

**AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 4, 2009 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

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

**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 - AUGUST 5, 2009 - 9:00 A. M.**

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

**HEARING - 9:00 A.M.**

1. **PUBLIC HEARING** to consider the readoption of Article XII, Chapter 32 of the City of Houston Code of Ordinances, relating to standards of care concerning Parks and Recreation Department youth recreation programs in compliance with Section 42.041(b) of the Texas Human Resource Code
  - a. **ORDINANCE READOPTING ARTICLE XII, CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, regarding standards of care for Houston Youth Recreation Programs; containing findings and other provisions related to the subject; providing an effective date; providing for severability

**REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY** including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 34**

**MISCELLANEOUS** - NUMBERS 2 through 4

2. REQUEST from Mayor for confirmation of the reappointment of the following to the **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 4 (ENERGY CORRIDOR MANAGEMENT DISTRICT) BOARD OF DIRECTORS**, for a term to expire June 1, 2013:
  - Position One - **MR. ROBERT L. MILLER**
  - Position Two - **MR. E. ALAN COCHRANE**
  - Position Three - **MR. STEVE MOSKOWITZ**
  - Position Four - **MR. PETER D. JOHNSTON**
  - Position Five - **MR. DAVID W. HIGHTOWER**
3. REQUEST from Mayor for confirmation of the appointment of **MR. F. XAVIER PEÑA** to Position Twelve of the **PUBLIC PARKING COMMISSION** for an unexpired term ending December 31, 2009
4. RECOMMENDATION from Director Department Public Works & Engineering to accept the July 2009 Semiannual Report and Recommendations of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program and to transfer revenues and interest generated by the Water and Wastewater Impact Fees in the amount of \$5,238,508.36 for Revenue Bond Debt Service as recommended in the Report

**ACCEPT WORK** - NUMBERS 5 through 9

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,416,606.56 and acceptance of work on contract with **SER CONSTRUCTION PARTNERS, LTD.**, for Woodland Heights Storm Sewer Project - 4.90% under the original contract amount - **DISTRICT H - GONZALEZ**
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$607,689.50 and acceptance of work on contract with **R & B GROUP, INC** for Myrtle Lift Station - 4.08% under the original contract amount - **DISTRICT H - GONZALEZ**
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,727,129.75 and acceptance of work on contract with **INDUSTRIAL TX CORP.**, for Bay Area Blvd. & N. Velasco Pump Station Renewal/Replacement - 7.18% under the original contract amount - **DISTRICTS E - SULLIVAN and H - GONZALEZ**
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,391,432.70 and acceptance of work on contract with **COLLINS CONSTRUCTION, LLC**, for Water Line Replacement in Ellena Gardens-North Section Area - 1.06% under the original contract amount - **DISTRICT H - GONZALEZ**
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,517,367.30 and acceptance of work on contract with **COLLINS CONSTRUCTION, LLC**, for Water Line Replacement in Shepherd Park Plaza Area 2.48% under the original contract amount - **DISTRICT A - LAWRENCE**

**PROPERTY - NUMBER 10**

10. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Jake English, Rekha Engineering, Inc., on behalf of Lily Grove Missionary Baptist Church (Reginald Mack, Deacon), for abandonment and sale of 1) South Lawn Avenue, from Stearns Street to Tierwester Street; 2) Alice Street, from Stearns Street east to its terminus; and 3) Cadillac Street, from Alice Street north ±212.87-feet, located in the South Lawn Addition or the Southland Addition, all out of the Louis Gladitch Survey, A-304, Parcels SY9-068A, SY9-068B and SY9-068C - **DISTRICT D - ADAMS**

**PURCHASING AND TABULATION OF BIDS - NUMBERS 11 through 16**

11. **BOMBARDIER TRANSPORTATION (HOLDINGS) USA, INC** for Purchase of Automated People Mover System Parts for the Houston Airport System - \$2,580,545.91 - Enterprise Fund
12. **METRO FIRE APPARATUS SPECIALIST, INC** for Mobile Incident Command Vehicle through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council \$1,479,000.00 - Grant Fund
13. **AMERIQUAL GROUP LLC** for Purchase of Meals Ready to Eat from General Services Administration (GSA) Schedule 07F-0053T Contract through the Cooperative Purchasing Program under the Local Preparedness Acquisition Act for the Houston Police Department \$65,212.73 - General Fund
14. **MORNING PRIDE MFG dba HONEYWELL FIRST RESPONDER PRODUCTS** for Personal Protective Gear for Various Departments - \$2,801,947.00 - General and Enterprise Funds
15. **RUSH TRUCK CENTERS OF TEXAS, LP dba RUSH TRUCK CENTER, HOUSTON** for Automotive, Caterpillar Diesel Replacement Parts and Repair Services for Various Departments \$604,671.00 - General and Fleet Management Funds
16. **CHEMGUARD** for Polar Solvent/Aqueous Film-Forming Foam for Various Departments \$619,726.25 - General and Enterprise Funds

**ORDINANCES - NUMBERS 17 through 34**

17. ORDINANCE **AMENDING PORTIONS OF THE CONSTRUCTION CODE OF THE CITY OF HOUSTON, TEXAS**; containing findings and other provisions relating to the foregoing subject; providing for severability
18. ORDINANCE amending Exhibits "A" of City of Houston Ordinance No. 90-1292 (as amended by City of Houston Ordinance No. 2009-510), to amend the Master Classification Ordinance to add two (2) new job classifications and to revise three (3) job classifications; providing a repealer; providing for severability
19. ORDINANCE approving and authorizing Agreement between the City of Houston and **SUNNYSIDE PLACE COMMUNITY DEVELOPMENT CORPORATION, INC** to provide a Performance Based Loan in the amount of \$1,200,000 in Home Investment Partnerships Funds from the acquisition and rehabilitation of a 150-unit Apartment Complex known as the Chateau Village Apartments located at 3815 West Fuqua, Houston, Texas - **DISTRICT D - ADAMS**
20. ORDINANCE approving and authorizing second amendment to agreement between the City of Houston and **W. LEO DANIELS TOWERS, INC**, to change the amounts of the sources of funding to \$785,469 in Community Development Block Grant Funds and \$100,531 in Home Investment Partnerships Funds, in connection with the rehabilitation of a 100 Unit Apartment Building for the elderly and disabled known as the W. Leo Daniels Towers - **DISTRICT H - GONZALEZ**

**ORDINANCES** - continued

21. ORDINANCE relating to the fiscal affairs of the **MAIN STREET/MARKET SQUARE REDEVELOPMENT AUTHORITY on behalf of REINVESTMENT ZONE NUMBER THREE, CITY OF HOUSTON, TEXAS (MAIN STREET/MARKET SQUARE ZONE)**; approving the Fiscal Year 2010 Operating Budget for the Authority and the Fiscal Years 2010-2014 Capital Improvement Budget for the Zone; containing various provisions related to the foregoing subject; making certain findings related thereto - **DISTRICT I - RODRIGUEZ**
22. ORDINANCE approving and authorizing Interlocal Agreement between the City and the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES (“DSHS”)** to provide Analytical Services for Drinking Water for Public Works & Engineering Department; providing a maximum contract amount - 1 Year with two one-year options - \$469,635.00 - Enterprise Fund
23. ORDINANCE appropriating \$2,742,000.00 out of Police Consolidated Construction Fund for the Radio Project Implementation for the Information Technology Department
  - a. ORDINANCE approving and authorizing ten (10) year Telecommunications License Agreement, with two (2) renewals of five (5) years each, between the City of Houston, Texas, as licensor, and Port of Houston Authority of Harris County Texas, as licensee, for Ground and Lease space at 8675 Clinton Drive, Houston, Texas, in consideration of a license fee of \$2,000.00 per month or \$24,000 annually to be paid to the City, and a similar fee in the event of sub-licensing, for the purpose of licensee’s constructing a new communications tower and a radio communication room, such tower to become the property of the City at the expiration of the agreement - **DISTRICT B - JOHNSON**
24. ORDINANCE appropriating \$750,000.00 out of Public Library Consolidated Construction Fund for Purchase of Equipment and Materials for the Bracewell Neighborhood Library - **DISTRICT E - SULLIVAN**
25. ORDINANCE appropriating \$1,100,000.00 out of Public Library Consolidated Construction Fund for Purchase of Equipment and Materials for the Kendall Neighborhood Library - **DISTRICT A - LAWRENCE**
26. ORDINANCE appropriating \$8,070,204.55 out of Airports Renewal and Replacement Fund and awarding construction contract to **AXIOM CONSTRUCTION COMPANY, INC** for Hurricane Ike Repairs at George Bush Intercontinental Airport/Houston (Project 500H); setting a deadline for the bidder’s execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing services and for contingencies relating to construction of facilities financed by such funds - **DISTRICT B - JOHNSON**
27. ORDINANCE appropriating \$7,237,803.84 out of Airports Renewal and Replacement Fund and awarding construction contract to **PYRAMID CONSTRUCTORS, LLP** for Hurricane Ike Repairs at William P. Hobby Airport and Ellington Airport (Project 630); setting a deadline for the bidder’s execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing services and for contingencies relating to construction of facilities financed by such funds - **DISTRICTS E - SULLIVAN and I - RODRIGUEZ**
28. ORDINANCE appropriating \$83,000.00 out of Parks Consolidated Construction Fund as an additional appropriation to Professional Environmental Consulting Services Contract between the City of Houston and **MALCOLM PIRNIE, INC** for Wheeler Park Facility (Approved by Ordinance No. 2007-1328) - **DISTRICT I - RODRIGUEZ**

**ORDINANCES** - continued

29. ORDINANCE de-appropriating \$61,426.00 from Purchase Order issue to Action Target, Inc (Approved by Ordinance 2008-932); appropriating \$90,101.00 out of Police Consolidated Construction Fund, approving and authorizing Third Amendment to Construction Management-At-Risk Contract (Approved by Ordinance No. 2007-1359) between the City of Houston and **GILBANE BUILDING COMPANY** for Construction of the HPD Qualification Pistol Range; providing funding for Design Services and contingencies related to construction of facilities financed by the Police Consolidated Construction Fund - **DISTRICT B - JOHNSON**
30. ORDINANCE appropriating \$38,350.17 out of Park Capital Project Fund as an additional appropriation for Sharpstown Golf Cart Barn, and approving and authorizing first amendment to Construction Contract between the City of Houston and **CARRERA CONSTRUCTION, INC** (Approved by Ordinance No. 2008-0582); providing funding for contingencies relating to construction of facilities financed by the Park Capital Project Fund - **DISTRICT F - KHAN**
31. ORDINANCE appropriating \$568,280.00 out of General Improvement Consolidated Construction Fund as an additional appropriation to Construction Agreement between the City of Houston and **PRIME CONTRACTORS, INC** ("Prime Contractors Agreement", approved by Ordinance No. 2008-0332) and to the Agreement between the City of Houston and **SMITH & COMPANY ARCHITECTS** (Approved by Ordinance No. 2006-1234) and approving and authorizing second amendment to Prime Contractors Agreement for the African American Library at the Gregory School; providing funding for contingencies relating to construction of facilities financed by the General Improvement Consolidated Construction Fund - **DISTRICT I - RODRIGUEZ**
32. ORDINANCE appropriating \$2,500,000.00 out of Water & Sewer System Consolidated Construction Fund; amending Ordinance No. 98-575 (Passed July 15, 1998) to increase the maximum contract amount; approving and authorizing fourth amendment to contract between the City of Houston and **ITRON, INC** approved by the same ordinance for a Radio Automated Water Meter Reading System - \$1,610,600.00 - Enterprise Fund
33. ORDINANCE appropriating \$3,070,000.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing Purchase of easements and other interests in Real Property and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Polices/Services, Recording Fees, Court Costs and Expert Witness Fees, for and in connection with, and finding a public necessity for the Capital Improvement Projects identified in the body of this ordinance
34. ORDINANCE No. 2009-0676, passed second reading June 28, 2009  
ORDINANCE granting to **ENTERGY TEXAS, INC** the right, privilege and franchise to use the public rights-of-way to use, license, or exploit the Company's facilities within the public rights-of-way to conduct an Electrical Lighting and Power Business in the City and for such other business purposes as the company may desire from time to time, specifically including, but not limited to, the granting of access to those facilities for the delivery of broadband through power lines or similar service within the City of Houston, Texas; containing a repealer; containing a severability clause - **THIRD READING**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBER 35

**MISCELLANEOUS**

35. RECEIVE nominations for Position 13 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two year term that will end March 1, 2011

**MATTERS HELD** - NUMBERS 36 through 39

36. ORDINANCE approving and authorizing Legal Services Agreements between the City of Houston and **LEMOND & LEMOND LLC** and **THOMPSON & HORTON LLP** for Legal Services and Employment Policy Recommendations associated with equal employment opportunity practices of the Houston Fire Department; providing a maximum contract amount - \$190,000.00 - General Fund - **POSTPONED BY MOTION #2009-528, 7/22/09**  
This was Item 37 on Agenda of July 22, 2009
37. RECOMMENDATION from Purchasing Agent to award to **L-3 COMMUNICATIONS CORPORATION** for Touch Screen Display Monitors for the Houston Police Department \$60,327.81 - Grant Funds - **TAGGED BY COUNCIL MEMBER HOLM**  
This was Item 13 on Agenda of July 29, 2009
38. ORDINANCE approving and authorizing first amendment to Agreement (Approved by Ordinance No. 2005-1098) between the City of Houston and **JP MORGAN CHASE BANK, N.A.** for a Purchasing Card Services Program  
**TAGGED BY COUNCIL MEMBERS LAWRENCE; CLUTTERBUCK and KHAN**  
This was Item 25 on Agenda of July 29, 2009
39. ORDINANCE appropriating \$200,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to contract between the City of Houston and **CONCEPT ENGINEERS, INC** for Professional Engineering Services for the Houston Airport System, (Project No. 615J) - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**  
**TAGGED BY COUNCIL MEMBER JOHNSON**  
This was Item 39 on Agenda of July 29, 2009

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Green first

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

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

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

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

**NOTICE** is hereby given that a Regular Meeting of the City Council of the City of Houston will be held **TUESDAY, AUGUST 4, 2009 at 1:30 p.m. and WEDNESDAY, AUGUST 5, 2009 at 9:00 a.m.** with the reading of the descriptions, captions or titles of the agenda items by the City Secretary to begin not earlier than 60 minutes before the scheduled commencement, in the Council Chamber, Second Floor, City Hall, 901 Bagby, for the purpose of conducting the regular business and affairs of the City of Houston listed on the attached Agenda.

WITNESS my official signature this the 31st day of JULY, 2009.

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City Secretary

**CERTIFICATE**

I certify that the attached notice of meeting was posted on the Bulletin Board of the City Hall of the City of Houston, Texas, on JULY 31, 2009 at       :       p.m.

by \_\_\_\_\_

for Anna Russell  
City Secretary

**CITY COUNCIL CHAMBER - CITY HALL 2<sup>nd</sup> FLOOR - TUESDAY  
AUGUST 4, 2009 - 2:00 PM**

**NON-AGENDA**

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1MIN 1MIN 1MIN

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MS. CORA JOHNSON - 10126 Alfred Ln. - 77041 – 713-462-4478 – Thank Council for naming a Park after R. L. & Cora Johnson

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3MIN 3MIN 3MIN

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MR. KARL MUENCH – 4111 Norfolk – 77027 – 713-4598779 – Misuse of speaker re-ordering list at Council Meeting

MS. MARGARET GONDO – Post Office Box 7114 – 77248 – 713-743-1924 – Fusco Contract

MR. CHRIS DODSON – 725 Riedel – 77024 – 713-973-6802 – Fusco Contract

MR. GREGORY GIAMBOI – 8109 Joslin - 77017 – 713-202-4603 – Towing

MR. DONALD BURNS – 2016 Main, No. 2301 – 77002 – 713-882-0307 – Shamrock Civic Club/Joseph Boxie and State Representative for district

MR. /COACH R. J. BOBBY TAYLOR - 3107 Sumpter - 77026 - 202-FA3-4511 - Behavior Coward Conspiracy who in 1979 to use my children

MR. TOM BAZAN – Post Office Box 2786 – 77252 – 713-466-4477 FTA Civil Rights findings against Metro

MS. BEULAH MAXIE – 2854 Knotty Oaks Trail – 77045 – 832-483-3751 – MEDIC Ambulance

MS. LISA JOHNSON – Post Office Box 91037 – 77291 – 281-447-5926 – Shakreka R. Scott

MS. LAURA HUNTER – Post Office Box 731 – Danbury – TX – 77534 – 848-6666 – Problems with HFD

MS. JULIE CHILDRES – 12514 Wealdstone Dr. – Tomball – TX – 77377 – 713-705-3349 - HFD

MR. CURTIS MAXEY – 307 Welch St. – 77006 – 713-545-2909 – HPD mounted patrol

**PREVIOUS**

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1MIN 1MIN 1MIN

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MR. WILLIAM BEAL - 4718 Boicewood - 77016 - 713-633-0126 – Planet of the Apes starring: Charleston Hester

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 – False Arrest – HPD – Dragged – Unknown location – P/Trespassing Change report W-R-O-Known

MS. MARY TAYLOR - 1403 Fashion Hill Dr. - 77088 - 281-445-0682 – Transportation Enhancement Beautification Hike and Bike Trail East

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**Subject:** Ordinance re-adopting Article XII Chapter 32, Code of Ordinances, City of Houston, relating to Parks and Recreation Department youth recreation programs Standards of Care

Category #

Page 1 of 1

Agenda Item

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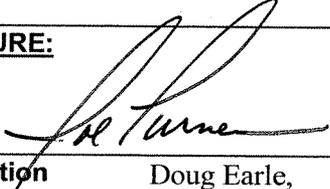
**FROM (Department or other point of origin):**  
Houston Parks and Recreation Department

**Origination Date:**  
July 10, 2009

**Agenda Date**  
AUG 05 2009

**DIRECTOR'S SIGNATURE:**

Joe Turner, Director



**Council District(s) affected:**

**ALL**

**For additional information contact:**

Doug Earle, 713-865-4519  
Dan Pederson, 713-865-4507

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

Ordinance # 2008-0743, August 26, 2008

**RECOMMENDATION: (Summary):**

Houston Parks and Recreation Department (HPARD) recommends that City Council conduct a Public Hearing and adopt an ordinance re-adopting Article XII Chapter 32, Code of Ordinances, regarding Standards of Care for the Houston Parks and Recreation Department youth recreation programs.

**Amount of Funding:**

**N/A**

**Finance Budget:**

Houston Parks & Recreation Department (HPARD) requests that City Council conduct a Public Hearing on August 5, 2009 at 9:00 A.M. and subsequently adopt an ordinance re-adopting Article XII Chapter 32, Code of Ordinances, City of Houston, in order to comply with 42.041 (b) (14) of the Texas Human Resources Code. The standards of care are intended to be minimum standards that HPARD will comply with in our after-school enrichment program. The program offers a wide range of recreational activities including arts and crafts, sports, games, field trips, and cultural and special events.

The Texas Department of Protective and Regulatory Services (TDPRS) has informed HPARD that the after-school enrichment program, as currently structured, is subject to regulation. However, TDPRS regulations provide an exemption for programs operated by municipalities. The Texas Human Resources Code 42.041 (b) (14) provides an exemption for a recreation program for elementary age (ages 5-13) with the following criteria:

- A municipality operates the program.
- The governing body of the municipality annually adopts standards of care by ordinance after a public hearing for such programs.
- The program provides these standards of care to the parents of each program participant.
- The ordinance includes child/caregiver ratios, minimum employee qualifications, minimum building, health and safety standards, and mechanisms for monitoring and enforcing the adopted local standards
- The program informs the parents that the state does not license the program
- The program does not advertise itself as a child-care operation.

TDPRS has reviewed Article XII Chapter 32, Code of Ordinances, City of Houston, and determined that it meets the requirements of 42.041 (b) (14) of the Texas human Resources Code. For continued compliance with state standards the Director of HPARD recommends that City Council re-adopt Article XII Chapter 32, Code of Ordinances City of Houston, regarding standards of care for youth recreation programs.

Other Authorization:

Other Authorization:

Other Authorization:

1A  
AUG 05 2009

City of Houston, Texas, Ordinance No. 2009-\_\_\_\_\_

**AN ORDINANCE READOPTING ARTICLE XII OF CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, REGARDING STANDARDS OF CARE FOR HOUSTON YOUTH RECREATION PROGRAMS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATED TO THE SUBJECT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

**WHEREAS**, the City of Houston has a long history of providing youth recreation programs that contribute to the overall well-being of youth and families in the City; and

**WHEREAS**, City Council held a public hearing regarding youth recreation programs; and

**WHEREAS**, the City desires to readopt standards of care that fulfill the requirements of Section 42.041(b)(14) of the Texas Human Resources Code; **NOW, THEREFORE**,

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

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

**Section 2.** That the Standards of Care for Houston Youth Recreation Programs, which is codified as Article XII of Chapter 32 of the Code of Ordinances, Houston, Texas, and was originally adopted as Ordinance 2002-756, is hereby readopted.

**Section 3.** The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof

has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

**Section 4.** That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**Section 5.** That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect upon the date of its passage and adoption.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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

Prepared by Legal Dept.

RVG:asw 07/24/2009

Requested by Joe Turner, Director, Parks and Recreation Department

L.D. No. 0490900073001

  
Assistant City Attorney



BILL WHITE  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

2

AUG 05 2009

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 7.22.09  
date

COUNCIL MEMBER: \_\_\_\_\_

July 22, 2009

The Honorable City Council  
Houston, Texas

Dear Council Members:

Pursuant to Chapter 3814 of the Texas Special District Local Laws Code, and upon the recommendation of the Harris County Improvement District No. 4 (Energy Corridor Management District) Board of Directors, I am nominating the following individuals for reappointment to the Harris County Improvement District No. 4 (Energy Corridor Management District) Board of Directors, subject to Council confirmation:

- Mr. Robert L. Miller, reappointment to Position One, for a term to expire June 1, 2013;
- Mr. E. Alan Cochrane reappointment to Position Two, for a term to expire June 1, 2013;
- Mr. Steve Moskowitz, reappointment to Position Three, for a term to expire June 1, 2013;
- Mr. Peter D. Johnston, reappointment to Position Four, for a term to expire June 1, 2013; and
- Mr. David W. Hightower, reappointment to Position Five, for a term to expire June 1, 2013.

The résumés of the nominees are attached for your review.

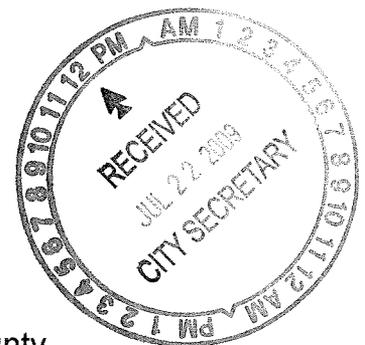
Sincerely,

Bill White  
Mayor

BW:CC:jsk

Attachments

- cc: Mr. Clark Martinson, General Manager of the District, Harris County Improvement District No. 4 (Energy Corridor Management District)
- Mr. Trey Lary, Attorney for the District, Harris County Improvement District No. 4 (Energy Corridor Management District)





BILL WHITE  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

3  
AUG 05 2009

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 7-20-09  
date

COUNCIL MEMBER: \_\_\_\_\_

July 17, 2009

The Honorable City Council  
Houston, Texas

Dear Council Members:

Pursuant to Chapter 26, Article I, of the City of Houston Code of Ordinances, I appoint the following individual to the Public Parking Commission, subject to City Council confirmation:

Mr. F. Xavier Peña, appointment to Position Twelve, for an unexpired term ending December 31, 2009.

The résumé is attached for your review.

Sincerely,

A handwritten signature in cursive script that reads "Bill White".

Bill White  
Mayor

BW:CC:jsk

Attachment

cc: Mr. Issa Dadoush, Director, General Service Department  
Ms. Liliana Rambo, Assistant Director, Parking Management



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

<b>SUBJECT:</b> Acceptance of the Semiannual Report of the Capital Improvements Advisory Committee relating to implementation of the water and wastewater impact fees program and transfer of revenues and interest generated by water and wastewater impact fees in the amount of \$5,238,508.36 to Combined Utilities System Operating Fund (Fund #8301) for revenue bond debt service.	<b>Page</b> 1 of <u>1</u>	<b>Agenda Item #</b>  <span style="font-size: 2em; font-family: cursive;">4</span>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> <span style="font-size: 1.2em; font-family: cursive;">7/30/09</span>	<b>Agenda Date</b> AUG 05 2009
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<b>DIRECTOR'S SIGNATURE</b> <span style="font-size: 1.5em; font-family: cursive;">Michael S. Marcotte</span> 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> Ann Marie Stone Sheridan, P.E. <span style="font-size: 1.2em; font-family: cursive;">AMS</span> 713-837-9142	<b>Date and identification of prior authorizing Council action:</b> CM 2009-0075 / 02-18-09
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**RECOMMENDATION: (Summary)**  
 Approval of a motion accepting the July 2009 semiannual report of the Capital Improvements Advisory Committee relating to the implementation of the water and wastewater impact fees program and transferring impact fee revenues and interest generated by the program to the Combined Utilities System Operating Fund (Fund #8301) for revenue bond debt service as recommended in the report.

**Amount and Source of Funding:** \$5,238,508.36 (revenue)

**SPECIFIC EXPLANATION:**

Pursuant to Chapter 395 of the Local Government Code and the rules of procedures adopted by City Council, the Capital Improvement Advisory Committee (CIAC) must file semiannual reports on the implementation of the impact fee program and its supporting components. The Planning Commission, acting as the CIAC, approved the July 2009 semiannual report at its meeting on July 23, 2009. The Committee hereby now conveys the report to Council for consideration. This report contains documentation of impact fee administration from November 1, 2008 through April 30, 2009. The Committee recommends that City Council accept the report and authorize the transfer of revenues and interest generated by water and wastewater impact fees, **\$5,238,508.36**, to revenue bond debt service.

Attachment:  
 CC: Arturo G. Michel, City Attorney  
 Marty Stein, Agenda Director  
 Michael S. Marcotte, Director, Public Works and Engineering  
 Andrew F. Icken, Deputy Director, Public Works and Engineering

<b>Finance Director</b>	<b>REQUIRED AUTHORIZATION</b> Other Authorization: <span style="font-size: 1.5em; font-family: cursive;">Andrew F. Icken</span> Andrew F. Icken, Deputy Director	<b>20UPA7</b> Other Authorization: <span style="font-size: 1.5em; font-family: cursive;">Susan Bandy</span> Susan Bandy, Deputy Director
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**July 2009**

**Semiannual Report of the  
Capital Improvements Advisory  
Committee  
On Impact Fees**

**Planning Commission  
Acting as the  
Capital Improvements Advisory Committee**

**Dr. Carol A. Lewis, Chair**

**City of Houston  
Planning and Development Department  
Planning Services Division**

**JULY 2009 SEMIANNUAL REPORT OF THE  
CAPITAL IMPROVEMENTS ADVISORY COMMITTEE  
ON IMPACT FEES**

**A. Purpose of this Review**

Cities imposing impact fees on new development must comply with Chapter 395 of the Texas Local Government Code. In accordance with Chapter 395, City Council adopted Ordinances 90-675 and 90-676 to establish procedures to administer the City's water and wastewater impact fees programs, respectively. Approval of Motion 90-0614 by the City Council appointed the Planning Commission as the Capital Improvements Advisory Committee. Under State law, the Committee is charged with the following responsibilities:

- Assisting and advising the City in adopting land-use assumptions;
- Reviewing the IFCIP and filing written comments;
- Monitoring and evaluating the implementation of the IFCIP;
- Filing semiannual reports on the progress of the plan;
- Reporting actual or perceived inequities in plan implementation or the application of impact fees; and
- Recommending updates or revisions to the plan or any impact fees

This documentation fulfills the State requirement of the semiannual report on the progress of the plan. Preparation and conveyance of this report complies with City Council Motion 90-0614 to file a report by January and July of each year. This report documents changes that occurred between the period of **November 1, 2008 and April 30, 2009**, of the 2000-2010 Impact Fees Program.

**I. FINDINGS AND RECOMMENDATIONS**

The Planning Commission, acting in its capacity as the Capital Improvements Advisory Committee, finds the following for the **2000-2010 Impact Fee Program**:

- A total of **357** single-family residence (SFR) building permit application exemptions (from paying impact fees) were granted to single-family residences below the median housing price for the City of Houston between **November 1, 2008 and April 30, 2009**. The unit cost range for considering residences below the median housing price was from **\$148,166 to \$152,808**. The range is published by **the Real Estate Center at Texas A & M University**. A total of **19,179** exemptions have been applied for since the ordinance was adopted in 1997.
- A total of **\$5,238,508.36** generated from revenues and interest for water and wastewater impact fees accrued in the impact fees accounts between **November 1, 2008 and April 30, 2009**, the first half of the ninth year of the 2000-2010 Impact Fees Program. The program has an all-time total income of **\$216,733,536.66**.

**Based on these findings, the CIAC recommends the following actions:**

- The total amount of the revenues and interest generated from water and wastewater impact fees during the reporting period in the sum of **\$5,238,508.36** should be authorized for appropriation to debt retirement.

**B. Background**

The City of Houston established an impact fees program in June 1990 and adopted an update in June 2000 in compliance with State legislative requirements. The Planning Commission, acting in the capacity of the Capital Improvements Advisory Committee, oversees the program. The program institutes a method to collect fees for new development applications for water and/or sanitary sewer service. The fees offset a portion of costs associated with capital improvements for providing water and wastewater facilities to meet the new demand.

According to State legislation, estimates of new demand and needed facilities must be based on approved land-use assumptions. Maximum chargeable impact fees, the maximum fees the City can charge, are calculated from the estimated cost of the facilities and the capacity of the system. City Council determines the impact fees collection rates, which cannot exceed the maximum chargeable fees. These are the actual rates paid by the developer upon request for service. The City applies collected fees to the cost of the capacity needed by new development for designated water and wastewater capital improvements. These capital improvements are identified in the IFCIP. (Note that the IFCIP is not the City's five year Capital Improvement Plan.)

**II. EVALUATION OF IMPACT FEE PROGRAM COMPONENTS**

**A. Land Use Assumptions**

Review of the Land Use Assumptions (LUA) consists of monitoring the following components: population and employment, and water and wastewater service units. Population and employment projections were distributed among census tracts, followed by calculation of water demand and wastewater generation for the projected growth within each census tract.

**1. Population and Employment**

Population and employment projections provide the foundation to develop forecasts of future land use. The 2000-2010 impact fees are based on population and employment projections published by the University of Houston, Center for Public Policy in *Population and Employment Projections: Houston Five County Regions* (1995). In January 2006, the City of Houston Planning Department confirmed that the total population and employment projections in the land-use assumptions are within acceptable tolerances when compared to actual growth between the 1990 and 2000 Census figures. Projected growth for this period ranged from 1.2% - 1.4% per year; actual growth was 1.2% per year. The Planning Department's current population projection for 2010 is 2,365,525, which is approximately 3% higher than the 2000 program projection of 2,292,625.

## 2. Service Units

The second method of analysis involves a comparison of service units projected in IFCIP to service units generated by actual development. Service units provide a method for converting demand from different land uses to a common unit of measure. Adopted units of measure are based on the average daily demands for a single-family residence, 420 gallons for water and 315 gallons for wastewater. Service unit analysis compares prorated ten-year growth projections in service units with service units generated by actual development. The number of projected service units was calculated for each ten-year planning period.

### 2000-2010 Program

Growth projections anticipate citywide demands will increase to 307,143 service units for water and 295,238 service units for wastewater between 2000 and 2010. Using an interpolation of proportionate service unit consumption, **272,569** service units for water and **262,008** service units for wastewater were projected to be consumed through this period of the updated program (**November 1, 2008 and April 30, 2009**). Service unit data were compiled from actual permit applications and totaled for the entire service area. Actual service units generated during this 6-month period totaled **4,671** water service units and **3,210** wastewater service units, for a cumulative total of **149,932** water service units and **129,826** wastewater service units (See Table 1).

Table 1 shows the percentage of cumulative actual growth slower than projected through this reporting period. With current consumption of service units only **55%** for water and **50%** for wastewater, significant capacity remains in these systems for new development. While actual service units are below projected levels, adjustment of projected service units for the ten-year period will have no affect on the maximum impact fees.

The maximum impact fee for each service unit calculated in the IFCIP is based on the prorated cost of projects divided by the capacity of the system. For both water and wastewater, the maximum rate is not time sensitive since it was calculated as the average cost per gallon for the entire system. Without a change to project costs or capacities in that IFCIP, maximum fees per service unit will not change.

**TABLE 1**  
**November 1, 2008 and April 30, 2009**  
**Percent of Actual to Prorated Projected Service Units (s.u.)**

Semiannual Report	Duration (months)	Water			Wastewater		
		Prorated s.u.	Actual s.u.	%*	Prorated s.u.	Actual s.u.	%*
January 2001	4.5	11,517	6,965	60	11,071	5,926	54
July 2001	10.5	26,873	16,926	63	25,832	14,018	54
January 2002	16.5	42,229	25,098	59	40,593	20,871	51
July 2002	22.5	57,585	33,269	58	55,354	26,806	48
January 2003	28.5	72,941	41,368	57	70,115	33,738	48
July 2003	34.5	88,297	51,068	58	84,876	46,929	55
January 2004	40.5	103,653	59,756	58	99,637	53,326	54
July 2004	46.5	119,009	67,715	57	114,398	60,024	52
January 2005	52.5	134,365	76,567	57	129,159	67,596	52
July 2005	58.5	149,721	84,594	57	143,920	76,811	53
January 2006	64.5	165,077	93,897	57	158,681	83,839	53
July 2006	70.5	180,433	101,708	56	173,442	90,021	52
January 2007	76.5	195,789	111,448	57	188,203	97,723	52
July 2007	82.5	211,145	121,534	58	202,964	106,216	52
January 2008	88.5	226,501	132,351	58	217,725	116,007	53
July 2008	94.5	241,857	140,562	58	232,486	122,797	53
January 2009	100.5	257,213	145,261	56	247,247	126,616	51
July 2009	106.5	272,569	149,932	55	262,008	129,826	50

### 3. Impact Fees Capital Improvement Plan (IFCIP)

#### 2000-2010 Program

Changes to the original 1990-2000 IFCIP have been made as a result of updates in the years 2000 and 2002. The majority of the facilities were in place at adoption of the impact fees program update. Examination of data regarding service unit consumption from **November 1, 2008 and April 30, 2009**, indicates significant capacity remains in the water and wastewater systems to support future demand. A review of State of Texas procedures regarding Impact Fees has been done. At this time, no update of the plan is necessary.

