

AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 29, 2009 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Green

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 - SEPTEMBER 30, 2009 - 9:00 A. M.

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

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

MAYOR'S REPORT - Combined Utility System

CONSENT AGENDA NUMBERS 1 through 39

MISCELLANEOUS - NUMBERS 1 through 6

1. REQUEST from Mayor for confirmation of the appointment of **MR. LUIS ELIZONDO-THOMSON** to Position Seven of the **HOUSTON CONVENTION CENTER HOTEL CORPORATION**, for a term to expire December 31, 2010
2. REQUEST from Mayor for confirmation of the appointment of **MS. CAROLE A. PINKETT** to Position Two on the **CIVIL SERVICE COMMISSION FOR MUNICIPAL EMPLOYEES OF THE CITY OF HOUSTON** and on the **FIREFIGHTERS' and POLICE OFFICERS' CIVIL SERVICE COMMISSION**, for a term to expire June 14, 2012
3. RECOMMENDATION from Director Convention & Entertainment Facilities Department for approval of supplemental budgets submitted by the Greater Houston Convention and Visitors Bureau - \$1,652,550.00 - Enterprise Fund
4. RECOMMENDATION from Director Convention & Entertainment Facilities Department for approval of supplemental budgets submitted by the Houston Arts Alliance - \$1,386,705.00 Enterprise Fund
5. RECOMMENDATION from Mayor's Office of Health & Environmental Policy for approval of transfer of Budget funds from the Health & Human Services Department to Administration & Regulatory Affairs - \$4,823,318.00 - General Fund
6. RECOMMENDATION from Director Solid Waste Management Department for additional funding for contract with **WASTE MANAGEMENT, INC** for Solid Waste Disposal for Solid Waste Management Department - \$500,000.00 - General Fund

ACCEPT WORK - NUMBERS 7 through 9

7. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$3,774,658.00 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Southwest Environmental Service Center - 4.04% over the original contract amount
DISTRICT C - CLUTTERBUCK
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$835,988.54 and acceptance of work on contract with **CAAN CONSTRUCTION SERVICES, INC** for Safe Sidewalk Program H3 Work Authorization Project 5.90% under the original contract amount - **DISTRICTS A - LAWRENCE and F - KHAN**
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,980,548.92 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Oak Estate - 2.41% over the original contract amount - **DISTRICT G - HOLM**

PROPERTY - NUMBER 10

10. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY8-119A, located at 8213 Homestead Road, owned by Pandel, Inc., Jang Cho, President, for the **HOMESTEAD ROAD GRADE SEPARATION PROJECT from Ley Road to Firnat Street** - \$327,451.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT B - JOHNSON**

PURCHASING AND TABULATION OF BIDS - NUMBERS 11 through 13

11. **DELL MARKETING, LP.** for Purchase of Storage Processor and Drive Array Enclosures through the City's Master Agreement with the Texas Department of Information Resources for the Houston Airport System - \$142,769.53 - Enterprise Fund
12. ORDINANCE appropriating \$903,000.00 out of Water & Sewer System Consolidated Construction Fund for Stormwater Pump Replacement and Temporary Pumping Services at the East Water Purification Plant for the Public Works & Engineering Department; providing funding for project management and construction oversight services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund
 - a. **WESTERN SUMMIT CONSTRUCTORS, INC** for Stormwater Pump Replacement and Temporary Pumping Services at the East Water Purification Plant for the Public Works & Engineering Department - \$785,000.00 and contingencies in an amount not to exceed \$118,000.00
13. **MCKINSEY & COMPANY, INC** for Consulting Services for Evaluation of Process Improvement, Implementing Process Improvements and Developing Best Practices for Various Processes for the Combined Utility System - \$1,084,000.00 - Enterprise Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 14 through 39

14. ORDINANCE extending the provisions of **SECTION 28-203 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **CANDLELIGHT PLAZA SUBDIVISION, SECS. 1 & 2**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - LAWRENCE**
15. ORDINANCE extending the provisions of **SECTION 28-203 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **SPRING BRANCH OAKS SUBDIVISION, SECS. 1-4** and **SADDLE SPUR SUBDIVISION**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - LAWRENCE**
16. ORDINANCE **AMENDING THE CITY OF HOUSTON COMMERCIAL ENERGY CONSERVATION CODE**, the **CITY OF HOUSTON RESIDENTIAL ENERGY CONSERVATION CODE** and the **CITY OF HOUSTON RESIDENTIAL CODE** relating to energy efficiency
17. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide utility easement (Parcel SY9-018A), and an 8-foot-wide utility easement (Parcel SY9-018B) from the east line of Former Redwood Street to Garland Drive within the Pecan Park replat and extension, in the Jacob Thomas Survey, A-74, Houston, Harris County, Texas; vacating and abandoning said easements to Houston Community College System, the abutting owner, in consideration of its payment of \$10,810.00, other consideration to the City - **DISTRICT I - RODRIGUEZ**
18. ORDINANCE authorizing the sale of 20-foot-wide, subsurface pipeline easement within an existing CenterPoint Energy Transmission easement within the Battaglia Tract (Q45-001), out of the Reels & Trobough Survey, A-59, Houston, Harris County, Texas (Parcel SY9-069), to Magellan Pipeline Company, L.P., in consideration of its payment of \$2,677.00 and other consideration to the City; authorizing money received from this transaction to be deposited into the Battaglia Fund - **DISTRICT I - RODRIGUEZ**
19. ORDINANCE providing for the assessment, levying and collection of ad valorem taxes for the City of Houston, Texas for the Year 2009

ORDINANCES - continued

20. ORDINANCE approving and authorizing first amendment to Loan Agreement between the City of Houston and **HOUSTON AREA COMMUNITY DEVELOPMENT CORPORATION** to extend the project completion date of a single room occupancy housing facility located at 6311 Gulf Freeway, Houston, Texas - **DISTRICT I - RODRIGUEZ**
21. ORDINANCE approving and authorizing submission of an application for 2009 Funding Grant Assistance from the Texas Coastal Management Program to fund the Buffalo Bayou Hidalgo Greenway Project in the City of Houston; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Director of the Houston Parks & Recreation Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - **DISTRICT I - RODRIGUEZ**
22. ORDINANCE approving and authorizing contract between the City of Houston and **HARRIS COUNTY** relating to the General Election to be held on November 3, 2009; providing a maximum contract amount - \$800,500.00 - General Fund
23. ORDINANCE providing for deaccession of two integrated works of art at Market Square Park from the City collection - **DISTRICT I - RODRIGUEZ**
24. ORDINANCE relating to the fiscal affairs of the Southwest Houston Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER TWENTY, CITY OF HOUSTON, TEXAS (SOUTHWEST HOUSTON ZONE)**; approving the Fiscal Year 2010 Operating Budget for the Authority and the Fiscal Years 2010-2014 Capital Improvement Budget for the Zone - **DISTRICT F - KHAN**
25. ORDINANCE appropriating \$3,050,000.00 out of Reimbursement of Equipment/Project Fund (Fund 1850) for payment to the **OLD SIXTH WARD REDEVELOPMENT AUTHORITY (REINVESTMENT ZONE NUMBER THIRTEEN, CITY OF HOUSTON, TEXAS)** - **DISTRICT H - GONZALEZ**
26. ORDINANCE appropriating \$1,000,000.00 out of Equipment Acquisition Consolidated Fund and awarding contract to **ADVANCED PUBLIC SAFETY, INC** for Electronic Citation Devices for the Municipal Courts-Administration and Houston Police Departments; providing a maximum contract amount - 3 Years with two one-year options - \$535,349.31 - General and Municipal Court Technology Funds
27. ORDINANCE amending Ordinance No. 2005-663 (Passed on May 24, 2005) to increase the maximum contract amount; approving and authorizing first amendment to Contract No. C57021 between the City of Houston and **MOTOROLA, INC** for Software Technical Support Services for the Information Technology Department - \$138,993.75 - Central Service Revolving Fund
28. ORDINANCE approving and authorizing contract between the City of Houston and **INNOVATIVE INTERFACES, INC** for an Integrated Library System for the Houston Public Library; providing a maximum contract amount - \$1,933,971.00 - HALAN Funds
29. ORDINANCE amending Ordinance No. 2006-0918 which approved contract between the City of Houston and **BFI WASTE SERVICES OF TEXAS, LP dba ALLIED WASTE SERVICES OF HOUSTON** for Non-Hazardous Waste collection, transportation and disposal services for Various Departments to increase the maximum contract amount - \$1,206,748.60 - General, Enterprise, Park Special Revenue, Fleet Management, Houston Transtar and Building Inspection Funds

ORDINANCES - continued

30. ORDINANCE approving and authorizing License Agreement, for ten (10) years with two (2) renewals of five (5) years, between **CGS INVESTMENTS, INC**, Licensor, and the City of Houston, Texas, Licensee, for the Information Technology Department to install equipment in connection with a new Public Safety Radio System, located at 1310 Ginger Road, Santa Fe, Texas
31. ORDINANCE approving and authorizing License Agreement, for ten (10) years with two (2) renewals of five (5) years, between **PINNACLE TOWERS ASSET HOLDING LLC**, Licensor, and the City of Houston, Texas, Licensee, with a License Fee of \$24,000.00 for Fiscal Year 2010 and with annual increases as set forth in such agreements with a total cost for the initial base term (Fiscal Year 2010 through 2020) of \$394,190.04, to allow the Radio Communications Division of the Information Technology Department to install equipment on communications towers in connection with a new Public Safety Radio System located at 23007 Tomball Parkway, Tomball, Texas
32. ORDINANCE appropriating \$4,070,000.00 out of Airports Improvement Fund and approving and authorizing agreement between the City of Houston and **KELLOGG, BROWN & ROOT SERVICES, INC** for Job Order Contracting Services for Houston Airport System (Project No. 516D); providing funding for the Civic Art Program - \$5,000,000.00 - Enterprise Fund **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**
33. ORDINANCE appropriating \$787,720.00 out of Reimbursement of Equipment/Projects Fund and awarding construction contract to **AAR INCORPORATED**, for Asbestos/Lead Based Paint Abatement and Interior Demolition at 1002 Washington Avenue; 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 project management and construction oversight services and contingencies relating to construction of facilities financed by the Reimbursement of Equipment/Projects Fund - **DISTRICT H - GONZALEZ**
34. ORDINANCE relating to alteration or removal of one or more off-premise signs; authorizing agreement between the City and **CBS OUTDOOR, INC** - **DISTRICT H - GONZALEZ**
35. ORDINANCE approving and authorizing Maintenance Agreement for Right-of-Way Improvements between the City of Houston and the **SPRING BRANCH MANAGEMENT DISTRICT** - **DISTRICT A - LAWRENCE**
36. ORDINANCE approving and authorizing Professional Landscape Architectural Services Contract between the City of Houston and **CLARK CONDON ASSOCIATES, INC** for Design of Museum District/Main Street Corridor Improvement Project - **DISTRICTS C - CLUTTERBUCK and D - ADAMS**
37. ORDINANCE appropriating \$1,200,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CHIANG PATEL & YERBY, INC** for Engineering Services associated with the Design of Water Line Replacement in Lockwood and Oak Estate II (Weslayan) Area; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - JOHNSON and C - CLUTTERBUCK**

ORDINANCES - continued

38. ORDINANCE appropriating \$1,438,000.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **TOTAL SITE, INC** for West Bellfort Paving Extension from S. Main to Buffalo Speedway; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT C - CLUTTERBUCK**
39. ORDINANCE No. 2009-898, passed first reading September 23, 2009
ORDINANCE granting to **WASTE CONNECTIONS OF TEXAS, LLC, A Texas Limited Liability Company**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions
SECOND READING

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 40 through 42

40. ORDINANCE approving the issuance of bonds by the **MEMORIAL CITY REDEVELOPMENT AUTHORITY - DISTRICTS A - LAWRENCE and G - HOLM**
TAGGED BY COUNCIL MEMBER KHAN
This was Item 34 on Agenda of September 23, 2009
41. ORDINANCE appropriating \$1,000,000.00 out of Water & Sewer Consolidated Construction Fund for contract between the City of Houston and **KELLOGG, BROWN AND ROOT SERVICES, INC** for On-Call Maintenance and Repair Services Contract (Passed by Ordinance No. 2007-1129)
TAGGED BY COUNCIL MEMBER JOHNSON
This was Item 41 on Agenda of September 23, 2009
42. **NOTE: THIS ITEM IS NOT A MATTER HELD BUT IS NECESSARY FOR ITEM 42A BELOW**
ORDINANCE appropriating \$3,500,000.00 out of Miscellaneous Capital Projects/Acquisition CP Series E Fund (4039) relating to purchase of Block 6 and a portion of Caroline Street (Abandoned) and a portion of Block 7, S.S.B.B. Addition, Houston, Harris County, Texas
DISTRICT H - GONZALEZ
- a. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY FLOOD CONTROL DISTRICT**, a Purchase and Sale Agreement and an Assignment and Assumption of License Agreement between the City and the **BUFFALO BAYOU PARTNERSHIP**, and a Project Agreement among the City, **REINVESTMENT ZONE NUMBER THREE, CITY OF HOUSTON**, and **DOWNTOWN REDEVELOPMENT AUTHORITY**, all relating to the purchase of Block 6 and a portion of Caroline Street (Abandoned) and a portion of Block 7, S.S.B.B. Addition, Houston, Harris County, Texas - **DISTRICT H - GONZALEZ**
TAGGED BY COUNCIL MEMBER GONZALEZ
This was Item 45 on Agenda of September 23, 2009

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Rodriguez 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



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

SEP 30 2009

September 15, 2009

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to the Articles of Incorporation and Bylaws of the Houston Convention Center Hotel Corporation, I am appointing the following individual to the Corporation's Board of Directors, subject to Council confirmation:

Mr. Luis Elizondo-Thomson, appointment to Position Seven, for a term to expire December 31, 2010.

The résumé of the nominee is attached for your review.

Sincerely,

Bill White
Mayor

BW:LC:jsk

Attachments

cc: Ms. Dawn Ullrich, Director, Convention and Entertainment Facilities
Mr. Rick Campo, Chair, Houston Convention Center Hotel Corporation

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 9-12-09
date

COUNCIL MEMBER: _____





BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

2
SEP 30 2009

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY:

9-15-09
date

COUNCIL MEMBER:

September 15, 2009

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to Texas Local Government Code, Chapter 143, Article V(a) of the City Charter, and Chapter 14 of the Code of Ordinances, I am appointing Ms. Carole A. Pinkett, to Position Two, for a term to expire June 14, 2012, on the Civil Service Commission for Municipal Employees of the City of Houston and on the Firefighters' and Police Officers' Civil Service Commission, subject to the confirmation of City Council.

The résumé of the appointee is attached for your review.

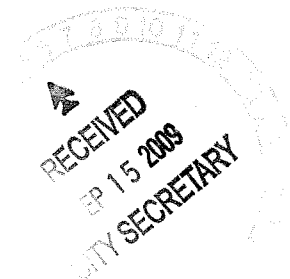
Sincerely,

Bill White
Mayor

BW:LC:jsk

Attachments

cc: Ms. Candy Aldridge, Acting Director, Human Resources



REQUEST FOR COUNCIL ACTION**TO:** Mayor :ia City Secretary**SUBJECT:** Approve Motion authorizing Supplemental Budgets submitted by the Greater Houston Convention and Visitors Bureau.

Category #

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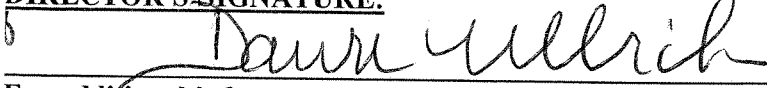
Agenda Item#

3**FROM: (Department or other point of origin):**Dawn R. Ullrich, Director
Department of Convention and Entertainment Facilities**Origination Date**

September 11, 2009

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE:**Council Districts affected:**

All

For additional information contact:

Stephen W. Lewis

Phone: 713-853-8888

Date and identification of prior authorizing**Council Action:** 2008-0510**RECOMMENDATION: (Summary)**

Approve Motion authorizing Supplemental Budgets submitted by the Greater Houston Convention and Visitors Bureau.

Amount of Funding: \$1,652,550

Civic Center Facility Revenue Fund (#8601)

Finance Budget:**SPECIFIC EXPLANATION:**

The City of Houston enters into a contract each year with the Greater Houston Convention and Visitors Bureau ("GHCVB") to solicit convention business and promote tourism. During FY09 the City made quarterly payments to the GHCVB in an amount equal to 23 percent of the City's gross hotel occupancy tax ("HOT") receipts. Based on actual year-end figures, GHCVB's share of the HOT revenues is \$14,992,550, which is \$1,652,550 over the amount projected in the FY09 contract with the City. Pursuant to the terms of its annual contract, the GHCVB must submit a supplemental budget outlining how it will utilize the funds over and above the original projected amount and obtain City Council approval before it can receive the additional funds.

The GHCVB has proposed alternative Supplemental Budgets (copies attached). The first Supplemental Budget, Option A, reserves the funds for use in the event of a projected shortfall in FY 2010 or subsequent budget years' revenue. Funds in this scenario will be used to augment the GHCVB's sales activities in promoting conventions, trade shows and other promotional programs. The second Supplemental Budget, Option B, assumes no shortfall in revenue, and utilizes the funds for additional sales commitments and sales and marketing promotions and research.

The Convention and Entertainment Facilities Department recommends approval of the GHCVB's Supplemental Budgets for FY09.

REQUIRED AUTHORIZATION

Finance Department

Other Authorization

Other Authorization

9/11/2009

LKH

3



www.visithoustontexas.com

GREATER HOUSTON CONVENTION AND VISITORS BUREAU

Statement of Activities: 2008/2009 Excess Revenue Budget

Fiscal Year 2009/2010

BUDGET
FY ENDING
06/10

REVENUES	
H.O.T. REVENUE -EXCESS FROM 2008/2009	1,652,550
TOTAL REVENUE	1,652,550
EXPENSES	
*OPERATIONAL RESERVE FOR SALES PROMOTIONS OVER THE NEXT THREE YEARS	1,652,550
TOTAL EXPENSES	1,652,550
NET ASSET INCREASE(DECREASE)	-

**Budget anticipates a HOT shortfall*

OPTION B

Houston

www.visithoustontexas.com

GREATER HOUSTON CONVENTION AND VISITORS BUREAU

**Statement of Activities: 2008/2009 Excess Revenue Budget
Fiscal Year 2009/2010**

**BUDGET
FY ENDING
06/10**

REVENUES	
H.O.T. REVENUE -EXCESS FROM 2008/2009	1,652,550
TOTAL REVENUE	1,652,550
EXPENSES*	
SALES COMMITMENTS	578,393
SALES & MARKETING PROMOTIONS & RESEARCH	1,074,157
TOTAL EXPENSES	1,652,550
NET ASSET INCREASE(DECREASE)	-

*All expenditures are subject to the approval of the Director.

REQUEST FOR COUNCIL ACTION**TO:** Mayer via City Secretary**SUBJECT:** Approve Motion authorizing Supplemental Budget submitted by the Houston Arts Alliance.

Category #

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Agenda Item#

4

FROM: (Department or other point of origin):

Dawn R. Ullrich, Director

Department of Convention and Entertainment Facilities

Origination Date

September 15, 2009

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE:

Council Districts affected:

All

For additional information contact:

Stephen W. Lewis

Phone: 713-853-8888

Date and identification of prior authorizing
Council Action: 2008-0564**RECOMMENDATION: (Summary)**

Approve Motion authorizing Supplemental Budget submitted by the Houston Arts Alliance.

Amount of Funding: \$1,386,705

Civic Center Facility Revenue Fund (#8601)

Finance Budget:**SPECIFIC EXPLANATION:**

The City of Houston enters into a contract each year with the Houston Arts Alliance ("HAA") to promote the arts. During FY09 the City made quarterly payments to the HAA in an amount equal to 19.3 percent of the City's gross hotel occupancy tax ("HOT") receipts. HOT estimates at the time of the FY09 contract projected that HAA would receive approximately \$11,194,000 in FY09. Based on actual year-end figures, HAA's share of the HOT revenues is \$12,580,705, which is \$1,386,705 over the amount projected in the FY09 contract with the City. Pursuant to the terms of its annual contract, the HAA must submit a supplemental budget outlining how it will utilize the funds over and above the original projected amount and obtain City Council approval before it can receive the additional funds.

HAA's proposed Supplemental Budget (copy attached) provides for additional funding for the Miller Theatre Advisory Board ("MTAB"), Theater District Improvement, Inc. ("TDI"), the Houston Museum District Association ("HMDA"), the City's Initiatives Program, and the HAA grant program, as well as for programs and supporting services. Proposed uses of the funding include:

- HAA – HAA proposes to reserve funds for use in the event of a projected shortfall in FY10 revenue. Funds in this scenario will be used to augment grants and programs. In the event of no shortfall, HAA will use the funds for an arts marketing program, subject to the approval of the Director.
- MTAB – MTAB proposes to maintain funding for performing arts and cultural organizations at FY09 levels in the event of a FY10 shortfall or provide new and enhanced grant funding in the event of no shortfall.

REQUIRED AUTHORIZATION

Finance Department

Other Authorization

Other Authorization

REQUEST FOR COUNCIL ACTION

SUBJECT: Approve Motion authorizing Supplemental Budget submitted by the Houston Arts Alliance.

Page 2 of 2

- Museum District – The Museum District proposes to use these funds to print visitor information brochures and market the various museums, including, but not limited to, the Museum of Fine Arts, Houston, The Menil Collection, Holocaust Museum Houston, Jung Center and Houston Zoo.
- Theater District – The Theater District proposes to use these funds as follows:
 - Marketing efforts at the Alley Theatre to bring in a broader audience utilizing a combination of advertising – more use of television, print, media and radio.
 - Support for the new production of the holiday comedy *The Santaland Diaries* scheduled for December, 2009, at the Alley Theatre.
 - Production expenses for *Oregon*, *Solo/Mediaeval Baebes/Afternoon of a Faun/Sym in C*, *The Nutcracker*, *Marie, Leaves are Fading/Vertiginous* thrill of *Exactitude/Soldier's Mass*, *Nosotros/Jardi Tancat/Carousel*. (Houston Ballet)
 - Artist fees for Daphnis Prieto. (Da Camera of Houston)
 - Production expenses for *Cavalleria rusticana & Pagliacci*, *A Midsummer Night's Dream*, *Chorus*, *Rigoletto*, *Brief Encounter*, *Miller Outdoor*, *HGOco*, *HGO Studio*. (Houston Grand Opera)
 - Production expenses for *The Ten Tenors*, *Ros Warby's Monumental*, *Hot Peas 'N Butter*, *Esperanza Spaulding*. (SPA)
 - Production expenses for *Classical Series* (April 2,4,5); *Classical Series* (April 17-19); *Leading Ladies of the Silver Screen* (April 24-26); *Beethoven* (April 30, May 2,3); *Yo-Yo Ma* (May 5); *Classical Series-Beethoven & Bartok* (May 8-10); *Classical Series* feat. *Rossini*, *Paganini*, *Puccini* and *Respighi* (May 14, 16-17); *Dancing with the Symphony* (May 22-24) (Houston Symphony)
 - Theatre Under the Stars will offset costs associated with the production of *Happy Days – A new Musical*.

The Convention and Entertainment Facilities Department recommends approval of the HAA's Supplemental Budget for FY09.

**HOUSTON ARTS ALLIANCE
SUPPLEMENTAL BUDGET FOR EXCESS REVENUES FROM CITY FISCAL
YEAR 2009 – PROPOSED USAGE DURING FISCAL YEAR 2010**

\$145,604.02 – HAA Support Services (10.5%)

\$34,667.63 – Special Initiatives (2.5%)

\$221, 872.80 – Miller Outdoor Theatre (16%)

\$332,809.20 – Theater District (24%)

\$249,606.90 – Museum District (18%)

\$402,144.45* – Grant Supplements/Arts Marketing (29%)

\$1,386,705.00 – Total Supplemental Budget

***All expenditures for Arts Marketing are subject to the approval of the Director**

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Council Motion to Approve the Transfer of Budget Funds from the Health & Human Services Department to the Administration & Regulatory Affairs Department

Category #

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Agenda Item#

5

FROM: (Department or other point of origin):

Elena Marks, Director
Mayor's Office of Health and Environmental Policy

Origination Date

September 16, 2009

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE:

Elena Marks

Elena Marks

Council Districts affected:

ALL

For additional information contact:

Elena Marks
Annabelle Chen

Phone: (832) 393-1081

Phone: (713) 837-9651

Date and identification of prior authorizing

Council Action:

Ord. No. 2009-573, Passed 6/17/09

RECOMMENDATION: (Summary)

Approve the transfer of Budget funds from the Health and Human Services Department to Administration & Regulatory Affairs pursuant to provisions of the adopted FY 2010 Budget

Amount of Funding: \$4,823,318.00

FIN Budget:

\$4,823,318 – General Fund (1000)

SPECIFIC EXPLANATION:

Pursuant to the provisions of the adopted FY 2010 Budget, funds may be transferred from any Budget account in one department to any other account or accounts in any other department within the Fund. City Council must approve the interdepartmental transfer of funds from one Budget Expenditure Account Group in excess of 5% of the total amount shown for such Budget Expenditure Account Group in the adopted budget for each department.

This motion will accomplish the transfer of Budget Authority for the amount of \$4,823,318.00 from the Health and Human Services Department (HHSD) to Administration & Regulatory Affairs (ARA), and enables the complete transfer of funding for the Bureau of Animal Regulation and Care (BARC) from HHSD to ARA.


ARA will assume the responsibility for all administrative services for BARC to include: accounting, budgeting, payroll, human resources and procurement. This action will expedite the prompt turnaround and organizational realignment of BARC. The ultimate administrative dispensation of BARC will be subject to future Council action.

REQUIRED AUTHORIZATION

5

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION


SUBJECT: Additional funding for Solid Waste Management Dept Contract C31747A with Waste Management, Inc. to provide funds for the remainder of FY10		Category #	Page 1 of 1	Agenda Item # 6
FROM: (Department or other point of origin) Solid Waste Management Department		Origination Date 8/25/2009	Agenda Date SEP 30 2009	
DIRECTOR'S SIGNATURE:  Harry J. Hayes, Director		Council District affected: ALL		
For Additional information contact: Wiley Miller (713) 837-9183 Randy Tims (713) 837-9188		Date and identification of prior authorizing Council action: Ord. 88-1547 9/21/88 Ord. 91-770 5/29/91 Ord. 99-645 6/23/99 Motion 07-400 4/25/07 Motion 08-0693 9/9/08		
RECOMMENDATION: (Summary) Adopt Council motion approving additional funding for solid waste disposal contract with Waste Management, Inc.				
Amount of Funding: \$500,000			FIN Budget:	
SOURCE OF FUNDING: <input checked="" type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify) Fund 1000				
SPECIFIC EXPLANATION: This contract is one of several disposal contracts with comparable rates that the Solid Waste Management Department maintains in order to have disposal facilities available in as many sectors of the city as possible for operational efficiency and reduced vehicle expense due to shorter travel distances. This contract renews automatically each year and has no maximum contract amount. Continued funding relies on an annual allocation of budgeted funds approved by City Council. Funding in the amount of \$500,000.00 is requested at this time. The current contract stems from four contracts with Waste Management, Inc. approved by Council in 1988, for disposal of non-putrescible solid waste at their Hardy Road, Tanner Road, Indian Paint Brush, Green Shadow and Fairbanks landfills. In 1991, Council approved an ordinance that merged the separate contracts into a single contract, and in 1999, Council approved a second amendment that adjusted the contract term, disposal rates and contractor's responsibilities. Throughout the contract history, Council has approved supplemental allocations on an annual basis. With the proposed funding, the contract total to date will be \$12,442,500.				
REQUIRED AUTHORIZATION				
FIN Director:		Other Authorization:		Other Authorization:


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work Times Construction, Inc. Southwest Environmental Service Center WBS No. L-000036-0001-7	Page 1 of 2	Agenda Item 7
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FROM (Department or other point of origin): General Services Department	Origination Date 9-16-2009	Agenda Date SEP 30 2009
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P. E. 	Council District affected: C
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For additional information contact: Jacquelyn L. Nisby  Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ordinance No. 2007-712, Dated June 20, 2007
--	--

RECOMMENDATION: Pass a motion approving the final contract amount of \$3,774,658.00 accept the work, and authorize final payment.

Amount and Source of Funding: No Additional Funding Required	Finance Budget:
Previous Funding: \$3,897,890.00 Solid Waste Consolidated Construction Fund (4503)	

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$3,774,658.00 or 4.04% over the original contract amount, accept the work and authorize final payment to Times Construction, Inc. for construction services in connection with the Southwest Environmental Service Center for the Solid Waste Management Department (SWMD).

PROJECT LOCATION: 11500 South Post Oak Rd, (571C)


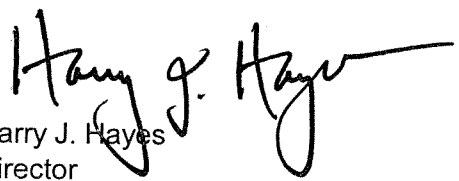
PROJECT DESCRIPTION: The project constructed a new one-story Environmental Service Center consisting of 5,433 sf of office space and 13,446 sf of storage space. The storage space allows area residents to drive into a passageway within the facility and drop off household wastes such as paper, used oil, used car batteries and other recyclable items as allowed under the current Fire Code.


CONTRACT COMPLETION AND COST: The contractor completed the project within 518 days: the original contract time of 365 days plus 153 days approved by Change Orders. The final cost of the project including Change Orders is \$3,774,658.00, an increase of \$146,658.00 over the original contract amount.

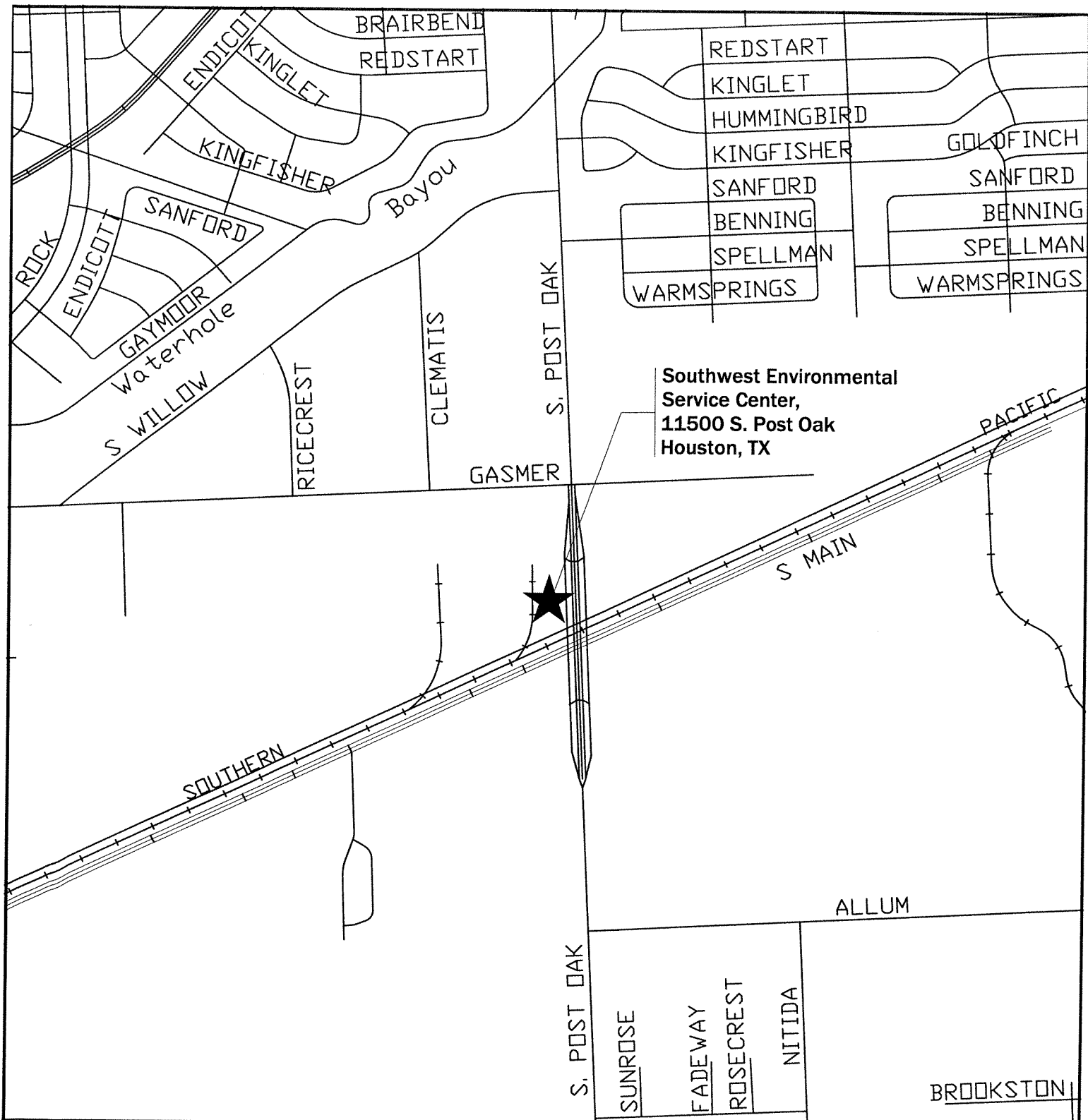
Nathelyne A. Kennedy & Associates, Inc. was the project design consultant.

REQUIRED AUTHORIZATION

CUIC ID# 25CONST114

General Services Department:  Humberto Bautista, P.E. Chief of Design & Construction Division		Solid Waste Management Department:  Harry J. Hayes Director
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Date	Subject: Accept Work Times Construction, Inc. Southwest Environmental Service Center WBS No. L-000036-0001-7	Originator's Initials JBW	Page 2 of 2
<p>PREVIOUS CHANGE ORDERS: Change Orders 1-11 removed unforeseen buried concrete foundations; provided foundation changes and alternate concrete block selection; widened driveway; provided various client department enhancements including custom millwork, additional painting, additional signage; and granted time extensions due to Hurricane Ike and revisions to the structural steel design.</p>			
<p>M/WBE INFORMATION: The contract was awarded with construction goals of 15% M/WBE and 5% SBE. According to the Affirmative Action and Contract Compliance Division, the contractor achieved 19.67% M/WBE participation and 2.58% SBE participation and was assigned an outstanding rating.</p>			
<p> IZD:HB:JLN:MCP:JBW:bo c: Marty Stein, Jacquelyn L. Nisby, Charlie Lee, Phil Golembiewski, Calvin Curtis, Kim Ngyuen, Yvette Burton, Project File 1108</p>			



Southwest Environmental Center
11500 South Post Oak
Houston, TX 77035

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION**SUBJECT:** Accept Work for Safe Sidewalk Program H3 Work Authorization Project;
WBS No. N-00610A-00H3-4.**Page**
1 of 1**Agenda Item #** 8**FROM (Department or other point of origin):**

Department of Public Works and Engineering

Origination Date

9-24-09

Agenda Date

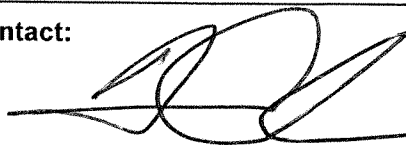
SEP 30 2009

DIRECTOR'S SIGNATURE:

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

Council Districts affected:

A, F

**For additional information contact:**J. Timothy Lincoln, P.E.
Senior Assistant Director**Phone:** (713) 837-7074**Date and Identification of prior authorizing Council Action:**

Ord. #2008-563 dated 06/18/2008

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$835,988.54 or 5.90% 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 \$1,031,200.00 from Street and Bridge Consolidated Construction Fund no. 4506.**SPECIFIC EXPLANATION:****PROJECT NOTICE/JUSTIFICATION:** This project was part of Continuing effort by the City to construct sidewalks throughout the City of Houston to meet the needs of the citizens.**DESCRIPTION/SCOPE:** This project provided for the construction of sidewalk improvements at several locations. Carter and Burgess, Inc. designed the project with 180 calendar days allowed for construction. The project was awarded to Caan Construction Services, Inc. with an original Contract Amount of \$888,385.00.**LOCATION:** The project area is located in Council District A and F. The project located in various Key Map Grids.**CONTRACT COMPLETION AND COST:** Caan Construction Services, Inc., has completed the work under the subject Contract. The project was completed within the Contract Time with an additional 10 days approved by Change Order No. 1. The final cost of the project, including overrun and underrun of estimated bid quantities, is \$835,988.54. This is a decrease of \$52,396.46 or 5.90% under the original Contract Amount.

