

**AGENDA - COUNCIL MEETING - TUESDAY - MARCH 29, 2011 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

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

**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 - MARCH 30, 2011 - 9:00 A. M.**

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

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 1 through 32A**

**MISCELLANEOUS** - NUMBER 1

1. REQUEST from Mayor for confirmation of the appointment of **MS. DEBORAH A. GEBHARDT** to Position Six of the **ANIMAL ADVISORY COMMITTEE BOARD OF DIRECTORS**, for an unexpired term ending December 31, 2011

**AGENDA - MARCH 30, 2011 - PAGE 2**

**ACCEPT WORK** - NUMBERS 2 through 7

2. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$17,915.00 and acceptance of work on contract with **AIA GENERAL CONTRACTORS, INC** for Underground Storage Tank Removal at Fire Station 30 - 24.63% under the original contract amount - **DISTRICT H - GONZALEZ**
3. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$442,978.00 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Ervan Chew Park - 4.97% over the original contract amount - **DISTRICT D - ADAMS**
4. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$176,057.00 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Law Park Lighting - 3.87% over the original contract amount - **DISTRICT E - SULLIVAN**
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,332,209.13 and acceptance of work on contract with **PACE SERVICES, L.P.**, for Academy Street (N. Braeswood to Merrick) Storm Sewer Project Segment 1 2.72% under the original contract amount - **DISTRICT C - CLUTTERBUCK**
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,738,491.39 and acceptance of work on contract with **STATEWIDE TRAFFIC SIGNAL COMPANY** for On-Call Traffic Signal Construction - 0.81% under the original contract amount - **DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; G - PENNINGTON and I - RODRIGUEZ**
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,115,387.83 and acceptance of work on contract with **TRAFFIC SYSTEMS CONSTRUCTION, INC** for South Zone Traffic Signal Construction - 0.03% under the original contract amount - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; F - HOANG; G - PENNINGTON and I - RODRIGUEZ**

**PROPERTY** - NUMBERS 8 and 9

8. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Robert Kness, Windrose Land Services, Inc, on behalf of Halliburton Energy Services, Inc (Tommy Jamail, Vice President - Real Estate), for abandonment and sale of Swan Road, from Morales Road to North Sam Houston Parkway, located within the Heartland Acres Subdivision and the Heartland Annex Subdivision, out of the Washington County R.R. Company Survey and the J.W. McGinnis Survey, Parcel SY11-041 - **DISTRICT B - JOHNSON**
9. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY10-214, located at 2520 Airline Drive, owned by Farmers Marketing Association of Houston, Texas, Inc, a Texas corporation, Lester Hildebrandt, President, for the **AIRLINE DRIVE PAVING PROJECT from North Main to IH-610** - \$101,961.00 - **DISTRICT H - GONZALEZ**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 10 and 11

10. APPROVE spending authority for National Registry Testing, Certification and Recertification of Emergency Medical Technicians and Paramedics through the **NATIONAL REGISTRY OF EMERGENCY MEDICAL TECHNICIANS** for the Texas Department of State Health Services and for State Provider License for emergency medical units for the Houston Fire Department \$185,000.00 - General Fund

**PURCHASING AND TABULATION OF BIDS** - continued

11. **PHILPOTT MOTORS, LTD.** for Aerial Manlift Truck through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for the Houston Police Department - \$91,721.35 Supplemental Environmental Project and Grant Funds

**RESOLUTIONS AND ORDINANCES** - NUMBERS 12 through 32A

12. RESOLUTION authorizing a Revised Loan Application to the Texas Water Development Board
13. RESOLUTION supporting and approving the proposed development for affordable rental housing of Zion Bayou, located at 5200-5300 Airport Boulevard in the City of Houston, Texas, and authorizing the allocation of 2011 Housing Tax Credits to such development - **DISTRICT D - ADAMS**
14. RESOLUTION supporting and approving the proposed development for affordable rental housing of Trinity East Village, located on fourteen contiguous parcels bordered by St. Charles Street, Tuam Street, Live Oak Street and McGowen Street in the City of Houston, Texas, and authorizing the allocation of 2011 Housing Tax Credits to such development - **DISTRICT I - RODRIGUEZ**
15. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use as a public right-of-way of Glenheath Street, from Glen Loch Drive west to its terminus, and two utility easements with attendant aerial easements, all located in Glenbrook Valley Section 7, or the replat of Block 38, Glenbrook Valley Section 7; vacating and abandoning said right-of-way and easements to Houston Independent School District, owner, in consideration of owner's conveyance to the City of a water meter easement, payment of \$31,647.00 to the City and other consideration - **DISTRICT I - RODRIGUEZ**
16. ORDINANCE amending City of Houston Ordinance No. 2010-372, passed on May 12, 2010, which approved and authorized the submission to the United States Department of Housing and Urban Development of the 2010 Consolidated Action Plan (Also referred to as the 2010-2014 Consolidated Plan and 2010 Action Plan), which included several Federal Grant Applications \$350,000.00 - CDBG Fund - **DISTRICTS B - JOHNSON; F - HOANG; H - GONZALEZ and I - RODRIGUEZ**
17. ORDINANCE appropriating \$3,300,000.00 out of Dangerous Building Consolidated Fund for the abatement of dangerous buildings
18. ORDINANCE amending License Agreement with **CROWN COMMUNICATION LLC, Licensor**, and the City of Houston, Texas, Licensee, to allow for an increase of the monthly license fee from \$3,672.00 to \$4,472.00, with an annual escalator of 2%, and payment of \$51,000.00 for costs associated with structural improvements to accommodate additional equipment, all in connection with a New Public Safety Radio System, located at 9220 Tigner Road, Rosharon, Texas
19. ORDINANCE amending Government Entity Tower License Agreement between **PINNACLE TOWERS LLC, Licensor**, and the City of Houston, Texas, Licensee, to provide for a change in location of microwave dishes on the communications tower and for payment by the City of \$50,000.00 for costs associated with structural improvements to accommodate the equipment, all in connection with a New Public Safety Radio System, located at 4605 West Baker Road, Baytown, Texas

**RESOLUTIONS AND ORDINANCES** - continued

20. ORDINANCE amending Government Entity Tower License Agreement between **PINNACLE TOWERS ASSET HOLDINGS LLC, Licensor**, and the City of Houston, Texas, Licensee, to provide for larger microwave dishes to be installed on the communications tower, a \$400 increase in the monthly license fee, and payment of \$51,000.00 for costs associated with structural improvements to accommodate the additional equipment, all in connection with a New Public Safety Radio System located at 15409 Old Humble Road, Humble, Texas - **DISTRICT B - JOHNSON**
21. ORDINANCE awarding two Job Order Contracts between the City of Houston and **CONGO, LLC** and **HOUSTON HABITAT FOR HUMANITY, INC** for the 5 Star Energy Efficient Homes Program; providing a maximum contract amount - 2 Years - \$975,000.00 per contract
22. ORDINANCE approving and authorizing Interlocal Agreement among the City of Houston, **REINVESTMENT ZONE NUMBER TWO** and **MIDTOWN REDEVELOPMENT AUTHORITY** for Milling Overlay Maintenance on Austin Street and Crawford Street - **DISTRICT I - RODRIGUEZ**
23. ORDINANCE approving and authorizing Interlocal Agreement among the City of Houston, **REINVESTMENT ZONE NUMBER TWO** and **MIDTOWN REDEVELOPMENT AUTHORITY** for Elgin Street Local Drainage Project - **DISTRICT I - RODRIGUEZ**
24. ORDINANCE consenting to the addition of 107.395 acres of land to **DOWDELL PUBLIC UTILITY DISTRICT**, for inclusion in its district
25. ORDINANCE consenting to the addition of 13.95 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 64**, for inclusion in its district
26. ORDINANCE consenting to the addition of 2.2463 acres of land to **PORTER MUNICIPAL UTILITY DISTRICT**, for inclusion in its district
27. ORDINANCE approving and authorizing contract between the City and **SIVELL CORPORATION** for Hosting an Interactive Inspection Process Software Application for the Public Works & Engineering Department; providing a maximum contract amount - 2 Years with 3 one-year renewals not to exceed \$680,480.00 - Building Inspection Fund
28. ORDINANCE appropriating \$2,542,040.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **REYTEC CONSTRUCTION RESOURCES, INC** for FY 11 Fire Hydrant Replacement; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund
29. ORDINANCE appropriating \$4,595,000.00 out of Drainage Improvements Commercial Paper Series F Fund, awarding contract to **REYTEC CONSTRUCTION RESOURCES, INC** for Astoria Boulevard Paving and Drainage Improvements; 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 Drainage Improvements Commercial Paper Series F Fund - **DISTRICT E - SULLIVAN**

**RESOLUTIONS AND ORDINANCES** - continued

30. ORDINANCE appropriating \$1,614,600.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **BLASTCO TEXAS INC** for Rehabilitation of Ground Storage Tanks and Cathodic Protection Systems; 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, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS F - HOANG and G - PENNINGTON**
31. ORDINANCE NO. 2011-213, passed first reading March 23, 2011  
ORDINANCE granting to **POT-O-GOLD RENTALS, INC, A Foreign For-Profit 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; and making certain findings related thereto - **SECOND READING**

**MATTERS RELATING TO ESTABLISHMENT OF A MUNICIPAL DRAINAGE UTILITY SYSTEM**

32. ORDINANCE adopting Article XIV to Chapter 47 of the Code of Ordinances, Houston, Texas, to create a Municipal Drainage Utility System; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability
- a. RECOMMENDATION from Director Department of Public Works & Engineering to approve a schedule of rates to establish and levy drainage charges for the implementation of a Municipal Drainage Utility System

**END OF CONSENT AGENDA**

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

**MATTERS HELD** - NUMBERS 33 through 39

33. MOTION by Council Member Gonzalez/Seconded by Council Member Noriega to adopt recommendation from Director General Services Department for approval of final contract amount of \$1,364,500.00 and acceptance of work on contract with **STUDIO RED ARCHITECTS, LP** for Miller Outdoor Theatre Sound System Replacement - 5.98% over the original Guaranteed Maximum Price after execution of a change order - **DISTRICT D - ADAMS**  
**TAGGED BY COUNCIL MEMBER JONES**  
This was Item 6 on Agenda of March 23, 2011
34. ORDINANCE amending City of Houston Ordinance No. 2004-1003 relating to employment conditions, compensation and benefits of classified police officers of the City of Houston; ratifying the 2011 Meet and Confer Agreement between the City of Houston and the **HOUSTON POLICE OFFICERS' UNION**, and containing other provisions relating to the foregoing subject; suspending the operation of certain ordinances; providing for severability  
**TAGGED BY COUNCIL MEMBERS CLUTTERBUCK and JOHNSON**  
This was Item 26 on Agenda of March 23, 2011

**MATTERS HELD** – continued

35. ORDINANCE approving and authorizing contract between the City and **XEROX CORPORATION** for Multi-Function Office Machines for Various Departments for the City of Houston; providing a maximum contract amount - 3 Years with 2 one-year options - \$12,000,000.00 - Central Service Revolving Fund - **TAGGED BY COUNCIL MEMBERS JONES and HOANG**  
This was Item 34 on Agenda of March 23, 2011
36. ORDINANCE appropriating \$2,312,400.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **RESICOM, INC** for Safe 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 - **DISTRICTS B - JOHNSON; C - CLUTTERBUCK and H - GONZALEZ**  
**TAGGED BY COUNCIL MEMBER JONES**  
This was Item 43 on Agenda of March 23, 2011
37. ORDINANCE appropriating \$1,984,500.00 out of Woodlands Regional Participation Fund; awarding construction contract to the **GONZALEZ GROUP, L.P.** for Lake Houston Park Phase One; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and materials testing, Civic Art Program and contingencies relating to construction of facilities financed by Woodlands Regional Participation Fund - **TAGGED BY COUNCIL MEMBER JONES**  
This was Item 47 on Agenda of March 23, 2011
38. WRITTEN Motion by Council Member Gonzalez to amend Item 38A below to reduce the appropriation from \$2,766,738.74 to \$1,637,205.11 - **TAGGED BY COUNCIL MEMBER ADAMS**
- a. ORDINANCE appropriating \$2,766,738.74 out of Equipment Acquisition Consolidated Fund for Purchase of Automobiles, Vans, Utility Vehicles, and Light-Duty Trucks for Various Departments  
**TAGGED BY COUNCIL MEMBER ADAMS**  
This was Item 52 on Agenda of March 23, 2011
- b. WRITTEN Motion by Council Member Gonzalez to amend Item 38C below to reduce the authority for purchase orders to certain vendors as follows:
- |  |                |
|--|----------------|
| Philpott Motors Ltd, d/b/a Philpott Ford                           | \$2,413,764.00 |
| Ron Carter Automotive  | \$560,293.00   |
| Caldwell Automotive Partners, LLC d/b/a Caldwell Country Chevrolet | \$258,902.00   |
| Johnson Whitesboro Ford, d/b/a Holiday Ford                        | \$385,922.10   |
| Fred Haas Toyota Country   | \$164,137.00   |
- TAGGED BY COUNCIL MEMBER ADAMS**
- c. RECOMMENDATION from Purchasing Agent to award to **PHILPOTT MOTORS, LTD., d/b/a PHILPOTT FORD** - \$3,006,220.00, **RON CARTER AUTOMOTIVE** - \$671,943.00, **CALDWELL AUTOMOTIVE PARTNERS, LLC d/b/a CALDWELL COUNTRY CHEVROLET** - \$627,321.00, **TOMMIE VAUGHN MOTORS, INC** - \$466,896.00, **JOHNSON WHITESBORO FORD d/b/a HOLIDAY FORD** - \$492,866.83, **FRED HAAS TOYOTA COUNTRY** - \$409,136.00 and **CALDWELL AUTOMOTIVE PARTNERS, LLC d/b/a CALDWELL COUNTRY FORD** - \$61,635.00 for Automobiles, Vans, Utility Vehicles, and Light-Duty Trucks for a total of \$5,736,017.83 for Various Departments - \$2,969,279.09 - Enterprise, Stormwater and Other Funds - **TAGGED BY COUNCIL MEMBER ADAMS**  
This was Item 52A on Agenda of March 23, 2011

**MATTERS HELD** – continued

39. ORDINANCE approving and authorizing contract between the City of Houston and Connecticut General Life Insurance Company for an administrative services agreement related to the administration of various health plans in compliance with Council Motion 2011-0228  
This was a portion of Item 53 on Agenda of March 23, 2011

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

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

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

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

**CITY COUNCIL CHAMBER - CITY HALL 2<sup>nd</sup> FLOOR - TUESDAY  
MARCH 29, 2011 2:00PM**

**NON-AGENDA**

---

1MIN 1MIN 1MIN

---

MR. LESLIE K IAN – 3610 Latma Dr. – 7 7025 – 713-745-0023 – Texting while driving

MR. JAYVON HILL – 3617 Norris – 77025 – 713-295-5268 – Texting while driving

MS. HELENA MARLOWE – 3617 Norris – 77025 – 713-295-5268 – Texting while driving

MS. MIA HILL – 3617 Norris – 77025 – 713-295-5268 – Texting while driving

MS. Y'DARI HUNT - 3617 Norris – 77025 – 713-295-5268 – Texting while driving

MS. MAYSOON MOHAMMAD - 3617 Norris – 77025 – 713-295-5268 – Texting while driving

---

2MIN 2MIN 2MIN

---

DR. LAURA MURILLO – 1801 Main, Ste. 890 – 77002 – 77002 – Proposition 1

---

3MIN 3MIN 3MIN

---

MS. IFIOK AGUSTA EKONG – 5803 Treamont, No. D – Dallas – TX – 75214 – 469-774-2694 – Probate will minerals rights

MR. TONY MORRIS – 2400 South Loop West, Ste. 515 – 77054 – 713-664-5362 – Propane Ordinance

MR. ROBERT EDNESS – 6221 Main – 77030 – 713-367-3826 – Police rational arrest

MS. MARY TAYLOR – 1403 Fashion Hill Dr. – 77008 – 281-445-0682 – Police theft, Stubner Airline Park, Joe Turner

MR. WILLIAM BEAL – 5814 Overdale – 77033 – no phone – Elvis Presley King of Rock n Roll

MR. SAMMIE JONES – No address – No phones – the\_last\_outpost@yahoo.com – I want a change

MR. CLYDE BENJAMIN – 10210 Forum West, No. 532 – 77036 – 281-690-7218 - Employment

**PREVIOUS**

---

1MIN 1MIN 1MIN

---

MS. KRYSTAL MUHAMMAD - 7125 Reed Rd. – 77087 – 713-261-3558 – Justice for Charles Ray Jr., and all victims of police brutality

MR. REGINALD PREDOM – 125 Dyna – 77060 – 832-881-7265 – HPD

MS. JOGRETТА WILLIAMS – Post Office Box 42505 – 77242 – 713-542-4842 – No help for person with disabilities

PRESIDENT JOSEPH CHARLES - Post Office Box 524373, Ste. 227 - 77052-4373 – 713-928-2871 – AD Parker – C/Council Members – C/ Attorney Colossal Murders Count – Death Penalty – CT – Case

MS. TAMMY BETANCOURT – 12018 Wood Hollow Ln. – 77043 – 713-203-0726 – Rain Tax



ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

MAR 30 2011

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 3-10-11  
Date

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

March 9, 2011

The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to Section 6-132 of the City of Houston Code of Ordinances, I am nominating the following individual for appointment to the Animal Advisory Committee Board of Directors, subject to Council confirmation:

Ms. Deborah A. Gebhardt, appointment to Position Six, for an unexpired term ending December 31, 2011.

Résumé of the nominee is attached for your review.

Sincerely,

Annise D. Parker  
Mayor

AP:JC:jsk

Attachment



cc: Mr. David Atencio, General Manager, Bureau of Animal Regulation and Care (BARC)  
Mr. Alfred Moran, Director, Administration and Regulatory Affairs (ARA)

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work  
AIA General Contractors, Inc.  
Underground Storage Tank Removal at Fire Station 30  
WBS No. C-000170-0018-4

Page  
1 of 1

Agenda  
Item  
2

FROM (Department or other point of origin):

General Services Department

Origination Date

Agenda Date

MAR 30 2011

DIRECTOR'S SIGNATURE:

Scott Minnix

Council District affected:

H

For additional information contact:

Jacquelyn L. Nisby

Phone: 832-393-8023

Date and identification of prior authorizing  
Council action:

Ordinance No: 10-0696 Dated: 09-01-2010

RECOMMENDATION: Pass a motion approving the final contract amount of \$ 17,915.00 accept the work and authorize final payment.

Amount and Source of Funding: No Additional Funding Required

Finance Budget:

Previous Funding:

\$40,147.00 Fire Consolidated Construction Fund (4500)

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$17,915.00 or -24.63% under the original contract amount, accept the work and authorize final payment to AIA General Contractors, Inc. for underground storage tank removal at Fire Station 30 for the Houston Fire Department.