#### 4. Maximum Chargeable Impact Fees

In its 2001 session, the Texas Legislature approved changes to the method of calculating the maximum impact fee a city is allowed to charge, by allowing certain taxes to be credited against the cost of the IFCIP facilities. As a result, the maximum chargeable impact fees decreased to \$2,121.89 for water and \$1,495.59 for wastewater beginning June 26, 2002. The maximum fees are derived by using the formula given in Chapter 395 of the Texas Local Government Code. The City of Houston Legal Department has evaluated the changes and determined that although the maximum allowable fees have dropped, the fees the City charges are sufficiently below that maximum that they need not be reduced.

#### 5. Findings:

The 2000 and 2002 impact fees programs are acceptable for continued administration through the next reporting period.

- Review of service unit data indicates excess capacity in both the water and wastewater systems sufficient to accommodate new development through the next scheduled update in 2010.
- Water and wastewater facilities identified in the IFCIP are adequate to meet anticipated demand through **October 31, 2009**, the end of the next reporting period.

### III. SUMMARY OF IMPACT FEE ACCOUNTS

#### A. Impact Fees Rates:

- Table 2 provides a summary of the maximum allowable fees collection rates adopted by City Council for the 2000-2010 planning period and proposed rates.
- The last increase in July 2008 was 1.8% based upon the annual adjustment in the Consumer Price Index (CPI) between the year 2007 and 2008.
- The current Water/Wastewater impact fee of \$1,483.59 per service unit for water and wastewater is 41.01% of the maximum fees allowed by current law.

**TABLE 2**  
Maximum and Adopted Impact Fees

<b>2000-2010 Program</b>	<b><u>Wastewater</u></b>	<b><u>Water</u></b>	<b><u>Total</u></b>
Maximum Impact Fee/Residential Equivalent	<b>\$1,495.59</b>	<b>\$2,121.89</b>	<b>\$3,617.48</b>
<b>Adopted Fee</b>	<b>\$1,157.33</b>	<b>\$326.26</b>	<b>\$1,483.59</b>

#### B. Current Status of Fees:

The City maintains separate accounts for recording revenues received from water and wastewater impact fees. The funds may be expended for design and construction services, and/or retiring debt service. As of **April 30, 2009**, the City has accrued **\$216,733,536.66** since implementing the impact fees ordinances in 1990. A total of **\$211,495,028.30** has been transferred to the revenue bond debt service fund. The amount of **\$5,238,508.36** is available for transfer to the debt service fund from impact fees accounts. Table 3 provides a summary of impact fee revenues and account balances.

**TABLE 3  
Status of Impact Fees Accounts**

	<u>Wastewater</u>	<u>Water</u>	<u>Totals</u>
<b><i>1990-2000 Program</i></b>			
<b><i>Total Income</i></b>	<b>\$44,115,871.05</b>	<b>\$19,557,816.07</b>	<b>\$63,673,687.12</b>
<b><i>Transfers to Debt Service:</i></b>	<b>\$44,115,871.05</b>	<b>\$19,557,816.07</b>	<b>\$63,673,687.12</b>
<b><i>2000-2010 Program:</i></b>			
Collections Income through 4/30/2009	\$109,986,508.48	\$38,941,683.75	\$148,928,192.23
Interest Income through 4/30/2009	\$3,044,145.43	\$1,087,511.88	\$4,131,657.31
<b>Total Income</b>	<b>\$113,030,653.91</b>	<b>\$40,029,195.63</b>	<b>\$153,059,849.54</b>
Transfers to Debt Service:			
Transferred	\$109,316,006.77	\$38,505,334.41	\$147,821,341.18
Not transferred	\$3,714,647.14	\$1,523,861.22	\$5,238,508.36
<b>All-Time Total Income (6/1/1990-4/30/2009)</b>	<b>\$157,146,524.96</b>	<b>\$59,587,011.70</b>	<b>\$216,733,536.66</b>
<b>TOTAL AVAILABLE FOR TRANSFER</b>	<b>\$3,714,647.14</b>	<b>\$1,523,861.22</b>	<b>\$5,238,508.36</b>

**C. Finding:**

- A total of **\$5,238,508.36** in the impact fee requires authorization for transfer to the revenue bond debt service fund.

**IV. REVIEW OF PROGRAM IMPLEMENTATION**

**A. Analysis of Inequities**

- Implementation: The Committee finds no inequitable implementation of the plan during this reporting period.

- Application of Fees: Impact fees for water and wastewater are based on a uniform usage standard calculated in single-family residential, equivalents, i.e. 420 gallons per day (gpd) for water and 315 gpd for wastewater. City Council adopted a standard conversion table which applies to the majority of land uses.

## **B. Reporting Period Activity**

Provided by Ordinance 97-442, applicants qualify for a single-family residence (SFR) impact fee exemption as approved by the Department of Public Works and Engineering if the purchase price of the house does not exceed the latest available average of median prices for the past twelve months for single-family housing in the city as published by the Real Estate Center at Texas A&M University. The Maximum Exempt Unit Cost for the reporting period ranged from **\$148,166 to \$152,808**.

## **C. Findings:**

- The Impact Fees Program continues to be implemented in an equitable manner.
- For this reporting period, **357** exemptions from impact fees have been applied for, and **19,179** impact fee exemptions for SFR building permits have been applied for since Ordinance 97-442 was enacted in April 1997.

MOTION by Council Member Khan that the recommendation of the Director of the Department of Public Works and Engineering, for acceptance of the January 2009 Semiannual Report and Recommendations of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the water and wastewater impact fees program, be adopted, and the January 2009 semiannual report and recommendations of the Planning Commission, acting as the Capital Improvements Advisory Committee, is hereby accepted by the City Council and authority is hereby given for the transfer of revenues and interest generated by water and wastewater impact fees in the amount \$5,952,846.07, to the Combined Utility System Operating Fund (Fund #8301) for revenue bond debt service as recommended in the report.

Seconded by Council Member Lovell and carried.

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

Nays none

Council Members Adams, Rodriguez and Green absent

Council Member Johnson out of the City on City business

PASSED AND ADOPTED this 18th day of February, 2009.

Pursuant to Article VI, Section 6 of the City Charter, the  
effective date of the foregoing motion is February 24, 2009.



City Secretary

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

<b>SUBJECT:</b> Accept Work for Woodland Heights Storm Sewer Project, WBS No. M-000257-0001-4.		<b>Page</b> 1 of 2	<b>Agenda Item #</b> 5
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 7/30/09	<b>Agenda Date</b> AUG 05 2009
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE., Director		<b>Council Districts affected:</b> H <span style="float: right;">JM</span>	
<b>For additional information contact:</b> J. Timothy Lincoln, P.E. Senior Assistant Director  <b>Phone:</b> (713) 837-7074		<b>Date and Identification of prior authorizing Council Action:</b> Ord. #2007-279 dated 02/28/2007	

**RECOMMENDATION:** (Summary) Pass a motion to approve the final Contract Amount of \$8,416,606.56 or 4.90% under the original Contract Amount, accept the Work, and authorize final payment.

**Amount and Source of Funding:** No additional funding required. Total (original) appropriation of \$10,180,000.00 with \$9,200,606.00 from the Drainage Improvements Commercial Paper Series F, Fund No. 4030, and \$979,394.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the Storm Drainage Capital Improvements Plan (CIP) and was required to provide drainage improvements to alleviate flooding due to insufficient pipe capacity in this subdivision.

**DESCRIPTION/SCOPE:** This project consisted of approximately 2,778 linear feet of 11-ft x 6-ft, 10-ft x 6-ft, and 9-ft x 5-ft reinforced concrete box sewer, approximately 5,958 linear feet of 60-inch, 54-inch, 48-inch, 36-inch, 24-inch, and 18-inch storm sewer pipes, roadway reconstruction with curb and gutter, sidewalks and 12-inch and 8-inch waterline replacements. Pate Engineers, Inc. designed the project with 420 calendar days allowed for construction. The project was awarded to SER Construction Partners, Ltd. with an original Contract Amount of \$8,849,921.94.

**LOCATION:** The project area is generally bounded by Highland Avenue on the north, White oak Bayou on the south, Gladys Street on the west, and Houston Avenue on the east. The project is located in Key Map Grids 453-X, 493-B and C.

**CONTRACT COMPLETION AND COST:** The SER Construction Partners, Ltd., has completed the work under the subject Contract. The project was completed within the Contract Time with an additional 89 days approved by Change Order No. 1 and 2. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Orders No. 1 thru 3, is \$8,416,606.56. This is a decrease of \$433,315.38 or 4.90% under the original Contract Amount.

The decreased cost is a result of difference between planned and measured quantities. This decreased is primarily a result of underrun in Bid Items No. 3 – Preparatory work for Sampling and Analysis in PPCA, Bid Item No. 4 – Transportation and Disposal of Class 1 Soil, Bid Item No. 5 – Transportation and Disposal of Contaminated Ground Water, Bid Item No. 13 – Restore existing sprinkler system piping – all sizes, Bid Item No. 30 – Relocate Existing Fence to R.O.W. (All Material), Bid Item No. 61 Checker Plate (Complete in Place, including All Material & Hardware), Bid Item No. 86 – Type ‘C’ Storm Manhole in PPCA for 48-inch to 72-inch Diameter Sewers, Bid Item No. 90 – 36-inch Diameter Storm Sewer by Open Cut, Bid Item No. 95 – 54-inch Diameter Storm Sewer by Open Cut in PPCA, Bid Item NO. 129 – 12-inch Diameter Water Line with Restrained Joint by Open-Cut in PPCA, Bid Item No. 132 – 12-inch Diameter Water Line by Augering in PPCA, Bid Item No. 133 – 12-inch Water Main w/ Restrained Joint, augered in PPCA and Bid Item No. 155 – Remove Existing 12-inch Diameter Water Line, which were not necessary to complete the work.

**REQUIRED AUTHORIZATION** CUIC ID # 20HA57 MA

<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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Date:	SUBJECT: Accept Work for Woodland Heights Storm Sewer Project, WBS No. M-000257-0001-4.	Originator's Initials	Page 2 of 2
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**M/WBE PARTICIPATION:** The M/WBE goal for this project was 20%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 20.06%. Contractor's M/WBE performance evaluation was rated satisfactory.

*MSM*  
MSM:DRM:JTL:JLS:JM:ha

S:\constr\Admin\_AD\Admin\CONST\Projects\M-000257-0001-4 Woodland Hts\Closeout Documents\RCA\RCA - Closeout.doc

cc: Velma Laws Craig Foster Waynette Chan Marty Stein File M-0257-01/21.0.



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

**SUBJECT:** Accept Work for Myrtle Lift Station. WBS. No. R-000267-0060-4.

Page  
1 of 1

Agenda Item #

6

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

Department of Public Works and Engineering

**Origination  
Date**

7/30/09

**Agenda Date**

AUG 05 2009

**DIRECTOR'S SIGNATURE:**

*Michael S. Marcotte*

Michael S. Marcotte, P.E., D.WRE, BCEE. Director

**Council Districts affected:**

H

*HW*

**For additional information contact:**

J. Timothy Lincoln, P.E.  
Senior Assistant Director

*J. Timothy Lincoln*  
**Phone:** (713) 837-7074

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

Ord. #2006-513      dated 05/24/2006

**RECOMMENDATION: (Summary)** Pass a motion to approve the final Contract Amount of \$607,689.50 which is 4.08% under the original Contract Amount, accept the Work, and authorize final payment.

**Amount and Source of Funding:** No additional funding required.

(Original appropriation of \$740,000.00 from Water and Sewer System Consolidated Construction Fund No. 755.)

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the City's ongoing program to upgrade its lift stations facilities.

**DESCRIPTION/SCOPE:** This project consisted of construction of new lift station, installation of Level II SCADA system and demolition of existing lift station. PGAL designed the project with 365 calendar days allowed for construction. The project was awarded to R & B Group, Inc. with an original Contract Amount of \$633,568.00.

**LOCATION:** The lift station is located at 255 Myrtle Street. The project is located in Key Map Grid 493-G.

**CONTRACT COMPLETION AND COST:** The Contractor, R & B Group, Inc. has completed the Work under the subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities is \$607,689.50, a decrease of \$25,878.50 or 4.08% under the original Contract Amount.

The cost underrun is primarily due to the Work not requiring the use of Extra Unit Price Items.

**M/WBE PARTICIPATION:** There was no M/WBE goal set for this project.

*R* *CS* *JW*  
MSM:DRM:JTL: CWS:JW:mq  
Z:\E&C Construction\Facilities\Projects\R-0267-60-3 Myrtle LS GFS\Closeout\RCA\RCA\_CL-2.DOC

c:                      Velma Laws                      Michael Ho, P.E.                      File No. R-000267-0060-4 - Closeout

**REQUIRED AUTHORIZATION**

**NOT CUIC ID# 20MZQ064**

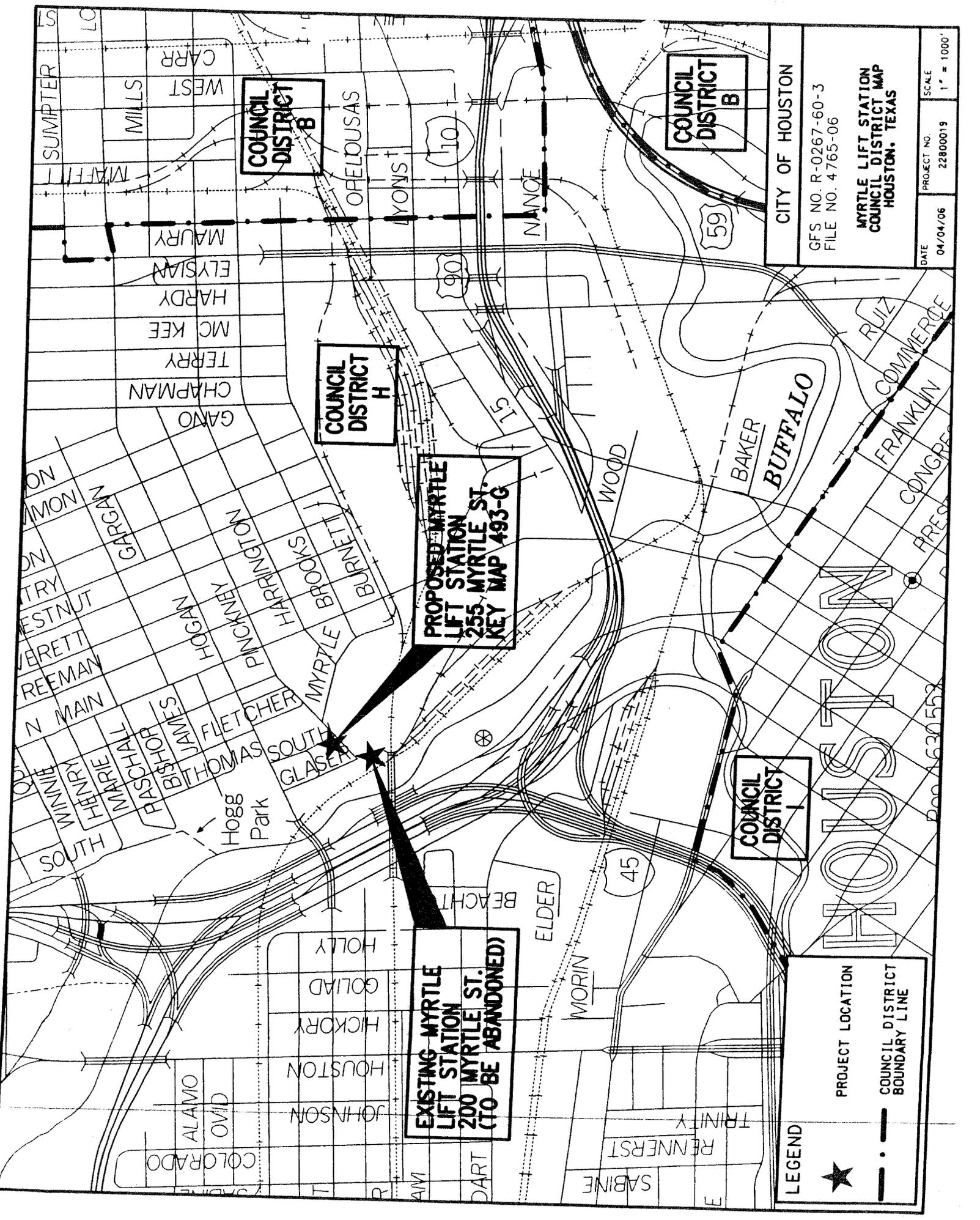
**Finance Department:**

**Other Authorization:**

*Jun Chang*  
Jun Chang, P.E., Deputy Director  
Public Utilities Division

**Other Authorization:**

*Daniel R. Menendez*  
Daniel R. Menendez, P.E., Deputy Director  
Engineering and Construction Division



**PROPOSED MYRTLE  
LIFT STATION  
255 MYRTLE ST.  
KEY MAP 493-G**

**EXISTING MYRTLE  
LIFT STATION  
200 MYRTLE ST.  
(TO BE ABANDONED)**

**LEGEND**

- ★ PROJECT LOCATION
- · — COUNCIL DISTRICT BOUNDARY LINE

**CITY OF HOUSTON**

GFS NO. R-0267-60-3  
FILE NO. 4765-06

**MYRTLE LIFT STATION  
COUNCIL DISTRICT MAP  
HOUSTON, TEXAS**

DATE 04/04/06 PROJECT NO. 22800019 SCALE 1" = 1000'

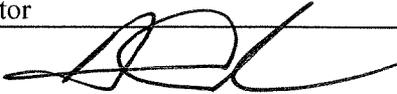
**HOUSTON**

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

**SUBJECT:** Accept Work for Bay Area Blvd. & N. Velasco Pump Station Renewal/Replacement. WBS No. R-000267-0076-4. Page 1 of 1      Agenda Item # **7**

**FROM (Department or other point of origin):** Department of Public Works and Engineering **Origination Date** 7/30/09      **Agenda Date** AUG 05 2009

**DIRECTOR'S SIGNATURE:**   
 Michael S. Marcotte, P.E., D.WRE, BCEE, Director **Council Districts affected:** E & H

**For additional information contact:**   
 J. Timothy Lincoln, P.E.      **Phone:** (713) 837-7074 **Date and Identification of prior authorizing Council Action:** Ord. #2006-1060 dated 10/18/2006  
 Senior Assistant Director

**RECOMMENDATION: (Summary)** Pass a motion to approve the final Contract Amount of \$2,727,129.75, which is 7.18% under the original Contract Amount, accept the Work and authorize the final payment.

**Amount and Source of Funding:** No additional appropriation required. (Original appropriation of \$3,365,600.00 from Water and Sewer System Consolidated Construction Fund No. 8500.)

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's ongoing program to upgrade its lift stations facilities.

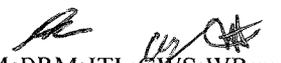
**DESCRIPTION/SCOPE:** The project consisted of construction of two new lift stations, installation of SCADA Systems, and demolition of two existing lift stations. Malcolm Pirnie, Inc. designed the project with 365 calendar days allowed for construction. The project was awarded to Industrial TX Corp. with an original Contract Amount of \$2,938,039.00.

**LOCATION:** The lift stations are located at 1810 West Bay Area Blvd. and 3112 1/2 Lenahan Street, Key Map Grids 617-Z and 494-J, respectively.

**CONTRACT COMPLETION AND COST:** The Contractor, Industrial TX Corp. has completed the Work under subject Contract. The project was completed within the Contract Time with additional 121 days allowed by Change Order Nos. 1 and 3. The final cost of the project, including overrun and underrun of estimated bid quantities, and previously approved Change Order Nos. 1, 2, and 3 is \$2,727,129.75, a decrease of \$210,909.25 or 7.18% under the original Contract Amount.

The cost underrun is primarily due to the Work not requiring use of Clean Air Incentive Item and most Extra Unit Price Items.

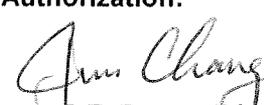
**M/WBE PARTICIPATION:** The M/WBE goal set for this project was 17%. According to Affirmative Action and Contract Compliance Division, the actual participation was 18.52%. The Contractor was awarded an "Outstanding" rating for M/WBE compliance.

  
 MSM:DRM:JTL:CWS:WR:mq  
 Z:\E&C Construction\Facilities\Projects\R-000267-0076-4 W. Bay Area & N. Velasco\Closeout\RCA\RCA.DOC

c: File No. R-000267-0076-4 – Closeout

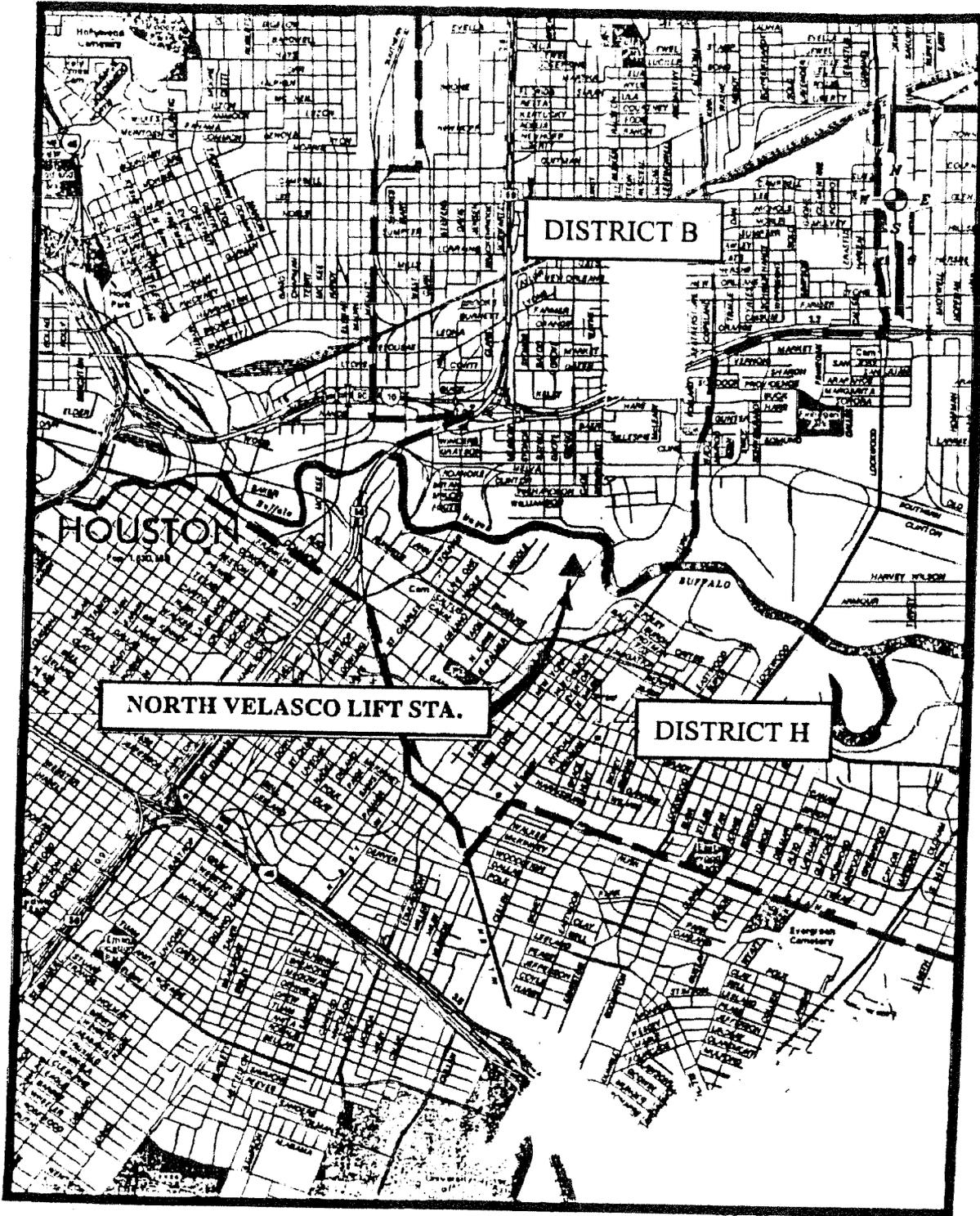
20

**REQUIRED AUTHORIZATION** **CUIC ID# 20MZQ0118**

<b>Finance Department:</b>	<b>Other Authorization:</b>   Jun Chang, P.E. Deputy Director Public Utilities Division	<b>Other Authorization:</b>   Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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NDT

20



NORTH VELASCO LIFT STA.

DISTRICT B

DISTRICT H

HOUSTON

LEGEND

— COUNCIL DISTRICT BOUNDARY

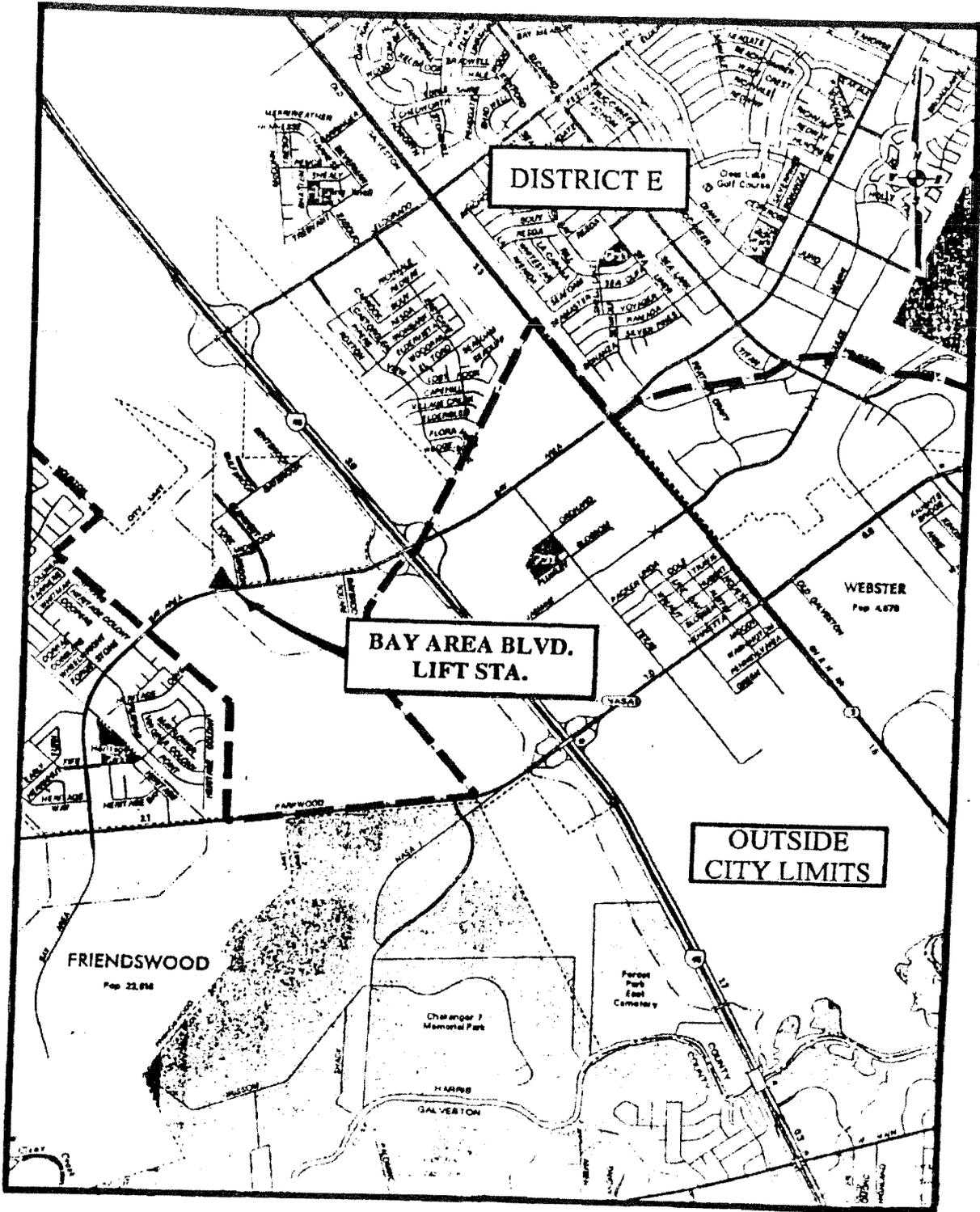
CITY OF HOUSTON

GFS No. R-0267-76-3 FILE No. 4895-01

BAY AREA BLVD. & N. VELASCO  
PUMP STATION RENEWAL/ REPLACEMENT

KEY MAP: 494 J

**MALCOLM  
PIRNIE**



**LEGEND**

— — — COUNCIL DISTRICT BOUNDARY

**CITY OF HOUSTON**

GFS No. R-0267-76-3 FILE No. 4895-01

**BAY AREA BLVD. & N. VELASCO  
PUMP STATION RENEWAL/ REPLACEMENT**

KEY MAP: 617 Z

**MALCOLM  
PIRNIE**

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

**SUBJECT:** Accept Work for Water Line Replacement in Ellena Gardens-North Section Area. WBS. No. S-000035-00N4-4. Page 1 of 1 Agenda Item # **8**

**FROM (Department or other point of origin):** Department of Public Works and Engineering **Origination Date:** 7/30/09 **Agenda Date:** AUG 05 2009

**DIRECTOR'S SIGNATURE:** *Michael S. Marcotte*  
 Michael S. Marcotte, P.E., D.WRE, BCEE, Director **Council Districts affected:**  
H

**For additional information contact:** *J. Timothy Lincoln*  
 J. Timothy Lincoln, P.E.  
 Senior Assistant Director **Phone:** (713) 837-7074 **Date and Identification of prior authorizing Council Action:**  
Ord. #2008-548 dated 06/18/2008

**RECOMMENDATION: (Summary)** Pass a motion to approve the final Contract Amount of \$1,391,432.70, which is 1.06% under the original Contract Amount, accept the Work and authorize the final payment.

**Amount and Source of Funding:** No additional appropriation required.  
 (Original appropriation of \$1,606,100.00 from Water and Sewer System Consolidated Construction Fund No. 8500.)

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

**DESCRIPTION/SCOPE:** The project consisted of 1,292 linear feet of 6-inch and 22,954 linear feet of 8-inch water lines, valves, and appurtenances. Amani Engineering, Inc. designed the project with 231 calendar days allowed for construction. The project was awarded to Collins Construction, LLC. with an original Contract Amount of \$1,406,384.60.

**LOCATION:** The project area is generally bound by E. Parker on the north, Witcher on the south, Airline Drive on the east and Werner on the west. This project is located in the Key Map Grids 413-W & X and 453-A & B.

**CONTRACT COMPLETION AND COST:** The Contractor, Collins Construction, LLC. has completed the Work under the subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities is \$1,391,432.70, a decrease of \$14,951.90 or 1.06% under the original Contract Amount.

The cost underrun is primarily due to the Work not requiring use of Extra Unit Price Items.

**M/WBE PARTICIPATION:** The M/WBE goal for this project was 22%. According to Affirmative Action and Contract Compliance Division, the actual participation was 27.54%. The Contractor was awarded an "Outstanding" rating for M/WBE compliance.

