

**AGENDA - COUNCIL MEETING - TUESDAY - DECEMBER 16, 2008 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

**PRAYER AND PLEDGE OF ALLEGIANCE** - Council Member Jones

**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 - DECEMBER 17, 2008 - 9:00 A. M.**

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

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 1 through 51**

**MISCELLANEOUS** - NUMBERS 1 through 3

1. RECOMMENDATION from Director General Services Department for the designation of a residential parking permit area in the Super Neighborhood of University Place and the Greater Third Ward - **DISTRICTS C - CLUTTERBUCK and D - ADAMS**
2. RECOMMENDATION from Director Health & Human Services for approval of Revised Laboratory Fee Schedule to be utilized in the City of Houston Department of Health & Human Services Laboratories
  - a. ORDINANCE **AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Laboratory Fees; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability

**AGENDA - DECEMBER 17, 2008 - PAGE 2**

**MISCELLANEOUS** - continued

3. RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$141,683.81 to the **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** for 2009 Water System Fees - Enterprise Fund

**DAMAGES** - NUMBER 4

4. RECOMMENDATION from City Attorney for settlement of lawsuit styled **JOYCE YANDELL, REBECCA MACHORO, and KATHY HENDLEY, individually and as Heirs and Representatives of the Estate of Kenneth Yandell, Deceased** v. Frederick Moore, City of Houston, et al; in the 281st District Court, Harris County - \$70,650.00 - Property and Casualty Fund

**ACCEPT WORK** - NUMBERS 5 and 6

5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$952,345.41 and acceptance of work on contract with **MOMENTUM CONTRACTORS, INC** for Haden Park, Scenic Woods Park, Freshmeadow Park and Agnes Moffit Park - 4.18% over the original contract amount - **DISTRICTS A - LAWRENCE and B - JOHNSON**
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,290,636.14 and acceptance of work on contract with **CONRAD CONSTRUCTION CO., INC** for Buffalo Speedway: W. Orem to W. Airport - 2.27% over the original contract amount - **DISTRICT D - ADAMS**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 7 through 17

7. **NWN CORPORATION** for Cisco Smartnet Maintenance Agreement through the City's Master Agreement with the Texas Department of Information Resources for the Houston Airport System \$115,342.80 - Enterprise Fund
8. ORDINANCE appropriating \$2,198,870.00 out of C & E Construction Fund for Roof Restoration Services at the George R. Brown Convention Center for the Convention & Entertainment Facilities Department
  - a. **DESIGN-BUILD SOLUTIONS, INC** for Roof Restoration Services for the George R. Brown Convention Center from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Convention & Entertainment Facilities Department
9. ORDINANCE appropriating \$571,434.25 out of Equipment Acquisition Consolidated Fund for Purchase of Capital Equipment for Houston Fire Department
  - a. **MOTOROLA, INC** for Mobile Data Computers through the Interlocal Agreement with Houston-Galveston Area Council for Houston Fire Department - \$401,513.70
10. ORDINANCE appropriating \$418,819.00 out of Equipment Acquisition Consolidated Fund for Purchase of NetMotion Wireless Mobility Software for Information Technology Department
  - a. **INSIGHT PUBLIC SECTOR, INC** for NetMotion Software from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program under Section 211 of the Government Act of 2002 for Information Technology Department - \$410,569.00

**PURCHASING AND TABULATION OF BIDS** - continued

11. **INTERCOMP COMPANY** for Portable Scales and Associated Equipment from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Houston Police Department - \$335,546.11 - Digital Automated Red Light Enforcement Program Fund (DARLEP)
12. **MD HELICOPTERS, INC** for MD Helicopter Professional Training Services for the Police Department - \$61,000.00 - Police Special Services Fund
13. **ALTIVIA CORPORATION** for Chemical, Liquid Gaseous Chlorine for Department of Public Works & Engineering - \$5,320,200.00 - Enterprise Fund
14. **ALSTOM POWER, INC, AIR PREHEATER COMPANY, RAYMOND OPERATIONS** for Cage Mill Flash Dryer Replacement Parts for Department of Public Works & Engineering - \$545,000.00 Enterprise Fund
15. **HOUSTON FREIGHTLINER, INC** - \$1,723,853.00, **DUNCAN FREIGHTLINER, L.P.** - \$528,200.00, **SANTEX TRUCK CENTER, LTD** - \$378,300.00, **McNEILUS FINANCIAL d/b/a McNEILUS TRUCK AND MANUFACTURING, INC** - \$1,086,755.00, **CHASTANG'S BAYOU CITY FORD** - \$255,612.00 and **TEXAN WASTE EQUIPMENT, INC d/b/a HEIL OF TEXAS** - \$590,634.00 for Cabs & Chassis and Refuse Bodies through the Interlocal Agreements for Cooperative Purchasing with BuyBoard and Houston-Galveston Area Council for the Solid Waste Management Department - Equipment Acquisition Consolidated and Reimbursement of Equipment/Projects Funds
16. **TURTLE AND HUGHES, INC** for Miscellaneous Wire and Cable for Various Departments \$881,548.20 - General, Enterprise and In-House Renovation Revolving Funds
17. **BKW ENVIRONMENTAL SERVICES** - \$2,381,754.29 and **LIGHTLE ENTERPRISES OF OHIO, LLC** - \$255,852.00 for Traffic Safety Devices for Various Departments - \$2,657,606.29 minus a commission fee for Internet-based reverse auction services under contract with the Texas Procurement Center, LLC, for a net award amount not to exceed \$2,637,606.29 - General and Enterprise Funds

**ORDINANCES** - NUMBERS 18 through 51

18. **ORDINANCE AMENDING ARTICLE XI OF CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to transportation of certain liquid wastes; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability
19. **ORDINANCE** finding and determining that public convenience and necessity no longer require the continued use of Bartlett Street, extending from Montrose Boulevard to Roseland Street; Parcel SY6-010; vacating and abandoning said parcel to the Museum of Fine Arts, Houston, the abutting owner, in consideration of its conveyance to the City of a 20-foot-wide storm sewer easement; Parcel LY6-011; and its payment of \$409,500.00 and other consideration to the City; the abandonment parcel and the conveyance parcel both being out of the N. P. Turner Addition, in the Obedience Smith Survey, A-696, Houston, Harris County, Texas - **DISTRICT C - CLUTTERBUCK**

**ORDINANCES** - continued

20. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of two 20-foot-wide drainage easements, an 80-foot-wide utility and a street right-of-way easement (Parcels SY8-005A, SY8-005B and SY8-005C), containing an aggregate of 3.6051 acres of land, more or less, vacating and abandoning said tracts to KDC Houston Industrial One, LLC, abutting owner, in consideration of owner's conveyance to the City of a 100-foot-wide utility easement (Parcel VY8-051), containing 3.6692 acres of land, more or less; all located in the August Whitlock Survey, A-798, and Luke Hemenway Survey, A-800 and A-802, Houston, Harris County, Texas, and owner's payment to the City of \$133,003.00 - **DISTRICT E - SULLIVAN**
21. ORDINANCE releasing certain territory in **WALLER COUNTY** in the vicinity of the City of Katy, Texas, from the extraterritorial jurisdiction of the City of Houston
22. ORDINANCE releasing certain territory in **HARRIS COUNTY** in the vicinity of the City of Tomball, Texas, from the extraterritorial jurisdiction of the City of Houston
23. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 514**
24. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 515**
25. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 516**
26. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 517**
27. ORDINANCE consenting to the creation of **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 160**
28. ORDINANCE consenting to the addition of 245.432 acres of land to **HARRIS-MONTGOMERY COUNTIES MUNICIPAL UTILITY DISTRICT NO. 386**, for inclusion in its district
29. ORDINANCE consenting to the addition of 17.4477 acres of land to **MONTGOMERY COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1**, for inclusion in its district
30. ORDINANCE providing for an Ad Valorem Tax Exemption on a historical site located at 2116 Chilton Road in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - HOLM**
31. ORDINANCE providing for an Ad Valorem Tax Exemption on a historical site located at 1132 Rutland Street in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GARCIA**
32. ORDINANCE approving and authorizing submission of an application for grant assistance to the **STATE OF TEXAS through the CRIMINAL JUSTICE DIVISION ("CJD"), OFFICE OF THE GOVERNOR**, for the Justice Assistance Grant ("JAG"); 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

**ORDINANCES** - continued

33. ORDINANCE approving and authorizing contract between the City and **SPAY NEUTER ASSISTANCE PROGRAM, INC** for Professional Spay and Neutering Mobile Services on dogs and cats in neighborhoods affected by stray and loose animals; providing a maximum contract amount - 1 year with 4 one-year renewals - \$500,000.00 - General Fund
34. ORDINANCE approving and authorizing contract between the City of Houston and the **CENTER SERVING PERSONS WITH MENTAL RETARDATION** to provide \$180,276.00 in Community Development Block Grant Funds for Vocational Training and Medical and Dental Services - 1 Year
35. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY** to provide up to \$89,360.00 in Community Development Block Grant (“CDBG”) Funds to assist in the administration of the Stay In School Program
36. ORDINANCE approving and authorizing contract between the City and **GREAT-WEST LIFE AND ANNUITY INSURANCE COMPANY** for Third-Party Administration Services for the City’s Section 457 Deferred Compensation Plan
37. ORDINANCE approving and authorizing contract between the City of Houston and **MONTY PARTNERS LLP** for Legal Services; providing a maximum contract amount - \$188,400.00 Property and Casualty Fund
38. ORDINANCE approving and authorizing contract between the City of Houston and **AIRPORT INTERVIEWING & RESEARCH, INC** for Customer Service Surveys at George Bush Intercontinental Airport/Houston and William P. Hobby Airport - \$686,400.00 - Enterprise Fund
39. ORDINANCE appropriating \$1,175,000.00 out of Houston Airport System Consolidated 2001 NONAMT Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **REYNOLDS, SMITH AND HILLS, INC** for Rehabilitation of Runway 4-22 and Taxiway “C” at William P. Hobby Airport (Project 462); providing a maximum contract amount - **DISTRICT I - RODRIGUEZ**
40. ORDINANCE awarding contract to **JOHN BEAN TECHNOLOGIES CORPORATION** for Baggage Handling and Aircraft Support Systems Maintenance and Hardstand Operations Services for the Houston Airport System; providing a maximum contract amount - 3 Years with two one-year options - \$14,716,068.89 - Enterprise Fund
41. ORDINANCE approving and authorizing contract between the City of Houston and **EBS CO INDUSTRIES, INC** for Periodicals, Serials and Newspaper Subscription Services for the Houston Public Library; providing a maximum contract amount - 3 Years with two one-year options \$2,500,000.00 - General Fund
42. ORDINANCE awarding contract between the City of Houston and **HOLMES ROAD RECYCLING COMPANY, INC** for Sale of Scrap Metal Materials for Various Departments - 3 Years with two one-year options - Revenue
43. ORDINANCE approving and authorizing agreement for Coordination and Facilitation Services between the City of Houston and the **HOUSTON DOWNTOWN MANAGEMENT DISTRICT** for a City Project Coordinator for the Department of Public Works & Engineering - 3 Years with two one-year options - \$450,000.00 - Building Inspection Fund

**ORDINANCES** - continued

44. ORDINANCE appropriating \$5,750,000.00 out of Drainage Improvements Commercial Paper Series F Fund and \$1,276,066.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Interlocal Agreement between the City of Houston and **UPPER KIRBY REDEVELOPMENT AUTHORITY** for Design and Construction of Kirby Drive from Richmond to Westheimer - **DISTRICT C - CLUTTERBUCK**
45. ORDINANCE appropriating \$19,365.00 out of Street & Bridge Consolidated Construction Fund No. 4506, to be added to the amount previously appropriated in Ordinance 2007-0680, passed by City Council on June 13, 2007 and relating to the Public Road At-Grade Crossing of Union Pacific Railroad at Gessner Road near Hempstead Highway, Houston, Texas - **DISTRICT A - LAWRENCE**
46. ORDINANCE appropriating \$1,310,530.00 out of Metro Project Commercial Paper Series E Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **REYNOLDS, SMITH AND HILLS, INC** for Design of Ella (Wheatley) Boulevard Paving from Little York to W. Gulf Bank (approved by Ordinance No. 2007-0268) - **DISTRICT B - JOHNSON**
47. ORDINANCE appropriating \$12,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Construction Management and an Inspection Services Contract between the City of Houston and **AIA ENGINEERS, LTD.** for West Little York Paving from Wheatley to TC Jester - **DISTRICT B - JOHNSON**
48. ORDINANCE appropriating \$24,000.00 out of Drainage Improvements Commercial Paper Series F Fund, \$44,000.00 out of Street & Bridge Consolidated Construction Fund, \$132,000.00 out of Water & Sewer System Consolidated Construction Fund for Advertising Costs for various C.I.P. Projects relating to construction of facilities financed by the respective funds for the Department of Public Works & Engineering
49. ORDINANCE appropriating \$3,861,187.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **REPIPE CONSTRUCTION, LTD.** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method (LDS); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund
50. ORDINANCE appropriating \$935,086.00 out of Parks Consolidated Construction Fund and awarding construction contract to **AIA GENERAL CONTRACTORS, INC** for Wheeler Park Facility Underground Storage Tank Modification and Cleanup at 6200 Wheeler Road; 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 materials testing services, project management and construction oversight services and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICT I - RODRIGUEZ**
51. ORDINANCE appropriating \$2,537,518.00 out of Equipment Acquisition Consolidated Fund; awarding construction contract to **SPAWGLASS CIVIL CONSTRUCTION, INC** for Memorial Park Pedestrian Bridge; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, Civic Art Program, and contingencies relating to construction of facilities financed by the Equipment Acquisition Consolidated Fund - **DISTRICT G - HOLM**

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

**MATTERS HELD** - NUMBERS 52 through 54

52. ORDINANCE enlarging the boundaries of Reinvestment Zone Number Five, City of Houston, Texas, (Memorial Heights Zone); containing findings and provisions related to the foregoing subject; providing for severability - **DISTRICTS A - LAWRENCE; D - ADAMS G - HOLM and H - GARCIA - TAGGED BY COUNCIL MEMBER HOLM**  
This was Item 29 on Agenda of December 10, 2008
53. ORDINANCE approving and authorizing contract between the City and **WADE WELLNESS CENTER** for Professional Services for the Ex-Offender Community Re-Entry Program; providing a maximum contract amount - 2 Years with three one-year renewals - \$450,000.00 - General Fund **TAGGED BY COUNCIL MEMBER CLUTTERBUCK**  
This was Item 30 on Agenda of December 10, 2008
54. ORDINANCE appropriating \$3,841,900.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing third amendment to Professional Engineering Services Contract between the City of Houston and **LOCKWOOD, ANDREWS & NEWNAM, INC** (approved by Ordinance No. 2006-0277) for the Surface Water Transmission Program; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **TAGGED BY COUNCIL MEMBER SULLIVAN**  
This was Item 48 on Agenda of December 10, 2008

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Garcia 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**

<b>SUBJECT:</b> Designation of residential parking permit areas in the Super Neighborhoods of University Place and the Greater Third Ward.	<b>Page</b> 1 of 7	<b>Agenda Item</b> 1
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<b>FROM: (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> December 8, 2008	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. <i>[Signature]</i> 12/8/08	<b>Council District(s) affected:</b> C, D	
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<b>For additional information contact:</b> Liliana Rambo <i>[Signature]</i> Phone: 713.853.8193 Jacquelyn L. Nisby <i>[Signature]</i> Phone: 832-393-8023	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2001-0759; August 14, 2001	
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**RECOMMENDATION:** Adopt a motion authorizing the designation of a residential parking permit area in the Super Neighborhood of University Place and the Greater Third Ward.

<b>Amount and Source of Funding:</b> Not Applicable	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** Chapter 26, Section 26-311 of the Code of Ordinances provides for the creation of Residential Permit Parking areas in neighborhoods where excessive commuter parking is deemed a problem for residents. To date, 88 permit areas have been designated.

The General Services Department, Parking Management Division, recommends that the following two proposed areas be designated residential parking permit areas, where on-street parking at the times of day and days of the week specified in the attachment will require a valid permit. The General Services Department, Parking Management Division, and the Department of Public Works and Engineering, Traffic Engineering Branch reviewed the applications. The required public hearing was held on November 6, 2008 and all outstanding issues have been satisfactorily resolved.

The findings and related regulations for the following proposed areas are attached.

- 2200 Sheridan, both sides
- 2800-2900 Barbee, both sides

The designation will be effective 60 days after passage of the Motion, during which time the City will notify residents of on-street parking regulations, post signs and review resident vehicle parking permit applications. Parking Management will issue permits within the permit areas and, after 60 days, enforce the posted parking regulations.

The attached maps indicate the proposed locations and previously approved areas in the vicinity, if any.

IZD:LR:JLN:mli

c: Marty Stein, Jacquelyn L. Nisby, Richard Smith, Arturo Michel,

**REQUIRED AUTHORIZATION** CUIC ID #25MLI003

<b>General Services Department:</b> <i>[Signature]</i> Liliana Rambo, CAPP Director Parking Management Division	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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# Designation of Residential Parking Permit Areas: Findings

## Application 061808-28-131

### **Permit Area and Restrictions Proposed by Applicant:**

2200 Sheridan, between Bellgreen and Montclair, proposed parking restrictions by permit only from 8 a.m. – 5 p.m., Monday through Friday.

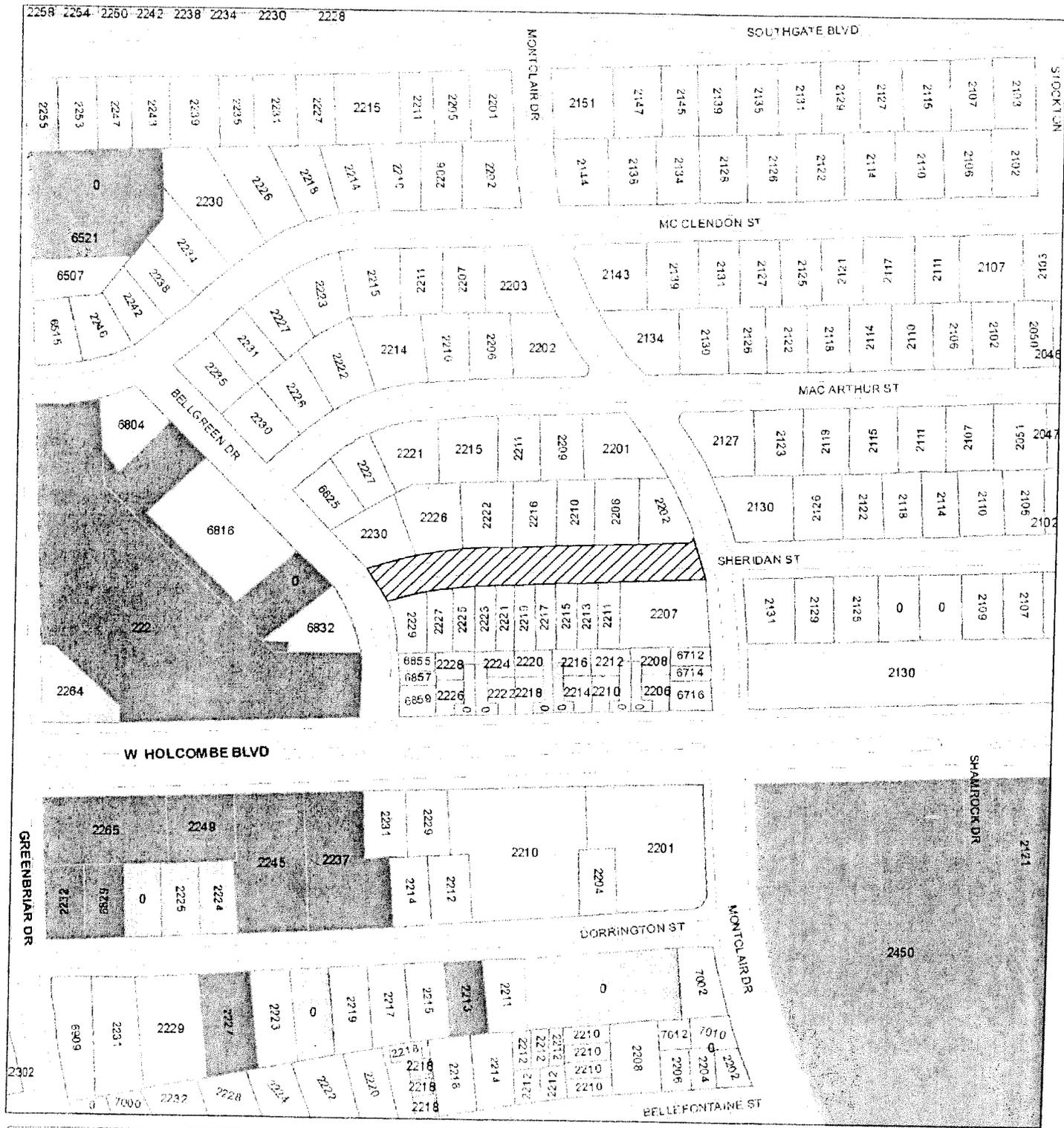
### **Findings:**

Testimony from the Parking Management Division, approval by the Public Works and Engineering – Traffic Engineering Branch, and the public at the November 6, 2008 hearing leads the Parking Official to find:

- A parking problem exists between the hours of 9 a.m. and 4 p.m., Monday through Friday.
- More than 60 percent of the 10 available parking spots were occupied. More than 25 percent of cars parked curbside were commuter vehicles generated by commuters from the Texas Medical Center.
- Excessive commuter parking on the blocks creates traffic congestion and reduces safety and residential quality.
- Neighborhood support is demonstrated by 90 percent of residents (out of 20 households affected) signing the petition in favor of the permit area.
- No oral testimony in opposition was received at the public hearing.
- Designating a parking permit area is the most cost-effective way to resolve the parking problem.

### **Parking Official Recommendation:**

**Designate a Residential Parking Permit Area with regulations requiring a valid residential parking permit to park curbside from 9 a.m. to 4 p.m., Monday through Friday.**



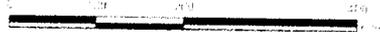
**Proposed Residential Parking Permit Area**

**Application: 061808-28-131**

**2200 SHERIDAN ST (77030)**

City of Houston  
 Planning & Development Department  
 215 West Loop West  
 Houston, Texas 77027

**Disclaimer:**  
 This map is a representation of the information provided to the City of Houston and does not constitute a guarantee, warranty, or endorsement of the accuracy, completeness, or timeliness of the information. The City of Houston is not responsible for any errors or omissions on this map. The City of Houston is not responsible for any damages, including consequential damages, arising from the use of this map.



014274\_sheridan

- Legend**
- Proposed
  - Land Use:**
    - Single-Family
    - Multi-Family
    - Commercial
    - Office
    - Industrial
    - Public Use/Institutional
    - Planned Urban Form
    - Water/Water Ways
    - Undeveloped
    - Agricultural/Production
    - Other

# Designation of Residential Parking Permit Areas: Findings

## Application 040108-67-127

### **Permit Area and Restrictions Proposed by Applicant:**

2800-2900 Barbee, between Delano and Ennis, proposed parking restrictions by permit only from 9 a.m. – 8 p.m., Monday through Friday.

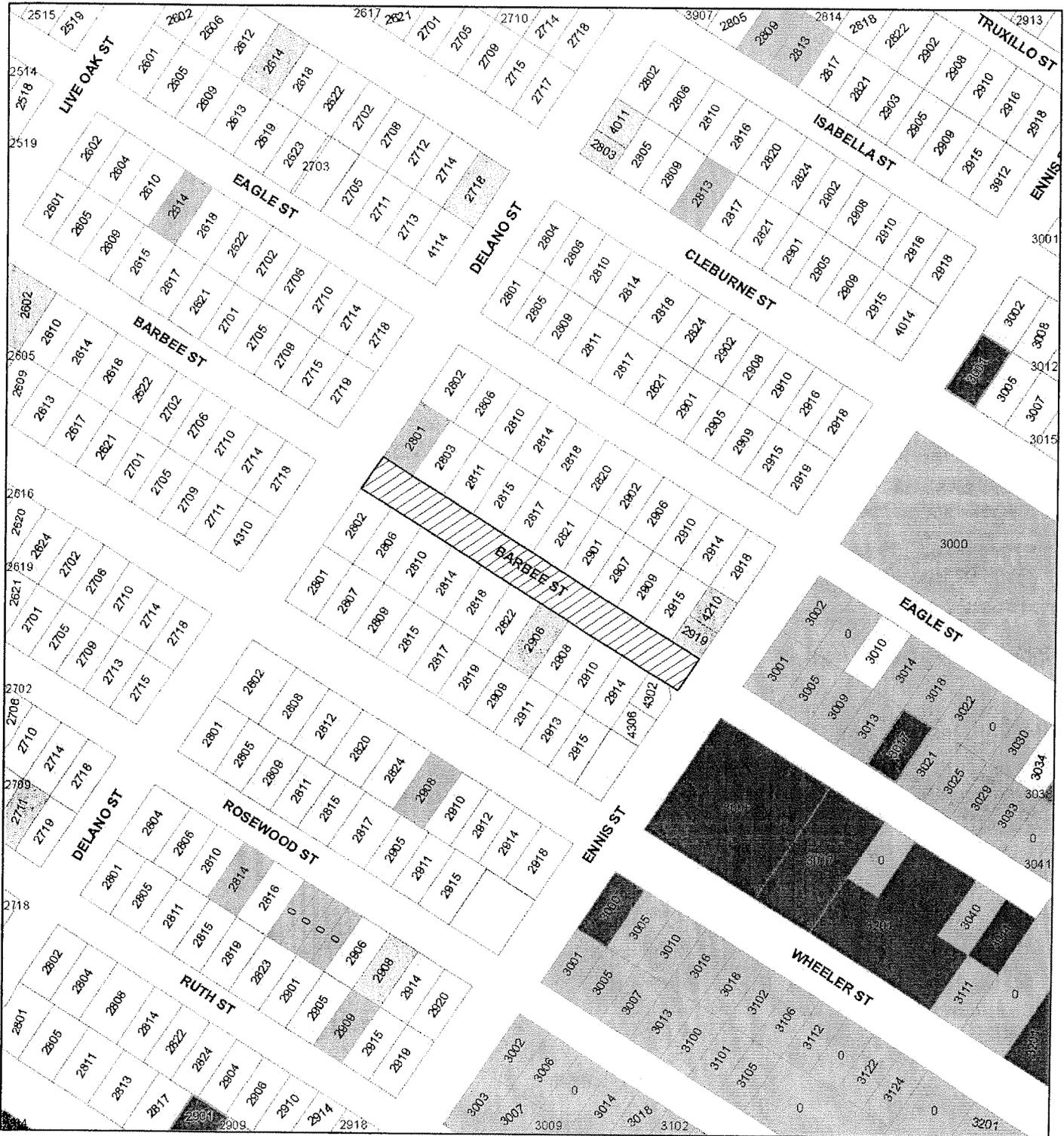
### **Findings:**

Testimony from the Parking Management Division, approval by the Public Works and Engineering – Traffic Engineering Branch, and the public at the November 6, 2008 hearing leads the Parking Official to find:

- A parking problem exists between the hours of 9 a.m. and 8 p.m., Monday through Friday.
- More than 60 percent of the 20 available parking spots were occupied. More than 25 percent of cars parked curbside were commuter vehicles generated by commuters from Texas Southern University.
- Excessive commuter parking on the blocks creates traffic congestion and reduces safety and residential quality.
- Neighborhood support is demonstrated by 71 percent of residents (out of 24 households affected) signing the petition in favor of the permit area.
- No oral testimony in opposition was received at the public hearing.
- Designating a parking permit area is the most cost-effective way to resolve the parking problem.

### **Parking Official Recommendation:**

**Designate a Residential Parking Permit Area with regulations requiring a valid residential parking permit to park curbside from 9 a.m. to 8 p.m., Monday through Friday.**

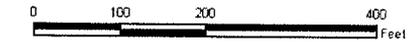


**Proposed Residential Parking Permit Area**

**Application: 040108-67-127**

**2800-2900 BARBEE (77004)**

City of Houston  
 Planning & Development Department  
 GIS Services Division  
 Map Date: May 2008



**Disclaimer:**  
 CO/HGIS data is prepared and made available for general reference purposes only and should not be used, or relied upon for specific applications, without independent verification. The City of Houston neither represents, nor warrants CO/HGIS data accuracy, or completeness, nor will the City of Houston accept liability of any kind in conjunction with its use.



pj14108\_barbee

**Legend**

- Proposed
- Land Use:**
- Single-Family
- Multi-Family
- Commercial
- Office
- Industrial
- Public & Institutional
- Transportation & Utilities
- Parks & Open Areas
- Undeveloped
- Agricultural Production
- Unknown

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> A Council Motion approving a Revised Laboratory Fee Schedule to be utilized in the City of Houston Department of Health and Human Services Laboratories	<b>Category #</b> 9	<b>Page</b> 1 of 8	<b>Agenda Item #</b> 2
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<b>FROM (Department or other point of origin):</b> Houston Department of Health and Human Services	<b>Origination Date</b> 11/5/08	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>Stephen Z. Williams</i>	<b>Council District affected:</b> ALL
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<b>For additional information contact:</b> Kathy Barton Telephone: 713-794-9998 ; 713-826-5801	<b>Date and identification of prior authorizing Council action:</b> 7-13-94; 94-1377, 8-9-95; 1290
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**RECOMMENDATION: (Summary)**  
A Council Motion approving a Revised Laboratory Fee Schedule to be utilized in the City of Houston Department of Health and Human Services Laboratories

<b>Amount of Funding:</b> N/A	<b>Finance Department:</b> <i>Michelle McLeod</i>
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<b>SOURCE OF FUNDING:</b> [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ ] Other (Specify)
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**SPECIFIC EXPLANATION:**  
The Houston Department of Health and Human Services (HDHHS) requests City Council approval of the revised laboratory fee schedule for various tests performed in the HDHHS laboratories. The HDHHS laboratories perform approximately 264 different types of tests for hospitals, clinics, other governmental entities, and HDHHS public health surveillance programs. The existing fee schedule was last adjusted on August 9, 1995.

HDHHS' existing laboratory fees are currently an average of 40% less than the current state fees. While HDHHS' fees cannot exceed the state laboratory fees, the new fee schedule was calculated based on an equation that factors in salaries, supplies, amortization of equipment, and administrative costs. Under the proposed fees schedule, 132 fees have increased, 18 fees have been reduced, 14 fees have stayed the same and 100 fees have been added.

The proposed fees will be charged except when funded by grants or under special circumstances where certain tests/results are monitored for public health surveillance purposes by HDHHS Office of Surveillance and Public Health Preparedness Division, such as outbreaks of influenza, salmonella, etc.

All tests have an associated fee, including those for which HDHHS does not bill, such as tests performed for surveillance purposes. This will enable HDHHS to account for all the laboratory tests provided by the department.

On November 10, 2008, HDHHS presented this request to amend the existing laboratory fees to the City Council Committee on Human Services and Technology Access. The Committee approved this item and recommended it for consideration by City Council.

The effective date of the proposed laboratory fees will be January 1, 2009.

cc: Finance Department  
Legal Department  
Agenda Director

**REQUIRED AUTHORIZATION**

<b>Finance Department</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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**Houston Department of Health and Human Services Proposed Laboratory Fee Schedule**

\* Indicates that a fee is not currently assigned to that particular test.

Any test with a proposed fee of \$0.05 is a component of a test panel that already has a proposed fee associated with it.

"Equivalent to the current state fee" : Wherever this statement occurs, the fee that the Houston Department of Health and Human Services (HDHHS) proposes for that particular test is identical to that of the Department of State Health Services (DSHS).

"Fee determined based on equation" : Wherever this statement occurs, the fee that HDHHS proposes for that particular test is based on an equation that was developed by HDHHS. This equation factors in elements such as salaries, supplies, amortization of equipment, and administrative costs to determine the the real cost of conducting each individual lab test where there was not a practical fee available in the DSHS fee schedule.

<b>Test Description</b>	<b>HDHHS Current Fees</b>	<b>HDHHS Proposed Fees</b>	<b>Explanation</b>
<b>Clinical Test in the Area of: HEMATOLOGY</b>			
1108 Complete Blood Count (Hemoglobin)	*	<b>\$0.05</b>	Fee determined based on equation
1109 Hematocrit	<b>\$3.00</b>	<b>\$10.20</b>	Fee determined based on equation
1110 Complete Blood Count (Mean Cell Volume)	*	<b>\$0.05</b>	Fee determined based on equation
1111 Complete Blood Count (Mean Corpuscular Hgb)	*	<b>\$0.05</b>	Fee determined based on equation
1112 Complete Blood Count (Mean Corpuscular Hgb Conc)	*	<b>\$0.05</b>	Fee determined based on equation
1113 Complete Blood Count (Platelet Count)	*	<b>\$0.05</b>	Fee determined based on equation
1140 Complete Blood Count	<b>\$4.00</b>	<b>\$19.00</b>	Equivalent to the current state fee
5101 Hemoglobin Electrophoresis	<b>\$6.00</b>	<b>\$7.50</b>	Equivalent to the current state fee
8201 Antibody Screen	<b>\$4.00</b>	<b>\$17.00</b>	Fee determined based on equation
8202 Antibody Identification	<b>\$17.00</b>	<b>\$13.00</b>	Equivalent to the current state fee
8206 ABO Blood Group	<b>\$6.00</b>	<b>\$9.00</b>	Equivalent to the current state fee
8207 Rh Type	<b>\$8.00</b>	<b>\$13.00</b>	Equivalent to the current state fee
7000 WBC Differential	<b>\$15.00</b>	<b>\$24.27</b>	Fee determined based on equation
1119 Hematocrit, Spun	<b>\$3.00</b>	<b>\$10.20</b>	Fee determined based on equation
1115 Hematocrit, Spun - Maternity	<b>\$3.00</b>	<b>\$10.20</b>	Fee determined based on equation
1116 Hematocrit, Spun - Family Planning	<b>\$3.00</b>	<b>\$10.20</b>	Fee determined based on equation
1117 Hematocrit, Spun - Well Child Care	<b>\$3.00</b>	<b>\$10.20</b>	Fee determined based on equation
1118 Hematocrit, Spun - School	<b>\$3.00</b>	<b>\$10.20</b>	Fee determined based on equation
1106 Complete Blood Count (White Blood Cell Count)	*	<b>\$0.05</b>	Fee determined based on equation
1107 Complete Blood Count (Red Blood Cell Count)	*	<b>\$0.05</b>	Fee determined based on equation
<b>Clinical Test in the Area of: GENERAL BACTERIOLOGY</b>			
2005 Stool Culture (All Enterics)	<b>\$10.00</b>	<b>\$80.00</b>	Equivalent to the current state fee
2007 Stool, EHEC Shiga Toxin Assay	<b>\$19.00</b>	<b>\$38.00</b>	Equivalent to the current state fee
2010 Urine Culture	<b>\$8.00</b>	<b>\$34.00</b>	Fee determined based on equation
2020 Culture, Primary	<b>\$11.00</b>	<b>\$14.00</b>	Fee determined based on equation
2106 Gonorrhea Culture	<b>\$7.00</b>	<b>\$20.00</b>	Fee determined based on equation
2110 Culture, Legionella	<b>\$11.00</b>	<b>\$24.00</b>	Fee determined based on equation
2115 Smear, DFA Legionella	<b>\$21.00</b>	<b>\$26.00</b>	Fee determined based on equation

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	<i>Test Description</i>	<i>HDHHS Current Fees</i>	<i>HDHHS Proposed Fees</i>	<i>Explanation</i>
2120	Culture, Bordetella pertussis	\$19.50	\$18.00	Fee determined based on equation
2125	Smear, DFA Bordetella pertussis	\$10.50	\$26.00	Fee determined based on equation
2205	ID Reference Culture, Salmonella Serotyping	*	\$51.00	Fee determined based on equation
2210	ID Reference Culture, Shigella Serotyping	*	\$41.00	Fee determined based on equation
2215	ID Reference Culture, Aerobe	\$25.00	\$35.00	Equivalent to the current state fee
2216	Culture, Beta Streptococcus (Group B) Screen (LIM Broth)	\$10.00	\$20.00	Fee determined based on equation
2225	ID Reference Culture, Anaerobe	\$23.00	\$35.00	Equivalent to the current state fee
2230	ID Reference Culture, Neisseria meningitidis Serogroup	*	\$56.00	Equivalent to the current state fee
2305	Drug Susceptibility, Kirby-Bauer	\$11.00	\$14.00	Fee determined based on equation
2310	Gram Stain	\$5.00	\$5.00	Equivalent to the current state fee
2311	Gram Stain - Riverside Health Clinic Lab	\$5.00	\$5.00	Equivalent to the current state fee
2312	Gram Stain - West End Health Clinic Lab	\$5.00	\$5.00	Equivalent to the current state fee
2313	Gram Stain - Lyons Health Clinic Lab	\$5.00	\$5.00	Equivalent to the current state fee
2314	Gram Stain - Stat	\$5.00	\$5.00	Equivalent to the current state fee
2307	Gram Stain - Mobile Unit	\$5.00	\$5.00	Equivalent to the current state fee
2322	Gen-Probe APTIMA (Amplified) Gonorrhea / Chlamydia	*	\$12.00	Equivalent to the current state fee
2328	Gen-Probe (PACE, Non-Amplified) Gonorrhea / Chlamydia	\$26.00	\$12.00	Equivalent to the current state fee
2330	ID Reference Culture, Haemophilus	\$20.00	\$60.00	Equivalent to the current state fee
2800	Bioterrorism Environmental Culture Confirmation	*	\$135.00	Equivalent to the current state fee
2220	ID Reference Culture, Aerobe (Limited)	\$12.00	\$35.00	Equivalent to the current state fee
2320	API Identification	\$10.00	\$15.00	Fee determined based on equation
2452	Drug Susceptibility, Neisseria gonorrhoea	*	\$45.00	Equivalent to the current state fee
2906	ID Reference Culture, Brucella Species	*	\$45.00	Equivalent to the current state fee
2907	ID Reference Culture, Shiga Toxin E. coli	*	\$38.00	Equivalent to the current state fee
2908	ID Reference Culture, Vibrio cholerae Typing	*	\$70.00	Equivalent to the current state fee
2202	PFGE Strain Subtyping	*	\$87.00	Fee determined based on equation
2621	Stool Culture, Salmonella	\$17.00	\$22.00	Equivalent to the current state fee
2622	Stool Culture, Shigella	\$17.00	\$42.00	Equivalent to the current state fee
2901	ID Reference Culture, Bacillus anthracis	*	\$35.00	Equivalent to the current state fee
2902	ID Reference Culture, Burkholderia mallei / pseudomallei	*	\$45.00	Equivalent to the current state fee
2903	ID Reference Culture, Francisella tularensis	*	\$45.00	Fee determined based on equation
2904	ID Reference Culture, Haemophilus influenzae Typing	*	\$85.00	Fee determined based on equation
2905	ID Reference Culture, Yersinia pestis	*	\$35.00	Equivalent to the current state fee
2900	Bioterrorism Clinical Culture Confirmation	*	\$135.00	Fee determined based on equation

**Clinical Test in the Area of:**

**MYCOBACTERIOLOGY**

2405	AFB Culture, Primary	\$39.00	\$26.00	Equivalent to the current state fee
2406	AFB Stain, Fluorochrome	*	\$16.00	Equivalent to the current state fee
2412	QuantiFERON TB Gold in Tube	*	\$87.00	Fee determined based on equation
2415	AFB Identification, HPLC	\$20.00	\$17.00	Equivalent to the current state fee
2446	AFB Susceptibility, Broth, MTB	\$16.00	\$52.00	Equivalent to the current state fee
2447	AFB Susceptibility, Agar	\$17.00	\$48.00	Equivalent to the current state fee
2451	AFB Susceptibility, Agar, Rifampin Only, M. kansasii	*	\$8.00	Equivalent to the current state fee
2445	AFB Identification, DNA Probe	\$26.00	\$22.00	Equivalent to the current state fee
2452	AFB Susceptibility, Agar, PZA Only	*	\$8.00	Equivalent to the current state fee
2453	AFB Susceptibility, Agar, Rapid Grower	\$17.00	\$41.00	Fee determined based on equation
2454	AFB Susceptibility, Agar, Secondary Panel	*	\$80.00	Equivalent to the current state fee

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	<b>Test Description</b>	<b>HDHHS Current Fees</b>	<b>HDHHS Proposed Fees</b>	<b>Explanation</b>
2455	AFB, Amplified Probe	*	\$35.00	Equivalent to the current state fee
2456	AFB Identification, Biochemicals	\$20.00	\$30.00	Equivalent to the current state fee
<b>Clinical Test in the Area of:</b>				
<b>MYCOLOGY</b>				
2505	Fungus Culture, Primary	\$20.00	\$55.00	Equivalent to the current state fee
2510	ID Reference Culture Fungus	\$20.00	\$21.00	Fee determined based on equation
2515	KOH Prep	\$3.30	\$5.00	Equivalent to the current state fee
2909	ID Reference Culture Fungus, Blastocystis DNA Probe	\$20.00	\$22.00	Equivalent to the current state fee
2910	ID Reference Culture Fungus, Coccidioides DNA Probe	\$20.00	\$22.00	Equivalent to the current state fee
2911	ID Reference Culture Fungus, Histoplasma DNA Probe	\$20.00	\$22.00	Equivalent to the current state fee
2912	ID Reference Culture Fungus, Nocardia / Strep / Actino	\$20.00	\$75.00	Equivalent to the current state fee
<b>Clinical Test in the Area of:</b>				
<b>PARASITOLOGY</b>				
2605	Smear, Ova & Parasite (Trichrome & Concentrate)	\$17.00	\$80.00	Equivalent to the current state fee
2620	Smear, Acid Fast (Coccidia)	\$10.00	\$31.00	Fee determined based on equation
2705	Smear, Giemsa (Malaria)	\$30.00	\$45.00	Equivalent to the current state fee
2710	Wet Prep	\$4.40	\$5.00	Equivalent to the current state fee
2711	Wet Prep - Riverside Health Clinic Lab	\$4.40	\$5.00	Equivalent to the current state fee
2712	Wet Prep - West End Health Clinic Lab	\$4.40	\$5.00	Equivalent to the current state fee
2713	Wet Prep - Lyons Health Clinic Lab	\$4.40	\$5.00	Equivalent to the current state fee
2708	Wet Prep - Mobile Unit	\$4.40	\$5.00	Equivalent to the current state fee
2720	Worm ID	\$2.00	\$25.00	Fee determined based on equation
2725	Arthropod ID	\$11.00	\$29.40	Fee determined based on equation
2715	Pinworm Exam	\$7.00	\$8.00	Fee determined based on equation
2631	Smear, Chromotrope 2R (Microsporidia)	*	\$60.00	Equivalent to the current state fee
<b>Clinical Test in the Area of:</b>				
<b>VIROLOGY</b>				
5305	Influenza A/H5 RNA Extraction Using Qiagen Q/Aamp	*	\$119.00	Fee determined based on equation
6190	Herpes Simplex Virus Culture	\$20.00	\$36.00	Fee determined based on equation
6290	Rotavirus Stool Ag	\$12.00	\$38.00	Fee determined based on equation
6320	Chlamydia Culture	\$28.00	\$49.00	Fee determined based on equation
6331	Viral Screen	\$27.00	\$50.00	Fee determined based on equation
6340	Enterovirus Typing	\$28.00	\$50.00	Fee determined based on equation
6572	Rabies IFA	\$31.00	\$40.00	Equivalent to the current state fee
9178	Rabies Virus Typing - Molecular	*	\$115.00	Equivalent to the current state fee
6109	Influenza RT - PCR	*	\$0.05	Fee determined based on equation
2913	Influenza A Subtyping	*	\$0.05	Fee determined based on equation
<b>Clinical Test in the Area of:</b>				
<b>SEROLOGY</b>				
6000	Rapid Plasma Reagin	\$3.00	\$5.15	Equivalent to the current state fee
6004	Rapid Plasma Reagin - Mobile Unit	\$3.00	\$5.15	Equivalent to the current state fee

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	<i>Test Description</i>	<i>HDHHS Current Fees</i>	<i>HDHHS Proposed Fees</i>	<i>Explanation</i>
6012	Rapid Plasma Reagin - Riverside Health Clinic	\$3.00	\$5.15	Equivalent to the current state fee
6014	Rapid Plasma Reagin - West End Health Clinic	\$3.00	\$5.15	Equivalent to the current state fee
6015	Rapid Plasma Reagin - Lyons Health Clinic	\$3.00	\$5.15	Equivalent to the current state fee
6009	Rapid Plasma Reagin - Stat	\$3.00	\$5.15	Equivalent to the current state fee
6003	Rapid Plasma Reagin - Jail Health Team	\$3.00	\$5.15	Equivalent to the current state fee
6008	Treponema pallidum Particle Agglutination (TP-PA)	\$10.00	\$10.00	Equivalent to the current state fee
6020	Rubella EIA, IgG	\$4.00	\$8.00	Equivalent to the current state fee
6030	Rubella EIA, IgM	\$12.00	\$23.00	Fee determined based on equation
6040	Mumps EIA	\$15.00	\$25.00	Equivalent to the current state fee
6050	Varicella-Zoster EIA	\$6.00	\$24.00	Fee determined based on equation
6065	Rubeola EIA, IgG	\$13.00	\$30.00	Equivalent to the current state fee
6070	Toxoplasmosis EIA, IgG	\$10.00	\$30.00	Fee determined based on equation
6072	Toxoplasmosis EIA, IgM	\$10.00	\$31.00	Fee determined based on equation
6080	Cytomegalovirus EIA, IgG	\$10.00	\$25.00	Fee determined based on equation
6081	Cytomegalovirus EIA, IgM	\$10.00	\$30.00	Fee determined based on equation
6116	Herpes EIA	\$20.00	\$21.00	Fee determined based on equation
6170	Arbovirus Screen	\$18.00	\$39.00	Fee determined based on equation
6410	Hepatitis B Surface Ag	\$6.00	\$8.00	Equivalent to the current state fee
6415	Hepatitis C EIA	*	\$28.00	Fee determined based on equation
6420	HBS Ag Confirmatory EIA	\$18.00	\$0.05	Fee determined based on equation
6430	Hepatitis B Surface Ab	*	\$14.00	Equivalent to the current state fee
6440	Hepatitis B Core Ab	*	\$25.00	Fee determined based on equation
6450	Hepatitis B Core IgM Ab	*	\$20.70	Fee determined based on equation
6460	Hepatitis Be Ag	*	\$12.00	Equivalent to the current state fee
6470	Hepatitis Be Ab	*	\$8.00	Fee determined based on equation
6480	Hepatitis A IgG Ab	\$13.00	\$48.00	Equivalent to the current state fee
6490	Hepatitis A IgM Ab	*	\$48.00	Equivalent to the current state fee
6500	HIV-1 Antibody	\$4.00	\$26.00	Fee determined based on equation
6510	Western Blot	\$27.00	\$25.00	Equivalent to the current state fee
6520	Hepatitis B Panel	*	\$58.00	Fee determined based on equation
6530	Hepatitis A Panel	*	\$85.00	Fee determined based on equation

**Clinical Test in the Area of:  
MOLECULAR DIAGNOSTICS AND BIOTERRORISM**

2826	Non-Variola Orthopox DNA Extraction Clinical Specimens	*	\$26.00	Fee determined based on equation
2810	B. mallei B. pseudomallei Cell Lysates	*	\$167.00	Fee determined based on equation
2811	B. mallei B. pseudomallei DNA	*	\$169.00	Fee determined based on equation
2812	Bacillus anthracis Cell Lysates	*	\$152.00	Fee determined based on equation
2813	Bacillus anthracis Clinical Samples	*	\$34.00	Fee determined based on equation
2814	Bacillus anthracis Spores	*	\$34.00	Fee determined based on equation
2815	Brucella spp. DNA Blood	*	\$34.00	Fee determined based on equation
2816	Brucella spp. DNA Cell Lysates	*	\$34.00	Fee determined based on equation
2817	Clostridium botulinum Neurotoxin Detection - Environmental Environmental Sample Screen for BT Agents and Toxins by	*	\$180.00	Fee determined based on equation
2818	Real-Time PCR	*	\$812.00	Fee determined based on equation
2819	Francisella tularensis Cell Lysates	*	\$152.00	Fee determined based on equation
2820	Francisella tularensis DNA Blood	*	\$119.00	Fee determined based on equation
2821	Norovirus Real-Time PCR	\$150.00	\$56.00	Equivalent to the current state fee
2822	Orthopoxvirus DNA (Extraction from Clinical Specimens)	*	\$116.00	Fee determined based on equation

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<i>Test Description</i>	<i>HDHHS Current Fees</i>	<i>HDHHS Proposed Fees</i>	<i>Explanation</i>
2823 TRF-Ricin Toxin Detection	*	<b>\$33.00</b>	Fee determined based on equation
2824 Yersinia pestis DNA Cell Lysates	*	<b>\$33.00</b>	Fee determined based on equation
2825 Yersinia pestis DNA Sputum / Nasopharyngeal	*	<b>\$33.00</b>	Fee determined based on equation

**Clinical Test in the Area of:**  
**CLINICAL CHEMISTRY**

8104 Cholesterol	<b>\$9.00</b>	<b>\$5.00</b>	Fee determined based on equation
8108 Glucose Tolerance	<b>\$19.00</b>	<b>\$14.00</b>	Equivalent to the current state fee
8111 Triglycerides	<b>\$9.00</b>	<b>\$17.00</b>	Fee determined based on equation
8114 Glucose	<b>\$4.00</b>	<b>\$6.80</b>	Equivalent to the current state fee
8116 Alanine Aminotransferase (ALT)	*	<b>\$22.00</b>	Fee determined based on equation
8117 Aspartate Aminotransferase (AST)	*	<b>\$25.00</b>	Fee determined based on equation
8118 Total Bilirubin	*	<b>\$25.00</b>	Fee determined based on equation
8119 Blood Urea Nitrogen	*	<b>\$20.00</b>	Fee determined based on equation
8121 Uric Acid	*	<b>\$27.00</b>	Fee determined based on equation
8122 Creatinine	*	<b>\$25.00</b>	Fee determined based on equation
8500 Urinalysis	<b>\$9.00</b>	<b>\$36.00</b>	Fee determined based on equation

**Environmental Test in the Area of:**  
**POLLEN AND SPORE TESTING**

5010 Pollen & Spore Count	*	<b>\$152.00</b>	Fee determined based on equation
5013 Pollen - Oak Tree	*	<b>\$33.00</b>	Fee determined based on equation
5014 Pollen - Pine Tree	*	<b>\$33.00</b>	Fee determined based on equation
5015 Pollen - Sweet Gum Tree	*	<b>\$33.00</b>	Fee determined based on equation
5016 Pollen - Willow Tree	*	<b>\$33.00</b>	Fee determined based on equation
5017 Pollen - Hickory / Pecan Tree	*	<b>\$33.00</b>	Fee determined based on equation
5031 Pollen - Ragweed	*	<b>\$33.00</b>	Fee determined based on equation
5040 Spore Count	*	<b>\$75.00</b>	Fee determined based on equation
5041 Spore Count - Algae	*	<b>\$33.00</b>	Fee determined based on equation
5042 Spore Count - Alternaria	*	<b>\$33.00</b>	Fee determined based on equation
5050 Pollen Count	*	<b>\$75.00</b>	Fee determined based on equation
5056 Spore Count - Nigrospora	*	<b>\$33.00</b>	Fee determined based on equation
5057 Spore Count - Penicillium / Aspergillus	*	<b>\$33.00</b>	Fee determined based on equation
5058 Spore Count - Pithomyces	*	<b>\$33.00</b>	Fee determined based on equation
5059 Spore Count - Powdery Mildew	*	<b>\$33.00</b>	Fee determined based on equation
5060 Mold - Myxomycete (Slime Mold)	*	<b>\$33.00</b>	Fee determined based on equation
5061 Mold - Spegazzinia	*	<b>\$33.00</b>	Fee determined based on equation
5062 Mold - Stemphylium	*	<b>\$33.00</b>	Fee determined based on equation
5063 Mold - Tetraploa	*	<b>\$33.00</b>	Fee determined based on equation
5064 Mold - Torula	*	<b>\$33.00</b>	Fee determined based on equation