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

PROJECT DESCRIPTION: The project removed two 1,000 gallon fiberglass reinforced, single wall diesel underground storage tanks (USTs) along with associated lines, observation wells, manholes and other ancillary equipment. The work also disposed of aqueous liquid, replaced concrete pavement, waste classification, loading, hauling and disposed of debris generated as a result of all activities.

CONTRACT COMPLETION AND COST: The contractor completed the project within 90 days: the original contract duration of 30 days plus 60 days approved by Change Orders. The final cost of the project including Change Orders is \$17,915.00, a decrease of \$5,855.00 under the original contract amount.

PREVIOUS CHANGE ORDERS: Change Orders 1 and 2 granted non-compensable time extensions to meet the 30-day advance notice requirement by Texas Commission on Environmental Quality (TCEQ) before starting any UST work, and also provided credits to the contract for work and materials not required to complete the project.

SM:HB:JLN:GM:FK:fk

c: Marta Crinejo, Jacquelyn L. Nisby, Robert Gallegos, Calvin Curtis, Jack Williams, Gabriel Mussio, Martha Leyva, File

REQUIRED AUTHORIZATION

CUIC ID # 25GM251

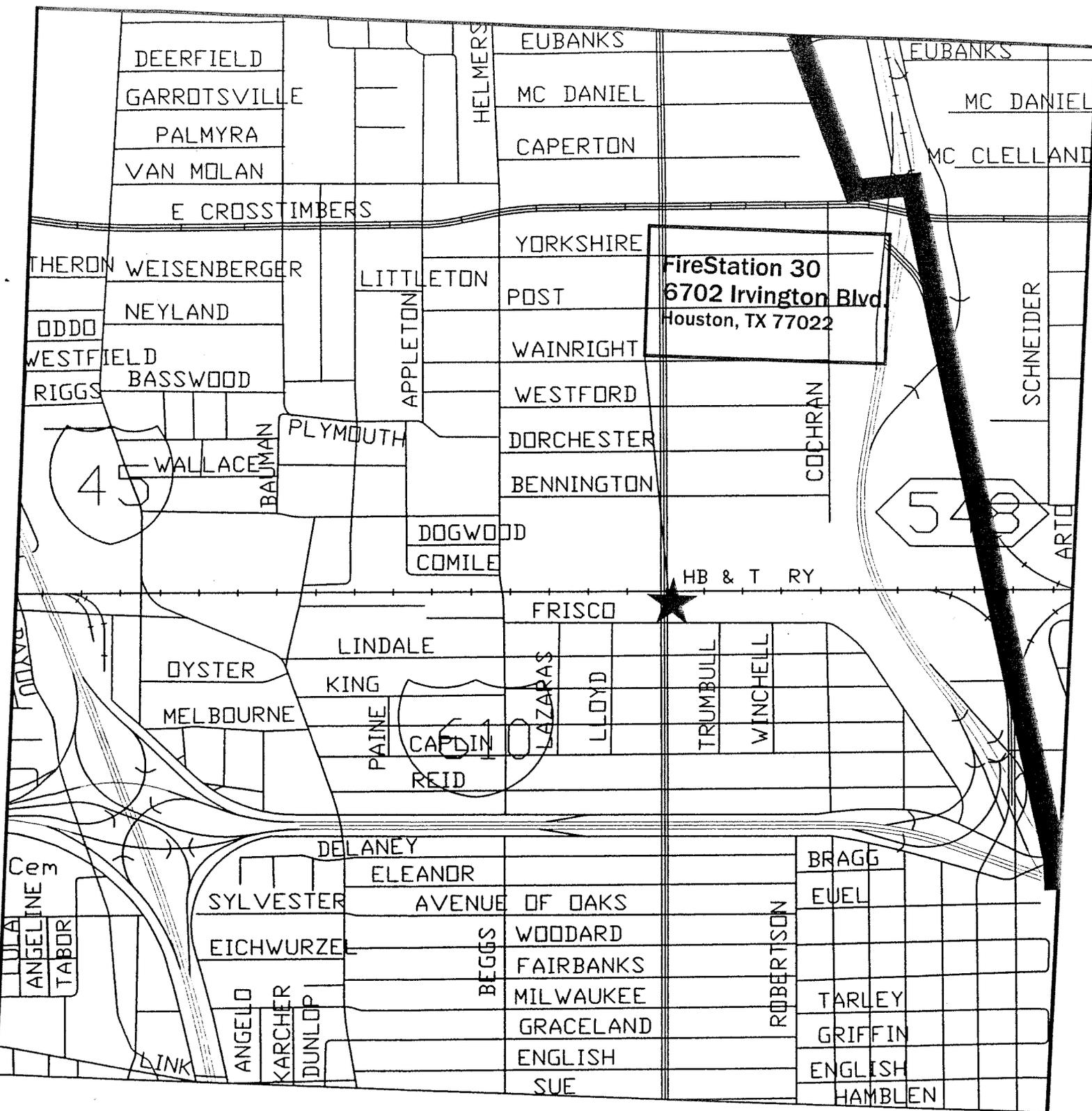
General Services Department:

Other Authorization:

Houston Fire Department:

Humberto Bautista, P.E.  
Assistant Director

Terry A. Garrison  
Fire Chief



Underground Storage Tank Removal at:  
**Fire Station 30**  
 6702 Irvington Blvd.  
 Houston, TX 77022

COUNCIL DISTRICT "H"

KEYMAP No. 453R

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work  
Times Construction, Inc.  
Ervan Chew Park  
WBS No. F-000668-0001-4

Page  
1 of 1

Agenda  
Item **3**

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

Origination Date  
**3-24-11**

Agenda Date  
MAR 30 2011

DIRECTOR'S SIGNATURE:

Scott Minnix

Council District(s) affected:  
D

For additional information contact:

Jacquelyn L. Nisby

Phone: 832-393-8023

Date and identification of prior authorizing  
Council action:

Ordinance No. 2010-364, May 12, 2010

RECOMMENDATION: Pass a motion approving the final contract amount of \$442,978.00, accept the work, and authorize final payment.

Amount and Source of Funding: No Additional Funding Required

Finance Budget:

Previous Funding:

\$465,200.00 Parks Consolidated Construction Fund (4502)

\$ 6,000.00 Parks Special Fund (4012)

\$471,200.00 Total Funding

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$442,978.00 or 4.97% over the original contract amount, accept the work and authorize final payment to Times Construction, Inc. for construction services in connection with Ervan Chew Park for the Parks and Recreation Department.

PROJECT LOCATION: 4502 Dunlavy Street, (492Z)

PROJECT DESCRIPTION: The project demolished the existing pool, pool deck and restroom building; provided site grading and detention, new concrete walks, basketball half-court, seat walls, new sprayground with associated utilities, new site furnishings; relocated chain-link gates to the dog run; site lighting, sodding, hydroseeding and tree planting.

CONTRACT COMPLETION AND COST: The contractor completed the project within 184 days: the original contract time of 120 plus 64 days approved by Change Orders. The final cost of the project, including Change Orders is \$442,978.00, an increase of \$20,978.00 over the original contract amount.

James Patterson Associates, Inc. dba White Oak Studio was the design consultant and construction manager for the project.

PREVIOUS CHANGE ORDERS: Change Orders 1-2 modified the electrical panel to comply with Code; installed a drain line clean out at the new drinking fountain; removed two light fixtures that illuminated neighboring residences; installed a mow strip around exposed piping; installed backflow preventer cages; installed a new door on pump house and repaired masonry on the existing pump house; added landscape and playground mulch to prevent soil erosion and increase fall surface; pruned five live oak trees along sidewalk to prevent injury from falling branches; re-routed alignment of storm line due to underground utility interference; and added non-compensable time to the contract due to inclement weather.

SM:RAV:JLN/LJ:DE

c: Marta Crinejo, Jacquelyn L. Nisby, Calvin R. Curtis, Mark Ross, Robert Gallegos, Tia Justice, Morris Scott, Christopher Gonzales, Lisa Johnson, Martha Leyva, Gabriel Mussio, Russell Lee, File 1008

REQUIRED AUTHORIZATION

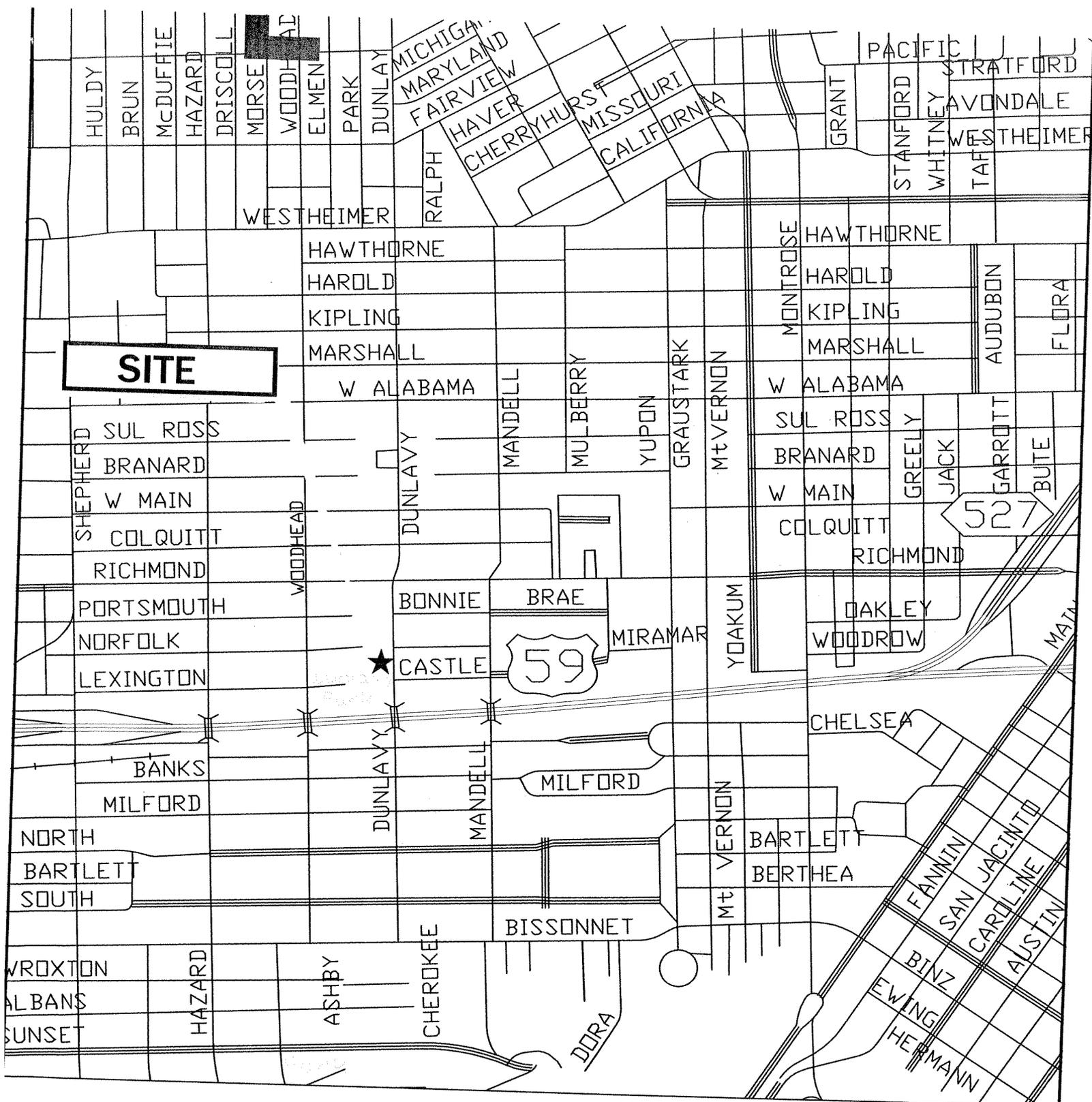
CUIC ID # 25PARK145

General Services Department:

Richard A. Vella  
Chief of Design & Construction Division

Parks and Recreation Department:

Joe Turner  
Director



**Ervan Chew Park**  
**4502 Dunlavy St.**  
**Houston , TX 77006**

COUNCIL DISTRICT "D"

WBS No. F-000668-0001-4

KEY MAP NO. 492Z

**REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Accept Work Times Construction, Inc. Law Park Lighting WBS No. F-000742-0001-4	<b>Page</b> 1 of 1	<b>Agenda Item</b>  <span style="font-size: 2em; float: right;">4</span>
---	-----------------------	--

<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 3/23/11	<b>Agenda Date</b> MAR 30 2011
---	------------------------------------	-----------------------------------

<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> E
----------------------------------	--

<b>For additional information contact:</b> Jacquelyn L. Nisby <b>Phone:</b> 832-393-8023	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2010-426; June 2, 2010
---	---

**RECOMMENDATION:** Pass a motion approving the final contract amount of \$176,057.00 accept the work, and authorize final payment.

<b>Amount and Source of Funding:</b> No Additional Funding Required	<b>Finance Budget:</b>
<b>Previous Funding:</b> \$196,544.00 General Improvement Consolidated Construction Fund (4509)	

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve the final contract amount of \$176,057.00 or 3.87% over the original contract amount, accept the work and authorize final payment to Times Construction, Inc. for construction services in connection with the Law Park Lighting for the Parks and Recreation Department.

**PROJECT LOCATION:** 6100 Vasser (534Y)

**PROJECT DESCRIPTION:** Installed new lighting along the walking trail and parking lots.

**CONTRACT COMPLETION AND COST:** The contractor completed the project within 152 days: the original contract time of 120 days plus 32 days approved by Change Orders. The final cost of the project, including Change Orders is \$176,057.00, an increase of \$6,557.00 over the original contract amount.

M2L Associates, Inc. was the design consultant and construction manager for the project.

**PREVIOUS CHANGE ORDERS:** Change Orders 1-2 added non-compensable time due to new light poles being on backorder; added three additional light pole piers and bases to increase lighting and new concrete pad for existing bench; repaired existing electrical feeder wire to the ballfield and upgraded wiring to the existing trail lights to meet the current National Electrical Code standards.

SM:RAV:JLN:MS:bo

c: Marta Crinejo, Jacquelyn L. Nisby, Mark Ross, Calvin Curtis, Morris Scott, Chris Gonzales, Russell Lee, Martha Leyva, Gabriel Mussio, Russell Lee, File 1008

**REQUIRED AUTHORIZATION**

CUIC ID# 25PARK146

**General Services Department:**

Richard A. Vella  
Chief of Design & Construction Division

**Parks and Recreation Department:**

Joe Turner  
Director



**SITE**

LAW PARK

VASSER St.

WAY SIDE

BELCREST  
BELMARK  
WESTOVER  
BELNEATH  
BELDART

FLAMINGO  
THRUSH Dr.  
HERON  
REED  
HIRONDEL  
OVERDALE  
SCHEVERS

BELMARK  
WESTOVER  
BELDART  
FLAMINGO  
THRUSH  
HERON  
REED  
HIRONDEL  
OVERDALE  
SCHEVERS  
SIMSDALE

MYKAWA

ALPINE

STATION

LINNET	SCARLET	CHICKADEE GALLINULE	GROSBEAK	BLUE HERON
	AIRPORT			
	OSPREY			

SOUTH ACRES

ANNA HELD

CLEARWAY

SPREY

**Law Park**  
6100 Vasser St. - Houston, TX 77033



N.T.S

COUNCIL DISTRICT "E"

**SITE MAP**

KEY MAP NO. 534Y

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Academy Street (N. Braeswood to Merrick) Storm Sewer Project Segment 1; WBS No. M-000255-0002-4, S-000500-0068-4; R-000500-0068-4.

Category #1,7

Page 1 of 2

Agenda Item # 5

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

Agenda Date

MAR 30 2011

DIRECTOR'S SIGNATURE:

Daniel W. Krueger, P.E., Director

Council District affected: C

For additional information contact:

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

Phone: (832) 395-2355

Date and identification of prior authorizing Council action:

Ord. # 2008-592 dated:06/25/2008

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$8,332,209.13 or 2.72% under the original Contract Amount, accept the Work and authorize final payment.

Amount and Source of Funding: No additional funding required. Total (original) appropriation of \$3,371,000.00 from the Drainage Improvements Commercial Paper Series F Fund No. 4030, \$1,599,000.00 from the Water and Sewer Consolidated Construction Fund No. 8500, and \$4,500,000.00 from the Street and Bridge Consolidated Construction Fund No.4506.

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

DESCRIPTION/SCOPE: This project consisted of the construction of approximately 302 linear foot of 7-ft x 5-ft and 3-ft x 1 ft reinforced concrete storm box, 13,348 linear foot of 66-inch thru 24-inch storm sewer pipe including inlet leads, 300 linear foot of 6-inch thru 10-inch sanitary sewer pipe, 18,900 linear foot of 8-inch and 12-inch water line, 46,700 square yard of 6-inch thru 10-inch thick reinforced concrete roadway pavement with curb and gutter, 80,000 square foot of 4-1/2 - inch thick concrete sidewalk, and all appurtenances for a complete project. R. G. Miller Engineers, Inc. designed the project with 585 calendar days allowed for construction. The project was awarded to Pace Services, L.P. with an original Contract Amount of \$8,565,201.85.

LOCATION: The project area is generally bounded by Stella Link on the east, Kilmarnock Ditch (D113-00-00) on the west, Merrick on the north, and Brays Bayou on the south. The project is located in Key Map Grids 532J and 532E.

CONTRACT COMPLETION AND COST: The Contractor, Pace Services, L.P., has completed the work under subject Contract. The project was completed with an additional 5 days approved by Change Order No. 1. \$1,483.00 of Quality Control Retest Cost is reflected in the final payment to the Contractor. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Orders No. 1, 2 and 3 \$8,332,209.13, a decrease of \$232,992.72 or 2.72% under the original Contract Amount.

The decreased cost is a result of difference between planned and measured quantities. This decrease is primarily the result of an underrun in Bid Item No. 4 - Provide and Install low profile concrete barriers, Bid Item No. 5 - Relocate low profile concrete barriers, Bid Item No. 6 - Remove low profile concrete barriers, Bid Item No. 11 - Sidewalk checker plates, including hardware, complete in place, Bid Item No. 15 - Ground water control for open-cut construction, Bid Item No. 31 - Abandon and fill 24-inch diameter sewer, Bid Item No. 33 - Abandon and fill 18-inch diameter storm sewer, Bid item No. 35 - Temporary Detour Pavement per TCP, Type D hot-mix asphaltic concrete pavement, 1 1/2 inch, including 6-inch flexible

REQUIRED AUTHORIZATION

20HA96

Finance Department:

Other Authorization:

Other Authorization:

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

<b>Date</b>	<b>SUBJECT:</b> Accept Work for Academy Street (N. Braeswood to Merrick) Storm Sewer Project Segment 1; WBS No. M-000255-0002-4, S-000500-0068-4; R-000500-0068-4.	<b>Originator's Initials</b> <i>pe</i>	<b>Page</b> 2 of 2
-------------	--	---	-----------------------

base course and track coat, Bid Item No, 37 – Hydromulch seeding, Bid Item No. 79 – 30-inch diameter storm sewer by open-cut, Bid Item No. 95 – Service stubs or reconnections without stack on 8-inch diameter sanitary sewer, Bid Item No. 106 – Cut, plug, and abandon existing 6-inch diameter water main, Bid Item 107 – Cut, plug, and abandon exiting 8-inch diameter water main, and Extra Unit Price Items, which were not necessary to complete the project.

