

AGENDA - COUNCIL MEETING - TUESDAY - MAY 18, 2010 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Gonzalez

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 - MAY 19, 2010 - 9:00 A. M.

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

HEARINGS - 9:00 A.M.

1. **HEARING** to consider a Municipal Setting Designation Ordinance for KBR Technical Services, Inc for the site located at 4100 Clinton Drive - **DISTRICT B - JOHNSON**
2. **HEARING** to consider a Municipal Setting Designation Ordinance for Weingarten Realty Investors for the site located at 11092 - 11311 Fondren Road - **DISTRICT C - CLUTTERBUCK**

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 3 through 32

MISCELLANEOUS - NUMBERS 3 and 4

3. CONFIRMATION of the appointment of **MR. CHARLES STAVA** to Position 12 on the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two year term that will end March 1, 2012
4. REQUEST from Mayor for confirmation of the reappointment of the following to the **ELECTRICAL BOARD**, for terms to expire January 2, 2012:
 - Position Two - **MR. ELIOT L. DOUCET**
 - Position Four - **MR. ANTONIO A. ORTA**
 - Position Six - **MR. EDWARD T. DICKERSON**, and to serve as Chair
 - Position Eight - **MS. PIRDY F. NELSON**
 - Position Ten - **MR. JAVIER M. RAMOS**

ACCEPT WORK - NUMBERS 5 through 7

5. RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$173,754.80 and acceptance of work on contract with **USA ENVIRONMENTAL, L.P.** for Soil Disposal for Right-of-Way Fleet Maintenance Facility at 100 Japhet Street and 1700 East Crosstimbers Street - 1.47% under the original contract amount **DISTRICT H - GONZALEZ**
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,790,802.48 and acceptance of work on contract with **COLLINS CONSTRUCTION, LLC** for Water Line Replacement in Briar Park & Gulf Meadows II 1.88% under the original contract amount - **DISTRICTS E - SULLIVAN and G - PENNINGTON**
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$997,013.40 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Timber Oaks West Area - 4.37% over the original contract amount - **DISTRICT A - STARDIG**

PROPERTY - NUMBERS 8 and 9

8. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Shelley Barrett, R. G. Miller Engineers, Inc, on behalf of Americor Partners, Ltd. [American Land LLC. (John Hunt, Manager), General Partner], for sale of ±34,892 square feet of excess, fee-owned West Bellfort right-of-way, located in Section 34 of the James Hamilton Survey, A-887, Parcel SY10-048 - **DISTRICT C - CLUTTERBUCK**
9. RECOMMENDATION from Director Department of Public Works & Engineering, on request from Mark Gordon, on behalf of Vincent Mandola, reviewed and approved by the Joint Referral Committee, that the City decline the acceptance of, reject, and refuse the dedication of a ±15-foot-wide alley, from La Rue Street to Eberhard Avenue, located within the Harlow Addition, the Harlow Addition Fractional Blocks Numbers 4 and 5, and the Vincents Terrace Subdivision, all out of the O. Smith Survey, Parcel SY10-049 - **DISTRICT D - ADAMS**

PURCHASING AND TABULATION OF BIDS - NUMBER 10

10. **KSB INCORPORATED** - \$68,932.00 and **PUMPS & EQUIPMENT OF TEXAS, INC** - \$89,217.00 for Submersible Pumps for Department of Public Works & Engineering - Enterprise Fund

ORDINANCES - NUMBERS 11 through 32

11. ORDINANCE supplementing Ordinance No. 2009-1118 relating to the issuance of City of Houston, Texas, Combined Utility System Commercial Paper Notes, Series B; determining the maximum principal amounts of Subseries B-4, B-5 and B-6 and approving additional Credit Agreements in connection therewith; approving an updated Offering Memorandum; resolving other matters related thereto; and declaring an emergency
12. ORDINANCE approving and authorizing contract between the City of Houston and **AIDS COALITION OF COASTAL TEXAS, INC.**, providing up to \$362,422.00 in Housing Opportunities for Persons With AIDS Funds for Administration and Operation of a Tenant-Based Rental Assistance and Short-Term Rent, Mortgage, and Utility Assistance Program including Supportive Services
13. ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON AREA COMMUNITY SERVICES, INC.**, providing up to \$995,000.00 in Housing Opportunities for Persons with AIDS Funds for Administration and Operation of a Tenant-Based Rental Assistance Program with Supportive Services
14. ORDINANCE de-obligating \$253,315.58 from the Community Development Block Grant Stimulus Funds (as authorized by Ordinance No. 2009-772 and Council Motion No. 2009-0861); appropriating \$144,127.83 from Equipment Acquisition Consolidated Fund and allocating additional grant funds for Purchase of One Pumper Truck for the Fire Department \$109,187.75 - National Clean Diesel Program Fund
15. ORDINANCE declaring the intention of the City of Houston to reimburse Dangerous Building Demolition Project Expenditures from future proceeds of certificates of obligation; authorizing a total allocation of \$1,428,506.60 from the General Fund for the purpose of making supplemental allocations in the amount of \$708,789.10 to the task order contracts between the City and **ARROW SERVICES, INC., P&P ABATEMENT GROUP, LLC, and INLAND ENVIRONMENTS, LTD.**, for Asbestos Abatement Services (Approved by Ordinance No. 2009-1100), \$69,717.50 to the contracts between the City and **HONESTY ENVIRONMENTAL SERVICES, INC. and TECHNOLOGY SERVING PEOPLE, INC.** for Environmental Consulting Services (Approved by Ordinance No. 2009-492), and \$650,000 to the contracts between the City and **JTB SERVICES, INC., FERNANDEZ & SON, CHERRY MOVING COMPANY INC. DBA CHERRY DEMOLITION, SMITH-MOBLEY, INC., and WILLIS DEMOLISHING COMPANY** for Demolition Services (Approved by Ordinance No. 2009-900) - **DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; H - GONZALEZ and I - RODRIGUEZ**
16. ORDINANCE approving and authorizing License Agreement between the City of Houston and **SMG** as Manager of Reliant Park, for the use of Reliant Park Facilities by the Department of Health and Human Services as site to conduct the Fourth Annual Hip Hop for HIV Awareness Campaign and providing a \$102,156.42 of Federal Grant Funds for such event - **DISTRICT D - ADAMS**
17. ORDINANCE approving and authorizing first amendment to Lease Agreement by and between **BNC SOUTH LOOP ASSOCIATES, L.P.** ("Landlord") and the City of Houston, Texas ("Tenant") for a space at 2636 South Loop West, Houston, Texas
18. ORDINANCE accepting into the City Collection a quilt entitled "Power of Houston," currently located at the George R. Brown Convention Center, and a medallion to Christoph Eschenbach, located at Jones Hall; providing for deaccession of a design feature known as "Cornerstones," located at Jones Plaza; and appropriating \$6,600.00 out of C & E - GRB Consolidated Construction Fund for the appraisal of 26 works of art in the collection of the Convention & Entertainment Facilities Department - **DISTRICT I - RODRIGUEZ**

ORDINANCES - continued

19. ORDINANCE amending Ordinance No. 2009-741, as amended, to increase the maximum contract amount for a contract between the City of Houston and **EPSTEIN BECKER GREEN WICKLIFF & HALL, P.C.** for Legal Services relating to various utility related matters, upcoming Water/Sewer Rate Cases, Legislative Assistance and Legal Consultation - \$200,000.00 - General Fund
20. ORDINANCE appropriating \$1,668,022.00 out of Equipment Acquisition Consolidated Fund for Purchase of Parking Meter Devices and associated equipment, signage and stripping for the Administration & Regulatory Affairs Department - **DISTRICT I - RODRIGUEZ**
21. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **GENUINE PARTS COMPANY dba NAPA AUTO PARTS** for Automotive and Equipment Turnkey Parts Services for Public Works & Engineering Department approved and authorized by Ordinance No. 05-705
22. ORDINANCE amending Ordinance No. 2007-0811 to increase the maximum contract amount for contract between the City of Houston and **HAHN EQUIPMENT COMPANY, INC** for Submersible Pump Repair Services for Public Works & Engineering Department - \$537,500.00 - Enterprise Fund
23. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **APRIL VILLAGE SUBDIVISION, SECTION 1** and **LAKESIDE PLACE SUBDIVISION, SECTION 7** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT G - PENNINGTON**
24. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **KEMPWOOD SUBDIVISION, SECTION 1** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT A - STARDIG**
25. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **KESWICK PLACE SUBDIVISION REPLAT** and **RAMBLEWOOD PARK SUBDIVISION, SECTION 1 REPLAT** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT D - ADAMS**
26. ORDINANCE approving and authorizing first amendment to the Regional Participation Agreement between the City of Houston and the **WOODLANDS TOWNSHIP**
27. ORDINANCE consenting to the creation of **LIBERTY COUNTY MUNICIPAL UTILITY DISTRICT NO. 6**
28. ORDINANCE approving and authorizing a first amendment to an Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** under the American Recovery and Reinvestment Act and first amendment to agreement between the City of Houston and **BUFFALO BAYOU PARTNERSHIP** (Approved by Ordinance 2001-0016) for Allen's Landing - **DISTRICT H - GONZALEZ**

ORDINANCES - continued

29. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for rights-of way in connection with the public improvement project known as the Long Point Reconstruction Project, (from Pech Road to Hollister Street); authorizing the acquisition by donation, purchase, or eminent domain proceedings of sixteen (16) parcels of land required for street widening purposes and four (4) parcels of land for water lines uses; said parcels to be acquired in Fee Simple or Easement Title and situated in the A. H. Osborne Survey, A-610, in Harris County, Texas; such property being more specifically situated and located along the north or south boundary lines of Long Point between Pech Road and Hollister Street in Houston, Harris County, Texas; providing for the payment of the costs of such acquisitions, including Appraisal Fees, Fees for Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees - **DISTRICT A - STARDIG**
30. ORDINANCE appropriating \$1,700,000.00 out of Drainage Improvement Commercial Paper Series F Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **AECOM USA GROUP, INC** for Services associated with the Storm Water Management Program (Approved by Ordinance No. 2003-1195)
31. ORDINANCE de-appropriating \$855,136.00 out of Water & Sewer System Consolidated Construction Fund (Authorized by Ordinance No. 2008-221 for Design of the North Corridor Consolidation Plan); appropriating \$855,136.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **KELLOGG BROWN & ROOT SERVICES, INC** for Northgate and Imperial Valley Wastewater Treatment Plant Improvements - **DISTRICT B - JOHNSON**
32. ORDINANCE appropriating \$4,893,527.00 out of Metro Projects Construction Fund, awarding contract to **DURWOOD GREENE CONSTRUCTION CO.** for Generic City Wide Overlay Package #15; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, construction management, and contingencies relating to construction of facilities financed by the Metro Projects Construction Fund

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 33

MISCELLANEOUS

33. **SET HEARING DATE** to consider a Municipal Setting Designation ordinance for BAE Systems Resolution Corporation, Inc for the site located at 4516 Harrisburg Blvd. - **DISTRICT H - GONZALEZ**
HEARING DATE - 9:00 A.M. - WEDNESDAY - JULY 14, 2010

MATTERS HELD - NUMBERS 34 through 38

34. ORDINANCE approving and authorizing contract between the City of Houston and **MARJO HOUSE INCORPORATED**, providing up to \$399,459.00 in Housing Opportunities for Persons With AIDS Funds, which amount includes a limitation on additional funding in the amount of \$199,729.50, for the operation and administration of a community residence located at 1706 Gellhorn Drive, Houston, Texas, along with the provision of supportive services - **DISTRICT B - JOHNSON** - **POSTPONED BY MOTION #2010-249, 4/28/10**
This was Item 38 on Agenda of April 28, 2010
35. MOTION by Council Member Clutterbuck/Seconded by Council Member Noriega to adopt recommendation to award to **EQUIPMENT DEPOT, LTD.** for Forklifts for Houston Airport System \$63,738.00 - Enterprise Fund - **TAGGED BY COUNCIL MEMBER JONES**
This was Item 8 on Agenda of May 12, 2010
36. MOTION by Council Member Clutterbuck/Seconded by Council Member Noriega to adopt recommendation to **AMEND MOTION #2008-654, 8/20/08, TO INCREASE** spending authority from \$1,577,127.00 to \$1,971,408.75 for Fittings and Appurtenances for Department of Public Works & Engineering, awarded to **CPR SERVICES AND SUPPLIES, INC d.b.a MDN ENTERPRISES** - \$394,281.75 - Enterprise Fund - **TAGGED BY COUNCIL MEMBER JONES**
This was Item 9 on Agenda of May 12, 2010
37. RESOLUTION approving and authorizing the nomination of **SYSCO CORPORATION** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project - **TAGGED BY COUNCIL MEMBER JONES**
This was Item 11 on Agenda of May 12, 2010
38. ORDINANCE **AMENDING ARTICLE XV OF CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to traffic in neighborhood areas; containing findings and other provisions relating to the foregoing subject; providing for severability
TAGGED BY COUNCIL MEMBERS SULLIVAN, BRADFORD and ADAMS
This was Item 15 on Agenda of May 12, 2010

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Pennington 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

CITY COUNCIL CHAMBER - CITY HALL 2nd FLOOR - TUESDAY
MAY 18, 2010 – 2:00 PM

NON-AGENDA

3MIN	3MIN	3MIN
-------------	-------------	-------------

MR. RAFEL COYLE – Post Office Box 84621 – 77584 – 281-485-0320 – Solution for Housing and Community Development

MR./COACH R. J. BOBBY TAYLOR - 3107 Sumpter - 77026 - FA34511 - Behavior; Fiesta Ballroom, 200 Jackson Street, Houston, disgracing Parents/Children

MR. DAVID MEARS – 5107 Tidewater – 77045 – 713-433-0563 – Public Works Project – no reconstruction of driveway since Sept./2009

MS. ANNA MARTIN – 3114 Airport Blvd. – 77051 – 713-733-1904 – Vacant property

MR. DALE YORK – 8833 Gulf Freeway -77017 – 713-941-8000 – Do you want to stop wasting money

MR. TRIVEDI INDRAVAN – 9043 Beechnut, No. 18 – 77036 – 281-889-5813 – Woman Appreciation Day 2010

MS. BRENDA GOULD – 15911 Ridge Rock Rd. – Missouri City – TX - 77489 – 281-437-9216 – Water bill

MS. ROSILAND JOHNSON – Homeless – Need Housing Assistance

MR. STEPHAN GARRETT – 8223 Twin Tree Lane – 77071 – 713-541-9003 – Civil Rights help

MR. STEVEN LAMB – 11710 Scenic River Drive – 77044 – 281-594-0359 – Brock Park Golf Course

MR. ROY MATA – 234 Sedenhampton – 77015 – 832-438-8980 – Brock Park Golf Course

PREVIOUS

1MIN	1MIN	1MIN
-------------	-------------	-------------

MR. WILLIAM BEAL - 5814 Overdale St. – 77033 – 713-738-3410 – 77042 – Michael Jackson: Dangerous: Michael Corleone

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 – City Hall-HPD W/City populations w/illegal headquarters radio devices w/computer vision

MR. JAMES PARTSCH-GALVAN – 1611 Holman – 77004 – 713-528-2607 – The next Supreme Court Justice should be a Hispanic male

MS. MARY TAYLOR - 1403 Fashion Hill Dr. - 77088 - 281-445-0682 – Projects must be granted from Joe Turner Park and Recreation others

1
MAY 19 2010

MOTION NO. 2010 0205

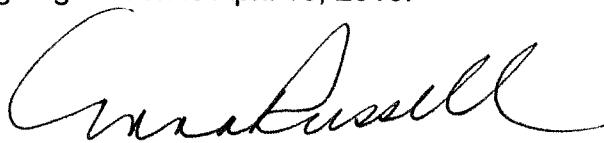
MOTION by Council Member Lovell that the recommendation of the Director of the Department of Public Works and Engineering, to set a hearing date to consider a Municipal Setting Designation ordinance for KBR Technical Services, Inc. for the site located at 4100 Clinton Drive, be adopted, and a Public Hearing be set for 9:00 a.m., Wednesday, May 19, 2010, in the City Council Chamber, Second Floor, City Hall.

Seconded by Council Member Costello and carried.

Mayor Parker, Council Members Stardig, Johnson,
Clutterbuck, Adams, Sullivan, Hoang, Pennington,
Gonzalez, Rodriguez, Costello, Lovell, Noriega,
Bradford and Jones voting aye
Nays none

PASSED AND ADOPTED this 7th day of April, 2010.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is April 13, 2010.


City Secretary

SUBJECT: Motion establishing a public hearing date to consider adopting a Municipal Setting Designation ordinance for KBR Technical Services, Inc. for the site located at 4100 Clinton Drive, Houston, TX 77020. (MSD # 2009-023-KBR)		Page 1 of 1	Agenda Item # <u>35</u>
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 3-31-10	Agenda Date APR 07 2010	
DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director	Council/District affected: B C, D, H, and I are within 5 miles of the site.		
For additional information contact: <i>for Carol</i> Carol Ellinger Haddock, P.E. Senior Assistant Director (713) 837-7658 Richard J. Chapin, <i>RJC</i> Senior Project Manager (713) 837-0421	Date and identification of prior authorizing Council action: 8/22/2007 – 2007-0959		
RECOMMENDATION: (Summary) Establish a public hearing date to consider adopting a Municipal Setting Designation ordinance for KBR Technical Services, Inc. for the site located at 4100 Clinton Drive, Houston, TX 77020.			
Amount and Source of Funding: N/A			
BACKGROUND: In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSDs), which would designate an area in which the use of contaminated groundwater is prohibited for use as drinking water. The law is administered by the Texas Commission on Environmental Quality (TCEQ) and requires municipal support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting the public's health. On August 22, 2007, City Council approved an ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support an MSD application to the State. This ordinance requires a written public notice to be mailed to property owners within one-half mile and owners/operators of drinking water wells within five miles of a proposed MSD site. In addition, a public meeting and a public hearing are required to be held prior to City Council's consideration of an ordinance of support.			
KBR TECHNICAL SERVICES, INC. APPLICATION: KBR Technical Services, Inc. is seeking an MSD for 153-acres of land located at 4100 Clinton Drive, Houston, TX 77020. The contamination consists of arsenic, beryllium, cadmium, chromium, lead, selenium, benzene, 1,2,4-trimethylbenzene, ethylbenzene, vinyl chloride, cis-1,2-dichloroethene (cis-1,2-DCE), 1-methylnaphthalene, and Total Petroleum Hydrocarbons (TPH). The site currently has 28 buildings used for general office purposes, medical offices, storage, Harris County Sheriff's offices, and light construction/carpentry. The buildings were constructed in the 1970s and 1980s. The site entered into the TCEQ's Voluntary Clean-up Program (VCP-ID No. 1719) on July 7, 2004. No contaminants of concern were identified in groundwater with concentrations exceeding the non-ingestion protective concentration limits. A public meeting will be held at 6:00 PM on 4/6/2010 at the Ripley House, 4410 Navigation, Houston, TX 77011.			
KBR Technical Services, Inc. is seeking an MSD for this property to restrict access to groundwater to protect the public against exposure to contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property.			
RECOMMENDATIONS: City ordinance requires City Council to hold a public hearing before adopting a Municipal Setting Designation ordinance (MSD). The Department of Public Works and Engineering recommends establishing a public hearing date not sooner than six weeks from passage of the motion and directing the City Secretary to publish notice of the hearing no less than thirty (30) calendar days before the public hearing date for KBR Technical Services, Inc. for the site located at 4100 Clinton Drive, Houston, TX 77020. Preferred public hearing date is 5/19/2010.			
MSM:MLL:CAE P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - PUBLIC HEARING.DOC C: Marty Stein, Gary Drabek, Ceil Price			
REQUIRED AUTHORIZATION CUIC ID# 20CAE80			
Finance Department:	Authorization: <i>Mark L. Loethen</i> Mark L. Loethen, P.E. Acting Deputy Director Planning and Development Services Division	Other Authorization:	

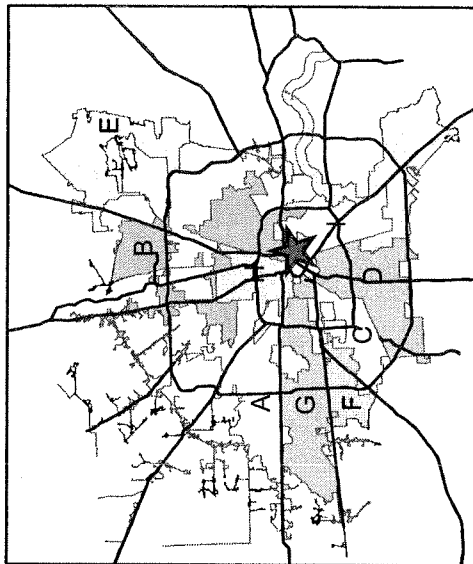
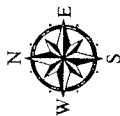
Municipal Settings Designation Application

2009-023-KBR

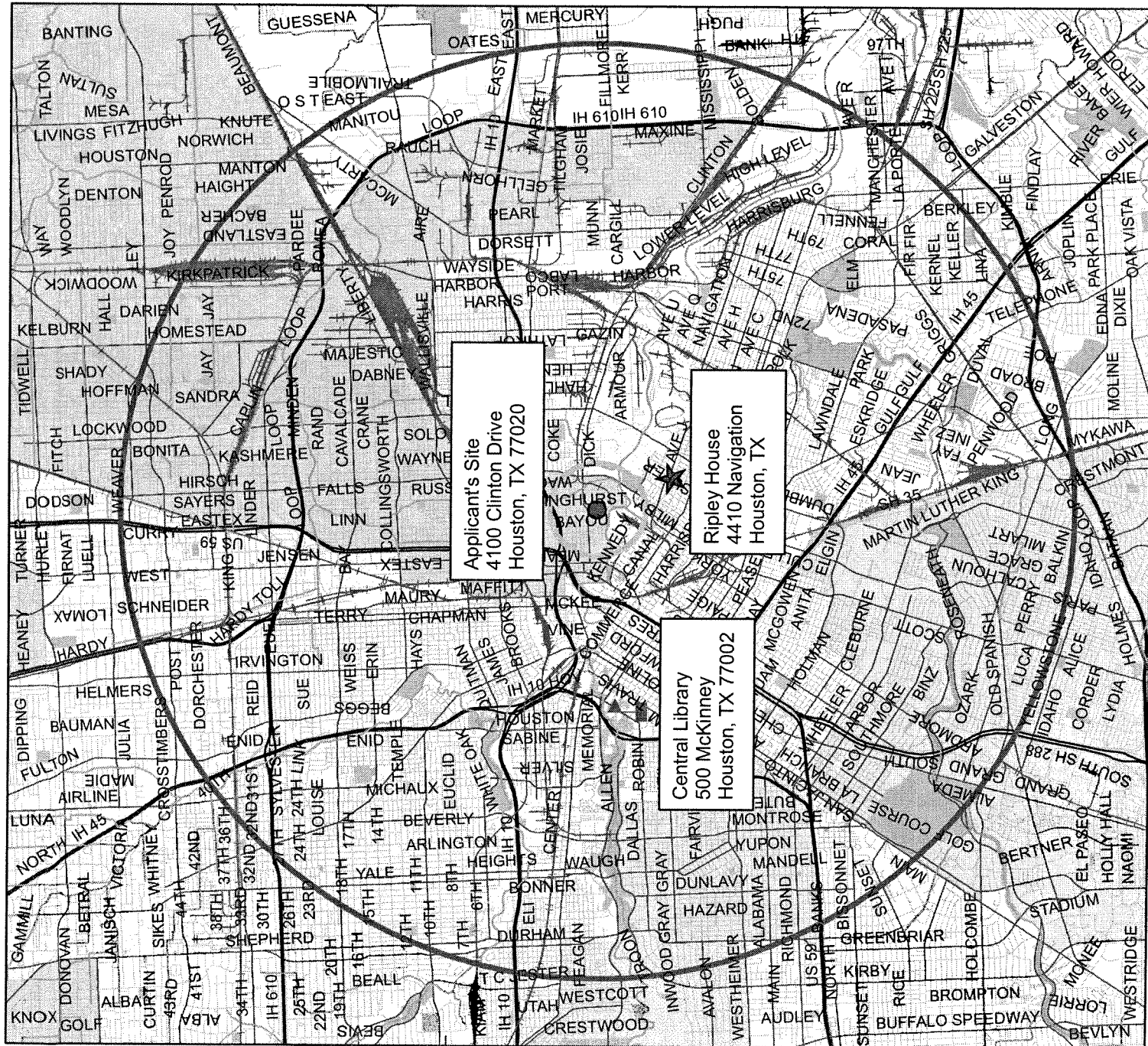
Vicinity Map

Legend

- MSD Application
- ★ Community Center
- ▲ Library
- 1/2 Mile Notification Area
- 5 Mile Notification Area



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



2

MAY 19 2010

MOTION NO. 2010 0206

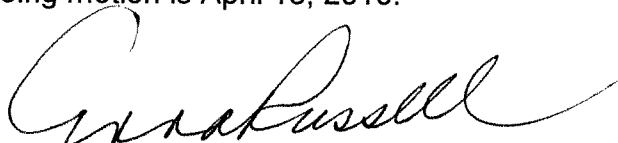
MOTION by Council Member Lovell that the recommendation of the Director of the Department of Public Works and Engineering, to set a hearing date to consider a Municipal Setting Designation ordinance for Weingarten Realty Investors for the site located at 11092 - 11311 Fondren Road, be adopted, and a Public Hearing be set for 9:00 a.m., Wednesday, May 19, 2010, in the City Council Chamber, Second Floor, City Hall.

Seconded by Council Member Clutterbuck and carried.

Mayor Parker, Council Members Stardig, Johnson,
Clutterbuck, Adams, Sullivan, Hoang, Pennington,
Gonzalez, Rodriguez, Costello, Lovell, Noriega,
Bradford and Jones voting aye
Nays none



PASSED AND ADOPTED this 7th day of April, 2010.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is April 13, 2010.