The decrease cost is a result of difference between planned and measured quantities. This decrease is primarily a result of underrun in Bid Item No. 14 - 4 1/2" Concrete Sidewalk, which was not necessary to complete the work.

M/WBE PARTICIPATION: There is no M/WBE goal established for this project.

MSM:DRM:JTL:JLS:SAX:ha

Z:\E&C Construction\East Sector\PROJECTS\N-00610A-00H3-4 SSP H3\RCA\RCA - Closeout.doc

cc: Velma Laws Craig Foster Waynette Chan Marty Stein File N-0610A-H3/21.0.

REQUIRED AUTHORIZATION**CUIC ID # 20HA73****Finance Department:****Other Authorization:****Other Authorization:**Daniel R. Menendez, P.E., Deputy Director
Engineering and Construction Division

SAFE SIDEWALK PROGRAM H3
WBS-N-00610A-00H3-4
PROJECT STREET LIST

KEY MAP	PROJECT TITILE	PROJECT LIMITS	COUNCIL DISTRICT
452-K	43rd Street	Rosslyn to Ella	A
451-G	Randon	Acorn to W. 43rd Street	A
451-T, U	Jalna	Antoine to Afton	A
451-L	Saxon	5100 / 5200 Block	A
451-T, U	Writ Road	2200 block @ Amelia	A
451-T	Amelia	Writ to Counterpoint	A
451-M	Watonga	3900-4001 west side	A
451-M	Glebe	W. 43rd to Athea	A
530-A	Gessner	Harwin to Bellaire	F

SUBJECT: Accept Work for Water Line Replacement in Oak Estate.
WBS No. S-000035-00L3-4.

Page 1 of 1

Agenda Item #

9

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

9-24-09

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE:

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

Council Districts affected:

G

For additional information contact:J. Timothy Lincoln, P.E.
Senior Assistant Director

Phone: (713) 837-7074

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

Ord. #2007-1246 dated 11/07/2007

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$2,980,548.92, which is 2.41% over the original Contract Amount, accept the Work and authorize the final payment.

Amount and Source of Funding: No additional appropriation required.

(Original appropriation of \$3,397,600.00 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: This project consisted of 4,461 linear feet of 12-inch, 26,117 linear feet of 8-inch, 1,188 linear feet of 6-inch and 100 linear feet of 4-inch diameter water lines, valves, and appurtenances. Kuo & Associates, Inc. designed the project with 270 calendar days allowed for construction. The project was awarded to D. L. Elliott Enterprises, Inc. with an original Contract Amount of \$2,910,429.55.

LOCATION: The project area is generally bound by San Felipe on the north, Westheimer on the south, Drexel Street on the east and Suffolk on the west. The project is located in the Key Map Grids 492-N, P, S, & T.

CONTRACT COMPLETION AND COST: The Contractor, D. L. Elliott Enterprises, Inc. has completed the Work under subject Contract. The project was completed within the Contract Time. The final cost of the project, including previously approve Change Order No. 1 and overrun and underrun of estimated bid quantities is \$2,980,548.92, an increase of \$70,119.37 or 2.41% over the original Contract Amount.

The cost overrun is primarily due to an increase in Base Unit Price Item No. 18 - 12-inch Diameter Water Line W/Restrained Joints by Augering and Base Unit Price Item No. 19 - 8-inch Diameter Water Line W/Restrained Joints by Augering, which were necessary to complete the Work.

M/WBE PARTICIPATION: The M/WBE goal for this project was 22%. According to Affirmative Action and Contract Compliance, the actual participation was 27.07%. The Contractor was awarded an "Outstanding" rating for M/WBE compliance.

MSM:DRM:JTL:JAK:AH:mq
Z:\E&C Construction\South Sector\PROJECT FOLDER\S-000035-00L3-4 (Oak Estate)\21.0 Close-Out Documentation\RCA\RCA.DOC

c: Velma Laws

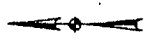
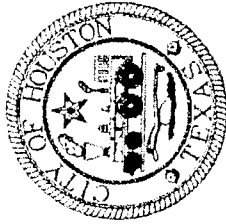
File No. S-000035-00L3-4 - 21.0

REQUIRED AUTHORIZATION

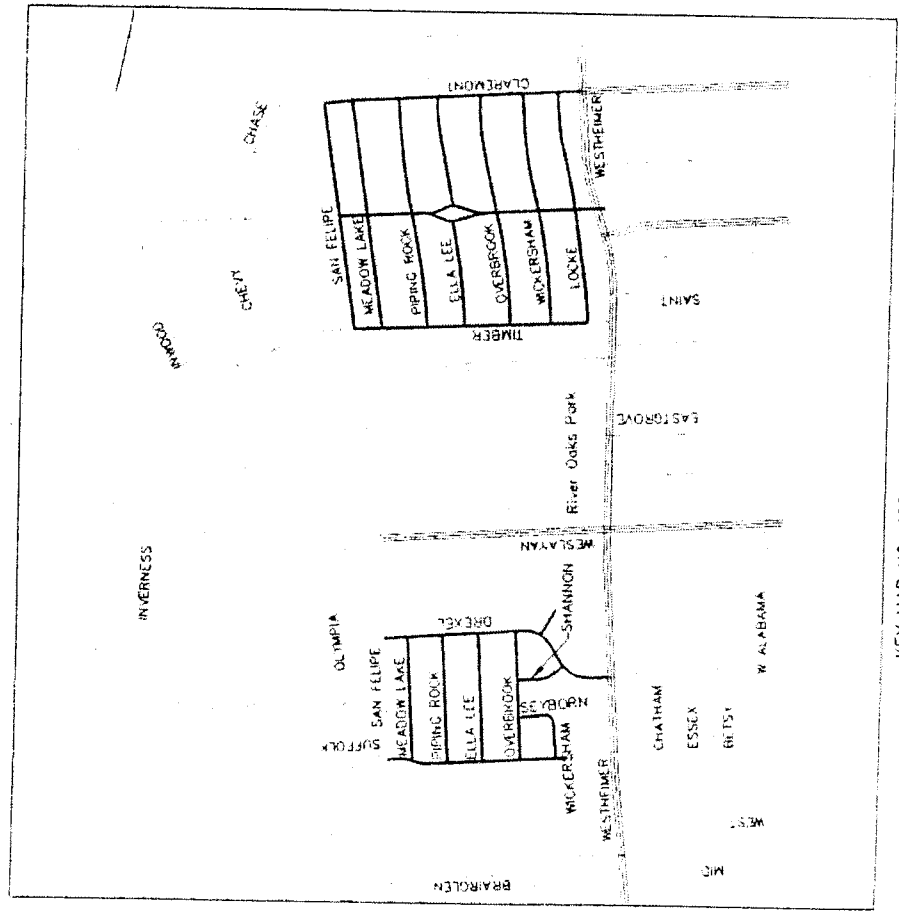
CUIC ID# 20MZQ123

Finance Department:**Other Authorization:**Jun Chang, P.E., Deputy Director
Public Utilities Division**Other Authorization:**Daniel R. Menendez, P.E., Deputy Director
Engineering and Construction Division

DEPARTMENT OF PUBLIC WORKS & ENGINEERING
ENGINEERING AND CONSTRUCTION DIVISION
WATER LINE REPLACEMENT IN OAK ESTATE
WBS NO. S-000035-00L3-4



N.T.S.



KEY MAP NO. 492 N, P, S, & T
GIM MAP #5256 A & B
COUNCIL DISTRICT 'C'

STREET NAME	FROM	TO	SALE (feet)	LENGTH (feet)
MEADOW LAKE	SUFFOLK	DREXEL	8	1050
PIPING ROCK	SUFFOLK	DREXEL	8	1060
ELLA LEE	SUFFOLK	DREXEL	8	1060
OVERBROOK	SUFFOLK	DREXEL	8	1050
WICKERSHAM	SUFFOLK	SEYBORN	6	360
SEYBORN	OVERBROOK	WICKERSHAM	6	280
SHANNON	OVERBROOK	DREXEL	6	220
DREXEL	SAN FELIPE	WESTHEIMER	8	1980
SUFFOLK	SAN FELIPE	WICKERSHAM	8	1360
SUFFOLK	WICKERSHAM	END	4	120
DREXEL	DREXEL	CLAREMONT	4	200
SAN FELIPE	CLAREMONT	TIMBER	12	1920
MEADOW LAKE	CLAREMONT	TIMBER	8	1940
PIPING ROCK	CLAREMONT	TIMBER	8	1940
ELLA LEE	CLAREMONT	TIMBER	8	1930
OVERBROOK	CLAREMONT	TIMBER	8	1920
WICKERSHAM	CLAREMONT	TIMBER	8	1920
LOCKE	CLAREMONT	TIMBER	8	1920
TIMBER	SAN FELIPE	LOCKE	8	1860
LARCHMONT	SAN FELIPE	WESTHEIMER	8	2120
CLAREMONT	SAN FELIPE	WESTHEIMER	8	2100
TOTAL				28,310

EXHIBIT - 5



Kuo & Associates, Inc. *KU*
Consulting Engineers & Surveyors

CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

WATER LINE REPLACEMENT IN OAK ESTATE
WBS NO. S-000035-00L3-4

to: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: PURCHASE of Parcel AY8-119A, located at 8213 Homestead Road for the HOMESTEAD ROAD GRADE SEPARATION PROJECT (from Ley Road to Firnat Street). OWNER: Pandel, Inc., Jang Cho, President WBS N-000713-0001-2-01	Page 1 of 1	Agenda Item # 10
FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date 9-24-09	Agenda Date SEP 30 2009
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	Council District affected: B Key Map 454H,M	
For additional information contact: Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director	Date and identification of prior authorizing Council Action: Ordinance 2007-1067, passed September 19, 2007	

RECOMMENDATION: (Summary)

Authority be given through Council Motion to PURCHASE Parcel AY8-119A.

Amount and \$327,451.00

Source of Funding: (covered under Blanket Appropriation Ordinance 2007-1067, N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506)

SPECIFIC EXPLANATION:

The HOMESTEAD ROAD GRADE SEPARATION PROJECT (from Ley Road to Firnat Street) provides for the construction of a grade separation for Homestead Road over the Union Pacific railroad tracks located south of Laura Koppe Drive in northeast Houston. The parcel is located at 8213 Homestead Road.

PURCHASE:

The City desires to acquire 2,360 square feet of improved commercial land to be used as street right of way. The City's offer was based on an appraisal by Alan L. Dominy, MAI, SRA, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

LAND:

Parcel AY8-119A (Easement)

2,360 square feet @ \$3.25	\$ 7,670.00
IMPROVEMENTS.....	\$ 43,188.00
COST TO CURE AND DAMAGES TO THE REMAINDER	\$ 273,348.00
TOTAL LAND, IMPROVEMENTS, COST TO CURE AND DAMAGES.....	\$ 324,206.00
Title Policy/Services.....	\$ 3,245.00
TOTAL AMOUNT.....	\$ 327,451.00

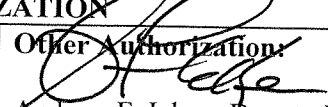
It is recommended that authority be given through Council Motion to PURCHASE Parcel AY8-119A, owned by Pandel, Inc., Jang Cho, President. This parcel contains 2,360 square feet or 0.0541 acres situated in the Harris and Wilson Survey, Abstract Number 32, Harris County, Texas; said 0.0541 of an acre tract of land being out of Reserve "B" of Pandel Plaza, as recorded in Volume 543, Page 231, Harris County Map Records (H.C.M.R.) and described in deed to Pandel, Inc. recorded under Harris County Clerk's File Number (H.C.C.F.N.) V137591; said 0.0541 of an acre of the Official Public Records for Real Property in said Harris County, Texas according to City of Houston field notes.

MSM:NPC:tb
cc: Marty Stein

\\BATES\RCA\AY8-119A.doc

CUIC #20TSB06

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division
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PARCEL VALUATION

Following is a breakdown of the consideration for Parcel AY8-119A:

LAND (Easement):

2,360 square feet @ \$3.25\$ 7,670.00

IMPROVEMENTS:

2,100 square feet of concrete flatwork @ \$6.25, less 22.2% depreciation ...\$ 10,211.00 ®

1 pylon sign @ \$25,000 each, less 22.2% depreciation.....\$ 19,450.00

1 light standard fixture @ \$1,750.00 each, less 22.2% depreciation.....\$ 1,362.00 ®

1 light fixture @ \$950.00 each, less 22.2% depreciation.....\$ 739.00 ®

Landscaping @ 50% of \$15,000.....\$ 7,500.00

10% entrepreneurial profit of total improvements @ \$31,762.00 X10%\$ 3,926.00 ®

TOTAL IMPROVEMENTS\$ 43,188.00

DAMAGES TO THE REMAINDER/COST TO CURE:

Damages to the Remainder:

(Due to the loss of adequate parking).....\$267,243.00

Cost to Cure:

(Replace one pylon sign).....\$ 6,105.00

TOTAL DAMAGES TO THE REMAINDER/COST TO CURE\$ 273,348.00

TOTAL COMPENSATION\$ 324,206.00

TITLE POLICY/SERVICES.....\$ 3,245.00

TOTAL\$ 327,451.00

2ND SECTION
H.C.M.R.

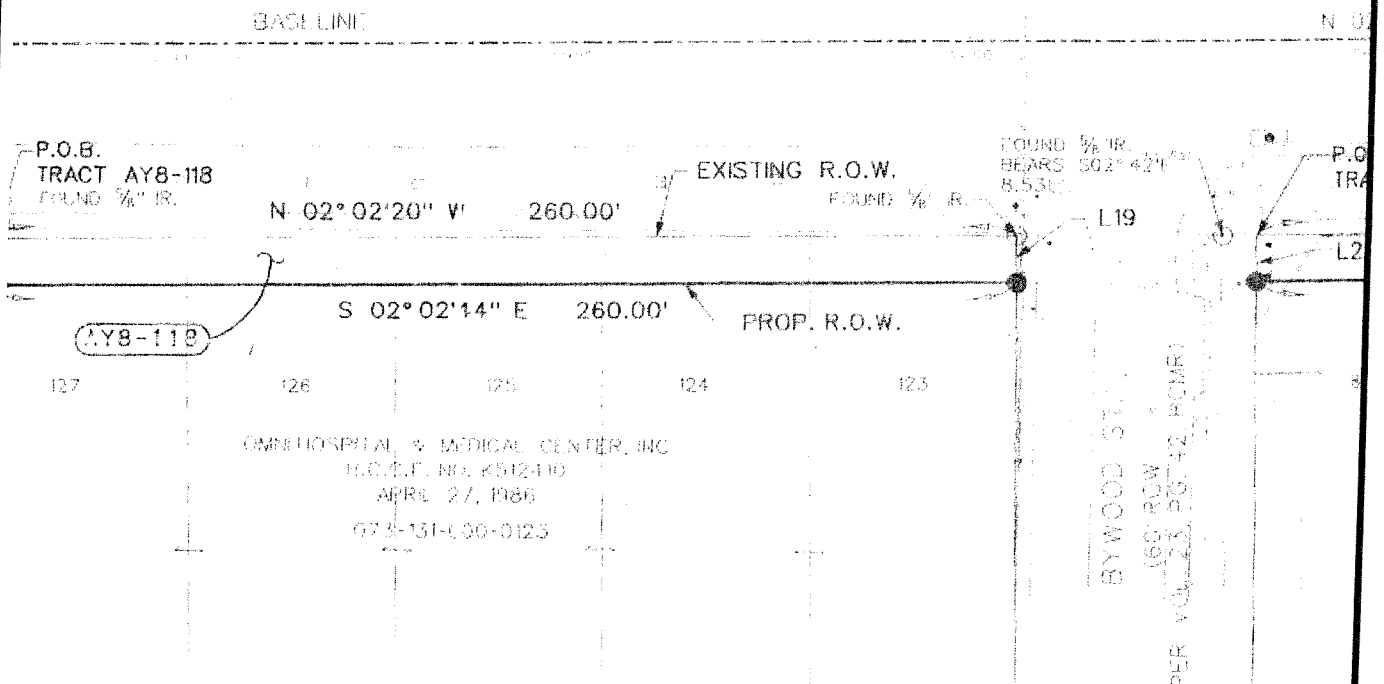
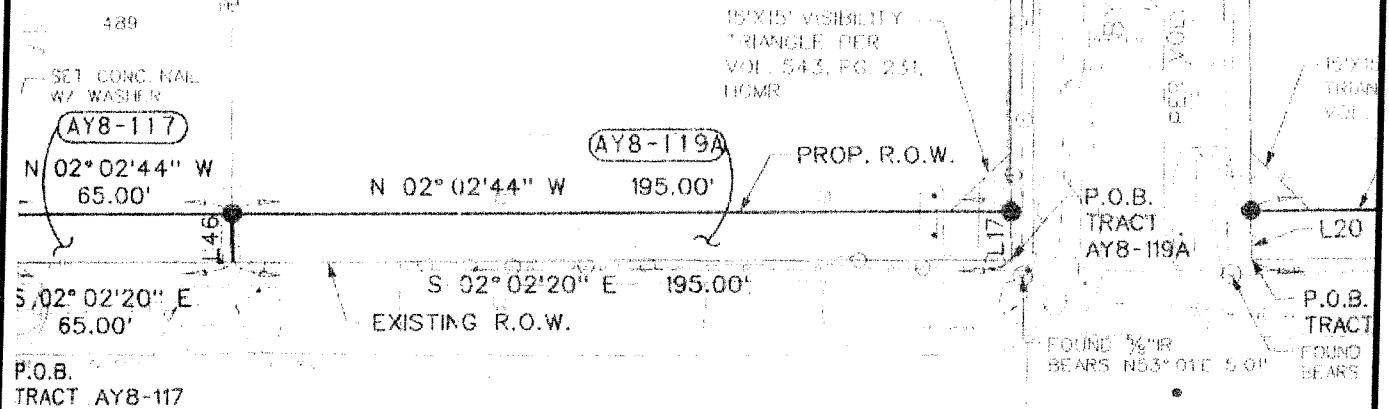
PANDELL PLAZA
UNRESTRICTED 8"
VOL. 543, PG. 231, H.C.M.R.

P.
UNR
VOL. 54

BLOCK 17

ES. WORK, TRUSTEE
I.C.C.F. NO. X198022
DECEMBER 13, 2003
173-110-017-0489

PANDELL, INC.
I.C.C.F. NO. V137591
APRIL 15, 2001
174-604-002-0001



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8464

Subject: Purchase of a Storage Processor and Drive Array Enclosures through the City's Master Agreement with the Texas Department of Information Resources
S17-H23413

Category #
4

Page 1 of 1

Agenda Item

FROM (Department or other point of origin):

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

Origination Date

September 22, 2009

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE

[Signature]

Council District(s) affected

B, E, I

For additional information contact:

Dallas Evans Phone: (281) 230-8001
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of a storage processor and drive array enclosures in the total amount of \$142,769.53 through the City's Master Agreement with the Texas Department of Information Resources (DIR).

Award Amount: \$142,769.53

Finance Budget

\$142,769.53 - HAS-AIF Capital Outlay Fund (Fund 8012)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of a storage processor and drive array enclosures in the total amount of \$142,769.53 through the City's Master Agreement with the Texas Department of Information Resources for the Houston Airport Systems (HAS), and that authorization be given to issue a purchase order to Dell Marketing, LP.

This purchase includes an EMC CX4-240 storage processor and four additional drive array enclosures with 15x400GB drives. This hardware will support a VMware vSphere environment and will replace the existing CX3-10 storage processor that no longer supports the department's needs for additional drive space. The existing processor will be deployed in a lab/development environment. The EMC CX4-240 will support up to 240 drives and will be utilized for heavy transaction processing such as high-speed large block data transfers, back-up-to-disk, audio/video streaming, replication and additional departmental applications.

The storage processor includes a 3-year warranty with a 24/7, 4-hour response time.

Buyer: Murdock Smith III

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8456

Subject: Stormwater Pump Replacement and Temporary Pumping Services at the East Water Purification Plant for the Public Works & Engineering Department
S12-E23364

Category #
1 & 4

Page 1 of 2

Agenda Item

12-12A

FROM (Department or other point of origin):

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

Origination Date

September 24, 2009

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE

[Signature]

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 appropriation of \$903,000.00 out of the Water & Sewer System Consolidated Construction Fund (Fund 8500) and approve an award to Western Summit Constructor, Inc. on its low bid in an amount not to exceed \$785,000.00 and appropriate funding for construction phase support services and construction contingencies in an amount not to exceed \$118,000.00 for stormwater pump replacement and flood protection services at the East Water Production Plant (EWPP) for the Public Works & Engineering Department.

Estimated Spending Authority: \$903,000.00

Finance Budget

\$855,900.00 - Water and Sewer System Consolidated Construction Fund 8500 (WBS S-000056-0053-4)
\$ 47,100.00 - Water and Sewer System Consolidated Construction Fund 8500 (WBS S-000056-0050-3)

\$903,000.00

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$903,000.00 out of the Water & Sewer System Consolidated Construction Fund (Fund 8500). It is further recommended that City Council approve an award to Western Summit Constructors, Inc. on its low bid in an amount not to exceed \$785,000.00 for the purchase and installation of storm water pumps. This storm water pump replacement project is important to ensure the continued production and citywide distribution of potable drinking water necessary to preserve and protect the public's health, safety and property.

Plant 1 and Plant 2 of the City's East Water Purification Complex on Federal Road are located within the 100-year flood plain. During major rain or storm surge events, these facilities are protected from flooding by a levee and flood protection wall which surrounds the site. Interior drainage during these events is handled by a system of storm drains and a storm water pumping station.

Hurricane Ike and more recent smaller rainfall events have shown that the existing pumping equipment is not sufficient to provide adequate flooding protection for these critical facilities. A recently commissioned consultant study has also shown that the pumping station no longer meets the current standards for critical-facility flood protection. During the construction phase, the contractor will provide high capacity rental pumps to provide immediate additional flooding protection for these critical potable water treatment facilities. Additionally this project will provide new permanent storm water pumps replacing the existing units in the first phase of a major system upgrade. When this project is completed and the first phase pumping units are operational, the rental pumping services will be discontinued.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NOT

12-12A

Date: 9/24/2009	Subject: Stormwater Pump Replacement and Temporary Pumping Services at the East Water Purification Plant for the Public Works & Engineering Department S12-E23364	Originator's Initials MK	Page 2 of 2
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Informal bids were taken for this project in accordance with requirements of Administrative Procedures 5-2 and 5-4 and four bids were received as outlined below:

	<u>Company</u>	<u>Total bid Amount</u>
1.	Western Summit Constructors, Inc.	\$785,000.00
2.	Lem Construction Co., Inc.	\$806,900.00
3.	Boyer, Inc.	\$812,000.00
4.	Industrial TX Corporation	\$824,000.00

PROJECT COST:

The fund appropriation award is more than the low bid shown on the bid tabulation above. The Strategic Purchasing Division (SPD) has included funding for Construction Support Services which are restricted from bidding.

The Construction of the project is to be awarded to Western Summit Constructors, Inc. The total construction cost is an amount not to exceed \$855,900.00 to be appropriated as follows:

❖ Bid amount	\$785,000.00
❖ Construction Contingencies	\$ 39,250.00
❖ Project Management	\$ 31,650.00

The cost of the Construction Phase Engineering Services will be provided by AECOM USA Group, Inc. under existing City of Houston Agreement No. 51428 in an amount not to exceed \$47,100.00.

The scope of work requires the contractor to provide all labor, materials, equipment, permits, supervision, transportation and facilities necessary to provide pump installation and manage the temporary pumping services required to protect the water treatment plant facilities from flooding for the duration of this project. Services include, but are not limited to, replacing existing stormwater pumps and providing temporary storm water pumping services.

PAY OR PLAY PROGRAM: The proposed contract requires compliance with 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.


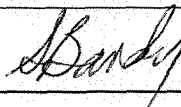
This recommendation is made pursuant to Chapter 252.022 (a) (2) of the Texas Local Government Code for exempted procurements.

Estimated Spending Authority		
DEPARTMENT	FY 2010	TOTAL
Public Works & Engineering	\$903,000	\$903,000

Buyer: Martin L. King/JR/GD

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Purchase of Professional Consulting Services for Evaluation and Implementation of Process Improvements and Development of Best Practices for the Public Works and Engineering Department's Combined Utility System S22-Q23352		Page 1 of 2	Agenda Item # 13
FROM: (Department or other point of origin): Department of Public Works and Engineering		Origination Date: September 21, 2009	Agenda Date: SEP 30 2009
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E. D.WRE, BCEE, Director		Council District affected: All	
For additional information contact: Susan Bandy Phone: 713-837-7151 David Guernsey Phone: 713-238-5241		Date and identification of prior authorizing Council action:	
RECOMMENDATION: (Summary) Approve the purchase of professional consulting services from best respondent McKinsey & Company, Inc. for evaluation and implementation of process improvements and development of best practices for the Combined Utility System.			
Amount and Source of Funding: \$1,084,000.00 Water and Sewer Operating Fund (8300) 			
SPECIFIC EXPLANATION: The Director of the Department of Public Works and Engineering (PW&E) recommends that City Council authorize the issuance of a purchase order to best respondent McKinsey & Company, Inc. in an amount not to exceed \$1,084,000.00 for the purchase of professional consulting services. This engagement will drive productivity improvements and cost reductions for the Public Works and Engineering Department's Combined Utility System. An Informal Request for Proposal was issued in accordance with the requirements of the State bid laws. 116 perspective bidders downloaded the solicitation document from SPD's e-bidding website and proposals were received from the following firms: Alvarez & Marsal, Booz & Company, CSC, Huron Consulting Group, Infrastructure Management Group, Inc. and McKinsey & Company, Inc. The proposals were evaluated based upon the following criteria, and McKinsey & Company, Inc. was chosen as the best respondent: <ul style="list-style-type: none">• Expertise/Experience/Qualifications• Proposed Strategy McKinsey's approach will stress implementation over analysis, allowing rapid deployment of improved processes to reduce costs. The consultant will undertake data gathering, analysis and benchmarking prior to the analytical phase. Project teams will be guided by a steering committee for governance. The project will proceed in four phases: analysis, decision, implementation and roll-out. The analysis phase will begin to establish cost drivers and quantify potential cost savings and promising initiatives. During the decision phase a target state will be designed and an implementation plan created. A pilot implementation will assist and facilitate the first set of roll-out initiatives, define milestones and set up a process tracking system. Roll-out will commence with periodic checks on progress.			
Pay or Play: The proposed award 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 employees in compliance with City policy.			
REQUIRED AUTHORIZATION		CUIC#20SB23	NDT
Finance Department:	Other Authorization:	Other Authorization:	

Date September 21, 2009	Subject: Approve the purchase of Consulting Services for Evaluation of Process Improvement, Implementing Process Improvements and Developing Best Practices for Maintenance for the Department of Public Works and Engineering/S22-Q23352	Originator's Initials	Page 2 of 2
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M/WBE Participation:

The Affirmative Action Division reviewed the scope and determined there is capacity for a 10% M/WBE goal, and the vendor has agreed to make a good faith effort to achieve such participation and will be monitored during the course of this engagement.

MSM:SB

c: Marty Stein
Susan Bandy
Velma Laws

THIS AGREEMENT IS SUBJECT TO BINDING ARBITRATION ACCORDING TO THE TEXAS GENERAL ARBITRATION ACT.

TO: City of Houston
Administering Department

Date: 9/18/2009

Project Name: Developing and Executing Process Improvement & Best Practices for Water and Wastewater

Project Number: TBD

Bid Amount: \$1,084,000

M/W/DBE Goal: 10%

McKinsey & Company, Inc. Washington, DC

Prime Contractor

agrees to enter into a contractual agreement

with

VIRTUAL INTELLIGENCE PROVIDERS, LLC

M/W/DBE Subcontractor

who will provide the following goods/ services in

connection with the above referenced contract:

Developing and Executing Process Improvement & Best Practices for Water and Wastewater

for an estimated amount of \$ or 10% of the total contract value.

Virtual Intelligence Providers, LLC

(M/W/DBE Subcontractor)

is currently certified with the City of Houston's Affirmative

Action and Contract Compliance Office to function in the aforementioned capacity.

McKinsey & Company, Inc.
Washington, DC

Virtual Intelligence Providers,
LLC

Contractor

M/W/DBE Subcontractor

Prime

intend to work on the above-named contract in accordance with the M/W/DBE Participation Section of the City of Houston Bid Provisions, contingent upon award of the contract to the aforementioned Prime Contractor.


Signed (Prime Contractor)

NANCY KELLEHER

Printed Signature

Deaton


Signed (M/W/DBE Subcontractor)

Sonia Clayton

Printed Signature

CEO

1133

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION****SUBJECT:** Ordinance designating Candlelight Plaza Subdivision, Sections 1 & 2 as a Prohibited Yard Parking Requirement Area**Category**
#**Page**
1 of ____**Agenda Item**
14**FROM (Department or other point of origin):**Marlene L. Gafrick, Director
Planning and Development Department**Origination Date**

September 9, 2007

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE:*Marlene L. Gafrick***Council District affected:**

A

For additional information contact: Kevin Calfee

Phone: 713.837.7768

Date and identification of prior authorizing Council action: 2009-0059, 1-27-09**RECOMMENDATION:** (Summary) Approval of an ordinance designating Candlelight Plaza Subdivision, Section 1 & 2 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.**Amount and****Source of Funding:** NA**Finance Budget:**

SPECIFIC EXPLANATION: In accordance with Section 28-303 of the Code of Ordinances, the Candlelight Plaza Civic Club initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Candlelight Plaza Civic Club. Notification was mailed to 308 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Since no protests were filed and the application meets the requirements, the Director is forwarding the application to City Council for consideration.

It is recommended that the City Council adopt an ordinance establishing a Prohibited Yard Parking Requirement Area.

Attachments:

Planning Director's Approval

Prohibited Yard Parking Requirement Application

Letter of Support

Map of the proposed requirement area / land use

Subdivision Plats

xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Don Cheatham, Land Use Division, Legal Department
Chief Hurtt, HPD
Alfred Moran, ARA

REQUIRED AUTHORIZATION**Finance Director:****Other Authorization:****Other Authorization:**

14

Prohibited Yard Parking Requirement Area No. P090407

Planning Director's Approval

Planning Director Evaluation:

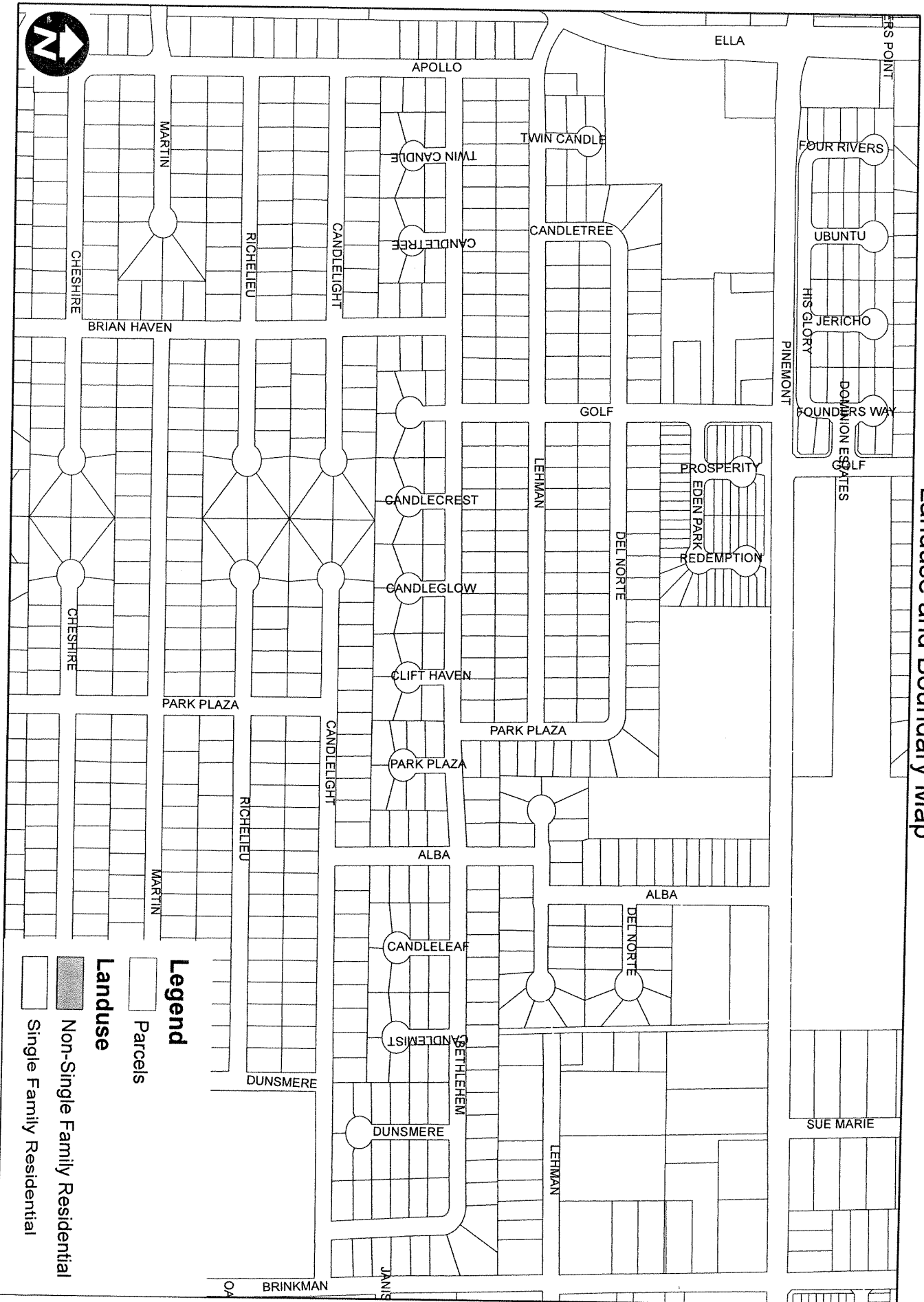
Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> The application area contains at least five contiguous block faces.
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> 100% of the proposed application area is developed as single-family residential.
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> The president of the Candlelight Plaza Civic Club has signed a letter of support.
X		<i>No valid protests were timely filed;</i> The protest period ended on June 18, 2009 with no protests being timely filed.

