

**AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 31, 2010 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

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

**1:30 P. M. - ROLL CALL**

**ADOPT MINUTES OF PREVIOUS MEETING**

**2:00 P. M. - PUBLIC SPEAKERS** - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

**5:00 P. M. - RECESS**

**RECONVENE**

**WEDNESDAY - SEPTEMBER 1, 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. **PUBLIC HEARING** regarding project concerning 2.6 acres of designated park land near Allen Parkway and Gillette Street

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

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 38**

## AGENDA - SEPTEMBER 1, 2010 - PAGE 2

### MISCELLANEOUS - NUMBERS 2 and 3

2. REQUEST from Mayor for confirmation of the appointment of **MR. BRIAN K. CANNELL (Houston Independent School District Representative)** to Position Six of the **BOARD OF DIRECTORS OF THE CITY PARK REDEVELOPMENT AUTHORITY**, for a term to expire December 7, 2011
3. REQUEST from Mayor for confirmation of the appointment of **MS. CHRISTINE DIAZ** (Harris County AFL-CIO Council nominee) to Position Two of the **ETHICS COMMITTEE** for a term to expire December 31, 2011

### ACCEPT WORK - NUMBERS 4 through 6

4. RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$101,240.00 and acceptance of work on contract with **INLAND ENVIRONMENTS, LTD.**, for Asbestos/Lead Abatement, Demolition and Disposal at Six Department of Public Works & Engineering Water Plants - 4.99% over the original contract amount - **DISTRICTS A - STARDIG; B - JOHNSON; E - SULLIVAN and G - PENNINGTON**
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,039,045.50 and acceptance of work on contract with **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods (4257-56) - 3.43% over the original contract amount - **DISTRICTS A - STARDIG; B - JOHNSON; D - ADAMS and F - HOANG**
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,027,788.53 and acceptance of work on contract with **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods (4257-59) - 1.58% over the original contract amount

### PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 10A

7. **PREFERRED TECHNOLOGIES, INC** - \$1,317,657.31, **TROUBADOUR, LTD.** - \$1,072,582.17 and **NWN CORPORATION** - \$125,000.00 for the City of Houston's Public Safety Video Initiative Project through the City's Master Agreement with the Texas Department of Information Resources for the Mayor's Office of Public Safety and Homeland Security; plus contingencies for a total project amount not to exceed \$2,766,763.43 - Grant Fund
8. **INX, INC** for Citywide Cisco® SMARTnet™ Maintenance Agreement through the City's Master Agreement with Texas Department of Information Resources for Information Technology Department - 1 Year - \$1,412,840.13 - Central Service Revolving Fund
9. ORDINANCE appropriating \$402,380.00 out of Fire Consolidated Construction Fund for Facility Improvements at Fire Station No. 20 (Phase II) for the General Services Department
  - a. **MOMENTUM CONTRACTORS, INC** for Facility Improvements at First Station No. 20 (Phase II) for the General Services Department - \$365,800.00 and contingencies for a total amount not to exceed \$402,380.00 - **DISTRICT I - RODRIGUEZ**

**PURCHASING AND TABULATION OF BIDS** - continued

10. ORDINANCE appropriating \$418,181.00 out of Police Consolidated Construction Fund for Emergency Fire Alarm System Design, Build and Installation Services at the Houston Police Department Central Command Station Complex
- a. **KOETTER FIRE PROTECTION OF HOUSTON, L.L.C.** - \$311,350.00 and contingencies for a total amount not to exceed \$342,485.00 for Fire Alarm System Design, Build and Installation Services, **INLAND ENVIRONMENTAL SERVICES, LTD.** - \$58,880.00 for Asbestos Abatement at the Houston Police Department Central Command Station Complex for General Services Department - **DISTRICT H - GONZALEZ**

**RESOLUTIONS AND ORDINANCES** - NUMBERS 11 through 38

11. RESOLUTION designating certain property within the City of Houston as a historic landmark (Caravella-Bazile House, 2027 Sunset Boulevard) - **DISTRICT C - CLUTTERBUCK**
12. ORDINANCE releasing certain territory consisting of approximately 73 acres in Harris County in the vicinity of the City of Humble, Texas, from the extraterritorial jurisdiction of the City of Houston
13. ORDINANCE creating the **DEAN FOODS D/B/A SOUTHERN FOODS GROUP, LLC REINVESTMENT ZONE** for Tax Abatement purposes pursuant to Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas - **DISTRICT I - RODRIGUEZ**
  - a. ORDINANCE approving and authorizing Tax Abatement and Chapter 380 Economic Development Agreement between the City of Houston, Texas and **SOUTHERN FOODS GROUP, LLC** for certain property located within the Dean Foods d/b/a Southern Foods Group, LLC Reinvestment Zone - **DISTRICT I - RODRIGUEZ**
  - b. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of: (1) Clay Avenue, from Velasco Street east to its terminus (SY10-001A), (2) Denver Street, from Velasco Street east to its terminus (SY10-001B), (3) Roberts Street, from Bell Avenue to Denver Street (SY10-011C), (4) Roberts Street, from Leeland Avenue to Bell Avenue (SY10-011D), (5) Bell Avenue, from Velasco Street east to its terminus (SY10-011E), (6) six sanitary sewer easements consisting of tracts of 0.0741 acres (SY10-011H), 0.0326 acres (SY10-011I), 0.0257 acres (SY10-011J), 0.0186 acres (SY10-011K), 0.0449 acres (SY10-011L), and 0.1084 acres (SY10-011M), (7) Roberts Street, from Clay Avenue north approximately 100 feet (SY10-011O), (8) a storm sewer easement commencing at the terminus of Bell Avenue (SY10-011P), and (9) a variable-width utility easement (SY10-011Q), all located in the Henry Thurwachter Survey, A-75, Harris County, Texas; vacating and abandoning the street rights-of-way and easements to Southern Foods Group, LLC, abutting owner, in consideration of (A) conveyance to the City of (I) a water line easement in Denver Street (KY10-053), (II) a storm sewer easement commencing at the east line of the former Roberts Street (LY10-033), (III) utility easements in Bell Avenue (VY10-040) and Roberts Street (VY10-041), and (IV) a sanitary sewer easement along the north line of the property (DY10-040), also located in the Henry Thurwachter Survey, and (B) owner's performing certain obligations in the Tax Abatement and Chapter 380 Economic Development Agreement and related agreements between owner and the City; authorizing City Officers to determine the performance of such obligations by owner and to execute and deliver conveyance instruments and such related agreements documents when appropriate - **DISTRICT I - RODRIGUEZ**

**RESOLUTIONS AND ORDINANCES** - continued

14. ORDINANCE approving and authorizing Lease Agreement for ten years between Cullen Continental II Co., L.P., a Delaware Limited Partnership, Landlord, and the City of Houston, Texas, for a total of 63,850 square feet of space located at 600 Jefferson Street, Houston, Harris County, Texas, at a monthly rental of \$72,735.79 during the first eight (8) months and thereafter at market rate increases; landlord to pay construction and relocation costs, operating expenses and parking charges; for use by various divisions of the Houston Fire Department - **DISTRICT I - RODRIGUEZ**
15. ORDINANCE approving and authorizing Amendment No. 1 to Lease Agreement between the City of Houston and **UNITED PARCEL SERVICE, INC** for certain premises at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - JOHNSON**
16. ORDINANCE approving and authorizing a second amendment to the contract between the City and **JPMORGAN CHASE BANK, N.A. (#C73154)** for Pay Connexion Service Terms Agreement to provide Point-of-Sale Payment Processing Services for all City Departments
17. ORDINANCE approving and authorizing Memorandum of Understanding between the City of Houston and **HARMONY HOUSE, INC** for the Reimbursement of Equipment purchased from Texas Department of Health Services Grant Funds for residential facilities that house tuberculosis patients for the Department of Health and Human Services - 5 Years - \$135,680.00 - Grant Fund
18. ORDINANCE approving and authorizing contract between the City of Houston, Texas and the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** to implement State Tuberculosis Prevention Program in the African American Community from Grant Funds for the Houston Department of Health and Human Services
19. ORDINANCE de-appropriating \$292,319.95 out of Hurricane Ike Aid and Recovery Fund (Created by Ordinance No. 2008-823); appropriating \$292,319.95 to the Health Special Revenue Fund for specific public health purposes for the Houston Department of Health and Human Services
20. ORDINANCE approving and authorizing contract between the City of Houston and **ALLIANCE FOR MULTICULTURAL COMMUNITY SERVICES**, providing up to \$290,150.00 in Housing Opportunities for Persons With AIDS Funds for the Operation and Administration of a Short-term Rent Mortgage and Utility Assistance Program - **DISTRICT F - HOANG**
21. ORDINANCE approving and authorizing City of Houston to enter into contracts with **ALIEF INDEPENDENT SCHOOL DISTRICT, SPRING BRANCH INDEPENDENT SCHOOL DISTRICT, and YOUNG MEN'S CHRISTIAN ASSOCIATION OF THE GREATER HOUSTON AREA**, to administer an After School Achievement Program - \$165,000.00 - General Fund - **DISTRICTS A - STARDIG; F - HOANG and G - PENNINGTON**
22. ORDINANCE appropriating \$6,551,411.00 out of Reimbursement of Equipment/Projects Fund as an additional appropriation to contract between the City of Houston and **SIEMENS INDUSTRY, INC** for Implementation of Energy Conservation Measures at Health Department Facilities for the General Services Department (Approved by Ordinance No. 2010-317) - **DISTRICTS B - JOHNSON; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ**
23. ORDINANCE appropriating \$914,260.00 out of Equipment Acquisition Consolidated Fund and awarding contract to **FUSION CONSULTING, INC** for SAP Business Objects Rapid Marts Implementation Services for the Information Technology Department; establishing a maximum contract amount of \$1,082,700.00

**RESOLUTIONS AND ORDINANCES** - continued

24. ORDINANCE appropriating \$3,000,000.00 out of FY11 Equipment Acquisition Consolidated Fund as an additional appropriation for Houston Municipal Courts Case Management System; approving and authorizing a first amendment to the contract between the City of Houston and **SOGETI USA, LLC** for Software Design and Development Services (Approved by Ordinance No. 2009-863); providing for expenses relating to the development and implementation of the system
25. ORDINANCE awarding contract to **RBEX, INC dba APPLE TOWING CO.** for Towing and Storage Services for Seized Vehicles for the Houston Police Department; providing a maximum contract amount - 3 Years with two one-year options - \$1,375,000.00 - Asset Forfeiture Fund
26. ORDINANCE approving and authorizing contract between City and **FREEMAN AUDIO VISUAL SOLUTIONS, INC** for Audio-Visual Services for the Convention and Entertainment Facilities Department - 2 Years with three one-year options - Revenue
27. ORDINANCE appropriating \$300,000.00 out of Fire Consolidated Construction Fund and amending Ordinance No. 2007-1052 (Passed on September 12, 2007) to increase the maximum contract amount and approving first amendment to contract between the City of Houston and **SPRING EQUIPMENT COMPANY, INC** for Concrete Repair Services for Various Departments \$356,255.11 - Fire Consolidated Construction and In-House Renovation Revolving Funds
28. ORDINANCE awarding Job Order Contracts to **TIMES CONSTRUCTION, INC** and **J. E. DUNN CONSTRUCTION COMPANY** for Minor Construction, Repairs, Rehabilitations and Alterations of Various City Facilities; providing a maximum contract amount of \$10,000,000 for each contract 5 Years
29. ORDINANCE appropriating \$40,147.00 out of Fire Consolidated Construction Fund; awarding construction contract to **AIA GENERAL CONTRACTORS, INC** for Underground Storage Tank Removal at Fire Station 30; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for project management and construction oversight, and contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund - **DISTRICT H - GONZALEZ**
30. ORDINANCE approving and authorizing Professional Educational Services Contract between the City of Houston and **ENVIRONMENTAL TRAINING CENTER** for Texas Commission on Environmental Quality License Training - \$75,000.00 - Enterprise Fund
31. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and the **AIRLINE IMPROVEMENT DISTRICT** to provide Water and Sanitary Sewer Service outside the City of Houston - Revenue
32. ORDINANCE appropriating \$1,937,200.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **TIKON GROUP, INC** for Street and Traffic Enhancement for Near Northside Sidewalk Project; 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, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT H - GONZALEZ**

**RESOLUTIONS AND ORDINANCES** - continued

33. ORDINANCE appropriating and transferring \$2.6 Million out of Fleet/Equipment Special Revenue Fund into the General Fund Fund Balance
34. ORDINANCE granting to **BCS RESOURCE, L.L.C., A Texas Limited Liability Company**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING**
35. ORDINANCE granting to **J. A. GAMEZ TRUCKING SERVICES, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **FIRST READING**
36. ORDINANCE granting to **GALLEGOS & SONS TRUCKING, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING**
37. ORDINANCE granting to **IESI, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING**
38. ORDINANCE No. 2010-682, passed first reading on August 25, 2010  
ORDINANCE granting to **GI ENVIRONMENTAL VACUUM SERVICE, INC, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **SECOND READING**

**END OF CONSENT AGENDA**

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

**MATTERS HELD** - NUMBERS 39 through 42

39. ORDINANCE approving Oil and Gas Lease with **SOUTHERN STAR EXPLORATION, LLC**, as Lessee, for prospecting for and producing oil and gas from the City's Herman Brown Park, Brock Park, parts of Maxey Park, and Public Works McCarty Road Service Center - **DISTRICTS B - JOHNSON and I - RODRIGUEZ** - **TAGGED BY COUNCIL MEMBER JONES**  
This was Item 10 on Agenda of August 25, 2010
40. ORDINANCE appropriating \$2,204,176.69 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Alameda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Seventeen, City of Houston, Texas (Memorial City Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone), Reinvestment Zone Number Twenty-One, City of Houston, Texas (Hardy/Near Northside Zone), and Reinvestment Zone Number Twenty-Two, City of Houston, Texas (Leland Woods Zone) for administrative expenses, payments to Houston Independent School District, and payment to certain redevelopment authorities as provided herein - **TAGGED BY COUNCIL MEMBER JONES**  
This was Item 11 on Agenda of August 25, 2010
41. WRITTEN Motion by Council Member Stardig to amend Item 41A below to read as follows: Section 1.04 Government Requirements and Approvals. DEVELOPER will apply for and use its best efforts to obtain, at its own expense, any and all necessary subdivision plats, permits, licenses, variances, and approvals that are necessary to construct the Project, including any environmental controls. DEVELOPER shall satisfy all permitting requirements, including but not limited to detention and building permitting requirements. - **TAGGED BY COUNCIL MEMBER STARDIG**
- a. ORDINANCE approving agreement between the City of Houston, Texas and **INTOWN HOMES, LTD.** pursuant to Chapter 380 of the Texas Local Government Code for Economic Development Assistance for development of three residential subdivisions in the City - **DISTRICTS A - STARDIG and H - GONZALEZ** - **POSTPONED BY MOTION #2010-636, 8/25/10**  
This was Item 19 on Agenda of August 25, 2010
42. ORDINANCE approving and authorizing contract between the City of Houston and **GT DISTRIBUTORS, INC** for Conducted Energy Devices (Tasers), Accessories, Supplies and Repair Services for the Houston Police Department; providing a maximum contract amount 5 Years - \$4,452,310.25 - General Fund  
**TAGGED BY COUNCIL MEMBER JONES**  
This was Item 20 on Agenda of August 25, 2010

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

For publication in Houston Chronicle on three dates:  
August 10, 17 and 24, 2010

SEP 01 2010

(draft)

**NOTICE OF PUBLIC HEARING ON PROJECT CONCERNING 2.6 ACRES OF  
DESIGNATED PARK LAND NEAR ALLEN PARKWAY AND GILLETTE  
STREET**

The City of Houston proposes to remove the park designation from a 2.6 acre, more or less, tract of land located adjacent to Gillette Street and Allen Parkway, out of the John Austin Survey, Abstract 1, Houston, Harris County, and which has been sometimes known as San Felipe Park, and in connection therewith, acquire, improve and designate for park purposes other land of equivalent or greater size in a more central location to the Fourth Ward neighborhood and communities and not bordering on a major thoroughfare (collectively herein, the "Project").

City Council of the City of Houston will hold a public hearing on the Project, beginning at 9:00 a.m. on Wednesday, September 1, 2010, in Council Chambers, Second Floor, City Hall, 901 Bagby, Houston, Texas. Persons wishing to speak at this public hearing should reserve time by calling the City Secretary's office at 832-393-1100 before 8:30 a.m. on September 1, 2010.

**CITY OF HOUSTON, TEXAS**

By: Anna Russell, City Secretary



ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

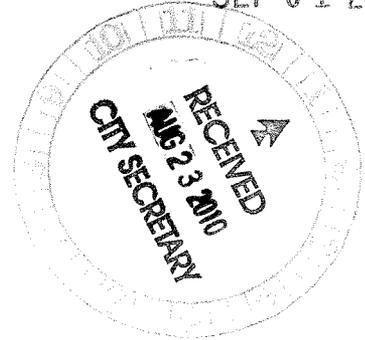
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SEP 01 2010

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 8-23-10  
date

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



August 19, 2010

The Honorable City Council  
Houston, Texas

Dear Council Members:

Pursuant to City of Houston Resolution No. 2000-10, the provisions of Subchapter D of Chapter 431 of the Texas Transportation Code, and Chapter 394 of the Texas Local Government Code, I am appointing the following individual to the Board of Directors of the City Park Redevelopment Authority, subject to Council confirmation:

Mr. Brian K. Cannell (Houston Independent School District Representative), appointment to Position Six, for a term to expire December 7, 2011.

Pursuant to the Bylaws of the City Park Redevelopment Authority, the term of a director's position shall be coterminous with the term of the corresponding position on the Board of Directors of Reinvestment Zone Number Twelve, City of Houston, Texas, as established by the City of Houston, Texas Ordinance No. 98-1112 as may be amended from time to time.

The résumé for the nominee is attached for your review.

Sincerely,

Annise D. Parker  
Mayor

AP:JC:jsk

Attachment

cc: Mr. Tim Douglass, Deputy Director, Finance and Economic  
Development Department  
Ms. Elizabeth Wied Doss, RTA Property Tax Specialist, HISD



ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

3

SEP 01 2010

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 8-20-10

date

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

August 20, 2010

The Honorable City Council  
City of Houston

Dear Council Members:

In accordance with Section 18-12 of the City of Houston Code of Ordinances, I am referring a nomination for the Ethics Committee:

The Harris County AFL-CIO Council has nominated Christine Diaz for appointment to Position Two. Her term will expire December 31, 2011.

The résumé of the nominee is attached for your review.

Sincerely,

Annise Parker  
Mayor

AP:JC:jsk

cc: Mr. Don Cheatham, Legal Department  
Mr. Richard C. Shaw, Harris County AFL-CIO



<b>SUBJECT:</b> Accept Work Inland Environments, Ltd. Asbestos/Lead Abatement, Demolition and Disposal at Six Department of Public Works and Engineering Water Plants. WBS No. S-000536-0005-4	<b>Page</b> 1 of 2	<b>Agenda Item</b>  4
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 8/26/10	<b>Agenda Date</b> SEP 01 2010
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<b>DIRECTOR'S SIGNATURE:</b> <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Interim Director	<b>Council Districts affected:</b>  A, B, E, G
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<b>For additional information contact:</b> Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 09-1319 Dated: 12/16/2009
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**RECOMMENDATION:** Pass a motion approving the final contract amount of \$101,240.00, accept the work and authorize final payment.

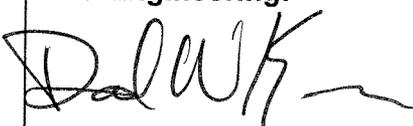
<b>Amount and Source of Funding:</b> No Additional Funding Required  <b>Previous Funding:</b> 131,752.00 PWE- W & S System Consolidated Construction Fund (8500)	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approves the final contract amount of \$101,240.00, or 4.99% over the original contract amount, accept the work and authorize final payment to Inland Environments, Ltd. for asbestos/lead abatement, demolition and disposal at six water plants for the Department of Public Works and Engineering.

**PROJECT LOCATIONS:**

24120 E. Lake Houston - Old District 73-1(Key Map 338-R)	Council District E
239 Glazebrook - West Road Facility (Key Map 412-D)	Council District B
8755 Mills Road - District 237 Facility (Key Map 370-J)	Council District A
7290 Business Park - District 25 Facility (Key Map 409-Q)	Council District A
15306 Westheimer - W. Houston 1 Facility (Key Map 487-Z)	Council District G
2635 West Hollow - District 98 Facility (Key Map 488-T)	Council District G

**PROJECT DESCRIPTION:** The project completed asbestos/lead abatement, demolished and disposed of six water tanks, buildings, booster pumps, electrical equipment, splash boxes, pipe supports and all concrete foundations. The work also removed distribution lines and storm sewer lines and properly disposed of debris generated as a result of all activities.

<b>REQUIRED AUTHORIZATION</b>		CUIC ID # 25GM236
<b>General Services Department:</b>   Humberto Bautista, P.E. City Engineer	<b>Other Authorization:</b>	<b>Department of Public Works and Engineering:</b>   Daniel W. Krueger, P.E. Director

<b>Date</b>	<b>SUBJECT:</b> Accept Work Inland Environments, Ltd. Asbestos/Lead Abatement, Demolition and Disposal at Six Department of Public Works and Engineering Water Plants. WBS No. S-000536-0005-4	<b>Originator's Initials</b>  GM	<b>Page</b>  2 of 2
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**CONTRACT COMPLETION AND COST:** The contractor completed the project within the original contract duration of 180 days. The final cost of the project, including Change Orders, is \$101,240.00, an increase of \$4,810.00 over the original contract amount.

**PREVIOUS CHANGE ORDERS:** Change Orders 1 and 2 addressed unforeseen conditions that required re-excavation and re-capping of a leaking water line at the West Road Facility and a below grade leaking 12-inch cast iron waterline at Mills Road Water Plant.

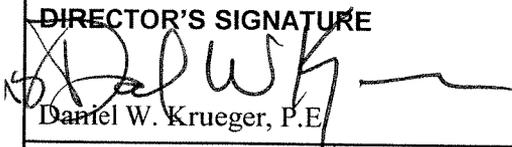
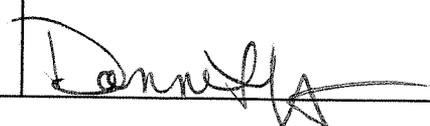
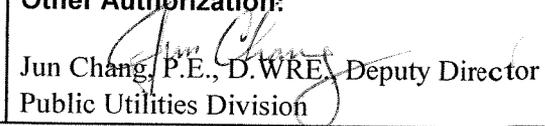


FRC:HB:JLN:GM:FK:fk

- c: Marty Stein
- Jacquelyn L. Nisby
- Velma Laws
- Calvin Curtis
- Gabriel Mussio
- Michael Phan
- Raymond Hillis
- File

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000294-0006-4		<b>Page</b> 1 of 1	<b>Agenda Item #</b> 5
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 8/26/10	<b>Agenda Date</b> SEP 01 2010
<b>DIRECTOR'S SIGNATURE</b>  Daniel W. Krueger, P.E.		<b>Council District affected:</b> A, B, D and F	
<b>For additional information contact:</b> Dannelle H. Belhateche, P.E. Sr. Assistant Director <b>Phone:</b> (281) 575-2847		<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2004-1058, dated 10/13/2004	
<b>RECOMMENDATION: (Summary)</b> Pass a motion to approve the final contract amount of \$4,039,045.50, which is 3.43% over the original contract amount, accept the work, and authorize final payment.			
<b>Amount and Source of Funding:</b> No additional funding required. <i>M.P. 8/13/10</i> Original appropriation of \$4,237,347.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 755 (SAP Fund No. 8500).			
<b>SPECIFIC EXPLANATION:</b> <b>PROJECT NOTICE/JUSTIFICATION:</b> Under this project, the contractor provided sanitary sewer rehabilitation by sliplining and pipe bursting methods to deteriorated sewer collection systems throughout the City. <b>DESCRIPTION/SCOPE:</b> This project consisted of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The project was awarded to Underground Technologies, Inc. with an original contract amount of \$3,904,996.88. The Notice to Proceed date was 04/25/2005 and the project had 730 calendar days for completion. <b>LOCATION:</b> The project was located at various locations within Council Districts A, B, D and F. <b>CONTRACT COMPLETION AND COST:</b> The contractor, Underground Technologies, Inc., has completed the work under the contract. The contract was completed within the contract time. The final cost of the project is \$4,039,045.50, an increase of \$134,048.62 or 3.43% over the original contract amount. More pipe bursting was needed than anticipated. <b>MWDBE PARTICIPATION:</b> The MWDBE goal for this project was 16.20%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 19.78%. The contractor was awarded an "Outstanding" rating from Affirmative Action.			
DWK:JC:DHB:JI:DR:mf Attachments c: Velma Laws      Craig Foster			
<b>Project File 4257-56</b>		<b>REQUIRED AUTHORIZATION</b>	
<b>Finance Department</b>		<b>CUIC ID# 20DHB368</b>	
<b>Other Authorization:</b> 		<b>Other Authorization:</b>  Jun Chang, P.E., D.WRE, Deputy Director Public Utilities Division	

4257-56		Sanitary Sewer Rehabilitation by Sliplining &		
		Pipebursting Methods		
WBS No. R-000294-0006-4		Underground Technologies, Inc.		
<b>WORK ORDER</b>	<b>KEY MAP</b>	<b>Subdivision</b>	<b>BASIN</b>	<b>CD</b>
6	452W	HIGHLAND INDUSTRIAL PARK	IA051	A
5	451C	CANLELIGHT OAKS	NW137	B
1	610F, 610G	QUAIL GLEN SEC. 1	GR006	D
2	571N	SOUTHWEST CROSSING WILLOW PARK	GR004	D
7	571Y	RIDGEGATE SEC. 1	GRP06	D
3	528G,L	BRAESWOOD GLEN SEC. 6	BW242	F
4	529D,H,M	BELTWAY SEC. 2	BW242	F
8	528R	BROOKFIELD SEC.1 & EXTN R/P A	WJ276	F

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000295-0002-4	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 6
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 8/26/10	<b>Agenda Date</b> SEP 01 2010
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<b>DIRECTOR'S SIGNATURE</b>  Daniel W. Krueger, P.E.	<b>Council District affected:</b> A, B, C, D, E, F, G, H and I
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<b>For additional information contact:</b>  Dannelle H. Belhateche, P.E. Sr. Assistant Director <b>Phone:</b> (281) 575-2847	<b>Date and identification of prior authorizing Council action:</b>  Ordinance No. 2004-1050, dated 10/06/2004
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**RECOMMENDATION: (Summary)**  
 Pass a motion to approve the final contract amount of \$4,027,788.53, which is 1.58% over the original contract amount, accept the work, and authorize final payment.

**Amount and Source of Funding:** No additional funding required. *M.P. 8/13/10*  
 Original appropriation of \$4,301,629.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 755 (SAP Fund No. 8500).

**SPECIFIC EXPLANATION:**

**PROJECT NOTICE/JUSTIFICATION:** Under this project, the contractor provided sanitary sewer rehabilitation by sliplining and pipe bursting methods to deteriorated sewer collection systems throughout the City.

**DESCRIPTION/SCOPE:** This project consisted of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The project was awarded to Underground Technologies, Inc. with an original contract amount of \$3,965,073.75. The Notice to Proceed date was 02/18/2005 and the project had 730 calendar days for completion.

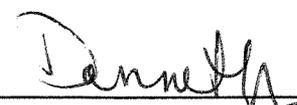
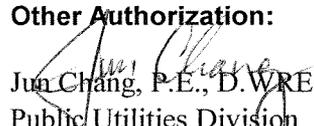
**LOCATION:** The project was located at various locations within Council Districts A, B, C, D, E, F, G, H and I.

**CONTRACT COMPLETION AND COST:** The contractor, Underground Technologies, Inc., has completed the work under the contract. The contract was completed within the contract time with an additional 90 days approved by Change Order No. 1. The final cost of the project is \$4,027,788.53, an increase of \$62,714.78 or 1.58% over the original contract amount. More pipe bursting was needed than anticipated.

**MWDBE PARTICIPATION:** The MWDBE goal for this project was 17%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 20.26%. The contractor was awarded an "Outstanding" rating from Affirmative Action.

*DWK*  
 DWK:JC:DHB:JI:DR:mf  
 Attachments

c: Velma Laws      Craig Foster

Project File 4257-59	<b>REQUIRED AUTHORIZATION</b>	CUIC ID# 20DHB367
Finance Department	<b>Other Authorization:</b> 	<b>Other Authorization:</b>  Jun Chang, P.E., D.WRE., Deputy Director Public Utilities Division

4257-59		Sanitary Sewer Rehabilitation by Sliplining & Pipebursting Methods		
WBS No. R-000295-0002-4		Underground Technologies, Inc.		
<b>WORK ORDER</b>	<b>KEY MAP</b>	<b>Subdivision</b>	<b>BASIN</b>	<b>CD</b>
13	451L	OAK FOREST SEC 16 R/P	IA069	A
26	450U	SPRING BRANCH ESTATE SEC. 2	IA029	A
32	411W	FOREST WEST	NW139	A
10	494A, 494B	MATTHEWS WB	IIP52	B
11	494B	HOME	IIP52	B
12	455E	GLEN MANOR SEC. 2	FB022	B
23	532J	AYRSHIRE SEC. 6	SW202	C
27	569C, 569D	KEEGANS PARK SEC. 1	MB342	C
28	569C	QUAIL RUN SEC. 4	MB342	C
1	493T	COURTLAND PLACE	AS082	D
18	533H	RIVERSIDE TERRACE SEC. 18	SB130	D
19	534T, 534X	EDGEWOOD SEC. 4	SB112	D
24	571R	HEATHERCREST	WE023	D
34	573L, 573M	COLVERLAND SEC. 1	AS006	D
30	616D	SCARSDALE SEC. 3	SM002	E
4	531B	WESTMORELAND FARMS	SW235	F
9	488F	OAKS OF PARKWAY SEC. 1	TK225	G
9 Add. 1	488F	OAKS OF PARKWAY SEC. 1	TK225	G
25	489S	SOUTHLAKE	TK219	G
29	490N	WOODLAKE FOREST SEC.3 R/P	UBP09	G
31	491V	CROWNE PLAZA	SW223	G
2	494N	SETTEGAST SEC. 3	II185	H
3	453G	DOVERSIDE PLACE	II260	H
5	454E	CURRY PLACE	IB071	H
6	453W	HOUSTON HEIGHTS	II122	H
7	453W	SUNSET HEIGHTS	II122	H
8	453S	SUNSET HEIGHTS	II122	H
14	413U, 413Y	HAWTHORNE PLACE SEC.9	II040	H
16	495A, 494D	HOUSTON HARBOR	IB030	H
20	494P	ELECTRIC PARK	II186	H
21	494N, 494P	MERKELS SEC. 2	II186	H
22	494N, 494P	HERMAN & LEAGUE	II186	H
33	452M	PECAN GARDENS	II058	H
15	534Q, 534P	GOLFVIEW MANOR	SB101	I
17	574D	GARDEN VILLAS	SB051	I

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA# 8804

**Subject:** Approve the Purchase of equipment and services for the Public Safety Video Initiative through the City's Master Agreement with the Texas Department of Information Resources/S17-H23743

Category #  
4

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Agenda Item

7

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

**Origination Date**  
August 26, 2010

**Agenda Date**  
SEP 01 2010

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

**Council District(s) affected**  
All

**For additional information contact:**  
Dennis Storemski Phone: (832) 393-0875  
Douglas Moore Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve the purchase of equipment and installation services for the Public Safety Video Initiative in the amount of \$2,515,239.48 through the City's Master Agreement with the Texas Department of Information Resources (DIR) and authorize 10% contingencies for unforeseen changes within the project's scope of work in the amount of \$251,523.95 for a total project amount not to exceed \$2,766,763.43 for the Mayor's Office of Public Safety and Homeland Security.