*QSN.G.*  
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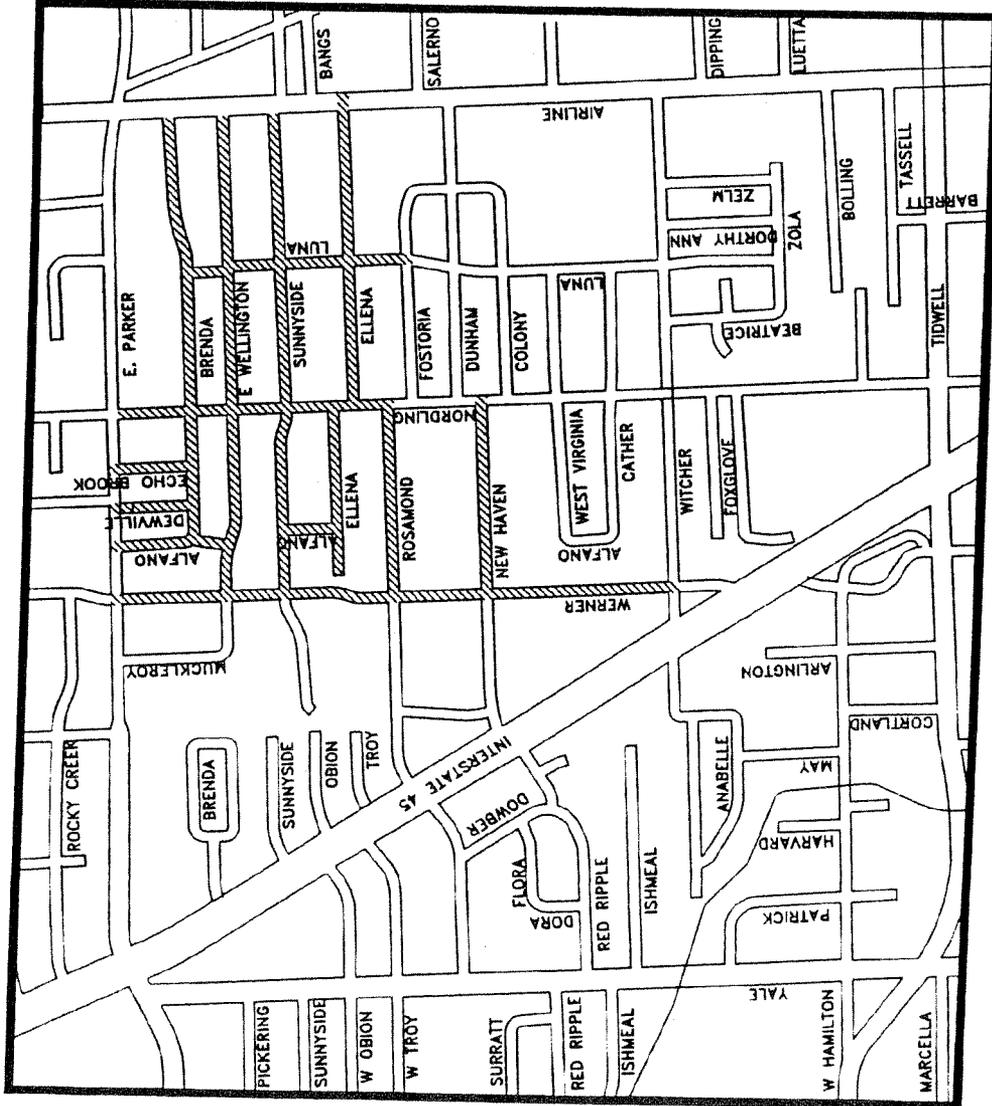
File No. S-000035-00N4-4 - Closeout

REQUIRED AUTHORIZATION		CUIC ID# 20MZQ113
<b>F&amp;A Director:</b>	<b>Other Authorization:</b> <i>Jun Chang</i> FOR 7/9/09 Jun Chang, P.E., Deputy Director Public Utilities Division	<b>Other Authorization:</b> <i>Daniel R. Menendez</i> Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

*MA*

*9*

WATER LINE REPLACEMENT IN ELLENA GARDENS-NORTH SECTION  
 WBS NO. S-000035-00N4-4  
 DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
 ENGINEERING AND CONSTRUCTION DIVISION



STREET NAME	FROM	TO	SIZE (inches)		LENGTH (feet)
			OLD	NEW	
WERNER	E. PARKER	WITCHER	8	8	3509
LUNA	BRENDA	FOSTORIA	8	8	1120
ALFANO	E. PARKER	WELLINGTON	2	6	765
DEWILLE	E. PARKER	BRENDA	2	6	875
ECHO BROOK	E. PARKER	BRENDA	2	6	525
NORDLING	E. PARKER	FOSTORIA	6	8	1755
BRENDA	ALFANO	AIRLINE	2.8	6	2503
WELLINGTON	WERNER	AIRLINE	2.6	8	3290
SUNNYSIDE	WERNER	AIRLINE	2.6	8	3280
ALFANO	SUNNYSIDE	ELLENA	2	6	303
ELLENA	NORDLING	END	2	6	1184
ROSAMOND	NORDLING	AIRLINE	2	6	2157
NEW HAVEN	WERNER	NORDLING	6	8	1905
	WERNER	NORDLING	8	8	1220
TOTAL					24,352

VICINITY MAP

WATER LINE REPLACEMENT IN  
 ELLENA GARDENS - NORTH SECTION  
 WBS NO. S-000035-00N4-4

SCALE: N.T.S. DATE: 12/13/04

**AMANI ENGINEERING, INC.**  
 10000 WILSON BLVD., SUITE 100  
 WILSON, CA 94094

KEY MAP #413 W,X & 453 A,B  
 COUNCIL DISTRICT: H  
 COUNCIL MEMBER: ADRIAN GARCIA

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

**SUBJECT:** Accept Work for Water Line Replacement in Shepherd Park Plaza Area.  
WBS. No. S-000035-00N6-4.

Page 1 of 1

Agenda Item #

9

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

Department of Public Works and Engineering

**Origination Date**

7/30/09

**Agenda Date**

AUG 05 2009

**DIRECTOR'S SIGNATURE:**

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

**Council Districts affected:**

A

**For additional information contact:**

J. Timothy Lincoln, P.E.  
Senior Assistant Director

*J. Timothy Lincoln*

**Phone:** (713) 837-7074

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

Ord. #2008-596 dated 06/25/2008

**RECOMMENDATION: (Summary)** Pass a motion to approve the final Contract Amount of \$1,517,367.30, which is 2.48% under the original Contract Amount, accept the Work and authorize the final payment.

**Amount and Source of Funding:** No additional appropriation required.  
(Original appropriation of \$1,817,700.00 from Water and Sewer System Consolidated Construction Fund No. 8500.)

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

**DESCRIPTION/SCOPE:** The project consisted of 25,663 linear feet of 8-inch diameter water lines, valves, and appurtenances. Amani Engineering, Inc. designed the project with 240 calendar days allowed for construction. The project was awarded to Collins Construction, LLC. with an original Contract Amount of \$1,556,029.00.

**LOCATION:** The project area is generally bound by Chantilly on the north, Chamboard on the south, N. Shepherd on the east and Ella Boulevard on the west. This project is located in the Key Map Grids 452-K, L & M.

**CONTRACT COMPLETION AND COST:** The Contractor, Collins Construction, LLC. has completed the Work under the subject Contract. The project was completed within the Contract Time with additional 14 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 \$1,517,367.30, a decrease of \$38,661.70 or 2.48% under the original Contract Amount.

The cost underrun is primarily due to the Work not requiring use of most Extra Unit Price Items.

**M/WBE PARTICIPATION:** The M/WBE goal for this project was 22%. According to Affirmative Action and Contract Compliance Division, the actual participation was 24.66%. The Contractor was awarded an "Outstanding" rating for M/WBE compliance.

*MSM* *J.G.*  
MSM:DRM:JTL:JLS:NG:mq  
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c: File No. S-000035-00N6-4 - Closeout

**REQUIRED AUTHORIZATION**

NOT CUIC ID# 20MZQ117

**Finance Department:**

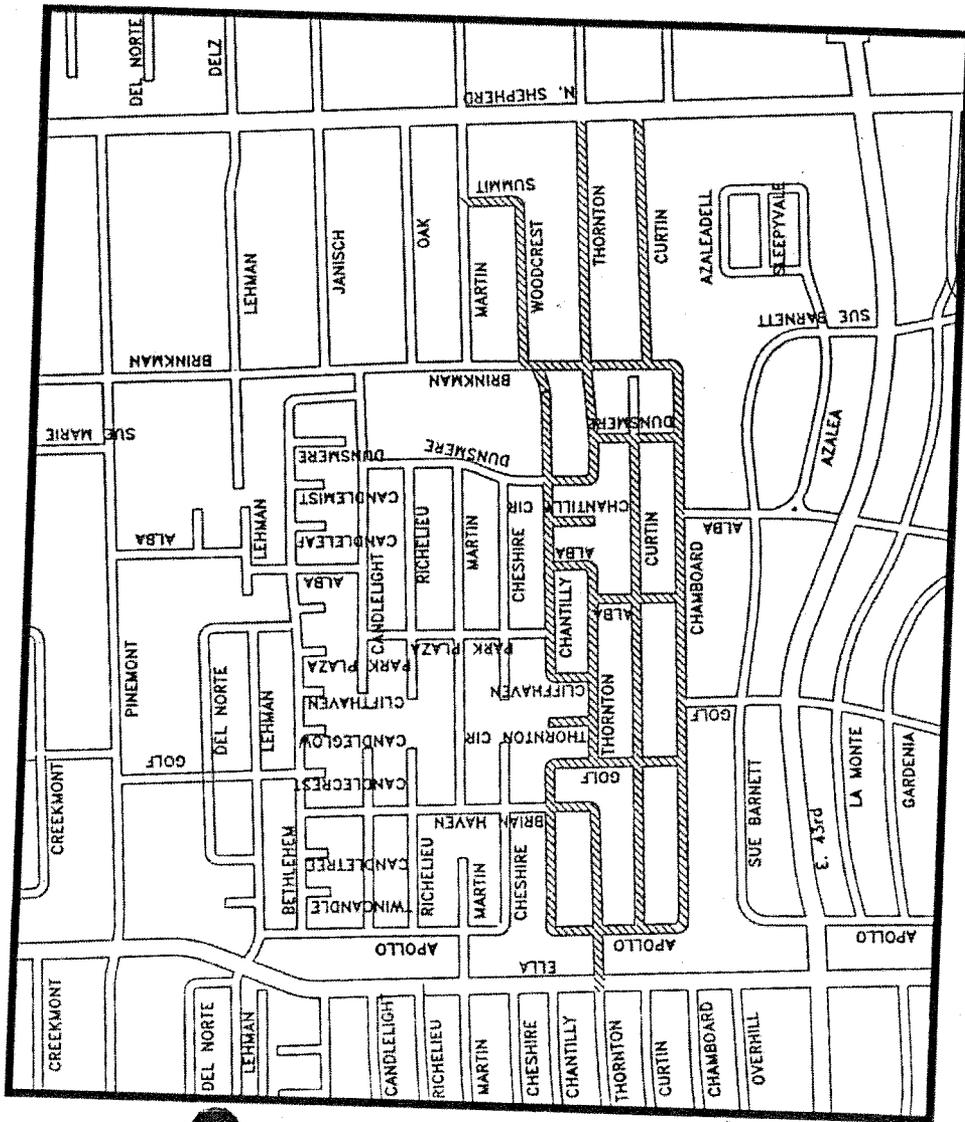
**Other Authorization:**

*Jun Chang*  
Jun Chang, P.E., Deputy Director  
Public Utilities Division

**Other Authorization:**

*Daniel R. Menendez*  
Daniel R. Menendez, P.E., Deputy Director  
Engineering and Construction Division

WATER LINE REPLACEMENT IN SHEPHERD PARK PLAZA  
 WBS NO. S-00035-00N6-4  
 DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
 ENGINEERING AND CONSTRUCTION DIVISION



STREET NAME	FROM	TO	SIZE (Inch)		LENGTH (feet)
			OLD	NEW	
CHANTILLY	APOLLO	GOLF	8	8	1086
CHANTILLY	CLIFF HAVEN	BRINKMAN	8	8	2356
THORNTON	ELLA	BRIAN HAVEN	6	8	1193
THORNTON	GOLF	ALBA	8	8	1360
THORNTON	DUNSMERE	N. SHEPHERD	8	8	2457
CURTIN	APOLLO	DUNSMERE	6	8	3397
CHAMBOARD	APOLLO	BRINKMAN	6	8	3978
APOLLO	CHANTILLY	CHAMBOARD	8	8	827
BRAIN HAVEN	THORNTON	CHANTILLY	8	8	413
GOLF	CHANTILLY	CHAMBOARD	8	8	880
THORNTON CIR	THORNTON	CHAMBOARD	2	8	660
CLIFFHAVEN	THORNTON	CHANTILLY	8	8	355
ALBA	THORNTON	CHAMBOARD	8	8	613
ALBA	THORNTON	CHANTILLY	8	8	340
CHANTILLY CIR	THORNTON	CUL-DE-SAC	2	8	670
DUNSMERE	THORNTON	CHAMBOARD	6	8	650
DUNSMERE	THORNTON	CHAMBOARD	8	8	335
BRINKMAN	CHAMBOARD	WOODCREST	8	8	1096
CURTIN	BRINKMAN	N. SHEPHERD	8	8	1718
WOODCREST	BRINKMAN	SUMMIT	6	8	1140
SUMMIT	WOODCREST	MARTIN	6	8	387
TOTAL					25911

VICINITY MAP

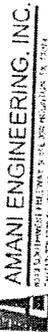
WATER LINE REPLACEMENT IN  
 SHEPHERD PARK PLAZA AREA

WBS NO. S-00035-00N6-4

SCALE: N.T.S.

DATE: 05/15/03

AMANI ENGINEERING, INC.



KEY MAP #452 K1 & M  
 COUNCIL DISTRICT: A  
 COUNCIL MEMBER: TONI LAWRENCE

<b>SUBJECT:</b> Abandonment and sale of: 1) South Lawn Avenue, from Stearns Street to Tierwester Street; 2) Alice Street, from Stearns Street east to its terminus; and 3) Cadillac Street, from Alice Street north ±212.87-feet, located in the South Lawn Addition or the Southland Addition, all out of the Louis Gladitch Survey, A-304. Parcel SY9-068A, SY9-068B, and SY9-068C	<b>Page</b> <u>1</u> of <u>2</u>	<b>Agenda Item #</b>  <div style="text-align: right; font-size: 2em; font-weight: bold;">10</div>
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<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b> 7/30/09	<b>Agenda Date</b> AUG 0 5 2009
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	<b>Council District affected: D</b>  Key Map 533Q <span style="float: right; font-size: 1.5em;">GA</span>
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<b>For additional information contact:</b>  Nancy P. Collins  Phone: (713) 837-0881 Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b>
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**RECOMMENDATION: (Summary)** It is recommended City Council approve a council motion authorizing the abandonment and sale of: 1) South Lawn Avenue, from Stearns Street to Tierwester Street; 2) Alice Street, from Stearns Street east to its terminus; and 3) Cadillac Street, from Alice Street north ±212.87-feet, located in the South Lawn Addition or the Southland Addition, all out of the Louis Gladitch Survey, A-304. Parcel SY9-068A, SY9-068B, and SY9-068C

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

**SPECIFIC EXPLANATION:**

Jake English, Rekha Engineering, Inc., 5301 Hollister, Suite 190 Houston, Texas, 77040, on behalf of Lily Grove Missionary Baptist Church (Reginald Mack, Deacon), requested the abandonment and sale of: 1) South Lawn Avenue, from Stearns Street to Tierwester Street; 2) Alice Street, from Stearns Street east to its terminus; and 3) Cadillac Street, from Alice Street north ±212.87-feet, located in the South Lawn Addition or the Southland Addition, all out of the Louis Gladitch Survey, A-304. Lily Grove Missionary Baptist Church, the abutting property owner, plans to expand its current church facilities. Signs notifying the public of the pending street abandonment application were posted for at least 30 days.

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

1. The City abandon and sell: 1) South Lawn Avenue, from Stearns Street to Tierwester Street; 2) Alice Street, from Stearns Street east to its terminus; and 3) Cadillac Street, from Alice Street north ±212.87-feet, located in the South Lawn Addition or the Southland Addition, all out of the Louis Gladitch Survey, A-304.
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 streets being abandoned and sold;

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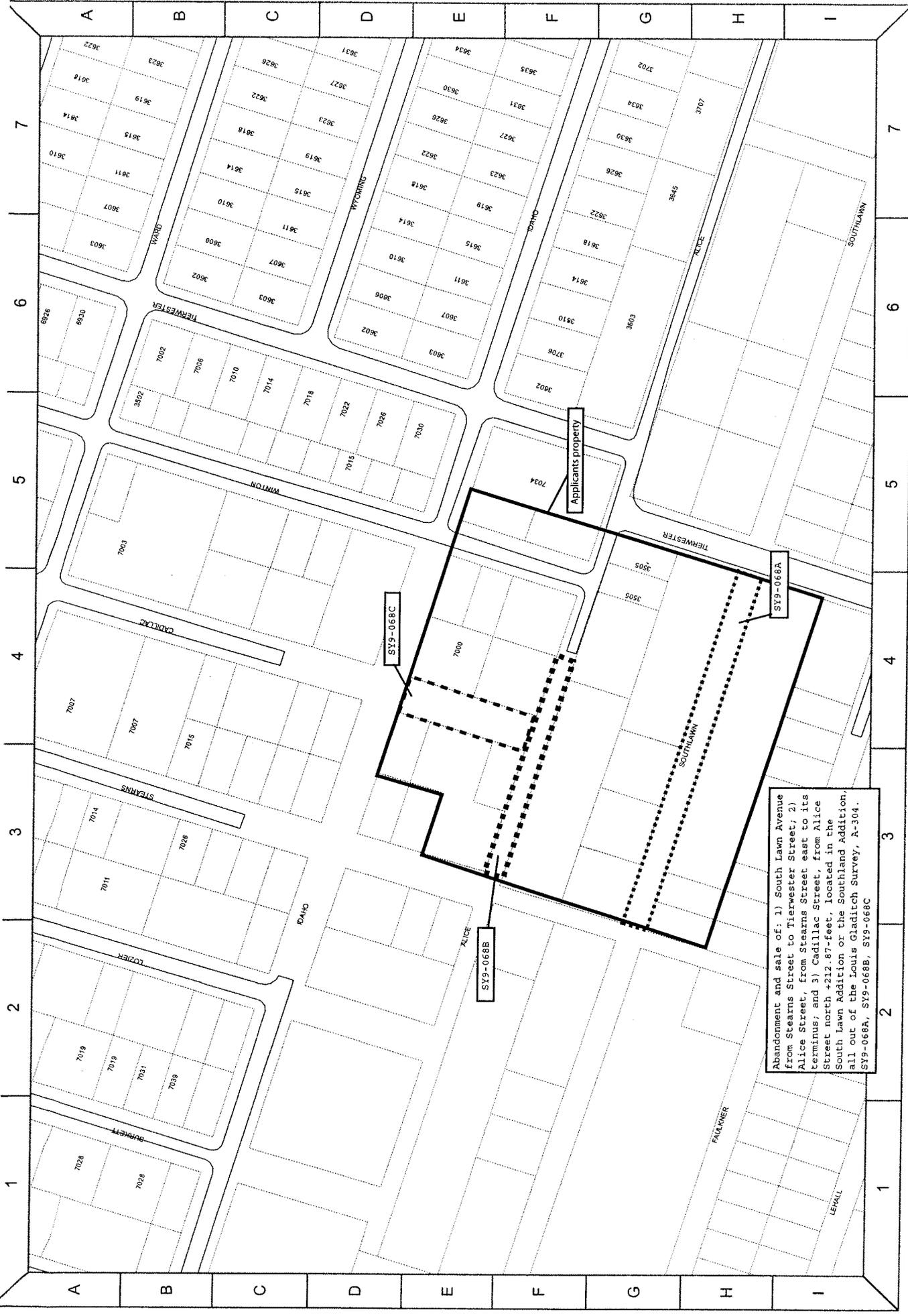
REQUIRED AUTHORIZATION		
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b> Andrew F. Icken, Deputy Director Planning and Development Services Division

<b>Date:</b>	<b>Subject:</b> Request for the Abandonment and sale of: 1) South Lawn Avenue, from Stearns Street to Tierwester Street; 2) Alice Street, from Stearns Street east to its terminus; and 3) Cadillac Street, from Alice Street north ±212.87-feet, located in the South Lawn Addition or the Southland Addition, all out of the Louis Gladitch Survey, A-304. <b>Parcel SY9-068A, SY9-068B, SY9-068C</b>	<b>Originator's Initials</b> <i>add</i>	<b>Page</b> <u>2</u> of <u>2</u>
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4. The applicant be required to: (a) relocate the 24-inch storm sewer and inlets in Southlawn Avenue into Tierwester Street; (b) cut, plug, and abandon the 8-inch sanitary sewer located in Cadillac Street, from the manhole of the 8-inch sanitary sewer at the intersection of Idaho Avenue and Cadillac Street to its terminus. Any existing service connections must be relocated to the existing 8-inch sewer in Idaho Avenue; (c) cut, plug, and abandon the 12-inch water main located in Alice Street, from the 12-inch water line at the intersection of Tierwester Street and Alice Street to the 8-inch water line at the intersection of Alice Street and Cadillac Street; (d) relocate any existing service to the 12-inch water main in Alice Street or Tierwester Street; (e) cut, plug, and abandon the 8-inch water main located in Cadillac Street, from the 8-inch waterline at the intersection of Idaho Avenue and Cadillac Street to the 12-inch water line at the intersection of Alice Street and Cadillac Street; (f) relocate any existing service connections to the 8-inch water main in Cadillac Street; and (g) construct an 8-inch water line from the 8-inch water line at the intersection of Idaho Avenue and Cadillac Street to the existing 8-inch water main in Stearns Street. All of the foregoing items must be completed at no cost to the City and under proper permits and a depreciated value paid for the sanitary sewer lines, water lines, manholes, and fire hydrants being abandoned;
5. The applicant be required to prepare drawings that show all public utilities (storm sewer, sanitary sewer, and water) that are to be abandoned, relocated, and/or constructed as part of this project and submit drawings to the Office of the City Engineer for plan review and approval. A copy of the council motion shall be attached to the plan set when it is submitted for plan review;
6. In the interest of expediting the abandonment and sale process, the applicant may choose to provide the City with a Letter of Credit (LOC), subject to the City's concurrence, covering the estimated construction for work required in Item 4 above in lieu of performing such work prior to finalization of the ordinance for this transaction. Should this option be selected, the applicant will be required to provide a LOC showing the City of Houston as beneficiary and in the amount of the estimated construction cost approved by the City. The LOC will be for a specific time period which may be less than but no longer than twelve months from the effective date of the ordinance for the transaction. Upon the applicant's satisfactory completion of the construction-related work as evidenced by written inspection clearance/approval by the Office of the City Engineer, PWE, at the applicants request the City will release the LOC;
7. The Legal Department be authorized to prepare the necessary transaction documents; and,
6. Inasmuch as the value of the City's property interest is not expected to exceed \$1,000,000.00, that the value be established by Philip Mushinski, an independent appraiser appointed by the Director of Public Works and Engineering.

NPC:WSB:gg

- c: Phil Boriskie  
 Marlene Gafrick  
 Daniel Menendez, P.E.  
 Arturo G. Michel  
 Marty Stein  
 Jeffrey Weatherford, P.E., PTOE



**CITY OF HOUSTON**  
**Department of Public Works & Engineering**  
 Geographic Information & Management System (GIMS)

DISCLAIMER: THIS MAP REPRESENTS THE BEST INFORMATION AVAILABLE TO THE CITY.  
 THE CITY DOES NOT WARRANT ITS ACCURACY OR COMPLETENESS.  
 FIELD VERIFICATIONS SHOULD BE DONE AS NECESSARY.



Abandonment and sale of: 1) South Lawn Avenue from Stearns Street to Tierwester Street; 2) Alice Street, from Stearns Street east to its terminus; and 3) Cadillac Street, from Alice Street north +212.87-feet, located in the South Lawn Addition or the Southland Addition, all out of the Louis Gladitch Survey, A-304. SY9-068A, SY9-068B, SY9-068C

1 inch equals 200 feet



0120340 Feet

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA# 8390

**Subject:** Approve the Sole Source Purchase of Automated People Mover System Parts for the Houston Airport System  
S44-S22627

Category #  
4

Page 1 of 1

Agenda Item  
  
11

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

**Origination Date**  
July 21, 2009

**Agenda Date**  
AUG 05 2009

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

**Council District(s) affected**  
B-Johnson

**For additional information contact:**  
Dallas Evans Phone: (281) 230-8001  
Desiree Heath Phone: (832) 393-8742

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

**RECOMMENDATION: (Summary)**

Approve the sole source purchase from Bombardier Transportation (Holdings) USA, Inc. in an amount not to exceed \$2,580,545.91 for automated people mover system parts for the Houston Airport System.

Estimated Spending Authority: \$2,580,545.91

FIN Budget

\$2,580,545.91 HAS-Revenue Fund (8001)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the sole source purchase from Bombardier Transportation (Holdings) USA, Inc. in an amount not to exceed \$2,580,545.91 for automated people mover system parts for the Houston Airport System. It is further requested that authorization be given to make purchases, as needed for an 18-month period. This award consists of console assemblies, motor box heat sinks, power terminal covers, and various specialty parts to be used for the repair and maintenance of the Automated People Mover (train) at George Bush Intercontinental Airport.

Bombardier Transportation (Holdings) USA, Inc. is the sole proprietor, designer, manufacturer, supplier and distributor of the specialty parts for the automated people mover system. No other manufacturer can provide these specialty parts nor does any other firm have rights to the programmable software and computer cards.

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

Buyer: John Tatman

Attachment: M/WBE Zero-Percentage goal document approved by the Affirmative Action Division.

**Estimated Spending Authority**

DEPARTMENT	FY 2010	OUT YEARS	TOTAL
Houston Airport System	\$1,577,000.00	\$1,003,545.91	\$2,580,545.91

**REQUIRED AUTHORIZATION**

FIN Director:

Other Authorization:

Other Authorization:

*2009*

*MDT*

*13*



# CITY OF HOUSTON

Administration & Regulatory Affairs Department  
Strategic Purchasing Division (SPD)

## Interoffice

Correspondence

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

From: John G. Tatman

Date: July 21, 2009

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  N/A

I am requesting a **revision** of the MWBE Goal: Yes  No  Original Goal: N/A New Goal: N/A

If requesting a revision, how many solicitations were received: 0

Solicitation Number: S44-S22627 Estimated Dollar Amount: \$2,580,545.91

Anticipated Advertisement Date: 10/10/2008 Solicitation Due Date: 10/24/2008

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

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

Name and Intent of this Solicitation:

Automated People Mover System Parts for the Houston Airport System

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

This solicitation is for automated people mover system parts for the the Houston Airport System. Bombardier Transportation designed and built the equipment for the automated people mover (train) at the George Bush International Airport. Bombardier designed the affiliated parts, and has proprietary rights to their designs. No other manufacturer can provide these specialty parts nor does any other firm have rights to the programmable software and computer cards. The parts will be direct shipped. There is no potential for M/WBE participation.

Concurrence:

SPD Initiator

Division Manager

Robert Gallegos, Deputy Assistant Director  
\*Affirmative Action

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

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

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8396**

**Subject:** Purchase of a Mobile Incident Command Vehicle Through the Houston-Galveston Area Council for the Houston Fire Department N23314-H

Category #  
4

Page 1 of 2

Agenda Item

12

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

**Origination Date**  
July 16, 2009

**Agenda Date**  
AUG 05 2009

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

**Council District(s) affected**  
All

**For additional information contact:**  
Karen Dupont Phone: (713) 859-4934  
Ray DuRousseau Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**  
Approve the purchase of a mobile incident command vehicle through the Houston-Galveston Area Council (HGAC) in the amount of \$1,479,000.00 for the Houston Fire Department.

Award amount - \$1,479,000.00

**Finance Budget**

\$1,479,000.00 - Federal State Local Pass Through Fund/FY09 Urban Area Security Initiative (Fund 5030)  
(Grant Funds)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the purchase of a mobile incident command vehicle through the Interlocal Agreement for Cooperative Purchasing with H-GAC in the amount of \$1,479,000.00 for the Houston Fire Department, and that authorization be given to issue a purchase order to the H-GAC contractor, Metro Fire Apparatus Specialist, Inc. This new mobile incident command vehicle will be used citywide by the Department to provide command, control and interoperable communications during large-scale incidents and multi-jurisdictional responses.

In a major emergency, close communication and coordination of all resources minimizes the effects of that event. A mobile incident command post provides a base of operations at the scene where emergency managers can function free of distractions. This new mobile incident command vehicle is designed to go to the scene of an emergency or disaster and provide coordinated command/communications capabilities, including assigning resources and establishing an incident command system (ICS) consistent with the National Incident Management System (NIMS). It will provide the capability to coordinate and implement fire suppression operations; chemical, biological, radiological, nuclear, and high yield explosive (CBRNE) and weapons of mass destruction (WMD) detection/mitigation; hazardous materials response; and decontamination and mitigation of other hazard incidents.

This mobile incident command vehicle consists of a full-tilt aluminum cab and a tandem rear axle chassis mounted with a formed aluminum walk-in body. A full complement of communication equipment, radios, interfaces, video downlinks, computers, printers and networking equipment is included with this vehicle. It will have the ability to receive video-downlink images, high speed wireless internet, remote camera feeds, on-scene video, and geographical information system (GIS) technology, which is essential for effective coordination and response to a pre-planned or a no-notice event.

This mobile incident command vehicle will come with a general limited warranty of five years or 60,000 miles and additional warranties of five years or 100,000 miles on the engine; five years/unlimited miles on the transmission; five years or 1000 hours on the generator; two years on the inverter, ten years or 100,000 miles on the cab and body structure; ten years or 100,000 miles on the cab and body paint; and a lifetime warranty

**REQUIRED AUTHORIZATION**

NDT

Finance Department:

Other Authorization:

Other Authorization:

MB

ff

40

Date:  
7/16/2009

Subject: Purchase of a Mobile Incident Command Vehicle Through  
the Houston-Galveston Area Council for the Houston Fire  
Department  
N23314-H

Originator's  
Initials  
LF

Page 2 of 2

on the frame and the undercoating. The electronic equipment is warranted by the original equipment manufacturer for various time periods and there is a three-year computer hardware support service agreement. The life expectancy of this mobile incident command vehicle is ten years. This new diesel-powered vehicle will meet the current EPA's emission standards for vehicles equipped with diesel engines.

This new mobile incident command vehicle will replace Shop No. 29927, a 10-year-old unit that has exceeded its useful life expectancy within the Houston Fire Department and will be transferred to another city department for utilization.

Buyer: Lena Farris  
PR No. 10082159

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8441**

**Subject:** Approve the Purchase of Meals Ready to Eat from General Services Administration (GSA) Schedule 07F-0053T Contract through the Cooperative Purchasing Program for the Houston Police Department S45-Q23363-S

Category #  
4

Page 1 of 1

Agenda Item

13

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

**Origination Date**  
July 30, 2009

**Agenda Date**  
AUG 05 2009

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

**Council District(s) affected**  
All

**For additional information contact:**  
Joseph Fenninger *JF 7/30/09* Phone: (713) 308-1708  
Ray DuRousseau Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve the purchase of Meals Ready to Eat (MREs) from the General Services Administration (GSA) Schedule 07F-0053T contract through the Cooperative Purchasing Program in the total amount of \$65,212.73 for the Houston Police Department.

Award Amount: \$65,212.73

**Finance Budget**

\$65,212.73 - General Fund (1000)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the purchase of MREs from the GSA Schedule 07F-0053T contract through the Cooperative Purchasing Program under the Local Preparedness Acquisition Act, signed June 26, 2008, in the total amount of \$65,212.73 for the Houston Police Department and that authorization be given to issue a purchase order to the GSA contractor, AmeriQual Group LLC. These MREs will be distributed to both classified and civilian employees of the Houston Police Department in the event of a natural or man-made disaster that requires mobilization or extended shifts.

This purchase consists of 1,320 cases (15,840 meals) of food which will be used to provide 7,200 Department employees a two-day supply of food. Each case contains 12 meals (two each of the six different varieties). Every meal includes an entrée with a self-heating unit, side dishes, beverage mix (bottled water not included), condiment, utensil and a towelette. The MREs will be stored in a climate controlled warehouse operated by Portable On-Demand Storage (PODS) company located at 18804 Kenswick, Humble, Texas and 3710 S. Sam Houston Parkway East, Houston, Texas. The PODS will maintain the storage of these meals at a temperature of 80 degrees or less to ensure a shelf life of three years.

Buyer: Sandy Yen  
PR# 10084638

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*[Signature]* 7/30/09

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8360**

**Subject:** Formal Bids Received for Personal Protective Gear for Various Departments  
S44-S23117

Category #  
4

Page 1 of 2

Agenda Item

14

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

**Origination Date**  
July 22, 2009

**Agenda Date**  
AUG 05 2009

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*  
**For additional information contact:**  
Jack Williams Phone: (713) 247-8793  
Desiree Heath Phone: (832) 393-8742

**Council District(s) affected**  
All

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

**RECOMMENDATION: (Summary)**

Approve an award to Morning Pride MFG dba Honeywell First Responder Products on its low bid meeting specifications and sole bid in an amount not to exceed \$2,801,947.00 for personal protective gear for various departments.

Estimated Spending Authority: \$2,801,947.00

**Finance Budget**

\$2,712,047.00 - General Fund (1000)  
\$ 89,900.00 - HAS-AIF Capital Outlay (8012)  

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\$2,801,947.00

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an award to Morning Pride MFG dba Honeywell First Responder Products on its low bid meeting specifications and sole bid in an amount not to exceed \$2,801,947.00 for personal protective gear for the Fire Department and the Houston Airport System. It is further requested that authorization be given to make purchases, as needed, for a 60-month term. This award consists of various price lists for personal protective gear for fire fighters stationed citywide including Hobby Airport and George Bush Intercontinental Airport. The price lists include; but are not limited to, bunker gloves with Kevlar® and elk skin, aluminized gloves, face shields, face shield bracket kits, and 16" pull-on ARFF proximity rubber boots.

This is a price list 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 to be purchased; rather, this award recommendation is for the total estimated expenditures projected over the 60-month period based on the low bid submitted for the representative samples.

This project was advertised in accordance with the State of Texas Bid laws. Twenty-one prospective bidders downloaded the solicitation document from SPD's e-bidding website and two bids were received as outlined below:

<u>COMPANY</u>	<u>SAMPLE PRICING (Groups I, II, &amp; IV)</u>
1. Lion Apparel	\$ 64.11 (Partial Bid/Did Not Meet Specifications)
2. Morning Pride MFG dba Honeywell First Responder Products	\$1,491.99

Group III is not being awarded and will be re-bid.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*df*

16

Date: 7/22/2009	Subject: Formal Bids Received for Personal Protective Gear for Various Departments S44-S23117	Originator's Initials JT	Page 2 of 2
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Buyer: John Tatman

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

**Estimated Spending Authority**

<b>DEPARTMENT</b>	<b>FY2010</b>	<b>OUT YEARS</b>	<b>TOTAL</b>
Fire	\$542,409.40	\$2,169,637.60	\$2,712,047.00
Houston Airport System	\$ 18,000.00	\$ 71,900.00	\$ 89,900.00
<b>Total</b>	<b>\$560,409.40</b>	<b>\$2,241,537.60</b>	<b>\$2,801,947.00</b>



# CITY OF HOUSTON

# Interoffice

Administration & Regulatory Affairs Department  
Strategic Purchasing Division (SPD)

Correspondence

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

From: John G. Tatman

Date: August 8, 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  N/A

I am requesting a **revision** of the MWBE Goal: Yes  No  Original Goal: N/A New Goal: N/A

If requesting a revision, how many solicitations were received: 0

Solicitation Number: S44-S22978 Estimated Dollar Amount: \$11,368,125.18

Anticipated Advertisement Date: 9/3/2008 Solicitation Due Date: 9/18/2008

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

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

Name and Intent of this Solicitation:  
Personal Protective Gear for the Fire Department

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

This solicitation is for personal protective gear for use by the fire department. History has shown this equipment will be direct shipped to the City by the manufacturer. There is no potential for M/WBE participation.