The Prohibited Yard Parking Requirement Area meets the criteria.

Marlene L. Gafrick 9/9/09
Marlene L. Gafrick, Date
Director

P090407

Candlelight Plaza Civic Club Landuse and Boundary Map



1134

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

SUBJECT: Ordinance designating Spring Branch Oaks Subdivision, Section 1 - 4; Saddle Spur Subdivision; TR 47 G ABST 342 T Hoskins; TR 47 F ABST 342 T Hoskins as a Prohibited Yard Parking Requirement Area	Category #	Page 1 of _____	Agenda Item # <u>15</u>
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FROM (Department or other point of origin):

Marlene L. Gafrick, Director
Planning and Development Department

Origination Date
September 9, 2009

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE:

Marlene L. Gafrick

Council District affected:
A

For additional information contact: Kevin Calfee
Phone: 713.837.7768

Date and identification of prior authorizing Council action: 2009-0059, 1-27-09

RECOMMENDATION: (Summary) Approval of an ordinance designating Spring Branch Oaks Subdivision, Section 1 - 4; Saddle Spur Subdivision; TR 47 G ABST 342 T Hoskins; TR 47 F ABST 342 T Hoskins as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

Amount and Source of Funding: NA

Finance Budget:

SPECIFIC EXPLANATION: In accordance with Section 28-303 of the Code of Ordinances, the Spring Branch Oaks Civic Association initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Spring Branch Oaks Civic Association. Notification was mailed to 273 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Five protests were filed timely filed with the Planning and Development Department. The Hearing Official held a pubic hearing on July 22, 2009 and recommended establishing the Prohibited Yard Parking Requirement Area.

Attachments:

Decision of the Hearing Official
Prohibited Yard Parking Requirement Application
Letter of Support
Map of the proposed requirement area / land use
Subdivision Plats

xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Don Cheatham, Land Use Division, Legal Department
Chief Hurtt, HPD
Alfred Moran, ARA

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

Prohibited Yard Parking Requirement Area No. P090406

Hearing Official's Approval

Hearing Official Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> The application area contains at least five contiguous block faces.
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> 96% of the proposed application area is developed as single-family residential.
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> The president of the Spring Branch Oaks Civic Association has signed a letter of support.
X		<i>Available parking is sufficient to accommodate the typical parking needs for the residential area;</i> The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

The Prohibited Yard Parking Requirement Area meets the criteria.

Nicole Smothers 9-2-09
Nicole Smothers, Date
Hearing Official, Presiding

P090406

Spring Branch Oaks Civic Association Landuse and Boundary Map





THE CITY OF HOUSTON, TEXAS

Decision of the Hearing Official

Authority

The undersigned is authorized to hear this matter as a hearing officer duly appointed in accordance with the procedures set forth in Section 28-303(l) of the Code of Ordinances, City of Houston, Texas (the "Code").

Date, Time and Place of Proceedings

These proceedings were conducted at 611 Walker St., 6th Floor in Houston, Texas, on July 22, 2009 beginning at 3:07 p.m. and concluding at 4:50 p.m.

Notice

Notice of these proceedings was given to all parties to the extent and in the manner required by Sections 28-303(h), 28-303(i) of the Code as applicable.

Signs were posted in the designated areas and notice was given through at least one other authorized method within the time mandated by Section 28-303 (h) of the Code.

A written protest of this application was timely filed with the director within 20 days after the date of the director's notice letter in compliance with Section 28-303(j) of the Code.

Recording of Proceedings

These proceedings ☒ were ☐ were not recorded.

If recorded, the following method was used:

Audio CD

Application Area

If approved, this ordinance would prohibit the parking of vehicles on unimproved surfaces in the front and side yards of single family residences in the following area:

Description:

The application boundary area extends North from Campbell Road to Long Point and from East of Campbell Road to Blalock Road.

Parties

The following parties were present and spoke on the record:

Applicant(s) or representative(s) of Applicant(s): Nathan St. Michel and Lois Stromberg

Speaking in favor: James Rudichou

Protester(s) No. 1 or representative(s) of Protestor(s) No.1: Joy Mulette

Protester(s) No. 2 or representative(s) of Protestor(s) No. 2: James Weaver

Exhibits

Exhibit No. 1

Offered by: James Weaver

Exhibit No. 2

Offered by: Greg Rudichou

Decision

Approval Criteria

The application or petition complied with Section 29-303(c) of the Code.

☒ YES

☐ NO

The evidence presented shows that the residential area described in the application or petition contains at least five contiguous blockfaces.

☒ YES ☐ NO

The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

☒ YES ☐ NO

Decision on Application

In light of the foregoing, the Hearing Officer finds that the application submitted by The Spring Branch Oaks Civic Association and signed by Nathan St. Michel which application was submitted pursuant to Section 28-303 of the Code, is


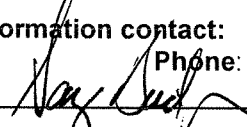
☒ recommended for approval ☐ denied

If recommended for approval, the Hearing Official recommends that the City Council pass an ordinance prohibiting the parking of vehicles and equipment on any unimproved surface in the front or side yard areas of an improved single family residential lot within the boundaries designated in the application.

If denied, pursuant to Section 28-303(m) of the Code, the Hearing Officer has not found that the evidence presented at the hearing demonstrates to the satisfaction of the Hearing Officer that the likelihood that the parking of vehicles or equipment in the front or side yards of residences in the residential area has caused, or is presently causing, a diminution in the value of the residences in such area, degrades the aesthetic appearance of the neighborhood, or tends to damage underground infrastructures leading to the loss of water or other conditions contrary to the public interest.

Signed this 11th day of August 2009

By: Nathan St. Michel
Hearing Official, Presiding

SUBJECT: Ordinance amending the adopted 2006 International Energy Conservation Code, Chapter 11 of the adopted 2000 International Residential Code, and the Houston Commercial Energy Conservation Code		Category #	Page 1 of 1	Agenda Item # 14
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date September 15, 2009		Agenda Date SEP 30 2009
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE		Council District affected: All		
For additional information contact: Mary Bridges Building Official  Phone: (713) 535-7575		Date and identification of prior authorizing Council action: None		
RECOMMENDATION: (Summary) Approve an ordinance amending portions of the Houston adopted 2006 International Energy Conservation Code, the 2000 International Residential Code, and the Commercial Energy Conservation Code				
Amount and Source of Funding: N/A				

SPECIFIC EXPLANATION:**PROJECT: I NOTICE/JUSTIFICATION**

The residential energy code was passed in November, 2008 and took effect January 1, 2009. It contained provisions for a further 15% increase in efficiency to be phased in starting October, 1st. We committed at the time the code was passed that we would educate stakeholders. During that education process several items were brought to our attention that require "administrative correction".

We have learned of ways to clarify the language and provide more opportunities for performance related compliance. Energy performance option packages are modified for clarity and additional options for compliance were added to accept more software options.

One of the most significant changes is to remove the requirement that additions must also comply with the 15% energy performance standard. We have now reached a conclusion, based on discussions with technical experts and the Industry, this provision is not currently enforceable or workable. (We will be considering other means to achieve this and bring it forward at the appropriate time).

The changes have been reviewed by the Construction Industry Council who added another recommendation to update the duct insulation and pipe insulation tables in the Commercial Energy Code.

REQUIRED AUTHORIZATION

CUIC# 20SWB04


Finance Department

Other Authorization:

Other Authorization:



Andrew F. Icken, Deputy Director

SUBJECT: Ordinance amending the adopted 2006 International Energy Conservation Code, Chapter 11 of the adopted 2000 International Residential Code, and the Houston Commercial Energy Conservation Code		Category #	Page 1 of 1	Agenda Item # 16
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date September 15, 2009		Agenda Date SEP 30 2009
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE		Council District affected: All		
For additional information contact: Gary Bridges Building Official Phone: (713) 535-7575		Date and identification of prior authorizing Council action: None		
RECOMMENDATION: (Summary) Approve an ordinance amending portions of the Houston adopted 2006 International Energy Conservation Code, the 2000 International Residential Code, and the Commercial Energy Conservation Code				
Amount and Source of Funding: N/A				

SPECIFIC EXPLANATION:**PROJECT: I NOTICE/JUSTIFICATION**

The residential energy code was passed in November, 2008 and took effect January 1, 2009. It contained provisions for a further 15% increase in efficiency to be phased in starting October, 1st. We committed at the time the code was passed that we would educate stakeholders. During that education process several items were brought to our attention that require "administrative correction".

We have learned of ways to clarify the language and provide more opportunities for performance related compliance. Energy performance option packages are modified for clarity and additional options for compliance were added to accept more software options.

One of the most significant changes is to remove the requirement that additions must also comply with the 15% energy performance standard. We have now reached a conclusion, based on discussions with technical experts and the Industry, this provision is not currently enforceable or workable. (We will be considering other means to achieve this and bring it forward at the appropriate time).

The changes have been reviewed by the Construction Industry Council who added another recommendation to update the duct insulation and pipe insulation tables in the Commercial Energy Code.



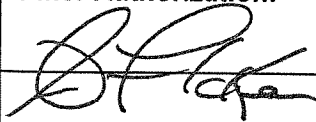
REQUIRED AUTHORIZATION

CUIC# 20SWB04

Finance Department

Other Authorization:

Other Authorization:



Andrew F. Icken, Deputy Director

Energy Code Changes – September 1, 2009

2006 Houston Residential Energy Code

Chapter 1 – Administration

110.1 General. For any permit application filed on or after October 1, 2009, compliance with additional performance objectives for new construction and additions over 500 square feet shall be required to achieve a minimum fifteen percent improvement in efficiency above the minimum provisions of this code.

110.2 Energy use. New residences and apartments and new additions that exceed 500 square feet to existing residences or apartments must use 15 percent less energy as shown by one of the methods indicated in Sections 110.2.1, and 110.2.2, or 110.2.3.

110.2.1 Energy Star Above Code Programs. The United States Environmental Protection Agency's ENERGY STAR Program certification of energy code equivalency, or other approved above code program; or

110.2.2 Software and testing. Energy code compliance modeling through Texas A&M Energy Systems Laboratory approved software or other approved simulation software program; along with testing of the building thermal envelope for infiltration and the duct system for leakage; or

110.2.3 Option packages. Prescriptive option packages approved by Texas A&M Energy Systems Laboratory and listed in Table 110(1) for One and Two Family Structures and Table 110 (2) and 110 (3) or for Multi-Family Structures. Additional option packages that are issued by Texas A&M Energy Systems Laboratory shall be permitted.

**TABLE 110(1)
COMBINED ENERGY SAVINGS FOR ONE AND TWO FAMILY STRUCTURES
WITH NATURAL GAS HEATING**

Groups	Measures	Notes	Combined Energy Savings
Group 1	Solar Domestic Hot Water System 80-gal 64 sq. ft. collector area	1	18.5%
Group 2	Photovoltaic Array for 6kW	2	32.4%
Group 3	Photovoltaic Array for Partial Demand at 4kW	3	21.6%
Group 4	Mechanical Systems within Conditioned Spaces 50% Energy Star CFL Indoor Lamps	5	18.3%
		6	
Group 5	Photovoltaic Array for Partial Demand at 2kW Decreased Duct Leakage (from 30% to maximum 10%)	4	19.3%
		8	
Group 6	50% Energy Star CFL Indoor Lamps Tankless water heater (from .54 to minimum .748 Energy Factor) Decreased Infiltration (from .462 to maximum .35 ACHn)	6	16.4%
		9	
		10	
Group 7	50% Energy Star CFL Indoor Lamps Decreased Duct Leakage (from 30% to maximum 10%) Improved SEER (from 13 to minimum 15)	6	17.5%
		8	
		1011	
Group 8	Decreased Duct Leakage (from 30% to maximum 10%) Improved SEER (from 13 to minimum 15) Decreased SHGC (from .4 to maximum .35) & U-Value (from .47 to maximum .35) Decreased Infiltration (from .462 to maximum .35 ACHn)	8	18.6%
		11	
		12	
		10	
Group 9	Decreased Duct Leakage (from 30% to maximum 10%) Decreased Duct Static Pressure (from 1.0 inch to .5 inch) Decreased SHGC (from .4 to maximum .35) & U-Value (from .47 to maximum .35) Window Shading and Redistribution (E/W = 16.27%, S= 48.82%, N=27.12%) (minimum S= 45%)	8	16.8%
		13	
		12	
		14	
Group 10	Improved Furnace Efficiency (from .78 to minimum .93 AFUE) Decreased Infiltration (from .462 to maximum .35 ACHn) Decreased Duct Leakage (from 30% to maximum 10%) Improved SEER (from 13 to minimum 15)	15	17.3%
		10	
		8	
		11	

TABLE 110(2)
COMBINED ENERGY SAVINGS FOR MULTI-FAMILY STRUCTURES
WITH NATURAL GAS HEATING

Groups	Measures	Notes	Combined Energy Savings
Group 1	Solar Domestic Hot Water System 80-gal (21 sq. ft. collector area/unit)	1	24%
Group 2	Photovoltaic Array for 6kW-2kW/unit	2-4	23.5%
Group 3	50% Energy Star CFL Indoor Lamps Tankless water heater (from .54 to minimum .748 Energy Factor) Decreased Infiltration (from .462 to maximum .35 ACHn)	6 9 10	15.9%
Group 4	Tankless water heater (from .54 to minimum .748 Energy Factor) Decreased Duct Leakage (from 30% to maximum 10%) Upper Floor Only Improved SEER (from 13 to minimum 15-14)	9 8 11	15.5%
Group 5	Decreased Duct Static Pressure (from 1.0 inch to .5 inch) Mechanical Systems within Conditioned Spaces Upper Floor Only Decreased Infiltration (from .462 to maximum .35 ACHn) Improved SEER (from 13 to minimum 15-14) Improved Furnace Efficiency (from .78 to minimum .93 AFUE) 25% 50% Energy Star CFL Indoor Lamps	13 5 10 11 15 7 6	15.7%
Group 6	Tankless water heater (from .54 to minimum .748 Energy Factor) Decreased Duct Leakage (from 30% to maximum 10%) Upper Floor Only 50% Energy Star CFL Indoor Lamps Decreased SHGC (from .4 to Maximum .35) & U-Value (from .47 to Maximum .35)	9 8 6 12	16.05%


TABLE 110(3)
COMBINED ENERGY SAVINGS FOR MULTI-FAMILY STRUCTURES
WITH ELECTRIC RESISTANCE HEATING

Groups	Measures	Notes
Group 1	PV Array for Partial Demand at 2kW/unit	4
Group 2	Solar DHW System (21 sq. ft. collector area/unit)	1
Group 3	50% Energy Star CFL Indoor Lamps Mechanical in Conditioned Space Improved SEER (minimum 14) Decreased SHGC (maximum .35) and U-Value (0.35 maximum) Decreased Infiltration (maximum .35 ACHn)	6 5 11 12 10
Group 4	Tankless water heater (minimum .748 Energy Factor) Decreased Duct Leakage (maximum 6%) Upper Floor Only Improved SEER (minimum 14) Reduced Infiltration (maximum .35 ACHn) 25% Energy Star CFL Indoor Lamps Decreased SHGC (maximum .35) and U-Value (0.35 maximum)	9 8 11 10 7 12
Group 5	50% Energy Star CFL Indoor Lamps Decreased Duct Leakage (maximum 6%) Improved SEER (minimum 14) Decreased SHGC (maximum .35) and U-Value (0.35 maximum) Reduced Infiltration (maximum .35 ACHn)	6 8 11 12 10

Notes:

1. Solar Domestic Hot Water System: Storage tank type 80-gallon DHW heater with 64 square feet collector area for single-family homes and 21 square feet collector per unit area for multifamily structures.
2. Photovoltaic Array for 6kW: Equivalent to 30 panels at 205 watts each at minimum 16% efficiency Installed according to DC Standard Test Criteria standard and manufacturer's instructions.
3. Photovoltaic Array for Partial Demand at 4kW per single family home or per unit for multi-family: Equivalent to 20 panels at 205 watts each at minimum 16% efficiency Installed according to DC Standard Test Criteria standard and manufacturer's instructions.
4. Photovoltaic Array for Partial Demand at 2kW per single family home or per unit for multi-family: Equivalent to 10 panels at 205 watts each at minimum 16% efficiency Installed according to DC Standard Test Criteria standard and manufacturer's instructions.

REDLINE

- 
5. Mechanical Systems within Conditioned Spaces (upper floor only in multifamily): *Ducts in ventilated attic moved to location within the thermal envelope of conditioned space including unventilated attic space.*
 6. 50% Energy Star CFL Indoor Lamps: *Permanent Compact Florescent fixtures excluding closets.*
 7. 25% Energy Star CFL Indoor Lamps: *Permanent Compact Florescent fixtures excluding closets.*
 8. Decreased Duct Leakage (~~from 30% to maximum 10%~~), except Table 110(1) Group 9 and Table 110(3) Group 4 (maximum 6%): *Ducts tested with less than 10% leakage to outside the building envelope, as a percentage of air handler rated airflow at 360 CFM/ton*
 9. Tankless water heater (~~from .54 to minimum .748~~ Energy Factor for Electric/Gas house): *Manufacturer's rating.*
 10. Decreased Infiltration (~~from .462 to minimum .35~~ ACH_n): *Base case formula for ACH_n is Normalized Leakage 0.57 x Weather Factor 0.8.*
 11. Improved SEER: (~~from 13 to minimum 15~~ for Single Family homes and minimum 14 for multifamily units): *Manufacturer's nominal rating.*
 12. Decreased SHGC (~~from .4 to maximum .35~~) & U-factor (~~from .47 to maximum .35~~): *NFRC 100 and 200.*
 13. ~~Decreased Duct Static Pressure (from 1.0 inch to .5 inch): Measured per NCI std and certified by third party not to exceed 0.5" w/ RESERVED.~~
 14. Window Shading and Redistribution: *Maximum total window area of 18% window to floor ratio. Window orientation with 1.5 ft overhang (Projection Factor=.25) on all sides. A minimum of 45% of the total window area shall be on the south. (E/W=16.27%, S=48.82%, N=27.12%); Window orientation with overhang on all sides*
 15. Improved Furnace Efficiency (~~from .78 to Minimum .93~~ AFUE): *Manufacturer's nominal rating.*

110.3.1 Testing of the Building Thermal Envelope for Infiltration. Leakage of the building thermal envelope shall not exceed ~~.50~~ .35 Air Changes per Hour (ACH_n) as measured by the blower door test. The testing procedure shall be based on ASTM E779, Standard Test Method for Determining Air Leakage Rate by Fan Pressurization, ASHRAE 119 Air Leakage Performance for Detached Single Family Residential Buildings or ANSI/ASHRAE 136, A Method of Determining Air Change Rates in Detached Dwellings.

Testing shall be performed by an independent third-party technician approved by the building official.

Documentation verifying thermal envelope air leakage equal to or less than ~~.50~~ .35 ACH_n shall be submitted with the final mechanical code compliance package on the jobsite and include the following information:

- a. Address of residence
- b. Name and company of technician performing testing
- c. Date of final test
- d. Test results as percentage ACH_n

Exception: ~~Existing construction where the volume of the conditioned space is unchanged.~~

110.3.2 Testing of Duct Systems for Leakage. Leakage of supply ducts and return plenum/ducts shall not exceed 10% of total design airflow. The testing procedure shall be based on ASTM E1554, Standard Test Methods for Determining External Air Leakage of Air Distribution Systems by Fan Pressurization, ASHRAE 111 Measurement, Testing, Adjusting, and Balancing of Building HVAC Systems, ASHRAE 152-2004, Method of Test for Determining the Design and Seasonal Efficiencies of Residential Thermal Distribution Systems, or a generally accepted equivalent method.

Testing shall be performed by an independent third-party technician approved by the building official. Documentation verifying duct leakage of less than 10% shall be submitted with the final mechanical code compliance package on the jobsite. Documentation shall include the following:

- a. Address of residence
- b. Date of final test
- c. Name and company of technician performing duct testing

e. Test results in percentage of airflow CFM

Exception: Existing construction with no modification of or addition to the existing ductwork.

403.2.1 Insulation. Supply and return ducts shall be insulated to a minimum of R-8. Ducts in floor trusses shall be insulated to a minimum of R-6. Insulation on all ducts shall be vapor sealed. Ducts shall be insulated in accordance with Table 403.2.1.

TABLE 403.2.1 INSULATION OF DUCTS^{a, b, c}

<u>Duct Location</u>	<u>Insulation Types</u> <u>Mechanically Cooled and Outside Air</u>	<u>Insulation Types</u> <u>Heating Only</u>
1. <u>On roof or exterior of building</u>	<u>R-8, V, W</u>	<u>R-8, W</u>
2. <u>Attics, garages, inside walls, floor-ceiling spaces and crawl spaces (located inside the building thermal envelope)</u>	<u>R-5, V</u>	<u>R-5</u>
3. <u>Attics, garages, outside walls, and crawl spaces (located outside the building thermal envelope)</u>	<u>R-8, V</u>	<u>R-8 W</u>

- a. When the temperature difference between the interior and the exterior of the duct does not exceed 15°F (8°C) duct insulation is not required.
b. Where ducts are used for both heating and cooling, the insulation requirements shall comply with the most restrictive condition.
c. Exposed ductwork inside conditioned spaces need not be insulated.

NOTES:

- V. Vapor retarders: Material with a perm rating not exceeding 0.5 perm (29 ng/Pa•s•m²). Vapor retarders shall be installed on cooling supply ducts in spaces vented to the outside in geographic areas where the summer dew point temperature exceeds 60°F (16°C) at the 2 ½ percent summer design dry-bulb with mean coincident wet-bulb temperature. All joints to be sealed.
W. Approved weatherproof barrier.

CHAPTER 6 REFERENCED STANDARDS

American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc. 1791 Tullie Circle, NE Atlanta, GA 30329-2305	
ASHRAE	
Standard Reference Number	Referenced in code section number
119-88 (RA 1994 2004)	Air Leakage Performance for Detached Single-family Residential Buildings110.3.1, Table 404.5.2(1)
146-1998	Testing and Rating Pool Heaters Table 504.2
152-2004 (RA 2004)	Method of Test for Determining the Design and Seasonal efficiencies of Residential Thermal Distribution Systems 110.3.2
13256-1 (2004)	Water-source Heat Pumps – Testing and Rating for Performance – Part 1: Water-to-air and Brine-to-air Heat Pumps (ANSI/ASHRAE/IESNA 90.1-2004) Table 503.2.3(2)
90.1-2004	Energy Standard for Buildings Except Low-rise Residential Buildings (ANSI/ASHRAE/IESNA 90.1-2004) 501.1, 501.2, 502.1.1, Table 502.2(2)
ASHRAE –2001	ASHRAE Handbook of Fundamentals -2004402.1, Table 404.5.2(1), 503.2.1
ASHRAE – 2004	ASHRAE HVAC Systems and Equipment Handbook 2004503.2.1
ASHRAE 111—08	Measurement, Testing, Adjusting, and Balancing of Building HVAC Systems110.3.2

2000 Houston Residential Code

Chapter 2

BUILDING THERMAL ENVELOPE. The basement walls, exterior walls, floor, roof, and any other building element that enclose conditioned space. This boundary also includes the boundary between conditioned space and any exempt or unconditioned space.

N1101.4.1 General. For any permit application filed on or after October 1, 2009, compliance with additional performance objectives for new construction and additions over 500 square feet shall be required to achieve minimum fifteen percent improvement in efficiency above the minimum provisions of this code.

N1101.4.2 Energy use. ~~New residences and apartments and new additions that exceed 500 square feet to existing residences or apartments~~ must use 15 percent less energy as shown by one of the methods indicated in Sections N1101.4.2.1 through N1101.4.2.3.

N1101.4.2.1 Energy Star Above Code Programs. The United States Environmental Protection Agency's ENERGY STAR Program certification of energy code equivalency or other approved above code program; or

N1101.4.2.2 Software and Testing. Energy code compliance modeling through Texas A&M Energy Systems Laboratory approved software or other approved simulation software program, along with testing of the building thermal envelope for infiltration and the duct system for leakage; or

N1101.4.2.3 Option Packages. Prescriptive option packages approved by Texas A&M Energy Systems Laboratory and listed in Table N1101.4.2. Additional option packages that are issued by Texas A&M Energy Systems Laboratory shall be permitted.

N1101.4.3 Testing. When required by Section N1101.4.2.2 testing shall be performed according to Sections N1101.4.3.1 and N1101.4.3.2. Batch testing shall be permitted as approved by the Building Official.

N1101.4.3.1 Testing of the Building Thermal Envelope for Infiltration. Leakage of the building thermal envelope shall not exceed ~~.50~~ .35 Air Changes per Hour (ACHn) as measured by the blower door test. The testing procedure shall be based on ASTM E779, Standard Test Method for Determining Air Leakage Rate by Fan Pressurization, ASHRAE 119 Air Leakage Performance for Detached Single Family Residential Buildings or ANSI/ASHRAE 136, A Method of Determining Air Change Rates in Detached Dwellings.

Testing shall be performed by an independent third-party technician approved by the building official. Documentation verifying thermal envelope air leakage equal to or less than ~~.50~~ .35 ACHn shall be submitted with the final mechanical code compliance package on the jobsite and include the following information:

- a. Address of residence
- b. Name and company of technician performing testing
- c. Date of final test
- d. Test results as percentage ACHn

~~**Exception:** Existing construction where the volume of the conditioned space is unchanged.~~

N1101.4.3.2 Testing of Duct Systems for Leakage. Leakage of supply ducts and return plenum/ducts shall not exceed 10% of total design airflow. The testing procedure shall be based on ASTM E1554, Standard Test Methods for Determining External Air Leakage of Air Distribution Systems by Fan Pressurization, ASHRAE 111 Measurement, Testing, Adjusting, and Balancing of Building HVAC Systems, ASHRAE 152-2004, Method of Test for Determining the Design and Seasonal Efficiencies of Residential Thermal Distribution Systems, or a generally accepted equivalent method.

Testing shall be performed by an independent third-party technician approved by the building official. Documentation verifying duct leakage of less than 10% shall be submitted with the final mechanical code compliance package on the jobsite. Documentation shall include the following:

- a. Address of residence
- b. Date of final test
- c. Name and company of technician performing duct testing
- d. Type of test performed (duct pressurization method or blower door subtraction method).
- e. Test results in percentage of airflow CFM.

Exception: Existing construction with no modification of or addition to the existing ductwork.

**TABLE N1101.4.2
COMBINED ENERGY SAVINGS FOR ONE AND TWO FAMILY STRUCTURES
WITH NATURAL GAS HEATING**

Groups	Measures	Notes	Combined Energy Savings
Group 1	Solar Domestic Hot Water System 80-gal 64 sq. ft. collector area	1	18.5 %
Group 2	Photovoltaic Array for 6kW	2	32.4 %
Group 3	Photovoltaic Array for Partial Demand at 4kW	3	21.6 %
Group 4	Mechanical Systems within Conditioned Spaces 50% Energy Star CFL Indoor Lamps	5	18.3 %
		6	
Group 5	Photovoltaic Array for Partial Demand at 2kW Decreased Duct Leakage (from 30% to maximum 10%)	4	19.3 %
		8	
Group 6	50% Energy Star CFL Indoor Lamps Tankless water heater (from .54 to minimum .748 Energy Factor) Decreased Infiltration (from .462 to maximum .35 ACH _n)	6	16.4 %
		9	
		10	
Group 7	50% Energy Star CFL Indoor Lamps Decreased Duct Leakage (from 30% to maximum 10%) Improved SEER (from 13 to minimum 15)	6	17.5 %
		8	
		1011	
Group 8	Decreased Duct Leakage (from 30% to maximum 10%) Improved SEER (from 13 to minimum 15) Decreased SHGC (from .4 to maximum .35) & U-Value (from .47 to maximum .35) Decreased Infiltration (from .462 to maximum .35 ACH _n)	8	18.6 %
		11	
		12	
		10	
Group 9	Decreased Duct Leakage (from 30% to maximum 10%) Decreased Duct Static Pressure (from 1.0 inch to .5 inch) Decreased SHGC (from .4 to maximum .3) & U-Value (from .47 to maximum .35) Window Shading and Redistribution (E/W = 16.27%, S = 48.82%, N = 27.12%) (minimum S = 45%)	8	16.8 %
		13	
		12	
		14	
Group 10	Improved Furnace Efficiency (from .78 to minimum .93 AFUE) Decreased Infiltration (from .462 to maximum .35 ACH _n) Decreased Duct Leakage (from 30% to maximum 10%) Improved SEER (from 13 to minimum 15)	15	17.3 %
		10	
		8	
		11	

Notes:

1. Solar Domestic Hot Water System: *Storage tank type 80-gallon DHW heater with 64 square feet collector area for single-family homes.*
2. Photovoltaic Array for 6kW: *Equivalent to 30 panels at 205 watts each at minimum 16% efficiency Installed according to DC Standard Test Criteria standard and manufacturer's instructions.*
3. Photovoltaic Array for Partial Demand at 4kW *per single family home: Equivalent to 20 panels at 205 watts each at minimum 16% efficiency Installed according to DC Standard Test Criteria standard and manufacturer's instructions.*
4. Photovoltaic Array for Partial Demand at 2kW *per single family home: Equivalent to 10 panels at 205 watts each at minimum 16% efficiency Installed according to DC Standard Test Criteria standard and manufacturer's instructions.*
5. Mechanical Systems within Conditioned Spaces: *Ducts in ventilated attic moved to location within the thermal envelope of conditioned space including unventilated attic space.*
6. 50% Energy Star CFL Indoor Lamps: *Permanent Compact Florescent fixtures excluding closets.*
7. ~~Reserved-RESERVED.~~

8. Decreased Duct Leakage (~~from 30% to~~ maximum 10%): Ducts tested with less than 106 % leakage to outside the building envelope, as a percentage of air handler rated airflow at 360 CFM/ton
9. Tankless water heater (~~from .54 to~~ minimum .748 Energy Factor for Electric/Gas house); Manufacturer's rating.
10. Decreased Infiltration (~~from .462 to~~ minimum .35 ACH_n): Base case formula for ACH_n is Normalized Leakage 0.57 x Weather Factor 0.8.
11. Improved SEER: (~~from 13 to~~ minimum 15 for Single Family homes): Manufacturer's nominal rating.
12. Decreased SHGC (~~from .4 to~~ maximum .35) & U-factor (~~from .47 to~~ maximum .35): NFRC 100 and 200.
13. Decreased Duct Static Pressure (~~from 1.0 inch to~~ .5 inch): Measured per NCI std and certified by third party not to exceed 0.5" w.e RESERVED.
14. Window Shading and Redistribution; Maximum total window area of 18% window to floor ratio. Window orientation with 1.5 ft overhang (Projection Factor=.25) on all sides. A minimum of 45% of the total window area shall be on the south. (E/W = 16.27 %, S= 48.82 %, N=27.12%); Window orientation with overhang on all sides
15. Improved Furnace Efficiency (~~from .78 to~~ Minimum .93 AFUE): Manufacturer's nominal rating.

N1103.3 Duct insulation. All portions of the air distribution system shall be installed in accordance with Section M1601 and be insulated ~~in accordance with Table N1103.3. to an installed R-5 when system components are located within the building but outside of conditioned space, and R-8 when located outside of the building. When located within a building envelope assembly, at least R-8 shall be applied between the duct and that portion of the assembly furthest from conditioned space.~~

Exceptions: Exhaust air ducts and portions of the air distribution system within appliances or equipment.

TABLE N1103.3 INSULATION OF DUCTS^{a, b, c}

<u>Duct Location</u>	<u>Insulation Types</u> <u>Mechanically Cooled and Outside Air</u>	<u>Insulation Types</u> <u>Heating Only</u>
1. <u>On roof or exterior of building</u>	<u>R-8, V, W</u>	<u>R-8, W</u>
2. <u>Attics, garages, inside walls, floor-ceiling spaces and crawl spaces (located inside the building thermal envelope)</u>	<u>R-5, V</u>	<u>R-5</u>
3. <u>Attics, garages, outside walls, and crawl spaces (located outside the building thermal envelope)</u>	<u>R-8, V</u>	<u>R-8, W</u>

- a. When the temperature difference between the interior and the exterior of the duct does not exceed 15°F (8°C) duct insulation is not required.
- b. Where ducts are used for both heating and cooling, the insulation requirements shall comply with the most restrictive condition.
- c. Exposed ductwork inside conditioned spaces need not be insulated.

NOTES:

- V. Vapor retarders: Material with a perm rating not exceeding 0.5 perm (29 ng/Pa•s•m²). Vapor retarders shall be installed on cooling supply ducts in spaces vented to the outside in geographic areas where the summer dew point temperature exceeds 60°F (16°C) at the 2 ½ percent summer design dry-bulb with mean coincident wet-bulb temperature. All joints to be sealed.
- W. Approved weatherproof barrier.

Chapter 43 – Referenced Standards

ASHRAE		American Society of Heating, Refrigerating And Air-Conditioning Engineers, Inc. 1791 Tullie Circle, NE Atlanta, GA 30329
Standard reference number	Title	Referenced in code section number
ASNI/ASHRAE/34-92	Number Designation and Safety Classification of Refrigerants-with Addenda through 1997.....	M1411.1
ASHRAE – 97	Handbook of Fundamentals.....	P3001.2, P3002.3, P3101.4, P3103.2, Appendix B
<u>ASHRAE 119-88 (RA 2004)</u>	<u>Air Leakage Performance for Detached Single-family Residential Buildings.....</u>	<u>N1101.4.3.1</u>
<u>ASHRAE 152-2004 (RA 2004)</u>	<u>Method of Test for Determining the Design and Seasonal efficiencies of Residential Thermal Distribution Systems.....</u>	<u>N1101.4.3.2</u>

2008 Houston Commercial Energy Code

Section 3.2

building thermal envelope: the basement walls, exterior walls, floor, roof, and any other building element that enclose conditioned space. This boundary also includes the boundary between conditioned space and any exempt or unconditioned space.

TABLE 6.4.4.1.1 Insulation of Ducts^{a, b, c}

Duct Location	Insulation Types Mechanically Cooled and Outside Air	Insulation Types Heating Only
1. On roof or exterior of building	R-8, V, W	R-8, W
2. Attics, garages, inside walls, floor-ceiling spaces and crawl spaces (located inside the building thermal envelope)	R-6 <u>5</u> , V	R-6 <u>5</u>
3. Attics, garages, outside walls, and crawl spaces (located outside the building thermal envelope)	R-8, V	R-8, <u>W</u>

- a. When the temperature difference between the interior and the exterior of the duct does not exceed 15°F (8°C) duct insulation is not required.
- b. Where ducts are used for both heating and cooling, the insulation requirements shall comply with the most restrictive condition.
- c. Exposed ductwork inside conditioned spaces need not be insulated.

NOTES:

- V. Vapor retarders: Material with a perm rating not exceeding 0.5 perm (29 ng/Pa·s·m²). Vapor retarders shall be installed on cooling supply ducts in spaces vented to the outside in geographic areas where the summer dew point temperature exceeds 60°F (16°C) at the 2 ½ percent summer design dry-bulb with mean coincident wet-bulb temperature. All joints to be sealed.
- W. Approved weatherproof barrier.

