MSN:NPC:cr  
s/rosborough/lockwood/condemnation

cc: Marty Stein

## PARCEL VALUATION

Following is a breakdown for the consideration of Parcels AY6-080 and AY6-083:

### LAND

Parcel AY6-080 (Corner Clip)

50 square feet @ \$1.45.....	\$ 73.00®
TOTAL CONSIDERATION.....	\$ 73.00
MINIMUM OFFER AMOUNT.....	\$200.00

### LAND

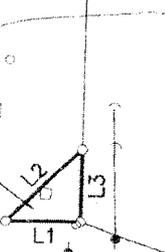
Parcel AY6-083 (Corner Clip plus street right of way easement)

1,451 square feet @ \$1.45.....	\$2,104.00®
IMPROVEMENTS:	
Fence.....	\$ 417.00
COST TO CURE (relocate fence).....	<u>\$1,700.00</u>
Total Improvements and Cost to Cure.....	<u>\$2,117.00</u>
TOTAL CONSIDERATION.....	\$4,421.00

NO. 1828945

PARCEL: AY6-079  
50 SQ.FT.  
0.0011 AC.

ASPH. P.V.M.T.



P.O.B.  
PARCEL: AY6-079  
X= 3,135,673.28  
Y= 13,870,552.17

PARCEL: AY6-080  
50 SQ.FT.  
0.0011 AC.

P.O.B.  
PARCEL: AY6-080  
X= 3,135,675.24  
Y= 13,870,612.35



# LOCKWOOD DRIVE

(80' R.O.W.)

TURNING LANE

TURNING LANE

P.O.B.

PARCEL: AY6-081  
X= 3,135,753.17  
Y= 13,870,556.38

P.O.B.

PARCEL: AY6-082  
X= 3,135,755.13  
Y= 13,870,616.57

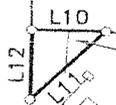
PARCEL: AY6-081  
50 SQ.FT.  
0.0011 AC.



# CAVER ROAD

(60' R.O.W.)  
ASPH. P.V.M.T.

PARCEL: AY6-082  
50 SQ.FT.  
0.0011 AC.



MON. WELL

HAI MIET DUONG AND THUONG PHAN  
PART OF LOTS 47 & 48  
H.C.C.F. NO. W231892



80' R.O.W.

SHIELD  
H.C.

FENCE

CONC.

586'58" S17°W (R.O.W.)

N186°58'51"

CO.

CO.

24" RCP

24" RCP

18" RCP

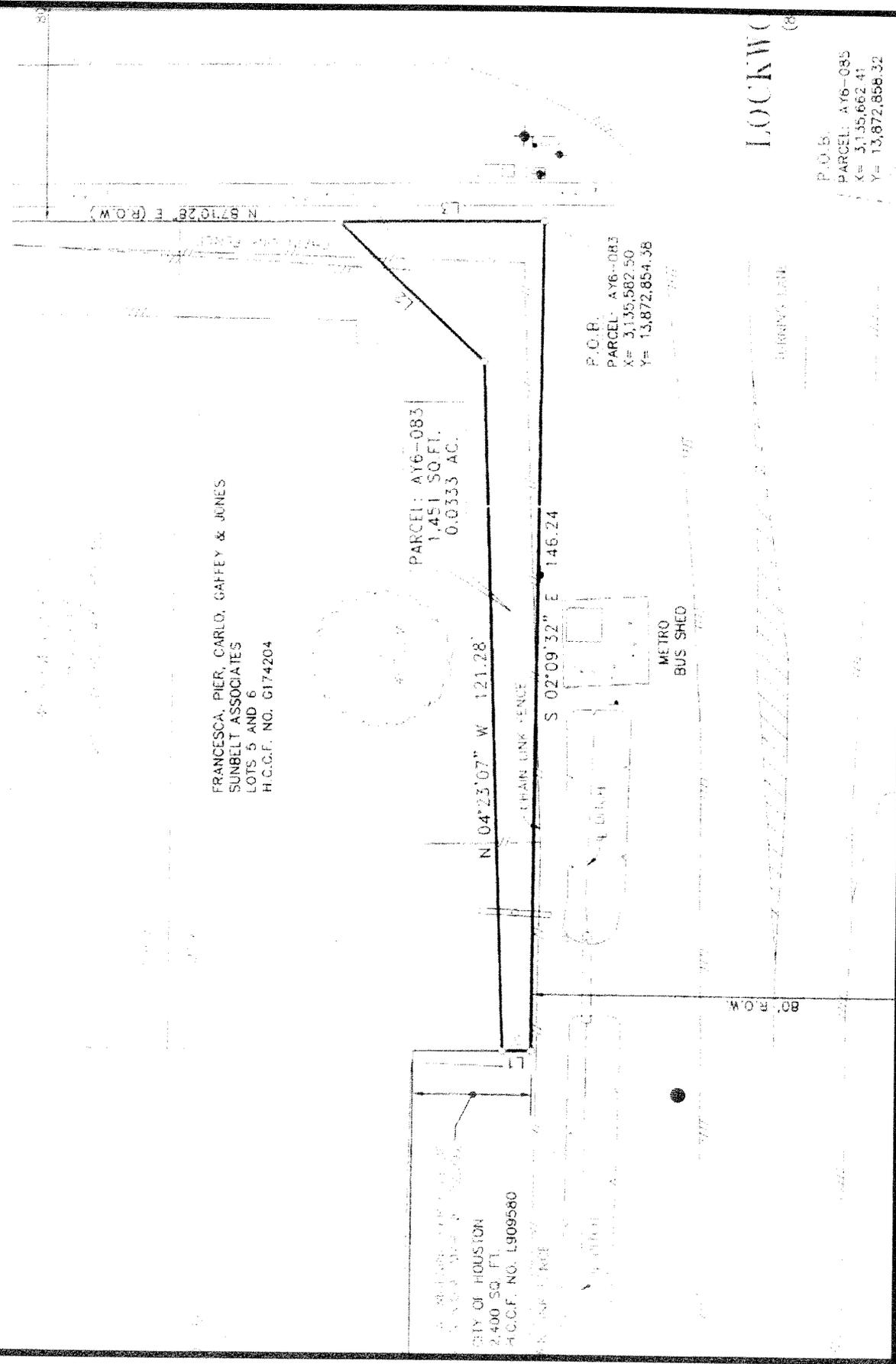
6" DITCH

6" DITCH

LOW

US  
RED

HAIN



FRANCESCA, PIER, CARLO, GAFFEY & JONES  
 SUNBELT ASSOCIATES  
 LOTS 5 AND 6  
 H.C.C.F. NO. G174204

PARCEL: AY6-083  
 1,451 SQ. FT.  
 0.0333 AC.

CITY OF HOUSTON  
 2,400 SQ. FT.  
 H.C.C.F. NO. L909580

P.O.B.  
 PARCEL: AY6-085  
 X= 3,135,582.50  
 Y= 13,872,854.38

LOCKWOOD

P.O.B.  
 PARCEL: AY6-085  
 X= 3,135,662.41  
 Y= 13,872,858.32

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

**SUBJECT:** Motion to approve Issuance of a Purchase Order to William T. Avila for Professional Consulting Services related to preparation of a Base Redevelopment/Reuse Plan submission to the Department of Defense

Page  
1 of 1

Agenda Item

6

**FROM (Department or other point of origin):**  
Building Services Department

**Origination Date**  
7-6-07

**Agenda Date**  
JUL 11 2007

**DIRECTOR'S SIGNATURE:** *Issa Z. Dadoush* 7/6/07  
Issa Z. Dadoush, P.E.

**Council District(s) affected:** A

**For additional information contact:**  
Jacquelyn L. Nisby 713-247-1814

**Date and identification of prior authorizing Council action:**

**RECOMMENDATION:** Approve issuance of a Purchase Order to William T. Avila for professional consulting services related to preparation of a Base Redevelopment/Reuse Plan submission to the Department of Defense for the property located at 6903 and 7077 Perimeter Park Drive, Houston, Texas.

**Amount and Source Of Funding:**  
\$55,555.00 Federal Government – Grant Funded (5000) – Department of Defense Grant

**F&A Budget:**

**SPECIFIC EXPLANATION:** The Building Services Department recommends that City Council approve issuance of a Purchase Order to William T. Avila in an amount not to exceed \$55,555.00 for professional consulting services related to preparation of a Base Redevelopment/Reuse Plan submission to the Department of Defense for the properties located in northwest Houston at 6903 Perimeter Park and 7077 Perimeter Park. The properties are currently owned and operated by the Federal Government as an Army Reserve Center. The Department of Defense has indicated that the properties will become available for transfer under a public benefit conveyance by 2011. The Houston Police Department is interested in acquiring one of the properties for its SWAT team and the Houston Fire Department needs the other for fleet maintenance and training. The City will be reimbursed for the costs of the consultant's services from a Department of Defense grant awarded to the City for this purpose.

On May 18, 2007, the City solicited Informal proposals from four firms: Bingham McCutchen, LLP; Brown, Rudnick, Berlack, Israels LLP; Davidson & Toilo, P.C. and the Law Offices of William T. Avila. On June 1, 2007, two proposals were received; a proposal for \$150,000.00 from Davidson & Toilo and a proposal for \$50,000.00 from William T. Avila. Mr. Avila was selected based on his experience and proposed fee. The scope of work requires the consultant to work with local stakeholders, commonly referred to as the Local Redevelopment Authority (LRA), to create a base redevelopment/reuse plan; analyze and assess the condition of the subject properties; review Notices of Interest and evaluate submissions; assist the LRA in making a final recommendation on the best use of the property and prepare a Base Redevelopment/Reuse Plan for submission to the Department of Defense and the Department of Housing and Urban Development. The final submission is due by August 28, 2007. The Department of Housing and Urban Development then has 60 days to review the submission before the Department of Defense reviews and makes a determination.

xc: Marty Stein, Jacquelyn L. Nisby, Anna Russell, Maureen Crocker

REQUIRED AUTHORIZATION

**Building Services Department:**

*Forest R. Christy, Jr.*

Forest R. Christy, Jr.  
Director, Real Estate Division

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 7482**

**Subject:** Sole Source Purchase of Printed and Audio-Visual Supplies for the Health & Human Services Department  
S38-N22516

Category #  
4

Page 1 of 1

Agenda Item

**7**

**FROM (Department or other point of origin):**

Calvin D. Wells  
City Purchasing Agent  
Finance and Administration Department

**Origination Date**

June 28, 2007

**Agenda Date**

JUL 1 1 2007

**DIRECTOR'S SIGNATURE**

*M/D Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

Daphne Sands Phone: (713) 794-9197  
Ray DuRousseau Phone: (713) 247-1735

**Date and Identification of prior authorizing Council Action:**

**RECOMMENDATION: (Summary)**

Approve the sole source purchase of printed and audio-visual supplies from Channing Bete Company, Inc. in the total amount of \$225,709.94 for the Health & Human Services Department.

Award Amount: \$225,709.94

**F & A Budget**

\$225,709.94 - Bioterrorism Preparedness (5030) - Grant Fund

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the sole source purchase of printed and audio-visual supplies from Channing Bete Company, Inc. in the total amount of \$225,709.94 for the Health & Human Services Department, and that authorization be given to issue a purchase order.

Channing Bete Company, Inc. is the sole creator, publisher and supplier of its copyrighted Scriptographic products.

This purchase consists of motivational materials such as booklets, audio/video products and decals that will promote influenza awareness in a simplified, easy-to-understand format. These items will be distributed to Department employees, local clinics, schools, special-needs agencies and community providers (i.e. multi-service centers and healthcare providers) to address public health issues in a timely manner.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (7) (A) of the Texas Local Government Code for exempted procurements.

Buyer: Lena M. Farris  
PR 10025761

*MLF*

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

Sole Source or Proprietary Purchase  
Questionnaire

This questionnaire has been designed to assist departments in relating information required in the processing of requisitions for sole source/proprietary purchases in accordance with policies and procedures. Please complete and, based upon the amount, attach to your files or forward to SPD with associated procurements documents. If more space is needed, please attach additional page(s).

Requisition No. \_\_\_\_\_

When the purchase of a product or service exceeds \$2,000.00, and where an equivalent product or service specified is not available or limited to one manufacturer, product, or service provider, a written justification must be provided and must include the following information:

1. Explanation of Need: Identify and explain the need for the unique feature (s) or characteristic (s), applications and circumstances that apply to the specified good or service. (NOTE: Please be advised that the explanation of need “MUST” address the critical importance of the unique feature (s) or characteristic (s) as it applies to its intended use in your operation).

*The U.S. Department of Health and Human Services (HHS) Office of the Assistant Secretary for Public Affairs (ASPA) and the Centers for Disease Control and Prevention (CDC) National Center for Immunization experts convened to discuss how the 1918–1919 pandemic affected daily life in the United States and what lessons can be learned and applied to planning today. They recognized the present need for communication materials and messages that would educate the public on prevention and what to do in the event of an influenza pandemic.*

*Influenza pandemics are events that have occurred in the past and will undoubtedly occur in the future. There is uncertainty about when the next influenza pandemic will occur, who will be most impacted, and how many will fall victim to this viral disease. These uncertainties make communicating the risk and consequences of pandemic influenza a greater communication challenge than the usual public health threats.*

*One of those challenges is in how information is communicated to the public in timely, accurate ways that do not heighten concern and fear. Another challenge, how do we reach our special needs and Spanish speaking population? How do we educate and convey complex information clearly and simply? The communication resources on this page provide information about crisis, emergency, and pandemic flu risk communications.*

*The Channing Bete Company offers scriptographic products to communicate messages to people of all backgrounds, ages and reading level. The simplified format, Scriptography® – a blend of reader-friendly text and graphics designed to convey key points quickly and help readers retain and act upon the information they learned.*

2. Reason Why Competing Products are not Satisfactory: Provide a brief statement in reference to the identification of other sources that have been reviewed (Include the Name, model number and manufacturer or the unacceptable product (s) that have been investigated) and state the reason why competing product (s) are not satisfactory and will not meet the needs for its intended use in your operation.

*No other company offers Scriptographic publications.*

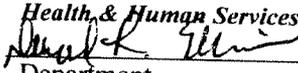
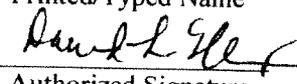
Specific impact on Department: Provide a statement regarding the specific impact on the Department if the goods or services were procured elsewhere.

*The impact of purchasing of these products from another source would not*

- *Ensure the critical health message to the public, special needs and Spanish speaking population about an event that is of urgent health consequence.*
- *Communicate effectively with diverse audiences.*
- *Address stigmatization, rumors and misconceptions of the pandemic.*
- *Have multicultural booklets illustrated with photos and realistic drawings designed to reach individuals who what to see "real people in real situations" and replace the "universal" person demographically diverse images.*
- *Address public health issues that are unique to influenza pandemic, such as issues of isolation, social dancing and public health law.*

I certify that the above statements are true and correct, and that no other material fact or consideration offered or given has influenced this recommendation for a sole source or proprietary procurement.

Submitted by:

<u>David Ellison,</u> PHP Bureau Chief	<u>Health &amp; Human Services</u> 	<u>Office of Surveillance &amp;</u> <u>Public Health Preparedness</u>
Printed/Typed Name	Department	Division
<u></u>	<u>5/10/07</u>	
Authorized Signature	Date	

Revised K

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7480

Subject: Purchase of Vaccines from the State of Texas Building and Procurement Commission's Contract for the Health and Human Services Department S21-N22501-S

Category #  
4

Page 1 of 1

Agenda Item  
  
8

**FROM (Department or other point of origin):**

Calvin D. Wells  
City Purchasing Agent  
Finance and Administration Department

**Origination Date**

July 09, 2007

**Agenda Date**

JUL 11 2007

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

Daphne Sands Phone: (713) 794-9197  
Ray DuRousseau Phone: (713) 247-1735

**Date and Identification of prior authorizing Council Action:**

**RECOMMENDATION: (Summary)**

Approve the purchase of vaccines from the State of Texas Building and Procurement Commission's Contract in the total amount of \$82,450.25 for the Health and Human Services Department.

Award Amount: \$82,450.25

F & A Budget

\$82,450.25 - Health Special Revenue Fund (2002)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the purchase of vaccines from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program in the total amount of \$82,450.25 for the Health and Human Services Department and that authorization be given to issue a purchase order to the State contract vendor, Sanofi Pasteur, Inc. The yellow fever vaccine will be administered at the Department's Third Ward Clinic, located at 3611 Ennis, to persons traveling to foreign countries and the tetanus toxoid vaccine will be administered at clinics citywide.

This purchase consists of 200 boxes (5 doses each) of injectable vials of yellow fever and 30 boxes (10 doses each) of tetanus toxoid vaccines which will sustain the Department for approximately one year. Vaccines are made available to the public at cost plus a \$20 administrative fee that covers personnel administering the vaccine, syringes, documentation and processing paperwork.

Sections 271.081 through 271.083 of the Texas Local Government Code provide the legal authority for local governments to participate in the State of Texas Purchasing Program.

Buyer: Laura A. Marquez  
PR10026325 & PR10025083

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 7449**

**Subject:** Formal Bid Received for Voice and Data Communications Conference Bridge and Mounting Shelves for the Houston Emergency Center  
S21-N22404

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

*For Kevin M. Coleman*

**Origination Date**

June 20, 2007

**Agenda Date**

JUL 11 2007

**DIRECTOR'S SIGNATURE**

**Council District(s) affected**  
B

**For additional information contact:**

Matt Hyde Phone: (832) 393-0055  
Ray DuRousseau Phone: (713) 247-1735

**Date and Identification of prior authorizing Council Action:**

**RECOMMENDATION: (Summary)**

Approve an award to Walker and Associates, Inc. on its sole bid in the total amount of \$39,305.00 for conference bridges and mounting shelves for the Houston Emergency Center.