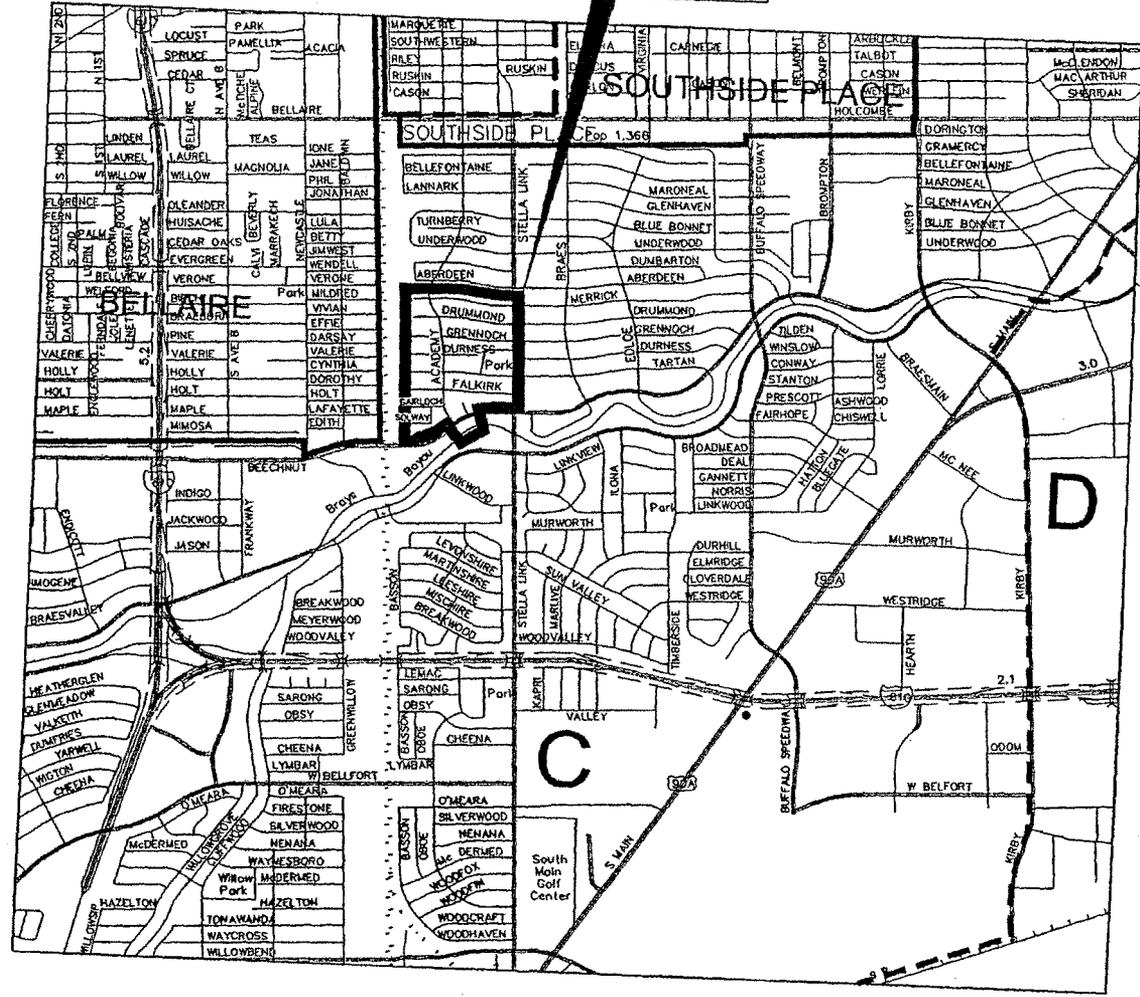
**M/W/SBE PARTICIPATION:** The M/W/SBE goal established for this project was 19.50%. According to Affirmative Action and Contract Compliance Division, the participation was 19.04%. Contractor's M/W/SBE performance evaluation was rated Satisfactory.

*pe*  
DWK:DRM:JTL(JAK:JEC:ha

Z:\E&C Construction\South Sector\PROJECT FOLDER\M-000255-0002-4 (ACADEMY)\Closeout\RCA\RCA - Closeout.doc

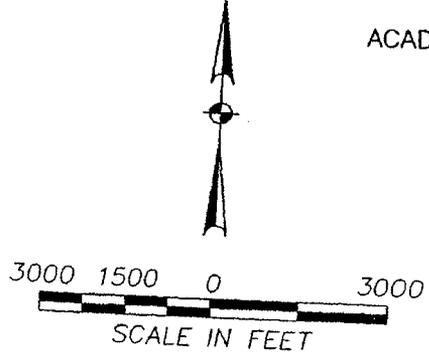
c: File No.: M-000255-0002-4/21.0

PROJECT LOCATION



ACADEMY STREET STORM SEWER SEGMENT 1  
 WBS NO. M-000255-0002-4  
 KEY MAP NO 532 E & J  
 COUNCIL DISTRICT C

EXHIBIT No. 2  
 VICINITY MAP



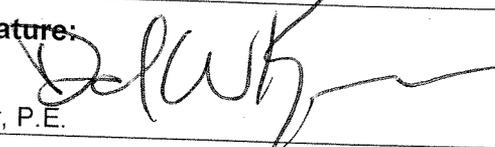
LEGEND	
SYMBOL	DESCRIPTION
---	COUNCIL DISTRICT BOUNDARY
---	CITY LIMITS

**r.g.miller**  
 engineers  
since 1968  
 12121 Wickchester Lane - Suite 200  
 Houston, Texas 77079  
 DATE: MAY, 18, 2008

P:\MUNICIPAL\3330 - ACADEMY ST.DWG EXHIBITS\VRCA-EXHIBIT2.DWG MAY, 19, 2008 2:54pm rmm/mm

<b>SUBJECT:</b> Accept Work for On-Call Traffic Signal Construction WBS No. N-000650-0020-4		<b>Page</b> 1 of 1	<b>Agenda Item #</b> 6
--	--	-----------------------	---------------------------

<b>From: (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b>	<b>Agenda Date</b> MAR 30 2011
---	-------------------------	-----------------------------------

<b>Director's Signature:</b>  Daniel W. Krueger, P.E.	<b>Council District affected:</b> A, B, C, D, E, G, and I
--	--

<b>For additional information contact:</b> Jeffrey Weatherford, P.E., PTOE Deputy Director (832) 395-2461	<b>Date and identification of prior authorizing Council action:</b> Ordinance #: 2006-435 Dated: 5/03/06
--	--

**Recommendation: (Summary)**  
Pass a motion to approve the final Contract Amount of \$1,738,491.39 or 0.81% under the original Contract amount, accept the work, and authorize final payment.

**Amount and Source of Funding:** No additional funding required.  
(Original appropriation of \$1,963,022.88 from Street & Bridge Consolidated Construction Fund No. 437)

**PROJECT NOTICE/JUSTIFICATION:** This project was necessary to improving mobility and public safety by constructing or re-constructing traffic signals to allow enhanced interconnectivity and control.

**DESCRIPTION/SCOPE:** The project was awarded to Statewide Traffic Signal Company with an original Contract Amount of \$1,752,699.00 and 730 days allowed for constructing or re-constructing traffic signals.

**LOCATION:** This project was located at various locations within Council Districts A, B, C, D, E, G, and I. (See Exhibit A)

**CONTRACT COMPLETION AND COST:** The Contractor, Statewide Traffic Signal Company has completed the work under the subject Contract. The project was completed with an additional 730 days approved by time extensions. The final cost of the project was \$1,738,491.39, a decrease of \$14,207.61 or 0.81% under the original Contract Amount. The decreased cost is a result of an underrun in Bid Item #56- Install Strain Pole w/Foundation, and Bid Item #85- Furnish & Install Communications Pull Box w/Gravel and Ground Rod.

**M/WBE PARTICIPATION:** The M/WBE goal for this project was 17%. According to Affirmative Action Contract Compliance Division, the actual participation was 20.74%. The contractor was awarded an "Outstanding" rating from Affirmative Action.

DWK:JSW:lh  
Attachments

C: Susan Bandy, Jeffrey Weatherford, P.E., PTOE, Robert Gallegos, LaVerne Hollins-McGlothen, Morris Scott, Craig Foster,  
File

**REQUIRED AUTHORIZATION**

CUIC ID# 20JSW55

NOT

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Jeffrey Weatherford, P.E., PTOE Deputy Director Traffic & Transportation Division
----------------------------	-----------------------------	---

**EXHIBIT "A"**

	<b>Location</b>	<b>Keymap</b>	<b>Council District</b>
1	Crocket @ W. Orem,	571 F	D
2	Fire Station #4 (Little York)	411 S	A
3	Blueridge @ Fuqua	571 W	D
4	Ashford Pkwy @ Dairy Ashford	488 M	G
5	Bellfort @ Jutland	533 Z	D
6	Inwood @ Kirby	492 Q	C
7	Richmond @ S. Rice	491 Y	C
8	Bay Area @ Kreugerway/University	618 H	E
9	Bagby @ Texas	493 L	I
10	Bellaire @ Tarneff	530 H	C
11	Richmond @ Shadowbriar	488 Z	G
12	Clinton @ Coastguard	495 Z	I
13	TC Jester @ Watonga	451 H	A
14	Blalock @ Longpoint	450 Y	A
15	Hillcroft @ N Braeswood	531 S	C
16	Hillcroft @ Beechnut	531 N	C
17	OST @ Wheeler	534 G	I
18	Gessner @ Kingsride	490 A	G
19	Gessner @ Barryknoll	490 A	G
20	LittleYork @ Foy	414 S	B
21	Little York @ Bentley	414 T	B
22	Little York @ Aldine-Westfield	414 V	B
23	Little York @ Little York Plaza	414 U	B
24	Crawford @ Pierce	493 U	I

<b>SUBJECT:</b> Accept Work for South Zone Traffic Signal Construction WBS No. N-000650-0027-4		<b>Page</b> 1 of 1	<b>Agenda Item #</b> 7
---	--	-----------------------	---------------------------

<b>From: (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b>	<b>Agenda Date</b> MAR 30 2011
---	-------------------------	-----------------------------------

<b>Director's Signature:</b>  Daniel W. Krueger, P.E.	<b>Council District affected:</b> A, C, D, E, F, G, and I
--	--

<b>For additional information contact:</b> Jeffrey Weatherford, P.E., PTOE Deputy Director (832) 395-2461	<b>Date and identification of prior authorizing Council action:</b> Ordinance #: 2007-686 Dated: 06/13/07
--	---

**Recommendation: (Summary)**  
Pass a motion to approve the final Contract Amount of \$2,115,387.83 or 0.03 % under the original Contract amount, accept the work, and authorize final payment.

**Amount and Source of Funding:** No additional funding required.  
(Original appropriation of \$2,348,677.59 from Street & Bridge Consolidated Construction Fund No. 4506)

**PROJECT NOTICE/JUSTIFICATION:** This project was necessary to improving mobility and public safety by constructing or re-constructing traffic signals to allow enhanced interconnectivity and control.

**DESCRIPTION/SCOPE:** The project was awarded to Traffic Systems Construction, Inc., with an original Contract Amount of \$2,115,925.75 and 730 days allowed for constructing or re-constructing traffic signals.

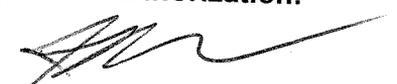
**LOCATION:** This project was located at various locations within Council Districts A, C, D, E, F, G, and I. (See Exhibit A)

**CONTRACT COMPLETION AND COST:** The Contractor, Traffic Systems Construction, Inc. has completed the work under the subject Contract. The project was completed with an additional 365 days approved by time extensions. The final cost of the project, is \$2,115,387.83, a decrease of \$537.92 or 0.03% under the original Contract Amount. Change Order No. 1 was previously approved to meet City of Houston Standards and National Electrical Code requirements.

**M/WBE PARTICIPATION:** The M/WBE goal for this project was 20%. According to Affirmative Action Contract Compliance Division, the actual participation was 52.41%. The contractor was awarded an "Outstanding" rating from Affirmative Action.

DWK:JSW:lh  
Attachments

c: Susan Bandy, Robert Gallegos, Jeff Weatherford, P.E., PTOE, LaVerne Hollins-McGlothen, Morris Scott, Craig Foster

<b>REQUIRED AUTHORIZATION</b>			<b>CUIC ID# 20JSW50</b>
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Jeffrey Weatherford, P.E., PTOE Deputy Director Traffic & Transportation Division	

### EXHIBIT A

Location		Key Map	Council District
Corporate	Harwin	529D	F
MLK	East Orem	574N	D
Richmond	SH 6	488W	G
Hawthorne	Montrose	493S	D
Dairy Ashford	Richmond	488Z	G
Bellaire	Bintliff	530H	F
Auden	Bissonnet	532A	C
Kingwood Dr	Green Oak	336B	E
Antoine	Tidwell	451C	A
OST	Wayside	534C	I
Kingwood DR	Woodland Hills	336C, D	E
S. Braeswood	Hillcroft	531S	C
Greenbriar	Addison	532G	C
Chimney Rock	Fuqua	571 W, X	D
Cullen	Firestion 55	573M	D
Firestation 76	Cook Rd	529J	F
W. Fuqua	Hillcroft	570Z	D
Clinton	Fidelity	495Z	I
Bissonette	Fondren	530R	F
Saturn	Second	619S	E
Dallas	Shepherd	492R	G
Allen Parkway	Shepherd	492M	G
Almeda Genoa	Monroe	575Q	E
Antoine	Tidwell	451 C	A
Yale	Tidwell	452D	A
Memorial	Shepherd	492M	G
Wilcrest/Murphy	Roark Rd	569C	D
Tidwell	Montgomery	452C	A
Kingwood	W. Lake Houston	337B	E
El Dorado	El Camino	618K	E

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

<b>SUBJECT:</b> Request for the abandonment and sale of Swan Road, from Morales Road to North Sam Houston Parkway, located within the Heartland Acres Subdivision and the Heartland Annex Subdivision, out of the Washington County R.R. Company Survey and the J.W. McGinnis Survey. <b>Parcel SY11-041</b>	<b>Page</b> <u>1</u> of <u>2</u>	<b>Agenda Item #</b>  <div style="text-align: right; font-size: 2em;">8</div>
--	-------------------------------------	---

<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b>	<b>Agenda Date</b> MAR 30 2011
--	-------------------------	-----------------------------------

<b>DIRECTOR'S SIGNATURE:</b> Daniel W. Krueger, P.E., Director	<b>Council District affected: B</b> <div style="text-align: center; font-size: 1.5em;">B</div> <b>Key Map: 374S</b>
---	--

<b>For additional information contact:</b> Nancy P. Collins <b>Phone: (713) 837-0881</b> Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b>
--	---

**RECOMMENDATION: (Summary)** It is recommended City Council approve a Motion authorizing the abandonment and sale of Swan Road, from Morales Road to North Sam Houston Parkway, located within the Heartland Acres Subdivision and the Heartland Annex Subdivision, out of the Washington County R.R. Company Survey and the J.W. McGinnis Survey. **Parcel SY11-041**

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

**SPECIFIC EXPLANATION:**

Robert Kness, Windrose Land Services, Inc., 3628 Westchase, Houston, Texas 77042, on behalf of Halliburton Energy Services, Inc. (Tommy Jamail, Vice President - Real Estate), requested the abandonment and sale of Swan Road, from Morales Road to North Sam Houston Parkway, located within the Heartland Acres Subdivision and the Heartland Annex Subdivision, out of the Washington County R.R. Company Survey and the J.W. McGinnis Survey. Halliburton Energy Services, Inc., the abutting property owner, would like to convert the public right-of-way to private use. Signs notifying the public of the pending street abandonment application were posted for at least thirty days.

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

1. The City abandon and sell Swan Road, from Morales Road to North Sam Houston Parkway, located within the Heartland Acres Subdivision and the Heartland Annex Subdivision, out of the Washington County R.R. Company Survey and the J.W. McGinnis Survey;
2. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the street being abandoned and sold;
3. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
4. The applicant be required to eliminate the public street appearance of Swan Road at the terminus intersections by removing the street name signs and installing fences and/or gates across Swan Road at the intersections of Morales Street and North Sam Houston Parkway;

z:\tp\sy11-041.rcal.doc CUIC #20TP9192

**REQUIRED AUTHORIZATION**

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b> Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division
----------------------------	-----------------------------	--

**Date:**

**Subject:** Request for the abandonment and sale of Swan Road, from Morales Road to North Sam Houston Parkway, located within the Heartland Acres Subdivision and the Heartland Annex Subdivision, out of the Washington County R.R. Company Survey and the J.W. McGinnis Survey. **Parcel SY11-041**

**Originator's  
Initials**

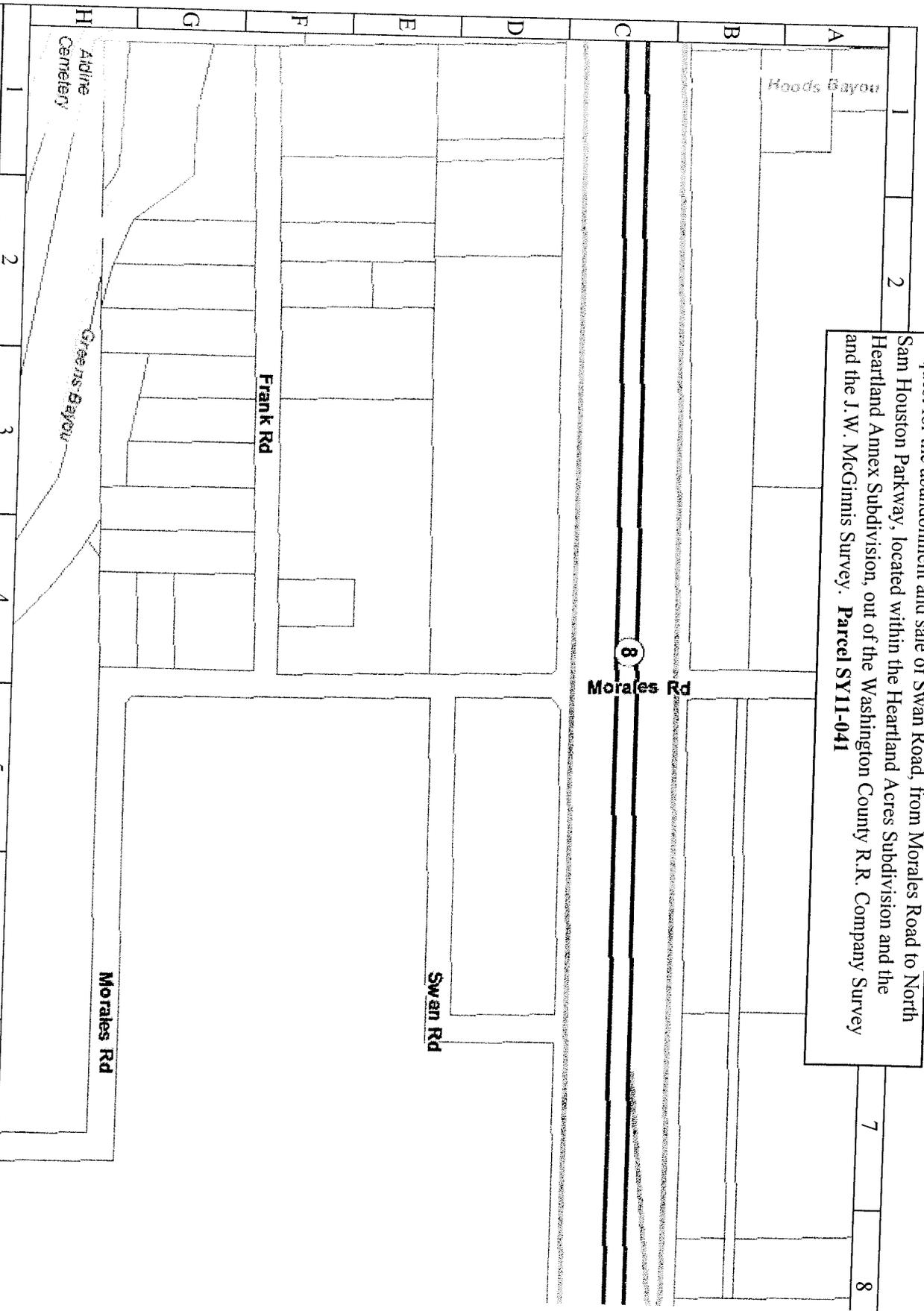
**Page  
2 of 2**

5. The applicant contact the Texas Department of Transportation for driveway permits to access North Sam Houston Parkway.
6. The Legal Department be authorized to prepare the necessary transaction documents; and
7. Inasmuch as the value of the City's property interest is not expected to exceed \$1,000,000.00, that the value be established by Carl Raia, an independent appraiser appointed by the Director of Public Works and Engineering.