City Secretary

TO: Mayor via City Secretary






REQUEST FOR COUNCIL ACTION

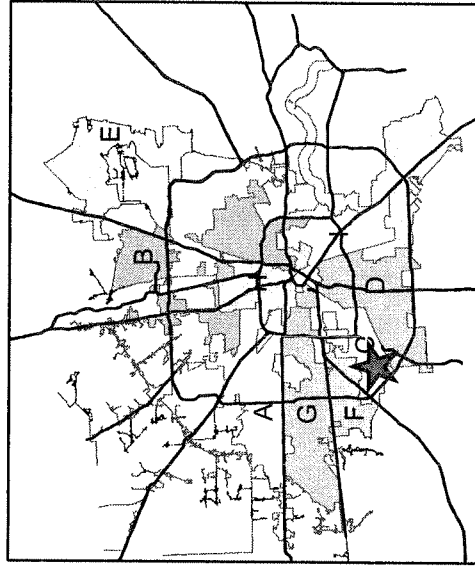
SUBJECT: Motion establishing a public hearing date to consider adopting a Municipal Setting Designation ordinance for Weingarten Realty Investors for the site located at 11092 - 11311 Fondren Road, Houston, TX 77071. (MSD # 2010-024-FSW)		Page 1 of 1	Agenda Item # <u>36</u>
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 3/31/10	Agenda Date APR 07 2010
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		Council District affected: C D, F and G are within 5 miles of the site.	
For additional information contact: Carol Ellinger Haddock, P.E. Senior Assistant Director (713) 837-7658 Richard J. Chapin, <u>RJC</u> Senior Project Manager (713) 837-0421		Date and identification of prior authorizing Council action: 8/22/2007 - 2007-0959	
RECOMMENDATION: (Summary) Establish a public hearing date to consider adopting a Municipal Setting Designation ordinance for Weingarten Realty Investors for the site located at 11092 - 11311 Fondren Road, Houston, TX 77071.			
Amount and Source of Funding: N/A			
BACKGROUND: In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSDs), which would designate an area in which the use of contaminated groundwater is prohibited for use as drinking water. The law is administered by the Texas Commission on Environmental Quality (TCEQ) and requires municipal support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting the public's health. On August 22, 2007, City Council approved an ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support an MSD application to the State. This ordinance requires a written public notice to be mailed to property owners within one-half mile and owners/operators of drinking water wells within five miles of a proposed MSD site. In addition, a public meeting and a public hearing are required to be held prior to City Council's consideration of an ordinance of support.			
WEINGARTEN REALTY INVESTORS APPLICATION: Weingarten Realty Investors is seeking an MSD for 28.7-acres of land located at 11092 - 11311 Fondren Road, Houston, TX 77071. The contamination consists of tetrachloroethene (PCE), trichloroethene (TCE), 1,1-dichloroethene (1,1-DCE), trans-1-2-dichloroethene (trans-1,2-DCE), cis-1-2-dichloroethene (cis-1,2-DCE), vinyl chloride (VC), benzene toluene ethylbenzene xylenes (BTEX), methyl tertiary butyl ether (MTBE), Total Petroleum Hydrocarbons (TPH), and naphthalene. There are three plumes, or areas of contamination, on the site, two are chlorinated ethene plumes, and the other is a hydrocarbon plume. All three are stable and decreasing, and the source has been removed. The current land use at the property is predominantly commercial/retail. The site is currently enrolled in the TCEQ's Voluntary Clean-up Program (VCP - ID No. 1964). A public meeting will be held at 6:00 PM on 4/20/2010 at the Bayland Community Center, 6400 Bissonnet, Houston, TX 77074.			
Weingarten Realty Investors is seeking an MSD for this property to restrict access to groundwater to protect the public against exposure to contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property.			
RECOMMENDATIONS: City ordinance requires City Council to hold a public hearing before adopting a Municipal Setting Designation ordinance (MSD). The Department of Public Works and Engineering recommends establishing a public hearing date not sooner than six weeks from passage of the motion and directing the City Secretary to publish notice of the hearing no less than thirty (30) calendar days before the public hearing date for Weingarten Realty Investors for the site located at 11092 - 11311 Fondren Road, Houston, TX 77071. Preferred public hearing date is 5/19/2010			
MSM:MLL:CAE P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - PUBLIC HEARING.DOC C: Marty Stein, Gary Drabek, Ceil Price			
REQUIRED AUTHORIZATION CUIC ID# 20CAE81			
Finance Department:	Authorization:  Mark L. Loethen, P.E. Acting Deputy Director Planning and Development Services Division	Other Authorization:	

Municipal Settings Designation Application

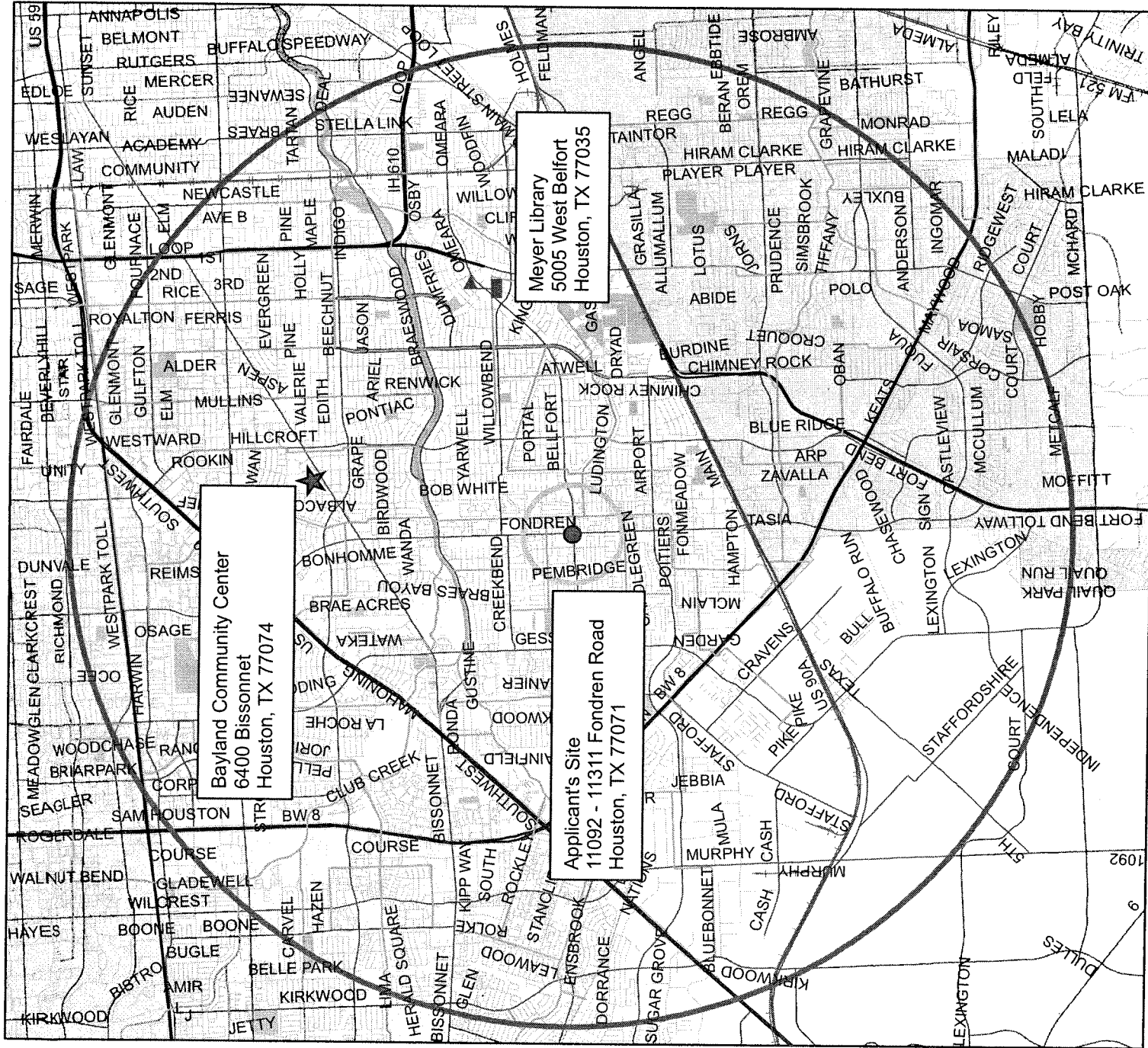
2010-024-FSW Vicinity Map

Legend

-  Library
-  MSD Application
-  Community Center
-  1/2 Mile Notification Area
-  5 Mile Notification Area



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



3
MAY 19 2010

MOTION NO. 2010 0286

MOTION by Council Member Clutterbuck that nominations for appointment to Position 12 of the Houston Archaeological and Historical Commission Board of Directors, for a two year term that will end March 1, 2012, be closed.

Seconded by Council Member Noriega and carried.

Mayor Parker, Council Members Stardig, Johnson,
Clutterbuck, Adams, Sullivan, Hoang, Pennington,
Gonzalez, Rodriguez, Costello, Noriega, Bradford
and Jones voting aye
Nays none
Council Member Lovell absent

PASSED AND ADOPTED this 12th day of May 2010.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is May 18, 2010.

City Secretary

Mr. Charles Stava was nominated by Council Member Gonzalez.



ANNISE D. PARKER
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

4

MAY 19 2010

May 4, 2010

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 5-26-10
date

COUNCIL MEMBER: _____

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to city of Houston Electrical Code Section 203, I am reappointing the following individuals to the Electrical Board for terms to expire January 2, 2012, subject to Council confirmation:

Mr. Eliot L. Doucet, reappointment to Position Two;
Mr. Antonio A. Orta, reappointment to Position Four;
Mr. Edward T. Dickerson, reappointment to Position Six, and to serve as Chair;
Ms. Piridy F. Nelson, reappointment to Position Eight;
Mr. Javier M. Ramos, reappointment to Position Ten.

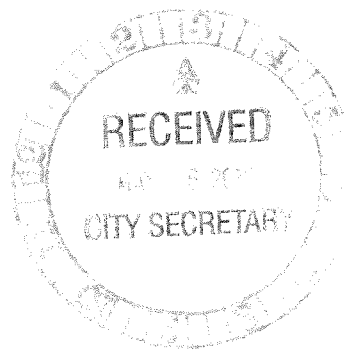
Résumés of the nominees are attached for your review.

Sincerely,







Annise D. Parker
Mayor

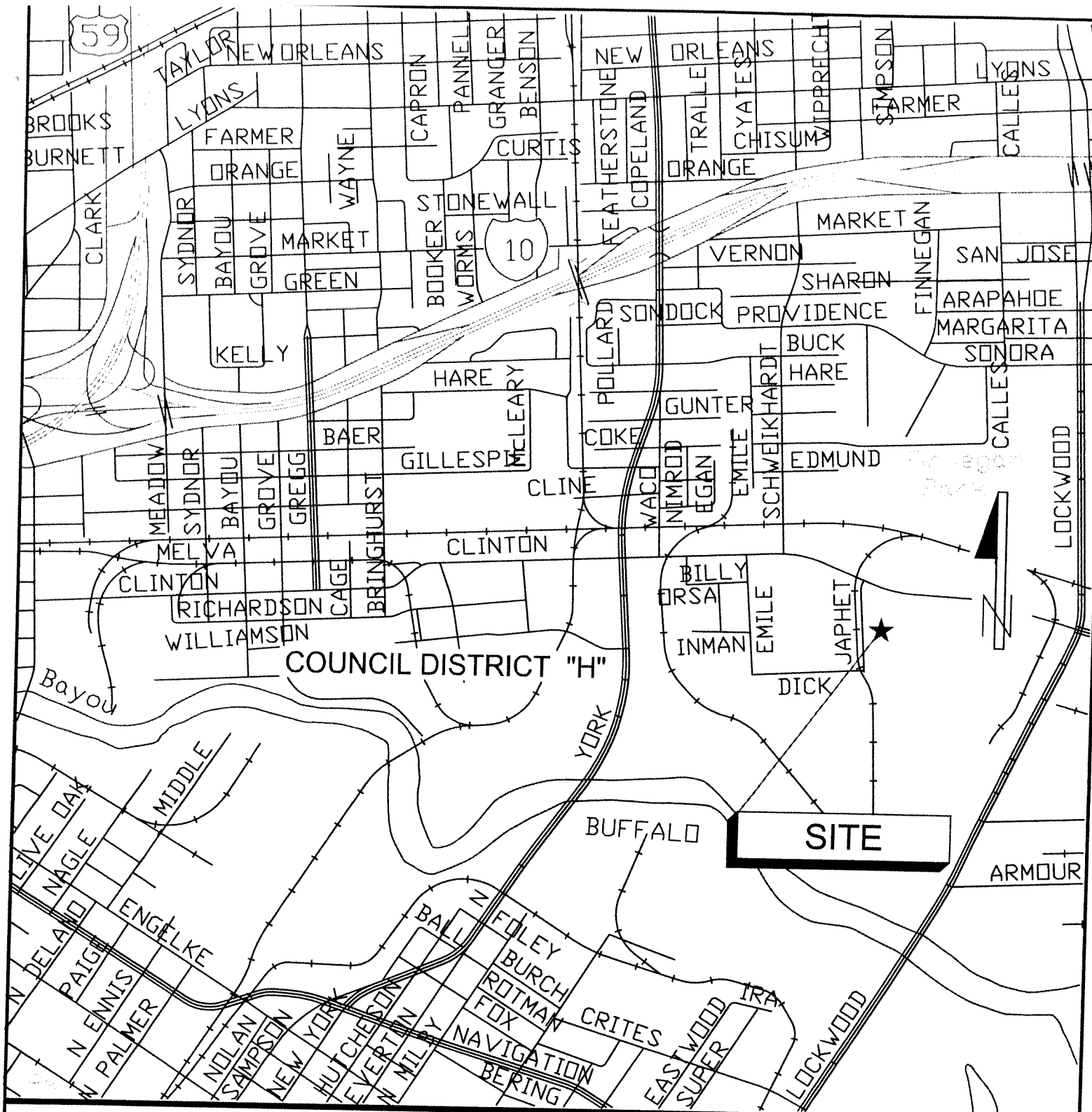
AP:JC:ss

Attachments



cc: Mr. N.A. Weiman, Division Manager, Code Enforcement, Public Works and
Engineering Department

SUBJECT: Accept Work USA Environment, L.P. Soil Disposal for Right-of-Way Fleet Maintenance Facility at 100 Japhet Street and 1700 East Crosstimbers Street WBS No. N-00653C-0002-4		Page 1 of 1	Agenda Item 5
FROM (Department or other point of origin): General Services Department		Origination Date 5/13/10	Agenda Date MAY 19 2010
DIRECTOR'S SIGNATURE:  Forest R. Christy, Jr., Interim Director		Council District affected: H	
For additional information contact: Jacquelyn L. Nisby  Phone: 832-393-8023		Date and identification of prior authorizing Council action: Ordinance: 09-1258 Dated: 12/09/2009	
RECOMMENDATION: Pass a motion approving the final contract amount of \$173,754.80 accept the work and authorize final payment.			
Amount and Source of Funding: No Additional Funding Required Previous Funding: \$217,974.00 Street and Bridge Consolidated Construction Fund (4506)		Finance Budget:	
SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$173,754.80 or 1.47% under the original contract amount, accept the work and authorize final payment to USA Environment, L.P. for construction services at the Right-of-Way Fleet Maintenance Facilities for the Department of Public Works and Engineering.			
PROJECT LOCATIONS:: 100 Japhet Street, Houston, Texas (Key Map 494-L) 1700 East Crosstimbers Street, Houston, Texas (Key Map 453-M)			
PROJECT DESCRIPTION: The project completed loading, hauling and proper disposal of excess stockpiled soil classified by the landfill as Class 1 – contaminated and Class 2 – less contaminated non-hazardous waste.			
CONTRACT COMPLETION AND COST: The contractor completed the project within 45 days of the original contract duration of 90 days. The final cost of the project, including Change Order 1 is \$173,754.80, a decrease of \$2,585.20 under the original contract amount.			
PREVIOUS CHANGE ORDER: Change Order 1 excavated and disposed of an additional 728 cubic yards of Class 2 non-hazardous material from the Japhet Street facility due to changes in the foundation design and provided a credit for soil that was not required to be removed from the Crosstimbers Street facility.			
FRC:HB:JLN:GM:FK:fk 			
c: Marty Stein, Jacquelyn L. Nisby, Velma Laws, Calvin Curtis, Gabriel Mussio, Wes Phillips, Martha Leyva, Kim Nguyen, File.			
REQUIRED AUTHORIZATION CUIC ID # 25GM216			
General Services Department:  Humberto Bautista, P.E. City Engineer	Other Authorization:	Department of Public Works and Engineering:  Michael S. Marcotte, P.E., D.WRE, BCEE Director 	

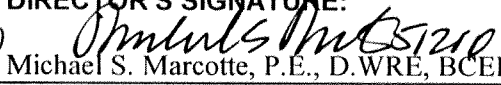





SOIL DISPOSAL FOR RIGHT-OF-WAY FLEET MAINTENANCE FACILITY

100 JAPHET
HOUSTON, TX 77020

COUNCIL DISTRICT "H"

KEY MAP NO. 494L

SUBJECT: Accept Work for Water Line Replacement in Briar Park & Gulf Meadows II. WBS No. S-000035-00L1-4.		Page <u>1</u> of <u>1</u>	Agenda Item # <u>6</u>
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date <u>5/13/10</u>	Agenda Date <u>MAY 19 2010</u>
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		Council Districts affected: E & 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. #2008-0100 dated 02/06/2008 	
RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$1,790,802.48, which is 1.88% under the original Contract Amount, accept the Work and authorize the final payment.			
Amount and Source of Funding: No additional appropriation required. (Original appropriation of \$2,081,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500.)			

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

DESCRIPTION/SCOPE: The project consisted of construction of 1,899 linear feet of 12-inch, 23,761 linear feet of 8-inch, and 33 linear feet of 4-inch diameter water lines, valves, and appurtenances. Kuo & Associates, Inc. designed the project with 240 calendar days allowed for construction. The project was awarded to Collins Construction, LLC. with an original Contract Amount of \$1,825,177.93.

LOCATION: The project is generally bound by:

1. Briar Park Phase: Burgoyne on the north, Westhollow Park on the south, Panagard on the east and Joel Wheaton on the west
 2. Gulf Meadows Phase: Red Robin on the north, Fuqua on the south, Balantine Street on the east, and Telephone on the west.
- The project is located in the Key Map Grids 488-T and 575-N, P, S & T.

CONTRACT COMPLETION AND COST: The Contractor, Collins Construction, LLC. has completed the Work under subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities is \$1,790,802.48, a decrease of \$34,375.45 or 1.88% under the original Contract Amount.

The decreased cost is a result of the differences between planned and measured quantities. This decrease is primarily due to an underrun in Base Unit Price Item No. 21 - 8-inch diameter ductile iron water line w/restrained joints by augering, Base Unit Item No. 24 - 8-inch diameter water line w/restrained joints in 12" steel casing by augering, and the work not requiring use of most Extra Unit Price Items.



M/WBE PARTICIPATION: The M/WBE goal for this project was 22.00%. According to Affirmative Action and Contract Compliance Division, the actual participation was 26.06%. The Contractor was awarded an "Outstanding" rating for M/WBE compliance.

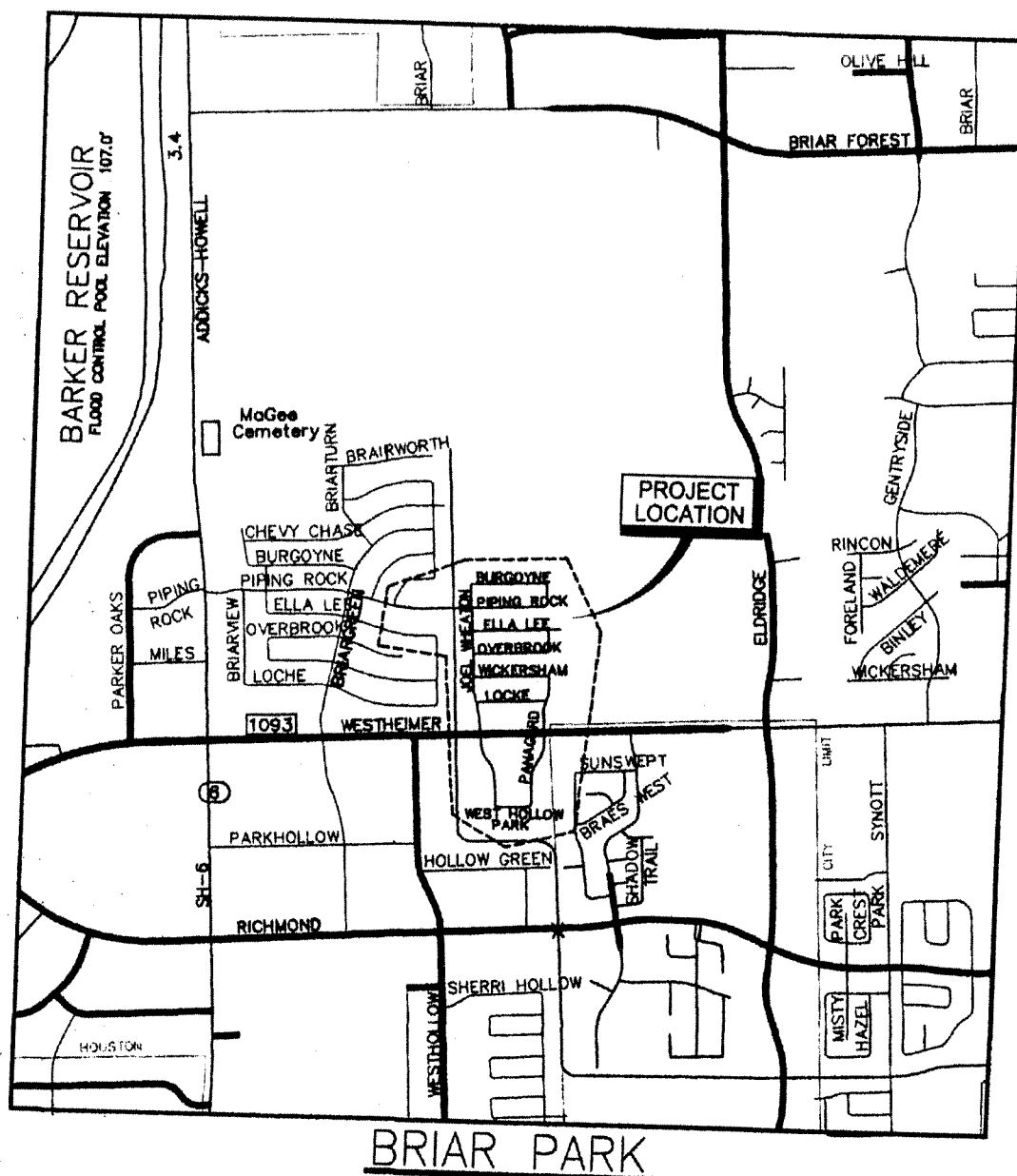
MSM:DRM:JTL:JAK:JEC:mq
Z:\E&C Construction\South Sector\PROJECT FOLDER\S-000035-00L1-4 (Briar Park)\Closeout\RCA\RCA.DOC

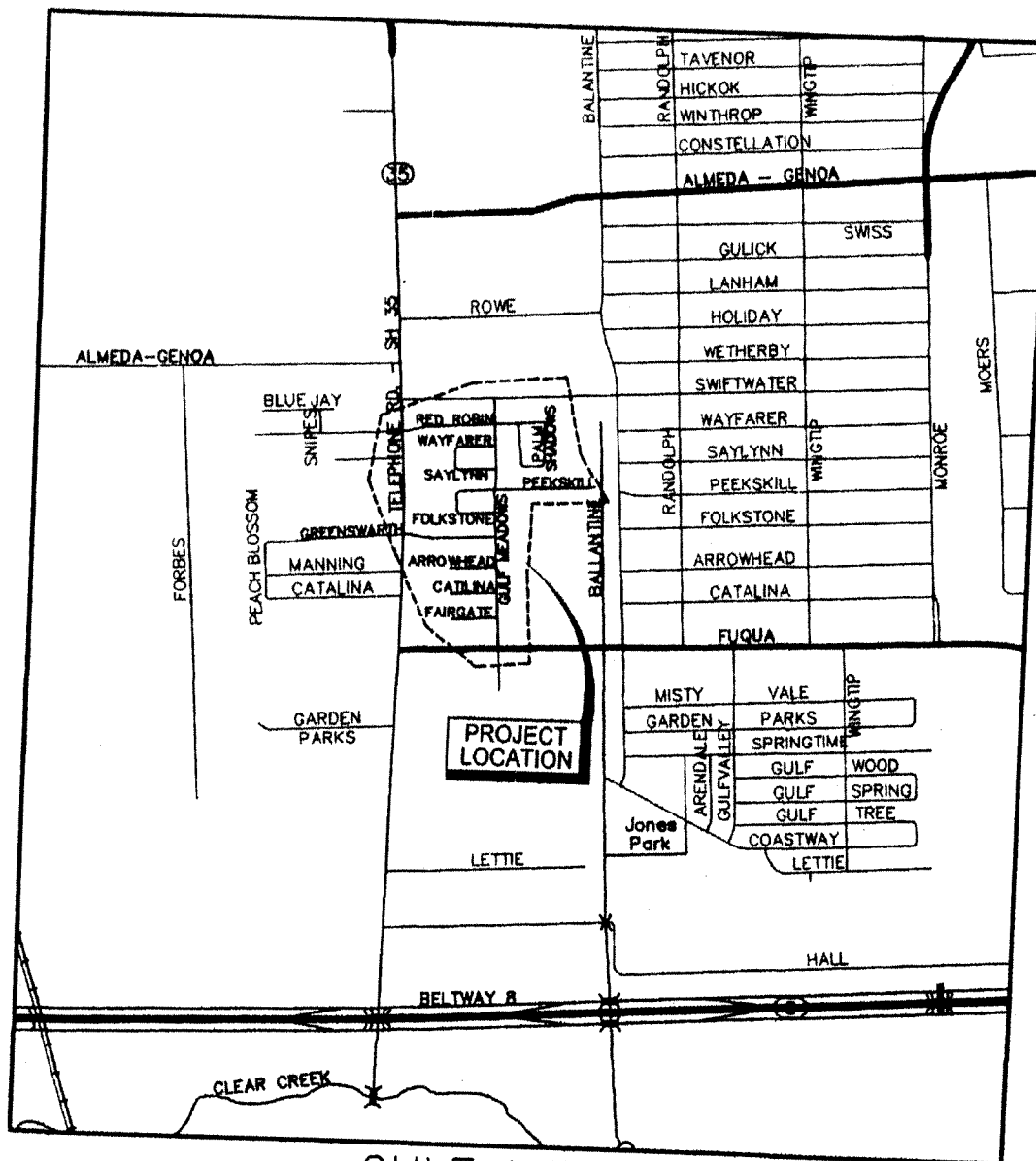
c: File No. S-000035-00L1-4 - 21.0

REQUIRED AUTHORIZATION

CUIC ID# 20MZQ157



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





GULF MEADOWS

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Water Line Replacement in Timber Oaks West Area. WBS No. S-000035-00M7-4.		Page <u>1</u> of <u>1</u>	Agenda Item # <u>7</u>
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date <u>5-13-10</u>	Agenda Date <u>MAY 19 2010</u>
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		Council Districts affected: A	
For additional information contact:  J. Timothy Lincoln, P.E. Senior Assistant Director Phone: (832) 395-2355		Date and Identification of prior authorizing Council Action: Ord. #2009-447 dated 05/27/2009	

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$997,013.40, which is 4.37% 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 \$1,235,240.00 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 18,691 linear feet of 4-inch, 6-inch, and 8-inch diameter water lines, valves and appurtenances. Omega Engineers, Inc. / Lockwood, Andrews & Newnam designed the project with 195 calendar days allowed for construction. The project was awarded to D. L. Elliott Enterprises, Inc. with an original Contract Amount of \$955,269.05.

LOCATION: The project area is generally bound by Raritan on the north, Shadow Oaks on the south, Triway on the east and Shadow Bend on the west. The project is located in the Key Map Grids 449-V & Z.

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 with an additional 2 days approved by Change Order No. 1. The final cost of the project, including previously approve Change Order No. 1 and overrun and underrun of estimated bid quantities is \$997,013.40, an increase of \$41,744.35 or 4.37% over the original Contract Amount.

The cost overrun is a result of the differences between planned and measured quantities. This increase is primarily due to an overrun in Base Unit Price Item No. 23 - 3/4-inch to 1-inch diameter water taps and copper service lines with meter box, short side., which was necessary to complete the work.



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

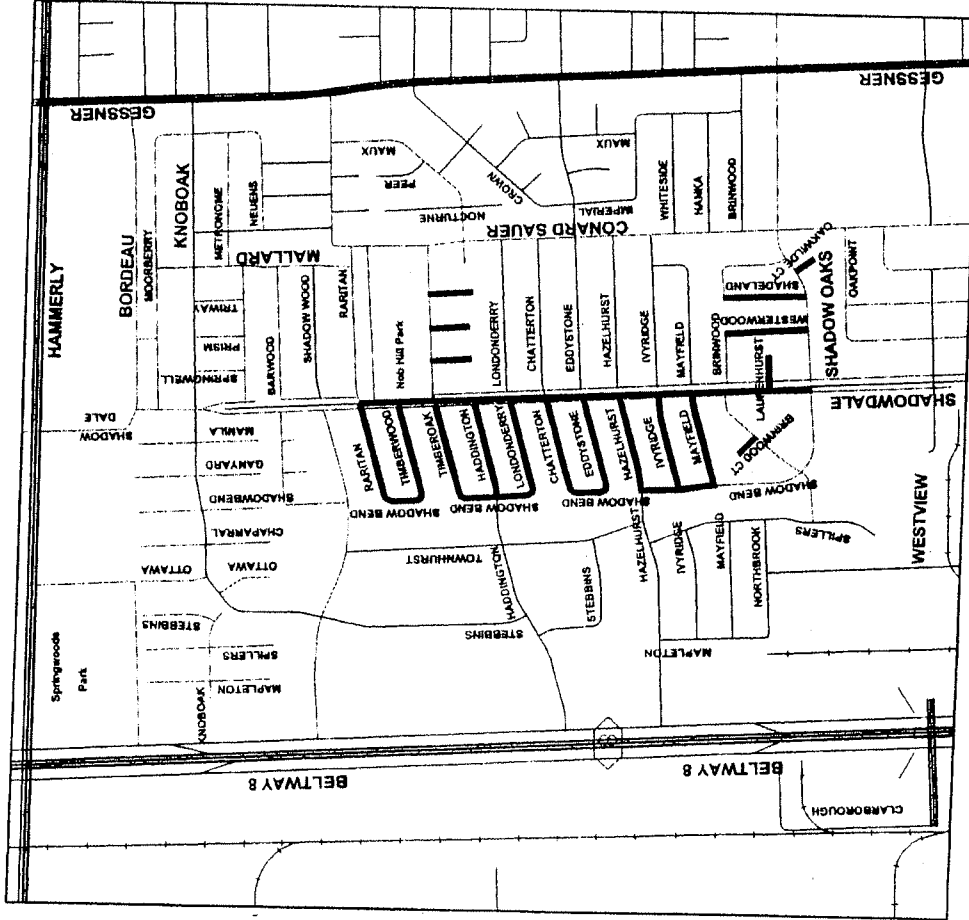
MSM:DRM:JTL:JAK:AH:mq
Z:\E&C Construction\South Sector\PROJECT FOLDER\S-000035-00M7-4 (Timber Oaks)\21.0 Close-out Documentation\RCA\RCA.DOC.

c: File No. S-000035-00M7-4 - 21.0

REQUIRED AUTHORIZATION

CUIC ID# 20MZQ166

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



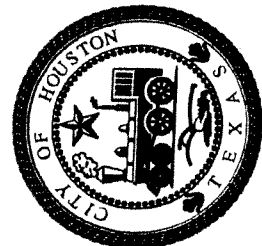
Street	Start	End	PROPOSED WATER LINE SIZE(IN)			TOTAL PROPOSED LENGTH(LF)
			4"	6"	8"	
SHADOW BEND	TIMBERWOOD	RARITAN			270	270
SHADOW BEND	LONDONDERRY	TIMBER OAKS			560	560
SHADOW BEND	EDDYSTONE	CHATTERTON			300	300
SHADOW BEND	MAYFIELD	HAZELHURST		15	620	635
RARITAN	SHADOWDALE	SHADOW BEND		50	814	864
TIMBERWOOD	SHADOWDALE	SHADOW BEND			808	808
TIMBEROAK	SHADOWDALE	SHADOW BEND			870	870
HADDINGTON	SHADOWDALE	SHADOW BEND			881	881
LONDONDERRY	SHADOWDALE	SHADOW BEND			835	835
CHATTERTON	SHADOWDALE	SHADOW BEND			874	874
EDDYSTONE	SHADOWDALE	SHADOW BEND			811	811
HAZELHURST	SHADOWDALE	SHADOW BEND			882	882
IVYRIDGE	SHADOWDALE	SHADOW BEND			860	860
MAYFIELD	SHADOWDALE	SHADOW BEND			840	840
WISTERWOOD	SHADOW OAKS	BRINWOOD		710	710	710
SHADOWDALE	SHADOW OAKS	RARITAN		15	3,863	3,878
SPRINGWELL	TIMBEROAKS	LOOP			810	810
PRISM	TIMBEROAKS	LOOP			860	860
TRIWAY	TIMBEROAKS	LOOP			840	840
SHADELAND	SHADOW OAKS	BRINWOOD		677		677
OAK WILDE CT	SHADOW OAKS	CUL-DE-SAC		115	60	175
BRINDWOOD CT	BRINWOOD	CUL-DE-SAC		210	10	220
LAURENHURST	SHADOWDALE	CUL-DE-SAC			305	305
		TOTAL (LF)	325	1,537	16,843	18,705

N.T.S. KEY MAP 449V Z GIMS MAP NO. 5162C, 5161A

CITY OF HOUSTON

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

WATER LINE REPLACEMENT IN
TIMBER OAKS WEST AREA
(WBS No. S-000035-00M7-4)



Ω OMEGA ENGINEERS, INC.
16350 Park Ten Place
Houston, Texas 77064
Tel 281-647-9182 Fax 281-647-9184