Award Amount: \$39,305.00

**F & A Budget**

*Kue*

\$39,305.00 Houston Emergency Center Fund (2205)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an award to Walker and Associates, Inc. on its sole bid in the total amount of \$39,305.00 for conference bridges and mounting shelves for the Houston Emergency Center, and that authorization be given to issue a purchase order. This purchase consists of fifty-five conference bridges and five mounting shelves that will be used as a secondary system for the existing radio communications system currently utilized by the Houston Emergency Center, located at 5320 N. Shepherd.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Twenty-four prospective bidders viewed the solicitation document on SPD's e-bidding website and one bid was received. Only one bid was received for these parts as these parts are no longer manufactured by the original manufacturer and are not readily available in the market place. Walker and Associates, Inc. have been given exclusive rights by the original manufacturer to fabricate/manufacture these parts on an as-needed basis.

Buyer: Laura A. Marquez  
PR10020544

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

**NDT**

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7464

Subject: Amend Council Motion No. 2007-0218, Passed 02/28/2007 to Purchase Additional Patrol Vehicles for the Police Department S27-N22220-A1

Category # 1 & 4

Page 1 of 2

Agenda Item

10:10A

FROM (Department or other point of origin):

Calvin D. Wells  
City Purchasing Agent  
Finance and Administration Department

*Calvin D. Wells*

Origination Date

June 27, 2007

Agenda Date

JUL 11 2007

DIRECTOR'S SIGNATURE

Council District(s) affected

All

For additional information contact:

Joseph Fenninger Phone: (713) 308-1708  
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

CM No. 2007-0218, 02/28/2007

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of \$10,388,670.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and amend Council Motion No. 2007-0218, passed February 28, 2007 to purchase additional patrol vehicles for a total increase of \$7,807,632.00 for the Police Department.

Award Amount: \$7,807,632.00

F & A Budget

*Kul*

\$7,448,070.00 - Equipment Acquisition Consolidated Fund (1800)  
\$ 359,562.00 - Police Special Services Fund (2201)  
\$7,807,632.00 - Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$10,388,670.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council amend Council Motion No. 2007-0218, passed February 28, 2007, to purchase 304 additional rear-wheel drive full-size, 4-door sedan, patrol vehicles (Item No. 2) for a total increase of \$7,807,632.00 for the Police Department, and that authorization be given to issue purchase orders to the awarded supplier, Philpott Motors, Ltd., d/b/a Philpott Ford. These vehicles will be used citywide by the Department for patrol activities and to respond to emergency incidents.

The requested appropriation out of the Equipment Acquisition Consolidated Fund is the sum of \$7,448,070.00 for 290 patrol vehicles and \$2,940,600.00 for vehicle consoles, mobile data terminals, police radios, antennas, and sirens that will be purchased in separate procurements, some from existing contracts with sufficient spending authority. The Houston Police Department has also identified Police Special Services Funds in the amount of \$359,562.00 to purchase an additional 14 vehicles for a total of 304. The adopted FY08 Equipment Acquisition Plan included 190 patrol vehicles and ancillary equipment. HPD intends to reimburse the Equipment Acquisition Fund for the cost of 100 of the additional vehicles using grant, asset forfeiture or special revenue funds.

In January 2007, as a result of advertising this bid in accordance with the requirements of the State of Texas bid laws, bids were received from three vehicle suppliers. The bid document includes a provision that allows the City to purchase additional patrol vehicles through March 7, 2008, provided the contractor agrees to honor the original bid prices. Philpott Motors, Ltd. has agreed, in writing, to honor its original unit bid price of \$25,683.00 for the 304 patrol vehicles requested in this award.

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

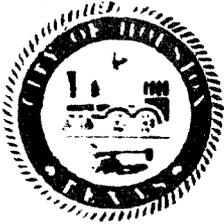
*NOT*

Date: 6/27/2007	Subject: Amend Council Motion No. 2007-0218, Passed 02/28/2007 to Purchase Additional Patrol Vehicles for the Police Department S27-N22220-A1	Originator's Initials CJ	Page 2 of 2
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These new patrol vehicles will meet the EPA's current emission standards for low emission vehicles. They will come with warranties of three years or 36,000 miles on the vehicle and 100,000 miles on the power train components, and the life expectancy is four years or 100,000 miles. These new patrol units will replace existing units that have reached their useful life and will be sent to auction for disposition.

Buyer: Conley Jackson  
PR Nos. 10026128/10026864

Attachments: 1. Revised MWBE Zero Percentage Goal Document



# CITY OF HOUSTON

# Interoffice

Finance & Administration Department  
Strategic Purchasing Division (SPD)

Correspondence

To: Kevin M. Coleman, C.P.M.  
Assistant Purchasing Agent

From: Conley Jackson

Date: 02-08-07

Subject: MWBE Participation Form

I am requesting a waiver of the MWBE Goal: Yes  No  Type of Solicitation: Bid  Proposal

I am requesting a MWBE goal below 11% (To be completed by SPD, and prior to advertisement): Yes  No

I am requesting a revision of the MWBE Goal: Yes  No  Original Goal: 4% New Goal: 0%

If requesting a revision, how many solicitations were received: 3

Solicitation Number: N22220 Estimated Dollar Amount: \$4,276,877.00

Anticipated Advertisement Date: 12/1/2006 Solicitation Due Date: 1-11/2007

Goal On Last Contract: 6% Was Goal met: Yes  No

If goal was not met, what did the vendor achieve: 0%

Name and Intent of this Solicitation:  
Patrol Vehicles for Police and Fire Departments

Rationale for requesting a Waiver or Revision (Zero percent goal or revision after advertisement):  
(To be completed by SPD)

Prime contractor made a good faith effort to obtain MWBE pricing but the certified MWBE contractor chose not to submit a price quote to the prime contractor. See the attached response from the prime contractor and MWBE sub-contractor.

Concurrence:

SPD Initiator

Division Manager

Velma Laws, Director  
\* Affirmative Action

Kevin M. Coleman, C.P.M.  
Assistant Purchasing Agent

\* Signature is required, if the request is for zero percent MWBE participation, or to revise the MWBE goal.

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 7510**

**Subject:** Amend Council Motion No. 2007-0057, Passed 1/17/2007 to Purchase Additional Vehicle Console Systems for the Police Department.  
S23-N22120-A1

Category #  
4

Page 1 of 1

Agenda Item

**10B**

**FROM (Department or other point of origin):**

Calvin D. Wells  
City Purchasing Agent  
Finance and Administration Department

**Origination Date**

June 25, 2007

**Agenda Date**

JUL 1 1 2007

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

Joseph Fenninger Phone: (713) 308-1708  
Ray DuRousseau Phone: (713) 247-1735

**Date and Identification of prior authorizing Council Action:**

Council Motion No. 2007-0057, 1/17/2007

**RECOMMENDATION: (Summary)**

Amend Council Motion No. 2007-0057, passed January 17, 2007, to purchase additional vehicle console systems for a total increase of \$88,953.44 for the Police Department.

Award Amount: \$88,953.44

**F & A Budget**

\$84,856.90 Equipment Acquisition Consolidated Fund (Fund 1800)  
~~\$ 4,096.54~~ Police Special Services Fund (Fund 2201)  
\$88,953.44 TOTAL

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council amend Council Motion No. 2007-0057, passed January 17, 2007, to purchase 304 additional vehicle console systems for a total increase of \$88,953.44 for the Police Department and that authorization be given to issue a purchase order to the awarded supplier, Bison Profab, Inc. These vehicle console systems will be used in the Department's patrol vehicles to hold radio communication equipment, mobile data computers, siren controls, and associated power distribution panels.

In November 2006, as a result of advertising this bid in accordance with the requirements of the State of Texas bid laws, bids were received from three suppliers. The bid document included a provision that allows the City to request the purchase of additional vehicle console systems provided the contractor agrees to honor the original bid price. Bison Profab, Inc. has agreed, in writing, to honor its original unit price bid of \$292.61 for the 304 vehicle console systems requested in this award.

These vehicle console systems will consist of a console and a mobile data computer-mounting platform. These new vehicle console systems will come with a full one-year warranty and will be installed in the Department's new marked patrol vehicles that are being purchased under a separate procurement.

Buyer: Roy Breaux

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

*NOT*

*10B*

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**Subject:** Ordinance approving a Resolution authorizing application and receipt of a grant from Texas Parks and Wildlife Department for the Telephone Road Park project

Category #

Page 1 of 1

Agenda Item **11**

**FROM (Department or other point of origin):**

Houston Parks and Recreation Department

**Origination Date:**

June 12, 2007

**Agenda Date**

JUL 1 1 2007

**DIRECTOR'S SIGNATURE:**

Joe Turner, Director



**Council District(s) affected:** I

**For additional information contact:** Daniel Pederson, 713-845-1248  
Karen Cullar, 713-845-1022

**Date and Identification of prior authorizing Council Action:**

NA

**RECOMMENDATION: (Summary):**

Adopt Ordinance approving a Resolution authorizing Parks and Recreation Department Director to apply for and receive a grant from Texas Parks and Wildlife Department (TPWD) and certifying that the matching share is readily available.

**Amount and Source of Funding:**

**TPWD GRANT:** \$400,000 - Texas Parks and Wildlife Department  
**MATCHING FUNDS:** \$400,000 - Value of donated land\*

**F&A Budget:**

**SPECIFIC EXPLANATION:**

The Houston Parks and Recreation Department (HPARD) is submitting an Outdoor Recreation grant to the Texas Parks & Wildlife Department (TPWD) on July 31, 2007. HPARD is requesting \$400,000 in assistance for the development of Telephone Road Park located on Brays Bayou between I-45 and Telephone Road in southeast Houston. Houston Parks Board is negotiating with property owners to secure the donation of two parcels totaling 1.8 acres. The proposed park site also includes 0.83 acres of Harris County Flood Control District property, which will be authorized for public recreation use by interlocal agreement. The in-kind value of the donated land will provide the required match.

The proposed acquisition, design, and development project will include a 2,175-foot trail, picnic tables, park benches, solar-powered security lighting, solar-powered lighted art tower depicting the cultural and historical significance of Brays Bayou, a scenic bayou overlook, a small playground, demonstration native plantings with drip irrigation, and a demonstration pervious parking area.

This project provides an opportunity for HPARD to preserve open space for a planned future hike and bike trail and is part of the Brays Bayou project from the Houston Ship Channel to Hermann Park.

**REQUIRED AUTHORIZATION**

F&A Director:

NA

Other Authorization:

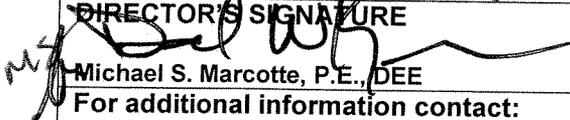
Other Authorization:



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

<b>SUBJECT:</b> Petition for the City's consent to the addition of 11.1035 acres of land to Cypress Hill Municipal Utility District No. 1 (Key Map No. 367-A)	<b>Category #</b>	<b>Page</b> 1 of <u>1</u>	<b>Agenda Item #</b>  <b>12</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 7-5-07	<b>Agenda Date</b> JUL 11 2007
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<b>DIRECTOR'S SIGNATURE</b>  Michael S. Marcotte, P.E., DEE	<b>Council District affected:</b> "ETJ"
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<b>For additional information contact:</b> Jun Chang, P.E. <i>jc</i> Senior Assistant Director Phone: (713) 837-0433	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
The petition for the addition of 11.1035 acres of land to Cypress Hill Municipal Utility District No. 1 be approved.

<b>Amount of Funding:</b> NONE REQUIRED	<b>F &amp; A Budget:</b>
--	--------------------------

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

**SPECIFIC EXPLANATION:**

Cypress Hill Municipal Utility District No. 1 has petitioned the City of Houston for consent to add 11.1035 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.

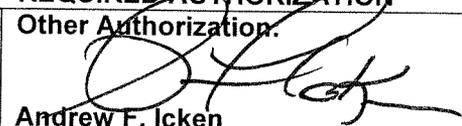
The district is located in the vicinity of Hempstead Highway, US Highway 290, and Cypress Rosehill Road. The district desires to add 11.1035 acres, thus yielding a total of 955.4725 acres. The district is served by the Cypress Hill Municipal Utility District No. 1 Wastewater Treatment Plant, which is owned and operated by the district. The nearest major drainage facility for Cypress Hill Municipal Utility District No. 1 is Cypress Creek which flows into Spring Creek then to the San Jacinto River and finally into Lake Houston.

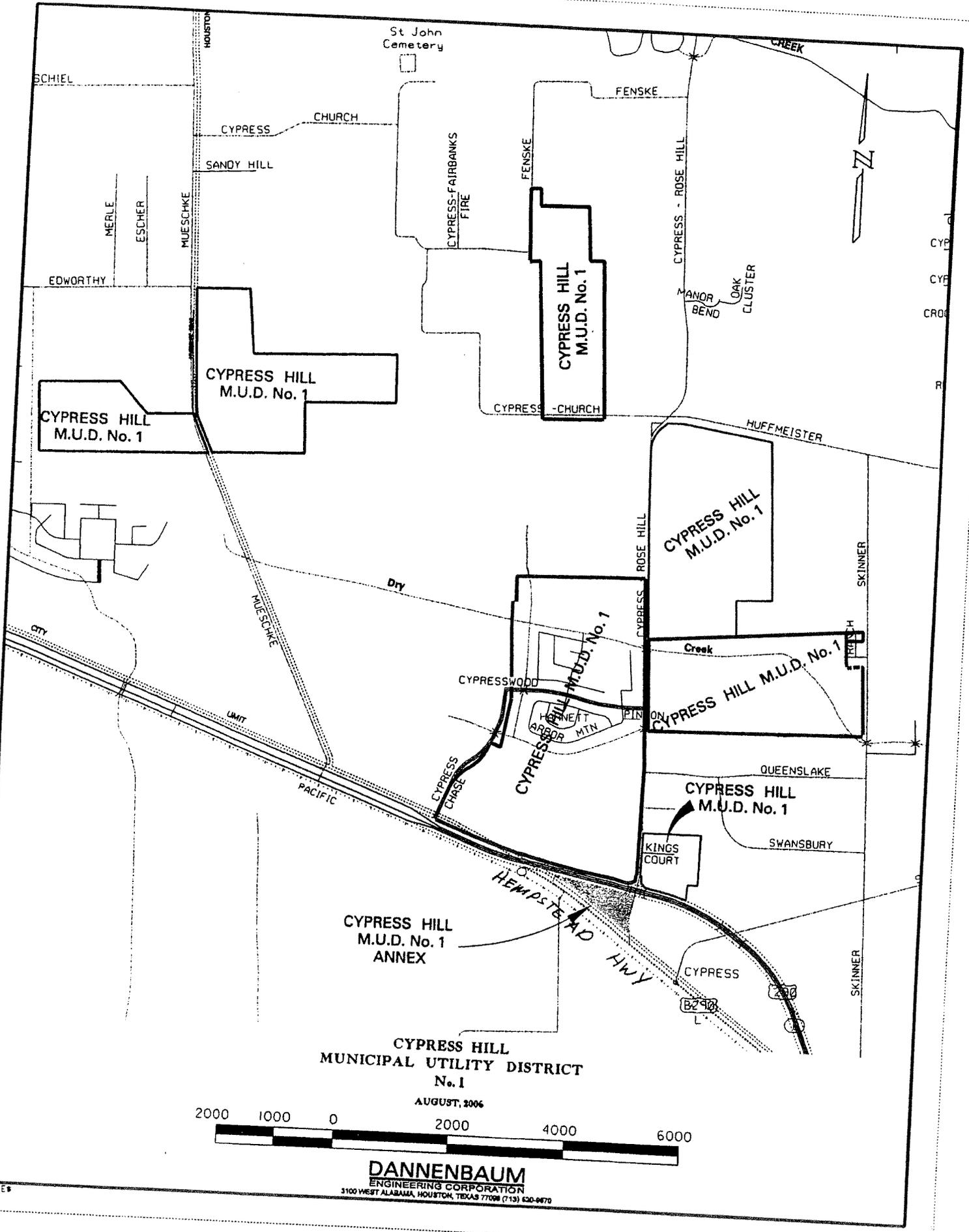
Potable water is provided by the district. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their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

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

**Attachments**

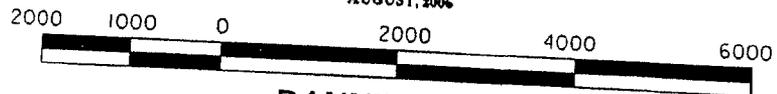
cc: Marty Stein Marlene Gafrick Jeff Taylor Dan Krueger Jack Sakolosky  
Bill Zrioka Waynette Chan Deborah McAbee Gary Norman

<b>REQUIRED AUTHORIZATION</b>		20JZC304
<b>F &amp; A Director</b>	<b>Other Authorization:</b>  Andrew F. Icken Deputy Director Planning & Development Services Div.	<b>Other Authorization:</b>



**CYPRESS HILL  
MUNICIPAL UTILITY DISTRICT  
No. 1**

AUGUST, 2006



**DANNENBAUM**  
ENGINEERING CORPORATION

3100 WEST ALABAMA, HOUSTON, TEXAS 77098 (713) 630-8470



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

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

06-11-07A08:42 CFMD *me*

Application is hereby made for consent of the City of Houston to the  creation/  addition of 11.1035 acres to Cypress Hill MUD No. 1 under the provisions of Chapters 49 and 54 Texas Water Code.

*Heather De La Garza*  
Attorney for the District

**Attorney:** Heather De La Garza w/Fulbright & Jaworski L.L.P.

Address: 1301 McKinney, Suite 5100, Houston Zip: 77010 Phone: 713-651-3610

**Engineer:** Dannenbaum Engineering Corporation – Alan Hirshman

Address: 3100 W. Alabama, Houston, Texas Zip: 77098 Phone: 713/527-6445

**Owners:** Corinthian Fry Road Investors

Address: 1257 Fries Road, Houston, Texas Zip: 77055 Phone: 713-418-1806

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

INSIDE CITY  OUTSIDE CITY

### LOCATION

Survey J. W. Moody Survey NAME OF COUNTY (S) Harris County  
Abstract 547

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

North of: Hempstead Highway East of: \_\_\_\_\_

South of: US Highway 290 West of: Cypress Rosehill Road

### WATER DISTRICT DATA

Total Acreage of District: 944.369 Existing Plus Proposed Land 955.4725 ✓

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

Single Family Residential \_\_\_\_\_ Multi-Family Residential \_\_\_\_\_

Commercial 100% Industrial \_\_\_\_\_ Institutional \_\_\_\_\_

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

Sewage Treatment Plant Name: Cypress Hill MUD No. 1 STP

NPDES/TPDES Permit No: 12327-001

TCEQ Permit No: TX0086011



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0.80

Ultimate Capacity (MGD): 0.80

Size of treatment plant site: 5.07 square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 0.80 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: N/A

MGD of (Regional Plant).