DWK:NPC:tp

c: Jun Chang, P.E., D.WRE  
Marta Crinejo  
David Feldman  
Marlene Gafrick  
Terry A. Garrison  
Daniel Menendez, P.E.  
Jeffery Weatherford, P.E., PTOE

Request for the abandonment and sale of Swan Road, from Morales Road to North  
 Sam Houston Parkway, located within the Heartland Acres Subdivision and the  
 Heartland Annex Subdivision, out of the Washington County R.R. Company Survey  
 and the J.W. McGinnis Survey. **Parcel SY11-041**



1 inch = 315 feet



**Department of Public Works and Engineering**  
**Geographic Information & Management System (GIMS)**

**CITY OF HOUSTON**

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



To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: PROPERTY: PURCHASE of Parcel AY10-214, located at 2520 Airline Drive for the AIRLINE DRIVE PAVING PROJECT (from North Main to IH-610). WBS N-000697-0001-2-01 OWNER: Farmers Marketing Association of Houston, Texas, Inc., a Texas corporation, Lester Hildebrandt, President

Page 1 of 1

Agenda Item #

9

FROM: (Department or other point of origin):

Origination Date

Agenda Date MAR 30 2011

Department of Public Works and Engineering

DIRECTOR'S SIGNATURE:

Council District affected:

H

Key Map 453T

Daniel W. Krueger, P.E., Director

For additional information contact:

Nancy P. Collins Senior Assistant Director-Real Estate Planning and Development Services Division

Phone: (713) 837-0881

Date and identification of prior authorizing Council Action:

Ordinance 2010-0695, passed August 18, 2010

RECOMMENDATION: (Summary)

Authority be given through Council Motion to PURCHASE Parcel AY10-214.

\$101,961.00

Amount and

No additional funding required (covered under Blanket Appropriation Ordinance 2010-0695

Source of Funding:

N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506). N.P. 3/7/2011

SPECIFIC EXPLANATION:

The AIRLINE DRIVE PAVING PROJECT (from North Main to IH-610) provides for construction of an approximately 6,300 linear foot, four-lane reinforced concrete roadway from North Main to IH-610 with concrete paving, curbs, sidewalks, street lighting, storm sewer, and necessary underground utilities.

PURCHASE:

The City desires to acquire 2,651 square feet of improved commercial land to be used as street right-of-way. This parcel is located at 2520 Airline Drive. The City's offer was based on an appraisal by Ronald P. Little, MAI. The valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

LAND:

Parcel AY10-214 (Easement)

2,651 square feet @ \$22.00 psf

IMPROVEMENTS \$ 58,322.00

COST TO CURE \$ 20,242.00

TOTAL COMPENSATION \$ 21,752.00

Title Policy/Services \$100,316.00

TOTAL AMOUNT \$ 1,645.00

\$101,961.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY10-214 located at 2520 Airline Drive, owned by Farmers Marketing Association of Houston, Texas, a Texas corporation, Lester Hildebrandt, President. This parcel contains 2,651 square feet of land out of Restricted Reserve "A", Block One, Farmers Market Addition Section 2, recorded in Film Code (F.C.) No. 554039, Harris County Map Records (H.C.M.R.); said 0.0609 of an acre of land also being out of the same property described in a deed dated October 2, 1989 from Farmers Marketing Association of Houston, Texas to Farmers Cooperating Association to Farmers Marketing Association of Houston Texas, Inc., recorded under Harris County Clerk's File (H.C.C.F.) No. M362059, in a deed dated October 28, 1991 from Flo-Max, Inc. to Farmers Marketing Association of Houston, Inc., recorded under H.C.C.F. No. T349881 and in a deed dated July 14, 1999 from Leopoldo Juarez, et ux to Farmers Marketing Association of Houston Texas, Inc., recorded under H.C.C.F. No. T848483; situated in the John Austin Survey, Abstract No. 1, Harris County, Texas of the Official Public Records for Real Property in said Harris County, Texas according to the City of Houston field notes.

DWK: NPC:ht  
TylerAY10-214RCA

CUIC #20HHT201

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Mark L. Loethen, P.E., CFM, PTOE  
Deputy Director

Planning and Development Services Division

## PARCEL VALUATION

Following is a breakdown of the consideration for Parcel AY10-214:

LAND:

Parcel AY10-214 (Easement)

2,615 square feet @ \$22.00 PSF..... \$ 58,322.00

IMPROVEMENTS:..... \$ 20,242.00

Underground grease trap

Retail sign and sign pole

Asphalt and concrete paving

DAMAGES TO THE REMAINDER/COST TO CURE

(Remainder cost to relocate grease trap and sign)..... \$ 21,752.00

TOTAL COMPENSATION ..... \$100,316.00

Title Policy/Services..... \$ 1,645.00

TOTAL..... \$101,961.00

**JOHN AUSTIN SURVEY  
ABSTRACT 1**

**AIRLINE DR.**  
(70' WIDE AS MONUMENTED AND RECOGNIZED)  
CALLED 60' WIDE PER HARRIS COUNTY  
COMMISSIONERS COURT  
ADOPTED FEB. 19, 1895  
VOL. 111, PG. 18 & 19 HARRIS COUNTY  
PUBLIC ROAD RECORDS

PROJECT BASELINE 46-00

47-00

SERVICE STREET  
(50' R.O.W.)

EXISTING R.O.W. N 02° 34' 01" W 511.91'  
S 02° 34' 41" E 230.11'  
PROPOSED R.O.W.

BLOCK 1  
**FARMERS MARKET ADDITION  
SECTION 2  
RESTRICTED RESERVE "A"  
FILM CODE 554039  
H.C.M.R.**

17.1905 AC.  
FARMERS MARKETING ASSOCIATION  
OF HOUSTON, TEXAS, INC.  
H.C.C.F. NO. M362095  
OCT. 2, 1989  
H.C.C.F. NO. T349881  
OCT. 28, 1991  
H.C.C.F. NO. T848483  
JULY 14, 1999

EXISTING R.O.W.  
PER F.C. NO. 554039



MATCH LINE STA. 47+50

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE  
ON THE GROUND UNDER MY SUPERVISION AND THAT  
THIS PLAT REPRESENTS THE FACTS AS FOUND AT  
THE TIME OF THE SURVEY

*Leo M. Delatorre*  
6-15-10

LEO M. DELATORRE  
REGISTERED PROFESSIONAL LAND SURVEYOR  
STATE OF TEXAS REGISTRATION NO. 5113

LANDTECH CONSULTANTS, INC.  
Civil Engineering • Land Surveying  
2525 North Loop West  
Suite 300  
Houston, Texas 77008  
Tel. (713) 861-7908 Fax (713) 861-4131

**CITY OF HOUSTON  
PUBLIC WORKS AND  
ENGINEERING DEPARTMENT**

APPROVAL

*Rejody Lo*  
DATE  
*[Signature]*  
CHIEF SURVEYOR  
RIGHT-OF-WAY SECTION

P.O.B. TO COH MON. NO. 5359-1113

S 30° 15' 43" W, 12.35'

EXISTING	TAKING	REMAINING
17.1905 ACRE	0.0609 ACRE	17.1296 ACRE
746,819 SQ. FT.	2,651 SQ. FT.	746,168 SQ. FT.

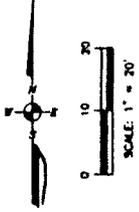
LINE	BEARING	DISTANCE
L2	N 44° 32'	9.29'

NOTES:

- ALL COORDINATES AND BEARINGS SHOWN HEREIN ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83 (CORS).
- ALL DISTANCES ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A SCALE FACTOR OF 0.999898.
- THIS SURVEY IS ACCOMPANIED BY A SEPARATE METES AND BOUNDS DESCRIPTION OF EVEN DATE.

LEGEND / ABBREVIATIONS

- FOUND MONUMENT AS NOTED
- SET 5/8" IR W/ PLASTIC CIP STAMPED "LANDTECH CONSULTANTS" UNLESS OTHERWISE NOTED
- PROPERTY LINE
- I.R. = IRON ROD
- I.P. = IRON PIPE
- P.T.P. = PINCHED TOP PIPE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCING
- H.C.D.R. = HARRIS COUNTY DEED RECORDS
- H.C.M.R. = HARRIS COUNTY MAP RECORDS
- H.C.C.F. = HARRIS COUNTY CLERK FILE (C.M.) = CONTROL MONUMENT
- R.O.W. = RIGHT OF WAY



KEY MAP NO. 453T

PARCEL NO. AY10-214

SCALE: 1" = 20'

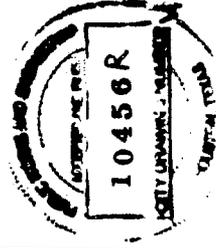
DATE: MARCH 1, 2010

CIP NO.

GFS NO.

FILE NO.

SHEET 1 OF 3



PARCEL AY10-214  
MARKETING ASSOCIATION  
TON TEXAS, INC.

SM 250 F 39

**JOHN AUSTIN SURVEY**  
**ABSTRACT 1**

**AIRLINE DR.**  
(70' WIDE AS MONUMENTED AND RECOGNIZED)  
CALLED 60' WIDE PER HARRIS COUNTY  
COMMISSIONERS COURT  
ADOPTED FEB. 19, 1995  
VOL. 111, PG. 18 & 19 HARRIS COUNTY  
PUBLIC ROAD RECORDS

PROJECT BASELINE  
P.C. STA. 49+88.86

MATCH LINE STA 49+50

51+00

P.O.B.  
PARCEL AY10-214  
1-3, 115, 679, 03  
1-13, 860, 274, 22

EXISTING R.O.W.  
S 03° 04' 41" E  
153.75'

PROPOSED R.O.W.

BLOCK 1  
FARMERS MARKET ADDITION  
SECTION 2  
RESTRICTED RESERVE "A"  
FILM CODE 554039, H.C.M.R.

17.1905 AC.  
FARMERS MARKETING ASSOCIATION  
OF HOUSTON, TEXAS, INC.  
H.C.C.F. NO. M362095  
OCT. 2, 1989  
H.C.C.F. NO. T349881  
OCT. 26, 1991  
H.C.C.F. NO. T848483  
JULY 14, 1999

5' STRIP DEDICATED PER  
F.C. NO. 554039, H.C.M.R.

SYLVESTER ROAD  
(40' WIDE)

Sht 27 of 39

CURVE	RADIUS	LENGTH	DELTA	CHORD
C1	2,538.00'	135.07'	03° 02' 57"	S 04° 36' 10" E 135.06'

NOTES:

- ALL COORDINATES AND BEARINGS SHOWN HEREIN ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83 (GCRS).
- ALL DISTANCES ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A SCALE FACTOR OF 0.999898.
- THIS SURVEY IS ACCOMPANIED BY A SEPARATE METES AND BOUNDS DESCRIPTION OF EVEN DATE.

LINE	BEARING	DISTANCE
L1	S 02° 34' 01" E	56.56'

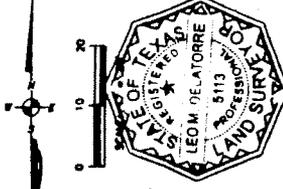
EXISTING	TAKING	REMAINING
17,1905 ACRE	0.0609 ACRE	17,1296 ACRE
746,819 SQ. FT.	2,651 SQ. FT.	746,168 SQ. FT.

PARCEL AY10-214  
FARMERS MARKETING ASSOCIATION  
OF HOUSTON TEXAS, INC.

P.O.B. TO COH MON. NO. 5359-1113
S 30° 15' 43" W, 12.35'

LEGEND / ABBREVIATIONS

- FOUND MONUMENT AS NOTED
- SET 5/8" IR W/ PLASTIC CAP STAMPED "LANDTECH CONSULTANTS" UNLESS OTHERWISE NOTED
- PROPERTY LINE
- I.R. = IRON ROD
- I.P. = IRON PIPE
- P.T.P. = PINCHED TOP PIPE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCING
- H.C.D.R. = HARRIS COUNTY DEED RECORDS
- H.C.M.R. = HARRIS COUNTY MAP RECORDS
- H.C.C.F. = HARRIS COUNTY CLERK FILE (C.M.) = CONTROL MONUMENT
- R.O.W. = RIGHT OF WAY



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY

*Leo M. Delatorre*  
Leo M. DELATORRE

REGISTERED PROFESSIONAL LAND SURVEYOR  
STATE OF TEXAS REGISTRATION NO. 5113

LANDTECH CONSULTANTS, INC.  
Civil Engineering & Land Surveying  
2525 North Loop West  
Suite 300  
Houston, Texas 77008  
Tel. (713) 861-7000 Fax (713) 861-4181

**CITY OF HOUSTON  
PUBLIC WORKS AND  
ENGINEERING DEPARTMENT**

APPROVAL

*20 July 10*  
DATE

CHIEF SURVEYOR

RIGHT OF WAY SECTION

KEY MAP NO. 453T GIMS MAP NO. 5359B

PARCEL NO. AY10-214

SCALE: 1" = 20'

DATE: MARCH 1, 2010

CIP NO.

GFS NO.

FILE NO.

SHEET 3 OF 3



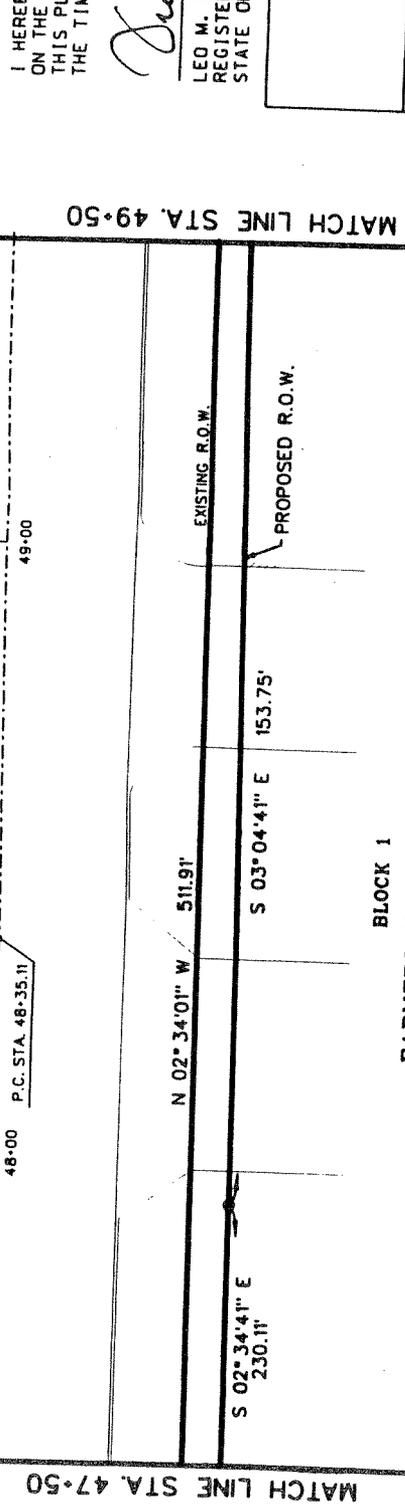
**JOHN AUSTIN SURVEY**  
**ABSTRACT 1**

**LEGEND / ABBREVIATIONS**

- FOUND MONUMENT AS NOTED
- SET 5/8" IR W/ PLASTIC CAP STAMPED "LANDETECH CONSULTANTS" UNLESS OTHERWISE NOTED
- R = PROPERTY LINE
- I.R. = IRON ROD
- I.P. = PINCHED TOP PIPE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCING
- H.C.D.R. = HARRIS COUNTY DEED RECORDS
- H.C.M.R. = HARRIS COUNTY MAP RECORDS
- H.C.C.F. = HARRIS COUNTY CLERK FILE (C.M.)
- R.O.W. = RIGHT OF WAY

**AIRLINE DR.**  
 (70' WIDE AS MONUMENTED AND RECOGNIZED)  
 CALLED 60' WIDE PER HARRIS COUNTY  
 COMMISSIONERS COURT  
 ADOPTED FEB. 19, 1895  
 VOL. 111, PG. 18 & 19 HARRIS COUNTY  
 PUBLIC ROAD RECORDS

PROJECT BASELINE



**BLOCK 1**  
**FARMERS MARKET ADDITION**  
**SECTION 2**  
**RESTRICTED RESERVE "A"**  
**FILM CODE 554039**  
**H.C.M.R.**

17.1905 AC  
 FARMERS MARKETING ASSOCIATION  
 OF HOUSTON, TEXAS, INC.  
 H.C.C.F. NO. M362095  
 OCT. 2, 1989  
 H.C.C.F. NO. T349881  
 OCT. 28, 1991  
 H.C.C.F. NO. T848483  
 JULY 14, 1999

- NOTES:**
1. ALL COORDINATES AND BEARINGS SHOWN HEREIN ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83 (GORS).
  2. ALL DISTANCES ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A SCALE FACTOR OF 0.999898.
  3. THIS SURVEY IS ACCOMPANIED BY A SEPARATE METES AND BOUNDS DESCRIPTION OF EVEN DATE.