**Environmental Test in the Area of:**  
**MICROBIAL WATER QUALITY**

9060 Environmental Water, MFC	<b>\$8.00</b>	<b>\$25.00</b>	Equivalent to the current state fee
9061 Enterolelet, Quantitray for Enterococcus in Environmental Water	*	<b>\$22.50</b>	Fee determined based on equation

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	<b>Test Description</b>	<b>HDHHS Current Fees</b>	<b>HDHHS Proposed Fees</b>	<b>Explanation</b>
9062	Potable Water, m-Endo	*	\$18.00	Fee determined based on equation
9063	Potable Water, Colilert	\$8.00	\$16.50	Fee determined based on equation
9064	Potable Water, SPC Test	\$11.00	\$20.00	Equivalent to the current state fee
9065	Water, Total Coliform, MT	\$6.00	\$28.00	Equivalent to the current state fee
9066	Multiple Tube, Total Coliform (MTT)	\$11.00	\$35.00	Equivalent to the current state fee
9067	Colilert (P/A)	\$8.00	\$16.50	Fee determined based on equation
9068	Colilert, Quantitray for E. coli in Environmental Water	*	\$22.50	Fee determined based on equation
<b>Environmental Test in the Area of:</b>				
<b>DAIRY PRODUCTS TESTING</b>				
9069	Milk / Frozen Dessert SPC	\$3.00	\$9.00	Fee determined based on equation
9070	Milk, Freezing Point	\$1.00	\$3.00	Fee determined based on equation
9071	Milk, Growth Inhibitor, Rapid	\$2.00	\$36.00	Equivalent to the current state fee
9072	Milk, Growth Inhibitor, Disc	*	\$7.00	Fee determined based on equation
9073	Milk, Fluorophos	*	\$11.00	Fee determined based on equation
9074	Milk, Somatic Cell Count, Manual / Electronic	\$5.00	\$12.00	Fee determined based on equation
9075	Standard Plate Count (SPC)	\$11.00	\$15.00	Fee determined based on equation
9076	Milk / Frozen Dessert Coliform	\$2.00	\$8.00	Fee determined based on equation
9077	Fecal Coliform / E. coli	\$65.00	\$127.00	Equivalent to the current state fee
<b>Environmental Test in the Area of:</b>				
<b>FOOD TESTING</b>				
1225	Food, Fecal Coliform	\$65.00	\$65.00	Fee determined based on equation
1230	Food, Staphylococcus	\$43.00	\$40.00	Fee determined based on equation
1235	Food, Standard Plate Count	\$28.00	\$22.00	Equivalent to the current state fee
2830	E. coli 0157 Food Test	*	\$56.00	Equivalent to the current state fee
2831	Genus Listeria Food Test	*	\$56.00	Equivalent to the current state fee
2832	Salmonella Food Testing	*	\$56.00	Equivalent to the current state fee
9057	Staphylococcus aureus	\$43.00	\$51.00	Fee determined based on equation
<b>Environmental Test in the Area of:</b>				
<b>ENVIRONMENTAL CHEMISTRY</b>				
9002	Aldehydes	*	\$80.00	Fee determined based on equation
9003	Ammonia	\$20.00	\$23.00	Fee determined based on equation
9004	BTEX (Benzene, Ethyl Benzene)	\$75.00	\$75.00	Fee determined based on equation
9005	Biochemical Oxygen Demand (BOD)	\$20.00	\$25.00	Fee determined based on equation
9006	Conductivity	\$7.00	\$19.00	Equivalent to the current state fee
9007	Cyanide, Total	\$28.00	\$55.00	Equivalent to the current state fee
9008	Cyanide, Amenable	*	\$25.00	Fee determined based on equation
9009	Flash Point	*	\$23.00	Fee determined based on equation
9010	Lead, Drinking Water	\$15.00	\$30.00	Equivalent to the current state fee
9011	Lead, Paint, Wipes, Dust	\$11.00	\$14.00	Fee determined based on equation
9012	Lead, Pottery (Leaching)	\$7.00	\$15.00	Fee determined based on equation
9013	Lead, Blood	\$12.00	\$25.00	Fee determined based on equation
9014	Metals, Each (Air & Water Samples)	\$12.00	\$19.00	Equivalent to the current state fee
9015	Metals in Soil (Each)	\$12.00	\$21.00	Equivalent to the current state fee

<b>Date</b> 11/5/08	<b>Subject:</b> A Council Motion approving a Revised Laboratory Fee Schedule to be Utilized in the City of Houston Department of Health and Human Services Laboratories	<b>Originator's Initials</b>	<b>Page</b> 8 of 8
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	<b>Test Description</b>	<b>HDHHS Current Fees</b>	<b>HDHHS Proposed Fees</b>	<b>Explanation</b>
9016	Nitrate	\$14.00	\$25.00	Equivalent to the current state fee
9017	Nitrite	\$13.00	\$25.00	Equivalent to the current state fee
9018	Glycols	*	\$30.00	Fee determined based on equation
9019	Oil & Grease	\$17.00	\$25.00	Equivalent to the current state fee
9020	Chlorinated Pesticides	\$80.00	\$184.00	Equivalent to the current state fee
9021	Pesticides and PCBs	\$193.00	\$184.00	Equivalent to the current state fee
9022	PCBs in Oil	*	\$50.00	Fee determined based on equation
9023	PCBs in Soil	*	\$85.00	Fee determined based on equation
9024	Phenols, Total	\$25.00	\$45.00	Fee determined based on equation
9025	Phosphorus, Ortho	\$8.00	\$15.00	Fee determined based on equation
9026	Phosphorus, Total	\$15.00	\$20.00	Fee determined based on equation
9027	Polynuclear Aromatic Hydrocarbons	\$165.00	\$165.00	Fee determined based on equation
9028	Specific Compound Identification	\$120.00	\$33.00	Fee determined based on equation
9029	TCLP, Metals	\$150.00	\$150.00	Fee determined based on equation
9030	Total Dissolved Solids	\$13.00	\$21.00	Fee determined based on equation
9031	Total Suspended Solids	\$13.00	\$21.00	Fee determined based on equation
9032	TPH by GC	*	\$35.00	Equivalent to the current state fee
9033	Volatile Organics	\$250.00	\$183.00	Fee determined based on equation
9034	Volatile Suspended Solids	\$13.00	\$16.00	Fee determined based on equation
9035	Arsenic	\$21.00	\$31.00	Equivalent to the current state fee
9036	Chlorine, Residual	\$13.00	\$20.00	Equivalent to the current state fee
9037	Chemical Oxygen Demand	\$18.00	\$20.00	Fee determined based on equation
9038	Chlorinated Hydrocarbons	\$150.00	\$184.00	Equivalent to the current state fee
9039	Fluoride	\$20.00	\$21.00	Equivalent to the current state fee
9040	Lead, Soil	\$16.00	\$25.00	Fee determined based on equation
9041	Mercury	\$25.00	\$31.00	Fee determined based on equation
9042	Nitrate (Air Sample)	\$16.00	\$25.00	Equivalent to the current state fee
9043	Particulates	\$7.00	\$10.00	Fee determined based on equation
9044	pH	\$6.00	\$10.00	Fee determined based on equation
9045	Phenol	\$152.00	\$120.00	Equivalent to the current state fee
9046	Phthalate Esters	\$137.00	\$137.00	Fee determined based on equation
9047	Purgeable Aromatics	\$137.00	\$137.00	Fee determined based on equation
9048	Purgeable Halocarbons	\$137.00	\$137.00	Fee determined based on equation
9049	Sample Digestion	\$13.00	\$25.00	Equivalent to the current state fee
9050	Selenium	\$20.00	\$30.00	Equivalent to the current state fee
9051	Semi-Volatile Organics (GC/MS)	\$525.00	\$230.00	Fee determined based on equation
9052	Sulfate	\$14.00	\$21.00	Equivalent to the current state fee
9053	Sulfate (Air Sample)	\$16.00	\$21.00	Equivalent to the current state fee
9054	Total Organic Carbon	\$13.00	\$16.00	Fee determined based on equation
9055	Turbidity	\$8.00	\$20.00	Equivalent to the current state fee
9056	Sample Prep for Metals Analysis - Soil	\$20.00	\$25.00	Equivalent to the current state fee

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance Amending Chapter 21 of the Code of Ordinances relating to Laboratory Fees	Category # 9	Page 1 of 8	Agenda Item # <b>2A</b>
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FROM (Department or other point of origin): Houston Department of Health and Human Services	Origination Date 11/10/08	Agenda Date DEC 17 2008
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DIRECTOR'S SIGNATURE: <i>Stephen J. Williams</i>	Council District affected: ALL
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For additional information contact: Kathy Barton Telephone: 713-794-9998 ; 713-826-5801	Date and identification of prior authorizing Council action:
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**RECOMMENDATION: (Summary)**  
Approval of an Ordinance Amending Chapter 21 of the Code of Ordinances ("Code") Relating to Laboratory Fees

Amount of Funding: N/A	Finance Department: <i>M. C. Mitchell</i>
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SOURCE OF FUNDING: [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ ] Other (Specify)
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**SPECIFIC EXPLANATION:**

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an ordinance amending Chapter 21 of the Code relating to laboratory fees. By this amendment, HDHHS will set up a new fund solely designated for laboratory operations and maintenance for the retention of all revenue from laboratory fees.

The HDHHS laboratories perform approximately 264 different types of tests for hospitals, clinics, other governmental entities, and HDHHS public health surveillance programs. The laboratory generated \$173,315.09 in revenue in fiscal year 2008. All revenue in the funds previously captured by the general fund will go toward the maintenance of the laboratories' infrastructure and the maintenance and purchase of laboratory equipment and supplies. Revenue in the fund will also be used for the development and maintenance of software and hardware used to account for the tests conducted and the billing of clients.

The Council Committee on Human Services and Technology Access considered this item at its meeting on Monday, November 10, 2008 and recommended it for consideration by City Council.

If passed, this ordinance will go into effect on January 1, 2009.

cc: Finance Department  
Legal Department  
Agenda Director

**REQUIRED AUTHORIZATION**

Finance Department	Other Authorization:	Other Authorization:
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*2A*

2 A  
DEC 17 2008

**Sec. 21-15. Fees charged for goods or services.**

(a) The director of the health and human services department is hereby authorized to charge and collect fees for goods or services provided by the department, provided that no person shall be denied goods or service because of his or her inability to pay for it. All fees charged pursuant to this section shall be set out in a fee schedule approved by motion by the city council and a copy shall be kept in the offices of the director and the city secretary for public inspection. The director shall consider the actual costs, direct and indirect, of the goods and services provided when recommending to the city council fees to be charged pursuant to this section. ~~All fees collected under this section shall be remitted to the city treasurer in the manner prescribed by that official.~~

(b) All laboratory fees charged and revenues collected shall be retained by the health department to defray a portion of the costs associated with the purchase, maintenance, operation, and utilization of the city laboratories, including but not limited to, infrastructure, equipment, supplies, software, and hardware systems, and with performing public health surveillance tests.

**Sec. 21-15.1. Fees charged pursuant to grants.**

If the city is required to charge fees for goods or services provided by the health and human services department pursuant to the terms of a state or federal grant accepted by ordinance, then the director is hereby authorized to charge and collect fees in accordance with the terms of the grant. ~~All fees collected under this section shall be remitted to the city treasurer in the manner prescribed by that official.~~

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Payment approval for the sum of \$141,683.81 to the Texas Commission on Environmental Quality for water system fees for calendar year 2009	Apr	Page 1 of 1	Agenda Item #  3
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<b>FROM (Department or other point of origin)</b> Department of Public Works and Engineering:	<b>Origination Date</b> 11-19-08	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Dannelle H. Belhateche, P.E. Phone: 713-837-0847 Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b> 1-3-08 – Motion No. 2008-0005
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**RECOMMENDATION: (Summary)**  
That City Council approve payment of \$141,683.81 to the Texas Commission on Environmental Quality for the 2009 Water System Fees.

<b>Amount of Funding:</b> \$141,683.81	<i>PCR 12/8/08</i>	<b>Finance Department:</b>
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**SOURCE OF FUNDING:**  General Fund  Grant Fund  Enterprise Fund  
 Other (Specify) Water & Sewer System Operating Fund No. 8300

**SPECIFIC EXPLANATION:**

The Department of Public Works and Engineering/ Drinking Water Operations Branch requests Council to approve payment of the Annual Water System Fees for the period of January 1, 2009 to December 31, 2009. These fees are paid to the Texas Commission on Environmental Quality for regulatory activities required for this agency under the Federal Safe Drinking Water Act. These activities include sanitary surveys, plan reviews, coordination of chemical and bacteria sample collection and other technical assistance.

The fee for a Public Water System is based on the number of connections listed below:

1. A system with fewer than 25 connections pays \$75.00.
2. A system with 25 to 99 connections pays \$150.00.
3. A system with 100 or more connections pays according to the calculated fee using the formula  $(C \times 0.70 \times 7.40)$  where c is the number of connections.

The fees for 2009 are based on data collected during the last inspection in 2008. For more information, see the attached sheet.

In 2008, the Drinking Water Operations Branch paid \$139,405.67 for Water System Fees.

DHB:dt

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

**REQUIRED AUTHORIZATION** 20DHB72

<b>Finance Department:</b>	<b>Other Authorization:</b> <i>Jun Chang</i> Jun Chang, P.E. Interim Deputy Director	<b>Other Authorization:</b> <i>Dannelle H. Belhateche</i> Dannelle H. Belhateche, P.E. Senior Assistant Director
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**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
SYSTEM FEES**

<b><u>SYSTEM ID No.</u></b>	<b><u>NAME OF SYSTEM</u></b>	<b><u>2008 FEES</u></b>	<b><u>2009 FEES</u></b>
1010013	MAIN SYSTEM	\$125,388.42	\$126,935.81
1010348	HC MUD 5 (KINGWOOD)	\$ 8,821.28	\$ 9,209.32
1011585	DISTRICT #73	\$ 1,057.80	\$ 1,112.78
1011590	SPANISH COVE	\$ 189.77	\$ 189.77
1011594	BELLEAU WOODS	\$ 337.04	\$ 337.04
1011593	DISTRICT #82	\$ 341.06	\$ 357.94
1011715	HUNTERWOOD	\$ 810.78	\$ 817.00
1011782	HC MUD #159 (#237)	\$ 698.70	\$ 963.33
1011902	WILLOWCHASE MUD	\$ 1,760.82	\$ 1,760.82
	<b>TOTAL</b>	<b>\$139,405.67</b>	<b>\$141,683.81</b>

<b>SUBJECT:</b> Settlement of Lawsuit styled <i>Joyce Yandell, Rebecca Machoro, and Kathy Hendley, Individually and as Heirs and Representatives of the Estate of Kenneth Yandell, Deceased v. Frederick Moore, City of Houston, et al</i> ; in the 281st District Court, Harris County		<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  4
<b>FROM</b> (Department or other point of origin):  Legal Department		<b>Origination Date</b> 12/10/08	<b>Agenda Date</b> DEC 17 2008	
<b>DIRECTOR'S SIGNATURE:</b>  		<b>Council District affected:</b> all		
<b>For additional information contact:</b>  Jaqueline Leguizamon Phone: (832) 393-6473		<b>Date and identification of prior authorizing Council action:</b> N/A		
<b>RECOMMENDATION:</b> (Summary)  Approve the referenced settlement				
<b>Amount of Funding:</b> \$70,650.00		<b>FIN Budget:</b>		
<b>SOURCE OF FUNDING:</b> <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input checked="" type="checkbox"/> Other Fund 1004 <i>Property and Casualty Fund</i>				
<b>SPECIFIC EXPLANATION:</b>  <p style="text-align: center;"><b><u>FOR SETTLEMENT PURPOSES ONLY</u></b></p> <p>The subject of this case is an intersection accident that occurred at Broadhurst and Alameda School Road on November 23, 2005, between Firefighter Sergio Morales, who was driving the ambulance and Kenneth Yandell, who was the patient being transported in the back of the ambulance. Mr. Morales, with activated lights and siren, slowed down and then drove through the stop sign. Mr. Morales then collided with a vehicle being driven by Mr. Ochoa Avelar. During the accident, Mr. Yandell received a blunt force trauma to his head, back and torso resulting in his immediate death.</p> <p>Under the Texas Tort Claims Act § 101.021(2), the Plaintiff can recover for personal injury due to the negligence of an employee in operating a vehicle within the course and scope of his or her employment, when the individual would be personally liable. The investigating officer found that the City's driver, Sergio Morales, failed to use due caution.</p> <p>The City Attorney recommends that the claim involving Joyce Yandell, Rebecca Machorro, and Kathy Hendley, Individually and as Heirs and Representatives of the Estate of Kenneth Yandell, Deceased be settled for \$70,650.00. The warrant should be payable to attorneys, Williamson &amp; Rusnak, and Joyce Yandell, Rebecca Machoro and Kathy Hendley.</p>				
<b>REQUIRED AUTHORIZATION</b>				
<b>FIN Director:</b>  		<b>Other Authorization:</b>		<b>Other Authorization:</b>

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work Momentum Contractors, Inc. Haden Park WBS No. F-0504C4-0001-4 Scenic Woods Park WBS No. F-0504C6-0001-4 Freshmeadow Park WBS No. F-000620-0001-4 Agnes Moffit Park WBS No. F-0504A1-0003-4	<b>Page</b> 1 of 2	<b>Agenda Item</b>  5
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 12-11-08	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. 	<b>Council District(s) affected:</b> A, B
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<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 832-393-8023	<b>Date and identification of prior authorizing Council action:</b> Ordinance 2006-1173; Dated November 29, 2006
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**RECOMMENDATION:** Pass a motion approving the final contract amount of \$952,345.41, accept the work, and authorize final payment.

<b>Amount and Source of Funding:</b> No Additional Funding Required	<b>Finance Budget:</b>
<b>Previous Funding:</b> \$1,024,043.25—Federal Government – Grant Funded (5000) CDBG Funds \$ 26,250.00—Parks Consolidated Construction Fund (4502) <b>\$1,050,293.25 Total</b>	

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve the final contract amount of \$952,345.41 or 4.18% over the original contract amount, accept the work and authorize final payment to Momentum Contractors, Inc. for construction services in connection with the redevelopment of Haden, Scenic Woods, Freshmeadow, and Agnes Moffit Parks for the Parks and Recreation Department.

**PROJECT LOCATIONS:**

Haden Park	1404 Witte Rd.	450W	District A
Scenic Woods Park	7449 Lakewood	415W	District B
Freshmeadow Park	4500 Campbell Rd.	450F	District A
Agnes Moffitt Park	10645 Hammerly	449R	District A

**PROJECT DESCRIPTIONS:** The projects completed the following:

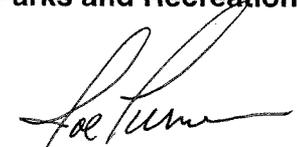
**Haden Park:** Installed new playground, asphalt trail, security lights, drinking fountain, benches, gazebo, entry walls, signage, landscaping, irrigation and drainage.

**Scenic Woods:** Relocated swings to existing playground, installed tot lot, gazebo, picnic tables, Port-o-let enclosure, security lighting, drainage and grading improvements.

**Freshmeadow Park:** Installed new asphalt trail, provided site grading and connector sidewalks.

**Agnes Moffitt Park:** Installed new masonry entry sign wall.

**REQUIRED AUTHORIZATION** CUIC ID # 25PARK46 *MD*

<b>General Services Department:</b>  Humberto Bautista Chief of Design & Construction Division	<b>Housing and Community Development:</b>  Richard Celli Director	<b>Parks and Recreation Department:</b>  Joe Turner Director
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<b>DATE:</b>	<b>SUBJECT:</b> Accept Work Momentum Contractors, Inc. Haden Park            WBS No. F-0504C4-0001-4 Scenic Woods Park   WBS No. F-0504C6-0001-4 Freshmeadow Park   WBS No. F-000620-0001-4 Agnes Moffit Park    WBS No. F-0504A1-0003-4	<b>Originator Initials</b> LJ	<b>Page</b> 2 of 2
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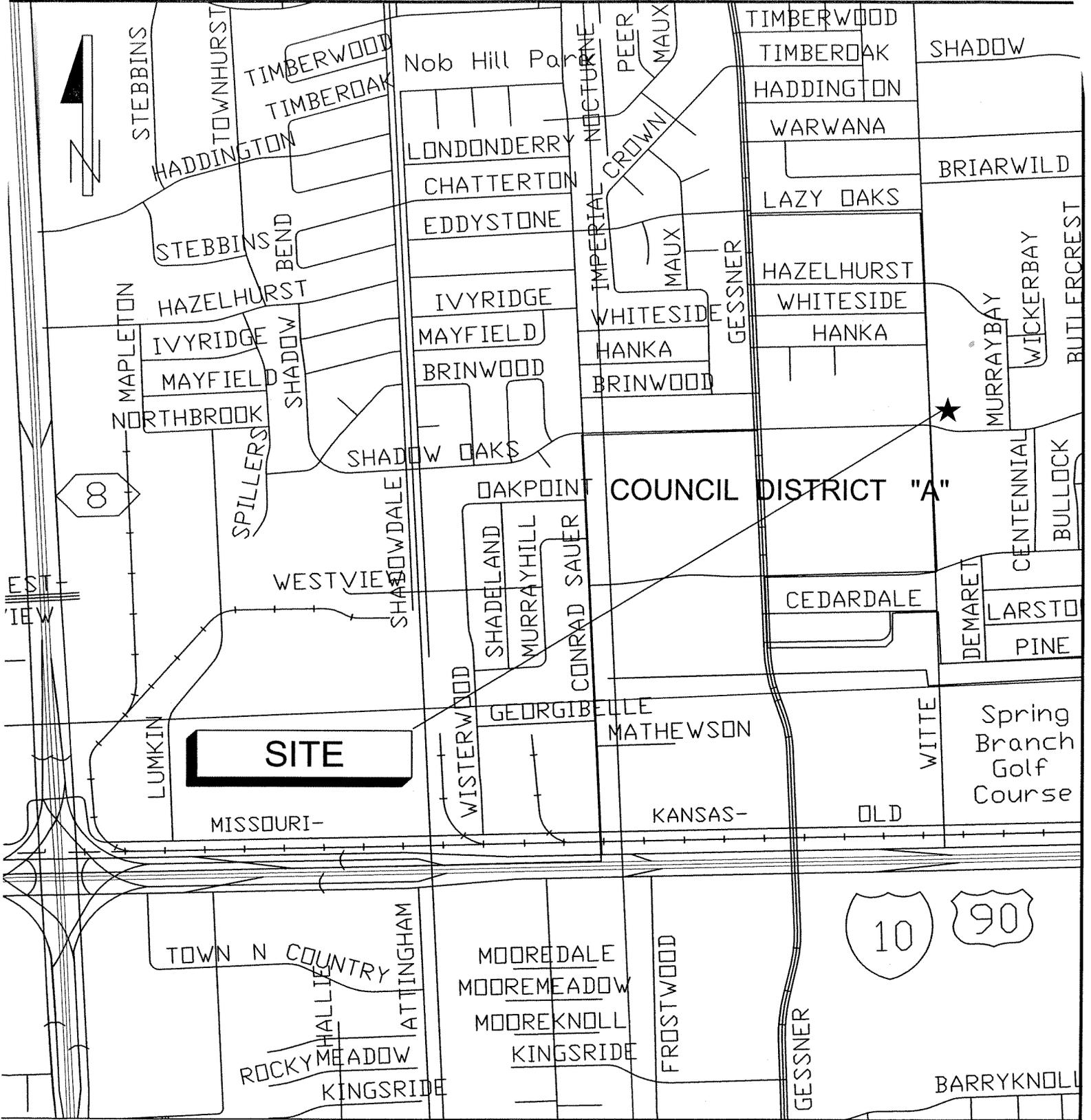
**CONTRACT COMPLETION AND COST:** The contractor completed the work within the contract time, plus an additional 186 days approved by Change Orders. The final cost of the project, including Change Orders is \$952,345.41, an increase of \$38,180.41 over the original contract amount.

The project design consultant and construction manager was M2L & Associates.

**PREVIOUS CHANGE ORDERS:** Change Orders 1-4 removed drainage pipes under the trail at Freshmeadow Park; modified access ramp and added curb at Scenic Woods; revised inlet, upgraded the light fixture style and provided for remobilization cost at Haden Park; and added non-compensable time extensions to the contract.

IZD:HB:JLN::CF:bo

c: Marty Stein, Mark Ross, Jacquelyn L. Nisby, Webb Mitchell, Pirooz Farhoomand, Laura Ortiz, Gayve Anklesaria, Dan Pederson, File 1108



HADEN PARK IMPROVEMENTS  
1404 WITTE RD.

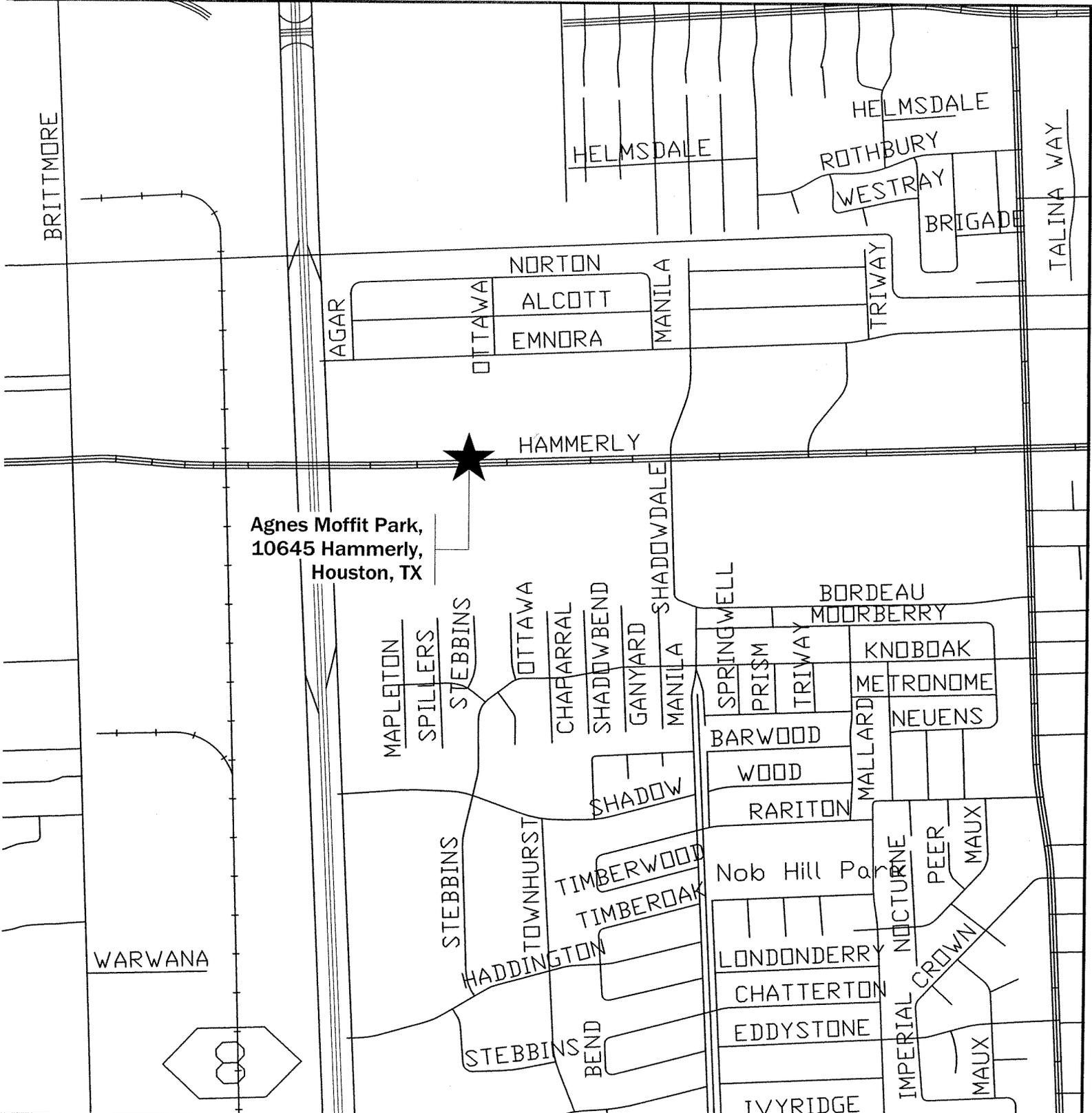




FRESHMEADOW PARK IMPROVEMENTS  
4500 CAMPBELL

COUNCIL DISTRICTS "A"

KEY MAP NO. 450F



**Agnes Moffit Park**  
**10645 Hammerly, Houston, TX**

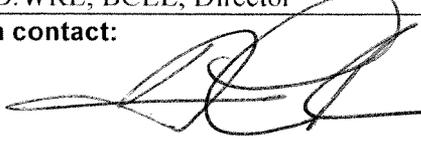
To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work for the Buffalo Speedway: W Orem to W. Airport, WBS No. N-000619-0001-4.	<b>Category</b> # 1,7	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 6
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12/10/08	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> D
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<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. #2006- 725 dated 06/28/2006
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**RECOMMENDATION:** (Summary) Pass a motion to approve the final Contract Amount of 4,290,636.14 or 2.27% over the original Contract Amount, accept the Work and authorize final payment.

<b>Amount and Source of Funding:</b> No additional funding required: Total Original appropriation of \$4,926,403.48 with \$4,476,692.48 from Series E Commercial Paper Metro Projects Fund, No. 49M; and \$449,711.00 from Water and Sewer System Consolidated Construction Fund No. 755.	<b>Finance Department</b>
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**PROJECT NOTICE/JUSTIFICATION:** This project was part of the Street and Traffic Control Improvement program and was required to improve traffic flow/ circulation and reduce traffic congestion and hazards in service area.

**DESCRIPTION/SCOPE:** This project consisted of the Paving Extension of approximately 4810 linear feet of dual 24-foot wide concrete roadway with raised median, underground utilities and street lighting. Charles D. Gooden Consulting Engineers, Inc. designed the project with 330 days allowed for construction. The project was awarded to Conrad Construction Co., Ltd. with an original Contract Amount of \$4,195,403.48.

**LOCATION:** The project area was generally bounded by West Orem Dr. on the south and West Airport Blvd. on the north. The project was located in Key Map Grid 572K and F.

**CONTRACT COMPLETION AND COST:** The Contractor, Conrad Construction Co., Inc., has completed the Work under the subject Contract. The project was completed within the Contract Time with 47 additional days approved by Change Order No.1 The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No.1, is \$4,290,636.14, an increase of \$95,232.66 or 2.27% over the original Contract Amount.

The increased cost is primarily a result of Change Order No. 1 and the difference between planned and measured quantities. This increase is primarily due to overruns in Bid Item No. 29 – 16-inch Restrained Joint Pipe Section in Open-Cut, Bid item No. 49 – 9” Reinf. Conc. Jt'D. Paving (RCJP), and Extra Unit Price Items, which were necessary to complete the work.

**M/WBE PARTICIPATION:** The M/WBE goal for this project was 17%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 27.26%. Contractor's M/WBE performance evaluation was rated Outstanding.

MSM:DM:JTL:AK:JS:ha

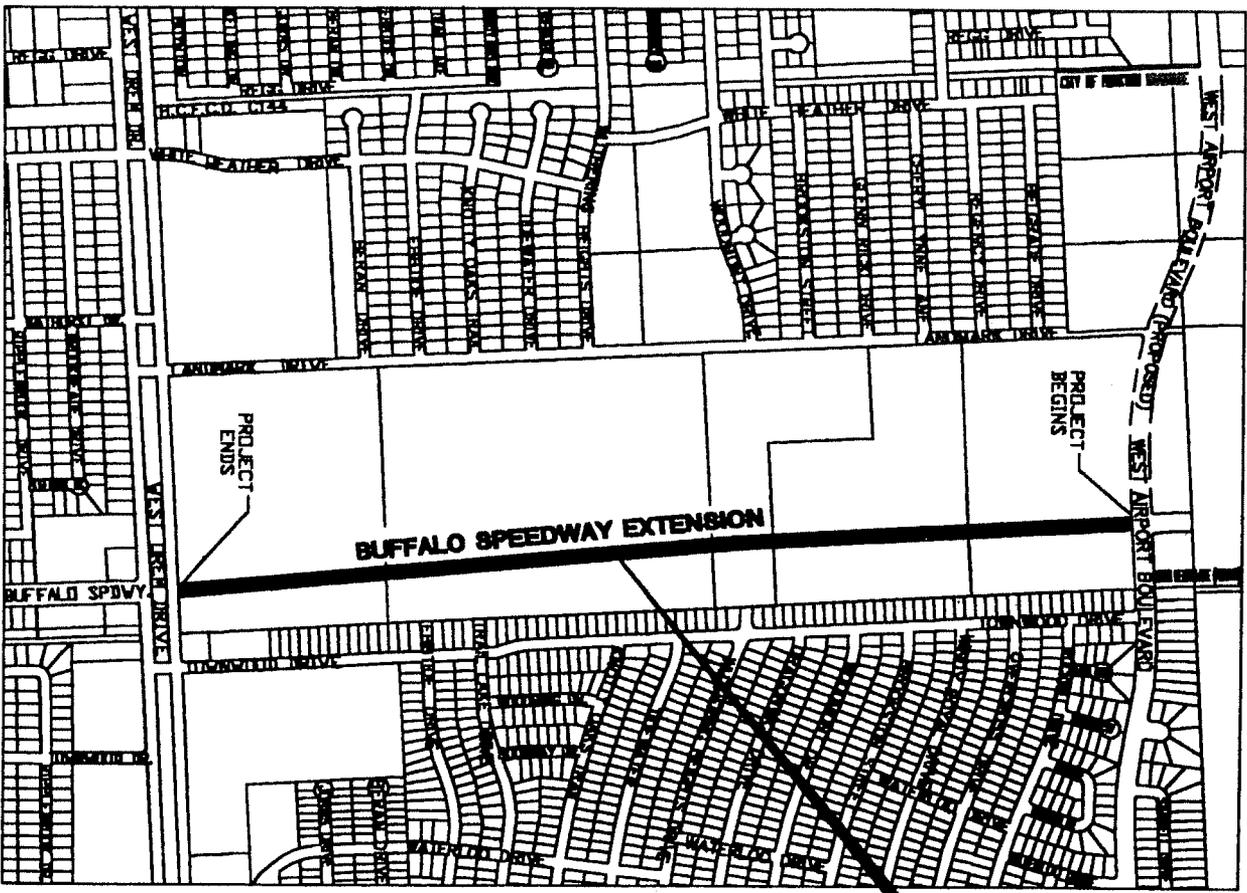
S:\E&C Construction\South Sector\PROJECT FOLDER\N-0619-01-3x\Closeouts\RCA\Accept Work RCA.doc

cc: Marty Stein Velma Laws Craig Foster Waynette Chan File No. SB9175/21.0

REQUIRED AUTHORIZATION CUIC ID# 20HA40

<b>Finance Department</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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**CITY OF HOUSTON**  
**DEPARTMENT OF PUBLIC WORKS AND ENGINEERING**  
**ENGINEERING CONSTRUCTION AND REAL ESTATE**  
**GFS NO. N-0619-01-2 (FILE NO. SB9175)**



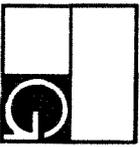
**PROJECT LOCATION**

KEY MAP # 572 K, F  
 GIMS MAP # 5251 & 5252 COUNCIL DISTRICT D

**VICINITY AND GIMS MAP**

**BUFFALO SPEEDWAY**

(GFS NO. N-0619-01-2 FILE NO. SB9175)  
 SCALE: NTS  
 DATE: JAN. 7, 2004

  
**CHARLES D. GOODEN ENGINEERS, INC.**  
 2656 SOUTH LOOP WEST, SUITE 380  
 HOUSTON, TEXAS 77054 (713) 660-6905  
 email: cdgce@goodenengineers.com

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8109**

**Subject:** Purchase of a Cisco Smartnet Maintenance Agreement through the City's Master Agreement with the Texas Department of Information Resources for the Houston Airport System (S17-H23102)

Category #  
4 & 5

Page 1 of 1

Agenda Item

7

**FROM (Department or other point of origin):**  
Calvin D. Wells  
City Purchasing Agent  
Administration & Regulatory Affairs Department

**Origination Date**  
December 04, 2008

**Agenda Date**  
DEC 17 2008

**DIRECTOR'S SIGNATURE**  
*Calvin D. Wells*

**Council District(s) affected**  
B, E, I

**For additional information contact:**  
Richard Hrachovy      Phone: (281) 230-8002  
Douglas Moore      Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve the purchase of a Cisco Smartnet maintenance agreement in the total amount of \$115,342.80 through the City's Master Agreement with the Texas Department of information Resources for the Houston Airport System.

Award Amount: \$115,342.80

**Finance Budget**

\$115,342.80 - HAS Revenue Fund (Fund 8001)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the purchase of a 12-month Cisco Smartnet maintenance agreement in the total amount of \$115,342.80 through the City's Master Agreement with the Texas Department of Information Resources (DIR) for the Houston Airport System (HAS), and that authorization be given to issue a purchase order to DIR's Go Direct vendor, NWN Corporation.

This maintenance agreement will provide coverage for the Cisco Smartnet core network switches, chassis-based switches, firewall and the virtual private network device for secure remote access and services at George Bush Intercontinental Airport and William P. Hobby Airport. The coverage will provide HAS with a single renewal date for all items covered within the maintenance agreement. The Department's Information Technology personnel will have access to device configuration assistance and the inventory of devices would not be required. The term of this agreement is from 12/25/08 through 12/24/09.

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

- Replacement of hardware in case of failure
- Replacement of covered devices in a timely manner
- Configuration assistance on covered hardware
- Prorated coverage for new hardware to maintain a single renewal date
- Telephone support 24 hours a day, 7 days a week, 365 days a year

Buyer: Murdock Smith

Attachment: M/WBE Zero-Percentage Goal Document approved by the Affirmative Action Division

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

MDT

2

7

# CITY OF HOUSTON

## INTEROFFICE CORRESPONDENCE

TO: Velma Laws  
Director  
Mayors Office Of Affirmative Action

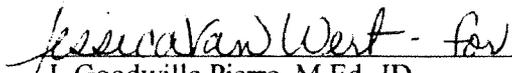
FROM: J. Goodwille Pierre  
Manager-Small Business  
Development and Contract  
Compliance  
Houston Airport System

DATE: October 29, 2008

SUBJECT: Approval of 0% Goals for Purchase  
of the Cisco Smartnet Maintenance  
Agreement for the Houston Airport  
System

The Houston Airport System (HAS) seeks to purchase a one-year Cisco Smartnet Hardware Maintenance Agreement to cover our core network switches and our chassis based switches located at George Bush Intercontinental and William P. Hobby Airports. The total value of this request is \$115,342.80 and the maintenance agreement can be purchased off of the DIR contract from our existing provider, NWN Corporation. The Smartnet services include device replacement and configuration assistance. There is no actual service or installation required. There is no opportunity for MWBE participation on this purchase as Cisco will allow only their resellers to offer this maintenance agreement.

Because there is no opportunity for MWBE participation on this purchase, the Houston Airport System is requesting from the Mayor's Office of Affirmative Action and Contract Compliance approval of a Zero (0%) goal for the above referenced purchase order.

  
J. Goodwille Pierre, M.Ed, JD

Read and Approved

  
FOR Velma Laws

JGP:dd

cc: Dallas Evans  
Susan Ackerson  
Jessica Van Wert

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8147**

**Subject:** Purchase of Roof Restoration Services for the George R. Brown Convention Center from the State of Texas Procurement and Support Services Contract for the Convention & Entertainment Facilities Department S30-C23112

Category #  
1 & 4

Page 1 of 1

Agenda Item

*8-8A*

**FROM (Department or other point of origin):**  
Calvin D. Wells  
City Purchasing Agent  
Administration & Regulatory Affairs Department

**Origination Date**  
November 25, 2008

**Agenda Date**  
DEC 17 2008

**DIRECTOR'S SIGNATURE**  
*Calvin D. Wells*

**Council District(s) affected**  
1

**For additional information contact:**  
Stephen Lewis                      Phone: (713) 853-8888  
Ray DuRousseau                      Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$2,198,870.00 out of the C & E Construction Fund (Fund 8611) and approve the purchase of roof restoration services for the George R. Brown Convention Center in the total amount of \$2,198,870.00 from the State of Texas Procurement and Support Services Contract for the Convention & Entertainment Facilities Department.

Award Amount: \$2,198,870.00

**Finance Budget**

\$2,198,870.00 C & E Construction Fund (8611) WBS B-000132-0001-4-01

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$2,198,870.00 out of the C & E Construction Fund (Fund 8611). It is further recommended that City Council approve the purchase of roof restoration services for the George R. Brown Convention Center (GRBCC) in the total amount of \$2,198,870.00 from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Convention & Entertainment Facilities Department and that authorization be given to issue a purchase order to the State Contract supplier, Design-Build Solutions, Inc. This project is necessary to restore and re-coat the ten-year-old roofing material on the original portion of the GRBCC and five-year-old roofing on the expansion portions of the GRBCC and extend the overall life of the entire roof, while also extending the manufacturer's warranty for an additional 18 years.

The scope of work requires the contractor to provide all labor, materials, equipment, permits, insurance, supervision and transportation necessary to restore the entire roof at the George R. Brown Convention Center (approximately 700,000 square feet). The contractor will also be required to repair all blisters and blemishes on the entire roof, perform all required drain and flashing maintenance, power broom and power wash the surface, apply a base coating of up to five-gallons per square, and install a white polyurethane coating of 1-1/2-gallons per square. Materials and workmanship for this project are warranted for 18 years and will have a life expectancy of 20 years. The contractor will have 150 days to complete the work on this project upon receipt of the notice-to-proceed.

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: Richard Morris

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MS*  
*CA*

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8116

Subject: Ordinance for the appropriation of \$571,434.25 from the FY09 Equipment Acquisition Funds (Fund1800) to purchase Capital Equipment for the Houston Fire Department through using existing cooperative purchasing agreements and the informal bid process.

Category #  
1 & 4

Page 1 of 2

Agenda Item

9+9A

FROM (Department or other point of origin):

Phil Boriskie  
Fire Chief  
Fire

Origination Date

November 01, 2008

Agenda Date

DEC 17 2008

DIRECTOR'S SIGNATURE

*Phil Boriskie*

Council District(s) affected  
All

For additional information contact:

Karen Dupont Phone: (713) 859-4934  
Jack Williams Phone: (713) 247-8793

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an Ordinance authorizing the appropriation of \$571,434.25 out of the FY09 Equipment Acquisition Fund (Fund 1800) for the purchase of Capital Equipment for the Houston Fire Department using existing cooperative purchasing agreements or the bid process.

\$571,434.25 (FY09 Fund 1800) Equipment Acquisition Fund

Finance Budget

*Michelle Mitchell*

SPECIFIC EXPLANATION:

The Fire Chief recommends that City Council approve an Ordinance authorizing the appropriation of \$571,434.25 from the FY09 Equipment Acquisition Fund (Fund 1800) for the purchase of Capital Equipment items for HFD as approved in the FY09 Equipment Acquisition Plan. The Appropriation Ordinance is required to provide the funding for the purchase of capital equipment that will be purchased in separate procurements.

The FY09 Capital Equipment purchase includes the following equipment:

Mobile Data Computers – 58 - MW810 mobile data computers to be installed in existing apparatus to replace equipment that is aging out of use. Units are also being purchased for new apparatus. These computers display each run as it is received giving location and providing GPS directions, it is the primary fixed mount communications device that indicates an apparatus' availability for service. It also allows for the exchange of information without the use of voice radio traffic which in our very busy system could be difficult to get your message out during peak volume times. Total cost of this purchase is \$401,513.70 with an HGAC unit cost of \$6,922.65. These computers will be purchased from Motorola, Inc. through an HGAC contract.

VHF Mobile Radios – 15 - XTL-5000 hand held radios for use by field personnel to communicate on the fireground or wherever HFD operations are being executed. Total cost of this purchase is \$39,822.00 with an HGAC unit cost of \$2,654.80.

Tower Lift – 1 mechanical lift system to be installed in our Heavy Duty Fleet maintenance shop for the repair and maintenance of Pierce Tower apparatus. We have two Ladder trucks manufactured by Pierce in our fleet. The undercarriage of the Pierce apparatus is configured so that use of existing lifts cannot be used. This purchase will consist of six mobile lifting columns with a per column lifting capacity of 18,000 pounds for a total lift capacity of 108,000 pounds. Total cost for this HGAC purchase is \$49,176.00.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

*MSB  
CFW*

Other Authorization:

MS

JK

Date: 11/1/2008	Subject: Ordinance for the appropriation of \$571,434.25 from the FY09 Equipment Acquisition Funds (Fund1800) to purchase Capital Equipment for the Houston Fire Department through using existing cooperative purchasing agreements and the informal bid process.	Originator's Initials KD	Page 2 of 2
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12 Lead Task Trainer – 2 Torso mannequins to be used in training paramedics in the proper placement of electrodes on the chest for obtaining an accurate electrocardiogram (EKG). Total cost of this purchase \$12,288.50 at a per unit cost of \$6,144.25.

Confined Space Communications Center – This is a communications system allowing members of the Rescue Team who are actively engaged in accessing or extricating victims to talk with hands free capability in a high noise, confined, or otherwise harsh environment. Purchase also includes a probe that can be lowered into confined spaces to speak with victim until rescue can be achieved. Total HGAC purchase cost is \$14,000.09.

Speedshore Trenching Equipment – Trench Rescue kits are designed to permit Rescue crews to quickly and safely perform excavation rescue operations in most soil types and conditions. This purchase consists of many parts to be used as required to shore up trenches so rescue or extrication can be accomplished. Total cost of this purchase is \$17,360.50.

Outboard Motors – This purchase request is for 3, 90HP and 1, 60HP outboard motors with propellers to replace units aging out of the fleet. These units will replace motors purchased in 1996 that have reached the end of their effective life span. Each 90HP motor with a propeller costs \$6,045.99. The 60HP motor with a propeller costs \$4,886.99. Total outboard motor purchase through TXMas is \$23,024.96.

Snapstream Enterprise Server – This purchase consists of one server to be used by the HFD Public Information Office in conjunction with the Snapstream Media program. Snapstream Media is currently used by several COH offices to capture multiple media streams for internal review and distribution. Participation requires the purchase of a server and an annually renewable software and licensing agreement. Total cost of this purchase is \$14,248.50.

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8149**

**Subject:** Approve an Appropriating Ordinance and Approve the Purchase of NetMotion Software from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program S17-H23115

Category #  
4 & 5

Page 1 of 1

Agenda Item

*10 + 10A*

**FROM (Department or other point of origin):**  
Calvin D. Wells  
City Purchasing Agent  
Administration & Regulatory Affairs Department

**Origination Date**  
December 04, 2008

**Agenda Date**  
DEC 17 2008

**DIRECTOR'S SIGNATURE**  
*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**  
Janis Benton Phone: (832) 393-0004  
Douglas Moore Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$418,819.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and approve the purchase of NetMotion Wireless Mobility software and related services in an amount not to exceed \$410,569.00 from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for the Information Technology Department.

Award Amount: \$410,569.00

**Finance Budget**

\$418,819.00 - Equipment Acquisition Consolidated Fund (Fund 1800) WBS X-682002-0001-3-01

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$418,819.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further requested that City Council approve the purchase of NetMotion Wireless Mobility software in an amount not to exceed \$410,569.00 from the GSA Schedule 70 Contract through the Cooperative Purchasing Program under Section 211 of the Government Act of 2002 for the Information Technology Department and that authorization be given to issue purchase orders to the GSA contractor, Insight Public Sector, Inc. The requested appropriation includes \$8,250.00 to purchase miscellaneous equipment needed to implement the NetMotion Wireless Mobility software solution and will be purchased through existing City contracts.

This purchase will consist of 3,000 user licenses for the NetMotion Wireless Mobility software. The licenses will be used to provide secure, remote connectivity for City employees. This software will allow City employees to login remotely to all City applications and perform their job functions from home or in the field. NetMotion Wireless Mobility software is designed to compliment existing IT systems and is easy to deploy and maintain. NetMotion Wireless Mobility software optimizes wireless performance of applications by automatically connecting users to the fastest available network.

The Information Technology Department recently conducted a six-month pilot project with the Houston Police Department (HPD) using wireless data cards and NetMotion Wireless Mobility software to deliver critical data to police officers in their vehicles. The software allowed police officers to utilize their laptops to access police reports and other information critical to their duties. This action increased productivity and aided in reducing crime in various City of Houston neighborhoods. The broadband wireless capabilities provided HPD officers with gang database, Crime Analysis System, HPD's records management as well as access to the Harris County Justice Information System.

Buyer: Murdock Smith

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*NG*

*100A*

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8153**

**Subject:** Purchase of Portable Scales and Associated Equipment from State of Texas Procurement and Support Services Contract for the Houston Police Department  
S18-Q23113-S

Category #  
4

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Agenda Item  
  
11

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

Calvin D. Wells  
City Purchasing Agent  
Administration & Regulatory Affairs Department

**Origination Date**

December 08, 2008

**Agenda Date**

DEC 17 2008

**DIRECTOR'S SIGNATURE**

Harold L. Hurtt, Chief of Police

**Council District(s) affected**  
All

**For additional information contact:**

Joseph Fenninger Phone: (713) 308-1708  
Ray DuRousseau Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve the purchase of portable scales and associated equipment in the total amount of \$335,546.11 from the State of Texas Procurement and Support Services Contract for the Houston Police Department.

Awarded Amount: \$335,546.11

**Finance Budget**

\$335,546.11 - Digital Automated Redlight Enforcement Program (Fund 2212)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the purchase of portable scales and associated equipment in the total amount of \$335,546.11 from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Houston Police Department, and that authorization be given to issue a purchase order to the State contract supplier, Intercomp Company. The portable scales and associated equipment will be assigned to the Department's Traffic Division Truck Enforcement Detail and will be used citywide for the inspection of heavy over-the-road and local delivery trucks to ensure that they meet the existing laws and safety standards of federal, state and local agencies.