Name of District: N/A

MGD Capacity Allocation N/A

or property owner(s)

Name of District: N/A

MGD Capacity Allocation N/A

Water Treatment Plant Name: Cypress Hill MUD No. 1 Water Plant 1

Water Treatment Plant Address: Arbormont Drive

Well Permit No: 102167

### Existing Capacity:

Well(s): 2,250

GPM

Booster Pump(s): 2,500

GPM

Tank(s): 500,000

MG

### Ultimate Capacity:

Well(s): 2,250

GPM

Booster Pump(s): 3,000

GPM

Tank(s): 500,000

MG

Size of Treatment Plant Site: 0.87

square feet/acres.

Comments or Additional Information: Cypress Hill MUD No. 1 Water Plant No. 2

15527 Opera House Row Drive, Well Permit 124889; 0.691 acre

Wells: 1,250 GPM, Booster Pumps: 3,000 GPM, Tanks: 200,000 Gallons (existing & ultimate)

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

<b>SUBJECT:</b> Petition for the City's consent to the addition of three (3) tracts of land totaling 38.6488 acres to Fort Bend County Municipal Utility District No. 57 (Key Map No. 484-W, X)	<b>Category #</b>	<b>Page</b> 1 of <u>1</u>	<b>Agenda Item #</b>  <b>13</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 5/31/07	<b>Agenda Date</b> JUL 11 2007
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<b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE	<b>Council District affected:</b> "ETJ"
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<b>For additional information contact:</b> Jun Chang, P.E. <i>gc</i> Senior Assistant Director Phone: (713) 837-0433	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
The petition for the addition of 38.6488 acres of land to Fort Bend County Municipal Utility District No. 57 be approved.

<b>Amount of Funding:</b> NONE REQUIRED	<b>F &amp; A Budget:</b>
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**SOURCE OF FUNDING:**     General Fund     Grant Fund     Enterprise Fund  
 Other (Specify)

**SPECIFIC EXPLANATION:**

Fort Bend County Municipal Utility District No. 57 has petitioned the City of Houston for consent to add 38.6488 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 Little Prong Creek, Katy-Flewellen Road, FM 1463 and Katy-Gaston Road. The district desires to add 38.6488 acres, thus yielding a total of 583.7708 acres. The district is served by the Pine Mill Ranch Wastewater Treatment Plant. The nearest major drainage facility for Fort Bend County Municipal Utility District No. 57 is Little Prong Creek which flows into Buffalo Bayou and finally into the Houston Ship Channel.

Potable water is 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.

Attachments

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

<b>REQUIRED AUTHORIZATION</b> 20JZC289	
<b>F &amp; A Director</b>	<b>Other Authorization:</b> <i>Andrew F. Icken</i> Andrew F. Icken Deputy Director Planning & Development Services Div.
	<b>Other Authorization:</b>



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

*Alex Garcia*

05-10-07P12:44 RCVD *AG*

**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 38.6488 acres to FBCMUD 57 under the provisions of Chapters 49 and 54 Texas Water Code.

Attorney for the District

**Attorney:** Alex Garcia Allen Boone Humphries Robinson LLP

Address: 3200 Southwest Freeway, Suite 2600 Houston TX Zip: 77027 Phone: 713-860-6400

**Engineer:** Paul Neiser Benchmark Engineering Corporation

Address: 2401 Fountainview, Suite 500 Houston TX Zip: 77057 Phone: 713-266-9930

**Owners:** Cardiff Ranch, L.P.

Address: 4141 Southwest Frwy., Suite 300, Houston, TX Zip: 77027 Phone: 713-840-8800

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

### LOCATION

INSIDE CITY  OUTSIDE CITY

Survey Alexander Phillips, John H. Ely

NAME OF COUNTY (S) Fort Bend  
Abstract 300; 167; 706

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

North of: Little Prong Creek

East of: F.M. 1463

South of: Katy-Flewellen Road

West of: Katy-Gaston Road

### WATER DISTRICT DATA

Total Acreage of District: 545.122

Existing Plus Proposed Land 583.7708 ✓

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

Single Family Residential 100%

Multi-Family Residential \_\_\_\_\_

Commercial \_\_\_\_\_ Industrial \_\_\_\_\_

Institutional \_\_\_\_\_

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

Sewage Treatment Plant Name: Pine Mill Ranch Sewage Treatment Plant

NPDES/TPDES Permit No: WQ0014519001

TCEQ Permit No: TX0126527



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0.15

Ultimate Capacity (MGD): 0.9

Size of treatment plant site: 3.5 square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 0.9 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: Fort Bend County MUD 57 Water Plant #1

Water Treatment Plant Address: 3565 1/2 Junction Bend Lane

Well Permit No: 13097

### Existing Capacity:

Well(s): 1,600

GPM

Booster Pump(s): 3,050

GPM

Tank(s): 0.32

MG

### Ultimate Capacity:

Well(s): 1,600

GPM

Booster Pump(s): 6,000

GPM

Tank(s): 0.72

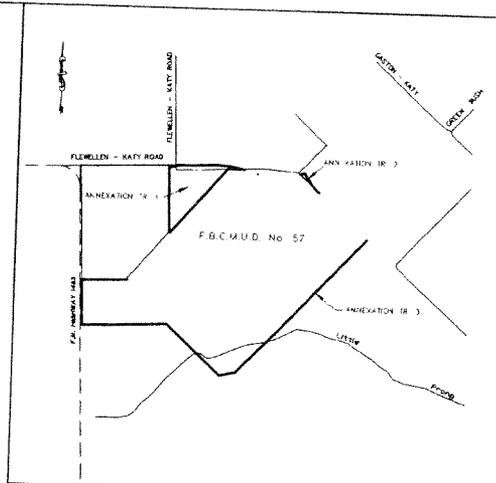
MG

Size of Treatment Plant Site: 1.42

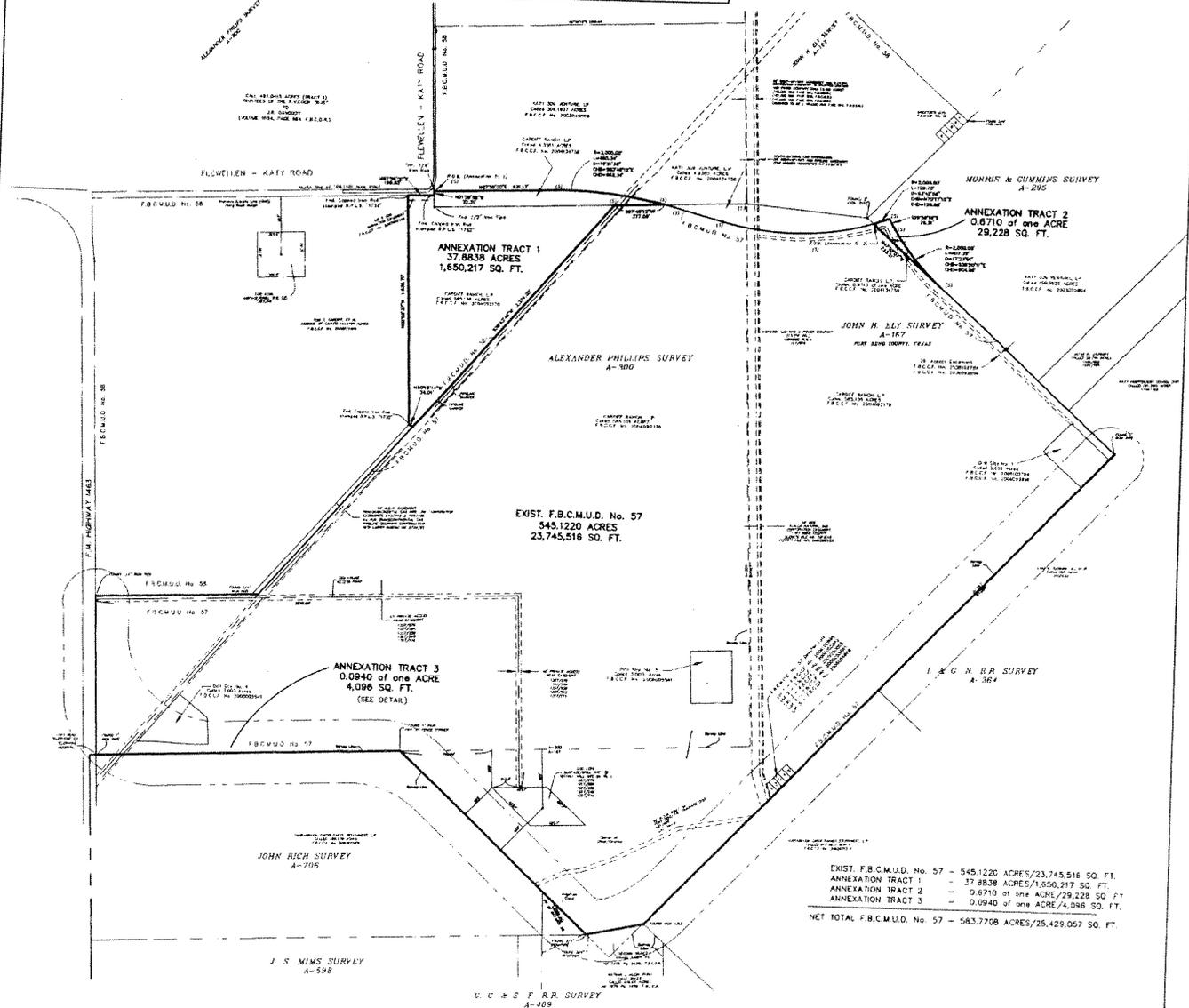
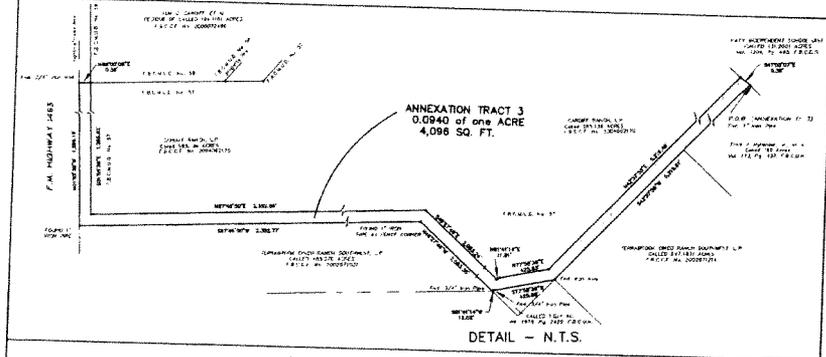
square feet/acres.

Comments or Additional Information: \_\_\_\_\_

\_\_\_\_\_



VICINITY MAP  
Key Map Pg. 484 S,T,W & X  
SCALE: 1"=1,600'



EXIST. F.B.C.M.U.D. No. 57 - 545,1220 ACRES/23,745,516 SQ. FT.  
ANNEXATION TRACT 1 - 37.8838 ACRES/1,650,217 SQ. FT.  
ANNEXATION TRACT 2 - 0.6710 of one ACRE/29,228 SQ. FT.  
ANNEXATION TRACT 3 - 0.0940 of one ACRE/4,096 SQ. FT.  
NET TOTAL F.B.C.M.U.D. No. 57 - 583,7708 ACRES/25,429,057 SQ. FT.

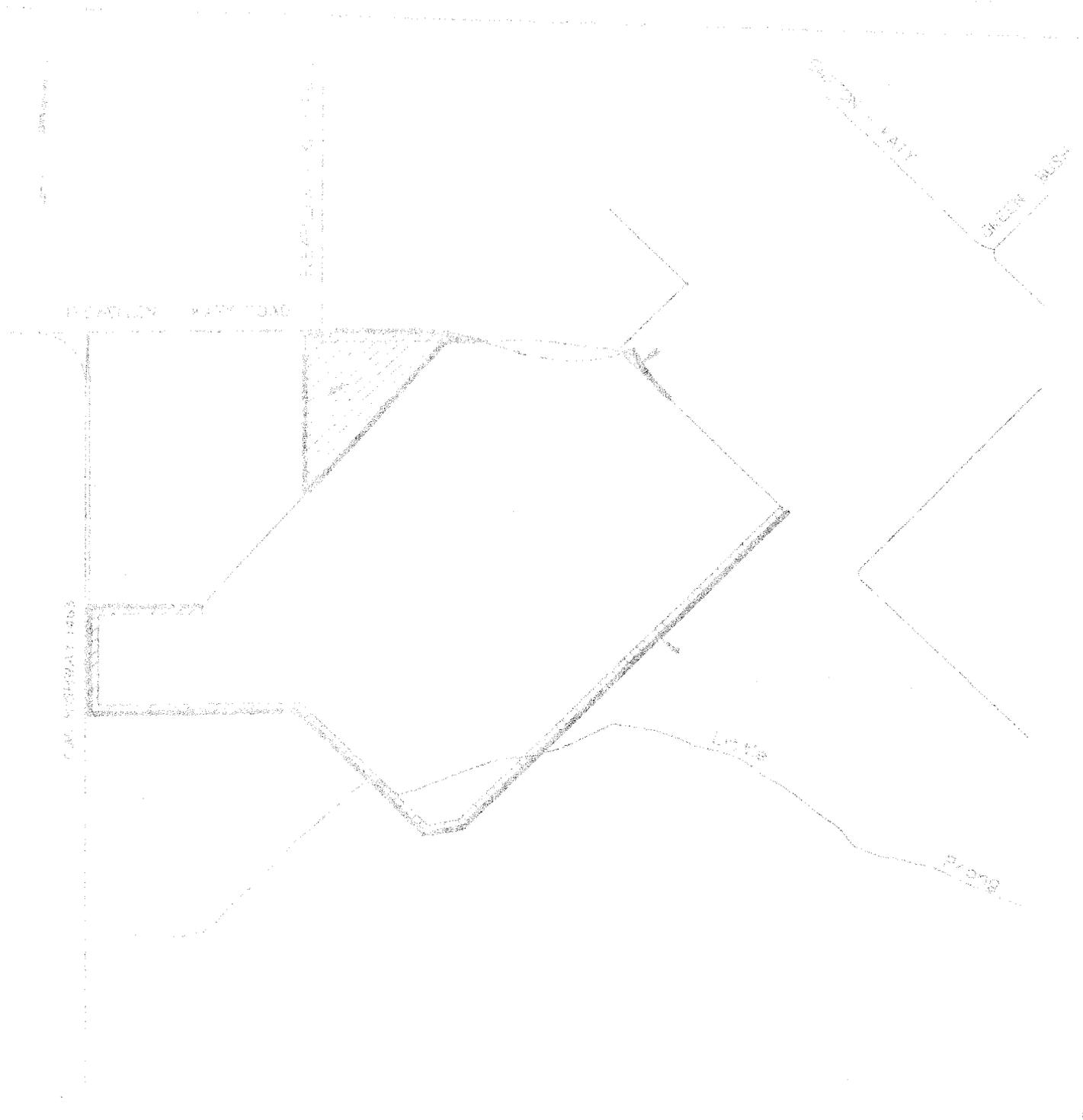
This map and attached survey plat(s) reflect the results of a survey conducted in accordance with the provisions of the Public Utility Act of 1905 and the provisions of the Public Utility Act of 1935, and the provisions of the Public Utility Act of 1938, and the provisions of the Public Utility Act of 1942, and the provisions of the Public Utility Act of 1949, and the provisions of the Public Utility Act of 1954, and the provisions of the Public Utility Act of 1958, and the provisions of the Public Utility Act of 1962, and the provisions of the Public Utility Act of 1966, and the provisions of the Public Utility Act of 1970, and the provisions of the Public Utility Act of 1974, and the provisions of the Public Utility Act of 1978, and the provisions of the Public Utility Act of 1982, and the provisions of the Public Utility Act of 1986, and the provisions of the Public Utility Act of 1990, and the provisions of the Public Utility Act of 1994, and the provisions of the Public Utility Act of 1998, and the provisions of the Public Utility Act of 2002, and the provisions of the Public Utility Act of 2006, and the provisions of the Public Utility Act of 2010, and the provisions of the Public Utility Act of 2014, and the provisions of the Public Utility Act of 2018, and the provisions of the Public Utility Act of 2022.



NO.	DATE	DESCRIPTION	BY
1	1/12/04	Revised map	TPH

**Benchmark Engineering Corporation**  
Consulting Engineers - Planners - Surveyors  
2401 Fountainview Suite 500  
Houston, Texas 77057 U.S.A. (713)266-9930

EXHIBIT MAP  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 57  
ANNEXATION TRACTS  
38.6488 ACRES OF LAND  
DRAWN BY: TPH  
DATE: 12/3/04  
CHECKED BY: JOB No. 07080  
SCALE: 1"=400'  
SHEET No.



SCALE 1" = 100'

10-1-79

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

<b>SUBJECT:</b> Petition for the City's consent to the addition of 303.8154 acres of land to Harris County Municipal Utility District No. 287 (Key Map No. 445-G, & L)	<b>Category #</b>	<b>Page</b> 1 of <u>1</u>	<b>Agenda Item #</b>  <b>14</b>
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<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> 7-5-07	<b>Agenda Date</b> JUL 11 2007
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<b>DIRECTOR'S SIGNATURE</b>  Michael S. Marcotte, P.E., DEE	<b>Council District affected:</b> "ETJ"
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<b>For additional information contact:</b>  Jun Chang, P.E. <i>gc</i> Senior Assistant Director Phone: (713) 837-0433	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
  
The petition for the addition of 303.8154 acres of land to Harris County Municipal Utility District No. 287 be approved.