*Leo M. Delatorre*  
**LEO M. DELATORRE**  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 STATE OF TEXAS REGISTRATION NO. 5113

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY



**LANDETECH CONSULTANTS, INC.**  
 Civil Engineering & Land Surveying  
 2525 North Loop West  
 Suite 300  
 Houston, Texas 77008  
 Tel. (713) 861-7000 Fax. (713) 861-4131



**CITY OF HOUSTON**  
**PUBLIC WORKS AND**  
**ENGINEERING DEPARTMENT**

APPROVAL  
  
 CHIEF SURVEYOR  
 DATE: 3/26/10  
 RIGHT OF WAY SECTION

SH 260739

P.O.B. TO COH MON. NO. 5359-1113	
S 30° 15' 43" W, 12.35'	
EXISTING	TAKING
17.1905 ACRE	0.0609 ACRE
748,819 SQ. FT.   2,651 SQ. FT.	17,1296 ACRE
	746,168 SQ. FT.
PARCEL AY10-214 FARMERS MARKETING ASSOCIATION OF HOUSTON TEXAS, INC.	

KEY MAP NO. 453T	CIMS MAP NO. 5359B
PARCEL NO. AY10-214	
SCALE: 1" = 20'	
DATE: MARCH 1, 2010	
CIP NO.	
GFS NO.	
FILE NO.	
SHEET 2 OF 3	



**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8993**

**Subject:** Testing, certification and recertification of Emergency Medical Technicians and Paramedics for the Fire Department as well as renew State Provider License for emergency medical units.

Category #  
9

Page 1 of 1

Agenda Item  
  
**10**

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

Terry Garrison  
Fire Chief  
Fire

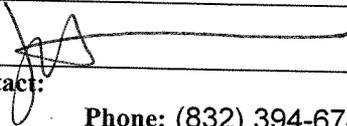
**Origination Date**

March 04, 2011

**Agenda Date**

MAR 30 2011

**DIRECTOR'S SIGNATURE**



**Council District(s) affected**

**For additional information contact:**

Beda Kent

Phone: (832) 394-6748

Neil Depascal

Phone: (832) 394-6755

**Date and Identification of prior authorizing**

**Council Action:**

Motion on March 7, 2007, 2007-0254

**RECOMMENDATION: (Summary)**

Approve spending authority for National Registry of Emergency Medical Technicians (NREMT) to pay testing fees for initial certification of medically trained personnel as EMTs and Paramedic, and to pay the TX Department of State Health Services (DSHS) for state certification and recertification of personnel and State Provider License for emergency medical units.

\$185,000.00 General Fund (1000)

**Finance Budget**

(\$50,000.00 FY11 ; \$135K out year)

**SPECIFIC EXPLANATION:**

The Fire Chief requests that City Council approve spending authority for the Houston Fire Department to pay for testing services through the National Registry of Emergency Medical Technicians (NREMT). Additionally, the Fire Chief requests the approval of spending authority to pay Texas Department of State Health Services (DSHS) for the certification and recertification of Emergency Medical Technician (EMT) and Paramedics as well as to pay State Provider Licenses for EMS units as mandated by State Policy #157.45.

NREMT fees are for initial testing of EMT cadets and Paramedic students within HFD. HFD anticipates spending approximately \$2,000 in FY11 and \$11,000 in FY12.

DSHS fees are for state certification and recertification of EMTs and Paramedics which is renewed every four years for HFD members. This certification indicates a specific level of academic and skill performance achievement. HFD anticipates spending approximately \$48,000 in FY11 and \$103,000 in FY12.

DSHS fees are also to maintain the State Provider License for emergency services of HFD's full fleet of 116 EMS units with a cost of \$180.00 for each 2 year license plus an application fee, costing \$21,000 in FY12.

Total anticipated spending for FY11 is \$50,000

FY12 estimates are based on projected hiring for FY12 as well as projected expiration of certifications.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:



Other Authorization:

**REQUEST FOR COUNCIL ACTION**

RCA# 8988

TO: Mayor via City Secretary

Subject: Purchase of an Aerial Manlift Truck through the Texas Local Government Purchasing Cooperative for the Houston Police Department  
S34-E23906-B

Category #  
4

Page 1 of 1

Agenda Item

11

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

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

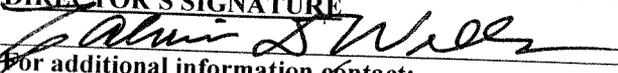
**Origination Date**

March 23, 2011

**Agenda Date**

MAR 30 2011

**DIRECTOR'S SIGNATURE**

*msg*  


Council District(s) affected  
All

**For additional information contact:**

Joseph Fenninger *3/23/11* Phone: (713) 308-1708  
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

**RECOMMENDATION: (Summary)**

Approve the purchase of an aerial manlift truck through the Texas Local Government Purchasing Cooperative (BuyBoard) in the amount of \$91,721.35 for the Houston Police Department.

Award Amount: \$91,721.35

Finance Budget

\$29,449.35 - Supplemental Environmental Project Fund (Fund 2404)  
\$62,272.00 - H-GAC Solid Waste Implementation Grant Fund (Fund 5030)

\$91,721.35 - Total Funding

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the purchase of an aerial manlift truck through the Interlocal Agreement for Cooperative Purchasing with BuyBoard in the amount of \$91,721.35 for the Houston Police Department, and that authorization be given to issue a purchase order to the BuyBoard contractor, Philpott Motors, Ltd. This aerial manlift truck will be used citywide by HPD's Major Offenders Division Environmental Investigations Unit for the installation, maintenance and retrieval of pole-mounted surveillance cameras.

The cab & chassis will come with full warranties of three years/36,000 miles on the cab & chassis and five years/100,000 miles on the diesel engine. The aerial manlift body will come with full warranties of one year on the aerial lift and the body, and three years on the hydraulic systems. The life expectancy of this vehicle is seven years or 100,000 miles. This new unit is an addition to HPD's fleet. Currently, the Major Offenders Division Environmental Investigations Unit does not have an aerial manlift truck in its fleet inventory to perform the required tasks, nor are any similar city-owned manlift trucks available for HPD use.

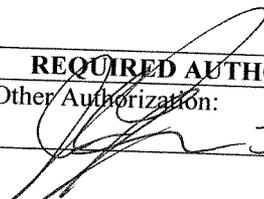
Buyer: Larry Benka

PR No. 10123718

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

 3/23/11

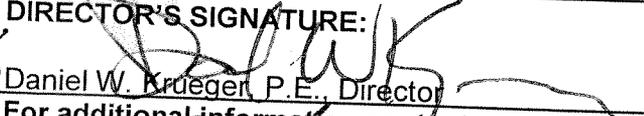
Other Authorization:

*m*

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> City Council Resolution authorizing the City to make a revised loan application with the Texas Water Development Board, to access the Tier III, Clean Water State Revolving Fund program.	<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 12

<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b>	<b>Agenda Date</b> MAR 30 2011
--	-------------------------	-----------------------------------

<b>DIRECTOR'S SIGNATURE:</b>  Daniel W. Krueger, P.E., Director	<b>Council District affected:</b> All
---	--

<b>For additional information contact:</b> Susan Bandy Phone: (832)395-2468	<b>Date and identification of prior authorizing Council action:</b> 01/19/11 Resolution 2011-0002
--	---

**RECOMMENDATION (Summary)**  
 Pass a Resolution authorizing the City to make a revised loan application with the Texas Water Development Board, to access the Tier III, Clean Water State Revolving Fund program.

<b>Amount of Funding:</b> No funds are required at this time.	<b>F &amp; A Budget:</b>
--	--------------------------

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

**SPECIFIC EXPLANATION:**

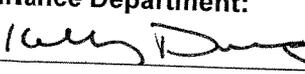
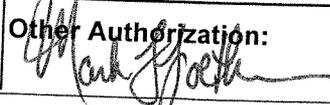
The Department of Public Works & Engineering wishes to apply for a low interest rate loan from the Texas Water Development Board (TWDB) under the Clean Water State Revolving Fund (CWSRF), Tier III program, to improve the wastewater system. The interest rates available on this program are 130 basis points below the current bond market rates.

The TWDB administers loan programs to eligible municipalities and agencies through the purchase of bonds issued by the loan recipients. In 1998, the TWDB began using a priority rating process to determine the amount of funding participants could receive from the State Revolving Fund. Municipalities are annually requested to submit an Intended Use Plan providing information on projects to be considered for TWDB funding. After the projects are prioritized and the amount of available funds determined, applicants are invited to apply for SRF loans. These wastewater projects are included in the FY2011-FY2015 Adopted Capital Improvement Plan (CIP).

The City of Houston has benefited from the lower interest rates offered by the SRF program since 1988 and wishes to continue its participation in the program. Resolution 2011-0002 was passed by City Council in January 19, 2011 to authorize the City to make a loan application with the TWDB to receive a \$4.775 million loan commitment in one project based on the City's FY2011 Intended Use Plan. Since then, the City received invitations from the TWDB for additional funding available for five more projects. This resolution will authorize the City to make a revised application with the TWDB to receive a \$49.9 million loan commitment for the total of six projects. The loan commitment from the TWDB is for a one year period. Within that period, City Council approval will be requested to authorize the issuance of bonds to the TWDB. The \$49.9 million SRF bond issuance is anticipated in June 2012.

It is requested that City Council approve the resolution authorizing the City to make a revised loan application with the Texas Water Development Board for the Clean Water State Revolving Fund.

cc: Marta Crinejo  
 Legal  
 Howard Hilliard  
 Ruth Gonzales  
 Mark Loethen

<b>REQUIRED AUTHORIZATION</b>		CUIC#20SB35
<b>Finance Department:</b> 	<b>Other Authorization:</b>	<b>Other Authorization:</b> 

HCD11-45a

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

11 - Zion Bayou

**SUBJECT:** Approval of a City of Houston Resolution supporting and approving the proposed construction of Zion Bayou.

**Category #**

**Page 1 of 1**

**Agenda Item #**

13

**FROM (Department or other point of origin):**  
James D. Noteware, Director  
Housing and Community Development Department

**Origination Date**  
3/24/11

**Agenda Date**  
MAR 30 2011

**DIRECTOR'S SIGNATURE:**

**Council District affected:**  
District D

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

**For additional information contact:** Eta Paranksy  
**Phone:** 713-868-8449

**RECOMMENDATION: (Summary)**

The Department recommends approval of a Resolution supporting and approving the proposed construction of Zion Bayou.

**Amount of Funding:**

N/A

**Finance Budget:**

**SOURCE OF FUNDING**

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

**SPECIFIC EXPLANATION:**

Zion Bayou, Ltd, the developer of Zion Bayou, a proposed 84-unit multifamily development located at 5200-5300 Airport Boulevard, is currently applying for Low-Income Housing Tax Credits (LIHTC) from the Texas Department of Housing and Community Affairs (TDHCA). Because the development is located one linear mile or less from a development that serves the same type of household, Lansborough Apartments, and that has received Housing Tax Credits (including Tax Exempt Bond Developments) for new construction since December 20, 2007, TDHCA requires that the developer obtain approval and written statement of support from the Governing Body of the municipality by April 1, 2011.

A letter of support from CM Wanda Adams is attached.

The Department recommends the City of Houston approve a Resolution supporting and approving construction of Zion Bayou. The Housing and Community Development Committee reviewed this item on March 24, 2011

**REQUIRED AUTHORIZATION**

Finance Dept.

**Other Authorization:**

**Other Authorization:**



# Interoffice

Correspondence



A handwritten signature in black ink, appearing to read "James Noteware", with a long horizontal line extending to the right.

To: **Members of Houston City Council  
via the City Council Agenda  
Office**

From: **Director James Noteware**

Attn: **Marta Crinejo**

Date: **March 24, 2011**

Subject: **Policy Exception**

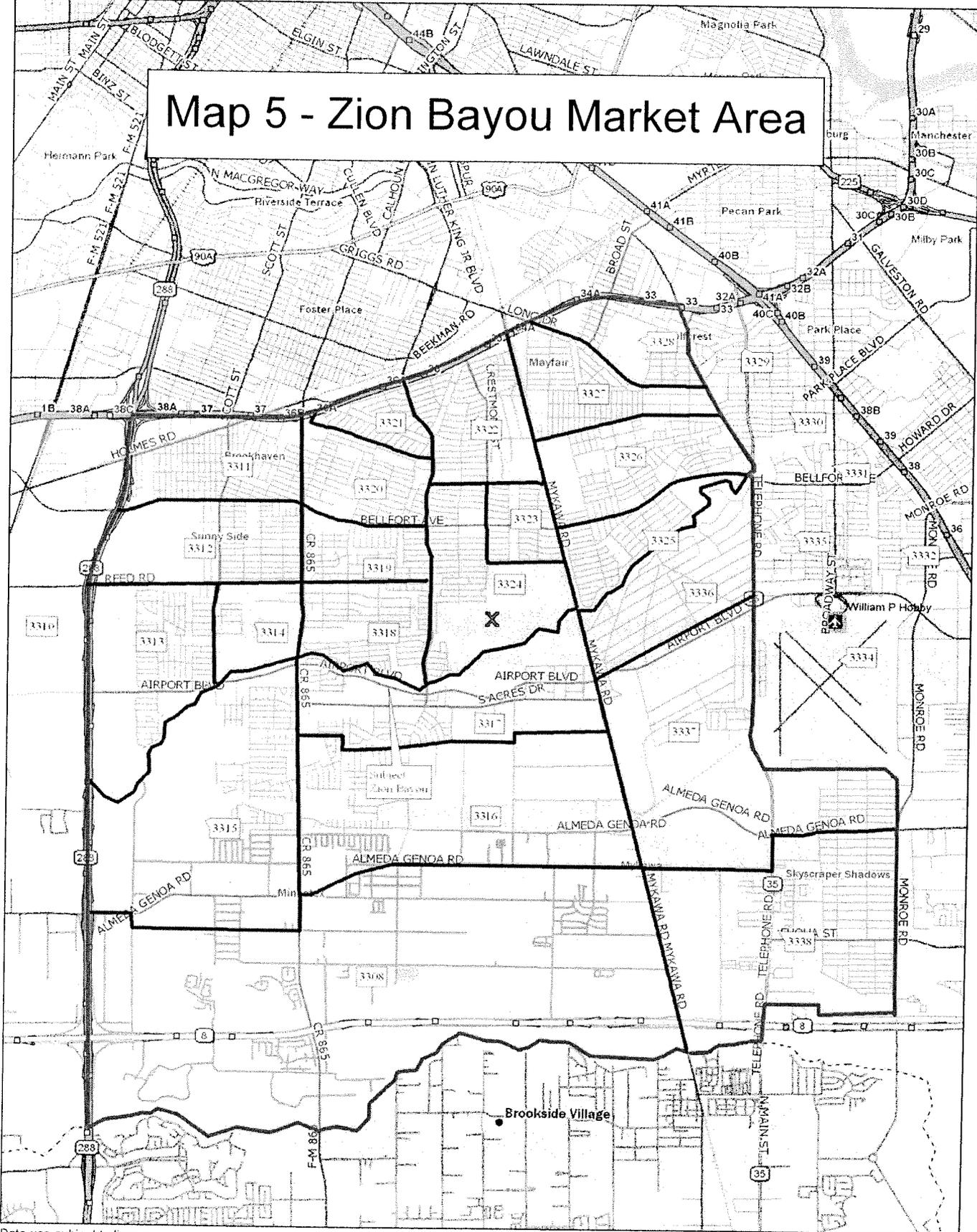
The Housing and Community Development Department (HCDD) is requesting City Council not tag the Request for Council Actions (the "RCA") that will appear on the March 30, 2011 agenda, regarding City of Houston non-monetary resolutions in support of the proposed construction of Zion Bayou (affordable multifamily development) and Trinity East Village (affordable multifamily development for seniors), which are due to the Texas Department of Housing and Community Affairs (TDHCA) by April 1, 2011.

HCDD did not receive requests from the developers for both of these supportive Resolutions until after the February HCD Committee meeting. Since it is our department's policy to present items to HCD Committee for approval prior to being placed on City Council Agenda, we anticipated the items would be on the March 23, 2011 City Council Agenda. This would have allowed one week for tagging. However, the HCD Committee meeting was moved to March 24, 2011 due to council break for the week ending March 18, 2011.

If you have any questions or concerns, please contact me at 713-868-8305 or [jim.noteware@houstontx.gov](mailto:jim.noteware@houstontx.gov), or contact Marc Eichenbaum, Public Information Officer, at 713-865-4557 or [marc.eichenbaum@houstontx.gov](mailto:marc.eichenbaum@houstontx.gov),

Thank you.

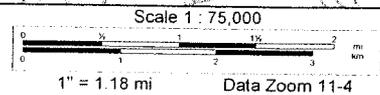
# Map 5 - Zion Bayou Market Area



Data use subject to license.

© DeLorme. DeLorme Street Atlas USA® 2010.

www.delorme.com





# Wanda Adams

Houston City Council Member, District D

## Committees

Chair, Neighborhood Protection and Quality of Life  
Budget and Fiscal Affairs  
Flooding and Drainage  
M/WBE and Small Contractor Development  
Transportation, Infrastructure & Aviation

Vice-Chair Technology Initiatives and Human Services  
Development and Regulatory Affairs  
Housing & Community Development  
Public Safety and Homeland Security

March 17, 2011

Mr. Jim Noteware  
Director of Housing and Community Development Department  
601 Sawyer  
Houston, TX 77002

RE: Letter of Support for Zion Bayou Apartments  
5300 Airport, Houston, Texas 77048

Dear Mr. Noteware:

This is being written in support of the low-income housing tax credit application for Zion Bayou Apartments, a new 84-unit affordable housing project for low income residents to be constructed at 5200 -5300 Airport, Houston, TX 77048.

The neighborhood and surrounding area of the proposed development site is in continuing need of new affordable rental housing, especially for low-income citizens. Moreover, the construction of Zion Bayou Apartments would contribute significantly to the continued revitalization of the immediate neighborhood.

Considering the need, the developer's extensive experience in affordable housing development and the demand for new quality affordable housing within the community, I would appreciate your department giving the developer's application for tax credits careful and positive consideration.

Sincerely,

Wanda Adams  
Houston City Council Member  
District D

CITY HALL ANNEX 900 BAGBY, 1<sup>ST</sup> FLOOR  
PHONE 832.393.3001

P.O. BOX 1562 HOUSTON TX 77251-1562  
FAX 832.393.3201

DISTRICTD@HOUSTONTX.GOV  
WWW.CITYOFHOUSTON.GOV

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

11 - Trinity East Village

**SUBJECT:** Approval of a City of Houston Resolution supporting and approving the proposed construction of Trinity East Village.