This purchase consists of nineteen sets of low-profile wheel scales and ramps, two axle scales with ramps, two axle scale trailers, two central processing units (CPUs) and associated hard ware and software, six interconnected cables (plate form to plate form), four interconnected cables (CPU to plate form) and two remote display terminals. Seven of nineteen sets of low-profile wheel scales and ramps will replace ten-year-old scales that are broken and not economically repairable. The twelve sets of low-profile wheel scales and ramps are additions to the Department's inventory and will be used by the twelve officers recently added to the Traffic Division's Truck Enforcement Detail. The axle scale trailers, CPUs and remote terminals are additions to the Department's inventory. All of the equipment being purchased will come with a full two-year warranty and the life expectancy is ten to fifteen years.

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: Angela Jackson  
Requisition # 10064646

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

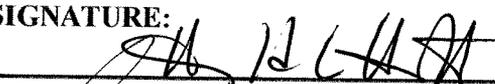
**NOT**

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT: Approve Procurement of MD Helicopter Professional Training Services for the Police Department</b>	<b>Category #</b> 4	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 12
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<b>FROM (Department or other point of origin):</b> Harold L. Hurt Chief of Police	<b>Origination Date</b> December 2, 2008	<b>Agenda Date:</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected: All</b>
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<b>For additional information contact:</b> Joe Fenninger Phone: (713) 308-1700 Dan Schwarzbach Phone: (713) 640-3400	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Approve the purchase of MD Helicopter Professional Training Services in the amount of \$61,000.00 for the Houston Police Department.

<b>Amount and Source of Funding: \$61,000.00 Police Special Services Fund (2201)</b>	<b>Finance Department:</b>
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**SPECIFIC EXPLANATION:**  
The Police Department recommends that city Council approve the procurement of MD Helicopter professional training services from MD Helicopters, Inc. in the amount of \$61,000. All training classes will be conducted by MD Helicopter, Inc., at its factory school in Mesa, Arizona. For pilots, these professional training services consist of the following three separate courses:

- 1) MD 500E Recurrency Training Course: The Federal Aviation Administration (FAA) requires licensed pilots to complete this training biennially. Registration for this training was provided for twenty-one (21) pilots in the recent purchase of new MD 500E helicopters from MD Helicopters, Inc. (a \$90,300 value). \$17,200 of the requested amount is the registration for the remaining four (4) pilots assigned to the Air Support Division to attend this training.
- 2) MD 500E Transition Training Course: \$13,200 of the requested amount is for the registration of two (2) pilots that are currently completing initial pilot training in this course, designed to familiarize pilots with minimal-to-no MD 500E experience with the helicopter's systems and operation.
- 3) MD 500 Maintenance Test Flight and Night Emergency Procedures Course: \$30,600 of the requested amount is for registration of the Division's four (4) Certified Flight Instructors (CFI) in this course, designed to familiarize pilots with the procedures and techniques necessary to perform maintenance test flights and evaluate completed maintenance actions, as well as familiarize them with procedures and techniques to successfully resolve emergencies during night operations.

<b>REQUIRED AUTHORIZATION</b>		
<b>Finance Director:</b>	<b>Other Authorization:</b>  12/9/08	<b>Other Authorization:</b> NDT

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8138**

**Subject:** Formal Bids Received for Chemical, Liquid Gaseous Chlorine for the Public Works & Engineering Department  
S12-S22974

Category #  
4

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Agenda Item

13

**FROM (Department or other point of origin):**  
Calvin D. Wells  
City Purchasing Agent  
Administration & Regulatory Affairs Department

**Origination Date**  
December 08, 2008

**Agenda Date**  
DEC 17 2008

**DIRECTOR'S SIGNATURE**  
*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**  
David Guernsey Phone: (713) 238-5241  
Ray DuRousseau Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**  
Approve an award to Altvia Corporation on its low complete bid in an amount not to exceed \$5,320,200.00 for chemical, liquid gaseous chlorine for the Public Works & Engineering Department.

Estimated Spending Authority: \$5,320,200.00

**Finance Budget**

\$5,320,200.00 Water & Sewer System Operating Fund (8300)

**SPECIFIC EXPLANATION:**  
The City Purchasing Agent recommends that City Council approve an award to Altvia Corporation on its low complete bid in an amount not to exceed \$5,320,200.00 for liquid gaseous chlorine for the Public Works & Engineering Department. It is further requested that authorization be given to make purchases, as needed, for a 60-month period. This award, consisting of approximately 25,800,000 pounds of liquid gaseous chlorine, will be utilized on a daily basis by the Department's Drinking Water Operations and Wastewater Treatment Branches to oxidize and disinfect wastewater and potable drinking water citywide. Chlorine is essential to comply with the Texas Commission of Environmental Quality and the Environmental Protection Agency's water quality mandates necessary to preserve and protect the public's health and safety.  
This project was advertised in accordance with the requirements of the State of Texas bid laws. Three prospective bidders downloaded the solicitation document from SPD's e-bidding website and two bids were received as outlined below:

	<u>Company</u>	<u>Total Amount</u>
1.	DXI Industries, Inc.	\$3,594,840.00 (Partial Bid)
2.	Altvia Corporation	\$5,320,200.00

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

**Altvia Corporation** has designated the below-named company as its certified M/WBE subcontractor.

<u>NAME</u>	<u>TYPE OF WORK</u>	<u>DOLLAR AMOUNT</u>
Pretty Quick Delivery Services	Delivery Services	\$585,222.00

This award will be monitored by the Affirmative Action Division.

Buyer: Martin L. King

**Estimated Spending Authority:**

<u>DEPARTMENT</u>	<u>FY 2009</u>	<u>OUT YEARS</u>	<u>TOTAL</u>
PW&E	\$1,064,040.00	\$4,256,160.00	\$5,320,200.00

**REQUIRED AUTHORIZATION**

NDT

Finance Department:

Other Authorization:

Other Authorization:

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8044**

**Subject:** Approve the Sole Source Purchase of Cage Mill Flash Dryer Replacement Parts for the Public Works & Engineering Department S40-S22985

Category #  
4

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Agenda Item

14

**FROM (Department or other point of origin):**  
Calvin D. Wells  
City Purchasing Agent  
Administration & Regulatory Affairs Department

**Origination Date**  
November 24, 2008

**Agenda Date**  
DEC 17 2008

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
D, I

**For additional information contact:**  
David Guernsey Phone: (713) 238-5241  
Desiree Heath Phone: (832) 393-8742

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

**RECOMMENDATION: (Summary)**

Approve the sole source purchase from Alstom Power, Inc. Air Preheater Company, Raymond Operations, in an amount not to exceed \$545,000.00 for cage mill flash dryer replacement parts for the Public Works & Engineering Department.

Estimated Spending Authority: \$545,000.00

**Finance Budget**

\$545,000.00 PWE -- W&S System Operating Fund (8300)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the sole source purchase from Alstom Power, Inc. Air Preheater Company, Raymond Operations, in an amount not to exceed \$545,000.00 for cage mill flash dryer replacement parts for the Public Works & Engineering Department. It is further requested that authorization be given to make purchases, as needed, for a 36-month period, with two one year options to extend. This award consists of a price list for various replacement parts, which includes but is not limited to, paddles, paddle tips, mixer saddles, mixer center shaft sections, and double flap valve assemblies for cage mill flash dryers used by the Department to maintain the operational status of critical plant equipment.

Alstom Power, Inc. is the sole source manufacturer and has no authorized distributor for these replacement parts.

The recommendation is pursuant to Section 252.022 (a) (7) (A) of the Texas Local Government Code for exempted procurements.

Buyer: Jeff D. Meekins

Attachment: M/WBE zero-percentage goal document approved by the Affirmative Action Division

**Estimated Spending Authority:**

DEPARTMENT	FY2009	OUT YEARS	TOTAL
Public Works & Engineering	\$65,000.00	\$480,000.00	\$545,000.00

*mgl*

65CDW8044

**REQUIRED AUTHORIZATION**

NDT

Finance Department:

Other Authorization:

*Paul's Out 12508*



# CITY OF HOUSTON

Administration & Regulatory Affairs Department  
Strategic Purchasing Division (SPD)

## Interoffice

Correspondence

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

From: Jeff Meekins

Date: July 14, 2008

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: \_\_\_\_\_ New Goal: \_\_\_\_\_

If requesting a revision, how many solicitations were received: \_\_\_\_\_

Solicitation Number: S22985 Estimated Dollar Amount: \$545,000.00

Anticipated Advertisement Date: 7/28/2008 Solicitation Due Date: 8/11/2008

Goal On Last Contract: 0% Was Goal met: Yes  No

If goal was not met, what did the vendor achieve: \_\_\_\_\_

Name and Intent of this Solicitation:  
Replacement Parts for Cage Mill Flash Dryers for the Public Works Department

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

There is no opportunity to use an MWBE subcontractor as the supplier has outside manufacturers at multiple locations who produce the finished product that is then direct shipped via common carrier to the city of Houston. Most, if not all, shipments originate outside the State of Texas.

Concurrence:

Jeff W. Meekins  
SPD Initiator

Desiree Heath  
Division Manager

Robert Gallegos  
Robert Gallegos, Deputy Assistant Director  
\*Affirmative Action

Kevin M. Coleman  
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.

RECEIVED

JUL 15 2008

CITY OF HOUSTON  
ADMINISTRATION & REGULATORY AFFAIRS DEPARTMENT

REVISED: 03/20/2008

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA# 8072

**Subject:** Purchase of Cabs & Chassis and Refuse Bodies Through the Texas Local Government Purchasing Cooperative and the Houston-Galveston Area Council for the Solid Waste Management Department S34-N23048-B&H

Category #  
1 & 4

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Agenda Item

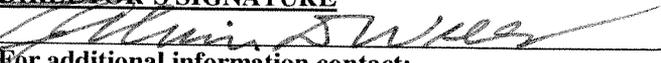
15

**FROM (Department or other point of origin):**  
Calvin D. Wells  
City Purchasing Agent  
Administration & Regulatory Affairs Department

**Origination Date**  
November 19, 2008

**Agenda Date**  
DEC 17 2008

**DIRECTOR'S SIGNATURE**

*MS*  


**Council District(s) affected**  
All

**For additional information contact:**  
Harry Hayes Phone: (713) 837-9103  
Ray DuRousseau Phone: (832) 393-8726

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

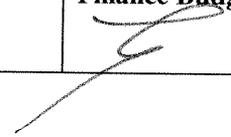
**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$3,213,511.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and \$1,349,843.00 out of the Reimbursement of Equipment/Projects Fund (Fund 1850), and approve the purchase of cabs & chassis and refuse bodies through the Texas Local Government Purchasing Cooperative (BuyBoard) and the Houston-Galveston Area Council (H-GAC) in the amount of \$4,563,354.00 for the Solid Waste Management Department.

*Ord. Adopted 12-10-08*

Award Amount - \$4,563,354.00

**Finance Budget**



\$3,213,511.00 - Equipment Acquisition Consolidated Fund (1800)  
\$1,349,843.00 - Reimbursement of Equipment/Projects Fund (1850)  
\$4,563,354.00 - Total Funding

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$3,213,511.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and \$1,349,843.00 out of the Reimbursement of Equipment/Projects Fund (Fund 1850). It is further recommended that City Council approve the purchase of cabs & chassis and refuse bodies through the Interlocal Agreements for Cooperative Purchasing with the BuyBoard and H-GAC in the total amount of \$4,563,354.00 for the Solid Waste Management Department, and that authorization be given to issue purchase orders to the cooperative purchasing agencies contractors as shown below. The cabs & chassis, when mounted with the refuse bodies and associated equipment, will be used citywide by the Department to pickup, transport and dispose of residential garbage, heavy trash and other refuse.

**H-GAC Contractors:**

- ✓ **Houston Freightliner, Inc.:** Approve the purchase of three 62,000-lb Gross Vehicle Weight Rating (GVWR), conventional cab, diesel-powered, cabs & chassis mounted with roll-off tilt frames and winch hoist mechanisms; two 45,000-lb GVWR, conventional cab, diesel-powered, cabs & chassis mounted with 14-cubic yard capacity, automatic side-loader, refuse collection bodies; five 35,000-lb GVWR, conventional cab, diesel-powered cabs & chassis mounted with fifth wheel attachments; a 33,000-lb GVWR, conventional cab, diesel-powered, cab & chassis; and seven 62,000-lb GVWR, conventional cab, diesel-powered, cabs & chassis in the amount of \$1,723,853.00.
- ✓ **Duncan Freightliner, L.P.:** Approve the purchase of four 62,000-lb GVWR, cab-over, diesel-powered, cabs & chassis in the amount of \$528,200.00.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MS*

*D*

Date: 11/19/2008	Subject: Purchase of Cabs & Chassis and Refuse Bodies Through the Texas Local Government Purchasing Cooperative and the Houston-Galveston Area Council for the Solid Waste Management Department S34-N23048-B&H	Originator's Initials LB	Page 2 of 2
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✓ **Santex Truck Center, LTD:** Approve the purchase of six 31,000-lb GVWR, conventional cab, diesel-powered, cabs & chassis in the amount of \$378,300.00.

✓ **McNeilus Financial d/b/a McNeilus Truck and Manufacturing, Inc.:** Approve the purchase of seven 25-cubic yard capacity, rear-loader, refuse collection bodies and six 31-cubic yard capacity, automated side-loader, refuse collection bodies in the amount of \$1,086,755.00.

**BuyBoard Contractors:**

✓ **Chastang's Bayou City Ford:** Approve the purchase of two 62,000-lb GVWR, cab-over, diesel-powered, cabs & chassis in the amount of \$255,612.00

✓ **Texan Waste Equipment, Inc. d/b/a Heil of Texas:** Approve the purchase of six rear-steer loader bodies, and an open cargo body mounted with a knuckle boom loader in the amount of \$590,634.00.

The cabs & chassis will meet the current EPA's emission standards for vehicles with diesel engines. They will come with full warranties of three years/300,000 miles on the cabs & chassis, three years/150,000 miles on the engine, and two years on the transmission. The side and rear loader bodies will come with full warranties of one year on the complete unit and five years on the major structural components. The rear-steer loader bodies and the open cargo body with knuckle boom loader will come with full warranties of one year on the complete unit and three years on the structural components. The life expectancy of these refuse trucks is seven years or 100,000 miles. As detailed in the attached Equipment Usage Summary, except for the two cabs & chassis mounted with 14-cubic yard capacity, automatic side-loader, refuse collection bodies, these new trucks will replace existing units that have exceeded their life expectancy and will be sent to auction for disposition.

This equipment is in the adopted FY09 Equipment Acquisition Plan.

Buyer: Larry Benka

Attachment: Equipment Usage Summary

**EQUIPMENT USAGE SUMMARY**  
**RCA 8072**  
**REFUSE TRUCKS**  
**FOR**  
**SOLID WASTE MANAGEMENT DEPARTMENT**  
**S34-N23048-B&H**

Requisition No.	Qty	Description	Department Fleet Usage	Equipment Replacement		
				Shop No.	Age(yrs)	Mileage
10058838	3	Cab & Chassis, 62,000-lb GVWR tilt roll-off frame with winch hoist mechanism	These trucks will be used citywide by the Department to transport loaded 30-cubic yard containers to disposal sites.	22068 26207 23672	14 12 13	270,465 181,845 127,744
10059433	2	Cab & Chassis, 45,000-GVWR mounted with a 14-cubic yard capacity, automatic side-loader, refuse collection body	These trucks will be used by the Department in the new alley service program to collect and dispose of residential garbage from residents that require alley way pickup service.	Additions to the Department's Fleet  In FY2008 City Council amended ordinances concerning public alleys that now require City refuse collection services. Currently, the Department does not have equipment that will accomplish this task.		
10058653	5	Cab & Chassis, 35,000-lb GVWR, conventional cab mounted with fifth wheel attachment	These tractor trucks will be used citywide by the Department to transport 57-cubic yard open trailers loaded with heavy trash to disposal sites.	23791 23792 23793 23799 23800	13 13 13 13 13	133,149 115,653 129,489 98,899 169,198
10059393	1  1	Cab & Chassis, 33,000-lb GVWR  Open cargo body with a knuckle boom loader	This truck will be used citywide by the Department to collect, transport and dispose of large dead animals.	22062	14	96,301
10058718	7  7	Cab & Chassis, 62,000 lb GVWR  25-cubic yard capacity, rear-loader, refuse collection bodies	These trucks will be used citywide by the Department to collect and dispose of residential yard waste on a weekly basis.	26784 26786 26788 27615 27635 27636 28099	11 11 11 11 11 11 10	122,283 107,498 97,929 113,602 84,125 53,432 65,528
10058657	6  6	Cab & Chassis, 62,000-lb GVWR  31-cubic yard automated side-loader, refuse bodies	These trucks will be used citywide by the Department to collect and dispose of residential garbage.	30608 30610 30611 30735 31544 31563	8 8 8 8 8 7	98,749 96,104 68,322 74,020 89,754 86,076
10059192	6  6	Cab & Chassis, 31,000 lb GVWR  Rear-steer loader bodies	These rear-steer loader trucks will be used citywide by the Department to pickup and load heavy trash into trucks with 57 cubic yard trailers for transportation to disposal sites.	31899 31900 31942 31943 32137 31088	7 7 7 7 7 7	58,104 39,099 48,161 68,208 39,156 44,195

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 7765**

**Subject:** Formal Bids Received for Miscellaneous Wire and Cable for Various Departments  
S36-S23021

Category #  
4

Page 1 of 2

Agenda Item

**16**

**FROM (Department or other point of origin):**  
Calvin D. Wells  
City Purchasing Agent  
Administration & Regulatory Affairs Department

**Origination Date**  
November 18, 2008

**Agenda Date**  
DEC 17 2008

**DIRECTOR'S SIGNATURE**  
*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**  
David Guernsey Phone: (713) 238-5241  
Desiree Heath Phone: (832) 393-8742

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

**RECOMMENDATION: (Summary)**  
Approve an award to Turtle and Hughes, Inc. on its low overall bid in an amount not to exceed \$881,548.20 for miscellaneous wire and cable for various departments.

Estimated Spending Authority: \$881,548.20	<b>Finance Budget</b>
\$168,456.98 General Fund (1000) \$ 14,268.69 BSD-In-House Revolving Fund (1003) \$221,429.72 HAS-Revenue Fund (8001) \$477,392.81 PWE-W&S System Operating Fund (8300) \$881,548.20 TOTAL	

**SPECIFIC EXPLANATION:**  
The City Purchasing Agent recommends that City Council approve an award to Turtle and Hughes, Inc. on its low overall bid in an amount not to exceed \$881,548.20 for miscellaneous wire and cable for various departments. It is further requested that authorization be given to make purchases, as needed, for a 60-month term. This award consists of miscellaneous wire and cable; including but is not limited to, #2 THHN stranded copper wires, #16 TFFN stranded copper wires, BX 12/3 HCF armored cables, NM 10/3 WG solid copper romex cables, conductor 7 #14 AWG solid copper cables, and service SO 14/3 stranded copper cords. These miscellaneous wires and cables will be used by the Public Works & Engineering, General Services, Parks & Recreation, and Fire Departments, and the Houston Airport System to repair and maintain equipment and facilities citywide.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Twelve prospective bidders downloaded the solicitation document from SPD's e-bidding website, and two bids were received as detailed below:

<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1. Turtle and Hughes, Inc.	\$881,548.20
2. Trillium Development Ltd Co.	\$903,398.75

**M/WBE Subcontracting:**

This bid was issued with a 5% goal for M/WBE participation. **Turtle and Hughes, Inc.** has designated the below named company as its certified M/WBE subcontractor.

<u>Name</u>	<u>Type of Work</u>	<u>Dollar Amount</u>
Rabbit Run Delivery Service	Delivery Service	\$44,077.41

**REQUIRED AUTHORIZATION**

Finance Department:	Other Authorization:	Other Authorization: <i>65CDW 7765</i>
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*12SDP* *MST* *1/2009*

Date: 11/18/2008	Subject: Formal Bids Received for Miscellaneous Wire and Cable for Various Departments S36-S23021	Originator's Initials VK	Page 2 of 2
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The Affirmative Action Division will monitor this award.

Buyer: Valerie Player-Kaufman

**Estimated Spending Authority:**

DEPARTMENT	FY09	OUT YEARS	TOTAL
Public Works & Engineering	\$ 97,001.92	\$388,007.78	\$485,009.70
Houston Airport System	\$ 21,700.00	\$199,729.72	\$221,429.72
General Services	\$ 7,787.81	\$ 59,488.73	\$ 67,276.54
Parks & Recreation	\$ 8,519.30	\$ 75,044.16	\$ 83,563.46
Fire	\$ 3,500.00	\$ 20,768.78	\$ 24,268.78
TOTAL	\$138,509.03	\$743,039.17	\$881,548.20

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8030**

**Subject:** Reverse Auction Bids Received for Traffic Safety Devices for Various Departments  
S40-S22658RA

Category #  
4

Page 1 of 2

Agenda Item

17

**FROM (Department or other point of origin):**  
Calvin D. Wells  
City Purchasing Agent  
Administration & Regulatory Affairs Department

**Origination Date**  
November 19, 2008

**Agenda Date**  
DEC 17 2008

**DIRECTOR'S SIGNATURE**  
*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**  
David Guernsey Phone: (713) 238-5241  
Desiree Heath Phone: (832) 393-8742

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

**RECOMMENDATION: (Summary)**

Approve various awards, as shown below, in an amount not to exceed \$2,657,606.29, minus a commission fee (the lessor of 2% or \$20,000.00 maximum) for Internet based reverse auction services required under contract with Texas Procurement Center, LLC, for a net award amount not to exceed \$2,637,606.29 for traffic safety devices for various departments.

Estimated Funding Authority: \$2,637,606.29

**Finance Budget**

\$1,942,630.99 PWE W & S System Operating Fund (8300)  
\$ 639,358.20 General Fund (1000)  
\$ 55,617.10 Revenue Fund (8001) (HAS)

\$2,637,606.29 Total

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve various awards, as shown below, in an amount not to exceed \$2,657,606.29, minus a commission fee (the lesser of 2% or \$20,000.00 maximum) to the Texas Procurement Center, LLC, an existing City contractor for providing the platform for Internet-based reverse auction services, for a net award amount not to exceed \$2,637,606.29 for traffic safety devices for various departments and that authorization be given to issue purchase orders to the respective suppliers. It is further requested that authorization be given to make purchases, as needed, for a 60-month period. These awards consist of various traffic safety cones, safety vests, barriers, barricades, polyethylene fencing, barrier tape, triangular reflectors, safety flags, traffic drums, safety lights, and portable reflective roll-up signing and stands to be used by the Public Works & Engineering, Police, Fire, Parks & Recreation and Solid Waste Management Departments and the Houston Airport System, for traffic and pedestrian routing and safety, as well as, City of Houston personnel safety.

This is a price list and line item solicitation. The best discount which determines the low bid for a price list is the best bid received for quantities of high-use items selected as sample pricing items based on the current needs of the Department. The bid total for sample pricing items does not represent the total amount estimated to be purchased; rather, these award recommendations are for the total estimated expenditures projected over the 60-month term based on the low bid submitted for the representative samples.

The project was advertised in accordance with the requirements of the State of Texas bid laws. Bids were solicited using the "reverse auction" methodology, and 219 bids were received.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

65 CDW 8030  
*Andrew P. [Signature]*

MCX

7/20

Date: 11/19/2008	Subject: Reverse Auction Bids Received for Traffic Safety Devices for Various Departments S40-S22658RA	Originator's Initials JM	Page 2 of 2
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**BKW Environmental Services:** Award on its low bid for Group I, Item Nos. 1 through 27, 28e, 29 through 29g, 30 through 30c, 31, and 31a through 31c (barricades, warning lights, traffic drums, reflector triangles, traffic safety cones, barrier tape, grabber cones, safety flags, high visibility safety vests, and high visibility baseball caps); Group IV, Item Nos. 41, 41a through 41n, 42 and 42a (portable reflective roll-up signs and stands); Group V, (Cortina Products Catalog and Price List which includes but not limited to, barricades, cones, flags and vests) and Group VI (Dicke Safety Products Catalog and Price List which includes but not limited to, portable signs, vests and paddles) in the total amount of \$2,399,814.29, minus \$18,060.00 (the pro rata share of the reverse auction fee), for an amount not to exceed \$2,381,754.29.

**Lightle Enterprises of Ohio, LLC:** Award on its low bid for Group II, Item No. 34 (barriers) in the total amount of \$257,792.00, minus \$1,940.00 (the pro rata share of the reverse auction fee), for a net amount not to exceed \$255,852.00.

Item Nos. 28 through 28d, 32, and 33 are not being awarded. These items will be re-advertised at a later date.

Item Nos. 35, 36 through 36c, and 40 are not being awarded. These items will be purchased on an as needed basis.

**MWBE Subcontracting:** The bid was issued with a 3% goal for MWBE participation. **BKW Environmental Services** has designated the below-named company as its certified M/WBE subcontractor.

<u>NAME</u>	<u>TYPE OF SERVICE</u>	<u>DOLLAR AMOUNT</u>
City Build Utility Supply	Supply Goods	\$71,994.43

The Affirmative Action Division will monitor this award.

Buyer: Jeff D. Meekins

**ESTIMATED SPENDING AUTHORITY**

<b>DEPARTMENT</b>	<b>FY09</b>	<b>OUT YEARS</b>	<b>TOTAL</b>
Public Works & Engineering	\$300,000.00	\$ 2,115,979.09	\$ 2,415,979.09
Police	\$ 22,000.00	\$ 86,545.00	\$ 108,545.00
Houston Airport System	\$ 10,000.00	\$ 45,198.10	\$ 55,198.10
Fire	\$ 1,000.00	\$ 4,456.80	\$ 5,456.80
Parks & Recreation	\$ 6,000.00	\$ 31,349.80	\$ 37,349.80
Solid Waste Management	\$ 2,000.00	\$ 13,077.50	\$ 15,077.50
<b>Total</b>	<b>\$ 341,000.00</b>	<b>\$ 2,296,606.29</b>	<b>\$ 2,637,606.29</b>

<b>SUBJECT:</b> Approval of an ordinance amending Chapter 47 of the Code of Ordinances, Houston Texas, relating to transportation and treatment of certain wastes.	<b>Category #</b>	<b>Page 1</b>	<b>Agenda Item #</b> 18
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<b>FROM (Department or other point of origin):</b> Houston Department of Health and Human Services	<b>Origination Date</b> 12/10/08	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>Stephen J. Williams</i>	<b>Council District affected:</b> ALL
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<b>For additional information contact:</b> Kathy Barton (713) 794-9998	<b>Date and identification of prior authorizing Council action:</b> 10/20/04; 04-1089
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**RECOMMENDATION: (Summary)**

Approval of an ordinance amending Chapter 47 of the Code of Ordinances, Houston Texas, relating to transportation and treatment of certain wastes.

<b>Amount of Funding:</b> None Required	<b>FIN Budget:</b>
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**SOURCE OF FUNDING:** [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ ] Other ( Specify )

Article XI Chapter 47, of the City of Houston Ordinance, controls generation, management and disposal of liquid waste within the city limits. This action protects the health and safety of citizens and employees of waste water treatment facilities; it protects the environment from potential danger of mismanagement of such wastes; and ultimately it protects the infrastructure of the Publicly Owned Treatment Works, including the collection system. Currently, the Code of Ordinances classifies liquid waste into three categories. Class A waste is domestic septic tank waste, generated by single family residences. Class B is grease trap waste ("FOG"), sewage sludge and portable toilet waste. Class C waste comes from lint traps and grit traps, and includes wastes from industrial processes.

Currently, the Code allows a transporter of Class A waste to use either a septic tank control ticket or a solid waste manifest. A solid waste manifest is used for hauling Class B and C waste. Transporters appear to be confused about which document is appropriate. Further, because the current system requires transporters to use separate designated vehicles for each type of waste, this is an additional cost to transporters.

In conjunction with streamlining the waste manifest, staff recommends eliminating the three waste classifications. Instead, all liquid waste will be handled as "city regulated waste," which should enable transporters to use one vehicle for all types of waste and maximize their capital investment. This will also yield versatility of route designations for transporters.

The Houston Department of Health and Human Services (HDHHS) requests City Council to approve amendments to Article XI of Chapter 47 of the Code of Ordinances. These amendments are consistent and in conformance with TCEQ's Manifest standard and support the City's efforts to streamline the transportation and treatment of certain waste. Thus, reducing fuel cost and air pollution.

REQUIRED AUTHORIZATION		
<b>FIN Director</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

ARTICLE XI. TRANSPORTATION AND TREATMENT OF CERTAIN WASTES

DIVISION 1. GENERALLY

Sec. 47-411. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Biological pretreatment service* means the application of any additive or enzyme, including approved bioremediation media, or the use of any other biological means to digest waste in a grit trap/lint trap or grease trap that discharges into a public sewer system within the city.

*Biological pretreatment service permit* means a current and valid permit issued pursuant to this article authorizing the performance of biological pretreatment service.

*Bioremediation media* means enzymes or microbes injected into an interceptor for the purpose of biodegrading fat, oil, and grease. This term does not include any additives that will saponify or emulsify fat, oil and grease.

*City official* means the director of the department of health and human services or the director of the department of public works and engineering or their designees.

~~*Class A site operator* means a person having ownership or control of a site where Class A waste is generated.~~

*City-regulated waste* means liquid, semi-liquid and solid wastes and wastewater removed from septic tanks used by single-family or multiple residential units, institutions or commercial establishments that primarily generate waste of a type associated with domestic use. It includes oily water, FOG, grease trap waste, sewage sludge, and portable toilet waste; as well as any materials collected in a septic tank, grit trap, lint trap, retention pond, utility service vault or any similar device, which materials result from or are incidental to any process of industrial, manufacturing, institutional or commercial operations including, but not limited to, mobile or stationary car or truck washing, pavement washing, environmental testing facilities and commercial laundries or laundromats.

~~*Class A waste* means wastes and wastewater removed from domestic septic tanks used by single or multiple residential units, schools, hotels/motels, restaurants, and similar establishments that primarily generate waste of a type associated with domestic/residential uses. Class A waste does not include waste removed from a septic tank that receives non-domestic types of commercial~~

~~wastewater or receives industrial wastewater, nor does the term include grease removed from a grease trap or grit trap/lint trap waste.~~

~~Class B waste means oily water, FOG, grease trap waste, sewage sludge, and portable toilet waste.~~

~~Class C waste means any materials collected in a septic tank, grit trap, lint trap, retention pond, utility service vault or any similar device, which materials result from or are incidental to any process of industrial, manufacturing, institutional or commercial operations including, but not limited to, mobile or stationary car or truck washing, pavement washing, environmental testing facilities and commercial laundries or laundromats. However, this term shall not include domestic septic tank waste.~~

*Container* means any portable device in which material is stored, transported, processed, disposed of or otherwise handled.

*Department* or *HDHHS* means the department of health and human services.

*Discharge* or *indirect discharge* means the introduction of pollutants into the sanitary sewer system.

*Disposal* means the act of disposing.

*Disposal site* means a state-permitted or state-registered fixed facility to which waste is delivered for disposal.

*Dispose* means deposit, release, inject, dump, spill, leak or place any waste (whether or not contained) into or on any land or water so that the waste or any constituent thereof may enter the environment, including disposal into the air or discharge into any waters, including groundwater or sanitary or storm sewer systems.

*Disposer* means a person who operates a disposal site.

*Drying bed* means a structure intended for the drying of grit trap waste.

*EPA* means the United States Environmental Protection Agency.

*Fats, oils and greases (FOG)* means petroleum-based or mineral-based oils and greases or animal and vegetable-based fats. All are sometimes referred to herein as "grease" or "greases." These substances are detectable and measurable using analytical procedures established in 40 CFR 136, as may be amended from time to time.

*Food service establishment* has the meaning ascribed in section 20-18 of this Code, but shall not include mobile food units.

*Generator* means any person whose activities or processes generate city-regulated Class B or C waste within the city or who stores city-regulated Class B or C waste within the city.

*Generator permit* means a current and valid permit issued pursuant to this article.

*Generator permit number* means the unique identification number on the generator permit.

*Generator registration certificate* means a current and valid certificate issued to a food service establishment pursuant to division 2 of this article.

*Grease trap waste* means that material accumulated in an interceptor in the sewer system at a food service establishment or any operation requiring a food dealer's permit pursuant to section 20-36 of this Code.

*Grit trap/lint trap waste* means waste collected in an interceptor at any maintenance and repair shop, automobile service station, car wash, laundry, beauty salon or other similar establishment.

*Incompatible wastes* means wastes that have different processing, storage or disposal requirements, or wastes that if mixed may cause a dangerous chemical or physical reaction.

*Interceptor* means a device designed to use differences in specific gravities to separate and retain FOG and settleable solids prior to the wastewater entering the sanitary sewer system. Interceptors may also be referred to as "grease traps."

*Interference* means a discharge that alone or in conjunction with a discharge or discharges from other sources inhibits or disrupts the sanitary sewer system, its treatment processes or operations or its sludge processes, use or disposal, or is a cause of a violation of any city TPDES permit, as defined in Article XII.

*Manifest* means a form approved by the health officer to document the collection, transportationtransfer, and disposal of city-regulated Class B or C waste.

*Permit year* means a permit period which runs from the 1st of February through the 31st of January of the following year.

*Registered vehicle* means a vehicle that is in compliance with all the requirements of division 4 of this article.

*Sample well* means a physical connection on a generator's sewer that is constructed to allow access for sampling and inspection of its interceptor.

*Sanitary sewer system* means the city's devices and systems used in the storage, recycling, and reclamation of municipal sewage or industrial wastes of a liquid or semi-liquid nature, including all sewers, pipes and other conveyances that convey wastewater to a sewage treatment plant. For purposes of this article, the terms public sewer system, "sewer system" and "POTW" as defined in Article XII, may be construed to have the same meaning as "sanitary sewer system."

~~*Septic tank control ticket* means a form issued by the health officer to document the collection, transfer and disposal of Class A waste.~~

*Sewage sludge* means the residual material generated from the treatment of wastewater by a sewage treatment plant or pretreatment plant or material resulting from the cleaning of sanitary sewer lines.

*Site* means a contiguous tract or parcel of land under common ownership.

*Spill* means the loss or unauthorized release of waste.

*Temporary transporter permit* means a one month permit issued pursuant to division 3 of this article.

*Transporter (primary or secondary)* means a person who accepts waste that originates from a location within the city and who uses public rights-of-way for transportation of the waste. A generator or disposer who transfers its own waste over city streets for off-site disposal is also a transporter.

*Transporter's manager* means the individual having the primary responsibility for compliance with this article as identified on the transporter permit application form.

*Transporter permit* means a permit other than a temporary transporter permit issued pursuant to division 3 of this article.

*Vehicle registration certificate* means a certificate issued pursuant to division 4 of this article.

~~Waste means any type of Class A waste, Class B waste, Class C city-regulated waste or any mixture thereof these wastes.~~

*Waste load* means the volume of waste that is transported from any specific site.

**Sec. 47-412. Scope; interceptor requirement.**

The purpose of this article is to protect the citizens and the environment from the potential hazard that may result from unauthorized waste releases and to deter illegal introduction of pollutants into the sanitary sewer system, storm sewers, street rights-of-way and other unauthorized places. It is not the intent of this article to address transportation of hazardous material in commerce or to regulate hazardous wastes that are subject to federal manifest requirements.

**Sec. 47-413. Defenses.**

(a) It is a defense to prosecution under this article that:

- (1) The act or action complained of was the subject of regulation by the United States Secretary of Transportation under Chapter 51 of Title 49 of the United States Code; or
- (2) The act or action complained of related to the generation, transportation, or disposal of waste that was subject to federal manifest requirements.

(b) With respect to sewage sludge, it is an affirmative defense to prosecution under this article that the sewage sludge meets the requirements of state regulations for land application for beneficial use.

**Sec. 47-414. Mixing of wastes prohibited.**

(a) No person shall mix incompatible wastes in the same container. It is a defense to prosecution under this section that a transporter mixed wastes as authorized in section 47-544 of this Code.

(b) ~~No city-regulated Class B waste or Class C waste may be directly disposed into the sanitary sewer.~~

**Sec. 47-415. Penalty.**

Except as may otherwise be provided, whenever in this article an act is prohibited or is made or declared to be unlawful or an offense or misdemeanor, or whenever in this article the doing of any thing or act is required or the failure to do any thing or act is prohibited, the violation of the provision shall be and constitute a

misdemeanor punishable, upon conviction, by a fine of not less than \$250.00 nor more than \$2,000.00. Each day that any violation continues shall constitute and be punishable as a separate offense. Any offense under this article that also constitutes a violation of any state penal law shall be punishable as provided in the applicable state law.

**Sec. 47-416. Enforcement; legal actions.**

(a) Any or all of the following remedies may be employed by the city to abate and prevent further violations of the provisions of this article:

- (1) The department may discontinue city water service.
- (2) The department may disconnect and seal the sanitary sewer connection.

(b) The city official is authorized to issue citations charging the violation of any of the provisions of this article.

(c) Consistent with applicable provisions of state and federal laws and regulations, the city attorney is hereby authorized to file and maintain civil legal actions to:

- (1) Enjoin any violations of this article; and
- (2) Enforce the state solid waste and water quality laws relating to matters addressed by this article.

**Sec. 47-417. Responsibilities of agents and employees.**

The responsibilities created under this article for ~~Class A site operators,~~ biological pretreatment service providers, disposers, generators and transporters shall extend to the owners and other persons having possession and control of the site, facilities or equipment as well as to their officers, agents and employees having responsibilities for their operations.

**Sec. 47-418. Hearings.**

Applicants for permits or registrations under this article who are denied original or renewal permits or registrations or who are subject to revocation or suspension proceedings shall be afforded a right to a hearing. The hearings shall be conducted by a person designated by the director of the department in accordance with regulations issued for that purpose by the director. The regulations shall be submitted to the city attorney for approval prior to promulgation. If any of the grounds relate to section 1-10 of this Code, then a hearing shall be conducted under section 1-9 of this Code regarding those grounds.

**Sec. 47-419. Regulations.**

The health officer is authorized to promulgate such regulations as are necessary to implement the provisions of this article. a copy of the regulations shall be maintained in the HDHHS offices for inspection by the public, and copies shall be made available for purchase at the fees prescribed by law.

**Sec. 47-420. Reserved.**

DIVISION 2. PERMITTING AND REGISTRATION OF GENERATORS

**Sec. 47-421. Permit or registration required.**

(a) It shall be unlawful for any person, other than one operating a food service establishment, to act as a generator at any site for which a current and valid generator permit has not been issued under this division.

(b) It shall be unlawful for any person operating a food service establishment to act as a generator at any site for which a current and valid generator registration certificate has not been issued under this division.

(c) It is an affirmative defense to prosecution under this section that the waste generated at the site contains no Class B or C city-regulated waste.

**Sec. 47-422. Application.**

In order to obtain a generator permit, a person shall complete a form provided by the health officer and pay the applicable fee. The applicant shall certify the holding capacity of the interceptor and provide evidence of any waste permits issued by the state to the applicant. If a site has more than one interceptor, a separate application must be completed for each interceptor.

**Sec. 47-423. Fees; issuance of permit or registration certificate.**

(a) The applicant shall submit a nonrefundable annual fee of ~~\$50.00~~ for each interceptor with each original and renewal application for a generator permit or registration certificate. The fee shall be payable in the form prescribed in the application. There shall be no fee to amend a generator permit or registration certificate; provided, however, that a fee of ~~\$25.00~~ shall be required to reissue a lost generator permit or registration certificate.

(b) The health officer shall either issue or deny the generator permit or registration certificate within 30 days after receipt of a completed application. If the generator permit or registration certificate is denied, the health officer shall provide written notice of the reasons to applicant, and the applicant shall be afforded

opportunity to respond. The health officer shall issue the generator permit or registration certificate unless:

- (1) The applicant provided incomplete or inaccurate information; or
- (2) The applicant did not file an affidavit certifying the holding capacity of the interceptor; or
- (3) The applicant did not pay any required fee.

(c) —(e) The health officer shall, from time to time, prepare and submit for approval by motion of the city council a schedule of fees that shall be paid by an applicant for a permit or a registration certificate. Payment of any applicable fees when due is a condition of the processing of any application under this article.

(d) All fees collected pursuant to this division shall be deposited in the special waste transportation and inspection fund account established by the city council. Funds from this account may be expended only for the costs of permitting, inspecting, monitoring, controlling, educating and enforcing any violation pertaining to the management and disposal of Class A, B, or C city-regulated waste.

**Sec. 47-424. Term; revocation.**

(a) Subject to continuing compliance with applicable provisions of this article, a generator permit or registration certificate shall be valid for a period of 12 months from the date it is issued.

(b) Following notice of the grounds and an opportunity for a hearing, the health officer may revoke a generator permit or registration certificate.

**Sec. 47-425. Amendment.**

A holder of a generator permit or registration certificate shall have a continuing duty to apply for an amended permit or registration certificate within 15 days after the occurrence of an event that causes a change in any information for which a representation was made in its application. Failure to timely submit an application for an amendment shall cause the generator permit or registration certificate to become void. Applications for amendments shall be processed, and amended permits and registration certificates shall be issued, subject to the same criteria as original applications, no later than 15 days following the occurrence of the event making the amendment necessary.

**Sec. 47-426. Assignment or transfer prohibited.**

A generator permit or registration certificate is personal to the holder to whom it is issued and is valid only for the site and interceptor specified on the permit or certificate. A generator permit or registration certificate may not be conveyed or assigned to another person.

**Sec. 47-427. Posting required; fee for lost permit or certificate.**

Each generator shall cause its generator permit or registration certificate to be conspicuously posted at the site for which it is issued. Upon request of a transporter or the health officer, the generator shall specify the location at which the generator permit or registration certificate is posted and shall make the generator permit or registration certificate available for inspection. If upon inspection the health officer cannot readily determine that the generator permit or registration certificate is available for inspection, the permit or certificate will be deemed lost. A fee of ~~\$25.00~~ shall be imposed for reissuing a lost generator permit or registration certificate ~~as provided in section 47-423 of this Code.~~

**Secs. 47-428--47-430. Reserved.**

DIVISION 3. PERMITTING OF TRANSPORTERS

**Sec. 47-431. Permit required.**

It shall be unlawful for any person to act as a transporter unless the person holds a current and valid transporter permit or temporary transporter permit or is acting as the agent or employee of a person who holds a current and valid transporter permit or temporary transporter permit.

**Sec. 47-432. Types of waste covered.**

Each transporter permit or temporary transporter permit shall specify the type or types of waste for which it is applicable. A transporter permit or temporary transporter permit is valid only for the classification or classifications of waste specified thereon.

**Sec. 47-433. Application.**

The health officer shall promulgate forms for original and renewal transporter permit or temporary transporter permit applications, which shall request the following information:

- (1) Name, street address, mailing address and telephone number of the applicant. The "applicant" shall be deemed to include the proprietorship, each partner if a partnership and each officer, director or holder of ten percent or more of the outstanding shares if a corporation.

- (2) Name, street address and mailing address of the applicant's manager.
- (3) A photocopy of the driver's license of each person, including the applicant's transporter manager, who will be authorized to operate any of the applicant's vehicles for the transportation of wastes under the permit.
- (4) The nature and classification of any waste that originates within the city that the applicant intends to transport.
- (5) For each motor vehicle and motor vehicle trailer that the applicant desires to register under division 4 of this article, the following information:
  - a. The make, model and year of manufacture.
  - b. The current state vehicle license plate number.
  - c. The vehicle identification number.
  - d. The vehicle's waste hauling capacity certification.
  - e. A photocopy of the vehicle's registration papers.
- (6) Whether the applicant or the applicant's manager or any vehicle driver has been convicted of any violation for which a transporter permit or temporary transporter permit is subject to denial, refusal to renew, or revocation under section 1-10 of this Code.
- (7) The address of the physical location where each vehicle will be parked or garaged when not in use, if different from the addresses identified in items (1) and (2).
- (8) Evidence of financial responsibility for each vehicle and trailer in amounts of not less than the minimum required by the state financial responsibility law. If the proof of financial responsibility is in the form of an insurance policy, then the insurance policy must contain an endorsement requiring 30 days' advance written notice of cancellation to the health officer.
- (9) Texas Commission on Environmental Quality transportation registration number.

**Sec. 47-434. Fee.**

A nonrefundable permit application review fee of ~~\$90.00~~ shall be submitted with each original and renewal application for a transporter permit. A nonrefundable permit application fee of ~~\$30.00~~ shall be submitted with each original and renewal application for a temporary transporter permit. The fee shall be payable in such form as specified

by the health officer on the application. There shall be no application review fee payable for the filing of an application for an amendment.

**Sec. 47-435. Review.**

(a) Unless a hearing is required under section 1-9 of this Code, the health officer shall either grant or deny the permit within five days following the receipt of a completed application for a temporary transporter permit or within 30 days following the receipt of a completed application for a transporter permit. If the transporter permit or temporary transporter permit is denied, written notice of the reasons shall be provided to applicant, and the applicant shall be afforded an opportunity for a hearing. The health officer shall grant the transporter permit or temporary transporter permit unless one or more of the following applies:

- (1) The applicant provided incomplete or inaccurate information in the application.
- (2) The applicant did not file any required bond or pay any required fee.
- (3) A transporter permit or temporary transporter permit held by the applicant is currently under suspension.
- (4) A transporter permit or temporary transporter permit held by the applicant has been revoked or refused for renewal for cause within one calendar year of the date of filing of an application form.
- (5) The applicant failed to submit any required information or documents regarding any vehicle to be registered under the permit.
- (6) The applicant failed to submit proof that it holds any required state registration, license or permit for the services to be provided.

(b) If it appears that the applicant, the applicant's manager, or any vehicle driver has been convicted of any violation for which a transporter permit or temporary transporter permit is subject to denial, refusal to renew, or revocation under section 1-10 of this Code, then the permit application may also be denied on that grounds, provided that the applicant shall be given notice and an opportunity for a hearing under section 1-9 of this Code.

**Sec. 47-436. Permit bond.**

The applicant shall submit a City of Houston waste transportation permit bond to the department prior to the being issued a transporter permit or temporary transporter permit. ~~The amount of the bond required shall be determined by the highest waste classification of the transporter permit or temporary transporter permit:~~

PERMIT	AMOUNT
Class A	<del>\$10,000.00 per spill occurrence</del>
Class B	<del>20,000.00 per spill occurrence</del>
Class C	<del>30,000.00 per spill occurrence</del>

For a transporter permit, the aggregate penal amount of the bond shall not be less than ~~\$150,000~~ ~~five times the applicable per occurrence amount specified above.~~ For a temporary transporter permit, the aggregate penal amount of the bond shall not be less than ~~\$30,000~~ ~~than one times the applicable per occurrence amount, as specified above.~~ The bond shall be issued by the applicant as principal and a corporate surety authorized to transact business in Texas as surety upon the penal condition that the principal and surety will reimburse the city for the cleanup costs of any spill that may arise as a result of operations conducted under the permit within 30 days following demand. The bond shall expressly waive any requirement of notice to the principal or surety prior to the commencement of cleanup operations or the incurring of costs therefor. The bond shall be in a form approved by the city attorney. The bond shall be in effect at all times during the transporter permit or temporary transporter permit term and shall not be subject to cancellation.

**Sec. 47-437. Term; renewal.**

A transporter permit shall expire on January 31 of the year following the calendar year during which it was issued. A temporary transporter permit shall expire on the date specified on the registration certificate. A transporter may not be issued more than three one-month permits during any permit year.

**Sec. 47-438. Assignment or transfer prohibited.**

(a) A transporter permit or temporary transporter permit is personal to the holder to whom it is issued and is valid only for the transporter named on the permit. A transporter permit or temporary transporter permit may not be conveyed or assigned to another person.

(b) Each transporter permit or temporary transporter permit shall specify the names of the transporter's manager and each vehicle driver authorized thereunder. The permit shall not authorize any person not designated as the transporter's manager thereon to act as the transporter's manager, nor shall it authorize any person not designated as a driver thereon to operate any vehicle for the transportation of waste under the permit.

**Sec. 47-439. Amendment.**

(a) The holder of a transporter permit or temporary transporter permit shall have a continuing duty to apply for an amended permit within 15 days after the occurrence of an event that causes a change in any information for which a representation or response was made in its permit application. Failure to timely submit an application for an amendment shall cause the transporter permit or temporary transporter permit to become void. Applications for permit amendments shall be processed and amended permits shall be issued subject to the same criteria as original applications.

(b) The 15-day period allowed in subsection (a) for the filing of an application for a permit amendment shall not apply to the addition of drivers or vehicles or to the changing of the transporter's manager. A person may not act as the transporter's manager or operate a vehicle for the transportation of waste under the transporter permit or temporary transporter permit unless and until so designated on such permit or an amendment thereto. Nor may a vehicle not designated on the transporter permit or temporary transporter permit be utilized under such permit unless and until so designated on such permit or an amendment thereto.

**Sec. 47-440. Revocation or suspension.**

(a) The health officer may revoke or suspend a transporter permit or temporary transporter permit following written notice and an opportunity for a hearing, if one or more of the following apply:

- (1) The applicant provided incomplete or inaccurate information in the application;
- (2) The permit was issued in error;
- (3) The transporter or the transporter's manager or any of the transporter's drivers has been convicted of any offense or offenses that constitute grounds for denial, refusal to renew or revocation under section 1-10 of this Code;
- (4) The transporter has failed to timely pay a bill for disposal or clean-up services rendered by or for the city under this article or a claim against the transporter's bond has been dishonored;
- (5) The transporter or the transporter's manager or any of the transporter's drivers has committed any violation of this article or of any city, state or federal law or regulation that applies to the rendition of services hereunder;
- (6) The transporter has failed to maintain evidence of financial responsibility required hereunder and provide the required proof to the health officer; or

(7) The transporter or its manager or any of its drivers has failed to timely, completely and accurately provide any notice, report or other document that is required to be filed with the city under this article.

(b) The health officer shall consider the seriousness of the matter involved, whether the violation was intentional, whether effective measures have been taken to prevent recurrence of the violation and the likelihood of repeated violations of this article or any solid waste, hazardous waste, or water quality law by the transporter, the transporter's manager and/or the transporter's drivers when deciding whether to suspend or revoke a transporter permit or temporary transporter permit; however, revocation shall be mandatory and continue until the end of the permit term whenever the transporter permit or temporary transporter permit has already been suspended once during the transporter permit or temporary transporter permit term.

(c) Within seven days following the effective date of any revocation of a transporter permit or temporary transporter permit as authorized under this section, the transporter shall surrender all of its manifests and registration forms to the health officer. A holder of a transporter permit shall also produce its registered vehicles at a location designated by the health officer and allow the health officer to remove the registration decals, and a holder of a temporary transporter permit shall surrender all registration certificates to the health officer. Additionally, the transporter shall provide the health officer with an accounting of all manifests and ~~septic tank control tickets~~ in its possession.

**Secs. 47-441--47-450. Reserved.**

#### DIVISION 4. TRANSPORTER VEHICLE REGISTRATION

**Sec. 47-451. Registration required.**

It shall be unlawful for any person to utilize a motor vehicle or motor vehicle trailer for the transportation of waste originating within the city unless the driver of the vehicle has been designated on a current and valid transporter permit or temporary transporter permit and the vehicle or trailer has been designated on that permit.

**Sec. 47-452. Decals and certificates.**

(a) It shall be unlawful for any person to utilize a motor vehicle or motor vehicle trailer for the transportation of waste originating within the city unless the vehicle or trailer has a registration decal affixed as provided in this division or a vehicle registration certificate issued as provided in this division.