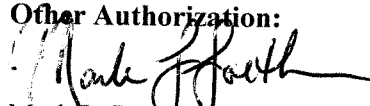
Scale 1:20

VICINITY MAP

MARCH, 2009

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Request for the sale of ±34,892 square feet of excess, fee-owned West Bellfort right-of-way, located in Section 34 of the James Hamilton Survey, A-887. Parcel SY10-048		Page <u>1</u> of <u>2</u>	Agenda Item # 8
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 5/13/10	Agenda Date MAY 19 2010
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		Council District affected: C 	
For additional information contact: Nancy P. Collins  Phone: (713) 837-0881 Senior Assistant Director-Real Estate		Key Map: 532T	
Date and identification of prior authorizing Council Action:			
RECOMMENDATION: (Summary) It is recommended City Council approve a Motion authorizing the sale of ±34,892 square feet of excess, fee-owned West Bellfort right-of-way, located in Section 34 of the James Hamilton Survey, A-887. Parcel SY10-048			
Amount and Source of Funding: Not Applicable			
SPECIFIC EXPLANATION: Shelley Barrett, R.G. Miller Engineers, Inc., 12121 Wickchester Lane, Suite 200, Houston, Texas 77079, on behalf of Americor Partners, Ltd., [Americor Land LLC. (John Hunt, Manager), General Partner], requested the sale of ±34,892 square feet of excess, fee-owned West Bellfort right-of-way, located in Section 34 of the James Hamilton Survey, A-887. Americor Land LLC., the abutting property owner, wants to incorporate the property being sold into its abutting property for commercial development. Signs notifying the public of the pending street abandonment application were posted for at least thirty days. By deed filed on November 12, 1978, recorded under Harris County Clerk's File Number F859575, the City acquired a 5.54-acre tract of land as street right-of-way for the Bellfort Paving project. Following completion of the project construction, a ±34,892-square-foot portion of right-of-way being south of the West Bellfort right-of-way remained. The City no longer requires this excess, fee-owned right-of-way and determined that it can be sold to the abutting property owner, Americor Partners, Ltd. This is Part One of a two-step process in which the applicant will first receive a City Council authorized Motion acknowledging the concept of the subject request. Upon the applicant satisfactorily completing all transaction requirements including those enumerated below, the Department of Public Works and Engineering will forward a subsequent recommendation to City Council requesting passage of an Ordinance effecting the sale. The Joint Referral Committee reviewed and approved this request. Therefore, it is recommended: 1. The City sell ±34,892 square feet of excess, fee-owned West Bellfort right-of-way, located in Section 34 of the James Hamilton Survey, A-887; 2. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the property being sold; 3. 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; 4. The Legal Department be authorized to prepare the necessary transaction documents; and			
z:\tp\sy10-048.rc1.doc		CUIC #20TP9114	
REQUIRED AUTHORIZATION			
Finance Department:	Other Authorization:	Other Authorization:  Mark E. Loethen, P.E., CFM, PTOE Acting Deputy Director Planning and Development Services Division	

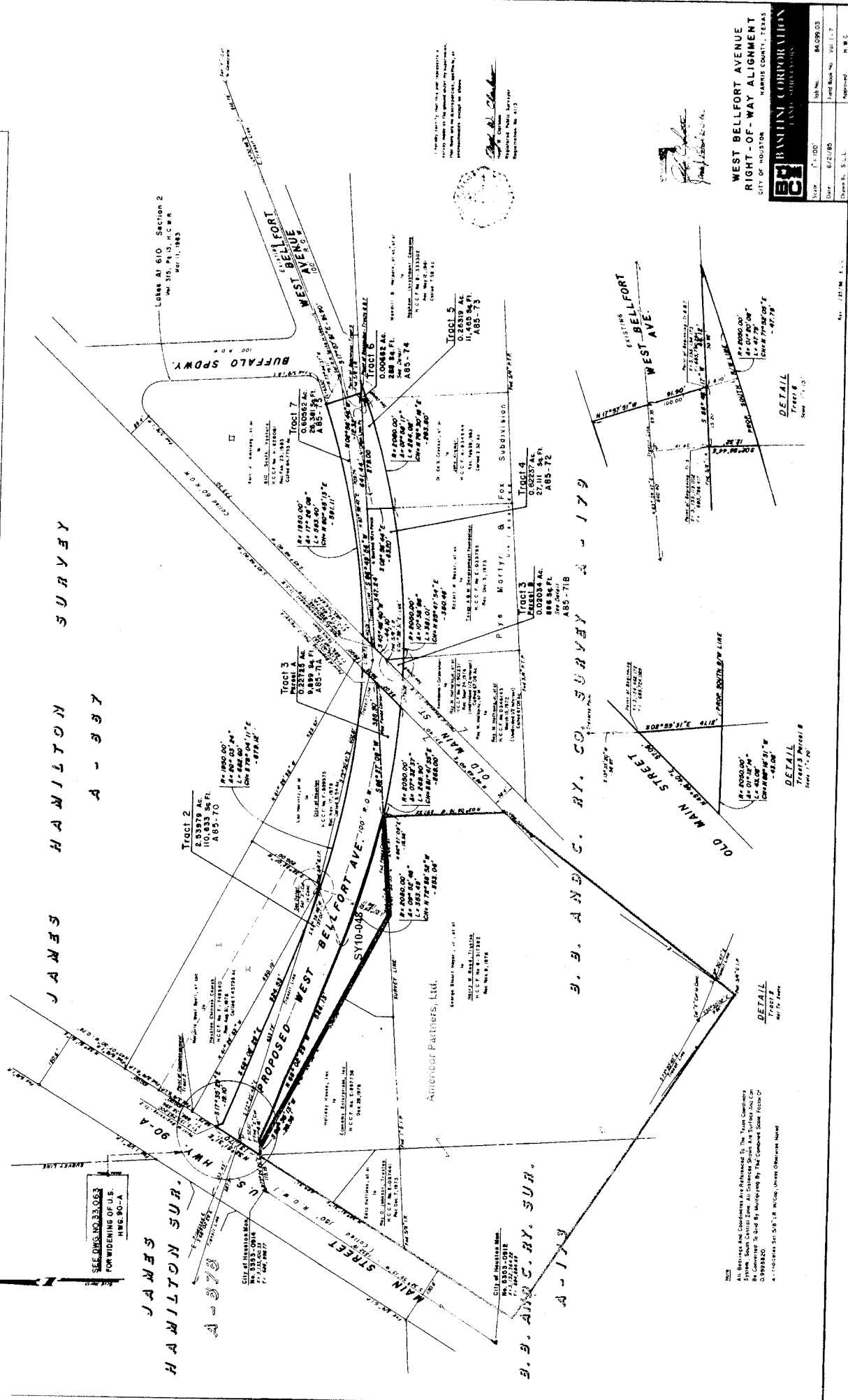
Date:	Subject: Request for the sale of ±34,892 square feet of excess, fee-owned West Bellfort right-of-way, located in Section 34 of the James Hamilton Survey, A-887. Parcel SY10-048	Originator's Initials	Page <u>2</u> of <u>2</u>
--------------	--	------------------------------	-------------------------------------

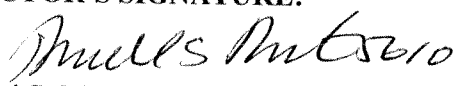


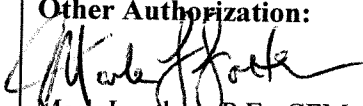
5. Inasmuch as the value of the City's property interest is not expected to exceed \$1,000,000.00, that the value be established by Bruce Bailey, an independent appraiser appointed by the Director of Public Works and Engineering.

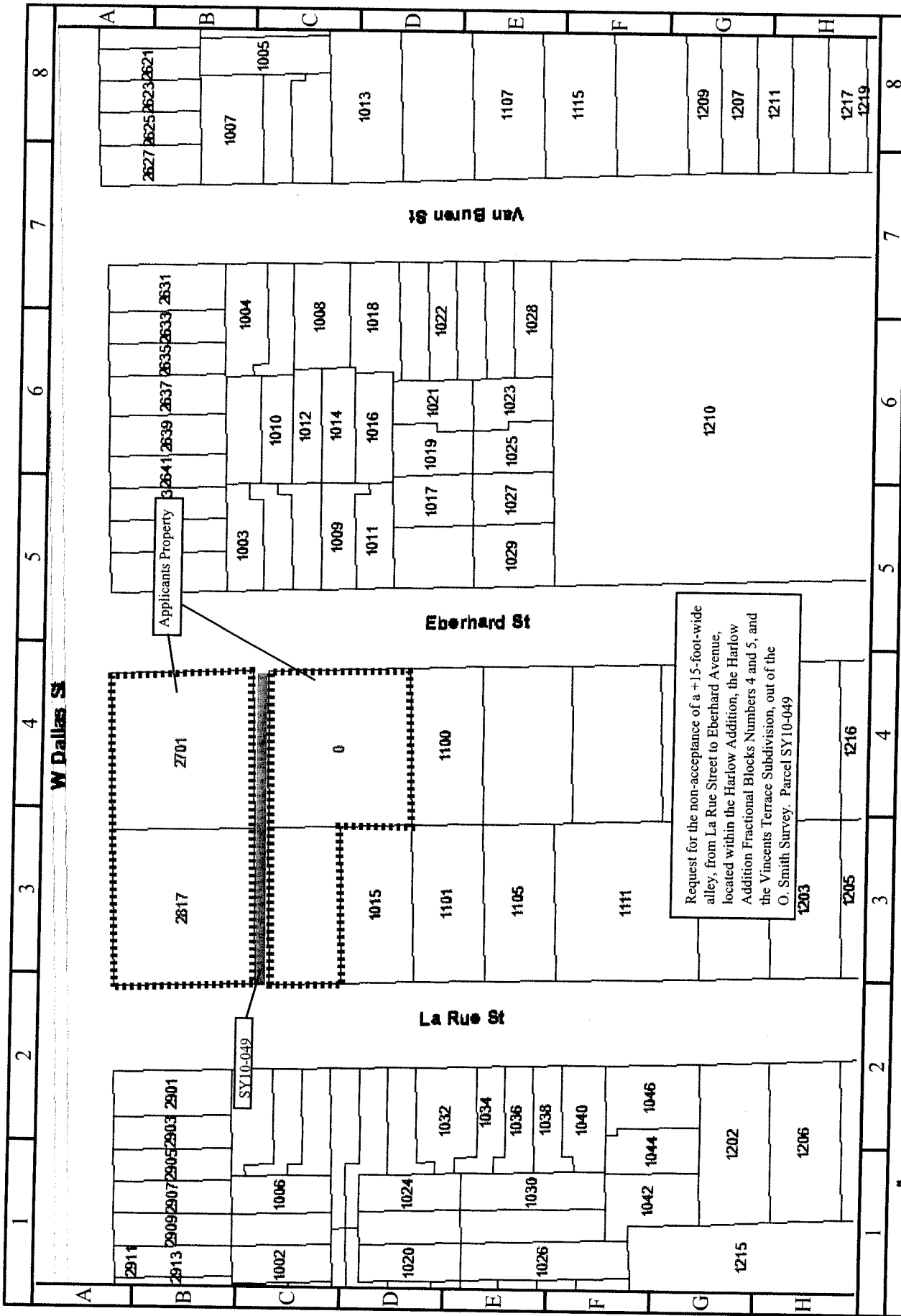
MSM:NPC:tp

c: David Feldman
Rick Flanagan
Marlene Gafrick
Daniel Menendez, P.E.
Marty Stein
Jeffery Weatherford, P.E., PTOE

Request for the sale of $\pm 34,892$ -square-feet of excess, fee-owned West Bellfort right-of-way, located in Section 34 of the James Hamilton Survey, A-887.
Parcel SY10-048



SUBJECT: Request for a council motion declining the acceptance of, rejecting, and refusing the dedication of a ±15-foot-wide alley, from La Rue Street to Eberhard Avenue, located within the Harlow Addition, the Harlow Addition Fractional Blocks Numbers 4 and 5, and the Vincents Terrace Subdivision, out of the O. Smith Survey. Parcel SY10-049		Page <u>1</u> of <u>1</u>	Agenda Item # 9
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 5-14-10	Agenda Date MAY 19 2010
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		Council District affected: D Key Map 493N 	
For additional information contact:  Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director-Real Estate		Date and identification of prior authorizing Council Action:	
RECOMMENDATION: (Summary) It is recommended City Council approve a council motion declining the acceptance of, rejecting, and refusing the dedication of a ±15-foot-wide alley, from La Rue Street to Eberhard Avenue, located within the Harlow Addition, the Harlow Addition Fractional Blocks Numbers 4 and 5, and the Vincents Terrace Subdivision, all out of the O. Smith Survey. Parcel SY10-049			
Amount and Source of Funding: Not Applicable			
SPECIFIC EXPLANATION: Mark Gordon, 4545 Post Oak Place, Suite 340, Houston, Texas, 77027, on behalf of Vincent Mandola, requested the abandonment and sale of a ±15-foot-wide alley, from La Rue Street to Eberhard Avenue. The alley was dedicated to the City by Harlow Addition Plat, dated July 26, 1916, the Harlow Addition Fractional Blocks Numbers 4 and 5 Plat, dated October 20, 1922, and the Vincents Terrace Subdivision Plat, recorded January 25, 2005. The alley was never paved or used for utility purposes. Further, the City has identified no future need for this alley. The abutting property owner, Vincent Mandola, plans to use the subject property as a driveway and rear service area for his adjacent restaurants. The Joint Referral Committee reviewed the request and determined the request could be processed as a non-acceptance. Therefore, it is recommended City Council approve a council motion declining the acceptance of, rejecting, and refusing the dedication of a ±15-foot-wide alley, from La Rue Street to Eberhard Avenue, located within the Harlow Addition, the Harlow Addition Fractional Blocks Numbers 4 and 5, and the Vincents Terrace Subdivision, out of the O. Smith Survey. NPC:WSB:gg c: Jun Chang, P.E. David Feldman Rick Flanagan Marlene Gafrick Daniel Menendez, P.E. Marty Stein Jeffrey Weatherford, P.E., PTOE			
gg\sy10-049.rcl.doc		CUIC #20GG9115	
REQUIRED AUTHORIZATION			
Finance Department:	Other Authorization:	Other Authorization:  Mark Loethen, P.E., CFM, PTOE Acting Deputy Director Planning and Development Services Division	



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

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

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8620

Subject: Formal Bids Received for Submersible Pumps for the Public Works & Engineering Department
N23078

Category #
4

Page 1 of 2

Agenda Item

10

FROM (Department or other point of origin):

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

Origination Date

April 05, 2010

Agenda Date

MAY 19 2010

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

David Guernsey Phone: (832) 395-3640
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve various awards, as shown below, in the total amount of \$158,149.00 for submersible pumps for the Public Works & Engineering Department.

Award Amount: \$158,149.00

Finance Budget

\$158,149.00 - Combined Utility System General Purpose Fund (8305)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve various awards, as shown below, in an amount not to exceed \$158,149.00 for submersible pumps for the Public Works & Engineering Department and that authorization be given to issue purchase orders. These pumps will be used by the Department's Maintenance Management Section to transfer water, chemicals, sewage and sludge from various wastewater plants, wet wells, clarifiers and lift stations throughout the City. The pumps are essential to the daily operations of these facilities and are necessary to maintain compliance with the Texas Commission on Environmental Quality guidelines.

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

KSB Incorporated: Award on its low bid for Item No. 8 (KSB Submersible Pump) in an amount not to exceed \$68,932.00.

<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1. KSB Incorporated	\$68,932.00
2. Pump Solutions, Inc.	\$88,467.00

Pumps & Equipment of Texas, Inc.: Award on its low bid for Item Nos. 9 and 10 (Fairbanks Morse Pumps) in an amount not to exceed \$89,217.00.

<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1. Pumps & Equipment of Texas, Inc.	\$89,217.00
2. Integral Logistics Corp.	\$97,110.00

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NOT

18

Date: 4/5/2010	Subject: Formal Bids Received for Submersible Pumps for the Public Works & Engineering Department N23078	Originator's Initials MK	Page 2 of 2
-------------------	--	--------------------------------	-------------

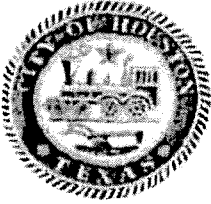
This purchase consists of one 20", 250 HP, 460V, 13,000-gpm, 900-rpm, submersible pump; one 14", 100 HP, 5,100-gpm, 900-rpm, submersible sewage pump and one 10", 75 HP, 3,000-gpm, 900-rpm, submersible sewage pump. All rated for wastewater applications.

The pumps will come with a one-year warranty and the life expectancy is 10-15 years. These new pumps will replace existing 20-year-old units which are inoperable and have exceeded their life expectancy. The old pumps will be stripped of salvageable parts and these parts will be placed in inventory and used to repair similar pumps in the Department's inventory. The unusable components will be sent to the Property Disposal Management Office for disposition.

A purchase order will be issued to Pumps & Power Equipment for Item No. 1 (8" centrifugal self-priming pump), Macaulay Controls for Item Nos. 11 and 12 (1" and 2" peristaltic chemical pumps), and Texas Process Equipment for Item No. 13 (3" horizontal fiberglass chemical pump), as the individual award amounts are less than \$50,000.00.

Item Nos. 2 thru 7 will not be awarded.

Buyer: Martin L. King
PR Nos. 10058677, 10058679 and 10058700



CITY OF HOUSTON

Administration & Regulatory Affairs Department
Strategic Purchasing Division

Correspondence

Interoffice

To: Calvin D. Wells, Deputy Director
City Purchasing

From: Martin L. King
Sr. Staff Analyst
SPD M/WBE Liaison

RECEIVED

MAR 29 2010

CITY OF HOUSTON

Affirmative Action

Date: February 8, 2010

Subject: MWBE Participation Form

I am requesting a waiver of the MWBE goal. Yes ☒ No ☐

Type of Solicitation: ITB ☐ Bid ☒ Proposal ☐

I am requesting a MWBE goal below 11% Yes ☐ No ☐

I am requesting a revision of the MWBE Goal: Yes ☐ No ☐ Original Goal: _____

Yes ☐ No ☐

New Goal: _____

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

Solicitation Number(s): S12-N23078

Estimated Dollar Amount: \$154,490.00

Anticipated Advertisement Date: 01/29/10

Solicitation Due Date: 02/25/10

Goal On Last Solicitation: 0%

Was Goal met: Yes ☐ No ☐

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

Name and Intent of this Solicitation: Furnish and Deliver Pumps, Submersible; Peristaltic; Centrifugal; Hydraulic for the Public Works & Engineering Department. This solicitation is for the one-time purchase of various pumps that will replace inoperable units.

Rationale for requesting a Waiver or Revision: These various pumps will be shipped directly from the OEM manufacturer/distributor to the City end-user. Therefore, there is no divisible work that can be performed by an M/WBE subcontractor on this one-time procurement.

Previous related pump replacement projects were advertised with 0% MWDBE participations.

Concurrence:

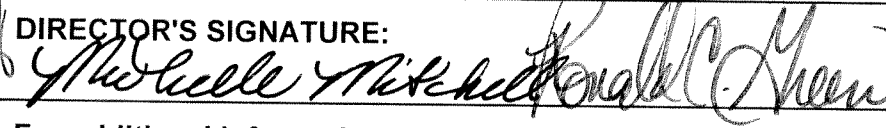
Initiator

Robert Gallegos, Deputy Assistant Director
*Affirmative Action

Deputy Assistant Director

Calvin D. Wells, Deputy Director
City Purchasing Agent

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

SUBJECT: An Ordinance supplementing City of Houston Ordinance No. 2009-1118 relating to the issuance of City of Houston, Texas Combined Utility System Commercial Paper Notes, Series B, and approving additional Credit Agreements relating to the issuance of an aggregate principal amount of Series B Notes not to exceed \$300 million.		Category #	Page 1 of 1	Agenda Item # 11
FROM (Department or other point of origin): Finance Department and Office of City Controller		Origination Date: 5/14/2010	Agenda Date MAY 19 2010	
DIRECTOR'S SIGNATURE: 		Council District Affected: All		
For additional information contact: Jim Moncur 832 - 393 - 1009 Shawnell Holman-Smith 832 - 393 - 3513		Date and identification of prior authorizing Council action: ORDINANCE NO. 2004-299 ORDINANCE NO. 2004-368 ORDINANCE NO. 2009-1118		
RECOMMENDATION: An Ordinance supplementing Ordinance No. 2009-1118 relating to the issuance of City of Houston, Texas, Combined Utility System Commercial Paper Notes, Series B; determining the maximum principal amounts of Subseries B-4, B-5 and B-6, not to exceed \$300 million combined, and approving additional credit agreements in connection therewith; approving an updated offering memorandum; and resolving other matters related thereto.				
Amount of Funding:		Not Applicable		Finance Dept Budget:
Source of Funding: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)				

SPECIFIC EXPLANATION:

Starting in 1993, City Council began authorizing CP programs to provide appropriation capacity and "on time" funding for various capital expenditures of the City. The issuance of CP has provided an expedient, cost-effective method of accessing cash and providing interim financing. CP notes are later refinanced into long term debt more closely matching the useful life of the project or equipment being financed.

In December 2009, City Council authorized the creation of a new commercial paper program for the Combined Utility System. Designated as Series B, the program was authorized for an amount up to \$700 million. However, due to the limited supply of credit at the time, the City was only able to obtain \$400 million of credit facilities to support for the program. Given the recent increased availability of credit, the City is now in a position to secure an additional \$300 million of credit facilities to support the program.

This Ordinance authorizes the addition of \$300 million of credit facilities to support the Series B Commercial Paper Program. Therefore, the City will increase its capacity to issue CP by \$300 million.

Based on the most favorable terms offered, the Mayor and City Controller recommend the following banks to provide the additional credit facilities: Barclays for up to \$200 million; Citi for up to \$200 million; and Sumitomo Bank for up to \$100 million with the aggregate amount up to \$300 million. Recommended co-bond counsel is Andrews Kurth LLP and Edgardo E. Colon, P. C.

Recommendation: The FWG recommends approval of this item.

REQUIRED AUTHORIZATION

Finance Department Director:	Other Authorization:	Other Authorization:
-------------------------------------	-----------------------------	-----------------------------


HCD10-94a

To: Mayor Via City Secretary

REQUEST FOR COUNCIL ACTION

10 - ACCT

Subject: An Ordinance Authorizing the Execution of a Contract Between the City of Houston and AIDS Coalition of Coastal Texas, Inc. for a HOPWA Emergency Housing Assistance Program.		Category 1,2	Page 1 of 2	Agenda Item # 12
From (Department or other point of origin): James D. Noteware Housing and Community Development Department Director's Signature		Origination Date 05/03/10	Agenda Date MAY 19 2010	
		Council District affected: N/A		
For additional information contact: Keith W. Bynam Phone: 713.868.8396		Date and Identification of prior authorizing Council action:		
Recommendation: (Summary) Approval of an ordinance authorizing the execution of a Contract between the City of Houston and AIDS Coalition of Coastal Texas, Inc. to provide funding for the administration and operation of a Tenant-Based Rental Assistance, Short-Term Rent, Mortgage, and Utility Assistance and Supportive Services project under the Housing Opportunities for Persons with AIDS ("HOPWA") Program.				
Amount of Funding \$362,422.00 HOPWA Grant		Finance Budget:		
Source of Funding <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund HOPWA Grant Fund 5000				
<input type="checkbox"/> Other (Specify)				
Specific Explanation The Housing and Community Development Department ("HCDD") recommends approval of a Contract between the City of Houston and AIDS Coalition of Coastal Texas, Inc. ("AIDS Coastal") to finance the organization's administrative and emergency housing assistance costs associated with its HIV/AIDS program. AIDS Coastal provides supportive services and direct emergency financial assistance to persons living with HIV/AIDS who are presently on a HUD Section 8 waiting list, as well as those who are at risk of becoming homeless due to lost employment, long-term hospitalization/illness and similar circumstances. AIDS Coalition of Coastal Texas began receiving HOPWA funds from the City of Houston in February 2006. The City of Houston had been assigned responsibility for the Galveston and Brazoria Counties as part of its Eligible Metropolitan Statistical Area (EMSA) for the HOPWA Program. The City of Houston's EMSA for the HOPWA Program currently consists of Austin, Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, San Jacinto and Waller Counties. The proposed project will provide tenant-based rental assistance; short-term rent, mortgage and utilities assistance; and supportive services. The Contract will provide up to \$362,422.00 in HOPWA funds for one year of funding, which is inclusive of \$89,540.00 in pre-contract services. The pre-contract costs result from a lapse in funding due to internal procedure modification. However, the agency continues to provide services for the clients. Through this agreement, AIDS Coastal will provide supportive services and housing assistance to a minimum ninety (90) individuals with HIV/AIDS and fifty (50) family members for a total of 140 persons served.				
Required Authorization				
Finance Director	Other Authorization	Other Authorization NOT		

Date 05/03/10	Subject: An Ordinance Authorizing the Execution of a Contract Between the City of Houston and AIDS Coalition of Coastal Texas, Inc. for a HOPWA Emergency Housing Assistance Program.	Originator's Signature 	Page 2 of 2
--------------------------------	---	--	--------------------

Services to be provided will include housing assistance and supportive services such as mental health services, case management, nutritional services, and client advocacy. The agency is requesting funding to provide: (1) tenant-based rental assistance and supportive services at fifty (50) scattered-site units, and (2) short-term rent, mortgage, and utility assistance and supportive services at forty (40) scattered-site units for low-income, HIV/AIDS infected individuals and their families.

Total Funds and Services:	\$362,422.00
Number of Persons Served:	140 clients and family members
Category of Persons:	Low-income individuals living with HIV/AIDS

The tenant-based rental assistance program will provide approximately \$300/month to clients in long-term rental situations. This assistance will be available each month for a 12-month period, at the end of which the client must re-qualify for the program.

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

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

Administrative	\$25,370.00
Supportive Services	\$129,552.00
Tenant-Based Rental Assistance	\$180,000.00
Short-Term Rent, Mortgage and Utility Assistance	\$27,500.00
Total	\$362,422.00

The Housing and Community Development Department recommends approval of this contract.

JN:KB:ab

c: City Attorney
Mayor's Office
City Secretary
Finance Department

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

HCD10-75

10- HACS

SUBJECT: An ordinance approving and authorizing a \$995,000 contract between the City of Houston and Houston Area Community Services, Inc. to provide funding for a HOPWA Tenant-Based Rental Assistance Program with Supportive Services.

Category #**Page**
1 of 2**Agenda Item #**
13**FROM (Department or other point of origin):**

James D. Noteware, Director
Housing and Community Development Department

Origination Date:
5/12/10**Agenda Date:**

MAY 19 2010

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

For additional information contact: Keith W. Bynam, Division Manager
Phone: 713-868-8396

Date and identification of prior authorizing Council action: None**RECOMMENDATION: (Summary)**

The Department recommends approval of an ordinance approving and authorizing a \$995,000 contract between the City of Houston and Houston Area Community Services, Inc. to provide funding for a HOPWA Tenant-Based Rental Assistance Program with Supportive Services.

Amount of Funding: \$995,000**Finance Budget:****SOURCE OF FUNDING**☐ General Fund☐ Grant Fund☐ Enterprise Fund☒ Other (Specify) HOPWA FUND (\$995,000)**SPECIFIC EXPLANATION:**

The Housing and Community Development Department ("HCDD") recommends approval of a Contract between the City of Houston and Houston Area Community Services, Inc. ("HACS") to finance the administrative and tenant-based rental assistance costs associated with its HIV/AIDS program. This program provides a bridge in services for individuals in a transitional stage due to lost employment or similar circumstances.

Houston Area Community Services was established in 1997 to provide intensive case management, outreach programs and housing options to people living with HIV/AIDS. HACS has a very strong reputation in the community as an HIV service provider and is responsible for the management of several local, state and federal grants. Funding sources for the agency have included: U.S. Dept. of Health and Human Services grants from Harris County for HIV/AIDS Case Management Program and Outreach Services, the Center for Disease Control, Substance Abuse and Mental Health Services, Houston Regional HIV/AIDS Resource Group, Inc. (Ryan White Title II and IV), and the City of Houston's HIV/AIDS Prevention grant. U.S. Dept. of Housing and Urban Development (HUD) grants have included Supportive Housing Program funding from Depelchin for Case Management and Scattered Site Housing and the City's HOPWA program.

HACS is presently requesting \$995,000 to provide tenant-based rental assistance, permanent housing placement and other supportive services to a minimum of one-hundred ten (110) scattered-site housing units for HIV/AIDS individuals and their family members for this anticipated 12-month contract. This funding will provide housing assistance and supportive services to approximately one-hundred ten (110) HIV positive persons and their families.

Total Funds and Services: \$995,000
Number of Persons Served: 110 households
Category of Persons: Low-income individuals living with HIV/AIDS

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

NOT

Date
5/15/10

Subject: An ordinance approving and authorizing a \$995,000 contract between the City of Houston and Houston Area Community Services, Inc. to provide funding for a HOPWA Tenant-Based Rental Assistance Program with Supportive Services.

**Originator's
Initials**

Page
2 of 2

The Tenant-Based Rental Assistance program will provide approximately \$600/month to clients in long-term rental situations. This assistance will be available each month for a 12-month period, at the end of which the client must re-qualify for the program.

Permanent Housing Placement is an eligible supportive service activity under the HOPWA program. It helps clients obtain permanent housing by providing housing referral, tenant counseling, first month's rent and security deposit (not to exceed two month's rent), application fees and credit check expenses.

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

Administrative	\$60,274.23
Tenant-Based Rental Assistance	\$644,879.07
Supportive Services	\$289,846.70
Total	\$995,000.00

The Department recommends approval of an ordinance approving and authorizing a \$995,000 contract between the City of Houston and Houston Area Community Services, Inc. to provide funding for a HOPWA Tenant-Based Rental Assistance Program with Supportive Services. The term of this contract will be for 12-months, beginning March 1, 2010 through February 28, 2011.