TABLE 6.8.3 Minimum Pipe Insulation^a

Fluid	≤1.5"	>1.5"- 4" ^d	>4" ^d
Steam and Steam Condensate	1 ½	3	4
Heating Hot Water	<u>1 ½</u>	<u>2</u>	<u>2</u>
Service Hot Water	1	2	2
Chilled Water, Brine or Refrigerant	1	1 ½	2

- a. Based on insulation having a conductivity (k) not exceeding 0.27 Btu per in./h·ft²·°F.
- b. These thicknesses are based on energy efficiency considerations only. Additional insulation is sometimes required relative to safety issues/surface temperature.
- c. These thickness are based on energy efficiency considerations only. Issues such as water vapor permeability or surface condensation sometimes require vapor retarders or additional insulation.
- d. Inside pipe diameter. Nominal pipe size.

City of Houston, Texas, Ordinance No. 2009-_____

AN ORDINANCE AMENDING THE CITY OF HOUSTON COMMERCIAL ENERGY CONSERVATION CODE, THE CITY OF HOUSTON RESIDENTIAL ENERGY CONSERVATION CODE AND THE CITY OF HOUSTON RESIDENTIAL CODE RELATING TO ENERGY EFFICIENCY; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

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

Section 1. That the City of Houston Residential Energy Conservation Code is hereby amended as follows:

A. SECTION 110, INCLUDING TABLES 110(1), 110(2) AND 110(3), IS HEREBY AMENDED TO READ AS FOLLOWS:

**"SECTION 110
PHASED STANDARDS**

110.1 General. For any permit application filed on or after October 1, 2009, compliance with additional performance objectives for new construction shall be required to achieve a minimum fifteen percent improvement in efficiency above the minimum provisions of this code.

110.2 Energy use. New residences and apartments must use 15 percent less energy as shown by one of the methods indicated in Sections 110.2.1, 110.2.2, or 110.2.3.

110.2.1 Above Code Programs. The United States Environmental Protection Agency's ENERGY STAR Program certification of energy code equivalency, or other approved above code program; or

110.2.2 Software and testing. Energy code compliance modeling through Texas A&M Energy Systems Laboratory approved software or other approved simulation software program; along with testing of the building thermal envelope for infiltration and the duct system for leakage; or

110.2.3 Option packages. Prescriptive option packages approved by Texas A&M Energy Systems Laboratory and listed in Table 110(1) for One and Two Family Structures and Table 110 (2) and 110 (3) or for Multi-Family Structures. Additional option packages that are issued by Texas A&M Energy Systems Laboratory shall be permitted.

**TABLE 110(1)
COMBINED ENERGY SAVINGS FOR ONE AND TWO FAMILY STRUCTURES
WITH NATURAL GAS HEATING**

Groups	Measures	Notes
Group 1	Solar Domestic Hot Water System 64 sq. ft. collector area	1
Group 2	Photovoltaic Array for 6kW	2
Group 3	Photovoltaic Array for Partial Demand at 4kW	3

Group 4	Mechanical Systems within Conditioned Spaces 50% Energy Star CFL Indoor Lamps	5
		6
Group 5	Photovoltaic Array for Partial Demand at 2kW Decreased Duct Leakage (maximum 10%)	4
		8
Group 6	50% Energy Star CFL Indoor Lamps Tankless water heater (minimum .748 Energy Factor) Decreased Infiltration (maximum .35 ACHn)	6
		9
		10
Group 7	50% Energy Star CFL Indoor Lamps Decreased Duct Leakage (maximum 10%) Improved SEER (minimum 15)	6
		8
		11
Group 8	Decreased Duct Leakage (maximum 10%) Improved SEER (minimum 15) Decreased SHGC (maximum .35) & U-Value (maximum .35) Decreased Infiltration (maximum .35 ACHn)	8
		11
		12
		10
Group 9	Decreased Duct Leakage (maximum 6%) Decreased SHGC (maximum .35) & U-Value (maximum .35) Window Shading and Redistribution (minimum S= 45%)	8
		12
		14
Group 10	Improved Furnace Efficiency (minimum .93 AFUE) Decreased Infiltration (maximum .35 ACHn) Decreased Duct Leakage (maximum 10%) Improved SEER (minimum 15)	15
		10
		8
		11

TABLE 110(2)
COMBINED ENERGY SAVINGS FOR MULTI-FAMILY STRUCTURES
WITH NATURAL GAS HEATING

Groups	Measures	Notes
Group 1	Solar Domestic Hot Water System (21 sq. ft. collector area/unit)	1
Group 2	Photovoltaic Array for 2kW/unit	4
Group 3	50% Energy Star CFL Indoor Lamps Tankless water heater (minimum .748 Energy Factor) Decreased Infiltration (maximum .35 ACHn)	6
		9
		10
Group 4	Tankless water heater (minimum .748 Energy Factor) Decreased Duct Leakage (maximum 6%) <i>Upper Floor Only</i> Improved SEER (minimum 14)	9
		8
		11
Group 5	Mechanical Systems within Conditioned Spaces <i>Upper Floor Only</i> Decreased Infiltration (maximum .35 ACHn) Improved SEER (minimum 14) Improved Furnace Efficiency (minimum .93 AFUE) 50% Energy Star CFL Indoor Lamps	5
		10
		11
		15
		6
Group 6	Tankless water heater (minimum .748 Energy Factor) Decreased Duct Leakage (maximum 6%) <i>Upper Floor Only</i> 50% Energy Star CFL Indoor Lamps Decreased SHGC (Maximum .35) & U-Value (Maximum .35)	9
		8
		6
		12

TABLE 110(3)
COMBINED ENERGY SAVINGS FOR MULTI-FAMILY STRUCTURES
WITH ELECTRIC RESISTANCE HEATING

Groups	Measures	Notes
Group 1	PV Array for Partial Demand at 2kW/unit	4
Group 2	Solar DHW System (21 sq. ft. collector area/unit)	1
Group 3	50% Energy Star CFL Indoor Lamps Mechanical in Conditioned Space Improved SEER (minimum 14)	6
		5
		11

	Decreased SHGC (maximum .35) and U-Value (0.35 maximum)	12
	Decreased Infiltration (maximum .35 ACHn)	10
Group 4	Tankless water heater (minimum .748 Energy Factor)	9
	Decreased Duct Leakage (maximum 6%) <i>Upper Floor Only</i>	8
	Improved SEER (minimum 14)	11
	Reduced Infiltration (maximum .35 ACHn)	10
	25% Energy Star CFL Indoor Lamps	7
	Decreased SHGC (maximum .35) and U-Value (0.35 maximum)	12
Group 5	50% Energy Star CFL Indoor Lamps	6
	Decreased Duct Leakage (maximum 6%)	8
	Improved SEER (minimum 14)	11
	Decreased SHGC (maximum .35) and U-Value (0.35 maximum)	12
	Reduced Infiltration (maximum .35 ACHn)	10

Notes:

1. Solar Domestic Hot Water System: *Storage tank type DHW heater with 64 square feet collector area for single-family homes and 21 square feet collector per unit area for multifamily structures.*
2. Photovoltaic Array for 6kW: *Installed according to DC Standard Test Criteria standard and manufacturer's instructions.*
3. Photovoltaic Array for Partial Demand at 4kW per single family home or per unit for multi-family: *Installed according to DC Standard Test Criteria standard and manufacturer's instructions.*
4. Photovoltaic Array for Partial Demand at 2kW per single family home or per unit for multi-family: *Installed according to DC Standard Test Criteria standard and manufacturer's instructions.*
5. Mechanical Systems within Conditioned Spaces (upper floor only in multifamily): *Ducts in ventilated attic moved to location within the thermal envelope of conditioned space including unventilated attic space.*
6. 50% Energy Star CFL Indoor Lamps: *Permanent Compact Florescent fixtures excluding closets.*
7. 25% Energy Star CFL Indoor Lamps: *Permanent Compact Florescent fixtures excluding closets.*
8. Decreased Duct Leakage (maximum 6%) : *Ducts tested with less than 10 % leakage to outside the building envelope.*
9. Tankless water heater (minimum .748 Energy Factor for Electric/Gas house): *Manufacturer's rating.*
10. Decreased Infiltration (minimum .35 ACHn): *Base case formula for ACHn is Normalized Leakage 0.57 x Weather Factor 0.8.*
11. Improved SEER: (minimum 15 for Single Family homes and minimum 14 for multi-family units): *Manufacturer's nominal rating.*
12. Decreased SHGC (maximum .35) & U-factor (maximum .35): *NFRC 100 and 200.*
13. *RESERVED.*
14. Window Shading and Redistribution: *Maximum total window area of 18% window to floor ratio. Window orientation with 1.5 ft overhang (Projection Factor=.25) on all sides. A minimum of 45% of the total window area shall be on the south.*
15. Improved Furnace Efficiency (Minimum .93 AFUE): *Manufacturer's nominal rating.*

110.3 Testing. When required by Section 110.2.2 testing shall be performed according to Sections 110.3.1 and 110.3.2. Batch testing shall be permitted as approved by the Code Official.

110.3.1 Testing of the Building Thermal Envelope for Infiltration. Leakage of the building thermal envelope shall not exceed .35 Air Changes per Hour (ACHn) as measured by the blower door test. The testing procedure shall be based on ASTM E779, Standard Test Method for Determining Air Leakage Rate by Fan Pressurization, ASHRAE 119 Air Leakage Performance for Detached Single Family Residential Buildings or ANSI/ASHRAE 136, A Method of Determining Air Change Rates in Detached Dwellings.

Testing shall be performed by an independent third-party technician approved by the building official.

Documentation verifying thermal envelope air leakage equal to or less than .35 ACHn shall be submitted with the final mechanical code compliance package on the jobsite and include the following information:

- a. Address of residence
- b. Name and company of technician performing testing
- c. Date of final test

D. IN CHAPTER 6, THE TABLE OF ASHRAE STANDARDS IS HEREBY AMENDED TO READ AS FOLLOWS:

"ASHRAE		American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc. 1791 Tullie Circle, NE Atlanta, GA 30329-2305
Standard Reference Number	Title	Referenced in code section number
119-88 (RA 2004)	Air Leakage Performance for Detached Single-family Residential Buildings	110.3.1, Table 404.5.2(1)
146-1998	Testing and Rating Pool Heaters	Table 504.2
152-2004 (RA 2004)	Method of Test for Determining the Design and Seasonal Efficiencies of Residential Thermal Distribution Systems	110.3.2
13256-1 (2004)	Water-source Heat Pumps – Testing and Rating for Performance – Part 1: Water-to-air and Brine-to-air Heat Pumps (ANSI/ASHRAE/IESNA 90.1-2004)	Table 503.2.3(2)
90.1-2004	Energy Standard for Buildings Except Low-rise Residential Buildings (ANSI/ASHRAE/IESNA 90.1-2004)	501.1, 501.2, 502.1.1, Table 502.2(2)
ASHRAE –2001	ASHRAE Handbook of Fundamentals -2004	402.1, Table 404.5.2(1), 503.2.1
ASHRAE – 2004	ASHRAE HVAC Systems and Equipment Handbook 2004	503.2.1
ASHRAE 111—08	Measurement, Testing, Adjusting, and Balancing of Building HVAC Systems	110.3.2"

Section 2. That, as authorized by Section 214.212(c) of the Texas Local Government Code and Chapter 388 of the Texas Health and Safety Code, the Table of Houston Amendments to the International Residential Code for One- and Two-Family Dwellings, as adopted by Ordinance 2001-1154, as previously amended, is further amended as follows:

A. THE DEFINITION OF **BUILDING THERMAL ENVELOPE** IN R202 IS HEREBY AMENDED TO READ AS FOLLOWS:

"BUILDING THERMAL ENVELOPE. The basement walls, exterior walls, floor, roof, and any other building element that enclose conditioned space. This boundary also includes the boundary between conditioned space and any exempt or unconditioned space."

B. SECTION N1101.4, INCLUDING TABLE N1101.4.2, IS HEREBY AMENDED TO READ AS FOLLOWS:

"N1101.4 Phased standards.

N1101.4.1 General. For any permit application filed on or after October 1, 2009, compliance with additional performance objectives for new construction shall be required to achieve minimum fifteen percent improvement in efficiency above the minimum provisions of this code.

N1101.4.2 Energy use. New residences must use 15 percent less energy as shown by one of the methods indicated in Sections N1101.4.2.1 through N1101.4.2.3.

N1101.4.2.1 Above Code Programs. The United States Environmental Protection Agency's ENERGY STAR Program certification of energy code equivalency or other approved above code program; or

N1101.4.2.2 Software and Testing. Energy code compliance modeling through Texas A&M Energy Systems Laboratory approved software or other approved simulation software program, along with testing of the building thermal envelope for infiltration and the duct system for leakage; or

N1101.4.2.3 Option Packages. Prescriptive option packages approved by Texas A&M Energy Systems Laboratory and listed in Table N1101.4.2. Additional option packages that are issued by Texas A&M Energy Systems Laboratory shall be permitted.

N1101.4.3 Testing. When required by Section N1101.4.2.2 testing shall be performed according to Sections N1101.4.3.1 and N1101.4.3.2. Batch testing shall be permitted as approved by the Building Official.

N1101.4.3.1 Testing of the Building Thermal Envelope for Infiltration. Leakage of the building thermal envelope shall not exceed .35 Air Changes per Hour (ACHn) as measured by the blower door test. The testing procedure shall be based on ASTM E779, Standard Test Method for Determining Air Leakage Rate by Fan Pressurization, ASHRAE 119 Air Leakage Performance for Detached Single Family Residential Buildings or ANSI/ASHRAE 136, A Method of Determining Air Change Rates in Detached Dwellings.

Testing shall be performed by an independent third-party technician approved by the building official. Documentation verifying thermal envelope air leakage equal to or less than .35 ACHn shall be submitted with the final mechanical code compliance package on the jobsite and include the following information:

- a. Address of residence
- b. Name and company of technician performing testing
- c. Date of final test
- d. Test results as percentage ACHn

N1101.4.3.2 Testing of Duct Systems for Leakage. Leakage of supply ducts and return plenum/ducts shall not exceed 10% of total design airflow. The testing procedure shall be based on ASTM E1554, Standard Test Methods for Determining External Air Leakage of Air Distribution Systems by Fan Pressurization, ASHRAE 111 Measurement, Testing, Adjusting, and Balancing of Building HVAC Systems, ASHRAE 152 Method of Test for Determining the Design and Seasonal Efficiencies of Residential Thermal Distribution Systems, or a generally accepted equivalent method.

Testing shall be performed by an independent third-party technician approved by the building official. Documentation verifying duct leakage of less than 10% shall be submitted with the final mechanical code compliance package on the jobsite. Documentation shall include the following:

1. Address of residence
2. Date of final test
3. Name and company of technician performing duct testing

- d. Test results as percentage ACHn

110.3.2 Testing of Duct Systems for Leakage. Leakage of supply ducts and return plenum/ducts shall not exceed 10% of total design airflow. The testing procedure shall be based on ASTM E1554, Standard Test Methods for Determining External Air Leakage of Air Distribution Systems by Fan Pressurization, ASHRAE 111 Measurement, Testing, Adjusting, and Balancing of Building HVAC Systems, ASHRAE 152 Method of Test for Determining the Design and Seasonal Efficiencies of Residential Thermal Distribution Systems, or a generally accepted equivalent method.

Testing shall be performed by an independent third-party technician approved by the building official. Documentation verifying duct leakage of less than 10% shall be submitted with the final mechanical code compliance package on the jobsite. Documentation shall include the following:

- a. Address of residence
- b. Date of final test
- c. Name and company of technician performing duct testing
- d. Type of test performed (duct pressurization method or blower door subtraction method)
- e. Test results in percentage of airflow CFM"

B. SECTION 403.2.1 IS HEREBY AMENDED TO READ AS FOLLOWS:

"403.2.1 Insulation. Ducts shall be insulated in accordance with Table 403.2.1."

C. TABLE 403.2.1 IS HEREBY ADDED AFTER SECTION 403.2.1 TO READ AS FOLLOWS:

"TABLE 403.2.1 INSULATION OF DUCTS^{a, b, c}

Duct Location	Insulation Types Mechanically Cooled and Outside Air	Insulation Types Heating Only
1. On roof or exterior of building	R-8, V, W	R-8, W
2. Attics, garages, inside walls, floor-ceiling spaces and crawl spaces (located inside the building thermal envelope)	R-5, V	R-5
3. Attics, garages, outside walls, and crawl spaces (located outside the building thermal envelope)	R-8, V	R-8 W

1. When the temperature difference between the interior and the exterior of the duct does not exceed 15°F (8°C) duct insulation is not required.
2. Where ducts are used for both heating and cooling, the insulation requirements shall comply with the most restrictive condition.
3. Exposed ductwork inside conditioned spaces need not be insulated.

NOTES:

- V. Vapor retarders: Material with a perm rating not exceeding 0.5 perm (29 ng/Pa·s·m²). Vapor retarders shall be installed on cooling supply ducts in spaces vented to the outside in geographic areas where the summer dew point temperature exceeds 60°F (16°C) at the 2 ½ percent summer design dry-bulb with mean coincident wet-bulb temperature. All joints to be sealed.
- W. Approved weatherproof barrier."

4. Type of test performed (duct pressurization method or blower door subtraction method).
5. Test results in percentage of airflow CFM.

**TABLE N1101.4.2
COMBINED ENERGY SAVINGS FOR ONE AND TWO FAMILY STRUCTURES
WITH NATURAL GAS HEATING**

Groups	Measures	Notes
Group 1	Solar Domestic Hot Water System 64 sq. ft. collector area	1
Group 2	Photovoltaic Array for 6kW	2
Group 3	Photovoltaic Array for Partial Demand at 4kW	3
Group 4	Mechanical Systems within Conditioned Spaces 50% Energy Star CFL Indoor Lamps	5 6
Group 5	Photovoltaic Array for Partial Demand at 2kW Decreased Duct Leakage (maximum 10%)	4 8
Group 6	50% Energy Star CFL Indoor Lamps Tankless water heater (minimum .748 Energy Factor) Decreased Infiltration (maximum .35 ACHn)	6 9 10
Group 7	50% Energy Star CFL Indoor Lamps Decreased Duct Leakage (maximum 10%) Improved SEER (minimum 15)	6 8 11
Group 8	Decreased Duct Leakage (maximum 10%) Improved SEER (minimum 15) Decreased SHGC (maximum .35) & U-Value (maximum .35) Decreased Infiltration (maximum .35 ACHn)	8 11 12 10
Group 9	Decreased Duct Leakage (maximum 6%) Decreased SHGC (maximum .3) & U-Value (maximum .35) Window Shading and Redistribution (minimum S= 45%)	8 12 14
Group 10	Improved Furnace Efficiency (minimum .93 AFUE) Decreased Infiltration (maximum .35 ACHn) Decreased Duct Leakage (maximum 10%) Improved SEER (minimum 15)	15 10 8 11

Notes:

1. Solar Domestic Hot Water System: *Storage tank type DHW heater with 64 square feet collector area for single-family homes.*
2. Photovoltaic Array for 6kW: *Installed according to DC Standard Test Criteria standard and manufacturer's instructions.*
3. Photovoltaic Array for Partial Demand at 4kW per single family home: *Installed according to DC Standard Test Criteria standard and manufacturer's instructions.*
4. Photovoltaic Array for Partial Demand at 2kW per single family home: *Installed according to DC Standard Test Criteria standard and manufacturer's instructions.*
5. Mechanical Systems within Conditioned Spaces: *Ducts in ventilated attic moved to location within the thermal envelope of conditioned space including unventilated attic space.*
6. 50% Energy Star CFL Indoor Lamps: *Permanent Compact Florescent fixtures excluding closets.*
7. RESERVED.
8. Decreased Duct Leakage (maximum 10%): *Ducts tested with less than 6% leakage to outside the building envelope.*
9. Tankless water heater (minimum .748 Energy Factor for Electric/Gas house): *Manufacturer's rating.*
10. Decreased Infiltration (minimum .35 ACHn): *Base case formula for ACHn is Normalized Leakage 0.57 x Weather Factor 0.8.*
11. Improved SEER: (minimum 15 for Single Family homes and minimum 14 for multi-family units): *Manufacturer's nominal rating.*
12. Decreased SHGC (maximum .35) & U-factor (maximum .35): *NFRC 100 and 200.*
13. RESERVED.

14. Window Shading and Redistribution: *Maximum total window area of 18% window to floor ratio. Window orientation with 1.5 ft overhang (Projection Factor=.25) on all sides. A minimum of 45% of the total window area shall be on the south.*
15. Improved Furnace Efficiency (Minimum .93 AFUE): *Manufacturer's nominal rating.*"

C. SECTION N1103.3 IS HEREBY AMENDED TO READ AS FOLLOWS:

"N1103.3 Duct insulation. All portions of the air distribution system shall be installed in accordance with Section M1601 and be insulated in accordance with Table N1103.3.

Exceptions: Exhaust air ducts and portions of the air distribution system within appliances or equipment."

D. TABLE N1103.3 IS HEREBY ADDED AFTER SECTION N1103.3 TO READ AS FOLLOWS:

"TABLE N1103.3 INSULATION OF DUCTS^{a, b, c}

Duct Location	Insulation Types Mechanically Cooled and Outside Air	Insulation Types Heating Only
1. On roof or exterior of building	R-8, V, W	R-8, W
2. Attics, garages, inside walls, floor-ceiling spaces and crawl spaces (located inside the building thermal envelope)	R-5, V	R-5
3. Attics, garages, outside walls, and crawl spaces (located outside the building thermal envelope)	R-8, V	R-8 W

- a. When the temperature difference between the interior and the exterior of the duct does not exceed 15°F (8°C) duct insulation is not required.
- b. Where ducts are used for both heating and cooling, the insulation requirements shall comply with the most restrictive condition.
- c. Exposed ductwork inside conditioned spaces need not be insulated.

NOTES:

- V. Vapor retarders: Material with a perm rating not exceeding 0.5 perm (29 ng/Pa•s• m²). Vapor retarders shall be installed on cooling supply ducts in spaces vented to the outside in geographic areas where the summer dew point temperature exceeds 60°F (16°C) at the 2 ½ percent summer design dry-bulb with mean coincident wet-bulb temperature. All joints to be sealed.
- W. Approved weatherproof barrier."

E. IN CHAPTER 43, THE TABLE OF ASHRAE STANDARDS IS HEREBY AMENDED TO READ AS FOLLOWS:

"ASHRAE American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc.
1791 Tullie Circle, NE
Atlanta, GA 30329-2305

Standard Reference Number	Title	Referenced in code section number
ASNI/ASHRAE/3 4-92	Number Designation and Safety Classification of Refrigerants- with Addenda through 1997	M1411.1
ASHRAE – 97	Handbook of Fundamentals	P3001.2, P3002.3, P3101.4, P3103.2, Appendix B
119-88 (RA 2004)	Air Leakage Performance for Detached Single-family Residential Buildings	N1101.4.3.1
ASHRAE 152- 2004 (RA 2004)	Method of Test for Determining the Design and Seasonal Efficiencies of Residential Thermal Distribution Systems	N1101.4.3.2"

Section 3. That the City of Houston Residential Energy Conservation Code is hereby amended as follows:

A. SECTION 3.2 IS HEREBY AMENDED BY ADDING, IN THE APPROPRIATE ALPHABETICAL ORDER POSITION, A NEW DEFINITION THAT READS AS FOLLOWS:

"building thermal envelope: the basement walls, exterior walls, floor, roof, and any other building element that enclose conditioned space. This boundary also includes the boundary between conditioned space and any exempt or unconditioned space."

B. TABLE 6.4.4.1.1 IS HEREBY AMENDED TO READ AS FOLLOWS:

"TABLE 6.4.4.1.1 Insulation of Ducts^{a, b, c}

Duct Location	Insulation Types Mechanically Cooled and Outside Air	Insulation Types Heating Only
1. On roof or exterior of building	R-8, V, W	R-8,W
2. Attics, garages, inside walls, floor-ceiling spaces and crawl spaces (located inside the building thermal envelope)	R-5,V	R-5
3. Attics, garages, outside walls, and crawl spaces (located outside the building thermal envelope)	R-8,V	R-8 W

- a. When the temperature difference between the interior and the exterior of the duct does not exceed 15°F (8°C) duct insulation is not required.
- b. Where ducts are used for both heating and cooling, the insulation requirements shall comply with the most restrictive condition.
- c. Exposed ductwork inside conditioned spaces need not be insulated.

NOTES:

- V. Vapor retarders: Material with a perm rating not exceeding 0.5 perm (29 ng/PaC•s•m²). Vapor retarders shall be installed on cooling supply ducts in spaces vented to the outside in geographic areas where the summer dew point temperature exceeds 60°F (16°C) at the 2 ½ percent summer design dry-bulb with mean coincident wet-bulb temperature. All joints to be sealed.
- W. Approved weatherproof barrier."

C. TABLE 6.8.3 IS HEREBY AMENDED TO READ AS FOLLOWS:

"TABLE 6.8.3 Minimum Pipe Insulation^a

Fluid	≤1.5"	>1.5" - 4" ^d	>4" ^d
Steam and Steam Condensate	1 ½	3	4
Heating Hot Water	1 ½	2	2
Service Hot Water	1	2	2
Chilled Water, Brine or Refrigerant	1	1 ½	2

- a. Based on insulation having a conductivity (k) not exceeding 0.27 Btu per in./h•ft²•°F.
- b. These thicknesses are based on energy efficiency considerations only. Additional insulation is sometimes required relative to safety issues/surface temperature.

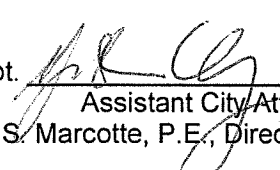
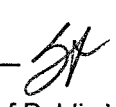
- c. These thickness are based on energy efficiency considerations only. Issues such as water vapor permeability or surface condensation sometimes require vapor retarders or additional insulation.
- d. Nominal pipe size."

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





PASSED AND APPROVED this ____ day of _____, 2009.

Mayor of the City of Houston

Prepared by Legal Dept. 
YSC:asw 09/29/2009 Assistant City Attorney 
Requested by Michael S. Marcotte, P.E., Director, Department of Public Works and Engineering
L.D. File No.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

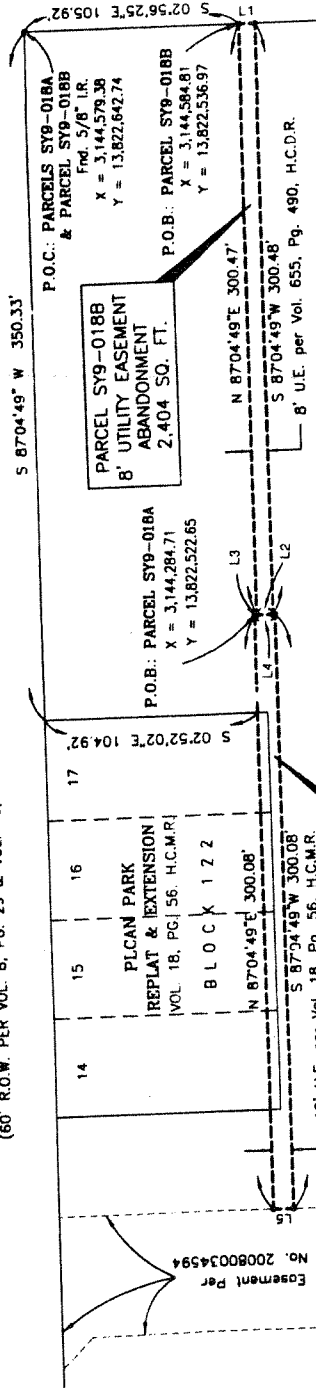
SUBJECT: Ordinance authorizing the abandonment and sale of a 10-foot-wide utility easement and an 8-foot-wide utility easement from the east line of former Redwood Street to Garland Drive. Parcels SY9-018A and SY9-018B		Page 1 of 1	Agenda Item # 17
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 9/24/09	Agenda Date SEP 30 2009
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		Council District affected: 1	
For additional information contact: Nancy P. Collins Senior Assistant Director-Real Estate Phone: (713) 837-0881 		Key Map: 535E  Date and identification of prior authorizing Council Action: C.M. 2008-0949 (12/30/08)	
RECOMMENDATION: (Summary) It is recommended City Council approve an Ordinance authorizing the abandonment and sale of a 10-foot-wide utility easement and an 8-foot-wide utility easement from the east line of former Redwood Street to Garland Drive. Parcels SY9-018A and SY9-018B			
Amount and Source of Funding: Not Applicable			
SPECIFIC EXPLANATION: By Council Motion 2008-0949, City Council authorized the subject transaction. Houston Community College System, the property owner, plans to build a workforce building for the Houston Community College Southeast Campus on the site. Houston Community College System has complied with the council motion requirements, has accepted the City's offer, and has rendered payment in full. The City will abandon and sell to Houston Community College System: Parcel SY9-018A 3,001-square-foot utility easement Valued at \$2.00 per square foot \$6,002.00 Parcel SY9-018B 2,404-square-foot utility easement Valued at \$2.00 per square foot \$4,808.00 TOTAL ABANDONMENTS <u>\$10,810.00</u> Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of a 10-foot-wide utility easement and an 8-foot-wide utility easement from the east line of former Redwood Street to Garland Drive. MSM:NPC:tj c: Jun Chang, P.E. Daniel Menendez, P.E. Marty Stein			
tj\sy9-018.rc2.doc		CUIC #20TJ007	
REQUIRED AUTHORIZATION			
Finance Department:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division	

JACOB THOMAS SURVEY, ABSTRACT - 74

SURVEY FOR THE ABANDONMENT OF 3,001 SQUARE FEET OF LAND BRING A 10 FOOT UTILITY EASEMENT OUT OF BLOCK 122, PECAN PARK REPLAT AND EXTENSION RECORDED IN VOLUME 18, PAGE 56, HARRIS COUNTY MAP RECORDS (H.C.M.R.), AND OUT OF BLOCK 1, UNRESTRICTED RESERVE "A" OF HOUSTON COMMUNITY COLLEGE EASTSIDE CAMPUS EXTENSION NO. 2, RECORDED UNDER FILM CODE NO. 621282, H.C.M.R., AND THE ABANDONMENT OF 2,404 SQUARE FEET OF LAND BEING AN 8 FOOT UTILITY EASEMENT DEDICATED TO THE PUBLIC RECORDED IN VOLUME 655, PAGE 490, HARRIS COUNTY DEED RECORDS (H.C.D.R.), LOCATED IN JACOB THOMAS SURVEY, ABSTRACT NO. 74, HARRIS COUNTY, TEXAS.

REDWOOD STREET
(60' R.O.W. PER
VOL. 8, PG. 29, H.C.M.R.)

PALMETTO STREET
(60' R.O.W. PER VOL. 8, PG. 29 & VOL. 18, PG. 56, H.C.M.R.)



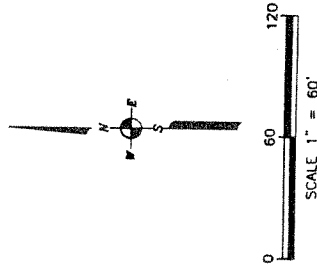
Course	Bearing	Distance
L1	S 02°56'25" E	8.00'
L2	N 02°52'02" W	8.00'
L3	N 02°52'02" W	1.00'
L4	S 02°52'02" E	10.00'
L5	N 02°52'02" W	10.00'

LEGEND:

H.C.C.F. HARRIS COUNTY CLERK'S FILE
H.C.D.R. HARRIS COUNTY DEED RECORDS
F.C. FILM CODE
VOL. VOLUME
PG. PAGE
H.C.M.R. HARRIS COUNTY MAP RECORDS
P.O.C. POINT OF COMMENCING
P.O.B. POINT OF BEGINNING
FND. I.R. FOUND IRON ROD
R.O.W. RIGHT-OF-WAY

NOTES:

- Bearings and coordinates are referenced to the Texas Coordinate System, South Central Zone.
- This survey is prepared without the benefit of a title commitment. Easement other than those shown herein may exist.
- This plat is accompanied by a separate metes and bounds description.



GARLAND DRIVE
(60' R.O.W. PER H.C.C.F. NO. 6329073)

REVISED ON NOVEMBER 18, 2008

LANDTECH CONSULTANTS, INC.
Civil Engineering • Land Surveying
2525 North Loop West
Suite 300
Houston, Texas 77008
Tel. (713) 881-7098 Fax (713) 881-4131



CITY OF HOUSTON
PUBLIC WORKS AND
ENGINEERING DEPARTMENT

DATE: 11-24-08

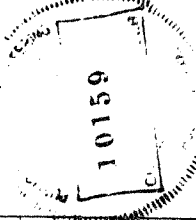
CHIEF SURVEYOR
RIGHT-OF-WAY SECTION

KEY MAP NO. 535E
DATE: SEPTEMBER 30, 2008
PARCEL NO.

SY9-018A
SY9-018B

GFS NO.

C.M. NO.