Concurrence:

*John G. Tatman*  
SPD Initiator

*Juwana Rhone*  
for 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

AUG 12 2008

U.S. MAIL  
MAIL ROOM

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8271**

**Subject:** Formal Bids Received for Automotive, Caterpillar Diesel Replacement Parts and Repair Services for Various Departments S36-S23219

Category #  
4

Page 1 of 2

Agenda Item

*15*

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

**Origination Date**  
July 22, 2009

**Agenda Date**  
AUG 05 2009

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

**Council District(s) affected**  
All

**For additional information contact:**  
Harry Hayes Phone: (713) 837-9103  
Desiree Heath Phone: (832) 393-8742

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

**RECOMMENDATION: (Summary)**  
Approve an award to Rush Truck Centers of Texas, LP dba Rush Truck Center, Houston on its low bid in an amount not to exceed \$604,671.00 for automotive, Caterpillar diesel replacement parts and repair services for various departments.

Estimated Spending Authority: \$604,671.00

**Finance Budget**

\$485,416.00 General Fund (1000)  
\$119,255.00 Fleet Management Fund (1005)  
\$604,671.00 Total

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an award to Rush Truck Centers of Texas, LP dba Rush Truck Center, Houston on its low bid in an amount not to exceed \$604,671.00 for automotive, Caterpillar diesel replacement parts and repair services 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 a price list for Caterpillar diesel replacement parts; which includes, but is not limited to, injector pumps, solenoid oil valves, turbo chargers, seals, gaskets, and belts. These replacement parts will be used by the Public Works & Engineering, Parks & Recreation, and Solid Waste Management Departments to maintain and repair Caterpillar diesel engines used in vehicles and equipment citywide. This award also includes a \$98,500.00 labor component for those services that cannot be performed by City maintenance personnel.

This is a price list 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 to be purchased; rather, this award recommendation is for the total estimated expenditures projected over the 60-month period based on the low bid submitted for the representative samples.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Three prospective bidders downloaded the solicitation document from SPD's e-bidding website, and two bids were received. There is limited competition for this commodity due to the fact that there are a limited number of authorized distributors of Caterpillar diesel replacement parts and repair service providers in the greater Houston area and the surrounding counties.

	<u>Company</u>	<u>Sample Pricing/Labor Component Total</u>
1.	Rush Truck Centers of Texas, LP dba Rush Truck Center, Houston	\$2,657.80
2.	Chastangs Bayou City Ford	\$3,188.46

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MD*

*17021*

Date: 7/22/2009	Subject: Formal Bids Received for Automotive, Caterpillar Diesel Replacement Parts and Repair Services for Various Departments S36-S23219	Originator's Initials VK	Page 2 of 2
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**M/WBE Subcontracting:**

This bid was issued with an 11% goal for M/WBE participation. **Rush Truck Centers of Texas, LP dba Rush Truck Center, Houston** has designated the below-named company as its certified M/WBE subcontractor:

<u>NAME</u>	<u>TYPE OF WORK</u>	<u>DOLLAR AMOUNT</u>
Dave's Wrecker Service, Inc.	Towing Services	\$66,513.81

Buyer: Valerie Player-Kaufman

**Estimated Spending Authority:**

Department	FY 10	Out Years	Total
Solid Waste Management	\$67,080.00	\$268,336.00	\$335,416.00
Public Works & Engineering	\$23,851.00	\$95,404.00	\$119,255.00
Parks & Recreation	\$16,000.00	\$134,000.00	\$150,000.00
TOTAL	\$106,931.00	\$497,740.00	\$604,671.00

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8352**

**Subject:** Formal Bids Received for Polar Solvent/Aqueous Film-Forming Foam for Various Departments  
S44-S23165

Category #  
4

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Agenda Item

16

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

**Origination Date**  
July 22, 2009

**Agenda Date**  
AUG 05 2009

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

**Council District(s) affected**  
All

**For additional information contact:**  
Jack Williams Phone: (713) 247-8793  
Desiree Heath Phone: (832) 393-8742

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

**RECOMMENDATION: (Summary)**  
Approve an award to Chemguard on its sole bid in an amount not to exceed \$619,726.25 for polar solvent/aqueous film-forming foam for various departments.

Estimated Spending Authority: \$619,726.25

**Finance Budget**

\$545,820.00 - General Fund (1000)  
\$ 73,906.25 - HAS-Revenue Fund (8001)

\$619,726.25

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an award to Chemguard on its sole bid in an amount not to exceed \$619,726.25 for polar solvent/aqueous film-forming foam for various departments. It is further requested that authorization be give to make purchases, as needed for a 60-month term. This award consists of approximately 41,825 gallons of 6% aqueous film-forming foam and other alcohol-type concentrates that will be used by the Houston Airport System's emergency response teams and Fire Department's firefighters to extinguish combustible and explosive liquid fires, and control the release of flammable vapors and other flammable sources of ignition citywide.

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 one bid was received. Polar solvent/aqueous film-forming foam is a specialized commodity with limited manufacturers nationwide. Chemguard is the manufacturer and distributor of their aqueous film-forming foam.

Item Nos. 6, 7, 8, and 9 are not being awarded and will be purchased on an as needed basis.

**M/WBE Subcontracting:**

This bid was issued with a 6% goal for M/WBE participation. **Chemguard** has designated the below named company as its certified M/WBE subcontractor:

<u>Name</u>	<u>Type of Work</u>	<u>Amount</u>
B.E. Delivery Service, Inc. DBA Bobtail Express	Delivery	\$37,183.58

Buyer: John Tatman

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

NO

*mgf*

Date:  
7/22/2009

Subject: Formal Bids Received for Polar Solvent/Aqueous Film-  
Forming Foam for Various Departments  
S44-S23165

Originator's  
Initials  
JT

Page 2 of 2

**Estimated Spending Authority**

<b>DEPARTMENT</b>	<b>FY2010</b>	<b>OUT YEARS</b>	<b>TOTAL</b>
Fire	\$100,000.00	\$445,820.00	\$545,820.00
Houston Airport System	\$ 12,300.00	\$ 61,606.25	\$ 73,906.25
Total	\$112,300.00	\$507,426.25	\$619,726.25

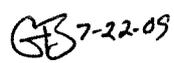
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> An Ordinance Amending Portions of the Construction Code of the City of Houston, Texas	<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item</b> 17
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> July 15, 2009	<b>Agenda Date</b> AUG 05 2009
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., D.WRE, BCEE	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Gary Bridges  7-22-09 Building Official Phone: (713) 535-7575	<b>Date and identification of prior authorizing Council action:</b> None
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**RECOMMENDATION: (Summary)** Approve an ordinance to amend portions of the Building Code, Electrical Code and Plumbing Codes.

**Amount and Source of Funding:** N/A

**SPECIFIC EXPLANATION:**

This ordinance provides a set of cleanup modifications to the City of Houston Construction Code to increase clarity and improve requirements that were considered overly restrictive. These amendments were reviewed by the Construction Industry Council and received their recommendation for approval.

In the plumbing code lint traps for commercial laundries in apartments have an existing exception for 4 machines that was increased to 10 machines. The Public Utilities Division confirmed there is no added risk for apartments to increase the number of machines without a lint trap since they tend to be smaller machines than found in a typical commercial laundry.

The second modification restores the previous requirement in the electrical code for a one hour fire rated wall separating tenant spaces instead of a two hour fire rating that was added last year by a definition change. Two hour ratings add extra time and costs to projects and were not dictated by life safety concerns.

The final modification is to clarify the rules for making a change of occupancy to a building. Appendix M of the building code was reformatted and phrases inserted to reduce the potential for ambiguity. The chapter describes exceptions that can be applied to the basic rule that any change in the occupancy of a building must conform to the code requirements for the new occupancy. The exceptions are limited and based on the level of risk for the new occupancy classification. The language has been modified to clarify the limitations.

REQUIRED AUTHORIZATION CUIC# 20SWB01

<b>Finance Department:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director	<b>Other Authorization:</b>
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City of Houston, Texas, Ordinance No. 2009-\_\_\_\_\_

**AN ORDINANCE AMENDING PORTIONS OF THE CONSTRUCTION CODE OF THE CITY OF HOUSTON, TEXAS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

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

**Section 1.** That Section 1012 of that volume of the City of Houston Construction Code known as the City of Houston Plumbing Code, is hereby amended to read as follows:

**"1012.0 Commercial and Industrial Laundries.** Laundry equipment in commercial and industrial buildings shall discharge into an interceptor having a wire basket or similar device that is removable for cleaning and that will prevent passage into the drainage system of solids one-half ( $\frac{1}{2}$ ) inch (12.7 mm) or larger in maximum dimension, such as string, rags, buttons, or other solid materials detrimental to the public sewerage system. An approved lint interceptor shall be installed for all commercial laundries. See Appendix H, Drawings LT-1, LT-2, and LT-3, for minimum size and construction criteria.

**Exceptions:**

1. A laundry containing no more than 4 automatic clothes washers.
2. A laundry in an R-2 Occupancy containing no more than 10 automatic clothes washers.

For other than mechanical lint interceptor properly sized to manufacturers instructions, see Appendix H, Drawings LT-1, LT-2, and LT-3, for minimum size and construction criteria."

**Section 2.** That the definition of the term "Firewall" in Section 103 of that volume of the City of Houston Construction Code known as the City of Houston Electrical Code is hereby amended to read as follows:

**"FIREWALL,** for the purposes of this code, shall mean a minimum one hour fire barrier as defined in the *Building Code*."

**Section 3.** That Appendix M of that volume of the City of Houston Construction Code known as the City of Houston Building Code is hereby replaced with Appendix M as set forth in Exhibit A, attached hereto and incorporated herein.

**Section 4.** That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**Section 5.** That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect 30 days after its passage and approval by the Mayor.

**PASSED AND ADOPTED this \_\_\_ day of \_\_\_\_\_, 2009.**

**APPROVED this \_\_\_ day of \_\_\_\_\_, 2009.**

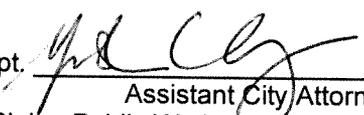
\_\_\_\_\_  
Mayor of the City of Houston

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

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

Prepared by Legal Dept.

YC 6/30/09

  
\_\_\_\_\_  
Assistant City Attorney

Requested by Sheila Blake, Public Works and Engineering, Code Enforcement  
L.D. File No. 

# **EXHIBIT A**

# APPENDIX M

## MINIMUM PROVISIONS FOR CHANGE OF OCCUPANCY

### SECTION M101 GENERAL

**M101.1 Change of occupancy.** The character of the occupancy of existing buildings and structures may be changed, provided the building or structure meets the requirements of this appendix and the requirements of Appendix L. Except as specifically provided by this appendix the building or structure shall comply with all requirements of this code as for new construction.

Every change of occupancy to one classified in a different group or a different division of the same group shall require a new certificate of occupancy, regardless of whether any alterations to the building are required by this appendix.

If the building or portion thereof does not conform to the requirements of this appendix for the proposed occupancy group or division, the building or portion thereof shall be made to conform to all requirements of this code as for new construction.

**M101.2 Special uses or occupancies.** Where the character or use of an existing building or part of an existing building is changed to one of the following special use or occupancy categories, the building or structure shall comply with all requirements of this code as for new construction.

1. Covered mall buildings.
2. Atriums.
3. Motor-vehicle-related occupancies.
4. Aircraft-related occupancies.
5. Motion picture projection rooms.
6. Stages and platforms.
7. Special amusement buildings.
8. Incidental use areas.
9. Hazardous materials.
10. Underground buildings.

**M101.3 Hazard category classification tables.** The relative degree of hazard between different occupancy groups or between divisions of the same group is set forth in the hazard category classifications in Tables M103 through M105. An existing building may have its occupancy changed to an occupancy within the same hazard group or to an occupancy in a lesser hazard group without complying with all the provisions of this code regarding Heights and Areas in Table M103, Life Safety and Exits in Table M104, and Exterior Walls and Stairway Enclosures in Table M105.

### SECTION M102 STRUCTURAL SAFETY

**M102 Vertical loads.** Buildings and structures shall comply with the requirements for vertical loads for new construction.

**Exceptions:**

1. Analysis and test methods for evaluation of existing materials may be conducted using the methods specified in the code under which the building was constructed, or other standards as approved by the building official.
2. Existing roofs may be retained provided
  - 2.1 Any unsafe or overloaded conditions are corrected; and
  - 2.2 The roof dead load is not increased by use, reroofing or added equipment.

**SECTION M103  
HEIGHTS AND AREAS**

**M103.1** Heights and areas of buildings and structures shall meet all the requirements of this code for the new occupancy as for new construction.

**Exception:** Existing buildings exceeding the maximum allowable heights and areas permitted for new buildings may undergo a change of occupancy if the hazard level of the new occupancy is equal to or less than the existing hazard group as shown in Table M 103.

**TABLE M103  
HAZARD CATEGORIES AND CLASSIFICATIONS, HEIGHTS AND AREAS**

RELATIVE HAZARD	OCCUPANCY CLASSIFICATION
1	H (highest hazard group)
2	A-1, A-2, A-3, A-4, I, R-1, R-2, R-4
3	E, F-1, S-1, M
4	B, F-2, S-2, A-5, R-3, U (lowest hazard group)

**SECTION M104  
LIFE SAFETY AND EXITS**

**M104.1 General.** When a change of occupancy is made to a higher hazard group as shown in Table M104, all elements of the exit system shall comply with all of the requirements of this code as for new construction.

**Exception:** Existing corridors and stairways meeting all of the requirements of Appendix L may be used.

**M104.2 Existing means of egress systems.** Existing means of egress systems complying with Appendix L shall be accepted if the occupancy change is to an equal or lesser hazard group when evaluated in accordance with Table M104.

**M104.3 Separation of occupancies.** When approved by the building official, existing wood lath and plaster in good condition or 1/2-inch-thick (12.7 mm) gypsum wallboard may be accepted where a one-hour fire barrier is required.

**M104.4 Vertical shafts.**

**M104.4.1 Enclosure of shafts.** Vertical shafts may be designed to meet either the requirements of atria as required by this code for new construction or the requirements of this section.

**M104.4.2 Stairways.** Interior stairways shall be enclosed as required by this code for new construction when a change of occupancy is made to a higher hazard group as shown in Table M104.

**Exceptions:**

1. In other than Group I Occupancies, an enclosure will not be required for openings serving only one adjacent floor and not connected with corridors or stairways serving other floors.
2. Existing stairways not enclosed need not be enclosed in a continuous vertical shaft if each story is separated from other stories by one-hour fire-resistive construction or approved wired glass set in steel frames and all exit corridors are sprinklered. The openings between the corridor and occupant space shall have at least one sprinkler head above the openings on the tenant side. The sprinkler system may be supplied from the domestic water-supply system, provided the system is of adequate pressure, capacity and sizing for the combined domestic and sprinkler requirements.

**M104.4.3 Other vertical shafts.** Interior vertical shafts, including, but not limited to, elevator hoistways and service and utility shafts, shall be enclosed with a minimum of one-hour fire-resistive construction.

**Exceptions:**

1. Vertical openings other than stairways need not be enclosed if the entire building is provided with an approved automatic sprinkler system.
2. Where one-hour fire-resistive floor construction is required, vertical shafts need not be enclosed when such shafts are blocked at every floor level by the installation of not less than 2 full inches (51 mm) of solid wood or equivalent construction.

**M104.4.4 Openings into vertical enclosures.** All openings into vertical shafts shall be protected by fire assemblies having a fire-protection rating of not less than one hour and shall be maintained self-closing or shall be automatic closing by actuation of a smoke detector. All other openings shall be fire protected in an approved manner. Existing fusible link-type automatic door-closing devices may be permitted if the fusible link rating does not exceed 135°F (57°C).

**TABLE M104  
HAZARD CATEGORIES AND CLASSIFICATIONS, LIFE SAFETY AND EXITS**

RELATIVE HAZARD	OCCUPANCY CLASSIFICATION
1	H (highest hazard group)
2	I-2, I-3, I-4
3	A, E, I-1, M, R-1, R-2, R-4
4	B, F-1, R-3, S-1
5	F-2, S-2,
6	U (lowest hazard group)

**SECTION M105  
EXTERIOR WALLS AND STAIRWAY ENCLOSURES**

**M105.1 Fire resistance of walls.** Exterior walls shall have fire resistance and opening protection as set forth in this code for new construction. This provision shall not apply to walls at right angles to the property line.

**Exceptions:**

1. Where a fire-resistive rating greater than two hours is required for a building of any type of construction, existing noncombustible exterior walls having a fire-resistive rating equivalent to two hours as determined by Section 720.1 may be accepted, provided:
  - 1.1 The building is classified as Group A, B, F, M or S; and
  - 1.2 The building does not exceed three stories in height.
2. Existing exterior walls shall be accepted if the occupancy is changed to a hazard group, which is equal to or less than the existing occupancy as defined in Table M105.

**M105.2 Opening protection.** Openings in exterior walls shall be protected as required for new construction. When openings in the exterior walls are required to be protected due to distance from the property line, the sum of the area of such openings shall not exceed 50 percent of the total area of the wall in each story.

**Exceptions:**

1. Protected openings shall not be required for Group R-1 occupancies that do not exceed three stories in height and are located not less than 3 feet (914 mm) from the property line.
2. Where opening protection is required, an automatic fire-extinguishing system throughout may be substituted for opening protection.
3. Opening protection may be omitted when the change of occupancy is to an equal or lower hazard classification in accordance with Table M105.

**TABLE M105  
HAZARD CATEGORIES AND CLASSIFICATIONS OF EXTERIOR WALLS AND STAIRWAY  
ENCLOSURES**

RELATIVE HAZARD	OCCUPANCY CLASSIFICATION
1	H (highest hazard group)
2	F-1, M, S-1
3	A, B, E, I, R
4	F-2, S-2, U (lowest hazard group)

**2000 Uniform Plumbing Code**  
**Revision to the final adopted version, adopted by ordinance**

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**1012.0 Commercial and Industrial Laundries.**

Laundry equipment in commercial and industrial buildings ~~that does not have integral strainers~~ shall discharge into an interceptor having a wire basket or similar device that is removable for cleaning and that will prevent passage into the drainage system of solids one-half (1/2) inch (12.7 mm) or larger in maximum dimension, such as string, rags, buttons, or other solid materials detrimental to the public sewerage system. An approved lint interceptor shall be installed for all commercial laundries. See Appendix H, Drawings LT-1, LT-2, and LT-3, for minimum size and construction criteria.

- Exceptions:** 1. A laundry containing no more than 4 automatic clothes washers.  
2. A laundry in an R-2 Occupancy containing no more than 10 automatic clothes washers.

For other than mechanical lint interceptor properly sized to manufacturers instructions, see Appendix H, Drawings LT-1, LT-2, and LT-3, for minimum size and construction criteria.

**2008 National Electrical Code**  
**Revision to the final adopted version, adopted by ordinance**

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**FIREWALL** is, for the purposes of this code, shall mean a minimum ~~two~~ one hour fire barrier as ~~used~~ defined in the *Building Code*.

**2003 International Building Code**  
**Revision to the final adopted version, adopted by ordinance**

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**APPENDIX M**

**MINIMUM PROVISIONS FOR CHANGE OF OCCUPANCY**

**SECTION M101**

**GENERAL**

**M101.1 Change of occupancy.** The character of the occupancy of existing buildings and structures may be changed, provided the building or structure meets the requirements of this

chapter appendix and the requirements of Appendix L. Except as specifically provided by this appendix the building or structure shall comply with all requirements of this code as for new construction.

Every change of occupancy to one classified in a different group or a different division of the same group shall require a new certificate of occupancy, regardless of whether any alterations to the building are required by this appendix.

If the building or portion thereof does not conform to the requirements of this appendix for the proposed occupancy group or division, the building or portion thereof shall be made to conform to all requirements of this code as for new construction ~~except as specified in this code.~~

**M101.2 Special uses or occupancies.** Where the character or use of an existing building or part of an existing building is changed to one of the following special use or occupancy categories, the building or structure shall comply with all requirements of this code as for new construction.

1. Covered mall buildings.
2. Atriums.
3. Motor-vehicle-related occupancies.
4. Aircraft-related occupancies.
5. Motion picture projection rooms.
6. Stages and platforms.
7. Special amusement buildings.
8. Incidental use areas.
9. Hazardous materials.
10. Underground buildings.

**M101.3 Hazard category classification tables.** The relative degree of hazard between different occupancy groups or between divisions of the same group is set forth in the hazard category classifications in Tables M103 through M105. An existing building may have its occupancy changed to an occupancy within the same hazard group or to an occupancy in a lesser hazard group without complying with all the provisions of this ~~appendix~~ code regarding Heights and Areas in Table M103, Life Safety in Table M104, and Exterior Walls in Table M105.

## **SECTION M102**

### **STRUCTURAL SAFETY**

**M102.1 Vertical loads.** Buildings and structures shall comply with the requirements for vertical load for new construction.

**Exceptions:**

1. Analysis and test methods for evaluation of existing materials may be conducted using the methods specified in the code under which the building was constructed, or other standards as approved by the building official.
2. Existing roofs may be retained provided
  - 2.1 Any unsafe or overloaded conditions are corrected; and
  - 2.2 The roof dead load is not increased by use, reroofing or added equipment.

~~**M102.2 Wind loads.** Buildings shall not be considered as dangerous buildings when subjected to the requirements for new construction.~~

**SECTION M103**  
**HEIGHTS AND AREAS**

**M103. 1** Heights and areas of buildings and structures shall meet all the requirements of this code for the new occupancy as for new construction.

**Exception:** Existing buildings exceeding the maximum allowable heights and areas permitted for new buildings may undergo a change of occupancy if the hazard level of the new occupancy is equal to or less than the existing hazard group as shown in Table M 103.

**TABLE M102 3**  
**HAZARD CATEGORIES AND CLASSIFICATIONS, HEIGHTS AND AREAS**

<u>RELATIVE HAZARD</u>	<u>OCCUPANCY CLASSIFICATION</u>
<u>1</u>	<u>H (highest hazard group)</u>
<u>2</u>	<u>A-1, A-2, A-3, A-4, I, R-1, R-2, R-4</u>
<u>3</u>	<u>E, F-1, S-1, M</u>
<u>4</u>	<u>B, F-2, S-2, A-5, R-3, U (lowest hazard group)</u>

**SECTION M104**  
**LIFE SAFETY AND EXITS**

(Current Appendix M is deleted and replaced as follows:)

**M104.1 General.** When a change of occupancy is made to a higher hazard group as shown in Table M104 1.3(2), all elements of the exit system shall comply with all of the requirements of this code as for new construction.

**Exception:** Existing corridors and stairways meeting all of the requirements of Appendix L may be used.

**M104.2 Existing means of egress systems.** Existing means of egress systems complying with Appendix L shall be accepted if the occupancy change is to an equal or lesser hazard group when evaluated in accordance with Table M104.

**M104.3 Separation of occupancies.** When approved by the building official, existing wood lath and plaster in good condition or 1/2-inch-thick (12.7 mm) gypsum wallboard may be accepted where a one-hour ~~occupancy separation~~ fire barrier is required.

**M104.4 Vertical shafts.**

**M104.4.1 Enclosure of shafts.** Vertical shafts may be designed to meet either the requirements of atria as required by this code for new construction or the requirements of this section.

**M104.4.2 Stairways.** Interior stairways shall be enclosed as required by this code for new construction when a change of occupancy is made to a higher hazard group as shown in Table M104 1.3(2).

**Exceptions:**

1. In other than Group I Occupancies, an enclosure will not be required for openings serving only one adjacent floor and not connected with corridors or stairways serving other floors.

2. Existing stairways not enclosed need not be enclosed in a continuous vertical shaft if each story is separated from other stories by one-hour fire-resistive construction or approved wired glass set in steel frames and all exit corridors are sprinklered. The openings between the corridor and occupant space shall have at least one sprinkler head above the openings on the tenant side. The sprinkler system may be supplied from the domestic water-supply system, provided the system is of adequate pressure, capacity and sizing for the combined domestic and sprinkler requirements.

**M104.4.3 Other vertical shafts.** Interior vertical shafts, including, but not limited to, elevator hoistways and service and utility shafts, shall be enclosed with a minimum of one-hour fire-resistive construction.

**Exceptions:**

1. Vertical openings other than stairways need not be enclosed if the entire building is provided with an approved automatic sprinkler system.

2. Where one-hour fire-resistive floor construction is required, vertical shafts need not be enclosed when such shafts are blocked at every floor level by the installation of not less than 2 full inches (51 mm) of solid wood or equivalent construction.

**M104.4.4 Openings into vertical enclosures.** All openings into vertical shafts shall be protected by fire assemblies having a fire-protection rating of not less than one hour and shall be maintained self-closing or shall be automatic closing by actuation of a smoke detector. All other openings shall be fire protected in an approved manner. Existing fusible link-type automatic door-closing devices may be permitted if the fusible link rating does not exceed 135°F (57°C).

**TABLE M104**

**HAZARD CATEGORIES AND CLASSIFICATIONS, LIFE SAFETY AND EXITS**

<u>RELATIVE HAZARD</u>	<u>OCCUPANCY CLASSIFICATION</u>
<u>1</u>	<u>H (highest hazard group)</u>
<u>2</u>	<u>I-2, I-3, I-4</u>
<u>3</u>	<u>A, E, I-1, M, R-1, R-2, R-4</u>
<u>4</u>	<u>B, F-1, R-3, S-1</u>
<u>5</u>	<u>F-2, S-2,</u>
<u>6</u>	<u>U (lowest hazard group)</u>

**SECTION M105**

**EXTERIOR WALLS AND STAIRWAY ENCLOSURES**

**M105 4.1 Fire resistance of walls.** Exterior walls shall have fire resistance and opening protection as set forth in this code for new construction. This provision shall not apply to walls at right angles to the property line.

**Exceptions:**

1. Where a fire-resistive rating greater than two hours is required for a building of any type of construction, existing noncombustible exterior walls having a fire-resistive rating equivalent to two hours as determined by Section 720.1 may be accepted, provided:

1.1 The building is classified as Group A, B, F, M or S; and

1.2 The building does not exceed three stories in height.

2. Existing exterior walls shall be accepted if the occupancy is changed to a hazard group, which is equal to or less than the existing occupancy as defined in Table M105 1.3(3).

**M105 4.2 Opening protection.** Openings in exterior walls shall be protected as required for new construction. When openings in the exterior walls are required to be protected due to distance from the property line, the sum of the area of such openings shall not exceed 50 percent of the total area of the wall in each story.

**Exceptions:**

1. Protected openings shall not be required for Group R-1 occupancies that do not exceed three stories in height and are located not less than 3 feet (914 mm) from the property line.

2. Where opening protection is required, an automatic fire-extinguishing system throughout may be substituted for opening protection.

3. Opening protection may be omitted when the change of occupancy is to an equal or lower hazard classification in accordance with Table M105.

**TABLE M105**  
**HAZARD CATEGORIES AND CLASSIFICATIONS OF EXTERIOR WALLS AND STAIRWAY ENCLOSURES**

RELATIVE HAZARD

OCCUPANCY CLASSIFICATION

<u>1</u>	<u>H (highest hazard group)</u>
<u>2</u>	<u>F-1, M, S-1</u>
<u>3</u>	<u>A, B, E, I, R</u>
<u>4</u>	<u>F-2, S-2, U (lowest hazard group)</u>

<b>SUBJECT:</b> Revisions to the Master Classification Ordinance for City Employees		<b>Category</b> # 3	<b>Page</b> 1 of 1	<b>Agenda Item</b> # 18														
<b>FROM (Department or other point of origin):</b> Human Resources Department		<b>Origination Date</b> July 28, 2009	<b>Agenda Date</b> AUG 05 2009															
<b>DIRECTOR'S SIGNATURE:</b> <i>Scott Aldridge</i>		<b>Council District affected:</b> ALL																
<b>For additional information contact:</b> Candy Clarke Aldridge Phone: (713) 837-9333		<b>Date and identification of prior authorizing Council action:</b> Rev. to Ord. 90-1292 as amended by Ord. 2009-510																
<b>RECOMMENDATION: (Summary)</b> Approve the proposed revisions to the Master Classification Ordinance by adding two job classifications and by revising three job classifications.																		
<b>Amount &amp; Source of Funding:</b> None			<b>Budget:</b>															
<b>SPECIFIC EXPLANATION:</b> The Human Resources Department puts forth the following additions and revisions to the civilian Master Classification Listing, which can be found on Exhibit A of the ordinance.  <b>A. New Job Classification</b>  <table border="0"> <thead> <tr> <th><u>Proposed Job Title</u></th> <th><u>Proposed Pay Grade</u></th> </tr> </thead> <tbody> <tr> <td>Animal Care Technician</td> <td>11</td> </tr> <tr> <td>Chief Veterinarian, DVM</td> <td>30</td> </tr> </tbody> </table> <p>At the request of the Health and Human Services Department, these new jobs are needed to carry out the reorganization of the Bureau of Animal Regulation and Care (BARC). The Animal Care Technician will provide humane care for the shelter animals and maintain shelter facilities. The Chief Veterinarian, DVM will oversee and administer comprehensive health care for shelter animals.</p> <b>B. Job Classification Revisions</b>  <table border="0"> <thead> <tr> <th><u>Current Job Title</u></th> <th><u>Proposed Job Title</u></th> </tr> </thead> <tbody> <tr> <td>Senior Kennel Attendant</td> <td>Senior Animal Care Technician</td> </tr> <tr> <td>Kennel Master</td> <td>Shelter Supervisor</td> </tr> <tr> <td>Hearing Officer – Appointed</td> <td>Adjudication Hearing Officer</td> </tr> </tbody> </table> <p>It is recommended to change these job titles to better reflect the responsibilities and nature of the job duties.</p>					<u>Proposed Job Title</u>	<u>Proposed Pay Grade</u>	Animal Care Technician	11	Chief Veterinarian, DVM	30	<u>Current Job Title</u>	<u>Proposed Job Title</u>	Senior Kennel Attendant	Senior Animal Care Technician	Kennel Master	Shelter Supervisor	Hearing Officer – Appointed	Adjudication Hearing Officer
<u>Proposed Job Title</u>	<u>Proposed Pay Grade</u>																	
Animal Care Technician	11																	
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<u>Current Job Title</u>	<u>Proposed Job Title</u>																	
Senior Kennel Attendant	Senior Animal Care Technician																	
Kennel Master	Shelter Supervisor																	
Hearing Officer – Appointed	Adjudication Hearing Officer																	
<b>REQUIRED AUTHORIZATION</b>																		
<b>Finance Director:</b> <i>Donald Arbede</i>		<b>Other Authorization:</b>		<b>Other Authorization:</b>														

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

09 -Chateau Village

<b>SUBJECT:</b> An Ordinance authorizing an Agreement between the City of Houston and Sunnyside Place Community Development Corporation, Inc.		<b>Category #</b>	<b>Page 1 of 2</b>	<b>Agenda Item #</b> 19
<b>FROM (Department or other point of origin):</b> Richard S. Celli, Director Housing and Community Development Department		<b>Origination Date</b> 7/27/09	<b>Agenda Date</b> AUG 05 2009	
<b>DIRECTOR'S SIGNATURE:</b> <i>Richard S. Celli</i>		<b>Council District affected:</b> District D		
<b>For additional information contact:</b> Donald H. Sampley Phone: 713-868-8458		<b>Date and identification of prior authorizing Council action:</b>		

MS

**RECOMMENDATION: (Summary)**

The Department recommends approval of an Ordinance authorizing an Agreement between the City of Houston and Sunnyside Place Community Development Corporation, Inc. to acquire and rehabilitate a 150 unit apartment complex.

**Amount of Funding:**

\$1,200,000

**Finance Budget:**

**SOURCE OF FUNDING**

General Fund

Grant Fund

Enterprise Fund

Other (Specify) **HOME FUNDS**

**SPECIFIC EXPLANATION:**

Sunnyside Place Community Development Corporation, Inc. (Sunnyside), a nonprofit Texas corporation under Section 501(c)(3), has been certified by the Housing and Community Development Department (HCDD) as a Community Housing Development Organization (CHDO). Sunnyside is requesting a \$1,200,000 0% Performance Based Loan (PBL) from the City of Houston. Sunnyside will then provide a credit facility to Houston Leased Housing Associates I LP (HLHA) for the purchase and rehabilitation of the Chateau Village Apartments.

The City of Houston HOME funds, to Sunnyside, will be a 0% interest loan with a 15 year term. The PBL is to be forgiven at the end of the 15 year term so long as the Borrower complies with the City loan agreement terms and conditions, and the property is in full compliance with HUD and City guidelines. As collateral, Sunnyside will convey its security interest in the Note and Deed of Trust from the HLHA partnership to the City of Houston. The City's Land Use Restrictions Agreement (LURA) will be superior to Bank of America's loan on the property.

The limited partnership interest in HLHA will be sold to Alliant Tax Credit Fund IV, LLC, tax credit syndicator, for a 99.99% limited partnership interest at the syndication price of \$.795, resulting in proceeds of \$9,694,771. With the pay down of the \$6,000,000 construction loan from Bank of America, the equity proceeds from the sale of the limited partnership will be invested into the project.