Award Amount: \$2,766,763.43

**Finance Budget**

\$2,766,763.43 - Homeland Security Grant Pass-Through Fund (5030)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council:

- 1) approve the purchase of equipment and services for the Public Safety Video Initiative in the amount of \$2,515,239.48 through the City's Master Agreement with the Texas Department of Information Resources (DIR),
- 2) authorize 10% contingencies for unforeseen changes within the project's scope of work in the amount of \$251,523.95, for a total project amount not to exceed \$2,766,763.43, and
- 3) authorize purchase orders to be issued as needed to the DIR Go-Direct vendors: **Preferred Technologies, Inc.; Troubadour, Ltd.; and NWN Corporation.**

The Public Safety Video Initiative is a project of the Mayor's Office of Public Safety and Homeland Security funded by grants from the U.S. Department of Homeland Security. Dennis Storemski made a presentation about this project to Council's Public Safety Committee on August 12, 2010.

The current phase of this successful effort is focused on providing comprehensive coverage of the public spaces in Downtown Houston, as well as linking to other agency's video systems to allow video sharing between their cameras and equipment and the City's public safety personnel. This procurement will secure the equipment and services needed to complete the installation of public safety cameras and wireless devices in the downtown area and implement network connections with partner agencies. Specifically, this purchase consists of video-related equipment (to include digital cameras, wireless and network equipment, and mounting hardware and materials) and installation services.

The allocation breakdown of the DIR Go-Direct vendors for this phase of the Public Safety Video Initiative is as follows:

\$1,317,657.31	52%	<b>Preferred Technologies, Inc.</b> (Certified M/WBE vendor), video and wireless-related equipment
1,072,582.17	43%	<b>Troubadour, Ltd.</b> , for camera, wireless and fiber installation services
<u>125,000.00</u>	5%	<b>NWN Corporation</b> , for network equipment, including configuration and installation services
\$2,515,239.48		Project value
<u>251,523.95</u>	10%	Contingency
\$2,766,763.43		Total Allocation

**REQUIRED AUTHORIZATION**

(3) NDT

Finance Department:

Other Authorization:

Other Authorization:

*[Signature]*

Date:  
8/26/2010

Subject: Approve the Purchase of equipment and services for the  
Public Safety Video Initiative through the City's Master Agreement  
with the Texas Department of Information Resources/S17-H23743

Originator's  
Initials  
DM

Page 2 of 2

**M/WBE Subcontracting:**

Preferred Technologies, Inc. is the designated Certified City of Houston M/WBE vendor for this project, and it will provide the cameras, mounting hardware, wireless equipment and miscellaneous materials and installation services for an estimated 52% project value of \$1,317,657.31.

Buyer: Murdock Smith III

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8851**

**Subject:** Approve the Purchase of a Citywide Cisco® SMARTnet™ Maintenance Agreement through the City's Master Agreement with the Texas Department of Information Resources S17-H23740

Category #  
4 & 5

Page 1 of 1

Agenda Item

8

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

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

**Origination Date**

August 24, 2010

**Agenda Date**

SEP 01 2010

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

Richard Lewis Phone: (832) 393-0082  
Douglas Moore Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve the purchase of a citywide Cisco® SMARTnet™ Maintenance agreement in the total amount of \$1,412,840.13 through the City's Master Agreement with the Texas Department of Information Resources for the Information Technology Department.

Award Amount: \$1,412,840.13

**Finance Budget**

\$1,412,840.13 - Central Service Revolving Fund (Fund 1002)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the purchase of a citywide Cisco® SMARTnet™ maintenance agreement in the total amount of \$1,412,840.13 through the City's Master Agreement with the Texas Department of Information Resources (DIR) for the Information Technology Department (ITD) and that authorization be given to issue a purchase order to DIR's Go-Direct vendor, INX, Inc.

This maintenance agreement will provide coverage for Cisco network voice and data systems including: routers, switches, firewalls, virtual private network devices and Unified Computer System devices.

The coverage will provide the City with a single renewal date for all items covered within the maintenance agreement. In 2005, ITD consolidated the purchase of SMARTnet™ maintenance for equipment. This provides immediate cost savings because of the volume purchase, which qualifies the City for upgraded service level programs. The term of this agreement will be from 9/01/2010 through 8/31/2011, this will allow the Department to coincide the maintenance agreement with the City's fiscal year.

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

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

Attachment: M/WBE Zero-Percent Goal Document Approved By Affirmative Action.

Buyer: Murdock Smith III

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

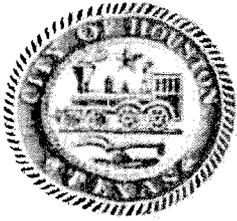
Other Authorization:

*MS*

RECEIVED

AACCD/SPD

AUG 25 2010



# CITY OF HOUSTON

## Interoffice

Administration & Regulatory Affairs Department  
Strategic Purchasing Division (SPD)

Correspondence

To: Calvin D. Wells, Deputy Director  
City Purchasing Agent

From: Murdock Smith III

Date: 8/23/2010

Subject: MWBE Participation Form

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

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

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

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

Solicitation Number: S17-H23740

Estimated Dollar Amount: \$1,412,840.13

Anticipated Advertisement Date: \_\_\_\_\_

Solicitation Due Date: \_\_\_\_\_

Goal On Last Contract: \_\_\_\_\_

Was Goal met: Yes  No

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

Name and Intent of this Solicitation:

Purchase of a Citywide Cisco Smartnet Maintenance Agreement through the City's Master Agreement with the Texas Department of Information Resources.

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

The Information Technology Department seeks to purchase a one-year Cisco Smartnet hardware and software maintenance agreement. The maintenance agreement will be purchased from a DIR Go-Direct vendor, INX, Inc. This vendor is a woman owned business.

This Master Agreement will provide conterminous expiration of maintenance for all Cisco hardware and software to maintain a single renewal date. The agreement will also provide a ready inventory of critical spare parts.

This agreement is for hardware and software maintenance and there is no opportunity to apportion the work. Therefore, there is no opportunity for MWDBE subcontracting. The Information Technology Department is requesting approval of a zero percent (0%) goal for the above referenced purchase order.

Concurrence:

Murdock Smith III  
SPD Initiator

Douglas Moore  
Division Manager

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

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

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA# 8794

**Subject:** Formal Bids Received for Facility Improvements at Fire Station No. 20 (Phase II) for the General Services Department S50-C23654

Category #  
4

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Agenda Item

*9+9A*

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

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

**Origination Date**

August 10, 2010

**Agenda Date**

SEP 01 2010

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

1

**For additional information contact:**

Jacquelyn L. Nisby                      Phone: (832) 393-8023  
Ray DuRousseau                         Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$402,380.00 out of the Fire Consolidated Construction Fund (4500) and approve an award to Momentum Contractors, Inc. on its low bid in the amount of \$365,800.00 and contingencies (10% for unforeseen changes within the scope of work) in an amount of \$36,580.00 for a total not to exceed \$402,380.00 for facility improvements at Fire Station No. 20 (Phase II) for the General Services Department.

Award Amount: \$402,380.00

**Finance Budget**

\$402,380.00 - Fire Consolidated Construction Fund (4500) WBS No. C - 000179

**SPECIFIC EXPLANATION:**

The Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$402,380.00 out of the Fire Consolidated Construction Fund (Fund 4500). It is further recommended that City Council approve an award to Momentum Contractors, Inc. on its low bid in the amount of \$365,800.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$36,580.00 for a total not to exceed \$402,380.00 for facility improvements at Fire Station No. 20 (Phase II) for the General Services Department and that authorization be given to issue purchase orders as necessary. This is the final phase of the reconstruction/renovation of Fire Station No. 20, which sustained significant damage during Hurricane Ike. The reconstruction and concurrent renovation enlarges the station and enables the Fire Department to assign the needed additional ambulance and pumper apparatus to this station.

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

<u>Company</u>	<u>Total Amount</u>
1. Ashley Inc. dba Stratus Services	\$320,551.00 (Did Not Meet Specifications)
2. Momentum Contractors, Inc.	\$365,800.00
3. Times Construction, Inc.	\$432,831.00
4. Baseline Paving & Construction., Inc.	\$475,000.00

The scope of work requires the construction contractor to provide all supervision, labor, materials, equipment, machinery, tools, transportation and ancillary items necessary to complete the reconstruction/renovation of Fire Station No. 20, located at 6902 Navigation at Macario Garcia Road. This is Phase II of a two-phase project. The work performed in Phase I consisted of reinforcing the existing two-story steel structure with lateral bracing, replacing the exterior doors and windows and building new exterior walls, which included concrete masonry units, metal framing, damp-proofing, brick and stucco finishes. Phase II of the

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*AMT*

Date: 8/10/2010	Subject: Formal Bids Received for Facility Improvements at Fire Station No. 20 (Phase II) for the General Services Department S50-C23654	Originator's Initials AL	Page 2 of 2
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reconstruction/renovation will consist of the construction of two additional apparatus bays and living quarters (2,044 square feet) over the apparatus bays, which will consist of a Chief's room with an office, bathroom and sleeping room as well as a common meeting area, bathroom, exercise room and a small dormitory for firefighters. The civil work associated with Phase II includes the installation of storm and sanitary underground systems; foundation and structural steel construction; exterior masonry wall construction, including dampproofing, glazing and roof, gutter and mechanical systems installation. Materials and workmanship shall be warranted for one-year and the contractor shall have 120 calendar days to complete the work on this project upon receipt of the notice to proceed.

**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 has elected to pay into the Contractor Responsibility Fund in compliance with City policy.

Buyer: Art Lopez

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8822**

**Subject:** Approve Award for Emergency Fire Alarm System at the Houston Police Department's Central Command Station Complex for the General Services Department  
S12-E23717

Category #  
4

Page 1 of 2

Agenda Item

*10-10A*

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

**Origination Date**  
August 13, 2010

**Agenda Date**  
SEP 01 2010

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

**Council District(s) affected**  
H

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

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

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing 1) the appropriation of \$418,181.00 out of the Police Consolidated Construction Fund (Fund 4504); 2) approval of award to Koetter Fire Protection of Houston, L.L.C. on its exempt bid in the amount of \$311,350.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$31,135.00 for a total amount not to exceed \$342,485.00 for fire alarm system design, build and installation services at the Houston Police Department's Central Command Station Complex; and 3) approval of award to Inland Environmental Services, Ltd. in the amount of \$58,880.00 for asbestos abatement for the General Services Department.

Estimated Spending Authority: \$418,181.00

**Finance Budget**

\$418,181.00 - Police Consolidated Construction Fund (4504) WBS G-000126-0001-4

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing 1) the appropriation of \$418,181.00 out of the Police Consolidated Construction Fund (Fund 4504); 2) approval of award to Koetter Fire Protection of Houston, L.L.C. on its exempt bid in the amount of \$311,350.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$31,135.00 for a total amount not to exceed \$342,485.00 for fire alarm system design, build and installation services at the Houston Police Department's Central Command Station Complex; and 3) approval of award to Inland Environmental Services, Ltd. in the amount of \$58,880.00 for asbestos abatement for the General Services Department.

The total requested appropriation includes \$16,816.00 for project management, construction oversight and air monitoring services under an existing City contract with Honesty Environmental Services, Inc.

The General Services Department is partnering with the Fire Marshall in order to replace the existing 35-year old, obsolete and non-functioning system with a new code compliant system.

The scope of work requires the contractor to provide all labor, materials, equipment, permits, insurance, supervision and transportation necessary to furnish and install a "fully functional" fire alarm system in all areas of the secured and unsecured complex. The work will include replacing and upgrading all fire alarm system wiring, switch control center and control panels, and installation of new analog smoke, heat and duct detectors. The contractor will also be required to install speakers, strobe lights, pull stations, annunciators, amplifiers, light emitting diode (LED) indicator lights, elevator controls and transponders. Materials and workmanship for this project are warranted for one year and will have a life expectancy of 15 to 20 years. This new fire alarm system will replace the existing obsolete and non-functioning 35-year old fire alarm system.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*(2) NO*

Date: 8/13/2010	Subject: Approve Award for Emergency Fire Alarm System at the Houston Police Department's Central Command Station Complex for the General Services Department S12-E23717	Originator's Initials MK	Page 2 of 2
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**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees but will pay into the Contractor Responsibility Fund for others in compliance with City policy.

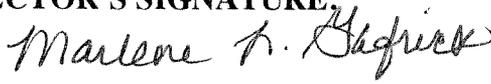
This recommendation is made pursuant to Chapter 252.022 (a) (2) of the Texas Local Government Code for exempted procurements.

Buyer: Martin L. King

*Reso*

<b>SUBJECT:</b> Approval of a resolution designating the Caravella-Bazile House at 2027 Sunset Boulevard as a Historic Landmark in accordance with Chapter 33, Code of Ordinances	<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 11
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<b>FROM (Department or other point of origin):</b> Planning and Development	<b>Origination Date</b> August 5, 2010	<b>Agenda Date</b> SEP 01 2010
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<b>DIRECTOR'S SIGNATURE:</b> <i>MS</i> 	<b>Council District affected:</b> C
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<b>For additional information contact:</b> Courtney Spillane Phone: (713) 837-7894	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
 Approval of a resolution designating the Caravella-Bazile House at 2027 Sunset Boulevard as a Historic Landmark

<b>Amount and Source of Funding:</b> N/A	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:**  
 A property owner may initiate an application for the designation of a Historic Landmark. This application for Historic Landmark designation of the Caravella-Bazile House at 2027 Sunset Boulevard was initiated by the owner.

Public hearings were held by the Houston Archaeological and Historical Commission and the Houston Planning Commission on July 15, 2010 and July 22, 2010 respectively and there were no objections to the designation. Both commissions determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Historic Landmark designation.

Photos of the proposed landmark can be found by going to the following on the Planning Department's website: [http://www.houstontx.gov/planning/historic\\_pres/pending.htm](http://www.houstontx.gov/planning/historic_pres/pending.htm).

MG: rp

Attachments: Application and Staff Report

xc: Minnette Boesel, Mayor's Assistant for Cultural Affairs  
 David M. Feldman, City Attorney  
 Deborah McAbee, Land Use Division, Legal Department  
 C.A. McClelland, Chief, Police Department  
 Rick Flanagan, Acting Chief, Fire Department

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

*MS*

11

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

## LANDMARK DESIGNATION REPORT

**LANDMARK NAME:** Caravella-Bazile House

**OWNERS:** Edward and Francoise Djerejian

**APPLICANTS:** Same

**LOCATION:** 2027 Sunset Boulevard - Southampton Place

**30-DAY HEARING NOTICE:** N/A

**AGENDA ITEM:** V

**HPO FILE NO:** 10L231

**DATE ACCEPTED:** Jun-22-2010

**HAHC HEARING:** Jul-15-2010

**PC HEARING:** Jul-22-2010

**SITE INFORMATION:** Tract 14, Block 22, Southampton Place, City of Houston, Harris County, Texas. The site includes a two-story, wood frame construction, brick clad, single family residence.

**TYPE OF APPROVAL REQUESTED:** Landmark Designation

### SIGNIFICANCE SUMMARY

The Caravella-Bazile House was built in 1936-37 for Marie Caravella and Jack J. Bazile by the Realty Servicing Corporation. The Caravella-Bazile House is located in Southampton Place, an affluent residential neighborhood near Rice University that was platted in 1924 and planned by William Ward Watkin, professor of architecture at Rice. The house's red brick facing, white trim, symmetrical composition and Colonial Revival styling represents one of the most popular residential styles of the time. The original owners, the Baziles, were successful Italian-American entrepreneurs. Jack Bazile operated the Venetian Buffet on Caroline Street until the mid-1950s. Another notable past resident was trauma surgeon, University of Texas Health Science Center professor, and popular syndicated television health spokesperson, Dr. James 'Red' Duke.

The Caravella-Bazile House meets Criteria 1, 4 and 5 for landmark designation, and if approved will become the second city landmark in Southampton Place.

### HISTORY AND SIGNIFICANCE

The two-story, seven-room Caravella-Bazile House at 2027 Sunset Boulevard was built in 1936-37 in the Southampton Place subdivision. It was constructed for its owners, Marie Caravella and Jack J. Bazile, by the Realty Servicing Corporation, which in October 1936 was awarded an \$11,000 construction contract.

The Caravella-Bazile House possesses character, interest, and value as a reminder of the development of Southampton Place. It is identified with its original owners, Marie Caravella (1892-1961) and Jack J. Bazile (1895-1959) and their two daughters, Lena Nancy Bazile and Genevieve Bazile Bertucci. According to Houston City Directory listings, Jack Bazile operated the Venetian Buffet, a tavern at 1501 Caroline Street on what was then the periphery of downtown Houston, at the time he built his house. City directory listings indicate he operated the Venetian Buffet until the mid-1950s, when he seems to have retired. Mrs. Bazile had moved out of the house by the time of her death in 1961.

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

Built during a resumption of new residential construction that began in 1935 as Houston's economy began to recover from the worst effects of the great Depression, the Caravella-Bazile House represents the second generation of suburban houses constructed in this middle and upper middle-income neighborhood. Its red brick facing, white trim, symmetrical composition, and American Colonial style represented one of the most popular combination of material and architectural components for residential construction in the 1930s. It facilitated the transition of its owners, successful Italian-American business entrepreneurs, from an ethnic and immigrant identity (Mrs. Bazile was born in Italy) to a mainstream middle class social identity. The Caravella-Bazile House is also associated with another resident who lived there from up to 1993, the trauma surgeon and University of Texas Health Science Center professor James Henry Duke, Jr., M.D., better known as Red Duke, a popular syndicated television health spokesman.

## *Southampton*

Southampton Place is a 160-acre residential subdivision in Houston, Texas near Rice University, the Museum District and the Texas Medical Center. The neighborhood was established in 1924 as an enclave of 626 home sites. The subdivision was developed between 1924 and 1926 by E. H. Fleming and the San Jacinto Trust Company. It was planned by William Ward Watkin, professor of architecture at the Rice Institute. The flat tract of coastal plain on which Southampton was developed borders the north edge of the campus of what is now Rice University. Sunset Boulevard is the central east-west street in Southampton. Watkin laid it out as a divided boulevard framed by live oak trees. Today these trees give this street its remarkable scenic beauty. Southampton has been an upscale, outstanding, single-family residential area for 85 years, primarily due to the deed restrictions which continue to be enforced today. Much of the neighborhoods' charm is the result of an original system of shared alleys. Rather than a typical suburban landscape riddled with curb cuts and driveways, Southampton's system of alleys permits more expansive front yards, green space for trees, and more on-street parking for guests.

Southampton Civic Club was established in 1929 to enforce the deed restrictions and, through the years, Southampton residents have worked together to update and renew these restrictions to ensure the beauty and integrity of the neighborhood. The civic club has been an active proponent for neighborhood preservation initiatives from protecting the beautiful oak trees from damage by Public Works crews to planting over 1000 street trees. The Club has also been active in the development of Houston's ordinances including off-street parking, residential permit parking, cell towers and Chapter 42.

## **ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY**

The Caravella-Bazile House is a two-story, symmetrically composed, Colonial style house with a side-gabled roof and a one-story east wing that projects forward of the front facade. The street elevation is faced with red brick. A one-story white-painted wood entry porch supported by slender Doric columns marks the centrally placed front door. Paired, six-over-six sliding sash wood windows flank the front porch on both the first and second floors. A single six-over-six wood window is centered on the second floor above the front porch. Window openings are framed with white louvered shutters. The projecting one-story east wing is faced with two symmetrically located single six-over-six windows, each framed by white louvered shutters. A

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

white-painted wood entablature runs above the heads of the second-floor windows. A similarly detailed entablature caps the one-story east wing. Wrought iron rails, painted black, edge the top of the porch and a second-story roof deck above the one-story wing. A brick chimney bisects the west side elevation of the house. The second-story of the east-side elevation above the one-story wing is faced with white-painted clapboards. A second-story bay window is centered beneath the east-side gable. A curving red brick paved sidewalk runs from Sunset to the front porch, which is paved with red tile.

An extensive restoration of the house was completed in 2007 in order to preserve the original architecture of the 1938 structure and maintain the architectural integrity of the Southampton neighborhood. The exterior of the house was restored, including a rear addition of a Greek style classic portico with a fountain and Doric columns. This addition matches the original architectural style of the house and the Doric columns in the front of the house. The interior of the house was renovated and the original configuration of the rooms and the wood panels and arched doorways were preserved, as well as the original marble tiled bathrooms. Water, gas and electric pipes were replaced.

The Caravella-Bazile House is an excellent example of the Colonial Revival, a style popular in the United States between 1890 and 1935. The Colonial Revival style resulted from a rejection of the Queen Anne Revival style, and a desire to return to a more “traditional” American building type. The style took on added popularity with the restoration of Colonial Williamsburg in the 1920s. This style draws from the simple building forms typical of early American colonial structures, and elements of classical or Georgian architecture. It is closely related to the Neoclassical Revival and Georgian Revival styles. Colonial Revival residential structures are typically one or two stories, with hipped or gabled roofs and symmetrical facades. The entryway or porch is the primary focus, often highlighted with a decorative crown or pediment. Other areas of elaboration are the cornice and windows.

*The information and sources provided by the applicant for this application have been reviewed, verified, edited and supplemented with additional research and sources by Diana DuCroz and Courtney Spillane, Planning and Development Department, City of Houston.*

## **BIBLIOGRAPHY**

City Directories, 1925 – present.

Field, William Scott. Last of the Past: Houston Architecture 1847 to 1915, Great Houston Preservation Alliance, Houston, 1981.

Fox, Stephen, Houston Architectural Guide, Second Edition, American Institute of Architects/Houston Chapter and Herring Press, Houston, 1990.

Handbook of Texas Online

# CITY OF HOUSTON

**Archaeological & Historical Commission**

**Planning and Development Department**

Johnston, Marguerite, Houston: The Unknown City 1836-1946, Texas A&M University Press, College Station, 1991.

McAlester, Virginia and Lee, Field Guide to American Houses, Alfred A. Knopf, New York, 1984.

National Register of Historic Places.

Sanborn Fire Insurance map for Houston, 1925, volume 6, sheet 637.

Southampton Civic Club. <http://www.southamptoncivicclub.org/index.html>, accessed July 8, 2010.

Texas Historical Commission Atlas Neighborhood Survey Report.

## APPROVAL CRITERIA FOR LANDMARK DESIGNATION

### Sec. 33-224. Criteria for designation of a Landmark.

(a) The HAHC and the commission, in making recommendations with respect to designation, and the city council, in making a designation, shall consider one or more of the following criteria, as appropriate for the type of designation:

<b>S</b>	<b>NA</b>		<b>S - satisfies</b>	<b>NA - not applicable</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	(1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation;		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	(2) Whether the building, structure, object, site or area is the location of a significant local, state or national event;		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	(3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation;		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	(4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city;		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	(5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood;		

# CITY OF HOUSTON

**Archaeological & Historical Commission**

**Planning and Development Department**

- (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation;
- (7) Whether specific evidence exists that unique archaeological resources are present;
- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride.

**STAFF RECOMMENDATION**

Accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark Designation of the Caravella-Bazile House at 2027 Sunset Boulevard.

**PLANNING COMMISSION ACTION**

Recommended to City Council the Landmark Designation of the Caravella-Bazile House at 2027 Sunset Boulevard.

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

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## EXHIBIT A

Caravella-Bazile House  
2027 Sunset Boulevard



# CITY OF HOUSTON

Archaeological & Historical Commission

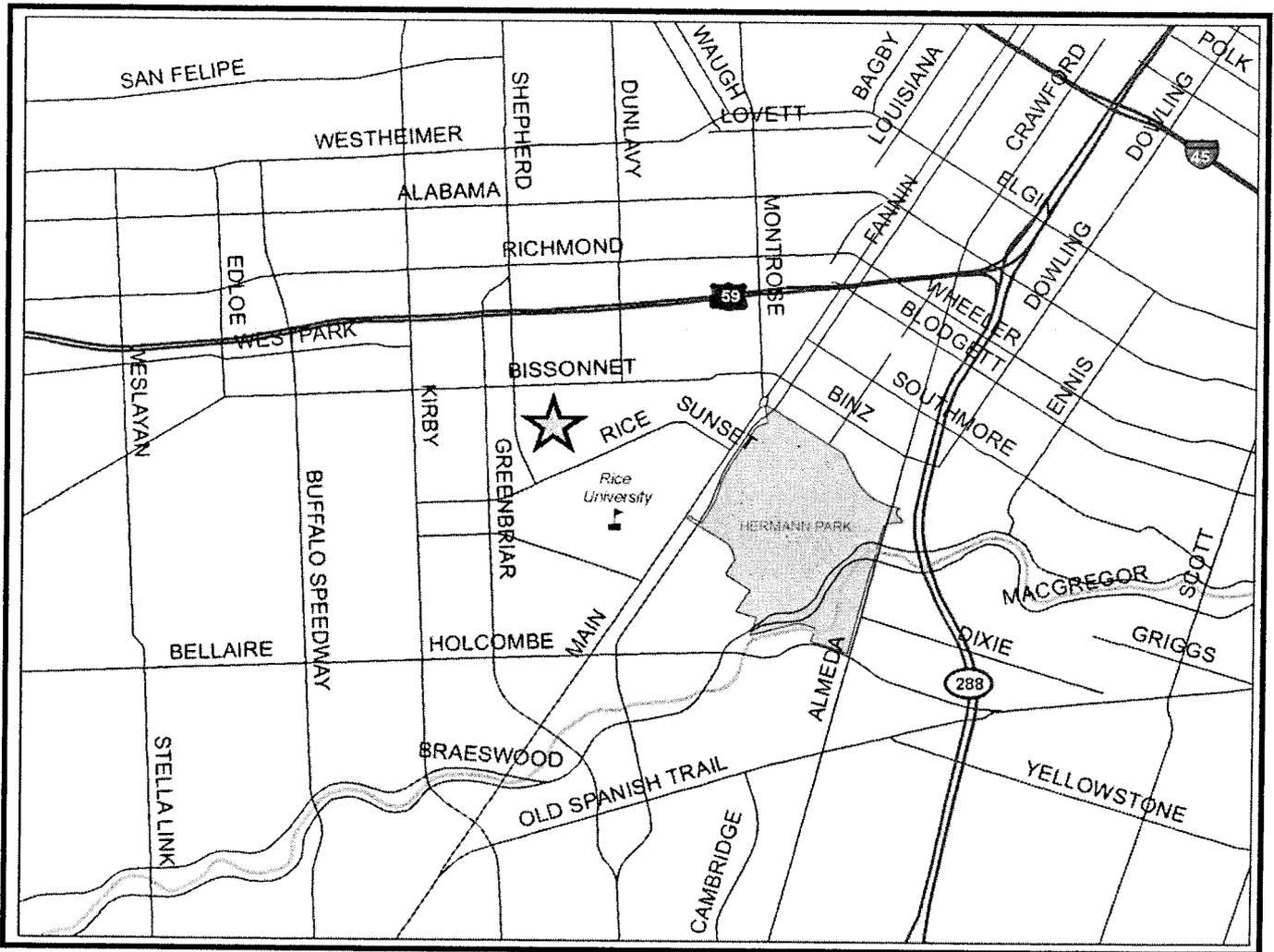
Planning and Development Department

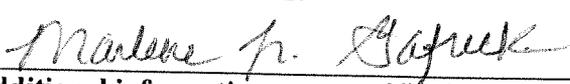
## EXHIBIT B

### SITE LOCATION MAP

Caravella-Bazile House  
2027 Sunset Boulevard

NOT TO SCALE

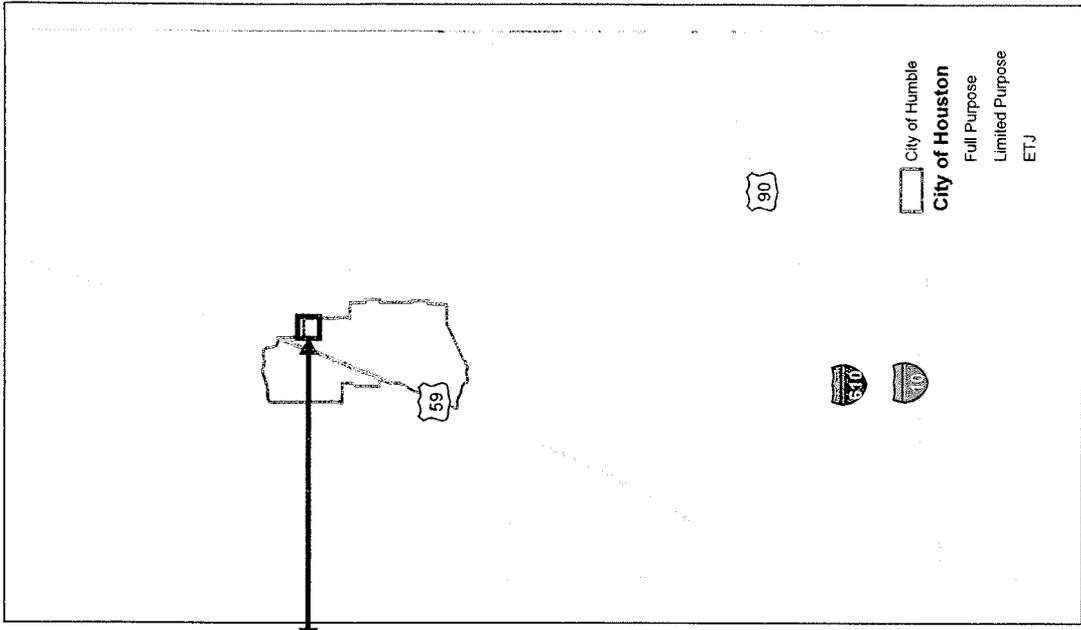
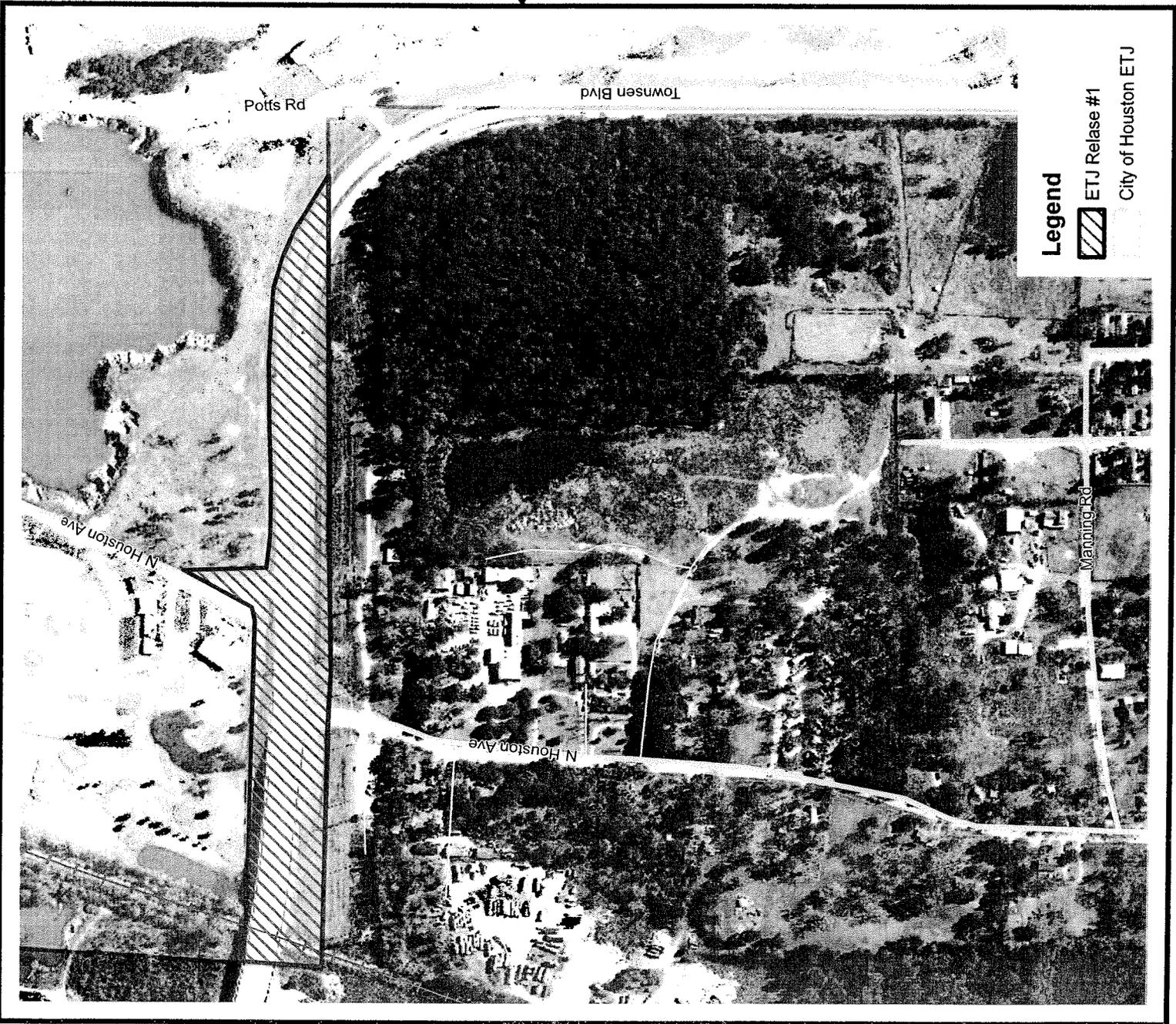