**Category #**

**Page 1 of 1**

**Agenda Item #**

14

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

James D. Noteware, Director  
Housing and Community Development Department

**Origination Date**  
3/24/11

**Agenda Date**  
MAR 30 2011

**DIRECTOR'S SIGNATURE:**

**Council District affected:**  
District I

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

**For additional information contact:** Eta Paranksy  
Phone: 713-868-8449

**RECOMMENDATION: (Summary)**

The Department recommends approval of a Resolution supporting and approving the proposed construction of Trinity East Village.

**Amount of Funding:**

N/A

**Finance Budget:**

**SOURCE OF FUNDING**

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

**SPECIFIC EXPLANATION:**

Trinity East Village, Ltd, the developer of Trinity East Village, a proposed 70-unit multifamily development for seniors located on fourteen contiguous parcels bordered by Saint Charles St., Tuam St., Live Oak St., and McGowen St., is currently applying for Low-Income Housing Tax Credits (LIHTC) from the Texas Department of Housing and Community Affairs (TDHCA). Because the development is located one linear mile or less from a development that serves the same type of household, Village of Zion, and that has received Housing Tax Credits (including Tax Exempt Bond Developments) for new construction since December 20, 2007, TDHCA requires that the developer obtain approval and written statement of support from the Governing Body of the municipality by April 1, 2011.

A letter of support from CM James Rodriguez is attached.

The Department recommends the City of Houston approve a Resolution supporting and approving construction of Trinity East Village. The Housing and Community Development Committee reviewed this item on March 24, 2011

**REQUIRED AUTHORIZATION**

Finance Dept.

**Other Authorization:**

**Other Authorization:**



# Interoffice

Correspondence



To: Members of Houston City Council  
via the City Council Agenda  
Office

From: Director James Noteware

Attn: Marta Crinejo

Date: March 24, 2011

Subject: Policy Exception

The Housing and Community Development Department (HCDD) is requesting City Council not tag the Request for Council Actions (the "RCA") that will appear on the March 30, 2011 agenda, regarding City of Houston non-monetary resolutions in support of the proposed construction of Zion Bayou (affordable multifamily development) and Trinity East Village (affordable multifamily development for seniors), which are due to the Texas Department of Housing and Community Affairs (TDHCA) by April 1, 2011.

HCDD did not receive requests from the developers for both of these supportive Resolutions until after the February HCD Committee meeting. Since it is our department's policy to present items to HCD Committee for approval prior to being placed on City Council Agenda, we anticipated the items would be on the March 23, 2011 City Council Agenda. This would have allowed one week for tagging. However, the HCD Committee meeting was moved to March 24, 2011 due to council break for the week ending March 18, 2011.

If you have any questions or concerns, please contact me at 713-868-8305 or [jim.noteware@houstontx.gov](mailto:jim.noteware@houstontx.gov), or contact Marc Eichenbaum, Public Information Officer, at 713-865-4557 or [marc.eichenbaum@houstontx.gov](mailto:marc.eichenbaum@houstontx.gov),

Thank you.

# JAMES RODRIGUEZ

City Council Member, District I

March 4, 2011

## COMMITTEES

### Vice-Chair

M/WBE and Small  
Contractor Development and  
Contract Compliance

Sustainable Growth

### Member

Budget and Fiscal Affairs

Public Safety and Homeland  
Security

Regulation and  
Neighborhood Protection  
and Development

Transportation,  
Infrastructure and Aviation

## BOARDS

Texas Municipal League

Houston-Galveston Area  
Council Transportation  
Policy Council, Alternate

## CONTACT

### Address

P.O. Box 1562  
Houston, TX 77251-1562

900 Bagby 1st Floor  
Houston, TX 77002

### Telephone

Ph: 832.393.3011  
Fax: 832.393.3313

### Email

[DistrictI@cityofhouston.net](mailto:DistrictI@cityofhouston.net)

Mr. James Noteware  
City of Houston  
Department of Housing and Community Development  
601 Sawyer Street 4<sup>th</sup> Floor  
Houston, Texas 77007

Development: Trinity East Village

TDHCA#: 11177

Development Location: 14 Contiguous Parcels bordered by St. Charles,  
Tuam, Live Oak and McGowen St, Houston, Texas 77004

Dear Mr. Noteware:

It is with great pleasure that I write in support of the Trinity East Village Senior Apartments application for Low Income Housing Tax Credits (LIHTC). As the District I Council Member, I am very much aware of the need for services in the Third Ward area.

I am pleased that The Trinity East Village Community Development Corporation has been working with the community to assess the needs of its senior population. I applaud their efforts in providing quality affordable housing for this area. This investment in Third Ward will positively impact the community.

Thank you for your time and attention. I urge you to give this application serious consideration. Please do not hesitate to contact me if you have further questions or concerns.

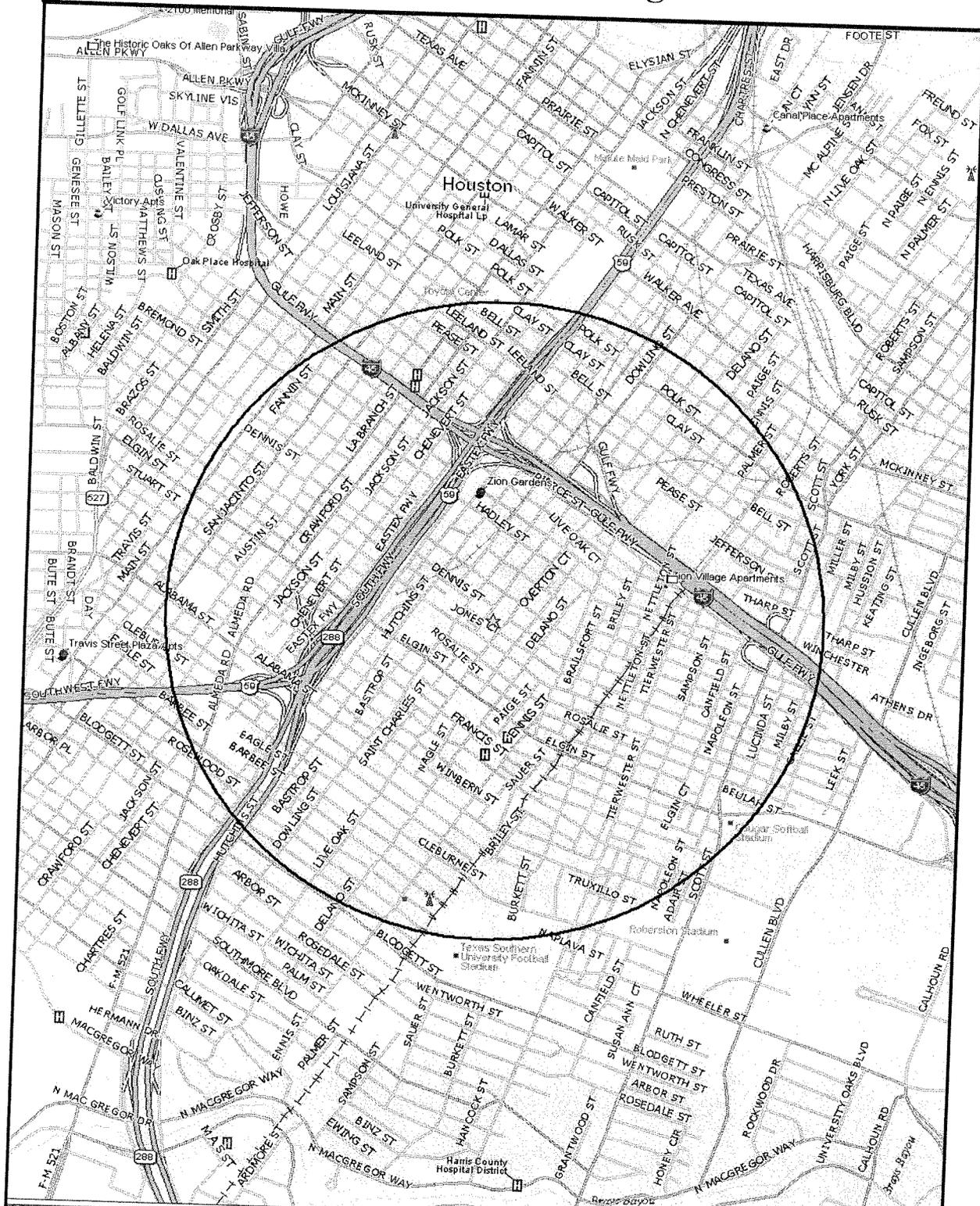
Sincerely,



James G. Rodriguez  
District I



# Trinity East Village



**DELORME**

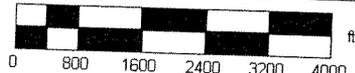
Data use subject to license

© DeLorme, DeLorme Street Atlas USA® 2011.

www.delorme.com



MN (3.2° E)



Data Zoom 13-0

<b>SUBJECT:</b> Ordinance authorizing the abandonment and sale of Glenheath Street, from Glen Loch Drive west to its terminus, and two 10-foot-wide utility easements and the attendant aerial easements, in exchange for the conveyance to the City of a 250-square-foot water meter easement, all located within Glenbrook Valley, Section 7, and/or Glenbrook Valley, Section 7, Replat. <b>Parcels SY10-055A through C and KY10-145</b>	<b>Page</b> <u>1</u> of <u>2</u>	<b>Agenda Item #</b>  <div style="text-align: right; font-size: 2em; font-family: cursive;">15</div>
---	-------------------------------------	--

<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>	<b>Agenda Date</b> MAR 30 2011
--	-------------------------	-----------------------------------

<b>DIRECTOR'S SIGNATURE:</b> Daniel W. Krueger, P.E., Director	<b>Council District affected: I</b>  Key Map 535X
---	---

<b>For additional information contact:</b>  Nancy P. Collins  Phone: (713) 837-0881 Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b> C.M. 2010-0288 (5/12/10)
--	--

**RECOMMENDATION: (Summary)** It is recommended City Council approve an Ordinance authorizing the abandonment and sale of Glenheath Street, from Glen Loch Drive west to its terminus, and two 10-foot-wide utility easements and the attendant aerial easements, in exchange for a consideration of \$31,647.00 plus the conveyance to the City of a 250-square-foot water meter easement, all located within Glenbrook Valley, Section 7, and/or Glenbrook Valley, Section 7, Replat. **Parcels SY10-055A through C and KY10-145**

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

**SPECIFIC EXPLANATION:**  
 By Motion 2010-0288, City Council authorized the abandonment and sale to Houston Independent School District (HISD) of Glenheath Street, from Glen Loch Drive west to its terminus, and two 10-foot-wide utility easements and the attendant aerial easements, in exchange for the conveyance to the City of a 200-square-foot water meter easement, all located within Glenbrook Valley, Section 7, and/or Glenbrook Valley, Section 7, Replat, and a right of entry for HISD. It was later determined the water meter easement shall be 250 square feet. HISD, the abutting property owner, plans to construct improvements to the Lewis Elementary School Campus in the location of Glenheath Street and the utility easements to be abandoned and sold.

HISD has complied with the motion requirements, has accepted the City's offer, and has rendered payment in full.

The City will abandon and sell to HISD:

<b>Parcel SY10-055A</b>	
7,276 square feet of street right-of-way Valued at \$3.25 per square foot	\$23,647.00
<b>Parcel SY10-055B</b>	
1,450 square feet of utility easement Valued at \$1.625 per square foot	\$2,356.00 R
<b>Parcel SY10-055C</b>	
3,723 square feet of utility easement Valued at \$1.625 per square foot	\$6,050.00 R
<b>TOTAL ABANDONMENT AND SALE</b>	<b><u>\$32,053.00</u></b>

s:\dob\sy10-055.rc2.doc	CUIC #20DOB052
-------------------------	----------------

REQUIRED AUTHORIZATION		
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b> Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division

<b>Date:</b>	<b>Subject:</b> Ordinance authorizing the abandonment and sale of Glenheath Street, from Glen Loch Drive west to its terminus, and two 10-foot-wide utility easements and the attendant aerial easements, in exchange for the conveyance to the City of a 250-square-foot water meter easement, all located within Glenbrook Valley, Section 7, and/or Glenbrook Valley, Section 7, Replat. <b>Parcels SY10-055A through C and KY10-145</b>	<b>Originator's Initials</b> 	<b>Page</b> <u>2</u> of <u>2</u>
--------------	---	---	-------------------------------------

In exchange, HISD will pay:

Cash	\$31,647.00
Plus convey to the City	

<b><u>Parcel KY10-145</u></b>	
250 square feet of water meter easement	\$406.00 R
Valued at \$1.625 per square foot	

<b>TOTAL CASH AND CONVEYANCE</b>	<b><u>\$32,053.00</u></b>
----------------------------------	---------------------------

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of Glenheath Street, from Glen Loch Drive west to its terminus, and two 10-foot-wide utility easements and the attendant aerial easements, in exchange for a consideration of \$31,647.00 plus the conveyance to the City of a 250-square-foot water meter easement, all located within Glenbrook Valley, Section 7, and/or Glenbrook Valley, Section 7, Replat.

DWK:NPC:dob

- c: Jun Chang, P.E., D.WRE  
Marta Crinejo  
Marlene Gafrick  
Daniel Menendez, P.E.  
Jeffrey Weatherford, P.E., PTOE

MOTION by Council Member Clutterbuck that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Chuck Davis, C. L. Davis & Company, 1500 Winding Way, Friendswood, Texas, 77546, on behalf of the Houston Independent School District (HISD), for the abandonment and sale of Glenheath Street, from Glen Loch Drive west to its terminus, and two 10-foot-wide utility easements and the attendant aerial easements, in exchange for the conveyance to the City of a 200-square-foot water meter easement, and a right of entry for Houston Independent School District, all located within Glenbrook Valley, Section 7, and/or Glenbrook Valley, Section 7, Replat, Parcels SY10-055A, through C and KY10-145, be adopted as follows:

1. The City abandon and sell Glenheath Street, from Glen Loch Drive west to its terminus, and two 10-foot-wide utility easements and the attendant aerial easements, in exchange for the conveyance to the City of a 200-square-foot water meter easement, all located within Glenbrook Valley, Section 7, and/or Glenbrook Valley, Section 7, Replat;
2. The City grant a right of entry to Houston Independent School District for Glenheath Street and the utility easements being abandoned and sold;
3. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;

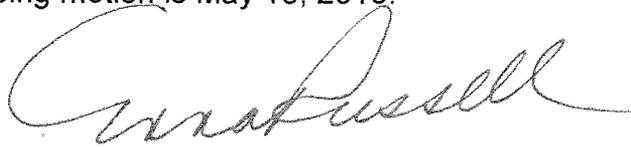
4. The applicant be required to: (a) relocate the existing storm sewer inlets within Glenheath Street to within Glen Loch Drive, (b) cut, plug, and abandon the existing 4-inch water service lead line, water meter, and water meter vault within Glenheath Street, (c) construct a new water meter and water meter vault within a 10-foot by 20-foot water meter easement to be conveyed to the City out of HISD's property adjacent to Glen Loch Drive, and (d) complete all of the foregoing items at no cost to the City and under the proper permits;
5. The applicant be required to prepare drawings that show all public utilities (storm sewer inlets, water lines, and water meters) that are to be abandoned, relocated, and/or constructed as part of this project and submit drawings to the Office of the City Engineer for plan review and approval. A copy of the council motion shall be attached to the plan set when it is submitted for plan review;
6. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the street and utility easements being abandoned and sold;
7. The Legal Department be authorized to prepare the necessary transaction documents; and
8. Inasmuch as the value of the property interests is not expected to exceed \$50,000.00, that the value be established by staff appraisal, according to City policy.

Seconded by Council Member Lovell and carried.

Mayor Parker, Council Members Stardig, Johnson,  
Clutterbuck, Adams, Sullivan, Hoang, Pennington,  
Gonzalez, Rodriguez, Bradford and Jones voting aye  
Council Member Noriega voting no  
Council Members Costello and Lovell absent

PASSED AND ADOPTED this 12th day of May 2010.

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



City Secretary

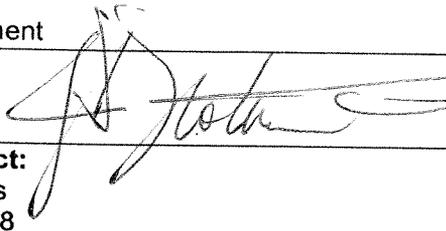
**SUBJECT:** The Housing and Community Development Department recommends City Council's approval of an Ordinance to amend the 2010 Action Plan to identify the locations of the public school facilities that the SPARK Parks program will renovate.

**Category # 1,2**      **Page 1 of 2**      **Agenda Item # 16**

**FROM (Department or other point of origin):**  
James D. Noteware, Director  
Housing and Community Development

**Origination Date**  
February 18, 2011

**Agenda Date**  
MAR 30 2011

**DIRECTOR'S SIGNATURE:** 

**Council District affected:**  
F, B, I, & H

**For additional information contact:**  
Robert Bradford/Derek Sellers  
Phone: 713-868-8340/713-868-8428

**Date and identification of prior authorizing Council action:**  
Ordinance No. 2010-0372, Ordinance No. 2010-0408, Ordinance No. 2011-14

**RECOMMENDATION: (Summary)** The Housing and Community Development Department recommends City Council's approval of an Ordinance to amend the 2010 Action Plan to identify the locations of the public school facilities that the SPARK Parks program will renovate. For Action Plan 2010, through the SPARK Parks P, the City will partner with HISD in funding renovations to following public school facilities: (1) Hollibrook Elementary in the amount of \$75,000, (2) Moreno Elementary in the amount of \$75,000, (3) Eastwood Academy in the amount of \$75,000, (4) McReynolds Middle School in the amount of \$50,000, and (5) Ketelson Elementary in the amount of \$75,000.

**Amount of Funding:** \$ 350,000.00      **Finance Budget:**

**SOURCE OF FUNDING**     General Fund     Grant Fund     Enterprise Fund  
 Other (Specify)      **Community Development Block Grant (CDBG) Fund 5000**

**SPECIFIC EXPLANATION:**  
The Housing and Community Development Department recommends City Council's approval of an Ordinance to amend the 2010 Action Plan to identify the locations of the public school facilities that will be renovated through the SPARK Parks Program. In accordance with HUD regulations and per the City of Houston's (City) Citizen Participation Plan, changes "in the purpose, scope, location or beneficiaries of an activity or project previously described in its Consolidated or Action Plan" require a substantial amendment to the Action Plan.

The details of the amendment are included in the attached Public Notice. The following is a recap of the Notice:

The SPARK Parks program is a collaboration between the City and the Houston Independent School District and Spring Branch Independent School District to provide improvements to public school facilities located in low and moderate-income areas. The renovations at these public school facilities will include the installation of playground equipment, benches, picnic tables, and walking trails.