Under the proposed Dominion Development and Acquisition, LLC ownership structure, HLHA will own Chateau Village Apartments and Dominion, in partnership with Sunnyside, will be responsible for all aspects of the development process and management. The principals of Dominion, Paul Sween, Armand Brachman and Mark Moorehouse will personally guarantee the \$1,200,000 note from Sunnyside to the City of Houston, which will be released upon completion and stabilization.

MS

**REQUIRED AUTHORIZATION**

Finance Dept.

*[Signature]*

Other Authorization:

Other Authorization:

NDT

Date  
7/27/09

Subject: An Ordinance authorizing an Agreement between the City of Houston and Sunnyside Place Community Development Corporation, Inc.

Originator's  
Initials  
*RSC*

Page  
2 of 2

Dominium, based in Minneapolis, MN., has been in the real estate business for over thirty-five years and owns or manages more than 17,000 apartment units located in eighteen states. In 2008, the company closed on eighteen site acquisitions, two currently located in Beaumont, Texas, of which nine were acquisition / rehabilitation projects consisting of Section 8 sites.

Chateau Village Apartments, a 150-unit complex on 7.98 acres, is located in South Houston at 3815 West Fugua. The property is a twenty-nine year old property currently operating, and will continue in the future to operate, on a Housing Assistance Program contract for 100% of the units. The overall scope of work for this project will include various site improvements, interior unit and select exterior refurbishments for all 150 units located in the twelve (12) 2-story apartment buildings. In addition to the replacement of roofs, and windows, substantial renovation to the buildings, a playground area, landscape, community center, permanent trash enclosures, walk and drive way improvements will be provided.

The unit mix consists of 48 one-bedroom, 82 two-bedroom, 16 three-bedroom and 4 four-bedroom units. The City will restrict 11 floating HOME assisted units with 8 units restricted to HUD High HOME Rents and 3 units restricted to HUD Low HOME Rents for a period of 15 years. Chateau Village is a project based Section 8 property.

Total Source of Funds:

Bank of America 1 <sup>st</sup> Lien	\$ 2,455,000
M2M 2 <sup>nd</sup> Lien	2,315,152
M3M 3 <sup>rd</sup> Lien	1,005,454
City of Houston / PBL	1,200,000
Tax Credit / Equity	9,480,140
Deferred Developer Fee	1,351,680
HUD Funded Reserves	<u>40,000</u>
Total	\$ 17,847,426

Uses of Funds:

Acquisition	\$ 5,625,000	\$ 37,500 per unit	\$ 46.27 per sq. ft.
Hard Costs	8,234,417	54,896 per unit	67.74 per sq. ft.
Soft Costs	3,277,335	21,849 per unit	26.96 per sq. ft.
Operating Reserves	<u>710,674</u>	<u>4,738</u> per unit	<u>5.84</u> per sq. ft.
Total	\$ 17,847,426	\$118,983 per unit	\$147.61 per sq. ft.

This project is consistent with the City of Houston Consolidated Plan to provide affordable housing for low-income families. The Department recommends approval of an agreement between the City of Houston and Sunnyside Place Community Development Corporation, Inc.

RC:DS:LC:db:km

- cc: City Secretary
- Controller's Office
- Finance Department
- Legal Department
- Mayor's Agenda Office

Date  
7/27/09

Subject: An Ordinance authorizing an Agreement between the City of Houston and Sunnyside Place Community Development Corporation, Inc.

Originator's  
Initials  
*RJW*

Page  
2 of 2

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City of Houston / PBL	1,200,000
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RC:DS:LC:db:km

cc: City Secretary  
Controller's Office  
Finance Department  
Legal Department  
Mayor's Agenda Office

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

HCD09-57

09- W Leo Daniels

<b>SUBJECT:</b> An Ordinance authorizing a Second Amendment to a Grant Agreement between the City of Houston and W. Leo Daniels Towers, Inc.		<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 20
<b>FROM (Department or other point of origin):</b> Richard S. Celli, Director Housing and Community Development Department		<b>Origination Date:</b> 7/09/09	<b>Agenda Date:</b> AUG 05 2009	
<b>DIRECTOR'S SIGNATURE:</b> <i>Richard S. Celli</i>		<b>Council District affected:</b> District "H"		
<b>For additional information contact:</b> Donald H. Sampley Phone: 713-868-8458		<b>Date and identification of prior authorizing Council action:</b> 12/19/07, 2007-1461 5/13/09, 2009-0421		

**RECOMMENDATION: (Summary)**

The Housing and Community Development Department recommends approval of an Ordinance authorizing a Second Amendment to a Grant Agreement between the City of Houston and W. Leo Daniels Towers, Inc. to revise the sourcing of funds, and extend the period of time to commence and complete the rehabilitation of the W. Leo Daniels Towers.

<b>Amount of Funding:</b> No Additional Funds	<b>Finance Department:</b>
---	----------------------------

**Source of Funding:**

\$785,469 CDBG Fund and \$100,531 HOME Investment Partnership Fund

**SPECIFIC EXPLANATION:**

W. Leo Daniels Towers is an existing thirty year old, eight-story, 100-unit apartment facility located in District "H" at 8826 Harrell Street, and provides housing for seniors over the age of 65 as well as disabled persons. W. Leo Daniels Towers, Inc. is a non-profit, 501C(3) corporation.

On December 19, 2007 City Council approved an ordinance authorizing a Grant Agreement between the City of Houston and W. Leo Daniels Towers, Inc. to provide \$886,000 (\$538,185.60 CDBG Funds, and \$347,814.40 HOME Investment Partnership Funds) to assist in the refinancing and rehabilitating W. Leo Daniels Towers.

On May 13, 2009 City Council approved an ordinance to amend the Grant Agreement between the City of Houston and W. Leo Daniels Towers, Inc. to revise the sourcing of funds, scope of work, and extend the period of time to commence and complete the rehabilitation of the W. Leo Daniels Towers.

Greystone Servicing Corporation, Inc. (Greystone), the primary lender, approved the refinancing of an existing Direct Loan from the U.S. Department of Housing and Urban Development ("HUD") under Section 202, and a Flexible Subsidy Loan in the amount of \$2,190,000. The new \$2,190,000 loan is insured by HUD under Section 223(f).

The closing of the City Grant and Greystone 223(f) loan was delayed for approximately eight months while waiting approval of the subordination request from HUD for the City's Land Use Restrictions. The City Grant and Greystone loan refinance closed on August 27, 2008 with the City funding \$100,531 in soft costs. Approximately two weeks later, W. Leo Daniels Towers was damaged by hurricane IKE, resulting in evacuation of the 100-unit facility for 30 days. Insurance claims have now been settled and both the original and the new repairs can begin.

The total grant amount has not changed however the sourcing of the \$886,000 must be changed to meet eligible cost guidelines. The new sourcing will be \$785,469 CDBG Funds, and \$100,531 HOME Investment Partnership Funds.

<b>REQUIRED AUTHORIZATION</b>		
<b>F&amp;A Director:</b> <i>Joseph B. ...</i>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

<b>Date</b> 07/09/09	<b>Subject:</b> An Ordinance authorizing a Second Amendment to a Grant Agreement between the City of Houston and W. Leo Daniels Towers, Inc.	<b>Originator's Initials</b> <i>Ball</i>	<b>Page</b> <u>2</u> of <u>2</u>
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Approval is requested to revise the sourcing of funds, and extend the period of time to commence and complete the rehabilitation of the W. Leo Daniels Towers. Commencement of the rehabilitation work to begin within sixty (60) days of the amended countersignature date and shall complete the work on or before the expiration of twelve (12) months following the commencement of the work.

The City LURA provides for the restriction of fifty-one (51%) percent of the 100 units (51 units) as Affordable Floating Units for a period of fifteen (15) years. The mix of the 51 units will be as follows: Twenty-nine (29) units for families whose annual income does not exceed 60% of AMI, and twenty-two (22) units for families whose annual income does not exceed 50% of AMI.

A Grant Disbursement and Subordination Agreement was entered into August 27, 2008, by and among W. Leo Daniels Towers, Inc., the City of Houston, Greystone Servicing Corporation, Inc. and the U.S. Secretary of Housing and Urban Development (HUD). As required under the agreement, any amendment to the City Grant Documents shall be subject to prior HUD approval. The proposed revisions have been approved by HUD.

Terms of the City's Grant:

- a. Amount: \$886,000
- b. Term is concurrent with the term of the affordability period of fifteen (15) years;
- c. The Grant is provided with no obligation for repayment provided the owner fully and timely complies with all of its obligations under the grant documents and;
- d. The Grant does not bear interest.

The Department recommends approval of an ordinance approving and authorizing a Second Amendment to the Grant Agreement between the City of Houston and W. Leo Daniels Towers, Inc.

The project is consistent with the City's Consolidated Plan to provide affordable housing for low-income persons. The City's participation in the project will contribute to the goal of increasing the number of affordable rental housing units for seniors.

City Council approval is recommended.

RSC:DHS:LIC:JAR

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

**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** Approval of an ordinance to approve the Fiscal Year 2010 Operating Budget and FY2010-FY2014 CIP for Main Street / Market Square Redevelopment Authority (Tax Increment Reinvestment Zone Number Three).

**Category #**

**Page**  
1 of 1

**Agenda Item#**

21

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

Michelle Mitchell, Director  
Finance Department

**Origination Date**

July 24, 2009

**Agenda Date**

AUG 05 2009

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell*

**Council Districts affected:**

1

**For additional information contact:**

Julia Gee  
Andrea Roberts

**Phone:** (713) 837-7828

**Phone:** (713) 837-9076

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

Ord. 2009-0181, 03/04/09

**RECOMMENDATION: (Summary)**

City Council approves an ordinance to approve the 2010-2014 5-year CIP Budget and the Fiscal Year 2010 Operating Budget for Main Street / Market Square Redevelopment Authority (Tax Increment Reinvestment Zone Number Three).

**Amount of Funding:** No Funding Required

**Finance Budget:**

**SOURCE OF FUNDING:**

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

**SPECIFIC EXPLANATION:**

The administration has undertaken a comprehensive review of proposed FY10 Tax Increment Reinvestment Zone budgets. The Finance Department recommends approval of the FY10 Operating Budget for Main Street / Market Square Redevelopment Authority (Tax Increment Reinvestment Zone Number Three).

- Total Operating Budget for FY10 \$19,683,289, which includes \$3,895,730 for required fund transfers and \$15,787,559 for Project Costs.
- The 2010 – 2014 CIP for Main Street / Market Square Redevelopment Authority totals \$15,190,000. The expenditures include payments to the developer of the Pavilions, support for the Julia Ideson renovation project, historic preservation, workforce housing, and improvements to parks and streets downtown.
- The FY10 Operating Budget includes \$341,891 for administration and overhead. The Redevelopment Authority has one full-time employee and shares staff with other co-located entities to manage redevelopment activities of the Zone. Administration and overhead costs (staff, board insurance, legal, accounting and audits) are budgeted to remain in line with equivalent City costs for a Zone undertaking redevelopment activities. The Redevelopment Authority must advise the Director of any budget amendments. Adjustments to the Project Costs in the budget of the lesser of \$400,000 or 5% or more require City Council approval.
- The budget includes a \$700,000 municipal service payment in FY10.

Attachments: TIRZ Profile, FY10 Operating Budget, and FY 2010-2014 CIP.

cc: Marty Stein, Agenda Director  
Anna Russell, City Secretary

Deborah McAbee, Senior Assistant City Attorney  
Arturo Michel, City Attorney

**REQUIRED AUTHORIZATION**

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

<b>P R O J E C T I V E</b>	<b>Base Year:</b>	Created in 1995, expanded in 1998, and 2005
	<b>Base Year Taxable Value:</b>	\$ 215,947,300
	<b>Projected Taxable Value (TY2009):</b>	\$ 1,424,520,438
	<b>Current Taxable Value (TY2008):</b>	\$ 1,302,418,398
	<b>Acres:</b>	335.39 acres
	<b>Administrator (Contact):</b>	Vicki Rivers
	<b>Contact Number:</b>	713-526-7577

<b>N A R R A T I V E</b>	<b>Zone Purpose:</b>
	Main Street/Market Square TIRZ was created originally in 1995 to stimulate new residential development in the 9 block area around Rice Hotel (Part A). In 1998, the Zone was expanded (Part B) to include Main Steet and northern blocks of the Central Business District along Buffalo Bayou; primarily to create pedestrian and transit amenities, to catalyze new investment, and enhance connections between eastern and western portion of downtown. In 2005, two blocks were added (Part C) for a new mixed use retail and entertainment project. In 2007, the Zone was expanded to include public and institutional land. The Zone provides tools needed to alleviate blight, deteriorated street and site conditions, obsolete transit services and facilities, while encouraging sound growth of residential, retail, hotel and commercial development. Through partnerships, leveraging and incentives, the Zone's purpose is to create an environment conducive to liveability, residential infill, pedestrian functionality, multimodal public transportation systems, public open spaces and parks.
	<b>Accomplishments in FY09 (Projects Underway):</b>
	In fiscal year 2009, the Mainstreet TIRZ accomplished: <ul style="list-style-type: none"> <li>• Houston Pavilions began a rolling opening of the project</li> <li>• \$10M funding for the Julia Ideson Project</li> <li>• Completed design of Market Square Park</li> <li>• Completed development agreements for Facade Restorations on 402 and 508 Main Street</li> <li>• Began design of East/ West street project</li> <li>• Completed the hardwiring of parking meters in the Historic District of Downtown</li> <li>• Began study on housing initiatives in the Central Business District.</li> </ul>

	#4	Cumulative Expenses		
		Total Plan	(to FY08)	Variance
<b>P R O J E C T I V E</b>	<b>Capital Projects:</b>			
	Buffalo Bayou Riverwalk & Improvements	\$ 6,300,000	\$ 271,087	\$ 6,028,913
	Retail/Residential Development Sites	19,000,000		19,000,000
	Rice Hotel Financial Assistance	18,750,000	9,000,000	9,750,000
	Acquisition/Rehabilitation of Historic Structures	18,500,000	7,670,803	10,829,197
	Street Scape Enhancements, Related Roadways & Parks	27,100,000	331,243	26,768,757
	Transit Street, Improvements & Center	18,000,000	12,169,720	5,830,280
	Retail/Economic Development	14,300,000	3,202,483	11,097,517
	Theater District Improvements	11,500,000		11,500,000
	Property Acquisitions/Land Assemblage	10,000,000		10,000,000
	Institutional Facilities	19,500,000	1,206,195	18,293,805
	Parking Facilities	3,100,000	42,209	3,057,791
	<b>Total Capital Projects</b>	\$ 166,050,000	\$ 33,893,740	\$ 132,156,260
	<b>Affordable Housing</b>	20,000,000		20,000,000
	<b>Education Facilities</b>	82,541,820	18,286,349	64,255,471
<b>Financing Costs</b>	10,650,000	5,452,612	5,197,388	
<b>Administration Costs</b>	6,750,000	2,907,898	3,842,102	
<b>Creation Costs</b>	-		-	
<b>Total Project Plan</b>	\$ 285,991,820	\$ 60,540,599	\$ 225,451,221	

	Additional Financial Data		FY2009 Budget	2009 Projection	FY2010 Budget
<b>D E B T</b>	<b>Debt Service</b>				
	Principal	\$ 1,081,164	\$ 1,125,514	\$ 1,834,858	
	Interest	\$ 520,000	\$ 520,000	\$ 545,000	
		\$ 561,164	\$ 605,514	\$ 1,289,858	
	<b>Year End Outstanding (Principal)</b>		<b>Balance as of 6/30/08</b>	<b>Balance as of 6/30/09</b>	<b>Balance as of 6/30/10</b>
		\$ 10,485,000	\$ 27,465,000	\$ 26,920,000	
		\$ 100,000	\$ 100,000	\$ 100,000	
		\$ -	\$ -	\$ -	
		\$ 9,750,000	\$ 9,000,000	\$ 8,250,000	

\* Only interest paid in FY09 and FY10

**CITY OF HOUSTON  
DEPARTMENT OF FINANCE  
ECONOMIC DEVELOPMENT DIVISION  
FISCAL YEAR 2010 BUDGET SUMMARY**

Fund Summary  
Fund Name: Main Street Market Square Redevelopment Authority  
TIRZ: 03  
Fund Number: 7551/64

<b>TIRZ Budget Line Items</b>	<b>FY2009 Budget</b>	<b>2009 Projection</b>	<b>FY2010 Budget</b>
<b>Available Resources</b>			
<b>Beginning Fund Balance</b>			
Restricted Funds - Capital Projects	\$ -	\$ -	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ 2,165,322	\$ 2,166,773	\$ 3,916,773
Unrestricted Fund Balance	\$ 5,489,655	\$ 5,489,655	\$ 9,264,227
<b>Total Beginning Fund Balance</b>	<b>\$ 7,654,977</b>	<b>\$ 7,656,428</b>	<b>\$ 13,181,000</b>
<b>TIRZ Revenue</b>			
City	\$ 6,902,084	\$ 6,381,106	\$ 7,301,514
ISD	\$ 5,774,721	\$ 4,198,246	\$ 4,507,388
County	\$ 740,671	\$ 678,208	\$ 843,915
Community College	\$ -	\$ -	\$ -
<b>Total Revenues</b>	<b>\$ 13,417,476</b>	<b>\$ 11,257,560</b>	<b>\$ 12,652,817</b>
Bond Proceeds *	\$ -	\$ 17,500,000	\$ -
Loan Proceeds	\$ 17,500,000	\$ -	\$ -
Grant Proceeds	\$ -	\$ -	\$ -
Other	\$ 120,000	\$ 253,801	\$ 71,013
<b>Total Available Resources</b>	<b>\$ 38,692,453</b>	<b>\$ 36,667,789</b>	<b>\$ 25,904,830</b>
<b>Fund Transfers</b>			
<b>Affordable Housing</b>			
City of Houston	\$ -	\$ -	\$ -
ISD Increment to Houston	\$ -	\$ -	\$ -
Harris County	\$ -	\$ -	\$ -
ISD Education Set-Aside	\$ 3,493,350	\$ 1,889,345	\$ 2,013,458
Municipal Services	\$ 500,000	\$ 500,000	\$ 700,000
HHFC Payment	\$ 750,000	\$ 750,000	\$ 750,000
<b>Administration Fee to General Fund</b>			
COH Admin Fee (5%)	\$ 345,104	\$ 319,055	\$ 365,076
Harris County Admin	\$ 37,034	\$ 33,910	\$ 42,196
ISD Admin	\$ 25,000	\$ 25,000	\$ 25,000
<b>Total Fund Transfers</b>	<b>\$ 5,150,488</b>	<b>\$ 3,517,310</b>	<b>\$ 3,895,730</b>
<b>Funds Available for Projects</b>	<b>\$ 33,541,965</b>	<b>\$ 33,150,479</b>	<b>\$ 22,009,100</b>
<b>Project Costs</b>			
Administrative Staff	\$ 230,140	\$ 230,478	\$ 236,191
Administrative Consultant	\$ -	\$ -	\$ -
Legal	\$ 15,000	\$ 14,909	\$ 15,000
Accounting/ Audit	\$ 24,200	\$ 28,700	\$ 24,800
Program / Project Consulting	\$ 4,000	\$ 4,000	\$ 4,000
Administrative Operating Expense	\$ 82,651	\$ 82,444	\$ 85,900
Capital Expenditures	\$ 10,750,000	\$ 10,450,000	\$ 7,300,000
Developer/ Project reimbursements	\$ 10,050,000	\$ 6,010,000	\$ 6,286,810
<b>Debt Service</b>			
Principal	\$ 520,000	\$ 520,000	\$ 545,000
Interest	\$ 561,164	\$ 605,514	\$ 1,289,858
Other debt items	\$ 2,012,500	\$ 2,023,434	\$ -
<b>Total Project Costs</b>	<b>\$ 24,249,655</b>	<b>\$ 19,969,479</b>	<b>\$ 15,787,559</b>
<b>Total Budget</b>	<b>\$ 29,400,143</b>	<b>\$ 23,486,789</b>	<b>\$ 19,683,289</b>
<b>Resources Less Transfer and Expenses</b>	<b>\$ 9,292,310</b>	<b>\$ 13,181,000</b>	<b>\$ 6,221,541</b>
<b>Planned Ending Fund Balance:</b>			
Restricted Funds - Capital Projects	\$ -	\$ -	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ 3,915,322	\$ 3,916,773	\$ 3,916,773
<b>Unrestricted Fund Balance</b>	<b>\$ 5,376,988</b>	<b>\$ 9,264,227</b>	<b>\$ 2,304,768</b>

Notes:

\* LOC \$4.1M (of \$9.6M) converted to \$17.5M loan

CITY OF HOUSTON  
DEPARTMENT OF FINANCE  
ECONOMIC DEVELOPMENT DIVISION  
FISCAL YEAR 2010 BUDGET DETAIL

Fund Summary  
Fund Name: Main Street Market Square Redevelopment Authority  
TIRZ: 03  
Fund Number: 7551/64

TIRZ Budget Line Items	FY2009 Budget	2009 Projection	FY2010 Budget
<b>RESOURCES</b>			
RESTRICTED Funds - Capital Projects	\$ -	\$ -	\$ -
RESTRICTED Funds - Affordable Housing	\$ -	\$ -	\$ -
RESTRICTED Funds - Bond Debt Service	\$ 2,165,322	\$ 2,166,773	\$ 3,916,773
UNRESTRICTED Funds	\$ 5,489,655	\$ 5,489,655	\$ 9,264,227
<b>Beginning Fund Balance</b>	<b>\$ 7,654,977</b>	<b>\$ 7,656,428</b>	<b>\$ 13,181,000</b>
City tax revenue	\$ 6,902,084	\$ 6,381,106	\$ 7,301,514
ISD tax revenue	\$ 5,774,721	\$ 4,198,246	\$ 4,507,388
County tax revenue	\$ 740,671	\$ 678,208	\$ 843,915
Community College tax revenue	\$ -	\$ -	\$ -
<b>Incremental property tax revenue</b>	<b>\$ 13,417,476</b>	<b>\$ 11,257,560</b>	<b>\$ 12,652,817</b>
COH TIRZ Interest		\$ 147,309	\$ 12,276
<b>Miscellaneous revenue</b>	<b>\$ -</b>	<b>\$ 147,309</b>	<b>\$ 12,276</b>
Interest Income	\$ 120,000	\$ 106,492	\$ 58,737
<b>Other Interest Income</b>	<b>\$ 120,000</b>	<b>\$ 106,492</b>	<b>\$ 58,737</b>
<b>Developer Advances</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Grant Proceeds</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
Bank of America *		\$ 17,500,000	
<b>Special assessment bond proceeds</b>	<b>\$ -</b>	<b>\$ 17,500,000</b>	<b>\$ -</b>
Bank of America	\$ 17,500,000	\$ -	\$ -
<b>Proceeds from bank loan</b>	<b>\$ 17,500,000</b>	<b>\$ -</b>	<b>\$ -</b>
<b>TOTAL AVAILABLE RESOURCES</b>	<b>\$ 38,692,453</b>	<b>\$ 36,667,789</b>	<b>\$ 25,904,830</b>

CITY OF HOUSTON  
DEPARTMENT OF FINANCE  
ECONOMIC DEVELOPMENT DIVISION  
FISCAL YEAR 2010 BUDGET DETAIL

Fund Summary  
Fund Name: Main Street Market Square Redevelopment Authority  
TIRZ: 03  
Fund Number: 7551/64

TIRZ Budget Line Items	FY2009 Budget	2009 Projection	FY2010 Budget
<b>EXPENSES</b>			
Accounting	\$ 5,900	\$ 5,900	\$ 6,500
Administration Consultant	\$ -		
Administration Salaries & Benefits	\$ 230,140	\$ 230,478	\$ 236,191
Auditor (GDD)	\$ 9,800	\$ 9,300	\$ 9,800
Bond Services/Trustee	\$ 4,600	\$ 4,240	\$ 4,600
Financial Advisor	\$ 3,500	\$ 8,500	\$ 3,500
Insurance	\$ 3,600	\$ 3,800	\$ 4,000
Office Expenses	\$ 69,451	\$ 69,404	\$ 72,300
Taxroll Advisor	\$ 5,000	\$ 5,000	\$ 5,000
<b>TIRZ Administration and Overhead</b>	<b>\$ 331,991</b>	<b>\$ 336,622</b>	<b>\$ 341,891</b>
Architects	\$ 2,000	\$ 2,000	\$ 2,000
Engineering Consultants	\$ 2,000	\$ 2,000	\$ 2,000
Legal	\$ 15,000	\$ 14,909	\$ 15,000
Construction Audit	\$ 5,000	\$ 5,000	\$ 5,000
Planning Consultants	\$ -	\$ -	\$ -
Project/Program Management	\$ -	\$ -	\$ -
<b>Program and Project Consultants</b>	<b>\$ 24,000</b>	<b>\$ 23,909</b>	<b>\$ 24,000</b>
<b>Management consulting services</b>	<b>\$ 355,991</b>	<b>\$ 360,531</b>	<b>\$ 365,891</b>
Capital Expenditures (See CIP Schedule)	\$ 10,750,000	\$ 10,450,000	\$ 7,300,000
<b>TIRZ Capital Expenditures</b>	<b>\$ 10,750,000</b>	<b>\$ 10,450,000</b>	<b>\$ 7,300,000</b>
Affordable Housing	\$ 400,000	\$ 110,000	\$ 400,000
Buffalo Bayou	\$ 3,500,000	\$ 3,500,000	
Historic Preservation	\$ 900,000	\$ 900,000	\$ 1,000,000
Houston Pavilions	\$ 5,250,000	\$ 1,500,000	\$ 4,317,000
Developer Agreements**	\$ -		\$ 569,810
<b>Developer / Project Reimbursements</b>	<b>\$ 10,050,000</b>	<b>\$ 6,010,000</b>	<b>\$ 6,286,810</b>
Bond Debt Service			
Principal - Infrastructure (Series 2002A)	\$ 520,000	\$ 520,000	\$ 545,000
Interest - Infrastructure	\$ 561,164	\$ 561,164	\$ 535,858
Principal (B of A; 15 yr until 2023)			
Interest			\$ 754,000
Loan debt service			
Principal (Chase)			
Interest		\$ 44,350	\$ -
Other Debt Items			
Debt Service Reserve (deposit for B of A bonds)	\$ 1,750,000	\$ 1,750,000	\$ -
Line of Credit Repayment		\$ 10,934	\$ -
Loan fees	\$ 262,500	\$ 262,500	\$ -
<b>System debt service</b>	<b>\$ 3,093,664</b>	<b>\$ 3,148,948</b>	<b>\$ 1,834,858</b>
<b>TOTAL PROJECT COSTS</b>	<b>\$ 24,249,655</b>	<b>\$ 19,969,479</b>	<b>\$ 15,787,559</b>

CITY OF HOUSTON  
DEPARTMENT OF FINANCE  
ECONOMIC DEVELOPMENT DIVISION  
FISCAL YEAR 2010 BUDGET DETAIL

Fund Summary  
Fund Name: Main Street Market Square Redevelopment Authority  
TIRZ: 03  
Fund Number: 7551/64

TIRZ Budget Line Items	FY2009 Budget	2009 Projection	FY2010 Budget
Payment/transfer to ISD - educational facilities	\$ 3,493,350	\$ 1,889,345	\$ 2,013,458
Administration Fees:			
City	\$ 345,104	\$ 319,055	\$ 365,076
County	\$ 37,034	\$ 33,910	\$ 42,196
ISD	\$ 25,000	\$ 25,000	\$ 25,000
Affordable Housing:			
City	\$ -	\$ -	\$ -
ISD to City of Houston	\$ -	\$ -	\$ -
Transfer to Harris County	\$ -	\$ -	\$ -
Municipal Services (Payable to COH)	\$ 500,000	\$ 500,000	\$ 700,000
HHFC Payment	\$ 750,000	\$ 750,000	\$ 750,000
<b>Total Transfers</b>	<b>\$ 5,150,488</b>	<b>\$ 3,517,310</b>	<b>\$ 3,895,730</b>
<b>Total Budget</b>	<b>\$ 29,400,143</b>	<b>\$ 23,486,789</b>	<b>\$ 19,683,289</b>
RESTRICTED Funds - Capital Projects	\$ -	\$ -	\$ -
RESTRICTED Funds - Affordable Housing	\$ -	\$ -	\$ -
RESTRICTED Funds - Bond Debt Service	\$ 3,915,322	\$ 3,916,773	\$ 3,916,773
UNRESTRICTED Funds	\$ 5,376,988	\$ 9,264,227	\$ 2,304,768
<b>Total Ending Fund Balance</b>	<b>\$ 9,292,310</b>	<b>\$ 13,181,000</b>	<b>\$ 6,221,541</b>
<b>Total Budget &amp; Ending Fund Balance</b>	<b>\$ 38,692,453</b>	<b>\$ 36,667,789</b>	<b>\$ 25,904,830</b>

Notes:

LOC \$4.1M (of \$9.6M) converted to \$17.5M loan

\* 402 Main agreement signed 4/30/2009

Incremental property tax revenue and administration fee

Incremental property tax revenue and administration fee

2009 Projections based on payments from City and ISD, County is from TY08 HCAD values on 5/23/09

2010 Budget based on forecast derived from TY09 Preliminary HCAD values on 5/23/09

2010 - 2014 CAPITAL IMPROVEMENT PLAN  
 TIRZ No. 03 - Main Street Market Square Redevelopment Authority  
 CIP by Project

CITY OF HOUSTON - TIRZ PROGRAM  
 Finance Department  
 Economic Development Division

Council District	CIP No.	Project	FY Planned Appropriations (\$ Thousands)										Cummulative Total (To Date)	
			Through 2008	Projected 2009	2010	2011	2012	2013	2014	Total 2010-2014				
I	T-0301	Main Street Corridor E-W Improvements	\$ -	\$ 10,000	\$ 1,600,000	\$ 600,000	\$ 790,000	\$ -	\$ -	\$ -	\$ -	\$ -	2,990,000	3,000,000
I	T-0302	Market Square Park	\$ -	\$ 300,000	\$ 2,700,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2,700,000	3,000,000
I	T-0303	Pedestrian Amenities	\$ 121,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	121,000
I	T-0304	Julia Ideson - Phase II Renovation	\$ -	\$ 10,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	10,000,000
I	T-0305	Pedestrian Bridge - Ballet Academy	\$ -	\$ -	\$ 1,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1,500,000	1,500,000
I	T-0306	Parking Meters - Hard Wiring	\$ -	\$ 140,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	140,000
B	T-0307	Deluxe Theater	\$ -	\$ -	\$ -	\$ 1,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1,500,000	1,500,000
I	T-0308	Jones Plaza	\$ -	\$ -	\$ -	\$ 2,500,000	\$ 2,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	5,000,000	5,000,000
I	T-0309	Workforce Housing	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	-
I	T-0310	CEF: Theater District, Cultural & Parking Facilities	\$ -	\$ -	\$ 1,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1,500,000	1,500,000
<b>Totals</b>			121,000	10,450,000	7,300,000	4,600,000	3,290,000	-	-	-	-	15,190,000	25,761,000	

Source of Funds	FY Planned Appropriations (\$ Thousands)										Cumulative Total (To Date)
	Through 2008	Projected 2009	2010	2011	2012	2013	2014	Total 2010-2014			
TIRZ funds	21,000	10,450,000	7,300,000	4,600,000	3,290,000	-	-	-	15,190,000	25,661,000	
Revenue bond proceeds	-	-	-	-	-	-	-	-	-	-	
Proceeds from bank loan	-	-	-	-	-	-	-	-	-	-	
Developer Advance/Reimbursement	-	-	-	-	-	-	-	-	-	-	
City of Houston	-	-	-	-	-	-	-	-	-	-	
Grants	100,000	-	-	-	-	-	-	-	-	100,000	
Other	-	-	-	-	-	-	-	-	-	-	
<b>Project Total</b>	<b>121,000</b>	<b>10,450,000</b>	<b>7,300,000</b>	<b>4,600,000</b>	<b>3,290,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>15,190,000</b>	<b>25,761,000</b>	

<b>Project:</b>	<b>Main Street Corridor E-W Improvements</b>		<b>City Council District</b>	<b>Key Map:</b>	493	<b>WBS.:</b>	T-0301
<b>Description:</b>	Phase 1: Sidewalk, pedestrian amenities and street light upgrades on Rusk, Walker, Dallas, Polk, Clay, Bell, Leeland, Pease, and Jefferson between Travis and Fannin.		<b>Location:</b>	I	<b>Geo. Ref.:</b>		
<b>Justification:</b>	Existing conditions include substandard street lighting, broken or missing curbs and sidewalks, insufficient storm water capacity, little to no ADA compliance and right-of-way encroachments.		<b>Served:</b>	I	<b>Neighborhood:</b>	61	
<b>Operating and Maintenance Costs: (\$ Thousands)</b>							
			2010	2011	2012	2013	2014
	Personnel						
	Supplies						
	Svcs. & Chgs.						
	Capital Outlay						
	<b>Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -
	FTEs						

**Fiscal Year Planned Expenses**

Project Allocation	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY10 - FY14 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$ -	\$ -
2 Acquisition									\$ -	\$ -
3 Design		270,000	10,000						\$ -	\$ 10,000
4 Construction				1,600,000	600,000	790,000			\$ 2,990,000	\$ 2,990,000
5 Equipment									\$ -	\$ -
6 Close-Out									\$ -	\$ -
7 Other		180,000							\$ -	\$ -
<b>Other Sub-Total:</b>		180,000	-	-	-	-	-	-	\$ -	\$ -

<b>Total Allocations</b>	\$ -	\$ 450,000	\$ 10,000	\$ 1,600,000	\$ 600,000	\$ 790,000	\$ -	\$ -	\$ 2,990,000	\$ 3,000,000
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Source of Funds	2010	2011	2012	2013	2014	FY10 - FY14 Total	Cumulative Total (To Date)
TIRZ Increment Revenue							
TIRZ Increment Bond Funds		600,000	790,000			\$ 2,990,000	\$ 3,000,000
Grant Funds						\$ -	\$ -
<b>Total Funds</b>	\$ -	\$ 600,000	\$ 790,000	\$ -	\$ -	\$ 2,990,000	\$ 3,000,000