AE:KB:MA

Cc: Mayor's Office
City Secretary
Legal Department
City Controller

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance de-obligating CDBG Stimulus Funds and appropriating Equipment Acquisition Consolidated Funds (WBS No V-1800-2010-01-02-01)Page
1 of 1

Agenda Item #

14

From: (Department or other point of origin):
Finance Department**Origination Date**
February 9, 2010**Agenda Date**
MAY 19 2010**Director's Signature:**

Michelle Mitchell, Director

Council District affected:
All**For additional information contact:**

James A. Tillman, IV 713.837.9615

Date and identification of prior authorizing Council action: Ord. No. 2009-772 (8/19/09)
CM No. 2009-0861 (12/2/09)**Recommendation: (Summary)**

Adopt Ordinance approving the de-obligation of Community Development Block Grant Stimulus Funds and appropriating Equipment Acquisition Consolidated Funds for purchase of a pumper truck for the Fire Department

Amount and Source of Funding:

De-obligate:

\$253,315.58 American Recovery and Reinvestment Act Community Development Block Grant Fund (CDBG-R)

Appropriate/Allocate:

\$144,127.83 Equipment Acquisition Consolidated Fund (1800)

\$109,187.75 ARRA – National Clean Diesel Program (Fund 5300)

SPECIFIC EXPLANATION:

On August 19, 2009 City Council authorized the use of \$2,000,000 in CDBG Stimulus Funds (CDBG-R) to purchase four pumper trucks for the Fire Department. The actual purchase price of the vehicles was \$253,315.58 less, and the remainder was combined with Equipment Acquisition Consolidated Funds to purchase a fifth pumper truck. Council approved the purchase of these and other HFD fleet on December 2, 2009.

CDBG regulations require that the first four pumpers be delivered prior to ordering the fifth. Therefore, in order to hasten the delivery, the Finance Department recommends de-obligating the CDBG-R funds for the fifth pumper and replacing that amount with a combination of Equipment Acquisition Consolidated Funds and ARRA National Clean Diesel Program Funds. The deobligated CDBG-R Funds will be rolled over into the FY11 Fire Department fleet equipment acquisition plan.

This project uses funds awarded under the Recovery and Reinvestment Act of 2009 (ARRA). The City of Houston and the recommended vendor will adhere to and comply with the Special reporting requirements associated with ARRA grant expenditures as required by the granting agency and/or the Office of Management and Budget.

Cc: Marty Stein

REQUIRED AUTHORIZATION**CUIC #: 65MM02****Other Authorization:****Other Authorization:****Other Authorization:**

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of a supplemental allocation from the General Fund to various contracts in support of the HPD Neighborhood Protection Corps Demolition Day effort and repayment of the General Fund by a subsequent issuance of Certificates of Obligation.

Page
1 of 2

Agenda Item #

15

FROM: (Department or other point of origin):

Finance Department

Origination Date:

5/14/2010

Agenda Date:

MAY 19 2010

DIRECTOR'S SIGNATURE:

Michelle Mitchell, Finance Director

Council District affected:

A, B, C, D, E, H, I

For additional information contact:

Jennifer Mott

Phone: 713-837-9899

Date and identification of prior authorizing**Council action:** Ordinance 2009-900, 09/18/09;
Ordinance 209-1100, 11/10/09; Ordinance 2009-942,
06/03/09.

RECOMMENDATION: (Summary) Adopt an Ordinance approving an allocation from General Fund monies to various contracts in support of the demolition of dangerous structures and the repayment of the General Fund through a subsequent issuance of Certificate of Obligations.

Amount and Source of Funding: \$1,428,506.60 – General Fund 1000

Specific Explanation:

On Saturday, May 22, 2010 the Neighborhood Protection Corps of the Houston Police Department will coordinate the demolition of 185 unsafe structures in Houston neighborhoods. All of these structures are residential in nature. Owners failed to remedy the condition cited in the Dangerous Building Order within the prescribed time. The process will include the disconnection of utilities, demolition of the structures, fencing of the debris piles, removal of the debris, air monitoring where required, and filing of liens against the properties to recover the City's costs.

In support of the demolition of dangerous buildings, Council approved the following contracts:

- Demolition contracts with JTB Services, Incorporated; Fernandez & Son, Cherry Moving Company dba Cherry Demolition; Smith Mobley, Inc.; and Willis Demolishing Company on September 18, 2009 via Ordinance 2009-900.
- Asbestos abatement contracts with Arrow Services, Inc., PfP Abatement Group, LLC; J.T.B. Services, Inc.; and Inland Environments, Ltd on November 10, 2009 via Ordinance 2009-1100.
- Professional Environmental Services contracts with Honesty Environmental Services, Inc. and Technology Serving People, Inc. on June 3, 2009 via Ordinance 2009-942.

These contracts, which are necessary to accomplish the upcoming demolition event, are well under their maximum approved spending authority. However, they have met, or will soon meet, their approved allocation levels. As there is no current funding capacity available in Dangerous Building Fund No. 1801, Council approval is requested for an expenditure of \$1,428,506.60 by the General Fund to be reimbursed by subsequent issuance of Certificates of Obligation.

REQUIRED AUTHORIZATION

10MLC001

Finance:**Other Authorization:****Other Authorization:**

Date
5/14/2010

Subject: Approval of a supplemental appropriation from the Dangerous Buildings Fund and an allocation from the General Fund to various contracts in support of the HPD Neighborhood Protection Corps Demolition Day effort and repayment of the General Fund by a subsequent issuance of Certificates of Obligation.

**Originator's
Initials**

Page
2 of 2

The City declares its intent to reimburse the General Fund \$1,428,506.60 upon issuance of Certificates of Obligation Notes, Series 2010, which we expect to close in late June 2010.

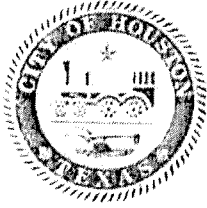
The recommended contract allocations are as follows:

Demolition Contracts		Funding Required for 5/22/10 Demolitions
JTB Services		\$130,000.00
Fernandez & Son		\$130,000.00
Cherry Demolition		\$130,000.00
Smith Mobley		\$130,000.00
Willis Demolishing Co.		\$130,000.00
Asbestos Contracts		
Arrow Services, Inc.		\$284,855.39
PfP Abatement Group		\$32,022.40
Inland Environments, Ltd.		\$391,911.31
Air Quality Contracts		
TSP		\$28,417.50
Honesty Environmental		\$41,300.00
Total		\$1,428,506.60

The funding plan for HPD's portion of costs related to Demolition Day is as follows:

Description	Amount	Funding Source
Demolition Day Project	1,386,189	
Overtime	26,601	General Fund - HPD - NPC Budget
	1,359,588	
Expenses already incurred	361,820	Fund 1801 Current Budget
Available Budget	69,937	Fund 1801 Allocation of Interest Earnings
	927,831	General Fund - Borrowing with Intent to Reimburse

The additional funding of \$500,675.60 included in the total amount of \$1,428,506.60 will fund GSD's portion of costs related to Demolition Day.



CITY OF HOUSTON

Finance Department

Annise D. Parker

Mayor

Michelle Mitchell
Director
P.O. Box 1562
Houston, Texas 77251-1562

T. 713-837-9888
F. 713-837-9879
www.houstontx.gov

To: Council Members

From: Michelle Mitchell, Director
Finance Department

Date: May 14, 2010

Subject: No Tag Memo

RE: Funding Demolition Day

The Dangerous Buildings Program typically demolishes between 300 and 400 buildings a year. However, due to volunteered services, the program has been planning to demolish 185 unsafe structures in one day on May 22nd, 2010, in addition to the few hundred structures typically demolished throughout the rest of the year. The process will include the disconnection of utilities, demolition of the structures, fencing of the debris piles, removal of the debris, air monitoring where required, and filing of liens against the properties to recover City's costs.

A preliminary plan and funding sources was presented to the Neighborhood Protection and Quality of Life committee on Thursday May 6th and reported out favorably. The Dangerous Buildings Program and the Finance Department have continued to refine the plans since then.

In order to take advantage of the volunteered services on Demolition Day this coming Saturday May 22nd, we have placed a recommendation on the May 19th Council Agenda to provide the funding needed for the pre-Demolition Day and post-Demolition Day services such as asbestos abatement and debris removal. Since there will not be another Council meeting prior to May 22nd, we respectfully request that Council does not tag this Ordinance.

If you should require additional information regarding this request, please contact Jennifer Mott at 713-837-9899.

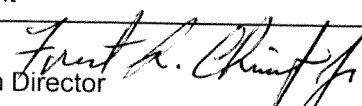

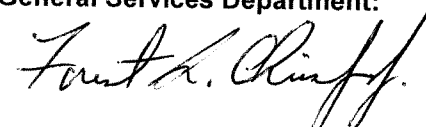

A handwritten signature in cursive script that reads "Michelle Mitchell".

Michelle Mitchell, Director
Finance Department

Council Members: Brenda Stardig Jarvis Johnson Anne Clutterbuck Wanda Adams Mike Sullivan Al Hoang Oliver Pennington Edward Gonzalez
James G. Rodriguez Stephen C. Costello Sue Lovell Melissa Noriega C.O. "Brad" Bradford Jolanda "Jo" Jones Controller: Ronald C. Green

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: License Agreement with SMG, at Reliant Park, for the Disease Prevention and Control Division of the Department of Health and Human Services		Page 1 of 1	Agenda Item 16
FROM (Department or other point of origin): General Services Department		Origination Date 5/13/10	Agenda Date MAY 19 2010
DIRECTOR'S SIGNATURE:  Forest R. Christy, Jr., Interim Director		Council District affected: D	
For additional information contact: Jacquelyn L. Nisby  Phone: 832 393-8023		Date and identification of prior authorizing Council action:	
RECOMMENDATION: Approve and authorize a License Agreement between SMG (Licensor), and the City of Houston (Licensee), for use of the facility commonly known as Reliant Park, located at One Reliant Park, for the Disease Prevention and Control Division of the Department of Health and Human Services and allocate funds.			
Amount and Source of Funding: \$102,156.42 Federal Government - Grant Funded (5000) HIV Prevention Projects Grant		Finance Budget:	
SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve and authorize a License Agreement with SMG, for use of Reliant Park, located at One Reliant Park, by the Disease Prevention and Control Division of the Department of Health and Human Services (DHHS), to host the Fourth Annual Hip Hop for HIV Awareness Campaign(Campaign) . The Campaign has a goal of testing 15,000 youth and young adults for HIV. The Campaign is nationally acclaimed as a "best practice intervention" and is the largest single testing event in the United States each year. The two-day event will provide health screenings for HIV and other sexually transmitted diseases, onsite treatment, as well as educational classes, and will culminate in a free concert featuring well-known hip hop artists for those who fully participated in the health intervention. DHHS is working in partnership with the AIDS Foundation of Houston, KBXX-FM "97.9 The Box", Amerigroup Community Cares, and Cricket Wireless, to provide training, educational support, testing and awareness services, as well as intervention and treatment programs. The proposed License Agreement provides for a two day license term, to commence July 30, 2010 and expire on July 31, 2010. The City shall pay a one-time license fee of \$102,156.42 for the entire event which is allocated as follows: \$ 36,000.00 Exhibit Halls and Meeting Rooms \$ 66,156.42 Operational Costs \$ 102,156.42 Total Cost of Event SMG will provide all maintenance, utilities, and security of the licensed facility. IZD:BC:JLN:RB:rdg xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Fred Maier			
REQUIRED AUTHORIZATION			
General Services Department:  Forest R. Christy, Jr., Director Real Estate Division		Department of Health and Human Services:  Stephen L. Williams, M.Ed., M.P.A. Director	

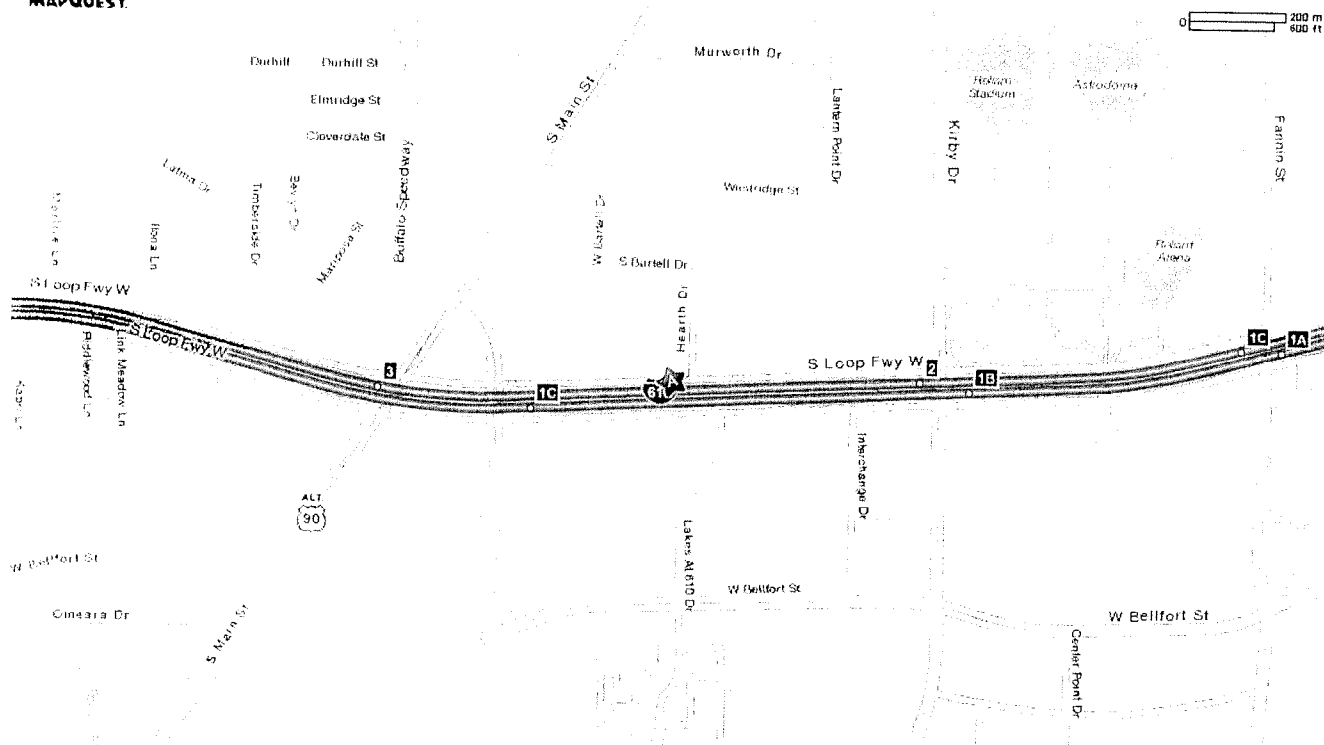
SUBJECT: First Amendment to Lease Agreement with BNC South Loop Associates, L.P. at 2636 South Loop West, Suite 675 for the Sign Administration Group of the Code Enforcement Division of the Department of Public Works and Engineering.		Page 1 of 1	Agenda Item 17
FROM (Department or other point of origin): General Services Department	Origination Date 5/13/10	Agenda Date MAY 19 2010	
DIRECTOR'S SIGNATURE: <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Interim Director	Council District affected: All		
For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ordinance No. 2006-0823, August 9, 2006		
RECOMMENDATION: Approve and authorize First Amendment to Lease Agreement with BNC South Loop Associates, L.P., for the leased space at 2636 South Loop West, Suite 675, for the Sign Administration Group of the Code Enforcement Division of the Department of Public Works and Engineering and allocate funds.			
Amount and Source Of Funding: Sign Administration Fund (2300) \$64,108.00 Initial Base Term		Finance Budget:	
<p>SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve a First Amendment to the Lease Agreement with BNC South Loop Associates, L.P., for approximately 6,204 square feet of leased space at 2636 South Loop West, Suite 675, for the Sign Administration Group of the Code Enforcement Division of the Department of Public Works and Engineering. The Sign Administration Group has utilized this facility for general office space since October 28, 2006.</p> <p>The proposed First Amendment will extend the lease term for an additional eight months at the same monthly rental of \$8,013.50, after which time Sign Administration is scheduled to relocate to the newly renovated Houston Permitting Center at 1002 Washington Avenue. The original lease commenced on October 28, 2006, for an initial four-year term at a monthly rental of \$8,013.50 (\$15.50 psf per year/ \$1.29 psf per month) and will expire on October 28, 2010. Due to the timeline of the extended lease term no funds will be expended until FY11.</p> <p>All other terms and conditions of the original lease remain the same.</p> <p>IZD:BC:JLN:RB:npb</p> <p>xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby</p>			
REQUIRED AUTHORIZATION			
General Services Department: <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Director Real Estate Division		Department of Public Works and Engineering: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director	

**MAPQUEST**

Sorry! When printing directly from the browser your directions or map may not print correctly. For best results, try clicking the Printer-Friendly button.

**2636 S Loop W**

Houston, TX 77054-2680

MAPQUEST

Directions and maps are informational only. We make no warranties on the accuracy of their content, road conditions or route usability or expeditiousness. You assume all risk of use. MapQuest and its suppliers shall not be liable to you for any loss or delay resulting from your use of MapQuest.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT: Ordinance related to the City's Art Collection; approving and authorizing the accessioning of a quilt entitled "Power of Houston," currently located at the George R. Brown Convention Center, and a medallion to Christoph Eschenbach, located at Jones Hall; the de-accessioning of a design feature known as "Cornerstones," located at Jones Plaza; and appropriating the sum of \$6,600 for the appraisal of 26 works of art.

Category #

Page
1 of 1

Agenda Item#

18

FROM: (Department or other point of origin):

Dawn Ullrich, Director
Convention and Entertainment Facilities Department

Origination Date

April 27, 2010

Agenda Date

MAY 19 2010

DIRECTOR'S SIGNATURE:

Dawn Ullrich

Council Districts affected: District 1

For additional information contact:

Stephen W. Lewis

Phone: 713-853-8888

Date and identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

That City Council approve and authorize an Ordinance related to the City's Art Collection; approving and authorizing the accessioning of a quilt entitled "Power of Houston," currently located at the George R. Brown Convention Center, and a medallion to Christoph Eschenbach, located at Jones Hall; the de-accessioning of a design feature known as "Cornerstones," located at Jones Plaza; and appropriating the sum of \$6,600 for the appraisal of 26 works of art.

Amount of Funding: \$6,600

Finance Budget:

Fund 8800 C&E - GRB Consolidated Construction Fund

SPECIFIC EXPLANATION: The Convention and Entertainment Facilities Department requests that City Council approve changes to the City's Art Collection. The Houston Arts Alliance has approved the accessioning of two pieces into the City's permanent art collection. The first piece is a quilt entitled "Power of Houston," gifted in 2004 from Quilts, Inc., the producer of the International Quilt Market and International Quilt Festival held annually at the George R. Brown. The "Power of Houston" is approximately nine feet by six feet and prior to being gifted in 2004, was displayed at quilt events throughout the world. The quilt is currently displayed at the George R. Brown Convention Center. The second piece to be accessioned is a medallion to Christoph Eschenbach, gifted in 1999, and permanently installed on the ground-level plaza of Jones Hall.

Both the Convention and Entertainment Facilities Department and the Houston Arts Alliance request that the design work known as "Cornerstones," currently integrated into the hardscape of Jones Plaza be de-accessioned and reclassified as an architectural treatment for the City, allowing for the use of other municipal funds to make any needed repairs. This piece has had ongoing conservation issues due to environmental factors as well as human interaction. Although treated as an architectural element, the Convention and Entertainment Facilities Department will continue to treat the "Cornerstones" work with all due care and consideration.

The Houston Arts Alliance has approved the formal accessioning of the two art works described above into the City's permanent art collection and the de-accessioning of the design feature "Cornerstones."

Upon the completion of the accessioning and de-accessioning of the works described above, the Convention and Entertainment Facilities Department desires to appropriate \$6,600 for an appraisal to determine the retail replacement value of all 26 works of art in its collection.

REQUIRED AUTHORIZATION

Finance Department

Other Authorization

Other Authorization

18



Natalye L. Appel, FAIA, LEED AP
Natalye Appel + Associates Architects, LLC
2523 Bartlett St.
Houston, TX 77098

Dear Ms. Appel,

Over the last few years the City of Houston Convention & Entertainment Facilities Department (CEFD) has been able to address some of the major repair needs of the artwork *Cornerstones* (2005) through the Civic Art funds. As you know, these funds are generated by setting aside 1.75% of the budgets for certain qualifying Capital Improvement Projects by the City of Houston.

At the request of CEFD, the Houston Arts Alliance Civic Art Committee discussed the most recent repairs to the Southwest corner during their meeting on December 9, 2009. They also discussed what may continue to be ongoing conservation issues due to environmental factors as well as human interaction. The Civic Art Committee voted to request that this artwork become de-accessioned from the City of Houston Art Collection.

CEFD will draft and submit a formal request for City Council action to de-accession the artwork Art Collection. Although de-accessioned from the Collection, the design feature will remain in place at Jones Plaza as it is integrated into the current hardscape of the plaza. This action essentially reclassifies *Cornerstones* as an architectural treatment for the City of Houston, allowing for the use of other municipal funds to make any needed repairs. Please know that CEFD considers an architectural treatment in the highest regard as evidenced by the attention to detail and maintenance in all of their facilities.

Sincerely,

Marshal Lightman
HAA Civic Art Committee, Chair

Cc: Dawn Ulrich, CEFD
Jonathon Glus, HAA



March 31, 2010

Joseph Cooper
Senior Staff Analyst, Corporate Affairs & Marketing
City of Houston
Convention & Entertainment Facilities Department
1001 Avenida de Las Americas
Houston, TX 77010

Dear Mr. Cooper,

At the HAA Civic Art Committee (CAC) Meeting of March 24, 2010 CAC unanimously recommended to the Houston City Council that the following objects be formally accessioned into the City of Houston Art Collection:

Power of Houston (1999)

Cynthia England, Libby Lehman, and Vicki Mangum
Textile/quilt

Donated to the City of Houston in 2004 by Quilts, Inc.

Currently on permanent display in a specially constructed niche at the George R. Brown Convention Center, 1001 Avenida de las Americas

The CAC recommends that the quilt be accessioned for the life of the piece, and advises the City of Houston to move the quilt to a more conservation-friendly location.

Untitled dedication plaque to Christoph Eschenbach (1999)

Designed by Peter Boyle.

Purchased by the City of Houston in 1999.

Permanently installed on the ground-level plaza of the Jesse H. Jones Hall, 615 Louisiana

The review of the artworks is the responsibility of the Houston Arts Alliance by City ordinance No. 2006-731 Section 6.6 and this recommendation may accompany the Request for Council Action.

HAA looks forward to our continued partnership managing the City of Houston Art Collection.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Lennon".

Matthew Lennon
Director, Civic Art + Design

Cc: Jonathon Glus, CEO HAA
Marshal Lightman, Civic Art Committee Chair
Jimmy Castillo, Collection Manager HAA

FINE ARTS APPRAISAL SERVICE

EVAN S. EPSTEIN, ASA
GAIL FAERMAN, ASSOCIATE



2929 BUFFALO SPEEDWAY, STE 302
HOUSTON, TEXAS 77098
TEL/FAX: (713) 622-8824

e-mail:
evanepstein@swbell.net

March 6, 2010

Joseph Cooper
Staff Analyst, Corporate Affairs and Marketing
City of Houston

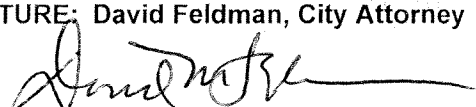
Dear Mr. Cooper,

Our estimate of cost to appraise 26 works of art for insurance (Retail Replacement Value) purposes is:

<u>On-Site inspection, measurement, full description of each work of art, color photography at 10 sites</u>	
20 hours @ \$125.00 per hour	\$ 2,500.00
<u>Preparation and Research</u>	
30 hours @ \$125.00 per hour	\$ 3,750.00
<u>Film and Developing</u>	
.....	\$ 50.00
<u>Secretarial, binding, copying</u>	
.....	\$ 300.00
TOTAL.....	\$ <u>6,600.00</u>

Time of delivery: 5-6 weeks

Revised

SUBJECT: An Ordinance Amending Ordinance No. 2009-741 As Amended by Ordinance No. 2009-1376 To Increase the Maximum Contract Amount by \$200,000 For A Contract Between the City and Epstein Becker Green Wickliff & Hall, P.C. For Legal Services.		Page 1 of 2	Agenda Item # 19
FROM (Department or other point of origin): Legal Department		Origination Date 4/15/2010	Agenda Date MAY 19 2010
DIRECTOR'S SIGNATURE: David Feldman, City Attorney 		Council District affected: All	
For additional information contact: Melba Pourteau Phone: 832.393.6320		Date and identification of prior authorizing Council action: August 12, 2009 Ord. No. 2009-741; December 29, 2009 Ord. No. 2009-1376	
RECOMMENDATION: (Summary) Adopt An Ordinance Amending Ordinance No. 2009-741 As Amended by Ordinance No. 2009-1376 To Increase the Maximum Contract Amount By \$200,000 For A Contract Between the City and Epstein Becker Green Wickliff & Hall, P.C. For Legal Services.			
Amount and Source of Funding: \$200,000 (New maximum contract amount: \$2,185,000) additional funding General Fund			
SPECIFIC EXPLANATION: The proposed ordinance amends Ordinance No. 2009-741 as amended by Ordinance No. 2009-1376 to increase the maximum contract amount by \$200,000 for a contract between the City and Epstein Becker Green Wickliff & Hall, P.C. (the Firm) for legal services. On August 12, 2009, City Council adopted Ordinance No. 2009-741 approving a contract for legal services between the City and the Firm. On December 29, 2009 City Council adopted Ordinance No. 2009-1376 amending Ordinance No. 2009-741 to increase the maximum contract amount for a contract for legal services between the City and the Firm. Since that time, additional regulatory matters have arisen before the Texas Railroad Commission (RRCT) and the Public Utility Commission (PUC); these matters were not contemplated in the previous budget but are within the scope of the Legal Services for the existing Legal Services Agreement as follows: CenterPoint Energy (Entex) has now filed a request for Purchased Gas Adjustment (PGA). The Firm and consultants must review, prepare informal discovery and negotiate with Entex to resolve the PGA, but litigation before the RRCT is possible. There is a reasonably good chance that the City's expenses on this matter will be reimbursable. Entex has now also initiated discussions with the City of Houston to request a cost of service adjustment mechanism (COSA). CenterPoint Electric (CNP) has recently filed its Earnings Monitoring Report (EMR). Under the Settlement in CNP's 2006 Rate Case, the City is required to review the EMR for data suggesting over-earnings that trigger a new CNP rate case filing before June 30, 2010. The City and other CNP regulators agree that CNP should file a new rate case. CNP now indicates that it will include a Distribution Cost recovery Factor (DCRF) request in the new filing. Also in the case, the company must develop a mechanism to return \$150M in Federal Stimulus Funds to consumers paying the Advanced Meter System (AMS) surcharge. The City, PUC Staff and other regulators will negotiate to resolve all rate issues and AMS refunds. This will require numerous meetings and an in-depth analysis of CNP's cost of service and other accounting information. The legal issues associated with PUC approval of a DCRF or similar mechanism must also be addressed. The City's expenses associated with this effort are reimbursable. CNP has now filed a Request for Energy Efficiency Rider to recover claimed millions in under recoveries through rates. The Firm represents that legal fees comprise about one-half of the requested funding; the remainder will cover rate /technical consultant fees. The Firm also estimates that about seventy-five percent of the requested funding is reimbursable. The City Attorney recommends the adoption of the proposed ordinance amending Ordinance No. 2009-741 as amended by Ordinance No. 2009-1376.			
REQUIRED AUTHORIZATION			NOT
Other Authorization:	Other Authorization:	Other Authorization:	

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8748

Subject: Approve an Ordinance to Appropriate Funds out of the Equipment Acquisition Consolidated Fund to Purchase Parking Meter Devices and Associated Equipment, Signage and Striping for the Administration & Regulatory Affairs Department

Category #
1

Page 1 of 2

Agenda Item

20

FROM (Department or other point of origin):

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

Origination Date

May 11, 2010

Agenda Date

MAY 19 2010

DIRECTOR'S SIGNATURE

For additional information contact:

Liliana Rambo Phone: (713) 853-8193
Ray DuRousseau Phone: (832) 393-8726

Council District(s) affected

Date and Identification of prior authorizing Council Action:

Ord. 2006-0301, Passed
04/05/2006

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of \$1,668,022.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) to purchase parking meter devices and associated equipment, signage and striping for the Administration & Regulatory Affairs Department.

Appropriation Amount: \$1,668,022.00

Finance Budget

\$1,668,022.00 - Equipment Acquisition Consolidated Fund (Fund 1800)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$1,668,022.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) to purchase 220 additional parking meter devices and associated equipment, signage and striping through the City's existing contract with ACS State & Local Solutions, Inc. These parking meter devices will be used by the Parking Management Division of the Administration & Regulatory Affairs Department to begin and complete Phase 2 of the parking meter installation project.

In the Spring of 2006, the City contracted with ACS State & Local Solutions, Inc. to install 2,000 parking meters that allowed for real time credit card transactions. To date, the City has purchased 780 meters under Phase I of this project. Since the Phase I implementation of the parking meters, parking meter revenues have doubled due to meter up-time and the options of paying for parking with credit cards, paper currency or coins. The uniform signage throughout the areas where the meters have been installed has mitigated street clutter and improved the City's streetscape. In Phase 2 of the parking meter installation project, the contractor shall install 220 parking meter devices in the following areas:

<u>Area</u>	<u>Number of Parking Spaces</u>	<u>Number of Meters</u>
East Downtown	200	25
Museum District-Hermann Park	348	48
Washington Avenue	460	48
Arts Warehouse District	305	19
Community College Area	377	57
Pierce Elevated	280	8
Midtown	100	15
Total	2,070	220

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Date: 5/11/2010	Subject: Approve an Ordinance to Appropriate Funds out of the Equipment Acquisition Consolidated Fund to Purchase Parking Meter Devices and Associated Equipment, Signage and Striping for the Administration & Regulatory Affairs Department	Originator's Initials LF	Page 2 of 2
--------------------	---	--------------------------------	-------------

This award began April 5, 2006 for a 60-month period in an amount not to exceed \$14,788,897.00. Expenditures as of May 11, 2010 totaled \$7,268,745.00. All terms and conditions shall remain as originally approved by City Council.

MWBE Participation:

This contract was awarded with a 24% MWBE participation goal and the contractor is currently achieving 10.97% of its goal. The Affirmative Action Division will continue to monitor this contract to ensure maximum MWBE participation.