The SPARK Parks scheduled for improvements are

Project	Council District	CDBG Budget
Hollibrook Elementary 3602 Hollister	F	\$75,000
Moreno Elementary 620 E. Canino	B	\$75,000
Eastwood Academy 1315 Dumble	I	\$75,000
McReynolds Middle School 5910 Market Street	I	\$50,000
Ketelson Elementary 600 Quitman	H	\$75,000

**REQUIRED AUTHORIZATION**

**Finance Department Director:**      **Other Authorization:**      **Other Authorization:**

<b>Date</b>	<b>Subject:</b> The Housing and Community Development Department recommends City Council's approval of an Ordinance to amend the 2010 Action Plan to identify the locations of the public school facilities that the SPARK Parks program will renovate.	<b>Originator's Initials</b> 	<b>Page 2 of 2</b>
-------------	---	---	--------------------

Through a Notice published in the Houston Chronicle on Thursday, January 13, 2011, the public was notified of the proposed changes to the projected 2010 Action Plan. The Public had thirty (30) days to comment on these proposed changes. There were no responses regarding the public notice.

This item was reviewed by the Housing Committee on February 17, 2011. Therefore, approval of an ordinance is recommended.

**JN: DS**

cc: City Secretary  
Legal Department  
Mayor's Office

Thursday, January 13, 2011

**PUBLIC NOTICE**

The City of Houston (City), through its Housing and Community Development Department (HCDD) is proposing to use Community Development Block Grant (CDBG) funds for the SPARK Parks Program. The SPARK Parks scheduled for improvements are:

Project	Original Council District	Cost
Hollbrook Elementary 3602 Hollister	F	\$75,000
Moreno Elementary 620 E. Canino	B	\$75,000
Eastwood Academy 1315 Dumble	I	\$75,000
McReynolds Middle School 5910 Market Street	I	\$50,000
Kefelson Elementary 600 Quitman	H	\$75,000

The SPARK Parks program is a collaboration between the City and the Houston Independent School District to provide improvements to public school facilities located in low and moderate-income areas. The renovations at these public school facilities will include the installation of playground equipment, benches, picnic tables, and walking trails.

The City, through HCDD, is proposing to award HOME Investment Partnerships Program (HOME) funds in the amount of \$828,450 to Golden Bamboo III, Ltd. (Golden Bamboo III) located at the west side of Synott Rd. approximately 900LF north of the intersection of Synott Rd. & Bellaire Blvd., Houston, TX 77083 in District F to finance the construction of affordable multifamily residences for low and moderate-income citizens.

The public has thirty-days (30) to comment on the proposed activities. The thirty-day period extends from Thursday, January 13, 2011 through Monday, February 14, 2011. For additional information regarding the CDBG project, contact David Godwin. For additional information regarding the HOME project, please contact Eta Paransky. The contact number is (713) 868-8300. You may also access HCDD's Web site at [www.houstonhousing.org](http://www.houstonhousing.org) for more information.

**THE CITY & STATE**

\*\*\*

HOUSTON CHRONIC

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

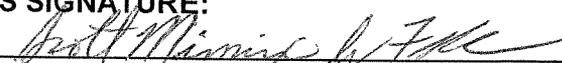
<b>SUBJECT:</b> Approval of an ordinance appropriating \$3,300,000 from the Dangerous Building Consolidated Fund to be used for the abatement of dangerous buildings.		<b>Page</b> 1 of 1	<b>Agenda Item #</b>  17
<b>FROM: (Department or other point of origin):</b> Mayor's Office- Neighborhood Services		<b>Origination Date:</b>	<b>Agenda Date:</b> MAR 30 2011
<b>DIRECTOR'S SIGNATURE:</b>  Catherine Flowers		<b>Council District affected:</b> All	
<b>For additional information contact:</b> Joseph A. Fenninger Phone: 713-308-1770 CFO and Deputy Director, HPD		<b>Date and identification of prior authorizing Council action:</b> May 19, 2010, Ordinance 2010-0387; June 16, 2010, Ordinance 2010-0468	
<b>RECOMMENDATION: (Summary)</b> Adopt an ordinance approving the appropriation of \$3,300,000 from the Dangerous Building Consolidated Fund to be used for the abatement of dangerous buildings.			
<b>Amount and Source of Funding:</b> \$3,300,000 – Dangerous Building Consolidated Fund (1801)			
<b>Specific Explanation:</b> <p>On June 16, 2010, City Council approved the issuance of Certificates of Obligation in the amount of \$9,000,000 with the proceeds to be used to fund the demolition of dangerous buildings over the next three years. In July of 2010, Council approved the first appropriation of these funds in the amount of \$3,500,000. This request is for the next appropriation.</p> <p>The Office of Neighborhood Services recommends that City Council approve an ordinance authorizing the appropriation of \$3,300,000 from the Dangerous Building Consolidated Fund. This appropriation will allow for the continued demolition and abatement of buildings that have been determined to be dangerous by the Buildings and Standards Commission, a Neighborhood Protection Corps Official, or a registered structural engineer. In addition to demolition services, the proceeds from this appropriation will fund the necessary support work that includes, but is not limited to, asbestos/lead testing, appraisal services and the filing of liens for violations.</p> <p>Funds are available for appropriation as reported in the January Monthly Financial Operating Report (MFOR) as published by the Finance Department.</p>			
<b>REQUIRED AUTHORIZATION</b>			
<b>Finance:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>	

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> First Amendment to Government Entity Tower License Agreement with Crown Communication LLC at 9220 Tigner Road, Rosharon, Texas for the Radio Communications Division of the Information Technology Department	<b>Page</b> 1 of 1	<b>Agenda Item</b> 18
---	-----------------------	--------------------------

<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b>	<b>Agenda Date</b> MAR 30 2011
---	-------------------------	-----------------------------------

<b>DIRECTOR'S SIGNATURE:</b> Scott Minnix 	<b>Council District affected:</b> ETJ
--	---------------------------------------

<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 832-393-8023	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2009-1226; 12/02/09
--	--

**RECOMMENDATION:** Approve and authorize a First Amendment to Government Entity Tower License Agreement with Crown Communication LLC, for communications tower and ground space at 9220 Tigner Road, Rosharon, Texas, for the Radio Communications Division of the Information Technology Department.

<b>Amount and Source Of Funding:</b> No Additional Funding Required FY2011 – \$73,360.00 Police Consolidated Construction Fund (4504) – (previously appropriated by Ordinance 2009-0713 and 2010-0648)	<b>Finance Budget:</b>
--	------------------------

**SPECIFIC EXPLANATION:** The City of Houston recently purchased a new radio system to replace the current outmoded Public Safety Radio system. The new radio system will have more channels, allowing radio service used by local government to serve the needs of a growing community. The new technology will be interoperable, allowing Fire, Police and Public Works to communicate more effectively with each other within the City and with other public safety entities. To facilitate this project, the Radio Communications Division of the Information Technology Department has entered into various license agreements to lease communication tower and ground space for the installation, operation and maintenance of antennas and other telecommunications equipment. It has now been determined that additional microwave dish capacity is required to provide adequate coverage for public safety purposes.

The proposed First Amendment will allow for the placement of one additional microwave dish at the tower site increasing the number of dishes on the tower from three to four. As consideration for the additional equipment, the current monthly license fee of \$ 3,672.00 will increase by \$800.00 per month, or \$ 4,472.00 monthly, with an annual escalator of 2% during the license term. The City will also pay \$51,000.00 for remediation costs and license fees associated with structural improvements to accommodate the additional equipment. The original License Agreement commenced on December 1, 2009 for a ten-year term with two five-year automatic renewal options. All other terms and conditions of the original License Agreement remain the same.

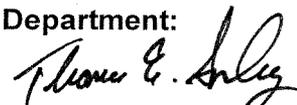
The General Services Department recommends approval of a First Amendment to Government Entity Tower License Agreement with Crown Communication LLC for additional microwave dish capacity for the Radio Communications Division of the Information Technology Department.

SM:BC:JLN:RB:npb

xc: Marta Crinejo, Anna Russell, Jacquelyn L. Nisby and Tom Sorley

REQUIRED AUTHORIZATION CUIC ID# 25 RB 105

**General Services Department:**  
  
Forest R. Christy, Jr., Director  
Real Estate Division

**Information Technology Department:**  
  
Richard F. Lewis  
Director



9220 Tigner Rd, Rosharon, TX 77583

© 2011 Google

©2010 Google

Imagery Date: 1/5/2010

29°27'04.93" N 95°31'52.21" W elev 56 ft

Eye alt 1252 ft

<b>SUBJECT:</b> First Amendment to Government Entity Tower License Agreement with Pinnacle Towers LLC at 4605 W. Baker Road, Baytown, Texas for the Radio Communications Division of the Information Technology Department	<b>Page</b> 1 of 1	<b>Agenda Item</b> 19
--	-----------------------	--------------------------

<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b>	<b>Agenda Date</b> MAR 30 2011
---	-------------------------	-----------------------------------

<b>DIRECTOR'S SIGNATURE:</b> Scott Minnix <i>Scott Minnix by F.R.C.</i>	<b>Council District affected:</b> ETJ
--	---------------------------------------

<b>For additional information contact:</b> Jacquelyn L. Nisby Phone: 832-393-8023 <i>CR</i>	<b>Date and identification of prior authorizing Council action:</b>  Ordinance 2009-884; 09/23/2009
---	---

**RECOMMENDATION:** Approve and authorize a First Amendment to Government Entity Tower License Agreement with Pinnacle Towers LLC, for communication tower and ground space at 4605 W. Baker Road, Baytown, Texas for the Radio Communications Division of the Information Technology Department.

<b>Amount and Source Of Funding:</b> No Additional Funding Required FY2011 – \$50,000.00 Police Consolidated Construction Fund (4504) – (previously appropriated by Ordinance 2009-0713 and 2010-0648)	<b>Finance Budget:</b>
--	------------------------

**SPECIFIC EXPLANATION:** The City of Houston recently purchased a new radio system to replace the current outmoded Public Safety Radio system. The new radio system will have more channels, allowing radio service used by local government to serve the needs of a growing community. The new technology will be interoperable, allowing Fire, Police and Public Works to communicate more effectively with each other within the City and with other public safety entities. To facilitate this project, the Radio Communications Division of the Information Technology Department has entered into various license agreements to lease communication tower and ground space for the installation, operation and maintenance of antennas and other telecommunications equipment. It has now been determined that additional microwave dish capacity is required to provide adequate coverage for public safety purposes.

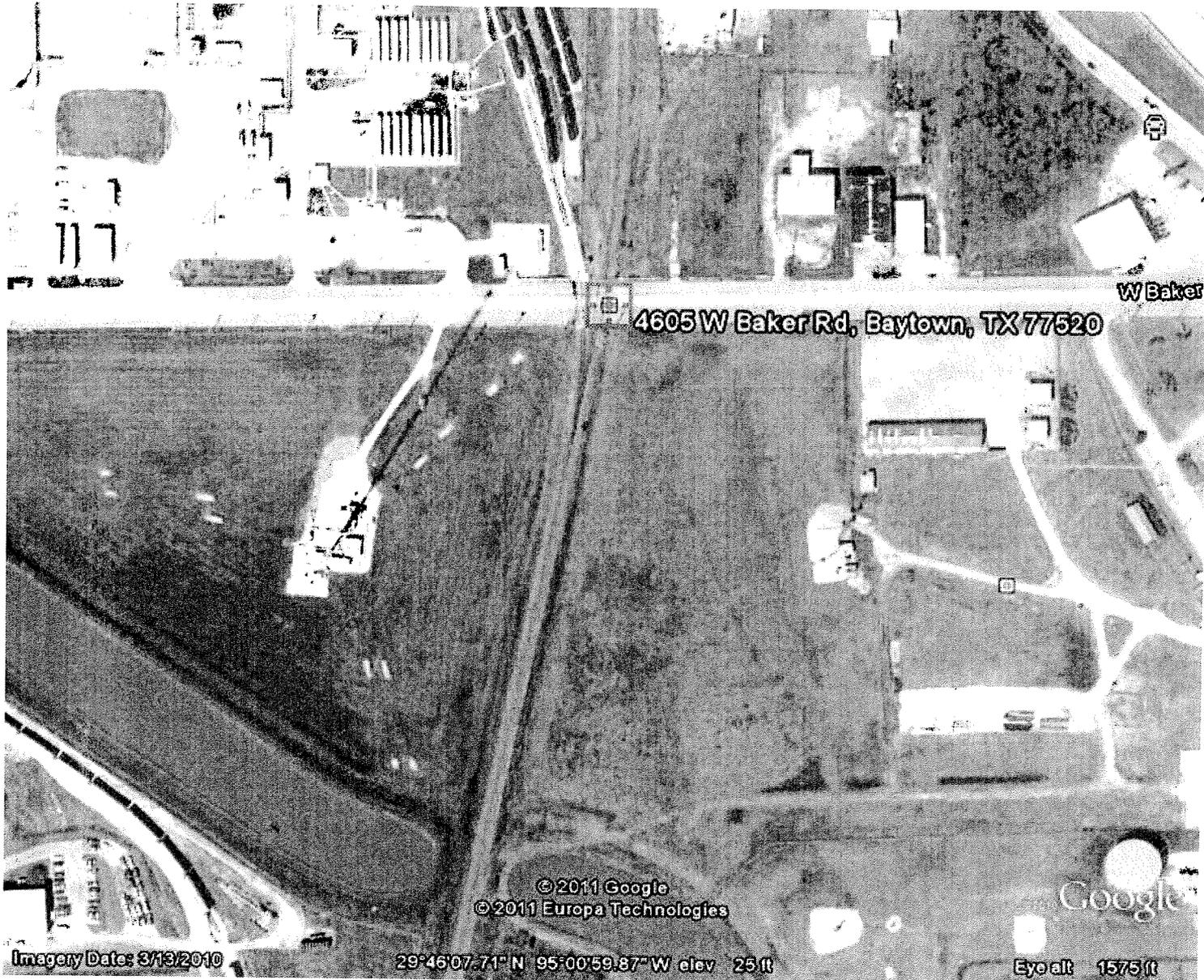
The proposed First Amendment will allow for placement of the proposed microwave dishes at a higher location on the tower than previously planned. The current monthly license fee will remain \$4,488.00 per month, with an annual escalator of 2% during the license term. The City will also pay \$50,000.00 for remediation costs associated with structural improvements to accommodate the equipment. The original License Agreement commenced on September 1, 2009 for a ten-year lease term with two five-year automatic renewal options. All other terms and conditions of the original License Agreement remain the same.

The General Services Department recommends approval of a First Amendment to Government Entity Tower License Agreement with Pinnacle Towers LLC for proposed microwave dishes at a higher location on the tower than previously planned for the Radio Communications Division of the Information Technology Department.

SM:BC:JLN:RB:npb  
xc: Marta Crinejo, Anna Russell, Jacquelyn L. Nisby and Tom Sorley

**REQUIRED AUTHORIZATION** CUIC ID# 25 RB 115

<b>General Services Department:</b> <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Director Real Estate Division		<b>Information Technology Department:</b> <i>Richard F. Lewis</i> Richard F. Lewis Director
--	--	--



4605 W Baker Rd, Baytown, TX 77520

W Baker

© 2011 Google  
© 2011 Europa Technologies

Google

Imagery Date: 3/13/2010

29°46'07.71" N 95°00'59.87" W elev 25 ft

Eye alt 1575 ft

<b>SUBJECT:</b> First Amendment to Government Entity Tower License Agreement with Pinnacle Towers Asset Holdings LLC at 15409 Old Humble Road, Humble, Texas for the Radio Communications Division of the Information Technology Department	Page 1 of 1	<b>Agenda Item</b>  20
---	----------------	------------------------------

<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b>	<b>Agenda Date</b> MAR 30 2011
---	-------------------------	-----------------------------------

<b>DIRECTOR'S SIGNATURE:</b> Scott Minnix <i>Scott Minnix by file</i>	<b>Council District affected:</b> B
--	-------------------------------------

<b>For additional information contact:</b> Jacquelyn L. Nisby Phone: 832-393-8023 <i>or</i>	<b>Date and identification of prior authorizing Council action:</b>  Ordinance No. 2009-883; 09/23/2009
---	---

**RECOMMENDATION:** Approve and authorize a First Amendment to Government Entity Tower License Agreement with Pinnacle Towers Asset Holdings LLC, for communications tower and ground space at 15409 Old Humble Road, Humble, Texas for the Radio Communications Division of the Information Technology Department.

<b>Amount and Source Of Funding:</b> No Additional Funding Required FY2011 – \$68,300.00 Police Consolidated Construction Fund (4504) – (previously appropriated by Ordinance 2009-0713 and 2010-0648)	<b>Finance Budget:</b>
--	------------------------

**SPECIFIC EXPLANATION:** The City of Houston recently purchased a new radio system to replace the current outmoded Public Safety Radio system. The new radio system will have more channels, allowing radio service used by local government to serve the needs of a growing community. The new technology will be interoperable, allowing Fire, Police and Public Works to communicate more effectively with each other within the City and with other public safety entities. To facilitate this project, the Radio Communications Division of the Information Technology Department has entered into various license agreements to lease communication tower and ground space for the installation, operation and maintenance of antennas and other telecommunications equipment. It has now been determined that additional microwave dish capacity is required to provide adequate coverage for public safety purposes.

The proposed First Amendment will allow for the placement of larger microwave dishes to replace two of the three microwave dishes currently slated for placement on the tower. As consideration for the additional weight and wind loading on the tower, the current monthly license fee of \$3,060.00 will increase by \$400.00 per month, or \$3,460.00 monthly, with an annual escalator of 2% during the license term. The City will also pay \$51,000.00 for remediation costs and license fees associated with structural improvements to accommodate the additional equipment. The original License Agreement commenced on September 1, 2009 for a ten-year license term with two five-year automatic renewal options. All other terms and conditions of the original License Agreement remain the same.

The General Services Department recommends approval of a First Amendment to Government Entity Tower License Agreement with Pinnacle Towers Asset Holdings LLC for additional microwave dish capacity for the Radio Communications Division of the Information Technology Department.

SM:BC:JLN:RB:npb

xc: Marta Crinejo, Anna Russell, Jacquelyn L. Nisby and Tom Sorley

**REQUIRED AUTHORIZATION**

CUIC ID# 25 RB 113

<b>General Services Department:</b> <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Director Real Estate Division		<b>Information Technology Department:</b> <i>Richard F. Lewis</i> Richard F. Lewis Director
--	--	--

15409 Old Humble Rd, Humble, TX 77396

Imagery Date: 1/5/2010

29°56'36.63" N 95°16'48.99" W elev 72 ft

Eye alt 854 ft

© 2011 Google  
© 2011 Europa Technologies

© 2011 Google

<b>SUBJECT:</b> Award Two Job Order Contracts for 5-STAR Energy Efficient Homes Program	<b>Page</b> 1 of 2	<b>Agenda Item</b>  21
---	-----------------------	------------------------------

<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 3-23-11	<b>Agenda Date</b> MAR 8 0 2011
---	------------------------------------	------------------------------------

<b>DIRECTOR'S SIGNATURE</b> Scott Minnix <i>Scott Minnix</i> 2/22/11	<b>Council District(s) affected:</b> All
---	--

<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>
---	---

**RECOMMENDATION:** Award two Job Order Contracts for the 5 STAR Energy Efficient Homes Program and set a maximum contract amount.