(b) The health officer shall place a registration decal on each registered vehicle operated by a holder of a transporter permit. In the case of tractor-trailer combinations, either component may be the registered vehicle for registration decal placement. The

design and form of the registration decal shall be as promulgated by the health officer and shall include, ~~without limitation, the waste classifications authorized to be transported by the vehicle or trailer and~~ the date of expiration, which shall be coterminous with the transporter permit expiration.

(c) The health officer shall issue a registration certificate for each registered vehicle operated by a holder of a temporary transporter permit.

**Sec. 47-453. Conditions for issuance.**

(a) The health officer shall issue registration decals for a given vehicle only if each of the following conditions exists:

- (1) The transporter holds a current and valid transporter permit and the information contained on the vehicle's registration or title corresponds to the information given on the transporter's permit application or an amendment thereto.
- (2) The transporter has paid the applicable vehicle registration fee. Vehicle registration fees shall not be refundable and cannot be prorated. ~~The vehicle registration fees are as follows:~~

PERMIT	FEE
Class A	\$300.00 per vehicle
Class B	300.00 per vehicle
Class C	400.00 per vehicle

~~There shall be no additional fee for use of a Class B vehicle to transport Class A waste or for use of a Class C vehicle to transport Class A or B waste.~~

- (3) The transporter makes the vehicle available to the health officer at a reasonable time for verification of vehicle identification and placement of registration decals.
- (4) The transporter is identified by placing the transporter's name or logo and telephone numbers on each side of either the tractor, trailer, or tank in letters that are at least three inches high having a brush stroke width of at least 3/8-inch. The information shall be affixed by painting, attaching a decal or using other permanent means.
- (5) The vehicle has a current state inspection sticker.
- (6) The vehicle has a current state license registration.

- (7) The vehicle is equipped with discharge valve markings as required by applicable state regulations.
  - (8) The vehicle is equipped with site gauges or alternative measurement devices that comply with state requirements.
- (b) The health officer shall issue registration certificates for a given vehicle only if each of the following conditions exists:

- (1) The transporter holds a current and valid temporary transporter permit and the information contained on the vehicle's registration or title corresponds to the information given on the transporter's permit application or an amendment thereto.
- (2) The transporter has paid the applicable vehicle registration fee. Vehicle registration fees shall not be refundable and cannot be prorated. The ~~vehicle registration fees are as follows:~~

PERMIT	FEE
Class A	\$25.00 per vehicle
Class B	25.00 per vehicle
Class C	35.00 per vehicle

~~There shall be no additional fee for use of a Class B vehicle to transport Class A waste or for use of a Class C vehicle to transport Class A or B waste.~~

- (3) The transporter makes the vehicle available to the health officer at a reasonable time for verification of vehicle identification and placement of registration decals.

**Sec. 47-454. Placement; visibility.**

- (a) The health officer shall determine the number of registration decals to be attached and their location on each vehicle based upon the configuration of the vehicle.
- (b) It shall be the duty of the transporter permit holder and the driver of the vehicle to ensure that each registration decal is kept free of mud, dirt or any other obscuring material.
- (c) It shall be the duty of the temporary transporter permit holder and the driver of the vehicle to ensure that each vehicle registration certificate is maintained in the vehicle while the vehicle is being operated under the permit. The driver of the vehicle

shall display the registration certificate issued for the vehicle upon the demand of a health officer or peace officer.

**Sec. 47-455. ~~Reserved. Change of waste classification.~~**

~~(a) In the event a transporter desires to utilize a vehicle for transportation of a waste other than the waste classification authorized for that vehicle, the transporter shall surrender the existing registration decals to the health officer for reissuance of appropriate decals and shall make application for amendment of its permit with respect to the designated use of that vehicle. Prior to being issued the replacement registration decal, the transporter permit holder shall pay any additional fee in accordance with fees prescribed in item (2) of subsection (a) of section 47-453 of this Code.~~

~~(b) If a vehicle classification is to be reduced to Class A, the transporter shall assure the health officer that the vehicle tank has been cleaned of all waste. To enforce compliance with this provision, the health officer may demand a copy of the transporter's wash-out ticket and may conduct a physical inspection of the vehicle's tank.~~

**Sec. 47-456. Replacement; transfer.**

(a) It shall be unlawful to remove any registration decal from a vehicle and place it on another vehicle. A registration decal shall automatically become void if it is attached to a vehicle other than the specific vehicle for which it was provided by the health officer.

(b) In the event a transporter desires replacement registration decals (as may be necessary if the vehicle is painted or repaired) or wishes to transfer waste decals to a replacement vehicle, the transporter shall surrender all registration decals for the vehicle and shall pay a \$25.00 registration decal replacement charge per vehicle. No registration decal shall be provided for a replacement vehicle until the transporter permit has been amended to include that vehicle. No replacement registration decal shall be provided unless the transporter surrenders the decals to be replaced or provides conclusive evidence that they have been destroyed. If the decals are not surrendered and the required proof is not provided, then the full vehicle registration fee applicable under this division shall be payable.

**Secs. 47-457--47-460. Reserved.**

DIVISION 5. DISPOSAL OF WASTE AT CITY FACILITIES

**Sec. 47-461. ~~Reserved. Discharge at city sewage treatment facilities.~~**

~~(a) A transporter permit holder shall be permitted to discharge waste loads consisting only of Class A waste at designated city sewage treatment facilities under terms established by the utility official.~~

~~(b) The utility official shall designate those city sewage treatment facilities at which Class A waste will be accepted for discharge. Notice of the designated plants and their hours of operation shall be given to interested transporter permit holders by the utility official.~~

~~(c) A transporter permit holder discharging Class A waste at designated city sewage treatment facilities shall pay to the city the discharge fee designated in accordance with section 47-465 of this Code.~~

**Sec. 47-462. ReservedGrab samples.**

~~Upon request, the transporter shall submit to the requesting city official a sample of the waste being discharged into the city sewage treatment facility.~~

**Sec. 47-463. ReservedProhibited discharges.**

~~(a) It shall be unlawful for any person to discharge:~~

~~(1) Class A waste at any city facility other than a city sewage treatment facility designated for the discharge by the utility official;~~

~~(2) Any waste other than Class A waste at a city sewage treatment facility;~~

~~(3) Any waste that is prohibited under the provisions of article V of chapter 47 of this Code into the city sanitary sewer system;~~

~~(4) Class A waste from a vehicle that does not display registration decals authorizing transportation of Class A waste; or~~

~~(5) Class A waste without the properly completed septic tank control tickets required by this article.~~

~~(b) It is a defense to prosecution under this section that the applicant is discharging portable toilet waste at a city sewage treatment facility during a period of public health emergency in full compliance with section 47-464 of this Code.~~

**Sec. 47-464. Emergency disposal of portable toilet waste at city facilities.**

(a) Upon the health officer's findings that conditions of force majeure exist, that there exist insufficient permitted disposal facilities within the area contiguous to the city for the disposal of portable toilet wastes and that a public health emergency exists or may exist, the utility official is authorized to declare a public health emergency and allow transporters to discharge portable toilet wastes into designated city sewage treatment facilities in accordance with the provisions of this division. To initiate

emergency disposals, the health officer must file a declaration of public health emergency with the city secretary. The health officer shall specify the conditions or circumstances that cause or threaten to cause the public health emergency. A declaration of public health emergency shall end when the health officer files with the city secretary a written declaration finding that the conditions requiring the original certification of a public health emergency no longer exist.

(b) Transporters allowed to discharge portable toilet waste into designated city sewage treatment facilities shall:

- (1) Discharge portable toilet wastes only;
- (2) Discharge only from vehicles displaying registration decals authorizing transportation of city-regulated Class B waste; and
- (3) Comply with all other applicable provision of this article and environmental laws.

#### **Sec. 47-465. Discharge fees.**

~~The utility official is hereby authorized to establish discharge fees for the discharge of waste at a city sewage treatment facility shall be in accordance with the terms of sections 47-461 and 47-464 of this Code and shall require payment of the discharge fee established by city council.~~ The utility official is authorized to establish the method of payment for the discharge fee, as well as any additional regulations and procedures for the documentation of waste transfer and the orderly collection of fees required by this section. Without limitation, the regulations and procedures may provide for immediate suspension of discharge privileges following notice to any transporter who is delinquent in payment of fees or has otherwise violated city regulations in the discharge of waste at city sewage treatment facilities. Upon request, a suspended transporter shall be given a prompt hearing by the utility official or his designee.

**Secs. 47-466--47-470. Reserved.**

### DIVISION 6. BIOLOGICAL PRETREATMENT

#### **Sec. 47-471. Permit required.**

(a) It shall be unlawful to perform any biological pretreatment service except pursuant to a current and valid permit issued pursuant to this division.

(b) It shall be unlawful for any person whose name is not listed on a permit as provided in section 47-473(d) of this Code and acting on behalf of that permit holder to perform any biological pretreatment service function.

(c) It shall be unlawful for a generator or Class A site operator to suffer or permit the performance of any biological pretreatment service on any site under his possession or control by any person who does not hold a current and valid permit issued under this division.

(d) It shall be unlawful for any person to cause or allow bioremediation to be performed on an interceptor by a person that does not possess a current permit for biological pretreatment or approved bioremediation media.

(e) It shall be unlawful for any person to cause or allow the introduction of any surfactant, solvent or emulsifier into an interceptor or similar device.

(f) It is a defense to prosecution under this section that the use of surfactants, solvents or emulsifiers is incidental to normal personal hygiene.

(g) It is a defense to prosecution under this section that the person is the owner or operator of the site where the interceptor is situated, or an employee or agent of the owner or operator, and that the biological pretreatment service is being performed under the direction of a biological pretreatment service permit holder, provided that all notices and reports provided for under this article have been timely filed. It is also a defense to prosecution under this section that the site is used exclusively for residential purposes.

**Sec. 47-472. Application; fees.**

(a) The health officer shall promulgate forms for original and renewal biological pretreatment service permit applications, which shall request the following information:

- (1) Name, street address, mailing address and telephone number of the applicant. The "applicant" shall be deemed to include the proprietorship, each partner if a partnership and each officer, director or holder of ten percent or more of the outstanding shares if a corporation.
- (2) A copy of the material safety data sheet for each product that will be utilized to render the biological pretreatment service.
- (3) A photocopy of the driver's license or Texas personal identification card of each person who will be authorized to perform biological pretreatment service functions on behalf of the applicant.
- (4) Whether the applicant or any employee designated under item (3) of this subsection has been convicted of any violation for which a biological pretreatment service permit is subject to denial, refusal to renew or revocation under section 1-10 of this Code.

- (5) Evidence of a comprehensive general liability insurance policy as required in section 47-475 of this Code.

| (b) A non-refundable biological permit and registration fee of ~~\$200.00~~ shall be submitted with each original and renewal application.

**Sec. 47-473. Issuance; transfer; assignment.**

(a) The health officer shall either grant or deny the biological pretreatment service permit within 30 days following the receipt of a completed application, unless a hearing is required under section 1-9 of this Code. If the biological pretreatment service permit is denied, written notice of the reasons shall be provided to applicant, and the applicant shall be afforded an opportunity for a hearing. The health officer shall grant the biological pretreatment service permit unless one or more of the following applies:

- (1) The applicant provided incomplete or inaccurate information in the application.
- (2) The applicant did not pay the required application processing fee.
- (3) A biological pretreatment service permit held by the applicant is currently under suspension.
- (4) A biological pretreatment service permit held by the applicant has been revoked or refused for renewal for cause within one calendar year from the date of filing of the application form.
- (5) The applicant failed to provide proof of the liability insurance coverage required in section 47-475 of this Code. If it appears that the applicant or any employee designated under item (3) of section 47-472(a) has been convicted of any violation for which a biological pretreatment service permit is subject to denial, refusal to renew, or revocation under section 1-10 of this Code, then the permit application may also be denied on that grounds, provided that the applicant shall be given notice and an opportunity for a hearing under section 1-9 of this Code.

(b) *Reserved.*

(c) A biological pretreatment service permit is personal and is valid only for sites for which notice has been given as provided in section 47-478(a) of this Code. Any attempt to assign or transfer a biological pretreatment service permit to another person shall render it void.

(d) Each biological pretreatment service permit shall list the names of the persons authorized to perform biological pretreatment service functions under the permit. The permit shall not be valid for the performance of biological pretreatment service functions by any person not listed thereon.

**Sec. 47-474. Term.**

A biological pretreatment service permit shall expire on January 31 of the year following the calendar year during which it was issued.

**Sec. 47-475. Liability insurance.**

A biological pretreatment service permit holder shall at all times keep a policy of comprehensive general liability insurance in full force and effect. The policy shall insure the public against any loss or damage to any person or property resulting from the conduct of the biological pretreatment service. The policy shall provide a minimum coverage of \$250,000.00 per occurrence, with \$500,000.00 aggregate. The policy must be written by a carrier that holds a current and valid certificate of authority from the state of Texas for the type of policy issued. Additionally, each policy must contain an endorsement requiring 30 days' advance written notice of termination or cancellation to the health officer. Failure to maintain proof of the required with the health officer shall cause the permit to become void.

**Sec. 47-476. Amendment.**

(a) A biological pretreatment service permit holder shall have a continuing duty to amend its permit application whenever there is a change in any item for which a representation or response was made in its permit application. The biological pretreatment service permit holder shall submit the amendment in writing within 15 days following the occurrence of the event making the amendment necessary. Failure to timely submit an application for an amendment shall cause the permit to become void. Applications for permit amendments shall be processed and amended permits shall be issued subject to the same criteria as original applications.

(b) The 15-day period allowed in subsection (a) for the filing of an application for a permit amendment shall not apply to the addition of persons authorized to perform biological pretreatment service functions under the permit. A person may not perform biological pretreatment service functions under the permit unless and until so listed on the permit or an amendment thereto.

**Sec. 47-477. Revocation; suspension.**

A biological pretreatment service permit may be revoked or suspended in the same manner and for the same reasons as for a permit issued to a transporter under this article.

**Sec. 47-478. Reports.**

(a) Prior to the commencement of service at any site, a biological pretreatment service permit holder shall provide written notice to the health officer in a form prescribed by the health officer. Any such notice shall remain in effect until withdrawn in writing by the biological pretreatment service permit holder.

(b) On or before the fifteenth day of each calendar month, each biological pretreatment service permit holder shall provide a monthly report, accompanied by a processing fee, to the health officer, setting forth the name, address and telephone number of each site at which biological pretreatment service was performed, and the dates on which the service was rendered during the preceding calendar month.

(c) Reports and notices under this section shall be made in or on a form promulgated by the health officer, shall be filed in such manner as the health officer may prescribe by regulations and shall be kept on site for at least five years after the date the biological pretreatment service was performed. The records shall be made available to the city official upon request. A copy of the regulations shall be maintained for inspection in the offices of the health officer, and copies shall be provided at the fees prescribed by law.

**Secs. 47-479--47-480. Reserved.**

#### DIVISION 7. CAR WASH DRYING BEDS

**Sec. 47-481. Permit required.**

It shall be unlawful for any person to operate or cause to be operated a drying bed for grit trap waste at any car wash premises for which a current and valid generator permit has not been issued under this article.

**Sec. 47-482. Application; standards.**

In order to obtain a drying bed generator permit, a car wash operator shall make application on a form provided for that purpose by the health officer and shall demonstrate that the facility will, at a minimum, meet the following requirements:

- (1) The base of the drying bed shall be made of impervious material sufficient to prevent the release of any leachate;
- (2) The drying bed shall be surrounded by a berm made of impervious material sufficient to prevent the release of any leachate, be not less than two feet in height and provide at least one foot of freeboard at all times;
- (3) The drying bed shall be covered. The cover shall not be more than eight inches nor less than four inches in height above the wall of the drying bed and shall extend at least one foot beyond the outside of the berm;

- (4) The drying bed shall be adequately ventilated to prevent the accumulation of emissions;
- (5) All construction must comply with the Construction Code;
- (6) All discharges from the drying bed shall be returned to a grit trap or back to the structure itself; and
- (7) The drying bed must be at least ten feet from any property boundary.

**Sec. 47-483. Issuance; acceptance.**

(a) Following receipt of a properly completed application, the health officer shall issue a generator permit to the applicant for the site designated on the application, unless it is determined that the facility will not comply with the criteria established in section 47-482 of this Code. If the application is denied, then the applicant shall be given written notice of the grounds and shall be afforded an opportunity for a hearing.

(b) Following receipt, the applicant shall review the generator permit for accuracy and sign it if it is correct. If the generator permit contains any inaccuracies, the applicant shall notify the department and return the generator permit for correction. The generator permit shall be valid only when signed by the car wash operator.

**Sec. 47-484. Term; cancellation.**

(a) Subject to continuing compliance with applicable provisions of this article, a registration certificate shall be of perpetual duration.

(b) Following notice of the grounds and an opportunity for a hearing, the health officer may cancel a registration certificate.

**Sec. 47-485. Amendment.**

A generator permit holder shall have a continuing duty to request amendment of its generator permit whenever there is a change in any item for which a representation or response was made in its application. The generator permit holder shall submit an application for the amendment in writing within 15 days following the occurrence of the event making the amendment necessary. Failure to timely submit an application for amendment shall cause the generator permit to become void.

**Sec. 47-486. Fees; lost generator permits.**

There shall be no fee for the filing of an original application or amendment application under this division or for the issuance of an original generator permit or an

amendment thereto. However, a fee of ~~\$25.00~~ shall be imposed for reissuance of a lost or missing generator permit.

**Sec. 47-487. Assignment or transfer prohibited.**

A generator permit is personal to the holder to whom it is issued and is valid only for the site specified thereon. Any attempt to assign or transfer a generator permit to another person or site shall render it void.

**Sec. 47-488. Posting required.**

Each generator permit holder shall cause its generator permit to be conspicuously posted at the site to which it pertains. Upon request of a transporter or the health officer, the generator permit holder shall specify the location at which the generator permit is posted and shall make the generator permit available for verification and inspection.

~~**Sec. 47-489. Transportation of grit trap waste.**~~

~~It shall be unlawful for any person to transport grit trap waste, except pursuant to a current and valid transporter permit issued under this article and in compliance with all other applicable provisions of this article relating to the transportation of Class C waste.~~

~~**Secs. 47-489--47-500. Reserved.**~~

~~DIVISION 8. MANIFEST/SEPTIC TANK CONTROL TICKET DOCUMENTS~~

~~**Sec. 47-501. Manifests and septic tank control tickets.**~~

~~(a) The department shall promulgate a multiple-copy form for manifests and septic tank control tickets to be used by generators, Class A site operators, transporters and disposers to document the transfer of waste.~~

~~(b) The manifest copies shall be designated as follows:~~

- ~~(1) Generator copy (white).~~
- ~~(2) Generator return copy (yellow).~~
- ~~(3) HDHHS copy/transporter copy.~~
- ~~(4) HDHHS copy/secondary transporter copy. If a secondary transporter is not used, this copy may be retained by the primary transporter.~~
- ~~(5) Disposal site copy.~~

~~(c) The septic tank control ticket copies shall be designated as follows:~~

~~(1) Public works and engineering/disposal site copy.~~

~~(2) HDHHS copy.~~

~~(3) Transporter copy.~~

~~(4) Secondary transporter copy. If a secondary transporter is not used, this copy may be retained by the primary transporter.~~

~~(5) State copy.~~

**Sec. 47-502. Manifest requirements for Class B and Class C wastes.**

(a) It shall be unlawful for any person to allow waste to be removed from a septic tank, trap, interceptor or similar other device without first obtaining a completed manifest.

(b) The generator's portion of the manifest shall be completed with the following information:

- (1) Name of generator;
- (2) Generator address, including zip code;
- (3) Generator permit or registration certificate number;
- (4) Generator telephone number, including cellular phone number, if available, of generator's contact person;
- (5) Holding capacity of trap or interceptor or similar device;
- (6) Date waste was collected;
- (7) Name of transporter and its permit number;
- (8) Transporter vehicle registration number, decal or certificate information, vehicle license plate number and tank capacity;
- (9) Name and signature of transporter vehicle operator;
- (10) Transporter mailing address and telephone number;
- (11) Type and quantity (in gallons or pounds) of waste removed; and

(12) Name and address of intended disposal site.

(c) The transporter shall detach the generator's copy of the manifest and leave it with the generator.

(d) The remainder of the manifest shall be completed with the following information:

- (1) Secondary transporter's name, address, telephone number and permit number, if a secondary transporter is used;
- (2) Name and signature of secondary transporter's vehicle operator, if a secondary transporter is used;
- (3) Location at which the waste was transferred to the secondary transporter, if applicable;
- (4) Name, address and telephone number of disposer;
- (5) Quantity (in gallons or pounds) of waste received and date;
- (6) Name of manager/operator of disposer;
- (7) Dated signature of disposer's manager/operator; and
- (8) Any other relevant information reasonably required by the health officer.

(e) The transporter shall return the generator return copy to the generator within 15 days after the interceptor has been cleaned.

(f) The generator shall retain all white and yellow copies of manifests on the site where the waste originated for at least five years after the waste was removed.

(g) Upon request by a health officer, the generator shall produce all originals of manifests for inspection and verification.

**Sec. 47-503. Reserved. ~~Septic tank control tickets for Class A waste.~~**

~~(a) The Class A site operator's portion of the septic tank control ticket shall require the following information to be filled in:~~

- ~~(1) Name, address and telephone number of the person who generated the waste;~~
- ~~(2) Total waste volume removed;~~

- ~~(3) Waste capacity of interceptor or septic tank;~~
- ~~(4) Waste classification;~~
- ~~(5) Transporter's name, address, telephone number, permit number and vehicle number;~~
- ~~(6) Name and signature of transporter's driver;~~
- ~~(7) Date of delivery to transporter;~~
- ~~(8) Name of disposal site;~~
- ~~(9) Name and signature of the Class A site operator who authorized the removal of the wastes from the site; and~~
- ~~(10) Any other relevant information required by the health officer.~~

~~(b) The remainder of the septic tank control ticket shall require the following information to be filled in:~~

- ~~(1) Secondary transporter's name, address, telephone number and permit number, if a secondary transporter is used;~~
- ~~(2) Name and signature of the secondary transporter's driver, if a secondary transporter is used;~~
- ~~(3) Location at which the waste was transferred to the secondary transporter, if applicable;~~
- ~~(4) Date of transfer to secondary transporter, if applicable;~~
- ~~(5) Date of delivery to the disposal site;~~
- ~~(6) Name and signature of the on-site representative of the facility to which the wastes were delivered for disposal; and~~
- ~~(7) Any other relevant information required by the health officer.~~

**Sec. 47-504. Forms supplied to transporters.**

(a) The health officer shall supply manifests and ~~septic tank control ticket~~ other forms to transporters for their use under this article. The health officer may impose a fee that is based upon the city's production cost for the forms.

(b) It shall be the duty of each transporter to maintain a supply of manifests and ~~other septic tank control ticket forms~~ in each vehicle that is being utilized for the

transportation of waste in the city and to make the forms available to generators and ~~Class A site operators~~ whose sites are serviced by its vehicles in order to timely and properly complete the documentation requirements of this article.

**Secs. 47-505--47-510. Reserved.**

DIVISION 9. GENERATION, TRANSFER AND DISPOSAL OF WASTE

Subdivision 1. Generator and ~~Class A Site Operator~~ Responsibilities

**Sec. 47-511. Verification of transporter registration.**

No generator or ~~Class A site operator~~ shall allow a transporter to remove waste from a site under the person's control unless the transporter's vehicle displays current and valid registration decals.

**Sec. 47-512. Cleaning and maintenance requirements.**

(a) Except as specifically provided herein, Ggenerators shall clean, or cause to be cleaned, each interceptor and holding tank as often as necessary to comply with the effluent discharge parameters in this article to ensure that sediment and floating materials do not impair the efficiency of the interceptor, and to ensure that no visible fat, oil or grease (FOG) is observed in the sample well. The requirements of this section shall not apply to generators whose city-regulated waste consists solely of residential septic tank waste.

(b) Each interceptor or holding tank shall be fully evacuated at least once every 90 days.

(c) Each interceptor or holding tank shall be fully evacuated more frequently than once every 90 days when:

- (1) Twenty-five percent or more of the wetted height of the grease trap or interceptor, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediment, oils or greases; or
- (2) The discharge exceeds the discharge parameter set in this article; or
- (3) There is history of non-compliance.

(d) If the volume of the interceptor is greater than the tank capacity of the transporter's vehicle, then the generator or transporter shall arrange for additional transportation capacity so that the interceptor is fully evacuated within 24 hours after the time the generator notifies the transporter, or the transporter becomes aware, that the tank capacity of the transporter vehicle is insufficient.

(e) The health officer shall waive compliance with the requirements of subsection (b) of this section if the generator submits to the health officer a completed Notice of Waiver (NOW) (form as provided by the health officer, which may be in an electronic format, unless the NOW is denied within 30 days of receipt by the health officer. If the health officer denies the notice of waiver of the requirements of subsection (b) of this section, the NOW shall be returned to the generator and the health officer shall state the reasons for the denial, which shall be consistent with this article. An approved NOW shall remain in effect until revoked by the health officer. Revocation of the NOW must be based on violation of this article. A generator may not resubmit a NOW form until six months from the date of revocation. The NOW form shall recite the elements of this subsection (e) and will include the following certifications:

- (1) The generator section of the form shall require the generator to certify that it has not had any overflow or discharge at the site during the previous 12-month period; and
- (2) The generator's transporter section of the form shall require the transporter to certify that, based on the transporter's judgment, at the generator's site, the frequency of cleaning is sufficient to:
  - a. Produce an effluent in consistent compliance with the discharge parameters in this article, or
  - b. Demonstrate that less than 25 percent of the wetted height of the entire grease trap or interceptor, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediment, oils or greases.

(f) In any event, a grease trap or holding tank shall be fully evacuated, cleaned, inspected, and, if needed, repaired or otherwise maintained, at least once every 180 days.

(g) All grease trap or interceptor waste shall be properly disposed of in accordance with federal, state or local regulation.

(h) No generator or ~~Class A site operator~~ shall remove or cause or allow any person to remove waste from an interceptor on the site, unless the entire contents of the interceptor are removed from the site. It is the express intent of this section to prohibit the use of mobile processors (and other devices that purport to separate waste or de-water the contents of an interceptor and leave a portion of the materials at the site.

#### **Sec. 47-513. Interceptor requirement.**

(a) Commercial, institutional, and industrial facilities, including, but not limited to, restaurants, cafeterias, bars, hotels and motels, hospitals, sanitariums, manufacturing

facilities, nursing homes, prisons, private and public schools, car washes, truck washes or other establishments where FOG, grit, silt or clay may be generated for which an application for a building permit is submitted after August 31, 2006, shall be required to design, install, operate and maintain an interceptor complying with the City of Houston Plumbing Code and install a sample well to allow access for inspection and sampling by the health officer.

(b) Each interceptor must be operated and maintained in accordance with this article, and must provide a sample well to allow access for inspection and sampling by the health officer.

(c) Except as may otherwise be provided, an interceptor shall not be required for ~~Class A site operators nor for single family or multi-family residential units.~~

(d) Interceptors shall be operated and maintained in accordance with the manufacturer's recommendations and this article including, but not limited to, periodic removal of the accumulated waste.

**Sec. 47-514. Discharge parameters.**

Except as may otherwise be provided, it shall be unlawful for a generator to discharge into the sanitary sewer:

- (1) FOG, if such materials:
  - a. Exceed on analysis an average of 400 milligrams per liter (mg/l) of free or emulsified fats, oils or grease;
  - b. Form a discernible floating layer on the surface of the receiving waters;
  - c. Overload the generator's interceptor; or
  - d. Deposit FOG in the lines of the sanitary sewer in such a manner as to obstruct it.

(2) ~~Class B waste, other than FOG, or Class City-regulated waste~~ that exerts or causes:

- a. Unusual biological oxygen demand or an immediate oxygen demand; or
- b. Unusual concentrations or composition of solids in total suspended solids or total dissolved solids; or
- c. Unusual flow or concentration in the sanitary sewer.

- (3) ~~Class B or Class City-regulated~~ waste in such amounts as to cause interference with the sanitary sewer system, or as to cause pollutants to pass through the sewer system into the environment.

**Sec. 47-515. Penalty.**

(a) It shall be unlawful for:

- (1) Any generator who is required by this article to obtain a generator permit or registration certificate to connect or to be connected to the sewer system, unless that generator has obtained a generator permit or registration certificate for that connection.
- (2) Any generator to violate any provision of this article that applies to generators.
- (3) Any person to violate any condition of a permit or registration certificate required by this article.

(b) If the health officer determines that a generator is responsible for a blockage of a sanitary sewer system line, the health officer may issue a citation with a minimum fine of \$1,000.00 for the first violation and \$1,500.00 for a second violation that occurs within the same 12-month period. Each subsequent violation within a 12-month period shall result in a fine of not more than \$2,000.00 for each violation, and the city may take other enforcement action as provided in section 47-416 of this Code. Each day that any violation continues shall constitute a separate offense. Violation of any provision of this division shall be a Class C misdemeanor.

**Secs. 47-516--47-520. Reserved.**

Subdivision 2. Documentation Responsibilities

**Sec. 47-521. Signature and accuracy.**

(a) Each generator shall complete and sign the generator's portion of the manifest prior to allowing removal of waste from the generator's site. The generator shall ensure that the generator's portion of the manifest is complete and accurate.

~~(b) Each Class A site operator shall complete and sign the Class A site operator's portion of the septic tank control ticket prior to allowing removal of waste from the site. The Class A site operator shall ensure that the Class A site operator's portion of the septic tank control ticket is complete and accurate.~~

**Sec. 47-522. Retention.**

Each generator shall retain, on site, the completed generator copy until it receives the completed generator return copy from the transporter. The generator shall retain the generator return copy of the manifest on site for a period of five years from the date the waste is transported from the generator site as specified on the manifest. The documents shall be retained at a location that is situated within the county and shall be made available for inspection and copying by the health officer at the generator's place of business during regular working hours, immediately upon request. It is a defense to prosecution under this section that the waste removed consisted exclusively of portable toilet waste from portable toilets provided by the transporter.

**Sec. 47-523. Report to health officer.**

If the generator return copy is not received from the transporter within 15 days after the date the waste was picked up from the generator's site as shown on the manifest, the generator shall file with the department a copy of the generator copy of the manifest together with a signed affidavit in a form specified by the health officer stating that the generator return copy was not received within the 15-day period required. The generator copy and affidavit shall be filed at an office specified by the health officer within ten business days after the expiration of 15 days after the waste was transported from the generator's site as specified on the manifest.

**Secs. 47-524--47-530. Reserved.**

Subdivision 3. Transporters' Duties

**Sec. 47-531. Manifest/~~septic tank control ticket~~ completion.**

It shall be unlawful for a transporter to:

- (1) Remove or receive city-regulated waste from the site of a generator unless the generator's portion of the manifest has been completed, the transporter has signed the manifest, and the generator's copy of the manifest has been left with the generator.
- ~~(2) Remove Class A waste from the site on which it was generated unless the Class A site operator's portion of the septic tank control ticket has been completed.~~
- ~~(3) Remove or receive waste from another transporter unless both transporters complete and sign the manifest or septic tank control ticket, as applicable.~~
- (4) Transport a waste load without having, at all times in the vehicle transporting the waste, a copy of the manifest(s) for all ~~Class B or C~~ waste

being carried or septic tank control ticket(s) for all Class A wastes being carried.

(54) Discharge any Class B or C waste at a lawful disposal site without entering the name of the disposal site and the date the waste is delivered to the disposal site for final disposal, obtaining the signature of the disposer and tendering to the disposer the disposal site copy of the manifest signed and completed by both the generator and the transporter(s).

(6) Discharge any Class A waste at a lawful disposal site without entering the name of the disposal site and the date the waste is delivered to the disposal site, obtaining the signature of the disposer and tendering to the disposer the disposal site copy of the septic tank control ticket signed and completed by both the Class A site operator and the transporter(s).

**Sec. 47-532. Verification of registration.**

It shall be unlawful for any transporter to remove or receive Class B or C city-regulated waste from any site that has never been issued an original permit or registration certificate to the current generator as provided in division 2 of this article. It is an affirmative defense to prosecution under this section that the waste consists exclusively of portable toilet waste.

**Sec. 47-533. Return of manifests and septic tank control tickets.**

Each transporter of Class B or C city-regulated waste shall ensure that the completed generator return copy of the manifest is delivered to the generator within 15 calendar days after the date the waste was picked up from the generator's site. If the waste load is transferred to another transporter, the secondary transporter shall send the completed generator return copy to the generator within 15 days after the date the waste was picked up from the generator's site.

**Sec. 47-534. Monthly report; review; retention.**

(a) On or before the fifteenth day of each calendar month, each transporter shall submit to the health officer the documents specified to be submitted below which shall document all of its waste transportation originating within the city during the preceding calendar month. Delivery shall be made in person, by courier, or by certified mail, return receipt requested. Transporters shall obtain, from the health officer, a receipt for all hand-delivered documents. All manifests, ~~septic tank control tickets~~ and other documents submitted under this section shall be true, accurate and complete. The documents to be submitted are:

- (1) All HDHHS/transporter copies or HDHHS/secondary transporter copies of the manifests except manifests for portable toilet waste;
- | (2) ~~All HDHHS copies of the Class A septic tank control tickets~~Monthly fee;
- (3) A monthly waste summary for portable toilet waste in the form prescribed by the health officer; or
- (4) A written statement signed by the transporter's manager stating that the transporter did not transport any waste from a site within the city during the preceding calendar month.

(b) The health officer shall review the reports submitted under subsection (a) and return any manifests ~~or septic tank control tickets~~ submitted therewith to the submitting transporter within 60 days following receipt of the report. Following receipt of the returned documents, the transporter shall retain them for a period of five years from the date of disposal as reflected on the manifest ~~or septic tank control ticket~~. The documents shall be retained at a location that is situated within the county and shall be made available for inspection and copying by the health officer at the transporter's place of business during regular working hours, immediately upon request.

**Secs. 47-535--47-540. Reserved.**

#### Subdivision 4. Transportation Requirements

##### **Sec. 47-541. Vehicle maintenance.**

(a) Each transporter shall maintain each vehicle used by him for the transportation of waste in good working order. Without limitation, the transporter shall ensure that all hoses, tanks, pumps, pipes, valves and gauges shall be in good repair and free of any leaks that could cause a spill or discharge of waste from the vehicle.

(b) Each transporter shall ensure that the name and telephone numbers that are required to be affixed under item (4) of subsection (a) of section 47-453 are maintained and are legible at all times and that the discharge valves are marked as required by state regulation.

##### **Sec. 47-542. Spill remediation.**

(a) Each transporter shall be responsible for the clean-up of any spills from its registered vehicles. In the event the city or the city's contractor provides the service of cleaning up the transporter's spill, the transporter shall pay the city's or its contractor's reasonable costs for clean-up as determined by the city official and as provided by the terms of the transporter's bond. Payment shall be made within 30 days after the date of written notice from the city official.

(b) In the event of any spill of waste, the transporter shall take appropriate remedial action, including removing or causing removal of the spill in compliance with all applicable environmental laws and regulations and issuing any notices to regulatory agencies as required under state or federal law or regulations.

**Sec. 47-543. Storage of waste.**

A transporter shall store waste only in a mobile closed container (container on wheels) and shall not store waste for more than four days. A transporter who temporarily stores waste at a fixed or permanent site shall comply with all applicable state regulations.

**Sec. 47-544. Mixing wastes.**

(a) A transporter shall not collect or transport incompatible wastes in the same container. Nor shall a transporter utilize the same pumping equipment for incompatible wastes without first cleaning the equipment between batches to prevent the mixing of incompatible wastes.

(b) It is an affirmative defense to prosecution under subsection (a) that each of the following requirements was met:

- (1) The mixing of the wastes did not cause a dangerous chemical or physical reaction;
- (2) The facility to which the mixed wastes were being transported was then authorized to store, process, or dispose of the mixed wastes;
- (3) The transporter was then authorized to transport each of the wastes being mixed; and
- (4) The vehicle in which the wastes were being transported then met the requirements to transport each of the wastes being carried therein.

**Sec. 47-545. Complete removal required.**

No transporter shall remove waste from any interceptor, utility vault, septic tank or similar device unless ~~the~~its entire contents of the ~~interceptor~~ are removed from the site. It is the express intent of this section to prohibit the use of "mobile processors" and other devices that purport to separate waste or de-water the contents of an interceptor and leave a portion of the materials at the site.

**Secs. 47-546--47-550. Reserved.**

Subdivision 5. Responsibilities of Disposers

**Sec. 47-551. Compliance.**

It shall be unlawful for a disposer to accept waste originating within the city from a transporter unless:

- (1) The transporter's manifest ~~or septic tank control ticket~~ accurately identifies the amount and type of waste contained in the vehicle at the time of disposal;
- (2) The transporter's vehicle displays current and valid registration decals or complies with appropriate state and federal identification and placarding requirements for the wastes being carried; and
- (3) The transporter tenders to the disposer ~~the any required manifest or septic tank control ticket,~~ that has been completed and signed by both the generator and the transporter(s).

**Sec. 47-552. Handling of documentation.**

(a) After acceptance of a waste load originating within the city from a transporter, a disposer shall sign and date the manifest ~~or septic tank control ticket~~ tendered by the transporter and shall return all copies of the manifest, ~~or septic tank control ticket~~ except the disposal site copy, to the transporter.

(b) The disposer shall maintain the disposal site copy of each manifest and ~~septic tank control ticket~~ delivered to him for five years after the date of receipt of waste as reflected on the manifest ~~or septic tank control ticket~~.

**Sec. 47-553--47-560. Reserved.**

Subdivision 6. Inspections

**Sec. 47-561. Generator inspections.**

(a) The health officer shall conduct inspections of generators as often as needed but not less than once a year to assure compliance with the requirements of this article and other rules and regulations relating to the handling and disposal of Class A, B and C city-regulated waste.

(b) Inspections shall include, but are not limited to, verification of cleaning frequency and compliance with this article and other applicable laws regarding generation, transportation and disposal of waste. City officials shall observe the establishment's rules and regulations concerning safety, internal security and fire protection. If the establishment has management in residence, the city official shall

notify management or the person in charge of the city official's presence and shall exhibit proper credentials; provided, however, if refused entry onto the premises, the city official shall procure a search warrant to inspect the facilities or records.

**Sec. 47-562. Vehicle inspection at designated place.**

Upon notice by the health officer, each transporter shall deliver one or more registered vehicles as designated by the health officer to the location designated by the health officer for inspection and/or compliance testing by the health officer. The notice shall designate the time and place for delivery of the vehicle(s) and shall give the transporter reasonable notice for the delivery. The health officer shall release each vehicle no later than the close of business on the same day on which it is received, unless retention of the vehicle for a longer period is agreed upon in writing between the health officer and the transporter. Delivery for inspection and testing of a registered vehicle shall be demanded pursuant to an administrative procedure established by the health officer.

**Sec. 47-563. Vehicle spot inspection.**

Transporters' registered vehicles traveling city streets are subject to stops and inspections by peace officers as provided by law. A peace officer may call upon a health officer for technical assistance in conducting the inspection. Transporters shall so advise their drivers. Unless a truck is out of compliance, it shall not be detained longer than one hour by the peace officer.

**Sec. 47-564. Inspections of vehicles.**

The health officer shall conduct inspections of transporters' vehicles and required documentation when observed to be in the receipt or disposal of waste.

**Sec. 47-565. Vehicle inspections.**

Vehicle inspections that are conducted on a spot basis shall include:

- (1) Identification check of the driver.
- (2) Registration and title check of the vehicle.
- (3) Review of manifests as required by local, state or federal law.
- (4) Sampling of the contents of the registered vehicle if the health officer or police officer has the ability to properly sample the contents. Samples shall be taken by trained personnel. Split samples may be taken if the driver supplies a sample bottle for the driver's portion.

**Sec. 47-566. Procedures.**

The director of the department shall establish procedures for inspections to be conducted by health officers under this subdivision. Copies of the procedure shall be available for public inspection in the offices of the director of the department and may be purchased at the fees prescribed by law. To the extent practicable, the health officer shall notify affected persons of the adoption or amendment of the procedures.

**Secs. 47-567--47-600. Reserved.**

**SUBJECT:** Ordinance authorizing the abandonment and sale of Bartlett Street, from Montrose Boulevard to Roseland Street, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, all located within the N.P. Turner Addition. **Parcels SY6-010 and LY6-011**

Page  
1 of 1

Agenda Item #

19

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

Origination Date

Agenda Date

Department of Public Works and Engineering

12-10-08

DEC 17 2008

**DIRECTOR'S SIGNATURE:**

Council District affected: C

*Michael S. Marcoffe*  
Michael S. Marcoffe, P.E., D.WRE, BCEE, Director

Key Map 493W

*DO*

**For additional information contact:**

Nancy P. Collins Phone: (713) 837-0881 *WPC*  
Senior Assistant Director-Real Estate

**Date and identification of prior authorizing Council Action:** C.M. 2005-1105 (11/16/05)

**RECOMMENDATION: (Summary)** It is recommended City Council approve an Ordinance authorizing the abandonment and sale of Bartlett Street, from Montrose Boulevard to Roseland Street, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, all located within the N.P. Turner Addition. **Parcels SY6-010 and LY6-011**

**Amount and Source of Funding:** Not Applicable

**SPECIFIC EXPLANATION:**

By Council Motion 2005-1105, City Council authorized the abandonment and sale to the Museum of Fine Arts (Museum) (Gwendolyn Goffe, Associate Director) of Bartlett Street, from Montrose Boulevard to Roseland Street, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, all located within the N.P. Turner Addition. The Museum plans to construct a parking garage in the location of the subject street.

The Museum of Fine Arts has complied with the Motion requirements, has accepted the City's offer, and has rendered payment in full.

The City will sell to the Museum of Fine Arts:

**Parcel SY6-010**

7,280 square feet of street right-of-way \$546,000.00  
Valued at \$75.00 per square foot

**TOTAL ABANDONMENT** \$546,000.00

In exchange, the Museum of Fine Arts will pay:

Cash \$409,500.00  
Plus convey to the City

**Parcel LY6-011**

3,640 square feet of storm sewer easement \$136,500.00  
Valued at \$37.50 per square foot

**TOTAL CASH AND CONVEYANCE** \$546,000.00

Therefore, it is recommended City Council approve an Ordinance authorizing the abandonment and sale of Bartlett Street, from Montrose Boulevard to Roseland Street, in exchange for a consideration of \$409,500.00 plus the conveyance to the City of a 20-foot-wide storm sewer easement, all located within the N.P. Turner Addition.

MSM: NPC: dob

- c: Jun Chang, P.E.
- Daniel Menendez, P.E.
- Marty Stein

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CUIC #20DOB035

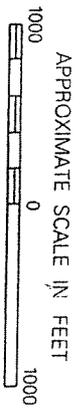
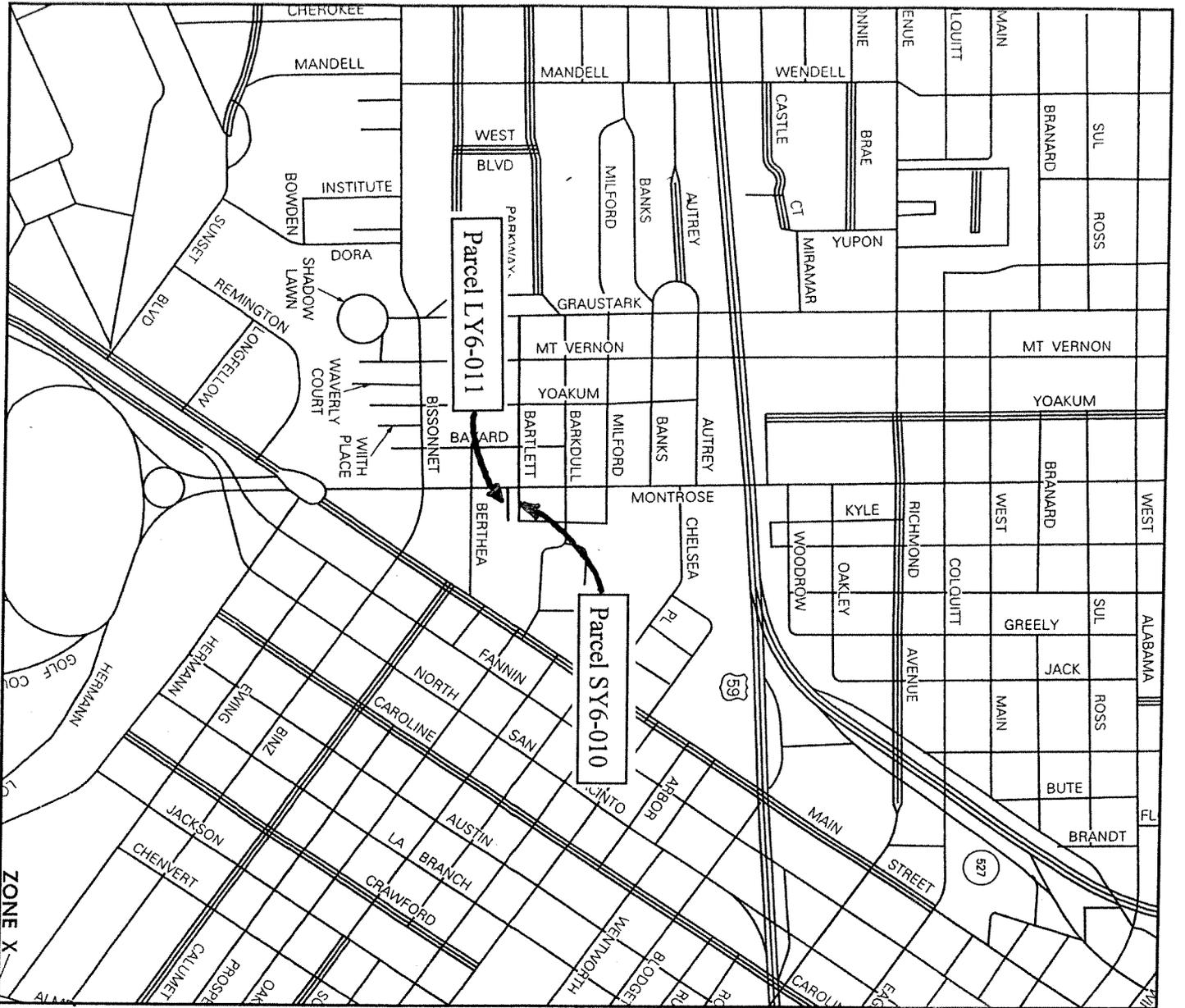
**REQUIRED AUTHORIZATION**

**Finance Department:**

**Other Authorization:**

**Other Authorization:**

*Andrew F. Icken*  
Andrew F. Icken, Deputy Director  
Planning and Development Services Division



NORTH

**SUBJECT: Abandonment and sale of Bartlett Street, from Montrose Boulevard to Roseland Street, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, located within the N.P. Turner Addition. Parcels SY6-010 and LY6-011**

MOTION by Council Member Goldberg that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Jennifer McStay, 1001 Bissonnet Street, Houston, Texas, 77005, on behalf of the Museum of Fine Arts Houston (Gwendolyn Goffe, associate director), for the abandonment and sale of Bartlett Street, from Montrose Boulevard to Roseland Street, located within the N. P. Turner Addition, Parcel Nos. SY6-010 and LY6-011, be adopted, as follows:

1. The City abandon and sell Bartlett Street, from Montrose Boulevard to Roseland Street, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, located within the N. P. Turner Addition;
2. The applicant be required to cut (a) convert to private service the 8-inch sanitary sewer line within the portion of Bartlett Street being abandoned and sold and (b) cut, plug, and abandon the 2-inch water main within the portion of Bartlett Street being abandoned and sold and continuing north within the Roseland Street right of way to its terminus adjacent to Tract 2A, N.P. Turner Addition, all at no cost to the City, under the proper permits, and pay the depreciated value of the utilities being abandoned;;
3. The applicant be required (a) cut, plug, and abandon the 18-inch storm sewer within the portion of Bartlett Street being abandoned and sold; (b) install a new, minimum 24-inch RCP storm sewer, in the 20-foot-wide storm sewer easement being conveyed to the City and connect it to the 36-inch storm sewer in Montrose Boulevard; (c) relocate the grate inlet at the northeast corner of Bartlett Street and Montrose Boulevard and tie it to the existing manhole on Montrose Boulevard; (d) cut, plug, and abandon the existing lead; and (e) connect the existing storm sewer and storm sewer inlets on Roseland Street to the new storm sewer, all at no cost to the City and under the proper permits;
4. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies;
5. The applicant be required to eliminate the public appearance of Bartlett Street at its intersection with Montrose Boulevard and Roseland Street;

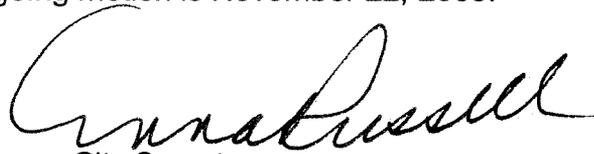
6. The Applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
7. The Legal Department be authorized to prepare the necessary transaction documents; and
8. Robert Hutchins and Thomas Edmonds, Jr., independent real estate appraisers, are hereby appointed to establish the value, inasmuch as the value of the property interests is expected to exceed \$25,000.00 and Albert Allen is hereby appointed as alternate appraiser should one of the two appointed appraisers be unable to accept the assignment.

Seconded by Council Member Alvarado and carried.

Mayor White, Council Members Lawrence, Galloway,  
Goldberg, Edwards, Wiseman, Khan, Holm, Garcia,  
Alvarado, Ellis, Sekula-Gibbs, Green and Berry  
voting aye  
Nays none  
Council Member Quan absent

PASSED AND ADOPTED this 16th day of November, 2005.

Pursuant to Article VI, Section 6 of the City Charter, the  
effective date of the foregoing motion is November 22, 2005.