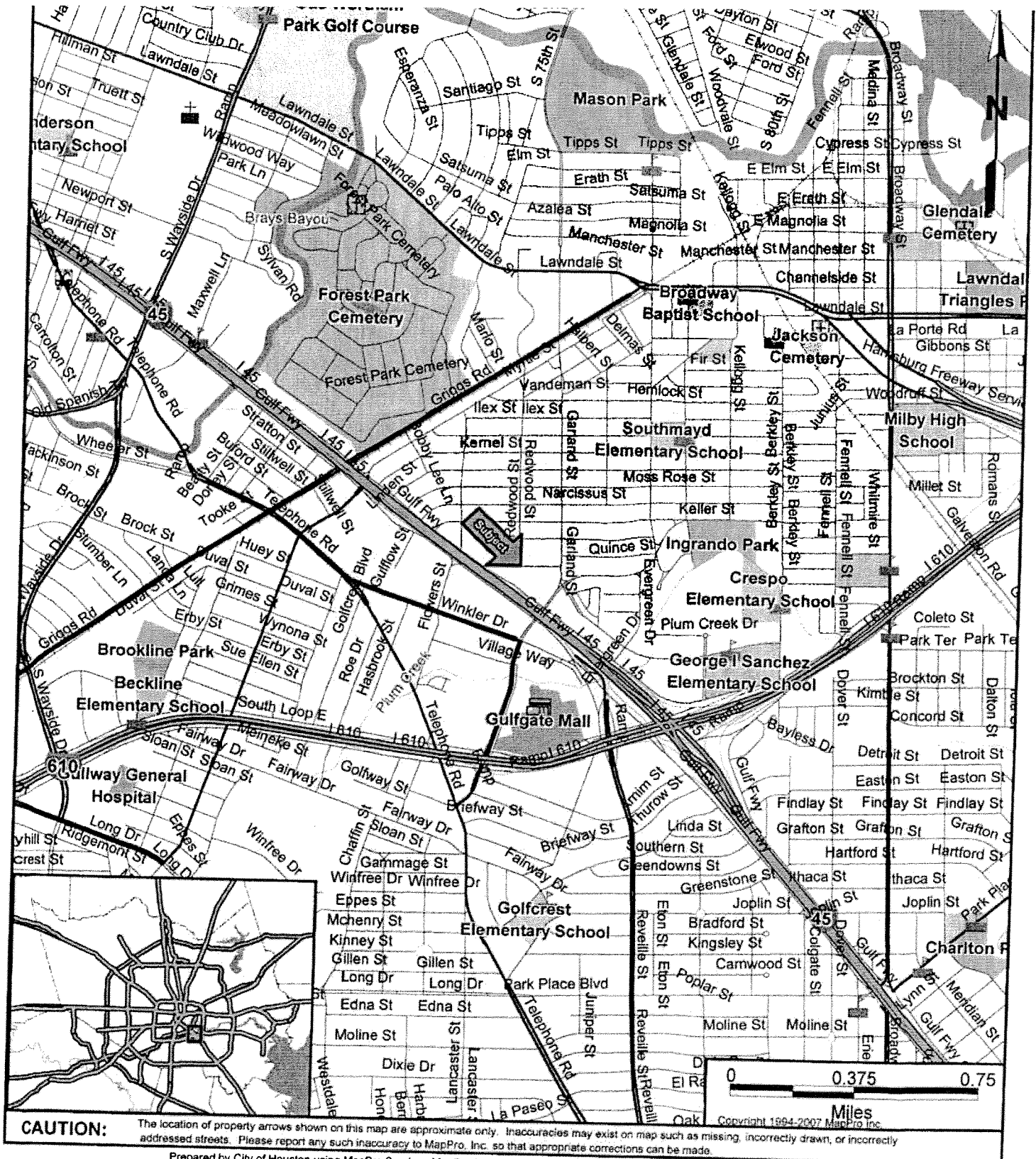


S:\2008\0810127\Survey\ABANDON\REVISED_10'&8" UE.DWG L.C. DWG. NO.: 1702-C-1367

The abandonment and sale of a 10-foot-wide utility easement and an 8-foot-wide utility easement from the east line of former Redwood Street to Garland Drive. Parcels SY9-018A and SY9-018B

Location Map

SUBJECT: Abandonment and sale of a 10-foot-wide utility easement and an 8-foot-wide utility easement from the east line of former Redwood Street to Garland Drive. Parcels SY9-018A and SY9-018B



MOTION by Council Member Khan that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Frank Petrosky of Landtech Consultants, Inc., 2525 North Loop South, Suite 30, Houston, Texas, 77008, on behalf of Houston Community College System, for the abandonment and sale of a 10-foot-wide utility easement and an 8-foot-wide utility easement from the east line of former Redwood Street to Garland Drive, Parcel Nos. SY9-018A and SY9-018B, be adopted as follows:

1. The City abandon and sell of a 10-foot-wide utility easement and an 8-foot-wide utility easement from the east line of former Redwood Street to Garland Drive;
2. The applicant be required to: (a) cut, plug and abandon or convert to private metered service the existing 8-inch sanitary sewer line from the manhole in Garland Street \pm 600-feet west to its terminus and pay the depreciated value of the sanitary sewer line and manhole;
3. 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 cost for work required in Item 2 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 not 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 applicant's request the City will release the LOC;

4. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies;
5. The Legal Department be authorized to prepare the necessary transaction documents; and
6. Inasmuch as the value of the City's property interests are not expected to exceed \$50,000.00, that the values be established by a City staff appraiser or an independent appraiser appointed by the Director of Public Works and Engineering.


Seconded by Council Member Clutterbuck and carried.

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




Council Member Brown out of the City on City business

PASSED AND ADOPTED this 30th day of December, 2008.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is January 5, 2009.



City Secretary

SUBJECT: Ordinance authorizing the sale of a 20-foot-wide subsurface pipeline easement within an existing CenterPoint Energy transmission easement, within the Battaglia Tract (Q45-001), out of the Reels and Trobough League, A-59. Parcel SY9-069	Page <u>1</u> of <u>1</u>	Agenda Item # 18
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 9-24-09	Agenda Date SEP 30 2009
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: I Key Map 455V 	
For additional information contact: Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director-Real Estate	Date and identification of prior authorizing Council Action: C.M. 2009-0329 (6/10/09)	
RECOMMENDATION: (Summary) It is recommended City Council approve an Ordinance authorizing the conveyance to Magellan Pipeline Company, L.P. of a 25,499-square-foot subsurface pipeline easement within an existing CenterPoint easement, located in the Reels and Trobough League, A-59. Parcel SY9-069		

Amount and
Source of Funding: Not Applicable

SPECIFIC EXPLANATION:

By Motion 2009-0329, City Council authorized the subject transaction. Magellan Pipeline Company, L.P. [Magellan Pipeline GP, LLC (Larry J. Davied, Vice President) General Partner] requested to continue its petroleum pipeline in an east-west direction within an existing CenterPoint easement on City property. CenterPoint owns the adjacent property in fee on the east and west sides of the City's property. The existing CenterPoint easement provides a continuous utility corridor. CenterPoint agreed to allow Magellan Pipeline Company, L.P. to run its pipeline in its fee-owned property and within its easement on City property, subject to City approval.

Since the subject easement is located within land bequeathed to the City via the will of the late John Battaglia for charitable purposes, funds resulting from the conclusion of this transaction will be deposited into The Battaglia Fund, which is administered by the Administration and Regulatory Affairs Department.

Magellan Pipeline Company, L.P. has complied with the Motion requirements, has accepted the City's offer, and has rendered payment in full.

The City will sell to Magellan Pipeline Company, L.P.:

Parcel SY9-069

25,499-square-foot subsurface pipeline easement \$2,677.00 (Rounded)
Valued at \$0.105 per square foot

TOTAL ABANDONMENT**\$2,677.00**

Therefore, it is recommended City Council approve an Ordinance authorizing the conveyance to Magellan Pipeline Company, L.P. of a 25,499-square-foot subsurface pipeline easement within an existing CenterPoint easement, located in the Reels and Trobough League, A-59.



MSM:NPC:dob

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

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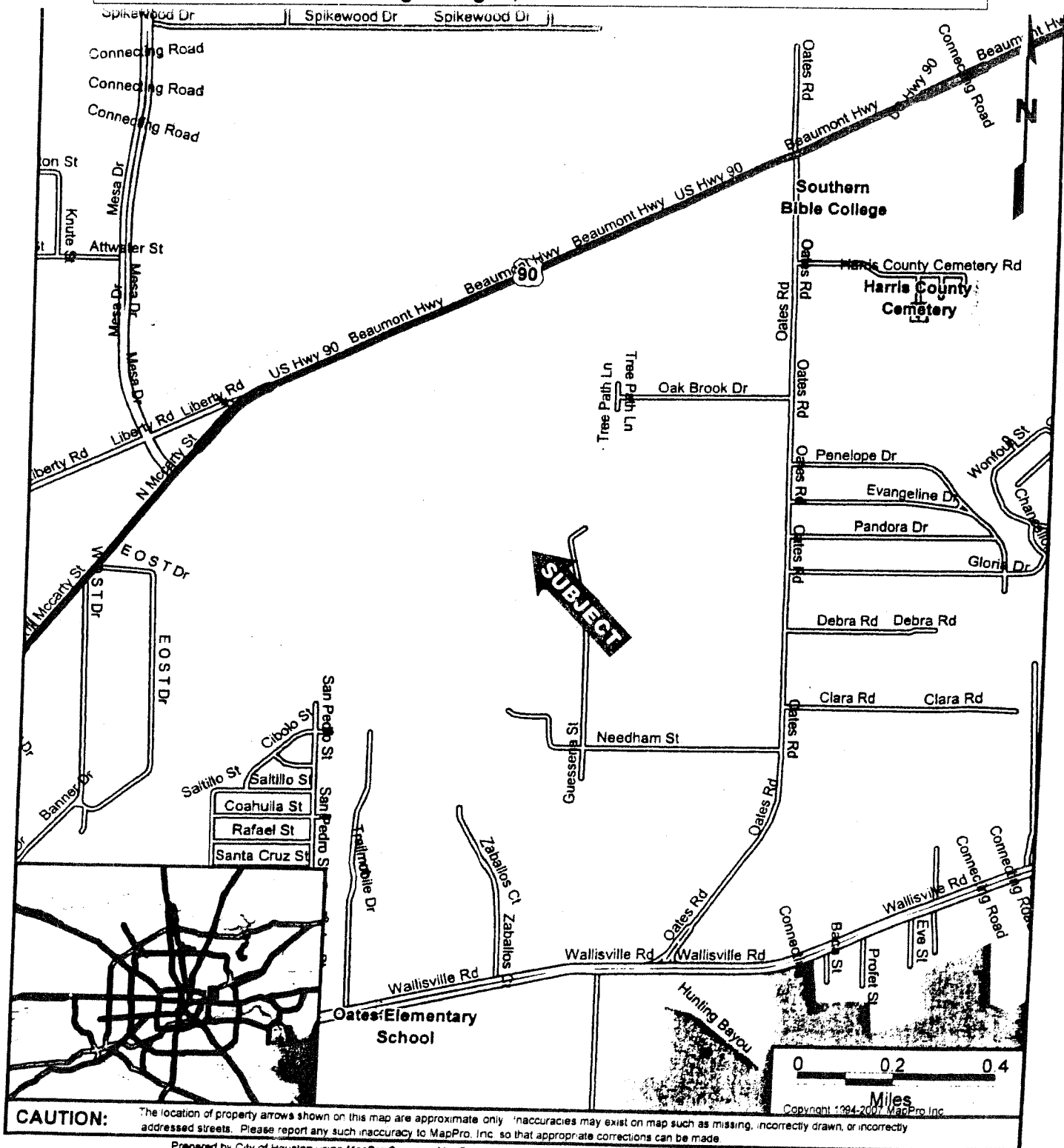
CUIC #20DOB041

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:  Alfred I. Moran, Director Administration and Regulatory Affairs Department	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division
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LOCATION MAP

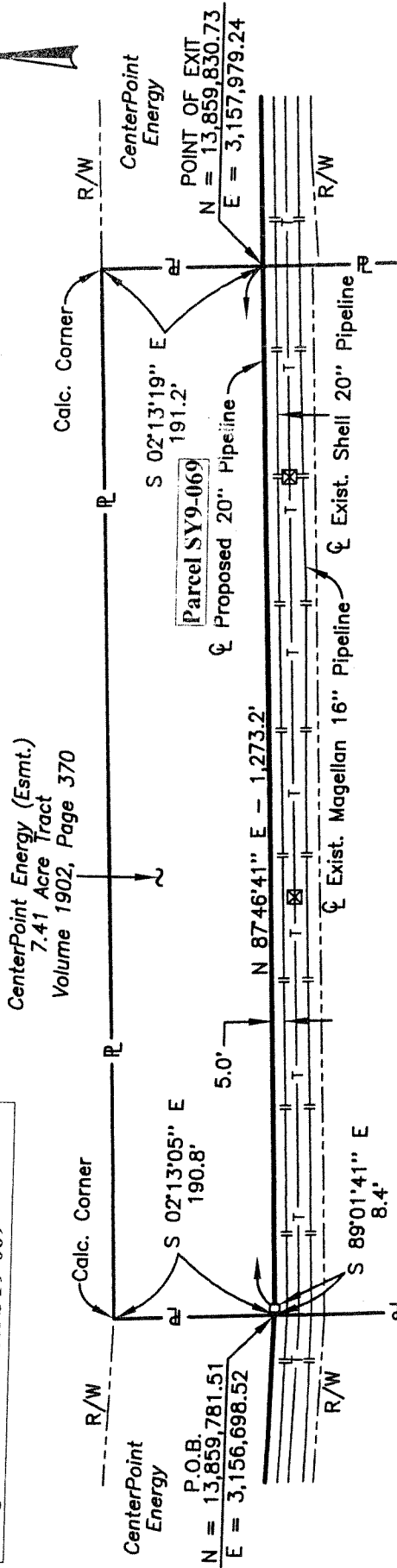
SUBJECT: Sale of a 20-foot-wide subsurface pipeline easement within an existing CenterPoint Energy transmission easement, within the Battaglia Tract (Q45-001), out of the Reels and Trobough League, A-59. Parcel SY9-069



HARRIS COUNTY, TEXAS

REELS & TROBROUGH SURVEY, A-59

SUBJECT: Sale of a 20-foot-wide subsurface pipeline easement within an existing CenterPoint Energy transmission easement, within the Battaglia Tract (Q45-001), out of the Reels and Trobrough League, A-59. Parcel SY9-069



City of Houston

Called 51.4474 Acre Tract
Film Code No. 653-53-2186
Probate No. 034-594

Official Public Records of Harris County

I, Fred P. Langham, Do Hereby Certify That
This Plat Reflects a Survey Made On the Ground
Under my Supervision During January, 2009.

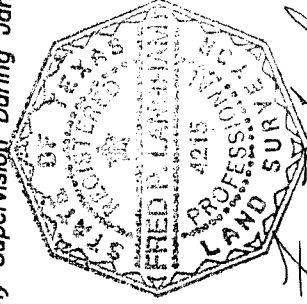


EXHIBIT "B"

Notes:

- 1) Bearings And Coordinates Are Based On The Texas Coordinate System, South Central Zone, NAD 83 In Feet.
- 2) Description Attached.

Fred P. Langham 3/31/09
Fred P. Langham
Registered Professional Land Surveyor No. 4215

Total Rods = 77.67
F.B. 4550, Pgs. 26-33

DRAWN BY: G&A/BG
APPROVED: G&A
DATE: 02/18/09
SCALE: 1" = 200'



PROPOSED 20" PIPELINE

ACROSS CITY OF HOUSTON
COUNTY, TEXAS

CA-3260-007

MOTION by Council Member Khan that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from D. B. Mangum, Gullett & Associates, Inc., 7705 South Loop East, Houston, Texas 77012, on behalf of Magellan Pipeline Company, L.P. [Magellan Pipeline GP, LLC (Larry J. Davied, Vice President) General Partner], for the sale of a 20-foot-wide subsurface pipeline easement within an existing CenterPoint Energy transmission easement, within the Battaglia Tract (Q45-001), out of the Reels and Trobough League, A-59, Parcel SY9-069, be adopted as follows:

1. The City sell abandon and sell a 20-foot-wide subsurface pipeline easement within an existing CenterPoint Energy transmission easement, within the Battaglia Tract (Q45-001), out of the Reels and Trobough League, A-59;
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 CenterPoint for the 20-foot-wide easement to be sold;
4. The Legal Department be authorized to prepare the necessary transaction documents; and
5. Inasmuch as the value of the property interests is not expected to exceed \$50,000.00, that the value be established by staff appraisal, according to City policy.

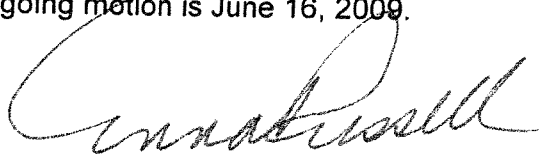
Seconded by Council Member Clutterbuck and carried.

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

Council Member Lawrence out of the City on personal business

PASSED AND ADOPTED this 10th day of June, 2009.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is June 16, 2009.



City Secretary

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Ordinance providing for the assessment, levying and collection of ad valorem taxes for the City of Houston, Texas for the Tax Year 2009, with the adoption of an overall Property Tax Rate of \$.63875 on each \$100 of Taxable Value.

Category #

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FROM: (Department or other point of origin):

Michelle Mitchell, Director
Finance Department

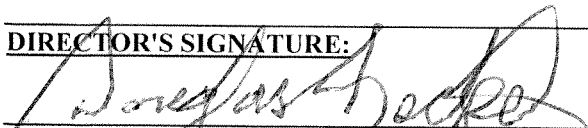
Origination Date

September 23, 2009

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE:



Council Districts affected:

All

For additional information contact:

Douglas Seckel, Deputy Director
Sylvia Shaw, Division Manager

Phone: 713-837-9880

Phone: 713-221-0131

Date and identification of prior authorizing Council Action:

October 22, 2008 Motion No. 2008 0788

October 22, 2008 Ordinance No. 2008 0936

RECOMMENDATION: (Summary) That City Council adopt an overall tax rate, based on the FY2010 Budget approved by City Council. It is recommended that City Council adopt a tax rate for Maintenance and Operations of \$.457284 on each \$100 of taxable value and a tax rate for the Interest and Sinking Fund of \$.181466 on each \$100 of taxable value.

Amount of Funding:

Not Applicable

Finance Budget:

SOURCE OF FUNDING:

☐ General Fund

☐ Grant Fund

☐ Enterprise Fund

☐ Other (Specify)

SPECIFIC EXPLANATION:

The proposed overall tax rate of \$.63875 on each \$100 of taxable value must be apportioned between Maintenance and Operations (M&O) and Interest and Sinking Fund (I&S). The M&O rate is \$.457284 on each \$100 of taxable value and the I&S rate is \$.181466 on each \$100 of taxable value which, when combined, equal the total tax rate of \$.63875 on each \$100 of taxable value.

Therefore, it is recommended that City Council adopt a Tax Year 2009 tax rate for Maintenance and Operations of \$.457284 on each \$100 of taxable value and a tax rate for the Interest and Sinking Fund of \$.181466 on each \$100 of taxable value.

cc: Arturo Michel, City Attorney
Marty Stein, Agenda Director

REQUIRED AUTHORIZATION

Other Authorization:

Other Authorization:

Other Authorization:

19

HCD 09-127

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT:

An ordinance to amend an Agreement between the City of Houston and Houston Area Community Development Corporation

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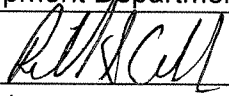
FROM (Department or other point of origin):Richard S. Celli, Director
Housing and Community Development Department

Origination Date

9/23/09

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE:**Council District affected:**

District "I" - Rodriguez

For additional information contact:Donald H. Sampley
Phone: (713) 868-8458**Date and identification of prior authorizing Council action:**

10/3/07 - #07-1097

RECOMMENDATION: (Summary)

The approval of an ordinance to amend an Agreement between the City of Houston and Houston Area Community Development Corporation.

Amount of Funding: No Additional Funds Requested**Finance Budget:****SOURCE OF FUNDING**☐ General Fund☒ Grant Fund☐ Enterprise Fund☐ Other (Specify) HOME Fund**SPECIFIC EXPLANATION:**

Due to delays in selling the equity from Tax Credits to National Equity Funding, causing a subsequent delay in the start of rehabilitation, Houston Area Community Development Corporation (HACDC), a subsidiary of New Hope Housing, Inc. (NHH), is requesting a second extension to the construction completion date of NHH at Brays Crossing, a new, single room occupancy (SRO) housing facility. The extended date for construction completion will be June 30, 2010.

HACDC is a nonprofit Texas corporation under Section 501(c)(3) and has been certified by HCDD as a Community Housing Development Organization (CHDO). NHH, an independent nonprofit 501(c)(3) corporation, is committed to the development and operation of affordable, single room occupancy (SRO) housing.

On October 3, 2007, City Council approved a contract with HACDC in the amount of \$9,264,198 as 0% Performance Based Loan to assist in the acquisition and rehabilitation of NHH at Brays Crossing.

NHH at Brays Crossing SRO is a rehabilitation of the HouTex Apartments (Hotel) located at 6311 Gulf Freeway. Upon completion of the rehabilitation, the project will have 149 efficiency units as well as a common area building. All units will be restricted to tenants with income of 60% of AMI or less.

NHH at Brays Crossing has obtained support from an impressive coalition of neighborhood organizations and community leaders. The board members of the Houston Area CDC include Michael "Mac" J. Fowler, President, Nell Richardson, Vice President, John W. Benzon, Eric Hagstette, Janet F. Clark and Joy Horak-Brown, Executive Director.

RC:DS:BF

cc: City Secretary, Mayor's Office, Legal Department, Finance

REQUIRED AUTHORIZATION**Finance Director:****Other Authorization:****Other Authorization:**

20

REQUEST FOR COUNCIL ACTION**TO:** Mayor via City Secretary**Subject:** Approval of an Ordinance allowing the Parks and Recreation Department to apply for and receive a Texas Coastal Management Program Grant.

Category #

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1 of 1

Agenda Item:

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

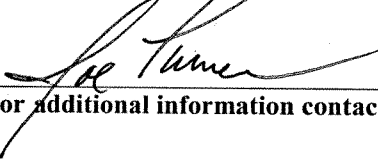
Houston Parks and Recreation Department

Origination Date:

August 26, 2009

Agenda Date:

SEP 30 2009

DIRECTOR'S SIGNATURE: Joe Turner, Director**Council Districts Affected:**

I

For additional information contact:Karen Cullar 713-865-9344
Dan Pederson 713-865-4507**Date and identification of prior authorizing Council Action:**

Ordinance#2007-503, 4/25/07

RECOMMENDATION (summary):

The Houston Parks and Recreation Department (HPARD) recommends City Council approve an Ordinance authorizing the Director to apply for and receive a reimbursable grant from the Texas Coastal Management Program (CMP) to support the Buffalo Bayou -Hidalgo Greenway Project.

Amount of Funding: **CMP Funds Requested (to be reimbursed)** **\$ 399,600**
Local Match Contributed **\$ 266,400**
(Fund 4502 to be appropriated at a later date)

Total Project Cost:**\$ 666,000****Finance Budget:****SPECIFIC EXPLANATION:**

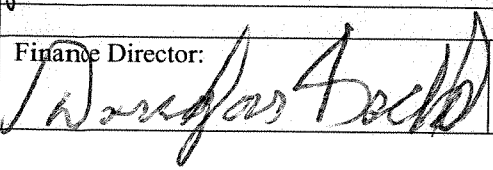
The Parks and Recreation Department (HPARD) recommends City Council approve an Ordinance authorizing the Director to apply for and receive a reimbursable grant from the Texas Coastal Management Program (CMP) administered by the Coastal Coordination Council of the Texas General Land Office. This is a new grant application. Grant funding is limited to 60% of total project cost or \$399,600. Matching CIP funds of \$266,400 are required and will be drawn from funds budgeted for the CIP No. F-000667 Hidalgo Park Improvement in FY 2011. CMP requires an Ordinance passed by City Council to be eligible to apply for and receive funds.

The application must be delivered by October 14, 2009 at 5:00 PM. The Coastal Coordination Council will prioritize and recommend projects to the National Oceanic and Atmospheric Administration by April 2010. If awarded the grant start date is October 1, 2010.

The grant is requested to improve visibility and access from Hidalgo Park to Buffalo Bayou, strengthening neighborhood connections to the bayou. It also provides crucial protection of the greenbelt along Buffalo Bayou, which serves as a valuable stream corridor for resident and migratory birds, as well as aquatic habitat for estuarine species. CMP funds will provide an excellent opportunity to restore parkland, habitats and native plantings for birds, and other wildlife in an area surrounded by urban structures. Funds will be used to convert part of the roadway that separates Hidalgo Park from Buffalo Bayou to an accessible parking lot and the remaining portion to parkland. Funds will also enhance existing riparian forest and native habitat including removal of invasive species. Other improvements will include signage, native plantings, a walking trail and seating areas.

REQUIRED AUTHORIZATION

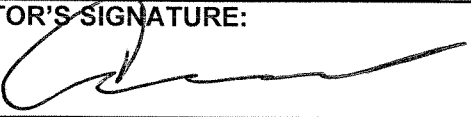
Finance Director:

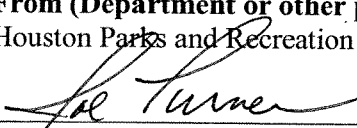


Other Authorization:

Other Authorization:

R

SUBJECT: Ordinance Authorizing an Agreement between Harris County and the City of Houston relating to joint elections to be held on November 3, 2009.		Category #	Page 1 of 1	Agenda Item # 22
FROM (Department or other point of origin): Legal Department		Origination Date	Agenda Date SEP 30 2009	
DIRECTOR'S SIGNATURE: 		Council District affected: All		
For additional information contact: Don Cheatham Phone: (832) 393-6437		Date and identification of prior authorizing Council action: N/A		
RECOMMENDATION: (Summary) The City Council pass an ordinance approving and authorizing an election services agreement ("Agreement") with Harris County for the November 3, 2009 general election, and setting a maximum contract allocation.				
Amount of Funding: \$800,500		F & A Budget:		
SOURCE OF FUNDING: <input checked="" type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify) Fund 1000				
SPECIFIC EXPLANATION: The proposed ordinance approves the Agreement under which Harris County will conduct the joint entity elections, including the City's general election, to be held on Tuesday, November 3, 2009. Under the Agreement, each participating governmental entity is allocated, and obligated to pay, its pro rata share of the actual cost of the election, including expenses for polling locations and election personnel. The \$800,500 sum allocated in the ordinance is slightly above the amount estimated by the Harris County Clerk's Office as the City's share of the total election cost which the Clerk's Office has estimated at \$4,140,000. If the final cost of the election exceeds the estimated cost, and the \$800,500 allocated by the proposed ordinance is insufficient to pay the City's allocated share of such cost, Council approval will be sought for any additional amount needed to meet the City's obligation under the Agreement.				
REQUIRED AUTHORIZATION				
Finance Director:		Other Authorization:		Other Authorization:

SUBJECT: The de-accession of two integrated artworks from the City's Art Collection at Market Square Park		Category	Page 1 of 1	Agenda Item # 23
From (Department or other point of origin) Joe Turner, Houston Parks and Recreation Department 		Origination Date: 9/18/2009	Agenda Date: SEP 30 2009	
Director's Signature:		Council District affected: District I		
For additional information contact: Minnette Boesel, 832-393-1097		Date and identification of prior authorizing Council action:		
<u>RECOMMENDATION: (Summary)</u> Recommendation to City Council to de-accession two works of art from the City of Houston's Art Collection at Market Square Park				
Amount of Funding: No Funding Required			Finance Budget:	
<u>SPECIFIC EXPLANATION:</u> City Council accepted the following two artworks in 1990 after review of a proposal by the Market Square Park Project, Inc. The artwork was completed in 1992 as the renovations of Market Square Park were completed simultaneously. The current infrastructure will be under complete renovation in 2009 and 2010 lead by the Houston Downtown Management District, TIRZ 3 in conjunction with HPARD. The artwork will be unavoidably destroyed during the upcoming renovations so they must be de-commissioned. Title: <i>Untitled historic photographs</i> (Market Square photo benches), 1992 Artist: Paul Hester Media: 86 panels of photo-etched porcelain enamel on steel. Since its creation, 70 of the individual photographic panels have been damaged on the surface, and 2 panels are missing completely from the site. The panels are installed onto the backs of concrete benches that are built into retaining walls at the center of the park. The configuration of these historic photographs is essential to the artist's original intent. Title: <i>Untitled architectural fragments</i> (walkway), 1992 Artist: Douglas Hollis and Richard Turner Media: 72 salvaged architectural and sidewalk fragments of concrete, bricks, ceramic tiles, concrete and/or stone bas-reliefs. These "fragments" are embedded into the sidewalks of the park. The placement of these architectural fragments is part of the artist's original intent and is specific to this site. All artists have been notified of the pending de-accession and destruction of their artwork. The artists shall be allowed access onto Market Square Park to salvage any desired material from the currently installed artwork prior to demolition. The artist shall be responsible for any liability or cost of such extraction. Richard Turner and Paul Hester are both being commissioned to create new artworks for the Park, and some of the fragments of the de-accessioned artwork will be used to create new artwork. The current Market Square Park renovation project is being administered by the Houston Downtown Management District and is under contract to and being funded by the Downtown Redevelopment Authority/TIRZ # 3 and private sources.				
REQUIRED AUTHORIZATION				
Finance Director:		Other Authorization:		Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Approve the Fiscal Year 2010 Operating Budget for Southwest Houston Redevelopment Authority and the FY2010-2014 CIP Budget (Tax Increment Reinvestment Zone Number Twenty).

Category #

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Agenda Item#

24

FROM: (Department or other point of origin):

Michelle Mitchell, Director
Finance Department

Origination Date

September 23, 2009

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE:

Michelle Mitchell

Council Districts affected:

F

For additional information contact:

Tim Douglass

Julia Gee

Phone: (713) 837-9857

Phone: (713) 837-7828

Date and identification of prior authorizing Council Action:

Ord. 2009-0248, 03/25/09

RECOMMENDATION: (Summary)

City Council to approve the Fiscal Year 2010 Operating Budget for Southwest Houston Redevelopment Authority and the FY2010-2014 CIP Budget (Tax Increment Reinvestment Zone Number Twenty).

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 TIRZ budgets. The Finance Department recommends approval of the attached FY10 Operating Budget and the FY2010-2014 CIP for Southwest Houston Redevelopment Authority (Tax Increment Reinvestment Zone Number Twenty).

- Total Operating Budget for FY2010 is \$23,481,306, which includes \$701,404 for required fund transfers and \$22,779,902 for Project Costs.
- The 2010-2014 CIP for Zone totals \$38,460,422. The CIP includes mobility improvement along Bellaire and Fondren Boulevards (intersections, median closures and modifications) and Bellaire drainage.
- The FY10 Operating Budget includes \$20,060,501 for capital expenditures and \$140,220 for administration and overhead. The Zone authority has a third-party administrator to manage redevelopment activities of the TIRZ. The Zone must advise the Director of any budget amendments. Adjustments to the Project Costs in the budget of the lesser \$400,000 or 5% or more require City Council approval.
- The budget includes a municipal services payment in FY10 of \$390,000 to support city-issued debt to construct a new police station.

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

cc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo Michel, City Attorney
Deborah McAbee, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Michelle Mitchell

Other Authorization:

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

Fund Summary
Fund Name: **SW Houston Redevelopment Authority**
TIRZ: **20**
Fund Number: **7568/64**

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Base Year:	1999
Base Year Taxable Value:	\$ 766,295,210
Projected Taxable Value (TY2009):	\$ 1,803,134,205
Current Taxable Value (TY2008):	\$ 1,682,008,802
Acres:	3,167.41 acres
Administrator (Contact):	HHC, Bill Calderon
Contact Number:	(713) 595-1216

Zone Purpose:

1) Address Mobility deficiencies along the Bellaire/Fondren commercial corridors with necessary capital improvements, 2) provide resources for the redevelopment of the Sharpstown Mall and Bellaire/Fondren commercial corridors to expand the tax base and increase output of sales tax revenues to the City General Fund, and 3) reimburse Westchase Section 3 Partners (Halliburton) for improvements made to their property to render it developable.

Accomplishments in FY09 (Projects Underway):

In Fiscal Year 2009, the Southwest Houston TIRZ:

- Will have completed the engineering plans for the \$15 million Bellaire Corridor access management project, which will enable the construction of mobility and underground utility improvements from Mary Bates west to Beltway 8. Construction will begin in late summer. Plans for the above ground infrastructure improvements have also been coordinated with the Greater Sharpstown Management District.
- Has approved a project plan and financing plan amendment, bringing the plan up to date with current project costs.
- Eliminated outstanding developer debt to WCS3P for infrastructure costs associated with the extension of Rogerdale from Bellaire to the West Park toll road, and other area improvements.

		Cumulative Expenses		
		Total Plan	(to FY08)	Variance
P R O J E C T P L A N	Capital Projects:			
	Sharpstown Center Area Public Improvements	\$ 20,000,000	\$ -	\$ 20,000,000
	Area Public Improvements	20,410,000	5,784,611	14,625,389
	Westchase Section Improvements (Halliburton)	10,150,953	12,120,155	(1,969,202)
	Municipal Services Agreement - HPD Dist. 18	5,250,000	550,000	4,700,000
	Total Capital Projects	\$ 55,810,953	\$ 18,454,766	\$ 37,356,187
	Affordable Housing	-	-	-
	Education Facilities	-	-	-
	Financing Costs	35,000,000	5,561,311	29,438,689
	Administration Costs	1,670,000	1,536,609	133,391
P L A N	Creation Costs	80,000	81,085	(1,085)
	Total Project Plan	\$ 92,560,953	\$ 25,633,771	\$ 66,927,182

D E B T	Additional Financial Data		FY2009 Budget	2009 Projections	FY2010 Budget
	<u>Debt Service</u>				
	Principal		\$ 1,024,869	\$ 1,023,142	\$ 1,872,181
	Interest		\$ 510,000	\$ 510,000	\$ 1,030,000
			\$ 514,869	\$ 513,142	\$ 842,181
			Balance as of 6/30/08	Balance as of 6/30/09	Balance as of 6/30/10
	<u>Year End Outstanding (Principal)</u>				
	Bond Debt		\$ 11,390,000	\$ 10,880,000	\$ 24,643,000
	Bank Loan (Bank of America LOC))		\$ 500,000	\$ 500,000	\$ -
	Developer Agreement		\$ 3,191,960	\$ -	\$ -
	Other			\$ -	\$ -

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

Fund Summary
Fund Name: **SW Houston Redevelopment Authority**
TIRZ: **20**
Fund Number: **7568/64**

TIRZ Budget Line Items	FY2009 Budget	2009 Projections	FY2010 Budget
Available Resources			
Beginning Fund Balance			
Restricted Funds - Capital Projects	\$ 496,832	\$ 496,832	\$ 5,484
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ 1,151,580	\$ 1,151,580	\$ 1,152,761
Unrestricted Fund Balance	\$ 7,438,086	\$ 7,438,086	\$ 7,249,138
Total Beginning Fund Balance	\$ 9,086,498	\$ 9,086,498	\$ 8,407,382
TIRZ Revenue			
City	\$ 5,612,113	\$ 5,413,910	\$ 6,228,090
ISD	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Community College	\$ -	\$ -	\$ -
Total Revenues	\$ 5,612,113	\$ 5,413,910	\$ 6,228,090
Bond Proceeds	\$ -	\$ -	\$ 15,000,000
Loan Proceeds	\$ -	\$ -	\$ -
Grant Proceeds	\$ -	\$ -	\$ -
Other	\$ 86,500	\$ 129,127	\$ 960,152
Total Available Resources	\$ 14,785,111	\$ 14,629,535	\$ 30,595,624
Fund Transfers			
Affordable Housing			
City of Houston	\$ -	\$ -	\$ -
ISD Increment to Houston	\$ -	\$ -	\$ -
Harris County	\$ -	\$ -	\$ -
ISD Education Set-Aside	\$ -	\$ -	\$ -
Municipal Services	\$ 250,000	\$ 250,000	\$ 390,000
Administration Fee to General Fund			
COH Admin Fee (5%)	\$ 280,606	\$ 270,695	\$ 311,404
Harris County Admin	\$ -	\$ -	\$ -
ISD Admin	\$ -	\$ -	\$ -
Total Fund Transfers	\$ 530,606	\$ 520,695	\$ 701,404
Funds Available for Projects	\$ 14,254,505	\$ 14,108,840	\$ 29,894,220
Project Costs			
Administrative Staff	\$ -	\$ -	\$ -
Administrative Consultant	\$ 51,000	\$ 48,000	\$ 72,000
Legal	\$ 13,000	\$ 23,781	\$ 12,000
Accounting/ Audit	\$ 24,700	\$ 23,357	\$ 27,700
Program / Project Consulting	\$ 12,360	\$ 12,355	\$ 12,360
Administrative Operating Expense	\$ 16,260	\$ 20,489	\$ 16,160
Capital Expenditures	\$ 1,319,255	\$ 1,318,166	\$ 20,060,501
Developer/ Project reimbursements	\$ 3,224,668	\$ 3,224,668	\$ -
Debt Service			
Principal	\$ 510,000	\$ 510,000	\$ 1,030,000
Interest	\$ 514,869	\$ 513,142	\$ 842,181
Other debt items	\$ -	\$ 7,500	\$ 707,000
Total Project Costs	\$ 5,686,112	\$ 5,701,457	\$ 22,779,902
Total Budget	\$ 6,216,718	\$ 6,222,153	\$ 23,481,306
Resources Less Transfer and Expenses	\$ 8,568,393	\$ 8,407,382	\$ 7,114,319
Planned Ending Fund Balance:			
Restricted Funds - Capital Projects	\$ -	\$ 5,484	\$ 5,484
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ 1,151,580	\$ 1,152,761	\$ 2,652,761
Unrestricted Fund Balance	\$ 7,416,813	\$ 7,249,138	\$ 4,456,074

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

Fund Summary

Fund Name: SW Houston Redevelopment Authority
 TIRZ: 20
 Fund Number: 7568/64

TIRZ Budget Line Items	FY2009 Budget	2009 Projections	FY2010 Budget
RESOURCES			
RESTRICTED Funds - Capital Projects	\$ 496,832	\$ 496,832	\$ 5,484
RESTRICTED Funds - Affordable Housing	\$ -	\$ -	\$ -
RESTRICTED Funds - Bond Debt Service	\$ 1,151,580	\$ 1,151,580	\$ 1,152,761
UNRESTRICTED Funds	\$ 7,438,086	\$ 7,438,086	\$ 7,249,138
Beginning Fund Balance	\$ 9,086,498	\$ 9,086,498	\$ 8,407,382
City tax revenue	\$ 5,612,113	\$ 5,413,910	\$ 6,228,090
ISD tax revenue		\$ -	\$ -
County tax revenue		\$ -	\$ -
Community College tax revenue	\$ -	\$ -	\$ -
Incremental property tax revenue	\$ 5,612,113	\$ 5,413,910	\$ 6,228,090
COH TIRZ Interest		\$ 85,195	
Miscellaneous revenue	\$ -	\$ 85,195	\$ -
Interest Income	\$ 86,500	\$ 43,932	\$ 36,152
Other Interest Income	\$ 86,500	\$ 43,932	\$ 36,152
City of Houston funding contribution (CIP T-2004; T-2005)			\$ 924,000
Developer Advances	\$ -	\$ -	\$ 924,000
			\$ -
Grant Proceeds	\$ -	\$ -	\$ -
Proposed Series 2009 *			\$ 15,000,000
Bond proceeds	\$ -	\$ -	\$ 15,000,000
			\$ -
Proceeds from bank loan	\$ -	\$ -	\$ -
TOTAL AVAILABLE RESOURCES	\$ 14,785,111	\$ 14,629,535	\$ 30,595,624

* Proposed Series 2009 includes Cost of Issuance and funding of the Debt Service Reserve Fund.
 The Net funding of the bond proceeds is \$12.793MM.