Buyer: Lena Farris

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8747

Subject: Approve an Amending Ordinance Authorizing a First Amendment to Extend the Contract Term for Contract No. 57006 for Automotive and Equipment Turnkey Parts Services for the Public Works & Engineering Dept SC-N-2310-020-20569-A2

Category #
4

Page 1 of 1

Agenda Item

21

FROM (Department or other point of origin):

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

Origination Date

May 12, 2010

Agenda Date

MAY 19 2010

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

David Guernsey Phone: (832) 395-3640
Desiree Heath Phone: (832) 393-8742

Date and Identification of prior authorizing Council Action:

Ord. No. 2005-705, Ord. No. 2009-944

RECOMMENDATION: (Summary)

Approve and authorize a first amendment to the contract between the City of Houston and Genuine Parts Company dba NAPA Auto Parts extending the term from June 8, 2010 to June 7, 2011 for automotive and equipment turnkey parts services for the Public Works & Engineering Department.

No Additional Spending Authority Required

Finance Budget

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance authorizing a first amendment to the contract between the City of Houston and Genuine Parts Company dba NAPA Auto Parts (NAPA) extending the term from June 8, 2010 to June 7, 2011 for automotive and equipment turnkey parts services for the Public Works & Engineering Department.

This contract was awarded by City Council on June 8, 2005 by Ordinance No. 2005-0705 for a 36-month period with two one-year options to extend in an amount not to exceed \$25,000,000.00. An amending ordinance was approved on October 7, 2009, by Ordinance No. 2009-994, to increase the maximum contract amount from \$25,000,000.00 to \$31,250,000.00. This first amendment will allow services to continue while interfacing the City's fleet management system with NAPA's warehousing and invoicing computer system. The Total Automotive Management System (TAMS) is the warehousing and invoicing computer system used by NAPA. Currently NAPA generates an invoice for the parts they sell the city and then manually keys that information into the City's Fleet Management system (M5). The TAMS to M5 interface links the TAMS inventory and pricing information into the M5 system which allows NAPA to key the parts sales one time while updating both systems. This interface will reduce cost by eliminating the duplicate data entry process which will in turn improve efficiencies by reducing mistakes that are caused by data entry errors. Another benefit is that the interface will allow the Fleet personnel to view the NAPA inventory that is on hand using the City's M5 system. This amendment will also allow services to continue while a new contract is completed. All other terms and conditions shall remain as originally approved by City Council.

The scope of work requires the contractor to provide all labor, supervision, and transportation necessary to issue parts, materials, supplies, and fluids (except fuel) required for the operation and maintenance of vehicles and equipment located at various PW&E facilities.

This contract was awarded with a 15% goal for M/WBE participation and NAPA is currently achieving 9.49%. Since the addition of new certified firms in August of 2009, NAPA has increased the participation from 7.65% to 9.49%. The company will continue to work diligently towards making a good faith-effort and the Affirmative Action Division will continue to monitor this contract to ensure maximum M/WBE participation.

Buyer: Desiree R. Heath

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8686

Subject: Approve an Amending Ordinance to Increase the Maximum Contract Amount for Contract #4600007783 for Submersible Pump Repair Services for the Public Works and Engineering Department S50-L22069

Category #
4

Page 1 of 1

Agenda Item

22

FROM (Department or other point of origin):

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

Origination Date

April 23, 2010

Agenda Date

MAY 19 2010

DIRECTOR'S SIGNATURE

For additional information contact:

David Guernsey Phone: (832) 395-3640
Ray DuRousseau Phone: (832) 393-8726

Council District(s) affected

Date and Identification of prior authorizing Council Action:

Ordinance No. 2007-0811 Passed: 07/03/2007

RECOMMENDATION: (Summary)

Approve an amending ordinance to increase the maximum contract amount between the City of Houston and Hahn Equipment Company, Inc. from \$2,150,000.00 to \$2,687,500.00 for submersible pump repair services for the Public Works and Engineering Department.

Maximum Contract Amount Increased By: \$537,500.00

Finance Budget

\$537,500.00 - Water & Sewer System Operating Fund (8300)

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 Hahn Equipment Company, Inc. from \$2,150,000.00 to \$2,687,500.00 for submersible pump repair services for the Public Works and Engineering Department. The FY11 budget includes \$350,000.00, and there are plans to use the remaining amount of \$187,500.00 for work scheduled to be completed before the end of FY10.

This contract was awarded on July 3, 2007, by ordinance no. 2007-0811, for a three-year term with two one-year options to extend, for a total five-year term in the amount of \$2,150,000.00. Expenditures, as of March 1, 2010, totaled \$2,100,580.51. An increase of sand, grit, debris and rags entering into flow streams at wastewater treatment plants has had a significant repair impact on the submersible pumps causing them to fail and require repairs more frequently.

The scope of work requires the contractor to provide all equipment, facilities, labor, materials, parts, supervision and transportation necessary to disassemble, inspect, rewind or recondition the submersible pump motors, and reassemble and test the units. The contractor is also required to inspect all the components and clean all parts before rewinding or reconditioning the pumps. After all repairs are made, the contractor will balance and test the rotors and impellers at their full voltage to ensure that the pumps are performing at optimum level.

This contract was awarded with a 3% M/WBE participation goal and the contractor is currently achieving 1% of its goal. The Affirmative Action Division will continue to monitor this contract to ensure maximum M/WBE participation.

Buyer: Arturo Lopez

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

0. R. 1
TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: Ordinance designating all improved single-family residential lots in the April Village Subdivision, Section 1 and Lakeside Place Subdivision, Section 7 as a Prohibited Yard Parking Requirement Area	Category #	Page 1 of _____	Agenda Item # 23
---	-------------------	------------------------	-------------------------

FROM (Department or other point of origin):

Marlene L. Gafrick, Director
Planning and Development Department

Origination Date

April 28, 2010

Agenda Date

MAY 19 2010

DIRECTOR'S SIGNATURE:

26
Marlene L. Gafrick

Council District affected:

G

For additional information contact: Kevin Calfee

Phone: 713.837.7768

Date and identification of prior authorizing Council action: 2009-0059, 1-28-09

RECOMMENDATION: (Summary) Approval of an ordinance designating all improved single-family residential lots in the April Village Subdivision, Section 1 and Lakeside Place Subdivision, Section 7 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 April Village / Lakeside Place Homeowner's 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 April Village / Lakeside Place Homeowner's Association. Notification was mailed to 302 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. Two (2) protests were timely filed with the Planning and Development Department. The Hearing Official held a public hearing on March 31, 2010 and recommended establishing the Prohibited Yard Parking Requirement Area.

Attachments:

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

xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
David M. Feldman, City Attorney
Don Cheatham, Senior Assistant City Attorney
Chief C. A. McClelland, HPD
Alfred Moran, ARA

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

Prohibited Yard Parking Requirement Area No. P100101

Hearing Official's Approval

Hearing Official Evaluation:

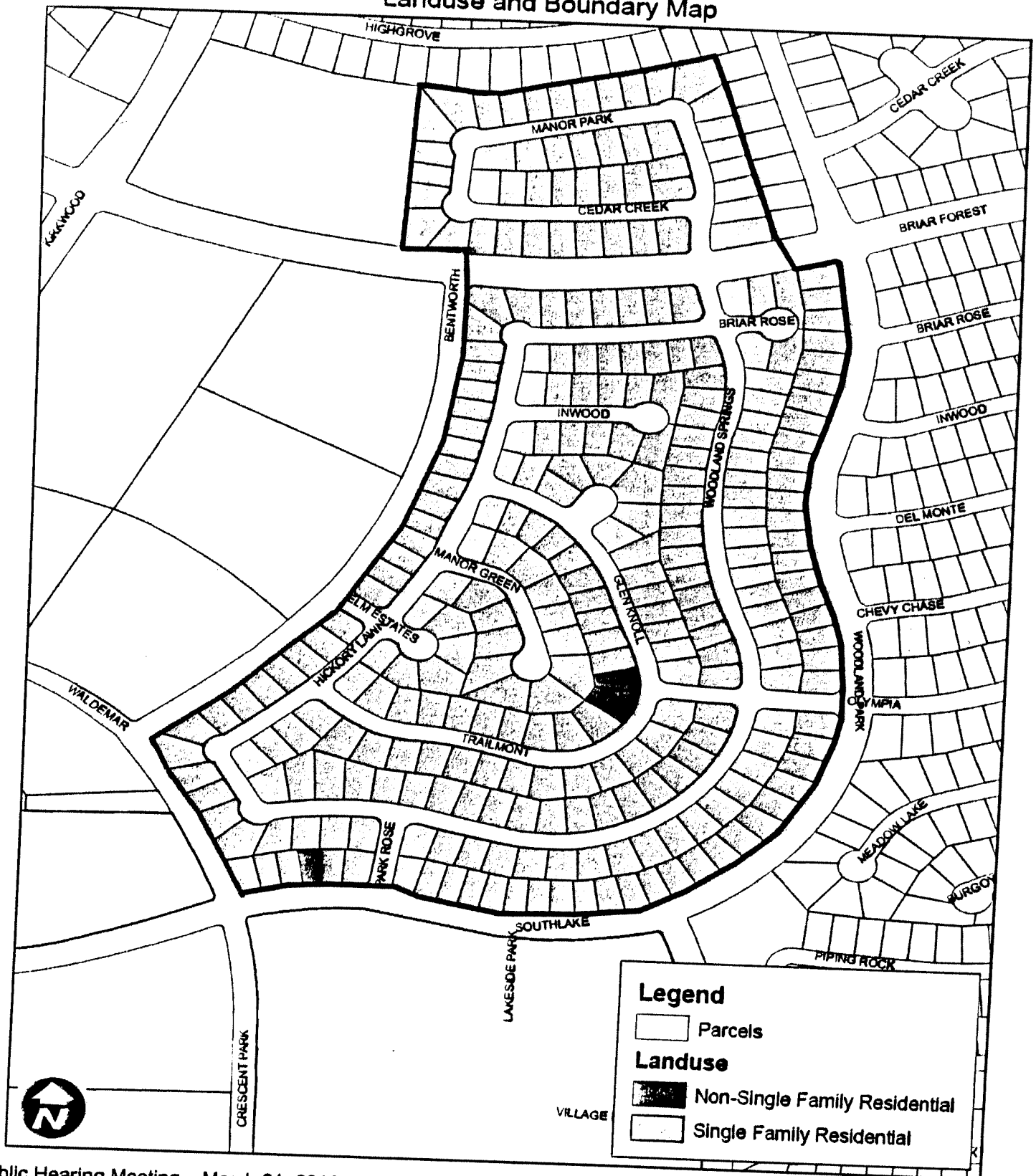
Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> The application area contains at least five contiguous block faces.
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> 99% of the proposed application area is developed 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 April Village / Lakeside Place Homeowner's 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 4-26-10
Nicole Smothers, Date
Hearing Official, Presiding

Randall Stuewer, Date
Hearing Official, Presiding

P100101
April Village-Lakeside Place Homeowner's Association, Inc.
Landuse and Boundary Map



TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating all improved single-family residential lots in the Kempwood Subdivision, Section 1 as a Prohibited Yard Parking Requirement Area		Category #	Page 1 of ____	Agenda Item # 24
FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department		Origination Date April 28, 2010		Agenda Date MAY 13 2010
DIRECTOR'S SIGNATURE: MS <i>Marlene L. Gafrick</i>		Council District affected: A		
For additional information contact: Kevin Calfee Phone: 713.837.7768		Date and identification of prior authorizing Council action: 2009-0059, 1-28-09		
RECOMMENDATION: (Summary) Approval of an ordinance designating all improved single-family residential lots in the Kempwood Subdivision, Section 1 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 Kempwood 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 Kempwood Civic Association. Notification was mailed to 144 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. Two (2) protests were timely filed with the Planning and Development Department. The Hearing Official held a public hearing on March 31, 2010 and recommended establishing the Prohibited Yard Parking Requirement Area. Attachments: Decision of the Hearing Official Prohibited Yard Parking Requirement Area Application Letter of Support Map of the proposed requirement area / land use xc: Marty Stein, Agenda Director Anna Russell, City Secretary David M. Feldman, City Attorney Don Cheatham, Senior Assistant City Attorney Chief C. A. McClelland, HPD Alfred Moran, ARA				
REQUIRED AUTHORIZATION				
Finance Director:	Other Authorization:		Other Authorization:	

Prohibited Yard Parking Requirement Area No. P100102

Hearing Official's Approval

Hearing Official Evaluation:

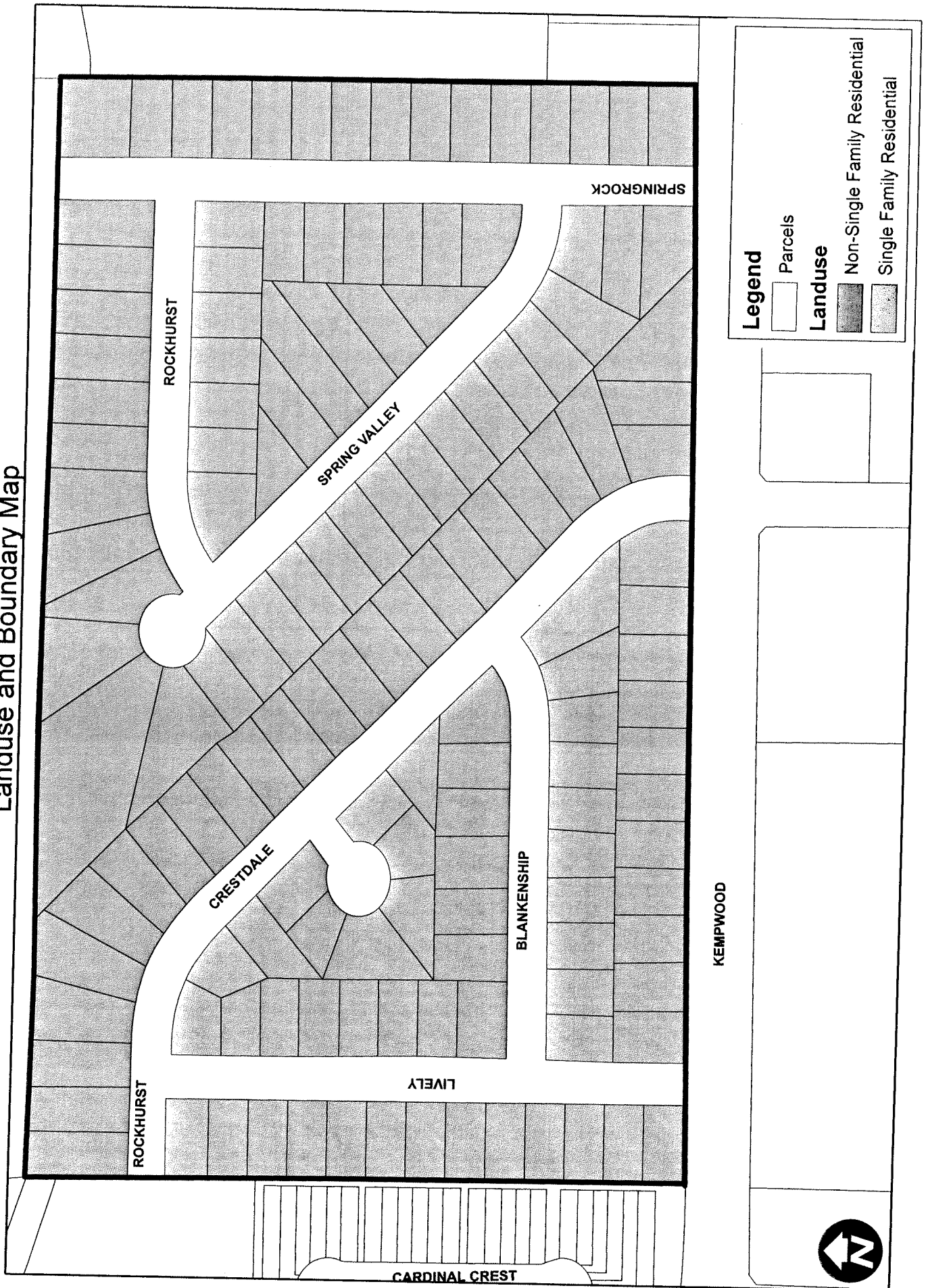
Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> The application area contains at least five contiguous block faces.
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> 100% of the proposed application area is developed 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 Kempwood 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 4-26-10
Nicole Smothers, Date
Hearing Official, Presiding

Randall Stuewer, Date
Hearing Official, Presiding

P100102
Kempwood Civic Association
Landuse and Boundary Map



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

SUBJECT: Ordinance designating all improved single-family residential lots in the Keswick Place Subdivision Replat and Ramblewood Park Subdivision, Section 1 Replat as a Prohibited Yard Parking Requirement Area	Category #	Page 1 of _____	Agenda Item # 25
---	-------------------	------------------------	----------------------------

FROM (Department or other point of origin):

Marlene L. Gafrick, Director
Planning and Development Department

Origination Date

April 28, 2010

Agenda Date

MAY 19 2010

DIRECTOR'S SIGNATURE:

MS *Marlene L. Gafrick*

Council District affected:

D

For additional information contact: Kevin Calfee
Phone: 713.837.7768

Date and identification of prior authorizing Council action: 2009-0059, 1-28-09

RECOMMENDATION: (Summary) Approval of an ordinance designating all improved single-family residential lots in the Keswick Place Subdivision Replat and Ramblewood Park Subdivision, Section 1 Replat 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 Keswick Place - Ramblewood Park Civic Club, Inc. 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 Keswick Place - Ramblewood Park Civic Club, Inc. Notification was mailed to 351 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. One (1) protest was timely filed with the Planning and Development Department. The Hearing Official held a public hearing on March 31, 2010 and recommended establishing the Prohibited Yard Parking Requirement Area.

Attachments:

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

xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
David M. Feldman, City Attorney
Don Cheatham, Senior Assistant City Attorney
Chief C. A. McClelland, HPD
Alfred Moran, ARA

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

Prohibited Yard Parking Requirement Area No. P100103

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> 97.7% 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 Keswick Place - Ramblewood Park Civic Club, Inc. 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.

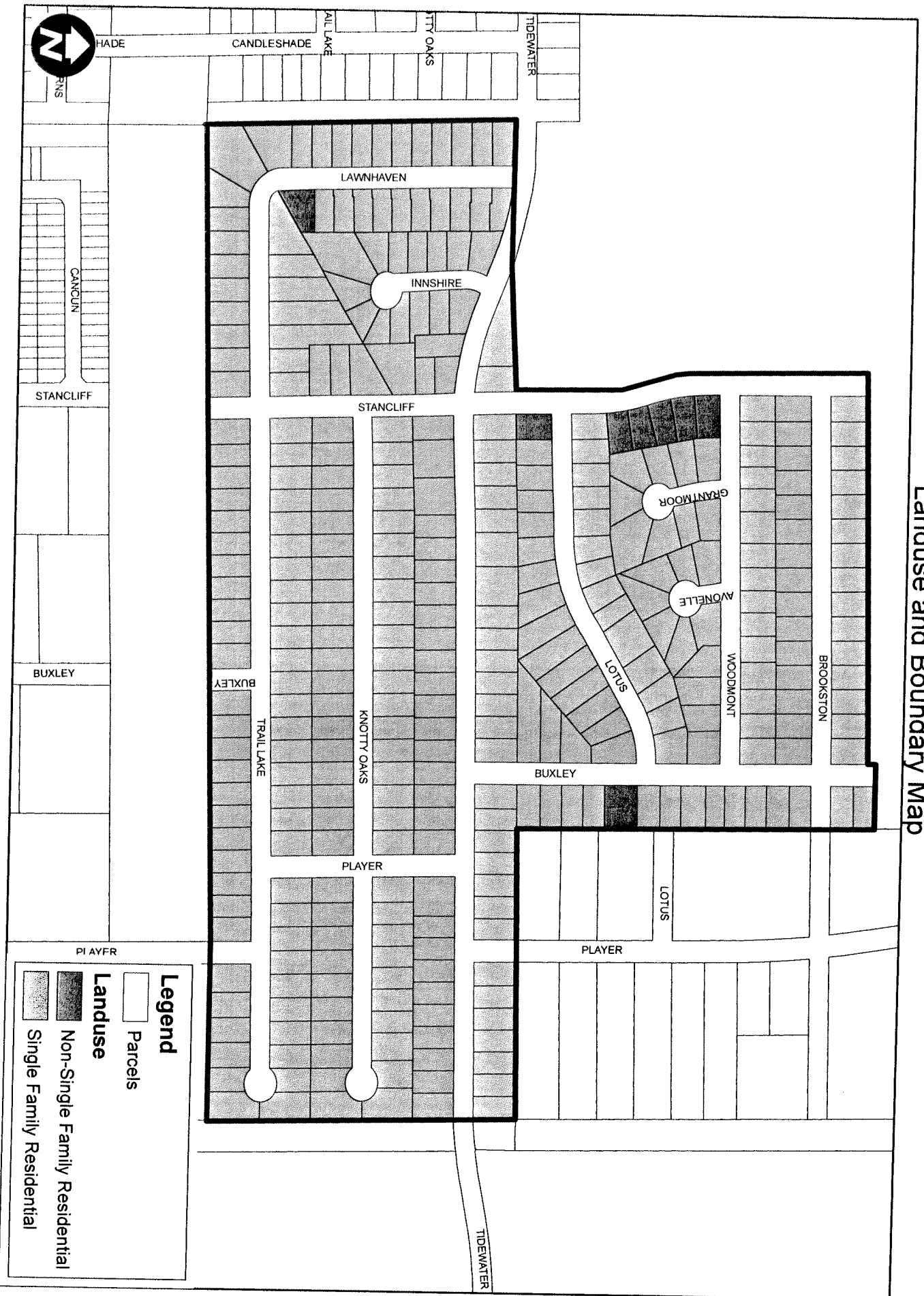
The Prohibited Yard Parking Requirement Area meets the criteria.

Nicole Smothers 7-26-10
Nicole Smothers, Date
Hearing Official, Presiding

Randall Stuewer, Date
Hearing Official, Presiding

P100103

Keswick Place and Ramblewood Park Civic Club Landuse and Boundary Map



SUBJECT:

Ordinance amending the Regional Participation Agreement between the City of Houston and The Woodlands Township

Category
#Page
1 of 1Agenda Item
26**FROM (Department or other point of origin):**Marlene L. Gafrick
Department of Planning and DevelopmentOrigination Date
May 12, 2010

Agenda Date

MAY 19 2010

DIRECTOR'S SIGNATURE:*Marlene L. Gafrick*

Council District affected:

N/A

For additional information contact: Nicole Smothers
Phone: 713-837-7856Date and identification of prior authorizing
Council action:

October 24, 2007, Ordinance No. 2007-1169

RECOMMENDATION: (Summary)

That Council pass an ordinance amending the Regional Participation Agreement between the City of Houston and The Woodlands Township

Amount and

Source of Funding:

N/A

Finance Budget:

SPECIFIC EXPLANATION:

The Woodlands Land Development Company, L.P. (the Developer), has acquired, or is in control of, seven small parcels of land located in Houston's Extra Territorial Jurisdiction (ETJ) and contiguous to the existing boundary of The Woodlands Township, as defined by the Regional Participation Agreement between the City of Houston and The Woodlands Township. The Developer is requesting the following amendments to the Agreement:

- Inclusion of all seven parcels into the Township boundaries, as defined by the Agreement;
- Establishing an administrative procedure for adding similar small tracts of land to the Agreement in the future; and
- Amending the Agreement's definition of "Territory" to include any additional territory that might be added to the boundaries of the Township under the circumstances permitted by the Agreement.

The Regional Participation Agreement between The Woodland's Township and the City of Houston currently states that any tract of land, regardless of its size or proximity to the Township, requires Council approval for inclusion into the Agreement. The Developer is currently in the process of adding numerous small, infill tracts, many of which are contiguous to Township boundaries, and distantly removed from the City of Houston and its traditional ETJ.

The amendment will allow the City to administratively authorize inclusion of additional parcels that fit a narrowly defined definition. Specifically, the parcels must be located entirely within Harris County and within the City's ETJ, be north of the southernmost boundaries of the Territory, less than 25 acres in area, contiguous to the Township boundaries, and owned or controlled by The Woodlands Land Development Company, or its successor.

Copy David Feldman
Susan Taylor
Marty Stein

Finance Director:

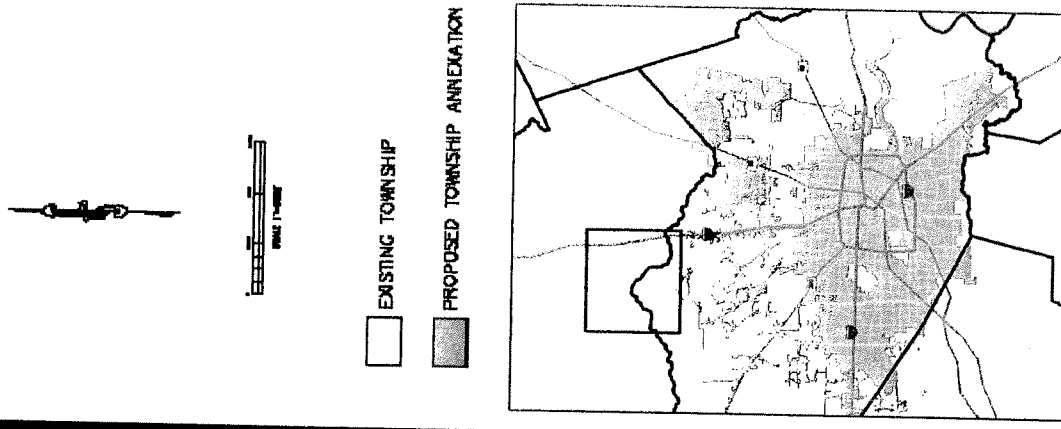
Other Authorization:

Other Authorization:

2 tracts

Montgomery County

Harris County



TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the creation of 1,393.8 acres of land as Liberty County Municipal Utility District No. 6 (Key Map No. 259-X,Y,Z & 299-B,C,D)

Page
1 of 1

Agenda Item
#

27

FROM (Department or other point of origin):

Origination Date

Agenda Date

Department of Public Works and Engineering

4/22/10

MAY 19 2010

DIRECTOR'S SIGNATURE

Council District affected:
"ETJ"

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

For additional information contact:

Date and identification of prior authorizing
Council action:

Ann Marie Stone Sheridan, P.E.
Supervising Engineer (713) 837-9142

RECOMMENDATION: (Summary)

The petition for the creation of 1,393.8 acres of land as Liberty County Municipal Utility District No. 6 be approved.

Amount of Funding:

NONE REQUIRED

SPECIFIC EXPLANATION:

The owners of 1,393.8 acres of land, located in and out of the city's extraterritorial jurisdiction, have petitioned the City of Houston for consent to create a district. The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.

The district is located in the vicinity of Magnolia Road, Harris Liberty County Line, Meyer Road and Luce Bayou (majority). The district will consist of 1,393.8 acres. The district will be served by proposed Lake Houston Wastewater Treatment Plant No. 1. The nearest major drainage facility for Liberty County Municipal Utility District No. 6 is Luce Bayou which flows into Lake Houston.

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

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

Attachments

cc: Marty Stein Marlene Gafrick Jun Chang
Bill Zrioka Deborah McAbee

REQUIRED AUTHORIZATION

20UPA45 R

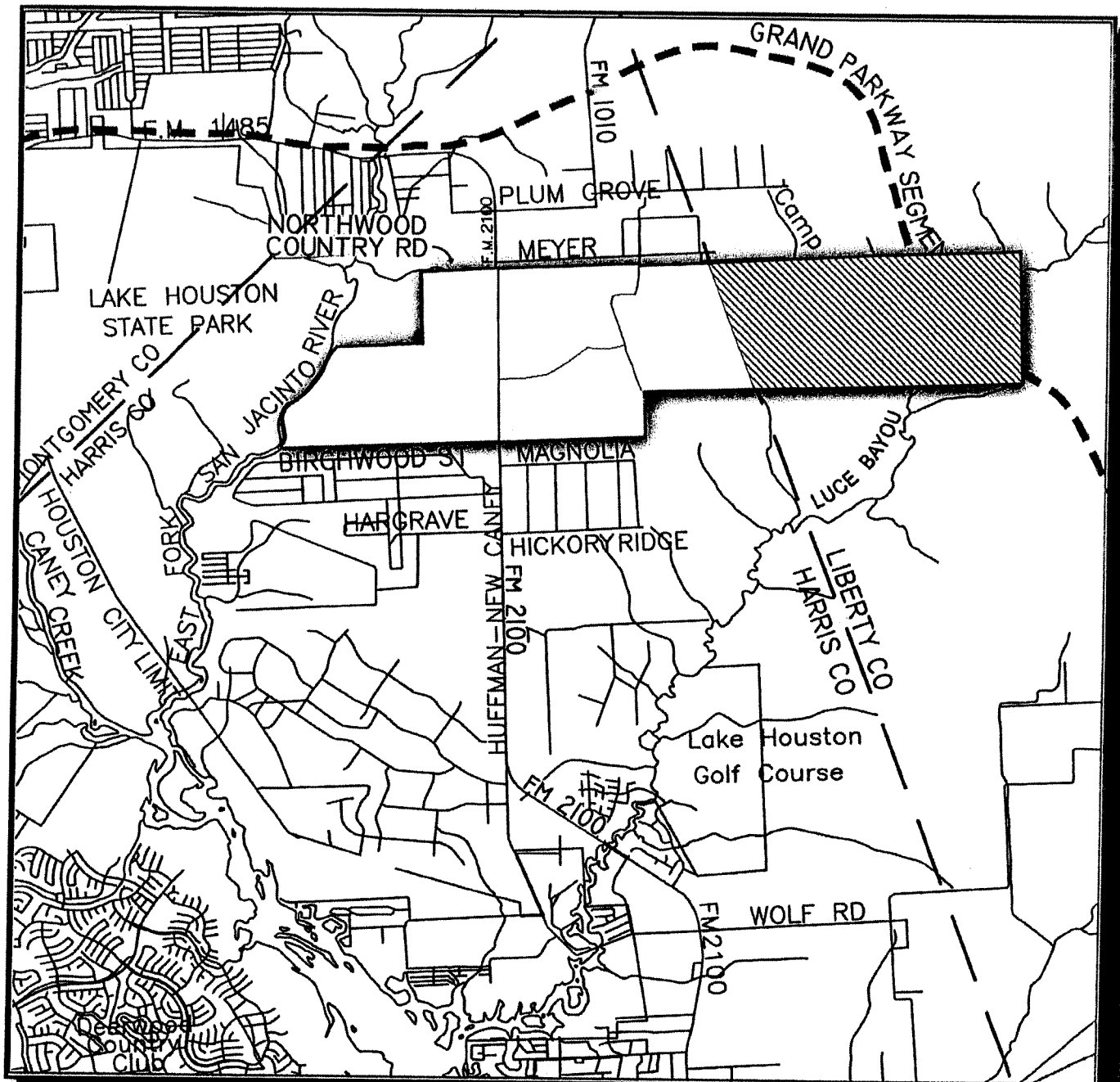
Finance Department

Other Authorization:

Other Authorization:

Mark L. Loethen, P.E., CFM, PTOE
Acting Deputy Director
Planning & Development Services Div.