City Secretary

BLOCK 17

**Abandonment and sale of Bartlett Street, from Montrose Boulevard to Roseland Street, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, all located within the N.P. Turner Addition. Parcels SYB-010 and LYB-011**

**PARCEL No. SYB-010**  
THIS PORTION OF BARTLETT STREET TO BE ABANDONED  
7,480 SQUARE FEET  
(0.1671 Acre)

**PARCEL No. LYB-011**  
THIS STRIP DEDICATED FOR  
20' WIDE STORM SEWER EASEMENT  
3,640 SQUARE FEET  
(0.0836 Acre)

**BLOCK 16**  
**TURNER'S ADDITION**  
(VOL. 359, PG. 335 H.C.D.R.)

**BERTHA STREET (40' R/W)**  
ABANDONED BY CITY OF HOUSTON ORDINANCE NO. 84-1700  
H.C.D. EASEMENT PER HOUSTON ORDINANCE NO. 84-1700

**BLOCK 76**  
**TURNER'S ADDITION**  
(VOL. 359, PG. 335 H.C.D.R.)

- NOTES
1. THE S PROPE PROVK ADJOM TITLE ENCLUM NOT B
  2. COORC TEXAS CONNE CONNE FACTOR
  3. THE S1 ZONE FLOOD MANAG 48201 HAS B REFERM SURVE
  4. THE B REPRE UNLES
  5. THE U SHOW SURVE
  6. TRACT ORDIN
  7. UNDER HOUST FIELD RESPOR
  8. THIS S AND B PROFEI PROCEI
  9. ALL SE T.C.L. D

7.6  
0.08  
0.08



**MONTROSE BOULEVARD**  
(90' R/W)  
(ASPHALT IMPROVEMENT)

**ROSELAND**

**BRICK BUILDING**  
**COLBY COURT**  
(VOL. 525, PG. 422 H.C.D.R.)  
LOT 4 & 6

**ROSELAND STREET**  
(25' R/W)

**ROSELAND STREET (25' R/W)**

THE CITY OF HOUSTON ENGINEERING DEPT.  
REFERENCE ROD NO. 390  
PER CITY OF HOUSTON  
DEPT. OF PUBLIC WORKS  
DRAWING NO. 17,382

**OWNERSHIP**

1. LOT 10  
CLARA D. LUNE ET AL  
LUNE APARTMENTS, LP  
(U-315217 531-50-2349)  
04-01-2008
2. PORTION OF LOT 8 & PORTION OF LOT 10  
FORD HUBBARD, ET AL  
MEDARD INTERESTS, INC.  
(N-131831 033-10-1104)  
04-01-1991

**ABBREVIATIONS**

AC	AIR CONDITIONING
AL	AREA LIGHT
CM	CORRUGATED METAL PIPE
CH	FIRE HYDRANT
PP	POWER POLE
SP	SERVICE POLE
WV	WATER VALVE
CONC	CONCRETE
PVC	PLASTIC PIPE
C/O	CLEANOUT
FR	FRESH
ELC. EQ.	ELECTRIC EQUIPMENT
COV'D	COVERED
TRAF	TRANSFORMER
IRV	IRRIGATION VALVE
EB	ELECTRIC BOX
ASPH	ASPHALT
WM	WATER METER
WF	WATER FACET
RD	ROOF DRAIN
SM	SANITARY
CP	CHARLOTTE PIPE
WH	WINDHOLE
TL	TRIPLE LIGHT
ST. LT.	TELEPHONE ENCLOSURE
TEL. ENC.	CABLE TV
QTY	DOWN CUT
BE	SOUTHWESTERN BELL TELEPHONE ENCLOSURE

**LEGEND**

- ELEVATION
- TOP OF CURB
- CUTTER
- FLOWLINE
- CONV.
- STORM SEWER
- SANITARY SEWER
- WATER LINE
- OVERHEAD POWER
- POWER LINE (BURIED)
- TELEPHONE LINE (BURIED)
- GAS LINE

**COMMENCING POINT:**  
PARCEL No. SYB-010 AND (19)-011  
HARRIS COUNTY FLOODPLAIN  
REFERENCE MARK NO. 040089  
E. 3116.737 87  
T. 13,824,600 68

OUTCLAM DEED  
THE FIRST PRESBYTERIAN  
CHURCH OF HOUSTON  
TO  
THE MUSEUM OF FINE ARTS, HOUSTON  
J-775437 096-88-1518  
10-19-1984  
ALSO SEE:  
THE MUSEUM OF FINE ARTS, HOUSTON  
TO  
CITY OF HOUSTON  
U-668187 005-88-1087  
12-18-1984

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Ordinance authorizing the abandonment and sale of two 20-foot-wide drainage easements and an 80-foot-wide utility and street right-of-way easement, in exchange for the conveyance to the City of a 100-foot-wide utility easement, all located within the Luke Hamenway Survey, A-800 and A-802 and the August Whitlock Survey, A-798. <b>Parcels SY8-005A through C and VY8-051</b>	Page <u>1</u> of <u>2</u>	Agenda Item #  <b>20</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12-10-08	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>MS Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> E Key Map 617C <i>DO</i>	
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<b>For additional information contact:</b> Nancy P. Collins Phone: (713) 837-0881 <i>(NPO)</i> Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b> C.M. 2008-0341 (5/28/08)	
--	--	--

**RECOMMENDATION: (Summary)** It is recommended City Council approve an Ordinance authorizing abandonment and sale of two 20-foot-wide drainage easements and an 80-foot-wide utility and street right-of-way easement, in exchange for the conveyance to the City of a 100-foot-wide utility easement, all located within the Luke Hamenway Survey, A-800 and A-802 and the August Whitlock Survey, A-798. **Parcels SY8-005A through C and VY8-051**

**Amount and Source of Funding:** Not Applicable

**SPECIFIC EXPLANATION:**  
By Council Motion 2008-0341, City Council authorized the abandonment and sale to KDC Houston Industrial One, LLC (Tobin Grove, President) of two 20-foot-wide drainage easements and an 80-foot-wide utility and street right-of-way easement, in exchange for the conveyance to the City of a 100-foot-wide utility easement, all located within the Luke Hamenway Survey, A-800 and A-802 and the August Whitlock Survey, A-798. KDC Houston Industrial One, LLC plans to develop commercial warehouses within its property containing the easements to be abandoned and sold.

KDC Houston Industrial One, LLC has complied with the Motion requirements, has accepted the City's offer, and has rendered payment in full.

The City will sell to KDC Houston Industrial One, LLC:

**Parcel SY8-005A**  
13,475 square feet of drainage easement \$22,234.00  
Valued at \$1.65 per square foot

**Parcel SY8-005B**  
16,956 square feet of utility and street right-of-way easement \$27,977.00  
Valued at \$1.65 per square foot

**Parcel SY8-005C**  
130,091 square feet of drainage easement \$214,650.00  
Valued at \$1.65 per square foot

**TOTAL ABANDONMENT AND SALE** \$264,861.00

s:\dob\sy8-005.rc2.doc CUIC #20DOB037

**REQUIRED AUTHORIZATION**

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b> <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning and Development Services Division
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<b>Date:</b>	<b>Subject:</b> Ordinance authorizing the abandonment and sale of two 20-foot-wide drainage easements and an 80-foot-wide utility and street right-of-way easement, in exchange for the conveyance to the City of a 100-foot-wide utility easement, all located within the Luke Hamenway Survey, A-800 and A-802 and the August Whitlock Survey, A-798. <b>Parcels SY8-005A through C and VY8-051</b>	<b>Originator's Initials</b>  <i>ps</i>	<b>Page</b> <u>2</u> of <u>2</u>
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In exchange, KDC Houston Industrial One, LLC will pay:

Cash	\$133,003.00
Plus convey to the City	

**Parcel VY8-051**

159,828 square feet of storm sewer easement	\$131,858.00
Valued at \$0.825 per square foot	

<b>TOTAL CASH AND CONVEYANCE</b>	<b><u>\$264,861.00</u></b>
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Therefore, it is recommended City Council approve an Ordinance authorizing the abandonment and sale of two 20-foot-wide drainage easements and an 80-foot-wide utility and street right-of-way easement, in exchange for a consideration of \$133,003.00 plus the conveyance to the City of a 100-foot-wide utility easement, all located within the Luke Hamenway Survey, A-800 and A-802 and the August Whitlock Survey, A-798.

MSM:NPC:dob

- c: Jun Chang, P.E.  
Daniel Menendez, P.E.  
Marty Stein

MOTION by Council Member Holm that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Tracy Youngblood, Brown & Gay Engineers, Inc., 10777 Westheimer, Suite 400, Houston, Texas, 77042, on behalf of KDC Houston Industrial One, LLC (Tobin Grove, President), for the abandonment and sale of two 20-foot-wide drainage easements and an 80-foot-wide utility and street right-of-way easement, in exchange for the conveyance to the City of a 100-foot-wide utility easement, all located within the Luke Hamenway Survey, A-800 and A-802 and the August Whitlock Survey, A-798, Parcels SY8-005A through C and VY8-051, be adopted as follows:

1. The City abandon and sell two 20-foot-wide drainage easements and an 80-foot-wide utility and street right-of-way easement, in exchange for the conveyance to the City of a 100-foot-wide utility easement, all located within the Luke Hamenway Survey, A-800 and A-802 and the August Whitlock Survey, A-798;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the 80-foot-wide utility and street right-of-way easement being abandoned and sold;
4. The applicant be required to submit a request for a Part 77-Height Hazard Review by the Houston Airport System Planning and Programming Division and obtain approval to determine the height hazard restriction of any structure to be built on the property;
5. The Legal Department be authorized to prepare the necessary transaction documents; and
6. Inasmuch as the value of the City's property interests is not expected to exceed \$25,000.00, that the value be established by staff appraisal, according to City policy.

Seconded by Council Member Lovell and carried.

Mayor White, Council Members Lawrence, Johnson,  
Clutterbuck, Adams, Sullivan, Holm, Rodriguez, Brown,  
Lovell, Noriega and Jones voting aye

Nays none

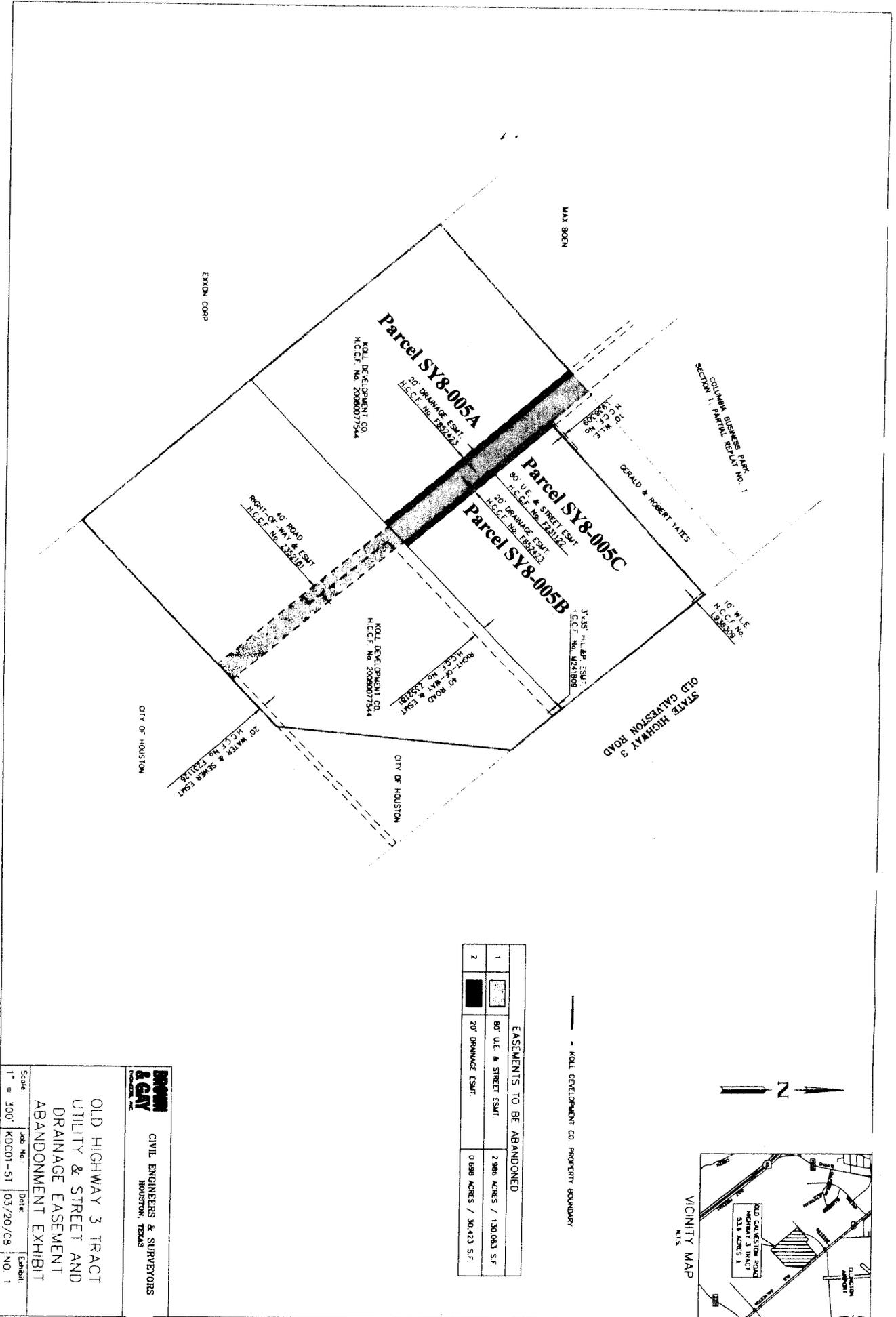
Council Members Khan, Garcia and Green absent

PASSED AND ADOPTED this 28th day of May, 2008.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is June 3, 2008.



City Secretary



Abandonment and sale of two 20-foot-wide drainage easements and an 80-foot-wide utility and street right-of-way easement, in exchange for the conveyance to the City of a 100-foot-wide utility easement, all located within the Luke Hamenway Survey, A-800 and A-802 and the August Whitlock Survey, A-798. **Parcels SY8-005A through C and Y8-051**

**Drawing 1 of 2**

**PROBEN & GAY**  
CIVIL ENGINEERS & SURVEYORS  
HOUSTON, TEXAS

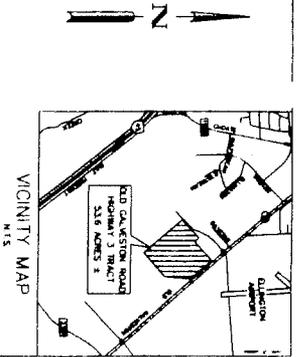
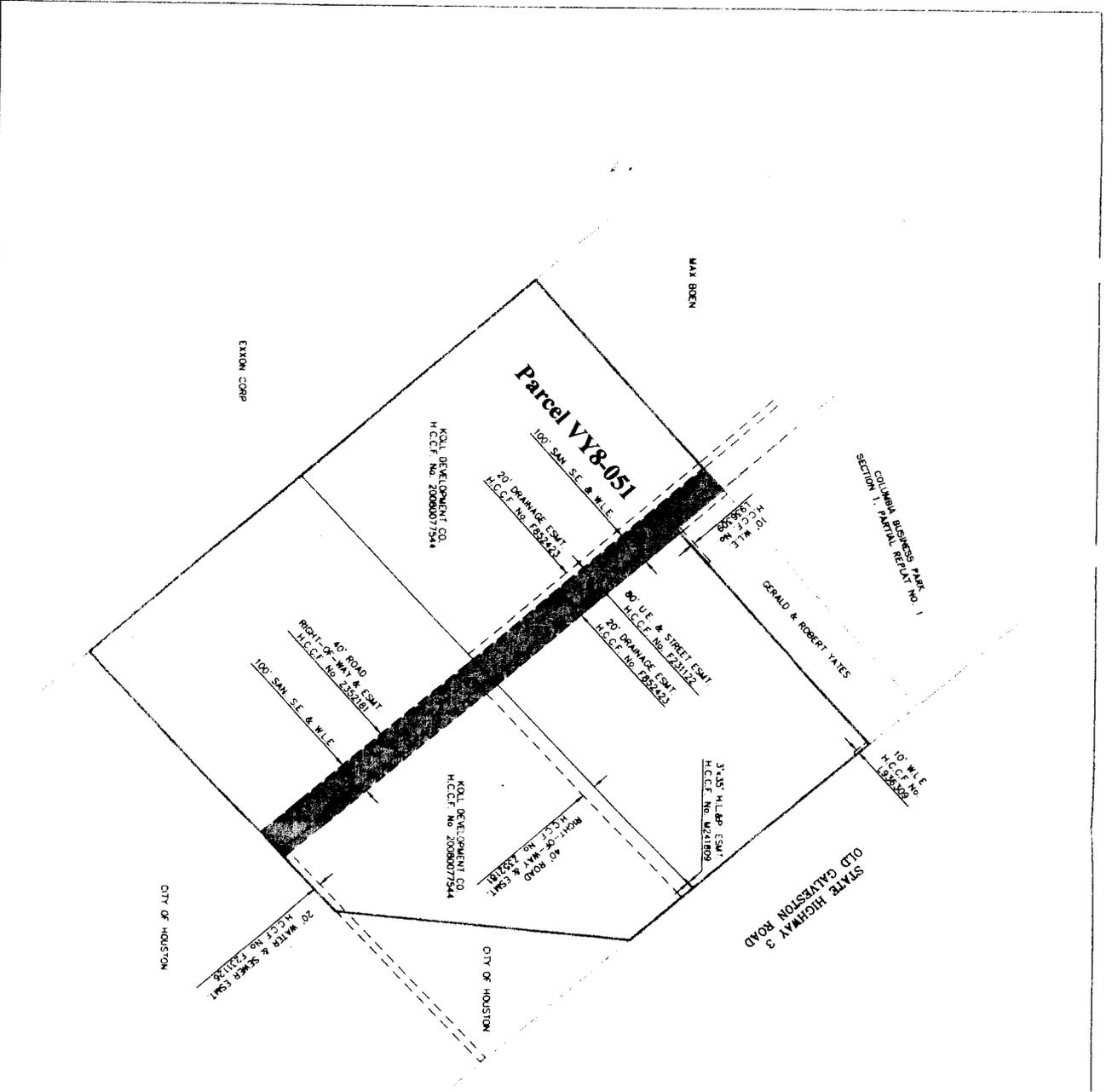
OLD HIGHWAY 3 TRACT  
UTILITY & STREET AND  
DRAINAGE EASEMENT  
ABANDONMENT EXHIBIT

Scale: 1" = 300'

Job No. KDC01-51

Date: 03/20/08

Exhibit: NO. 1



\* KOL DEVELOPMENT CO. PROPERTY BOUNDARY

EASEMENTS TO BE DEDICATED			
1	[Shaded Box]	100' SANITARY & WATER LINE EASEMENT	3,665 ACRES / 159,667 SF.

**BOGGS & GAY**  
CIVIL ENGINEERS & SURVEYORS  
HOUSTON, TEXAS

OLD HIGHWAY 3 TRACT  
SANITARY & WATER LINE  
EASEMENT DEDICATION EXHIBIT

Scale:	Job No.:	Date:	Exam#:
1" = 300'	KDC01-5T	02/26/08	NO. 2

Abandonment and sale of two 20-foot-wide drainage easements and an 80-foot-wide utility and street right-of-way easement, in exchange for the conveyance to the City of a 100-foot-wide utility easement, all located within the Luke Hamenway Survey, A-800 and A-802 and the August Whitlock Survey, A-798. **Parcels SY8-005A through C and VY8-051**

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

<b>SUBJECT:</b> Ordinance for the release 119.694 acres from the Extraterritorial Jurisdiction of the City of Houston in Waller County	<b>Category #</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b> <i>21</i>
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Department of Planning & Development <i>MS Marlene L. Gafrick</i>	<b>Origination Date</b> 12/10/2008	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE:</b>	<b>Council District affected:</b> N/A
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For additional information contact: Margaret Wallace Phone: 713-837-7856	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)** That Council pass the ordinance releasing 119.694 acres of land in southeast Waller county from the City of Houston's ETJ

<b>Amount and Source of Funding:</b> N/A	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:**

Upon request from the property owners, the Department is recommending the City of Houston release from its Extraterritorial Jurisdiction, one tract of land totaling 119.694 acres. This tract is contiguous to the west side of the City of Katy's ETJ boundary and, upon release, the property will become part of Katy's ETJ.

This request is for the following reasons:

- ◆ Due to the 1999 change in state annexation laws, this property is not eligible for annexation by the City of Houston because it is located within Houston's ETJ as a result of a 1963 annexation of a ten-foot wide strip of property located within the right-of-way of Clay Road.
- ◆ The property is located more than 11 miles from the nearest City of Houston water or wastewater facility and, because of its size, is not a likely candidate for the creation of a stand-alone utility district. Upon release, the City of Katy will annex the property into its city limits and be able to provide utility services.
- ◆ Such a release will not impair the City's ability to annex any other territory in southeastern Waller County, nor will it result in the loss of significant revenue producing properties in the acreage in question.
- ◆ Such a release will not impair the City of Houston's mobility in the present or in the future. In fact, the property owners have coordinated with both this Department and Waller County to ensure adequate compliance with both Major Thoroughfare Plans.

This recommendation has also been discussed with the Public Works & Engineering Department's Public Utilities Division and they have no objection to this release.

cc: Arturo Michel  
Marty Stein

<b>REQUIRED AUTHORIZATION</b>		
<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

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

<b>SUBJECT:</b> Ordinance for the release of 43.54 acres in Harris County from the Extraterritorial Jurisdiction of the City of Houston		<b>Category #</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b> <i>22</i>
<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Department of Planning & Development <i>MS</i> <i>Marlene L. Gafrick</i>		<b>Origination Date</b> 12/10/2008		<b>Agenda Date</b> DEC 17 2008
<b>DIRECTOR'S SIGNATURE:</b>		<b>Council District affected:</b> N/A		
<b>For additional information contact:</b> Margaret Wallace Phone:713-837-7856		<b>Date and identification of prior authorizing Council action:</b>		
<b>RECOMMENDATION: (Summary)</b> That Council pass the ordinance releasing 43.54 acres of land in northwest corner of Harris County from the City of Houston's ETJ				
<b>Amount and Source of Funding:</b> N/A			<b>Finance Budget:</b>	
<b>SPECIFIC EXPLANATION:</b>				
<p>Upon a request from the City of Tomball, the Department is recommending the release of 43.54 acres from our Extraterritorial Jurisdiction. The release of such area from the extraterritorial jurisdiction of the City of Houston and the resulting inclusion in the City of Tomball's ETJ will rationalize the City of Houston's boundaries, and promote efficiency in the organization of municipal services in the Houston area.</p> <p>Due to the 1999 change in state annexation laws, this property is not eligible for annexation by the City of Houston because it is located within Houston's ETJ as a result of a 1963 annexation of a ten-foot wide strip of property located within the right-of-way of Boudreaux Road.</p> <p>Further, such a release will not impair the City's ability to annex any other territory in northern Harris County in the future, nor will it result in the loss of significant revenue producing properties in the acreage in question. Nor will it impair the City of Houston's current or future mobility. This recommendation has also been discussed with the Public Works &amp; Engineering Department's Public Utilities Division and they have no objection to this release.</p> <p>cc:    Arturo Michel        Marty Stein</p>				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

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

<b>SUBJECT:</b> Petition for the City's consent to the creation of 928.8 acres of land as Harris County Municipal Utility District No. 514 (Key Map No.258-V,X,Y;259-S-Z; 298-B,C & 299-A-D)	<b>Category #</b>	<b>Page</b> 1 of <u>1</u>	<b>Agenda Item #</b>  <b>23</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12-10-08	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> "ETJ"
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<b>For additional information contact:</b> Ann Marie Stone Sheridan, P.E. Supervising Engineer (713) 837-9142 <i>AMS</i>	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**

The petition for the creation of 928.8 acres of land as Harris County Municipal Utility District No. 514 be approved.

**Amount of Funding:** NONE REQUIRED

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

**SPECIFIC EXPLANATION:**

The owners of 928.8 acres of land, located in the city's extraterritorial jurisdiction, have petitioned the City of Houston for consent to create a district.

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

The district is located in the vicinity of Birchwood Street, the East Fork of the San Jacinto River, Northwood Country Road and FM 2100. The district will consist of 928.8 acres. The district will be served by a regional wastewater treatment plant, proposed Lake Houston Wastewater Treatment Plant No. 1. The other districts that will be served by this plant are proposed Harris County Municipal Utility District Nos. 515 and 516. The nearest major drainage facility for Harris County Municipal Utility District No. 514 is the East Fork of the San Jacinto River which flows into Lake Houston.

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

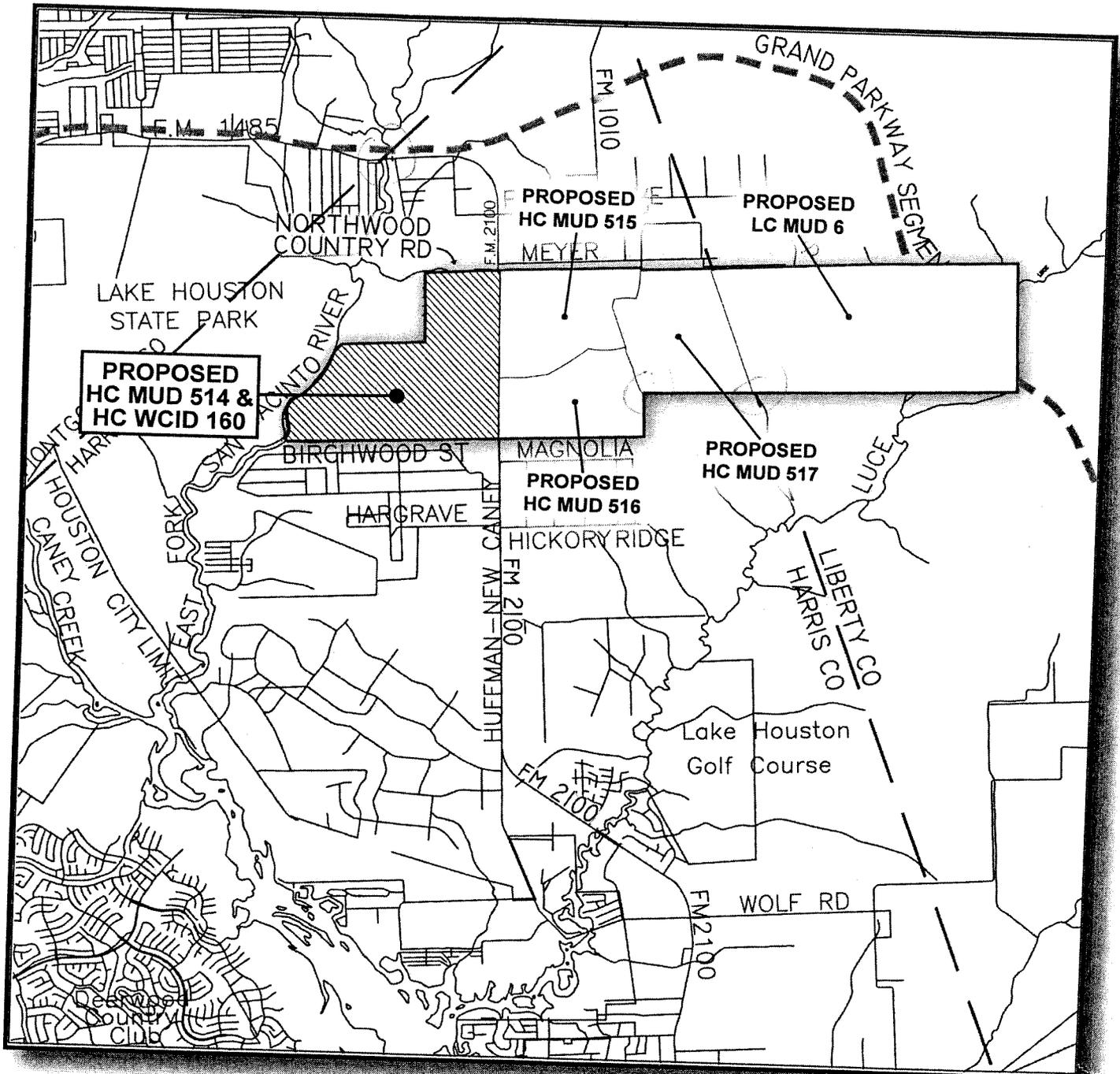
The Utility District Review Committee recommends that the subject petition be approved.

**Attachments**

cc: Marty Stein Marlene Gafrick Jun Chang Mark Loethen  
Bill Zrioka Waynette Chan Deborah McAbee Gary Norman

<b>REQUIRED AUTHORIZATION</b> 20JZC493	<b>Other Authorization:</b>
Finance Department	<i>[Signature]</i> Andrew F. Icken Deputy Director Planning & Development Services Div.

# HARRIS COUNTY MUNICIPAL UTILITY DISTRICT No. 514



## DISTRICT LOCATION MAP

### KEY MAP #s

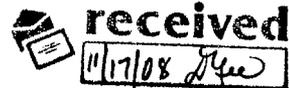
- |               |            |
|---------------|------------|
| #258: V,X,Y,V | #298: B, C |
| #259: S-Z     | #299: A-D  |



# 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 928.8 acres to Harris County MUD 514 under the provisions of §54.016 Texas Water Code.

*Spencer W. C...*  
Attorney for the District

**Attorney: Schwartz, Page & Harding, LLP**

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

**Engineer: Edminster, Hinshaw, Russ & Associates, Inc.**

Address: 10555 Westoffice Drive Zip: 77042 Phone: 713-784-4500

**Owners: Forestar (USA) Real Estate Group, Inc.**

Address: 800 Bering Drive, Suite 225 Zip: 77057 Phone: 713-783-0308

(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 Mary Magruder Abstract 530

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

North of: Birchwood Street East of: East Fork San Jacinto River  
South of: Northwood Country Road West of: FM 2100

### WATER DISTRICT DATA

Total Acreage of District: 928.8 Existing Plus Proposed Land 928.8

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

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

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

Sewage Treatment Plant Name: Lake Houston Wastewater Treatment Plant No. 1

NPDES/TPDES Permit No: In Process TCEQ Permit No: In Process



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0

Ultimate Capacity (MGD): 1.8

Size of treatment plant site: 5.0 acres square feet/acres.

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

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

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

Total permitted capacity: 1.8 (514 uses 0.75)

MGD of (Regional Plant).

Name of District: Harris County MUD 515

MGD Capacity Allocation 0.55

or property owner(s)

Name of District: Harris County MUD 516

MGD Capacity Allocation 0.50

Water Treatment Plant Name: Lake Houston Water Plant Nos. 1, 2 and 3

Water Treatment Plant Address: Address not yet determined

Well Permit No: \_\_\_\_\_

### Existing Capacity:

Well(s): N/A

GPM

Booster Pump(s): N/A

GPM

Tank(s): N/A

MG

### Ultimate Capacity:

Well(s): See Attached

GPM

Booster Pump(s): See Attached

GPM

Tank(s): See Attached

MG

Size of Treatment Plant Site: Unkown

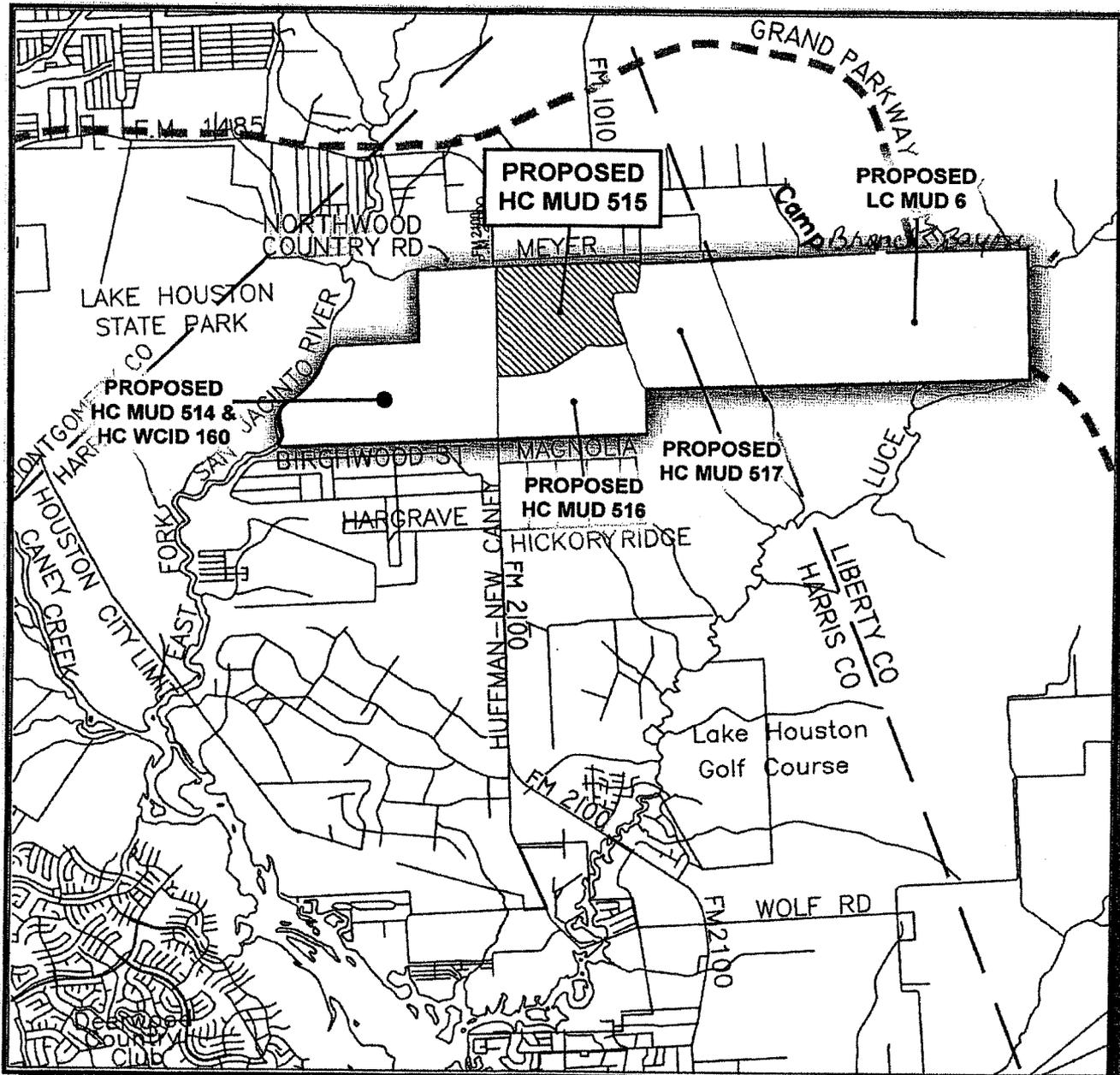
square feet/acres.

Comments or Additional Information: The Water & Wastewater Treatment Plant locations have not yet been determined. The District is in process of acquiring a

Wastewater discharge permit. All three (3) Water Plants operate as an open system.



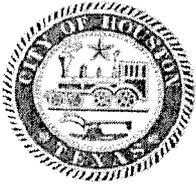
# HARRIS COUNTY MUNICIPAL UTILITY DISTRICT No. 515



## DISTRICT LOCATION MAP

### KEY MAP #s

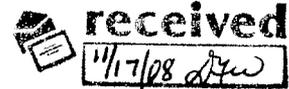
- |                  |            |
|------------------|------------|
| #258: V, X, Y, V | #298: B, C |
| #259: S-Z        | #299: A-D  |



# 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 462.3 acres to Harris County MUD No. 515 under the provisions of §54.016 Texas Water Code.

*Spencer W. Cook*  
Attorney for the District

**Attorney: Schwartz, Page & Harding, LLP**

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

**Engineer: Edminster, Hinshaw, Russ & Associates, Inc.**

Address: 10555 Westoffice Drive Zip: 77042 Phone: 713-784-4500

**Owners: Forestar (USA) Real Estate Group, Inc.**

Address: 800 Bering Drive, Suite 225 Zip: 77057 Phone: 713-783-0308

(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 Mary Magruder Abstract 530

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

North of: Magnolia Road East of: FM 2100  
South of: Meyer Road West of: Camp Branch Bayou

### WATER DISTRICT DATA

Total Acreage of District: 462.3 Existing Plus Proposed Land 462.3

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

Single Family Residential 85 Multi-Family Residential 2  
Commercial 13 Industrial 0 Institutional 0

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

Sewage Treatment Plant Name: Lake Houston Wastewater Treatment Plant No. 1

NPDES/TPDES Permit No: In Process TCEQ Permit No: In Process



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0

Ultimate Capacity (MGD): 1.8

Size of treatment plant site: 5.0 acres square feet/acres.

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

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

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

Total permitted capacity: 1.8 (515 uses 0.55)

MGD of (Regional Plant).

Name of District: Harris County MUD 514

MGD Capacity Allocation 0.75

or property owner(s)

Name of District: Harris County MUD 516

MGD Capacity Allocation 0.50

Water Treatment Plant Name: Lake Houston Water Plant Nos. 1, 2 and 3

Water Treatment Plant Address: Address not yet determined

Well Permit No: \_\_\_\_\_

### Existing Capacity:

Well(s): N/A

GPM

Booster Pump(s): N/A

GPM

Tank(s): N/A

MG

### Ultimate Capacity:

Well(s): See Attached

GPM

Booster Pump(s): See Attached

GPM

Tank(s): See Attached

MG

Size of Treatment Plant Site: Unkown

square feet/acres.

Comments or Additional Information: The Water & Wastewater Treatment Plant locations have not yet been determined. The District is in process of acquiring a

Wastewater discharge permit. All three (3) Water Plants operate as an open system.

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

<b>SUBJECT:</b> Petition for the City's consent to the creation of 403.0 acres of land as Harris County Municipal Utility District No. 516 (Key Map No.258-V,X,Y;259-S-Z; 298-B,C & 299-A-D)	<b>Category #</b>	<b>Page</b> 1 of <u>1</u>	<b>Agenda Item #</b>  <b>25</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12-10-08	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> "ETJ"
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<b>For additional information contact:</b> Ann Marie Stone Sheridan, P.E. Supervising Engineer (713) 837-9142 <i>AMS</i>	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
The petition for the creation of 403.0 acres of land as Harris County Municipal Utility District No. 516 be approved.

<b>Amount of Funding:</b> NONE REQUIRED
--

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

**SPECIFIC EXPLANATION:**

The owners of 403.0 acres of land, located in the city's extraterritorial jurisdiction, have petitioned the City of Houston for consent to create a district.

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

The district is located in the vicinity of Magnolia Road, FM 2100, Meyer Road and Camp Branch Bayou. The district will consist of 403.0 acres. The district will be served by a regional wastewater treatment plant, proposed Lake Houston Wastewater Treatment Plant No. 1. The other districts that will be served by this plant are proposed Harris County Municipal Utility District Nos. 514 and 515. The nearest major drainage facility for Harris County Municipal Utility District No. 516 is Luce Bayou which flows into Lake Houston.

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

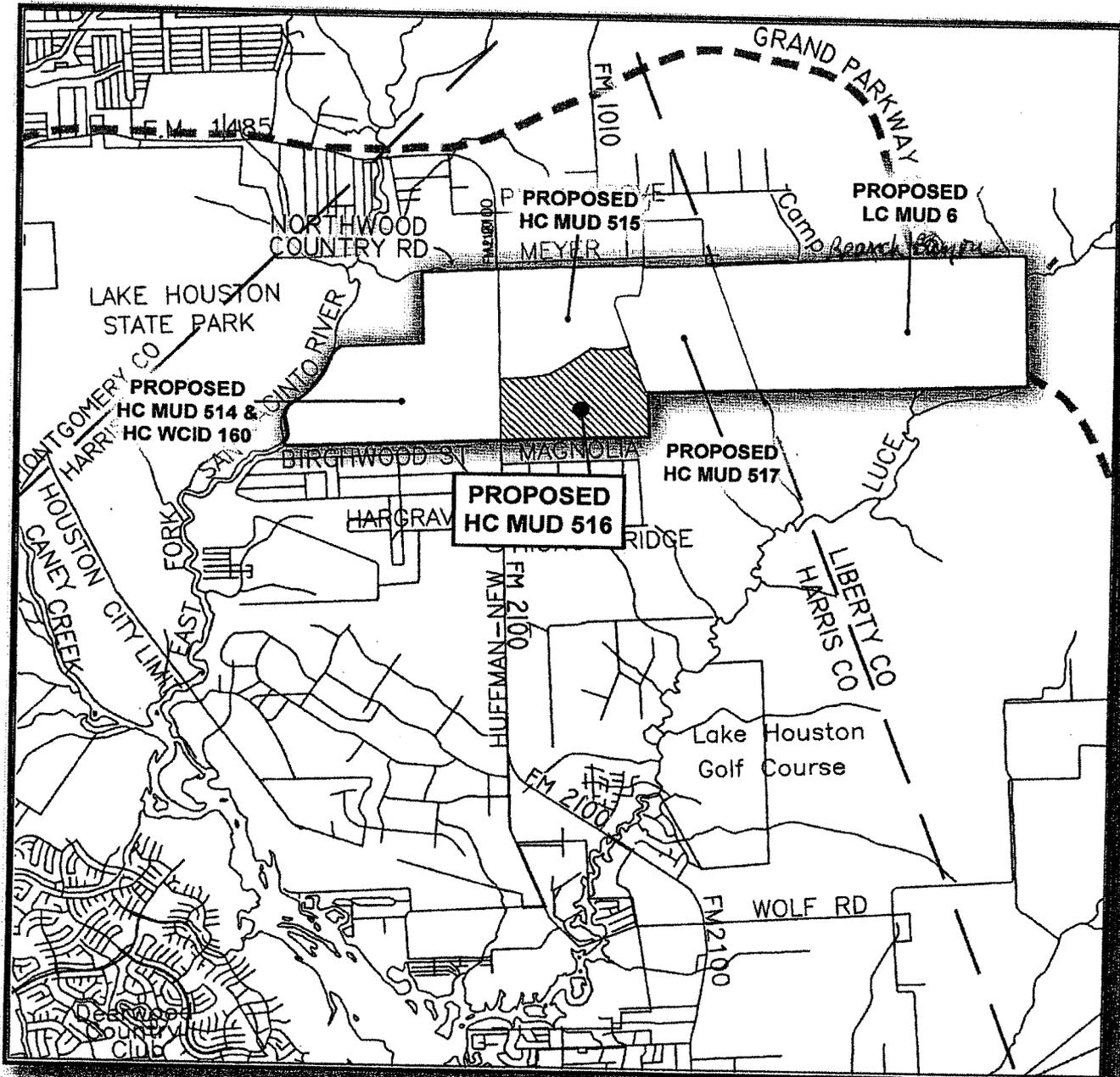
The Utility District Review Committee recommends that the subject petition be approved.

**Attachments**

cc: Marty Stein Marlene Gafrick Jun Chang Mark Loethen  
Bill Zrioka Waynette Chan Deborah McAbee Gary Norman

<b>REQUIRED AUTHORIZATION</b> 20JZC495	<b>Other Authorization:</b> <i>Andrew F. Icken</i> Andrew F. Icken Deputy Director Planning & Development Services Div.	<b>Other Authorization:</b>
<b>Finance Department</b>		

# HARRIS COUNTY MUNICIPAL UTILITY DISTRICT No. 516



DISTRICT LOCATION MAP

KEY MAP #s

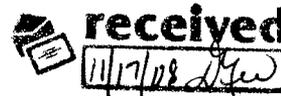
- |               |            |
|---------------|------------|
| #258: V,X,Y,V | #298: B, C |
| #259: S-Z     | #299: A-D  |



# 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 403.0 acres to Harris County MUD No. 516 under the provisions of §54.016 Texas Water Code.

*Spencer W. [Signature]*  
Attorney for the District

**Attorney: Schwartz, Page & Harding, LLP**

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

**Engineer: Edminster, Hinshaw, Russ & Associates, Inc.**

Address: 10555 Westoffice Drive Zip: 77042 Phone: 713-784-4500

**Owners: Forestar (USA) Real Estate Group, Inc.**

Address: 800 Bering Drive, Suite 225 Zip: 77057 Phone: 713-783-0308

(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 Mary Magruder Abstract 530

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

North of: Magnolia Road East of: FM 2100  
South of: Meyer Road West of: Camp Branch Bayou

### WATER DISTRICT DATA

Total Acreage of District: 403.0 Existing Plus Proposed Land 403.0

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

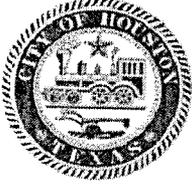
Single Family Residential 100 Multi-Family Residential 0

Commercial 0 Industrial 0 Institutional 0

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

Sewage Treatment Plant Name: Lake Houston Wastewater Treatment Plant No. 1

NPDES/TPDES Permit No: In Process TCEQ Permit No: In Process



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0

Ultimate Capacity (MGD): 1.8

Size of treatment plant site: 5.0 acres square feet/acres.

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

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

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

Total permitted capacity: 1.8 (516 uses 0.50)

MGD of (Regional Plant).

Name of District: Harris County MUD 514

MGD Capacity Allocation 0.75

or property owner(s)

Name of District: Harris County MUD 515

MGD Capacity Allocation 0.55

Water Treatment Plant Name: Lake Houston Water Plant Nos. 1, 2 and 3

Water Treatment Plant Address: Address not yet determined

Well Permit No: \_\_\_\_\_

### Existing Capacity:

Well(s): N/A

GPM

Booster Pump(s): N/A

GPM

Tank(s): N/A

MG

### Ultimate Capacity:

Well(s): See Attached

GPM

Booster Pump(s): See Attached

GPM

Tank(s): See Attached

MG

Size of Treatment Plant Site: Unkown

square feet/acres.

Comments or Additional Information: The Water & Wastewater Treatment Plant locations have not yet been determined. The District is in process of acquiring a

Wastewater discharge permit. All three (3) Water Plants operate as an open system.

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

<b>SUBJECT:</b> Petition for the City's consent to the creation of 498.5 acres of land as Harris County Municipal Utility District No. 517 (Key Map No.258-V,X,Y;259-S-Z; 298-B,C & 299-A-D)	<b>Category #</b>	<b>Page</b> 1 of <u>1</u>	<b>Agenda Item #</b>  <b>26</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12/10/08	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> "ETJ"
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<b>For additional information contact:</b> Ann Marie Stone Sheridan, P.E. Supervising Engineer (713) 837-9142 <i>AMS</i>	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**

The petition for the creation of 498.5 acres of land as Harris County Municipal Utility District No. 517 be approved.

**Amount of Funding:** NONE REQUIRED

**SOURCE OF FUNDING:**  General Fund  Grant Fund  Enterprise Fund

Other (Specify)

**SPECIFIC EXPLANATION:**

The owners of 498.5 acres of land, located in the city's extraterritorial jurisdiction, have petitioned the City of Houston for consent to create a district.

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

The district is located in the vicinity of Magnolia Road, FM 2100, Meyer Road and Camp Branch Bayou. The district will consist of 498.5 acres. The district will be served by a regional wastewater treatment plant, proposed Lake Houston Wastewater Treatment Plant No. 2. The other district that will be served by this plant is proposed Liberty County Municipal Utility District No. 6. The nearest major drainage facility for Harris County Municipal Utility District No. 517 is Luce Bayou which flows into Lake Houston.

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

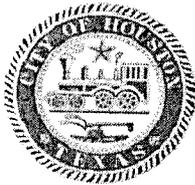
The Utility District Review Committee recommends that the subject petition be approved.

**Attachments**

cc: Marty Stein Marlene Gafrick Jun Chang Mark Loethen  
Bill Zrioka Waynette Chan Deborah McAbee Gary Norman

<b>REQUIRED AUTHORIZATION</b> 20JZC496	<b>Other Authorization:</b>
Finance Department	<i>Andrew F. Icken</i> Andrew F. Icken Deputy Director Planning & Development Services Div.

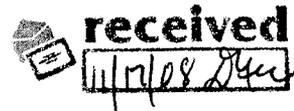




# CITY OF HOUSTON



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 498.5 acres to Harris County MUD No. 517 under the provisions of §54.016 Texas Water Code.

*Spencer W. Cup*  
Attorney for the District

**Attorney: Schwartz, Page & Harding, LLP**

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

**Engineer: Edminster, Hinshaw, Russ & Associates, Inc.**

Address: 10555 Westoffice Drive Zip: 77042 Phone: 713-784-4500

**Owners: Forestar (USA) Real Estate Group, Inc.**

Address: 800 Bering Drive, Suite 225 Zip: 77057 Phone: 713-783-0308

(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  
Abstract 530

Survey Mary Magruder

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

North of: Magnolia Road

East of: FM 2100

South of: Meyer Road

West of: Camp Branch Bayou

### WATER DISTRICT DATA

Total Acreage of District: 498.5

Existing Plus Proposed Land 498.5

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

Single Family Residential 68

Multi-Family Residential 5

Commercial 27

Industrial 0

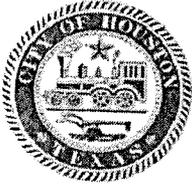
Institutional 0

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

Sewage Treatment Plant Name: Lake Houston Wastewater Treatment Plant No. 2

NPDES/TPDES Permit No: In Process

TCEQ Permit No: In Process



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0

Ultimate Capacity (MGD): 2.8

Size of treatment plant site: 5.0 acres square feet/acres.

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

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

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

Total permitted capacity: 2.8 (517 uses 0.631)

MGD of (Regional Plant).

Name of District: Liberty County MUD 6

MGD Capacity Allocation 2.169

or property owner(s)

Name of District: \_\_\_\_\_

MGD Capacity Allocation \_\_\_\_\_

Water Treatment Plant Name: Lake Houston Water Plant Nos. 1, 2 and 3

Water Treatment Plant Address: Address not yet determined

Well Permit No: \_\_\_\_\_

**Existing Capacity:**

Well(s): N/A

GPM

Booster Pump(s): N/A

GPM

Tank(s): N/A

MG

**Ultimate Capacity:**

Well(s): See Attached

GPM

Booster Pump(s): See Attached

GPM

Tank(s): See Attached

MG

Size of Treatment Plant Site: Unkown

square feet/acres.

Comments or Additional Information: The Water & Wastewater Treatment Plant locations have not yet been determined. The District is in process of acquiring a

Wastewater discharge permit. All three (3) Water Plants operate as an open system.

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

<b>SUBJECT:</b> Petition for the City's consent to the creation of 928.8 acres of land as Harris County Water Control and Improvement District No. 160 (Key Map No.258-V,X,Y;259-S-Z; 298-B,C & 299-A-D)	<b>Category #</b>	<b>Page</b> 1 of <u>1</u>	<b>Agenda Item #</b>  <b>27</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12/10/08	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> "ETJ"
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<b>For additional information contact:</b> Ann Marie Stone Sheridan, P.E. Supervising Engineer (713) 837-9142 <i>AMS</i>	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**

The petition for the creation of 928.8 acres of land as Harris County Water Control and Improvement District No. 160 be approved.

<b>Amount of Funding:</b> NONE REQUIRED
--

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

**SPECIFIC EXPLANATION:**

The owners of 928.8 acres of land, located in the city's extraterritorial jurisdiction, have petitioned the City of Houston for consent to create a district.

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

The district is located in the vicinity of Birchwood Street, the East Fork of the San Jacinto River, Northwood Country Road and FM 2100. The district will consist of 928.8 acres. This district will provide for storm water drainage only. The nearest major drainage facility for Harris County Water Control and Improvement District No. 160 is the East Fork of the San Jacinto River which flows into Lake Houston.

Potable water and wastewater are not required for this 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.