<b>Amount of Funding:</b>  NONE REQUIRED	<b>F &amp; A Budget:</b>
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**SOURCE OF FUNDING:**     General Fund     Grant Fund     Enterprise Fund  
 Other (Specify)

**SPECIFIC EXPLANATION:**

Harris County Municipal Utility District No. 287 has petitioned the City of Houston for consent to add 303.8154 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.

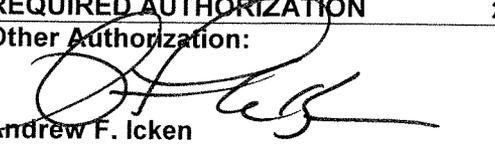
The district is located in the vicinity of Morton Road, Clay Road, Porter Road and Elrod Road. The district desires to add 303.8154 acres, thus yielding a total of 706.5332 acres. The district is served by the Harris County Municipal Utility District No. 287 Wastewater Treatment Plant. The nearest major drainage facility for Harris County Municipal Utility District No. 287 is South Mayde Creek which flows into Buffalo Bayou and finally into the Houston Ship Channel.

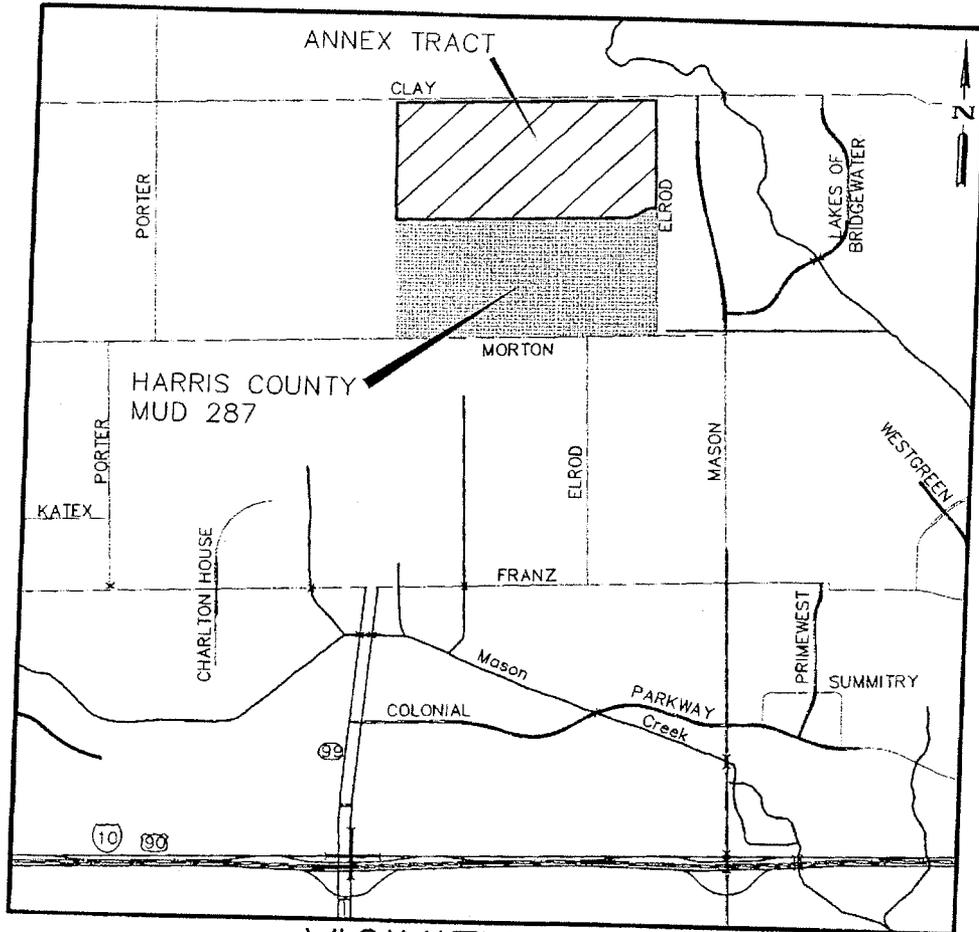
Potable water is provided by Harris County Municipal Utility District No. 71. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

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

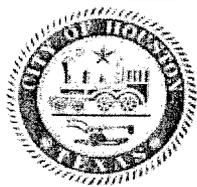
**Attachments**

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

<b>REQUIRED AUTHORIZATION</b> 20JZC303	
<b>F &amp; A Director</b>	<b>Other Authorization:</b>  Andrew F. Icken Deputy Director Planning & Development Services Div.
	<b>Other Authorization:</b>



VICINITY MAP  
 N.T.S.  
 KEY MAP PAGE NO. 445 L



# 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 303.8154 acres to Harris County MUD No. 287 under the provisions of Chapter 49 Texas Water Code.

06-08-07 ATT: 16 CFHD  
*[Handwritten Signature]*

*[Handwritten Signature]*

Attorney for the District

**Attorney: Kerri Dorman, Allen Boone Humphries Robinson LLP**

Address: 3200 Southwest Freeway, Suite 2600, Houston, TX Zip: 77027 Phone: 713-860-6493

**Engineer: Phil Mullan, Brown & Gay Engineers, Inc.**

Address: 10777 Westheimer, Suite 400, Houston, TX Zip: 77042-3455 Phone: 281-558-8700

**Owners: Clay Road 628 Investment, LP**

Address: 5910 FM 2920, Suite A, Spring, Texas Zip: 77388 Phone: 281-350-6262

(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 C. P. Collins Abstract 1332

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

North of: Morton Road East of: Porter Road  
South of: Clay Road West of: Elrod Road

### WATER DISTRICT DATA

Total Acreage of District: 402.7178 Existing Plus Proposed Land 706.5332

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

Single Family Residential 83% Multi-Family Residential N/A  
Commercial 17% Industrial N/A Institutional N/A

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

Sewage Treatment Plant Name: Harris County MUD 287 WWTP

NPDES/TPDES Permit No: 14362-001 TCEQ Permit No: WQ0014362001



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): N/A

Ultimate Capacity (MGD): 0.9

Size of treatment plant site: 99,752/2.29 square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 0.1,0.35,0.9 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: HCMUD71, Water Plant No. 1 and 2

Water Treatment Plant Address: 3210 Elrod Road.; 21645 Clay Road

Well Permit No: 115750; 115752; 115533

### Existing Capacity:

Well(s): 2,400

GPM

Booster Pump(s): 10,600

GPM

Tank(s): 1.138

MG

### Ultimate Capacity:

Well(s): 4,500

GPM

Booster Pump(s): 10,600

GPM

Tank(s): 1.138

MG

Size of Treatment Plant Site: WP1=0.75 AC; WP2=3.0 AC

square feet/acres.

Comments or Additional Information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

<b>SUBJECT:</b> Ordinance amending ordinance No. 03-848 to increase the maximum contract amount and authorize the first amendment to a contract with Interfaith Care Partners, Inc.	<b>Category #</b> 9	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 15
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<b>FROM (Department or other point of origin):</b> Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services	<b>Origination Date</b> 06/05/07	<b>Agenda Date</b> JUL 11 2007
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> All
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<b>For additional information contact: Kathy Barton</b> Telephone: 713-794-9998 or 713-826-5801	<b>Date and identification of prior authorizing Council action:</b> 11-09-05; 2005-1226; 09-17-03; 2003-848.
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**RECOMMENDATION: (Summary)**

Approval of an ordinance amending ordinance No. 03-848 to increase the maximum contract amount from \$1,543,234.00 to \$2,143,234.00 and authorizing a first amendment to extend the term from September 30, 2007 to September 30, 2008 to Contract # FC55467 between the City of Houston and Interfaith Care Partners, Inc. for elderly services.

<b>Amount of Funding:</b> Maximum contract amount: \$2,143,234.00 Total Contract Increase: \$ 600,000.00 Fund 5030 Federal State Local – Pass Through Fund	<b>F&amp;A Budget:</b>
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**SOURCE OF FUNDING:** [ ] General Fund [ X ] Grant Fund [ ] Enterprise Fund [ ] Other ( Specify )

**SPECIFIC EXPLANATION:**

The Houston Department of Health and Human Services (HDHHS) requests City Council to approve an ordinance amending ordinance No. 03-848 to increase the maximum contract amount from \$1,543,234.00 to \$2,143,234.00 to Contract with Interfaith Care Partners, Inc. for elderly services and authorizing the first amendment to extend the term of services from September 30, 2007 to September 30, 2008.

The City of Houston, as designated by the Texas Department of Aging and Disability Services, has full authority and responsibility for funds authorized under the Title III of the Older Americans Act of 1965, as amended. These funds are disbursed by the U.S. Department of Health and Human Services through the Texas Department of Aging and Disability Services and administered by the Department's Harris County Area Agency on Aging.

The contractor was selected through a request for proposal process. The contract was awarded September 17, 2003, under Ordinance No. 03-848, effective on October 1, 2003 through September 30, 2004 with three one-year renewal periods in the original contract amount of \$1,110,295.00. City Council approved via Ordinance No. 05-1226 on November 9, 2005 to increase maximum contract amount to \$1,543,234.00.

In FY06, the contractor served 400 in-home respite clients and 288 non-residential respite clients. The first amendment will increase the Director's ability to add funds through the supplemental allocation process should additional funds be received and provide more respite care service to older adults during the extended term.

cc: Finance & Administration  
Legal Department  
Agenda Director

**REQUIRED AUTHORIZATION**

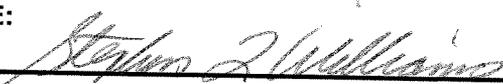
<b>F&amp;A Director</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Ordinance amending ordinance No. 03-1052 to increase the maximum contract amount and authorizing the first amendment to extend the term to a contract with Robert C. Gohlke, DDS, Inc. for elderly dental services	<b>Category #</b> 9	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 16
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<b>FROM (Department or other point of origin):</b> Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services	<b>Origination Date</b> 06/05/07	<b>Agenda Date</b> JUL 11 2007
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Kathy Barton Telephone: 713-794-9998 or 713-826-5801	<b>Date and identification of prior authorizing Council action:</b> 11-12-03 ; 2003-1052
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**RECOMMENDATION: (Summary)**

Approval of an ordinance amending ordinance No. 03-1052 to increase the maximum contract amount from \$500,000.00 to \$879,425.00 and authorizing the first amendment to extend the term from September 30, 2007 to September 30, 2008 to Contract # FC55856 with Robert C. Gohlke, DDS, Inc. for elderly dental services.

<b>Amount of Funding:</b> Maximum contract amount: \$879,425.00 Total Contract Increase: \$ 379,425.00 Fund 5030 Federal State Local – Pass Through Fund	<b>F&amp;A Budget:</b>
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**SOURCE OF FUNDING:** [ ] General Fund [ X ] Grant Fund [ ] Enterprise Fund [ ] Other ( Specify )

**SPECIFIC EXPLANATION:**

The Houston Department of Health and Human Services (HDHHS) requests City Council to approve an ordinance to amend ordinance No. 03-1052 to increase the maximum contract amount from \$500,000.00 to \$879,425.00 to Contract # FC55856 between the City of Houston and Robert C. Gohlke, DDS, Inc. for elderly dental services and authorizing the first amendment to extend the term of services from September 30, 2007 to September 30, 2008.

The City of Houston, as designated by the Texas Department of Aging and Disability Services, has full authority and responsibility for funds authorized under the Title III of the Older Americans Act of 1965, as amended. These funds are disbursed by the U.S. Department of Health and Human Services through the Texas Department of Aging and Disability Services and administered by the Department's Harris County Area Agency on Aging.

The contractor was selected through a request for proposal process. The contract was awarded November 12, 2003, under Ordinance No. 03-1052, effective on date of execution through September 30, 2004 with three one-year renewal periods in the original contract amount of \$500,000.00.

In FY06, the contractor served 109 clients. The first amendment will increase the Director's ability to add funds through the supplemental allocation process should additional funds be received and provide more dental services to older adults during the extended term.

cc: Finance & Administration  
Legal Department  
Agenda Director

REQUIRED AUTHORIZATION		
<b>F&amp;A Director</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Ordinance amending ordinance No. 06-855 to increase the initial grant funding and authorize Amendment No. 1 to a contract with the Texas Commission on Environmental Quality for an air monitoring system (No. 582-7-72659)	<b>Category #</b> 9	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 19
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<b>FROM (Department or other point of origin):</b> Houston Department of Health and Human Services	<b>Origination Date</b> 07/09/07	<b>Agenda Date</b> JUL 11 2007
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> ALL
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<b>For additional information contact: Kathy Barton</b> Telephone: 713-794-9998; 713-826-5801	<b>Date and identification of prior authorizing Council action:</b> 09-28-04 ; 2004-1010 ; 08-16-06 ; 2006-855
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**RECOMMENDATION: (Summary)**  
 Approval of an ordinance amending ordinance No. 06-855 to increase the initial grant funding from \$68,000.00 to \$136,000.00 and authorizing Amendment No. 1 to extend the term from August 31, 2007 to August 31, 2008 to contract between the City of Houston and the Texas Commission on Environmental Quality for a "PM 2.5" air monitoring system.

<b>Amount of Funding:</b> New Grant Funding Amount: \$136,000.00 Total Grant Funding Increase: \$68,000.00 Fund 5030 Federal State Local – Pass Through Fund	<b>F&amp;A Budget:</b>
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**SOURCE OF FUNDING:** [ ] General Fund [ X ] Grant Fund [ ] Enterprise Fund [ ] Other ( Specify )

**SPECIFIC EXPLANATION:**

The Houston Department of Health and Human Services (HDHHS) requests City Council to approve an ordinance amending ordinance No. 06-855 to increase the initial grant funding amount from \$68,000.00 to \$136,000.00 to contract No. 582-7-72659 with the Texas Commission on Environmental Quality (TCEQ) for a PM 2.5 air monitoring system and authorizing Amendment No. 1 to extend the term of services from August 31, 2007 to August 31, 2008. "PM 2.5" refers to particulate matter of 2.5 micrometers or smaller.

This contract was awarded to the City on August 16, 2006, under Ordinance No. 06-855, effective on September 1, 2006 through August 31, 2007. The PM 2.5 network is a segment of an Environmental Protection Agency (EPA) plan that works through TCEQ. HDHHS has been monitoring PM 2.5 for six years. The HDHHS Bureau of Air Quality Control has five samplers in the network, three of which are continuous PM 2.5 samplers.

The HDHHS Bureau of Air Quality Control maintains and operates the City's air monitoring system. Studies show that fine particulate matter is linked to negative health effects. HDHHS' PM 2.5 network helps measure and report on our progress to stay in attainment.

cc: Finance & Administration  
 Legal Department  
 Agenda Director

REQUIRED AUTHORIZATION

<b>F&amp;A Director</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

**SUBJECT:** Ordinance amending ordinance No. 06-854 to increase the initial grant funding and authorize Amendment No. 2 to a contract with the Texas Commission on Environmental Quality for an air monitoring system (No. 582-7-72676)

Category #  
9

Page 1 of 1

Agenda Item #  
18

**FROM (Department or other point of origin):**  
Houston Department of Health and Human Services

**Origination Date**  
07/09/07

**Agenda Date**  
JUL 11 2007

**DIRECTOR'S SIGNATURE:**

**Council District affected:**  
ALL

For additional information contact: Kathy Barton  
Telephone: 713-794-9998; 713-826-5801

**Date and identification of prior authorizing Council action:**  
12-21-04; 2004-1306 ; 08-16-06 ; 2006-854

**RECOMMENDATION: (Summary)**

Approval of an ordinance amending ordinance No. 06-854 to increase the initial grant funding from \$906,000.00 to \$1,680,000.00 and authorizing Amendment No. 2 to extend the term from August 31, 2007 to August 31, 2008 to Contract between the City of Houston and the Texas Commission on Environmental Quality for the City's Biowatch monitoring system.

**Amount of Funding:** New Grant Funding Amount: \$1,680,000.00  
Total Grant Funding Increase: \$774,000.00  
Fund 5030 Federal State Local – Pass Through Fund

**F&A Budget:**

**SOURCE OF FUNDING:** [ ] General Fund [ X ] Grant Fund [ ] Enterprise Fund [ ] Other ( Specify)

**SPECIFIC EXPLANATION:**

The Houston Department of Health and Human Services (HDHHS) requests City Council to approve an ordinance amending ordinance No. 06-854 to increase the initial grant funding from \$906,000.00 to \$1,680,000.00 to a contract with the Texas Commission on Environmental Quality (TCEQ) for the City's Biowatch monitoring system and authorizing Amendment No. 2 to extend the term of services from August 31, 2007 to August 31, 2008.

This contract was awarded to the City on August 16, 2006, under Ordinance No. 06-854, effective on September 1, 2006 through August 31, 2007. The HDHHS Bureau of Air Quality Control maintains and operates the City's air monitoring system. The Biowatch program was established in February of 2003 following a Homeland Security request through the Environmental Protection Agency (EPA) and TCEQ to the City of Houston.

cc: Finance & Administration  
Legal Department  
Agenda Director

**REQUIRED AUTHORIZATION**

**F&A Director**

**Other Authorization:**

**Other Authorization:**

HCD 07-160-A

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

\*\*REVISED 7/6/07\*\*

<b>SUBJECT:</b> Ordinance approving and authorizing Housing and Community Development Department (HCDD) to use \$659,482.85 in CDBG grant funds, resulting from an expenditure correction done by Right of Way Fleet Maintenance Division of Public Works and Engineering Department (PWED) as a result of overcharges to the CDBG program, to reimburse the City's CDBG Treasury Account per HUD's instruction.	<b>Category #</b>	<b>Page 1 of 2</b>	<b>Agenda Item #</b>
			19

<b>FROM (Department or other point of origin):</b> Houston Housing and Community Development Richard Celli	<b>Origination Date</b> 07/05/2007	<b>Agenda Date</b> JUL 11 2007
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<b>DIRECTOR'S SIGNATURE:</b> <i>Richard Celli</i>	<b>Council District affected:</b> All
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<b>For additional information contact: Renee Carrington</b> Phone: 713 868-8338	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Adoption of an ordinance authorizing the use of \$659,482.85 in CDBG grant funds, resulting from an expenditure correction done by PWED as a result of overcharges to the CDBG program, to reimburse the City's CDBG Treasury Account per HUD's instruction.