<b>SUBJECT:</b> Ordinance for the release of 3 tracts of land totaling 73.16 acres in Harris County from the Extraterritorial Jurisdiction of the City of Houston		<b>Category #</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b> <i>12</i>
<b>FROM (Department or other point of origin):</b> Planning and Development		<b>Origination Date</b> July 20, 2010		<b>Agenda Date</b> SEP 01 2010
<i>M/S</i>	<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> <b>ETJ</b>	
	<b>For additional information contact:</b> Nicole B. Smothers Phone: 713-837-7856		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION: (Summary)</b> That Council pass an Ordinance releasing 3 tracts of land totaling 73.16 acres of land in Harris County, located in the vicinity of the City of Humble from the City of Houston's ETJ				
<b>Amount and Source of Funding:</b>			<b>Finance Budget:</b>	
<b>SPECIFIC EXPLANATION:</b> Upon request from the City of Humble and the property owners, the Planning and Development Department is recommending the City of Houston release from its Extraterritorial Jurisdiction, three tracts of land totaling 73.16 acres. These tracts are each adjacent to the current City of Humble city limit line and, upon release, the property will become a part of Humble's ETJ.				
<ul style="list-style-type: none"> <li>• The Planning and Development Department recommends release for the following reasons:</li> <li>• The City of Humble intends to annex the areas into its general purpose city boundary</li> <li>• The release of these tracts and the subsequent annexation of them by the City of Humble will resolve several long standing boundary discrepancies within the records of the Cities of Houston and Humble</li> <li>• The release of these areas will allow Townsend Blvd. to fall under one jurisdiction easing policing efforts by the City of Humble in the area</li> <li>• All areas to be released are contiguous to the City of Humble's corporate boundary, thus this release does not create an island or any other geographical anomaly that could adversely affect the City of Houston</li> <li>• The Department of Planning and Development has discussed potential affects of this release on the major thoroughfare plan and mobility in this area and find that this action will have no significant affect on either</li> </ul>				
cc: David Feldman                      Marty Stein Sameera Mahendru                      Anna Russell				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

*A/n*

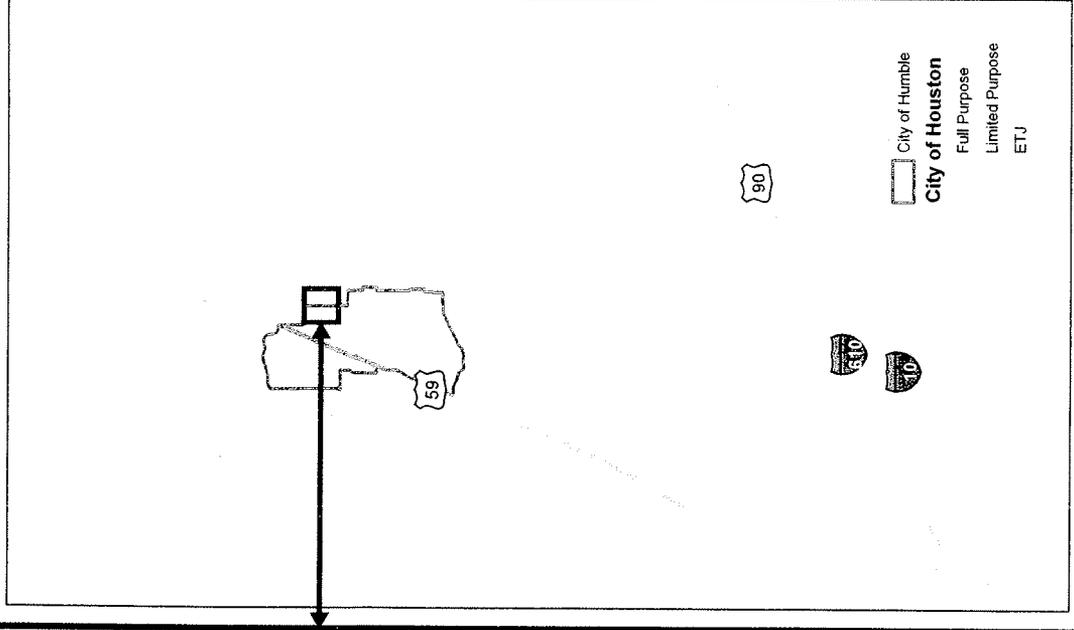
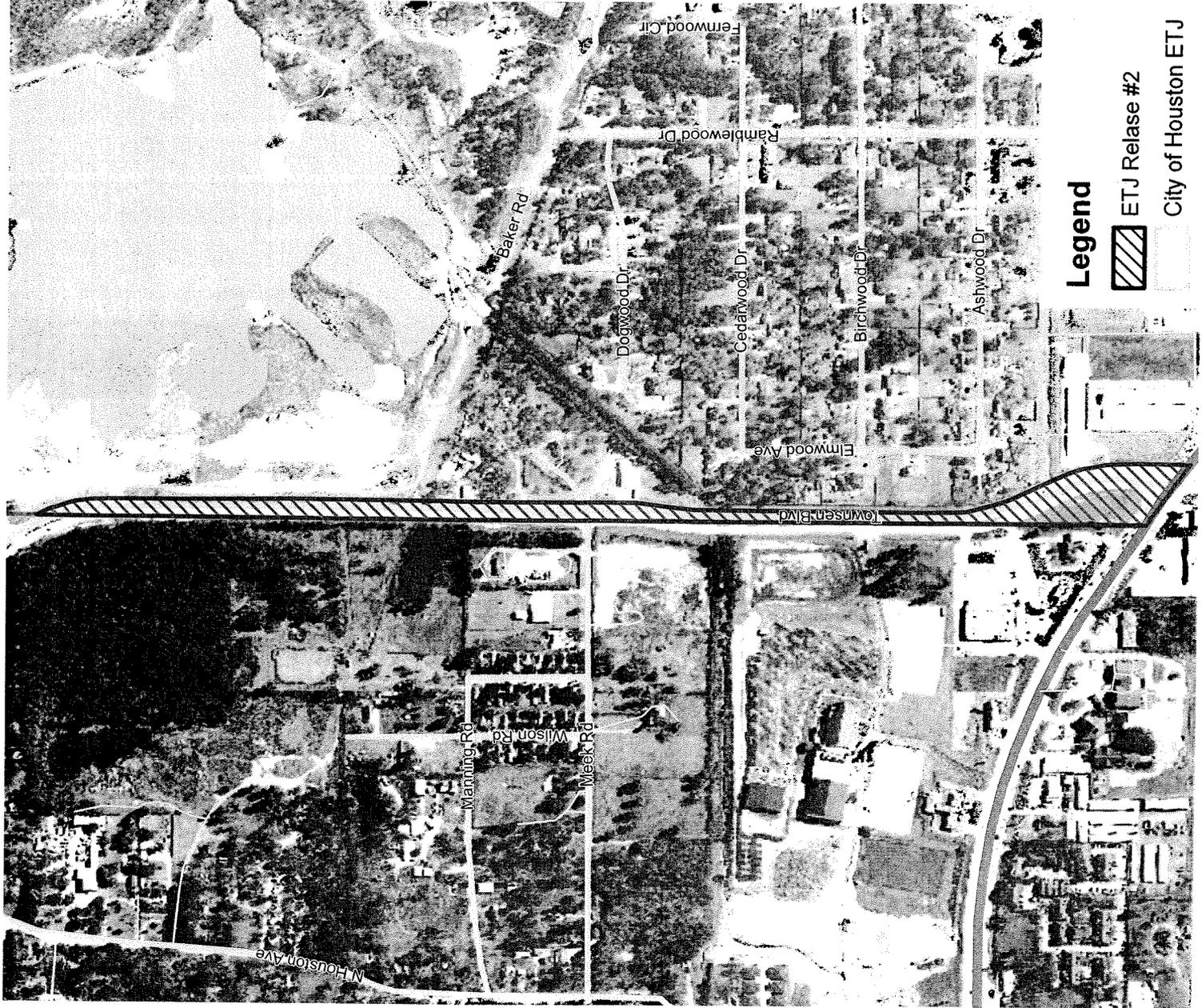
# ETJ Release to City of Humble

## Proposed Site No. 1 (Approx. 12.049 acres)



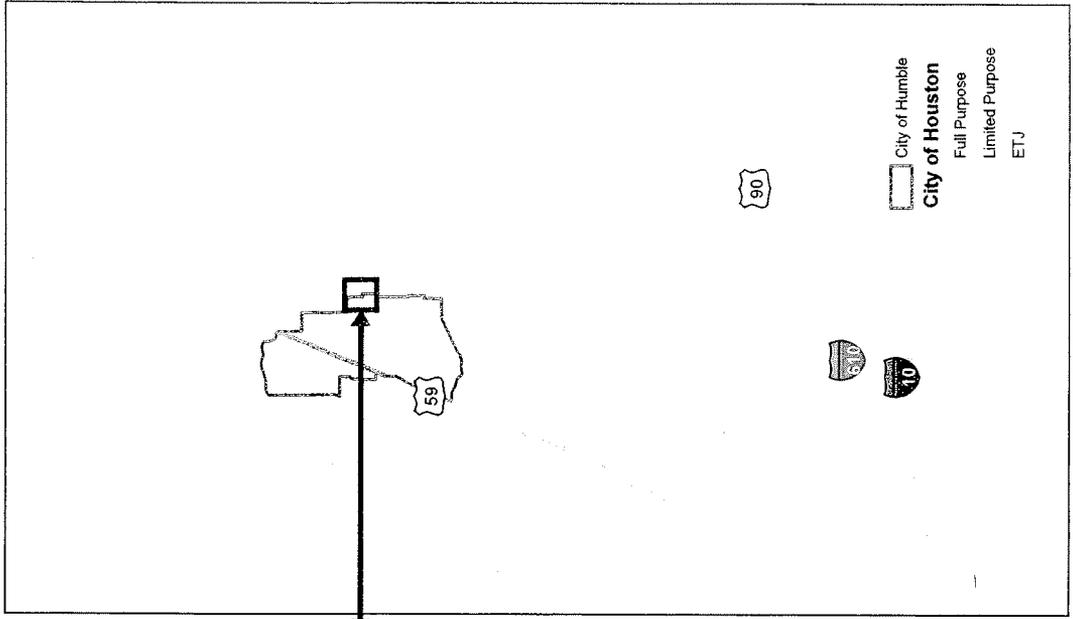
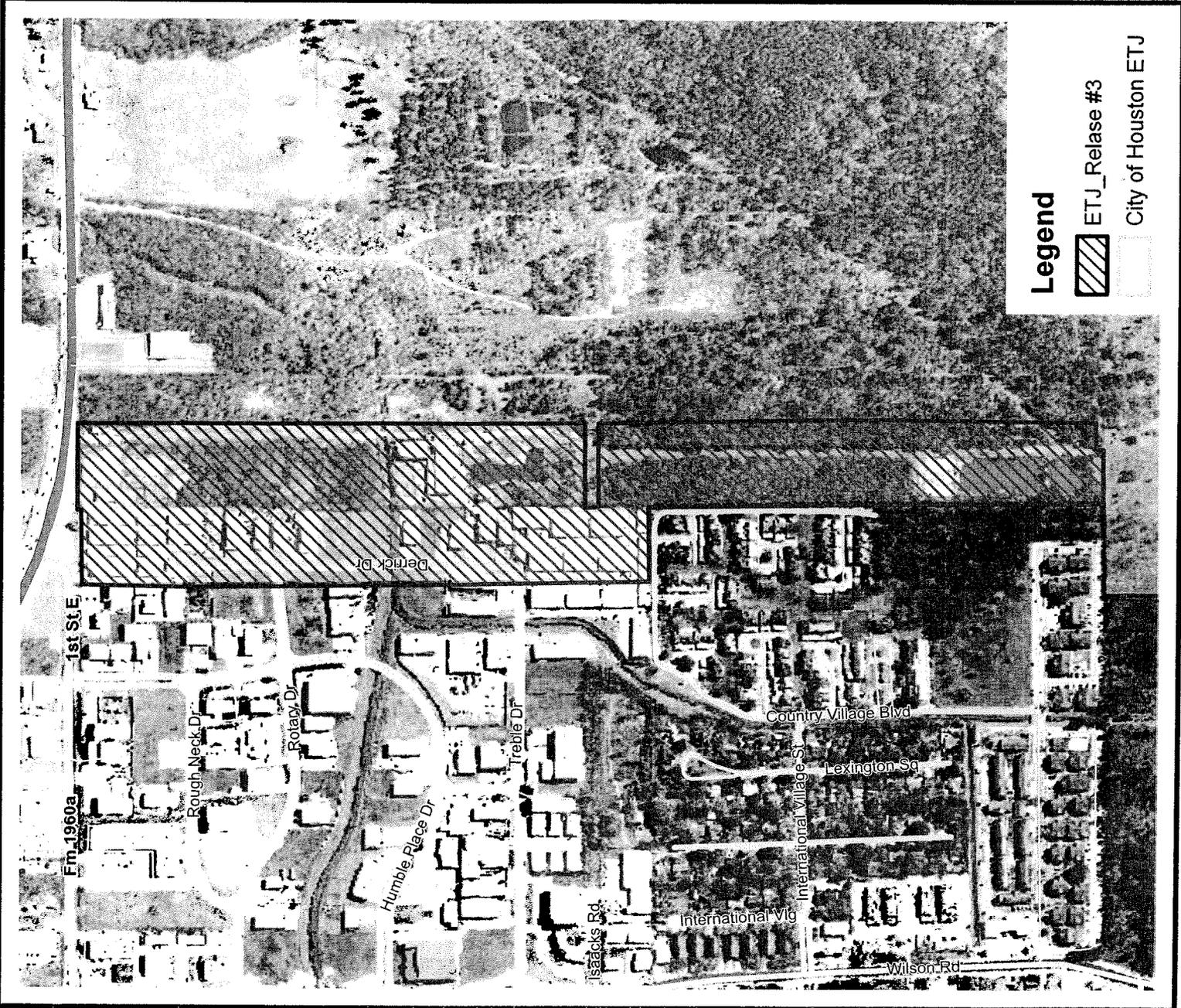
# ETJ Release to City of Humble

## Proposed Site No. 2 (Approx. 14.573 acres)



# ETJ Release to City of Humble

## Proposed Site No. 3 (approx. 46.536 acres)



**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** An Ordinance creating the Dean Foods d/b/a Southern Foods Group, LLC Reinvestment Zone.

**Category #**

**Page 1 of**  
1

**Agenda Item#**  
**13**

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

Andy Icken, Chief Development Officer  
Mayor's Office

**Origination Date**  
August 18, 2010

**Agenda Date**  
SEP - 1 2010

**SIGNATURE:**



**Council Districts affected:**  
District "I" - CM Rodriguez

**For additional information contact:**

Tim Douglass Phone: 713-837-9857  
Keith R. Phillips Phone: 713-837-0610

**Date and identification of prior authorizing Council Action:** Ordinance 2009-0858 dated Sept. 15, 2009

**RECOMMENDATION: (Summary)** That City Council approve an Ordinance creating the Dean Foods d/b/a Southern Foods Group, LLC Reinvestment Zone.

**Amount of Funding:** Not Applicable

**Finance Budget:**

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

**SPECIFIC EXPLANATION:**

The Economic Development Division of Mayor's Office is requesting that City Council designate a 15-acre site located at 3430 Leeland Street, Houston Texas 77003 as the Dean Foods d/b/a Southern Foods Group, LLC Reinvestment Zone. Such action will enable the City of Houston and Harris County to consider approval of a tax abatement agreement for Dean Foods d/b/a Southern Foods Group, LLC to support the development of a new manufacturing facility for the purpose of producing and distributing dairy and other products.

The non-abatable new personal property (manufacturing and production equipment) investment in this project is estimated at \$21 million and the abatable real property improvements (site development and new construction) subject to the proposed ad valorem tax abatement is estimated to be \$21.2 million. As a result of this manufacturing facility expansion and renovation project, Southern Foods Group, LLC will retain more than 500 full time jobs at this facility.

The public hearing on the Tax Abatement Reinvestment Zone was held at 9:00 A.M. on August 4, 2010. The project and the proposed Tax Abatement Reinvestment Zone meet the criteria established by the City of Houston Tax Abatement Ordinance adopted on September 15, 2009 by Ordinance No. 2009-0858.

Approval is recommended.

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:**



**Dean Foods  
(Southern Foods Group, LLC)  
Tax Abatement  
Salient Data**

**Company Profile:**

Headquartered in Dallas, Oak Farms Dairy, (a.k.a. Southern Foods Group, LLC) is a subsidiary of Dean Foods, the nation's leading processor and distributor of fresh milk and dairy products. Oak Farms has milk plants in San Antonio, Dallas, Houston and Waco. The subject location is just southeast of downtown Houston on Leeland between Polk and the Gulf Freeway. It's the last surviving dairy inside the City of Houston.

The dairy is still at its original location and much of the work takes place in the original building. It began in 1940 as Lone Star Creamery.

**Facility Expansion Location:**

Consolidation and Upgrade of manufacturing facility & equipment at 3430 Leeland Street, 77003

**Council District I:**

Council Member Rodriguez

**Harris County considering a TA:**

Yes

**Non-abatable property:**

Existing real & personal property values:	\$26 million (not abatable – excludes land values)
Land and added personal property	\$21 million (not included in the tax abatement)

**Abatable new capital investment:**

Real Property	\$21.3 million
---------------	----------------

**4-year proposed tax abatement period:**

Years 1-3	50%
Year 4	40%

**Average Abatement percentage:**

47.5%

**Total estimated taxes abated:**

\$258,000 (will offset ½ est. impact fees for infrastructure)

Approx. value of City-owned streets conveyed to DF:	\$1,200,000
Less: Approx. value of DF parcels conveyed to City	<u>\$650,000</u>
Equals: Value subject to a Chapter 380 incentive	\$550,000

## **EXPANSION PROJECT (SUMMARY):**

The newly developed campus will be bounded on the south by Leeland Avenue, on the west by Velasco Street, on the north by Polk Street and on the east by Sampson Street. Also included in the new campus will be facilities existing east of Sampson Street between Denver Street and Leeland Avenue. This secure campus will be totally fenced with three entrances. One entrance off Leeland Avenue will allow Dean Foods to receive all their raw products through one gate. The entrance off Polk Street will allow Dean Foods delivery vehicles to leave and return during distribution operations.

The entrance at the intersection of Sampson Street and Denver Street will separate the employee traffic from all other trucking operations creating a more efficient and safe location for employees.

The creation of the new campus will require the acquisition of private property and closure of existing streets. The acquisition of private property is underway. The following streets are in negotiations with the City of Houston for closure:

- Roberts Street running between Leland Avenue and Denver Street
- Bell Avenue running east of Velasco Street up to the existing property
- Denver Street running east of Velasco Street up to the existing property
- Clay Road running east of Velasco Street up to a point west of Sampson Street

The scope of the work for new construction consists of the fast track design and construction of (total 58,382 Sq Ft):

- Refrigerated Cooler - 34,500 Sq Ft
- Empty Case Dock – 13,200 Sq Ft
- Milk Receiving Building – 6,407 Sq Ft
- Engine/Electrical Room – 1,766 Sq Ft
- Attached Two-Story Battery Charge/Hydraulic/Electrical Rooms – 1,289 Sq Ft
- Case Bridge – 802 Sq Ft
- Security Station – 427 Sq Ft

In addition new on-site concrete storage for 95 trailers and 141 bobtail trucks included. The site work also includes (1) new entrance from Leeland Street, a new scale foundation with the existing scale relocated, (2) relocated diesel fuel double wall storage tank.

## **REASONS FOR SEEKING A TAX ABATEMENT:**

The project will benefit the Greater Houston region through the economic impact associated with the \$42M expansion investment and retention of 584 jobs (many multi-generational families residing in the east end of the City of Houston and Harris County).

The abatement will make the Houston operation of Oak Farms Dairy more competitive in its ability to compete internally for capital utilized for modernization and ultimately increased production awards with its parent operation Dean Foods and direct competition with other locations in the U.S.

Based on information provided by Oak Farms Dairy, the Greater Houston Partnership's Research Department conducted an economic impact analysis of the proposed expansion of Oak Farms Dairy. This analysis is the same type that the State of Texas uses when evaluating economic development projects.

According to the analysis, the proposed project is estimated to directly and indirectly contribute in the following ways:

- 584 direct jobs retained
- \$42 Million direct capital investment
- 3,648 indirect jobs
- \$1.1 Billion in indirect annual payroll
- \$205 Million in additional spin-off sales in other local businesses

Oak Farms Dairy has a large effect on various services, suppliers and indirect supports and workers beyond the footprint of their specified project. The activity reaches across all districts and jurisdictions of the City of Houston

The tax abatement will also offset one-half of the costs for an estimated \$500,000 in project development related impact fees. A Chapter 380 incentive is proposed to help offset the estimated \$550,000 difference in land swap fees between Dean Foods and the City of Houston for certain street closings that would become a part of the Oak Farms Dairy expanded and improved site.

## **COMPETITIVE SITING:**

The competition for the Oak Farms Dairy expansion project is in Dallas/Fort Worth at the company's existing operation in the City of Dallas. The jurisdiction has the ability to offer a competitive incentive package to create cost offsets and aggressively compete for the proposed Dean Foods expansion project.

**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** Approve an Ordinance authorizing the Mayor to execute a Tax Abatement and Chapter 380 Economic Development Agreement with Dean Foods d/b/a Southern Foods Group, LLC.

**Category #**

**Page 1 of**  
1

**Agenda Item#**

**13A**

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

Andy Icken, Chief Development Officer  
Mayor's Office

**Origination Date**  
August 18, 2010

**Agenda Date**

SEP - 1 2010

**SIGNATURE:**



**Council Districts affected:**  
District "I" - CM Rodriguez

**For additional information contact:**

Tim Douglass Phone: 713-837-9857  
Keith R. Phillips Phone: 713-837-0610

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

Public Hearing on August 4, 2010; Ord. No. 99-674, 6/30/99; Ord. No. 2009-858, 9/16/09

**RECOMMENDATION: (Summary)** Approve an Ordinance authorizing the Mayor to execute a Tax Abatement and Chapter 380 Economic Development Agreement with Dean Foods d/b/a Southern Foods Group, LLC.

**Amount of Funding:** Not Applicable

**F&A Budget:**

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

**SPECIFIC EXPLANATION:**

Dean Foods, the nation's leading processor and distributor of fresh milk and dairy products, was founded in 1925, is headquartered in Dallas, and is the parent company for Southern Foods Group, LLC ("Dean Foods"). It manufactures, markets, and distributes various branded and private label dairy case products - Oak Farms Dairy being one of them. Dean Foods sells its products through an internal sales force and independent brokers to the retailers, distributors, foodservice outlets, educational institutions, governmental entities, grocery stores, mass merchandisers and convenience stores.

Oak Farms Dairy, a subsidiary of Dean Foods, has milk plants in San Antonio, Dallas, Houston and Waco. Its Houston location is just southeast of downtown Houston and is the last surviving dairy inside the City of Houston. The Dairy is still at its original location and much of the work takes place in the original building, where it began as the Lone Star Creamery in 1940. In order for the Dean Foods' Houston plant to remain competitive and retain the existing 500-plus permanent jobs, it must renovate and modernize its existing facilities and construct new buildings totaling approximately 82,500 square feet at an estimated cost of \$21.2 million. These new improvements are the basis of the proposed ad valorem tax abatement.

It is intended for the proposed 4-year tax abatement to offset the costs of one half of the estimated \$500,000 in project development related impact fees. (It is anticipated that Harris County will also offer a tax abatement for the other one half.) The City is also proposing to offer Dean Foods a Chapter 380 Economic Development Grant to help offset the value difference of the street rights-of-way that Dean Foods would otherwise be required to pay upon the City's abandonment of these rights-of-way. The estimated value of the Chapter 380 Economic Development Grant is approximately \$560,000.

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

**REQUIRED AUTHORIZATION**

**F&A Director:**

**Other Authorization:**

**Other Authorization:**



**CITY OF HOUSTON  
TAX ABATEMENT ANALYSIS  
ESTIMATED AD VALOREM REVENUE BREAKDOWN  
DEAN FOODS (OAK FARMS)**

Average Abatement =

The numbers in "blue" are the control numbers. Insert your particular values inside these boxes.