<b>Project:</b>	<b>Pedestrian Amenities</b>	<b>City Council District</b>	<b>Key Map:</b>	<b>WBS.:</b>	<b>T-0303</b>
		Location:	493	Geo. Ref.:	
		Served:	61	Neighborhood:	
<b>Description:</b>	Bike Rack, Bench, and Trash Receptical installation on Main Street and in the Theater District.	<b>Operating and Maintenance Costs: (\$ Thousands)</b>			
<b>Justification:</b>	Implementation of transit corridor / intermodal focused project funded through a TCSP Grant.	2010	2011	2012	2013
		Personnel			2014
		Supplies			Total
		Svcs. & Chgs.			\$
		Capital Outlay			\$
		<b>Total</b>	\$ -	\$ -	\$ -
		<b>FTEs</b>			\$ -

**Fiscal Year Planned Expenses**

Project Allocation	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY10 - FY14 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$ -	\$ -
2 Acquisition									\$ -	\$ -
3 Design									\$ -	\$ -
4 Construction	121,000								\$ -	\$ 121,000
5 Equipment									\$ -	\$ -
6 Close-Out									\$ -	\$ -
7 Other									\$ -	\$ -
<b>Other Sub-Total:</b>									\$ -	\$ -

<b>Total Allocations</b>	\$ 121,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 121,000
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Source of Funds	2010	2011	2012	2013	2014	FY10 - FY14 Total	Cumulative Total (To Date)
TIRZ Increment Revenue						\$ -	\$ -
TIRZ Increment Bond Funds						\$ -	\$ 21,000
Grant Funds						\$ -	\$ 100,000
<b>Total Funds</b>	\$ 121,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 121,000

<b>Project:</b>	Julia Ideson - Phase II Renovation (Reference CIP No. E-000155)	City Council District	493	Key Map:	493	WBS.:	T-0304
<b>Description:</b>	Funding to support renovation and expansion of Julia Ideson building.	Location:	I	Geo. Ref.:			
<b>Justification:</b>	Facility requires rehabilitation and expansion.	Served:	ALL	Neighborhood:	61		
<b>Operating and Maintenance Costs: (\$ Thousands)</b>							
		2010	2011	2012	2013	2014	Total
	Personnel						\$ -
	Supplies						\$ -
	Svcs. & Chgs.						\$ -
	Capital Outlay						\$ -
	<b>Total</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	FTEs						-

**Fiscal Year Planned Expenses**

Project Allocation	Phase	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY10 - FY14 Total	Cumulative Total (To Date)
	1 Planning									\$ -	\$ -
	2 Acquisition									\$ -	\$ -
	3 Design									\$ -	\$ -
	4 Construction		10,000,000	10,000,000						\$ -	\$ 10,000,000
	5 Equipment									\$ -	\$ -
	6 Close-Out									\$ -	\$ -
	7 Other									\$ -	\$ -
	<b>Other Sub-Total:</b>	-	-	-	-	-	-	-	-	\$ -	\$ -
<b>Total Allocations</b>		\$ -	\$ 10,000,000	\$ 10,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000,000
<b>Source of Funds</b>											
	TIRZ Increment Revenue		10,000,000	10,000,000						\$ -	\$ 10,000,000
	TIRZ Increment Bond Funds									\$ -	\$ -
	Grant Funds									\$ -	\$ -
<b>Total Funds</b>		\$ -	\$ 10,000,000	\$ 10,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000,000

<b>Project:</b>	<b>Pedestrian Bridge - Ballet Academy</b>		<b>City Council District</b>	<b>Key Map:</b>	<b>WBS.:</b>	<b>T-0305</b>
	<b>Location:</b>	I	493	<b>Geo. Ref.:</b>		
	<b>Served:</b>	ALL	61	<b>Neighborhood:</b>		
<b>Description:</b>	Pedestrian bridge to connect ballet to Wortham Theater.					
<b>Justification:</b>	Provides access to rear of Wortham Theater for ballet.					
	<b>Operating and Maintenance Costs: (\$ Thousands)</b>					
	2010	2011	2012	2013	2014	<b>Total</b>
Personnel						\$ -
Supplies						\$ -
Svcs. & Chgs.						\$ -
Capital Outlay						\$ -
<b>Total</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs						-

**Fiscal Year Planned Expenses**

Project Allocation	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY10 - FY14 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$ -	\$ -
2 Acquisition									\$ -	\$ -
3 Design									\$ -	\$ -
4 Construction				1,500,000					\$ 1,500,000	\$ 1,500,000
5 Equipment									\$ -	\$ -
6 Close-Out									\$ -	\$ -
7 Other									\$ -	\$ -
<b>Other Sub-Total:</b>				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Allocations</b>	\$ -	\$ -	\$ -	\$ 1,500,000	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 1,500,000

Source of Funds	2010	2011	2012	2013	2014	FY10 - FY14 Total	Cumulative Total (To Date)
TIRZ Increment Revenue							
TIRZ Increment Bond Funds	1,500,000					\$ 1,500,000	\$ 1,500,000
Grant Funds						\$ -	\$ -
<b>Total Funds</b>	\$ 1,500,000	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 1,500,000

<b>Project:</b>	<b>Parking Meters - Hard Wiring</b>	<b>City Council District</b>	<b>Key Map:</b>	493	<b>WBS.:</b>	<b>T-0306</b>
		<b>Location:</b>	<b>Geo. Ref.:</b>			
		<b>Served:</b>	<b>Neighborhood:</b>	61		
<b>Operating and Maintenance Costs: (\$ Thousands)</b>						
<b>Description:</b>	Hard Wiring Parking Meters within the historic district	2010	2011	2012	2013	2014
<b>Justification:</b>	Removal of solar panels that struck view of historic sites	Personnel				Total
		Supplies				\$
		Svcs. & Chgs.				\$
		Capital Outlay				\$
		<b>Total</b>	\$	-	\$	-
		<b>FTEs</b>				

**Fiscal Year Planned Expenses**

Project Allocation	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY10 - FY14 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$	\$
2 Acquisition									\$	\$
3 Design									\$	\$
4 Construction			140,000						\$	\$ 140,000
5 Equipment									\$	\$
6 Close-Out									\$	\$
7 Other									\$	\$
<b>Other Sub-Total:</b>									\$	\$

<b>Total Allocations</b>	\$	-	\$	140,000	\$	-	\$	-	\$	140,000
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Source of Funds	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY10 - FY14 Total	Cumulative Total (To Date)
TIRZ Increment Revenue		140,000						\$	\$ 140,000
TIRZ Increment Bond Funds								\$	\$
Grant Funds								\$	\$
<b>Total Funds</b>	\$	140,000	\$	-	\$	-	\$	-	\$ 140,000

<b>Project:</b>	<b>Deluxe Theater</b>	<b>City Council District</b>	494		<b>Key Map:</b>	T-0307	
<b>Description:</b>	Rehabilitate the historic Deluxe Theater on Lyons Ave.	<b>Location:</b>	B	<b>Geo. Ref.:</b>	<b>WBS.:</b>		
<b>Justification:</b>	The renovated Deluxe Theater will serve as a theater venue for the surrounding Fifth Ward community.	<b>Served:</b>	All	<b>Neighborhood:</b>			
<b>Operating and Maintenance Costs: (\$ Thousands)</b>							
		2010	2011	2012	2013	2014	Total
	Personnel						\$ -
	Supplies						\$ -
	Svcs. & Chgs.						\$ -
	Capital Outlay						\$ -
	<b>Total</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	FTEs						-

**Fiscal Year Planned Expenses**

Project Allocation	Phase	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY10 - FY14 Total	Cumulative Total (To Date)
	1 Planning									\$ -	\$ -
	2 Acquisition									\$ -	\$ -
	3 Design									\$ -	\$ -
	4 Construction				1,500,000					\$ 1,500,000	\$ 1,500,000
	5 Equipment									\$ -	\$ -
	6 Close-Out									\$ -	\$ -
	7 Other									\$ -	\$ -
	<b>Other Sub-Total:</b>	-	-	-	-	-	-	-	-	\$ -	\$ -
<b>Total Allocations</b>		\$ -	\$ -	\$ -	\$ -	\$ 1,500,000	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 1,500,000

Source of Funds	2010	2011	2012	2013	2014	FY10 - FY14 Total	Cumulative Total (To Date)
TIRZ Increment Revenue						\$ 1,500,000	\$ 1,500,000
TIRZ Increment Bond Funds						\$ -	\$ -
Grant Funds						\$ -	\$ -
<b>Total Funds</b>	\$ -	\$ 1,500,000	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 1,500,000

<b>Project:</b>	<b>Jones Plaza</b>	<b>City Council District</b>	<b>Key Map:</b>	493	<b>WBS.:</b>	T-0308
<b>Description:</b>	Renovation of Jones Plaza.	<b>Location:</b>	<b>Geo. Ref.:</b>			
<b>Justification:</b>	Expand functionality of Jones Plaza through renovation of existing facility.	<b>Served:</b>	<b>Neighborhood:</b>	61		
<b>Operating and Maintenance Costs: (\$ Thousands)</b>						
		2010	2011	2012	2013	2014
	Personnel					
	Supplies					
	Svcs. & Chgs.					
	Capital Outlay					
	<b>Total</b>	\$ -	\$ -	\$ -	\$ -	\$ -
	<b>FTEs</b>					

**Fiscal Year Planned Expenses**

Project Allocation	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY10 - FY14 Total	Cumulative Total (To Date)
<b>Phase</b>										
1 Planning									\$ -	\$ -
2 Acquisition									\$ -	\$ -
3 Design									\$ -	\$ -
4 Construction				2,500,000	2,500,000				\$ 5,000,000	\$ 5,000,000
5 Equipment									\$ -	\$ -
6 Close-Out									\$ -	\$ -
7 Other									\$ -	\$ -
<b>Other Sub-Total:</b>									\$ -	\$ -

<b>Total Allocations</b>	\$ -	\$ -	\$ -	\$ -	\$ 2,500,000	\$ 2,500,000	\$ -	\$ -	\$ 5,000,000	\$ 5,000,000
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<b>Source of Funds</b>										
TIRZ Increment Revenue										
TIRZ Increment Bond Funds				2,500,000	2,500,000				\$ 5,000,000	\$ 5,000,000
Grant Funds									\$ -	\$ -
<b>Total Funds</b>	\$ -	\$ -	\$ -	\$ -	\$ 2,500,000	\$ 2,500,000	\$ -	\$ -	\$ 5,000,000	\$ 5,000,000

<b>Project:</b>	Workforce Housing	City Council District	Key Map:	WBS.:	T-0309		
<b>Description:</b>	Housing	Location: I	Geo. Ref.:				
<b>Justification:</b>	Need for work-force housing in the area	Served:	Neighborhood:				
<b>Operating and Maintenance Costs: (\$ Thousands)</b>							
		2010	2011	2012	2013	2014	Total
	Personnel						\$ -
	Supplies						\$ -
	Svcs. & Chgs.						\$ -
	Capital Outlay						\$ -
	<b>Total</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	FTEs						-

**Fiscal Year Planned Expenses**

Project Allocation	Phase	Projected Expenses thru 6/30/08	2009 Budget	2009 Estimate	2010	2011	2012	2013	2014	FY10 - FY14 Total	Cumulative Total (To Date)
	1 Planning									\$ -	\$ -
	2 Acquisition									\$ -	\$ -
	3 Design									\$ -	\$ -
	4 Construction									\$ -	\$ -
	5 Equipment									\$ -	\$ -
	6 Close-Out									\$ -	\$ -
	7 Other									\$ -	\$ -
	<b>Other Sub-Total:</b>	-	-	-	-	-	-	-	-	\$ -	\$ -

<b>Total Allocations</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
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<b>Source of Funds</b>											
TIRZ Increment Revenue										\$ -	\$ -
TIRZ Increment Bond Funds										\$ -	\$ -
Grant Funds										\$ -	\$ -
<b>Total Funds</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

<b>Project:</b>	<b>CEF: Theater District, Cultural &amp; Parking Facilities</b>	<b>City Council District</b>	<b>Key Map:</b>	<b>WBS.:</b>		<b>T-0310</b>
		<b>Location:</b> I	493			
		<b>Served:</b>	<b>Geo. Ref.:</b>			
			<b>Neighborhood:</b>			
<b>Description:</b>	Improvements to facilities in the Theater District: - Parking Lot C - design, renovations - Wortham Theater Center - replacement of aged chiller; exterior illumination - Jones Hall - electric branch wiring replacement - Theater District Parking Garage - structural repairs; waterproofing	<b>Operating and Maintenance Costs: (\$ Thousands)</b>				
		2010	2011	2012	2013	2014
	Personnel					
	Supplies					
	Svcs. & Chgs.					
	Capital Outlay					
	<b>Total</b>	\$ -	\$ -	\$ -	\$ -	\$ -
	<b>FTEs</b>					
<b>Justification:</b>	Significant improvements in and around the Theater District.					

**Fiscal Year Planned Expenses**

<b>Project Allocation</b>	<b>Projected Expenses thru 6/30/08</b>	<b>2009 Budget</b>	<b>2009 Estimate</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>FY10 - FY14 Total</b>	<b>Cumulative Total (To Date)</b>
<b>Phase</b>										
1 Planning									\$ -	\$ -
2 Acquisition									\$ -	\$ -
3 Design									\$ -	\$ -
4 Construction				1,500,000					\$ 1,500,000	\$ 1,500,000
5 Equipment									\$ -	\$ -
6 Close-Out									\$ -	\$ -
7 Other									\$ -	\$ -
<b>Other Sub-Total:</b>									\$ -	\$ -

<b>Total Allocations</b>	\$ -	\$ -	\$ -	\$ 1,500,000	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 1,500,000
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<b>Source of Funds</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>FY10 - FY14 Total</b>	<b>Cumulative Total (To Date)</b>
TIRZ Increment Revenue							
TIRZ Increment Bond Funds	1,500,000					\$ 1,500,000	\$ 1,500,000
Grant Funds						\$ -	\$ -
<b>Total Funds</b>	\$ 1,500,000	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 1,500,000

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8300**

**Subject:** Approve an Ordinance Authorizing the Execution of an Interlocal Agreement for Analytical Services from the Department of State Health Services for the Public Works and Engineering Department. S50-L23222

Category #  
4

Page 1 of 2

Agenda Item

*22*

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

**Origination Date**  
July 08, 2009

**Agenda Date**  
AUG 05 2009

**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 authorizing the execution of an Interlocal Agreement with the Department of State Health Services in an amount not to exceed \$469,635.00 for analytical services for the Public Works & Engineering Department.

Contract Amount: \$469,635.00

**Finance Budget**

\$469,635.00 - PWE - Water & Sewer System Operating Fund (8300)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the execution of an Interlocal Agreement with the Department of State Health Services in an amount not to exceed \$469,635.00 for a one-year term with two one-year options to renew by mutual written agreement of both parties for analytical services for the Public Works & Engineering Department. The contractor will be required to perform laboratory testing of the City's drinking water to ensure compliance with Federal, State and local regulations.

The Federal Safe Drinking Water Act, as amended in 1996, authorizes the Environmental Protection Agency (EPA) to develop and enforce rules and regulations that govern drinking water quality nationally. The EPA has authorized the Texas Commission on Environmental Quality (TCEQ) to administer the program in the State of Texas. The EPA and the TCEQ require that all public water systems be regularly monitored for compliance with established limits for approximately 90 regulated and up to 26 unregulated, chemical, physical, microbiological and radiological contaminants. Samples are collected from approximately 115 locations in the City of Houston's water system and analyzed either quarterly, annually, or tri-annually depending on the regulated contaminant and source of water. These certified analyses are reported to the TCEQ and the City of Houston. TCEQ further reports to the EPA the compliance status of each system, based on these results.

The Department of State Health Services will test drinking water samples using the EPA methodology and any additional analyses required by EPA or TCEQ from City public water systems and any other public water systems for which the City acquires responsibility during the term of this Agreement to enable the City to comply with EPA and TCEQ drinking water standards.

**Pay or Play Program:**

The Department of State Health Services as a State of Texas agency is exempt from the Pay or Play program.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MS*

*mg*

*skD*

Date: 7/8/2009	Subject: Approve an Ordinance Authorizing the Execution of an Interlocal Agreement for Analytical Services from the Department of State Health Services for the Public Works and Engineering Department. S50-L23222	Originator's Initials AL	Page 2 of 2
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**M/WBE Subcontracting:**

The Department of State Health Services as a State of Texas agency is exempt from the M/WBE subcontract component.

This recommendation is made pursuant to Chapter 791 of the Texas Local Government Code, entitled the Interlocal Cooperation Act for exempt procurement.

**SPENDING AUTHORITY**

FY10	FY11	FY12	AGGRATE TOTAL
\$156,000.00	\$156,817.50	\$156,817.50	\$469,635.00

Buyer: Arturo Lopez

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8428**

**Subject:** Approve an Appropriation Ordinance from the Police Consolidated Construction Fund for Radio Project Implementation for the Information Technology Department

Category #  
1

Page 1 of 2

Agenda Item

**23**

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

Richard Lewis  
Chief Information Officer  
Information Technology

**Origination Date**

July 16, 2009

**Agenda Date**

AUG 05 2009

**DIRECTOR'S SIGNATURE**

*Richard Lewis*

**Council District(s) affected**  
All

**For additional information contact:**

Tom Sorley Phone: (832) 393-0300  
Frank Rodriguez Phone: (832) 393-0205

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

Ord. 2008-0952 10/29/08

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$2,742,000.00 from the Police Consolidated Construction Fund (4504) for Radio Project Implementation for the Information Technology Department.

**Finance Budget**

*Michelle Mitchell*

Amount and Source of Funding : \$2,742,000.00 Police Consolidated Construction Fund (4504) WBS: X-687000-0001-1

**SPECIFIC EXPLANATION:**

The Chief Information Officer recommends that City Council approve an ordinance authorizing the appropriation of \$2,742,000.00 from the Police Consolidated Construction Fund (4504) for Radio Project Implementation for the Information Technology Department. The requested appropriation will fund annual budgeted expenses, including personnel and related operating costs, project office lease, tower site leasing and utilities.

In August 2007, the City published a Request for Proposals (RFP) to replace the City's aging public safety radio systems. Proposals were received on December 7, 2007. Technical Evaluations were conducted between January and June 2008. The results of the technical evaluation were extremely close. Therefore, contract negotiations were conducted with both vendors culminating with Council Action in October 2008 to approve a contract with Motorola.

In the last eight months, the radio project team has secured and moved into leased space, established a collaboration web site, and has begun tower site acquisition and civil work. A detailed design review is on schedule to be completed on August 5, 2009.

Motorola and the City have jointly developed an accelerated schedule that will allow the Public Works and Engineering Department and the Fire Department to transition to the new Public Works System Layer 18 months early. This will reduce the risk to the City while expediting the overall project. In order to facilitate this accelerated schedule it is necessary to use radios that are capable of operating on both the old systems and the new one. The use of these multi-band radios will allow the Fire Department's early deployment while preserving their ability to revert back to the current radio system if necessary.

This year, the project team will be commencing work on project milestone number three, System Factory Staging. The project team will also be working on the following tasks during FY 2010:

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MS*

*MS*

*27*

Date: 7/16/2009	Subject: Approve an Appropriation Ordinance from the Police Consolidated Construction Fund for Radio Project Implementation for the Information Technology Department	Originator's Initials FR	Page 2 of 2
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1. Complete Site Acquisition
2. Site Civil work – Phase 1 (Complete approximately 20 sites)
3. Substantially complete training of Technical Team
4. Begin Fleet Mapping process
5. Continue to pursue partnership opportunities

ITD will continue to request the necessary funds for project implementation on an annual basis, through project completion. The Department presented a project update to the Council Committee on Public Safety and Homeland Security on July 21, 2009.

<b>SUBJECT:</b> Lease Agreement with Port of Houston Authority of Harris County, Texas at 8675 Clinton Drive for the Radio Communications Division of the Information Technology Department		<b>Page</b> 1	<b>Agenda Item</b> <i>23A</i>
<b>FROM (Department or other point of origin):</b> General Services Department		<b>Origination Date</b> 7-30-09	<b>Agenda Date</b> AUG 05 2009
<i>no</i> <b>DIRECTOR'S SIGNATURE:</b> <i>Gina Dobbins-1/13/09</i> Issa Z. Dadoush, P.E.	<b>Council District affected:</b> B		
<b>For additional information contact:</b> Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023	<b>Date and identification of prior authorizing Council action:</b>		
<b>RECOMMENDATION:</b> Approve and authorize a Lease Agreement with Port of Houston Authority of Harris County, Texas, for ground and lease space at 8675 Clinton Drive, for the Radio Communications Division of the Information Technology Department and allocate funds.			
<b>Amount and Source Of Funding:</b> \$ <b>12,000.00</b> FY 2010 -CIP Salary Recovery Fund (1001) \$ <b>96,000.00</b> FY 2011- FY 2015 -Out Years - CIP Salary Recovery Fund (1001) \$ <b>132,000.00</b> FY 2015 - FY 2020 Out Years - General Fund (1000) \$ <b>240,000.00</b> Total cost for Initial Base Term		<b>Finance Budget:</b>	
<b>SPECIFIC EXPLANATION:</b> On October 29, 2008, Ordinance 2008-0952, City Council approved a System Purchase Agreement with Motorola, Inc. for a new Public Safety Radio System. The City's current Public Safety Radio system is antiquated and at the end of its economic and useful life. The new radio system will be interoperable, allowing Fire, Police and Public Works, to communicate more effectively with each other within the City and with other public safety entities. To facilitate this project, the Radio Communications Division of the Information Technology Department (IT) will be entering into various telecommunications agreements to lease communication tower space and ground space for the installation, operation and maintenance of antennas and other telecommunications equipment.  The proposed Lease Agreement with Port of Houston Authority of Harris County Texas allows IT to construct a new 300' self supporting communication tower and a radio communication room at the leased premises. The major provisions of the Agreement are as follows:  <ul style="list-style-type: none"> <li>• <b>Term</b> - ten-year lease term with two five-year renewal options.</li> <li>• <b>Rental Rate</b> - \$2,000.00 per month/\$24,000 per annum for the entire term.</li> <li>• <b>Maintenance</b> - The City is responsible for all maintenance and utilities.</li> </ul> <p>All equipment mounted at ground level will be surrounded by a secure fence along with ground treatment to minimize dust and weed control.</p> <p>The General Services Department recommends that City Council approve and authorize a Lease Agreement with Port of Houston Authority of Harris, County Texas at 8675 Clinton Drive for the Radio Communications Division of the Information Technology Department.</p> <p>IZD:BC:JLN:RB:ddc</p> <p>xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Tom Sorley</p>			
<b>REQUIRED AUTHORIZATION</b>		CUIC ID# 25 RB 63	
<b>General Services Department:</b> <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Director Real Estate Division		<b>Information Technology Department:</b> <i>Richard F. Lewis</i> Richard F. Lewis Director	

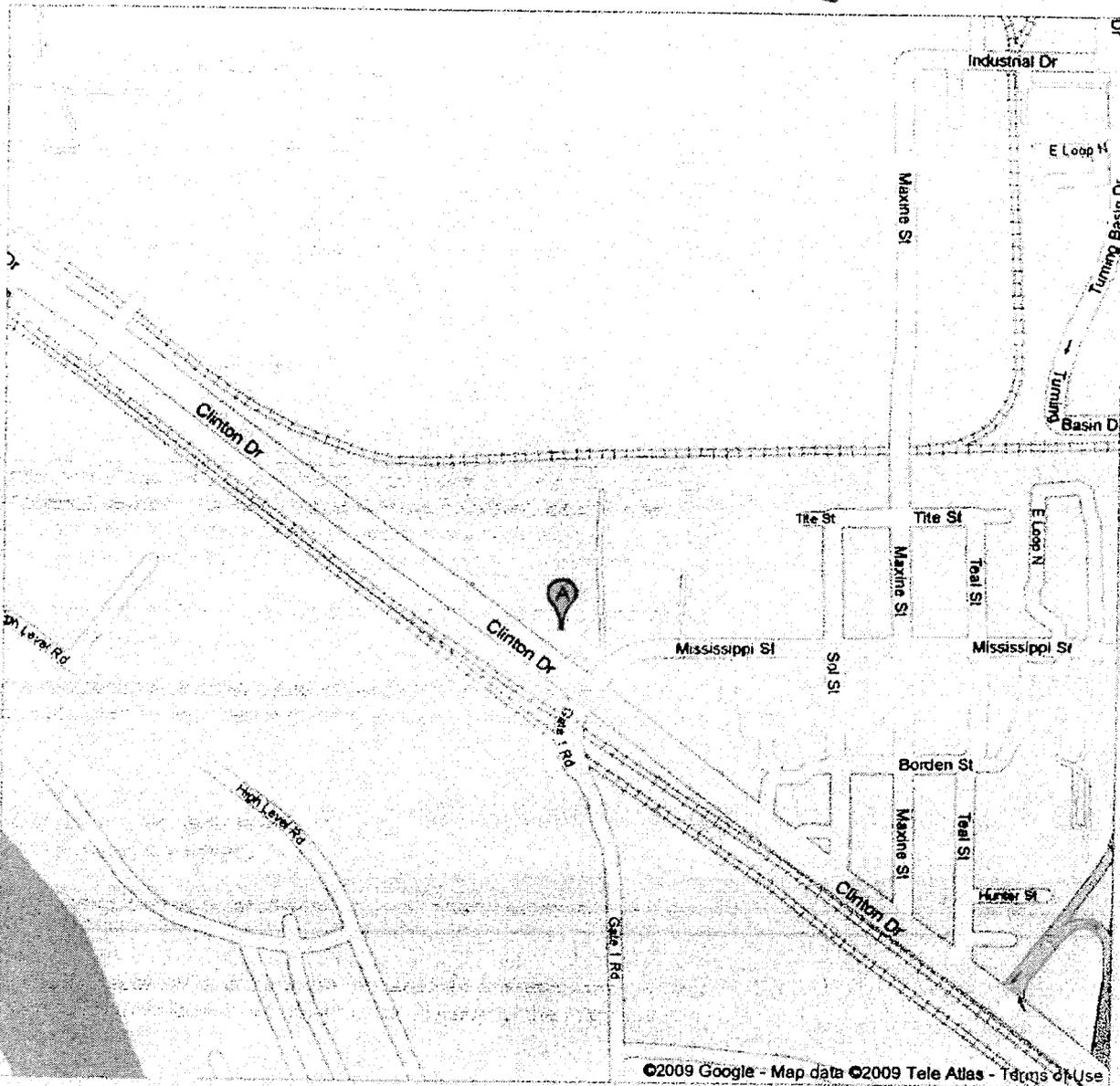
*212*

Google maps

Address 8675 Clinton Dr  
Houston, TX 77029

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

<b>SUBJECT:</b> Appropriation of Public Library Consolidated Construction Funds for equipment at the new Bracewell Neighborhood Library location. WBS No. E-000114-0001-5	<b>Page</b> 1 of 1	<b>Agenda Item</b> <i>24</i>
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<b>FROM (Department or other point of origin):</b> Library Department	<b>Origination Date</b> <i>7/29/09</i>	<b>Agenda Date</b> AUG 05 2009
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<b>DIRECTOR'S SIGNATURE:</b> Rhea Brown Lawson, Ph.D. <i>[Signature]</i>	<b>Council District affected:</b> E
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<b>For additional information contact:</b> Veronica Davidson Phone: 832-393-1335	<b>Date and identification of prior authorizing council action:</b>
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**RECOMMENDATION:** Appropriate funds for Bracewell Neighborhood Library

<b>Amount and Source of Funding:</b> \$ 750,000.00 Public Library Consolidated Construction Fund (4507)	<b>FIN Budget:</b>
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**SPECIFIC EXPLANATION:** The Library Department recommends that City Council appropriate \$750,000 to purchase equipment for the new Bracewell Neighborhood Library currently under construction. The new 12,000 SF library replaces the existing 8,857 SF library built in 1970. Substantial completion of the facility is expected in the winter of 2009-2010.

The appropriation will allow the Library to purchase the materials for the opening day collection, which will include expenditures for adult, young adult and juvenile books and audio-visual materials. It will also allow for the purchase of information technology equipment, materials security systems, and self-check machines that will allow customers to check out their own materials. IT Equipment will be purchased using the Texas DIR contract, with purchases coming from various vendors using purchase orders of \$50,000 or less. The remaining funds will be used to purchase miscellaneous equipment and furniture by purchase order in small dollar amounts.

The following is a breakout of expected expenditures:

Library Materials	\$ 300,000.00
Information Technology Equipment	\$ 375,000.00
Miscellaneous Equipment	<u>\$ 75,000.00</u>
Total Appropriation	\$ 750,000.00

**PROJECT LOCATION:** 9002 Kingspoint Drive (576W)

**REQUIRED AUTHORIZATION**

<b>Library Department:</b> <i>[Signature]</i> Wendy Teas Heger, AIA Assistant Director		
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**TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Appropriation of Public Library Consolidated Construction Funds for equipment at the new Kendall Neighborhood Library location. WBS No. E-000094-0001-5	<b>Page</b> 1 of 1	<b>Agenda Item</b> <i>25</i>
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<b>FROM (Department or other point of origin):</b> Library Department	<b>Origination Date</b> <i>7/29/09</i>	<b>Agenda Date</b> AUG 05 2009
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<b>DIRECTOR'S SIGNATURE:</b> Rhea Brown Lawson, Ph.D. <i>Rhea Brown Lawson</i>	<b>Council District affected:</b> A
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<b>For additional information contact:</b> Veronica Davidson Phone: 832-393-1335	<b>Date and identification of prior authorizing council action:</b>
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**RECOMMENDATION:** Appropriate funds for Kendall Neighborhood Library

<b>Amount and Source of Funding:</b> \$ 1,100,000.00 Public Library Consolidated Construction Fund (4507)	<b>FIN Budget:</b>
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**SPECIFIC EXPLANATION:** The Library Department recommends that City Council appropriate \$1,100,000 to purchase equipment for the new Kendall Neighborhood Library currently under construction. The new 19,000 SF library replaces the existing 10,510 SF library built in 1969. Substantial completion of the facility is expected in the winter of 2009-2010.

The appropriation will allow the Library to purchase the materials for the opening day collection, which will include expenditures for adult, young adult and juvenile books and audio-visual materials. It will also allow for the purchase of information technology equipment, materials security systems, and self-check machines that will allow customers to check out their own materials. IT Equipment will be purchased using the Texas DIR contract, with purchases coming from various vendors using purchase orders of \$50,000 or less. The remaining funds will be used to purchase miscellaneous equipment and furniture by purchase order in small dollar amounts.

The following is a breakout of expected expenditures:

Library Materials	\$ 600,000.00
Information Technology Equipment	\$ 425,000.00
Miscellaneous Equipment	\$ 75,000.00
<b>Total Appropriation</b>	<b>\$ 1,100,000.00</b>

**PROJECT LOCATION:** 609 N. Eldrige Parkway (488G)

**REQUIRED AUTHORIZATION**

<b>Library Department:</b> <i>Wendy Teas Heger</i> Wendy Teas Heger, AIA Assistant Director		
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Construction Contract with Axiom Construction Company, Inc. for Hurricane Ike Repairs at George Bush Intercontinental Airport/Houston (IAH); Project No. 500H; (WBS # A-000595-0002-4-01)	<b>Category</b>	<b>Page</b> 1 of 2	<b>Agenda Item</b> <i>26</i>
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<b>FROM (Department or other point of origin):</b> Houston Airport System	<b>Origination Date</b> July 13, 2009	<b>Agenda Date</b> AUG 05 2009
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> "B"
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<b>For additional information contact:</b> John Silva 281/233-1925 Robert Bielek 281/233-1941	<b>Date and identification of prior authorizing Council action:</b> N/A
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<b>AMOUNT &amp; SOURCE OF FUNDING:</b> CIP No. A-0595.02 \$8,070,204.55 Arpt R & R Fd (8010) 	<b>Prior appropriations:</b> N/A
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**RECOMMENDATION: (Summary)**  
Enact an Ordinance to award a construction contract to Axiom Construction Company, Inc. for Hurricane Ike repairs and appropriate necessary funds to finance this project.

**PROJECT LOCATION:** George Bush Intercontinental Airport/Houston (IAH)

**SPECIFIC EXPLANATION:**  
The project consists of repairs and rehabilitation of various buildings at IAH as a result of wind and flood damage received during Hurricane Ike. The repair work consists of miscellaneous siding and roof repairs, a new roof at Terminal A North Concourse, replacement of millwork and drywall at the International Arrivals Building, miscellaneous ceiling and soffit repairs, masonry repair, and a new roof at the Receiving and Distribution warehouses. It is expected that project funds will be reimbursed by City property insurance and FEMA.

**PROJECT SUMMARY:** Project 500H has a contract term of 210 days. Design and preparation of the contract documents was done by Osborn & Vane Architects, Inc.

**BIDS DATE:** The project was competitively bid for a lump sum contract price. Bids were received on April 30, 2009 as follows:

- |                                     |                                     |
|-------------------------------------|-------------------------------------|
| 1. State Construction, L.P.         | \$5,970,700.00 (non-responsive bid) |
| 2. Axiom Construction Company, Inc. | \$7,306,944.40                      |
| 3. Manhattan Construction           | \$8,795,005.00                      |

REQUIRED AUTHORIZATION

NDT

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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R

<b>Date:</b> July 13, 2009	<b>SUBJECT:</b> Construction Contract with Axiom Construction Company, Inc. for Hurricane Ike Repairs at George Bush Intercontinental Airport/Houston (IAH); Project No. 500H; (WBS # A-000595-0002-4-01)	<b>Originator's Initials</b> LC	<b>Page</b> 2 of 2
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The bid from State did not contain all of the required alternates and was thus deemed non-responsive.