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

Fund Summary

Fund Name: **SW Houston Redevelopment Authority**

TIRZ: **20**

Fund Number: **7568/64**

TIRZ Budget Line Items	FY2009 Budget	2009 Projections	FY2010 Budget
EXPENSES			
Accounting	\$ 7,800	\$ 7,800	\$ 7,800
Administration Consultant	\$ 51,000	\$ 48,000	\$ 72,000
Administration Salaries & Benefits	\$ -		
Auditor	\$ 13,400	\$ 13,400	\$ 13,400
Bond Services/Trustee--Cash Management fees	\$ 60	\$ 2,136	\$ 60
Financial Advisor	\$ 3,500	\$ 2,157	\$ 6,500
Insurance	\$ 9,200	\$ 8,655	\$ 9,200
Office Expenses	\$ 7,000	\$ 9,698	\$ 6,900
Property Accountant Consultant	\$ 12,360	\$ 12,355	\$ 12,360
TIRZ Administration and Overhead	\$ 104,320	\$ 104,201	\$ 128,220
Engineering Consultant	\$ -	\$ -	
Legal	\$ 13,000	\$ 23,781	\$ 12,000
Construction Audit	\$ -	\$ -	
Program and Project Consultants	\$ 13,000	\$ 23,781	\$ 12,000
Management consulting services	\$ 117,320	\$ 127,982	\$ 140,220
Capital Expenditures (See CIP Schedule)	\$ 1,319,255	\$ 1,318,166	\$ 20,060,501
TIRZ Capital Expenditures	\$ 1,319,255	\$ 1,318,166	\$ 20,060,501
Halliburton (paid off 9/4/08)			
Principal	\$ 3,020,359	\$ 3,020,359	\$ -
Interest	\$ 204,309	\$ 204,309	\$ -
Developer / Project Reimbursements	\$ 3,224,668	\$ 3,224,668	\$ -
Bond Debt Service			
Principal - Infrastructure (Series 2003)	\$ 510,000	\$ 510,000	\$ 530,000
Interest	\$ 487,369	\$ 487,369	\$ 466,568
Principal - Infrastructure (proposed Series 2009)			\$ -
Interest			\$ 374,113
Loan debt service			
Principal			
Interest			
Line of Credit (B of A; paid off with proposed 2009 bonds)			
Principal			\$ 500,000
Interest	\$ 27,500	\$ 25,773	\$ 1,500
Other Debt Items (loan commitment fee)		\$ 7,500	
Cost of Issuance	\$ -	\$ -	\$ 707,000
System debt service	\$ 1,024,869	\$ 1,030,642	\$ 2,579,181
TOTAL PROJECT COSTS	\$ 5,686,112	\$ 5,701,457	\$ 22,779,902

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

Fund Summary
Fund Name: **SW Houston Redevelopment Authority**
TIRZ: **20**
Fund Number: **7568/64**

TIRZ Budget Line Items	FY2009 Budget	2009 Projections	FY2010 Budget
Payment/transfer to ISD - educational facilities			
Administration Fees:			
City	\$ 280,606	\$ 270,695	\$ 311,404
County			
ISD			
Affordable Housing:			
City			
ISD to City of Houston			
Transfer to Harris County			
Municipal Services (Payable to COH)	\$ 250,000	\$ 250,000	\$ 390,000
Total Transfers	\$ 530,606	\$ 520,695	\$ 701,404
Total Budget	\$ 6,216,718	\$ 6,222,153	\$ 23,481,306
RESTRICTED Funds - Capital Projects	\$ -	\$ 5,484	\$ 5,484
RESTRICTED Funds - Affordable Housing	\$ -	\$ -	\$ -
RESTRICTED Funds - Bond Debt Service *	\$ 1,151,580	\$ 1,152,761	\$ 2,652,761
UNRESTRICTED Funds	\$ 7,416,813	\$ 7,249,138	\$ 4,456,074
Total Ending Fund Balance	\$ 8,568,393	\$ 8,407,382	\$ 7,114,319
Total Budget & Ending Fund Balance	\$ 14,785,111	\$ 14,629,535	\$ 30,595,624

Notes:

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

Incremental property tax revenue and administration fee

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

2010 - 2014 CAPITAL IMPROVEMENT PLAN
TIRZ No. 20 - SW Houston Redevelopment Authority
CIP by Project

CITY OF HOUSTON - TIRZ PROGRAM
Finance Department
Economic Development Division

Council District	CIP No.	Project	FY Planned Appropriations (\$ Thousands)								Cumulative Total (To Date)
			Through 2008	Projected 2009	2010	2011	2012	2013	2014	Total 2010-2014	
F	T-2001	Bellaire Access Management Mobility Improvements	\$ 625,770	\$ 1,318,166	\$ 12,236,501	\$ 3,496,143	\$ -	\$ -	\$ -	15,732,644	17,676,580
F	T-2002	Fondren Access Management Mobility Improvements	\$ -	\$ -	\$ -	\$ 100,000	\$ 694,932	\$ 5,710,423	\$ 5,710,423	12,215,778	12,215,778
F	T-2003	Hike and Bike Paths	\$ -	\$ -	\$ -	\$ 1,157,000	\$ -	\$ -	\$ -	1,157,000	1,157,000
F	T-2004	Bellaire/Mall Entrance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	-
F	T-2005	Bellaire Drainage Hwy 59 to Fondren	\$ -	\$ -	\$ 924,000	\$ 1,531,000	\$ -	\$ -	\$ -	2,455,000	2,455,000
F	T-2006	Land Acquisition-Sharpstown Mall development	\$ -	\$ -	\$ 6,900,000	\$ -	\$ -	\$ -	\$ -	6,900,000	6,900,000
Totals			625,770	1,318,166	20,060,501	6,284,143	694,932	5,710,423	5,710,423	38,460,422	40,404,358

2010 - 2014 CAPITAL IMPROVEMENT PLAN
TIRZ No. 20 - SW Houston Redevelopment Authority
CIP by Sources of Funds

CITY OF HOUSTON - TIRZ PROGRAM
Finance Department
Economic Development Division

Source of Funds	FY Planned Appropriations (\$ Thousands)							Cumulative Total (To Date)
	Through 2008	Projected 2009	2010	2011	2012	2013	2014	Total 2010-2014
TIRZ No. 20								
TIRZ funds	-	-	-	-	-	-	-	-
Revenue bond proceeds	625,770	1,318,166	19,136,501	5,453,143	694,932	5,710,423	5,710,423	36,705,422
Proceeds from bank loan	-	-	-	-	-	-	-	-
Developer Advance/Reimbursement	-	-	-	-	-	-	-	-
City of Houston	-	-	924,000	831,000	-	-	-	1,755,000
Grants	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-
Project Total	625,770	1,318,166	20,060,501	6,284,143	694,932	5,710,423	5,710,423	38,460,422
								40,404,358

Project:	Bellaire Access Management Mobility Improvements	City Council District		Key Map:		WBS.:	T-2001		
		Location:	F	Geo. Ref.:					
				Served:	F			Neighborhood:	
									25, 26, 29
Operating and Maintenance Costs: (\$ Thousands)									
Description:	Multiple median closures and modifications on Bellaire from Mary Bates to Beltway 8 and addition of westbound lane. Includes modifications to seven existing signals and installation of one new signal.	2010	2011	2012	2013	2014	Total		
		Personnel					\$	-	
		Supplies						\$	-
		Svcs. & Chgs.						\$	-
		Capital Outlay						\$	-
Justification:	Funding for mobility improvement along Bellaire. One of key mobility improvements identified to rectify mobility limitations along the Bellaire Corridor.	Total	\$	-	\$	-	\$	-	
		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)
Phase											
1	Planning									\$ -	\$ -
2	Acquisition									\$ -	\$ -
3	Design	625,770	1,289,255	1,318,166						\$ -	\$ 1,943,936
4	Construction				12,236,501	3,496,143				\$ 15,732,644	\$ 15,732,644
5	Equipment									\$ -	\$ -
6	Close-Out									\$ -	\$ -
7	Other									\$ -	\$ -
Other Sub-Total:		-	-	-	-	-	-	-	-	\$ -	\$ -
Total Allocations		\$ 625,770	\$ 1,289,255	\$ 1,318,166	\$ 12,236,501	\$ 3,496,143	\$ -	\$ -	\$ -	\$ 15,732,644	\$ 17,676,580
Source of Funds											
TIRZ Increment Revenue										\$ -	\$ -
TIRZ Increment Bond Funds		625,770	1,289,255	1,318,166	12,236,501	3,496,143	-			\$ 15,732,644	\$ 17,676,580
Grant Funds										\$ -	\$ -
Total Funds		\$ 625,770	\$ 1,289,255	\$ 1,318,166	\$ 12,236,501	\$ 3,496,143	\$ -	\$ -	\$ -	\$ 15,732,644	\$ 17,676,580

Project:	Fondren Access Management Mobility Improvements				City Council District		Key Map:	530 C, G, L		WBS.:	T-2002
	Location:	F		Geo. Ref.:							
	Served:	F		Neighborhood:	25, 26, 29						
Operating and Maintenance Costs: (\$ Thousands)											
Description:	Multiple median closures and modifications on Fondren from Hwy 59 to Westpark. Includes improvements to Clarewood, Harwin and Westpark Intersections.				2010	2011	2012	2013	2014	Total	
Justification:	Intersection and other improvements to improve mobility along Fondren Blvd.				Personnel					\$	-
					Supplies					\$	-
					Svcs. & Chgs.					\$	-
					Capital Outlay					\$	-
					Total	\$	-	\$	-	\$	-
				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)
Phase										
1 Planning					100,000				\$ 100,000	\$ 100,000
2 Acquisition									\$ -	\$ -
3 Design		30,000				694,932	405,423	405,423	\$ 1,505,778	\$ 1,505,778
4 Construction							5,305,000	5,305,000	\$ 10,610,000	\$ 10,610,000
5 Equipment									\$ -	\$ -
6 Close-Out									\$ -	\$ -
7 Other									\$ -	\$ -
									\$ -	\$ -
									\$ -	\$ -
									\$ -	\$ -
									\$ -	\$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	\$ -	\$ -
Total Allocations	\$ -	\$ 30,000	\$ -	\$ -	\$ 100,000	\$ 694,932	\$ 5,710,423	\$ 5,710,423	\$ 12,215,778	\$ 12,215,778
Source of Funds										
TIRZ Increment Revenue									\$ -	\$ -
TIRZ Increment Bond Funds		30,000			100,000	694,932	5,710,423	5,710,423	\$ 12,215,778	\$ 12,215,778
Grant Funds									\$ -	\$ -
Total Funds	\$ -	\$ 30,000	\$ -	\$ -	\$ 100,000	\$ 694,932	\$ 5,710,423	\$ 5,710,423	\$ 12,215,778	\$ 12,215,778

Project:	Hike and Bike Paths	City Council District	Key Map:	529 D, 530 A, E, J, K, G			WBS.:	T-2003
		Location:	Geo. Ref.:					
		Served:	Neighborhood:	25, 26, 29				
Description:	On street bike paths along Harwin: Briarpark Drive and Sam Houston Parkway; Marinette: Bellaire Blvd to Belleive; along HCFCF Flood Control Ditch from Sandspoint to Sharpcrest	Operating and Maintenance Costs: (\$ Thousands)						
		2010	2011	2012	2013	2014	Total	
		Personnel						\$ -
		Supplies						\$ -
		Svcs. & Chgs.						\$ -
		Capital Outlay						\$ -
		Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
		FTEs						-
Justification:	Provide connection points between existing on street and off street hike and bike trail system developed by the City of Houston and TxDOT using CMAC funding							

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)
Phase										
1 Planning									\$ -	\$ -
2 Acquisition									\$ -	\$ -
3 Design					107,000				\$ 107,000	\$ 107,000
4 Construction					1,050,000				\$ 1,050,000	\$ 1,050,000
5 Equipment									\$ -	\$ -
6 Close-Out									\$ -	\$ -
7 Other									\$ -	\$ -
									\$ -	\$ -
									\$ -	\$ -
									\$ -	\$ -
									\$ -	\$ -
									\$ -	\$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	\$ -	\$ -

Total Allocations	\$ -	\$ -	\$ -	\$ -	\$ 1,157,000	\$ -	\$ -	\$ -	\$ 1,157,000	\$ 1,157,000
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Source of Funds										
TIRZ Increment Revenue									\$ -	\$ -
TIRZ Increment Bond Funds					1,157,000				\$ 1,157,000	\$ 1,157,000
Grant Funds					-				\$ -	\$ -
									\$ -	\$ -
Total Funds	\$ -	\$ -	\$ -	\$ -	\$ 1,157,000	\$ -	\$ -	\$ -	\$ 1,157,000	\$ 1,157,000

Project:	Bellaire/Mall Entrance		City Council District	Key Map:		530 G		WBS.:		T-2004	
	Location:	F	Geo. Ref.:								
	Served:	F	Neighborhood:	25, 26, 29							
Description:	Addition of transit shelter, streetscaping and landscaping improvements at the entrance of Sharpstown Mall										
Justification:											
			Operating and Maintenance Costs: (\$ Thousands)								
			2010	2011	2012	2013	2014	Total			
Personnel											\$
Supplies											\$
Svcs. & Chgs.											\$
Capital Outlay											\$
Total			\$	\$	\$	\$	\$	\$	\$	\$	\$
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									\$	\$
Other Sub-Total:		-	-	-	-	-	-	-	-	\$	\$

Total Allocations	\$	-	\$	-	\$	-	\$	-	\$	-	\$
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Source of Funds											
TIRZ Increment Revenue										\$	\$
TIRZ Increment Bond Funds										\$	\$
Grant Funds										\$	\$
City of Houston										\$	\$
Total Funds	\$	-	\$	-	\$	-	\$	-	\$	-	\$

[illegible]

Project:	Land Acquisition-Sharpstown Mall development		City Council District		Key Map:		530 G		WBS.:		T-2006					
			Location: F		Geo. Ref.:											
			Served: F		Neighborhood:											
Description:	Acquisition of property related to the redevelopment of Sharpstown mall.															
Justification:	Redevelopment of Sharpstown Mall															
			Personnel		2010		2011		2012		2013		2014		Total	
			Supplies												\$	
			Svcs. & Chgs.												\$	
			Capital Outlay												\$	
			Total		\$		-		\$		-		\$		-	
			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)
Phase										
1 Planning										
2 Acquisition				6,900,000					\$ 6,900,000	\$ 6,900,000
3 Design									\$	\$
4 Construction									\$	\$
5 Equipment									\$	\$
6 Close-Out									\$	\$
7 Other									\$	\$
									\$	\$
									\$	\$
									\$	\$
									\$	\$
									\$	\$
Other Sub-Total:	-	-	-	-	-	-	-	-	-	-

Total Allocations	\$	-	\$	-	\$	-	\$	-	\$	6,900,000	\$ 6,900,000
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Source of Funds										
TIRZ Increment Revenue									\$	\$ -
TIRZ Increment Bond Funds				6,900,000					\$	\$ 6,900,000
Grant Funds									\$	\$ -
Total Funds	\$ -	\$ -	\$ -	\$ 6,900,000	\$ -	\$ -	\$ -	\$ -	\$ 6,900,000	\$ 6,900,000

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Approval of an Ordinance appropriating \$3,050,000 from the Reimbursement of Equipment/Project Fund (1850) for payment to the Old Sixth Ward Redevelopment Authority

Category #

Page
1 of 1

Agenda Item#

25

FROM: (Department or other point of origin):

Michelle Mitchell, Director

Finance Department

Origination Date

September 26, 2009

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE:

Michelle Mitchell

Finance Department

Council Districts affected:

H

For additional information contact:

Ralph De Leon

(713) 837-9573

Date and identification of prior authorizing Council Action:

RECOMMENDATION: (Summary) That City Council approve an ordinance approving the transfer of \$3,050,000 from the Reimbursement of Equipment/Projects Fund (1850) to the Old Sixth Ward Redevelopment Authority

Amount of Funding: \$3,050,000

Finance Budget:

SOURCE OF FUNDING:

☐ General Fund

☐ Grant Fund

☐ Enterprise Fund

☒ Reimbursement of Equipment/Projects Fund (1850)

SPECIFIC EXPLANATION:

The Finance Department recommends that City Council appropriate \$3,050,000 for the Reimbursement of Equipment/Projects Fund (1850) to the Old Sixth Ward Redevelopment Authority pursuant to Ordinance No. 2009-793, approved by City Council on August 26, 2009, which approved a First Amended and Restated Agreement for Financing Public Infrastructure Improvements by and among the City of Houston, Reinvestment Zone Number Thirteen, and the Old Sixth Ward Redevelopment Authority (the "Agreement") for the design and construction of capital projects detailed in the Zone's approved FY10-FY14 CIP (attached).

The Amended Agreement provides that the Old Sixth Ward Redevelopment Authority will repay the City over the remaining life of the Zone in accordance with the repayment schedule which will be included in each Old Sixth Ward Redevelopment Authority's annual Operating Budget and paid prior to September 1 of each year until the obligation is retired.

cc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo Michel, City Attorney
Deborah McAbee, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

Tim [Signature]

2010 - 2014 CAPITAL IMPROVEMENT PLAN
TIRZ No. 13 - Old Sixth Ward Redevelopment Authority
CIP by Project

CITY OF HOUSTON - TIRZ PROGRAM
Finance Department
Economic Development Division

Council District	CIP No.	Project	FY Planned Appropriations (\$ Thousands)								Cumulative Total (To Date)
			Through 2008	Projected 2009	2010	2011	2012	2013	2014	Total 2010-2014	
H	T-1301	Entry Monumentation	\$ -	\$ 10,650	\$ 172,350	\$ -	\$ -	\$ -	\$ -	172,350	183,000
H	T-1302	Street Lights	\$ -	\$ 101,650	\$ 95,000	\$ 90,000	\$ -	\$ -	\$ -	185,000	286,650
H	T-1303	Concrete Street Markers/Street Signs	\$ -	\$ 59,000	\$ 45,000	\$ 45,000	\$ -	\$ -	\$ -	90,000	149,000
H	T-1304	Sanitary Sewer Rehabilitation/Substitute Service Progr	\$ -	\$ 218,230	\$ 1,165,534	\$ 691,882	\$ -	\$ -	\$ -	1,857,416	2,075,646
H	T-1306	Sidewalk Improvements	\$ -	\$ 83,760	\$ 587,928	\$ 335,844	\$ -	\$ -	\$ -	923,772	1,007,532
Totals			-	473,290	2,065,812	1,162,726	-	-	-	3,228,538	3,701,828

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8049

Subject: Authorize an Appropriating Ordinance and Approve a Contract to the Best Respondent for Electronic Citation Devices for the Municipal Courts-Administration and Houston Police Departments S33-T22951

Category #
4

Page 1 of 2

Agenda Item

26

FROM (Department or other point of origin):

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

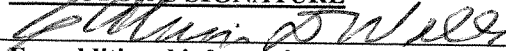
Origination Date

September 17, 2009

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE



Council District(s) affected
All

For additional information contact:

Sahira Abdool Phone: (713) 247-4105
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Adopt ordinance authorizing the appropriation of \$1,000,000.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and award a contract to Advanced Public Safety, Inc. in an amount not to exceed \$1,535,349.31 for electronic citation devices and software for the Municipal Courts-Administration and Houston Police Departments.

Maximum Contract Amount: \$1,535,349.31

Finance Budget

\$1,000,000.00- Equipment Acquisition Consolidated Fund (1800) - WBS - X-160009
\$ 147,267.06 - Municipal Court Technology Fund (2207)
\$ 388,082.25 - General Fund (1000)

\$1,535,349.31 - Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$1,000,000.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approve an award of a three-year contract, with two one-year options, to Advanced Public Safety, Inc. in an amount not to exceed \$ 1,535,349.31 for electronic handheld citation devices and software system for the Municipal Courts-Administration Department (MCAD) and the Houston Police Department (HPD). The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

This purchase will consist of 300 electronic handheld devices, associated software licenses and software support. Currently, HPD utilizes aged Motorola handheld devices to issue approximately 1,000 tickets for traffic and non-traffic violations daily. The new handheld devices, associated software, and hardware will replace aged units, and will be used to improve the current process used by the Municipal Courts-Administration and Houston Police Departments to issue and process citations. The Municipal Courts system is the largest of its kind in the State of Texas and requires state-of-the-art equipment and services to ensure the timely, efficient delivery and administration of justice.

The scope of work requires the contractor to provide all labor, equipment, materials, supplies and supervision necessary to implement the electronic handheld citation system.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. Fifty-one prospective bidders downloaded the solicitation document from SPD's e-bidding website, and as a result, proposals were received from: iyeTek, 3i Infotech, Inc., Brazos Technology, and Advanced Public Safety, Inc. The evaluation committee consisted of representatives from both MCAD and HPD. The proposals were evaluated based upon the following criteria:

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Date: 9/17/2009	Subject: Authorize an Appropriating Ordinance and Approve a Contract to the Best Respondent for Electronic Citation Devices for the Municipal Courts-Administration and Houston Police Departments S33-T22951	Originator's Initials CJ	Page 2 of 2
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- Expertise/Experience/Qualifications
- Proposed Strategy and Operational Plan
- Conformance to RFP Requirements

Advanced Public Safety, Inc. received the highest overall score.

M/WBE Subcontracting:

This RFP was issued as a goal-oriented contract with a 4% M/WBE participation level. **Advanced Public Safety, Inc.** has designated the below-named company as its certified M/WBE subcontractor.

<u>Subcontractor</u>	<u>Type of Work</u>	<u>Percent</u>	<u>Amount</u>
Access Data Supply, Inc.	On-site Implementation Asst. Project Manager Training Assistant	4%	\$59,436.40

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.

This item was reviewed during a joint meeting of the Transportation, Infrastructure and Aviation Committee and the Public Safety and Homeland Security Committee. The joint committees recommended this item be moved to full Council for consideration.

Buyer: Conley Jackson

ESTIMATED SPENDING AUTHORITY

Department	FY 2009	Out Years	Total
MCAD	\$1,147,267.06	\$0	\$1,147,267.06
HPD	\$0	\$388,082.25	\$388,082.25
Grand Total	\$1,147,267.06	\$388,082.25	\$1,535,349.31

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8492

Subject: Approve an Ordinance Authorizing a First Amendment to Contract # C57021 between the City of Houston and Motorola, Inc. for Software Technical Support Services for the Information Technology Department

Category #
9

Page 1 of 1

Agenda Item

27

FROM (Department or other point of origin):

Richard Lewis
Chief Information Officer
Information Technology

Origination Date

September 14, 2009

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE

Richard Lewis

Council District(s) affected
All

For additional information contact:

Mark Stinnett Phone: (832) 393-0200
Frank Rodriguez Phone: (832) 393-0205

Date and Identification of prior authorizing Council Action:

Ord. 2008-179 3/5/2008 - Ord. 2005-663
5/24/2005

RECOMMENDATION: (Summary)

Approve an ordinance authorizing a first amendment to Contract # C57021 between the City of Houston and Motorola, Inc. to extend the term from June 12, 2010 to June 12, 2011 and to increase the spending authority from \$450,075.00 to \$589,068.75 for Software Technical Support Services for the Information Technology Department.

Spending Authority: \$138,993.75

Finance Budget

\$138,993.75 Central Service Revolving Fund (1002)

SPECIFIC EXPLANATION:

The Information Technology Department recommends that City Council approve an ordinance authorizing a first amendment to Contract # C57021 between the City of Houston and Motorola, Inc., to extend the term from June 12, 2010 to June 12, 2011 and to increase the spending authority from \$450,075.00 to \$589,068.75 for software technical support for the SILVERtrack technical support and maintenance plan to support the software used on the City's 3-11 system to track Houston residents for various City services.

This contract was awarded May 24, 2005, by Ordinance No. 2005-663 for a three-year term with two one-year options to extend, in an amount of \$264,750.00. The spending authority approved by City Council only included funding for the initial three-year contract term. City Council approved an ordinance amendment to increase the spending authority via Ordinance No. 2008-179 on March 5, 2008 to fund the contract through the extension expiration of June 12, 2010.

The scope of work requires the contractor to provide its SILVERtrack technical support and maintenance plan to support the software used on the City's 3-11 system to track Houston residents for various City services. The contractor provides under the SILVERtrack support plan:

1. Assistance Monday through Friday 8:00 A.M. TO 5:00 P.M. from trained and experienced technical staff.
2. Access to contractor's call center through 800 numbers.
3. Email software support.
4. Standard and supplemental software upgrade releases.

This first amendment will allow the City to continue the needed support for this critical software through the extended contract term. The Information Technology Department negotiated with Motorola, Inc. not to increase the current service price approved by City Council. Although this contract has been extended, the Chief Information Officer may terminate the contract at any time upon 30-days written notice to the contractor, should termination become necessary.

REQUIRED AUTHORIZATION

Finance Department:

Angela Lopez

Other Authorization:

Other Authorization:

NOT

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8298

Subject: Approve an Ordinance Awarding a Sole Source Contract for an Integrated Library System for the Houston Public Library Department S33-H23208

Category #
1, 4, & 5

Page 1 of 2

Agenda Item

28

FROM (Department or other point of origin):

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

Origination Date

July 21, 2009

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Richard Barchue Phone: (832) 393-1558
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a sole source contract to Innovative Interfaces, Inc. in an amount not to exceed \$1,933,971.00 for an integrated library system for the Houston Public Library Department.

Maximum Contract Amount: \$1,933,971.00

Finance Budget

\$1,933,971.00 - HALAN Fund (7506)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a sole source contract to Innovative Interfaces, Inc. for a five-year term in an amount not to exceed \$1,933,971.00 for an integrated library system for the Houston Public Library Department (HPL). The HPL Director may terminate this contract at any time upon 30-days written notice to the contractor.

The integrated library system (ILS) connects public libraries and one south Texas community college library to an electronic database that maintains records describing books, periodicals, and similar items. In addition, the system also provides the capability to document the location, status and maintain data detailing the acquisition of new books.

Innovative Interfaces, Inc. is the proprietary owner, developer, supplier and distributor of the ILS application software and is the sole provider of the associated technical support services used to manage, maintain and/or repair the ILS system and there are no authorized third-party service or maintenance providers.

The scope of work requires the contractor to furnish all proprietary software and provide 24/7 technical support services with a response time that ranges from two hours or less to forty-eight hours depending on the service-related priority.

Pay or Play Program

Innovative Interfaces, Inc. will comply with the City's 'Pay or Play' ordinance by providing health benefits to eligible employees in compliance with City policy.

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

Buyer: Conley Jackson

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

MA

Date: 7/21/2009	Subject: Approve an Ordinance Awarding a Sole Source Contract for an Integrated Library System for the Houston Public Library Department S33-H23208	Originator's Initials CJ	Page 2 of 2
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ESTIMATED SPENDING AUTHORITY

Department	FY 2010	Out Years	Total
Houston Library Department	\$350,000.00	\$1,583,971.00	\$1,933,971.00

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8435

Subject: Approve an Amending Ordinance to Increase the Maximum Contract amount of the contract for Non-Hazardous Waste Collection, Transportation and Disposal Services for Various Departments.
L20971-A1

Category #
4

Page 1 of 2

Agenda Item

29

FROM (Department or other point of origin):

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

Origination Date

September 03, 2009

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE

[Signature]
For additional information contact:
Jacquelyn L. Nisby Phone: (832) 393-8023
Ray DuRousseau Phone: (832) 393-8726

Council District(s) affected
All

Date and Identification of prior authorizing Council Action:

Ordinance # 2006-918 Passed 9/6/2006

RECOMMENDATION: (Summary)

Approve an amending ordinance to increase the maximum contract amount of the contract between the City of Houston and BFI Waste Services of Texas, LP dba Allied Waste Services of Houston from \$3,517,578.89 to \$4,724,327.49 for non-hazardous waste collection, transportation and disposal services for various departments.

Maximum Contract Amount Increased by: \$1,206,748.60

Finance Budget

\$ 675,915.56 - General Fund (1000)
\$ 198,259.87 - PWE-W&S System Operating Fund (8300)
\$ 165,838.00 - Civic Center Facilities Revenue Fund (8601)
\$ 144,887.56 - Parks Special Revenue Fund (2100)
\$ 15,000.00 - Fleet Management Fund (1005)
\$ 3,600.00 - Houston Transtar Fund (2402)
\$ 3,247.61 - Building Inspection Fund (2301)

\$1,206,748.60 - Grand Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the maximum contract amount of the contract between the City of Houston and BFI Waste Services of Texas, LP dba Allied Waste Services of Houston from \$3,517,578.89 to \$4,724,327.49, for non-hazardous waste collection, transportation and disposal services for various departments. Under this contract, the contractor collects, transports and disposes of non-hazardous waste for various departments.

This contract was awarded on September 6, 2006, by Ordinance No. 2006-918, for three years with two one-year options for a total five-year term, in the original amount of \$3,517,578.89. Expenditures as of August 21, 2009, totaled \$3,373,949.89. The initial maximum contract amount will be reached prior to the end of the contract term because of increases in operational needs of the departments, which increased dumpster pickup frequencies, new sites going online and additional utilization post Hurricane Ike. The additional spending authority is needed to allow these services to continue until a new contract is awarded, which is anticipated to be within the next 6-12 months.

The scope of work requires the contractor to provide all labor, supplies, materials, equipment, transportation, and supervision necessary to provide front-load and roll off containers and pickup and dispose of non-hazardous waste at 350 City facilities.

MW/BE Subcontracting

This contract was awarded with an 11% M/WBE participation goal and Allied Waste Services of Houston is currently achieving 16.40%.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

[Handwritten initials and signature]

Date: 9/3/2009	Subject: Approve an Amending Ordinance to Increase the Maximum Contract amount of the contract for Non-Hazardous Waste Collection, Transportation and Disposal Services for Various Departments. L20971-A1	Originator's Initials RB	Page 2 of 2
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Pay or Play Program

This contract was awarded prior to the effective date of the Pay or Play Program; therefore, the requirements of the program are not applicable to this contract.

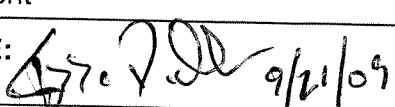
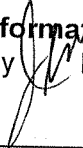

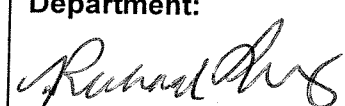
Buyer: Roy Breaux

Estimated Spending Authority

DEPARTMENT	FY 2010
General Services	\$ 450,000.00
Parks and Recreation	\$ 303,175.12
Public Works and Engineering	\$ 287,735.48
Convention and Entertainment Facilities	\$ 165,838.00
GRAND TOTAL	\$1,206,748.60

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Communication Equipment License with CGS Investments, Inc. at 1310 Ginger Road, Santa Fe, Texas for the Radio Communications Division of the Information Technology Department.		Page 1 of 2	Agenda Item 30
FROM (Department or other point of origin): General Services Department		Origination Date 9-24-09	Agenda Date SEP 30 2009
DIRECTOR'S SIGNATURE:  Issa Z. Dadoush, P.E. 9/21/09		Council District affected: N/A	
For additional information contact: Jacquelyn L. Nisby  Phone: 832-393-8023		Date and identification of prior authorizing Council action: Ordinance No. 2008-0952; 10/29/2008 Ordinance No. 2009-0713; 08/05/2009	
RECOMMENDATION: Approve and authorize a Communication Equipment License with CGS Investments, Inc., for communication tower and ground space at 1310 Ginger Road, Santa Fe, Texas for the Radio Communications Division of the Information Technology Department.			
Amount and Source Of Funding: FY2010 – \$14,945.00 Police Consolidated Construction Fund (4504) – previously appropriated by Ord 2009-0713		Finance Budget:	
SPECIFIC EXPLANATION: 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 license agreements to lease communication tower space and ground space for the installation, operation and maintenance of antennas and other telecommunications equipment. The proposed Communication Equipment License with CGS Investments, Inc. allows IT to lease tower and ground space to install maintain and operate its communications equipment, including antennas, cables, connectors, radios, and related transmission and reception hardware on the CGS Investments tower located in the City of Santa Fe. FY2010 funding necessary for this lease agreement was appropriated August 5, 2009 and will fund the lease through June 30, 2010. Subsequent annual appropriations will be requested during the project implementation. Upon acceptance of the new radio system, operating expenses for annual maintenance and support along with lease expenses will be provided within departmental operating budgets for HPD, HFD, PW&E, ITD and other radio system participants. The major provisions of the Agreement are as follows: <ul style="list-style-type: none">• Term - ten-year lease term with two five-year automatic renewal options.• Monthly License Fee - \$2,135.00 (increased by 8% during the fifth year).			
REQUIRED AUTHORIZATION CUIC ID# 25 RB 75			
General Services Department:  Forest R. Christy, Jr., Director Real Estate Division		Information Technology Department:  Richard F. Lewis Director	

Date	SUBJECT: Communication Equipment License with CGS Investments, Inc., at 1310 Ginger Road, Santa Fe, Texas for the Radio Communications Division of the Information Technology Department.	Originator's Initials RB	Page 2 of 2
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- **Maintenance** - The City is responsible for all maintenance and utilities.
- **Total Cost for Initial Base Term (10 years):** \$266,448.00

All equipment mounted at ground level will be surrounded by a secure fence along with ground treatment to minimize dust and weed control. IT will build a communication room for its electronic equipment at this site.