LIBERTY COUNTY MUNICIPAL UTILITY DISTRICT No. 6



DISTRICT LOCATION MAP

KEY MAP #s

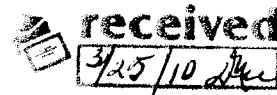
#259: X,Y,Z #299: B,C,D



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form



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

Application is hereby made for consent of the City of Houston to the ☒ creation/ ☐ addition of 1393.8 acres to Liberty County MUD No. 6 under the provisions of §54.016 Texas Water Code.

Attorney for the District

Attorney: Schwartz, Page & Harding, LLP

Address: 1300 Post Oak Boulevard, Suite 1400

Zip: 77056

Phone: 713-623-4531

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

Address: 10555 Westoffice Drive

Zip: 77042

Phone: 713-784-4500

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

Address: 800 Bering Drive, Suite 225

Zip: 77057

Phone: 713-783-0308

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

LOCATION

INSIDE CITY ☐

OUTSIDE CITY ☒

NAME OF COUNTY (S) Liberty

Survey Mary Magruder

Abstract 311

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

North of: Magnolia Road

East of: Harris/Liberty County Line

South of: Meyer Road

West of: Luce Bayou (majority)

WATER DISTRICT DATA

Total Acreage of District: 1393.8

Existing Plus Proposed Land 1393.8

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

Single Family Residential 48

Multi-Family Residential 26

Commercial 26

Industrial 0

Institutional 0

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

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

NPDES/TPDES Permit No: In Process

TCEQ Permit No: In Process



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 0

Ultimate Capacity (MGD): 2.8

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

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

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

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

Total permitted capacity: 2.8 (LC 6 = 2.169)

MGD of (Regional Plant).

Name of District: Harris County MUD 517

MGD Capacity Allocation 0.631

or property owner(s)

Name of District: _____

MGD Capacity Allocation _____

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

Water Treatment Plant Address: Address not yet determined

Well Permit No: _____

Existing Capacity:

Well(s): N/A

GPM

Booster Pump(s): N/A

GPM

Tank(s): N/A

MG

Ultimate Capacity:

Well(s): 1800; 1500 (remote)

GPM

Booster Pump(s): 4 @ 2000

GPM

Tank(s): 2 @ 0.55

MG

Size of Treatment Plant Site: Unkown

square feet/acres.

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

Wastewater discharge permit. Water will be received from a water plant and remote well.

SUBJECT: Approve Amendment One to the Advance Funding Agreement between Texas Department of Transportation and City of Houston and an Amendment to the Interlocal Agreement between City of Houston and Buffalo Bayou Partnership
WBS No. N-000669-0003-4, TxDOT CSJ 0912-71-705

Page
1 of 2

Agenda Item #

28

From: (Department or Other Point of Origin)

Department of Public Works and Engineering

Origination Date

5-6-10

Agenda Date

MAY 19 2010

Director's Signature:

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

Council District affected:

H

For additional information contact:

Ravi Kaleyatodi 5/6/10
Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326
Senior Assistant Director

Date and identification of prior authorizing Council action:

Resolution #99-43

Dated: 07/28/1999

Ordinance No. 2001-16

Dated: 01/03/2001

Recommendation:

Adopt an ordinance approving Amendments.

Amount and Source of Funding: None

PROJECT NOTICE/JUSTIFICATION: The Houston Bikeway Program was implemented to develop a citywide network of bicycle facilities projected to be integrated into an overall transportation network for the Houston area. The Houston Bikeway Program provides design and construction of approximately 339 miles of bikeways and trails in the City of Houston. To date, 319 miles of "On-street" bikeways and "Off-street" trails have been complete. Another 20 miles mostly of "off-street" trails are currently under design. This project's allowable costs are 80% funded by the Federal Highway Administration under the Intermodal Surface Transportation Efficiency Act, Transportation Enhancement and Congestion Mitigation and Air Quality Programs. The 20% local match funding has been provided by Buffalo Bayou Partnership, sponsor for this project.

The Allen's Landing Improvement Project was bid for construction in August, 2009 by Texas Department of Transportation (TxDOT). Since Buffalo Bayou Partnership is the sponsor for the project, the interlocal agreement between the City and the partnership will also need to be amended. Amendment one will provide for replacement of the Enhancement Funds with the American Recovery and Reinvestment Act Funds. This project (purchase) uses funds awarded under the Recovery and Reinvestment Act of 2009 (ARRA). The City of Houston and the recommended contractor (vendor) will adhere to and comply with the Special reporting requirements associated with ARRA grant expenditures as required by the granting agency and/or the Office of Management and Budget.

DESCRIPTION/SCOPE: This project consists of construction of an embarcadero promenade along Buffalo Bayou's existing bulkhead and a connection to Sesquicentennial Park with a facility for pedestrians and bicyclists. The embarcadero promenade is proposed to be 25 feet wide and 270 feet long. The development plan includes walls and walkways, grading, pedestrian lighting, landscaping, way finding signage, interpretive signage, benches, and drinking fountains.

REQUIRED AUTHORIZATION


CUIC ID #20BB167R

Finance Department:

Other Authorization:

Other Authorization:

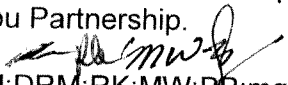
Daniel R. Menendez
Daniel R. Menendez, P.E., Deputy Director
Engineering and Construction Division

Date	SUBJECT: Approve Amendment One to Advance Funding Agreement between Texas Department of Transportation and City of Houston and Amendment to the Interlocal Agreement between City of Houston and Buffalo Bayou Partnership WBS No. N-000669-0003-4, TxDOT CSJ 0912-71-705	Originator's Initials 	Page 2 of 2
-------------	---	---	-----------------------

LOCATION: The project is generally bound by Buffalo Bayou on the north, Commerce Street on the south, Fannin Street on the east, and Milam Street on the west. The project is located in Key Map Grid 493M.

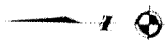
PREVIOUS HISTORY AND SCOPE: The City adopted a Resolution No. 99-43 on July 28, 1999, authorizing submittal of several candidate projects for nomination under the Statewide Transportation Enhancement Program and federal funding under the Transportation Equity Act for the 21st Century to be administered by TxDOT. On January 3, 2001 City Council approved the original Advanced Funding Agreement and the interlocal between the City of Houston and Buffalo Bayou Partnership by Ordinance No. 2001-16.

ACTION RECOMMENDED: It is recommended that City Council approve Amendment One to the funding agreement with Texas Department of Transportation and an Amendment to the Interlocal Agreement with Buffalo Bayou Partnership.

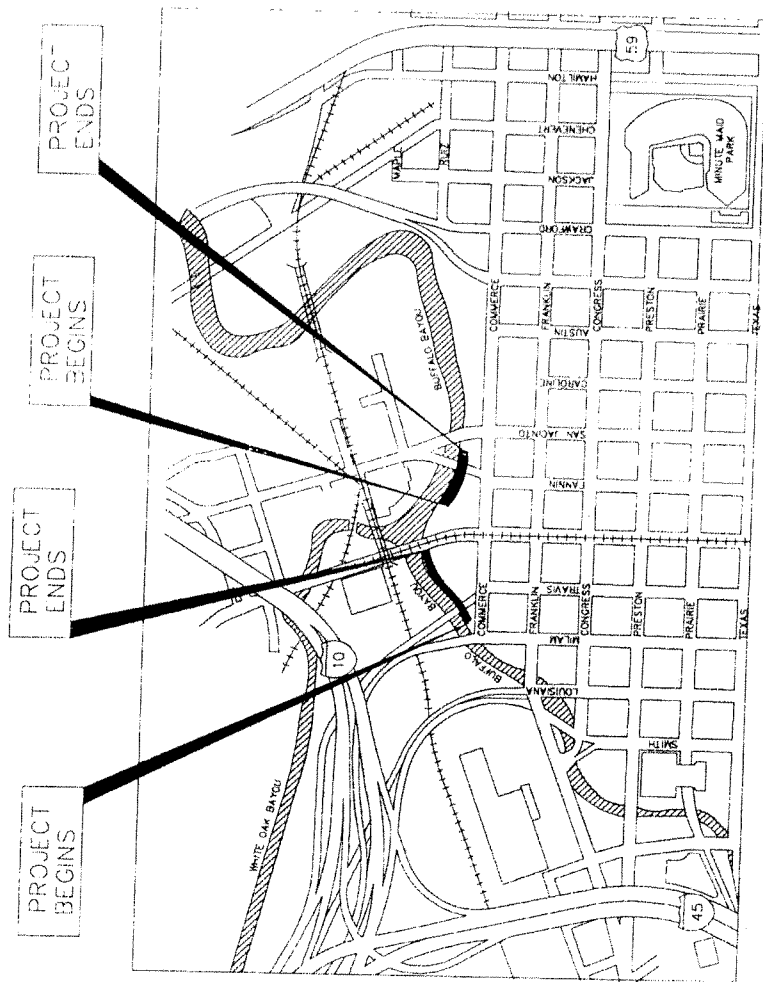

MSM:DRM:RK:MW:BB:mg

Z:\design\A-NP-DIV\Bikeway Files\Ben\N-0669-03 Allen's Landing II\1.0 Design Contract\1.2 RCA\Construction\RCA # 20BB167.doc

c: Marty Stein
Velma Laws
Susan Bandy
Craig Foster
File No. N-000669-0003-4 (1.2 RCA\Construction)



NOT TO SCALE



KEY MAP 493-LM

ALLEN'S LANDING
EXHIBIT 2
LOCATION MAP

United Engineers, Inc.
CIVIL ENGINEERING • LAND DEVELOPMENT
CONSTRUCTION MANAGEMENT • SURVEYING
8303 SOUTHWEST FREeway, Suite 600
HOUSTON, TEXAS 77054
TEL: (713) 271-2900
FAX: (713) 271-2899
JOB NO. 27055.00



OCT. 2007

ALLEN'S LANDING

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Recommendation that an ordinance for the LONG POINT RECONSTRUCTION PROJECT (from Pech to Hollister) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.
WBS N-000674-0003-2-01

Page
1 of 1

Agenda Item
#

29

FROM: (Department or other point of origin):

Origination Date

5/13/10

Agenda Date

MAY 19 2010

Department of Public Works and Engineering

DIRECTOR'S SIGNATURE:

Michael S. Marcotte

Michael S. Marcotte, P.E., DWRE, BCEE, Director

Council District affected:

A

Key Map 450 V and 451 S

For additional information contact:

Nancy P. Collins Phone: (713) 837-0881
Senior Assistant Director – Real Estate
Planning and Development Services Division

Date and identification of prior authorizing Council Action:

Ordinance 2007-655, passed June 6, 2007

RECOMMENDATION: (Summary)

An ordinance for the LONG POINT RECONSTRUCTION PROJECT (from Pech to Hollister) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

Amount and

Source of Funding: No Additional Funding Required (covered under Blanket Appropriation Ordinance 2007-655, N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506) *6.P. 5/6/10*

SPECIFIC EXPLANATION:

The Department of Public Works and Engineering is requesting that an ordinance for the LONG POINT RECONSTRUCTION PROJECT (from Pech to Hollister) be passed approving and authorizing the acquisition of parcels by dedication, purchase or condemnation. This project will improve traffic mobility, drainage and reduce traffic congestion. The project consists of a four-lane divided concrete roadway from Pech to Hollister. The project will include raised medians, curbs, sidewalks and necessary underground utilities.

This action authorizes payment for the costs of land purchases/condemnations, appraisal fees, title policies/services, and recording fees in connection with negotiations to settle purchases; finds a public necessity for the project; and approves and authorizes the condemnation of the land and improvements thereon. If negotiations to acquire the property cannot be concluded as a purchase or for any reason for which acquisition by condemnation is warranted, this action authorizes the City Attorney to file or cause Eminent Domain proceedings to be filed and acquire rights-of-way and easements for said purposes and authorizes payment for the Award of Special Commissioners and court costs associated with condemnation proceedings. Payments for purchase considerations that exceed the spending authority threshold set by State law will be submitted to City Council as they are finalized. This will expedite the process of acquiring land in support of the LONG POINT RECONSTRUCTION PROJECT (from Pech to Hollister).

MSM:NPC:SR:jk

S:\LANDACQ\Kincher\RCA Blanket- Long Point .doc

cc: Marty Stein

CUIC #20JPK04

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Mark L. Loethen

Mark L. Loethen, P.E., CFM, PTOE
Acting Deputy Director
Planning and Development Services Division

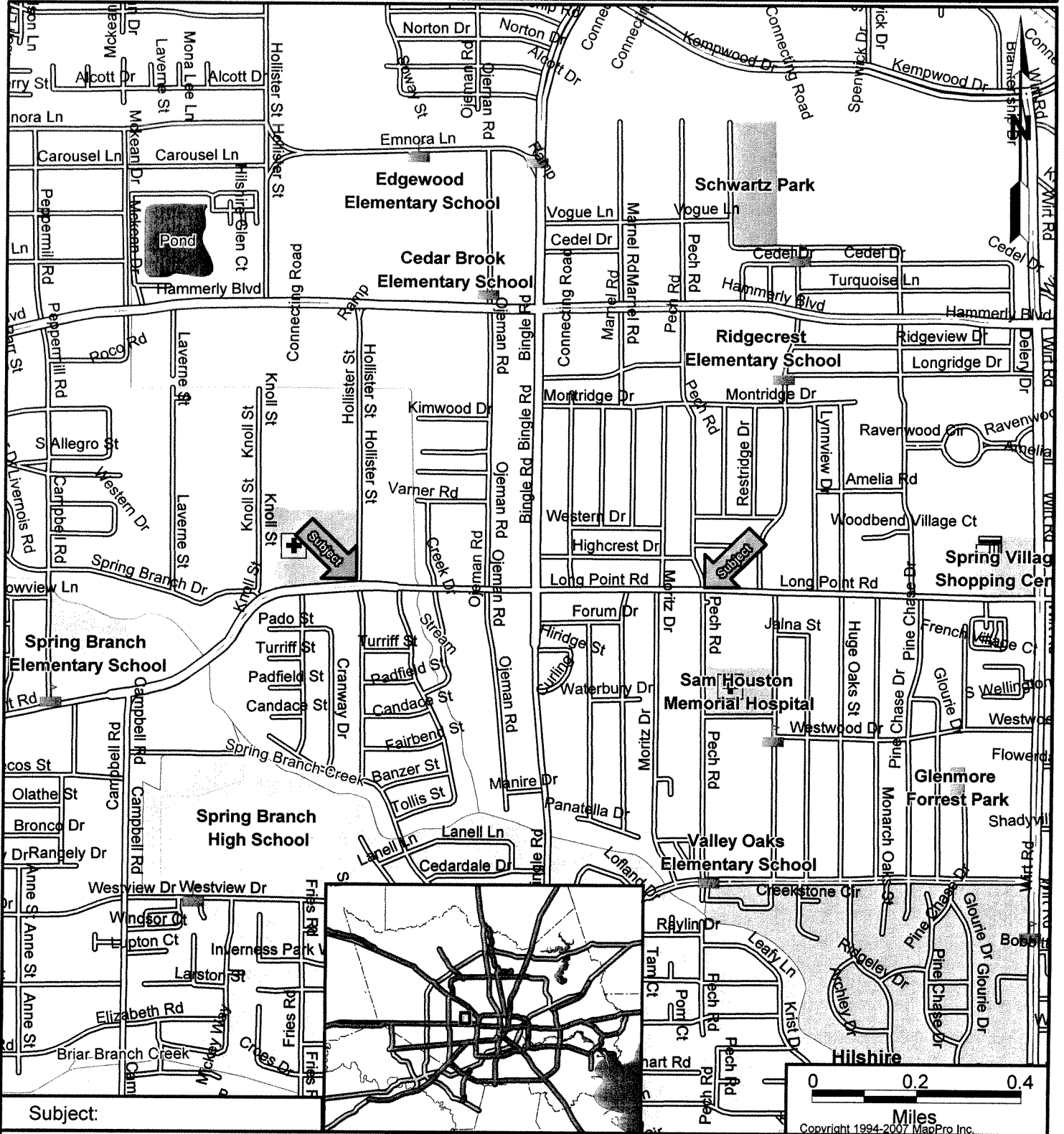
LOCATION MAP

Description: Long Point Reconstruction: Pech to Hollister

WBS N-000674-0003-2-01

Council District A, Key Map 450Z, 451N

Prepared by: City of Houston, 611 Walker, Houston, TX 77002



CAUTION:

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

Prepared by City of Houston using MapPro Service. MapPro Inc., 5353 West Alabama St, Suite 303, Houston, TX 77056 (713)789-1406

SUBJECT: Additional Appropriation to Professional Engineering Services Contract between the City and AECOM USA Group, Inc. for Services Associated with the Storm Water Management Program WBS Nos. M-000220-0003-3; M-000263-0001-3	Page 1 of 3	Agenda Item # 30
--	-----------------------	-----------------------------------

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5/13/10	Agenda Date MAY 19 2010
--	------------------------------------	-----------------------------------

Director's Signature:  Michael S. Marcotte, P.E., D.WRE, BCEE	Council District affected: All 10-2
--	---

For additional information contact: Ravi Kaleyatodi 4/29/10 Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	Date and identification of prior authorizing Council action: Ord. No. 2003-1195; 12-03-03 Ord. No. 2005-0442; 04-27-05 Ord. No. 2006-0498; 05-17-06 Ord. No. 2007-0026; 01-03-07 Ord. No. 2008-0013; 01-03-08 Ord. No. 2008-1007; 11-12-08 Ord. No. 2009-1163; 12-02-09
--	---

RECOMMENDATION: (Summary) Approve an ordinance appropriating additional funds

Amount and Source of Funding: \$1,700,000.00 from Drainage Improvement Commercial Paper Series F, Fund No. 4030. [Original (previous) appropriations of \$11,383,080.24 from Storm Sewer Consolidated Construction Fund No. 436 and subsequent additional appropriations of \$9,425,000.00 from Drainage Improvements Commercial Paper Series F, Fund No. 49R and \$14,910,000.00 from the Drainage Improvements Commercial Paper Series F, Fund No. 4030] 4.7.4/29/10

PROJECT NOTICE/JUSTIFICATION: This contract supports execution of the Storm Sewer Capital Improvement Program. This appropriation will provide for program management, technical design and analysis support and construction management for citywide storm sewer projects to reduce structural flooding.

DESCRIPTION/SCOPE: This project provides program management and engineering services for the Storm Sewer Capital Improvement Program projects. The contractor will manage the following:

- Assigned activities
- Design activities of certain CIP project
- Direct and control work performed
- Plan, conduct, and document meetings
- Establish quality assurance
- Coordinate between City and other public and private entities
- Report monthly overall progress that will include a review of individual projects
- Furnish the necessary technical support including hydraulic and hydrologic analysis
- Provide Capital Improvement Program planning and other technical issues to implement the management of the program

LOCATION: Various locations citywide.

REQUIRED AUTHORIZATION

CUIC ID# 20MS103

Finance Department:

Other Authorization:

Other Authorization:


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

SUBJECT: Additional Appropriation to Professional Engineering Services Contract between the City and AECOM USA Group, Inc. for Services Associated with the Storm Water Management Program WBS Nos. M-000220-0003-3; M-000263-0001-3

**Originator's
Initials**

**Page
2 of 3**

PREVIOUS HISTORY AND SCOPE: City Council approved the original Contract on December 3, 2003, Ordinance Number 2003-1195 with J. F. Thompson Inc., currently known as AECOM USA Group, Inc. Under this contract, the consultant has completed the following:

- Migrated the Comprehensive Drainage Plan into the Geographic Information System database.
- Provided technical support to City staff related to the National Flood Insurance Program's Community Rating System and Floodplain Management.
- Completed nine (9) Phase II - Final Designs for projects in the Texas Medical Center, twenty-four (24) Phase I - Preliminary Engineering Reports and seventeen (17) Phase II - Final Designs for projects in citywide neighborhoods.
- Provided hydrologic and hydraulic studies and technical support services.
- Provided construction management services.
- Maintained a website for public outreach and project status reporting.
- Administered FEMA grants and reporting.

Additional funds are needed to provide continued management, design services, and technical support services for the storm water projects.

SCOPE OF THIS CONTRACT AND FEE: The requested additional appropriation will provide continuous program management, design services and technical and planning support services for the storm water projects. In addition to the above, this contract will provide project engineering efforts for the following specific project:

<u>WBS No.</u>	<u>Project</u>	<u>District</u>	<u>Key Map</u>
M-000263-0001-3	Sherwood Forest Phase II & III	G	491 B,C,F,G

The proposed budgeted funding allocation for the aforementioned support services are outlined below:

• Program Management	\$ 831,100.00
• Technical Support	\$ 350,718.00
• Engineering Design Services	\$ <u>400,000.00</u>
Total	\$1,581,818.00

The total requested appropriation is \$1,700,000.00 to be appropriated as follows: \$1,581,818.00 for contract services and \$118,182.00 for City recoverable costs of project management.

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.

Date	SUBJECT: Additional Appropriation to Professional Engineering Services Contract between the City and AECOM USA Group, Inc. for Services Associated with the Storm Water Management Program WBS Nos. M-000220-0003-3; M-000263-0001-3	M-3	Page 3 of 3
------	--	-----	----------------

M/WBE INFORMATION:

The M/WBE goal established for the projects is 24%. The original Contract and its subsequent appropriations total \$34,072,836.24. The consultant has been paid \$30,624,984.56 (89.9%) to date. Of this amount, \$8,020,850.54 (26.2%) has been paid to M/WBE sub-consultants. Assuming approval of the requested additional appropriation, the contract amount will increase to \$35,654,654.24, and the contractor proposes the following program to meet the M/WBE goal:

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Prior M/WBE Work		\$ 8,020,850.54	22.5%
United Engineers, Inc.	Civil Engineering	\$ <u>536,266.48</u>	<u>1.5%</u>
	Total	\$ 8,557,117.02	24.0%

MSM:DRM:RK:HJ:MS:klw

Z:\design\A-sw-div\WPDATA\SABZEVAR\SWMP\SWMP\RCA4Th Amendment\New Contract RCA3.DOC Revised 3-15-10.DOC

c: Marty Stein
Velma Laws
Susan Bandy
Gary Drabek
Craig Foster
WBS No. M-000220-0003-3 (ROC)

SUBJECT: Professional Engineering Services Contract between the City and Kellogg Brown & Root Services, Inc. for Northgate and Imperial Valley Wastewater Treatment Plant Improvements. W.B.S. No. R-000265-0064-3.

Page
1 of 2

Agenda Item #

31

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

5-6-10

Agenda Date

MAY 19 2010

DIRECTOR'S SIGNATURE:

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

Council District affected:

B

For additional information contact:

Ravi Kaleyatodi 4/28/10
Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director
Phone: (832) 395-2326

Date and identification of prior authorizing Council action:

Ordinance #: 2008-221

Dated: March 12, 2008

RECOMMENDATION: (Summary)

Approve an Ordinance to de-appropriate funds, approve a Professional Engineering Services Contract with Kellogg Brown & Root Services, Inc. and appropriate funds.

AMOUNT AND SOURCE OF FUNDING:

De-Appropriation

\$855,136.00 from the Water and Sewer System Consolidated Construction Fund No. 8500

Appropriation

\$855,136.00 from the Water and Sewer System Consolidated Construction Fund No. 8500

M.P. 4/29/10

SPECIFIC EXPLANATION: Public Works and Engineering Department initiated a plant consolidation plan for the sanitary sewer system. After extensive discussion between Public Utilities Division, and Engineering and Construction Division the plan was reevaluated. Based upon the updated cost / benefit analysis it was determined that the return on investment was not in the financial or operational interest of the wastewater system. Therefore, funds previously appropriated under this plan will be reassigned to better serve the needs of the related facilities.

DESCRIPTION/SCOPE: This project is part of the City's program to renew/replace inefficient components of the existing Wastewater Treatment Plant (WWTP) facilities. For Northgate WWTP this project includes the evaluation, recommendation and design of head-works, sludge handling system, Dissolved Oxygen control system, air diffusers, aeration blowers and motors, sludge pumping system, and scum removal systems for clarifiers; for Imperial Valley WWTP this project includes the evaluation, recommendation and design of head-works, sludge centrifuge, Dissolved Oxygen control system, air diffusers, aeration blowers and motors, sludge pumping systems, scum removal system for clarifiers and digester system.

LOCATION:

Facility	Address	Key Map Grid	Council District
Northgate Wastewater Treatment Plant	303 Benmar	373-N	B
Imperial Valley Wastewater Treatment Plant	15500 Cotillion	373-W	B

REQUIRED AUTHORIZATION

CUIC ID #20AKH20 A

Finance Department:


✓

Other Authorization:

Jun Chang
Jun Chang, P.E., D.WRE, Deputy Director
Public Utilities Division

Other Authorization:

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

Date	SUBJECT: Professional Engineering Services Contract between the City and Kellogg Brown & Root Services, Inc. for Northgate and Imperial Valley Wastewater Treatment Plant Improvements. W.B.S. No. R-000265-0064-3.	Originator's Initials 	Page 2 of 2
-------------	--	---	-----------------------

SCOPE OF CONTRACT AND FEE: Under the scope of the Contract, the Consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III -Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on cost of time and materials with not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum amount after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$195,086.00. The total Basic Services appropriation is \$738,136.00.

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include Topographic Survey, Geotechnical Investigation, Reproduction Services, Technical Review Committee Presentation, Existing Condition Survey and Others. The total Additional Services appropriation is \$117,000.00.

The total Contract services cost of this project is \$855,136.00.

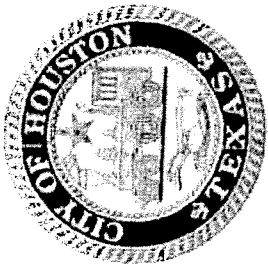
PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the Consultant provides health benefits to eligible employees in compliance with City policy.

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.

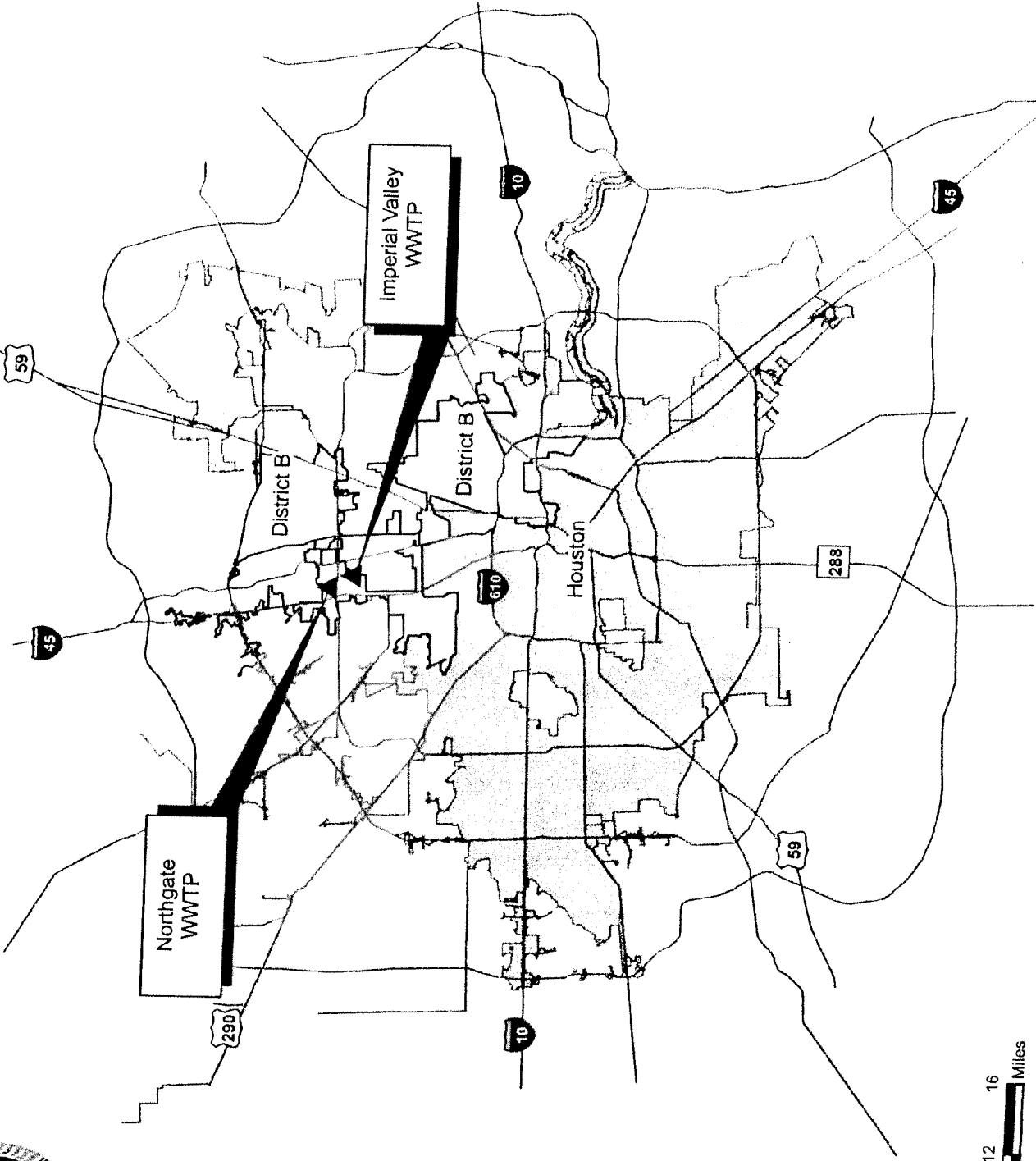
<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
1. Kalluri Group Inc.	Engineering services	\$192,731.00	22.54%
2. HVJ Associates Inc.	Geotechnical testing laboratory services	\$ 10,000.00	01.17%
3. Landtech Consultants, Inc.	Land surveying services	\$ 5,000.00	00.58%
TOTAL		\$207,731.00	24.29%


MSM:DRM:RK:EN:BZ:AKH:pa

- c: Marty Stein
Velma Laws
Susan Bandy
Mike Pezeshki, P.E.
Craig Foster
File R-0265-64-2 (1.2)



Location Map



Legend

- Freeways
- District B
- City Limit Line
- City Limit



Scale

KBR

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Generic City Wide Overlay Package #15 (Work Order Contract). WBS No. N-001037-0055-4

Page
1 of 2

Agenda Item #

320

FROM: (Department or other point of origin):

Department of Public Works and Engineering


Origination Date:

5/13/10

Agenda Date:

MAY 19 2010

DIRECTOR'S SIGNATURE:



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

Council District affected:

All

RA

For additional information contact:

 5/4/10
Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326
Senior Assistant Director

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding: \$4,893,527.00 - Metro Projects Construction Fund 4040

M.P. 5/10/10

PROJECT NOTICE/JUSTIFICATION: This project is part of the City Wide Overlay Program and is required to improve and maintain a safe road surface and accessibility.