**ASSUMPTIONS:**

- A Base Year (2010) Appraised Value (Real & Personal Property):
- B Total Nonabatable Improvements Value (Land and Personal Property):
- C Total Abatable Improvements Value (real property only):

25,599,518	(currently on the tax rolls)
21,000,000	(new personal property and land)
21,275,000	(site development and new construction) (what will be added to the tax rolls and can be abated)

Tax Rate (Assumes no fluctuation) **0.0063875**

	Base Year 2010	Year 1 2011	Year 2 2012	Year 3 2013	Year 4 2014	Year 5 2015	Year 6 2016	Year 7 2017	Year 8 2018	Year 9 2019	Year 10 2020
<b>VALUES:</b>											
Base Values (assumes no HCAD value fluctuation)	25,599,518	25,599,518	25,599,518	25,599,518	25,599,518	25,599,518	25,599,518	25,599,518	25,599,518	25,599,518	25,599,518
Improvement Value, Abatable	21,275,000	21,275,000	21,275,000	21,275,000	21,275,000	21,275,000	21,275,000	21,275,000	21,275,000	21,275,000	21,275,000
Improvement Value, Nonabatable	21,000,000	21,000,000	21,000,000	21,000,000	21,000,000	21,000,000	21,000,000	21,000,000	21,000,000	21,000,000	21,000,000
<b>Total Improvement Value</b>	>>>>>>>>	<b>67,874,518</b>									
<b>ABATEMENT %</b>		50%	50%	50%	50%	100%	100%	100%	100%	100%	100%
City portion		50%	50%	50%	50%	0%	0%	0%	0%	0%	0%
Dean Foods Portion		50%	50%	50%	50%	0%	0%	0%	0%	0%	0%

**ANNUAL TAXES THAT WOULD BE PAID TO CITY W/O ABATEMENT**

A Base Year (2010) Appraised Value (Real & Personal Property):	163,517	163,517	163,517	163,517	163,517	163,517	163,517	163,517	163,517	163,517	163,517
C Abatable Improvements Only	135,894	135,894	135,894	135,894	135,894	135,894	135,894	135,894	135,894	135,894	135,894
B Nonabatable Improvements Only	134,138	134,138	134,138	134,138	134,138	134,138	134,138	134,138	134,138	134,138	134,138
<b>TOTAL</b>	<b>433,549</b>	<b>433,549</b>	<b>433,549</b>	<b>433,549</b>	<b>433,549</b>	<b>433,549</b>	<b>433,549</b>	<b>433,549</b>	<b>433,549</b>	<b>433,549</b>	<b>433,549</b>
<b>CUMULATIVE TAXES THAT WOULD BE PAID TO CITY W/O ABATEMENT</b>											
A Base Year (2010) Appraised Value (Real & Personal Property):	163,517	327,034	490,551	654,068	817,585	981,102	1,144,619	1,308,136	1,471,653	1,635,170	1,800,687
C Abatable Improvements Only	135,894	271,788	407,682	543,576	679,470	815,364	951,258	1,087,152	1,223,046	1,358,940	1,494,834
B Nonabatable Improvements Only	134,138	268,276	402,414	536,552	670,690	804,828	938,966	1,073,104	1,207,242	1,341,380	1,475,518
<b>TOTAL</b>	<b>433,549</b>	<b>867,098</b>	<b>1,300,647</b>	<b>1,734,196</b>	<b>2,167,745</b>	<b>2,601,294</b>	<b>3,034,843</b>	<b>3,468,392</b>	<b>3,901,941</b>	<b>4,335,490</b>	<b>4,767,038</b>

**ANNUAL TAXES PAID / ABATED WITH ABATEMENT**

Taxes Abated on Abatable Improvements Only	67,947	67,947	67,947	67,947	67,947	0	0	0	0	0	0
Taxes Paid on Abatable Improvements Only	67,947	67,947	67,947	67,947	67,947	135,894	135,894	135,894	135,894	135,894	135,894
Taxes Paid, Base Value and All Improvements	365,602	365,602	365,602	365,602	365,602	433,549	433,549	433,549	433,549	433,549	433,549
<b>CUMULATIVE TAXES PAID / ABATED WITH ABATEMENT</b>											
Cumulative Taxes Paid, Base Value and All Improvements	365,602	731,204	1,096,806	1,462,408	1,895,957	2,329,506	2,763,055	3,196,604	3,630,153	4,063,702	4,497,250
<b>Cumulative Taxes Abated, Abatable Improvements Only</b>	<b>67,947</b>	<b>135,894</b>	<b>203,841</b>	<b>271,788</b>	<b>340,735</b>	<b>408,682</b>	<b>476,629</b>	<b>544,576</b>	<b>612,523</b>	<b>680,470</b>	<b>748,417</b>
Cumulative Taxes Paid, Abatable Improvements Only	67,947	135,894	203,841	271,788	340,735	408,682	476,629	544,576	612,523	680,470	748,417
<b>TOTAL</b>	<b>433,549</b>	<b>867,098</b>	<b>1,300,647</b>	<b>1,734,196</b>	<b>2,167,745</b>	<b>2,601,294</b>	<b>3,034,843</b>	<b>3,468,392</b>	<b>3,901,941</b>	<b>4,335,490</b>	<b>4,767,038</b>

**SUBJECT:** Ordinance authorizing the abandonment and sale of various streets and easements in consideration of (A) conveyance to the City of various easements all located within the W. J. Perry's Subdivision, the G. W. Tharp Addition, and/or the Bailey's Addition, out of the Henry Thurwachter Survey, A-75, and/or the Henry Tierwester One-Quarter League Grant and (B) Owner's performance of certain obligations in the Tax Abatement and Chapter 380 Economic Development Agreement separately recommended for City Council approval by the Finance Department. **Parcels SY10-011A through SY10-011E, SY10-011H through M, SY10-011O through SY10-011Q, KY10-053, LY10-033, VY10-040, VY10-041, and DY10-040**

Page  
1 of 2

Agenda Item #

13B

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

Department of Public Works and Engineering

**Origination Date**

8/30/10

**Agenda Date**

SEP 01 2010

**DIRECTOR'S SIGNATURE:**

Daniel Krueger, P.E., Director

**Council District affected: I**

Key Map 493V/494S

*Brow*

**For additional information contact:**

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

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

C.M. 2010-0389 (06/16/2010)

**RECOMMENDATION: (Summary)** It is recommended City Council approve an ordinance authorizing the abandonment and sale of various streets and easements, in consideration of (A) conveyance to the City of various easements, all located within the W. J. Perry's Subdivision, the G. W. Tharp Addition, and/or the Bailey's Addition, out of the Henry Thurwachter Survey, A-75, and/or the Henry Tierwester One-Quarter League Grant and (B) Owner's performance of certain obligations in the Tax Abatement and Chapter 380 Economic Development Agreement separately recommended for City Council approval by the Finance Department. **Parcels SY10-011A through SY10-011E, SY10-011H through M, SY10-011O through SY10-011Q, KY10-053, LY10-033, VY10-040, VY10-041, and DY10-040**

**Amount and**

**Source of Funding:** Not Applicable

**SPECIFIC EXPLANATION:**

By Council Motion 2010-0389, City Council authorized the appointment of two independent appraisers to determine the fair market value of various streets and easements in preparation for possible disposition. Zeeba Paksima, Paksima Group, Inc., 927 Alexander, Suite 200, Houston, Texas 77008, on behalf of Southern Foods Group, L.P., (Southern Foods Group LLC [Shaun Young, Vice President], General Partner), requested the abandonment and sale of various streets and easements in exchange for conveyance to the City of various easements, all located within the W. J. Perry's Subdivision, the G. W. Tharp Addition, and/or the Bailey's Addition, out of the Henry Thurwachter Survey, A-75, and/or the Henry Tierwester One-Quarter League Grant. The abutting owner, Southern Foods Group, L.P., (Owner) plans to assemble the areas occupied by the streets and easements with its abutting properties to create a contiguous piece of property for the development and expansion of its dairy manufacturing facility. The Joint Referral Committee reviewed and approved this request subject to the conveyance to the City of various easements and completion of other requirements associated with the abandonment process.

Exhibit A attached hereto, lists the requirements (Abandonment Obligations) associated with this transaction which have been or must be completed by Owner or secured by Letter of Credit as conditions to the abandonment. As authorized in the Tax Abatement and Chapter 380 Economic Development Agreement separately approved by City Council, the City agrees to make a Chapter 380 grant to Southern Foods Group, L.P. of the amount that it would otherwise be required to pay the City for abandoning the street rights-of-way and easements. It is anticipated that upon passage of the ordinance approving the abandonments listed in Exhibit A, Owner will not have completed certain items of the Abandonment Obligations. Until Owner has completed all of the Abandonment Obligations, the City's rights-of-way and easements described in Exhibit A shall remain the property of the City. Upon completion of the Abandonment Obligations by Owner and proof of such completion as determined by the Director of Public Works and Engineering or his designee, the rights-of-way and easements shall be finally transferred to Owner without further Council action.

z:\bam\sy10-011.rca2.doc

CUIC #20BAM1022

**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

<b>Date:</b>	<b>Subject:</b> Ordinance authorizing the abandonment and sale of various streets and easements in consideration of the conveyance to the City of (A) various easements, all located within the W. J. Perry's Subdivision, the G. W. Tharp Addition, and/or the Bailey's Addition, out of the Henry Thurwachter Survey, A-75, and/or the Henry Tierwester One-Quarter League Grant and (B) Owner's performance of certain obligations in the Tax Abatement and Chapter 380 Economic Development Agreement separately recommended for City Council action by the Finance Department. <b>Parcels SY10-011A through SY10-011E, SY10-011H through M, SY10-011O through SY10-011Q, KY10-053, LY10-033, VY10-040, VY10-041, and DY10-040</b>	<b>Originator's Initials</b>  <i>Bam</i>	<b>Page</b> <u>2</u> of <u>2</u>
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Therefore, it is recommended City Council (A) approve an ordinance authorizing the abandonment of various streets and easements in consideration of the conveyance to the City of various easements, all located within the W. J. Perry's Subdivision, the G. W. Tharp Addition, and/or the Bailey's Addition, out of the Henry Thurwachter Survey, A-75, and/or the Henry Tierwester One-Quarter League Grant, and Owner's performance of certain obligations in the Tax Abatement and Chapter 380 Economic Development Agreement and conditioned upon Owner's completion of the Abandonment Obligations listed in Exhibit A attached hereto, and (B) authorize the Director of the Department of Public Works and Engineering or his designee (the "Director") to determine when Owner has duly performed the Abandonment Obligations by performance or security by Letter of Credit. As soon as reasonably practical following such determination, the Director is authorized to execute an instrument to be filed in the public records that evidences the abandonment of the streets and easements to Owner, and other related documentation.

NPC:bam

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

## EXHIBIT A

### STREET RIGHTS-OF-WAY TO BE ABANDONED AND CONDITIONS OF ABANDONMENT AND SALE

#### Proposed Street and Easement Abandonment and Sale and Conveyances

##### Abandonment and sale of:

- SY10-011A: Clay Avenue, from Velasco Street east to its terminus, 50' right-of-way; 30,364 square feet.
- SY10-011B: Denver Street, from Velasco Street east to its terminus, 40' right-of-way; 22,495 square feet.
- SY10-011C: Roberts Street, from Bell Avenue to Denver Street, 50' right-of-way; 7,887 square feet.
- SY10-011D: Roberts Street, from Leeland Avenue to Bell Avenue, 60' right-of-way; 12,222 square feet.
- SY10-011E: Bell Avenue, from Velasco Street east to its terminus, 50' right-of-way; 24,518 square feet.
- SY10-011O: Roberts Street, from Clay Avenue north  $\pm 100$  feet, 20' right-of-way; 2,010 square feet.
- SY10-011M: A 25-foot-wide sanitary sewer easement, being a portion of the former Trinidad Street; 4,722 square feet.
- SY10-011P: A 15-foot-wide storm sewer easement, from the terminus of Bell Avenue to the west right-of-way line of the former Sampson Street, 5,454 square feet.
- SY10-011Q: A variable-width utility easement at the south right-of-way line of the former Trinidad Street south  $\pm 96$  feet; 2,917 square feet.
- SY10-011H: A 10-foot-wide prescriptive sanitary sewer easement; 3,226 square feet.
- SY10-011I: A 10-foot-wide prescriptive sanitary sewer easement; 1,422 square feet.
- SY10-011J: A 10-foot-wide prescriptive sanitary sewer easement; 1,120 square feet.
- SY10-011K: A 10-foot-wide prescriptive sanitary sewer easement; 812 square feet.
- SY10-011L: A 10-foot-wide prescriptive sanitary sewer easement; 1,958 square feet.

##### Conveyance Parcels

- KY10-053: A full-width water line easement in the former Denver Street; 22,495 square feet.
- LY10-033: A 25-foot-wide storm sewer easement, from the east line of the former Roberts Street to the west line of the former Sampson Street, 13,976 square feet.
- VY10-040: A full-width utility easement in the former Bell Avenue, from Velasco Street to the former Roberts Street; 14,376 square feet.
- VY10-041: A 25-foot-wide utility easement in the former Roberts Street, from Leeland Avenue to former Bell Avenue; 5,118 square feet.
- DY10-040: A 25-foot-wide sanitary sewer easement along the north property line from Velasco Street to the former Roberts Street; 6,934 square feet.

##### Conditions of Abandonment and Sale

1. Signs were posted for thirty (30) days notifying the public of the pending abandonment request.
2. The applicant must obtain a letter of no objection from each of the privately owned utility companies for the streets and the utility easement being abandoned and sold.
3. The applicant has furnished the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property.
4. The applicant must submit an original statement of ownership letter from an attorney at law. The letter must include a copy of the documents conveying title to the property owner. If there are liens on the abutting property to the conveyance parcel, the letter must disclose the lienholders and include copies of the lien instruments.
5. The applicant must eliminate the public street appearance of Clay Avenue and Denver Street at Velasco Street, and Roberts Street at Leeland Avenue. For open ditches that cross under street rights-of-way, the applicant must remove the pavement and any culvert from the street being abandoned and restore the ditch flow line. For curbed cross street rights-of-way, the applicant must remove the pavement from the street being abandoned and, construct an extension of the curb, gutter, and sidewalk along the cross-street so that these are continuous across the area where the street pavement was removed.
6. The applicant must convert approximately ten (10) street lights to private service and/or arrange for removal of such lights by coordinating with CenterPoint Energy.
7. An active 8-inch sanitary sewer occupies Roberts Street. The 8-inch sanitary sewer must be cut, plugged, and abandoned at the manhole in Leeland Avenue.
8. An active 8-inch sanitary sewer with multiple laterals occupy portions of Roberts Street (near Polk Avenue), Clay Avenue, Denver Street, and the former Trinidad Street, and attendant off-site sanitary sewer easements. The sanitary sewer and all laterals must be abandoned from Roberts Street (near Polk Avenue) to the manhole of the 18-inch sanitary sewer in Leeland Avenue. Any service connections serving properties outside the Dean Foods' site must be relocated to the 10-inch sanitary sewer in Polk Avenue or the 18-inch sanitary sewer in Leeland Avenue.
9. Because a portion of the 8-inch sanitary sewer in Clay Avenue serves customers outside the limits of this development, an 8-inch sanitary sewer extension must be constructed from Velasco Street to the existing 10-inch sanitary sewer in Polk Avenue. The construction of the sanitary sewer will require the conveyance of a sanitary sewer easement from Velasco Street through the applicant's property to Roberts Street. The existing sanitary sewer in Roberts Street must be reconstructed to flow north to the 10-inch sanitary sewer in Polk Street. Any existing service connections serving properties other than Dean Foods' property must be relocated as needed to the proposed 8-inch sanitary sewer in Velasco Street, to the 8-inch sanitary sewer within the newly conveyed easement, to the 8-inch sanitary sewer within Roberts Street, or to the existing 10-inch sanitary sewer in Polk Street.

10. To set the proper terminus of the existing 8-inch sanitary sewer in Bell Avenue (a portion of which was previously abandoned), a new back-end manhole must be constructed at the new terminus of Bell Avenue.
11. Five active lateral sanitary sewers that occupy prescriptive sanitary sewer easements perpendicular to Leeland Avenue must be cut, plugged, and abandoned at Leeland Avenue.
12. An active 2-inch water line occupies Clay Avenue. The 2-inch water line must be cut, plugged, and abandoned at Velasco Street.
13. Active 1-inch, 2-inch, and 6-inch water lines occupy Denver Avenue, Roberts Street, Bell Avenue, and the former Trinidad Street respectively. The subject water lines must be cut, plugged, and abandoned at Leeland Avenue.
14. An active 60-inch water line crosses (in an east/west direction) the development in Denver Street and the facility site. A full-width water line easement must be conveyed to the City of Houston to connect to the existing 40-foot-wide water line easement in former Denver Street.
15. The PWE Utility Maintenance Branch requires relocation of the elevated surface vent pipe on top of the 60-inch water line and the work must be performed by City personnel. The applicant must prepare at its own cost and submit for approval the proposed relocation plans to the PWE Engineering and Construction Division. The approval and coordination of the relocation will require a minimum of 90 days notice.
16. An active 48-inch to 72-inch storm sewer crosses the development (in an east/west direction) partially within Bell Avenue and partially within a 15-foot-wide easement within the facility site. The applicant must convey to the City a new 25-foot-wide storm sewer easement centered or partially offset over the existing storm sewer line within the entire site as depicted in City of Houston Drawing No. 47144. The existing 15-foot-wide storm sewer easement will be abandoned and replaced with a new 25-foot-wide storm sewer easement.
17. An active 36-inch storm sewer occupies Roberts Street. The applicant must convey to the City a 25-foot-wide utility easement for maintenance of the line and private utilities.
18. Suitable engineering drawings detailing the abandonment and construction of the utilities must be submitted to the Office of the City Engineer, City of Houston Public Works and Engineering Department, and all work must be performed under proper permits and at no cost to the City.
19. The applicant must execute an Indemnification Agreement covering the full-width water line easement, the existing 40-foot-wide water line easement in the former Denver Street, and the 25-foot-wide storm sewer easement, from the east line of the former Roberts Street to the west line of the former Sampson Street. Where appropriate, this indemnity language will be incorporated into deeds conveying easements from applicant to the City of Houston.

20. The applicant must demonstrate that it is in compliance with the Environmental Compliance Agreement, effective July 12, 2007, between the applicant and the City of Houston.
21. The applicant must provide the City with a Letter of Credit (LOC), subject to the City's concurrence, covering the estimated construction cost for work required in Items 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 16 above in lieu of performing such work prior to finalization of the ordinance for this transaction. Should this option be selected, the applicant will be required to provide an LOC showing the City of Houston as beneficiary and in an amount of the estimated construction cost approved by the City. Construction items associated with the LOC must be completed within twelve months of the effective date of the ordinance.
22. The applicant must pay the \$182,290.05 depreciated value fee for any sanitary sewer lines, manholes, water lines, and fire hydrants being abandoned.

# LOCATION MAP

SUBJECT: The abandonment and sale of various streets and easements in consideration of (A) conveyance to the City of various easements all located within the W. J. Perry's Subdivision, the G. W. Tharp Addition, and/or the Bailey's Addition, out of the Henry Thurwachter Survey, A-75, and/or the Henry Tierwester One-Quarter League Grant and (B) Owner's performance of certain obligations in the Tax Abatement and Chapter 380 Economic Development Agreement separately recommended for City Council approval by the Finance Department. Parcels SY10-011A through SY10-011E, SY10-011H through SY10-011M, SY10-011O through SY10-011Q, KY10-053, LY10-033, VY10-040, VY10-041, and DY10-040

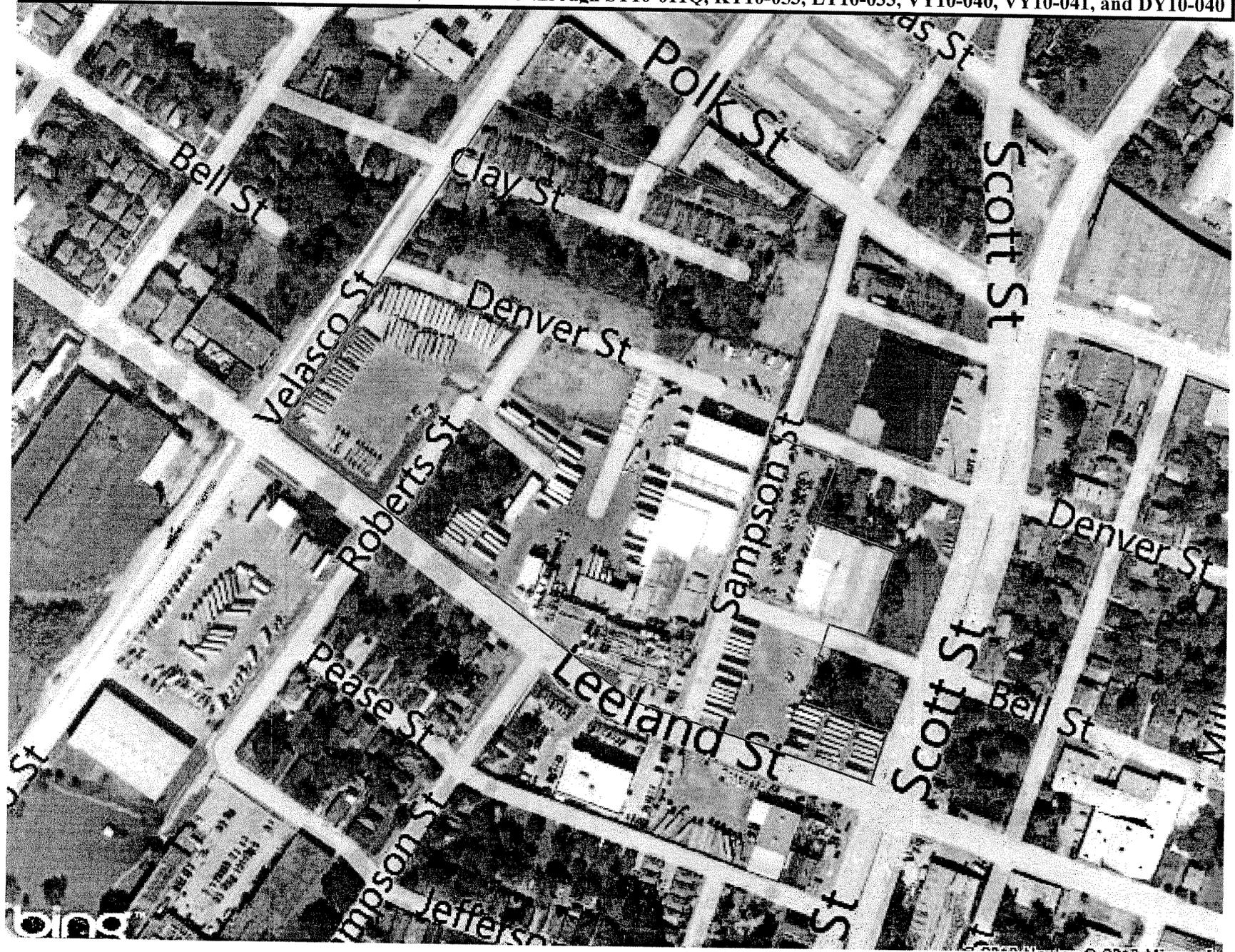


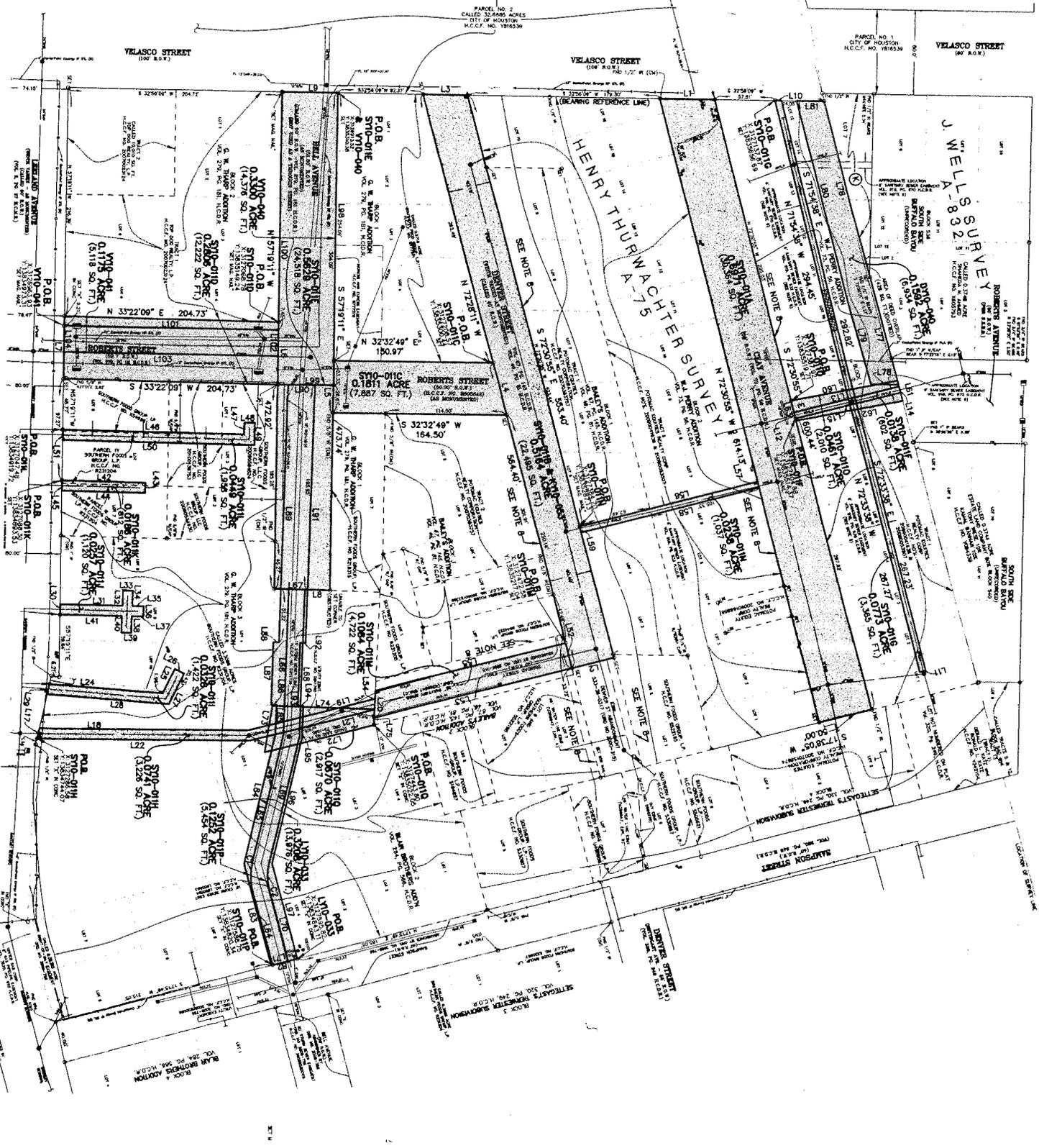
**CAUTION:**

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.

## AERIAL MAP

SUBJECT: The abandonment and sale of various streets and easements in consideration of (A) conveyance to the City of various easements all located within the W. J. Perry's Subdivision, the G. W. Tharp Addition, and/or the Bailey's Addition, out of the Henry Thurwachter Survey, A-75, and/or the Henry Tierwester One-Quarter League Grant and (B) Owner's performance of certain obligations in the Tax Abatement and Chapter 380 Economic Development Agreement separately recommended for City Council approval by the Finance Department. **Parcels SY10-011A through SY10-011E, SY10-011H through SY10-011M, SY10-011O through SY10-011Q, KY10-053, LY10-033, VY10-040, VY10-041, and DY10-040**





PARCEL MAP

POPLAR STREET  
100' R.O.W.

POPLAR STREET  
100' R.O.W.

J WELLS SURVEY  
8323

VELASCO STREET  
(60' R.O.W.)

HENRY THRUWAY  
A-75  
CHATEAU SURVEY

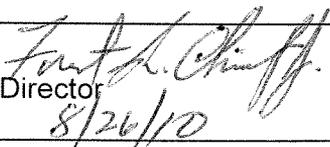
VELASCO STREET  
(100' R.O.W.)

VELASCO STREET  
(100' R.O.W.)

ROBERTS STREET  
(60' R.O.W.)

RAMPSON STREET  
(60' R.O.W.)

SETTLER'S TENNESSEE SUBDIVISION

<b>SUBJECT:</b> Lease Agreement with Cullen Continental II Co. L.P., at 600 Jefferson Street for the Houston Fire Department		<b>Page</b> 1 of 2	<b>Agenda Item</b> <b>14</b>
<b>FROM (Department or other point of origin):</b> General Services Department		<b>Origination Date</b> 8/26/10	<b>Agenda Date</b> SEP 01 2010
<b>DIRECTOR'S SIGNATURE:</b>  Forest R. Christy, Jr., Interim Director 8/26/10		<b>Council District affected:</b> 1	
<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 832-393-8023		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION:</b> Approve and authorize a Lease Agreement with Cullen Continental II Co. L.P., Landlord, for the lease space at 600 Jefferson Street for the Houston Fire Department, and allocate funds.			
<b>Amount and Source Of Funding:</b>  <b>General Fund (1000):</b> \$509,150.53 (7 months) FY 2011		<b>Finance Budget:</b>	
<p><b>SPECIFIC EXPLANATION:</b> The General Services Department (GSD) at the request of the Houston Fire Department (HFD) has undertaken to consolidate and provide lease space for various divisions of HFD. GSD has determined that HFD can achieve operational efficiencies, streamlined communication and budgetary savings by consolidating and relocating a number of HFD groups.</p> <p>GSD recommends approval of a Lease Agreement with Cullen Continental II Co. L.P., a Delaware limited partnership, for 63,850 square feet of office space at 600 Jefferson Street for the HFD. HFD will utilize this lease space to house the Office of Emergency Medical Services (EMS), HFD Public Affairs and Community Outreach, and the Command Staff and its administrative personnel. Currently, EMS and Public Affairs and Community Outreach operate out of lease space at 500 Jefferson, while the Command Staff and its administrative personnel are housed at 1205 Dart Street. Consolidating these locations will allow more efficient internal communication and response.</p> <p>The City has negotiated an average rental rate of \$21.41 psf for the ten year term, which is well below the current market rate. The current market rate for a similar building located in the Central Business District is estimated at \$27.38 psf. After a ten year period, that average market rate increases to approximately \$29.04 psf. In addition, the landlord will provide turnkey improvements of the leased space to meet the requirements of HFD. Construction costs are estimated at \$2,255,182.00 (\$35.32 psf). The landlord will pay HFD's relocation costs and will provide 166 parking spaces. The vacated space at Dart Street will be used to expand needed warehouse capacity and to provide temporary space for other HFD groups that may transition to new locations in the future.</p> <p>The proposed Lease Agreement provides for a ten-year base term with an option to renew the lease for up to ten years at the then current market rate. This is a full service lease, inclusive of all operating expenses and parking charges. The base rental rates are shown in the following table.</p>			
<b>REQUIRED AUTHORIZATION</b>		CUIC ID# 25 RB 91	
<b>General Services Department:</b>  Forest R. Christy, Jr., Director Real Estate Division		<b>Houston Fire Department:</b>  Rick Flanagan Acting Chief	

<b>Month</b>	<b>Full Service Gross Rent/SF/Year</b>	<b>Monthly Rent</b>
1 – 8	\$13.67	\$72,735.79
9 – 20	\$18.40	\$97,903.33
21 – 32	\$20.26	\$107,800.08
33 – 44	\$21.42	\$113,972.25
45 – 56	\$21.62	\$115,036.42
57 – 68	\$21.84	\$116,207.00
69 – 80	\$23.00	\$122,379.17
81 – 92	\$23.20	\$123,443.33
93 – 104	\$23.42	\$124,613.92
105 – 116	\$24.61	\$130,945.71
117 - 120	\$24.82	\$132,063.08

The new lease will commence on the date the Certificate of Occupancy is signed by the City acknowledging that the landlord has substantially completed the improvements. The landlord is responsible for maintenance, taxes, insurance and utilities.

FRC:JLN:RB:ddc

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby, and Chief Jack Williams

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Amendment No. 1 to Lease Agreement - United Parcel Service, Inc. - George Bush Intercontinental Airport/Houston (IAH)	Category #	Page 1 of 2	Agenda Item #  15
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FROM (Department or other point of origin): Houston Airport System	Origination Date August 2, 2010	Agenda Date SEP 01 2010
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DIRECTOR'S SIGNATURE: <i>M. K...</i> <i>Mario Suarez</i>	Council District affected: B
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For additional information contact: Janet Schafer Phone: 281/233-1796 Jeffrey Kelly Phone: 281/233-1827	Date and identification of prior authorizing Council action: 06/19/02 (O) 2002-0560
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AMOUNT & SOURCE OF FUNDING: REVENUE - \$219,182.40 per year (\$18,265.20 per month) INW	Prior appropriations: N/A
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**RECOMMENDATION:** Enact an ordinance approving and authorizing Amendment No. 1 to a ground lease agreement between the City of Houston and United Parcel Service, Inc. at George Bush Intercontinental Airport/Houston (IAH).