The General Services Department recommends that City Council approve and authorize a Communication Equipment License with CGS Investments, Inc., at 1310 Ginger Road, Santa Fe, Texas for the Radio Communications Division of the Information Technology Department.

IZD:BC:JLN:RB:npb

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Tom Sorley

SUBJECT: Tower License Agreement with Pinnacle Towers Asset Holding LLC at 23007 Tomball Parkway, Tomball, Texas for the Radio Communications Division of the Information Technology Department

Page
1 of 2

Agenda Item

31

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

Origination Date

9-24-09

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE:

Issa Z. Dadoush, P.E.

Council District affected:

A

For additional information contact

Jacquelyn L. Nisby Phone: 832-393-8023

Date and identification of prior authorizing

Council action: Ord. 2008-0952; 10/29/2008

Ord. 20090713; 08/05/2009

RECOMMENDATION: Approve and authorize a Tower License Agreement with Pinnacle Towers Asset Holding LLC, for communication tower and ground space at 23007 Tomball Parkway, Tomball, Texas for the Radio Communications Division of the Information Technology Department.

Amount and Source Of Funding: No Additional Funding Required

\$ 24,000.00 FY 2010 - Previously Approved Ord. 2009-0713

\$189,843.36 FY 2011- FY 2015 - Project Funds to be Appropriated Annually

\$180,346.68 FY 2016 - FY 2020 -Out Years - To Be Determined (See Note)

\$394,190.04 Total cost for Initial Base Term

Finance Budget:

SPECIFIC EXPLANATION: 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 license agreements to lease communication tower space and ground space for the installation, operation and maintenance of antennas and other telecommunications equipment.

The proposed Tower License Agreement with Pinnacle Towers Asset Holding LLC allows IT to lease tower and ground space to install, maintain and operate its communications equipment, including antennas, cables, connectors, radios, and related transmission and reception hardware on the Pinnacle tower located in the City of Tomball.

The major provisions of the Agreement are as follows:

- **Term** - ten-year lease term with two five-year automatic renewal options.
- **Monthly License Fee** - \$3,000.00 per month (increased by the annual escalator of 2% during the license term):

REQUIRED AUTHORIZATION

CUIC ID# 25 RB 69

General Services Department:

Forest R. Christy, Jr.

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

**Information Technology
Department:**

Richard F. Lewis

Richard F. Lewis
Director

Date	SUBJECT: Tower License Agreement with Pinnacle Towers Asset Holding LLC at 23007 Tomball Parkway, Tomball, Texas for the Radio Communications Division of the Information Technology Department	Originator's Initials RB	Page 2 of 2
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- **Maintenance** - The City is responsible for all maintenance and utilities.

All equipment mounted at ground level will be surrounded by a secure fence along with ground treatment to minimize dust and weed control. IT will build a communication room for its electronic equipment at this site.

The General Services Department recommends that City Council approve and authorize a Tower License Agreement with Pinnacle Towers Asset Holding LLC at 23007 Tomball Parkway, Tomball, Texas for the Radio Communications Division of the Information Technology Department

Note: Funding necessary for this lease agreement was appropriated August 5, 2009 and will fund the lease through FY10. Upon acceptance of the new radio system, operating expenses for annual maintenance and support along with lease expenses will be provided within departmental operating budgets for HPD, HFD, PW&E, ITD and other radio system participants.

IZD:BC:JLN:RB:ddc


xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Tom Sorley

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Construction Contract with Kellogg Brown & Root Services, Inc. for Job Order Contracting Services for the Houston Airport System. Project 516D; (WBS # A-000348-0003-4-01)	Category #1&4	Page 1 of 2	Agenda Item # 32
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FROM (Department or other point of origin): Houston Airport System	Origination Date September 2, 2009	Agenda Date SEP 30 2009
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DIRECTOR'S SIGNATURE: 	Council District affected: B, E, I
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For additional information contact: John Silva Phone: 281-233-1925 Robert Bielek 281-233-1941	Date and identification of prior authorizing Council action: N/A
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AMOUNT & SOURCE OF FUNDING: CIP No. A-0348.04 \$ 4,000,000.00 Arpt Improvement Fd (8011) CIP No. A-0422.78 \$ 70,000.00 Arpt Improvement Fd (8011) FY 2010 \$ 1,000,000.00 HAS Revenue Fd (8001) Out Years \$ 4,000,000.00 HAS Revenue Fd (8001) Total \$ 9,070,000.00	Prior appropriations: N/A
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RECOMMENDATION: (Summary)

Enact an ordinance to approve a contract with Kellogg Brown & Root Services, Inc. and appropriate the necessary funds to finance the cost of these services.

SPECIFIC EXPLANATION:

It is recommended that Council approve an ordinance authorizing a three-year contract with two, one-year option years to Kellogg Brown & Root Services, Inc., to provide Job Order Contracting services for the Houston Airport System (HAS).

This contract will provide Job Order Contracting services for the minor construction, repair, rehabilitation or alteration of HAS facilities. The type of work to be performed under this contract is of a recurring nature where the delivery times and quantities are indefinite and Work Orders are issued on the basis of pre-described and pre-priced tasks. This contract includes both capital and operation and maintenance (O & M) type of projects. It is anticipated that over the five-year term HAS will seek additional appropriations for capital projects, subject to City Council approval.

A Request for Qualifications (RFQ) was advertised in accordance with the requirements of the State bid laws. Six firms responded to the RFQ (CBIC Construction and Development, RHJ-JOC, Inc., Fort Bend Mechanical, JDDA Construction, Inc., Centennial Contractors Enterprises, Inc., and Kellogg Brown & Root Services, Inc.). Based on the selection criteria (Coefficient Factors, Relevant Experience, References, Management Plan, Contractor's Representative, Subcontractors/Suppliers, Safety, Claims History and MWBE commitment), the evaluation committee consisting of HAS management and technical staff selected Kellogg Brown & Root Services, Inc. as the best respondent.

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.

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:
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Date September 2, 2009	Subject: Construction Contract with Kellogg Brown & Root Services, Inc. for Job Order Contracting Services for the Houston Airport System. Project 516D ; (WBS # A-000348-0003-4-01)	Originator's Initials VT	Page 2 of 2
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PROJECT COSTS: The initial amount of this contract is \$9,000,000.00 as follows:

CAPITAL COST:

\$4,000,000.00 Construction Services

OPERATIONS & MAINTENANCE COST:

\$1,000,000.00 FY10
\$4,000,000.00 Out Years
\$5,000,000.00 TOTAL O&M

This project is an eligible project for the Civic Art Program under Ordinance No. 99-1351, and a Civic Art total appropriation of \$70,000.00 (1.75% of the capital component) is therefore being made.

It is anticipated that additional appropriations may be requested for capital cost components during the term of this contract.

M/WBE PARTICIPATION: The M/WBE Participation goal for this contract is forty percent (40%), which is comprised of twenty-five percent (25%) M/WBE participation and fifteen percent (15%) SBE participation.

The RFQ required respondents to certify they shall make a good faith effort to achieve 25% M/WBE and 15% SBE participation levels and that they shall coordinate with the HAS Small Business Development & Contract Compliance Office to develop a subcontractor pool of qualified City certified M/WBE and SBE firms appropriate and available to participate as subcontractors in the Job Order Contract Program. Kellogg Brown & Root Services, Inc. provided the required certification.

The HAS Small Business Development & Contract Compliance Office will monitor this contract in accordance with its procedures.

Attachment: Letter from Kellogg, Brown & Root Services, Inc.



5050 Wright Rd, Bldg C • Houston, TX 77032
Office: 281.233.7477 • Fax: 281.233.2056

June 23, 2009

The City of Houston
Houston Airport Systems
16930 J.K. Kennedy Blvd
Houston, TX 77032

Subject: Letter of Intent

To Whom It May Concern:

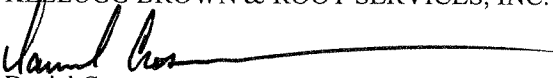
Due to the nature of JOC contracts that does not guarantee specific dollar value or scope of work, at this time Kellogg Brown & Root Services, Inc. can not give exact information as to what portions of the contract will be issued to SBE, MBE & WBE firms nor the percentage of contract value. This is due to JOC contracts being indefinite delivery/indefinite quantity in nature where work performed is determined through out the life of the contract in the form of Work Orders that are issued against the total contract value. Our track record of 32.8% small business participation on the current contract vs. 30% goal shows our commitment to small business participation. To ensure Kellogg Brown & Root Services, Inc. continues to meet the goals set forth by the Small Business Group in the contract documents for SBE, MBE and WBE participation, the following companies will remain as approved vendors and invited to bid Work Orders under the contract:

A & L Services, ACS Mechanical, ARC Light Electric, Barksdale Plastic, Baseline Paving, Farrell Roofing, Foundation Specialist, Gardner Concrete, Houston Christian Brothers Painting, Houston Stripes, Ideal Finishes, MAF Enterprises, MEK Flooring, Milam and Company Painting, PRC Roofing, Preferred Technologies, Scotts Carpet, Select Plumbing, TAG Electric, Tejas Electric, Texas Floor Covering, Universal Sheet Metal & Venedom Construction.

In addition to retaining our proven core of City Certified SBE, MBE & WBE firms, Kellogg Brown & Root Services, Inc., along with the Airports Small Business Group, has begun the planning of a Job Fair to be held at the KBR Houston Airport Systems JOC office. The ultimate goal will be, together, we assist other Kellogg Brown & Root Services, Inc. vendors as well as potential new vendors in obtaining City Certification.

Through the utilization of the vendors mentioned and our close working relationship with the Airports Small Business Group in the past, Kellogg Brown & Root Services, Inc. has been very successful in surpassing the goals set forth in the original Houston Airport Systems JOC contract. This team work will carry over to create the upcoming success on the new contract.


Best regards,
KELLOGG BROWN & ROOT SERVICES, INC.

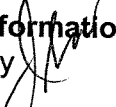

Daniel Croasmun
Project General Manager

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

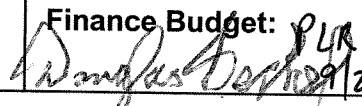
SUBJECT: Award Construction Contract AAR Incorporated Asbestos/Lead Based Paint Abatement and Interior Demolition at 1002 Washington Avenue WBS No. D-000145-0001-4	Page 1 of 2	Agenda Item 33
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FROM (Department or other point of origin): General Services Department	Origination Date 9/24/09	Agenda Date SEP 30 2009
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E.  9/15/09	Council District affected: H
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For additional information contact: Jacquelyn L. Nisby  Phone: 832-393-8023	Date and identification of prior authorizing Council action:
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RECOMMENDATION: Award construction contract and appropriate funds for the project.

Amount and Source of Funding: \$787,720.00 Reimbursement of Equipment/Projects Fund (1850)	Finance Budget:  9/22/09
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SPECIFIC EXPLANATION: The General Services Department recommends that City Council award a construction contract to AAR Incorporated on the low bid amount of \$662,590.00 to provide construction services at 1002 Washington Avenue, future site for the combined permitting operations of the Public Works and Engineering (PWE) and Administration & Regulatory Affairs (ARA) Departments. It is expected that the Reimbursement of Equipment/Projects Fund will be reimbursed by PWE and ARA permitting revenues.

PROJECT LOCATION: 1002 Washington Avenue
Houston, Texas (Key Map 493-L)


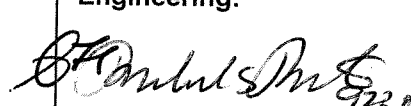
PROJECT DESCRIPTION: The scope of work consists of asbestos/lead based paint abatement, interior demolition, removal and disposal of all asbestos containing material from flooring, mastic and all thermal system insulation junctions, valves, flanges and pipe fittings throughout the building and proper clean-up of all lead based paints. The work also includes hauling and proper disposal of debris generated as a result of all activities.

The contract duration for this project is 75 calendar days.

BIDS: The following five bids were received on September 10, 2009:

	<u>Bidder</u>	<u>Bid Amount</u>
1.	AAR Incorporated	\$662,590.00
2.	ARC Abatement, Inc.	\$884,900.00
3.	CST Environmental, LP dba CST Acquisition, LP	\$898,600.00
4.	Inland Environment Ltd.	\$954,584.00
5.	Arrow Services, Inc.	\$992,500.00

REQUIRED AUTHORIZATION CUIC ID # 25GM198

General Services Department:  Humberto Bautista, P.E. Chief of Design and Construction Division	Other Authorization:	Department of Public Works and Engineering:  Michael S. Marcotte, P.E., D.WRE, BCEE Director
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Date	SUBJECT: Award Construction Contract AAR Incorporated Asbestos/Lead Based Paint Abatement and Interior Demolition at 1002 Washington Avenue. WBS No. D-000145-0001-4	Originator's Initials GM	Page 2 of 2
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Bids were obtained from the list of pre-qualified asbestos/lead abatement contractors to act as the general contractor for the project. All pre-qualified asbestos/lead abatement contractors were notified of the request for bids on this project. The City Legal Department has previously determined that formal bids are not required when the pre-qualified asbestos/lead abatement contractors' list is utilized and all contractors on the list are notified of the bid request

AWARD: It is recommended that City Council award the construction contract to AAR Incorporated and appropriate funds for the project, including an additional appropriation of \$92,000.50 for project management, construction oversight and air monitoring services under the existing contract with Environmental Consulting Services, Inc.

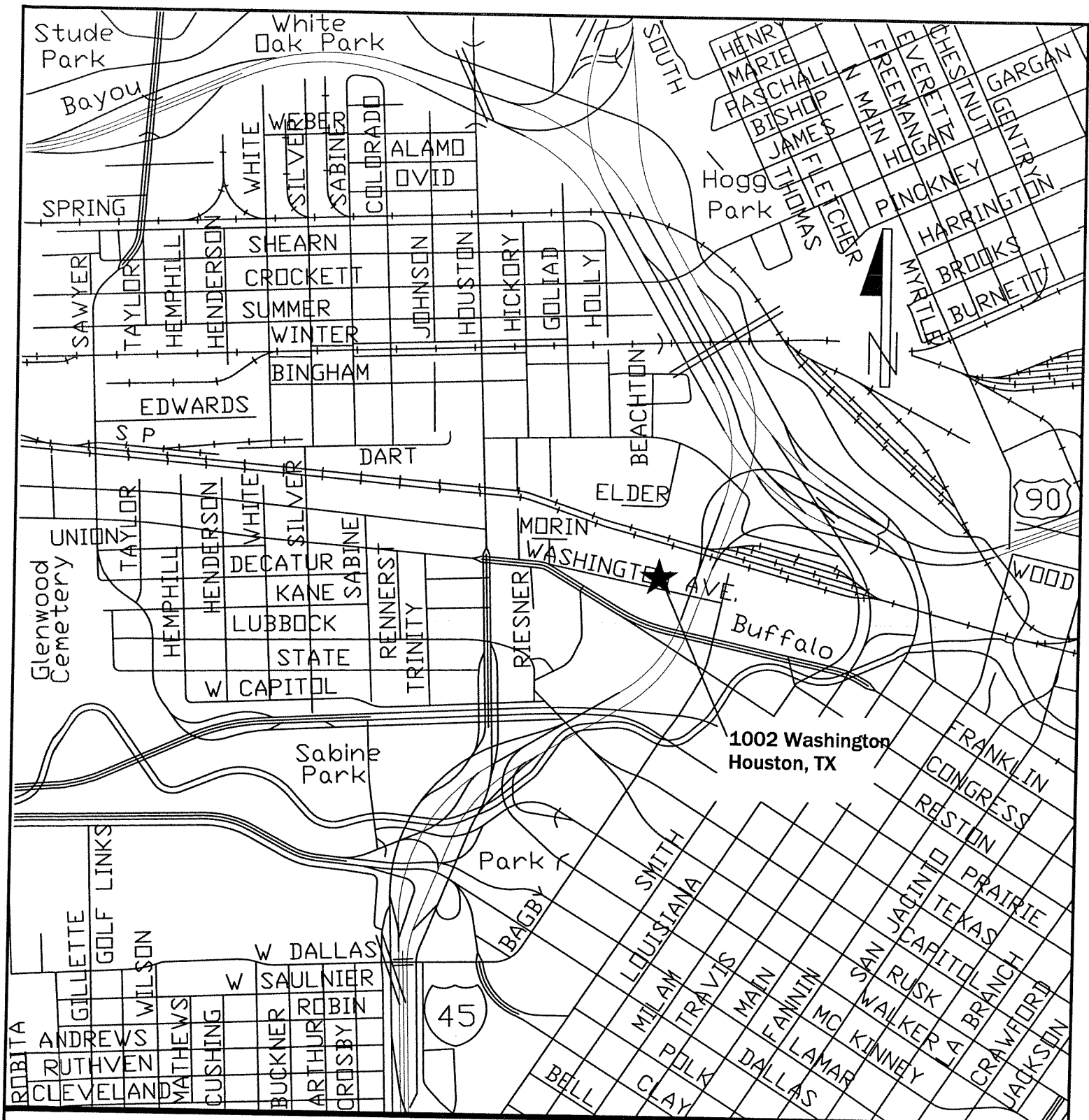
FUNDING SUMMARY:

\$ 662,590.00	Construction Contract Services
\$ 33,129.50	5% Contingency
<u>\$ 695,719.50</u>	Total Contract Services
\$ 92,000.50	Project Management, Construction Oversight and Air Monitoring
<u>\$ 787,720.00</u>	Total Funding

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:GM:MCJ:fk

c: Marty Stein
Jacquelyn L. Nisby
Velma Laws
Calvin Curtis
Gabriel Mussio
Yvette Burton
File



**Asbestos/Lead Based Paint Abatement
and Interior Demolition
1002 Washington
Houston, TX 77002**



COUNCIL DISTRICT "H"


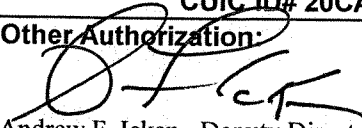
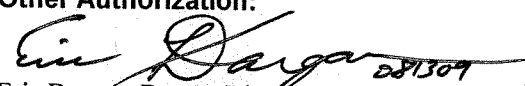
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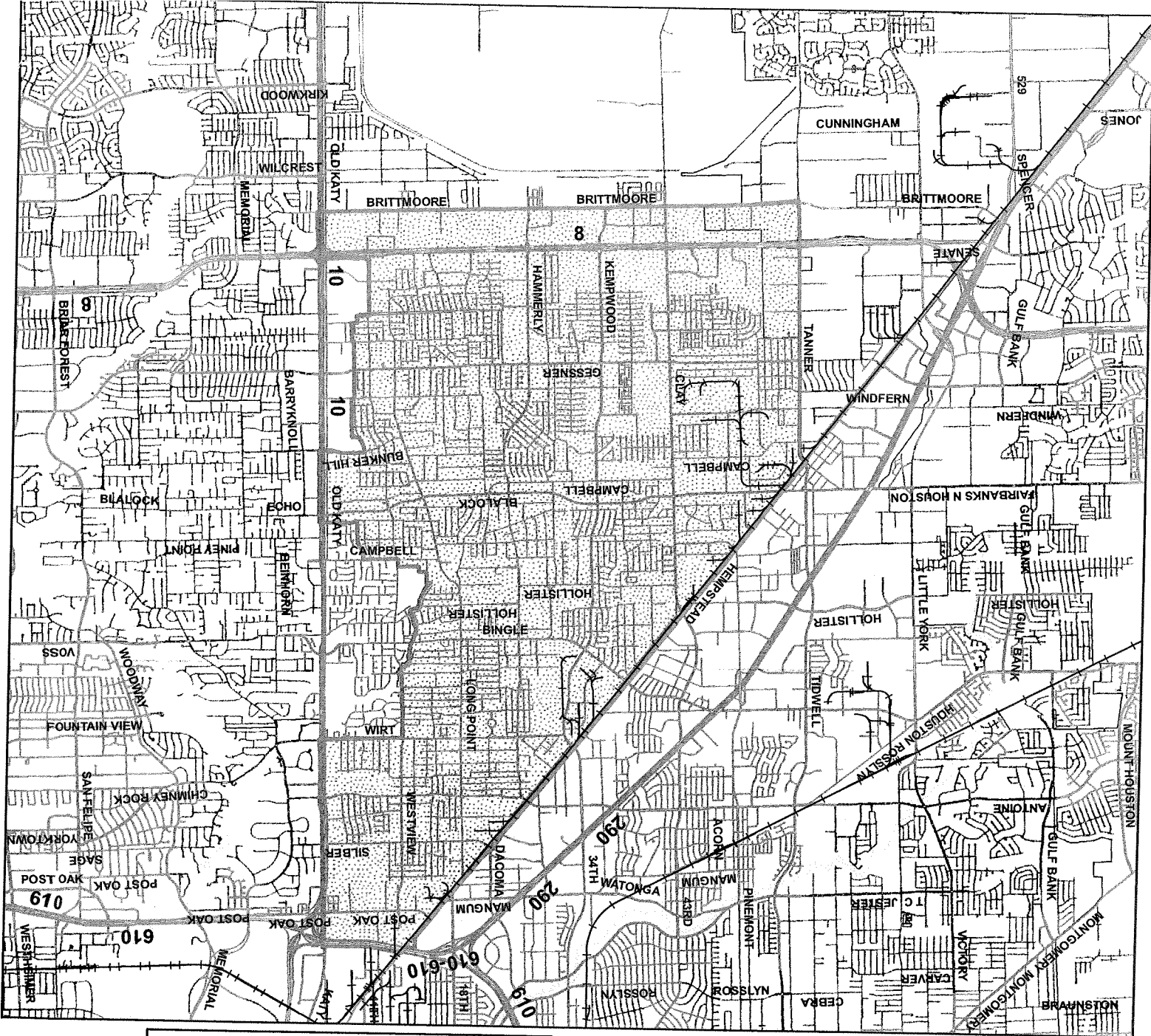
KEY MAP NO. 493L

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance relating to the alteration or removal of one or more off-premise signs; and authorizing an agreement between Houston and CBS Outdoor, Inc. to adjust one sign and remove 2 other billboards in exchange.		Page 1 of 1	Agenda Item # 34
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 9-24-09	Agenda Date SEP 30 2009
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE		Council District affected: H	
For additional information contact: Andrew F. Icken Phone: (713) 837-0510 Deputy Director		Date and identification of prior authorizing Council action:	
RECOMMENDATION: (Summary) Adopt an ordinance allowing for the alteration as opposed to removal of an off-premise sign and authorizing a subsequent agreement between CBS Outdoor and Houston to remove at least an equivalent amount of square footage in off-premise billboards.			
Amount and Source of Funding: N/A			
SPECIFIC EXPLANATION: The Texas Department of Transportation (TxDOT) is widening and making improvements to I-10, which will require acquisition of a portion of property owned by CBS Outdoor, Inc. at I-10 and Studemont. Condemnation proceedings have resulted in CBS being awarded \$3 million for a billboard located on the property as well as part of CBS's office warehouse building to accommodate the freeway construction. The pole of the billboard is located just inside the new right of way line and the sign face will substantially overhang the newly constructed I-10 frontage. The Texas Department of Transportation (TxDOT) has requested that the City of Houston allow the CBS Outdoor billboard located at I-10 and Studemont to be altered to accommodate the reconstruction and expansion of I-10 at that location. Section 4617 of the Houston Sign Code allows off-premise signs along the national highway system to be altered or relocated to accommodate a publicly funded transportation system improvement project. The code requirement stipulates that the relocated sign can only remain up for a period of 10 years once a permit is issued by the City of Houston. As an alternative to Section 4617 of the Sign Code, CBS and TxDOT have requested that the City allow CBS to slide the header of the sign southward approximately 60 feet to move it out of the right of way, and add a pole to provide additional support to the structure. By negotiation with CBS and TxDOT, subject to City Council approval CBS will be allowed to keep the sign with this adjustment in perpetuity. However, CBS Outdoor will return \$1.8 million of the condemnation award to TxDOT and they will remove 2400 square feet of specified off-premise signage in the City of Houston. CBS Outdoor, Inc. is proposing to remove a billboard located at 1011 Southwest Freeway (near Montrose intersection) and a billboard at 5147 S. Loop E. (near the intersection of Martin Luther King Jr.). These signs will be removed within the next 10 years (no later than 2019). MSM: AFI: NB			
REQUIRED AUTHORIZATION CUIC 20AFI44			
Finance Department:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning & Development Division, PWE	

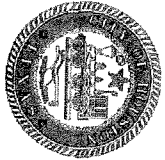
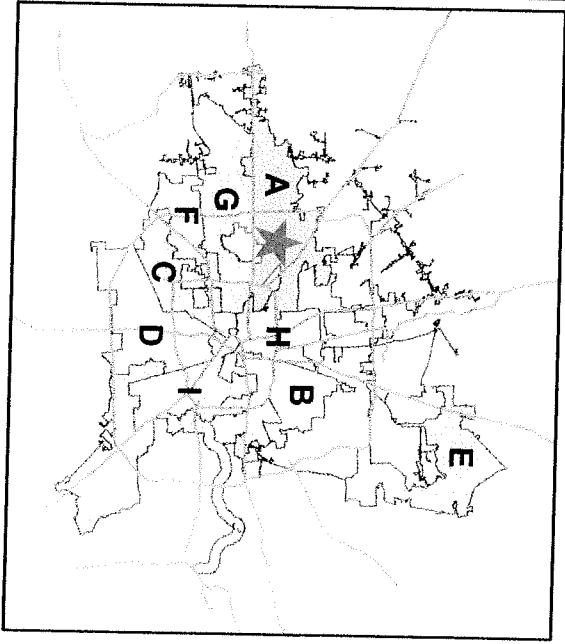
SUBJECT: Maintenance Agreement for Right-of-Way Improvements between the City of Houston and the Spring Branch Management District.		Page 1 of 1	Agenda Item # 35
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 9/10/09	Agenda Date SEP 30 2009	
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	Council District affected: A		
For additional information contact: Carol A. Ellinger, P.E. Phone: (713) 837-7658	Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) It is recommended that City Council pass an Ordinance authorizing a Maintenance Agreement between the City of Houston and the Spring Branch Management District.			
Amount and Source of Funding: N/A			
PROJECT NOTICE/JUSTIFICATION: The Spring Branch District was created by Texas Legislature in 2003 in response to property owner's petition for mobility enhancements, public safety, urban design, and economic development. The District, which encompasses about 22 sq-miles, has entered into various contracts for improvements to the public right-of-way and a maintenance agreement is required to address these improvements.			
DESCRIPTION/SCOPE: The improvements installed by the District include street furniture, landscaping, irrigation systems, brick pavers, street signs, plantings, way finding signs, and various enhancements to the streetscape.			
LOCATION: The District encompasses an area in bounded by US 290, to the north, IH 610 to the east, I-10 to the south, and Brittmoore to the west. Key Map reference pages are: 449, 450, and 451.			
SCOPE OF THIS AGREEMENT: The City, through the Municipal Code of Ordinances, requires abutting property owners to maintain improvements in the public right of way including trimming trees, controlling weeds between the private property line and the curb in the right of way, repairing sidewalks, curbs and gutters, and maintaining facilities associated with individual vault right easements. The City has agreed to allow the District to place improvements within the City right-of-way with the understanding that the District will maintain these improvements. However the District will not assume the maintenance requirements of abutting property owners. This Agreement establishes the respective duties and obligations of the District and the City of Houston concerning the ownership, operation, maintenance, repair, and replacement of these Improvements.			
REQUIRED AUTHORIZATION CUIC ID# 20CAE37			
Finance Department:	Other Authorization:  Andrew F. Icken., Deputy Director Planning and Development Services Division	Other Authorization:  Eric Dargan, Deputy Director Right-of-Way and Fleet Maintenance Division	



Spring Branch Management District

- Legend**
- Spring Branch
 - Railroad
 - Waterways
 - City of Houston

Locational Map



This map represents the best information available to the City. The City does not warrant its accuracy or completeness. Field verifications should be performed as necessary.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Professional Services Contract between the City & Clark Condon Associates, Inc. for the Design of Museum District/Main Street Corridor Improvement Project. WBS Number: N-000824-0002

Page
1 of 2

Agenda Item

36

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


Origination Date
8/20/09

Agenda Date
SEP 30 2009

DIRECTOR'S SIGNATURE

MS

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

Council District affected:
C & D 

For additional information contact:

Mark L. Loethen, P.E., CFM 
Senior Assistant Director Phone: (713) 837-0724

Date and identification of prior authorizing Council action: Ordinance # 00-777, 08/30/2000; Ordinance # 02-805, 8/28/2002 and Ordinance # 03-869, 09/17/2003.

RECOMMENDATION: (Summary)

Approve Professional Services Contract with Clark Condon Associates, Inc.

Amount and Source of Funding: No additional funding required.
(\$429,481.12 from Local Fund No. 5000. Federal Highway Administration (FHWA)-Main Street TCSP Fund approved by prior Ordinance # 00-777, 08/30/2000; Ordinance # 02-805, 8/28/2002 and Ordinance # 03-869, 09/17/2003.)

PROJECT NOTICE/JUSTIFICATION: This project will provide an enhanced pedestrian and transit supportive environment along the Main Street, vicinity of Rice University, Hermann Park areas and Museum District Venues.

DESCRIPTION/SCOPE: The project consists of planning and design right-of-way improvements along Main Street corridor from Holcombe Boulevard to Mecom Fountain; and Museum District areas. This Professional Services Contract requires no local match. Construction funding for the project consists of 80% federal funds through the Transportation Improvement Program administered by Houston Galveston Area Council and 20% from local funding.

LOCATION: The project area is generally bound by Binz Street on the North, Holcombe Boulevard on the South, Fannin Street on the East and Main Street on the West. It also includes the Museum District Area bound by Southmore on the North, Binze on the South, Crawford on the East and Montrose and Main Street on the West. The project is located in Key Map 532D, 532H & 533A.

SCOPE OF CONTRACT AND FEE: Under the scope of the contract, the Consultant will perform Phase I – Preliminary Design, and Phase II – Final Design.

The budgeted amount for this project is \$ 429,481.12 to be used as follows: Basic Services Fee for Phase I & II is based on the total lump sum amount. The total Basic Services Fee is \$ 315,086.12. The Contract also includes certain Additional Services to be paid on a reimbursable basis. The Additional Services includes Environmental Site Assessment, Surveying, Storm Water Pollution Control, Geotechnical and Structural Engineering Services. The total Additional Services Fee is \$ 114,395.00.

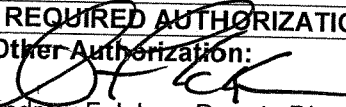
SL
The total cost of this project is \$ 429,481.12 of which \$ 315,086.12 for Basic Services and \$ 114,395.00 for Additional Services.

REQUIRED AUTHORIZATION

CUIC ID# 20MLL54 A

Finance Department:

Other Authorization:


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

Other Authorization:

SUBJECT: : Professional Services Contract between the City & Clark Condon Associates, Inc. for the Design of Museum District/Main Street Corridor Improvement Project. WBS Number: N-000824-0002

**Originator's
Initials**

**Page
2 of 2**

PAY OR PLAY PROGRAM: The Proposed contract requires compliance with 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.

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

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Landtech Consultants, Inc.	Surveying	\$36,000.00	8.38%
2. E & C Engineers	MEP	\$26,785.00	6.24%
3. ESPA Corp.	Civil	\$108,340.00	25.23%
4. HVJ Associates, Inc	Geotech/Environmental	\$11,500.00	2.68%
5. Tan Associates	Structural Engineering	\$5,000.00	1.16%
	TOTAL	\$187,625.00	43.69%


MSM:AFI:MLL:MM

S:\design\City_Eng_Office\RCA

c: Marty Stein
Velma Laws
Susan Bandy
Mike Pezeshki, P.E.
Craig Foster

File: WBS No. N-000824-0002 (RCA-1.2)

Museum District / Main Street Corridor Improvement Projects

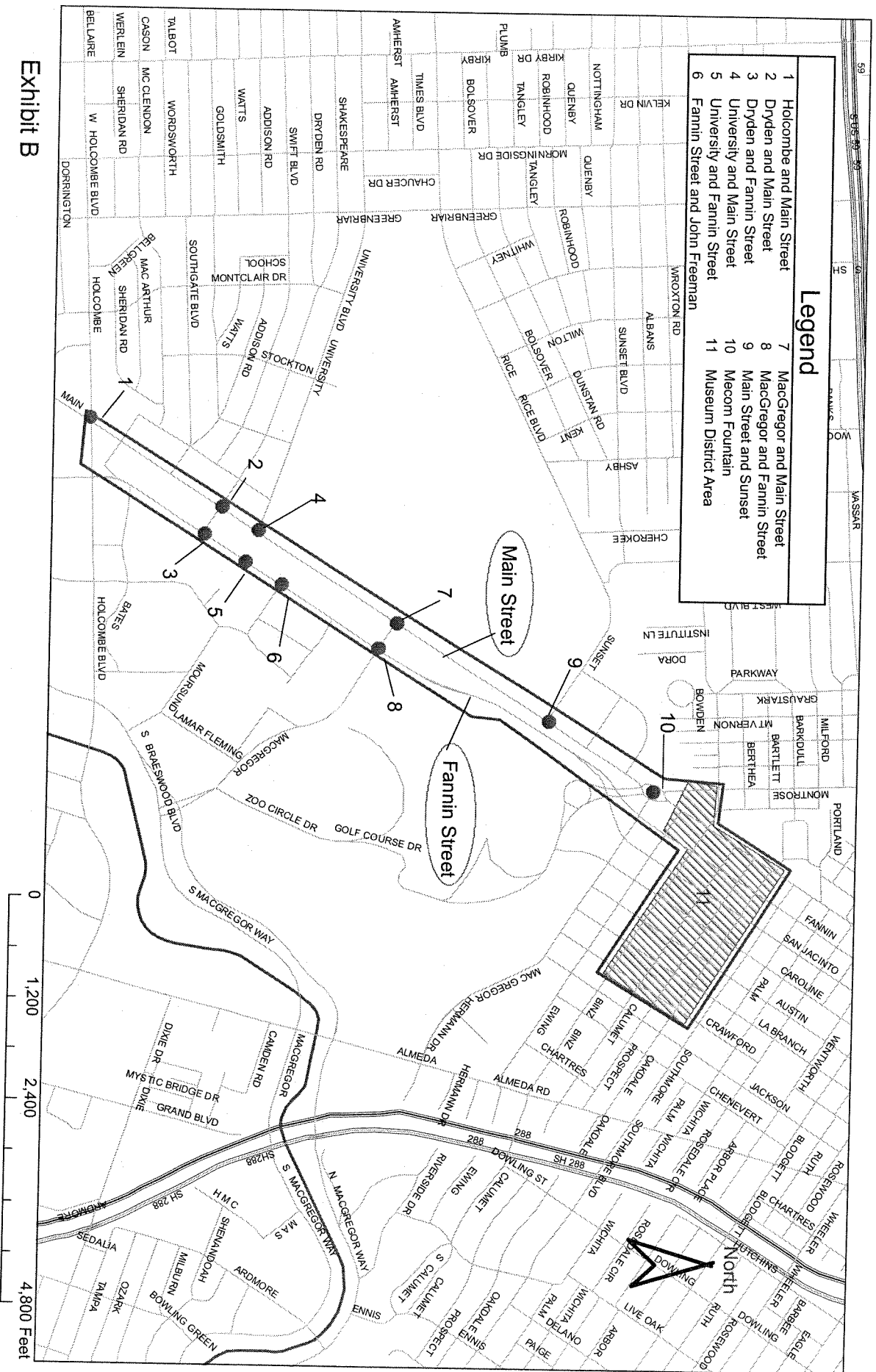


Exhibit B

SUBJECT: Professional Engineering Services Contract between the City and Chiang, Patel & Yerby, Inc. for Engineering Services associated with the design of Water Line Replacement in Lockwood Area, WBS No. S-000035-0109-3 and Oak Estate II (Weslayan) Area, WBS No. S-000035-0110-3.