DESCRIPTION/SCOPE: This project consists of the construction of base repair of flexible and rigid pavements; construction of approximately 3.5 inches of hot mix asphaltic concrete pavement; curb ramp repair/replacement; pavement markings; and a variety of miscellaneous work. This is a work order contract where projects will be assigned as they are designed.

The Contract duration for this project is 365 calendar days. This project was designed in-house by the Engineering Branch staff.

LOCATION: Thoroughfares located throughout all Council Districts.

BIDS: Bids were received on April 1, 2010. The three (3) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Durwood Greene Construction Co.	\$3,994,515.00
2. Angel Brothers Enterprises, Ltd.	\$4,680,851.00
3. Forde Construction Company, Inc.	\$4,867,365.00

REQUIRED AUTHORIZATION


CUIC ID #20RA12

NDT

Finance Department

Other Authorization:

Other Authorization:


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

Date	Subject: Contract Award for Generic City Wide Overlay Package #15 (Work Order Contract). WBS. No. N-001037-0055-4	Originator's Initials <i>RA</i>	Page 2 of 2
-------------	---	---	-----------------------

AWARD: It is recommended that this construction Contract be awarded to Durwood Greene Construction Co. with a low bid of \$3,994,515.00 and that Addenda Numbers 1 and 2 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$4,893,527.00 to be appropriated as follows:

•	Bid Amount	\$3,994,515.00
•	Contingencies	\$ 199,725.00
•	Engineering and Testing Services	\$ 180,000.00
•	Project Management	\$ 239,671.00
•	Construction Management	\$ 279,616.00

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

Construction Management Services will be provided by in-house staff of the Construction Branch.

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 others, in compliance with City policy.

MBE/SBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the MBE and SBE overall goal for this project of 18%.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. R & A Transport, Inc.	Asphalt Supplier	\$319,209.00	7.99%
2. Curb Planet, Inc.	Paving	\$280,000.00	7.01%
TOTAL		\$599,209.00	15.00%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Contractors Source, Inc.	Supplier	\$ 59,917.72	1.50%
2. Contractors Paving Supply, LLP	Supplier	\$ 59,917.72	1.50%
TOTAL		\$119,835.44	3.00%

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

MSM:DRM:RK:MW:RA/ddh

Z:\design\A-NP-DIV\Overlay\Overlay Package 15 N-001037-0055-4\3.0 Final Design Phase III\3.7 Advertisement-Bids-Award Records\Postbid\RCA.doc

C: Marty Stein
Velma Laws
Susan Bandy
Mike Pezeshki, P.E.
File 3.7

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: A motion establishing a public hearing date to consider adopting a Municipal Setting Designation ordinance for BAE Systems Resolution Corporation, Inc. for the site located at 4516 Harrisburg Blvd., Houston, TX 77011. (MSD # 2010-026-FSS)

Page
1 of 1Agenda Item
33**FROM (Department or other point of origin):**


Department of Public Works and Engineering

Origination Date

5/13/10

Agenda Date

MAY 19 2010

DIRECTOR'S SIGNATURE:
Michael S. Marcotte, P.E., D.WRE, BCEE, Director**Council District affected:**H
B, C, D, E, G, and I are within 5 miles of the site.**For additional information contact:**Carol Ellinger Haddock, P.E. Senior Assistant Director (713) 837-7658
Richard J. Chapin PJC Senior Project Manager (713) 837-0421**Date and identification of prior authorizing Council action:** 8/22/2007 - 2007-0959**RECOMMENDATION: (Summary)**

Establish a public hearing date to consider adopting a Municipal Setting Designation (MSD) ordinance for BAE Systems Resolution Corporation, Inc. for the site located at 4516 Harrisburg Blvd., Houston, TX 77011.

Amount and Source of Funding: N/A

BACKGROUND: In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSD), which would designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by the Texas Commission on Environmental Quality (TCEQ) and requires municipal support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting the public's health. On August 22, 2007, City Council approved an ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support an MSD application to the State. This ordinance requires a written public notice to be mailed to property owners within one-half mile and owners/operators of potable water wells within 5-miles of a proposed MSD site. In addition, a public meeting and a public hearing are required to be held prior to City Council's consideration of an ordinance of support.

BAE SYSTEMS RESOLUTION CORPORATION, INC. APPLICATION: BAE Systems Resolution Corporation, Inc. is seeking a Municipal Setting Designation (MSD) for 10.5-acres of land located at 4516 Harrisburg Blvd., Houston, TX 77011. The contamination consists of Benzene, Methyl tert-butyl ether (MTBE), tetrachloroethene (PCE), trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), 1,1-dichloroethene (1,1-DCE), vinyl chloride (VC), and arsenic. The property was previously developed as a commercial/industrial facility. The property has been entered into the State's voluntary clean-up program (VCP No. 1675). Through excavation, contaminated soil from the property has been removed and replaced with clean fill. Since all potential onsite sources are no longer present, and based on previous groundwater monitoring at the site, all contaminants of concern are stable, and/or decreasing. A public meeting will be held at 6:00 PM on 5/20/2010 at the Ripley House, 4410 Navigation, Houston, TX 77011.

BAE Systems Resolution Corporation, Inc. is seeking an MSD for this property to restrict access to groundwater to protect the public against exposure to contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property.

RECOMMENDATIONS: City ordinance requires City Council to hold a public hearing before adopting a Municipal Setting Designation (MSD) ordinance. The Department of Public Works and Engineering recommends establishing a public hearing date not sooner than six weeks from passage of the motion and directing the City Secretary to publish notice of the hearing no less than thirty (30) calendar days before the public hearing date for BAE Systems Resolution Corporation, Inc. for the site located at 4516 Harrisburg Blvd., Houston, TX 77011. Preferred public hearing date is July 14, 2010.

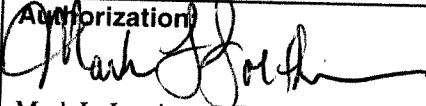
MSM:MLL:CEH

P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - PUBLIC HEARING.DOC

C: Marty Stein, Ceil Price

REQUIRED AUTHORIZATION

CUIC ID# 20CAE89






Finance Department:**Authorization:**
Mark L. Loethen, P.E., CFM, PTOE
Acting Deputy Director
Planning & Development Services Division**Other Authorization:**

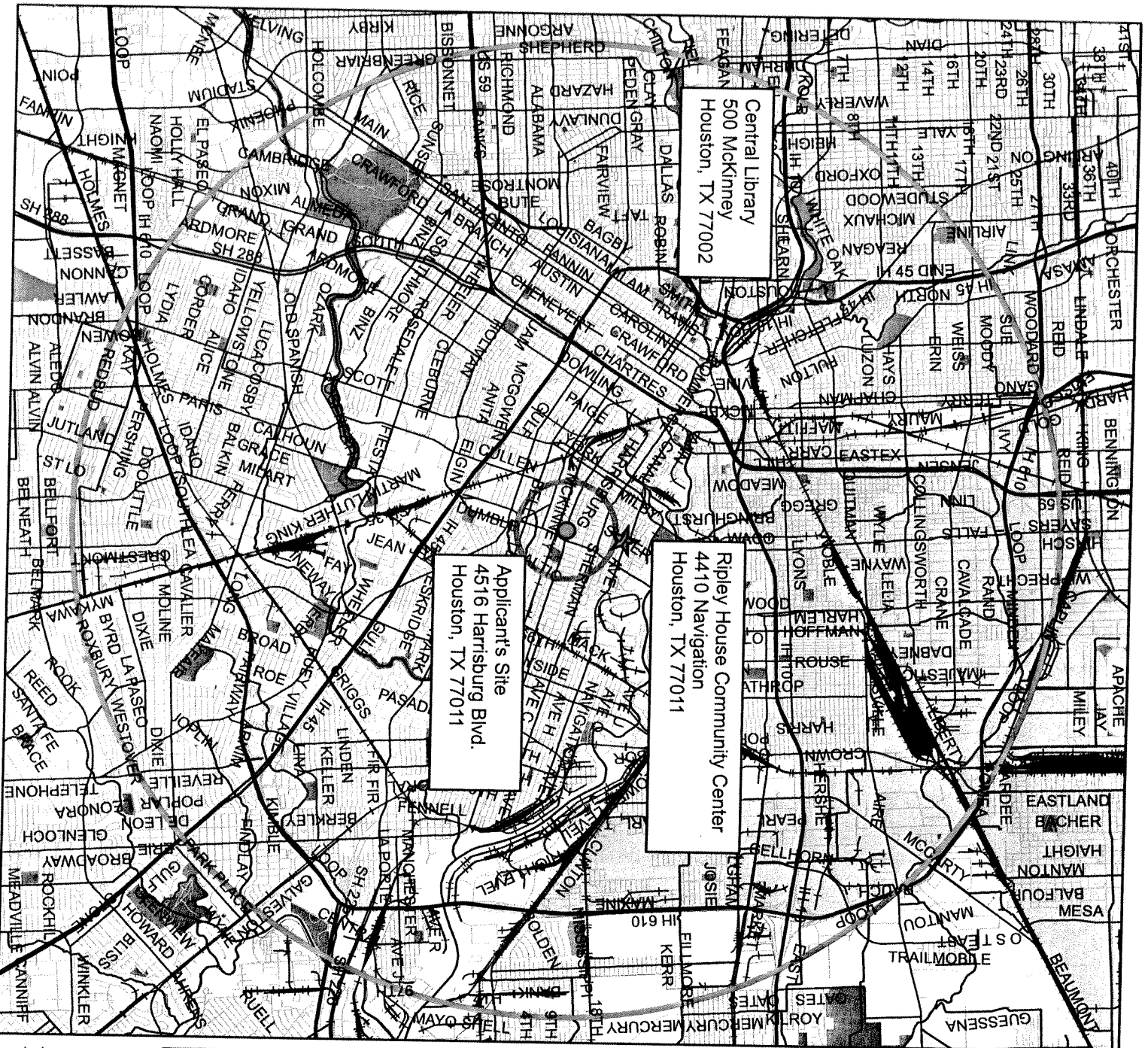
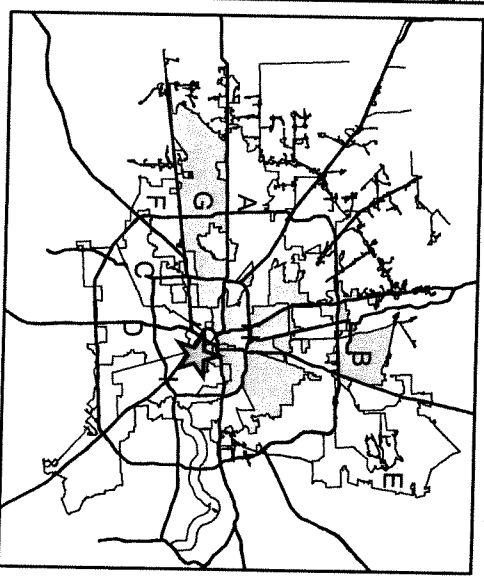
Municipal Settings Designation Application

2010-026-FSS

Vicinity Map

Legend

-  Library
-  MSD Application
-  Community Center
-  1/2 Mile Notification Area
-  5 Mile Notification Area



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

134

MAY 19 2010

MOTION NO. 2010 0249

MOTION by Council Member Johnson that the rules be suspended for the purpose of delaying for two weeks or until after a special meeting of the Housing Committee could be held:

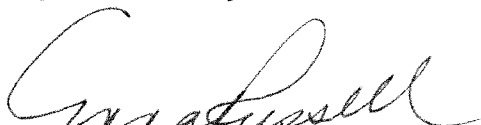
Item 38 - Ordinance approving and authorizing contract between the City of Houston and Marjo House Incorporated, providing up to \$399,459.00 in Housing Opportunities for Persons With AIDS Funds, which amount includes a limitation on additional funding in the amount of \$199,729.50, for the operation and administration of a community residence located at 1706 Gellhorn Drive, Houston, Texas, along with the provision of supportive services

Seconded by Council Member Lovell and carried.

Mayor Parker, Council Members Stardig, Johnson, Clutterbuck, Adams, Sullivan, Hoang, Gonzalez, Rodriguez, Costello, Lovell, Noriega, Bradford and Jones voting aye
Nays none
Council Member Pennington absent

PASSED AND ADOPTED this 28th day of April, 2010.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is May 4, 2010.


City Secretary

HCD10-90

SUBJECT: An Ordinance authorizing the execution of a contract between the City of Houston and Marjo House, Inc. for the administration and operation of a Community Residence through a HOPWA Grant.		Category 1,2	Page 34 of 2	Agenda Item #3818
FROM (Department or other point of origin): Ada Edwards, Director Housing and Community Development Department		Origination Date 03/30/10	Agenda Date APR 21 2010 APR 28 2010 MAY 19 2010	
DIRECTOR'S SIGNATURE: <i>Ada Edwards</i>		Council District affected: District B		
For additional information contact: Keith Bynam Phone: 713-868-8396 <i>KWB</i>		Date and identification of prior authorizing Council action: N/A		
RECOMMENDATION: (Summary) Approval of an ordinance authorizing the execution of a contract between the City of Houston and Marjo House, Inc. for the operation and administration of a community residence under the Housing Opportunities for Persons with AIDS ("HOPWA") Act.				
Amount of Funding: \$399,459.00			Finance Budget:	
\$199,729.50 First year funding \$199,729.50 Second year (Renewal Option) \$399,459.00 Total contract funding amount				
SOURCE OF FUNDING <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify) HOPWA Grant Fund (5000)				
SPECIFIC EXPLANATION:				
<p>The Housing and Community Development Department ("HCDD") recommends approval of a contract between the City of Houston and Marjo House, Inc. for the administration of a Housing Opportunities for Persons with AIDS ("HOPWA") grant – funded Community Residence for HIV positive men with multiple disease diagnosis.</p> <p>The mission of Marjo House, Inc. is to provide permanent housing through a community residence setting, for those individuals who cannot live alone due to illnesses relating to HIV disease or inability to secure appropriate and safe housing on their own. The agency provides housing and various collateral services which greatly improve and sustain the physical and mental health, functioning capacity, stability and overall quality of life for clients. Marjo House's comprehensive and full time care services are tailored to provide and model personal care services as well as introduce and implement various therapies to build independence.</p> <p>Since inception in 2003, Marjo House, Inc., a nine bed community residence, has provided long term housing to this population. Clients served through Marjo House are HIV positive men with dual diagnosis and in need of specific care and housing. With additional HOPWA funding, Marjo House can extend its bed capacity for this population and ensure long term care. Located in District B, an area disproportionately affected by HIV/AIDS, Marjo House is unique in bringing this level of care to the impacted surrounding communities.</p>				
REQUIRED AUTHORIZATION				
Finance Director:		Other Authorization:		NOT

Date:
03/30/10

Subject: An Ordinance authorizing the execution of a contract between the City of Houston and Marjo House, Inc. for the administration of a Community Residence through a HOPWA Grant.

Originator's
Initials

Page
2 of 2

This agreement will provide up to \$199,729.50 in HOPWA funding for a one (1) year contract, and \$199,729.50 for a second year renewal option, in order to provide the above-referenced services to a minimum of fifteen (15) unduplicated, low-income HIV/AIDS individuals annually.

Total Funds and Sources:	\$199,729.50
Number of Persons to be Served:	15 (annually)
Category of Persons:	HIV/AIDS/Low-income men

The Contract will provide funding for:

Service Category	Recommended Funding Amounts*
Administration	\$13,957.50
Supportive Services	\$44,588.50
Community Residence/Operations	\$141,183.50
Total Amount	\$199,729.50

*Annual amount

Therefore, HCDD is requesting approval of a contract providing up to \$399,459.00 in HOPWA funds for the administration and operation of a community residence for HIV positive, low-income men.

AE:KB:ab

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



MOTION NO. 2010

MOTION by Council Member Clutterbuck that the recommendation of the Purchasing Agent, on bids received for Forklifts for the Houston Airport System, S38-N23545, be adopted, and authority is hereby given to issue purchase order to Equipment Depot, Ltd., on their low bid for Item 1 for two 6,000-lb. lift capacity, electric-powered forklifts in the amount of \$63,738.00 and Item Nos. 2 and 3 are not part of the award recommendation as the individual award amounts are less than \$50,000.00.

Seconded by Council Member Noriega

Council Member Lovell absent

On 05/12/2010 the above motion was tagged by Council Member Jones.

mla

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8710

Subject: Formal Bids Received for Forklifts for the Houston Airport System
S38-N23545

Category #
4

Page 1 of 1

Agenda Item

358

FROM (Department or other point of origin):

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

Origination Date

April 22, 2010

Agenda Date

~~MAY 12 2010~~

MAY 19 2010

DIRECTOR'S SIGNATURE

For additional information contact:

Dallas Evans Phone: (281) 230-8001
Ray DuRousseau Phone: (832) 393-8726

Council District(s) affected
B

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Equipment Depot, Ltd. on its low bid in the amount of \$63,738.00 for forklifts for the Houston Airport System.

Award Amount: \$63,738.00

Finance Budget

\$63,738.00 - HAS-AIF Capital Outlay Fund (Fund 8012)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Equipment Depot, Ltd. on its low bid for Item No. 1 in the amount of \$63,738.00 for two 6,000-lb. lift capacity, electric-powered forklifts for the Houston Airport System, and that authorization be given to issue a purchase order. These forklifts will be used at the George Bush Intercontinental Airport by Department personnel to transport supplies and materials at airport facilities.

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

<u>Company</u>	<u>Amount (Item No. 1)</u>
1. Equipment Depot, Ltd.	\$63,738.00
2. MCFA d/b/a Mitsubishi Forklift Trucks of Houston	\$65,568.00
3. Briggs Equipment, Inc.	\$74,274.90
4. Alden Equipment, Inc.	\$75,970.00

Item Nos. 2 and 3 are not part of this award recommendation as the individual award amounts are less than \$50,000.00.

These new forklifts will come with a full 12-month warranty and the life expectancy is ten years. One of the new forklifts will replace Shop No. 20189, a 17-year-old unit that has exceeded its life expectancy and will be sent to auction for disposition. The other new unit will be an addition to the Department's fleet inventory and is required for the Department's new cargo storage facility to transport various commodities.

Buyer: Lena Farris
PR Nos. 10085799 and 10085874

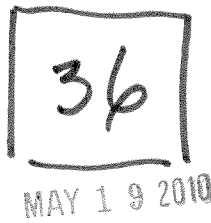
REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NDT



MOTION NO. 2010

MOTION by Council Member Clutterbuck that the recommendation of the Purchasing Agent, to amend Motion No. 2008-0654, passed and adopted August 20, 2008, which authorized award for Fittings and Appurtenances for the Department of Public Works and Engineering, S32-S22766-A1, be adopted, and Motion No. 2008-0654, is hereby amended to increase the spending authority on award to CPR Services and Supplies, Inc., d.b.a. MDN Enterprises from \$1,577,127.00 to \$1,971,408.75.

Seconded by Council Member Noriega

Council Member Lovell absent

On 5/12/10 the above motion was tagged by Council Member Jones.

cr

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8668

Subject: Amend Council Motion 2008-0654, Passed August 20, 2008,
for Fittings and Appurtenances for the Public Works & Engineering
Department
S32-S22766-A1

Category #
4

Page 1 of 1 Agenda Item

36-9

FROM (Department or other point of origin):

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

Origination Date

April 13, 2010

Agenda Date

MAY 19 2010

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

David Guernsey Phone: (832) 395-3640
Desiree Heath Phone: (832) 393-8742

Date and Identification of prior authorizing Council Action:

CM 2008-0654, Passed August 20, 2008

RECOMMENDATION: (Summary)

Amend Council Motion 2008-0654, passed August 26, 2008, to increase spending authority from \$1,577,127.00 to \$1,971,408.75 for fittings and appurtenances for the Public Works & Engineering Department.

Spending Authority Increased by: \$394,281.75

Finance Budget

\$394,281.75 PW&E Water & Sewer System Operating Fund (8300)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council amend Council Motion 2008-0654, to increase the spending authority for fittings and appurtenances awarded to CPR Services and Supplies, Inc. d.b.a. MDN Enterprises from \$1,577,127.00 to \$1,971,408.75. The additional spending authority is required to continue the repair of the water and sewer lines. In 2008, the City of Houston experienced Hurricane "Ike" and suffered extensive breaks in the water and sewer lines in 2009. As material acquisition is dictated by breaks and leaks, the purchase of various types of fittings and appurtenances has far exceeded the quantities estimated.

This award began August 26, 2008 for a 60-month period in an amount not to exceed \$1,577,127.00. Expenditures as of April 13, 2010 totaled \$1,576,656.57. All terms and conditions shall remain as originally approved by City Council.

This award consists of various price lists for fittings and appurtenances; which include but are not limited to, clamps, joints, couplings, and steel sleeves.

This solicitation was issued with a 1% goal for M/WBE participation. CPR Services and Supplies, Inc. d.b.a. MDN Enterprises has met 0.101% of the goal.

Buyer: Veronica Douglas, CPPB

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

10

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: A resolution to nominate Sysco Corporation located at 24500 Northwest Freeway, Houston, Texas 77429 in the City's ETJ, as an Enterprise Project.

Category #

Page 1 of 1

Agenda Item#

137#

FROM: (Department or other point of origin):

Michelle Mitchell, Director
Finance Department

Origination Date

5/6/10

Agenda Date

MAY 12 2010

DIRECTOR'S SIGNATURE:

Michelle Mitchell

Council Districts affected:

None (project is located in the City's ETJ)

For additional information contact:

Tim Douglass
Keith R. Phillips

Phone: 713-837-9857
Phone: 713-837-0610

Date and identification of prior authorizing Council Action:

Ordinance No. 2008-118 dated 2/13/08, as amended by
Ordinance No. 2008-359 dated 4/23/08

RECOMMENDATION: (Summary) A resolution to nominate Sysco Corporation located at 24500 Northwest Freeway, Houston, Texas 77429 in the City's ETJ, as an Enterprise Project.

Amount of Funding: No City funding required

Finance Budget:

SOURCE OF FUNDING:

☐ General Fund

☐ Grant Fund

☐ Enterprise Fund

☒ Other (Specify) State funded incentive

SPECIFIC EXPLANATION:

The Texas Enterprise Zone Program is an economic development tool for local communities to partner with the State of Texas to promote job creation and capital investment. Designated Enterprise Projects are eligible to apply for state sales and use tax refunds on qualified expenditures. The level and amount of refund is related to the capital investment and jobs created or retained at the qualified business site. Depending on investment amount, there is a maximum refund of \$2,500 - \$7,500 per job for the company. The program incentives are funded 100% by the State of Texas and no City funding is required.

State law requires that each candidate for designation as an Enterprise Project be nominated by the municipality or county. Houston issued 3 nominations out of a maximum of 9 project designations per biennium, that began on September 1, 2009 and ends on August 31, 2011. The next deadline for the quarterly state application is June 1, 2010. City Council previously adopted an ordinance authorizing the City to nominate projects for this State Funded incentive. State Government Code, Chapter 2303, states that "...territory in the municipal boundaries and in the extraterritorial jurisdiction of a municipality is considered to be in the jurisdiction of the municipality" as it relates to Enterprise Project nominations. Because Harris County's Enterprise Project program has not been fully implemented, the City will use one of its nominations available in its ETJ.

The proposed Resolution will nominate Sysco Corporation as an Enterprise Project with an estimated capital investment up to \$81 million and the creation of 2,000 new jobs over the 5-year program period. Sysco Corporation, a homegrown company founded in Houston in 1970, is the number 1 foodservice supplier in North America, serving more than 400,000 customers. The company is consolidating its internal business services operations throughout North America in several phases over the next 4 years. Sysco will incorporate finance, accounting, human relations, procurement, customer service, and supply chain logistics in its Houston Shared Services Business Center at 24500 Northwest Freeway. An impact analysis by the Greater Houston Partnership estimates the net benefit for the Houston region to be approximately \$63 million over the first ten years.

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

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

Tim



GREATER HOUSTON PARTNERSHIP
houston.org

PROJECT LUCY

BRIEFING REPORT

April 23, 2010

PREPARED FOR:

City of Houston

Finance Department – Economic Development



GREATER HOUSTON PARTNERSHIP
houston.org

SYSCO Corporation (SYY)
aka: Project Lucy

CONSULTANT CONTACT:
Scott Grisham
Deloitte
2200 Ross Ave, Suite 1600
Dallas, Texas 75201
214.840.1410
sgrisham@deloitte.com

COMPANY/PROJECT OVERVIEW

Sysco Corporation is a Fortune 500 company headquartered in Houston, Texas. Sysco is the #1 foodservice supplier in North America, serving about 400,000 customers through more than 180 distribution centers in the US and Canada. Its core broadline distribution business supplies food and non-food products to restaurants, schools, hotel, health care institutions, and other foodservice customers, while its SYGMA Network focuses on supplying chain restaurants. Sysco distributes both nationally branded products and its own private-label goods. In addition, Sysco supplies customers with specialty produce and meat products, and it distributes kitchen equipment and supplies for the hospitality industry.

Represented by Deloitte, the Houston-based company, Sysco Corporation, is focused on consolidating its internal business services operations throughout North America in several phases over the next 48 months. The business shared service center will **create 2,000 new jobs** whose functions spread over customer support, finance and accounting, human relations, procurement and supply chain logistics. Approximately 800 of these job positions have a combined average wage greater than the current Harris County average wage. The remainder of the job positions meets or exceeds the standard wage per job position in the Houston area.

The site selection process began with the consideration of 13 states, including Texas (Houston, Dallas/Fort Worth, Austin and San Antonio). The possible site was narrowed to two locations: Houston, TX and Atlanta, GA. In this competitive site selection process, the Texas Enterprise Zone incentive program was critical in Sysco's final site analysis. The Enterprise Zone designation was ultimately a key factor in enticing Sysco to select Houston, TX as the site for its new Shared Services Business Center.

The Houston site Sysco selected is the former Compaq/HP facility on Hwy 290. The 669,000 sq. ft. building is located at **24500 Northwest Freeway, Houston, TX 77429** in the City of Houston ETJ.

SUMMARY

Request:	Enterprise Zone Designation – currently 6 open designations
Council District:	City of Houston ETJ – see map attached
State Deadline:	June 1, 2010



GREATER HOUSTON PARTNERSHIP
houston.org

Project Type: Business shared services center
Jobs: 2,000 new jobs
Capital Investment: \$81,000,000
Direct & Indirect Jobs: 4,470
Total Salaries: \$1,667,602,489
Taxable Purchases by Workers: \$299,997,139

Figures are part of an Economic Impact analysis over 10 years. See charts below.

BASIC FACTS

Corporate Headquarters: Houston, TX
Corporate Address: 1390 Enclave Pkwy
Houston, TX 77077
Type of Company: Public
Founded: 1970
Total Employees: 47,000 worldwide
Houston Employees: **2,388 currently in Houston**
Industry Type: Wholesale Food Service Distribution
Credit Rating Score: A+ (Moody's)
Primary NAICS Code: 424410 – General Line Grocery Market Wholesalers
Markets: United State and Canada
2008 Net Sales: \$37 billion

HOUSTON REGIONAL ECONOMIC AND FISCAL IMPACTS

This analysis was created on the assumptions of the created employment and production at Sysco's new Houston facility. Obviously, a drop in employment and production would have an impact on the significant contributions Sysco Corporation is making in the entire Houston region.

Annual Regional Economic Impact of 2,000 New Jobs

Project Name	Lucy
NAICS Industry	#561100
Industry Description	Office Administrative Services
Impact Based on Jobs Created	
Direct Jobs	2,000
Indirect Jobs	2,470
Total Jobs	4,470
Annual Economic Impact	\$533.6 million



GREATER HOUSTON PARTNERSHIP
houston.org

One-Time Regional Economic Impact of \$28.4 Million in Construction

Project Name	Lucy
NAICS Industry	#561100
Industry Description	Office Administrative Services
One-Time Impact Based on \$28.4 Million in Construction	
One-Time Direct Jobs	267
One-Time Indirect Jobs	312
One-Time Total Jobs	579
One-Time Economic Impact	\$66.5 million

SOURCE: Calculations by the Greater Houston Partnership Research Department based on Regional Input-Output Modeling System II (RIMS-II) multipliers supplied by the Bureau of Economic Analysis, U.S. Department of Commerce.

ECONOMIC IMPACT ON THE HOUSTON REGION OVER THE FIRST TEN YEARS

The following are some of the economic impacts that the area can expect from the company over the first ten years:

Some of the Regional Economic Impacts of the Firm over the First Ten Years	
Total number of direct and indirect jobs created	4,470
Total payroll for direct and indirect workers	\$1,667,602,489
Total expected taxable sales and purchases	\$299,997,139
Total property to be added to local tax rolls over the first ten years	\$136,488,599



GREATER HOUSTON PARTNERSHIP
houston.org

NET BENEFITS FOR ALL LOCAL TAXING DISTRICTS OVER THE FIRST TEN YEARS

The county, school district and other districts where the company will be located can expect the following costs and benefits from the firm and the retained direct and indirect employees associated with the firm over the first 10 years.