**SPECIFIC EXPLANATION:**

United Parcel Service, Inc. (UPS) is currently leasing, under lease No. C53963, approximately 5.05 acres of land at George Bush Intercontinental Airport/Houston (IAH) for a cargo facility used to conduct its package delivery business. The Lease Agreement expires December 31, 2022, with up to two additional ten-year option periods, subject to approval by the Director.

Amendment No. 1 to the lease agreement will add preferential-use cargo apron area for aircraft parking. Under the current schedule, UPS will lease appropriately 152,210 sq ft of preferential use cargo apron for its four company aircraft (two B757s, an A300, and a B767). The preferential-use cargo apron may be modified, as needed, by the Director if requested by UPS at least 60 days prior to modification. UPS shall provide written notice with all necessary drawings and any other documentation deemed necessary by the Director.

The pertinent terms and conditions of Amendment No.1 are as follows:

**1) Leased Premises:** Additional leased premises consist of approximately 152,210 sq ft of preferential use cargo apron area for aircraft parking.

**2) Rental and Fees:** The rate for the cargo apron shall initially be \$219,182.40 per year. This will increase 15% every five years thereafter.

**3) Improvements / Maintenance:** No improvements required or necessary. UPS shall perform or cause to be performed such cleaning of the aircraft apron to keep it in a clean, neat and orderly condition and free of foreign objects, and shall periodically on an as-needed basis remove grease, oil, and fuel spills caused by UPS with ramp scrubbing equipment

REQUIRED AUTHORIZATION		
Finance Department:	Other Authorization:	Other Authorization:

<b>Date</b> August 2, 2010	<b>Subject:</b> Amendment No. 1 to Lease Agreement - United Parcel Service, Inc. - George Bush Intercontinental Airport/Houston (IAH)	<b>Originator's Initials</b>	<b>Page 2 of 2</b>
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and repair any foreign object damage. HAS shall provide structural maintenance for the aircraft apron and maintain the apron lighting.

**4) General Use :**

Permitted uses of the preferential use cargo apron area include parking UPS owned, or contracted aircraft for the purposes of loading and unloading cargo and mail. At those times that UPS or one of its contracted airlines has no scheduled use of one or more of its assigned parking position(s), UPS will allow other aircraft authorized by City to use such parking positions.

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8635**

**Subject:** Approve the Second Amendment to the Contract between the City of Houston and JPMorgan Chase Bank, N.A. to provide Point of Sale payment processing services for the Administration & Regulatory Affairs Department.

Category #

Page 1 of 1

Agenda Item

**16**

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

**Origination Date**  
August 19, 2010

**Agenda Date**  
SEP 01 2010

**DIRECTOR'S SIGNATURE**

**Council District(s) affected**  
All

**For additional information contact:**  
Greg Damianoff Phone: (713) 221-0127  
Christopher Newport Phone: (713) 837-9533

**Date and Identification of prior authorizing Council Action:**  
Ordinance No. 2009-010, Passed 1/7/2009  
Ordinance No. 2009-433, Passed 5/27/2009

**RECOMMENDATION: (Summary)**

Approve the Second Amendment to the Contract between the City of Houston and JPMorgan Chase Bank, N.A. to provide merchant box payment services to all City departments.

Amount of Funding: N/A

**Finance Budget**

**SOURCE OF FUNDING:** N/A

**SPECIFIC EXPLANATION:**

The Administration & Regulatory Affairs Department (ARA) recommends that Council approve the Second Amendment to the contract between the City of Houston and JPMorgan Chase Bank, N.A.

The contract was originally approved in January 2009 for online payment services for ARA. Council approved the first amendment to the contract in May 2009 to allow other City departments to provide online payment services to their respective customers; the amendment also increased the maximum transaction amount to accommodate transactions up to \$25,999.99.

The proposed contract amendment will provide point-of-sale (POS) payment processing capability to all City departments. City of Houston customers may currently remit payments to City departments utilizing online credit card, debit card, and ACH payment processing. "In person" transactions with credit and debit cards require the use of a computer terminal or kiosk. The City does not currently possess the capability to process payments utilizing POS terminal devices, or "merchant boxes", common to most retail establishments, which is unnecessarily inconvenient to City's customers.

The terms of the contract amendment provide that the vendor will supply two POS terminal devices for each business location at no cost to the City. The City may purchase additional POS terminal devices at a cost of \$500.00. Customers who elect to remit payment in-person utilizing a credit or debit card will be charged a separate convenience fee, the receipt for which will indicate the convenience fee is charged by JPMorgan Chase Bank, N.A. The amendment provides a two-tiered convenience fee schedule:

- For payments of \$0.01 to \$50.00, the fee shall be \$1.50 per payment.
- For payments greater than \$50.00, the fee shall be 2.5% of the payment amount, with a minimum fee of \$3.00 per payment.

Due to the fact that Visa company policy prohibits an assessment of a distinct convenience fee for non-tax payments, City of Houston customers will not be able to utilize POS terminal devices to process Visa credit or debit card payments. Visa card holders will continue to be able to submit payments in person via a computer terminal.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> An ordinance approving an memorandum of understanding between the City of Houston and Harmony House, Inc. for the purchase of equipment for residential facilities that house tuberculosis patients	Category #	Page 1 of 2	Agenda Item # <b>17</b>
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<b>FROM</b> (Department or other point of origin): Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services	<b>Origination Date</b> 8/26/10	<b>Agenda Date</b> SEP 01 2010
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<b>DIRECTOR'S SIGNATURE:</b> <i>Stephen L. Williams</i>	<b>Council District affected:</b> H
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<b>For additional information contact:</b> Kathy Barton Telephone: 832-393-5045; 713-826-5801	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Approval of an ordinance approving an memorandum of understanding between the City of Houston and Harmony House, Inc. for the purchase of equipment for residential facilities that house tuberculosis patients

<b>Amount of Funding:</b> Total Grant Funding Amount: \$135,680.00 State Fund 5010	<b>F&amp;A Budget:</b>
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**SOURCE OF FUNDING:** [ ] General Fund [ X ] Grant Fund [ ] Enterprise Fund [ ] Other ( Specify )

**SPECIFIC EXPLANATION:**

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an ordinance authorizing a memorandum of understanding between the City of Houston and Harmony House, Inc. for the purchase of equipment for residential facilities that house tuberculosis patients. The effective date of the agreement is August 18, 2010 and it remains in effect for 5 years. The total contract amount is \$135,680.00.

The City is acting as a pass through agent for funds received from the Department of State Health Services for the benefit of Harmony House, Inc. With the funds Harmony House, Inc. is to purchase certain equipment and supplies for its residential facilities that house tuberculosis patients, including but not limited to a standby generator, a stackable commercial washer and dryer, several split ductless air conditioners, and a privacy fence and gate.

Harmony House, Inc. is located at 602 Gerard, 77007.

cc: Finance & Administration  
Legal Department  
Agenda Director

**REQUIRED AUTHORIZATION**

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

<b>SUBJECT:</b> An ordinance approving and authorizing a contract with the Department of State Health Services for the Tuberculosis State/ African American Project from grant funds for the Houston Department of Health and Human Services	<b>Category #</b> 9	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 18
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<b>FROM (Department or other point of origin):</b> Houston Department of Health and Human Services	<b>Origination Date</b> 08/18/2010	<b>Agenda Date</b> SEP 01 2010
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<b>DIRECTOR'S SIGNATURE:</b> <i>Stephen J. Williams</i>	<b>Council District affected:</b> ALL
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<b>For additional information contact:</b> Kathy Barton Telephone: 832-393-5045 ; 713-826-5801	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Approval of an ordinance approving and authorizing a contract with the Department of State Health Services for the Tuberculosis State/ African American Project from grant funds for the Houston Department of Health and Human Services

<b>Amount of Funding:</b> Total Grant Funding Amount: \$1,420,014.00 Fund 5010 State	<b>Finance Department:</b>
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**SOURCE OF FUNDING:** [ ] General Fund [ X ] Grant Fund [ ] Enterprise Fund [ ] Other ( Specify )

**SPECIFIC EXPLANATION:**

The Houston Department of Health and Human Services (HDHHS) requests City Council approval and authorization of a contract with the Department of State Health Services for the Tuberculosis State/ African American Project from grant funds for the Houston Department of Health and Human Services. The contract is for the period of September 1, 2010 through August 31, 2011 and the total amount shall not exceed \$ 1,420,014.00.

The contract requires the City to: 1) develop and provide basic services and associated activities for TB prevention and control; 2) expand outreach services to individuals of identified special populations who have TB or who are at risk of developing TB; 3) develop and maintain an active coalition of citizens and professionals who will work with the African American community in the City's service area to create an awareness of TB and availability of TB medical services; and 4) work with the local health care community to develop an understanding of TB diagnosis and treatment, prevention and control and available resources for consultation and referral.

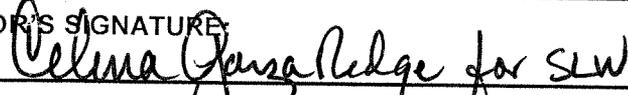
Ninety percent of TB cases are placed on directly observed therapy (DOT) to ensure the completion of their treatment and reduce the risk of developing a drug resistant form of TB. In 2009, Houston reported 260 TB cases.

cc: Finance Department  
Legal Department  
Agenda Director

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

<b>SUBJECT: An ordinance de-appropriating the sum of \$292,319.95 out of the Hurricane Ike Aid and Recovery Fund and appropriating \$292,319.95 to the Health Special Revenue Fund for specific public health purposes for the Houston Department of Health and Human Services</b>	<b>Category # 9</b>	<b>Page 1 of 8</b>	<b>Agenda Item #</b>  <span style="font-size: 2em; float: right;">19</span>
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<b>FROM (Department or other point of origin):</b> Houston Department of Health and Human Services	<b>Origination Date</b> 8/26/10	<b>Agenda Date</b> SEP 01 2010
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b>
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<b>For additional information contact: Kathy Barton</b> Telephone: 832-393-5045 ; 713-826-5801	<b>Date and identification of prior authorizing Council action:</b> 9/17/08; 08-823
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**RECOMMENDATION: (Summary)**  
 Approval of an ordinance de-appropriating the sum of \$292,319.95 out of the Hurricane Ike Aid and Recovery Fund and appropriating \$292,319.95 to the Health Special Revenue Fund for specific public health purposes for the Houston Department of Health and Human Services

<b>Amount of Funding:</b> \$292,319.95	<b>Finance Department:</b>
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**SOURCE OF FUNDING:** [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [X] Other (Specify)  
 Health Special Revenue Fund (2002)

**SPECIFIC EXPLANATION:**  
 The Houston Department of Health and Human Services (HDHHS) requests City Council to approve an ordinance de-appropriating the sum of \$292,319.95 out of the Hurricane Ike Aid and Recovery Fund (Fund) and appropriating \$292,319.95 to the Health Special Revenue Fund for specific public health purposes for the Houston Department of Health and Human Services.

On September 17, 2008, City Council passed an ordinance creating the Hurricane Ike Aid and Recovery Fund in the amount of \$5,000,000 to address City hurricane recovery expenses. A private donor later contributed \$690,250 for the purpose of providing medical care to people affected by the hurricane. The donor has since approved the use of the balance of \$292,319.95 of the donated funds for specific public health purposes. In order for the funds to be used in the agreed manner they must be de-appropriated from the Fund and appropriated to the Health Special Revenue Fund.

Six existing HDHHS contracts or programs will receive additional funding because they provide direct services to underserved communities in Houston. They are as follows:

- **Langston House**, 2105 Crockett, Houston, TX 77007: specialized housing for TB clients to receive treatment - \$80,000.00;
- **Gulf Coast Community Services Association**, 5000 Gulf Freeway, Houston, Texas 77023: provision of household stabilization vouchers - \$20,000;
- **Harvest Life**, 4565 South Wayside, Houston, Texas 77087: transportation support for reentry program clients - \$25,000;
- **Winner's Circle**, 5427 North Shephard, Houston, Texas 77092: education and support services for reentry clients and families - \$40,000
- **Kid's Village Initiative** – Wilmington St. Houston, TX 77051: An HDHHS program that provides integrated children's health and family services in the Sunnyside community - \$117,319.95; and
- **Matching funds** – required for transitional job grant award - \$10,000.

cc: Finance Department  
 Legal Department  
 Agenda Director

**REQUIRED AUTHORIZATION**

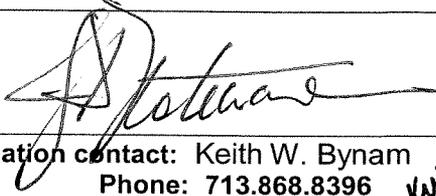
<b>Finance Department</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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HCD10-127

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

10-Alliance

<b>Subject:</b> An Ordinance authorizing the execution of a contract between the City of Houston and the Alliance for Multicultural Community Services for the administration and operation of a Short-Term Rent Mortgage and Utility Assistance Program through a HOPWA Grant.	<b>Category</b>	<b>Page 1 of 2</b>	<b>Agenda Item #</b>  <div style="text-align: right; font-size: 2em;">20</div>
<b>From (Department or other point of origin):</b> James D. Noteware, Director Housing and Community Development Department	<b>Origination Date</b>  07/30/10	<b>Agenda Date</b>  SEP 01 2010	
<b>Director's Signature</b>  	<b>Council District affected:</b>  District F, CM Al Hoang		
<b>For additional information contact:</b> Keith W. Bynam Phone: 713.868.8396 <i>KWB</i>	<b>Date and Identification of prior authorizing Council action:</b>		
<b>Recommendation: (Summary)</b> Approval of an ordinance authorizing the execution of a contract between the City of Houston and the Alliance for Multicultural Community Services ("Alliance") for the operation and administration of a Short-Term Rent Mortgage and Utility Assistance Program under the Housing Opportunities for Persons with AIDS ("HOPWA") Act.			
<b>Amount of Funding</b> \$290,150.00		<b>Finance Budget:</b>	
<b>Source of Funding</b> <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund  <div style="text-align: center; font-weight: bold;">HOPWA Grant Fund 5000</div> <input type="checkbox"/> Other (Specify)			
<b>Specific Explanation</b> The Housing and Community Development Department ("HCDD") recommends approval of a contract between the City of Houston and Alliance for Multicultural Community Services ("Alliance") for the administration and operation of a Housing Opportunities for Persons with AIDS ("HOPWA") project. The Alliance's HOPWA project will provide Short -Term Rent, Mortgage and Utilities Assistance for HIV positive persons and their families. The Alliance's target population will be refugee and immigrant residents of Harris County, many of whom are female heads of households and victims of domestic violence.  The Alliance was founded in 1985 by the Association of Cambodian, Ethiopian, Laotian and Vietnamese Refugee Community Organization. The Alliance has served over 90,000 refugees, immigrants and low-income individuals in the Houston area and ranks as one of the largest refugee employment and resettlement service providers in the state of Texas. Services currently offered by the Alliance include reception and placement into housing, transportation, healthcare referral and interpreter services. Interpreter services have been offered through the Ryan White Planning Council to assist non-English speaking citizens to obtain proper HIV healthcare. The extension of housing and utility assistance will allow an additional 200 persons to maintain safe and affordable housing.			
<b>Required Authorization</b>			
<b>Finance Director</b>	<b>Other Authorization</b>	<b>Other Authorization</b>	

<b>Date</b> 07/30/10	<b>Subject:</b> An Ordinance authorizing the execution of a contract between the City of Houston and The Alliance for Multicultural Community Services for the administration and operation of a Short - Term Rent Mortgage and Utility Assistance Program through a HOPWA Grant.	<b>Originator's Signature</b> 	<b>Page 2 of 2</b>
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HIV/AIDS is a disease that does not discriminate and Houston's immigrant community suffers both the effects of the disease as well as the difficulty of language and service barriers. Last year, Alliance for Multicultural Community Services received \$181,900 in HOPWA funding to provide emergency rental assistance to low-income persons living with HIV/AIDS. The Alliance desires to continue its current HOPWA project, which extends its range of services to the immigrant community.

This agreement will provide up to \$290,150.00 in HOPWA funding for a one (1) year contract in order to provide the above-referenced services to a minimum of seventy-five (75) low-income unduplicated HIV positive persons and 125 family members, annually.

Total Funds and Sources:	<b>\$290,150.00</b>
Number of Persons to be Served:	75 individuals and 125 family members (annually)
Category of Persons:	HIV/AIDS/Low-income persons and their families

The Contract will provide funding for:

<b>Service Category</b>	<b>Recommended Funding Amounts</b>
Administration	\$11,000.00
Supportive Services	\$18,195.00
Short-Term Rent Mortgage and Utility Assistance	\$260,955.00
<b>Total Amount*</b>	<b>\$290,150.00</b>

\*Annual amount

The Housing and Community Development Committee reviewed this item on June 15, 2010 and recommended it for Council action. Therefore, HCDD is requesting approval of a contract providing up to \$290,150.00 in HOPWA funds for the administration and operation of a Short-Term Rent, Mortgage and Utilities Assistance Program for HIV+, low-income persons and their families.

JN:KB:AB

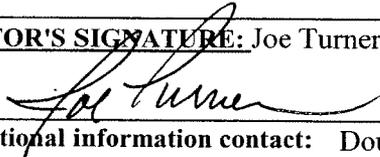
City Secretary  
Mayor's Office  
Legal Department  
Finance Department

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

<b>Subject:</b> 2010-2011 Mayor's After-School Achievement Program	Category #	Page 1 of 2	Agenda Item <b>21</b>
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<b>FROM (Department or other point of origin):</b> Houston Parks and Recreation Department	<b>Origination Date:</b> August 23, 2010	<b>Agenda Date</b> SEP 01 2010
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<b>DIRECTOR'S SIGNATURE:</b> Joe Turner, Director 	<b>Council District(s) affected:</b> A,F,G
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<b>For additional information contact:</b> Doug Earle, 832-395-7290 Twonda Thompson, 832-395-7259 Dan Pederson, 832-395-7062	<b>Date and Identification of prior authorizing Council Action:</b>
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**RECOMMENDATION: (Summary):**  
Approval of contracts for the implementation of after-school programming through the Mayor's 2010-2011 After-School Achievement Program with **Alief ISD, Spring Branch ISD, and YMCA.**

<b>Amount of Funding: \$165,000.00 General Fund (1000)</b>	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:**

HPARD recommends the approval of Alief ISD, Spring Branch ISD and YMCA contracts for the operation of 6 after-school sites for the 2010-2011 Mayor's After-School Achievement Program (ASAP).

- Schools receiving funding through the U.S. Department of Education's 21<sup>st</sup> Century Community Learning Centers (CLC) Program, which provides schools with more than \$100,000 annually for enrichment programming, are not eligible to apply. Schools with limited carryover funds (less than \$50,000) from a prior year of 21<sup>st</sup> Century CLC funding were eligible to apply for ASAP funds.
- The funding schedule provides sites with sufficient funds to increase the quality of service in order to operate a safe and successful program, while requiring all sites to commit Cash and In-Kind matching funds:

<b>2010-2011 Maximum ASAP Grant Amounts, Cash and In-kind Match Requirements</b>			
	<b>ASAP Grant</b>	<b>Cash Match</b>	<b>In-Kind Match</b>
<b>Minimum Grant Amount</b>	\$20,000	\$10,000	\$10,000
<b>Maximum Grant Amount</b>	\$45,000	\$10,000	\$10,000
Funding is determined based upon a \$1,000 per child rate. With a minimum average daily attendance of 25 to 45 youth participants per site.			

A request for proposal was posted on the Parks and Recreation Department's website, and mailed to area schools and non-profit organizations. Seven application workshops were conducted. Applications were due by 5:00 pm on April 12, 2010. A total of 69 applications were received. Staff reviewed proposals for compliance with minimum standards, and the qualifying proposals were read and scored by a team of volunteers with professional experience in grant writing, juvenile justice, school administration and financial accounting. Council action to award additional sites will be forthcoming pending the availability and distribution of more funding.

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
		<b>NDT</b>

## LIST OF PARTICIPATING AGENCIES:

<u>Alief ISD</u>	<u>Council District</u>	<u>Funding Amount</u>
Landis Elementary School	F	\$30,000.00
Youens Elementary School	F	\$30,000.00
<u>Spring Branch ISD</u>		
Sherwood Elementary School	A	\$25,000.00
Woodview Elementary School	A	\$30,000.00
<u>Non-Profit Organization</u>		
YMCA Alief – Best Elementary School	F	\$20,000.00
YMCA International Center – Piney Point Elementary School	G	\$30,000.00

<p><b>SUBJECT:</b> Appropriate Additional Funds to the Energy Savings Performance Contract for Energy Conservation Measures with Siemens Industry, Inc. f/k/a Siemens Building Technologies, Inc. Implementation of Energy Conservation Measures at Solid Waste Management, Parks and Recreation and Health Department Facilities WBS Nos. D-000138-0004-12</p>	<p>Page 1 of 2</p>	<p>Agenda Item  <b>22</b></p>
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<p><b>FROM (Department or other point of origin):</b> General Services Department</p>	<p><b>Origination Date</b> 8/26/10</p>	<p><b>Agenda Date</b> SEP 01 2010</p>
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<p><b>DIRECTOR'S SIGNATURE</b> <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Interim Director 7/29/10</p>	<p><b>Council District(s) affected:</b> B, D, H, I</p>
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<p><b>For additional information contact:</b> Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023</p>	<p><b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2010-317; Dated April 28, 2010</p>
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**RECOMMENDATION:** Appropriate additional funds for implementation of energy conservation measures at Health Department Facilities.

<p><b>Amount and Source of Funding:</b> <b>Maximum contract amount: \$20,021,826.00</b> \$6,551,411.00 —Reimbursement of Equipment /Projects Fund (1850)</p> <p><b>Previous Funding:</b> \$1,113,147.00—Reimbursement of Equipment /Projects Fund (1850)</p>	<p><b>Finance Budget:</b></p>
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council appropriate an additional \$6,551,411 to the Energy Savings Performance Contract for Energy Conservation Measures with Siemens Industry, Inc. (Siemens) to implement energy conservation measures designed to improve the system infrastructure and operational efficiencies at the Health Department facilities listed below, which represents 23 facilities, totaling 976,778 square feet. This is the second of three work orders under the contract. On April 28, 2010, Ordinance No. 2010-317, City Council approved the contract with Siemens and the first work order, which implemented energy conservation measures at the Solid Waste Management Department Facilities. Council will be requested to appropriate additional funds for the final work order for Parks and Recreation facilities as funds become available.

It is expected that the Reimbursement of Equipment/Projects Fund will be reimbursed from the guaranteed energy savings. The project will generate annual savings of \$842,286.00 with \$227,069.00 of that savings derived from capital cost avoidance. The consultant guarantees the City of Houston will save a total of \$7,448,931.00 over an eight year period, which is the payback timeframe. The lifetime of the new equipment and systems installed and implemented during this project is between 20 and 25 years. If the cost savings are less than the guaranteed annual savings of \$842,286.00, the consultant will pay the City the difference.

**PROJECT DESCRIPTION:** Many Health Department facilities use older, inefficient lighting, mechanical systems and control systems. This project will upgrade these systems through the installation and implementation of measures to reduce energy, water consumption and/or operating costs of City facilities. Further, this project will replace several pieces of equipment that are at the end of their useful life, and if not included in this project, would have to be financed through the Capital Improvement Plan. Work is to begin within ten days of the effective date and will be completed within 450 days from the date of commencement.

**REQUIRED AUTHORIZATION** CUIC ID 25MSCL74

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<b>Date:</b>	<b>SUBJECT:</b> Appropriate Additional Funds to the Energy Savings Performance Contract for Energy Conservation Measures with Siemens Industry, Inc. f/k/a Siemens Building Technologies, Inc. Implementation of Energy Conservation Measures at Solid Waste Management, Parks and Recreation and Health Department Facilities WBS Nos. D-000138-0004-1-01	<b>Originator's Initials</b> GD	<b>Page</b> 2 of 2
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**PROJECT LOCATIONS:**

FACILITY	LOCATION	KEY MAP	COUNCIL DISTRICT
West End Multi-Service Center	170 Heights Blvd #138	493E	H
La Nueva Casa de Amigos	1809 Main (north)	493D	H
Water Control Lab	1828 Rankin Road	373G	B
West End Health Center	190 Heights Blvd	493E	H
Animal Reg and Care Administration / B.A.R.C.	2700 Evella	454W	B
Facilities Annex	3018 Berry Road	454E	H
Facilities Administration	3026 Berry Road	454E	H
John Peavy Senior Center	3814 Market Street	494F	B
Fifth Ward Multi-Service Center	4014 Market Street	494E	B
Kashmere Multi-Service Center	4802 Lockwood Drive #115	454U	B
Lyons Health Center	5602 Lyons Avenue	494G	H
Denver Harbor Multi-Service Center	6402 Market	494H	I
Acres Home Multi-Service Center	6719 W. Montgomery	412Y	B
Environmental Health Administration	7411 Park Place	535N	I
Northside Health Center	8523 Arkansas, Suite 200	454E	H
Riverside Health Center	3315 Delano	493Y	I
Magnolia Multi-Service Center	7037 Capitol	494Z	I
Tri-Community Senior Center	9525 Clinton Drive	495Z	I
Central Health Lab Headquarters	1115 Braeswood	533E	D
Health Administration Building	8000 N. Stadium	532L	D
Third Ward Multi-Service Center	3611 Ennis	493Y	I
Sunnyside Health Center	9314 Cullen Blvd	573D	D
Sunnyside Multi-Service Center	4605 Wilmington	573C	D

**FUNDING SUMMARY:**

\$6,391,621.00 Construction Contract Services  
\$ 159,790.00 2.5% Contingency  
**\$6,551,411.00 Total Appropriation**

**M/SBE PARTICIPATION:** The original contract and this additional appropriation contain a 14% MBE goal and 10% SBE goal. Due to the contract's recent inception, there is no subcontractor utilization to report. However, it is anticipated that Siemens will meet its goals by the completion of the contract.

FRC:JLN:GMD:gmd

c: Forest R. Christy, Jr., Marty Stein, Jacquelyn L. Nisby, Martha Leyva, File

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA# 8621

Subject: Contract Award to Fusion Consulting, Inc. for SAP Consulting Services for the Information Technology Department

Category #  
9

Page 1 of 2

Agenda Item

**23**

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

Richard Lewis  
Chief Information Officer  
Information Technology

**Origination Date**

June 29, 2010

**Agenda Date**

SEP 01 2010

**DIRECTOR'S SIGNATURE**

*Richard Lewis*

**Council District(s) affected**  
All

**For additional information contact:**

Earl M. Lambert      Phone: (832) 393-0038  
Frank Rodriguez      Phone: (832) 393-0205

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

2007-938 : 08-15-07

**RECOMMENDATION: (Summary)**

Approve an ordinance for the appropriation of \$914,000.00 out of Equipment Acquisition Consolidated Fund and award a two year contract to Fusion Consulting, Inc. (FCI) in the amount not to exceed \$1,082,700.00 for SAP consulting services for the Information Technology Department.

Maximum Contract Amount: \$1,082,700.00

**Finance Budget**

*Michelle Mitchell*

Appropriate \$914,260.00 Equipment Acquisition Consolidated Fund (1800) WBS: X-681009

**SPECIFIC EXPLANATION:**

The Information Technology Department recommends that City Council approve an initial appropriation of \$914,260.00 out of the Equipment Acquisition Consolidated Fund and award a two year contract to Fusion Consulting, Inc. (FCI) in the amount not to exceed \$1,082,700.00 for SAP consulting services. The requested appropriation will provide initial contract funding in the amount of \$721,800.00, plus \$192,460.00 for salary recovery costs.

**Background:**

The City needs to expand SAP reporting capabilities to provide advanced analytical tools needed to better manage City operations. In 2008, SAP acquired Business Objects, a leading business intelligence software company, and incorporated the Business Objects tools into the SAP software product. The City has implemented this tool set to comply with Stimulus reporting requirements. Now, the City needs to expand the use of Business Objects tools to provide analysis and reporting capabilities for two key business cycles:

- 1) From the generation of a purchase requisition to the payment of the final invoice
- 2) From the date an employee is hired until the date that an employee leaves the employment of the City

The scope of this effort entails loading SAP transaction data into a special analytical database designed to support ad hoc reporting and graphical display of complex data structures. Also, the scope includes the development of defined set of reports that will supplement reports currently generated by the SAP transaction processing system. Once this phase of work is completed, the City will determine if it is appropriate to engage FCI to convert historical transaction data from the pre-SAP systems to provide analysts with a single source of data for all available transaction history.

A request for qualifications (RFQ) was published on the City's website and FCI was selected from 10 submissions as the highest rated proposer to implement the SAP Business Objects Rapid Marts.

The scope of work requires the contractor to achieve the following:

**REQUIRED AUTHORIZATION**

**NOT**

Finance Department:

Other Authorization:

Other Authorization:

Date: 6/29/2010	Subject: Contract Award to Fusion Consulting, Inc. for SAP Consulting Services for the Information Technology Department	Originator's Initials JB	Page 2 of 2
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- Implement a comprehensive reporting solution for life-cycles transactions of Hire-to-Retire and Req.-to-Check.
- Provide the blueprint for addressing the full scope of SAP applications based on reporting requirements.
- Define the strategy for transforming an applications-focused solution into an Enterprise Business Intelligence solution which is integrated and capable of expanding.
- Provide the conceptual design for a cost-effective technical architecture that can expand from the initial investment into an environment that can support an Enterprise Business Intelligence Solution.
- Identify City resources needed to establish a team of City employees who are capable of supporting the Business Intelligence platform and leading future initiatives.

The MWBE participation includes a goal of at least 12% of the value of services portion for this contract. FCI has identified the company listed below as its certified MWBE subcontractor.

<b>Subcontractor</b>	<b>Type of Work</b>	<b>Amount</b>
Virtual Intelligent Providers, LLC	SAP HR Functional	\$129,924.00
	And Technical Consultants	

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 the City policy.

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8845**

**Subject:** Ordinance Appropriating Funds from the Equipment Acquisition Consolidated Fund and Authorizing a First Amendment to Houston Municipal Court Case Management System Contract with Sogeti USA, LLC

Category #  
9

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Agenda Item

**24**

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

Richard Lewis  
Chief Information Officer  
Information Technology

**Origination Date**

August 24, 2010

**Agenda Date**

SEP 01 2010

**DIRECTOR'S SIGNATURE**

*Richard Lewis*

**Council District(s) affected**  
All

**For additional information contact:**

Earl M. Lambert Phone: (832) 393-0038  
Frank Rodriguez Phone: (832) 393-0205

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

Ord. 2009-863 passed 9/16/2009

**RECOMMENDATION: (Summary)**

Adopt an ordinance appropriating \$3,000,000.00 from the Equipment Acquisition Consolidated Fund (1800) and authorize a first amendment to Contract between the City of Houston and Sogeti USA, LLC for Houston Municipal Court Case Management System.