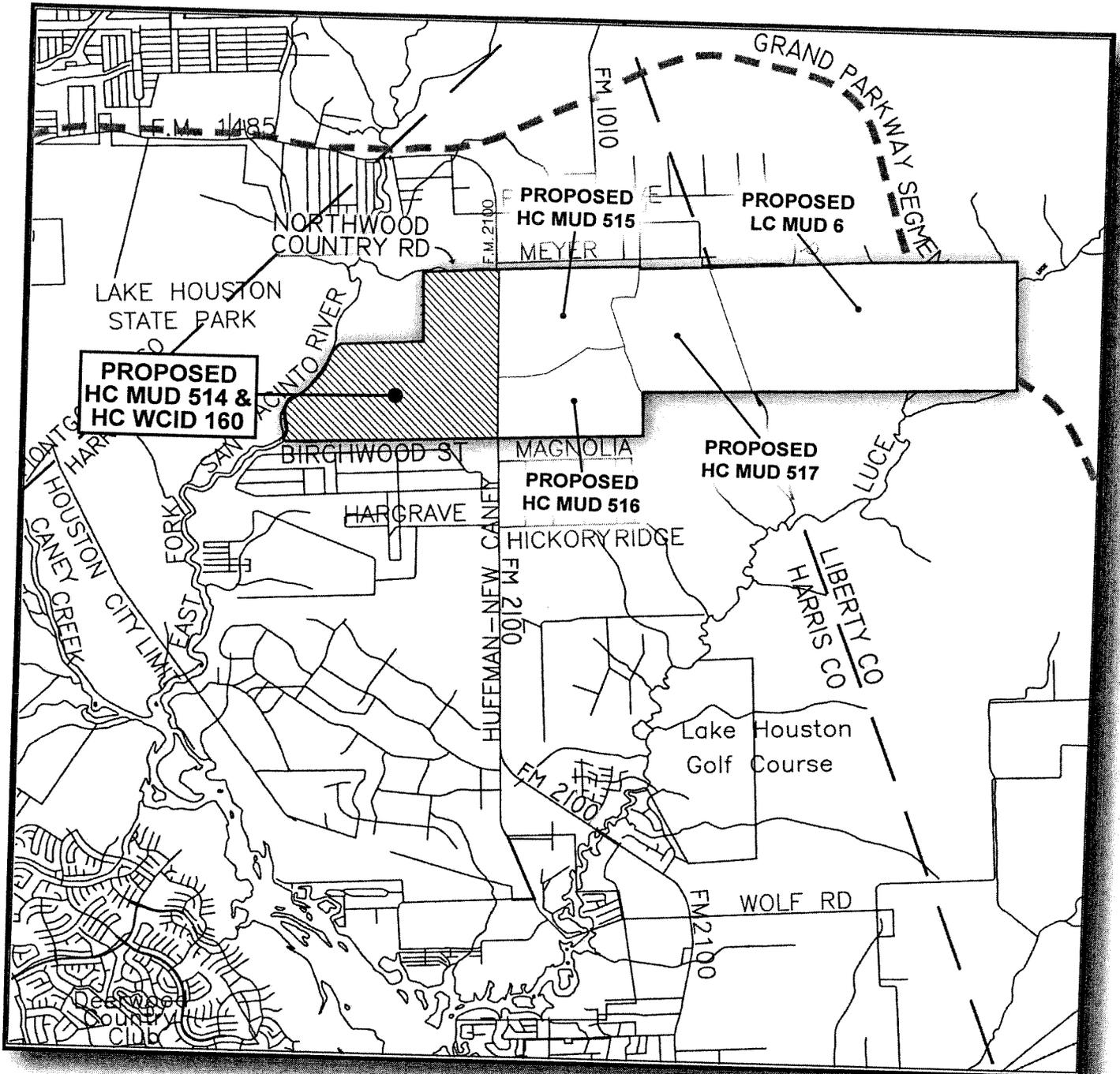
The Utility District Review Committee recommends that the subject petition be approved.

**Attachments**

cc: Marty Stein Marlene Gafrick Jun Chang Mark Loethen  
Bill Zrioka Waynette Chan Deborah McAbee Gary Norman

<b>REQUIRED AUTHORIZATION</b> 20JZC497	<b>Other Authorization:</b>
Finance Department	Other Authorization:
<i>Andrew F. Icken</i> Andrew F. Icken Deputy Director Planning & Development Services Div.	

# HARRIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 160



## DISTRICT LOCATION MAP

### KEY MAP #s

- |               |            |
|---------------|------------|
| #258: V,X,Y,V | #298: B, C |
| #259: S-Z     | #299: A-D  |



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

**received**  
11/17/08 JWC

**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 928.8 acres to Harris County WC & ID No. 160 under the provisions of Chapters 49 & 51 of the Texas Water Code.

*Spencer W. C...*  
Attorney for the District

**Attorney:** Schwartz, Page & Harding, LLP

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

**Engineer:** Edminster, Hinshaw, Russ & Associates, Inc.

Address: 10555 Westoffice Drive Zip: 77042 Phone: 713-784-4500

**Owners:** Forestar (USA) Real Estate Group, Inc.

Address: 800 Bering Drive, Suite 225 Zip: 77057 Phone: 713-783-0308

(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  
Abstract 530

Survey Mary Magruder

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

North of: Birchwood Road

East of: East Fork San Jacinto River

South of: Northwood Country Road

West of: FM 2100

### WATER DISTRICT DATA

Total Acreage of District: 928.8

Existing Plus Proposed Land 928.8

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

Single Family Residential 97

Multi-Family Residential 0

Commercial 0

Industrial 0

Institutional 3

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

Regional Plant

Sewage Treatment Plant Name: N/A

NPDES/TPDES Permit No: N/A

TCEQ Permit No: N/A



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): N/A

Ultimate Capacity (MGD): N/A

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

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

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

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

Total permitted capacity: 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: N/A

Water Treatment Plant Address: N/A

Well Permit No: N/A

### Existing Capacity:

Well(s): N/A

GPM

Booster Pump(s): N/A

GPM

Tank(s): N/A

MG

### Ultimate Capacity:

Well(s): N/A

GPM

Booster Pump(s): N/A

GPM

Tank(s): N/A

MG

Size of Treatment Plant Site: N/A

square feet/acres.

Comments or Additional Information: Harris County Water Control & Improvement District No.

160 is an overlapping District that will be responsible for storm water drainage only.

Water supply and wastewater collection will not apply to this District.

1

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the addition of 245.432 acres of land to Harris-Montgomery Counties Municipal Utility District No. 386 (Key Map No. 250-N,P)	Category #	Page 1 of 1	Agenda Item #
			28

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date DEC 17 2008
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DIRECTOR'S SIGNATURE <i>Michael S. Marcotte</i> 12/12/08 Michael S. Marcotte, P.E., D.WRE, BCEE	Council District affected: "ETJ"
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For additional information contact: Ann Marie Stone Sheridan, P.E. <i>AMS</i> Supervising Engineer (713) 837-9142	Date and identification of prior authorizing Council action:
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**RECOMMENDATION:** (Summary)

The petition for the addition of 245.432 acres of land to Harris-Montgomery Counties Municipal Utility District No. 386 be approved.

Amount of Funding: NONE REQUIRED
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**SOURCE OF FUNDING:**     General Fund     Grant Fund     Enterprise Fund  
 Other (Specify)

**SPECIFIC EXPLANATION:**

Harris-Montgomery Counties Municipal Utility District No. 386 has petitioned the City of Houston for consent to add 245.432 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 FM 2920, FM 2978, Woodlands Parkway and Gosling Road. The district desires to add 245.432 acres, thus yielding a total of 2,425.0630 acres. The district is served by the Harris-Montgomery Counties Municipal Utility District No. 387 Sewage Treatment Plant and The Woodlands Wastewater Treatment Plants Nos. 1, 2, and 3. The other districts served by these plants are The Woodlands Municipal Utility District No. 2, Montgomery County Municipal Utility District Nos. 6, 7, 36, 39, 40, 46, 47, 60, 67, and The Woodlands Metro Center MUD. The nearest major drainage facility for Harris-Montgomery Counties Municipal Utility District No. 386 is Spring Creek which flows into the San Jacinto River and finally into Lake Houston.

Potable water is provided by Harris County Municipal Utility District No. 387 Water Plant No. 1. 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.

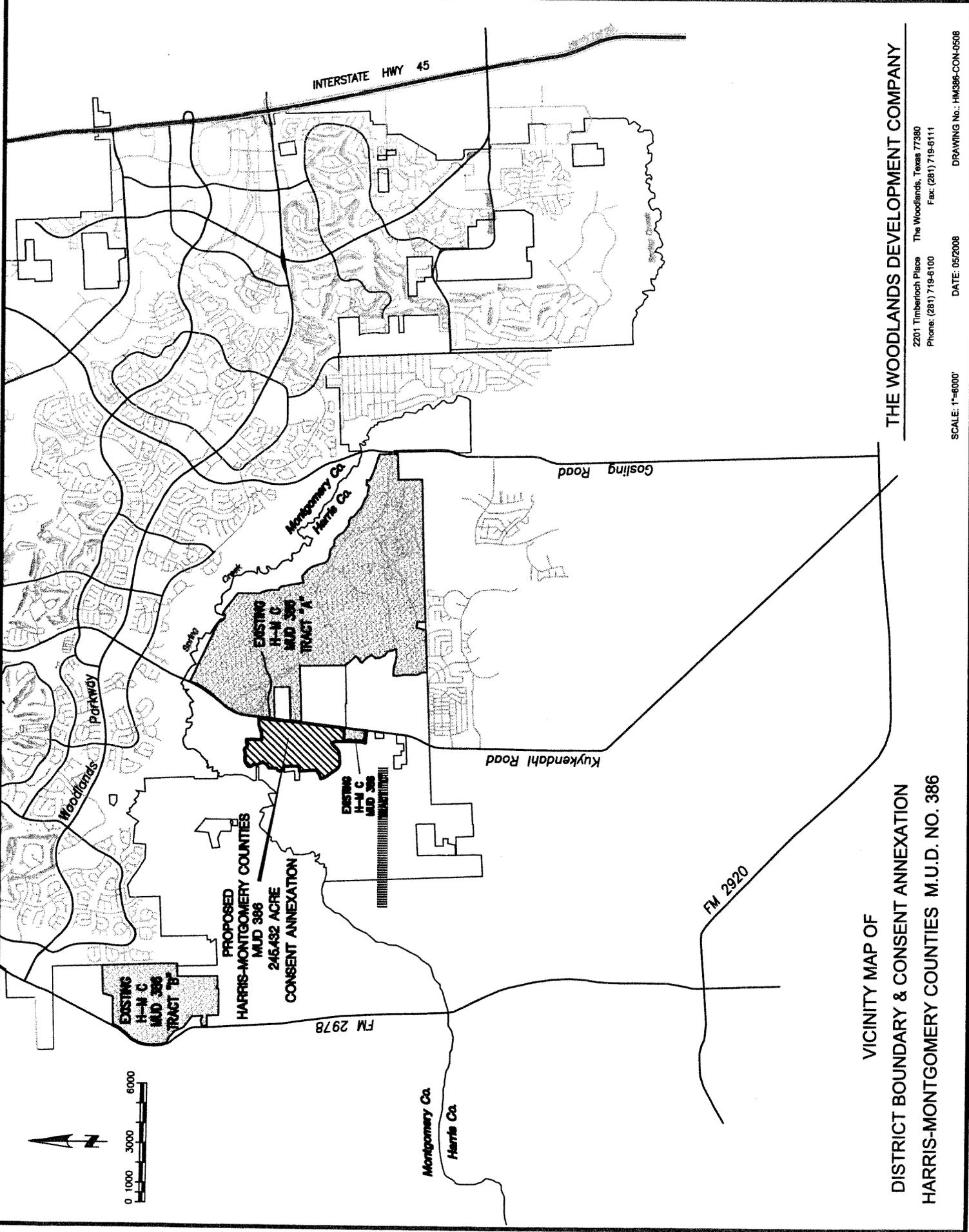
The Utility District Review Committee recommends that the subject petition be approved.

Attachments

cc: Marty Stein    Marlene Gafrick    Jun Chang    Mark Loethen  
Bill Zrioka    Waynette Chan    Deborah McAbee    Gary Norman

REQUIRED AUTHORIZATION		20JZC498 <i>A</i>
Finance Department	Other Authorization: <i>[Signature]</i> Andrew F. Icken Deputy Director Planning & Development Services Div.	Other Authorization:

bt



VICINITY MAP OF  
 DISTRICT BOUNDARY & CONSENT ANNEXATION  
 HARRIS-MONTGOMERY COUNTIES M.U.D. NO. 386

THE WOODLANDS DEVELOPMENT COMPANY

2201 Timberloch Place The Woodlands, Texas 77380  
 Phone: (281) 719-6100 Fax: (281) 719-8111

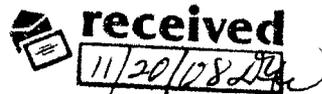
SCALE: 1"=6000' DATE: 05/2008 DRAWING No.: HM386-CON-0508



# 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 245.432 acres to Harris-Montg. Counties MUD 386 under the provisions of Chapters 49 and 54 Texas Water Code.

Attorney for the District

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

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

**Engineer: Chad Abram, Pate Engineers, Inc.**

Address: 13333 Northwest Freeway, Suite 300 Zip: 77040 Phone: 713-462-3178

**Owners: Richard Derr, The Woodlands Land Dev. Co., L.P.**

Address: 2201 Timberloch Place, The Woodlands Zip: 77380 Phone: 281-719-6110

(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 William White Abstract A-829

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

North of: F.M. 2920 East of: F.M. 2978  
South of: Woodlands Parkway West of: Gosling Road

### WATER DISTRICT DATA

Total Acreage of District: 2179.6310 Existing Plus Proposed Land 2425.063

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

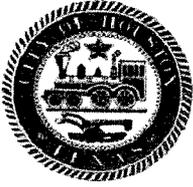
Single Family Residential 100% Multi-Family Residential 0%

Commercial 0% Industrial 0% Institutional 0%

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

Sewage Treatment Plant Name: Harris County MUD No. 387 Sewage Treatment Plant

NPDES/TPDES Permit No: N/A TCEQ Permit No: 14347-001



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0.24

Ultimate Capacity (MGD): 3.0

Size of treatment plant site: 14 square feet/acres.

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

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

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

Total permitted capacity: 3.0

MGD of (Regional Plant).

Name of District: Harris-Montg. Co. MUD 386

MGD Capacity Allocation 593,775 GPD

or property owner(s)

Name of District: The Wood. Land. Dev. Co.

MGD Capacity Allocation 2,406,225 GPD

Water Treatment Plant Name: Harris Co. MUD No. 387 Water Plant No. 1

Water Treatment Plant Address: 25802-1/2 Kuykendahl Road, Tomball

Well Permit No: HGCSD Permit No. 112566

**Existing Capacity:**

Well(s): 1,000 GPM

Booster Pump(s): 1-500; 2-1,100 GPM

Tank(s): 500,000 gal MG

**Ultimate Capacity:**

Well(s): 2,000 GPM

Booster Pump(s): 1-500, 2-1,100 GPM

Tank(s): 1 MG

Size of Treatment Plant Site: 3.3

square feet/acres.

Comments or Additional Information: See Addendum regarding property situated in Montgomery Co

**ADDENDUM TO  
WATER DISTRICT CONSENT APPLICATION FORM**

Date: July 3, 2008  
 District: Harris-Montgomery Counties Municipal Utility District No. 386  
 Application: Consent to the addition of 245.432 acres

Survey Andrew Lawson Abstract A-509  
James Brown A-78

Sewage generated by the District within Montgomery County are served by the following Regional Plants:

**Sewage Treatment Plant Name:** The Woodlands Wastewater Treatment Plant No. 1  
**N.P.D.E.S. Permit No.:** TX0054186 **T.D.W.R. Permit No.:** 11401-01  
**Existing Capacity:** 7.8MGD **Ultimate Capacity:** 7.8 MGD  
**Size of Treatment Plant Site:** 10.5 Acres

**Sewage Treatment Plant Name:** The Woodlands Wastewater Treatment Plant No. 2  
**N.P.D.E.S. Permit No.:** TX0091715 **T.D.W.R. Permit No.:** 12597-01  
**Existing Capacity:** 6.2MGD **Ultimate Capacity:** 7.6 MGD  
**Size of Treatment Plant Site:** 24.50 Acres

**Sewage Treatment Plant Name:** The Woodlands Wastewater Treatment Plant No. 3  
**N.P.D.E.S. Permit No.:** TX0063461 **T.D.W.R. Permit No.:** 11658-001  
**Existing Capacity:** 0.900 MGD **Ultimate Capacity:** 0.900 MGD  
**Size of Treatment Plant:** 3.69 Acres

<u>NAME OF DISTRICT OR PROPERTY OWNER(S)</u>	<u>MGD CAPACITY ALLOCATION</u>
The Woodlands MUD # 2	0.091 MGD
Montgomery County MUD # 6	1.184 MGD
Montgomery County MUD # 7	1.339 MGD
Montgomery County MUD # 36	0.693 MGD

Montgomery County MUD # 39	0.698 MGD
Montgomery County MUD # 40	0.836 MGD
Montgomery County MUD # 46	2.503 MGD
Montgomery County MUD # 47	2.632 MGD
Montgomery County MUD # 60	1.421 MGD
Montgomery County MUD # 67	1.044 MGD
The Woodlands Metro Center MUD	2.139 MGD
Harris County MUD # 386	0.319 MGD

---

Serving the District's property situated in Montgomery County only:

**Water Plant Name:** Water Plant No. 1

**Water Plant Address:** 11439 Slash Pine, The Woodlands

**Water Plant Name:** Water Plant No. 2

**Water Plant Address:** 6140 Shadow Bend Place, The Woodlands

**Water Plant Name:** Water Plant No. 3

**Water Plant Address:** 6698 Alden Bridge Road, The Woodlands

**Well Permit Nos.** N/A

**Existing Capacity:**

Well(s): 28,500 GPM

Booster Pump(s): 29,900 GPM

Tank(s): 13.5 MG

**Ultimate Capacity:**

Well(s): 30,611 GPM

Booster Pump(s): 34,300 GPM

Tank(s): 18.0 MG

Size of Treatment Plant Site: Water Plant No. 1: 2.417 Acres

Water Plant No. 2: 3.45 Acres

Water Plant No. 3: 4.688 Acres

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

<b>SUBJECT:</b> Petition for the City's consent to the addition of 17.4477 acres of land to Montgomery County Water Control and Improvement District No. 1 (Key Map No. 251-Y)	<b>Category #</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b> 29
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 10-1-08	<b>Agenda Date</b> DEC 17 2008
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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. Senior Assistant Director Phone: (713) 837-0433	<b>Date and identification of prior authorizing Council action:</b>
--	---

**RECOMMENDATION: (Summary)**  
The petition for the addition of 17.4477 acres of land to Montgomery County Water Control and Improvement District No. 1 be approved.

<b>Amount of Funding:</b> NONE REQUIRED
--

<b>SOURCE OF FUNDING:</b> <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)
--

**SPECIFIC EXPLANATION:**

Montgomery County Water Control and Improvement District No. 1 has petitioned the City of Houston for consent to add 17.4477 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 Panther Branch and Sawdust Road. The district desires to add 17.4477 acres, thus yielding a total of 1,002.1913 acres. The district is served by the Montgomery County Water Control and Improvement District No. 1 Wastewater Treatment Plant, which is owned and operated by the district. The nearest major drainage facility for Montgomery County Water Control and Improvement District No. 1 is Spring Creek which flows into 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.

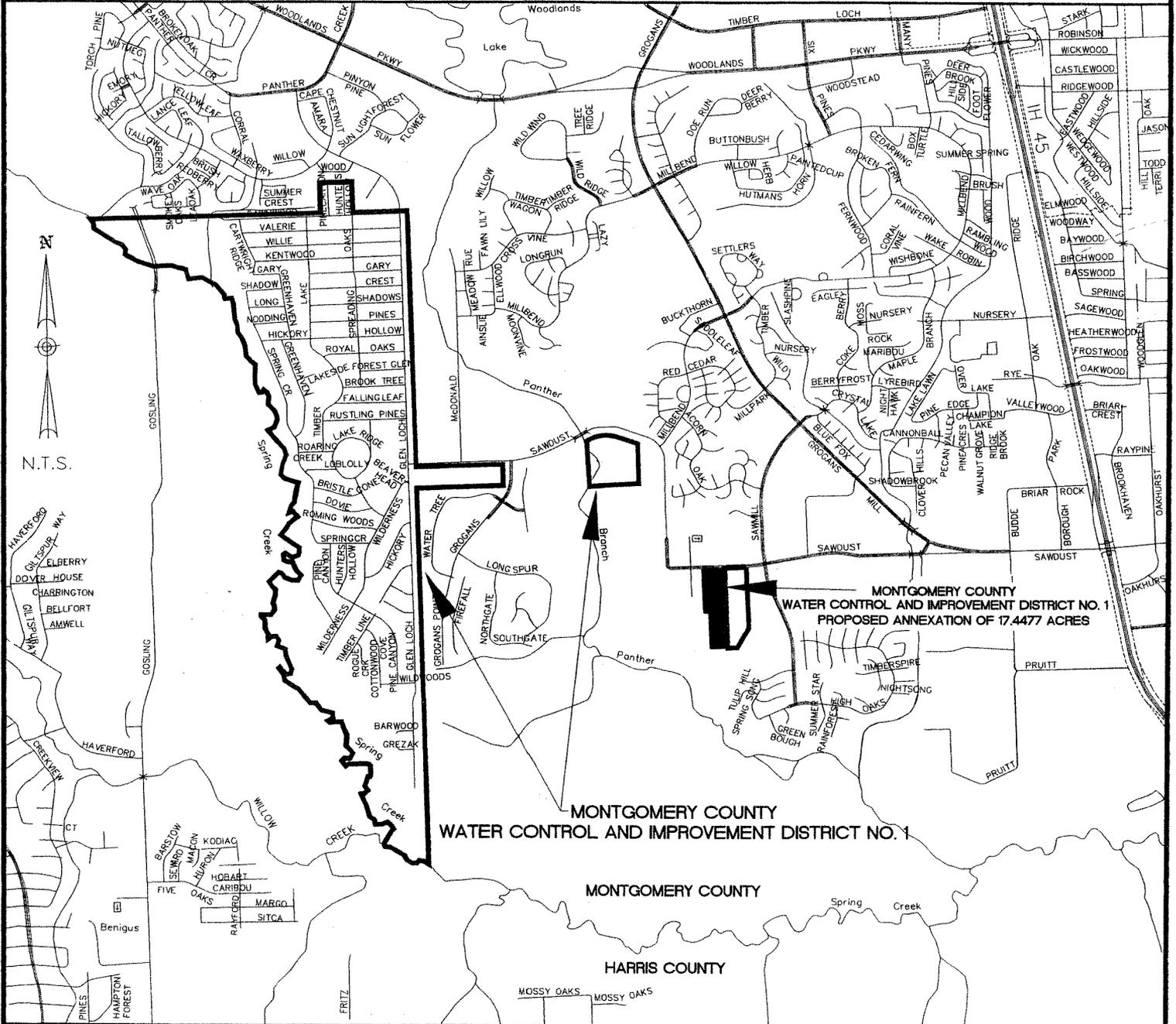
Attachments

cc: Marty Stein Marlene Gafrick Jeff Taylor Mark Loethen  
Bill Zrioka Waynette Chan Deborah McAbee Gary Norman

<b>REQUIRED AUTHORIZATION</b> 20JZC473		
Finance Department	<b>Other Authorization:</b> <i>Andrew F. Icken</i> Andrew F. Icken Deputy Director Planning & Development Services Div.	<b>Other Authorization:</b>

# MONTGOMERY COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1

PROPOSED ANNEXATION OF 17.4477 ACRES OF LAND  
(KEY MAP PAGE NO. 251-Y)



MONTGOMERY COUNTY  
WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1  
PROPOSED ANNEXATION OF 17.4477 ACRES

MONTGOMERY COUNTY  
WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1

## VICINITY MAP

N.T.S.

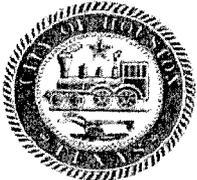
PREPARED BY



616 FM 1960 W., SUITE 250  
HOUSTON, TEXAS 77090  
(281)350-7027  
(281)350-7035 FAX  
WWW.AEIENGR.COM

473

P:\130\130 DISTRICT\ANNEXATION JULY 2008.dwg Jul 29, 2008-8:53am pglblm



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

**received**  
9/3/08 [Signature]

**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 17.4477 acres to Montgomery County WCID #1 under the provisions of Chapter 49 Texas Water Code.

[Signature]

Attorney for the District

**Attorney: Michael A. Cole - Michael A. Cole, P.C.**

Address: 5120 Bayard Lane, Houston, Texas Zip: 77006 Phone: 713/880-3800

**Engineer: Michael A. Kurzy - AEI Engineering, Inc.**

Address: 616 FM 1960 West, Suite 250, Houston, Texas Zip: 77090 Phone: 281/350-7027

**Owners: Stream Realty Partners, LP**

Address: 1401 McKinney Street, 10<sup>th</sup> Floor, Houston, Texas Zip: 77010 Phone: 713/300-0300

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

### LOCATION

INSIDE CITY  OUTSIDE CITY  NAME OF COUNTY (S) Montgomery  
Survey John Taylor Survey Abstract 547

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

North of: Panther Branch East of: Panther Branch

South of: Sawdust Road West of: Sawmill Road

### WATER DISTRICT DATA

Total Acreage of District: 984.7436 Existing Plus Proposed Land 1002.1913

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

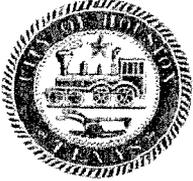
Single Family Residential \_\_\_\_\_ Multi-Family Residential \_\_\_\_\_

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

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

Sewage Treatment Plant Name: Montgomery County WC&ID No. 1 WWTP

NPDES/TPDES Permit No: N/A TCEQ Permit No: 10857-001



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0.42

Ultimate Capacity (MGD): 0.42

Size of treatment plant site: 4.0 ac square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 0.42 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: Montgomery County WCID #1

MGD Capacity Allocation 0.42

or property owner(s)

Name of District: N/A

MGD Capacity Allocation N/A

Water Treatment Plant Name: Water Plants Nos. 1 & 2

Water Treatment Plant Address: 25611 Spreading Oaks/24611 Timberlane, Spring, Tx

Well Permit No: OP-05041201, Reg #2005041204

### Existing Capacity:

Well(s): 3,600

GPM

Booster Pump(s): 2,000

GPM

Tank(s): 1.05

MG

### Ultimate Capacity:

Well(s): 3,600

GPM

Booster Pump(s): 2,000

GPM

Tank(s): 1.05

MG

Size of Treatment Plant Site: #1-0.997ac - #2-1.751ac

square feet/acres.

Comments or Additional Information: The tanks include one 250,000 gallon elevated storage tank. The above list does not included 50,000 gallons of hydro-pneumatic tank capacity.

**REQUEST FOR COUNCIL ACTION**

<b>TO: Mayor via City Secretary</b>		<b>RCA #</b>			
<b>SUBJECT:</b> An ordinance approving an Historic Site Tax Exemption for the property located at 2116 Chilton Road, 77019.		<b>Category #</b>	<b>Page 1 of 1</b>		
		<b>Agenda Item#</b> <span style="font-size: 2em; font-family: cursive;">30</span>			
<b>FROM: (Department or other point of origin):</b> Michelle Mitchell, Director Finance Department		<b>Origination Date</b> November 14, 2008	<b>Agenda Date</b> DEC 17 2008		
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;"><b>DIRECTOR'S SIGNATURE:</b> </td> <td style="width:50%;"></td> </tr> </table>		<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council Districts affected:</b> G	
<b>DIRECTOR'S SIGNATURE:</b> 					
<b>For additional information contact:</b> Keith Phillips <b>Phone:</b> (713) 837-0610 Julia Gee <b>Phone:</b> (713) 837-7828		<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2007-658, 12/6/2007 Designation Resolution 2008-28, 10/8/2008			
<b>RECOMMENDATION: (Summary)</b> That City Council adopt an ordinance approving an Historic Site Tax Exemption for the property located at 2116 Chilton Road, 77019, which meets the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.					
<b>Amount of Funding:</b> No funding required		<b>Finance Budget:</b>			
<b>SOURCE OF FUNDING:</b> <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)					
<b>SPECIFIC EXPLANATION:</b> Section 44-5 of the Code of Ordinances authorizes City Council to grant tax relief in the form of an exemption for historic sites. Prior City Council designation of the property as a historic landmark is a prerequisite to granting a historic site tax exemption. The property owner must then demonstrate to the Director of Finance that sufficient qualifying restoration and preservation expenditures were made within the time frames prescribed in the Ordinance, before the tax exemption is approved.  On July 21, 2008, a sworn application for a Historic Site Tax Exemption was submitted by the owner of the property located at 2116 Chilton Road, 77019, which meets the criteria set out in the Code of Ordinances. The Restoration and Preservation (R&P) work began in January 2006. The 2006 base year value of the historic structure was \$260,000 and the property owner spent in excess of \$247,000 to restore it, thus qualifying the owner for an exemption equivalent to the amount of qualifying R&P expenditures on the historic structure.  Based on HCAD's 2008 property valuation and the City's current property tax rate, the taxes foregone on the improvements are approximately \$1,581 the first year of the exemption and a total loss of approximately \$23,715 for the full 15-year period of the exemption (15 x \$1,581 = \$23,715).  Since the property has been designated as a historic site, it is recommended that City Council grant the property an exemption from ad valorem taxation.					
cc: Marty Stein, Agenda Director Anna Russell, City Secretary Arturo Michel, City Attorney					
<b>REQUIRED AUTHORIZATION</b>					
<b>Finance Director:</b>	<b>Other Authorization:</b> 	<b>Other Authorization:</b> 			

<b>2116 Chilton Road</b>
<b>HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS</b>

<b>Initial Exemption Criteria</b>				
<b>2006 Values (base year)</b>		<b>Preservation Expenditures</b>	<b>2008 Values</b>	
<b>Land</b>	<b>Structure</b>		<b>Land</b>	<b>Structure</b>
\$660,000	\$260,000	\$247,512	\$792,263	\$390,219

Expenditures as % of Base Value

95%

Maximum Exemption on Structure/Improvement, beginning TY2009 \*

\$247,512

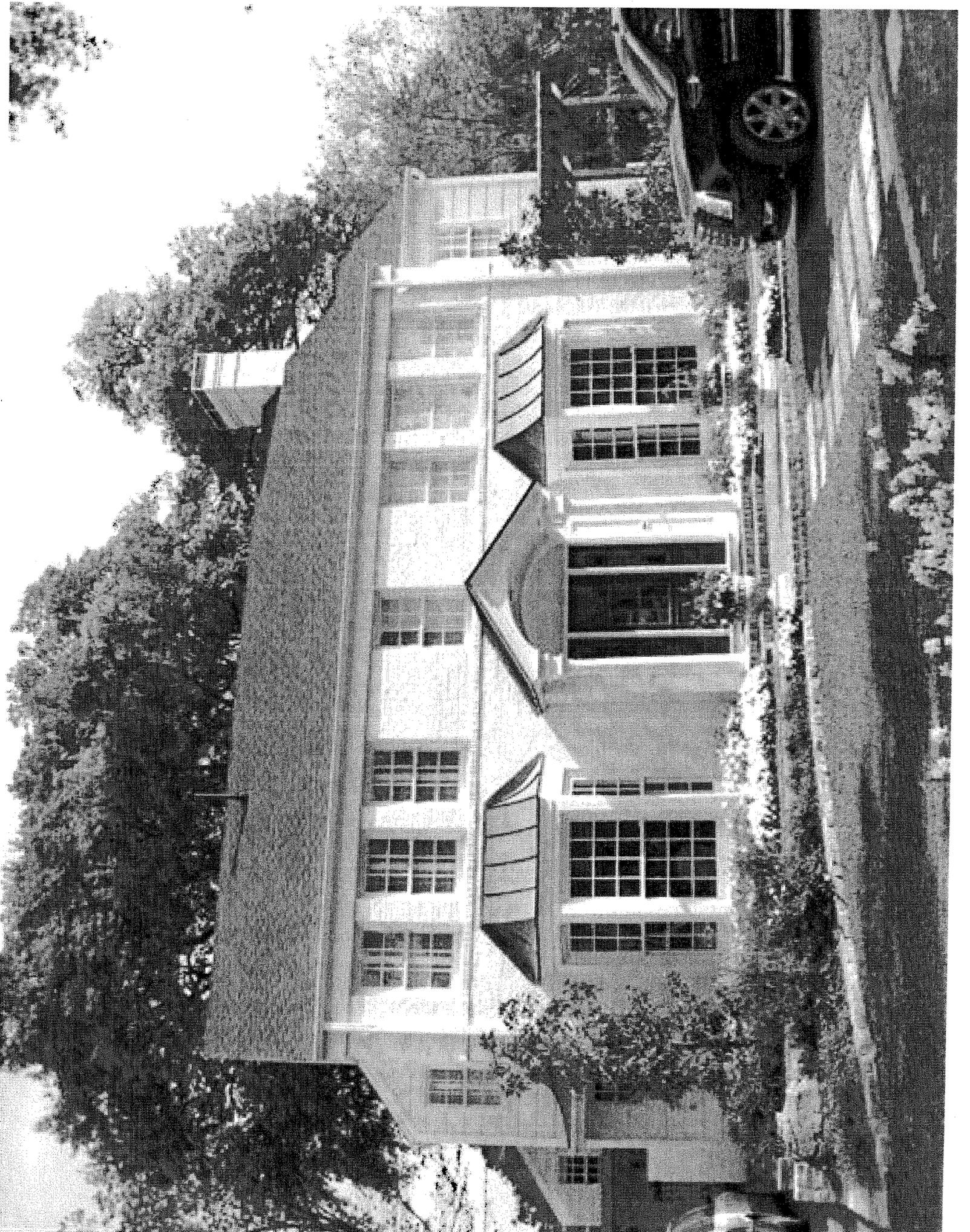
<b>Projected Annual Tax Revenue (Based upon \$247,512 of Improvements)</b>				
<b>Year</b>	<b>Tax Year</b>	<b>Revenue to be received (Land)</b>	<b>Revenue to be received (Structure)</b>	<b>Revenue exempt (Structure)</b>
1	2009	\$5,061	\$912	\$1,581
2	2010	\$5,263	\$912	\$1,581
3	2011	\$5,474	\$912	\$1,581
4	2012	\$5,693	\$912	\$1,581
5	2013	\$5,921	\$912	\$1,581
6	2014	\$6,158	\$912	\$1,581
7	2015	\$6,404	\$912	\$1,581
8	2016	\$6,660	\$912	\$1,581
9	2017	\$6,926	\$912	\$1,581
10	2018	\$7,203	\$912	\$1,581
11	2019	\$7,491	\$912	\$1,581
12	2020	\$7,791	\$912	\$1,581
13	2021	\$8,103	\$912	\$1,581
14	2022	\$8,427	\$912	\$1,581
15	2023	\$8,764	\$912	\$1,581
<b>Total</b>		<b>\$101,339</b>	<b>\$13,680</b>	<b>\$23,715</b>

Projection based on latest rate (Tax Year 2008): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

\* The tax exemption for the Structure (Improvement) remains the same.

The tax revenue may change relative to the tax rate.



**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** An ordinance approving an Historic Site Tax Exemption for the property located at 1132 Rutland Street, 77008.

**Category #**

**Page 1 of 1**

**Agenda Item#**

**31**

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

Michelle Mitchell, Director  
Finance Department

Marlene Gafrick, Director  
Planning and Development

**Origination Date**

December 8, 2008

**Agenda Date**

DEC 17 2008

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell* | *Marlene Gafrick*

**Council Districts affected:**

H

**For additional information contact:**

Keith R. Phillips  
Julia Gee

**Phone:** (713) 837-0610  
**Phone:** (713) 837-7828

**Date and identification of prior authorizing**

**Council Action:** Ordinance 2007-658, 12/6/2007  
Designation Resolution 2007-48, 12/19/2007

**RECOMMENDATION: (Summary)**

That City Council adopt an ordinance approving an Historic Site Tax Exemption for the property located at 1132 Rutland Street, 77008, which meets the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

**Amount of Funding:** No funding required

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

Section 44-5 of the Code of Ordinances authorizes City Council to grant tax relief in the form of an exemption for historic sites. Prior City Council designation of the property as a contributing structure in an historic district is a prerequisite to granting an historic site tax exemption. The property owner must then demonstrate to the Director of Finance that sufficient qualifying restoration and preservation expenditures were made within the time frames prescribed in the Ordinance, before the tax exemption is approved.

On December 8, 2008, a sworn application for an Historic Site Tax Exemption was submitted by the owner of the property located at 1132 Rutland Street, which meets the criteria set out in the Code of Ordinances. The Restoration and Preservation (R&P) work began in March 2007. The 2007 base year value of the historic structure was \$94,328 and the property owner spent in excess of \$120,000 to restore it, thus qualifying the owner for a 100% exemption on the improvements

Based on HCAD's 2008 property valuation and the City's current property tax rate, the taxes foregone on the improvements are approximately \$2,263 the first year of the exemption and a total loss of approximately \$33,945 for the full 15-year period of the exemption (15 x \$2,263 = \$33,945).

Since the property has been designated as an historic site, it is recommended that City Council grant the property an exemption from ad valorem taxation.

cc: Marty Stein, Agenda Director  
Anna Russell, City Secretary  
Arturo Michel, City Attorney

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

*[Signature]*

*[Signature]*

<b>1132 Rutland Street</b>
<b>HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS</b>

Initial Exemption Criteria				
2007 Values (base year)		Preservation Expenditures	2008 Values	
Land	Structure		Land	Structure
\$145,200	\$94,328	\$120,000	\$165,000	\$354,344

Expenditures as % of Base Value                      127%

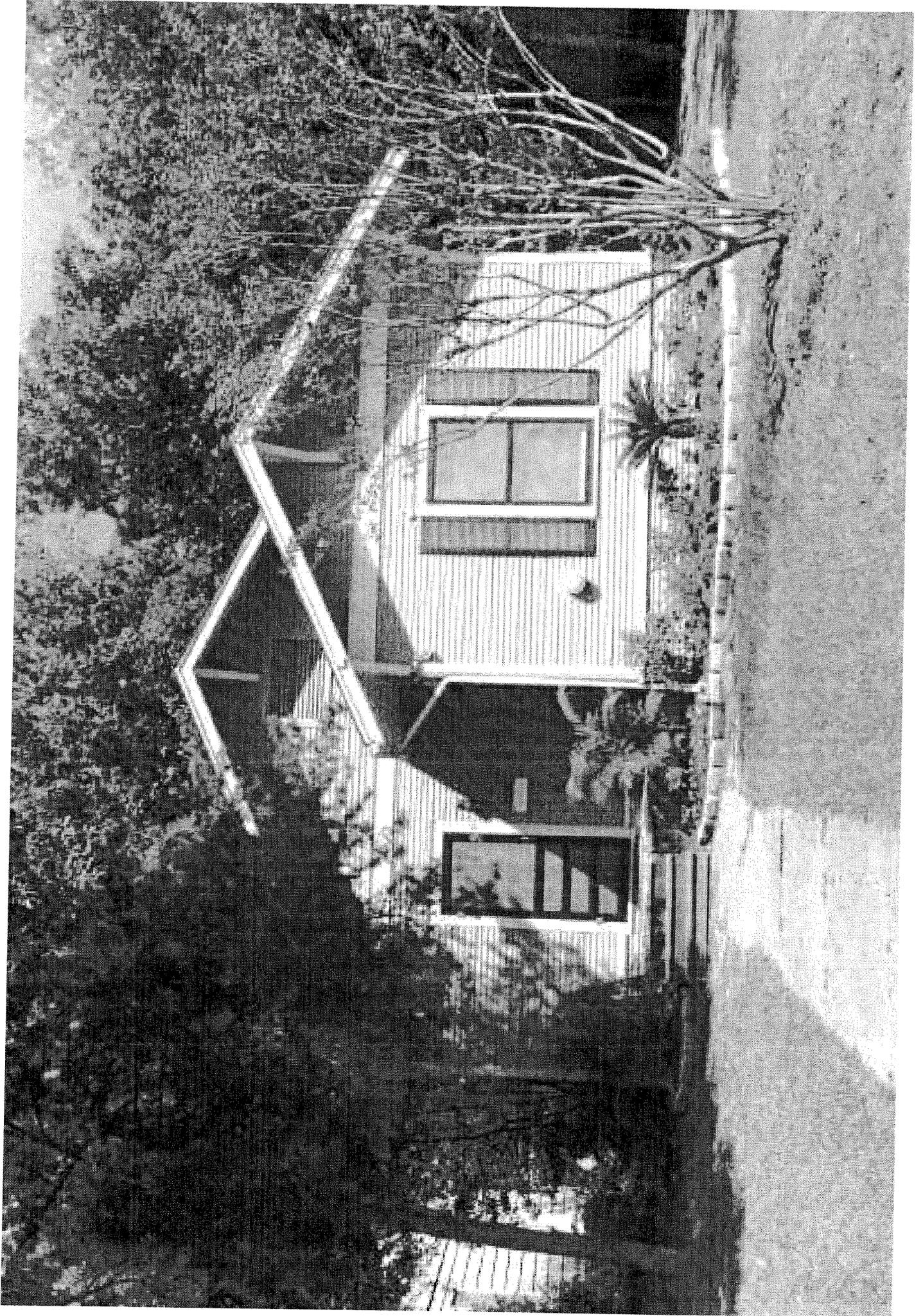
Maximum Exemption on Structure/Improvement will be equal to the TY2009 value (not yet available).\*

Projected Annual Tax Revenue (Based upon 100% of Improvements)			
Year	Tax Year	Revenue to be received (Land)	Revenue exempt (Structure)
1	2009	\$1,054	\$2,263
2	2010	\$1,096	\$2,263
3	2011	\$1,140	\$2,263
4	2012	\$1,186	\$2,263
5	2013	\$1,233	\$2,263
6	2014	\$1,282	\$2,263
7	2015	\$1,334	\$2,263
8	2016	\$1,387	\$2,263
9	2017	\$1,442	\$2,263
10	2018	\$1,500	\$2,263
11	2019	\$1,560	\$2,263
12	2020	\$1,622	\$2,263
13	2021	\$1,687	\$2,263
14	2022	\$1,755	\$2,263
15	2023	\$1,825	\$2,263
<b>Total</b>		<b>\$21,104</b>	<b>\$33,945</b>

Projection based on latest rate (Tax Year 2008): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

\* The tax exemption for the Structure (Improvement) remains the same.  
The tax revenue may change relative to the tax rate.



Before 1132 Rutland



After

<b>SUBJECT:</b> CJD Gang Initiative Grant		<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 32
<b>FROM: (Department or other point of origin):</b> Houston Police Department		<b>Origination Date</b> 12-4-08		<b>Agenda Date</b> DEC 17 2008
<b>DIRECTOR'S SIGNATURE:</b> Harold L. Hurtt, Chief of Police <i>[Signature]</i> 11/25/08		<b>Council Districts affected:</b> All		
<b>For additional information contact:</b> Lt Steve Ward 713-308-1934 Joseph Fenninger 713-308-1700		<b>Date and identification of prior authorizing Council Action:</b>		

**RECOMMENDATION: (Summary)**

Ordinance authorizing the grant application and award acceptance from the Office of the Governor, Criminal Justice Division (CJD) that will provide for gang eradication efforts through the use of grant funds. There is no cash match required or hiring of personnel.

<b>Amount of funding</b>				<b>Finance</b> <i>[Signature]</i>
<b>CJD Funding</b>	<b>Cash Match Funding</b>	<b>In-Kind Funding</b>	<b>Total Funding</b>	<i>[Signature]</i>
\$489,000	0	0	\$489,000	

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

The Houston Police Department is in the process of applying for a Justice Assistance Grant (JAG) from the Criminal Justice Department (CJD), Office of the Governor, in the amount of \$489,000. The grant does not require a city cash match or hiring of personnel, but does require a City of Houston ordinance for the application to be submitted and for the award to be accepted. Additionally, the ordinance must state that in the loss or misuse of the CJD funds, the City of Houston will assure that the funds will be returned to CJD in full. It is requested the ordinance designate Chief Harold L. Hurtt as the authorized official on this grant project (CJD grant # 2090701).

The goal of this grant project is to increase proactive police presence in areas that have demonstrated an excessive amount of violent gun crime associated with the criminal street gang "Houstone / Tango Blast" and the subgroups associated with it. This will specifically target the areas of Houston known to contain high level of violence committed by this group as well as meeting areas of this specific criminal element.

The project will be carried out by the Houston Police Department's Crime Reduction Unit, which is a proactive policing resource attached to the Gang Division.

cc: Arturo Michel, City Attorney  
Marty Stein, Agenda Director  
Anna Russell, City Secretary

**REQUIRED AUTHORIZATION**

<b>Finance 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> An ordinance approving a contract with Spay and Neuter Assistance Program, Inc. to provide spay/neuter services on dogs and cats	<b>Category #</b> 9	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 33
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<b>FROM (Department or other point of origin):</b> Houston Department of Health and Human Services	<b>Origination Date</b> 10/21/08	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> ALL
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For additional information contact: Kathy Barton Telephone: 713-794-9998 ; 713-826-5801	<b>Date and identification of prior authorizing Council action:</b> 02-592; 06-26-02, 08-10-05; 2005-0950
--	---

**RECOMMENDATION: (Summary)**  
An ordinance approving a contract with Spay and Neuter Assistance Program, Inc. to provide spay/neuter services on dogs and cats in neighborhoods affected by stray and loose animals.

<b>Amount of Funding:</b> Maximum Contract Amount \$500,000.00 Initial Allocation: \$50,000.00 General Fund (1000)	<b>Finance Department:</b>
--	----------------------------

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

**SPECIFIC EXPLANATION:**

The Houston Department of Health and Human Services (HDHHS) requests City Council to approve a contract with the Spay and Neuter Assistance Program, Inc. (SNAP) to provide spay/neuter services on dogs and cats in neighborhoods with high numbers of loose animals. The contract term will be for one year upon countersignature by the City Controller with 4 successive, one year, automatic renewals.

The contractor will provide a veterinary licensed in the State of Texas to spay/neuter dogs and cats at the contractor's mobile clinic. Every spayed/neutered animal will be vaccinated against rabies. Services will be provided two days a week during the contract term at a reimbursement rate of \$20.00 per spay/neuter.

The City's Bureau of Animal Regulation and Care (BARC) and the community coordinator of SNAP will identify the neighborhoods in which the mobile clinic will operate. Areas of operation will be determined by data compiled by BARC based on complaints and ordinance enforcement activities.

SNAP is the only non profit corporation that operates a low-cost mobile surgery/vaccination clinic. They complete approximately 2500 sterilizations for the City each year. HDHHS has taken a more proactive strategy to deliver services to Houston residents through its door-to-door Assessment, Intervention and Mobilization (AIM) Program.

Clients for the mobile clinic will be accepted on a need-based criteria to persons who participate in specific programs such as food stamps, the WIC program, Medicaid/Medicare, Social Security, etc.

cc: Finance Department  
Legal Department  
Agenda Director

REQUIRED AUTHORIZATION		
<b>Finance Department</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b> <i>NOT</i> 3-14-08

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

R

08- TheCenter

<b>SUBJECT:</b> An ordinance approving and authorizing a contract between the City of Houston and The Center Serving Persons with Mental Retardation to provide funding vocational training and medical and dental services	<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  34
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<b>FROM (Department or other point of origin):</b> Richard S. Celli, Director, Housing and Community Development Department	<b>Origination Date:</b> 11/24/2008	<b>Agenda Date:</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>Richard S. Celli</i>	<b>Council District affected:</b> ALL
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<b>For additional information contact:</b> Keith W. Bynam, Division Manager Phone: 713-868-8396 <i>kw</i>	<b>Date and identification of prior authorizing Council action:</b> None
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**RECOMMENDATION: (Summary)**  
The Department recommends approval of an ordinance approving and authorizing a contract between the City of Houston and The Center Serving Persons with Mental Retardation to provide funding for vocational training and medical and dental services.

<b>Amount of Funding:</b> \$180,276	<b>Finance Budget:</b>
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**SOURCE OF FUNDING**       General Fund       Grant Fund       Enterprise Fund

Other (Specify)      **Community Development Block Grant Fund**

**SPECIFIC EXPLANATION:**

The Housing and Community Development Department recommends approval of a Contract between the City of Houston and The Center Serving Persons with Mental Retardation (The Center).

This contract provides for an array of services to assist individuals with developmental disabilities in the City of Houston. The Center will provide vocational work skills training, employment services, support services and health/dental services to persons with a diagnosis of mental retardation. The Center will provide 300 – plus adults per day participating in the program the opportunity to develop their vocational and employment skills and receive 10 hours essential dental services and 10 hours of medical care.

The Contract will enable adults of to acquire the skills and health care they need to be contributing members of the community and maximize personal independence by providing training in daily living skills and community exposure.

The Housing and Community Development Department recommends approval of a Contract for services in the amount of \$180,276 for a performance period of one year beginning November 1, 2008 – October 31, 2009.

RC:DS:KB:MA

Cc: Mayor's Office  
City Secretary  
Legal Department  
City Controller

**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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TO: Mayor via City Secretary

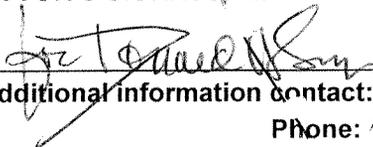
REQUEST FOR COUNCIL ACTION

HCD08-159

08 - HarrisCountySIS

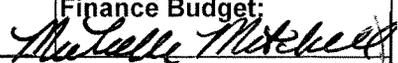
<b>SUBJECT:</b> An ordinance authorizing the execution of an Interlocal Agreement between the City of Houston and Harris County District Attorney's Office partnership for the administration of the Harris County Stay in School Program.	Page 1 of 2	Agenda Item # <b>35</b>
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<b>FROM (Department or other point of origin):</b> Richard S. Celli, Director Housing and Community Development Department	<b>Origination Date</b> 12-15-08	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> ALL DISTRICTS
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<b>For additional information contact:</b> Keith W. Bynam Phone: 713-868-8396 	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)** Approval of an ordinance authorizing the execution of an Interlocal Agreement between the City of Houston ("City") and Harris County District Attorney's Office partnership for the administration of the Harris County Stay in School Program using Community Development Block Grant funds.

<b>Amount of Funding:</b> \$89,360 CDBG	<b>Finance Budget:</b> 
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**SOURCE OF FUNDING**  General Fund  Grant Fund  Enterprise Fund  Other (Specify)  
(CDBG) Community Development Block Grant FUND - 5900

**SPECIFIC EXPLANATION:**

The Harris County Stay in School Program is a Truancy prevention Program administered by the Harris County District Attorney's Office and other partners, including the City of Houston. The mission of the program is to increase the number of students attending school and decrease the number of students committing juvenile crimes, which will ultimately result in the creation of productive, law-abiding citizens. The program has been operational since the 2002 - 2003 school year and has significantly lowered the numbers of truancy cases filed with the Harris County District Attorney's Office. The goal of the program is to prevent a student from missing school, provide a more effective sanction for the child who refuses to attend school, and intervening in the lives of families before the children enter the Juvenile Justice System.

Currently, the process for curbing the prevalence of truancy is not effective because it does not attempt to obtain compliance with the student or parent/guardian to stay in school. In addition, the process is long with multi-month delays at each phase that is more punitive than supportive of the students and family. The Harris County Stay in School Program works to bring the schools, parents, students and JP Courts together to keep the student in school by diverting from the criminal proceedings currently conducted at the first stage of the process. The program provides services through three levels of intervention. First, a media and poster truancy campaign; secondly, a truancy warning letter sent from the District Attorney's Office; and finally, if the case is filed, diversion agreements and Truancy Learning Camps in the participating Justice of the Peace Courts.

As a result, the Stay in School Program has reduced the total number of truancy hearings in the Justice of the Peace Courts to significantly less than 80% of those students that could be filed on and has produced referrals to the Juvenile District Court of less than 1%.

REQUIRED AUTHORIZATION		
<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

<b>Date</b> 12/03/08	<b>Subject:</b> An ordinance authorizing the execution of an Interlocal Agreement between the City of Houston and Harris County District Attorney's Office partnership for the administration of the Harris County Stay in School Program.	<b>Originator's Initials</b>  DB	<b>Page</b> <u>2</u> of <u>2</u>
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Community Development Block Grant Funds will pay the salary and benefits of the prosecutor in the District Attorney's Office who will work directly with the students and the families whom agree to participate in the program. This is a twelve month agreement.