<b>Amount of Funding:</b> \$659,482.85	<b>F&amp;A Budget:</b> <i>[Signature]</i>
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**SOURCE OF FUNDING**       General Fund       Grant Fund       Enterprise Fund  
 Other (Specify) N/A

**SPECIFIC EXPLANATION:**  
During the Independent audit for the Year Ended June 30, 2005, the audit firm of Deloitte and Touche identified issues related to grant activity. Deloitte and Touche's findings related to CDBG and HOME were forwarded to the Department of Housing and Urban Development (HUD). The auditors report resulted in the City of Houston receiving seven findings from HUD in a letter dated July 31, 2006. Three findings remain outstanding only one of which requires monetary corrective action.

Finding 2005-6 identified that interdepartmental costs charged to street overlays done by the Right of Way Fleet Maintenance Division of Public Works and Engineering Department (PWED) were based on budgeted expenditures and did not represent actual costs incurred, resulting in questioned costs. The review identified that a 30% overhead charge was applied in addition to the costs. The overhead charge was not sufficiently supported.

The corrective action requires the City to reimburse its CDBG Treasury Account for the questioned costs or provide an analysis of the actual costs. PWED conducted an analysis and determined that the overcharges to the CDBG program were \$659,482.85. The results were reviewed and verified.

**REQUIRED AUTHORIZATION**

<b>F&amp;A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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<b>Date</b> 07/05/2007	<b>Subject:</b> Ordinance approving and authorizing Housing and Community Development Department (HCDD) to use \$659,482.85 in CDBG grant funds, resulting from an expenditure correction done by PWED as a result of overcharges to the CDBG program, to reimburse the City's CDBG Treasury Account per HUD's instruction.	<b>Originator's Initials</b>  BCM	<b>Page</b> <u>2</u> of 2
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PWED charged \$659,482.85 in overcharges against Fund 1000 and reversed \$659,482.85 in CDBG expenditures against Fund 5000 (City's grant fund) for the City's Consolidated Plan Year 2003 and 2005, respectively. HUD mandates the City reimburse its CDBG Treasury Account. HUD must receive wired funds totaling \$659,482.85 to clear and close Independent Year Ended Audit 2005 finding 2005-6. Once completed HUD will credit the impacted grant years, 2003 and 2005, allowing the City to reprogram and reinvest these monies into CDBG eligible activities.

The department recommends approval to reimburse the account by approving and authorizing the expenditure of \$659,482.85 out of the CDBG Grant Funds to fulfill the obligation. On June 29, 2007 HCDD presented this item before the Housing and Community Development Committee and it received a favorable recommendation.

RC:RC:cc

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



Date:  
06-20-2007

Subject:  
FY2008 Temporary Employee Services and Information Technology  
Staffing Services Contract Program

Originator's  
Initials

Page2 of 2

Departments were polled to ensure adequate funding is requested to meet their objectives. The significant programs/projects utilizing temporary employees in FY08 and requiring on-going funding are:

- HPD including Temporary Jail Attendant Project - \$5.6M
- ITD Implementations including Phase III of the network upgrade, the 700 MHz public safety radio project and the Exchange Upgrade/Active Directory Project - \$1.6M
- PRD Seasonal Ground Workforce - \$1.4M
- HHS Grant projects - \$1.2M

The net effect of increasing the contract authority and exercising the renewal option is a positive economic impact to the City along with operational synergies:

1. No operational disruptions to the department
2. Continuity of existing projects
3. Risk management and disaster planning consideration
4. A better socio-economic situation when factors such as employee and agency retention are taken into consideration
5. Budget neutral as departments must have budget adequacy to utilize contract authority

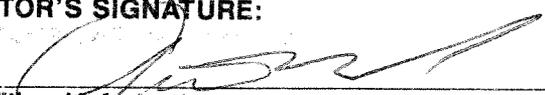
**Recommendation:** To ensure services now being provided by temporary employee and information technology staffing agencies continue to meet on-going departmental needs, we are requesting the maximum contract authority for the temporary employee services program be increased by 5,000,000 for the contract period ending October 31, 2007, and \$12,500,000 to fund the first year renewal option for a total of \$17,500,000. This proposal is scheduled for presentation to the Budget and Fiscal Affairs Committee on July 9, 2007.

c: Anthony W. Hall Jr., Chief Administrative Officer  
Marty Stein, Agenda Director

R

<b>SUBJECT:</b> Codification services for City ordinances	<b>Category #</b> 9	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 21
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<b>FROM (Department or other point of origin):</b> Legal Department	<b>Origination Date</b> 05/15/2007	<b>Agenda Date</b> JUL 11 2007
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> n/a
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<b>For additional information contact:</b> Phone: Lisa Hargrove or Alice Wilson 713.247.1753 713.247.1463	<b>Date and identification of prior authorizing Council action:</b> n/a
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**RECOMMENDATION: (Summary)**

Approve a contract authorizing codification services with Municipal Code Corporation, allocating \$25,000 for FY 2008; and setting a maximum contract amount.

<b>Amount and Source of Funding:</b> \$75,000 (\$25,000 in FY 2008; \$50,000 in future years, as needed) <input checked="" type="checkbox"/> General Fund	<b>F &amp; A Budget:</b>
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**SPECIFIC EXPLANATION:**

In 1979, the City entered into a contract with Municipal Code Corporation to assist with the publication of the current City Code, which was prepared over the next several years and adopted in 1985. The City Code contains those ordinances of a permanent nature that are of public interest. The two loose-leaf volumes of the City Code have been kept current with the installation of 55 supplements since 1985. Over the years, additional services have been added, including the creation of an electronic version of the City Code. Several hundred sets of the City Code are distributed to the various offices of City government for employee use and to the City's libraries for public use. There are also a number of private subscribers, such as law firms and universities, that have purchased sets and pay annual subscription fees for their supplement materials.

The City has renegotiated a new agreement with Municipal Code Corporation for similar future services. Supplementation costs and related services have averaged approximately \$22,000 per year in recent years, but this amount is subject to substantial fluctuation because the fees are based upon the actual numbers of pages of ordinance text that must be amended or added, which is a function of the number of ordinances adopted by City Council. Under the renegotiated contract, the authorized maximum contract amount would be \$75,000, which is expected to fund the services for three years, or possibly longer.

LKH:asw  
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<b>REQUIRED AUTHORIZATION</b>			NDT
<b>F &amp; A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>	

ms

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 7454**

**Subject:** Approve an Ordinance Authorizing a Second Amendment to Contract No. C50625 for Auctioneering Services of Surplus Vehicles for the Finance & Administration Department  
TC-9-0739-012-11735-A2

Category #  
4

Page 1 of 1

Agenda Item

**22**

**FROM (Department or other point of origin):**

Calvin D. Wells  
City Purchasing Agent  
Finance and Administration Department

**Origination Date**

June 29, 2007

**Agenda Date**

JUL 1 1 2007

**DIRECTOR'S SIGNATURE**

**For additional information contact:**

Jacquelyn L. Nisby Phone: (713) 247-1814  
Ray DuRousseau Phone: (713) 247-1735

**Council District(s) affected**

**Date and Identification of prior authorizing Council Action:**

Ord. No. 99-770 and Ord. No. 2004-371

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing a second amendment to Contract No. C50625 between the City of Houston and Houston Auto Auction, Inc. to extend the contract term from July 22, 2007 to July 21, 2009 for auctioneering services of surplus vehicles for the Finance & Administration Department.

None Required (REVENUE)

F & A Budget

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing a second amendment to Contract No. C50625 between the City of Houston and Houston Auto Auction, Inc., to extend the contract term from July 22, 2007 to July 21, 2009 for auctioneering services of surplus vehicles for the Finance & Administration Department.

This contract was originally awarded on July 21, 1999 by ordinance No. 99-770, for a three-year term, with two one-year options to extend, for a total five-year term. Ordinance No. 04-371 was approved on April 28, 2004, extending the term of the contract from July 22, 2004 to July 21, 2007. Houston Auto Auction, Inc. has agreed to maintain rates, and all other terms and conditions as originally approved by City Council through the extended term. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all personnel, equipment, management, supervision, and transportation necessary to provide auctioneering services for the City of Houston. Services include towing or delivery of units to the auction facility as requested by the Departments, conducting and recording auctions, inspecting, tagging and listing all items for auction; preparing and providing notices to potential buyers, registering all bidders, issuing salvage titles as required, cleaning and preparing vehicles for auction, controlling monies associated with the auctions, monitoring and controlling delivery, and providing reports to the City. Auction items are City-owned surplus vehicles and rolling stock.

Since FY00, surplus auctions have generated \$13,525,375.00 in gross sales with \$991,219.00 paid to the contractor, an average of 7.3 %. The contract fee schedule per vehicle sold is: 7% of the first \$7,500.00, plus 5% of amounts between \$7,501.00 and \$15,000.00 and plus 3% of the amounts over \$15,000.00.

This contract was awarded with a 12% M/WBE participation goal and Houston Auto Auction, Inc. is exceeding the goal.

Buyer: Richard Morris

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

**MDT**

5-21-07

**D**

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Approve an ordinance authorizing an amendment to an Interlocal Agreement with the Texas Department of Transportation	Category #	Page 1 of <u>1</u>	Agenda Item # <b>23</b>
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<b>FROM (Department or other point of origin):</b> Houston Police Department	Origination Date May 24, 2007	Agenda Date JUL 11 2007
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<b>DIRECTOR'S SIGNATURE:</b> 	Council District affected: ALL
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For additional information contact: J. Fenninger Phone: 713-308-1700	Date and identification of prior authorizing Council action: (1/7/06) Ordinance 2006-598 & 2007-277 (2/28/07)
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**RECOMMENDATION: (Summary)**  
Adopt an ordinance approving an amendment to an existing Interlocal Agreement between the City and the Texas Department of Transportation (TxDOT), adding \$800,000 for continued reimbursement of police overtime and police vehicle expenses for traffic control in construction zones.

<b>Amount and Source of Funding:</b> Maximum of \$800,000 (REVENUE)	F & A Budget:
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**SPECIFIC EXPLANATION:**

Recently, the City Council approved Ordinance No. 2007-277 adding \$450,000 to an existing Interlocal Agreement, between the City of Houston and the Texas Department of Transportation (TxDOT). Now, TxDOT wishes to provide an additional \$800,000 to the Agreement. This agreement reimburses the Police Department for overtime and vehicle use related to providing traffic control at major road closures.

Specifically, this amendment amends Section IV CONTRACT PAYMENT of the Interlocal Agreement to increase the total contract amount by \$800,000.00 for a new total of \$1,850,000.00 This additional amount is necessary to provide continued traffic management to major construction projects in the Houston District and to assist with the flow of traffic within these construction work zones.

This amendment shall become effective when fully executed. All other terms and conditions of the above referenced Interlocal Agreement remain in full force and effect. The officers will be used primarily for large-scale freeway closures where the freeway traffic is displaced onto side streets and traffic direction/signal control is needed to assist in the movement of the traffic through the detour routes. Overall, the amended Interlocal will further facilitate coordination between TxDOT and HPD during major road closures, which will improve public safety and reduce traffic congestion and delays.

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization:
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

**SUBJECT:** Professional Engineering Services Contract between the City and ARCADIS U.S., Inc. for On-Call Citywide Rehabilitation and Replacement of Bridge Structures/Roadways. W.B.S. No. N-00445N-0023-3

Page  
1 of 2

Agenda Item #

24

**FROM (Department or other point of origin):**

Department of Public Works and Engineering

**Origination Date**

5-24-07

**Agenda Date**

JUL 11 2007

**DIRECTOR'S SIGNATURE:**

*Michael S. Marcotte*  
Michael S. Marcotte, P.E. DEE, Director

**Council District affected:**

ALL *Jeff*

**For additional information contact:**

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

**Date and identification of prior authorizing Council action:**

**RECOMMENDATION: (Summary)**

Approve Engineering Services Contract with ARCADIS U.S., Inc. and appropriate funds.

**Amount and Source of Funding:** \$200,000.00 from the Street & Bridge Consolidated Construction Fund No. 4506

*Pratt* 05/09/07

**DESCRIPTION/SCOPE:** This project will allow for evaluation of existing bridges which have received below standard inspection reports and prepare design plans to rehabilitate or replace existing bridges and bridge/roadway structures throughout the City.

**LOCATION:** Citywide

**SCOPE OF CONTRACT AND FEE:** This is an on-call contract. Individual Work Orders will be issued for engineering assignments as needs arise. The project scope consists of Phase I –Engineering Analysis and Preliminary Design, Phase II – Final Design and Phase III – Construction Phase Services.

Phase I – Engineering Analysis Services requires the Consultant to visit the site of an assigned bridge and conduct a thorough review of the structure to determine the existing condition of the bridge and its ability to remain open to traffic. The Consultant is to then conduct an engineering analysis of the bridge and provide recommendations that will allow the City to take urgent steps to make the bridge safe. The scope of work includes engineering studies and designs for the assigned bridge and/or roadway. Such studies and designs will consist of preliminary layouts, sketches, recommended final design criteria, outline specifications, reports and cost estimates.

Phase II – Final Design: The Consultant will prepare detailed construction documents required to obtain approval from all governmental authorities having jurisdiction over the design or operation of the project and all public and private utilities. Additionally, the Consultant will assist the City in securing bids for the construction of proposed bridge repair/replacement based upon the construction documents, attend prebid conferences and assist the City in evaluating the bid tabulation.

Phase III – Construction Phase Services: The Consultant will provide professional services during construction to achieve a completed project in accordance with the purpose and intent of the Construction Documents.

**REQUIRED AUTHORIZATION**

CUIC ID #20MLL47

NOT

**F&A Budget:**

*[Signature]*

**Other Authorization:**

**Other Authorization:**

*[Signature]*

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

<b>Date</b>	<b>SUBJECT:</b> Professional Engineering Services Contract between the City and ARCADIS U.S., Inc. for On-Call Citywide Rehabilitation and Replacement of Bridge Structures/Roadways. W.B.S. No. N-00445N-0023-3	<b>Originator's Initials</b> MLL	<b>Page</b> 2 of 2
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The total cost of this project is \$200,000.00 to be appropriated as follows: \$180,000.00 for Contract services and \$20,000.00 for project management.

**M/WBE INFORMATION:** The M/WBE goal for the project is set at 24 %. The Consultant has proposed the following firms to achieve this goal.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. United Engineers, Inc.	Survey	\$25,000.00	13.89%
2. Geotest Engineering, Inc.	Geotechnical	\$15,000.00	8.33%
3. B & E Reprographics, Inc.	Reproduction	<u>\$ 3,200.00</u>	<u>1.78%</u>
TOTAL		\$43,200.00	24.00%



MSM:DWK:RKM:MLL:TC

S:\design\A-SB-DIV\PROJECTS\N00445N-23\_ARCADIS\RCA-Professional Services\_ARCADIS.doc

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

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Award Construction Contract F. W. Walton, Inc. Roof Replacement at Gershan and Fleet Administration Buildings WBS No. G-000066-0010-4	Page 1 of 2	Agenda Item <b>25</b>
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<b>FROM (Department or other point of origin):</b> Building Services Department	<b>Origination Date</b> 6/13/07	<b>Agenda Date</b> JUL 11 2007
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. <i>[Signature]</i> 5/24/07	<b>Council District:</b> H
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<b>For additional information contact:</b> Jacquelyn L. Nisby <i>[Signature]</i> Phone: 713-247-1814	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Award construction contract and appropriate funds for the project.

<b>Amount and Source of Funding</b> \$452,683.35 Police Consolidated Construction Fund (4504)	<b>F&amp;A Budget:</b> <i>[Signature]</i>
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**SPECIFIC EXPLANATION:** The Building Services Department recommends that City Council award a construction contract to F. W. Walton, Inc. on the low bid amount of \$431,127 in connection with roof replacement services for the Houston Police Department.

**PROJECT LOCATIONS:** Gershan Building 33 Artesian (493L)  
Fleet Administration Building 52 Riesner (493L)

**PROJECT DESCRIPTION:** This project involves removal of existing built-up roofs on the Gershan Building and Fleet Administration Building and replacement with upgraded efficient roofing systems. The existing roofs are approximately 25 years old and have outlived their useful life.

The contract duration for this project is 120 days. Price Consulting, Inc., is the design consultant for the project.

**BIDS:** The following five bids were received on April 26, 2007:

<u>Bidder</u>	<u>Bid Amount</u>
1. F. W. Walton	\$431,127.00
2. Brinkman Roofing, Inc.	\$438,800.00
3. PRC Roofing Co., Inc.	\$442,000.00
4. Pyramid Waterproofing, Inc.	\$469,000.00
5. Royal American Services, Inc.	\$652,980.00

**REQUIRED AUTHORIZATION** CUIC ID # 25VTN21

**Other Authorization:**  
*[Signature]*  
Wendy Teas Heger, AIA,  
Chief of Design and Construction Division  
Building Services Department

**Other Authorization:** *[Signature]* NDT  
Harold L. Hurtt,  
Chief of Police  
Houston Police Department

<b>Date:</b>	<b>SUBJECT:</b> Award Construction Contract F. W. Walton, Inc. Roof Replacement at Gershan and Fleet Administration Buildings WBS No. G-000066-0010-4	<b>Originator's Initials</b>  VTN	<b>Page</b>  2 of 2
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**AWARD:** It is recommended that City Council award the construction contract to F. W. Walton, Inc. and appropriate funds for the project.