Net Benefits for the County, School District, and Other Taxing Districts Over the First Ten Years	
<u>Benefits:</u>	
Sales tax collections	\$42,907,499
Property tax collections	\$25,881,251
Hotel occupancy taxes	\$33,092
Collections of other taxes and user fees	\$1,280,648
State and federal school funding	\$44,829,887
Total benefits	\$114,932,377
<u>Costs:</u>	
Costs of providing services to retained residents	\$2,134,414
Costs of providing services to students	\$33,622,415
Reduction in state aid for residential and commercial property on school district tax rolls	\$15,572,542
Total costs	\$51,329,371
Net benefits for county, school district and special taxing districts	<u>\$63,603,006</u>
Note: Does not include impact of utility franchise fees and taxes.	
Note: Does not include impact of firm's taxable purchases.	

Source: Impact DataSource Fiscal Impact Model – Developed by Jerry Walker for the Greater Houston Partnership Research Department



GREATER HOUSTON PARTNERSHIP
houston.org

COMMITMENT IN HOUSTON

Sysco Corporation is a homegrown company founded in Houston, TX in 1970. Sysco's partnership with the Greater Houston region extends to the community at large. Being a good corporate citizen is an integral part of Sysco's business and corporate culture.

- **Community Outreach** – Sysco's weCare Community Service Awards recognized Sysco Houston as one of the 2009 corporate winners. Sysco has partnered with numerous local charities including: American Heart Association and Houston Food Bank.
- **Fighting Hunger** – Sysco is a partner with Share Our Strength working to end childhood hunger in America. Sysco donates products and volunteer hours to Houston Food Bank throughout the year.
- **Encouraging Education** – Sysco has contributed nearly \$1 million in total scholarships since 2003 and supports numerous minority focused scholarship programs.
- **Promoting Diversity** – In 2009 Sysco's product purchases from minority- and women-owned suppliers totaled \$640 million. Sysco has implemented programs to recruit the best and brightest talent from a broad range of cultures.
- **Environmental Protection** – Sysco has implemented a corporate sustainability model with suppliers, associates and customers to reduce the company's overall impact on future generations.



GREATER HOUSTON PARTNERSHIP
houston.org

ENTERPRISE ZONE PROGRAM

The City of Houston passed Ordinance Number 2008-118 on February 13, 2008 to participate in the Enterprise Zone (EZ) Program. The Texas EZ program is an economic development tool for the City of Houston to partner with the State of Texas to encourage job creation, job retention and capital investment.

PHASE I - Request for Nominations

The company requests a nomination as an EZ Project. There is NO COST TO THE CITY, the approved resolution is a required endorsement to allow the company to move to the next phase (application).

PHASE II – Application to State

The endorsement will allow the company to submit their EZ application to the state before the June 1, 2010 deadline. There is no guarantee of state approval.

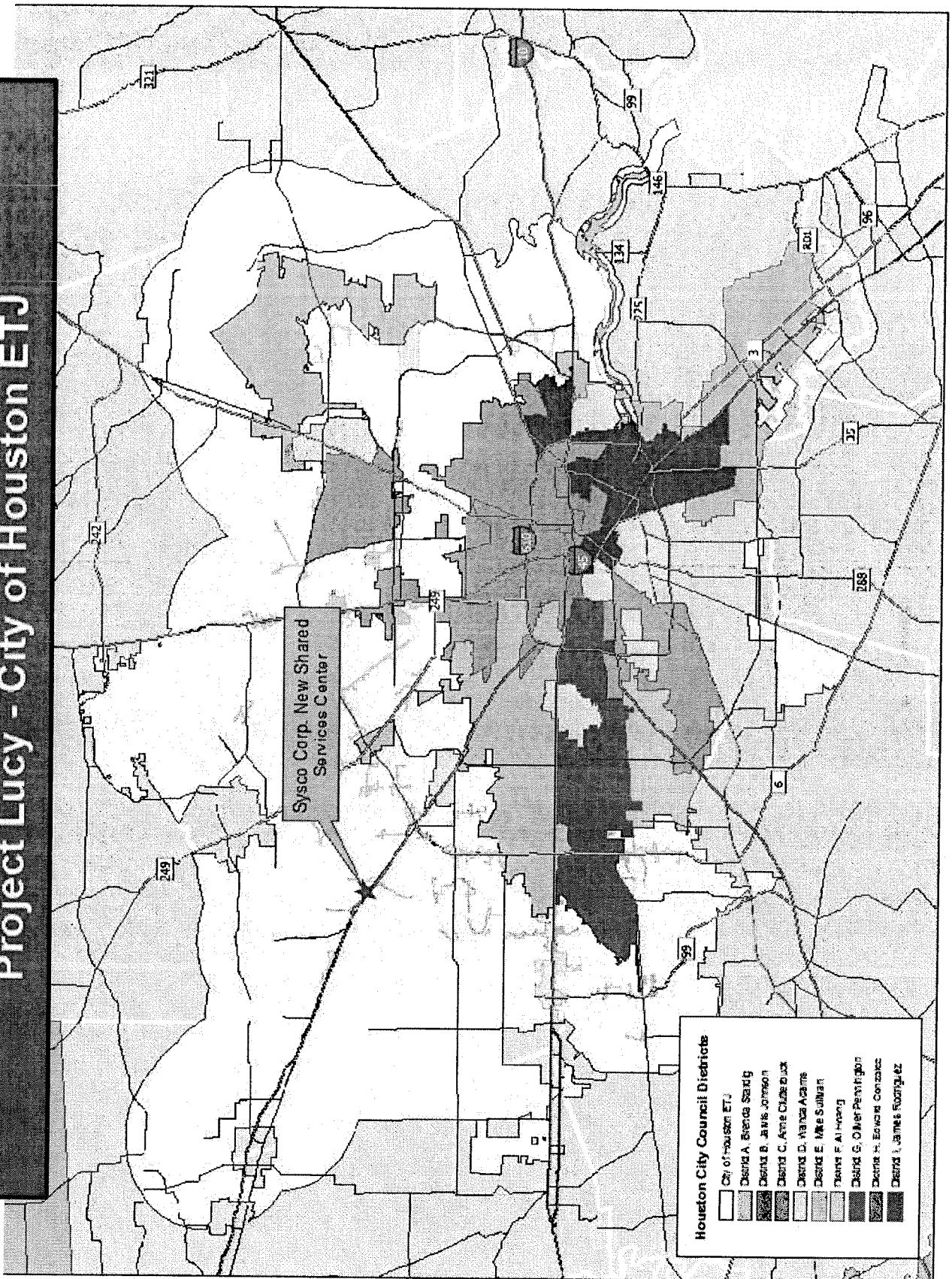
PHASE III – The Benefits

The nominated project, if approved by the State, is eligible for a refund of **STATE** sales and use taxes relative to sales tax paid on investments, jobs created and jobs retained. 5 year duration.

PHASE IV – Compliance

To receive the State sales and uses tax benefits the qualified business must provide a certified report to the State indicating the actual amount of capital investment, as well as the actual number of new and/or retained jobs by category and title.

Project Lucy - City of Houston ETJ



SUBJECT: Ordinance proposing amendments to Article XV, Chapter 45 of the City of Houston Code of Ordinances concerning Neighborhood traffic calming

Category #

Page
1 of 1

Agenda Item #

38

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

Origination Date
April 29, 2010

Agenda Date

MAY 19 2010

DIRECTOR'S SIGNATURE:

Council District affected:
All

MAY 19 2010


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

For additional information contact: 832-395-2461
Jeff Weatherford Phone: (713) 837-0125
Michael Ereti Phone: 713-837-0506

Date and identification of prior authorizing Council Action: Oct. 4, 1995 Ord. No. 95-1070

RECOMMENDATION: The Public Works and Engineering Department ("PWE") recommends that City Council consider and adopt proposed amendments to the administration and approval processes concerning the implementation of traffic calming devices pursuant to the city's neighborhood traffic management program.

Amount and Source of Funding: N/A

BACKGROUND: In 1995 the City implemented two traffic calming programs; the Neighborhood Traffic Projects (NTP) and the Speed Hump programs. The NTP program was governed by ordinance 95-1070 which establishes the procedures for application and review, approval, financing and construction of projects to minimize or eliminate traffic congestion, cut-through traffic or other traffic-related problems in a neighborhood area. In short, the implementation of traffic calming devices pursuant to the current NTP program requires notification and involvement from residents of a defined neighborhood area, traffic study, and a series of public meetings whereby residents of the affected neighborhood area may voice their support, opposition, or concerns regarding the proposed implementation of traffic control devices in their neighborhood area.

In slight contrast with the NTP program, the city's Speed Hump program is a street by street approach to address the problem of speeding on residential streets. The study area for the speed hump program is limited to the properties fronting the street where the installation of the speeds humps is being contemplated. Eligibility for consideration of installation of speed humps pursuant to the city's speed hump program requires documented evidence of excessive speeding in the study area as well as support from the residents on the street where the speed humps would be installed.

In 2009 the Texas Legislature passed House Bill 3082 which requires the governing body of a municipality with a population of 1.9 million or more to take specific action(s) prior to the installation of traffic calming devices. The net effect of House Bill 3082 has been the elimination of the speed hump program and the necessity to amend certain aspects of the current NTP program. The recommended amendments include renaming the program concerning the installation of traffic calming devices to the *Neighborhood Traffic Management Program*, providing flexibility, yet clarity concerning the defined term "neighborhood area", expanding upon the program's eligibility requirements, while ensuring that the city's neighborhood traffic management program accurately reflects the legislature's intent concerning notification and public hearing requirements as a result of the adoption of House Bill 3082. PWE also recommends that all projects that receive approval by the director shall require final approval by City Council prior to the installation of a traffic calming device.

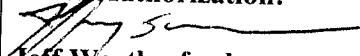
This item was reviewed by the Transportation, Infrastructure and Aviation committee on March 11, 2010 and was moved to full council with a recommendation.

2035039

REQUIRED AUTHORIZATION

Other Authorization:

Other Authorization:


Jeff Weatherford
Deputy Director
Traffic and Transportation

4/29/10

ARTICLE XV. NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM PROJECTS

Sec. 45-361. Definitions.

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

Access street has the meaning ascribed in section 42-7 of this Code.

Applicant means one or more property owners or residents within a neighborhood area, a duly authorized representative of a neighborhood association or the director who makes a request for the construction of a project.

Collector street means a street that is not a designated major thoroughfare, but that provides access and circulation between major thoroughfares and local, access and interior streets.

Designated street means that portion of a particular street, within the right-of-way of which a device is proposed to be constructed under this article. Designated streets may include the rights-of-way of access, interior or local streets, but may not include any portion of a major thoroughfare.

Device means a traffic ~~calming mitigation~~ device, consisting of the physical structure or other improvement constructed, placed or located, whether on a temporary or a permanent basis, upon a designated street pursuant to this article.

Director means the director of the department of public works and engineering or the traffic engineer or any other person designated by the said director to perform the director's duties under this article.

Install or installation means the permanent placement of a device following approval by final action of city council as required pursuant to section 45-372 of this Code. Install or installation does not include the temporary placement of a device for test or evaluation purposes.

Interdepartmental review committee means a committee consisting of one representative each of the fire, police, planning and development, solid waste management, public works and engineering, and convention and entertainment facilities departments of the city who shall each be appointed by the mayor and one representative designated by the Metropolitan Transit Authority of Harris County.

Interior street has the meaning ascribed in section 42-7 of this Code.

Local street has the meaning ascribed in section 42-7 of this Code.

Neighborhood area means any contiguous area within the city that generally has as its boundaries: (i) the interior right-of-way line of any major thoroughfare or collector street; (ii) the interior boundary or right-of-way line of any railroad line, utility or pipeline corridor, river or waterway (not including drainage or flood control ditches not being traversed by other streets within the general locale); (iii) the corporate limits of the city; or (iv) any combination of one or more of the foregoing boundaries. A neighborhood area may consist of one or more subdivisions and shall include only those properties within and fronting on or taking their only access from a street within the bounded area. The director may adjust the boundaries of a neighborhood area at any stage of the neighborhood traffic management process upon the consideration of additional information including, but not limited to, public input from residents or property owners in the neighborhood area or findings made by the director as a result of the presence of special conditions affecting the neighborhood area.

Neighborhood association means any homeowners' association, property owners' group or civic association, whether incorporated or not, whose membership includes property owners and/or residents of a neighborhood area.

Neighborhood traffic committee means a committee, consisting of not more than five members drawn from the residents or property owners within a neighborhood area, selected as provided in section 45-366 of this Code, to assist in the processing of a request for a project.

Neighborhood traffic management program ~~project or project~~ means the entirety of the processes and procedures as described in this article whereby one or more devices may be placed upon a designated street in a neighborhood area.

Project means the construction of one or more devices upon a designated street in the neighborhood area.

Property owner means the owner(s) of any tract or parcel of real property within a neighborhood area.

Resident means any person who resides in or owns or operates a home or business upon any tract or parcel of real property within a neighborhood area.

Sec. 45-362. Purpose; regulations.

(a) The purpose of this article is to establish the procedures governing the application for and review, approval, financing and construction of projects to minimize or eliminate traffic congestion, cut-through traffic or other traffic-related problems in a neighborhood area. In accordance with the provisions of this article, the director shall prepare and make available to the public appropriate forms to request a project.

(b) Consistent with the other provisions of this article, the director may promulgate request forms and may promulgate rules and regulations for the implementation of this article. A copy of the rules and regulations shall be maintained for public inspection in the offices of the said director, and copies may be purchased at the fees prescribed by law.

Sec. 45-363. Request for projects.

(a) A request for a project must be initiated by an applicant. Multiple requests from the same or similar neighborhood areas may be consolidated into and considered as a single request, at the director's option.

(b) The director shall, from time to time, prepare and submit for approval by motion of the city council a schedule of fees that shall be paid by an applicant for a project. Payment of any applicable fees when due is a condition of the processing of a request under this article.

Sec. 45-364. Preliminary review process.

(a) Each request for a project shall be made or forwarded by the applicant to the director upon a form promulgated for that purpose by the director and shall include, at a minimum, the following:

- (1) A description or definition of the proposed neighborhood area;
- (2) A list containing the names, addresses and telephone numbers of the individuals comprising the applicant or, in the case of a request from a neighborhood association, the name, address and telephone number of the duly authorized representative of the neighborhood association;-
- (3) A general description of the traffic problem or condition to be remedied;
- (4) Special conditions ~~Historical data~~ concerning the proposed neighborhood area, including, but not limited to, such factors as the location and nature of businesses, schools, parks, churches or other non-residential traffic generators within or in close proximity to the neighborhood area;

- (5) Written evidence of neighborhood or community support for the project from residents and property owners within the affected neighborhood area, including the residents and property owners immediately adjacent to the proposed location of the device ~~Evidence of neighborhood or community support for the project;~~
- (6) Whether public funding or assistance is requested for the project; and
- (7) Any other information reasonably required by rule or regulation of the director in order to make any determination specified under this article.

(b) Each request shall initially be reviewed for completeness. If determined to be complete, the request shall be considered to have been filed when received in the director's offices and shall be acted upon as further provided in this article. If determined to be incomplete, the request shall be returned to the applicant with written notice of the deficiencies.

(c) Each request that is properly filed shall be reviewed and evaluated in accordance with section 45-365 of this Code. If the director determines that the request does not merit further consideration, based upon the criteria set forth in section 45-365(1) through (5) of this Code, then the director shall so notify the applicant in writing and, wherever practicable to do so, shall provide any suggested modifications to the request that might cause it to receive more favorable consideration if resubmitted. For requests that the director determines merit further consideration under the criteria of section 45-365(1) through (5) of this Code, the applicant shall be so advised in writing and shall also be advised:

- (1) If no public funding or assistance has been requested, that the project is eligible to proceed to an initial public meeting under section 45-366 of this Code; or
- (2) If public funding or assistance has been requested, whether or not the director has given preliminary approval for consideration of the project on a publicly funded basis under the criteria of section 45-365(6) of this Code, and:
 - a. If so, that the project is eligible to proceed to an initial public meeting under section 45-366 of this Code; or
 - b. If not, that the project will not be further considered or receive a public meeting under section 45-366 of this Code unless the applicant withdraws the request for public assistance or funding.

(d) All requests seeking public funding or assistance in the planning and/or construction of a project must be filed no later than March 1 preceding the commencement of the fiscal year in order to be eligible for funding during that fiscal year. Late filed requests shall be held for possible review for inclusion in a subsequent fiscal year's budget, unless the applicant elects, in writing, to proceed with private funding or withdraws the request.

Sec. 45-365. Review criteria.

The director shall evaluate and prioritize all requests pursuant to the following criteria:

- (1) Whether the request identifies a problem that could be remedied under this article;
- (2) Whether the request identifies a problem that could readily be addressed through the installation of a type of ~~traffic control~~ device that may be installed without approval under this article;
- (3) Whether special conditions ~~historical data~~ concerning the neighborhood area, including, but not limited to, the location and nature of businesses, schools, parks, churches or other non-residential traffic generators within or in close proximity to the neighborhood area, may support approval of the project;
- (4) Whether there is public support for the project as evidencing that the project will enhance and promote the public health, safety and welfare;
- (5) Whether existing evidence, studies, data or reports regarding the severity of the existing problem, if any, merit the project; and
- (6) For requests that include a public funding component, the amount of public funds available for planning of projects, the number of outstanding requests for publicly funded project planning, and the apparent merit of the request as compared to that of other requests and established city priorities, including, but not limited to, the city's neighborhoods to standards program for low to moderate-income areas.

Sec. 45-366. Initial public meeting; neighborhood traffic committee; citizen comments.

(a) Not later than 180 days fFollowing the receipt of notification by the director that a project has received preliminary approval for further consideration, the applicant shall

notify the director of a suitable location for the holding of a public meeting within the neighborhood area for the purpose of receiving public comments on the project. If the applicant fails to provide notice of a suitable location for the holding of a public meeting within the prescribed time, the applicant shall be notified that the request for a project has been closed. Any applicant who desires to renew a request for a project that has been closed due to the applicant's failure to notify the director of a suitable location for the holding of an initial public meeting shall be required to provide the director with a new application containing the minimum requisites pursuant to section 45-364(a) of this Code.

(b) Following receipt by the director of the information required by subsection (a) above, a written notice, in a form approved by the director, shall be mailed to all property owners and residents within the neighborhood area setting forth the date, time and location of a public meeting to receive public input on a proposed project. The notice shall specify the location and general nature of the proposed project and shall solicit public comments on the project. The director shall select the method(s) utilized to identify the property owners and residents to be notified, with due regard to the cost, time and accuracy of the method(s) to be utilized.

(c) Each notice shall be effective when deposited in the U.S. mail, postage prepaid, addressed to the property owner, resident or representative of a neighborhood association. Failure of any person to receive actual notice of the hearing required by this section shall not affect the validity of any action taken by the city in connection with the project.

(d) At the initial public meeting:

- (1) A neighborhood traffic committee shall be selected by those present;
- (2) Public comments shall be received on the proposed project; and
- (3) The director shall ensure that the necessary provisions are made for the receipt of written comments ~~Comment cards shall be distributed for additional comments~~ and public input on the proposed project. Written comments concerning the project shall not be considered in evaluating any project unless received in the offices of the director or such other place as the director may specify within 14 days after the meeting.

(e) Persons in attendance may register, and the names and addresses of those who do register shall be delivered to the director and added to the notification list for any future meetings held in connection with a project.

(f) The initial public meeting shall be conducted by the director, and all requirements and expenses relating to its being conducted shall be borne by the city for requests that receive preliminary approval for further consideration as a publicly funded project pursuant

to section 45-364(c)(2) of this Code. For all other requests, the initial public meeting shall be conducted in all respects at the expense of the applicant, and the director may delegate to the applicant the accomplishment of any one or more of the requirements of this section in accordance with rules and regulations promulgated for that purpose by the director. The applicant shall provide to the director evidence that any requirements so delegated have been fully and properly carried out.

Sec. 45-367. Traffic studies.

Upon receipt of all public comments and information required by section 45-366, the director shall cause or authorize to be conducted a traffic study to complete the preliminary eligibility review of a proposed project. Unless the director has given preliminary approval for consideration of the project on a publicly funded basis, the director shall determine, and notify the applicant concerning, the scope and type of traffic study to be conducted by the applicant and indicate any additional information required by the director to facilitate review of the proposed project.

Sec. 45-368. Completion of staff review.

The director shall determine, based upon all available information regarding a project, including, without limitation, any traffic study prepared in accordance with section 45-367 of this Code, whether the project is eligible for further consideration and processing in accordance with section 45-369 of this Code. The director shall consider the impact of the following on selected streets within the neighborhood area in making a determination whether a project is eligible for further consideration and processing in accordance with section 45-369 of this Code ~~The criteria to be utilized by the director in making his determination under this section are:~~

- (1) Whether the estimated percentage of cut-through traffic on a street is equal to or greater than 20% of the observed daily traffic volume, and the observed daily volume is equal to or greater than 720 vehicles per day;
- (2) Whether at least 15% of observed vehicle speeds on a street is equal to or in excess of the posted speed limit plus three miles per hour;
- (3) Whether at least 8% of the total daily traffic volume on a street consists of trucks having more than two axles; and
- (4) The presence of any additional special conditions or safety concerns within the approved neighborhood area as determined by the director.
- ~~(1) The estimated percentage of cut-through traffic in the neighborhood area;~~

- ~~(2) The estimated percentage of the total volume of traffic through the neighborhood area consisting of trucks having more than two axes;~~
- ~~(3) The percentage of residential land use in the neighborhood area;~~
- ~~(4) The presence or absence of sidewalks in the neighborhood area; and~~
- ~~(5) Evidence of neighborhood or community support for the proposed project.~~

Written notice of the director's determination shall be given to the applicant. Absent demonstrable evidence of a significant change in traffic volume or traffic patterns in the intervening period which would in the director's reasonable professional judgment prompt an earlier review, Any applicant whose project is declared ineligible for further consideration pursuant to this section shall not be eligible permitted to file a new request for reconsideration for the same or a similar project for a period of three years.

Sec. 45-369. Concept plan.

The director shall prepare a concept plan for each project approved pursuant to section 45-368, taking into account all traffic studies, public comments and other data and factors developed in accordance with the requirements of this article. Each concept plan shall be reviewed by the neighborhood traffic committee and approved by the interdepartmental review committee and the city attorney before being submitted for public comments, as hereinafter provided. No concept plan or project shall be approved by the interdepartmental review committee if it is found that:

- (1) Pedestrian traffic or access to a neighborhood area would be denied or materially impeded;
- (2) General mobility of traffic in the neighborhood area, the surrounding community, or both, as determined by the city's traffic engineer, would be unreasonably adversely affected to a material extent;
- (3) Based upon review of any reasonably suitable alternative methods identified by the interdepartmental review committee to resolve the problem, that the proposed resolution is not the least restrictive device that could reasonably be expected to substantially mitigate or resolve the problem;
- (4) The project would prevent any owner of property from having direct vehicular access to at least one abutting street in the city; or

- (5) The project would be likely to significantly delay ~~emergency services vehicles~~ ingress to or egress from neighborhoods by emergency service vehicles.

The city attorney shall approve the concept plan unless he determines that its implementation would be contrary to local, state or federal laws or regulations. Written notice of the interdepartmental review committee and the city attorney's determination shall be given to the applicant. If either declines to approve a concept plan, the applicant shall be so notified. Absent demonstrable evidence of a significant change in traffic volume or traffic patterns in the intervening period which would in the director's reasonable professional judgment prompt an earlier review, and shall not be permitted to file a new request for the same or a similar project shall not be eligible for reconsideration for a period of three years.

Sec. 45-370. Second public meeting.

(a) Upon approval of the concept plan, a second public meeting shall be held to gather public comments. Notice of the meeting shall be given in the same manner and to the same parties notified of the initial public meeting, plus those persons who registered their names and addresses at the initial public meeting, and shall contain a description of the concept plan and a comment card for use by members of the public to address public safety, convenience and traffic issues and to express either support for or opposition to the concept plan. Unless the director has given preliminary approval for consideration of the project on a publicly funded basis, the director shall require that all expenses of conducting the second public meeting shall be borne by the applicant, and the provisions of section 45-366(f) shall also be applicable to the second public meeting.

(b) At the second public meeting, comments regarding the concept plan may be made by any interested party. Written comments concerning the plan shall not be considered unless received in the offices of the director or such other place as the director may specify within 14 days after the meeting.

Sec. 45-371. Final review and ranking; recommendation by director.

(a) Following the close of the public comment period provided in section 45-370(b) above, the director shall evaluate each concept plan and shall compare it to all other unimplemented concept plans that have reached the same level in the approval process. The director shall either (i) disapprove the concept plan and its underlying request and so notify the applicant in writing; or (ii) approve the concept plan for further consideration and so notify the applicant in writing. The director shall give those concept plans receiving approval a priority ranking that shall be used to establish the order in which the various approved projects will be considered for implementation. If the director disapproves the concept plan, and absent demonstrable evidence of a significant change in traffic volume

or traffic patterns in the intervening period which would in the director's reasonable professional judgment prompt an earlier review, the applicant shall not be permitted to file a new request for the same or a similar project shall not be eligible for consideration for a period of three years.

(b) Each concept plan must be tested with a temporary device and receive a recommendation of approval from the director before being submitted to city council for final approval. Unless the project has been approved by the director for public funding assistance, the temporary device shall be placed installed at the applicant's sole expense. Each concept plan whose priority ranking is sufficient to indicate that public funding will be available to complete the project, if approved, during the current or next succeeding fiscal year and each concept plan for a project to be financed from private funding sources shall receive approval from the director for the construction of a temporary device, in accordance with its priority ranking, provided that the director may approve a temporary device for any ranked project without regard to its priority ranking in order to reflect special or changed circumstances or in order to avoid delay in implementing worthy projects that have not been approved for public funding. No temporary ~~traffic~~ device may be placed installed without the approval of the director. Temporary ~~traffic control~~ devices shall be in place for a testing period of not less than 90 days, provided that the director shall immediately remove a temporary device that is determined to be a threat to public health, safety or welfare.

(c) Upon authorization of placement installation of a temporary device:

- (1) The device, with appropriate signs, shall be constructed within the neighborhood area in accordance with the published concept plan;
- (2) City staff, the neighborhood traffic committee and the interdepartmental review committee shall monitor and review traffic impact and any comments received regarding the temporary device during the testing period; and
- (3) At least 90 but no more than 210 days following the placement installation of the temporary device, a third public meeting shall be called and conducted, in the same manner as for the second public meeting with written notice to the same parties notified as for the second public meeting and to those additional persons who registered their names and addresses at the second public meeting, to receive public comments regarding the temporary device. The provisions of section 45-366(f) of this Code shall also be applicable to the third public meeting.

(d) Upon the conclusion of the public meeting and expiration of the 14 day comment period following the third public meeting, the director shall review all of the available information regarding the temporary device, including timely received public

comments, and either (i) remove or cause to be removed the temporary device and deny all or part of the concept plan or (ii) forward his recommendation for final approval of the concept plan to city council, during which time the temporary device may remain in place. Written notice of the director's action shall be given to the applicant. If the director disapproves the concept plan, in whole or in part, and absent demonstrable evidence of a significant change in traffic volume or traffic patterns in the intervening period which would in the director's reasonable professional judgment prompt an earlier review, the concept plan or disapproved portions thereof may not be resubmitted as any part of a new request for the same or a similar project for a period of three years.

(e) If a project is proposed to be constructed by employees of the city or a city contractor, the director shall prepare and present to city council as part of his recommendation under subsection (d) above a preliminary cost estimate and time line for the project, which shall identify the source of funds to be used to finance the project and the time and priority in which the city would construct the project if the project is approved by city council.

Sec. 45-372. Final action by city council.

(a) All projects recommended for approval by the director as provided in section 45-371(d) shall be forwarded to city council ~~shall be~~ accompanied by a summary setting forth in relevant detail the information relied upon in formulating the recommendation, including copies of all timely received written public comments provided as a result of a request for a project.

The director shall cause all residents and property owners within one-half mile of the proposed device to receive sufficient notice of city council's consideration of the project. The notice shall be provided at the same time that the director provides city council his recommendation regarding the concept plan in subsection 45-371(d) of this Code and shall include a description of the general nature of the project, shall specify that public comments may be received, and shall specify the date, time, and location where city council shall consider the matter. On the request of affected residents and property owners within one-half mile of the proposed device, city council shall hold a public meeting to consider the implementation of a device.

(b) The city council shall, by motion, approve or deny the request for the project.

(c) A decision by city council to approve or deny a request shall be final and shall not be subject to further appeal or rehearing. If the city council denies the request, the applicant shall not be permitted to file a new request for the same or a similar project for a period of three years.

Sec. 45-373. Construction.

The director shall be responsible for the construction, or shall direct and oversee the construction by a private contractor or contractors, of approved projects. Approval under this article shall not excuse the applicant from obtaining any other permit or authorization required by law to perform the work.

Sec. 45-374. Removal.

(a) Nothing contained in this article shall be construed to prohibit the city from removing any device or portion thereof. If, and only if, the device to be removed is a gate, then the removal must first be authorized by the city council.

(b) The director shall maintain an accurate record of each approved project, which he shall review every five years to determine its continued viability.

Sec. 45-375. Limitation on action of city.

The approval, installation and maintenance of a project and associated devices, as provided for by this article, shall never be construed to cause an abandonment or relinquishment of any street or public property or to authorize the installation of a device upon any right-of-way not under the control of the city. The installation of a project and associated devices that involves the closure of a street to vehicular traffic shall require a public hearing by city council and approval by a majority vote.

Sec. 45-376. Coordination with city council offices.

The director shall cause notice to be given to each city council member of the filing of a request for a project under this article. Thereafter, notice shall be given to each district council member whose district includes any part of the neighborhood area and to any other city council member who so requests of the progress of the request under this article, including, but not limited to, notice of each public meeting, the concept plan, the traffic study and the proposed placement ~~installation~~ of any temporary device.

Secs. 45-377--45-379. Reserved.