**Harris County Stay in School Program Funding:**

**School Year 2008-2009 -- \$89,360**

The first Interlocal Agreement was approved on January 3<sup>rd</sup>, 2007 and assigned Ordinance No. 2007-0022.

The Housing and Community Development wish to ask for your favorable vote.

RC:DS:KB:ma

- C: Mayor's Office  
City Secretary  
Legal Department  
City Controller  
Finance Department

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

**Approve an Ordinance Awarding a Contract to the Best Respondent for Third-Party Administration Services for the City of Houston's Section 457 Deferred Compensation Plan for the Financed Department S37-T22987**

Category #

Page 1 of 2

Agenda Item

**36**

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

Michelle Mitchell, Director  
Finance Department

Origination Date

12/17/2008

Agenda Date

DEC 17 2008

**DIRECTOR'S SIGNATURE**

*Michelle Mitchell*

**Council District(s) affected**  
All

For additional information contact:

Sherry Mose  
**Phone:** (713) 837-9664

**Date and Identification of prior authorizing Council Action**  
**2008-0773, 2005-1114, 2002-403, 2000-844**

**RECOMMENDATION: Summary**

Approve an ordinance awarding a contract between the City of Houston and Great West Life and Annuity Insurance Company for third-party administration services for the City of Houston's Section 457 Deferred Compensation Plan for all city employees.

N/A	<b>Finance Budget</b>
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**SPECIFICATION EXPLANATION:**

The Finance Department recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options, to Great West Life and Annuity Insurance Company for third-party administration services for the City of Houston's Section 457 Deferred Compensation Plan. The Department Director may terminate this contract at any time upon 30-days written notice to the contractor.

This contract will provide plan and participant access via Great West's proprietary online system. Fund transfers, statements on demand, asset allocations and expense calculators as well as investment management, education, participant on-site services and retiree outreach services will be available to plan participants. Communication materials currently feature a personalized web address, enrollment kit and Spanish-language education and highlights. Five staff members will man two local service centers in order to provide assistance to walk-in customers Monday through Friday and will offer individual and group education meetings on and off site.

The Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws and, as a result, proposals were received from four firms: Great West Retirement Services, ICMA-RC, ING, and MetLife. The evaluation committee consisted of Finance Department experts and Segal Consultants. The proposals were evaluated based upon the following administrative and investment criteria:

- Quality and performance of investment offerings and investment management services;
- Client service, recordkeeping, regulatory and compliance measures, custodial trustee, reporting and implementation services;
- Employee communication and education and financial advisory services;

- Participant services: Voice Response System, Customer Service Center, Internet Services;
- Net Fees.

Upon final evaluation of the four proposals, Great West received the highest overall score.

**M/WBE Subcontracting**

The RFP was issued as a goal-oriented contract with a 11% M/WBE participation level. **Great West** has designated the below-named companies as its certified M/WBE subcontractors:

<u>Subcontractor</u>	<u>Type of Work</u>	<u>Amount</u>
Tejas Office Supplies	Office Supplies	\$13,500.00
Allprint & Office Supply	Printing Services	\$54,000.00

The Affirmative Action Division will monitor this contract.

**REQUIRED AUTHORIZATION**

Finance Department:	Other Authorization:	Other Authorization:
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**BRIEFING FOR CITY COUNCIL MEMBERS**



**City of Houston  
457 Deferred Compensation Plan  
Selection of Service Provider**

**Prepared by:**

**Robert A. Liberto  
Senior Vice President**

**Jeffrey H. Snyder  
Consultant**

**Segal Advisors, Inc.  
One Park Avenue  
New York, New York 10016**

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**\* SEGAL ADVISORS**



December 9, 2008

Houston City Council  
900 Bagby  
City Hall Annex  
First Floor  
Houston, TX 77002

**Re: City of Houston 457 Deferred Compensation Plan Selection of Service Provider**

Dear Council Member:

This document is designed to summarize for you, at a very high level, the process by which the City of Houston has undertaken to review its current provider, Great West Retirement Services and to solicit and analyze proposals from qualified service providers of 457 deferred compensation services. Included with this summary is a copy of the full 350-page analysis prepared by Segal Advisors and reviewed with Ms. Mitchell and Ms. Mose.

We are pleased to have had an opportunity to work with the City of Houston's Finance Director, Michelle Mitchell and the City's 457 plan Administrator, Sherry Mose during this process and we look forward to speaking to you directly to answer any questions regarding the process or the bid of the selected vendor.

Sincerely,

Robert A. Liberto  
Senior Vice President

### TIMELINE OF EVENTS/OVERVIEW

- The City is mandated by law to periodically conduct a formal solicitation of qualified service providers
- Great West Retirement Services has serviced the City's 457 Deferred Compensation Plan since 2000
- The City hired an independent consultant, Segal Advisors, to assist with drafting the Request for Proposal, analyzing qualified vendor responses and managing the final negotiations
- On August 1, 2008, the City of Houston/Strategic Purchasing Department issued a formal Request for proposal from qualified firms to provide:
  - Investment management services
  - Custodial trustee services
  - Recordkeeping/administration services
  - Communication and education services
  - Investment Advisory services
- In accordance with City of Houston/Strategic Purchasing Department rules, 12 vendors were mailed a copy of the Request For Proposal:

– AIG Retirement	– Prudential
– Fidelity Investments	– Nationwide
– The Hartford	– Merrill Lynch
– MetLife Resources	– Great West
– AXA Advisors, LLC	– TIAA-CREF
– ICMA Retirement Corporation	– ING
- 4 firms submitted responses in accordance with the timeline stated in the RFP
  - Great West
  - ICMA
  - ING
  - MetLife
- Each of the 4 firms met the minimum requirements in the Request for Proposal
- Segal Advisors analyzed each vendors submissions based on 2 scenarios
  - Propose new Stable Value Fund only
  - Propose an alternative fund line-up (including a new Stable Value Fund)



- Segal Advisors analyzed each vendors submissions based on the following evaluation criteria which was agreed upon by the City of Houston:

**PROPOSAL EVALUATION CRITERIA**

Organization and History	5%
Client Servicing, Recordkeeping, Regulatory, Reporting and Implementation	20%
Participant services: Voice response system, customer service center and internet service	15%
Communication and Education	20%
Investment management services	30%
<u>Net Fees</u>	<u>10%</u>
<b>Total</b>	<b>100%</b>

- Segal Advisors final scoring based on the evaluation criteria:

Key Attributes	Weight	Great West		ICMA-RC		ING		MetLife	
		Value (0-5)	Wtd Avg						
a. Organization and History	5	5	25	4	20	4	20	3	15
b. Client Servicing, Recordkeeping, Regulatory, Reporting and Implementation	20	5	100	5	100	4	80	4	80
c. Participant Services: Voice Response System, Customer Service Center and Internet Services	15	4	60	4	60	5	75	4	60
d. Communication and Education	20	4	80	4	80	4	80	3	60
e. Investment Management Services	30	5	150	5	150	4	120	5	150
f. Net fees	10	5	50	3	30	2	20	2	20
<b>TOTAL</b>	<b>100</b>		<b>465</b>		<b>440</b>		<b>395</b>		<b>385</b>

- The City elected to invite the top two scoring vendors to finalist presentations:
  - Great West Retirement Services 465
  - ICMA – RC 440
- Finalist presentations were conducted on November 18, 2008 at the City’s offices located at:
 

611 Walker Avenue  
Houston, TX 77002
- Upon completion of the finalist presentations, the City elected to begin negotiations and forwarded a formal request for a “best and final offer” on November 21, 2008
- Great West Retirement Services responded formally to the “best and final offer” on November 24, 2008
- The City held a conference call with Segal Advisors on December 1, 2008 to review the “best and final offer” submission by Great West Retirement Services. Segal Advisors proposed changes to the “best and final offer”



- Segal Advisors forwarded comments on the “best and final offer” to Great West Retirement Services and set up a conference call to discuss
- Great West Retirement Services provided a formal response to the comments on December 2, 2008 to Segal Advisors and the City of Houston in preparation for the December 3, 2008 conference call
- The City of Houston, Segal Advisors and Great West Retirement Services held a conference call on December 3, 2008 to review “best and final offer” comments proposed by Segal Advisors. Great West Retirement Services agreed to several of the negotiation points.
- Great West Retirement provided a Clarity letter to the City of Houston on December 5, 2008
- Both the City of Houston and Segal Advisors are satisfied with the result of the “best and final offer” negotiations. The City now requests the approval of the City Council Members in order to begin formal contract negotiations. During the negotiations, the City of Houston will be advised by Segal Advisors.

**City of Houston 457 Deferred Compensation Plan**

**Plan Comparison**

	<u>Plan prior to 1/1/2009</u>	<u>Plan after 1/1/2009</u>
Per Participant Recordkeeping Fee	\$20.27	\$10.00
Houston Stable Value Fund Investment Management Fee	0.50%	0.34%
Houston Stable Value Fund net crediting rate	4.60%	4.66% - 4.71%
Number of investment asset classes	19	19
Investment line up	24	24 (no change to current investment lineup)
Managed Account Services	<\$100,000 Next \$150,000 Next \$150,000 > \$450,000	0.50% 0.40% 0.30% 0.20%
Investment Advice	\$25 per participant	\$25 per participant
Self-Directed Brokerage	NONE	\$50
Loans	\$50 set up \$25 annual maintenance	\$50 set up \$25 annual maintenance
Number of minimum group meetings	667	800

Field service representatives

1 Regional Director  
3 Education counselors

1 Regional Director  
3 Education counselors

Performance guarantees for Plan/participant services

NONE

Quarterly participant statements  
Transaction confirmation statements  
Hardcopy plan level administrative reports  
Payroll contribution processing  
Distribution processing  
Fund balance transfer processing  
Investment election processing  
Plan performance reviews  
Group meetings held  
Participant individual meetings held  
Marketing/education campaigns  
Call center service monitoring  
Employee satisfaction surveys

**REQUEST FOR COUNCIL ACTION**

SUBJECT: An Ordinance approving and authorizing contract for legal services with Monty Partners LLP for legal representation in <i>Anita Wright v. City of Houston</i> ; In the U.S. District Court for the Southern District of Texas, Houston Division.		Page 1 of	Agenda Item #  <b>37</b>
FROM (Department or other point of origin): Legal Department	Origination Date  <b>12-11-08</b>	Agenda Date  <b>DEC 17 2008</b>	
DIRECTOR'S SIGNATURE: Arturo Michel, City Attorney  <i>[Signature]</i>	Council District affected:  City Wide		
For additional information contact: Connie Acosta Phone: 832 393-6305	Date and identification of prior authorizing Council action:		
<u>RECOMMENDATION:</u> (Summary)  That Council approve and authorize an Ordinance authorizing a contract for legal services between the City of Houston and Monty Partners LLP.			
Amount and Source of Funding:  <p style="text-align: center;">\$ 188,400 Property &amp; Casualty (1004)</p>			
<u>SPECIFIC EXPLANATION:</u>  The City was sued by Anita Wright who alleges that the Houston Police Department (HPD) created a hostile work environment due to her race, color, sex, "and/or" age, in the federal lawsuit, <i>Anita Wright v. City of Houston; In the U.S. District Court for the Southern District of Texas, Houston Division (Civil Action No. C.A. H-08-2651)</i> .  Jacob M. Monty, Managing Partner, Monty Partners, LLP, will be the principle attorney representing the City through trial and pre trial motions. As a very experienced trial lawyer, familiar with Ms. Wright's issues he will bring his considerable expertise in trial strategies and acumen to defend the City through the trial on the merits of this case and entry of judgment. The contract is for a maximum of \$188,400.00.			
<b>REQUIRED AUTHORIZATION</b>			
Other Authorization:	Other Authorization:	Other Authorization:	<b>NDT</b>

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

(P)

<b>SUBJECT:</b> Contract with Airport Interviewing & Research, Inc. (AIR) for Customer Service Surveys at George Bush Intercontinental Airport/ Houston (IAH) and William P. Hobby Airport (HOU).	<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  38
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<b>FROM (Department or other point of origin):</b> Houston Airport System (HAS)	<b>Origination Date</b> December 3, 2008	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>Eric R. Powell for HAS</i>	<b>Council District affected:</b> B, I
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<b>For additional information contact:</b> Robert R. Wigington <i>RRW</i> Phone: 281/233-1854 Janet Schafer <i>JAS</i> 281/233-1796	<b>Date and identification of prior authorizing Council action:</b> N/A
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<b>AMOUNT &amp; SOURCE OF FUNDING:</b>	<b>Prior appropriations:</b>
FY09 \$142,508	N/A
Out Years \$543,892	
Total \$686,400 – HAS Revenue Fund (8001)	

**RECOMMENDATION: (Summary)**  
Enact an ordinance approving and authorizing a contract with Airport Interviewing & Research, Inc. (AIR) for Customer Service Surveys for the Houston Airport System (HAS).

**SPECIFIC EXPLANATION:**

In order to provide quality customer service, HAS recommends contracting with Airport Interviewing & Research, Inc. (AIR) to conduct in-depth customer satisfaction surveys and provide consulting services, as needed, with regard to implementation of findings at George Bush Intercontinental Airport/Houston (IAH) and William P. Hobby Airport (HOU).

Currently, HAS utilizes the Airport Service Quality (ASQ) program for customer satisfaction surveying. The ASQ program, a service provided through Airports Council International (ACI), is a unique customer satisfaction surveying tool that provides standardized data for measurement against other world airports. As such, ASQ uses uniform questionnaires that do not have the flexibility and detail of customized surveys which are designed to provide data based on individual airport's characteristics and management needs. AIR is being contracted to expand HAS's customer satisfaction measurement capability by providing management with a more detailed tool for identifying airport facility and customer service areas that can be further improved.

HAS issued a request for proposals for professional consulting services to conduct monthly customer satisfaction surveys at IAH and HOU. Five companies responded (AIR, Evaluation Systems for Personnel, J.D. Power and Associates, Lewis-Bryant, and Maritz Research Inc.), and a selection committee comprised of HAS and other City department personnel evaluated candidates based on the following criteria: proposed fees, proposed services, experience and qualifications, management and operations, and M/WBE participation. The three companies with the highest scores were then selected to give oral presentations. Based on the cumulative scores, AIR was selected as the most qualified candidate.

AIR has been serving the aviation industry for nearly 20 years. They have performed passenger and customer satisfaction studies for over 75 airports worldwide including Atlanta International Airport, Chicago-O'Hare International Airport, Dallas/Ft. Worth International Airport, John F. Kennedy Airport, Denver International Airport, Los Angeles International Airport, Sydney International Airport, as well as for corporate clients that include American Express, Master Card, Citibank, Visa-Olympics, Hertz Corp., Lufthansa Airlines, American Airlines, Delta Airlines, and United Airlines.

REQUIRED AUTHORIZATION		
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

<b>Date</b> December 3, 2008	<b>Subject:</b> Contract with Airport Interviewing & Research, Inc. (AIR) for Customer Service Surveys at George Bush Intercontinental Airport/ Houston (IAH) and William P. Hobby Airport (HOU).	<b>Originator's Initials</b>	<b>Page 2 of 2</b>
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Under the contract, AIR will provide the following services:

- Design a custom methodology to (1) ensure adequate sampling, (2) measure the customer satisfaction of arriving/departing/connecting passengers and calculate scores on a concourse/airline/airport basis.
- Conduct comprehensive monthly Customer Satisfaction Surveys and Analysis of travelers' level of service perceptions at IAH and HOU.
- Analyze the wants, needs and expectations of airport passengers, as well as their image and opinions of each airport as they relate to customer satisfaction of various services offered, including ground transportation, ticketing, security, safety, signage, cleanliness, parking, concessions and facilities.
- Deliver detailed quarterly reports of findings with comprehensive scores, analysis, rationale, statistical correlations, and specific recommendations.
- Facilitate planning workshops with staff and tenants as needed.

In addition to the above described basic services, the allocation includes spending authority in the amount of \$80,000.00 (\$40,000.00 per year) for consulting services on an as-needed basis.

**TERM:** One year initial term with one additional one-year option. The Director may terminate the option period after any particular quarter of surveys, by sending written notice to contractor at least 30 days in advance of the end of any such quarter.

**M/WBE Participation**

The Office of Affirmative Action and Contract Compliance has established a fifteen percent (15%) M/WBE goal for this contract. The following certified firm has been submitted to fulfill the goal for this contract:

<b>Firm</b>	<b>Type of Work</b>	<b>Amount</b>	<b>% of Contract</b>
Vesta Rea & Associates, L.L.C.	Marketing Research Services	\$ 102,960.00	15.00 %

RMV:ns

- cc: Ms. Marty Stein  
 Mr. Anthony W. Hall, Jr.  
 Mr. Randy Rivin  
 Ms. Velma Laws  
 Mr. Richard M. Vacar  
 Mr. David K. Arthur  
 Mr. Ian Wadsworth  
 Ms. Janet Schafer  
 Mr. Robert Wigington  
 Ms. Kathy Elek  
 Mr. Aleks Mraovic  
 Mr. Tom Bartlett  
 Mr. Charles Wall  
 Ms. Mary Case  
 Ms. Roxanne Butler  
 Ms. Marlene McClinton

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Professional Engineering Services Contract with Reynolds, Smith and Hills, Inc. for Rehabilitation of Runway 4-22 and Taxiway "C" at William P. Hobby Airport (HOU); Project No. 462 (WBS # A-000542-0001-3-01).		<b>Category # 9</b>	<b>Page 1 of 2</b>	<b>Agenda Item #</b> <i>39</i>
<b>FROM (Department or other point of origin):</b> Houston Airport System		<b>Origination Date</b> December 3, 2008	<b>Agenda Date</b> DEC 17 2008	
<b>DIRECTOR'S SIGNATURE:</b> <i>[Signature]</i>		<b>Council District affected:</b> I		
<b>For additional information contact:</b> Eric R. Potts <i>[Signature]</i> Phone: 281-233-1999 Adil Godiwalla <i>[Signature]</i> 281-233-1934		<b>Date and identification of prior authorizing Council action:</b> None		
<b>AMOUNT &amp; SOURCE OF FUNDING:</b> CIP No. A-0542.04.2 \$1,175,000.00 Arprt Syst Consolidated 2001 NAMT Fd (8202) <i>[Signature]</i>		<b>Prior appropriations:</b> None		
<b>RECOMMENDATION: (Summary)</b> Enact an ordinance to approve a Professional Engineering Services Contract with Reynolds, Smith and Hills, Inc. and appropriate the necessary funds to finance the cost of these services.				
<b>SPECIFIC EXPLANATION:</b> A Professional Engineering Services Contract has been prepared with Reynolds, Smith and Hills (RS&H), Inc. for the design of the Rehabilitation of Runway 4-22 and Taxiway "C" at William P. Hobby Airport/Houston (HOU). The professional engineering services to be provided by RS&H, Inc. include: <ul style="list-style-type: none"><li>• Full depth demolition and reconstruction of the honeycombed concrete pavement on Runway 4-22.</li><li>• Storm drainage repair from each runway end to the reconstruction limits, as outlined in the draft Drainage Master Plan in the Runway Safety Area for Runway 4-22.</li><li>• Joint sealing, crack sealing, spalled concrete repair and electrical repair in the remaining sections off Runway 4-22 that are not going to be reconstructed.</li><li>• Reconstruct the existing service road on the north east side of the airport (from Taxiway Y to Southwest Hangar Facility). Pavement is to be designed to withstand continuous construction traffic.</li><li>• Removal and replacement of airfield lighting fixtures, electrical cables, conduits, light cans and other electrical components as affected by the demolition and reconstruction of the honeycombed concrete pavement.</li><li>• Evaluate and redesign Taxiway "C", remove all the asphalt and replace it with concrete.</li></ul> All design, such as electrical, pavement, marking, drainage, etc., must adhere to the latest applicable Federal Aviation Administration (FAA) Advisory Circulars.				
<b>REQUIRED AUTHORIZATION</b> <span style="float: right;"><i>NDT</i></span>				
<b>Finance Department:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

<b>Date</b> December 3, 2008	<b>Subject:</b> Professional Engineering Services Contract with Reynolds, Smith and Hills, Inc. for Rehabilitation of Runway 4-22 and Taxiway "C" at William P. Hobby Airport (HOU); Project No. 462 (WBS # A-000542-0001-3-01).	<b>Originator's Initials</b> BS	<b>Page</b> 2 of 2
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This project may be eligible for federal funding through the FAA's AIP program. Appropriate fund source adjustments will be made in the future if additional AIP funding becomes available.

The contract term for the design phase is 5 months. The total amount to be appropriated is \$1,175,000.00.

**DBE Participation:**

The Disadvantaged Business Enterprise (DBE) goal for this project is twenty-four percent (24%) and will be met by the following certified firms:

Firm	Type of Work	Amount	% of Contract	
Ferguson Consulting, Inc.	Electrical and Telecommunications Design	\$ 275,000.00	23.40	%
Landtech Consultants, Inc.	Land Surveying Services	\$ 100,000.00	8.51	%
AIA Engineers, Ltd.	Civil and Structural Engineering	\$ 32,000.00	2.72	%
ESC Polytech Consultants, Inc.	Urban Planning	\$ 50,000.00	4.26	%
Aviles Engineering Corporation	Geotechnical Services	\$ 47,500.00	4.05	%
	Total	\$ 504,500.00	42.94	%

RMV: ERP: AG: BS: JDW

cc: Ms. Marty Stein  
Mr. Anthony W. Hall, Jr.  
Mr. Arturo G. Michel  
Ms. Velma Laws  
Mr. Richard M. Vacar  
Mr. Eric R. Potts  
Mr. Ian N. Wadsworth  
Mr. Dave Arthur  
Mr. Adil Godiwalla  
Ms. Monica R. Newhouse

Mr. John Silva  
Mr. Carlos Ortiz  
Mr. Frank D. Crouch  
Ms. Ellen Erenbaum  
Ms. Kathy Elek  
Mr. Aleks Mraovic  
Ms. Roxanne Butler  
Ms. Marlene McClinton  
Mr. J. Goodwille Pierre  
Ms. Janice D. Woods

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8123**

**Subject:** Approve an Ordinance Awarding a Contract to the Best Respondent for Baggage Handling and Aircraft Support Systems Maintenance and Hardstand Operations Services for the Houston Airport System (17-T22962)

Category #  
4

Page 1 of 2

Agenda Item

**40**

**FROM (Department or other point of origin):**  
Calvin D. Wells  
City Purchasing Agent  
Administration & Regulatory Affairs Department

**Origination Date**  
December 04, 2008

**Agenda Date**  
DEC 17 2008

**DIRECTOR'S SIGNATURE**  
*Calvin D. Wells*

**Council District(s) affected**  
B, I

**For additional information contact:**  
Richard Hrachovy Phone: (281) 230-8002  
Douglas Moore Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**  
Approve an ordinance awarding a contract to John Bean Technologies Corporation in an amount not to exceed \$14,716,068.89, for baggage handling and aircraft support systems maintenance and hardstand operations services for the Houston Airport System.

Maximum Contract Amount: \$14,716,068.89

**Finance Budget**

\$14,716,068.89 - HAS Revenue Fund (Fund 8001)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three year contract, with two one-year options, to John Bean Technologies Corporation in an amount not to exceed \$14,716,068.89 for baggage handling and aircraft support systems maintenance and hardstand operations services for the Houston Airport System (HAS). The Director of HAS 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 supervision, equipment, parts, labor, tools, incidentals, supplies and transportation necessary to perform scheduled preventative and remedial maintenance. The contractor is also required to perform inspections, tests, scheduled service routines, cleaning and adjustments to the various baggage handling and aircraft support systems.

This contract will provide operations and maintenance services for all City-owned baggage handling systems and aircraft support systems at both George Bush Intercontinental Airport/Houston and William P. Hobby Airport.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State bid laws and 54 perspective bidders downloaded the solicitation document from SPD's e-bidding website. Proposals were received from Axima Airport Services, Elite Line Services, Inc., Professional Terminal Operations & Services, Linc Facility Services, Oxford Airport Technical Services and John Bean Technologies Corporation. The Evaluation Committee consisted of seven evaluators from within the HAS and the Public Works & Engineering Department. The proposals were evaluated based upon the following criteria:

- A. Price
- B. Technical Solutions
- C. Experience & Resources
- D. Financial Strength of Contractor

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*NOT*

*M*

*50*

Date: 12/4/2008	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Baggage Handling and Aircraft Support Systems Maintenance and Hardstand Operations Services for the Houston Airport System (17-T22962)	Originator's Initials MS	Page 2 of 2
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- E. M/WBE Participation
- F. General Conformity with RFP Requirements

John Bean Technologies Corporation received the highest overall score.

**M/WBE Subcontracting:**

This RFP was issued as a goal-oriented contract with an 11% M/WBE participation level. John Bean Technologies Corporation has designated the below-named companies as its certified M/WBE subcontractors:

<u>Name</u>	<u>Type of Work</u>	<u>Dollar Amount</u>	<u>Percentage</u>
Abilities, Unlimited	Direct Labor	\$ 1,162,569.44	7.90%
ADVAC's, Inc.	Direct Labor	\$ 456,198.13	3.10%
<b>Total</b>		\$ 1,618,767.57	11.00%

The Affirmative Action Division will monitor this contract.

Buyer: Murdock Smith

**Estimated Spending Authority**

<b>Department</b>	<b>FY09</b>	<b>Out Years</b>	<b>Total</b>
Houston Airport System George Bush Intercontinental	\$961,028.25	\$ 10,951,849.47	\$11,912,877.72
Houston Airport System William P. Hobby	\$222,701.50	\$ 2,580,489.67	\$2,803,191.17
<b>Total</b>	<b>\$1,183,729.75</b>	<b>\$13,532,339.14</b>	<b>\$14,716,068.89</b>

P

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8068

Subject: Approve an Ordinance Awarding a Contract for Periodicals, Serials, and Newspaper Subscription Services for the Houston Public Library  
S10-T22991

Category #  
4

Page 1 of 1

Agenda Item

41

FROM (Department or other point of origin):  
Calvin D. Wells  
City Purchasing Agent  
Administration & Regulatory Affairs Department

Origination Date  
December 09, 2008

Agenda Date  
DEC 17 2008

DIRECTOR'S SIGNATURE  
*Calvin D. Wells*

Council District(s) affected  
All

For additional information contact:  
Richard Barchue Phone: (832) 393-1558  
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to EBSCO Industries, Inc., on its sole bid in an amount not to exceed \$2,500,000.00 for periodicals, serials, and newspaper subscription services for the Houston Public Library.

Maximum Contract Amount: \$2,500,000.00

Finance Budget

\$2,500,000.00 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to EBSCO Industries, Inc., on its sole bid in an amount not to exceed \$2,500,000.00 for periodicals, serials, and newspaper subscription services for the Houston Public Library. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Nineteen prospective bidders downloaded the solicitation document from SPD's e-bidding website and one bid was received. The Strategic Purchasing Division conducted a thorough search for contractors who could possibly perform these services. Consequently, five contractors were identified and notified of the Invitation to Bid (ITB). Following the receipt of the bid, contractors were contacted to determine their reason for not responding to the ITB. The potential respondents stated that they either had limited resources to meet the scope of work requirements specified within the ITB, or were disinterested in submitting a bid.

The scope of work requires the contractor to provide all labor, materials and supervision necessary to supply and manage approximately 5,000 periodical, e-journal, serial, and newspaper subscriptions for all library locations. The contractor will provide and maintain all subscription information on an online-accessible database that is continually updated and which can produce multiple management and information reports. The contractor is also required to request indexes, special issues, unnumbered supplements, and other materials included in the basic subscription price from the publishers.

Buyer: Greg Hubbard

Attachment: M/WBE zero-percent document approved by the Affirmative Action Division

Estimated Spending Authority:

DEPARTMENT	FY 2009	OUT YEARS	TOTAL
LIBRARY	\$450,000.00	\$2,050,000.00	\$2,500,000.00

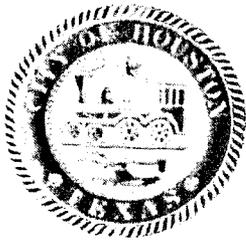
REQUIRED AUTHORIZATION

NDT

Finance Department:

Other Authorization:

Other Authorization:



# CITY OF HOUSTON

Finance & Administration Department  
Strategic Purchasing Division (SPD)

## Interoffice

Correspondence

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

From: Greg Hubbard

Date: July 30, 2008

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: \_\_\_\_\_ New Goal: \_\_\_\_\_

If requesting a revision, how many solicitations were received: \_\_\_\_\_

Solicitation Number: S10-T22991 Estimated Dollar Amount: \$2,500,000.00

Anticipated Advertisement Date: 8/15/2008 Solicitation Due Date: 9/12/2008

Goal On Last Contract: 0% Was Goal met: Yes  No

If goal was not met, what did the vendor achieve: \_\_\_\_\_

Name and Intent of this Solicitation:  
Periodicals, Serials, and Newspaper Subscription Services.

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

It is recommended that the MWBE subcontracting goal be waived for the Periodicals, Serials, and Newspaper Subscription Services' proposal. The requested services will be issued by the vendor's database for the Library, for subscriptions and bibliographic information, training and customer support. There are only a select number of out-of-the-area vendors who can provide these hardcopy and electronic subscriptions and related e-services. This requirement excludes any opportunity to capture subcontracting, let alone MWBE subcontracting dollars; therefore, a zero-percent (0%) MWBE goal is being sought.

Concurrence:

Greg Hubbard  
SPD Initiator

Doyle Shaw  
Division Manager

Robert Gallegos  
Robert Gallegos, Deputy Assistant Director  
\*Affirmative Action

Kevin M. Coleman  
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# 8061**

**Subject:** Formal Bids Received for Sale of Scrap Metal Material for Various Departments  
S11-L22942

Category #  
4

Page 1 of 1

Agenda Item

42

**FROM (Department or other point of origin):**  
Calvin D. Wells  
City Purchasing Agent  
Administration & Regulatory Affairs Department

**Origination Date**  
November 25, 2008

**Agenda Date**  
DEC 17 2008

**DIRECTOR'S SIGNATURE**  
*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**  
David Guernsey Phone: (713) 238-5241  
Ray DuRousseau Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a revenue contract to Holmes Road Recycling Company, Inc. on its high bid in the estimated revenue amount of \$61,722,440.90 for sale of scrap metal material for various departments.

Revenue Contract

**Finance Budget**

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year revenue contract, with two one-year options, to Holmes Road Recycling Company, Inc. on its high bid in the estimated revenue amount of \$61,722,440.90 based on the current American Metal Market price book for sale of scrap metal material for various departments. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor. This contract will be used to dispose of scrap metal materials on an as-needed basis.

The project was advertised in accordance with the requirements of the State bid laws. Twenty prospective bidders downloaded the solicitation document from SPD's e-bidding website and three bids were received as outlined below:

<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1. Bodner Metal & Iron Corporation	\$ 101,330.00
2. Little York Scrap Metal	\$41,148,284.15
<b>3. Holmes Road Recycling Company, Inc.</b>	<b>\$61,722,440.90</b>

The scope of work requires the contractor to provide all facilities, labor, materials, equipment and supervision necessary to transport and dispose of scrap metal materials. The Property Disposal Management Office of the Administration & Regulatory Affairs Department will administer this contract and will coordinate the activities of City departments.

**M/WBE Subcontracting:**

Holmes Road Recycling Co., Inc. has agreed to subcontract 11% to a certified M/WBE of the total revenue generated from the sale of scrap metal material.

Buyer: Gloria Jordan-King

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

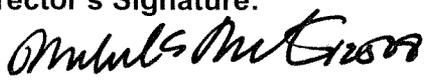
*65C DCW 8061*

NOT

11/18

<b>SUBJECT:</b> Ordinance Awarding Contract to Downtown Management District for a City Project Coordinator for the Public Works & Engineering Department	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  43
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<b>From: (Department or other point of origin):</b>  Public Works & Engineering Department	<b>Origination Date</b>  12/10/08	<b>Agenda Date</b>  DEC 17 2008
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<b>Director's Signature:</b>  Michael S. Marcotte, P.E., D. WRE, BCEE, Director	<b>Council District affected:</b>  ALL
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<b>For additional information contact:</b>  Andrew F. Icken Phone: (713) 837-0510 David Guernsey Phone: (713) 238-5241	<b>Date and identification of prior authorizing Council action:</b>
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**Recommendation: (Summary)**  
 Approve an ordinance awarding a contract to The Downtown Management District in an amount not to exceed \$450,000.00 for the services of a City Project Coordinator for the Public Works & Engineering Department and allocating funds.

<b>Maximum Contract Amount:</b> \$450,000.00 <i>August</i> FY 09 - \$75,000.00 \$375,000.00 Out Years	<b>Finance Department</b>
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\$450,000.00 – Fund 2301 Building Inspection Fund

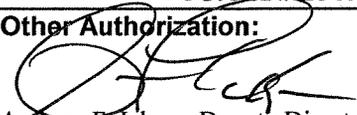
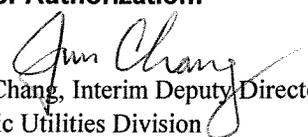
**SPECIFIC EXPLANATION:**  
 The Director of the Public Works & Engineering Department recommends that City Council approve an ordinance awarding a one-year contract with two one-year options to renew, for a total of three years to The Downtown Management District in an amount not to exceed \$450,000.00 for the services of a City Project Coordinator for the Public Works & Engineering Department. The construction of the METRO Light Rail Project will necessitate unique coordination between METRO and the Code Enforcement group during both the design and construction phase. The Downtown Management District has significant experience in coordinating such construction activities within the ROW. All expenses associated with this activity will be reimbursable by METRO in accordance with the consent agreement. The Director may terminate this contract at any time upon 30-days written notice to the contractor.

The City Project Coordinator's duties additionally include serving as the Special Projects Coordinator for the City's Amateur Sports Park at State Highway 288 and Sims Bayou; Special Projects Coordinator for the City's East Side Redevelopment project; and other management consulting duties as directed by the Director or his designee.

PR 10066866

**REQUIRED AUTHORIZATION** **CUIC ID 20JR02**

<b>F&amp;A Director</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning & Development Services Div.	<b>Other Authorization:</b>  David Guernsey, AD  Materials Management Branch
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<b>SUBJECT:</b> Interlocal Agreement between the City of Houston and Upper Kirby Redevelopment Authority for reimbursement of the City's share of the Design and Construction of Kirby Drive from Richmond to Westheimer. S-000521-0041-4, R-000521-0041-4, and M-000278-0001-4		Page 1 of 2	Agenda Item # 44
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 12-15-08	<b>Agenda Date</b> DEC 17 2008
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		<b>Council District affected:</b> C	
<b>For additional information contact:</b> Carol A. Ellinger, P.E. <i>CAE</i> Phone: (713) 837-7658 Reid K. Mrsny, P.E. Phone: (713) 837-0452		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION: (Summary)</b> It is recommended that City Council pass an Ordinance authorizing an Interlocal Agreement between the City of Houston and Upper Kirby Redevelopment Authority and appropriate funds.			
<b>Amount and Source of Funding: Total \$7,026,066</b> \$5,750,000 from Drainage Improvement Commercial Paper Series F Fund No. 4030; \$1,276,066 from Water and Sewer System Consolidated Construction Fund No 8500. <div style="float: right; text-align: right;">                       12/12/08                 </div>			
<p><b>PROJECT NOTICE /JUSTIFICATION:</b> Upper Kirby Redevelopment Authority, and Upper Kirby Tax Increment Reinvestment Zone (TIRZ) #19, in conjunction with the City of Houston, have begun implementing certain drainage and paving improvements in the area of Kirby Drive from Richmond to Westheimer. These improvements consist of a new storm sewer system along Kirby Drive and new lateral systems to serve additional streets within the Upper Kirby area bounded by Westheimer, Wroxton, Hazard, and Claremount/Buffalo Speedway; a new 6-lane concrete roadway on Kirby; and upgraded underground utilities. The project is part of the overall Kirby Storm Sewer Relief project to alleviate localized flooding.</p> <p><b>SCOPE OF THIS AGREEMENT:</b> In consultation with and obtaining approvals from the City, the Redevelopment Authority has already engineered and is currently constructing a storm sewer system in the area of Kirby Drive with paving and underground utilities. The Redevelopment Authority has already prepared the drawings and specifications, advertised for bids and awarded the project. The project was advertised and awarded using public project bidding procedures. This Agreement will allow for the City's participation in the cost of these infrastructure improvements with the Upper Kirby Redevelopment Authority. The City of Houston is participating in costs associated with storm drainage and utility improvements. The Redevelopment Authority will provide all other funding and is constructing and managing the project. The City will assume ownership, maintenance, and repairs upon completion and acceptance of construction.</p> <p>The total bid amount for construction for this project is \$18,229,505. The City's portion is \$7,026,066 to be appropriated as follows: \$5,750,000 for Drainage Improvements, and \$1,276,066 for Water and Sewer improvements.</p>			
<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID# 20CAE18 C</b>	
<b>Finance Department:</b>	<b>Other Authorization:</b>  Andrew F. Icken., Deputy Director Planning and Development Services Division	<b>Other Authorization:</b>  Jun Chang, Interim Deputy Director Public Utilities Division	

<b>Date</b>	<b>SUBJECT:</b> Interlocal Agreement between the City of Houston and Upper Kirby Redevelopment Authority for the Design and Construction of Kirby Drive from Richmond to Westheimer. S-000521-0041-4, R-000521-0041-4, and M-000278-0001-4	<b>Originator's Initials CAE</b>	<b>Page 2 of 2</b>
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**LOCATION:** The improvement area is located in the Upper Kirby area, bounded by Westheimer to the north, Buffalo Speedway to the west, Bissonnet to the south, and Shepherd to the east. The improvements are located in Key Map grids 492 S, T, U, V; and 532 A.

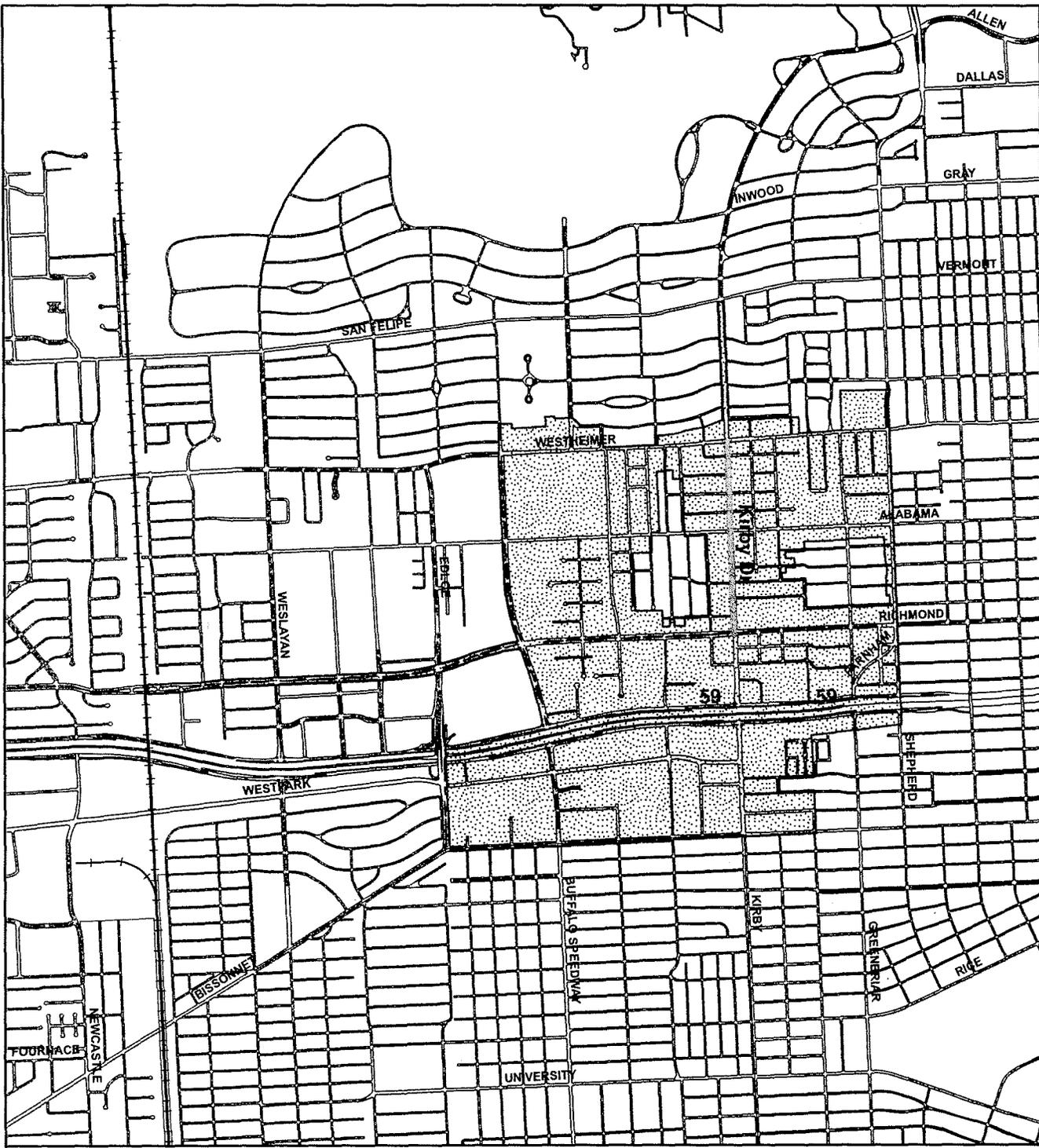
**RECOMMENDATIONS:** It is recommended that City Council pass an Ordinance authorizing an Interlocal Agreement between the City of Houston and Upper Kirby Redevelopment Authority and appropriate funds.

MSM:AFI: CAE: PL  
S:\pweshare\Planning Branch\TIRZ Info\HCID3\RCA\_Kirby

C: Robert Fiederlein  
Susan Bandy

# Tax Increment Reinvestment Zone #19 Upper Kirby

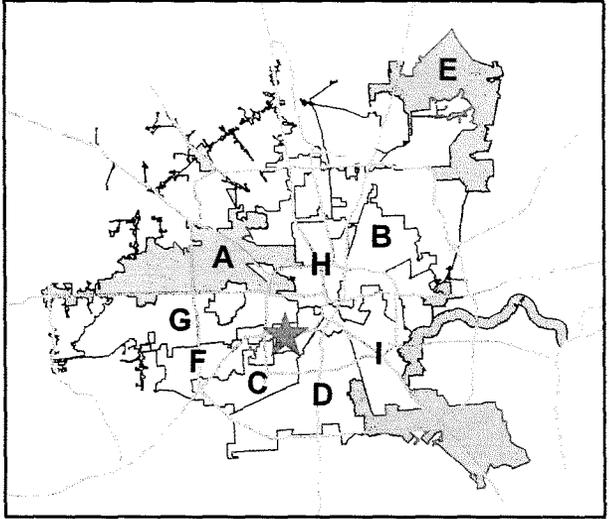
Upper Kirby Project M-000278



### Legend

-  Railroad
-  Waterways
-  City of Houston
-  TIRZ Boundary
-  Upper Kirby Dr.

### Locational Map



This map represents the best information available to the City. The City does not warrant its accuracy or completeness. Field verifications should be performed as necessary.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Additional Appropriation to the Public Road At-Grade Crossing Agreement between the City of Houston and Union Pacific Railroad at Gessner Road near Hempstead Highway; WBS No. N-000658-0003-4.	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  45
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12-4-08	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>Michael S. Marcotte</i> 11/26/08 Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> A <i>34</i>
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<b>For additional information contact:</b> <i>Reid K. Mrsny</i> Reid K. Mrsny, P.E. Senior Assistant Director Phone: (713) 837-0452	<b>Date and identification of prior authorizing Council action:</b> Ordinances: 91-275, 02/20/1991 2007-680, 06/13/2007
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**RECOMMENDATION: (Summary)**  
Adopt an ordinance approving an additional appropriation to the Public Road At-Grade Crossing Agreement with Union Pacific Railroad for the City's cost participation and appropriating funds.

**Amount and Source of Funding:**  
\$19,365.00 from the Street & Bridge Consolidated Construction Fund No. 4506. (Previous original appropriation of \$469,647.00 from Street and Bridge Consolidated Construction Fund No. 4506.) *Vote 11/7/08*

**PROJECT NOTICE/JUSTIFICATION:** This project provided for railroad crossing improvements on Gessner Road at Union Pacific Railroad (UPRR) in northwest Houston. The crossing improvements were required to accommodate future improvements associated with the Gessner Road paving project from Clay Road to Hempstead Highway. The Gessner Road paving project had upgraded the existing 2-lane asphalt roadway to major thoroughfare standards.

**DESCRIPTION/SCOPE:** This project provided the replacement of the existing 30-foot concrete crossing surface with a new 90-foot concrete crossing surface (including new rail, ties and other track materials). The crossing also included the installation of grade crossing warning devices with flashing lights and automatic gate arms.

**LOCATION:** The crossing is located on Gessner Road between Papalote Road and Hempstead Highway and is located in Key Map Grid No. 410-W.

**SCOPE OF THIS AGREEMENT:** The City of Houston entered into a Transportation Improvement Agreement with METRO for the improvement of Gessner Road from Clay Road to Hempstead Highway under Ordinance No. 91-275 on February 20, 1991. Since the alignment of this segment of Gessner Road crossed UPRR tracks, it was necessary that a widening of the at-grade crossing of the tracks be constructed in cooperation with UPRR. On June 13, 2007, City Council approved the Public Road At-Grade Crossing Agreement for the railroad crossing improvements under Ordinance 2007-680. According to the Agreement, the City was responsible 100% for the railroad crossing improvements which was estimated to be \$452,604.00.

The project had been completed, and the final cost for the railroad crossing improvements was \$470,699.53, exceeding the previous estimate by \$18,095.53. Therefore, it is necessary to appropriate additional funds in the amount of \$19,365.00 which includes \$1,269.47 for City's salary recovery.

**REQUIRED AUTHORIZATION** CUIC ID # 20TAA26 NDT

<b>Finance Department:</b> <i>Michelle Mitchell</i>	<b>Other Authorization:</b>	<b>Other Authorization:</b> <i>Daniel R. Menendez</i> Daniel R. Menendez, P.E. Deputy Director Engineering and Construction Division
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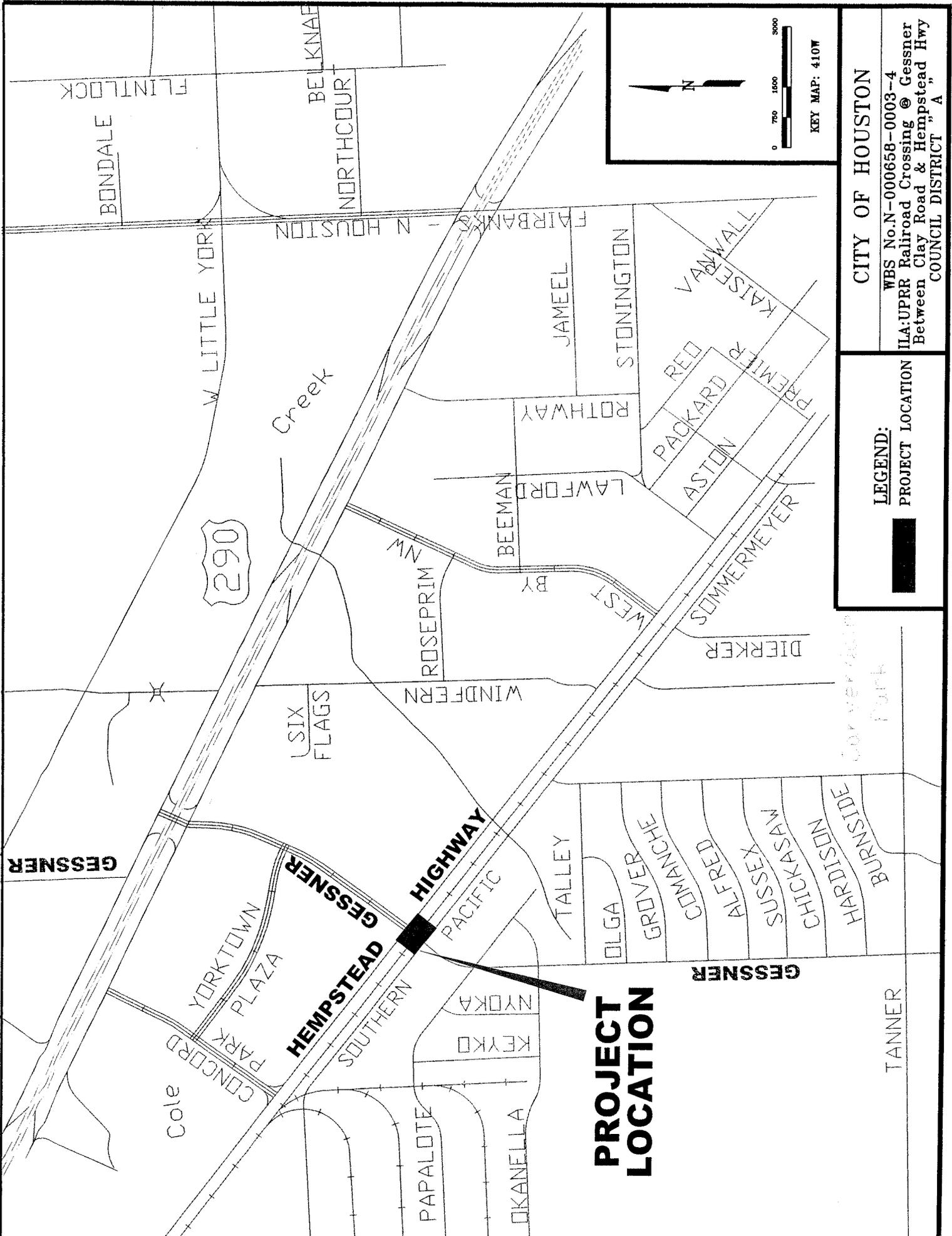
<b>Date</b>	<b>SUBJECT:</b> Additional Appropriation to the Public Road At-Grade Crossing Agreement between the City of Houston and Union Pacific Railroad at Gessner Road near Hempstead Highway; WBS No. N-000658-0003-4.	<b>Originator's Initials</b> TAA <i>3002</i>	<b>Page</b> <u>2</u> of <u>2</u>
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**ACTION RECOMMENDED:** It is recommended that the City Council adopt an ordinance approving an additional appropriation in the amount of \$19,365.00 for the City's cost participation.

*MSM* *DRM* *RKM* *TAA* *kdt*

S:\constr\A-SB-DIV\Design\RAILROAD\UPRR\Gessner\RCA\Railroad\RCA 20TAA26.DOC

- C: Marty Stein
- Susan Bandy
- Velma Laws
- Craig Foster
- File – UPRR & METRO - Gessner Road – Railroad Crossing Improvements near Hempstead Hwy



**CITY OF HOUSTON**

WBS No. N-000658-0003-4  
 ILA: UPRR Railroad Crossing @ Gessner  
 Between Clay Road & Hempstead Hwy  
 COUNCIL DISTRICT "A"

**LEGEND:**  
 PROJECT LOCATION



**PROJECT  
 LOCATION**

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Additional Appropriation for Professional Engineering Services Contract between the City and Reynolds, Smith and Hills, Inc. for Ella (Wheatley) Boulevard Paving from Little York to W. Gulf Bank. WBS No. N-000533-0002-3	Page 1 of 2	Agenda Item # 46
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12-11-08	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DWRE, BCEE, Director	<b>Council District affected:</b> B JK
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<b>For additional information contact:</b> <i>Reid K. Mrsny</i> Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2007-268, February 28, 2007
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**RECOMMENDATION: (Summary)**  
Approve an Ordinance appropriating additional funds for Professional Engineering Services Contract with Reynolds, Smith and Hills, Inc.