**Amount and Source of Funding:**

\$3,000,000.00 - FY11 Equipment Acquisition Consolidated Fund WBS: X-160017

**Finance Budget**

**SPECIFIC EXPLANATION:**

**Background:** The Information Technology Department is building a new computer system to manage the 1.2 million new cases processed annually by the Houston Municipal Courts, following the determination that there is no "off-the-shelf" software that can meet the Courts' volume and other specific requirements. The new system is being developed based on a Service Oriented Architecture using Microsoft development tools.

City Council has approved prior appropriations of \$6,810,000 for the design of the new Courts System. Over the past eleven months, ITD, working directly with both the Municipal Courts Judicial and Administrative Departments, developed a Detail Design for the new Case Management System, which has been named the Court System Management and Technology Resources (CSMART). The design includes working prototypes of the key screens that will handle over 80% of the daily transactions performed in the Houston Municipal Courts, detail process maps that document all of the new Court processes, working functionality that will automate the violation coding process for most traffic violations, and prototypes for the key reports in the list of 125 reports that need to be developed. This design effort has been completed at a cost of under \$5.2 million, leaving a balance of approximately \$1.6 million which will be applied to the development phase.

CSMART will automate many of decisions that currently require millions of manual actions each year. Also, it will eliminate much of the manual work performed by the judges and the multiple steps involved in case resets. The new design will enhance the services provided by the Courts to the defendants' attorneys and bonding companies. Finally, it defines significant changes in the interfaces between the systems used by HPD and the new Courts System. These changes will address many of the issues around warrant verification, posting bonds for individuals that have been arrested, providing timely processing of the jail dockets, and handling the subpoena process.

ITD presented a status briefing on the CSMART implementation at the August 3, 2010 meeting of the Budget and Fiscal Affairs Committee.

**Procurement:** In March 2009, ITD issued a Request for Qualifications (RFQ) for professional services firms with the skills required to develop large, complex business applications. Thirty-one firms responded to the RFQ. Nine of the submissions were selected for a detail review by the evaluation team and four of the nine were invited to make presentations to demonstrate their qualifications. Based on the results of the presentations, Sogeti USA, Inc. was selected to assist with the Detail Design, and Council approved a professional services contract in September 2009.

**REQUIRED AUTHORIZATION**

**NDT**

Finance Department:

Other Authorization:

Other Authorization:

Over the past twelve months, Sogeti has played a key role in the design of CSMART and the success of the development effort depends on the continuing involvement of the Sogeti personnel.

**Approach**

City personnel will manage the development of CSMART, and Sogeti will assist on a time and material basis. This approach will achieve significant cost savings and provide the opportunity to develop internal resources that are capable of applying the technology used to develop CSMART to other needs of the City. Although this approach requires the City to assume some of the project risks typically assumed by a fixed-fee contractor, ITD has mitigated that risk through a strong governance structure, with a project team composed of experienced and motivated City employees. The project Steering Committee, which includes a representative of the Mayor's executive staff, the City's Chief Information Officer, Presiding Judge, Chief Clerk, Chief Prosecutor, and an HPD Assistant Chief, will provide executive oversight for the project, make key project decisions, and approve key deliverables to ensure that the project achieves its objectives. Project implementation is targeted for March 2012.

**Project Budget**

The project budget for development of CSMART is based on the design approved by the Project Steering Committee in June 2010 and the work plan developed by the Project Team. The work plan identifies the tasks that have to be performed to develop CSMART, staffing requirements, and staffing schedules. The following table provides a summary of the budget for the entire project:

Category	Detail Design Phase	Transition Phase	Development Phase	Total Design & Development	UAT & Training	Total
<b>Salary &amp; Benefits</b>	\$ 1,315,000	\$ 228,900	\$ 4,125,000	\$ 5,668,900	\$ 1,680,000	\$ 7,348,900
<b>Professional Services</b>	2,404,915	580,000	5,563,500	8,548,415	-	8,548,415
<b>Hardware / Software</b>	522,585	-	1,693,000	2,213,584	-	2,213,584
<b>Lease</b>	-	-	240,000	240,000	90,000	330,000
<b>Space Buildout</b>	50,000	-	-	50,000	-	50,000
<b>Telecommunications</b>	8,000	2,100	33,000	43,100	-	43,100
<b>Furniture</b>	80,500	-	-	80,500	-	80,500
<b>Operating Expenses</b>	-	-	150,000	150,000	30,000	180,000
<b>Contingency</b>	-	-	1,180,500	1,180,500	-	1,180,500
<b>Project Total</b>	<b>4,381,000</b>	<b>811,000</b>	<b>12,985,000</b>	<b>18,175,000</b>	<b>1,800,000</b>	<b>19,975,000</b>
<b>Data Cleansing</b>	-	-	1,000,000	1,000,000	-	1,000,000
<b>Total Costs</b>	<b>\$ 4,381,000</b>	<b>\$ 811,000</b>	<b>\$ 13,985,000</b>	<b>\$ 19,175,000</b>	<b>\$ 1,800,000</b>	<b>\$20,975,000</b>

The Development Phase for this Project will be funded through a series of appropriations to better align project cash flow with the City's debt capacity. The proposed ordinance will appropriate \$3 million, which when combined with the balance from the appropriation for the Detail Design phase, will cover approximately six months of development work.

Once CSMART is developed, Court personnel will conduct extensive User Acceptance Testing over a twelve week period and spend an additional eight weeks training Court personnel on the new System. Estimated cost for these activities is \$1.8 million dollars. Also, Court personnel will have to perform extensive data cleansing work to prepare approximately three million cases for conversion to CSMART. The Municipal Courts Administration Department

Date: 8/12/2010	Subject: Ordinance Appropriating Funds and Authorizing a First Amendment to Houston Municipal Court Case Management System Contract	Originator's Initials FR	Page 3 of 3
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estimates that the cost could be as high as \$1 million, but further work is required to determine if other options are available that would provide a lower cost approach to the data cleansing effort.

**M/WBE and Pay or Play Requirements**

The portion of the project to be performed by Sogeti has a 15% M/WBE goal. Sogeti has identified PTG and Jefferson and Associates to provide training development services to fulfill the goal.

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.

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA# 8803

**Subject:** Approve an Ordinance Awarding a Contract for Towing and Storage Services for Seized Vehicles for the Houston Police Department  
S37-L23668

Category #  
4

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Agenda Item

25

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

**Origination Date**  
August 11, 2010

**Agenda Date**  
SEP 01 2010

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

**Council District(s) affected**  
All

**For additional information contact:**  
Joseph Fenninger *JFK 8/12/10* Phone: (713) 308-1708  
Douglas Moore Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to RBEX, Inc. d/b/a Apple Towing Co. on its sole bid in an amount not to exceed \$1,375,000.00 for towing and storage services for seized vehicles for the Houston Police Department.

Maximum Contract Amount: \$1,375,000.00

**Finance Budget**

\$1,375,000.00 - Asset Forfeiture Fund - State (2204)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to RBEX, Inc. d/b/a Apple Towing Co. on its sole bid in an amount not to exceed \$1,375,000.00 for towing and storage services for seized vehicles for the Narcotics Division of the Houston Police Department (HPD). The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Fourteen prospective bidders downloaded the solicitation document from SPD's e-bidding website and one bid was received as outlined below. Subsequent to receipt of the bid, vendors were contacted to determine the reason for the limited response to the ITB; potential respondents advised that this service was not in their core business plans or they did not have the necessary resources to meet the scope of work requirements specified in the ITB.

**COMPANY**

**TOTAL AMOUNT**

- |                                      |                |
|--------------------------------------|----------------|
| 1. RBEX, Inc. d/b/a Apple Towing Co. | \$1,375,000.00 |
|--------------------------------------|----------------|

This contract will be used to tow vehicles seized by the HPD Narcotics Division within the City of Houston and transport vehicles to a storage lot that is operated and maintained by the Contractor. These vehicles contain evidence, or are evidence, in crimes. Accordingly, they must be sequestered and secured by a single qualified contractor. The Contractor is required to have, and must keep current, a vehicle storage facility license that is issued by the Texas Department of Transportation's Motor Carrier Division and have authorization from HPD, as applicable. The vehicles will be stored inside or outside based upon the estimated value of the vehicles.

**M/WBE Subcontracting**

This Invitation to Bid was issued as a goal-oriented contract with a 3% M/WBE participation level. RBEX, Inc. d/b/a Apple Towing Co. has designated the below-named company as its certified M/WBE subcontractor.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*JFK 8/12/10*

*MS*

Date: 8/11/2010	Subject: Approve an Ordinance Awarding a Contract for Towing and Storage Services for Seized Vehicles for the Houston Police Department S37-L23668	Originator's Initials RD	Page 2 of 2
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<b><u>Name</u></b>	<b><u>Type of Work</u></b>	<b><u>Dollar Amount</u></b>	<b><u>Percent</u></b>
Oil Products Distribution, Ltd.	Distributor for Branded & Unbranded Gasoline & Diesel Fuels	\$41,250.00	3%

This contract will be monitored by the Affirmative Action Division.

**PAY OR PLAY**

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.

**Estimated Spending Authority**

Department	FY11	Out Years	Total
HPD (Narcotics)	\$275,000.00	\$1,100,000.00	\$1,375,000.00

Buyer: Joyce Hays

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8840**

**Subject:** Approve an Ordinance Awarding a Contract to the Best Respondent for Audio Visual Services Concession for the Convention and Entertainment Facilities Department. S33-L23653

Category #  
4

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Agenda Item

**26**

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

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

**Origination Date**

August 23, 2010

**Agenda Date**

SEP - 1 2010

**DIRECTOR'S SIGNATURE**

*S. H. Du Roussseau*

**Council District(s) affected**

1

**For additional information contact:**

Stephen Lewis                      Phone: (713) 853-8888  
Douglas Moore                      Phone: (832) 393-8724

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to Freeman Audio Visual Solutions, Inc, for audio visual services concession for the Convention and Entertainment Facilities Department.

Revenue Contract

**Finance Budget**

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a two-year concession contract with three one-year options to Freeman Audio Visual Solutions, Inc. for audio visual services for the Convention and Entertainment Facilities Department (CEFD).

The scope of work requires the contractor to provide all materials, equipment, and incidentals necessary to allow the City to provide audio visual services to licensees, and their exhibitors, who lease space at the George R. Brown Convention Center (GRBCC), or any other facility operated by CEFD, who may require audio visual services. The agreement will be exclusive for rigging services; however, the audio visual equipment rental and service portion of the Agreement is not exclusive; but the contractor will be the preferred in-house supplier.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. Eighty-nine prospective bidders downloaded the solicitation document from SPD's e-bidding website. Proposals were received from Freeman Audio Visual Solutions, Inc. and PSAV Presentation Services. The evaluation committee was comprised of expert staff from the management of CEFD, the Hyatt Regency, Reliant Center and the Houston Music Hall Foundation. The proposals were evaluated based upon the following criteria:

- Experience and Reputation
- Proposed Services to be supplied, user costs and percentage of gross revenues received by GRBCC
- Value Added Services, Marketing and Business Development
- Client List and potential of quantified business to the GRBCC
- Financial Strength
- M/WBE Participation

Freeman Audio Visual Solutions, Inc., received the highest overall score.

**M/WBE Subcontracting:**

This request for proposal was issued as a goal-oriented contract with a 12% M/WBE participation level of gross revenues minus amounts payable to the City by contractor, payroll costs and overhead costs. The current projections of the revenues subject to the 12% for the first year of the contract are approximately

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

**NDT**

Date: 8/23/2010	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Audio Visual Services Concession for the Convention and Entertainment Facilities Department. S33-L23653	Originator's Initials CJ	Page 2 of 2
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\$300,000.00. Freeman Audio Visual Solutions, Inc. has designated the below-named companies as its certified M/WBE subcontractors:

<b>Subcontractor</b>	<b>Type of Work</b>	<b>Percent</b>	<b>Amount</b>
City Office Supply, Inc	Office Supplies	2.33	\$7,000.00
DLS Event Service	Event Staffing	3.33	\$10,000.00
Dixie Hardware Plumbing Electrical	Part Sales	2.0	\$6,000.00
Bridgeside Automotive and Collision	Automotive Repair and Service	3.33	\$10,000.00
Cova, dba Central Delivery Systems	Delivery Service	1.0	\$3,000.00

This contract will be monitored by the Affirmative Action Division.

**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.

Buyer: Conley Jackson

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8790**

**Subject:** Ordinance Authorizing an Appropriation and First Amendment to Contract No. 4600008041 for Concrete Repair Services for Various Departments  
S50-C22344

Category #  
4

Page 1 of 2

Agenda Item

**27**

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

**Origination Date**  
August 19, 2010

**Agenda Date**  
SEP 01 2010

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

**Council District(s) affected**  
All

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

**Date and Identification of prior authorizing Council Action:**  
Ordinance No. 2007-1052; Passed 9/12/2007

**RECOMMENDATION: (Summary)**  
Approve an ordinance appropriating \$300,000.00 out of the Fire Consolidated Construction Fund (Fund 4500) and approve an amending ordinance authorizing a first amendment to the contract between the City of Houston and Spring Equipment Company, Inc. to extend the contract term from October 1, 2010 to September 30, 2011; revise the contract fees and cost schedule; and increase the maximum contract amount from \$2,625,020.44 to \$3,281,275.55 for concrete repair services for various departments.

Maximum Contract Amount Increased by: \$656,255.11

**Finance Budget**

\$300,000.00 - FY 11 Fire Consolidated Construction Fund (4500)  
\$300,000.00 - Future appropriation - Fire Consolidated Construction Fund  
\$ 56,255.11 - Future allocation - In-House Renovation Revolving Fund (1003)  
\$656,255.11 - Total

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing a first amendment to the contract with Spring Equipment Company, Inc. to extend the term from October 1, 2010 to September 30, 2011; revise the fee and cost schedule; and increase the maximum contract amount by a total of \$656,255.11. Initial funding will be from the requested appropriation of \$300,000 out of the Fire Consolidated Construction Fund. The remainder will be appropriated or allocated in FY2012.

This contract was awarded on September 12, 2007 by Ordinance 2007-1052 for a one-year term, with two one-year options, in the original contract amount of \$2,625,020.44 and expenditures as of June 30, 2010 totaled \$2,221,351.07. The City Purchasing Agent or the Director of the General Services Department may terminate this contract at anytime upon 30-days written notice to the contractor. In consideration for the one year contract extension, the contractor has agreed to adjust (reduce) the contract pricing for materials and labor back to contract year one pricing which will result in an estimated saving of \$270,377.00 in the fourth year, (extended term) of the contract.

The scope of work requires the construction contractor to furnish all labor, equipment, materials, supervision and transportation necessary to repair and construct all types of concrete structures at various locations within the City. This contract is also used for scheduled maintenance, emergency repairs and new installations, as necessary. Materials and workmanship for each concrete repair project are warranted for one year upon completion and acceptance of each work order.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MW*

Date: 8/19/2010	Subject: Ordinance Authorizing an Appropriation and First Amendment to Contract No. 4600008041 for Concrete Repair Services for Various Departments S50-C22344	Originator's Initials AL	Page 2 of 2
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**M/WBE Subcontracting:**

This contract was awarded with a 20% M/WBE participation goal and the Contractor is currently achieving 19% of its goal.

**Pay or Play Program:**

This contract was awarded prior to the inception of the Pay or Play program.

Buyer: Art Lopez

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Award Job Order Contracts to Times Construction, Inc. and JE Dunn Construction Company	<b>Page</b> 1 of 2	<b>Agenda Item</b> <b>28</b>
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 8/26/10	<b>Agenda Date</b> SEP 01 2010
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<b>DIRECTOR'S SIGNATURE:</b> <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Interim Director 8/13/10	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Jacquelyn L. Nisby Phone: 832-393-8023	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Award two Job Order Contracts to Times Construction, Inc. and JE Dunn Construction Company.

<b>Amount and Source Of Funding:</b> Maximum contract amount for each contract: \$10,000,000 – 5 years	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** The General Services Department (GSD) recommends that City Council award two Job Order Contracts to Times Construction, Inc., and JE Dunn Construction Company and delegate authority to the director to approve supplemental allocations up to the maximum contract amount for each contract of \$10,000,000.

Job Order Contracting (JOC) is used for minor construction, repairs, rehabilitations, or alterations of various facilities. Work Orders are issued and approved in accordance with pre-described and pre-priced tasks as established by the *R.S. Means* construction unit price book. JOC allows the City to expedite these types of facility construction projects by having contracts in place which provide these services. Additionally, maintaining JOC contracts helps the City respond quickly to emergency situations. The JOC Program is funded through supplemental allocations from various departmental budgets or appropriations from various bond funds as departments identify projects and specific funding for each project.

Currently, GSD has four JOC contractors: P2MG, LLC, Hallmark CBIC Joint Venture, Jamail Construction, and RHJ-JOC, Inc. Jamail Construction will deplete its contractual expenditure cap within the next couple of months. Upon the expiration of Jamail's contract, GSD's job order contracting capacity will increase to five contractors with the addition of Times Construction, Inc. and JE Dunn Construction Company.

Times Construction Inc. and JE Dunn Construction Company were selected through a two step process. The JOC procurement was advertised in accordance with the requirements of Chapter 271-Subchapter H of the Texas Local Government Code and contained selection criteria that ranked the respondents on commercial construction experience, references, a JOC management plan, contractor representatives, subcontractors and suppliers, safety, and claims history. Thirteen firms responded.

**REQUIRED AUTHORIZATION** (2) NDT CUIC ID# 25CONS163

<b>General Services Department:</b> <i>Humberto Bautista</i> Humberto Bautista, P.E. City Engineer		
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<b>Date</b>	<b>SUBJECT:</b> Award Job Order Contracts to Times Construction, Inc. and JE Dunn Construction Company	<b>Originator's Initials</b> EA	<b>Page</b> 2 of 2
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A selection committee consisting of GSD management and technical staff as well as a GSD client representative ranked the respondents. The six highest ranked firms were requested to interview. Based on the combined scores of the Statements of Qualifications and the interview, four firms were requested to submit coefficients based upon work described in the construction unit price book, *RS Means*. Times Construction Inc. and JE Dunn Construction Company submitted the lowest coefficients.

**PROJECT LOCATION:** Citywide

**M/WBE PARTICIPATION:** A 15% MBE goal and 5% SBE goal have been established for the proposed contracts. Since these are job order contracts, sub-consultant MBE/SBE utilization will be determined as projects and proposals are produced.

**PAY OR PLAY PROGRAM:** The proposed contracts require compliance with the City's 'Pay or Play' Ordinance regarding health benefits for employees of City contractors. In this case, Times Construction Inc. has elected to pay into the Contractor Responsibility Fund and JE Dunn Construction Company provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

FRC:HB:JLN:ea

xc: Marty Stein, Jacquelyn L. Nisby, Velma Laws, Calvin Curtis, Martha Leyva, Project File

<b>SUBJECT:</b> Award Construction Contract AIA General Contractors, Inc. Underground Storage Tank Removal at Fire Station 30 WBS No. C-000170-0018-4	<b>Page</b> 1 of 2	<b>Agenda Item</b> 29
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 8/26/10	<b>Agenda Date</b> SEP 01 2010
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<b>DIRECTOR'S SIGNATURE:</b> <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Interim Director 7/29/10	<b>Council District affected:</b> H
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<b>For additional information contact:</b> Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Award construction contract and appropriate funds for the project.

<b>Amount and Source of Funding:</b> \$40,147.00 Fire Consolidated Construction Fund (4500)	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council award a construction contract to AIA General Contractors, Inc. on the low bid amount of \$23,770.00 to provide construction services at Fire Station 30 for the Houston Fire Department.

**PROJECT LOCATION:** 6702 Irvington Boulevard  
Houston, Texas (Key Map 453-R)

**PROJECT DESCRIPTION:** The scope of work consists of removal and disposal of two 1,000 gallon, fiberglass reinforced, single wall diesel Underground Storage Tanks (USTs) with associated lines, observation wells, manholes and ancillary equipment, disposal of aqueous liquid, saw-cutting, demolition and removal of concrete paving over the USTs, backfilling and compaction and concrete replacement, waste classification, loading, hauling and proper disposal.

The contract duration for this project is 30 calendar days.

**BIDS:** The following two bids were received on May 27, 2010:

	<u>Bidder</u>	<u>Bid Amount</u>
1.	AIA General Contractors, Inc.	\$23,770.00
2.	Pemco, Inc.	\$30,128.00

**REQUIRED AUTHORIZATION** CUIC ID # 25GM235

<b>General Services Department:</b>  Humberto Bautista, P.E. City Engineer	<b>Other Authorization:</b>	<b>Houston Fire Department:</b>  Rick Flanagan Acting Fire Chief
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<b>Date</b>	<b>SUBJECT:</b> Award Construction Contract AIA General Contractors, Inc. Underground Storage Tank Removal at Fire Station 30 WBS No. C-000170-0018-4	<b>Originator's Initials</b>  GM	<b>Page</b>  2 of 2
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**AWARD:** It is recommended that City Council award the construction contract to AIA General Contractors, Inc. and appropriate funds for the project, including an additional appropriation of \$14,000.00 for project management and construction oversight under the existing contract with Terracon Consultants, Inc. which includes, but is not limited to soil and groundwater sampling, analytical testing, sample evaluation in accordance with regulatory requirements and submitting the appropriate Release Determination Report, if required, to the Texas Commission on Environmental Quality (TCEQ).

**FUNDING SUMMARY:**

\$	23,770.00	Construction Contract Services
\$	2,377.00	10% Contingency
\$	<b>26,147.00</b>	<b>Total Contract Services</b>
\$	14,000.00	Project Management and Construction Oversight
\$	<b>40,147.00</b>	<b>Total Funding</b>



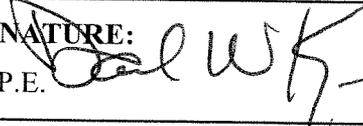
FRC:HB:JLN:GM:FK:fk

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



<b>SUBJECT:</b> Approve an Ordinance Awarding Professional Educational Services Contract between the City of Houston and Environmental Training Center.	<b>Category</b>	<b>Page</b> 1 of <u>2</u>	<b>Agenda Item</b> # <b>30</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 8/25/10	<b>Agenda Date</b> SEP 03 2010
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<b>DIRECTOR'S SIGNATURE:</b> Daniel W. Krueger, P.E. 	<b>Council District affected:</b> N/A
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<b>For additional information contact:</b> A. James Millage Senior Assistant Director <b>Phone:</b> (713) 641-9566	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Approve an Ordinance awarding a Professional Educational Services Contract to Environmental Training Center for Professional Educational Services.

**Amount and Source of Funding:** \$75,000.00 from Water and Sewer System Operating Fund No. 8300. 

**DESCRIPTION/SCOPE:** The Public Works and Engineering Department recommends that the City Council approve an ordinance awarding a Professional Educational Services Contract to Environmental Training Center (ETC) in the total estimated amount of \$75,000.00. The contract term will be for one (1) year.

The Texas Administrative Code (TAC), the State of Texas regulatory law for public water and wastewater systems, in Rule 30.331 requires all personnel that supervise wastewater collection and water distribution activities to be licensed or registered and meet certain other qualifications of the Texas Commission on Environmental Quality (TCEQ). To obtain a Collection III Wastewater License or Class B Water Distribution System License, at least 100 training hours are required. At least 60 training hours are required for a Class C Water Distribution System license. ETC will provide educational classes at the E.B. Cape Center for Utility Maintenance Branch (UMB), Public Utilities Division (PUD) employees to obtain Collection III Wastewater Licenses, Class B or Class C Water Distribution System Licenses and various other water/wastewater licenses as required by the TCEQ.

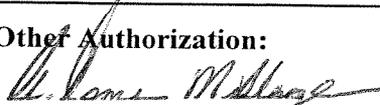
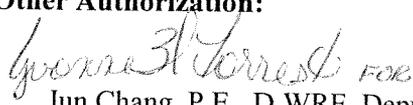
**SCOPE OF CONTRACT AND FEE:** The contract scope will consist of two phases: Phase I- water and wastewater licensing training of UMB employees and Phase II- professional development training of Public Utilities Division (PUD) trainers. During Phase I, ETC will teach and train UMB employees the below approved and recognized Texas Commission on Environmental Quality (TCEQ) courses. During such time, PUD trainers will observe ETC's teaching techniques for the purpose of gaining specialized knowledge and expertise to teach UMB employees to successfully pass certification examinations administered by the TCEQ. Phase II will focus on the professional development training of PUD trainers who will provide classroom instruction to UMB employees under the supervision of ETC's instructor. This component may also require the contractor to provide separate instructional training sessions to PUD trainers to be held outside of the 20-hour approved TCEQ courses. After completion of the subject contract, UMB employees should have the knowledge to pass certification examinations administered by the TCEQ under the instruction of PUD trainers. This contractor will provide professional developmental training and a comprehensive review class for TCEQ certification in testing and water works operations to UMB employees in the following:

- Wastewater Collections
- Water Laboratory
- Water Utility Safety
- Valves and Hydrants Operation and Maintenance
- Water Distribution
- Basic Wastewater Operations
- Wastewater Laboratory
- Water Utilities Calculations
- Water Utility Management
- Pump & Motor Maintenance
- Basic Water Works Operation

The contractor shall provide all books and training materials necessary for certifications. The UMB employees will initially pay a fee to take the exam and will only be reimbursed after successfully passing.

This recommendation is made pursuant to Vernon's annotated Civil Statutes (V.A.C.S.), Article 252.022 (a) (1) Section 1 for professional services procurements exempted from competitive bidding and proposals.

**REQUIRED AUTHORIZATION** CUIC ID# 20AJM224

<b>Finance Department:</b>	<b>Other Authorization:</b>  8/12/10	<b>Other Authorization:</b>  Jun Chang, P.E., D.WRE, Deputy Director 8-12-10 Public Utilities Division
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<b>Date</b>	<b>Subject:</b> Approve an Ordinance Awarding Professional Educational Services Contract between the Public Works and Engineering Department and Environmental Training Center.	<b>Originator's Initials</b>	<b>Page</b> <u>2</u> of <u>2</u>
<p><b><u>PAY OR PLAY PROGRAM:</u></b> 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.</p> <p><b><u>M/WBE INFORMATION:</u></b> There is no M/WBE goal for this contract.</p> <p>DWK:JC:AJM:OS:SM:TC:tc</p> <p>cc: Marty Stein Carl Smitha, P.E. Velma Laws Craig Foster Sam Lathrum</p>			

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

<b>SUBJECT:</b> Interlocal Agreement Between the City of Houston and the Airline Improvement District	<b>Page</b> 1 of 1	<b>Agenda Item</b> # <b>31</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 8/26/10	<b>Agenda Date</b> SEP 01 2010
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<b>DIRECTOR'S SIGNATURE</b>  Daniel W. Krueger, P.E. (832)895-2500	<b>Council District affected:</b>
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<b>For additional information contact:</b> Mark Loethen, P.E., CFM, PTOE Phone: (713) 837-0724	<b>Date and identification of prior authorizing Council action</b>
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**RECOMMENDATION: (Summary)**  
Approve an Interlocal Agreement Between the City of Houston and the Airline Improvement District to Provide Water and Sanitary Sewer Service Outside the City of Houston.

**Amount and Source of Funding: None under this Agreement**

**SPECIFIC EXPLANATION:**

The Airline Improvement District ("AID") created by the Texas Legislature on June 17, 2005 is bordered by Little York, the Hardy Toll Road, Hollydale, I45, and Canino. Within the AID, water and sanitary sewer service is provided partially by utility districts and investor owned utilities. Portions of AID have no public utilities; homes and businesses are provided water and sanitary sewer service through individually owned shallow water wells and septic systems. Some areas have failed septic systems.

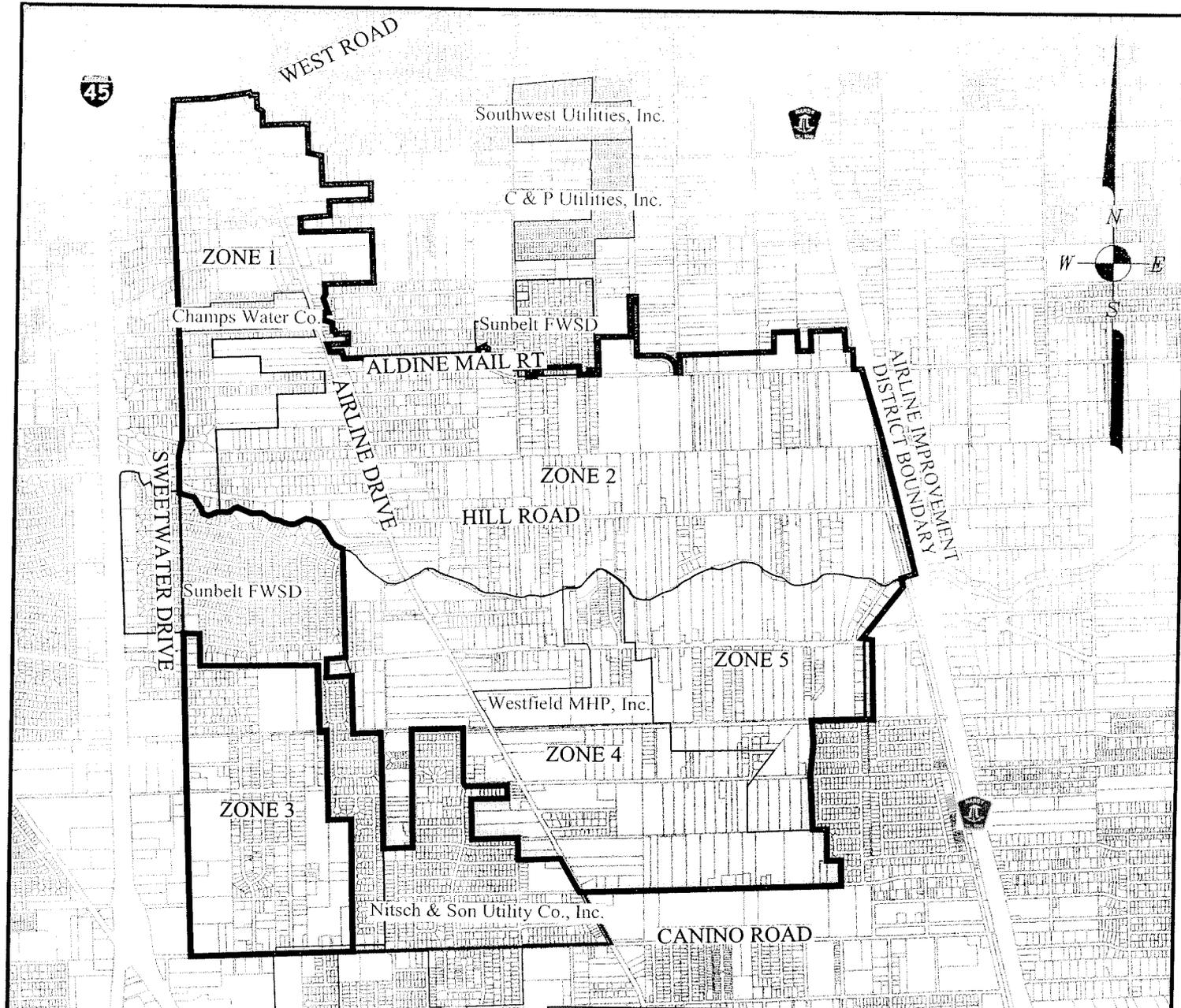
To address the health concerns caused by inadequate water and sewer service, Harris County is providing Community Development Block Grant funds to supplement the AID sales tax revenue for the construction of new water lines and sanitary sewer lines for certain areas not served by a utility district or an investor owned utility. The AID is seeking the approval of this agreement to enable the City of Houston to assume ownership of the new water and sewer utilities at no capital cost to the City of Houston. The City of Houston would then provide water and sanitary sewer service directly to the residential and commercial customers at the same rate as residential and commercial customers within the City of Houston limits. Due to the area's proximity to the city, there is no additional cost to provide this service.