**FUNDING SUMMARY:**

\$431,127.00	Construction Contract Services
<u>\$ 21,556.35</u>	5% Contingency
<b>\$452,683.35</b>	<b>Total Appropriation</b>

*MT*

*VA*

IZD:WTH:MCP:JLN:VTN:JW:mg

c : Marty Stein, Issa Z. Dadoush, P.E., Wendy Teas Heger, AIA, Assistant Chief Kirk Munden, Jacquelyn L. Nisby, Joseph Kurian, Kim Nguyen, File



26

JUL 11 2007

MOTION NO. 2007 0542

MOTION by Council Member Alvarado that the following item be postponed for 30 days:

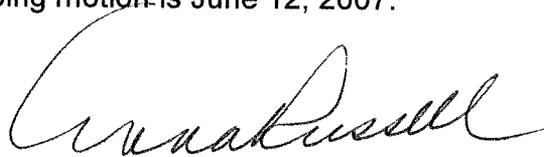
Item 45 - Review on the record and make determination relative to the appeal from the decision of the General Appeals Board, filed by Teresa Argueta on the denial of an Application for a Manufactured Home Hardship Extension at 7911 Brays

Seconded by Council Member Garcia and carried.

Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell, Green and Berry voting aye  
Nays none

PASSED AND ADOPTED this 6th day of June, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is June 12, 2007.

  
City Secretary



# CITY OF HOUSTON

Legal Department

## Interoffice

Correspondence

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*

~~#3~~

~~APR 04 2007~~

58

~~MAR 26 2007~~

26 #5

JUL 11 2007

~~JUN 06 2007~~

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

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

RECEIVED  
JAN 22 2007  
CITY SECRETARY

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Ordinance Amending Chapters 2, 15, 32, and 34, of the Houston Code of Ordinances to redesignate the Building Services Department as the General Services Department.		<b>Page</b> 1 of 1	<b>Agenda Item</b> 27 #4
<b>FROM (Department or other point of origin):</b> Building Services Department		<b>Origination Date</b> 6-14-07	<b>Agenda Date</b> <del>JUL 09 2007</del> JUL 11 2007
<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. <i>Issa Z. Dadoush</i> 6/13/07		<b>Council District affected:</b> All	
<b>For additional information contact:</b> Jacquelyn L. Nisby <i>JLN</i> Phone: 713-247-1814		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION:</b> Approve amendments to Chapters 2, 15, 32, and 34 of the Code of Ordinances to change the name of the Building Services Department to "General Services Department."			
<b>Amount and Source of Funding:</b> Not Applicable			
<b>SPECIFIC EXPLANATION:</b> The Building Services Department administers the following functions: <ul style="list-style-type: none"><li>• design and construction activities for all city facilities excluding aviation department projects;</li><li>• development and administration of the Capital Improvement Plan;</li><li>• operation and maintenance of over 300 city facilities representing 7.3 million square feet of occupied space;</li><li>• procurement of electricity and natural gas for the City and implementation of conservation measures;</li><li>• fleet planning and operational standards;</li><li>• procurement, delivery and distribution of fuel citywide;</li><li>• negotiation of lease space for City departments, acquisition of real property and disposition of surplus City properties;</li><li>• security management of 350 City facilities, including CCTV, access control and alarm systems; and</li><li>• oversight of the Public Works Contractor Debarment process citywide.</li></ul> Renaming the Building Services Department the "General Services Department" will more accurately reflect the broad functions of this department and is consistent with other state and federal agencies with similar functions. Therefore, the Building Services Department recommends that City Council approve an Ordinance to change the name of the Building Services Department to the "General Services Department."			
IZD:JLN:Sl:jln			
c: Marty Stein, Anna Russell			
<b>REQUIRED AUTHORIZATION</b>			
<b>Other Authorization:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>	

Excerpt from Sec. 1-2(a)

*City engineer* shall mean the director of public works and engineering or the director or engineer designated by the director of the building general services department and their designees, as applicable. The term primarily relates to employees of the public works and engineering and building general services departments who are engaged in acquisition, design and construction of public works and related projects.

Excerpt from Sec. 2-52

(22) Be responsible for materials management:

- a. Procure supplies, equipment, and services needed for use of the city in the manner provided by law.
- b. Coordinate planning of material requirements for all city departments.
- c. Plan for, implement and manage centralized distribution centers (stores).
- d. Develop and monitor implementation of citywide policies, regulations, procedures and standards for procurement, materials requirement planning, warehousing and distribution.
- e. Review and recommend procurement legislation.

Procurements relating to the construction, maintenance, furnishing and management of city buildings other than on aviation department property shall be coordinated with the building general services department.

**Sec. 2-279. Certain functions to be performed by the building general services and aviation departments.**

With the exception of real property acquisition and the disposition of surplus real property, which shall be handled concurrently by the department and the building general services department, the planning, design, construction and management of city buildings shall be the responsibility of the building general services and aviation departments, as provided in this Code.

**Sec. 2-385. Assistance by certain city departments.**

The directors of the departments of personnel, public works and engineering, planning and development, health and human services, building general services and the mayor's office division of affirmative action and their staffs shall provide requested assistance to the commission. The city attorney and staff shall provide legal services and representation to the commission.

**ARTICLE XIII. BUILDING GENERAL SERVICES DEPARTMENT**

**Sec. 2-431. Department created.**

There is hereby created the building general services department of the city.

**Sec. 2-432. Office of the director.**

There is hereby created the office of director of the building general services department.

\* \* \*

**Sec. 2-434. Functions.**

The department shall:

- (1) Be responsible for construction and remodeling of city buildings, including management and provision of in-house and contract services for design of projects, construction bidding, construction contract management, construction-related testing services and construction-related environmental services;
- (2) Perform facilities management services including review of requirements for space in city buildings, negotiations of city building space leases, whether the city is the lessor or the lessee, assignment of space in city buildings, development of office size and furnishing standards, management of furnishings installations and office moves and related services whether performed directly by the department or by contractors;
- (3) Acquire real property and dispose of surplus real property in coordination with the department of public works and engineering;
- (4) Manage and oversee energy programs for city buildings;

- (5) Manage the purchasing of natural gas, electricity, heated and chilled water and related utilities for use by the city;
- (6) Provide on-site building maintenance and operations services for buildings assigned to the department for that purpose, including janitorial, cleaning, building systems maintenance, minor repairs, carpentry and construction work and security operation and maintenance;
- (7) Manage and oversee fleet planning and operational standards;
- (8) Manage and oversee the procurement, delivery, and distribution of fuel;
- (9) Manage and oversee the capital improvement plan; and
- (7 10) Render assistance to other city departments upon request for buildings that may not be under the direct management of the department on issues relating to building management.

The foregoing duties and functions shall not extend to aviation department properties, unless so requested by the aviation department.

\* \* \*

**Sec. 2-437. Transfer of duties.**

To the extent that any other reference in this Code or in any other ordinance of the city or any reference in any city contract or other document devolves duties upon the finance and administration department or the public works and engineering department or the directors or employees of those departments that have been reassigned to the building general services department or director thereof under this article, then the reference shall be construed to mean the building general services department or the director and employees thereof, as applicable.

Excerpt from Chapter 14, Rule 11 (located immediately following Sec. 14-145).

*EXHIBIT A*

CITY DEPARTMENTS

Aviation

~~Affirmative Action~~

~~Building Services~~

~~Citizens' Assistance~~

~~City Controller~~

~~City Council~~

~~City Secretary~~

~~Convention and Entertainment Facilities~~

~~Finance and Administration~~

~~Fire~~

General Services

~~Health and Human Services~~

~~Housing and Community Development~~

Houston Airport System

~~Houston Emergency Center~~

Houston Public Library System

~~Human Resources~~

~~Information Technology~~

~~Legal~~

~~Library~~

Mayor's Office-311

~~Mayor's Office-Administration~~

Mayor's Office-Affirmative Action

Mayor's Office-Citizens' Assistance

Mayor's Office-Houston Emergency Center

Municipal Courts-Administration

~~Municipal Courts-Judicial~~ Judicial

~~Municipal Courts-Administration~~

~~Parks and Recreation~~

~~Planning and Development~~

Police  
Public Works and Engineering  
Solid Waste Management

Excerpt from Sec. 15-2

(c) It shall be unlawful for the director of public works and engineering or the director of building general services after any such bidder shall have been found guilty by the city council of such collusion or agreement prohibited by subsection (a) hereof, knowingly to deliver or to cause to be delivered to any such person any bidding sheets, plans or specifications for public improvements to be constructed by the city. For a violation of this subsection, the director of public works and engineering and the director of building general services shall be subject to removal from office by the mayor and city council.

Excerpt from Sec. 15-3

(a) Bids shall be opened and read at a public meeting conducted by the city secretary, or an assistant city secretary, with the assistance of representatives of the department of finance and administration, the department of building general services and the department of public works and engineering.

**Sec. 15-46. Return of bid bonds; rejection of bids.**

(a) Upon receipt by the city secretary of a tabulation of bids and a recommendation as to the award of a contract, the city secretary shall return to each bidder who has made a bid deposit the bond, cashier's check or certified check representing such deposit, except that the city secretary shall retain any such deposit made by the lowest and second lowest bidders, as shown by such tabulation. Any deposit so retained shall be returned at such time as a contract has been awarded and signed or at such time as the director of the public works and engineering department, the purchasing agent, the director of building general services or the director of aviation, depending upon which initiated the contract, requests that it be returned pursuant to the authority granted in subsection (b) below or upon rejection of the bids by city council.

(b) The city council hereby delegates to the directors of public works and engineering, building general services, and aviation departments and to the city purchasing agent authority on its behalf to reject all bids pursuant to section 252.043 of the Texas

Local Government Code, and the authority to direct the city secretary to return all bid bonds on any project under the following circumstances:

- (1) All bids received exceed the department director's or purchasing agent's estimated costs, and the director or purchasing agent determines that the bids appear to be excessive; or
- (2) The department director or purchasing agent determines that the project or purchase is no longer required; or
- (3) The department director or purchasing agent determines that the city's design or specifications for the project or bid should be revised and new bids should be taken.

The delegation created in this subsection is nonexclusive, and nothing herein shall be construed to preclude the city council from rejecting any or all bids received for any project or purchase.

\* \* \*

**Sec. 15-83. Program elements.**

(a) Based upon a review of data submitted annually by affected city departments, the mayor's affirmative action division shall each year submit a progress report to the city council. The report shall include three percentage figures that are intended to as closely as possible represent the ratio of the prior year's measured utilization and capacities of local MBEs and WBEs to do business in:

- (1) The supply of goods and nonpersonal or nonprofessional services;
- (2) The performance of personal or professional services; and
- (3) Construction;

to the prior year's total local business community utilization and capacity to do business in each of the three-named fields of city contracting.

(b) Based upon the measured utilization and capacities identified in subsection (a) above, city council shall from time to time set annual city-wide percentage goals for city contracting with MBEs and WBEs in each of the three named categories described in subsection (a) above. The adjustment, if any, in the percentage goals shall be made during the first quarter of the fiscal year.

(c) It is the responsibility of each city department to determine which contracts initiated by it are goal-oriented contracts and which are regulated contracts. If the determination is made that a contract is a goal-oriented contract or a regulated contract, the initiating department shall review the contract and shall determine, by reference to the MBE/WBE register, the number of certified MBEs and WBEs which have represented to the city that they are in the business of performing all or some of the required contract services. The initiating department director or his or her designee shall determine whether the contract is one to which MBE/WBE provisions should be applied.

- (1) These provisions are not required to be applied in the following circumstances:
  - a. A public or administrative emergency exists which requires the goods or services to be provided with unusual immediacy;
  - b. The service or goods requested are of such a specialized, technical or unique nature as to require the city department to be able to select its contractor without application of MBE/WBE provisions (such as contracts for expert witnesses, certain financial advisors or technical consultants); or
  - c. If application of MBE/WBE provisions would impose an unwarranted economic burden or risk on the city or unduly delay acquisition of the goods or services, or would otherwise not be in the best interest of the city; or
  - d. If the possible MBE/WBE participation level based on MBE and WBE availability would produce negligible MBE or WBE participation.

If one of the above-listed conditions is determined to exist, the department director shall certify that determination to the director of the affirmative action division and specify the conditions which lead to the determination. This certification is to be made prior to award of the contract.

- (2) If the contract does not fall within one of the above-listed exceptions, based upon its overall review, the initiating department:

- ~~a. Shall~~ shall assign an appropriate MBE/WBE participation level, if any, for the contract (whether goal-oriented or regulated) considering the local availability of certified MBEs and WBEs in the contract field.

The intention of this article is to provide administrative flexibility in the application of MBE/WBE provisions and in the percentage participation level on a contract-by-contract

basis so as not to limit access to city contracting by nonminority and nonwomen owned businesses to a greater degree than necessary to meet the city-wide annual goal and the policies and objectives of this article.

(d) The bidding documents and the contract documents for goal-oriented contracts for which an MBE/WBE participation level has been established shall contain a provision detailing the purposes and objectives of the city's MBE/WBE ordinance and shall incorporate by reference this article and the then-current motion establishing MBE and WBE annual goals. Regulated contracts which are determined to have significant subcontracting potential for which an MBE/WBE participation level has been established shall contain contractual provisions (and proposal provisions if submitted for proposals or for bids) requiring the contractor to meet or exceed the determined MBE/WBE participation level for that contract, or to establish that it has made good-faith efforts to do so, and that notwithstanding such efforts, was unable to meet or exceed the determined participation levels. The directors of the finance and administration, building general services and public works and engineering departments will establish procedures defining good-faith efforts. These procedures will be reviewed and approved by the affirmative action division, the mayor and the city attorney.

\* \* \*

**Sec. 15-101. Definitions.**

(a) As used in this article, the following terms shall have the meanings ascribed to them in this section, unless the context of their usage clearly indicates another meaning:

*Administrative official* means the official designated by the director of building general services to oversee the administrative process of debarment.

*Contractor* means any person who contracts with or otherwise provides goods or services to the city for public works contracts, and includes subcontractors who by agreement provide any goods, materials, or services used in the performance of city public works contracts.

*Day* means a calendar day.

*Debarment* means action taken by the city council to exclude a person from acting as a city public works contractor for a specified period.

*Hearing official* means the person designated by the director of the department of building general services to conduct a debarment or reinstatement hearing and to make findings and recommendations to city council. The hearing official must not be a person who participated in the administration of the contract

giving rise to the debarment proceeding and shall not be the same person as the administrative official who investigated the referral. The hearing official may be a city employee, unless the contractor requests and makes security for the services of a private hearing official as provided in this article. The mayor shall, based upon recommendations from the administrative official and contractor organizations, develop and maintain a list of private hearing officials who will be designated by the director to conduct hearings under this article. Subject to their timely availability, the director shall assign private hearing officials in rotation from the list of persons appointed by the mayor.

*Public works contract* means any city contract or subcontract for the construction of public works, whether issued under the administrative oversight of the public works and engineering department, the aviation department, or the building general services department. The term includes contracts on competitive bids pursuant to chapter 252 of the Texas Local Government Code, but not contracts for professional services that are exempt from bidding under the Texas Professional Services Procurement Act.

*Wrongful conduct* means any of the types of conduct or offenses listed in section 15-103(1)--(4) of this Code.

**Sec. 32-203. Assistance by certain city departments.**

The directors of the departments of planning and development, finance and administration, public works and engineering, building general services and parks and recreation and their staffs shall provide requested assistance to the parks board. The city attorney and his staff shall provide legal services and representation to the parks board.

Excerpt from Sec. 33-211

(a) The creation of the Houston archaeological and historical commission is hereby reaffirmed. The HAHC shall consist of 11 members. Each member shall be a person who has knowledge and experience in the archaeological, architectural, cultural, social, economic, ethnic or political history of the city. The mayor shall assign a staff member to serve as a liaison between the HAHC and the mayor's office. The planning official shall serve as executive secretary to the HAHC. The archivist of the Houston public library system and the directors of building general services and public works and engineering shall serve as ex officio members of the HAHC, but shall not have a vote. When HAHC business requires the involvement of other departments, representatives of those departments shall attend meetings of the HAHC upon notice by the executive secretary. The HAHC shall elect its own chair and vice-chair.

Excerpt from Sec. 34-62

(a) The Adopt-A-Fire Station program is hereby created. The program shall be used to assist the city in its effort to maintain, refurbish, and renovate fire stations. The director of the ~~building~~ general services department and the fire chief shall jointly administer the program and shall promulgate rules and procedures for administering the program.

**City of Houston, Texas, Ordinance No. 2007-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO REDESIGNATING THE BUILDING SERVICES DEPARTMENT AS THE GENERAL SERVICES DEPARTMENT; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

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

**Section 1.** That the definition of the term *city engineer* in Subsection (a) of Section 1-2 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"*City engineer* shall mean the director of public works and engineering or the director or engineer designated by the director of the general services department and their designees, as applicable. The term primarily relates to employees of the public works and engineering and general services departments who are engaged in acquisition, design and construction of public works and related projects."

**Section 2.** That Item (22) of Section 2-52 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(22) Be responsible for materials management:

- a. Procure supplies, equipment, and services needed for use of the city in the manner provided by law.
- b. Coordinate planning of material requirements for all city departments.
- c. Plan for, implement and manage centralized distribution centers (stores).
- d. Develop and monitor implementation of citywide policies, regulations, procedures and standards for procurement, materials requirement planning, warehousing and distribution.
- e. Review and recommend procurement legislation.

Procurements relating to the construction, maintenance, furnishing and management of city buildings other than on aviation department property shall be coordinated with the general services department."

**Section 3.** That Section 2-279 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

**"Sec. 2-279. Certain functions to be performed by the general services and aviation departments.**

With the exception of real property acquisition and the disposition of surplus real property, which shall be handled concurrently by the department and the general services department, the planning, design, construction and management of city buildings shall be the responsibility of the general services and aviation departments, as provided in this Code."

**Section 4.** That Section 2-385 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

**"Sec. 2-385. Assistance by certain city departments.**

The directors of the departments of personnel, public works and engineering, planning and development, health and human services, general services and the mayor's office division of affirmative action and their staffs shall provide requested assistance to the commission. The city attorney and staff shall provide legal services and representation to the commission."