Page
1 of 2

Agenda
Item #

37

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

8-6-09

Agenda Date

SEP 30 2009

DIRECTOR'S SIGNATURE:

Michael S. Marcotte 73109

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

Council District affected:

B,C

M

For additional information contact:

Hamlet Hovsepian
Hamlet Hovsepian, P.E.

Phone: (713) 837-7033

Interim Senior Assistant Director

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

RECOMMENDATION: (Summary)

Approve Engineering Services Contract with Chiang, Patel & Yerby, Inc. and appropriate funds.

Amount and Source of Funding:

\$1,200,000.00 from the Water and Sewer System Consolidated Construction Fund No. 8500.

U.P. 7/22/09

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

DESCRIPTION/SCOPE: This project consists of the design of approximately 67,300 linear feet of water lines with all related appurtenances in the Lockwood and Oak Estate II (Weslayan) Areas.

LOCATION: These projects are located in the following Key Map grids:

<u>Project</u>	<u>Bounded By</u>	<u>Key Map Grid</u>	<u>Council District</u>
1. Lockwood Area	E. Crosstimbers on the north, Bennington on the south Hoffman on the east and Los Angeles on the west.	454K, L, P & Q	B
2. Oak Estate II (Weslayan) Area	Westheimer on the north, Norfolk on the south, Mercer on the east and Suffolk on the west	492S, T, W & X	C

CUIC ID # 20RS84

NOT

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 & Construction Division

SCOPE OF CONTRACT AND FEE: Under the scope of the contract, the consultant, Chiang, Patel & Yerby, Inc., will perform Phase I - Preliminary Design, Phase II - Final Design and Phase III - Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on the cost of time and materials with a not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum basis after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$97,415.00. The total Basic Services appropriation is \$460,259.00.

The contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include surveying, geotechnical investigation, environmental assessment, traffic control and storm water pollution prevention. The total Additional Services appropriation is \$630,460.00.

The total cost of this project is \$1,200,000.00 to be appropriated as follows: \$1,090,719.00 for contract services and \$109,281.00 for project management.

	<u>Contract Services</u>	<u>Project Management</u>	<u>Cost of Project</u>
Lockwood Area	\$578,219.00	\$58,031.00	\$636,250.00
Oak Estate II (Weslayan) Area	\$512,500.00	\$51,250.00	\$563,750.00
Total	\$1,090,719.00 +	\$109,281.00	= \$1,200,000.00

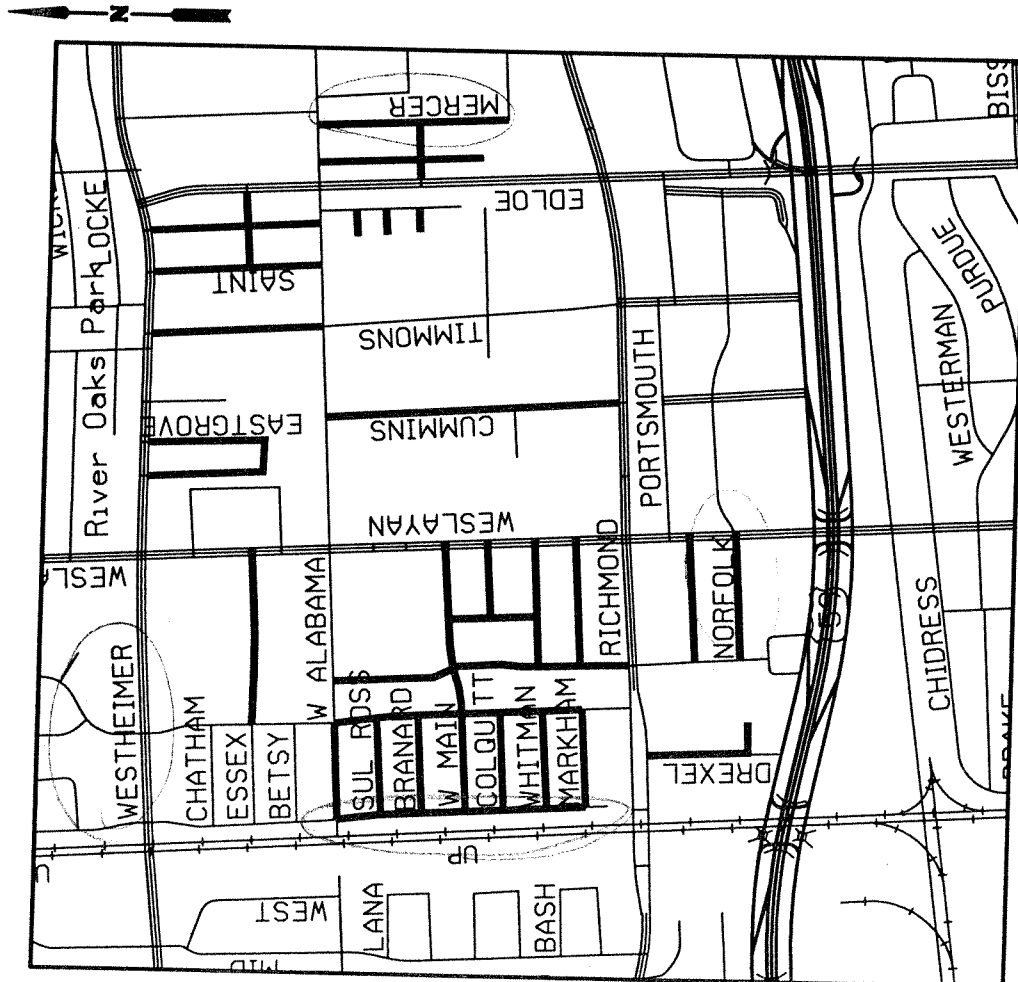
PAY OR PLAY PROGRAM: The proposed contract requires compliance with City's 'Pay or Play' ordinance regarding health benefits for employees of city contractors. In this case, the contractor provides health benefits to eligible employees in compliance with city policy.

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

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
1. Amani Engineering, Inc.	Surveying	\$130,000.00	11.92%
2. United Engineers, Inc.	Surveying	\$109,000.00	9.99%
3. Associated Testing Laboratories, Inc.	Geotechnical Services	\$80,000.00	7.33%
4. KIT Professionals, Inc.	Traffic Control	\$40,000.00	3.67%
5. Corrigan Consulting, Inc.	Environmental Services	\$10,000.00	0.92%
	TOTAL	\$369,000.00	33.83%

MSM:DRM:HH:SD:RS:jl
S:\design\A-WS-DIV\WPDATA\RS\S-0035-0109\RCA.doc

c: Marty Stein
Velma Laws
Susan Bandy
Mike Pezeshki, P.E
Craig Foster
File Nos. S-000035-0109-3, S-000035-0110-3 (1.2)



KEY MAP: 492S, 492T, 492W, 492X : Council District C
 GIMS MAP NO: 5256a, 5256b, 5256c, 5256d





OAK ESTATE II WATER LINE REPLACEMENT			
STREET	FROM	TO	PROP. SIZE (IN) LENGTH (FT)
ESSEX	WESLAYAN	DREXEL	8 1200
W. ALABAMA	DREXEL	SUFFOLK	12 680
SUL ROSS	DREXEL	SUFFOLK	6 680
BRANARD	DREXEL	SUFFOLK	6 680
MAIN	WESLAYAN	SUFFOLK	8 1870
COLQUITT	DREXEL	SUFFOLK	6 680
COLQUITT	WESLAYAN	LASALLE	6 500
WHITMAN	DREXEL	SUFFOLK	6 680
WHITMAN	WESLAYAN	LAS PALMAS	8 900
MARKHAM	DREXEL	SUFFOLK	6 680
MARKHAM	WESLAYAN	LAS PALMAS	8 900
NORFOLK	WESLAYAN	LAS PALMAS	8 900
PORTSMOUTH	WESLAYAN	LAS PALMAS	8 900
PORTSMOUTH	DREXEL	END (EAST)	8 250
SUFFOLK	ALABAMA	MARKHAM	8 1700
DREXEL	ALABAMA	MARKHAM	8 1700
DREXEL	US-59	PORTSMOUTH	8 460
LAS PALMAS	ALABAMA	RICHMOND	8 2100
LASALLE	W. MAIN	WHITMAN	6 600
CUMMINS	ALABAMA	RICHMOND	8 2100
W. GROVE-E. GROVE	WESTHEIMER	WESTHEIMER	8 1920
TIMMONS	WESTHEIMER	ALABAMA	16 1200
SAINT	WESTHEIMER	ALABAMA	8 1200
JOANEL	WESTHEIMER	ALABAMA	8 1200
ALABAMA CT-1	W. ALABAMA CT	END (WEST)	6 200
ALABAMA CT-2	W. ALABAMA CT	END (WEST)	6 200
ALABAMA CT-3	W. ALABAMA CT	END (WEST)	6 200
KIPLING	SAINT	EDLOE	8 500
MARQUART	ALABAMA	END (SOUTH)	8 1050
MERCER	ALABAMA	END (SOUTH)	8 1250
BRANARD	EDLOE	MERCER	8 400
TOTAL LF			29,480

CRP 2925 Briarpark Suite 850, Houston, TX, 77042
 (713)532-1730, Fax (713)532-1734

CITY OF HOUSTON
 DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

WATER LINE REPLACEMENT IN
 LOCKWOOD AND
 OAK ESTATES II-WESLAYAN AREAS
 OAK ESTATES II AREA VICINITY MAP

CITY OF HOUSTON PM	
WBS NO. S-000035-0110-3	RAJINDER SINGH, P.E.
DRAWING SCALE	DATE
NONE	OCT 2008
SHEET NO.	1 OF 1

SUBJECT: Contract Award for the Paving Extension of West Bellfort Road from South Main Street to Buffalo Speedway. WBS Nos. N-000571-0002-4		Page 1 of 2	Agenda Item # 38
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 9-24-09	Agenda Date SEP 30 2009
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		Council District affected: AA C	
For additional information contact:  Hamlet Hovsepian, P.E. Phone: (713) 837-7033 Interim Senior Assistant Director		Date and identification of prior authorizing Council action:	
RECOMMENDATION: (Summary) Accept low bid, award construction contract and appropriate funds			
Amount and Source of Funding: Total of \$1,438,000.00 be appropriated from Street and Bridge Consolidated Construction Fund No. 4506 <i>M.P. 9/2/09</i>			
PROJECT NOTICE/JUSTIFICATION: This project is part of the Street & Traffic Capital Improvement project (CIP) and is necessary to improve traffic flow/circulation and reduce traffic congestion and hazards in service area.			
DESCRIPTION/SCOPE: This project consists of the construction of approximately 2,200 linear feet of dual 24-foot wide concrete roadway with curb and gutter, raised median, necessary underground utilities and street lighting for West Bellfort Road. The contract duration for this project is 210 calendar days. This project was designed by Kuo & Associates, Inc.			
LOCATION: This project is located in southwest Houston bounded by South Main Street to the west and Buffalo Speedway to the east. The project is located in Key Map Grid 532T.			
BIDS: Bids were received on July 16, 2009. The sixteen (16) bids are as follows:			
Bidder		Bid Amount	
1. Total Site, Inc.		\$1,270,891.85	
2. Texas Sterling Construction Co.		\$1,298,128.35	
3. SER Construction Partners, Ltd.		\$1,327,101.30	
4. TJ&T Enterprises, Inc.		\$1,328,409.50	
5. Harris Construction Company, LTD.		\$1,343,956.25	
6. Conrad Construction Co., LTD.		\$1,353,505.30	
7. Angel Brothers Enterprises, Ltd.		\$1,362,418.05	
8. Triple B Services, L.L.P.		\$1,368,850.47	
9. South Coast Construction, Inc.		\$1,395,724.25	
10. Beyer Construction, LLP		\$1,426,304.95	
11. JTF Construction, Inc.		\$1,450,884.67	
12. ISI Contracing, Inc.		\$1,570,103.45	
13. Reytec Construction Resources, Inc.		\$1,582,374.50	
14. Hassell Construction Company, Inc.		\$1,593,749.80	
15. Spring Equipment Co., Inc.		\$1,599,918.00	
16. Total Contracting Limited		\$1,789,938.01	
REQUIRED AUTHORIZATION			
Finance Department: 		Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division	

Date	Subject: Contract Award for the Paving Extension of West Bellfort Road from South Main Street to Buffalo Speedway. WBS Nos. N-000571-0002-4	Originator's Initials AA	Page 2 of 2
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AWARD: It is recommended that this construction contract be awarded to Total Site ,Inc. with a low bid of \$1,270,891.85 and that Addendum Number 1 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$1,438,000.00 to be appropriated as follows:

•	Bid Amount	\$1,270,891.85
•	Contingencies	\$63,545.00
•	Engineering and Testing Services	\$40,000.00
•	Project Management	\$63,563.15

Engineering and Testing Services will be provided by Geotest Engineering, Inc. under a previously approved 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 benefits for some employees but will pay into the Contractor Responsibility Fund for other, in compliance with City policy.

MBE/SBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 7% MBE goal and 10% SBE goal for this project.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Statewide Services, Inc.	Storm Sewer Water Adjustments	\$230,190.44	18.11%
2. Perez Construction Company	Extruded Curbs	\$3,741.00	0.29%
TOTAL		\$233,931.44	18.40%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Traffic Systems Construction, Inc.	Traffic Signals	\$196,954.01	15.50%
TOTAL		\$196,954.01	15.50%

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

MSM:DRM:HH:JHK:AZA

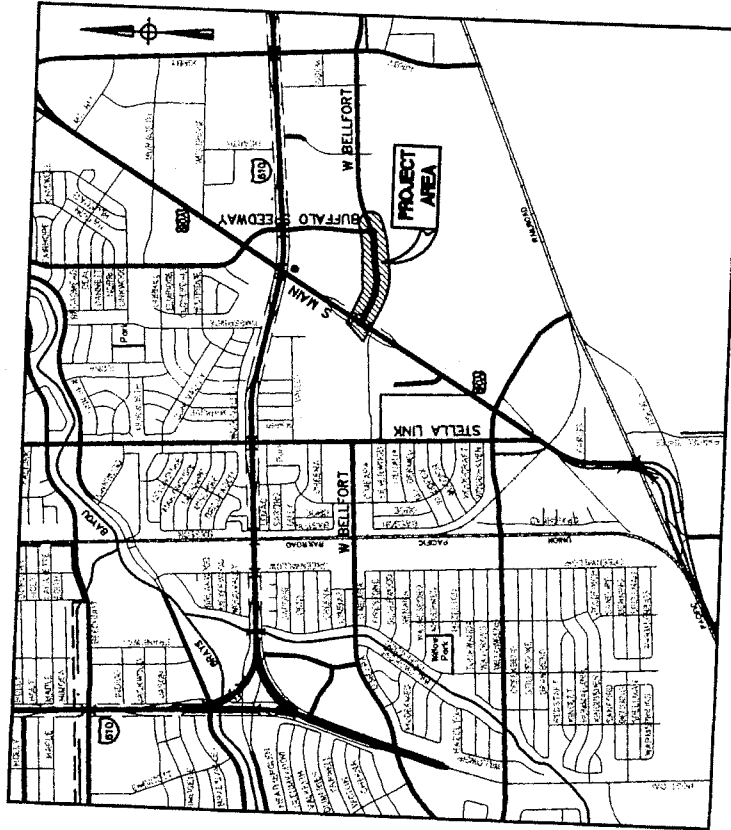
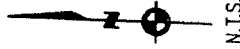
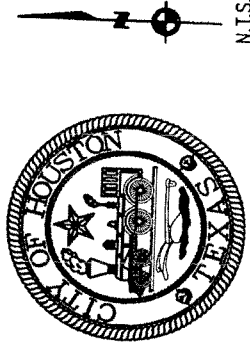
Z:\design\A-SB-DIV\WPDATA\ATEST West Bellfort II construction RCA & project information sheet\RCA N-000571-0002-4.doc

c: Marty Stein
Velma Laws
Susan Bandy
Mike Pezeshki, P.E.
Craig Foster
File: N-000571-0002-4 (3.7 Construction RCA)

**PUBLIC WORKS & ENGINEERING DEPARTMENT
ENGINEERING AND CONSTRUCTION DIVISION**

**WEST BELLFORT ROAD EXTENSION
FROM S. MAIN ST. (U.S. 90-A) TO BUFFALO SPEEDWAY**

WBS NO. N-000571-0002-4



VICINITY MAP
(NOT TO SCALE)

CITY COUNCIL DISTRICT 'C'

KEY MAP NO. 532 T, GIMS MAP #5253 B

- LEGEND:**
- EXISTING ROAD
 - ROAD DESIGNATED FOR PROPOSED WATER LINE
 - ▨ PROPOSED ROAD

VICINITY MAP

CITY OF HOUSTON
PUBLIC WORKS AND ENGINEERING DEPARTMENT

**WEST BELLFORT ROAD EXTENSION FROM
S. MAIN ST. (U.S. 90-A) TO BUFFALO SPEEDWAY**
WBS NO. N-000571-0002-4

KUO
& associates, Inc.
Consulting Engineers
& Surveyors

10700 Richmond Ave., Suite 113
Houston, TX 77042
Tel: (713) 975-8769
Fax: (713) 975-0920
www.kuoassociates.com

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT:

Ordinance granting a Commercial Solid Waste Operator Franchise

Category #

Page 1 of 1

Agenda Item#

2nd Reading

39 54

FROM: (Department or other point of origin):

Alfred J. Moran, Director
Administration & Regulatory Affairs

Origination Date

September 14, 2009

Agenda Date

SEP 23 2009
SEP 30 2009

DIRECTOR'S SIGNATURE:

[Signature]

Council Districts affected:

ALL

For additional information contact:

Juan Olguin
Nikki Cooper

Phone: (713) 837- 9623

Phone: (713) 837- 9889

Date and identification of prior authorizing

Council Action: Ord. # 2002-526 – June 19, 2002;
Ord. # 2002-1166-December 18, 2002.

RECOMMENDATION: (Summary)

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

Amount of Funding:

REVENUE

FIN Budget:

SOURCE OF FUNDING:

☐ General Fund

☐ Grant Fund

☐ Enterprise Fund

☐ Other (Specify)

SPECIFIC EXPLANATION:

It is recommended that City Council approve an ordinance granting a Commercial Solid Waste Operator Franchise to the following solid waste operator pursuant to Article VI, Chapter 39. The proposed Franchisee is:

1. Waste Connections of Texas, LLC

The proposed ordinance grants the Franchisee the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, the Franchisee agrees to pay to the City an annual Franchise Fee equal to 4% of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the franchise, the City has the right to inspect, and the company has the duty to maintain, required customer records during regular business hours. The franchise contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise terms expire on December 31, 2013.

The Pay or Play Program does not apply to the Commercial Solid Waste Operator Franchise.

REQUIRED AUTHORIZATION

Finance Director:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: An Ordinance authorizing the issuance of up to \$14 million in Authority obligations by the Memorial City Redevelopment Authority (Tax Increment Zone Number Seventeen)

Category #

Page
1 of 1

Agenda Item#

40 34

FROM: (Department or other point of origin):

Michelle Mitchell, Director
Finance Department

Origination Date
September 1, 2009

Agenda Date

SEP 23 2009

DIRECTOR'S SIGNATURE:

Tim Douglass

Council Districts affected: SEP 30 2009
A, G

For additional information contact:

Tim Douglass
Ralph De Leon

Phone: (713-837-9857
Phone: (713) 837-9573

Date and identification of prior authorizing Council Action:

Ord. 2002-1145 12/11/02, Ord. 2007-1194 10/24/07, 2009-169 3/4/09

RECOMMENDATION: (Summary)

That City Council approve an Ordinance authoring the issuance up to \$14 million in Authority obligations by the Memorial City Redevelopment Authority (Tax Increment Zone Number Seventeen)

Amount of Funding: N/A

Finance Budget:

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

Specific Explanation:

By Ordinance No. 2002-1145 on December 11, 2002, Council approved the Tri-Party Agreement among the City of Houston, Tax Increment Reinvestment Zone Number Seventeen and the Memorial City Redevelopment Authority. By Ordinance No. 2007-1194 on October 24, 2007, Council authorized the Authority to issue bonds up to \$10 million and notes up to \$3 million, the combined amount of notes and bonds outstanding at any time not to exceed \$10 million, and in addition to the \$3 million in notes previously authorized. By Ordinance No. 2009-169 on March 4, 2009, Council approved the issuance of bonds and notes by the Memorial City Redevelopment Authority in an aggregate amount not to exceed \$25 million, which authorization includes the \$10 million in notes authorized previously. To implement its Fiscal Year 2010 City Council-approved Budget and Capital Improvement Plan (CIP), the Memorial City Redevelopment Authority (the "Authority"), and Tax Increment Zone Number Seventeen will need to obtain financing to fund fully its current year design and construction plans and will need an additional \$10 million in bond authorization.

Approval of this Ordinance will allow the Authority to issue obligations up to \$14 million to provide the capital needed to support its activities with respect to redevelopment of the Zone, which primarily consist of major road and drainage construction projects.

cc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Deborah McAbee, Senior Assistant City Attorney
Arturo Michel, City Attorney

REQUIRED AUTHORIZATION

Finance L

Other Authorization:

Other Authorization:

Tim L

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

Subject: Additional Appropriation to the On-Call Maintenance and Repair Services Contract between the City of Houston and Kellogg, Brown and Root Services, Inc. for the Drinking Water Operations Branch of the Public Works and Engineering Department WBS No. S-000056-0051-4	Category 4	Page 1 of 1 41	Agenda Item #
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FROM (Department or other point of origin):

Public Works and Engineering Department

Origination Date

09/02/2009

Agenda Date

SEP 29 2009

DIRECTOR'S SIGNATURE:

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

Michael S. Marcotte 9/10/09

Council District affected: All SEP 30 2009

For additional information contact:

David Guernsey
Assistant Director

Phone: 713-238-5241

Date and Identification of prior authorizing Council action:

Ord.No. 2007-1129 Passed 10/10/07

RECOMMENDATION: (Summary) Approve an ordinance appropriating additional funds.

Amount and Source of Funding: \$1,000,000.00

Water & Sewer System Consolidated Construction Fund, No.. 8500

Previous Funding: \$1,200,000.00

8300 Water and Sewer System Operating Fund

Finance Budget:

M.P. 9/9/09

SPECIFIC EXPLANATION:

The Public Works and Engineering Department recommends that City Council approve an ordinance appropriating funds to the On-Call Maintenance and Repair Services Contract between the City of Houston and Kellogg Brown and Root, Inc. The original contract was awarded by Ordinance Number 2007-1129 on 10/10/2007 in a not to exceed amount of \$5,000,000.00.

This contract provides maintenance and repair services for minor construction, rehabilitation, alteration of facilities and equipment at water treatment plants, re-pump stations and groundwater well sites. Work is performed by work orders on an as-needed basis and range from \$1,500.00 to \$250,000.00. The contractor furnishes all labor, materials, tools, supplies, equipment, transportation, insurance, bonds, subcontractors, supervision, management, reports, incidentals, quality control, and performs all operations necessary that are required for the accomplishment of repair, alteration, modernization, rehabilitation, and construction of infrastructure and structures.

The contract was awarded for a three year period beginning on 10/23/2007 and ending 10/31/2010. \$1,200,000.00 was originally allocated to start the contract and expenditures as of June 1, 2009 totaled \$806,171.82.

M/WBE and SBE Subcontracting:

This contract was awarded with a 19% goal for M/WBE participation and a 5% goal for SBE participation. Currently, Kellogg, Brown and Root, Inc., has achieved a 40.62% for its M/WBE participation and 0% for its SBE participation.

Pay or Play:

This bid was issued before the Pay or Play requirement stipulated by the City of Houston was in effect.

REQUIRED AUTHORIZATION

CUIC ID # 20dln01

NOT

Finance Department:

Other Authorization:

Jim Chang

Other Authorization:

412

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance appropriating funds, and approving and authorizing payments for the costs of the land purchase of Block 6 and a portion of Caroline Street (abandoned) and a portion of Block 7, South Side Buffalo Bayou (SSBB).

Parcels QY9-007 and QY9-008

WBS: M-000126-00T1-2

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FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date 9/24/09

Agenda Date SEP 30 2009

DIRECTOR'S SIGNATURE:



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

Council District affected:

H

Key Map 493 M

For additional information contact:

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

Date and identification of prior authorizing Council action:

Ordinance 2009-181, March 4, 2009

RECOMMENDATION: (Summary)

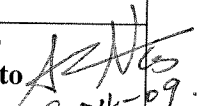
An Ordinance appropriating funds, and approving and authorizing payments for the costs of the land purchase of Block 6 and a portion of Caroline Street (abandoned) and a portion of Block 7, South Side Buffalo Bayou (SSBB).

Parcels QY9-007 and QY9-008

WBS: M-000126-00T1-2

Amount and \$3,500,000.00 **Miscellaneous Capital Projects/Acquisition CP Series E Fund (4039)**

Source of Funding: (Deposit from Reinvestment Zone Number Three in the amount of \$3,500,000.00 into Fund 4039)


9-24-09

SPECIFIC EXPLANATION:

The Department of Public Works and Engineering requests approval of an ordinance appropriating funds, and approving and authorizing payments for the costs of the land purchase relating to Block 6 and a portion of Caroline Street (abandoned) and a portion of Block 7, South Side Buffalo Bayou (SSBB). This item supports Item 45 on the September 23, 2009 agenda, which recommended approving (i) an Interlocal Agreement between the City of Houston and Harris County Flood Control District; (ii) a Purchase and Sale Agreement between The Buffalo Bayou Partnership and the City of Houston; (iii) an Assignment and Assumption of License Agreement between the City of Houston and The Buffalo Bayou Partnership; and (iv) a Project Agreement between the City of Houston, Reinvestment Zone Number Three, and the Downtown Redevelopment Authority.

Reinvestment Zone Number Three has provided funding in the amount of \$3,500,000.00 which has been deposited in the Miscellaneous Capital Projects/Acquisition CP Series E Fund (4039).

MSM:NPC:vt

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cc: Marty Stein

Michelle Mitchell

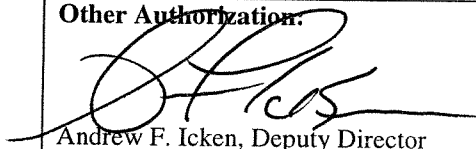
CUIC #20VAT05



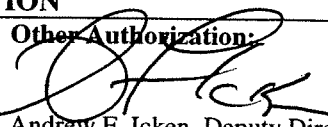
REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:


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

SUBJECT: An Ordinance approving and authorizing (i) an Interlocal Agreement between the City of Houston and Harris County Flood Control District; (ii) a Purchase and Sale Agreement between The Buffalo Bayou Partnership and the City of Houston; (iii) an Assignment and Assumption of License Agreement between the City of Houston and The Buffalo Bayou Partnership; and (iv) a Project Agreement between the City of Houston, Reinvestment Zone Number Three, and the Downtown Redevelopment Authority, all relating to the purchase of Block 6 and a portion of Caroline Street (abandoned) and a portion of Block 7, South Side Buffalo Bayou (SSBB). Parcels QY9-007 and QY9-008 WBS: M-000126-00T1-2		Agenda Item # <div style="border: 1px solid black; padding: 5px; display: inline-block;">42A 45</div>	Page 1 of 3 SEP 30 2009
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 9/18/09	Agenda Date SEP 23 2009	
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	Council District affected: H Key Map 493 M		
For additional information contact: Nancy P. Collins  Phone: (713) 837-0881 Senior Assistant Director – Real Estate	Date and identification of prior authorizing Council action: Ordinance 2009-181, March 4, 2009		
RECOMMENDATION: (Summary) An Ordinance approving and authorizing (i) an Interlocal Agreement between the City of Houston and Harris County Flood Control District; (ii) a Purchase and Sale Agreement between The Buffalo Bayou Partnership and the City of Houston; (iii) an Assignment and Assumption of License Agreement between the City of Houston and The Buffalo Bayou Partnership; and (iv) a Project Agreement between the City of Houston, Reinvestment Zone Number Three, and the Downtown Redevelopment Authority, all relating to the purchase of Block 6 and a portion of Caroline Street (abandoned) and a portion of Block 7, South Side Buffalo Bayou (SSBB). Parcels QY9-007 and QY9-008 WBS: M-000126-00T1-2			
Amount and Source of Funding: \$12,500.00 General Fund (1000) \$3,500,000.00 Miscellaneous Capital Projects/Acquisition CP Series E Fund (4039) [Deposit from TIRZ No. 3 in the amount of \$3,500,000.00 into Miscellaneous Capital Projects/Acquisition CP Series E Fund (4039)]			
PROJECT NOTICE/JUSTIFICATION: The Department of Public Works and Engineering is requesting that an ordinance be passed approving and authorizing (i) an Interlocal Agreement between the City of Houston and Harris County Flood Control District; (ii) a Purchase and Sale Agreement between The Buffalo Bayou Partnership and the City of Houston; (iii) an Assignment and Assumption of License Agreement between the City of Houston and The Buffalo Bayou Partnership; and (iv) a Project Agreement between the City of Houston, Reinvestment Zone Number Three, and the Downtown Redevelopment Authority, all relating to the purchase of Block 6 and a portion of Caroline Street (abandoned) and a portion of Block 7, South Side Buffalo Bayou (SSBB). Pursuant to Ordinance No. 2009-181, the Fiscal Year 2009 Operating Budget of the Main Street Market Square Redevelopment Authority (Authority) on behalf of Reinvestment Zone Number Three was approved and later amended to include a \$3,500,000.00 payment specific to the purchase of the Property.			
DESCRIPTION/SCOPE: The property will be used for the construction of flood control improvements, flood plain preservation, public open space, and park and recreation improvements consistent with the TIRZ No. 3 Plan for Buffalo Bayou and Beyond dated August 2002, which was coordinated by The Buffalo Bayou Partnership. The City and HCFCD participated in developing the Master Plan, which calls for certain land acquisitions and channel conveyance along and to the Bayou, to reduce flood levels and provide attractive public open space.			
REQUIRED AUTHORIZATION			
Finance Department:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division	

CUIC #20VAT04

SUBJECT: An Ordinance approving and authorizing (i) an Interlocal Agreement between the City of Houston and Harris County Flood Control District; (ii) a Purchase and Sale Agreement between The Buffalo Bayou Partnership and the City of Houston; (iii) an Assignment and Assumption of License Agreement between the City of Houston and The Buffalo Bayou Partnership; and (iv) a Project Agreement between the City of Houston, Reinvestment Zone Number Three, and the Downtown Redevelopment Authority, all relating to the purchase of Block 6 and a portion of Caroline Street (abandoned) and a portion of Block 7, South Side Buffalo Bayou (SSBB). Parcels QY9-007 and QY9-008
WBS: M-000126-00T1-2

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The purchase price for the acquisition of the Property is \$7,000,000. The appraisal of the Property, obtained by HCFCD, was reviewed and approved by a senior staff appraiser in the Department of Public Works and Engineering. On behalf of the City, the Authority will contribute \$3,500,000.00 for the acquisition of the Property. The \$3,500,000.00 balance of the purchase price will be paid by HCFCD pursuant to the Interlocal Agreement between the City and HCFCD. Fifty-Percent of the closing costs will be funded by HCFCD and the remaining fifty-percent of the closing costs will be funded by the Public Works and Engineering Department General Fund. The total estimated closing costs are \$25,000.00. At closing, the City will convey an easement interest in the Property to HCFCD. The Property consists of surface parking lots and the City and HCFCD intend to continue to utilize the Property as parking lots until construction of the improvements begins. The Interlocal Agreement controls all agreements between the City and HCFCD regarding the Property, including the parking lot to be maintained and managed on the Property. The Project Agreement controls all agreements between the City, Reinvestment Zone Number Three, and the Downtown Redevelopment Authority regarding the Property, including the granting to the Authority of the right to develop the Property and payment of the City's parking revenues.

The cost of this purchase is as follows:

LAND:

Parcel QY9-007 and QY9-008 (Fee)	\$7,000,000.00
TOTAL CONSIDERATION.....	\$7,000,000.00
CLOSING COSTS	\$ 25,000.00
TOTAL EXPENSES	\$7,025,000.00
Share of purchase price by HCFCD	\$3,500,000.00
Share of purchase price by Authority	\$3,500,000.00
Share of Closing Costs by HCFCD	\$ 12,500.00
TOTAL EXPENSE FOR THE CITY OF HOUSTON.....	\$ 12,500.00

LOCATION: The Property is located at 1301 Commerce Street and 1401 Commerce Street. The legal descriptions are as follows:

1301 Commerce/Parcel QY9-007: All that certain 1.1877 acres of land, being all of Block 6 and a portion of Caroline Street (abandoned), S.S.B.B. Addition, Houston, Harris County, Texas, and being all of that tract of land described as Tract 1 in deed dated July 16, 1990 from Missouri Pacific Railroad Company to Realty Parking Properties L.P., recorded in Clerk's File No. M728071, Film Code 182-70-1415, Harris County Official Public Records of Real Property, and being more particularly described by metes and bounds attached hereto.

1401 Commerce/Parcel QY9-008: All that certain 39,317 square feet of land out of Block 7, S.S.B.B. Addition (unrecorded) according to the generally recognized plat thereof, Houston, Harris County, Texas, and being more particularly described by metes and bounds attached hereto.

SUBJECT: An Ordinance approving and authorizing (i) an Interlocal Agreement between the City of Houston and Harris County Flood Control District; (ii) a Purchase and Sale Agreement between The Buffalo Bayou Partnership and the City of Houston; (iii) an Assignment and Assumption of License Agreement between the City of Houston and The Buffalo Bayou Partnership; and (iv) a Project Agreement between the City of Houston, Reinvestment Zone Number Three, and the Downtown Redevelopment Authority, all relating to the purchase of Block 6 and a portion of Caroline Street (abandoned) and a portion of Block 7, South Side Buffalo Bayou (SSBB). Parcels QY9-007 and QY9-008

WBS: M-000126-00T1-2

**Agenda Item
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Therefore it is recommended that an ordinance be passed approving and authorizing (i) an Interlocal Agreement between the City of Houston and Harris County Flood Control District; (ii) a Purchase and Sale Agreement between BBP and the City of Houston; (iii) an Assignment and Assumption of License Agreement between the City of Houston and The Buffalo Bayou Partnership; and (iv) a Project Agreement between the City of Houston, Reinvestment Zone Number Three, and the Downtown Redevelopment Authority, all relating to the purchase of Block 6 and a portion of Caroline Street (abandoned) and a portion of Block 7, South Side Buffalo Bayou (SSBB); and (v) the Mayor to execute and the City Secretary to attest the Interlocal Agreement, the Easement Conveyance, the Purchase and Sale Agreement; the Assignment and Assumption of License Agreement; and the Project Agreement.

MSM:NPC:vt

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cc: Marty Stein

Michelle Mitchell