The Community Development Block Grant funds will be for small areas within the AID in close proximity to currently serviced areas. Additional service areas are planned to be added over time. The initial area is estimated to contain approximately 100 connections for projected revenue of \$1,665.00 per month.

cc: Marty Stein

CUIC# 20UPA57

<b>Finance Director</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Mark L. Loethen, P.E., CFM, PTOE Deputy Director, Planning & Development Services
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SCALE: 1"=1,600'

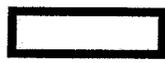


**Airline**  
Improvement District

**ATTACHMENT "A"**

**McDONOUGH ENGINEERING CORPORATION**  
civil engineers Registration No. F-000340  
5625 Sahumacher · Houston, Texas 77057 · (713) 975-9990

**LEGEND**



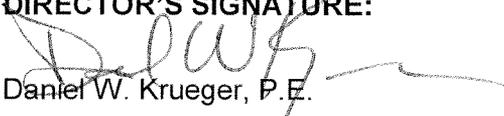
PROPOSED AREA  
TO BE SERVED  
BY CITY OF HOUSTON

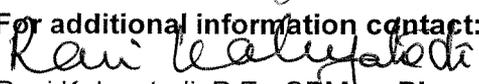
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for Street and Traffic Enhancement for Near Northside Sidewalk Project. W.B.S. No. N-000774-0002-4	Page 1 of 2	Agenda Item # <b>32</b>
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<b>FROM: (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date:</b> 8/19/10	<b>Agenda Date:</b> SEP 01 2010
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<b>DIRECTOR'S SIGNATURE:</b>  Daniel W. Krueger, P.E.	<b>Council District affected:</b> H      8u
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<b>For additional information contact:</b>  8/4/10 Ravi Kaleyatodi, P.E., CPM      Phone: (832) 395-2326 Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**

Accept low bid, award construction Contract and appropriate funds.

**Amount and Source of Funding:** Total of \$1,937,200.00 to be appropriated from the Street and Bridge Consolidated Construction Fund No. 4506. *M.P. 8/4/2010*

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the continuing effort by the City to construct sidewalks throughout the City of Houston to meet the needs of residents.

**PREVIOUS HISTORY AND SCOPE:** This project provides for the construction of sidewalk facilities being a minimum of 5-foot wide along Type A streets adjacent to the light rail system in the vicinity of the Near Northside area. Streets that intersect the transit corridor are considered Type A. The Contract duration for this project is 365 calendar days.

**LOCATION:** The project area is generally bounded on the north by Quitman, Interstate Highway 10 on the south, Interstate Highway 45 to the west and Fulton on the east. This project is located in Key Map Grids 493C,D,G and H.

**BIDS:** Bids were received on May 27, 2010. The six (6) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Tikon Group, Inc.	\$1,684,954.10
2. ACM Contractors, Inc.	\$1,732,838.15
3. Resicom, Inc.	\$1,809,313.15
4. ReYTEC Construction Resources, Inc.	\$1,865,201.89
5. Total Contracting Limited	\$1,961,681.15
6. Metro City Construction, L.P.	\$2,498,093.69

**REQUIRED AUTHORIZATION** CUIC#20SIK30 NDT

<b>Finance Department</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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<b>Date</b>	<b>Subject:</b> Contract Award for Street and Traffic Enhancement for Near Northside Sidewalk Project. W.B.S. No. N-000774-0002-4	<b>Originator's Initials</b> <i>SM</i>	<b>Page</b> <b>2 of 2</b>
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**AWARD:** It is recommended that this construction Contract be awarded to Tikon Group, Inc. with a low bid of \$1,684,954.10

**PROJECT COST:** The total cost of this project is \$1,937,200.00 to be appropriated as follows:

•	Bid Amount	\$1,684,954.10
•	Contingencies	\$ 84,247.71
•	Engineering and Testing Services	\$ 50,000.00
•	CIP Cost Recovery	\$ 117,998.19

Engineering and Testing Services will be provided by All-Terra Materials Testing, Inc. under a previously approved contract.

**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor has elected to pay into the Contractor Responsibility Fund in compliance with City Policy.

**MBE/SBE PARTICIPATION:** The low bidder has submitted the following proposed program to satisfy the overall goal of 13% for MBE and SBE participation.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
J. A. Gamez, Trucking Services	Trucking Services/ Supplier of Earth Material	\$ 67,400.00	4.00%
 <u>SBE - Name of Firms</u>			
Unotec Construction Company	Concrete Patch Work	\$195,550.00	11.61%
TOTAL		\$262,950.00	15.61%

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

*ph m w sn*  
DWK:DRM:RK:MW:SK:as/ddh

Z:\design\A-NP-DIV\Sidewalks\N-000774-0002-3\1.0 Design Contract\1.2 RCA\Construction RCA (112).DOC

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

Street and Traffic Enhancements for Near Northside - Package II  
(WBS No. N-000774-0001-4)

Street Name	Begin Sidewalk	End Sidewalk	North ROW	South ROW	East ROW	West ROW
Winnie	Thomas Street	North Main Street	√	√		
Henry	South Street Main Street	Main Street Everett Street	√	√ √		
Marie	Thomas Street	Main Street	√	√		
Pashcall	Thomas Street Main Street Fulton Street	Main Street Fulton Street Marion Street	√ √	√ √		
Bishop	Fletcher Street	Keene Street		√		
James Street	Freeman Street	Fulton Street		√		
Gargan	Thomas Street	Main Street	√			
Pinckney Street	Fletcher Street Main Street	Keene Street Fulton Street		√ √		
Harrington	Keene Street	Fulton Street		√		
Brooks	Keene Street Everett Street Gano Street	Freeman Street Fulton Street Terry Street		√ √ √		
Burnett Street	Chapman Street	Terry Street	√			
South Street	Quitman Street	Henry Street			√	
Thomas	Gargan Street Paschall Street	James Street Winnie Street			√ √	√
Fletcher	Henry Street Hogan Henry Street Winnie Street	Bishop Street Gargan Street Winnie Street Quitman Street			√	√ √ √ √
Keene	Hogan Street Bishop Street	Bishop Street Quitman Street			√	√ √
Freeman	Burnett Street Brooks Street	Brooks Street Henry Street			√	√
Everett	Burnett Street Paschall Street	Paschall Street Henry Street			√	√ √
Chestnut	Burnett Street Paschall Street	Paschall Street Henry Street			√	√ √
Gentry	Burnett Street Paschall Street Henry Street	Paschall Street Henry Street Quitmann Street			√ √	√ √
Fulton	Brooks Street Gargan Street	Hogan Street Paschall Street			√	√ √
Common	Pinckney Street	Paschall Street				√
Marion	Pinckney Street James Street	Hogan Street Paschall Street				√ √
Cohran	Noble Street	Lee Street			√	

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**Subject:** Appropriate and transfer \$2,600,000 from the Fleet/Equipment Special Revenue Fund to the General Fund.

**Category #**

**Page 1 of 1**

**Agenda Item**

**33**

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

Michelle Mitchell  
Director of Finance

**Origination Date:**

August 16,  
2010

**Agenda Date**

SEP 01 2010

**DIRECTOR'S SIGNATURE**

*Michelle Mitchell*

**Council District(s) affected:**

All

**For additional information contact:** Jim Moncur, Deputy Director,  
Mayor's Office

**Phone:** 832-393-1009  
**Contact:** James Clay  
Finance Dept.  
**Phone:** 713-837-9652

*Jim Moncur*

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

**RECOMMENDATION: (Summary)**

Approve and authorize appropriation and transfer of proceeds (\$2,600,000) from the Fleet/Equipment Special Revenue Fund (9002) to the General Fund (1000).

**Amount of Funding:**

\$2,600,000

**Finance Budget:**

**SOURCE OF FUNDING:**     General Fund             Grant Fund                             Enterprise Fund  
 Other (Specify) Fleet/Equipment Special Revenue Fund

**SPECIFIC EXPLANATION:**

One of the purposes of the Fleet/Equipment Special Revenue Fund (9002) is to collect proceeds from the sale of vehicles by various City of Houston departments. The Finance Department recommends that City Council authorize the appropriation and transfer of \$2,600,000 (proceeds associated with vehicle sales) from fund 9002 to the General Fund (1000).

**REQUIRED AUTHORIZATION**

Finance Director:

Other Authorization:

Other Authorization:

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

RCA #

**SUBJECT:**

Ordinance granting a Commercial Solid Waste Operator Franchise

Category #

Page 1 of 1

Agenda Item#

**34**

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

Alfred J. Moran, Director  
Administration & Regulatory Affairs

Origination Date

**8/25/10**

Agenda Date

**SEP 01 2010**

**DIRECTOR'S SIGNATURE:**



Council Districts affected:

ALL

**For additional information contact:**

Juan Olguin Phone: (713) 837- 9623  
Nikki Cooper Phone: (713) 837- 9889

**Date and identification of prior authorizing Council Action:** Ord. # 2002-526 – June 19, 2002;  
Ord. # 2002-1166-December 18, 2002.

**RECOMMENDATION: (Summary)**

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

**Amount of Funding:**  
REVENUE

**FIN Budget:**

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

**SPECIFIC EXPLANATION:**

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

1. BCS Resource. LLC

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

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

**REQUIRED AUTHORIZATION**

Finance Director:

**REQUEST FOR COUNCIL ACTION**

~~TO:~~ Mayor via City Secretary

RCA #

**SUBJECT:**  
Ordinance granting a Commercial Solid Waste Operator Franchise

Category #

Page 1 of 1

Agenda Item#

**35**

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

Alfred J. Moran, Director  
Administration & Regulatory Affairs

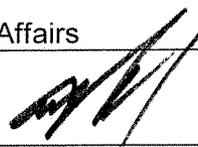
**Origination Date**

8/25/10

**Agenda Date**

SEP 01 2010

**DIRECTOR'S SIGNATURE:**



**Council Districts affected:**

ALL

**For additional information contact:**

Juan Olguin Phone: (713) 837- 9623  
Nikki Cooper Phone: (713) 837- 9889

**Date and identification of prior authorizing**

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

**RECOMMENDATION: (Summary)**

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

**Amount of Funding:**

REVENUE

**FIN Budget:**

**SOURCE OF FUNDING:**

General Fund     Grant Fund     Enterprise Fund     Other (Specify)

**SPECIFIC EXPLANATION:**

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

1. J.A. Gamez Trucking Services

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

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

**REQUIRED AUTHORIZATION**

Finance Director:

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:**  
Ordinance granting a Commercial Solid Waste Operator Franchise

**Category #**

**Page 1 of 1**

**Agenda Item#**

**36**

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

Alfred J. Moran, Director  
Administration & Regulatory Affairs

**Origination Date**

8-23-10

**Agenda Date**

SEP 01 2010

**DIRECTOR'S SIGNATURE:**



**Council Districts affected:**

ALL

**For additional information contact:**

Juan Olguin JFO Phone: (713) 837- 9623  
Nikki Cooper Phone: (713) 837- 9889

**Date and identification of prior authorizing Council Action:** Ord. # 2002-526 – June 19, 2002; Ord. # 2002-1166-December 18, 2002.

**RECOMMENDATION: (Summary)**

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

**Amount of Funding:**  
REVENUE

**FIN Budget:**

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

**SPECIFIC EXPLANATION:**

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

1. Gallegos & Sons Trucking

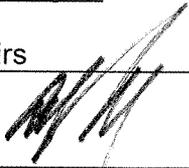
The proposed ordinance grants the Franchisee the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, the Franchisee agrees to pay to the City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

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

**REQUIRED AUTHORIZATION**

**Finance Director:**

**REQUEST FOR COUNCIL ACTION**

<b>TO:</b> Mayor via City Secretary		<b>RCA #</b>	
<b>SUBJECT:</b> Ordinance granting a Commercial Solid Waste Operator Franchise		<b>Category #</b>	<b>Page 1 of 1</b>
			<b>Agenda Item#</b>  37
<b>FROM: (Department or other point of origin):</b> Alfred J. Moran, Director Administration & Regulatory Affairs		<b>Origination Date</b> 8/23/10	<b>Agenda Date</b> SEP 01 2010
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council Districts affected:</b>  ALL	
<b>For additional information contact:</b> Juan Olguin <i>JO</i> Phone: (713) 837- 9623 Nikki Cooper Phone: (713) 837- 9889		<b>Date and identification of prior authorizing Council Action:</b> Ord. # 2002-526 – June 19, 2002; Ord. # 2002-1166-December 18, 2002.	

**RECOMMENDATION: (Summary)**  
Approve an ordinance granting a Commercial Solid Waste Operator Franchise

<b>Amount of Funding:</b> REVENUE	<b>FIN Budget:</b>
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**SOURCE OF FUNDING:**       General Fund       Grant Fund       Enterprise Fund       Other (Specify)

**SPECIFIC EXPLANATION:**

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

1. IESI Corporation

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

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

**REQUIRED AUTHORIZATION**

**Finance Director:**

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT:

Ordinance granting a Commercial Solid Waste Operator Franchise

Category #

Page 1 of 1

Agenda Item#

2nd Reading

38-17

FROM: (Department or other point of origin):

Alfred J. Moran, Director  
Administration & Regulatory Affairs

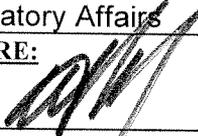
Origination Date

8/19/10

Agenda Date

~~AUG 25 2010~~

DIRECTOR'S SIGNATURE:



Council Districts affected:

SEP - 1 2010

ALL

For additional information contact:

Juan Olguin  
Nikki Cooper

Phone: (713) 837- 9623

Phone: (713) 837- 9889

Date and identification of prior authorizing

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

RECOMMENDATION: (Summary)

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

Amount of Funding:

REVENUE

FIN Budget:

SOURCE OF FUNDING:

General Fund     Grant Fund     Enterprise Fund     Other (Specify)

SPECIFIC EXPLANATION:

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

1. GI Environmental Vacuum Service, Inc.

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

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

REQUIRED AUTHORIZATION

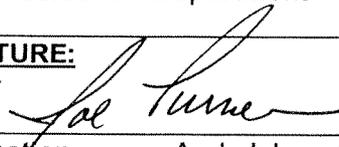
Finance Director:

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

<b>Subject:</b> Oil and Gas Lease between City and Southern Star Exploration LLC	Category #	Page 1 of 1	Agenda Item <b>39</b> #0
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<b>FROM (Department or other point of origin):</b> Houston Parks and Recreation Department	<b>Origination Date:</b> August 20, 2010	<b>Agenda Date:</b> <del>AUG 25 2010</del>
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<b>DIRECTOR'S SIGNATURE:</b> Joe Turner, Director 	<b>Council District(s) affected:</b> District B, I
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<b>For additional information contact:</b> Andy Icken, 832-393-1064 Robert Johnson, 832-393-8364	<b>Date and Identification of prior authorizing Council Action:</b>
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**RECOMMENDATION: (Summary):**  
Adopt ordinance approving an Oil and Gas Lease with Southern Star Exploration LLC for Herman Brown Park, Brock Park, parts of Maxey Park; and the McCarty Road Service Center.

<b>Amount of Funding:</b>  Revenue	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:**  
The Administration recommends that City Council approve an Oil and Gas Lease covering Herman Brown Park (770 net mineral acres); Brock Park (176 net mineral acres); parts of Maxey Park (16 net mineral acres); and the Public Works and Engineering Department's McCarty Road Service Center (24 net mineral acres). Principal terms of the Lease are:

- Payment of approximately \$200,000 to City upon signing of lease (of which amount, \$154,000 is attributable to Herman Brown Park);
- Twenty-five percent (25%) royalty on produced minerals;
- Lease term of three years and so long thereafter as minerals are produced;
- No drilling operations will be from the surface of City lands – all wells into subsurface of City land will be directionally drilled from surface locations outside of City lands.

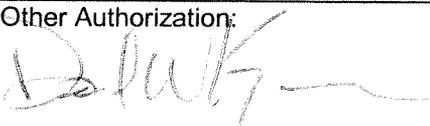
The lessee, Southern Star Exploration, LLC, is an independent oil and gas company based in Houston. Southern Star's principals have over 30 years of experience in the oil and gas business and have been involved in drilling in populated urban areas.

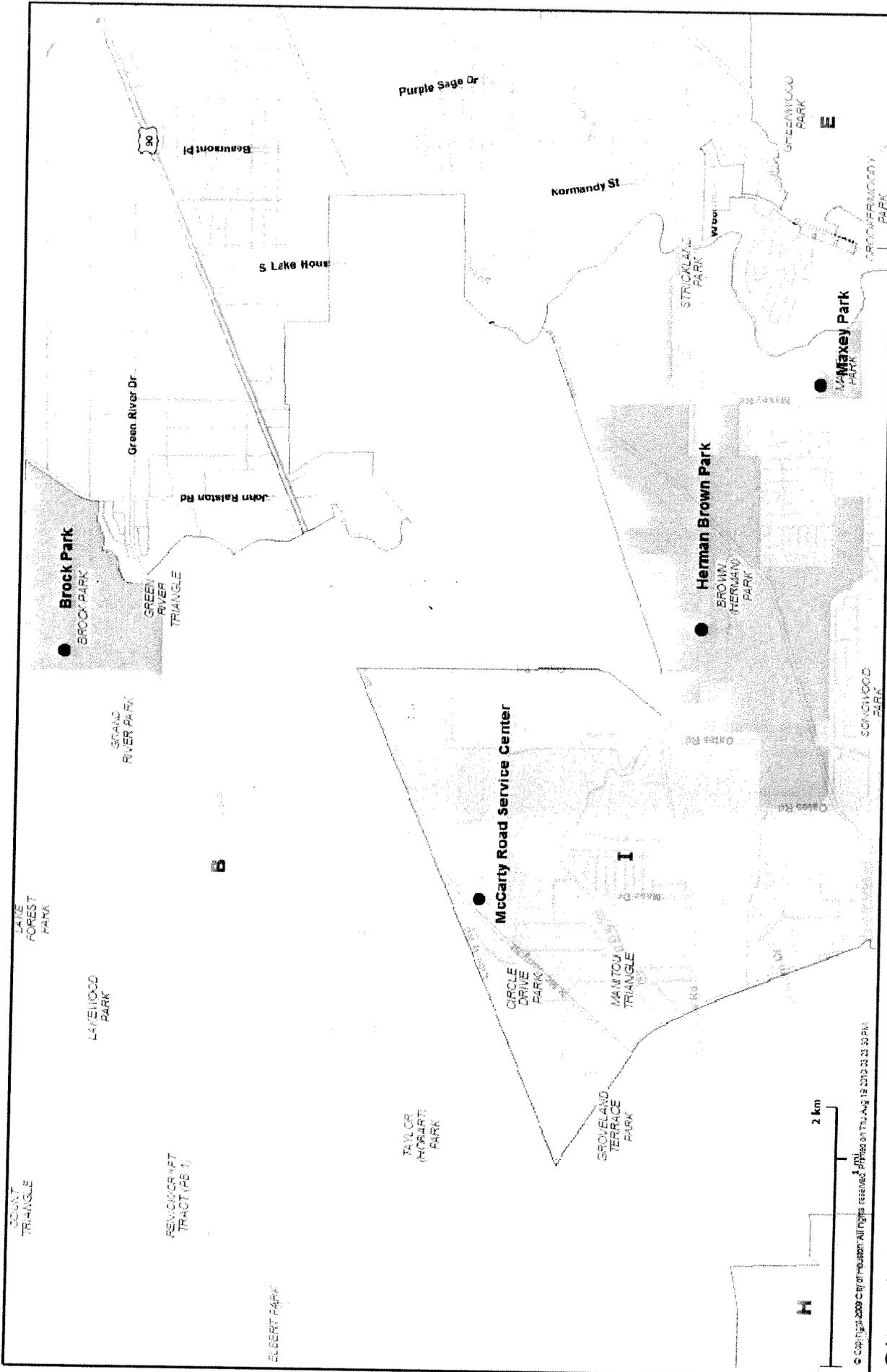
The terms of the Herman Brown Park deed expressly provide for right of mineral development in conjunction with use of land for park purposes. The Herman Brown Park deed provides that all income received by City for mineral leasing or revenues is to be used by the City for the purpose of equipping, maintaining, preserving and expanding Herman Brown Park for public park purposes.

Section 253.005 of the Texas Local Government Code authorizes a City to enter into mineral leases on land it owns. Section 253.005 provides:

- (a) Except as provided by Subsection (b), a municipality may lease oil, gas, or mineral land that it owns, in the manner and on the terms that the governing body of the municipality determines, for the benefit of the municipality. A lease under this section is not a sale under the law governing the sale of municipal land.
- (b) A municipality may not lease under this section a street, alley, or public square in the municipality.
- (c) A well may not be drilled in the thickly settled part of the municipality or within 200 feet of a private residence.

The Development and Regulatory Affairs Committee reviewed the proposed Oil and Gas Lease on August 19, 2010, and voted to forward the ordinance to City Council.

<b>Finance Director:</b>	<b>Other Authorization:</b>  Daniel W. Krueger, Director, PW&E	<b>Other Authorization:</b>
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# City of Houston Generated by the My City Application

**Disclaimer:**  
The map is only for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes and does not represent an on-the-ground survey and only represents the approximate relative location or property boundaries

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

**SUBJECT:** An ordinance appropriating \$2,204,176.69 in tax increment revenue from Harris County, Harris County Hospital District, Houston Community College District, and Interest Revenue and authorizing the transfer of tax increment revenues and interest revenue from the various Tax Increment Funds to the City for administration costs, and to the Redevelopment Authorities pursuant to Tri-Party Agreements and Interlocal Agreements.

Category # 1

Page 1 of 1

Agenda Item #

40 #

**FROM: (Department or other point of origin):**  
Michelle Mitchell, Director  
Finance Department

Origination Date

8/12/10

Agenda Date

~~AUG 25 2010~~  
SEP - 1 2010

**DIRECTOR'S SIGNATURE:**

*Michelle Mitchell*

Council Districts affected:

**For additional information contact:**

Tim Douglass Phone: (713) 837-9857  
Randell Naquin Phone: (713) 837-9646

Date and identification of prior authorizing Council Action:

**RECOMMENDATION: (Summary)**

An ordinance appropriating \$2,204,176.69 in tax increment revenue from Harris County, Harris County Hospital District, Houston Community College District, and Interest Revenue and authorizing the transfer of tax increment revenues from the various Tax Increment Funds pursuant to Tri-Party Agreements and Interlocal Agreements.

**Amount of Funding:** \$2,204,176.69

Finance Budget

**Source of Funding:** ) [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ X ] Other (Specify)  
Tax Increment Reinvestment Zone Funds (TIRZ) (see attached analysis)

**Specific Explanation:**

The appropriation of \$2,204,176.69 results from tax increment revenue from Harris County, Harris County Hospital District, Houston Community College District, and Interest Revenue.

As set forth in the attached analysis:

- \$2,150,021.69 will be paid to various redevelopment authorities pursuant to Tri-Party Agreements and Interlocal Agreements;
- \$ 54,155.00 will be transferred to the General Fund for TIRZ Administrative costs.

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

Finance Director:

Other Authorization:

Other Authorization:

*TEK*

CITY OF HOUSTON TAX INCREMENT REINVESTMENT ZONES  
 TAX INCREMENTS FROM HOUSTON COMMUNITY COLLEGE DISTRICT FOR TY09

#	TIRZ Name	Fund #	(A) Payments Received Houston Community College	(B) Affordable Housing Transfer to Fund 2409	City Admin. Fee Transfer to Fund 1000	Total Increment Amount Due to Redev. Auth.	Payee
1	Lamar Terrace	7512					
2	Midtown	7550	\$ 855,027.93		\$ 25,000.00	\$ 830,027.93	Midtown RA
	Original jur code 300		454,781.95		13,297.28		
	Annexed jur code 302		274,829.71		8,029.85		
	Annexed jur code 304		125,616.27		3,672.87		
3	Main St/Market Square	7551	\$				
	Original						
	Annexed						
4	Village Enclave	7552					
	Original						
	Annexed						
5	Memorial Heights	7553					
	Original						
	Annexed						
	Annexed						
6	Eastside	7554					
7	OST/Alameda	7555					
	Original						
	Annexed						
	Annexed						
8	Gulfgate	7556					
	Original						
	Annexed						
9	South Post Oak	7557					
10	Lake Houston	7558					
	Original						
	Annexed						
11	Greater Greenspoint	7559					
12	City Park	7560					
13	Old Sixth Ward	7561					
14	Fourth Ward	7562					
	Original						
	Annexed						
15	East Downtown	7563					
	Original						
	Annexed						
16	Uptown	7564					
17	Memorial City	7565					
18	Fifth Ward	7566					
	Original						
	Annexed						
19	Upper Kirby	7567					
20	Southwest Houston	7568					
21	Hardy/Near Northside	7569					
22	Leland Woods	7570					
	<b>Total</b>		<b>\$ 855,027.93</b>	<b>\$ -</b>	<b>\$ 25,000.00</b>	<b>\$ 830,027.93</b>	

Note:

HCC participates in Original area Jur 300, Annexed area 302, and Annexed area 304

CITY OF HOUSTON TAX INCREMENT REINVESTMENT ZONES  
 TAX INCREMENT FUND INTEREST REVENUE IN FUNDS-FISCAL YEAR 2010

#	TIRZ	Fund # (SAP)	(A) Payments Received	(B) Affordable Housing Fund (col A/3) (2)	(C) Administrative Fee Transfer to General Fund 1000 (col A-B) x 5%	(D) Interest Earned in Fund per TIRZ	Fund Interest/Net Increment due to Redevelopment Authority (D)	Payee
1	Lamar Terrace	7512	N/A	N/A	N/A	9,671.09	9,671.09	St. George Place RA
2	Midtown	7550	N/A	N/A	N/A	46,385.34	46,385.34	Midtown RA
3	Market Square (2)	7551	N/A	N/A	N/A	29,679.51	29,679.51	Main Street/Market Square
	Original							
4	Village Enclave	7552	N/A	N/A	N/A			
5	Memorial Heights	7553	N/A	N/A	N/A	31,216.07	31,216.07	Special Pay Instructions #1
6	Eastside	7554	N/A	N/A	N/A	8,685.11	8,685.11	Memorial Heights RA
7	OST/Alameda	7555	N/A	N/A	N/A			No payment.
	Original					23,475.25	23,475.25	OST Alameda RA
	Annexed							
8	Gulfgate	7556	N/A	N/A	N/A	3,367.61	3,367.61	Gulfgate RA
	Original							
	Annexed							
9	South Post Oak	7557	N/A	N/A	N/A			
10	Lake Houston	7558	N/A	N/A	N/A	2,504.89	2,504.89	South Post Oak RA
11	Greenspoint	7559	N/A	N/A	N/A	206,672.94	206,672.94	Special Pay Instructions #2
12	CityPark	7560	N/A	N/A	N/A	37,839.93	37,839.93	Greater Greenspoint RA
13	Old Sixth Ward	7561	N/A	N/A	N/A	1,740.99	1,740.99	City Park RA
14	Fourth Ward	7562	N/A	N/A	N/A	3,434.20	3,434.20	Old Sixth Ward RA
15	East Downtown	7563	N/A	N/A	N/A	10,267.65	10,267.65	Fourth Ward RA
16	Uptown	7564	N/A	N/A	N/A	6,264.83	6,264.83	East Downtown RA
17	Memorial City	7565	N/A	N/A	N/A	55,769.96	55,769.96	Uptown Development Authority
18	Fifth Ward	7566	N/A	N/A	N/A	15,349.70	15,349.70	Memorial City RA
19	Upper Kirby	7567	N/A	N/A	N/A	1,332.07	1,332.07	Fifth Ward RA
20	Southwest Houston	7568	N/A	N/A	N/A	17,259.71	17,259.71	Upper Kirby RA
21	Hardy Yards	7569	N/A	N/A	N/A	15,835.94	15,835.94	Southwest Houston RA
22	Leland Woods	7570	N/A	N/A	N/A	12,566.17	12,566.17	Hardy Place RA
	Total		\$ -	\$ -	\$ -	539,749.76	539,749.76	Leland Woods RA

Special Pay Instructions #1

Payment should be paid to Houston Independent School District for FY10 Interest

Special Pay Instructions #2

Retain in fund to pay developer and TIRZ admin costs

CITY OF HOUSTON TAX INCREMENT REINVESTMENT ZONES  
 TAX INCREMENT CALCULATIONS FOR HARRIS COUNTY - TAX YEAR 2008 and TAX YEAR 2009

#	TIRZ	Fund # (SAP)	(A) County Payments Received	(C) Administrative Fee Transfer to General Fund 1000 (col A-B) x 5%	Harris County Net Increment due to Redevelopment Authority (col A-B-C)	Payee
1	Lamar Terrace	7512	N/A		N/A	
2	Midtown	7550	\$ 459,455.00	\$ 22,972.75	\$ 436,482.25	Midtown RA
3	Market Square (2)	7551	123,645.00	6,182.25	\$ 117,462.75	Main Street/Market Square
			123,645.00	6,182.25		
4	Village Enclave	7552	N/A		N/A	
5	Memorial Heights	7553	N/A		N/A	
6	Eastside	7554	N/A		N/A	
7	OST/Alameda	7555	N/A		N/A	
8	Gulfgate	7556				Gulfgate RA
9	South Post Oak	7557				
10	Lake Houston	7558	N/A	(1) \$	N/A	South Post Oak RA
11	Greenspoint	7559	226,299.00	(1) \$	226,299.00	Greater Greenspoint RA
12	CityPark	7560	N/A		N/A	
13	Old Sixth Ward	7561	N/A		N/A	
14	Fourth Ward	7562	N/A		N/A	
15	East Downtown	7563	N/A		N/A	
16	Uptown	7564	N/A		N/A	
17	Memorial City	7565	N/A		N/A	
18	Fifth Ward	7566	N/A		N/A	
19	Upper Kirby	7567	N/A		N/A	
20	Southwest Houston	7568	N/A		N/A	
21	Hardy Yards	7569	N/A		N/A	
22	Leland Woods	7570	N/A		N/A	
	<b>Total</b>		<b>\$ 809,399.00</b>	<b>\$ 29,155.00</b>	<b>\$ 780,244.00</b>	

Notes:

(1) County does not contribute to the Administration Fee per the Interlocal Agreement  
 (2) #3 Market Square - County funds received separately for Port of Houston and HC Hospital District effective with TY05 revenue.