**Section 5.** That the title of Article XIII of Chapter 2 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

**"ARTICLE XIII. GENERAL SERVICES DEPARTMENT"**

**Section 6.** That Sections 2-431 and 2-432 of the Code of Ordinances, Houston, Texas, are hereby amended to read as follows:

**"Sec. 2-431. Department created.**

There is hereby created the general services department of the city.

**Sec. 2-432. Office of the director.**

There is hereby created the office of director of the general services department."

**Section 7.** That Section 2-434 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

**"Sec. 2-434. Functions.**

The department shall:

- (1) Be responsible for construction and remodeling of city buildings, including management and provision of in-house and contract services for design of projects, construction bidding, construction contract management, construction-related testing services and construction-related environmental services;
- (2) Perform facilities management services including review of requirements for space in city buildings, negotiations of city building space leases, whether the city is the lessor or the lessee, assignment of space in city buildings, development of office size and furnishing standards, management of furnishings installations and office moves and related services whether performed directly by the department or by contractors;
- (3) Acquire real property and dispose of surplus real property in coordination with the department of public works and engineering;
- (4) Manage and oversee energy programs for city buildings;
- (5) Manage the purchasing of natural gas, electricity, heated and chilled water and related utilities for use by the city;
- (6) Provide on-site building maintenance and operations services for buildings assigned to the department for that purpose, including janitorial, cleaning, building systems maintenance, minor repairs, carpentry and construction work and security operation and maintenance;

- (7) Manage and oversee fleet planning and operational standards;
- (8) Manage and oversee the procurement, delivery, and distribution of fuel;
- (9) Manage and oversee the capital improvement plan; and
- (10) Render assistance to other city departments upon request for buildings that may not be under the direct management of the department on issues relating to building management.

The foregoing duties and functions shall not extend to aviation department properties, unless so requested by the aviation department."

**Section 8.** That Section 2-437 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

**"Sec. 2-437. Transfer of duties.**

To the extent that any other reference in this Code or in any other ordinance of the city or any reference in any city contract or other document devolves duties upon the finance and administration department or the public works and engineering department or the directors or employees of those departments that have been reassigned to the general services department or director thereof under this article, then the reference shall be construed to mean the general services department or the director and employees thereof, as applicable."

**Section 9.** That Exhibit A to Rule 11, Division 11, entitled "Layoffs," of the Civil Service Rules for municipal employees, which appears following Section 14-145 in the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

*"EXHIBIT A*

*CITY DEPARTMENTS*

City Controller  
City Council  
City Secretary

Convention and Entertainment Facilities  
Finance and Administration  
Fire  
General Services  
Health and Human Services  
Housing and Community Development  
Houston Airport System  
Houston Public Library System  
Human Resources  
Information Technology  
Legal  
Mayor's Office--311  
Mayor's Office--Administration  
Mayor's Office--Affirmative Action  
Mayor's Office--Citizens' Assistance  
Mayor's Office--Houston Emergency Center  
Municipal Courts--Administration  
Municipal Courts--Judicial  
Parks and Recreation  
Planning and Development  
Police  
Public Works and Engineering  
Solid Waste Management"

**Section 10.** That Subsection (c) of Section 15-2 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(c) It shall be unlawful for the director of public works and engineering or the director of general services after any such bidder shall have been found guilty by the city council of such collusion or agreement prohibited by subsection (a) hereof, knowingly to deliver or to cause to be delivered to any such person any bidding sheets, plans or specifications for public

improvements to be constructed by the city. For a violation of this subsection, the director of public works and engineering and the director of general services shall be subject to removal from office by the mayor and city council."

**Section 11.** That Subsection (a) of Section 15-3 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(a) Bids shall be opened and read at a public meeting conducted by the city secretary, or an assistant city secretary, with the assistance of representatives of the department of finance and administration, the department of general services and the department of public works and engineering."

**Section 12.** That Section 15-46 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

**"Sec. 15-46. Return of bid bonds; rejection of bids.**

(a) Upon receipt by the city secretary of a tabulation of bids and a recommendation as to the award of a contract, the city secretary shall return to each bidder who has made a bid deposit the bond, cashier's check or certified check representing such deposit, except that the city secretary shall retain any such deposit made by the lowest and second lowest bidders, as shown by such tabulation. Any deposit so retained shall be returned at such time as a contract has been awarded and signed or at such time as the director of the public works and engineering department, the purchasing agent, the director of general services or the director of aviation, depending upon which initiated the contract, requests that it be returned pursuant to the authority granted in subsection (b) below or upon rejection of the bids by city council.

(b) The city council hereby delegates to the directors of public works and engineering, general services, and aviation departments and to the city purchasing agent authority on its behalf to reject all bids pursuant to section 252.043 of the Texas Local Government Code, and the authority to direct the city secretary to return all bid bonds on any project under the following circumstances:

- (1) All bids received exceed the department director's or purchasing agent's estimated costs, and the director or

purchasing agent determines that the bids appear to be excessive; or

- (2) The department director or purchasing agent determines that the project or purchase is no longer required; or
- (3) The department director or purchasing agent determines that the city's design or specifications for the project or bid should be revised and new bids should be taken.

The delegation created in this subsection is nonexclusive, and nothing herein shall be construed to preclude the city council from rejecting any or all bids received for any project or purchase."

**Section 13.** That Section 15-83 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

**"Sec. 15-83. Program elements.**

(a) Based upon a review of data submitted annually by affected city departments, the mayor's affirmative action division shall each year submit a progress report to the city council. The report shall include three percentage figures that are intended to as closely as possible represent the ratio of the prior year's measured utilization and capacities of local MBEs and WBEs to do business in:

- (1) The supply of goods and nonpersonal or nonprofessional services;
- (2) The performance of personal or professional services; and
- (3) Construction;

to the prior year's total local business community utilization and capacity to do business in each of the three-named fields of city contracting.

(b) Based upon the measured utilization and capacities identified in subsection (a) above, city council shall from time to time set annual city-wide percentage goals for city contracting with MBEs and WBEs in each of the three named categories described in subsection (a) above. The adjustment, if any, in the percentage goals shall be made during the first quarter of the fiscal year.

(c) It is the responsibility of each city department to determine which contracts initiated by it are goal-oriented contracts and which are regulated contracts. If the determination is made that a contract is a goal-oriented contract or a regulated contract, the initiating department shall review the contract and shall determine, by reference to the MBE/WBE register, the number of certified MBEs and WBEs which have represented to the city that they are in the business of performing all or some of the required contract services. The initiating department director or his or her designee shall determine whether the contract is one to which MBE/WBE provisions should be applied.

- (1) These provisions are not required to be applied in the following circumstances:
  - a. A public or administrative emergency exists which requires the goods or services to be provided with unusual immediacy;
  - b. The service or goods requested are of such a specialized, technical or unique nature as to require the city department to be able to select its contractor without application of MBE/WBE provisions (such as contracts for expert witnesses, certain financial advisors or technical consultants); or
  - c. If application of MBE/WBE provisions would impose an unwarranted economic burden or risk on the city or unduly delay acquisition of the goods or services, or would otherwise not be in the best interest of the city; or
  - d. If the possible MBE/WBE participation level based on MBE and WBE availability would produce negligible MBE or WBE participation.

If one of the above-listed conditions is determined to exist, the department director shall certify that determination to the director of the affirmative action division and specify the conditions which lead to the determination. This certification is to be made prior to award of the contract.

- (2) If the contract does not fall within one of the above-listed exceptions, based upon its overall review, the initiating department shall assign an appropriate MBE/WBE participation level, if any, for the contract (whether goal-

oriented or regulated) considering the local availability of certified MBEs and WBEs in the contract field.

The intention of this article is to provide administrative flexibility in the application of MBE/WBE provisions and in the percentage participation level on a contract-by-contract basis so as not to limit access to city contracting by nonminority and nonwomen owned businesses to a greater degree than necessary to meet the city-wide annual goal and the policies and objectives of this article.

(d) The bidding documents and the contract documents for goal-oriented contracts for which an MBE/WBE participation level has been established shall contain a provision detailing the purposes and objectives of the city's MBE/WBE ordinance and shall incorporate by reference this article and the then-current motion establishing MBE and WBE annual goals. Regulated contracts which are determined to have significant subcontracting potential for which an MBE/WBE participation level has been established shall contain contractual provisions (and proposal provisions if submitted for proposals or for bids) requiring the contractor to meet or exceed the determined MBE/WBE participation level for that contract, or to establish that it has made good-faith efforts to do so, and that notwithstanding such efforts, was unable to meet or exceed the determined participation levels. The directors of the finance and administration, general services and public works and engineering departments will establish procedures defining good-faith efforts. These procedures will be reviewed and approved by the affirmative action division, the mayor and the city attorney."

**Section 14.** That Section 15-101 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

**"Sec. 15-101. Definitions.**

As used in this article, the following terms shall have the meanings ascribed to them in this section, unless the context of their usage clearly indicates another meaning:

*Administrative official* means the official designated by the director of general services to oversee the administrative process of debarment.

*Contractor* means any person who contracts with or otherwise provides goods or services to the city for public works contracts, and includes subcontractors who by agreement provide any goods,

materials, or services used in the performance of city public works contracts.

*Day* means a calendar day.

*Debarment* means action taken by the city council to exclude a person from acting as a city public works contractor for a specified period.

*Hearing official* means the person designated by the director of the department of general services to conduct a debarment or reinstatement hearing and to make findings and recommendations to city council. The hearing official must not be a person who participated in the administration of the contract giving rise to the debarment proceeding and shall not be the same person as the administrative official who investigated the referral. The hearing official may be a city employee, unless the contractor requests and makes security for the services of a private hearing official as provided in this article. The mayor shall, based upon recommendations from the administrative official and contractor organizations, develop and maintain a list of private hearing officials who will be designated by the director to conduct hearings under this article. Subject to their timely availability, the director shall assign private hearing officials in rotation from the list of persons appointed by the mayor.

*Public works contract* means any city contract or subcontract for the construction of public works, whether issued under the administrative oversight of the public works and engineering department, the aviation department, or the general services department. The term includes contracts on competitive bids pursuant to chapter 252 of the Texas Local Government Code, but not contracts for professional services that are exempt from bidding under the Texas Professional Services Procurement Act.

*Wrongful conduct* means any of the types of conduct or offenses listed in section 15-103(1)--(4) of this Code."

**Section 15.** That Section 32-203 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

**"Sec. 32-203. Assistance by certain city departments.**

The directors of the departments of planning and development, finance and administration, public works and engineering, general services and parks and recreation and their staffs shall provide requested assistance to the parks board. The city attorney and his staff shall provide legal services and representation to the parks board."

**Section 16.** That Subsection (a) of Section 33-211 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(a) The creation of the Houston archaeological and historical commission is hereby reaffirmed. The HAHC shall consist of 11 members. Each member shall be a person who has knowledge and experience in the archaeological, architectural, cultural, social, economic, ethnic or political history of the city. The mayor shall assign a staff member to serve as a liaison between the HAHC and the mayor's office. The planning official shall serve as executive secretary to the HAHC. The archivist of the Houston public library system and the directors of general services and public works and engineering shall serve as ex officio members of the HAHC, but shall not have a vote. When HAHC business requires the involvement of other departments, representatives of those departments shall attend meetings of the HAHC upon notice by the executive secretary. The HAHC shall elect its own chair and vice-chair."

**Section 17.** That Subsection (a) of Section 34-62 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(a) The Adopt-A-Fire Station program is hereby created. The program shall be used to assist the city in its effort to maintain, refurbish, and renovate fire stations. The director of the general services department and the fire chief shall jointly administer the program and shall promulgate rules and procedures for administering the program."

**Section 18.** 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 application 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 19.** 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 such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2007.

**APPROVED** this \_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Mayor of the City of Houston

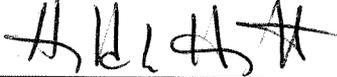
Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is \_\_\_\_\_.

\_\_\_\_\_  
City Secretary

Prepared by Legal Dept. *Furuvilla Danner* *JH*  
KO:asw 06/14/2007 Assistant City Attorney  
Requested by Issa Z. Dadoush, P.E., Director, Building Services Department  
L.D. File No. 0330700026001

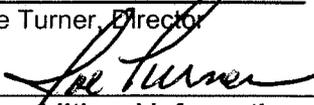
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<b>SUBJECT:</b> Approve contract with Grote Consulting for employee relations training		<b>Category #</b> 9	<b>Page 1 of</b> 28	<b>Agenda Item #</b> 33
<b>FROM (Department or other point of origin):</b> Human Resources		<b>Origination Date</b> 6/29/07	<b>Agenda Date</b> JUL 11 2007 <del>JUL 03 2007</del>	
<b>DIRECTOR'S SIGNATURE:</b> <i>MB C. Clarke</i>		<b>Council District affected:</b> All		
<b>For additional information contact:</b> Candy Clarke Aldridge Phone: (713) 837-9333		<b>Date and identification of prior authorizing Council action:</b> Council Motion 12/09/99		
<b>RECOMMENDATION: (Summary)</b> Approve a contract with Grote Consulting Corporation to train and certify trainers and to acquire the rights to use the Grote intellectual property in training and implementing a Discipline Without Punishment policy within city departments.				
<b>Amount of Funding:</b> Maximum contract amount \$73,500 (initial allocation \$63,400)			<b>F &amp; A Budget:</b> <i>Mitchell Mitchell</i>	
<b>SOURCE OF FUNDING:</b> <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input checked="" type="checkbox"/> Enterprise Fund				
<b>Water and Sewer System Operating Fund (8300) (Costs to be recovered from other departments on a per capita basis)</b>				
<b>SPECIFIC EXPLANATION:</b> On November 15, 2006, Mayor White issued Executive Order 3-7 encouraging Department Directors to develop positive discipline programs for their organizations based on the Discipline Without Punishment program. This program, developed by Dick Grote, is a performance management program that seeks to create employee commitment for improved performance while eliminating the reliance on some punitive discipline actions. It is founded on the use of a positive and corrective coaching process to guide employees in personal performance choices. Positive discipline offers tools for managers to communicate needed corrective measures in a personal, respectful and non-threatening atmosphere.  This contract provides for certification by Mr. Grote of up to 20 trainers who will then be able to train city employees and departments on this program. The certification will be accomplished in a four day Train the Trainer Program. In addition the city acquires a royalty-free, nonexclusive and irrevocable license to use, modify, reproduce, and derive all the training materials provided. Mr. Grote will also conduct a policies and procedure review class that will provide updates on the state of practice of this program in other organizations and will provide lessons learned and guidance on developing a policy of Discipline Without Punishment. The contract also provides for future additional services by Mr. Grote as requested by the Human Resources Director to be paid under the hourly rate.  Two city departments have previously contracted with Mr. Grote for this training (HAS in 2000 and PWE in 2002) and have implemented versions of this program. This training will also provide refresher training for designated trainers from these two departments.  The cost of this program will be shared among all departments.				
<b>REQUIRED AUTHORIZATION</b>				<b>NOT</b>
<b>F &amp; A Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

<b>SUBJECT:</b> Application for the Marshal Area Response Service II (M.A.R.S. II)		<b>Category</b> # 1	<b>Page</b> 1 of 1	<b>Agenda Item</b> 29 <del>33</del>
<b>FROM: (Department or other point of origin):</b> Houston Police Department		<b>Origination Date</b> June 22, 2007		<b>Agenda Date</b> JUL 03 2007
<b>DIRECTOR'S SIGNATURE:</b> Harold L. Hurtt, Chief of Police 		<b>Council Districts affected:</b> All JUL 11 2007		
<b>For additional information contact:</b> Joseph A. Fenninger Deputy Director 7(13) 308-1700		<b>Date and identification of prior authorizing Council Action:</b>		
<b>RECOMMENDATION: (Summary)</b> Recommend Ordinance approving the Marshal Area Response Service II (M.A.R.S. II) grant application and authorizing the Chief of Police to accept all funding.				
<b>Amount of Funding:</b>		<b>Bureau of Justice Assistance</b> \$733,720.00		<b>F &amp; A Budget:</b> 
<b>SOURCE OF FUNDING:</b> <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)				
<b>SPECIFIC EXPLANATION:</b>  <p style="text-align: center;"><b><u>Marshal Area Response Service II (M.A.R.S. II)</u></b></p> <p>Council approval is requested for the Houston Police Department to apply for the Marshal Area Response Service II (M.A.R.S. II) through the Bureau of Justice Assistance. Grant funds will be used to pay overtime salaries for two sergeants and ten officers.</p> <p>This grant will expand the current M.A.R.S. II program, which is designed to reduce crime and disorder, while simultaneously reducing citizen fear and gaining public support. This program targets all areas of the city by saturating streets in known hot spots with traffic, and both state and local warrant enforcement units. These units work with the U.S. Marshal Service to target wanted suspects for violent crimes in the targeted areas and officers to target densely populated neighborhoods that are plagued by crime and disorder. <b>This grant does not require hiring of personnel or a cash match.</b></p>				
cc: Arturo Michel, City Attorney Marty Stein, Agenda Director Anna Russell, City Secretary				
<b>F&amp;A Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