**Amount and Source of Funding:** \$1,310,530.00 from the Metro Project Commercial Paper Series E Fund No. 4027. Original (previous) appropriation of \$387,670.00 from the Street & Bridge Consolidated Construction Fund No. 4506. *1/16/08*

**PROJECT NOTICE/JUSTIFICATION:** This Project is part of the Street and Bridge Capital Improvement Program (CIP) and is required to improve traffic flow/circulation, drainage and reduce traffic congestion.

**DESCRIPTION/SCOPE** This project consists of the design of approximately 8,400.00 linear feet, four-lane reinforced concrete roadway with curbs, sidewalks, street lighting, storm sewer, and other necessary underground utilities.

**LOCATION:** The project is located on Ella (Wheatley) Boulevard from West Little York to West Gulf Bank. The project is located in Key Map Grids 412 -P, T, and X.

**PREVIOUS HISTORY AND SCOPE:** City Council approved the original contract on February 28, 2007 by Ordinance No. 2007-268. The scope of services under the original appropriation included Phase I (Basic Services) and certain additional services. Consultant has completed 100% of the Phase I Preliminary Design.

**SCOPE OF THIS SUPPLEMENT AND FEES:** The requested additional appropriation will authorize Basic Services Phase II (Final Design), Phase III (Construction Phase) and Additional Services. This appropriation includes \$443,930.00 for Phase II (Final design), \$88,790.00 for Phase III (Construction Phase Services) which will be paid on a lump sum basis; \$658,670.00 (reimbursable) for Additional Services and \$119,140.00 for Project Management (By city), totaling \$1,310,530.00. The Additional Services fee will be used for topographical survey, ROW survey, parcel acquisition, geotechnical investigation, environmental site assessment, traffic control plans, hydraulic impact analysis, traffic signal design with field books, TDLR review/inspection and reproduction.

REQUIRED AUTHORIZATION		CUIC ID #20MAC52
<b>Finance Department:</b> <i>Michelle Mitchell</i>	<b>Other Authorization:</b>	<b>Other Authorization:</b> <i>Daniel R. Menendez</i> Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division <i>MDT</i>

**M/WBE INFORMATION:** The M/WBE goal established for the overall project is set at 24%. The original contract totals \$352,380.00. The consultant has been paid \$314,707.36 (89.30%) to date. Of this amount \$151,535.25 (48.15%) has been paid to M/WBE sub-consultants. Assuming approval of this appropriation, the contract amount will be increased to \$1,543,770.00. The consultant has proposed the following firms to achieve this goal:

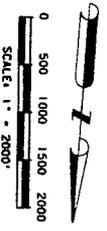
<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
1. Prior M/WBE work	Phase I Services	\$151,535.25	9.82%
2. HVJ Associates Inc.	Environmental Site Assessment (Phase-II)	\$57,189.00	3.70%
3. Kuo & Associates	Topographic Field Survey (Phase II)	\$266,000.00	17.23%
4. CivilTech Engineers, Inc.	Engineering Drainage Study (Phase II)	<u>\$69,639.00</u>	<u>4.51%</u>
<b>TOTAL</b>		<b>\$544,363.25</b>	<b>35.26%</b>

  
 MSM:DRM:RKM:JHK:SAB:MC  
 S:\design\A-NP-DIV\MEC\ Project \RCA\Ella St. paving.DOC

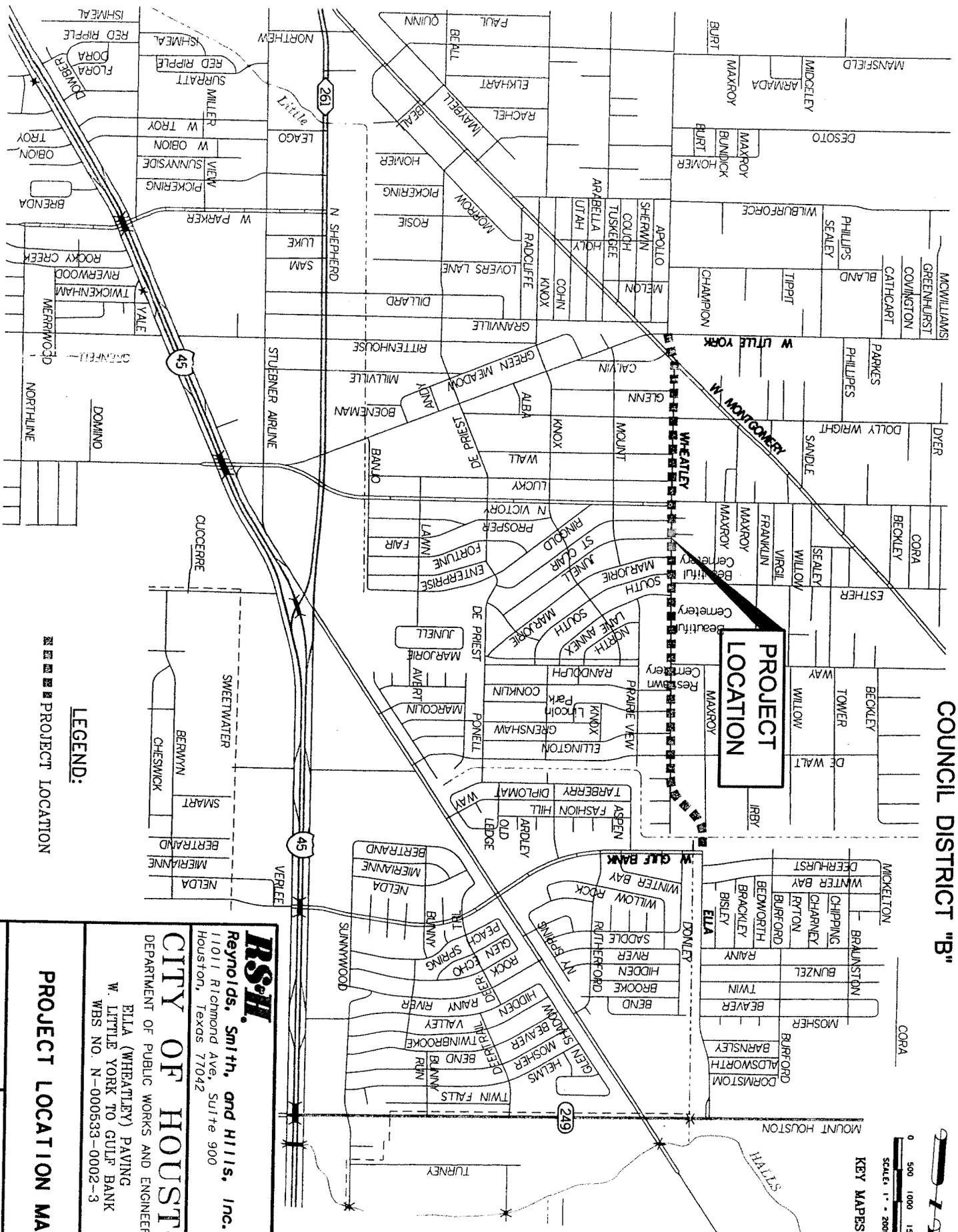
- c: Marty Stein  
 Daniel R. Menendez, P.E.  
 Susan Bandy  
 Velma Laws  
 Craig Foster

File : WBS No. N-000533-0002-3 1.2 \_(Approp. RCA)

# COUNCIL DISTRICT "B"



**PROJECT LOCATION**



## LEGEND:

 PROJECT LOCATION

**R.S.H.**  
**Reynolds, Smith, and Hills, Inc.**  
 11011 Richmond Ave., Suite 900  
 Houston, Texas 77042

**CITY OF HOUSTON**  
 DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

ELLA (WHEATLEY) PAVING  
 W. LITTLE YORK TO GULF BANK  
 WBS NO. N-000533-0002-3

**PROJECT LOCATION MAP**

NOVEMBER 2007      EXHIBIT 2

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Professional Construction Management and Inspection Services Contract between the City of Houston and AIA Engineers, Ltd. for West Little York Paving from Wheatley to TC Jester, WBS No. N-000687-0002-4.

Category # 1,9

Page 1 of 1

Agenda Item #

47

FROM (Department or other point of origin):

Origination Date

Agenda Date  
DEC 17 2008

Department of Public Works and Engineering

12-11-08

DIRECTOR'S SIGNATURE:

Council District affected:

*Michael S. Marcotte*

B

Michael S. Marcotte, P.E., D.WRE, BCEE, Director

For additional information contact:

Date and identification of prior authorizing Council action:

J. Timothy Lincoln, P.E.  
Senior Assistant Director

Phone: (713) 837-7074

N/A

RECOMMENDATION: (Summary) Approve Construction Management and Inspection Services Contract with AIA Engineers, Ltd. and appropriate funds.

Amount and Source of Funding: \$12,000.00 from Street and Bridge Consolidated Construction Fund No. 4506.

Finance Department:

PROJECT NOTICE/JUSTIFICATION: This Contract is part of the Street and Bridge Capital Improvement Program (CIP). This program is required to meet the City of Houston standards and improve major thoroughfare.

DESCRIPTION/SCOPE: The contract provides Construction Management and Inspection Services for the Construction branch of the Department of Public Works and Engineering in connection with West Little York Paving from Wheatley to TC Jester.

LOCATION: The project area is along West little York from Wheatley to TC Jester. The project is located in the Key Map Grid(s) 411Z, 412W and 412X.

SCOPE OF CONTRACT AND FEE: This Contract will provide Construction Management and Inspection Services, including contract administration, processing pay estimates, coordinating schedules, evaluating proposals and change orders, site representation, closeout documentation, and tasks requested by the Director.

Project funding for Construction Management Services will be appropriated with the contract award. The requested appropriation of \$12,000.00 will provide for the limited pre-construction review and preparation as required.

M/WBE PARTICIPATION: The consultant has submitted the following proposed M/WBE participation to satisfy the 24% goal for this project:

NAME OF FIRM	WORK DESCRIPTION	PERCENTAGE
1. ATSER, L.P.	Inspection /Administrative Services	24%

MSM:DM:JTL:AR:ha  
S:\constr\Admin\_AD\Admin\CONST\Consultants\AIA Engineers, Ltd\RCA.DOC

C: Velma Laws Craig Foster Waynette Chan Marty Stein File No. Admin

REQUIRED AUTHORIZATION

CUIC ID # 20HA39

Finance Department

Other Authorization:

Other Authorization:

MOT

*Daniel R. Menendez*

Daniel R. Menendez, P.E., Deputy Director  
Engineering and Construction Division



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance appropriating funds to cover advertising costs for CIP Projects.  
WBS Nos. M-000126-00AD-4, N-000668-00AD-4, R-000019-00AD-4, and S-000019-00AD-4

Page 1 of 1

Agenda Item # 48

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

Origination Date:  
12/12/08

Agenda Date:  
DEC 17 2008

DIRECTOR'S SIGNATURE:

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

Council District affected: ALL

For additional information contact:

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

Date and identification of prior authorizing Council action:

Ord. No. 2004-0557 (06/02/04)  
Ord. No. 2007-0319 (03/21/07)

RECOMMENDATION: (Summary)

Appropriate funds for advertising costs for projects in Capital Improvement Plan

Amount and Source of Funding: \$200,000.00

\$24,000.00 Drainage Improvement Commercial Paper Series F, Fund No. 4030  
\$44,000.00 Street & Bridge Consolidated Construction Fund No. 4506  
\$132,000.00 Water & Sewer System Consolidated Construction Fund No. 8500  
\$200,000.00 Total Cost

*Reid K. Mrsny*  
11/19/08

SPECIFIC EXPLANATION

The Department of Public Works and Engineering is requesting that an ordinance be approved appropriating \$200,000.00 to cover advertising costs for construction projects that are included in the following Programs within the Capital Improvement Plan (CIP):

- Storm Drainage System Improvements
- Street & Traffic Control Facilities Improvements
- Wastewater System Improvements
- Water System Improvements

Construction projects are advertised in a local publication for two consecutive weeks under the Legal Notices section.

MSM:DRM:RKM:JNB

c: Marty Stein  
Daniel R. Menendez, P.E.  
Susan Bandy  
Craig Foster  
Velma Laws

REQUIRED AUTHORIZATION

CUIC# 20JNB02

Finance Department:

*Michelle Mitchell*

Other Authorization:

*Jun Chang*  
Jun Chang, Interim Deputy Director, Public Utilities Division

Other Authorization:

*Daniel R. Menendez*  
Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method (LDS) WBS# R-002013-0023-4	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  49
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 12-4-08	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Joseph G. Majdalani, P.E. Senior Assistant Director Phone: (713) 641-9182	<b>Date and identification of prior authorizing Council action:</b>  N/A
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**RECOMMENDATION: (Summary)**  
Accept low bid, award construction contract, and appropriate funds.

**Amount and Source of Funding:** \$3,861,187.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier III. *Paella 11/21/08*

**SPECIFIC EXPLANATION:** This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems on an emergency basis throughout the City.

**DESCRIPTION/SCOPE:** This project consists of sanitary sewer rehabilitation by cured-in-place pipe method. The contract duration for this project is 540 calendar days.

**LOCATION:** The project area is generally bounded by the City Limits.

**BIDS:** Four (4) bids were received on August 14, 2008 for this project as follows:

Bidder	Bid Amount
1. RePipe Construction, Ltd.	\$3,583,273.90
2. Insituform Technologies, Inc.	\$3,669,588.38
3. Spiniello Companies	\$3,721,931.70
4. Reynolds Inliner, LLC	\$4,604,141.95

**File/Project No. WW 4258-39** **REQUIRED AUTHORIZATION** **CUIC# 20JGM261**

<b>Finance Department</b> <i>Michelle</i> <i>J. McNeill</i>	<b>Other Authorization:</b>	<b>Other Authorization:</b> <i>Jun Chang</i> Jun Chang, P.E., Interim Deputy Director Public Utilities Division	<b>NOT</b>
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**AWARD:** It is recommended that this construction contract be awarded to RePipe Construction, Ltd. with a low bid of \$3,583,273.90.

**PROJECT COST:** The total cost of this project is \$3,861,187.00 to be appropriated as follows:

- Bid Amount \$3,583,273.90
- Contingencies \$179,163.70
- Project Management \$53,749.40
- Engineering Testing Services \$45,000.00

Engineering Testing Services will be provided by HTS Inc. Consultants, under a previously approved contract.

**M/W/SBE PARTICIPATION:** The low bidder has demonstrated a good faith effort to comply with the M/WBE goals of the Texas Water Development Board and the SBE goals of the City of Houston. The bidder has proposed an MBE participation of 14%, WBE participation of 5%, and SBE participation of 3%.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Chief Solutions, Inc	Clean & TV	\$143,330.96	4.00%
Standard Cement Materials, Inc	Manhole Rehab	\$179,163.70	5.00%
CBL Industries, LLC	Asphalt & Paving	\$179,163.70	5.00%
	<b>TOTAL</b>	<b>\$501,658.36</b>	<b>14.00%</b>

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Choctaw Pipe & Equipment, Inc.	Supplies	\$179,163.70	5.00%
	<b>TOTAL</b>	<b>\$179,163.70</b>	<b>5.00%</b>

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
5M Rope & Supply, LLC	Supplies	\$107,498.22	3.00%
	<b>TOTAL</b>	<b>\$107,498.22</b>	<b>3.00%</b>

All known rights-of-way and easements required for this project have been acquired.

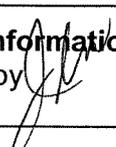
*JGM*  
MSM:JC:JGM:RK:JI:MF:aa

cc: Marty Stein  
Susan Bandy, CPA  
Velma Laws  
Reid Mrsny, P.E  
File No. WW 4258-39

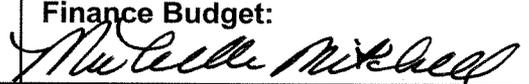
<b>SUBJECT:</b> Award Construction Contract AIA General Contractors, Inc. Wheeler Park Facility Underground Storage Tank Modifications and Cleanup. WBS No. F-000676-0002-4	<b>Page</b> 1 of 2	<b>Agenda Item</b>  50
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 11-6-08	<b>Agenda Date</b> DEC 17 2008
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<b>DIRECTOR'S SIGNATURE:</b>  10/22/08 Issa Z. Dadoush, P.E.	<b>Council District affected:</b> 1
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<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 832-393-8023	<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> \$935,086.00 Parks Consolidated Construction Fund (4502)	<b>Finance Budget:</b> 
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council award a construction contract to AIA General Contractors, Inc., on the low bid amount of \$744,032.00 to provide construction services at the Wheeler Park Facility for the Parks and Recreation Department.

**PROJECT LOCATION:** 6200 Wheeler Road  
 Houston, Texas (Key Map 534-G)

**PROJECT DESCRIPTION:** The scope of work consists of demolition, excavation, transportation and disposal of one 20,000 gallon underground storage tank (UST), two 12,000 gallon USTs and three 1,000 gallon USTs including accessories and piping, removing five fuel dispensers, all sensors, pumps and power supplies from the existing tanks; demolition, excavation, transportation and disposal of all concrete paving and debris generated as a result of all activities. The work also includes installation of one 25,000 gallon gasoline UST, one 25,000 gallon diesel UST and one 1,000 gallon motor oil UST along with associated appurtenances.

The contract duration for this project is 90 calendar days.

**BIDS:** The following three bids were received on August 7, 2008:

	<u>Bidder</u>	<u>Bid Amount</u>
1.	AIA General Contractors, Inc.	\$744,032.00
2.	Eagle Construction & Environmental Services, L.P.	\$1,035,078.00
3.	Separation Systems Consultants, Inc.	\$1,137,934.50

**REQUIRED AUTHORIZATION** CUIC ID # 25GM173

<b>General Services Department:</b>   Humberto Bautista Chief of Design & Construction Division	<b>Other Authorization:</b>	<b>Parks and Recreation Department:</b>   Joe Turner Director
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<b>Date</b>	<b>SUBJECT:</b> Award Construction Contract AIA General Contractors, Inc. Wheeler Park Facility Underground Storage Tank Modifications and Cleanup. WBS No. F-000676-0002-4	<b>Originator's Initials</b>  GM	<b>Page</b>  2 of 2
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**AWARD:** It is recommended that City Council award the construction contract to AIA General Contractors, Inc. and appropriate funds for the project, including additional appropriations of \$10,000.00 for materials testing services under the existing contract with HTS Inc, Consultants, and \$106,650.80 for project management and construction oversight services under the existing contract with Malcolm Pirnie, Inc. which includes, but is not limited to soil and groundwater sampling, analytical testing, sample evaluation in accordance with regulatory requirements and submitting the appropriate Release Determination Report, if required, to the Texas Commission on Environmental Quality (TCEQ).

**FUNDING SUMMARY:**

\$ 744,032.00	Construction Contract Services
<u>\$ 74,403.20</u>	10% Contingency
<b>\$ 818,435.20</b>	<b>Total Contract Services</b>
\$ 10,000.00	Materials Testing Services
<u>\$ 106,650.80</u>	Project Management and Construction Oversight.
<b>\$ 935,086.00</b>	<b>Total Funding</b>



IZD:HB:JLN:GM:FK:fk

- c: Marty Stein  
Jacquelyn L. Nisby  
Velma Laws  
Webb Mitchell  
Gabriel Mussio  
File



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Award Construction Contract  
SpawGlass Civil Construction, Inc.  
Memorial Park Pedestrian Bridge  
WBS No. F-000690-0001-4

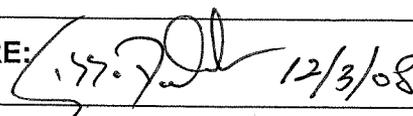
Page  
1 of 2

Agenda  
Item  
51

FROM (Department or other point of origin):  
General Services Department

Origination Date  
12-10-08

Agenda Date  
DEC 17 2008

DIRECTOR'S SIGNATURE:  12/3/08  
Issa Z. Dadoush, P.E.

Council District affected:  
G

For additional information contact:  
Jacquelyn L. Nisby Phone: 832-393-8023

Date and identification of prior authorizing  
Council action:

RECOMMENDATION: Award construction contract and appropriate funds for the project.

Amount and Source of Funding:  
\$ 2,537,518.00 - Equipment Acquisition Consolidated Fund (1800)

Finance Budget:

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council award a construction contract to SpawGlass Civil Construction, Inc. on the proposal amount of \$2,298,000.00 to provide construction services for the Memorial Park Pedestrian Bridge Phase I. **The Memorial Park Conservancy will fund and manage Phase II.**

PROJECT LOCATION: 6501 Memorial Drive (491H)

PROJECT DESCRIPTION: The scope of work includes construction of a new pedestrian bridge and a 12' wide colored concrete trail connecting the north side of the park to the south side of Memorial Park. The bridge will span both the eastbound and westbound lanes of Memorial Drive just east and parallel to the Union Pacific Railroad crossing. Native plantings growing on the bridge and within the retaining walls are a unique feature of this project. Additional components to the project include demolition of existing hardscape elements, site preparation, drainage and earthwork, curb ramps for accessibility at Picnic Loop Drive and Memorial Drive area, retaining walls on the north side of the westbound lanes and installing the electrical service for future light installation. The second phase of the project, funded by The Memorial Park Conservancy, will include installation of utilities, site lighting, site amenities, planting and irrigation.

The contract duration for this project is 270 days. Clark Condon Associates, Inc. is the design consultant and construction manager for the project.

PROPOSALS: On October 3 and October 10, 2008, GSD advertised a Request for Competitive Sealed Proposals containing selection criteria that ranked the respondents on price, experience, references, sub-contractors and schedule. The proposals were due on November 13, 2008, and nine firms responded. GSD evaluated the respondents and SpawGlass Civil Construction, Inc. received the most points and offers the best value for the City based on the advertised criteria.

REQUIRED AUTHORIZATION

CUIC ID # 25PARK57 **NDT**

General Services Department:

Houston Parks and Recreation Department:



Humberto Bautista  
Chief of Design & Construction Division



Joe Turner  
Director

Date	<b>SUBJECT:</b> Award Construction Contract SpawGlass Civil Construction, Inc. Memorial Park Pedestrian Bridge WBS No. F-000690-0001-4	<b>Originator's Initials</b>  CP	<b>Page</b> 2 of 2
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**PROPOSALS CONT:** The nine proposals are ranked as follows:

**Proposer**

1. SpawGlass Civil Construction, Inc.
2. NBG Constructors, Inc.
3. Meridian Commercial, L.P.
4. L.N. McKean, Inc.
5. Boyer, Inc.
6. SER Construction Partners, LTD
7. Resicom, Inc.
8. Texas Sterling Construction Co.
9. TJ & T Enterprises Inc.

**AWARD:** It is recommended that City Council award the construction contract to SpawGlass Civil Construction, Inc. and appropriate funds for the project, including additional appropriations of \$25,000.00 for engineering testing services under the existing contract with Raba-Kistner Consultants, Inc. and \$59,403.00 for construction management services under the existing contract with Clark Condon Associates, Inc.

**FUNDING SUMMARY:**

\$ 2,298,000.00	Construction Contract Services
\$ 114,900.00	5% Contingency
<b>\$ 2,412,900.00</b>	<b>Total Contract Services</b>
\$ 40,215.00	Civic Art (1.75%)
\$ 25,000.00	Engineering Testing
\$ 59,403.00	Construction Management Services
<b>\$ 2,537,518.00</b>	<b>Total Funding</b>

**CONSTRUCTION GOALS:** An MBE goal of 14%, SBE goal of 5% and WBE goal of 5% have been established for this contract. The contractor has submitted the following certified firms to achieve the goals:

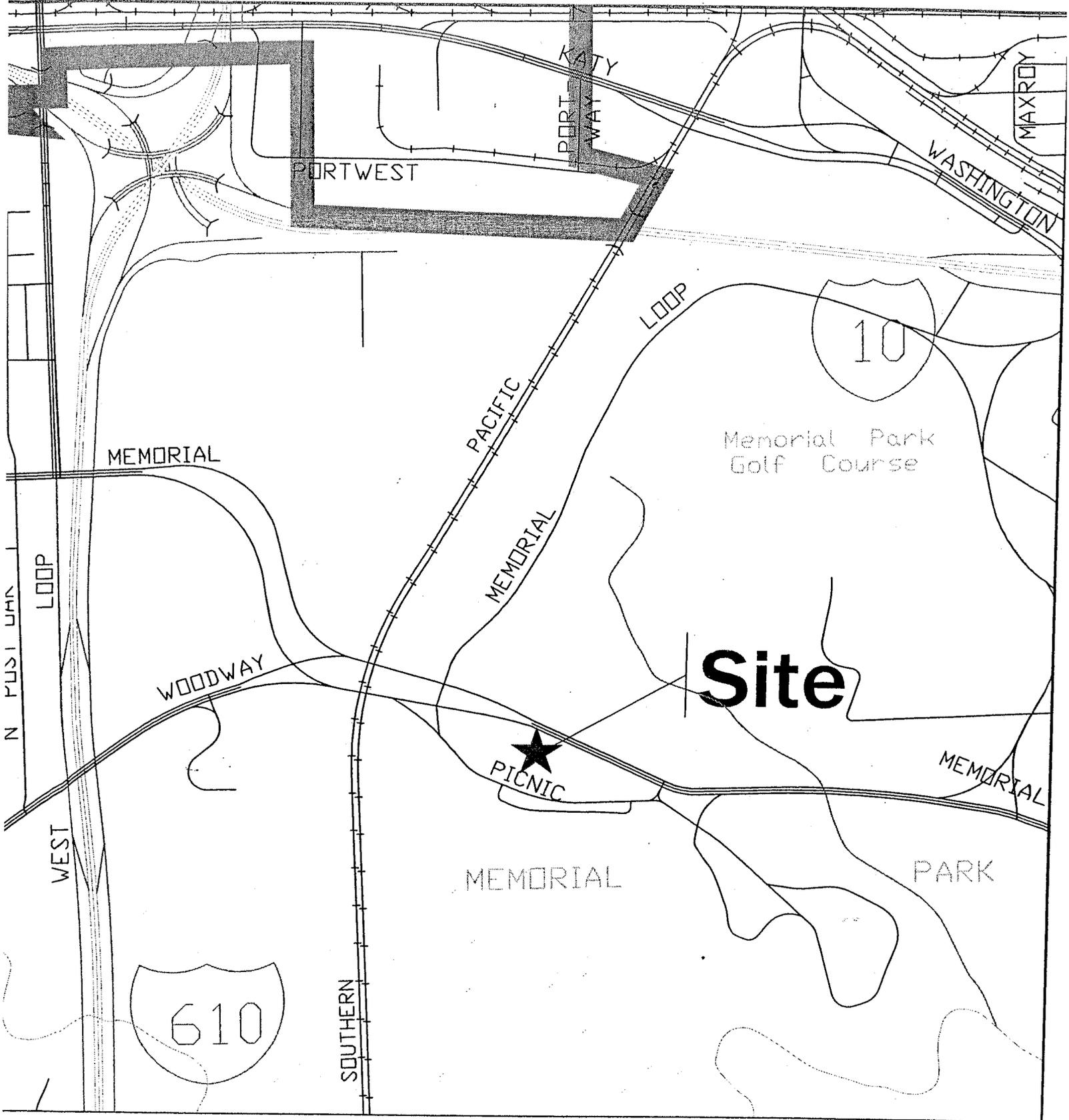
<b><u>FIRM (MBE):</u></b>	<b><u>SCOPE</u></b>	<b><u>AMOUNT</u></b>	<b><u>% of CONTRACT</u></b>
Environmental Allies, L.P.	Erosion Control	\$ 7,519.00	.33
Tricon Precast, Ltd.	Retained Soil Wall System	\$ 62,704.00	2.73
Chavez Service Companies, Inc.	Concrete and Rebar	\$ <u>252,150.00</u>	<u>10.97</u>
<b>TOTAL</b>		<b>\$ 322,373.00</b>	<b>14.03%</b>

<b><u>FIRM (SBE):</u></b>	<b><u>SCOPE</u></b>	<b><u>AMOUNT</u></b>	<b><u>% of CONTRACT</u></b>
Stripes & Stops Company, Inc.	Traffic Control	\$ 28,104.00	1.22
Iron Access, Inc.	Fencing	\$ <u>151,440.00</u>	<u>6.59</u>
<b>TOTAL</b>		<b>\$ 179,544.00</b>	<b>7.81 %</b>

<b><u>FIRM (WBE):</u></b>	<b><u>SCOPE</u></b>	<b><u>AMOUNT</u></b>	<b><u>% of CONTRACT</u></b>
Jimerson Underground, Inc.	Utilities	\$ 152,545.00	6.64%

IZD:PJG:JLN:LJ:CFP:ps

c: Marty Stein, Jacquelyn L. Nisby, Mark Ross, Velma Laws, Kim Nguyen, Siria Harbour, Gabriel Mussio, Webb Mitchell, Dan Pederson, Lisa Johnson, Sydney Igleheart, File 813



# Memorial Park Pedestrian Bridge Memorial Dr., Houston, TX

**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

RCA #

**SUBJECT:** Approval of an ordinance to annex additional territory into Tax Increment Reinvestment Zone Number Five (Memorial Heights Zone).

**Category #**

**Page**  
1 of 1

**Agenda Item#**

52-29

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

Michelle Mitchell, Director  
Finance Department

**Origination Date**

November 14, 2008

**Agenda Date**

~~DEC 10 2008~~

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell*

Finance Department

**Council Districts affected:**

A, D, G, H

DEC 17 2008

**For additional information contact:**

Robert Fiederlein

**Phone:** (832)393-8091

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

Ord. 96-1337, 12/18/1996, Ord. 97-594, 5/21/1997, Res. 97-67, 12/10/1997, Ord. 1999-832, 8/11/1999, Ord. 2007-1142, 10/10/2007, Ord. 2008-784, 9/3/2008

**RECOMMENDATION: (Summary)** Approval of an ordinance to annex additional territory into Tax Increment Reinvestment Zone Five (Memorial Heights Zone).

**Amount of Funding:** No Funding Required

**Finance Budget:**

**SOURCE OF FUNDING:**

General Fund     Grant Fund     Enterprise Fund  
 Other (Specify)

**SPECIFIC EXPLANATION:**

City of Houston Tax Increment Reinvestment Zone Number Five (Memorial Heights Zone) was created by Ordinance 96-1337 on December 18, 1996. Subsequently City Council approved a Project Plan and Reinvestment Zone Financing Plan (the "Plan") for the Zone via Ordinance 97-594, adopted May 21, 1997, and created the Memorial Heights Redevelopment Authority via Resolution 97-67, on December 10, 1997 to help implement the Plan. On August 11, 1999, via Ordinance 1999-832, City Council approved the First Amended Project Plan and Reinvestment Zone Financing Plan. On October 10, 2007, City Council approved the annexation of approximately 881 acres into the Zone via Ordinance 2007-1142, and subsequently approved the Second Amended Project Plan and Reinvestment Zone Financing Plan via Ordinance 2008-784, adopted on September 3, 2008.

It is recommended that approximately 38.4 acres be annexed into the Zone including rights-of-ways and other properties primarily located between Tirrell Street and Rosine Street, south of Allen Parkway and north of West Clay Avenue. Conditions within the proposed annexation could be characterized as areas which include a predominance of defective or inadequate sidewalk and street layout; faulty lot layout in relation to size, adequacy, accessibility, and usefulness; and predominantly open and vacant land.

The proposed expansion of the TIRZ would allow for the TIRZ to potentially enter into a development agreement with the owner of the land to construct public utility systems, roadway improvements, streetscapes and related pedestrian amenities, and public parking for the adjacent Buffalo Bayou parklands and trail system. As part of a redevelopment of the area a Third Amended Project Plan and Reinvestment Zone Financing Plan will be presented to City Council in the near future.

cc: Marty Stein, Agenda Director  
Anna Russell, City Secretary  
Arturo Michel, City Attorney  
Deborah McAbee, Senior Assistant City Attorney

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

*[Signature]*

**Other Authorization:**

*[Signature]*

# City of Houston TIRZ#5 Landuse 2009 Annexation

## Legend:

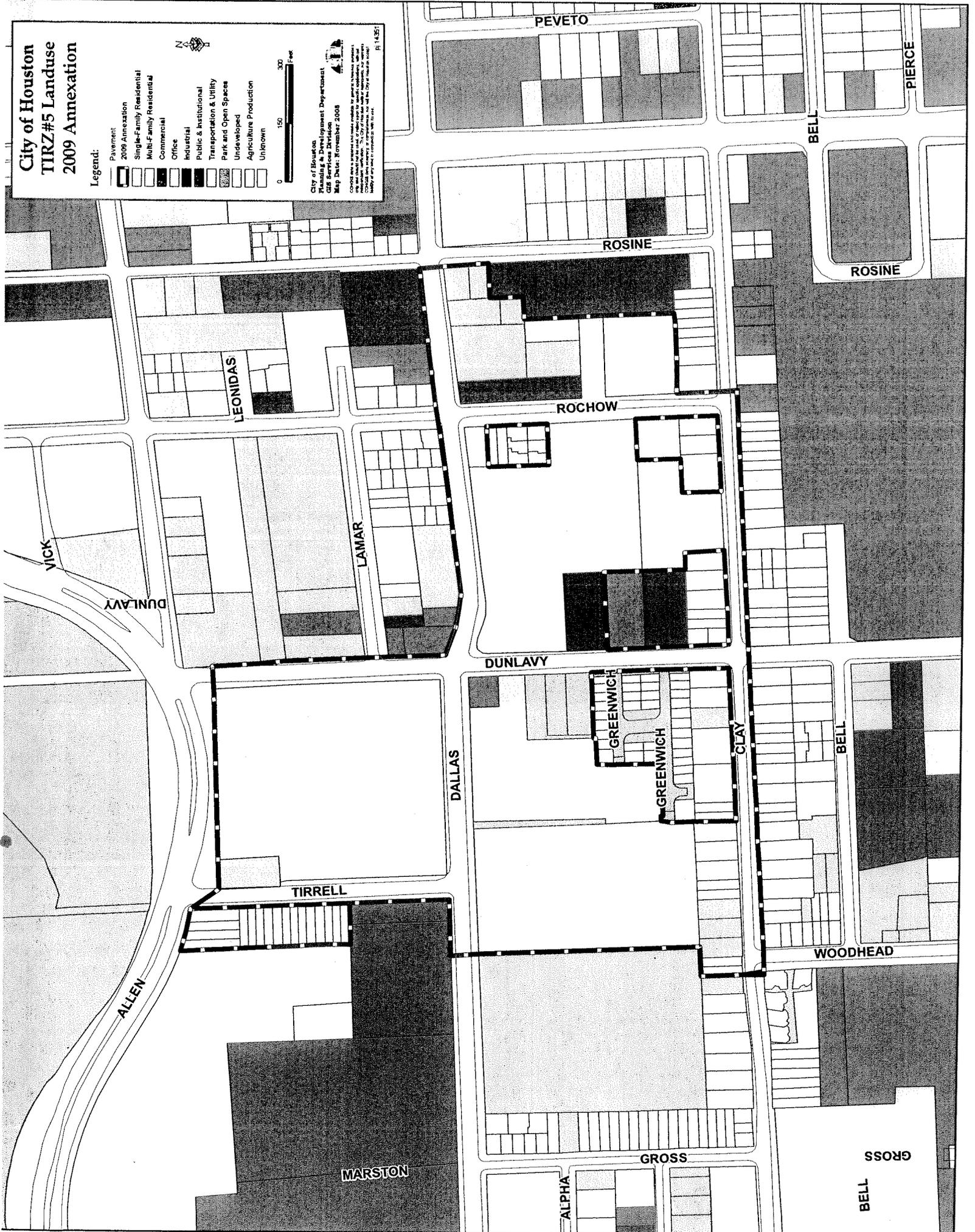
- Pavement
- 2009 Annexation
- Single-Family Residential
- Multi-Family Residential
- Commercial
- Office
- Industrial
- Public & Institutional
- Transportation & Utility
- Park and Open Spaces
- Undeveloped
- Agriculture Production
- Unknown

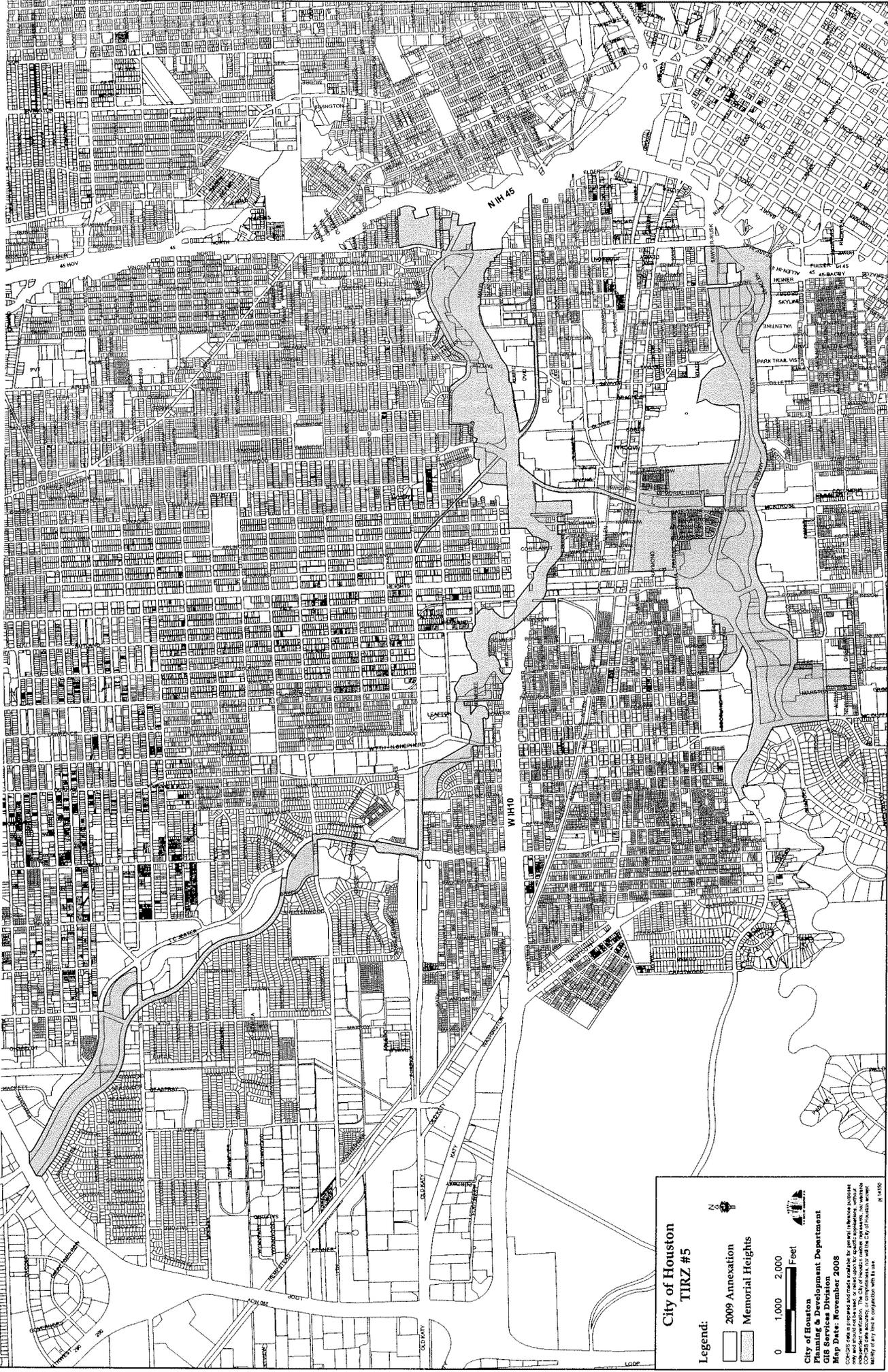


City of Houston  
Planning & Development Department  
GIS Services Division  
Map Date: November 2008

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PL 14351





**City of Houston**  
**TIRZ #5**

**Legend:**

- 2009 Annexation
- Memorial Heights

0 1,000 2,000 Feet

City of Houston  
Planning & Development Department  
GIS Unit  
Division of Information Systems  
Map Date: November 2008

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PL 14505

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> An ordinance approving a professional services contract with Wade Wellness Center for services pertaining to the City of Houston Ex-Offender Community Re-Entry Program	<b>Category #</b> 9	<b>Page</b> 1 of 1	<b>Agenda Item</b> # 5330
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<b>FROM (Department or other point of origin):</b> Houston Department of Health and Human Services	<b>Origination Date</b> 10/1/08	<b>Agenda Date</b> <del>DEC 10 2008</del>
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<b>DIRECTOR'S SIGNATURE:</b> <i>Stephen J. Williams</i>	<b>Council District affected:</b> ALL	<b>Agenda Date</b> DEC 17 2008
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<b>For additional information contact:</b> Kathy Barton Telephone: 713-794-9998 ; 713-826-5801	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Approval of a professional services contract a with Wade Wellness Center for services pertaining to the City of Houston Ex-Offender Community Re-Entry Program

<b>Amount of Funding:</b> Maximum Contract Amount \$450,000.00 Initial Allocation: \$50,000.00 General Fund (1000)	<b>Finance Department:</b>
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**SOURCE OF FUNDING:**  General Fund  Grant Fund  Enterprise Fund  Other ( Specify )

**SPECIFIC EXPLANATION:**

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an ordinance for a professional services contract with Wade Wellness Center for services pertaining to the City of Houston Ex-Offender Community Re-Entry Program. The contract has an initial term of two years with three one year renewals.

In the fiscal year 2007, 15,168 offenders were released into Harris County. Based on state trends, at least 27.9% will recidivate back into the criminal justice system within two years. The City of Houston's (City) reentry program is a pilot program for ex-offenders reentering Houston after a period of incarceration. It is designed to provide participants with the necessary support, programming, training, and services for reintegrating into society as productive members.

Wade Wellness Center was involved in the initiation of the HDHHS pilot reentry program which included developing the program, identifying potential staff and partners, and establishing contacts with criminal justice entities and professionals to provide support services and continuity of care for the population. Under this contract, Wade Wellness Center will continue providing consultant services for the program as well as play an active role in the development of the program. This will include expanding the service base of the program to support the increasing number of ex-offenders anticipated to be enrolled in the program, upgrading the Special Needs Program for reentry participants, as required, updating the program model to accommodate the needs of each referral source, and acting as clinical director of the program.

Karol Wade Henderson is the owner and operator of Wade Wellness Centers, which are consulting, training, and counseling centers. She a licensed professional counselor with private practices in Corsicana (treating children and adults) and in Palestine (treating ex-offenders). Henderson acted as profiler to the Texas Department of Criminal Justice-Institutional Division Northern Region Hostage Negotiation Team, clinician to the Regional Post Trauma Team, academy trainer, clinical social worker, associate clinical psychologist and responsible psychotherapist during her 17 years of prison mental health experience.

cc: Finance Department  
Legal Department  
Agenda Director

REQUIRED AUTHORIZATION		
<b>Finance Department</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

MPT  
10-20-08

<b>SUBJECT:</b> Third Amendment and additional appropriation to Professional Engineering Services Contract between the City and Lockwood, Andrews & Newnam, Inc. for services associated with the Surface Water Transmission Program. W.B.S. No. S-000900-0002-3	Page 1 of 2	Agenda Item # <div style="border: 1px solid black; padding: 5px; display: inline-block;">                     54 / 48                 </div>
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<b>From: (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date:</b>	<b>Agenda Date:</b> DEC 17 2008 <del>DEC 10 2008</del>
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<b>Director's Signature:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected: (Council District Letter Only)</b> A, B, C, D, E, F, G, H, I <i>BT</i>
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<b>For additional information contact:</b>  Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b> Ordinance Number 2007-1459 (December 12, 2007) Ordinance Number 2007-0329 (March 21, 2007) Ordinance Number 2006-0277 (March 22, 2006)
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**Recommendation: (Summary)**  
 Approve Third Amendment with Lockwood, Andrews & Newnam, Inc. and appropriate funds.

**Amount and Source of Funding:**  
 \$3,841,900.00 from the Water and Sewer System Consolidated Construction Fund No. 8500  
 (Previous appropriations of \$6,050,000.00 from the Water and Sewer System Consolidated Construction Fund No. 8500  
 Original contract appropriation of \$3,300,000.00 from the Water and Sewer System Consolidated Construction Fund No. 755)

**SPECIFIC EXPLANATION:** This contract supports execution of the Surface Water Transmission Facilities Capital Improvement Program (CIP). This amendment and appropriation will provide for additional program management, technical and planning support, water system management support and design services for citywide water projects.

**PROJECT NOTICE/JUSTIFICATION:** The Surface Water Transmission Program provides professional engineering services to assist the City in meeting the growing system demands, the City's efforts in evaluating the risk associated with failure of critical transmission lines, and the City's efforts to rehabilitate existing large diameter transmission mains.

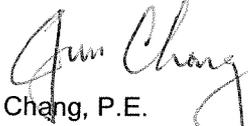
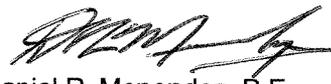
**DESCRIPTION/SCOPE:** These projects will provide cost-effective planning, design and engineering support of large diameter water transmission line extensions. This appropriation will fund specific tasks to allow the City to maximize the use of available surface water. The net result of these improvements will be improved water system reliability and operational efficiencies stemming from the consolidation of groundwater pump station facilities. Specific tasks planned under this appropriation consist of engineering design and associated support services (such as surveying, geotechnical investigations, traffic control design) for large diameter water line projects. Additionally, these tasks include real estate assistance, and water system planning and modeling assistance.

**LOCATION:** The project areas are generally described:

- 66-inch water line along Moers Rd. and Alameda-Genoa Rd. from Fuqua to Monroe Rd. (575 Q, U).
- 66-inch water line along Monroe Rd. from Alameda-Genoa Rd. to Airport Blvd. (575 C, G, L & Q).
- 36-inch water line along Westheimer Rd. and Synott from S. Eldridge Pkwy. to Alief Clodine Rd. (488 T, U & Y; 528 C).
- 36-inch water line along Synott and Bellaire Blvd. from Alief Clodine Rd. to Bellaire-Braes Pump Station (528 C, G & H).
- Bellaire Braes Pump Station Surface Water Conversion. (449Y; 491Z; 529C)

As determined necessary by the Director, the identified projects may be changed to meet scheduling and right-of-way requirements and facilitate coordination with other planned capital improvements.

**REQUIRED AUTHORIZATION** CUIC ID #20BLL21

<b>Finance Department:</b> 	<b>Other Authorization:</b>  Jun Chang, P.E. Interim Deputy Director Public Utilities Division	<b>Other Authorization:</b>  Daniel R. Menendez, P.E. Deputy Director Engineering and Construction Division
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*MDT*

**SUBJECT:** Third Amendment and additional appropriation to Professional Engineering Services Contract between the City and Lockwood, Andrews & Newnam, Inc. for services associated with the Surface Water Transmission Program. W.B.S. No. S-000900-0002-3

**Originator's  
Initials**

**Page  
2 of 2**

**PREVIOUS HISTORY AND SCOPE:** City Council approved the original contract on March 22, 2006, the First Amendment on March 21, 2007, and the Second Amendment on December 12, 2007. The scope of services consisted of the 42-inch water line along Knight, Holmes, Parcel 3 Road, Uptown, Taintor, W. Airport, Allum, Player, Tidewater, South Post Oak, W. Orem, Croquet and easements near Sims Bayou Pump Station; Air Release Valve Upgrade Packages; Pressure Reducing Valve Station Improvements; On-Call Rehabilitation and Replacement of Large Diameter Water Mains and Valves; and the 72-inch water line along Fuqua from the 96-inch water line near Beamer to Moers Rd. Under this contract, the designs of the above-referenced projects are underway and are anticipated to be completed under the original appropriations. The Director has determined the need for continuation of the Surface Water Transmission Program due to its success in assisting the City in meeting the stated goals and objectives. Additional funds are needed to fund the next year's activities.

**SCOPE OF THIS SUPPLEMENT AND FEE:** The requested third amendment will accomplish the following tasks: Basic services (Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services) and Additional Services. \$1,743,500.00 is budgeted as Basic Services Fee to be administered on a lump sum or reimbursable basis. Certain other Additional Services are also proposed to be paid as lump sum or on a reimbursable basis. The Additional Services are currently anticipated to include surveying, geotechnical investigations, Phases I and II environmental services, traffic control plans, and surge analysis, which comprise the bulk of the additional services funds. The total Additional Services Fee under the third amendment is \$1,749,100.00. The total requested appropriation is \$3,841,900.00 to be appropriated as follows: \$3,492,600.00 for contract services and \$349,300.00 for City recoverable costs of project management.

**M/WBE INFORMATION:** The M/WBE goal established for this project is 24.0%. The original contract and subsequent additional appropriations total \$8,500,000.00. The engineer has been paid \$5,929,706.99, 69.8% to date. Of this amount \$1,233,139.30, 21.0% has been paid to M/WBE sub-consultants to date. Assuming approval of the requested additional appropriation, the contract amount will increase to \$11,992,600.00. The consultant proposes the following plan to meet the M/WBE goal participation:

	<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
	Prior work		\$1,233,139.30	10.28%
1.	Associated Testing Laboratories, Inc.	Environmental Support	\$13,374.00	0.11%
2.	Aviles Engineering Corporation	Geotechnical Investigations	\$74,291.05	0.62%
3.	B&E Reprographics, Inc.	Reproduction	\$53,225.10	0.44%
4.	Entech Civil Engineers, Inc.	Engineering Support	\$25,000.00	0.21%
5.	Geotest Engineering, Inc.	Geotechnical Investigations	\$37,674.00	0.31%
6.	Gunda Corporation, Inc.	Traffic Control	\$35,000.00	0.29%
7.	KIT Professionals, Inc.	Traffic Control and Engineering Support	\$40,000.00	0.33%
8.	Kuo & Associates, Inc.	Engineering Support & Surveying	\$159,033.00	1.33%
9.	Martinez, Guy & Maybik, Inc.	Surveying	\$119,098.00	0.99%
10.	Nathelyne A. Kennedy & Associates	Engineering Support	\$444,401.14	3.71%
11.	Omega Engineers, Inc.	Engineering Support	\$89,360.00	0.75%
12.	Precision Land Surveying, Inc.	Surveying	\$25,000.00	0.21%
13.	Teran Group, LLC	Surveying	\$72,318.00	0.60%
14.	Texas American Engineering	Engineering Support	\$328,728.52	2.74%
15.	TTL Corp	Engineering Support	\$20,459.50	0.17%
16.	Other MWBE Firms	Various Services	<u>\$108,898.39</u>	<u>0.91%</u>
	<b>TOTAL</b>		<b>\$2,879,000.00</b>	<b>24.00%</b>

MSM:RKM:HH:BLL:JP

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c: Marty Stein; Velma Laws; Susan Bandy; Mike Pezeshki, P.E.; Craig Foster  
File S-000900-0002-3 (1.2)