Harris County  
 Port Authority  
 Hospital District

\$ 123,645.00  
 \$ 123,645.00

41  
SEP - 1 2010

MOTION NO. 2010

WRITTEN Motion by Council Member Stardig to amend the proposed ordinance approving agreement with Intown Homes, Ltd. for development of three residential subdivisions in the City, as follows:

I move to amend Item 19 of the August 25, 2010 Agenda by amending section 1.04 of the Development Agreement attached thereto to read as follows:

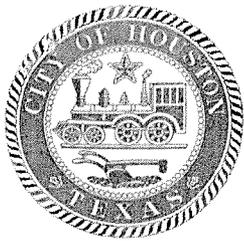
"Section 1.04. Government Requirements and Approvals. DEVELOPER will apply for and use its best efforts to obtain, at its own expense, any and all necessary subdivision plats, permits licenses, variances, and approvals that are necessary to construct the Project, including any environmental controls. DEVELOPER shall satisfy all permitting requirements, including but not limited to detention and building permitting requirements."

Council Members Adams, Pennington and Costello absent on personal business

Council Member Sullivan absent on City business

On 08/25/2010 the above motion was tagged by Council Member Stardig.

mla



# CITY OF HOUSTON

City Council

Correspondence  
Brenda Stardig  
District A

**To:** Mayor Annise Parker  
and City Council Members

**From:** Brenda Stardig, Council Member

**Date:** August 25, 2010

**Subject:** Agenda Item No. 19 (8/25/2010)  
Formerly Agenda Item No. 23 (8/18/2010)

I move to amend Item 19 of the August 25, 2010 Agenda by amending section 1.04 of the Development Agreement attached thereto to read as follows:

"Section 1.04. Government Requirements and Approvals. DEVELOPER will apply for and use its best efforts to obtain, at its own expense, any and all necessary subdivision plats, permits, licenses, variances, and approvals that are necessary to construct the Project, including any environmental controls. DEVELOPER shall satisfy all permitting requirements, including but not limited to detention and building permitting requirements."

141A

SEP - 1 2010

MOTION NO. 2010 0636

MOTION by Council Member Stardig that the following item be postponed for one week:

Item 19 - Ordinance approving agreement between the City of Houston, Texas and Intown Homes, Ltd. pursuant to Chapter 380 of the Texas Local Government Code for Economic Development Assistance for development of three residential subdivisions in the City

Seconded by Council Member Lovell and carried.

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

Council Members Adams, Pennington and Costello absent on personal business

Council Member Sullivan absent on City business

PASSED AND ADOPTED this 25th day of August, 2010.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 31, 2010.

City Secretary



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8555

Subject: Approve an Ordinance Awarding a Contract for Conducted Energy Devices (Tasers), Accessories, Supplies and Repair Services for the Houston Police Department S30-L23515

Category # 4	Page 1 of 2	Agenda Item 20
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FROM (Department or other point of origin): Calvin D. Wells, City Purchasing Agent, Administration & Regulatory Affairs Department

Origination Date: August 13, 2010

Agenda Date: ~~AUG 25 2010~~, ~~AUG 18 2010~~, SEP - 1 2010

DIRECTOR'S SIGNATURE: Calvin D. Wells

Council District(s) affected: All

For additional information contact: Joseph Fenninger (713) 308-1708, Douglas Moore (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to GT Distributors, Inc. in an amount not to exceed \$4,452,310.25 for conducted energy devices (Tasers), accessories, supplies and repair services for the Houston Police Department (HPD).

Maximum Contract Amount: \$4,452,310.25 (Five Years)

Finance Budget

\$4,452,310.25 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a five-year contract to GT Distributors, Inc. in an amount not to exceed \$4,452,310.25 for Conducted Energy Devices (CEDs) (commonly referred to as "tasers"), accessories, supplies, warranties and repair services for the Houston Police Department (HPD).

In November of 2004 City Council approved the initial purchase of 3,700 CEDs to equip patrol officers who most often respond to violent calls on a regular basis. CEDs are intermediate weapons for use against persons actively resisting an officer, or exhibiting aggressive behavior, and thereby enhance officer and citizen safety. The scope of work requires the contractor to provide all equipment, materials, supplies and tools necessary to repair the CEDs and associated equipment. Additionally, the contractor will furnish the CEDs, belt attachments, training darts, cartridges and required software to activate the devices. HPD has budgeted in FY11 to purchase 300 CEDs at a cost of approximately \$950.00 each to cover at least two cadet classes and two additional classes should funding become available. Further, the FY11 HPD budget allows for the purchase of new CEDs to replace those out of warranty or beyond repair. These devices would normally cost approximately \$950.00 each, but will be purchased at a discount price of approximately \$525.00 each, including a five-year warranty. This discount will enable HPD to replace up to 4,000 devices that are out of the warranty period or are reaching the end of their useful life. HPD plans to purchase only the number of devices required and is currently reissuing retiree's devices to other officers as needed.

The attached memo provides an update on HPD CED procedures and their use to date. A briefing will be scheduled at the September meeting of the Public Safety and Homeland Security Committee.

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.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Handwritten signature and date 8/13/10

Date: 8/13/2010	Subject: Approve an Ordinance Awarding a Contract for Conducted Energy Devices (Tasers), Accessories, Supplies and Repair Services for the Houston Police Department S30-L23515	Originator's Initials RM	Page 2 of 2
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This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (2) of the Texas Local Government Code for exempted procurements.

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

**Estimated Spending Authority**

<b>Department</b>	<b>FY 11</b>	<b>Out Years</b>	<b>Total</b>
Houston Police Department	\$1,246,084.29	\$3,206,225.96	\$4,452,310.25

Buyer: Richard Morris

# CITY OF HOUSTON

INTER OFFICE CORRESPONDENCE

#20  
8/25/10

to: Annise D. Parker  
Mayor

FROM: Charles A. McClelland, Jr.  
Chief of Police

DATE: August 23, 2010

SUBJECT: **Responses to Questions from Council  
Members, Re: Conducted Energy  
Devices (CED)**

Recently, several questions were received from Council Members relative to Conducted Energy Devices. Accordingly, the following is provided in response to those inquiries.

**Council Member Wanda Adams:**

***Question 1:***

***The original RCA states that Conducted Energy Devices (CEDs) are an alternative to the use of deadly force. Yet now the statement from HPD is that CEDs are not an alternative to the use of deadly force. How can we reconcile these?***

On August 18, 2010, Mayor Parker explained that CEDs are NOT an alternative to the use of deadly force. This is a correct statement, adding that CEDs provide an intermediate level response for officers and they are intended as a less-lethal force option, much like a baton or oleoresin capsicum (OC or "pepper") spray.

While the CED is not an alternative to deadly force, it has saved lives and prevented injuries. Notably in approximately 4% of the circumstances wherein the use of deadly force has been warranted, officers have on occasion opted to use the CED. Additionally, injuries to Houston police officers have decreased in number and severity since CEDs were introduced. There are very limited situations where a CED may be used by an officer in a deadly force encounter. For example, if an officer is able to gain tactical advantage and maintain cover and concealment during a high risk encounter involving a suspect with a deadly weapon other than a firearm then the use of a CED may be an option. A CED has a maximum range of 21 feet; however, optimal activation distance is 7 to 10 feet.

***Question 2:***

***How many Tasers are being used and how many deployments have there been?***

The department has purchased 4,987 CEDs, with 4,586 issued to officers. Currently, there are 46 units enroute to the manufacturer for repair, 50 units that have been repaired and are due back from the manufacturer, and 209 units are out of warranty and need to be replaced. Additionally, there are CEDs dispersed to the Training Division for training purposes and to the Training Division's Qualification Range and Special Operations Division to replace units when malfunctions occur.

Currently, CEDs have been deployed 2,570 times since they were issued in December 2004. This is an extremely small percentage considering the millions of calls-for-service, warrant executions, and traffic stops that HPD officers have made during this time.

Likewise, a recent study funded by the City Controller's office listed that there were eight CED deployments for every 10,000 incident reports or a deployment for .08% of all incidents wherein a report was written. While this is a small percentage, it understates the number of contacts officers have with the public by not counting such contacts as traffic stops and warrant executions where no offense report is created unless something additional takes place (supplements of existing reports will be added in some situations). It is important to note that this reported number of activations captures all deployments both successful and unsuccessful.

***Question 3:***

***Can we get a report detailing how effective the use of CEDs has been?***

The CED has historically been effective 76% of the time when deployed by a Houston police officer (1,955 of 2,570 total deployments). A successful deployment is one where the suspect is struck by both darts from the CED and either complies with the officer's instructions or the officer(s) is able to safely subdue the suspect. In those instances when a CED deployment was not successful, the primary reason was that both darts did not strike the suspect and/or they failed to penetrate the suspect's clothing.

***Question 4:***

***How many of the original CEDs have been replaced within the last five years?***

2,400 units under warranty have been repaired or replaced thus far by Taser International at no cost to the department. As provided, the department has 209 CEDs that are out of warranty and not repairable, and they will need be replaced at the discounted rate proposed in the current RCA.

***Question 5:***

***How many HPD officers have been trained in the use of CEDs and has that training changed given the recommendations of the Controllers report from 2009?***

Every officer carrying a CED has received training, adding that in 2004-2005, mandatory CED training occurred and the 2006 mandatory in-service training contained a 3-hour CED segment. Basic CED training has not changed since its inception; however, it is modified and updated periodically. The department's General Orders regarding Conducted Energy Devices was last updated on January 27, 2010, and the Training Division's lesson plans have been modified and updated on October 22, 2009, and again on August 10, 2010.

**Question 6:**

***Has there been a decrease in the use of deadly force since CEDs were instituted in 2004?***

As previously provided, CEDs are NOT an alternative to deadly force; however, HPD officers' use of firearms has remained consistent since 2000 with the lowest number recorded in 2004.

<b>YEAR</b>	<b>Number of Officer Involved Shootings</b>
2004	23
2005	42
2006	35
2007	27
2008	28
2009	50
2010 (YTD)	15

As a reminder, there have been 103 documented incidents wherein deadly force would have been justified, but a CED was instead used. The fact that deadly force would have been justified in these incidents indicates that the suspect was armed with a deadly weapon.

**Question 7:**

***The Controller's report on the use of CEDs showed that most of the incidences of tasing were in District D. Can you explain this and can we get updated information?***

HPD captures this information by police districts and beats, not by Council Districts. The information on CEDs is gathered in a manner that provides the command staff and supervisors of the police department a useful format to monitor where CEDs are being used by their officers on a macro level. By policy and practice, supervisors are required to make the scene every time a CED is deployed. Likewise, an offense report is produced and reviewed up to the level of captain. Furthermore, the report is then reviewed by the Training Division and finally by the Executive Assistant Chief responsible for CED oversight. It is important to note that multiple variables must be considered when evaluating geographic location relative to CED deployments. A suspect who has been subdued by the use of a CED deployment may not physically reside in the area where the arrest takes places; moreover, the officer may not actually be assigned to the district or beat where the incident occurs.

**Council Member C. O. "Brad" Bradford:**

**Question 1:**

***Why did HPD not purchase CEDs with cameras on them?***

- The camera's lens is located on the bottom of the CED handgrip and is therefore susceptible to being inadvertently covered by the user's hand.
- The lens must be kept clean (with a Q-tip) to prevent obscurity.
- The batteries for the CED camera must be recharged more often than the CED battery, which makes the camera's viability difficult to maintain.
- The camera replaces the second set of darts; thus, the device can only be used once unless extra darts are carried by the officer in an auxiliary container.

- The video is fair, but grainy, captures images in black-and-white, and is unstable.
- The CED camera is activated when the safety is removed and shows the deployment of the darts, but not what occurred prior to the deployment. Often, this does not provide useful information. Also, CEDs already record the number of times a unit was deployed, to include the duration of the activation. This information is downloaded after every deployment.
- The Houston Police Department has 4,987 Conducted Energy Devices. The City of Houston purchase price for a CED camera is \$411.95 per unit, in addition to the \$949.90 initial cost for the CED. The total cost to mount a camera on every device would be \$2,054,394.65.

If additional information or assistance is needed, please let me know.

  
Charles A. McClelland, Jr.  
Chief of Police

cam:gam

cc: Wanda Adams, Council Member – District D  
C. O. “Brad” Bradford, Council Member – At Large Position 4  
✓ Marty Stein, Agenda Director  
Waynette Chan, Mayor’s Chief of Staff

COP # 10-37248

# CITY OF HOUSTON

## INTER OFFICE CORRESPONDENCE

TO: Annise D. Parker  
Mayor

FROM: Charles A. McClelland, Jr.  
Chief of Police

DATE: August 12, 2010

SUBJECT: **Conducted Energy Device (CED) RCA**

The Houston Police Department is requesting City Council's approval to renew a contract with GT Distributors, Inc. for the purchase of Conducted Energy Devices (CED / also commonly referred to as "Taser"), to include related accessories, supplies, warranties, and repair services. CEDs provide an important intermediate level response for police officers against persons actively resisting and are invaluable as part of the Houston Police Department's (HPD) less-lethal force options.

The department closely monitors the use of this device, and has policy and training requirements in place. CEDs have been used safely and effectively, and have presently been distributed to over 4,400 HPD officers. Currently, CEDs have been deployed 2,571 times since being distributed throughout the department in December 2004. To date, only one suspect has been seriously injured as a result of a CED deployment and seven officers were injured attempting to subdue suspects while using the devices. The CED has been effective 76% of the time when deployed by a Houston police officer (1,955 of 2,570 total deployments).

The Houston Police Department mandates six hours of training prior to an officer being issued a CED, to which the purpose of the training is to provide officers with both the requisite knowledge and skills to safely handle, retain, and operate a CED. For your information, the training is a six-hour session ranging from basic electricity to care and proper operation of the device. Likewise, police officers are instructed on the parameters of when the CED can be deployed. For example, the CED is not to be deployed when a person has been exposed to a chemical, by persons passively resisting, or to protect property from destruction or damage. Instruction is also provided on the safe deployment of the CED and persons affected. Officers are trained to observe the individuals that have been "Tasered" for Neuro-Muscular Incapacitation (NMI), compliance with commands, secondary injuries due to falls, and for unusual reactions.

Additional items within the training course are devoted to loading and firing the CED, the effective target zones, probe placement, and care and treatment of the device. Moreover, instruction is given regarding the compatibility with other weapon systems, follow-up actions, and tactical considerations involving individuals that have been tased. Finally, officers must demonstrate proficiency of the CED through a live fire course.

Overall, the police department's policy on Conducted Energy Devices provides clear guidance to officers and is a model policy that has been adopted by law enforcement agencies across the

nation. The policy outlines the training requirements, proper usage, and documentation requirements when the CED is used. The policy also provides officers and supervisors with sufficient guidance to ensure that all members of the Houston Police Department understand the proper role of the CED as an intermediate weapon system.

A City Controller's audit report on officer injury showed that while officer injury and worker's compensation claims have decreased, the downward trend started prior to the introduction of the CED program. In fiscal year 2003, there were 907 workers compensation claims. The number of claims began dropping in fiscal year 2004 and have continued to decrease (see attachment). The decrease in claims and dollars spent on worker's compensation for police officers has continued, thereby saving the City of Houston millions of dollars and keeping officers safe and available to provide police protection to our community. While the department is not positively able to correlate the reduction in worker compensation claims to CEDs, they are almost assuredly a factor.

Ultimately, the Conducted Energy Device is a vitally important intermediate weapon system used by officers of the Houston Police Department. The CED has been used safely for over five years and has prevented injuries to officers and citizens alike. As such, it is imperative that the department continue to deploy CEDs to new officers, and supply and repair the existing devices; therefore, I am requesting the attached Request for Council Action be submitted for approval.



Charles A. McClelland, Jr.  
Chief of Police

cam:jgj:gam

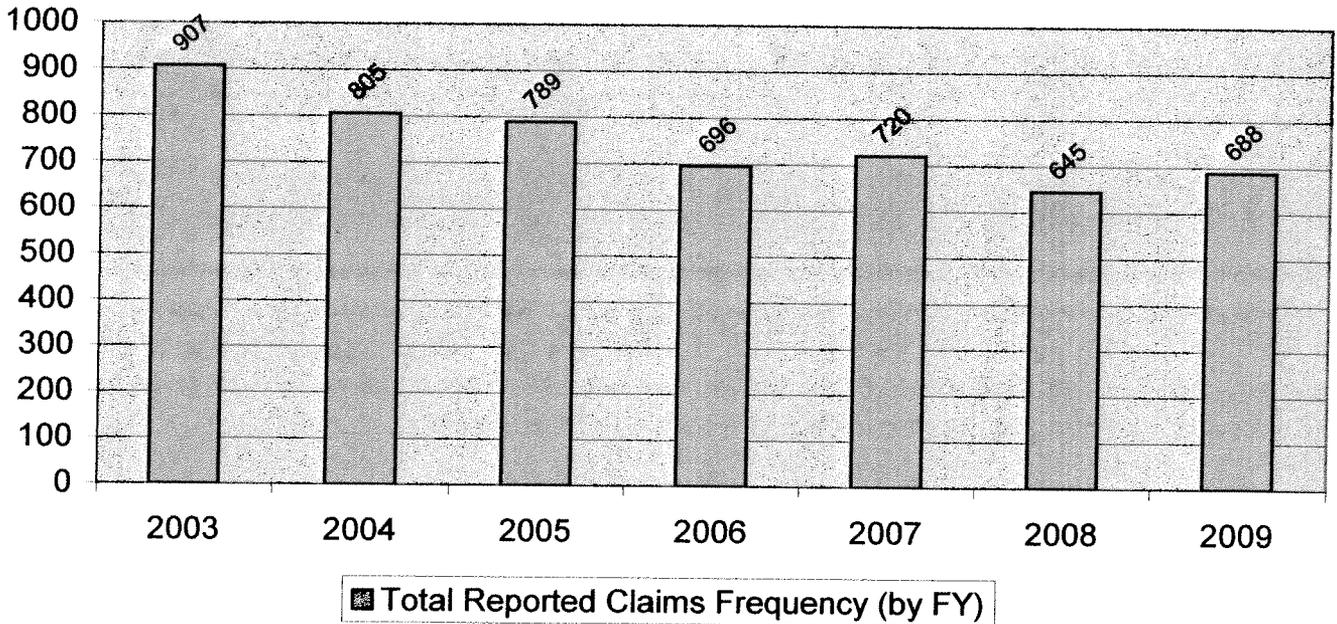
Attachment

cc: Marty Stein, Agenda Director  
Waynette Chan, Mayor's Chief of Staff

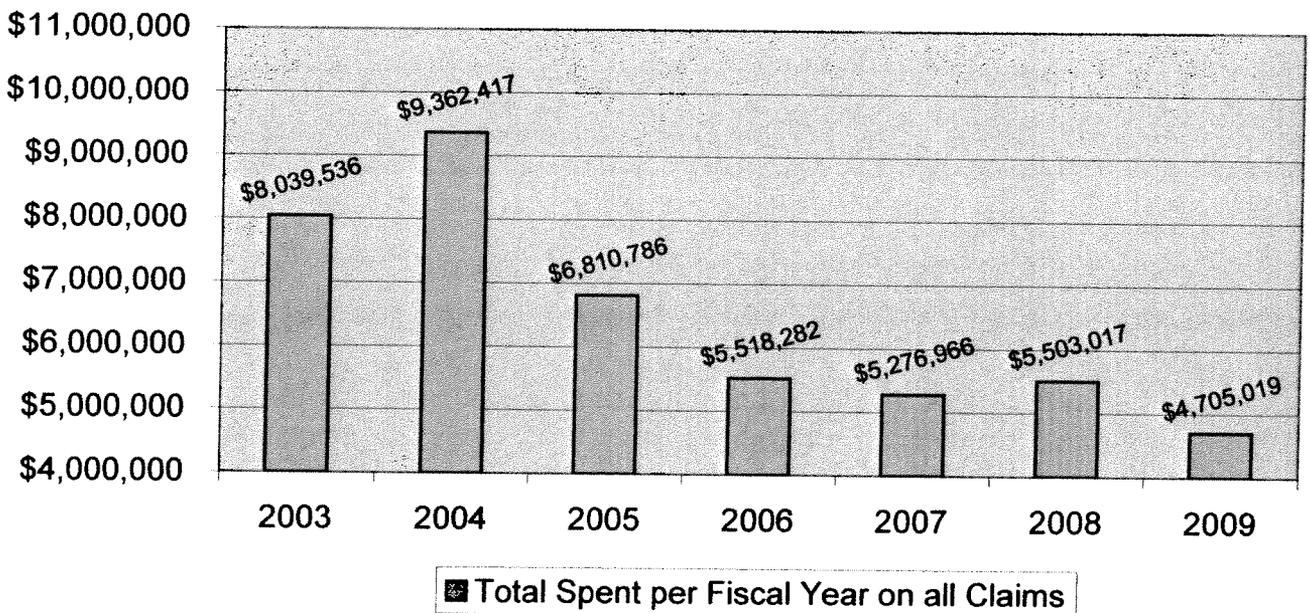
COP #

**Houston Police Department  
Workers Compensation Claims 2003-2009  
August 13, 2010**

**Total Reported Claims Frequency per Fiscal Year**



**Total Spent per Fiscal Year on all Claims**





**TASER CONTRACT - EQUIPMENT AND SUPPLIES FY11 + 4 OUTYEARS**

FY13		THREE CLASSES OF 75 CADETS - CED's and EQUIPMENT	Item #	HPD Cost	Sub-Total	Total
225	Taser X26E Black/Silver Grip Plates with XDPM & BlackHawk® Surpa holster		26082	774.20	174,195.00	
225	Taser X26 4 year Extended Warranty		26744	175.70	39,532.50	
225	Taser - XDPM Extended Digital Power Magazine		26701	36.05	8,111.25	
450	Taser 21' Single Shot Air Cartridge		44200	19.91	8,959.50	
450	2'1ft (6.4m) Non-Conductive Simulation *Blue/Blue Blast Door / Training Use		44205	18.98	8,541.00	
FY13		EQUIPMENT and SUPPLIES FY-13				
1000	Taser - XDPM Extended Digital Power Magazine		26701	36.05	36,050.00	
8250	Taser 21' Single Shot Air Cartridge (5500x1) + (Stations 2000) = 7500+10%		44200	19.91	164,257.50	
2000	BlackHawk® Surpa® holster right-hand (replacements)		44952	47.46	94,920.00	
200	BlackHawk® Surpa® holster left-hand (replacements)		44953	47.46	9,492.00	
500	2'1ft (6.4m) Non-Conductive Simulation *Blue/Blue Blast Door / Training Use		44205	18.98	9,490.00	
4	Air Cartridge w/ alligator clips *Training Use		85000	42.75	171.00	
4	M26/X26 Maintenance and Cleaning Kit		85002	59.96	239.84	
15	X26E USB Dataport Download Kit *Windows® 98se, NT, 2000, XP compatible		26500	151.96	2,279.40	
FY13		12 MONTHS No-Warranty Returns and Replacements 31 X 12+ 10%				
410	Taser X26E Black/Silver Grip Plates with XDPM & BlackHawk® Surpa holster		26082	350.00	143,500.00	
410	Taser X26 4 year Extended Warranty		26744	175.70	72,037.00	
410	Taser - XDPM Extended Digital Power Magazine		26701	36.05	14,780.50	
1	Freight			15000.00	15,000.00	801,556.49
FY14		THREE CLASSES OF 75 CADETS - CED's and EQUIPMENT	Item #	HPD Cost	Sub-Total	Total
225	Taser X26E Black/Silver Grip Plates with XDPM & BlackHawk® Surpa holster		26082	774.20	174,195.00	
225	Taser X26 4 year Extended Warranty		26744	175.70	39,532.50	
225	Taser - XDPM Extended Digital Power Magazine		26701	36.05	8,111.25	
450	Taser 21' Single Shot Air Cartridge		44200	19.91	8,959.50	
450	2'1ft (6.4m) Non-Conductive Simulation *Blue/Blue Blast Door / Training Use		44205	18.98	8,541.00	
FY14		EQUIPMENT and SUPPLIES FY-14				
1000	Taser - XDPM Extended Digital Power Magazine		26701	36.05	36,050.00	
8250	Taser 21' Single Shot Air Cartridge (5500x1) + (Stations 2000) = 7500+10%		44200	19.91	164,257.50	
2000	BlackHawk® Surpa® holster right-hand (replacements)		44952	47.46	94,920.00	
200	BlackHawk® Surpa® holster left-hand (replacements)		44953	47.46	9,492.00	
500	2'1ft (6.4m) Non-Conductive Simulation *Blue/Blue Blast Door / Training Use		44205	18.98	9,490.00	
4	Air Cartridge w/ alligator clips *Training Use		85000	42.75	171.00	
4	M26/X26 Maintenance and Cleaning Kit		85002	59.96	239.84	
15	X26E USB Dataport Download Kit *Windows® 98se, NT, 2000, XP compatible		26500	151.96	2,279.40	
FY14		12 MONTHS No-Warranty Returns and Replacements 31 X 12+ 10%				
410	Taser X26E No-Warranty Diagnostic Return		No Cost	0.00	0.00	
410	Taser X26E Black/Silver Grip Plates with XDPM & BlackHawk® Surpa holster		26082	350.00	143,500.00	
410	Taser X26 4 year Extended Warranty		26744	175.70	72,037.00	

**TASER CONTRACT - EQUIPMENT AND SUPPLIES FY11 + 4 OUTYEARS**

410	Taser - XDPM Extended Digital Power Magazine	26701	36.05	14,780.50	
1	Freight		15000.00	15,000.00	801,556.49

FY15

**THREE CLASSES OF 75 CADETS - CED's and EQUIPMENT**

		Item #	HPD Cost	Sub-Total	Total
225	Taser X26E Black/Silver Grip Plates with XDPM & BlackHawk® Surpa holster	26082	774.20	174,195.00	
225	Taser X26 4 year Extended Warranty	26744	175.70	39,532.50	
225	Taser - XDPM Extended Digital Power Magazine	26701	36.05	8,111.25	
450	Taser 21' Single Shot Air Cartridge	44200	19.91	8,959.50	
450	21ft (6.4m) Non-Conductive Simulation *Blue/Blue Blast Door / Training Use	44205	18.98	8,541.00	

FY15

**EQUIPMENT and SUPPLIES FY-14**

1000	Taser - XDPM Extended Digital Power Magazine	26701	36.05	36,050.00	
8250	Taser 21' Single Shot Air Cartridge (5500x1) + (Stations 2000) = 7500+10%	44200	19.91	164,257.50	
2000	BlackHawk® Surpa® holster right-hand (replacements)	44952	47.46	94,920.00	
200	BlackHawk® Surpa® holster left-hand (replacements)	44953	47.46	9,492.00	
500	21ft (6.4m) Non-Conductive Simulation *Blue/Blue Blast Door / Training Use	44205	18.98	9,490.00	
4	Air Cartridge w/ alligator clips *Training Use	85000	42.75	171.00	
4	M26/X26 Maintenance and Cleaning Kit	85002	59.96	239.84	
15	X26E USB Dataport Download Kit *Windows® 98se, NT, 2000, XP compatible	26500	151.96	2,279.40	

FY15

**12 MONTHS No-Warranty Returns and Replacements 31 X 12+ 10%**

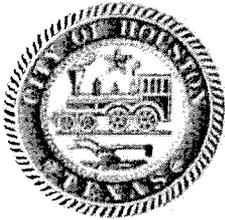
410	Taser X26E No-Warranty Diagnostic Return	No Cost	0.00	0.00	
410	Taser X26E Black/Silver Grip Plates with XDPM & BlackHawk® Surpa holster	26082	350.00	143,500.00	
410	Taser X26 4 year Extended Warranty	26744	175.70	72,037.00	
410	Taser - XDPM Extended Digital Power Magazine	26701	36.05	14,780.50	
1	Freight		15000.00	15,000.00	801,556.49

**CONTRACT TOTAL EQUIPMENT AND SUPPLIES**

FY11 plus 4 Outyears

4,452,310.25

Historically 34 Taser units are replaced each month (410 units per year).



# CITY OF HOUSTON

# Interoffice

Administration & Regulatory Affairs Department  
Strategic Purchasing Division

Correspondence

To: Calvin D. Wells, Deputy Director  
City Purchasing

**RECEIVED**

From: Richard Morris

RE-SENT → MAR 16 2010

Date: December 29, 2009

City of Houston  
Affirmative Action

Subject: MWBE Participation Form

I am requesting a waiver of the MWBE Goal:

Yes  No

Type of Solicitation: Bid  Proposal

I am requesting a MWBE goal below 11%

✓

Yes  No  0%

I am requesting a revision of the MWBE Goal:

Yes  No

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

If requesting a revision, how many solicitations were received:

Solicitation Number: S30-L23515

Estimated Dollar Amount: \$8,390,141.90

Anticipated Advertisement Date: \_\_\_\_\_

Solicitation Due Date: \_\_\_\_\_

Goal On Last Contract: 0%

Was Goal met: Yes  No

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

**Name and Intent of this Solicitation:** Taser Devices and Associated Equipment for the Houston Police Department. The contract will be used for non-lethal electronic immobilization Taser stun guns used to subdue suspects by the Houston Police Department.

**Rationale for requesting a Waiver or Revision:** This equipment will be manufactured and drop shipped directly to Houston Police Department by the manufacturer. The buyer reviewed the current MWBE Directory published by the Affirmative Action Division and could not find any suppliers of the aforementioned equipment. Therefore, there is no MWBE subcontracting possibility on this procurement and the recommendation is for a zero MWBE goal on the procurement.

Concurrence:

Richard Morris  
Initiator

S. L. [Signature]  
Deputy Assistant Director

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

Calvin D. Wells  
Calvin D. Wells, Deputy Director  
City Purchasing Agent 12/31

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