**REQUEST FOR COUNCIL ACTION**

R

<b>To:</b> Mayor via City Secretary			
<b>Subject:</b> Establishment of an online registration and fee collection system for adult sports for the Houston Parks and Recreation Department		<b>Category #</b>	<b>Page</b> 1 of 1 <b>Agenda Item</b> <span style="border: 1px solid black; padding: 2px;">3035</span>
<b>FROM (Department or other point of origin):</b> Houston Parks and Recreation Department		<b>Origination Date:</b> June 28, 2007	<b>Agenda Date</b> JUL 11 2007 <del>JUL 09 2007</del>
<b>DIRECTOR'S SIGNATURE:</b> Joe Turner, Director 		<b>Council District(s) affected:</b> All	
<b>For additional information contact:</b>	Doug Earle, 713-845-8075 Dan Pederson, 713-845-1248	<b>Date and Identification of prior authorizing Council Action:</b>	
<b>RECOMMENDATION: (Summary):</b>  Approve a contract for the establishment of online registration and fee collection host-site services and training for the Houston Parks and Recreation Department with The Active Network, Inc.			
<b>Amount of Funding:</b> \$24,500 General Fund 1000 (plus a percentage of fee revenue)		<b>F&amp;A Budget:</b>	
<b>SPECIFIC EXPLANATION:</b>  For modernization and efficiency purposes, the Houston Parks and Recreation Department (HPARD) would like to establish and online registration system for team play for adult sports. Three responses were received and The Active Network was the only vendor to meet HPARD's required specifications. The other two vendors, Aporia Solutions and C9R, did not meet specifications or did not respond to requests for further information.  The Active Network, Inc. will provide the following:  <ul style="list-style-type: none"> <li>• Set-up of online host site for activity registration and payment processing</li> <li>• Train HPARD staff in the use and multi-application capabilities of the registration program</li> <li>• Program the system for payment of registration fees by use of credit card</li> <li>• Provide retrieval and reporting capabilities for revenue and fee service accountability</li> </ul> Houston Parks and Recreation Department (HPARD) is responsible for the registration and scheduling of team play for adult sports activity for City sports fields. With a growing population, increased competition, demand for accuracy, and the need for time savings and convenience in paying required fees, HPARD recognizes the importance of modernizing its current registration process with an online system. The online registration system will allow 24/7 availability for registration. This proposed system will allow HPARD to create and maintain a modernized system that will expedite processing of registration, which will increase participation in leagues and teams  The vendor will collect customer registration fees though its website, retain its fee of 3.5% and deposit the balance in the City account. Vendor will charge \$5.00 per team reservation to be deducted from fees paid by customers in an estimated amount of \$7,000 per year (based on current 1,400 teams at \$5.00 each).  The Quality of Life Committee reviewed this item and voted it for full council consideration on June 28, 2007.			
<b>REQUIRED AUTHORIZATION</b>			
<b>F&amp;A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>	

<b>SUBJECT:</b> Developer Participation Contract between City of Houston and Builders Community Development Corporation for the construction of water, sanitary sewer and storm sewer lines. S-000800-00K8-4/ R-000800-00K8-4/ M-000800-00K8-4	Page 1 of 2	Agenda Item # <div style="border: 1px solid black; padding: 5px; display: inline-block; text-align: center;">                     31 <del>37</del> </div>
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<b>FROM: (Department or other point of origin)</b> Department of Public Works & Engineering	<b>Origination Date:</b> 5/31/07	<b>Agenda Date:</b> JUL 11 2007 <del>JUL 03 2007</del>
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<b>Director's Signature:</b>  Michael S. Marcotte, P.E. DEE	<b>Council District affected:</b> B
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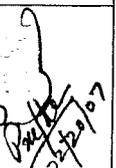
<b>For additional information contact:</b> Jun Chang, P.E.  (713) 837-0433	<b>Date and identification of prior authorizing Council action:</b>
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**Recommendation: (Summary)**

Approve a Developer Participation Contract between the City and Builders Community Development Corporation and appropriate funds.

**Amount & Source of Funding:**

\$233,223.37	Water & Sewer System Cons. Const. Fund No. 8500
<u>\$300,000.00</u>	Drainage Improvement CPaper Series F Fund No. 4030
\$533,223.37	Total Appropriation



**Specific Explanation:**

Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences.

Builders Community Development Corporation proposes to construct approximately 3,466 linear feet of water line, 605 linear feet of sanitary sewer line and 2,573 linear feet of storm sewer line to serve the 100-lot subdivision, Leland Woods - Section 2. The maximum amounts to be reimbursed are as follows:

**REQUIRED AUTHORIZATION:** 20JZC118

<b>F&amp;A Budget:</b> 	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning & Development Services
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Water

70% of construction cost (including interest & 5% contingency):	\$113,210.07
design cost:	<u>\$20,661.60</u>
total:	\$133,871.67

Wastewater

70% of construction cost(including interest & 5% contingency):	\$84,017.87
design cost:	<u>\$15,333.83</u>
total:	\$99,351.70

Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	\$255,000.00
design cost:	<u>\$ 45,000.00</u>
total:	\$300,000.00

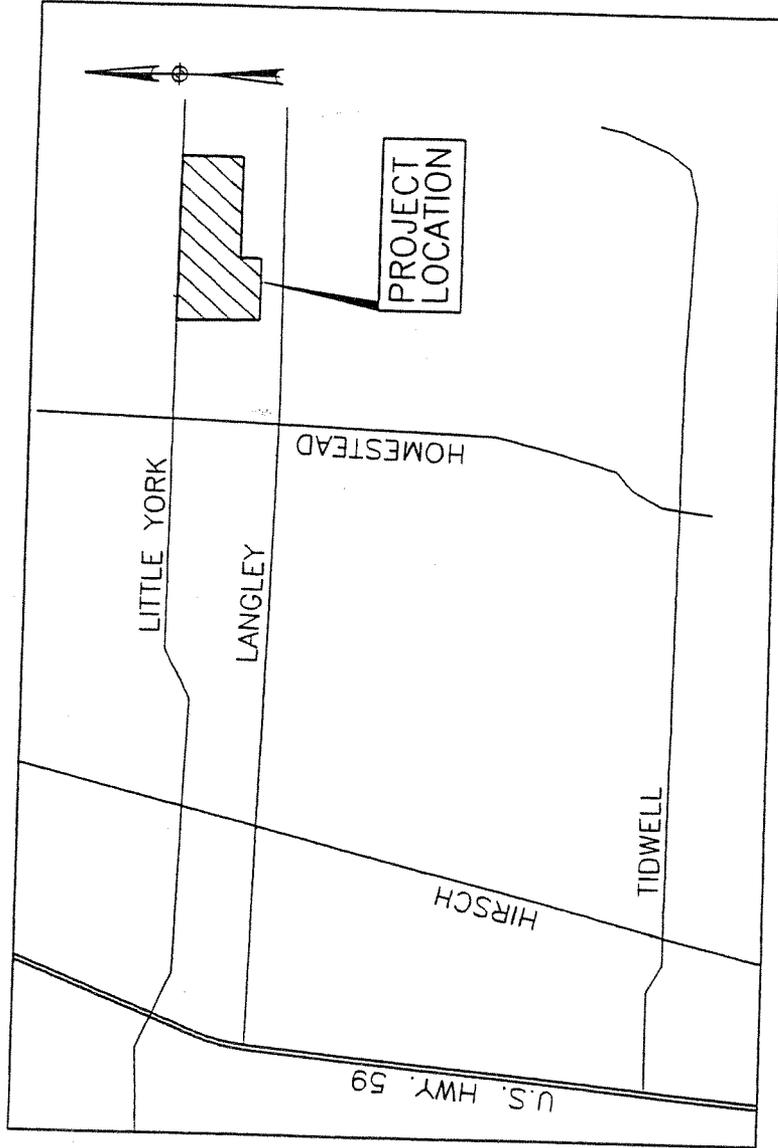
Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

c: Marty Stein  
Craig Foster  
John Sakolosky

Builders Community Development Corporation

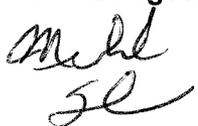
Leeland Woods Section 2



VICINITY MAP

N.T.S.

KEY MAP NO. 415 S

<b>SUBJECT:</b> Developer Participation Contract between City of Houston and Inwood Montgomery, L.P., for the construction of water, sanitary sewer and storm sewer lines. S-000800-00M7-4/ R-000800-00M7-4/ M-000800-00M7-4		Page 1 of 2	Agenda Item # <div style="border: 1px solid black; padding: 5px; display: inline-block;">                     32 <del>38</del> </div>						
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 5/31/07	<b>Agenda Date</b> <del>JUL 03 2007</del> JUL 11 2007						
<b>Director Signature:</b> Michael S. Marcotte, P.E., DEE, Director 		<b>Council District affected:</b> B							
<b>For additional information contact:</b> Jun Chang, P.E. <sup>dc</sup> Phone: (713) 837-0433		<b>Date and identification of prior authorizing Council action:</b>							
<b>Recommendation: (Summary)</b> Approve a Developer Participation Contract between City of Houston and Inwood Montgomery, L.P., for the City to pay 70% of the cost to construct approximately 3,521 linear feet of water line, 3,490 linear feet of sanitary sewer line and 100% of the cost to construct 2,436 linear feet of storm sewer line to serve the 126-lot subdivision, Inwood Park, and appropriate funds.									
<b>Amount &amp; Source of Funding:</b> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">\$358,276.18</td> <td>Water &amp; Sewer System Consolidated Construction Fund No. 8500</td> </tr> <tr> <td>\$378,000.00</td> <td>Homeless &amp; Housing Consolidated Fund 4501</td> </tr> <tr> <td>\$736,276.18</td> <td>Total Appropriation</td> </tr> </table>				\$358,276.18	Water & Sewer System Consolidated Construction Fund No. 8500	\$378,000.00	Homeless & Housing Consolidated Fund 4501	\$736,276.18	Total Appropriation
\$358,276.18	Water & Sewer System Consolidated Construction Fund No. 8500								
\$378,000.00	Homeless & Housing Consolidated Fund 4501								
\$736,276.18	Total Appropriation								
<b>Specific Explanation:</b> Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences.  Inwood Montgomery, L.P., proposes to construct approximately 3,521 linear feet of water line, 3,490 linear feet of sanitary sewer line and 2,436 linear feet of storm sewer line to serve the 126-lot subdivision, Inwood Park. The maximum amounts to be reimbursed are as follows:									
<b>Required Authorization:</b>		CUIC# 20JZC172							
<b>F &amp; A Budget:</b> 	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning & Development Services							

<b>Date:</b>	<b>Subject:</b> Developer Participation Contract between City of Houston and Inwood Montgomery, L.P., for the construction of water, sanitary sewer and storm sewer lines.	<b>Originator's Initials</b>	<b>Page</b> 2 of 2
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Water

70% of construction cost (including interest & 5% contingency):	\$78,249.71
design cost:	<u>\$14,440.55</u>
total:	\$92,690.26

Wastewater

70% of construction cost (including interest & 5% contingency):	\$224,209.32
design cost:	<u>\$41,376.60</u>
total:	\$265,585.92

Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	\$321,300.00
design cost:	<u>\$56,700.00</u>
total:	\$378,000.00

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

c: Marty Stein  
 Craig Foster  
 John Sakolosky



<b>SUBJECT:</b> Appropriate Additional Funds Williams & Thomas, LP dba Jamail Construction and RHJ-JOC, Inc. Job Order Contracts WBS D-000108-0002-4, R-000267-00E4-4, E-000JOC-0001-4 WBS F-000585-0002-4, N-000649-0001-4	Page 1 of 1	Agenda Item <div style="border: 2px solid black; padding: 5px; display: inline-block;">                     33 <del>40</del> </div>
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<b>FROM (Department or other point of origin):</b> Building Services Department	<b>Origination Date</b> 6.19.07	<b>Agenda Date</b> <del>JUL 08 2007</del> JUL 11 2007
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. 	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 713-247-1814	<b>Date and identification of prior authorizing council action:</b> Ordinance 2007-0167; February 7, 2007
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**RECOMMENDATION:** Appropriate additional funds for the project.

<b>Amount and Source of Funding for both contracts:</b> \$ 600,000.00 – Public Library Consolidated Construction Fund (4507) \$ 812,000.00 – General Improvements Consolidated Construction Fund (4509) \$ 205,000.00 – Street & Bridge Consolidated Construction Fund (4506) \$ 85,000.00 – Parks Consolidated Construction Fund (4502) \$ 154,400.00 – PWE-W & S System Consolidated Construction Fund (8500) <b>\$ 1,856,400.00 – Total</b>  <b>Previous Funding for both contracts:</b> \$ 300,000.00 – Public Health Consolidated Construction Fund (4508) \$ 200,000.00 – General Improvements Consolidated Construction Fund (4509) \$ 150,000.00 – Solid Waste Consolidated Construction Fund (4503) <b>\$ 650,000.00 – Total</b>	<b>F&amp;A Budget:</b> 
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**SPECIFIC EXPLANATION:** The Building Services Department recommends that City Council appropriate an additional amount of \$1,856,400.00 to the Job Order Contracts with Williams & Thomas, LP dba Jamail Construction and RHJ-JOC, Inc. for construction services for the Houston Public Library, General Government, Parks and Recreation, and Public Works and Engineering Departments. The appropriation for each contract is \$928,200.00. Periodically, as departments identify projects and specific funding for each project, Council will be asked to appropriate additional funds to these contracts.

**PROJECT LOCATION:** Citywide

**PROJECT DESCRIPTION:** The scope of work consists of minor construction, repairs, rehabilitations, or alterations of various facilities.

**PREVIOUS HISTORY AND PROJECT SCOPE:** On February 7, 2007, City Council awarded a five-year Job Order Contract to Williams & Thomas, LP dba Jamail Construction and RHJ-JOC, Inc., and appropriated \$650,000 for both contracts. The maximum contract amount for each is \$10,000,000.

**M/WBE INFORMATION:** Each contract has a M/WBE goal of 15% and a SBE goal of 5%. Due to the contracts' recent inception the contractors have not reported M/WBE utilizations and no payments have been made on the contract.

IZD:JLN:RAV:SC:ps

c: Marty Stein, Velma Laws, Jacquelyn Nisby, Jeff Taylor, Jason Iken, Russell Clark, Josie Sun, Jim Boxley, James Tillman

REQUIRED AUTHORIZATION				CUIC #25RAV150
<b>Building Services Dept:</b>  Wendy Teas Heger, AIA Chief of Design & Construction	<b>Other Authorization:</b>  Rhea Brown Lawson, Ph.D. Director Houston Public Library	<b>Other Authorization:</b>  Joe Turner Director Parks and Recreation Dept.	<b>Other Authorization:</b> <span style="float: right;">NOT</span>  Michael Marcotte, P.E. D.E.E. Director <span style="float: right;">IT DWK</span> Public Works & Engineering Dept.	

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7367

Subject: Formal Bids Received for Handling and Disposal of Hazardous Materials for Various Departments S28-L22079

Category # 4

Page 1 of 2 Agenda Item

34-13

FROM (Department or other point of origin):

Calvin D. Wells  
City Purchasing Agent  
Finance and Administration Department

Origination Date

June 28, 2007

Agenda Date

JUL 11 2007  
~~JUL 03 2007~~

DIRECTOR'S SIGNATURE

*Calvin D. Wells*

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 an ordinance awarding a contract to Eagle Construction & Environmental Services, L.P. on its low bid in an amount not to exceed \$2,127,490.45 for handling and disposal of hazardous materials for various departments.

Estimated Spending Authority: \$2,127,490.45

F & A Budget

- \$ 419,842.82 - General Fund (1000)
- \$ 20,000.00 - Fleet Management Fund (1005)
- \$ 850,000.00 - Storm Water Fund (2302)
- \$ 410,647.63 - HAS Revenue Fund (8001)
- \$ 120,000.00 - Water & Sewer System Operating Fund (8300)
- \$ 175,000.00 - Street & Bridge Consolidated Fund (4506)
- \$ 132,000.00 - Water & Sewer System Consolidated Fund (8500)
- \$2,127,490.45 - Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to extend, for a total five-year term, to Eagle Construction & Environmental Services, L.P. on its low bid in an amount not to exceed \$2,127,490.45 for handling and disposal of hazardous materials for various departments. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor. Under this contract, the contractor shall be required to contain, gather and dispose of hazardous materials citywide when requested.

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

<u>Company</u>	<u>Total Amount</u>
1. Eagle Construction & Environmental Services, L.P.	\$2,127,490.45
2. SET Environmental, Inc.	\$3,459,199.72
3. Oil Mop, LLC	\$3,661,994.00
4. Milstead Environmental	\$5,612,691.45

- Due to the disparity between the bids, Strategic Purchasing contacted Eagle Construction & Environmental Services, L.P. and asked the president to re-review the published scope of work and confirm in writing that its bid price included all cost associated with providing the various services specified. The president of Eagle Construction & Environmental Services, L.P. subsequently confirmed

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

Date: 6/28/2007	Subject: Formal Bids Received for Handling and Disposal of Hazardous Materials for Various Departments S28-L22079	Originator's Initials DP	Page 2 of 2
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in writing that its bid price included all costs associated with providing the specified services. Eagle Construction & Environmental Services, L.P. has held the contract for handling and disposal of hazardous materials for the past nine years, and has done a satisfactory job. Therefore, Strategic Purchasing is confident that the recommended contractor will provide the services specified in the published scope of work for the price bid.

The scope of work requires the contractor to provide all labor, supervision, materials, tools, and transportation necessary to contain spills; screen, remove and dispose of contaminated soils, asbestos and lead materials, drums, barrels, transformers or other containers; and all other services required in accordance with all applicable local, State and Federal laws and regulations pertaining to solid and liquid hazardous waste handling, transportation, storage and disposal.

**M/WBE Subcontracting:**

This bid was advertised as a goal-oriented contract with an 11% M/WBE participation level. Eagle Construction & Environmental Services, L.P. has designated the below-named companies as its certified M/WBE subcontractors:

<u>Name</u>	<u>Type of Work</u>	<u>Amount</u>	<u>Percentage</u>
A & B Environmental Services, Inc., dba A & B Labs	Lab Testing	\$117,011.97	5.5%
Pulido Trucking, L.P.	Trucking	\$117,011.97	5.5%

The Affirmative Action Division will monitor this contract.

Buyer: David Petersen

<b>Estimated Spending Authority</b>			
<b>DEPARTMENT</b>	<b>FY 2008</b>	<b>OUT YEARS</b>	<b>TOTAL</b>
Public Works & Engineering	\$289,400.00	\$1,157,600.00	\$1,447,000.00
Houston Police	\$ 5,000.00	\$ 16,842.82	\$ 21,842.82
Houston Fire	\$ 28,417.00	\$ 126,583.00	\$ 155,000.00
Parks & Recreation	\$ 13,500.00	\$ 79,500.00	\$ 93,000.00
Houston Airport System	\$ 70,000.00	\$ 340,647.63	\$ 410,647.63
<b>Grand Total</b>	<b>\$406,317.00</b>	<b>\$1,721,173.45</b>	<b>\$2,127,490.45</b>