**ENGINEERING TESTING SERVICES CONTRACT:** Engineering and testing services for this project will be provided by Professional Service Industries, Inc. under Contract No. 73354.

**PROJECT COSTS:** The total amount to be appropriated is as follows:

\$7,131,168.40	Construction Contract Services
\$ 713,116.84	10% Contingency
<u>\$ 225,919.31</u>	Engineering and Testing Services
\$8,070,204.55	TOTAL APPROPRIATION

**MBE/WBE/SBE Participation:** The contract has 13% MBE, 12% SBE and 2% WBE participation goals, which comprise a total of 27% of the construction contract price and will be met by the following certified firms:

Firm	Type of Work	Amount	%
Canalco, Inc. (MBE)	Roofing Materials	\$ 500,000.00	7.01%
Salton Companies, LLC (MBE)	Drywall/ Carpentry	\$ 445,305.00	6.25%
Chavez Services Companies, Inc. (SBE)	Roofing	\$ 757,537.00	10.62 %
Wayne Electric, Inc. (SBE)	Electrical	\$ 141,806.00	1.99 %
Payless Insulation, Inc. (WBE)	Fireproofing	\$ 10,250.00	.14 %
Action Photography & Service (WBE)	Photography	\$ 6,105.00	.09 %
H & S Waterproofing, Inc. (WBE)	Waterproofing, Joint Sealants	\$ 31,697.00	.44 %
Ideal Finishes, Inc. (WBE)	Painting/ Plaster	<u>\$ 137,939.00</u>	<u>1.93 %</u>
	Total	\$ 2,030,639.00	28.47%

The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>Subject:</b> Construction Contract with Pyramid Constructors, LLP for Hurricane Ike Permanent Repairs at William P. Hobby Airport (HOU) and Ellington Airport (EFD); Project No. 630 (WBS# A-000595-0001-4-01)	<b>Category #</b> 7	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 27
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<b>FROM (Department or other point of origin):</b> Houston Airport System	<b>Origination Date</b> July 21, 2009	<b>Agenda Date</b> AUG 05 2009
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> E, I
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<b>For additional information contact:</b> John Silva Phone: 281/233-1925 Robert Bielek Phone: 281/233-1941	<b>Date and identification of prior authorizing Council action:</b> N/A
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<b>AMOUNT &amp; SOURCE OF FUNDING:</b> CIP No. A-0595.01/03 \$7,237,803.84 Arpt R&R Fd (8010)	<b>Prior appropriations:</b> N/A
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**RECOMMENDATION: (Summary)**  
Enact an Ordinance to award a construction contract to Pyramid Constructors, LLP and appropriate the necessary funds to finance the cost of this project.

**PROJECT LOCATIONS:** William P. Hobby Airport (HOU) and Ellington Airport (EFD)

**PROJECT SUMMARY:** Construction of Hurricane Ike permanent repairs, which will include the construction of all interior and exterior hurricane related damages at each building included in the drawings and specifications for this project at HOU and EFD.

EFD permanent repairs consist of structural and miscellaneous repairs including the following:

- Repair and/or replacement of equipment, structure and finishes, including Asbestos removal where necessary for the following buildings: Aircraft Hangars; Control Tower; Administration Building; Storage Warehouse; Warehouse; Automotive Shop; Montana Arms; Maintenance Facility; Pole Barn; and the Incinerator.

HOU permanent repairs consist of the following:

- Repair and/or replacement of equipment, structure and finishes, including asbestos removal where necessary for the following buildings: Fire Department; FAA/PDC Construction/US Customs; Airfield & Ground (A&G) Office Building; A&G Warehouse; A&G Tools; A&G Repair Shop; A&G Paint Shop; A&G Covered Parking; A&G Electrical Building; Vehicle Gas Station; South Electric Vault; North Electric Vault; TSA/HPD/Facility Administration; Terminal Area Building; Orange Canopy and Parking Garage; Cargo Facility; Helicopter Pad-HPD Hanger-HPD Shop; and the Taxi Break Room.

The Contract term is 180 days. Drawings and Specifications were prepared by McDonough Engineering Corporation.

REQUIRED AUTHORIZATION

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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<b>Date</b> July 8, 2009	<b>Subject:</b> Construction Contract with Pyramid Constructors, LLP for Hurricane Ike Repairs at William P. Hobby Airport (HOU) and Ellington Airport (EFD); Project No. 630 (WBS# A-000595-0001-4-01)	<b>Originator's Initials</b> GP	<b>Page</b> 2 of 2
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**BID DATES:** Bids were received on May 7, 2009 as follows:

	<u>Base Bid</u>
1. Pyramid Constructors, LLP	\$6,520,544.00
2. SpawGlass Civil Construction, Inc.	\$6,932,498.00
3. Axiom Construction Company, Inc.	\$7,408,345.37
4. State Construction, L.P.	\$7,697,335.14

**ENGINEERING SERVICES TESTING CONTRACT:** Engineering and testing services will be provided by Associated Testing Laboratories, Inc. under Contract No. 73233.

**PROJECT COST:** The total amount to be appropriated for this contract is as follows:

\$6,520,544.00	Construction Contract Services
\$ 521,643.52	Construction Contingency (8.0%)
<u>\$ 195,616.32</u>	Engineering Testing Services (3.0%)
\$7,237,803.84	TOTAL APPROPRIATION

**M/S/WBE PARTICIPATION:** The M/S/WBE goal for this contract is twenty-five percent (25%) and will be met by the following certified firms:

Firm	Type of Work	Amount	%
Medisco Imaging, Inc. (SBE)	Drywall carpentry, comp roofing, demolition and moving	\$ 521,645.00	8%
Heights Electric Services, Inc. (SBE)	Electrical work	\$ 195,616.00	3%
SCS Construction Management, Inc. (SBE)	Metal roof, labor and materials	\$ 782,466.00	12%
MEK Interiors & Floors, Inc. (WBE)	Carpet and vinyl flooring	\$ 65,205.00	1%
B.P. Worldwide Security, Inc. (MBE)	Escort and security	<u>\$ 65,205.00</u>	<u>1%</u>
	Total	\$1,630,137.00	25%

The contractor certifies that they shall make a good faith effort to achieve the MBE participation goal and shall coordinate with the Small Business Development Office to identify certified subcontractors as the project progresses.

The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.



# Memorandum

**To:** Mayor Bill White

**From:** Alfred J. Moran, Jr., Director

**Date:** July 28, 2009

**Subject:** Status - Hurricane Ike Insurance Claim & Payments

Mayor,

The purpose of this memorandum is to provide the status of the City's property insurance claim and insurance carrier payments for damages related to Hurricane Ike. As reported previously, the City is currently engaged in a cooperative claim process with insurance representatives for recovery for actual damages.

## General Services (GSD)

The GSD portion of the insurance claim covering some 280 locations has been substantially settled at approximately \$13.0 Million. The three outstanding items are related to additional repair costs and emergency preparation expenses, which will result in an additional \$80,000 to \$180,000. Any additional damages that may be identified as repairs are made will be the subject of incremental claims and settlements.

## Houston Airport Systems (HAS)

On Friday, July 24, 2009, Eric Potts, his staff, my insurance team and I met with the insurance company representatives to begin reconciliation of all aspects of the HAS insurance claim; these discussions included experts in several fields and approximately seventy-five different insured locations at the three airports. The outcome of this meeting was agreement on specific "critical actions" to be taken over the next week in preparation for a claim settlement meeting scheduled for August 5, beginning at 8:00 am. All participants have agreed to stay as late as necessary in order to close as much of the claim value as possible by that evening. Between July 24 and August 5, HAS will be producing additional documentation of specific damages discussed at the preview meeting, as well as, conducting final site inspections where it was agreed that additional information would be helpful to reach claim resolution.

Our current HAS claim totals approximately \$26.0 million; this amount includes roof replacements for certain airport buildings, where the insurance adjusters have already taken the position that hurricane damaged areas can be fully repaired without complete roof replacements and a major difference in the scope of repairs for the Central Concourse at Hobby.

## HAS Business Interruption (BI)

In addition to the \$26.0 million of property damage, HAS is the only City department that has a Business Interruption claim for loss of revenues resulting from direct physical damage to their insured property. On August 3, we will meet with the Finance Division of HAS, insurance representatives and their



accountants to discuss eligible revenues, identify outstanding financial documentation and establish "critical actions" to expedite this claim recovery. It is anticipated that this HAS Business Interruption insurance recovery will not exceed \$400,000 after application of a 72-hour waiting period, as required by the City's policy.

**Public Works & Engineering (PW&E)**

PW&E has submitted documentation of approximately \$3.6 Million for damages to Water and Wastewater facilities, excluding machinery.

We are working with PW&E staff, insurance representatives and City consultants to develop additional information regarding Hurricane Ike related damage to the useful life of machinery. This is a complicated issue. Last week (July 21) PW&E engineering consultant produced a report that addressed residual equipment damage at two Wastewater locations. This morning, we met with insurance representatives and agreed on an approach to further investigate and quantify this additional damage. On or about August 17, we will report back to you with a recommended plan to pursue this "useful life of machinery" portion of the City's insurance recovery on a cost benefit basis.

**Other Departments**

Convention and Entertainment's claims are settled at approximately \$665,000. The Houston Zoo's claims settled at approximately \$75,000, and Solid Waste has an outstanding claim of approximately \$430,000 to \$540,000, which will be the subject of settlement discussions over the next two weeks.

**Summary**

The table below summarizes, in approximate numbers, the current state of the claim and my current expectation of where the insurance recovery is going over the next few months. You will note that the HAS numbers are somewhat lower than previously indicated based on actual bids and adjustments made recently by HAS.

<b><u>Department</u></b>	<b><u>Low Range</u></b>	<b><u>High Range</u></b>
GSD	\$13.0 Million	\$13.0 Million
HAS Estimate (Ex. BI)	\$16.0 Million	\$26.0 Million
HAS BI	\$ 0.4 Million	\$ 0.4 Million
PW&E Estimate (Ex. Machinery)	\$ 3.0 Million	\$ 4.0 Million
PW&E Machinery Estimate	\$ 1.0 Million	\$10 + Million
<u>Other Departments</u>	<u>\$ 1.0 Million</u>	<u>\$ 1.0 Million</u>
<b>TOTAL</b>	<b>\$34.4 Million</b>	<b>\$54.4 + Million</b>
<u>Less Deductible</u>	<u>(\$20.0) Million</u>	<u>(\$20.0) Million</u>
<b>Net Claim</b>	<b>\$14.4 Million</b>	<b>\$34.4 + Million</b>
Partial Payment #1	(\$ 5.0) Million	(\$ 5.0) Million (Primary Layer, Exhausted)
<u>Partial Payment #2</u>	<u>(\$ 2.0) Million</u>	<u>(\$ 2.0) Million (Excess Layer)</u>
<b>Current Outstanding</b>	<b>\$ 7.4 Million</b>	<b>\$27.4 + Million</b>

Our target remains to substantially close out the insurance claims before the September 13, 2009 anniversary date for Hurricane Ike. After this date, we expect to be focused on recovery for residual PW&E equipment damage, as appropriate and if supported by additional technical analysis currently underway.

Kindest Regards,

  
Alfred J. Moran, Jr., Director

AJM

cc: Anthony Hall, Chief Administrative Officer  
Michael Moore, Chief of Staff, Mayors Office  
Annise Parker, City Controller  
Marty Stein, Agenda Director ✓  
Arturo Michel, City Attorney  
Issa Dadoush, Director of General Services  
Harry Hayes, Director of Solid Waste  
Dawn Ullrich, Director of Convention and Entertainment  
Eric Potts, Acting Director of the Houston Airport System  
Mike Marcotte, Director of Public Works and Engineering  
Andy Icken, Deputy Director, Public Works and Engineering  
Joe Turner, Director of Parks and Recreations  
Michelle Mitchell, Director of Finance  
Susan Bandy, Deputy Director, Public Works & Engineering  
Jim Locke, Assistant Director, Finance  
Tina Paquet, Deputy Assistant Director, Insurance Management, ARA  
Raymond Bradford, Senior Staff Analyst, Insurance Management, ARA  
Randy Schuler, Vice Chairman, Wortham  
Karl Killian, Managing Director, The Claro Group

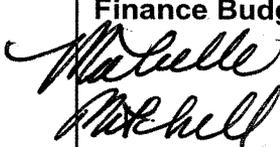
<b>SUBJECT:</b> Appropriate Additional Funds Professional Environmental Consulting Services Contract Malcolm Pirnie, Inc. WBS No. F-000676-0002-4	<b>Page</b> 1 of 2	<b>Agenda Item</b> 28
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 7-30-09	<b>Agenda Date</b> AUG 05 2009
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<b>DIRECTOR'S SIGNATURE</b> 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> Ordinance 07-1328, dated 11/28/07
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**RECOMMENDATION:** Appropriate additional funds for the project.

<b>Amount and Source of Funding:</b> \$83,000.00 Parks Consolidated Construction Fund (4502)  <b>Previous Funding:</b> \$106,650.80 Parks Consolidated Construction Fund (4502)	<b>Finance Budget</b> 
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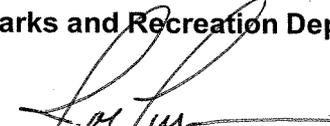
**SPECIFIC EXPLANATION:** On December 17, 2008, City Council awarded a construction contract to AIA General Contractors, Inc. for underground storage tank modifications and cleanup at the Wheeler Park Facility for the Parks and Recreation Department, and appropriated \$106,650.80 to Malcolm Pirnie, Inc. for project management and construction oversight services, which included soil and groundwater sampling, analytical testing, and sample evaluation.

The General Services Department recommends that City Council appropriate an additional amount of \$83,000.00 to the existing task order contract with Malcolm Pirnie, Inc. to provide additional professional environmental consulting services at the Wheeler Park Facility for the Parks and Recreation Department. Additional environmental consulting services are required due to the presence of petroleum hydrocarbon impacted soils resulting from the gradual leaking of gasoline from the bottom of the tankhold and pipe trench near the fuel dispenser island. The scope of work also includes developing and preparing a Risk Based Assessment work plan for Texas Commission on Environmental Quality (TCEQ), install additional groundwater monitoring wells to delineate the contaminant plume and collect groundwater data to establish plume stability. The consultant will submit a Site Closure Request to TCEQ following completion of quarterly groundwater monitoring and analytical testing on soil and groundwater samples.

**PROJECT LOCATION:** 6200 Wheeler Road  
 Houston, Texas (Key Map 534-G).

**PREVIOUS HISTORY AND PROJECT SCOPE:** On November 28, 2007, City Council approved a professional environmental consulting services contract with Malcolm Pirnie, Inc. to provide citywide comprehensive environmental consulting services. The consultant is assigned projects, on a task order basis, when the construction contracts are awarded.

**REQUIRED AUTHORIZATION** CUIC# 25GM189

<b>General Services Department:</b>  Humberto Bautista, P.E. Chief of Design & Construction Division	<b>Other Authorization:</b>	<b>Parks and Recreation Department:</b>  Joe Turner Director
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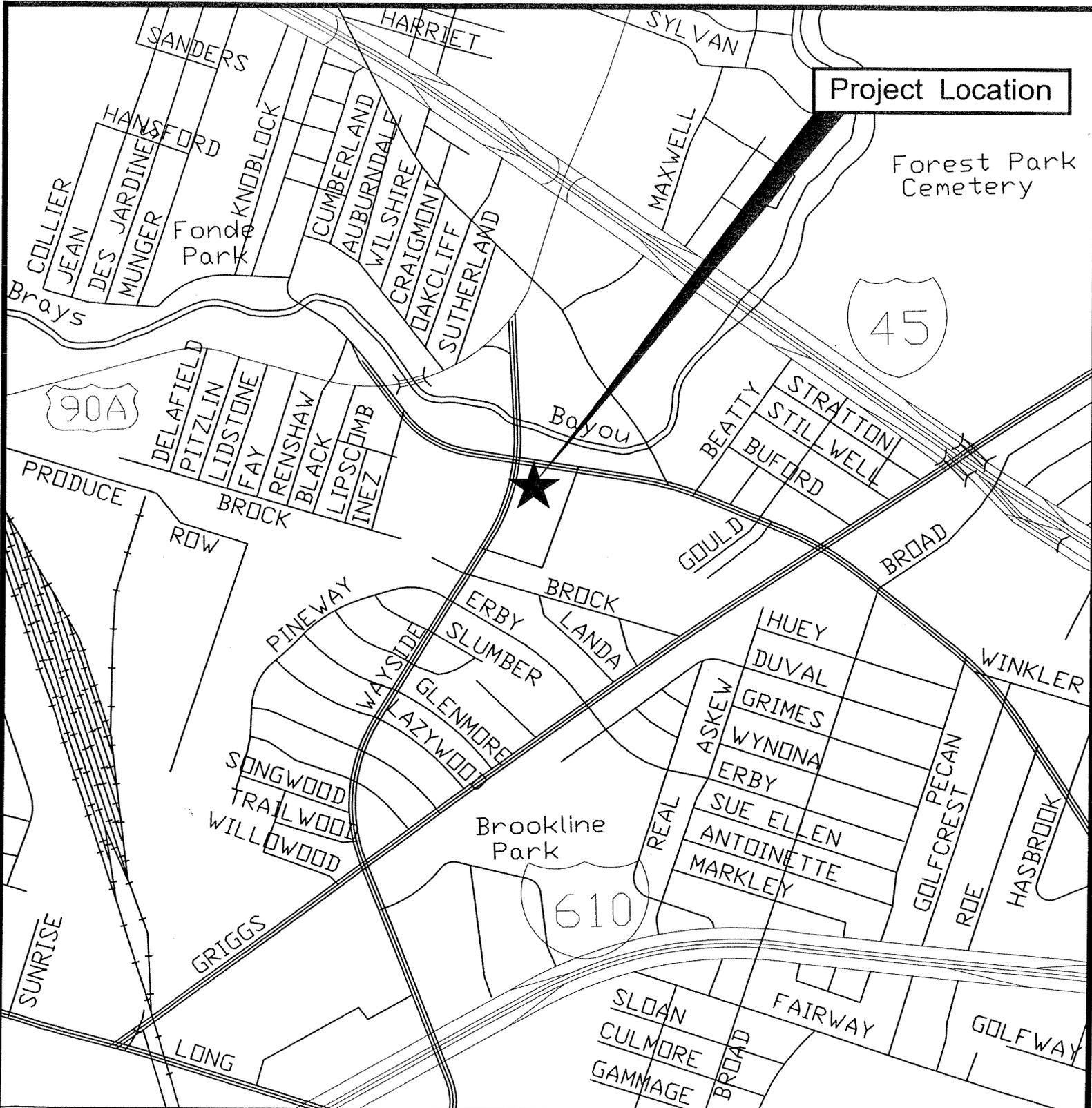
<b>Date</b>	Appropriate Additional Funds Professional Environmental Consulting Services Contract Malcolm Pirnie, Inc. WBS No. F-000676-0002-4	<b>Originator's Initials</b> GM	<b>Page</b> 2 of 2
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**M/WBE INFORMATION:** The original contract and this additional appropriation have an M/WBE goal of 24%. The consultant will utilize the certified M/WBE firms referenced in the original contract to achieve the goal. To date, Malcolm Pirnie, Inc. has achieved 19.24% M/WBE participation.

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's "Pay or Play" Ordinance regarding health benefits for employees of City contractors. In this case, the consultant provides health benefits to eligible employees in compliance with City policy.

IZD:HB:JLN:GM:FK:fk

- c: Marty Stein,  
Issa Z. Dadoush, P.E.  
Jacquelyn L. Nisby  
Calvin R. Curtis  
Velma Laws  
Gabriel Mussio  
Yvette Burton  
File



# Wheeler Park Facility Underground Storage Tank Modification and Cleanup

6200 Wheeler Road  
Houston, TX 77023



**SUBJECT:** De-appropriate/Appropriate Funds and Approve and Authorize a Third Amendment to Construction Management at Risk Contract  
Gilbane Building Company  
HPD Qualification Pistol Range  
WBS No. G-000088-0003-4

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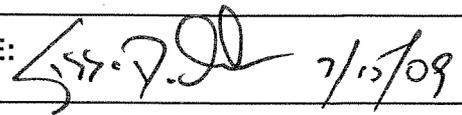
**FROM (Department or other point of origin):**  
General Services Department

**Origination Date**

07-28-09

**Agenda Date**

AUG 05 2009

**DIRECTOR'S SIGNATURE:**  7/12/09  
Issa Z. Dadoush, P.E.

**Council District(s) affected:**

B

**For additional information contact:**  
Jacquelyn L. Nisby  **Phone:** 832.393.8023

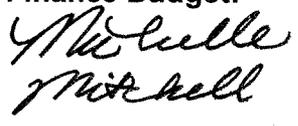
**Date and identification of prior authorizing Council action:**

Ordinance No. 2007-1359; dated 12/05/07  
Ordinance No. 2008-0932; dated 10/22/08  
Ordinance No. 2009-0389; dated 05/06/09

**RECOMMENDATION:** Approve an Ordinance (1) de-appropriating the sum of \$61,426.00 from a purchase order issued to Action Target, Inc. approved by Ordinance 2008-0932; (2) approving a Third Amendment to the Construction Management at Risk (CMAR) Contract with Gilbane Building Company, and (3) appropriating \$90,101.00 out of the Police Consolidated Construction Fund.

**Amount and Source of Funding:**  
**De-appropriate:**  
\$61,426.00—Police Consolidated Construction Fund (4504)  
**Appropriate:**  
\$90,101.00—Police Consolidated Construction Fund (4504)  
**Previous Funding:**  
\$4,119,560.00—Police Consolidated Construction Fund (4504)

**Finance Budget:**



**SPECIFIC EXPLANATION:** The General Services Department (GSD) recommends that City Council approve a Third Amendment to the CMAR contract with Gilbane Building Company to increase the director's authority to approve Change Orders up to 18.5% of the original contract price, to address an increased scope of work. GSD further recommends that City Council de-appropriate \$61,426.00 from a purchase order to Action Target, Inc. for target systems and re-appropriate to this project. Procurement of the target systems was deleted from the purchase order because Action Target could not secure approval from the Texas Department of Licensing and Regulation in time to meet the project schedule. Consequently, the two target range operator booths were built on site by the contractor, Gilbane Building Company. GSD also recommends that City Council appropriate an additional amount of \$10,000.00 to the existing contract with Morris\*Architects for additional design services.

HPD has requested the following additional improvements. Implementing the changes at this time is cost effective and will deliver a more complete project.

- Range lane markers.
- New architectural wood baffle covers (at existing portion of A range)
- Increased weather protection at target areas of ranges A and B
- Relocation of B range booth to the center of range
- Additional enhancements to the new modular classroom building, which includes additional utility infrastructure requirements due to recently discovered deficiencies in existing utilities.

**PROJECT LOCATION:** 17000 Aldine Westfield Road (373H)

**REQUIRED AUTHORIZATION**

CUIC ID # 25CONS110

**General Services Department:**  
  
Humberto Bautista, P.E.  
Chief of Design & Construction Division

**Houston Police Department:**  
 7-21-09  
Harold L. Hurt  
Chief of Police

<b>Date:</b>	<b>SUBJECT:</b> De-appropriate/Appropriate Funds and Approve and Authorize a Third Amendment to Construction Management at Risk Contract Gilbane Building Company HPD Qualification Pistol Range WBS No. G-000088-0003-4	<b>Originator's Initials</b>  JB	<b>Page</b> 2 of 2
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**PREVIOUS HISTORY AND PROJECT SCOPE:** On December 5, 2007, City Council awarded a CMAR contract to Gilbane Building Company for construction of the new Tactical Training and SWAT Rifle Range, and appropriated \$50,875.00 for pre-construction phase services. On October 22, 2008, City Council approved a First Amendment, which delegated authority to the director to approve the Guaranteed Maximum Price (GMP) proposal and appropriated \$3,598,010.00 for construction phase services and approved a purchase order in the amount of \$1,592,137.00 to Action Target, Inc. to procure target range equipment. On May 6, 2009, City Council approved a Second Amendment, which increased the director's authority to approve Change Orders up to 14% and approved a purchase order to Nortex Modular Space for a new 4,854 sf modular classroom, requested by HPD.

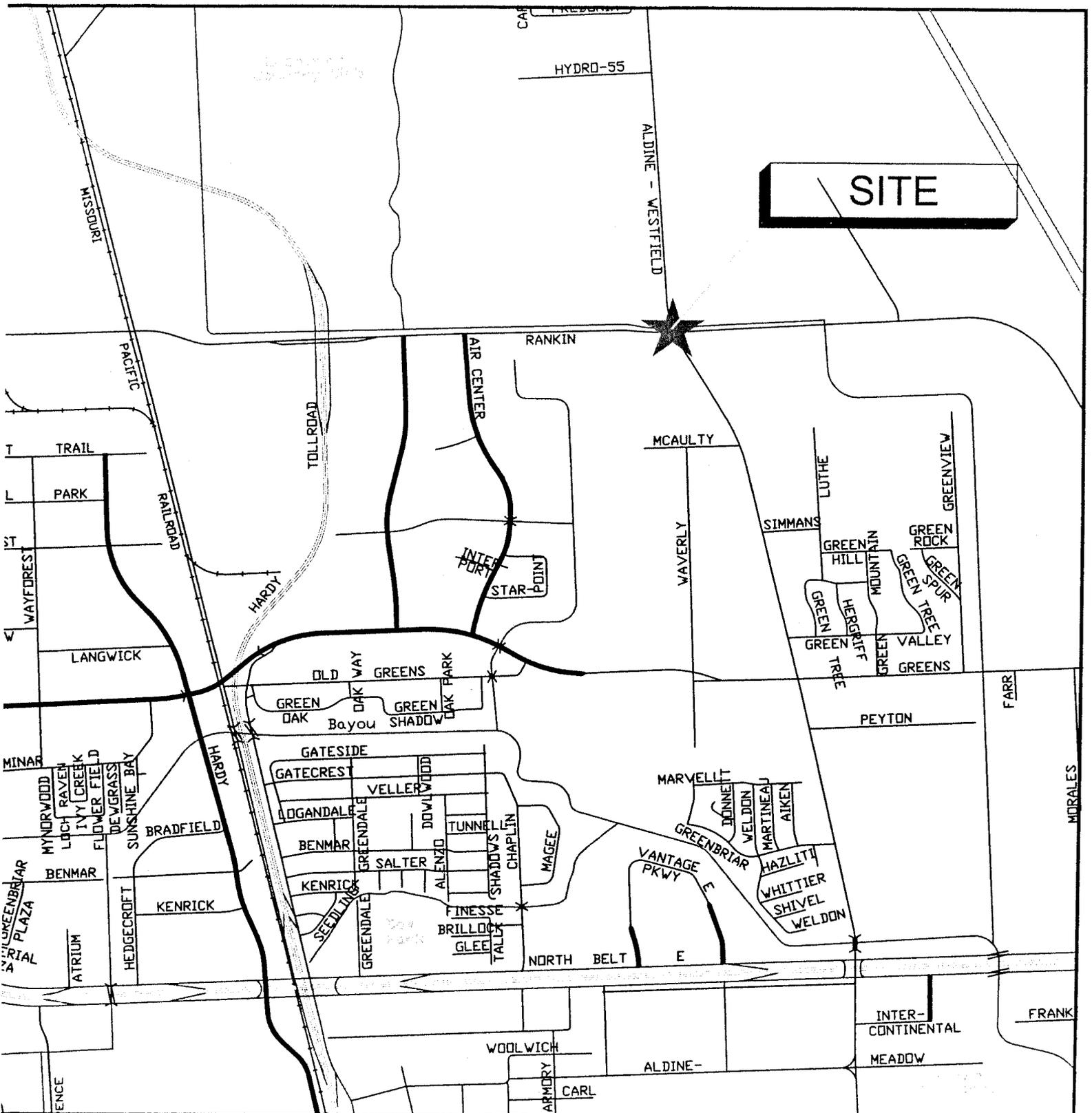
**FUNDING SUMMARY:**

\$80,101.00 Additional Construction Contingency  
\$10,000.00 Additional design services (Morris\*Architects)  
**\$90,101.00 Total Appropriation**

**CONSTRUCTION GOALS:** The original contract and this additional appropriation have a 14% MBE goal, 5% WBE goal and 5% SBE goal. To date, the contractor has achieved 9.41% MBE, 8.09% WBE and 1.08% SBE participation. It is anticipated the contractor will meet the goals by the completion of the contract.

IZD:JLN:CRC:HB:MCP:JBW:jbw

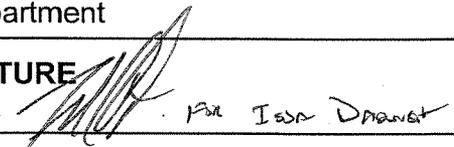
c : Marty Stein, Kirk Munden, Jacquelyn L. Nisby, Esq., James Tillman IV, Siria Harbour, Calvin Curtis, Yvette Burton, Kim Nguyen, File G-000088-0003-4 /813



HPD Qualification Pistol Range  
 at Houston Police Academy  
 17000 ALDINE WESTFIELD

<b>SUBJECT:</b> First Amendment to Construction Contract Carrera Construction, Inc. Sharpstown Golf Cart Barn WBS F-000665-0001-4	<b>Page</b> 1 of 1	<b>Agenda Item</b>  30
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 07-24-09	<b>Agenda Date</b> AUG 05 2009
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<b>DIRECTOR'S SIGNATURE</b> Issa Z. Dadoush, P.E. 	<b>Council District(s) affected:</b> F
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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 No. 2008-0582, June 25, 2008
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**RECOMMENDATION:** Approve First Amendment to the construction contract and appropriate additional funds for the project.

<b>Amount and Source Of Funding:</b> \$38,350.17 Park Capital Project Fund (4011) <b>Previous Funding:</b> \$637,118.00 Park Capital Project Fund (4011)	<b>Finance Budget:</b> 
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve a First Amendment to the construction contract with Carrera Construction, Inc. to increase the director's authority to approve Change Orders up to 14.53% of the original contract price, and delete a \$15,000.00 cash allowance for an environmental waste disposal container, which was not necessary for the project. This First Amendment is necessary to provide the following additional improvements, which will exceed the original 5% contingency. The \$15,000.00 from the cash allowance will be used to partially fund these additional improvements in the amount of \$53,350.17.

- Add concrete splash blocks for new golf cart barn for improved drainage.
- Widen the existing golf cart path to prevent users driving on the lawn.
- Add electrical connections and overhead door openers to improve cart storage.
- Add panic bar at electrical room door for safety.
- Remove existing awning extension from existing pavilion.
- Paint overhead doors to match golf cart building color.
- Reseal and stripe the existing parking lot to improve the appearance, accommodates additional vehicles and extend the life-cycle of the lot.
- Expand the concrete parking surface to tie into an existing concrete pad at former building pad site to provide additional parking.

**PROJECT LOCATION:** 8200 Bellaire Blvd. (530F)

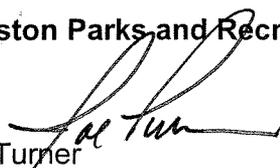
**PREVIOUS HISTORY AND PROJECT DESCRIPTION:** On June 25, 2008, City Council awarded a construction contract to Carrera Construction, Inc. to provide construction services for the Sharpstown Golf Cart Barn, and appropriated \$637,118.00. The scope of work included demolition of the 52-year old existing golf cart barns, erection of a new metal building, site grading, concrete slab, concrete driveways, utilities and landscaping. The new structure includes a restroom, utility closets and storage, a shop area and housing for 85 golf carts.

IZD:HB:JLN:LJ:CP:cp

c: Marty Stein, Jacquelyn L. Nisby, Mark Ross, Daniel Pederson, James Tillman IV, Lisa Johnson, Calvin Curtis, Yvette Burton, File 813

**REQUIRED AUTHORIZATION**

CUIC# 25PARK64

<b>General Services Department:</b>  Humberto Bautista, P.E. Chief of Design & Construction Division	<b>Houston Parks and Recreation Department:</b>  Joe Turner Director
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**TO: Mayor via City Secretary      REQUEST FOR COUNCIL ACTION**

**SUBJECT:** Second Amendment to Construction Contract and Additional Appropriation  
 Prime Contractors, Inc.  
 African American Library at the Gregory School  
 WBS No. E-000144-0004-4

Page 1 of 2  
 Agenda Item **31**

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

**Origination Date**  
 07-28-09

**Agenda Date**  
 AUG 05 2009

**DIRECTOR'S SIGNATURE:**  
 Issa Z. Dadoush, P.E. *[Signature]* 7/15/09

**Council District affected:**  
 1

**For additional information contact:**  
 Jacquelyn L. Nisby *[Signature]* Phone: 832-393-8023

**Date and identification of prior authorizing Council action:**  
 Ordinance 2008-0332; dated April 16, 2008  
 Ordinance 2009-0282; dated April 01, 2009

**RECOMMENDATION:** Approve Second Amendment to construction contract and appropriate additional funds for the project.

**Amount and Source of Funding:**  
**\$568,280.00**—General Improvement Consolidated Construction Fund (4509)

**Previous Funding:**  
 \$ 3,000,000.00 General Improvement Consolidated Construction Fund (4509)  
 121,000.00 Federal Government—Grant Funded (5000) EDI  
 3,000,000.00 Reimbursement of Equipment/Projects Fund (1850)  
 2,400,000.00 Federal Government—Grant Funded (5000) CDBG  
 1,417,960.00 Public Library Consolidated Construction Fund (4507)  
**\$9,938,960.00 Total Funding**

**Finance Budget:**  
*[Signature]*  
*[Signature]*

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve a Second Amendment to the construction contract with Prime Contractors Inc. to increase the director's authority to approve Change Orders up to 20.5% of the original contract price. It is further recommended that City Council appropriate an additional \$15,000.00 to the existing design contract with Smith & Company Architects to provide additional design services. Due to the age and historical nature of the building, unforeseen conditions and latent defects in the original building construction have resulted in an increased scope of work and additional costs.

The requested appropriation is necessary to address the following additional improvements requested by the Houston Public Library and other unforeseen conditions, which will exceed the previously authorized 14% contingency:

- Duct relocation/replacement
- Gallery lighting addition
- Gallery display structure
- HVAC system enhancements to maintain required temperature for historical documents
- Replace structurally inadequate section of the east wall
- Level concrete deck on first and second floors
- Install additional structural support for north side of building
- Install additional structural support for interior staircases
- Associated project delays

**REQUIRED AUTHORIZATION** CUIC ID # 25CONS109

**General Services Department:**  
*[Signature]*  
 Humberto Bautista, P.E.  
 Chief of Design & Construction Division

**Houston Public Library:**  
*[Signature]*  
 Rhea Brown Lawson, Ph. D.  
 Director

*NOT*

<b>Date</b>	<b>SUBJECT:</b> Second Amendment to Construction Contract and Additional Appropriation Prime Contractors, Inc. African American Library at the Gregory School WBS No. E-000144-0004-4	<b>Originator's Initials</b>  JBW	<b>Page</b> 2 of 2
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**PROJECT LOCATION:** 1300 Victor Street (493P)

**PREVIOUS HISTORY AND PROJECT DESCRIPTION:** On April 16, 2008, City Council awarded a construction contract to Prime Contractors Inc. to provide construction services for the African American Library at the Gregory School for the Houston Public Library. The Gregory School Building is a historical institution located in Houston's Fourth Ward. The Texas Historical Commission has designated the building as a State Archaeological Landmark. The main building, originally constructed in 1926, will be renovated and restored according to federal standards as administered by the Texas Historical Commission. The historic Gregory School will become an African American Library and Archival Center and will tell the history of African Americans in Houston through photographs, letters, documents and oral histories. On April 1, 2009, City Council approved a First Amendment to increase the director's authority to approve change orders up to 14% to address numerous unforeseen conditions discovered during construction.

**CONSTRUCTION GOALS:** The original contract and this additional appropriation have a 15% MBE goal, 5% WBE goal and 5% SBE goal. The contractor will utilize the certified subcontractors referenced in the original contract to achieve the goals. To date, the contractor has achieved 23.18% MBE participation, 0.49% WBE participation and 10.01% SBE participation. It is anticipated the contractor will meet the goals by the completion of the contract.

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's "Pay or Play" Ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

IZD:HB:JLN:MCP:JBW:jbw

c : Marty Stein, Siria Harbour, Kim Nguyen, Wendy Teas Heger AIA, Jacquelyn L. Nisby, James Tillman, Calvin Curtis, Yvette Burton, File



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

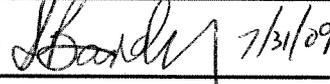
<b>Subject:</b> Extend the Contract Term and Increase the Maximum Contract Spending Authority for Radio Automated Meter Reading System (AMR) and Fixed Network/Advanced Meter Infrastructure System (AMI) Contract with Itron, Inc. for Public Works & Engineering Department. 8305 S-000956-0002-5-01-02 8500 S-000956-0002-5-02-01	Category 1, 4 & 5	Page 1 of 1	Agenda Item  <div style="text-align: right; font-size: 2em; font-weight: bold;">32</div>
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<b>FROM (Department or other point of origin):</b> Michael S. Marcotte, P.E., D. WRE, BCEE Director Public Works and Engineering Department	Origination Date  07/29/09	Agenda Date  AUG 05 2009
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<b>DIRECTOR'S SIGNATURE:</b> 	Council District affected: All
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<b>For additional information contact:</b> Karen Leback Phone: (713)371-1136 David Guernsey Phone: (713) 238-5241	Date and Identification of prior authorizing Council action: Ord. #98-0575 - Passed 07/15/98, Ord. #01-1181- Passed 12/19/01, Ord. #03-0581- Passed 06/18/03, Ord. #06-1071 Passed -10/24/06, Ord. #08-0896 - Passed 010/08/08
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**RECOMMENDATION: (Summary)**  
 Adopt an ordinance increasing the maximum contract spending authority from \$50,492,750.00 to \$54,603,350.00 and extend the contract term from August 17, 2009 to December 17, 2010 for contract with Itron, Inc. for radio automated meter reading and fixed network/advanced meter infrastructure systems; and appropriate/allocate funds.

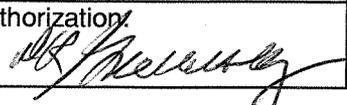
Spending Authority Increase: \$4,110,600.00 	Finance Budget:
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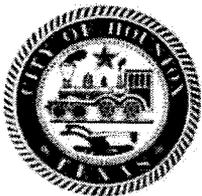
**SOURCE OF FUNDING:**  
 \$1,610,600 – 8305 Combined Utility System General Purpose Fund  
 \$2,500,000 – 8500 Water & Sewer System Consolidating Construction Fund

**SPECIFIC EXPLANATION:**  
 The Public Works and Engineering Department recommends that City Council approve an ordinance authorizing an increase in spending authority from \$50,492,750.00 to \$54,603,350.00 under the contract with Itron, Inc. and extend the contract term from August 17, 2009 to December 17, 2010 for Automated Meter Reading and Fixed Network/Advanced Meter Infrastructure System Components for the Public Works & Engineering Department. This contract provides for equipment purchases and all hardware/software maintenance activities.

On July 15, 1998, City Council awarded by Ordinance No. 98-575, a five year contract in the amount of \$25,510,709.00. Ordinance No. 01-1181 increased the spending authority to \$31,454,629.00. Ordinance No. 03-581 increased the spending authority to \$42,004,629.00 and extended the term from August 19, 2003 to August 18, 2008. Ordinance No. 06-1071 increased the spending authority to \$46,992,750.00 and extended the contract term to August 17, 2009. Ordinance No. 08-0896 increased spending authority to \$50,492,750.00. Total expenditures to date are \$50,490,780.42.

The amending ordinance will provide materials, equipment, software and maintenance to assure the highest level of metering system accuracy. Through efforts of Utility Customer Service, environmentally impacted radio end points that function as a primary component of the Automated Meter Reading (AMR) system are removed and replaced as scheduled by daily operation plans to protect from revenue loss due to the transmission of inaccurate readings of water consumption. Systematic replacement of radio end points is also necessary to allow migration towards advanced meter data collection technology which has been introduced as part of the City's wireless initiative. This technology known in the industry as Fixed Network/Advanced Meter Infrastructure (AMI) is currently operating successfully on a pilot basis to approximately 10% of the 440,000 automated meter accounts within the City of Houston. Material, equipment and software is required to retain and extend the City's investment in AMR/AMI technology

<b>REQUIRED AUTHORIZATION</b>		CUIC ID# 20KFL30
Finance Department:	Other Authorization:	Other Authorization 



**CITY OF HOUSTON**  
**Affirmative Action and Contract Compliance**  
**Request for Verification of MWDBE Participation**

**Date:** July 30, 2009 **Requestor:** Delbert Nave/PWE  
Contracts 713-238-5268

**Prime Contractor:** Itron, Inc.

**Contract/BPO:** C39273 / 4600000469/6357/7287

**Contract Description:** Radio automated Reading System (AMR) with Itron, Inc. for the PWE. S-000956-0002-5

**Prime Contract Person:** Angie Combs **Phone:** (509)891-3757

**Award Date:** 07/15/1998 **End Date:** 8/17/2009 **MWBE Goal:** .6%

**Amount Paid by City (to date):** \$50,492,750.00

**Scheduled MWDBE Participation:** \$302,956.50

**MWBE:** Rabbit Run Delivery

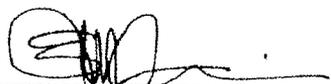
**Amount of Intent:** Rabbit Run Delivery - .43% (\$217,118.83)

**FOR AFFIRMATIVE ACTION USE ONLY**

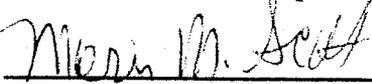
**Actual M/WDBE Dollar Amount Paid:** \$76,938.00

**M/WDBE Participation Achieved:** .162%

To this date, Itron, Inc. has not achieved the MWDBE goal on this contract.

  
 Prepared by Jean Abercrombie  
 Senior Contract Compliance Officer

July 30, 2009

  
 Approved by Morris Scott  
 Division Manager

**Date:**  
July 30, 2009

**Date:**



**CITY OF HOUSTON**  
Office of the Mayor

**Interoffice**

Correspondence  
Affirmative Action and  
Contract Compliance  
Division

**To:** Karen LeBack  
Assistant Director  
Public Works & Engineering

**From:** Velma Laws  
Director

**Date:** September 4, 2008

**Subject:** Purchase and Installation of an  
Automated Meter Reading System  
OA Number 460007289/C39273

I am approving the Good Faith Efforts for Itron Incorporated on the above-referenced contract. Itron achieved .24% on a .6% goal. Historically, this contract has had a zero goal. However, we recognized an opportunity for a delivery firm. The MWBE firm was used to the fullest extent possible on this contract. Although .6% may seem like a minimal goal, the total contract value is \$45,011,155. The .24% achieved represents a significant amount of work for a small business.

If you have any questions or need any additional information, please contact Robert Gallegos at 713.837.9005 or via e-mail at [robert.gallegos@cityofhouston.net](mailto:robert.gallegos@cityofhouston.net).

09/08:06

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> An ordinance appropriating funds, and approving and authorizing payments for land acquisition costs, appraisal fees, and other services for various street projects. WBS# N-00663A-00RE-2-01	<b>Page</b> 1 of 1	<b>Agenda Item</b> # <b>33</b>
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<b>FROM: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  7/30/09	<b>Agenda Date</b>  AUG 05 2009
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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>  Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director	<b>Date and identification of prior authorizing Council Action:</b>
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**RECOMMENDATION: (Summary)** Approve an ordinance appropriating funds, and approving and authorizing payments for land acquisition costs, appraisal fees, and other services for various street projects.

**Amount and Source of Funding:** \$3,070,000.00 Street and Bridge Consolidated Construction Fund 4506  
*M.P. 7/9/09*

**SPECIFIC EXPLANATION:**

The Department of Public Works and Engineering is submitting an ordinance appropriating funds, and approving and authorizing payments for land acquisition costs, appraisal fees, and other services for the following projects:

<u>WBS No.</u>	<u>Project</u>	<u>Council District</u>	<u>Key Map</u>
N-000475-0001-2-01	Pinemont Paving Phase I: T.C. Jester to Ella, Phase II: Ella to N. Shepherd	A	451H, 452E,F,G
N-000533-0002-2-01	Ella (Wheatley) Paving: Little York to W. Gulf Bank	B	412K,P,T,X
N-000626-0001-2-01	Wallisville Paving: Lockwood to IH-610	B & H	494 C,D 495A,B,C
N-000696-0001-2-01	Northline Paving: Parker to Canino	B & H	413S,W
N-000594-0002-2-01	Kirby Paving: Holmes to Orem	D	532Y, 572 B,F,K
N-000808-0001-2-01	Cambridge Paving: Holly Hall to IH 610	D	533N, S
N-000705-0001-2-01	Hughes Road Rehabilitation: Beltway 8 to City Limit (Blackhawk)	E	576Y, 616A,B,C, E
N-000711-0001-2-01	Monroe Paving: Fuqua to Beltway 8	E	575U,Y
N-00663A-00RE-2-01	Miscellaneous Land Acquisition	ALL	ALL

Therefore, it is recommended that a blanket appropriation ordinance be passed, finding a public necessity for the projects listed above, and authorizing payments for the costs of land purchases/condemnations, appraisal fees, title policy premiums and/or other services in connection with negotiations to settle purchases, recording fees, and court costs and expert witness fees associated with condemnations for the projects listed above. Parcels with a consideration of \$50,000.00 or greater will be submitted to City Council as they are negotiated. Additional appropriations will be made as needed until all parcels have been acquired. The same appropriation ordinance will apply to all acquisitions made using these funds. This will expedite the process of acquiring land in support of the listed capital improvements projects.

PRN:NPC:DW:mcs  
cc: Marty Stein  
Waynette Chan

**REQUIRED AUTHORIZATION** **CUIC #20MCS02**

<b>Financial Department:</b>	<b>Other Authorization:</b>  Daniel Menendez, P. E., Deputy Director Engineering and Construction Division	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division
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**Exhibit "A"**

<b>WBS</b>	<b>Project</b>	<b>Amount</b>
N-000475-0001-2-01	Pinemont Paving Phase I: T. C. Jester to Ella, Phase II: Ella to N. Shepherd	
N-000533-0001-2-01	Ella (Wheatley) Paving: Little York to W. Gulf Bank	
N-000626-0001-2-01	Wallisville Paving: Lockwood to IH-610	
N-000696-0001-2-01	Northline Paving; Parker to Canino	
N-000594-0001-2-01	Kirby Paving: Holmes to Orem	
N-000808-0001-2-01	Cambridge Paving: Holly Hall to IH-610	
N-000705-0001-2-01	Hughes Road Rehabilitation: Beltway 8 to City Limit (Blackhawk)	
N-000711-0001-2-01	Monroe Paving: Fuqua to Beltway 8	
N-00663A-00RE-2-01	Miscellaneous Land Acquisition	<b>\$3,070,000.00</b>

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:** Adopt an Ordinance Granting To Entergy Texas, Inc. The Right, Privilege And Franchise To Use The Public Rights-Of-Way To Use, License, Or Exploit The Company's Facilities Within The Public Rights-Of-Way To Conduct An Electrical Lighting And Power Business In The City And For Such Other Business Purposes As The Company May Desire From Time To Time, Specifically Including, But Not Limited To, The Granting Of Access To Those Facilities For The Delivery Of Broadband Through Power Lines Or Similar Service Within The City Of Houston, Texas; Containing A Repealer; Containing A Severability Clause; Containing Findings Regarding The Foregoing Subject.

**Category #**

**Page 1 of 1**

**Agenda Item#**

*3rd  
2nd reading*

*34  
37 50*

**FROM: (Department or other point of origin):**  
Alfred J. Moran, Jr., Director  
Administration & Regulatory Affairs Department

**Origination Date**

*FINAL*

**Agenda Date**

July 14, 2009

~~JUL 22 2009~~

**DIRECTOR'S SIGNATURE:**

*Tina Paez*

**Council Districts affected:**

All

~~JUL 20 2009~~  
AUG 05 2009

**For additional information contact:**

Tina Paez  
Juan Olguin *JO*

**Phone:** 713-837-9630  
**Phone:** 713-837-9626

**Date and identification of prior authorizing Council Action:** Ordinance 1979-1023, passed 7/11/79

**RECOMMENDATION: (Summary)**

Adopt an Ordinance Granting To Entergy Texas, Inc. The Right, Privilege And Franchise To Use The Public Rights-Of-Way To Use, License, Or Exploit The Company's Facilities Within The Public Rights-Of-Way To Conduct An Electrical Lighting And Power Business In The City And For Such Other Business Purposes As The Company May Desire From Time To Time, Specifically Including, But Not Limited To, The Granting Of Access To Those Facilities For The Delivery Of Broadband Through Power Lines Or Similar Service Within The City Of Houston, Texas; Containing A Repealer; Containing A Severability Clause; Containing Findings Regarding The Foregoing Subject.

**Amount of Funding:** N/A

**FIN Budget:**

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

**SPECIFIC EXPLANATION:**

Entergy Texas, Inc. ("ETI"), formerly Gulf States Utilities Company, operates an electric lighting and power system within the City of Houston under City of Houston Ordinance No. 79-1023, expiring August 31, 2009. The Director of Administration and Regulatory Affairs recommends Council approval of the proposed ordinance granting a franchise for a term of twenty-five (25) years.

The proposed ordinance contains the following major provisions:

- Repeals Ordinance No. 79-1023
- Grants Entergy Texas Inc. the non-exclusive right to use the public rights-of-way ("PROW") to use the Company's system within the PROW to conduct an electric lighting and power business and for other business purposes specifically including granting access to those facilities for the delivery of Broadband Over Power Line;
- Franchise term is 25 years;
- Franchise fee is payable annually;
- Requires a base franchise fee factor of \$0.0016216/kWh to be included in base rates;
- The first base franchise fee payment under this renewal franchise will cover the period September 1, 2009 through June 30, 2010;
- Allows for a late payment provision of 12% per annum, compounded daily;
- Maintains the City's Chapter 40 police powers in the public rights-of-way (i.e. must obtain permits-no charge, restore streets/sidewalks/easements, relocate facilities at Company's cost for City PROW projects, comply with time of day restrictions, etc.);
- Allows the City to use space on ETI's poles and in ETI's conduits (located on or in City easements) for traffic, police, and fire alarm conductors, boxes or equipment;
- Maintains the City's rate-setting original jurisdiction with respect to regulatory authority (as opposed to surrendering it to the PUCT);
- Allows Company to trim and remove trees in the PROW;
- Allows audits and suits to collect franchise fees within 2 years of payment;
- Requires Company to accept franchise in writing within 30 days of final passage by City Council on 3<sup>rd</sup> reading.

**REQUIRED AUTHORIZATION**

FIN Director:

35

AUG 0 5 2009

MOTION NO. 2009 0572

MOTION by Council Member Khan that an item be placed on the Agenda of August 5, 2009, to receive nominations for Position 13 of the Houston Archaeological and Historical Commission Board of Directors, for a two-year term that will end March 1, 2011.

Seconded by Council Member Lovell and carried.

Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Gonzalez, Rodriguez, Brown, Lovell, Noriega, Green and Jones voting aye  
Nays none

PASSED AND ADOPTED this 29th day of July, 2009.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 4, 2009.

City Secretary

36

AUG 05 2009

MOTION NO. 2009 0528

MOTION by Council Member Noriega that the following item be postponed for two weeks:

Item 37 - Ordinance approving and authorizing Legal Services Agreements between the City of Houston and Lemond and Lemond LLC and Thompson and Horton LLP for Legal Services and Employment Policy Recommendations associated with equal employment opportunity practices of the Houston Fire Department; providing a maximum contract amount - \$190,000.00

Seconded by Council Member Khan and carried.

Mayor White, Council Members Lawrence, Adams, Sullivan, Khan, Holm, Gonzalez, Rodriguez, Brown, Lovell, Noriega and Jones voting aye  
Nays none  
Council Member Green absent

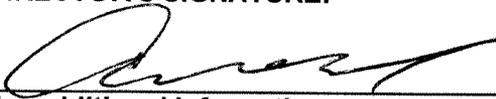
Council Member Johnson out of the City on City business

Council Member Clutterbuck absent

PASSED AND ADOPTED this 22nd day of July, 2009.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is July 28, 2009.

  
City Secretary

<b>SUBJECT:</b> Professional services agreement for representation of the City in matters relating to policies and practices on equal employment opportunity in the Houston Fire Department.		<b>Page</b> of 1	<b>Agenda Item</b> #
<b>FROM (Department or other point of origin):</b> Arturo G. Michel Legal Department		<b>Origination Date</b>	<b>Agenda Date</b> AUG 05 2009 <del>JUL 22 2009</del>
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b>  ALL	
<b>For additional information contact:</b> Arturo G. Michel Phone: 832.393.6412		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION: (Summary)</b> To adopt an ordinance approving a professional services agreement between the City and Thompson & Horton, L.L.P. and Lemond and Lemond, L. L.C. for representation of the City in matters relating to policies and practices on equal employment opportunity in the Houston Fire Department.			
Amount and Source of Funding: \$190,000.00 maximum contract amount  Fund: General Fund			
<b>SPECIFIC EXPLANATION:</b>  The Administration recommends hiring two Houston law firms that will work jointly to review, assess, and recommend policies and practices on equal employment opportunity ("EEO") issues in HFD including diversity, conflict/dispute resolution, preventive practices, compliance, communication, and management practices. Thompson and Horton, L.L.P. is a recently formed boutique public law firm with considerable expertise in equal employment opportunity matters and related labor matters such as investigations, management practices, auditing, and policy review. Lemond and Lemond, L. L.C. is a two lawyer law firm where Scott Lemond brings the same qualities and 15 years of legal expertise to this law firm association, including familiarity with HFD from his prior service on the City of Houston Civil Service Commission. Lemond & Lemond, L.L.C. is a City certified MBE and WBE.  The Administration bases this recommendation on the unanimous recommendation of the City Attorney, HFD Command Staff representatives and the General Counsel of Sysco Corporation who has served as an advisor and volunteer to the City on various employment matters. This group conducted an informal RFP.			
<b>REQUIRED AUTHORIZATION</b>			
<b>Other Authorization:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>	

1

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8402

Subject: Approve the Sole Source Purchase of Touch Screen Display Monitors for the Houston Police Department

Category #  
4

Page 1 of 1

Agenda Item

37/13

FROM (Department or other point of origin):

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

Origination Date

July 23, 2009

Agenda Date

~~JUL 29 2009~~  
AUG 05 2009

DIRECTOR'S SIGNATURE

*Calvin D. Wells*

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 sole source purchase from L-3 Communications Corporation in the amount of \$60,327.81 for touch screen display monitors and power cables for the Houston Police Department.

Award Amount: \$60,327.81

Finance Budget

\$60,327.81 - Federal, State, and Local Pass Through Fund (5030)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve a sole source purchase in the amount of \$60,327.71 for touch screen display monitors from L-3 Communications Corporation and that authorization be given to issue a purchase order.

These monitors will allow Tactical-Flight-Officers (TFO) to view the images from the thermal imagers and video cameras as well as the moving map system and call for service information. It is by viewing these monitors that the TFO properly positions the cameras, receives calls for service information and directs the Pilot-In-Command (PIC) to the location of the call.

L-3 Communications Corporation is the sole proprietor, manufacturer and supplier of the 12.1-inch touch screen display monitors.

This award consists of nine 12.1-inch touch screen display monitors with twenty-five foot power cables which will be installed in helicopters recently purchased by the city.

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

Buyer: Roy Korthals  
Purchase Requisition 10080492

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8405**

**Subject:** Approve an Ordinance Authorizing a First Amendment to Contract No. C57303 for the Purchasing Card Program for Various Departments  
S17-H23362

Category #  
4

Page 1 of 2

Agenda Item

**3825**

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

**Origination Date**  
July 23, 2009

**Agenda Date**  
AUG 05 2009  
~~JUL 29 2009~~

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

**Council District(s) affected**  
All

**For additional information contact:**  
Ray DuRousseau Phone: (832) 393-8726  
Douglas Moore Phone: (832) 393-8724

**Date and Identification of prior authorizing Council Action:**  
Ord: 2005-1098; Passed 9/27/05

**RECOMMENDATION: (Summary)**

Approve an amending ordinance authorizing a first amendment to Contract No. C57303 between the City of Houston and JPMorgan Chase Bank, N.A. to extend the contract term from August 31, 2009 to August 30, 2010; and delete Exhibit "C" titled "City Program Administrators" and Exhibit "D" titled "Procurement Card Fee and Rebate Schedule" in their entirety and replace with updated Exhibit "C" titled "City Program Administrators" and Exhibit "D" titled "Procurement Card Fee and Rebate Schedule" for various departments.

No Funding Required

**Finance Budget**

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an amending ordinance authorizing a first amendment to Contract No. C57303 between the City of Houston and JPMorgan Chase Bank, N.A. to extend the contract term from August 31, 2009 to August 30, 2010; and delete Exhibit "C" titled "City Program Administrators" and Exhibit "D" titled "Procurement Card Fee and Rebate Schedule" in their entirety and replace with updated Exhibit "C" titled "City Program Administrators" and Exhibit "D" titled "Procurement Card Fee and Rebate Schedule" for various departments.

This contract was awarded on September 27, 2005, by Ordinance No. 2005-1098 and remained in effect until August 31, 2006. The contract included three one-year options to extend with an expiration date of August 31, 2009.

The purchasing card (P-Card) program allows City departments to make purchases on a MasterCard® payment card, thus reducing the administrative costs associated with petty cash, purchase orders and vouchers. This contract is the result of a Administration & Regulatory Affairs Department-managed purchasing card program operating since October 1998. The current program is governed by Executive Order 1-42, which places various controls at the point-of-sale, including a maximum single-transaction limit and a maximum monthly spending limit for purchases at approved merchants by type. This contract includes a rebate program whereby rebate payments range from 0.30% to 1.32% based upon the annual cooperative combined purchasing volume. Card issuance fees, annual card fees and transaction fees have been waived, and there is no charge for the reporting software and monthly reporting.

JPMorgan Chase Bank, N.A. rebate rate schedule is based upon the statewide combined participant spending volume with a minimum annual average amount per transaction of \$100.00. The City, based on its previous years' P-Card activity, expects to receive a substantial increase of the rebate amount using the JPMorgan Chase Bank, N.A. P-Card program.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

Date: 7/23/2009	Subject: Approve an Ordinance Authorizing a First Amendment to Contract No. C57303 for the Purchasing Card Program for Various Departments S17-H23362	Originator's Initials MS	Page 2 of 2
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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: Murdock Smith III

Attachments: Updated Exhibit "C" titled "City Program Administrators"  
Updated Exhibit "D" titled "Procurement Card Fee and Rebate Schedule"

**EXHIBIT "C"**  
**CITY PROGRAM ADMINISTRATORS**

**Customer Name:** City of Houston

Please provide the following information about each Program Administrator whose name appears on the attached Agreement and Authorization:

**Program Administrator 1:**

Calvin D. Wells, Purchasing Agent  
**Name/Title**

P.O. Box 1562  
**Mailing Address 1**

Houston, TX 77251  
**City, State, Zip Code**

832-393-8700      832-393-8755  
**Telephone                  Fax**

calvinwells@cityofhouston.net  
**Email Address**

\*\*\*\*\*

**Program Administrator 3:**

Ray Duroseau, Deputy Assistant Director  
**Name/Title**

P.O. Box 1562  
**Mailing Address 1**

Houston, TX 77251  
**City, State, Zip Code**

832-393-8726      832-393-8758  
**Telephone                  Fax**

ray.duroseau@cityofhouston.net  
**Email Address**

**Program Administrator 2:**

Kevin Coleman, Assistant Purchasing Agent  
**Name/Title**

P.O. Box 1562  
**Mailing Address 1**

Houston, TX 77251  
**City, State, Zip Code**

832-393-8701      832-393-8755  
**Telephone                  Fax**

kevincoleman@cityofhouston.net  
**Email Address**

**Program Administrator 4:**

Kevin Keifer, Management Analyst IV  
**Name/Title**

P.O. Box 1562  
**Mailing Address 1**

Houston, TX 77251  
**City, State, Zip Code**

832-393-8709      832-393-8757  
**Telephone                  Fax**

Kevin.keifer@cityofhouston.net  
**Email Address**

**Program Administrator designated to receive all JP Morgan Chase Multi Card: Ray Duroseau**

The undersigned officer of Customer certifies that the foregoing is true and correct and that the Program Administrators listed above are authorized to act on Customer's behalf and are vested with the authority set forth in Section 3 of the Agreement.

By: \_\_\_\_\_  
Signature of Authorized Officer

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

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

## EXHIBIT "D" PROCUREMENT CARD FEE AND REBATE SCHEDULE

- Annual Card Fee – no charge
- Late payment charge – self-assessed according to the Prompt Payment Act
- Custom 'graphix' plastic – no charge
- Photocopy retrieval – no charge
- FAST Card – (emergency card replacement fee), no charge
- Smart Data OnLine – web based reporting and card management tool – no charge
- Cash Advance – 3% - minimum charge \$3.00
- Technology dollars for custom programming available per State of Texas approval.

Annual Charge Volume	Average Transaction Size				
	\$100	\$175	\$225	\$275	\$300+
\$250,000,000	0.68%	0.70%	0.72%	0.72%	0.76%
\$275,000,000	0.78%	0.80%	0.82%	0.82%	0.86%
\$300,000,000	0.85%	0.87%	0.89%	0.89%	0.93%
\$325,000,000	0.92%	0.94%	0.96%	0.96%	1.00%
\$350,000,000	0.97%	0.99%	1.01%	1.01%	1.05%
\$375,000,000	1.00%	1.04%	1.06%	1.06%	1.09%
\$400,000,000	1.04%	1.09%	1.11%	1.12%	1.12%
\$425,000,000	1.06%	1.11%	1.13%	1.14%	1.14%
\$450,000,000	1.08%	1.13%	1.14%	1.15%	1.16%
\$475,000,000	1.09%	1.14%	1.16%	1.17%	1.17%
\$500,000,000	1.11%	1.16%	1.17%	1.18%	1.19%
\$525,000,000	1.12%	1.17%	1.19%	1.20%	1.20%
\$550,000,000	1.13%	1.18%	1.20%	1.21%	1.21%
\$575,000,000	1.14%	1.19%	1.21%	1.22%	1.22%
\$600,000,000	1.15%	1.20%	1.22%	1.23%	1.23%
\$625,000,000	1.16%	1.21%	1.23%	1.24%	1.24%
\$650,000,000	1.17%	1.22%	1.24%	1.25%	1.25%
\$675,000,000	1.17%	1.22%	1.24%	1.25%	1.25%
\$700,000,000	1.18%	1.23%	1.25%	1.26%	1.26%
\$725,000,000	1.19%	1.24%	1.26%	1.27%	1.27%
\$750,000,000	1.20%	1.25%	1.27%	1.28%	1.28%
\$800,000,000	1.21%	1.26%	1.27%	1.28%	1.29%
\$900,000,000	1.22%	1.28%	1.29%	1.30%	1.31%
\$1,000,000,000	1.24%	1.29%	1.31%	1.32%	1.32%

Average Large Ticket Transaction Size	Rebate Rate
\$4,500 - \$4,999	0.65%
\$5,000 - \$7,499	0.60%
\$7,500 - \$9,999	0.55%
\$10,000 - \$14,999	0.50%
\$15,000 - \$19,999	0.45%
\$20,000 - \$24,999	0.35%
>\$25,000	0.30%

JPMorgan Chase will pay rebates on TPASS Cooperative Purchasing Programs that have annual Qualified Charge Volume of \$125,000. For programs with less than \$750,000 in annual Qualified Charge Volume, rebates will be paid annually; larger programs will be paid semi-annually. All rebates will be paid via ACH credit to the accounts that the Cooperative has designated. Schedules are effective as of September 1, 2009.

Rebates percentages are based on the combined annual spend volume and average transaction size of all State Agencies and participating Cooperative Entities according to the above matrix.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Amendment No. 1 to Professional Engineering Services Contract with Concept Engineers, Inc. for Miscellaneous Projects for the Houston Airport System; Project No. 615J (WBS #A-000138-0017-3-01; Contract No. 4600008356)

Category #	Page of	Agenda Item #
7	39 of 2	3928

FROM (Department or other point of origin):

Houston Airport System

Origination Date

June 22, 2009

Agenda Date

~~JUL 22 2009~~

DIRECTOR'S SIGNATURE:

*Eric R. Potter*

Council District affected:

B, E & I

~~JUL 29 2009~~  
AUG 05 2009

For additional information contact:

John Silva Phone: 281-233-1925  
Robert Bielek Phone: 281-233-1941

Date and identification of prior authorizing Council action:

10/17/2007 (O) 2007-1162

AMOUNT & SOURCE OF FUNDING:

CIP No. A-0138.78 \$200,000.00 Arpt Improvment Fd (8011)

Prior appropriations:

10/17/07.....\$200,000.00  
Arpt Improvment Fd (8011)

RECOMMENDATION: (Summary)

Enact an Ordinance to approve Amendment No. 1 to the Professional Engineering Services Contract with Concept Engineers, Inc. for miscellaneous projects and appropriate the necessary funds to finance the cost of these services.

SPECIFIC EXPLANATION:

On October 17, 2007, Council approved a contract for Professional Engineering Services with Concept Engineers, Inc. to provide professional engineering services for miscellaneous projects at George Bush Intercontinental Airport/Houston (IAH), William P. Hobby Airport (HOU), and Ellington Airport (EFD). Services provided to date include a condition assessment of three structures at EFD, evaluation of corrosion on the parking structure at HOU and the preparation of design and construction documents for repair of Hurricane Ike damaged facilities at IAH.

It is now requested that Council approve Amendment No. 1 to provide funding for additional miscellaneous engineering services support in the form of field evaluation, analysis and design of structural systems at IAH, HOU and EFD which include the following:

- Engineering and design services for miscellaneous projects including repairs of the facilities damaged by Hurricane Ike.

The proposed contract amendment requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

*MA*

<b>Date</b> June 22, 2009	<b>Subject:</b> Amendment No. 1 to Professional Engineering Services Contract with Concept Engineers, Inc. for Miscellaneous Projects for the Houston Airport System; Project No. 615J (WBS #A-000138-0017-3-01; Contract No.4600008356)	<b>Originator's Initials</b> RLN	<b>Page</b> 2 of 2
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**M/WBE PARTICIPATION:** The M/WBE goal for this contract is seven and one half percent (7.5%) and will be met by the following certified firms:

Firm	Type of Work	Amount	%
B & E Reprographics, Inc.	Printing	\$7,500.00	3.75%
Redline Courier Express, Inc.	Courier Service	\$3,000.00	1.50%
Tejas Office Products, Inc.	Office Supply	<u>\$4,500.00</u>	<u>2.25%</u>
	Total	<u>\$15,000.00</u>	<u>7.5%</u>

Concept Engineers, Inc. is currently achieving 4.730% M/WBE participation on a 7.5% goal.

At the request of HAS, Concept Engineers, Inc. has performed professional engineering services in response to damages resulting from Hurricane Ike. Due to the scope of services and the emergency nature of the request, there was limited opportunity to achieve the goal of 7.5%.

Concept Engineers, Inc. remains committed to achieve the goal and will continue to work with HAS and the Small Business Development and Contract Compliance Office.