<b>Amount and Source Of Funding:</b> Maximum Contract Amount for each contract: <b>\$975,000.00 – 2 years</b>	<b>Finance Budget:</b>
--	------------------------

**SPECIFIC EXPLANATION:** The City's 5-STAR enhanced energy efficiency program has targeted the residential sector to promote and upgrade approximately 55 super energy efficient homes for purchase by low income families within Houston Hope neighborhoods and possibly expanding to other areas within the City limits. All energy efficient upgrades are funded out of the ARRA Energy Efficiency and Conservation Block Grant (EECBG) awarded to the City of Houston by the Department of Energy. On December 15, 2010, City Council passed Ordinance No. 2010-1043 which awarded five (5) Job Order Contracts under this program.

In order to get more participation in the program and as a result, increase the likelihood for meeting the spending requirements of the EECBG grant, the General Services Department advertised a second Request for Qualifications on October 22, 2010 and October 29, 2010 to solicit the participation of more builders. Four submittals of Statements of Qualifications were received on November 18, 2010 in response to the solicitation. Two builders withdrew from the process. A selection committee composed of representatives from the Geotechnology Research Institute (GTRI) deemed the remaining two firms qualified to participate. Therefore, the General Services Department recommends that City Council award contracts to the following builders: Congo, LLC and Houston Habitat for Humanity, and delegate authority to the director to approve supplemental allocations up to the maximum contract amount of \$975,000 for each contract. The funds will be allocated to each Job Order Contract as work orders are issued.

**PROJECT LOCATION:** Citywide

**PROJECT DESCRIPTION:** This program provides builders a financial incentive up to \$50,000 to provide additional energy efficiency measures in new residential construction with a baseline home energy rating (HERS) of 60 or lower. The builder must meet ENERGY STAR guidelines in new construction. The City will verify the HERS Rating and will issue a work order to the qualified builder for installation of additional energy efficiency measures. Work orders will be issued on a first come first served basis among the seven builders.

REQUIRED AUTHORIZATION		CUIC ID #
<b>General Services Department:</b>   Humberto Bautista, P.E. Assistant Director		NA

In accordance with the work order, the builder must provide the following:

- Enhanced energy efficiency upgrades that include, but are not limited to insulation and poly seal, energy efficient windows, energy efficient HVAC equipment, energy efficient lighting, Energy Star appliances, and renewable energy systems;
- Sell/close on home;
- Provide a Homeowner's warranty on energy efficient upgrades against theft, replacement or repair for three years; and require buyer to maintain insurance against theft of energy efficient upgrades for three years; and
- Require buyer to sign a Consumption Release Form authorizing CenterPoint to release household energy consumption data to the City.

The amount of the incentive will be based on the certified HERS Ratings to which the builder further increases the energy efficiency of the home as outlined below:

<b>Certified HERS Rating (Post construction)</b>		<b>Builder Incentive</b>
60		Qualify for participation
45-36	★	\$25,000
35-31	★★	\$35,000
30-26	★★★	\$40,000
25-21	★★★★	\$45,000
20-0	★★★★★	\$50,000

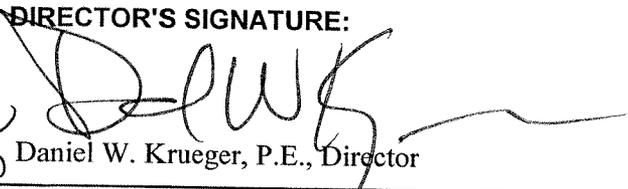
**PAY OR PLAY PROGRAM:** Each proposed contract requires compliance with the City's "Pay or Play" Ordinance regarding health benefits for employees of City contractors. In this case, each contractor will provide health benefits to eligible employees in compliance with City policy.

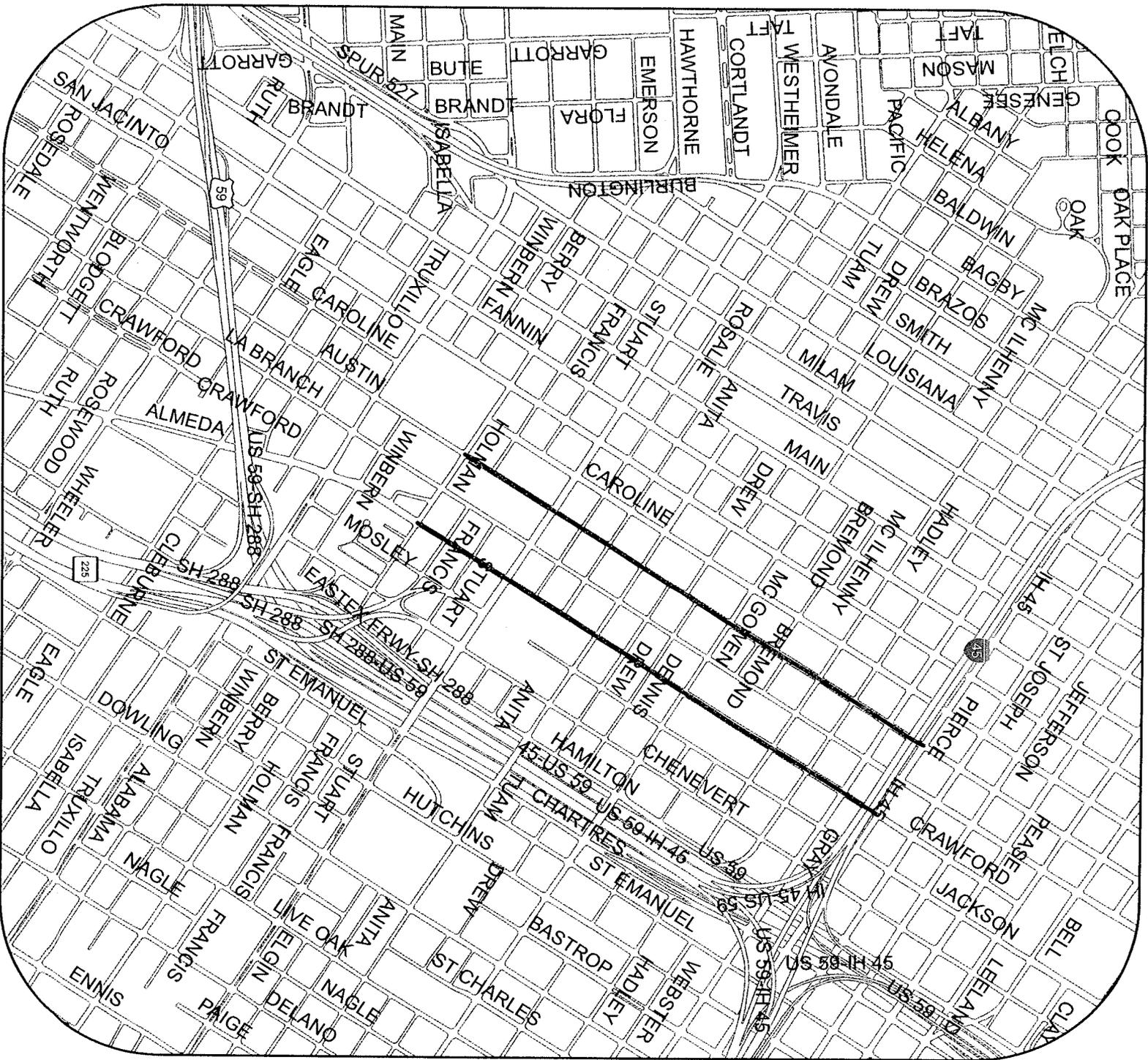
**ARRA REQUIREMENTS:** The contractors will adhere to and comply with the special reporting requirements associated with this ARRA Grant as required by the Department of Energy and/or the City of Houston.

The City of Houston will adhere to and comply with the special reporting requirements associated with this ARRA Grant as required by the granting agency and/or the U.S. Office of Management and Budget.

SM:JLN:HB:cc

c: Scott Minix, , Marta Crinejo, Jacquelyn L. Nisby, Marcos Sanchez, File

<b>SUBJECT:</b> Interlocal Agreement between the City of Houston, Reinvestment Zone Number Two, and the Midtown Redevelopment Authority for milling and overlay maintenance on Austin Street and Crawford Street.		Page 1 of 1	Agenda Item # 22
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b>	<b>Agenda Date</b> MAR 30 2011
<b>DIRECTOR'S SIGNATURE:</b>  Daniel W. Krueger, P.E., Director		<b>Council District affected:</b> I CEH	
<b>For additional information contact:</b> Carol Ellinger Haddock, P.E. <i>CEH</i> Phone: (832) 395-2686		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION: (Summary)</b> It is recommended that City Council pass an Ordinance authorizing an Interlocal Agreement between the City of Houston, Reinvestment Zone Number Two, and the Midtown Redevelopment Authority for milling overlay maintenance on Austin Street and Crawford Street and accept an amount of \$721,682.00 from Reinvestment Zone Number Two.			
<b>Amount and Source of Funding: NA</b>			
<b>PROJECT NOTICE/JUSTIFICATION:</b> It is of mutual benefit to the City of Houston, Reinvestment Zone Number Two ('Midtown Zone'), and Midtown Redevelopment Authority (the 'Authority') to improve the road surface quality on Austin Street from Pierce to Holman, and Crawford Street from Pierce to Holman with the addition of an asphalt overlay. In order to expedite the maintenance of these streets and reduce project costs, the Midtown Zone and Authority have agreed to contribute \$721,682.00 to the City's Right-of-Way and Fleet Maintenance Division for material and labor cost associated to mill and overlay Austin Street and Crawford Street.			
<b>SCOPE OF THIS AGREEMENT:</b> This agreement coordinates street maintenance repair along Austin Street and Crawford Street with the use of City resources. Under the terms of this agreement, the City of Houston has agreed to mill and overlay sections of Austin and Crawford street and install new wheelchair ramps as necessary. The Midtown Zone and Authority have agreed to contribute \$721,682.00 for the scheduled maintenance work. Funds shall be deposited into Public Works & Engineering General Fund 1000.			
<b>LOCATION:</b> The project is located Austin Street from Pierce to Holman, and Crawford Street from Pierce to Holman. Key Map Grid No. 493 T & U.			
<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID# 20CAE114</b>	
<b>Finance Department:</b>	<b>Other Authorization:</b>  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division	<b>Other Authorization:</b>  031711 Eric Dargan, Deputy Director Right-of-Way and Fleet Maintenance Division	

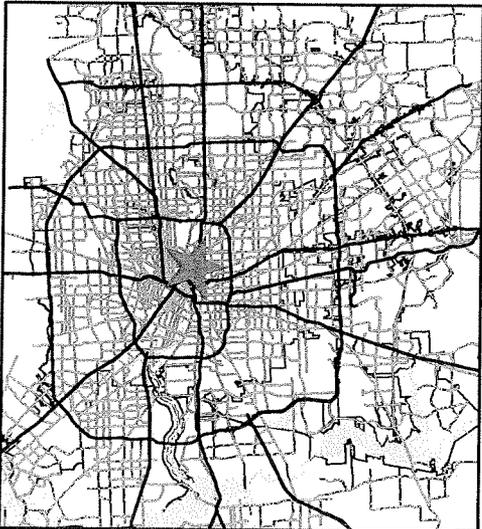


# Overlay Project Austin & Crawford Street

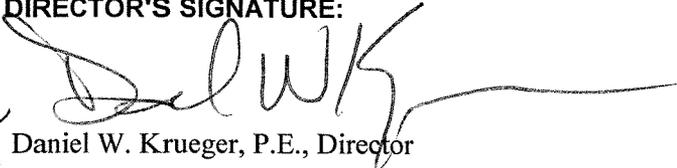
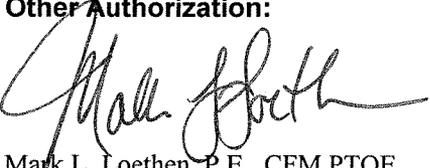
## Legend

-  Railroad
-  City of Houston
-  Project Location

## Locational Map



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

<b>SUBJECT:</b> Interlocal Agreement between the City of Houston, Reinvestment Zone Number Two, and the Midtown Redevelopment Authority for the construction of the Elgin Local Drainage Project. M-000126-0066-4		Page 1 of 1	Agenda Item # 23
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b>	<b>Agenda Date</b> MAR 30 2011
<b>DIRECTOR'S SIGNATURE:</b>  Daniel W. Krueger, P.E., Director		<b>Council District affected:</b> I 	
<b>For additional information contact:</b> Carol Ellinger Haddock, P.E. Phone: (832) 395-2686 Ravishankar R. Kaleyodi, P.E. Phone: (832) 395-2326		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION: (Summary)</b> It is recommended that City Council pass an Ordinance authorizing an Interlocal Agreement between the City of Houston, Reinvestment Zone Number Two, and the Midtown Redevelopment Authority for the construction of the Elgin Local Drainage Project and accept an amount of \$445,531.00 from Reinvestment Zone Number Two.			
<b>Amount and Source of Funding: NA</b>			
<b>PROJECT NOTICE/JUSTIFICATION:</b> It is of mutual benefit to the City of Houston, Reinvestment Zone Number Two ('Midtown Zone'), and Midtown Redevelopment Authority (the 'Authority') to design and construct a local drainage project on Elgin Street from Austin to Hamilton. The project was nominated for stormwater drainage improvements due to incidents of structural flooding and repetitive losses on Elgin Street properties. The drainage project will address the structural flooding with an improved underground storm sewer system.			
<b>SCOPE OF THIS AGREEMENT:</b> This agreement coordinates cost-sharing between the City of Houston and the Midtown Zone on local drainage concerns along Elgin at Crawford. Under the terms of this agreement, City of Houston has agreed to design and manage construction of the Elgin Local Drainage Project; Reinvestment Zone Number Two and the Midtown Redevelopment Authority have agreed to fund the construction of the project in the amount of \$445,531.00. Upon execution of this agreement, the City of Houston will enter into negotiations with selected engineer for the design and construction of the project. Funds contributed under this agreement will be deposited in the Contribution for Capital Projects Fund No. 4510.			
<b>LOCATION:</b> The local drainage project is located on Elgin Street from Austin to Crawford. Key Map Grid No. 493 T & U.			
<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID# 20CAE113</b>	
<b>Finance Department:</b>	<b>Other Authorization:</b>  Mark L. Loethen, P.E., CFM,PTOE Deputy Director Planning and Development Services Division		<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division



# Local Drainage Project Elgin Street

- Legend**
-  Railroad
  -  City of Houston
  -  Project Location

## Locational Map

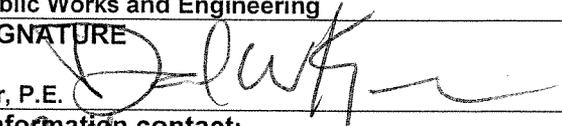


This map represents the best information available to the City. The City does not warrant its accuracy or completeness. Field verifications should be performed as necessary.

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

<b>SUBJECT:</b> Petition for the City's consent to the addition of three (3) tracts of land totaling 107.395 acres to Dowdell Public Utility District (Key Map No. 290-P)	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  24
---	-----------------------	--------------------------------

<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b>	<b>Agenda Date</b> MAR 30 2011
--	-------------------------	-----------------------------------

<b>DIRECTOR'S SIGNATURE</b> Daniel W. Krueger, P.E. 	<b>Council District affected:</b> "ETJ"
--	--

<b>For additional information contact:</b> Mark L. Loethen, P.E., CFM, PTOE Deputy Director (713) 837-0724	<b>Date and identification of prior authorizing Council action:</b>
--	---

**RECOMMENDATION: (Summary)**

The petition for the addition of 107.395 acres of land to Dowdell Public Utility District be approved.

**Amount and Source of Funding:**

NONE REQUIRED

**SPECIFIC EXPLANATION:**

Dowdell Public Utility District has petitioned the City of Houston for consent to add 107.395 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

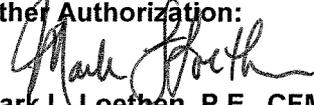
The district is located in the vicinity of FM 2920, Boudreaux Road, Dowdell Road, and Kuykendahl. The district desires to add 107.395 acres, thus yielding a total of 830.4260 acres. The district is served by the Dowdell Public Utility District Wastewater Treatment Plant. The nearest major drainage facility for Dowdell Public Utility District is Willow Creek which flows to Cypress Creek then to Spring Creek then into the San Jacinto River and finally into Lake Houston.

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

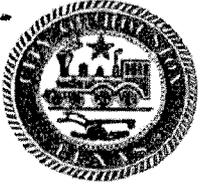
The Utility District Review Committee recommends that the subject petition be approved.

**Attachments**

cc: Marta Crinejo Marlene Gafrick Jun Chang  
Bill Zrioka Deborah McAbee Carl Smitha

<b>REQUIRED AUTHORIZATION</b>		20UPA95
<b>Finance Department</b>	<b>Other Authorization:</b>  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Div.	<b>Other Authorization:</b>





# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form



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

Application is hereby made for consent of the City of Houston to the  creation/  addition of 107.395 acres to Dowdell PUD under the provisions of Chapters 49 & 54 Texas Water Code.

*[Handwritten Signature]*  
\_\_\_\_\_  
Attorney for the District

**Attorney:** G. Taylor Goodall, Jr., Smith Murdaugh

Address: 1100 Louisiana, Suite 400, Houston, Texas Zip: 77002 Phone: 713/652-6500

**Engineer:** Angela Halimore, P.E., R.G. Miller Engineers, Inc.

Address: 12121 Wickchester Lane, Suite 200, Houston, Texas Zip: 77079 Phone: 713/461-9600

**Owners:** Klein Independent School District

Address: 5718 Westheimer, Suite 1200, Houston, TX Zip: 77057 Phone: 713/960-6035

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

### LOCATION

INSIDE CITY  OUTSIDE CITY  NAME OF COUNTY (S) Harris  
Survey Wm. Hironymus, James M. McGee Abstract 352, 588

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

North of: F.M. 2920 East of: Boudreaux Road  
South of: Dowdell Road West of: Kuykendahl

### WATER DISTRICT DATA

Total Acreage of District: 723.031 Existing Plus Proposed Land 830.426

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

Single Family Residential 0% Multi-Family Residential \_\_\_\_\_  
Commercial 0% Industrial \_\_\_\_\_ Institutional 100%

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

Sewage Treatment Plant Name: Dowdell PUD WWTP

NPDES/TPDES Permit No: 11404-001 TCEQ Permit No: WQ0011404-001



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0.95

Ultimate Capacity (MGD): 0.95

Size of treatment plant site: 10.6 ac square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 0.95 MGD.

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

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

Total permitted capacity: \_\_\_\_\_

MGD of (Regional Plant).

Name of District: \_\_\_\_\_

MGD Capacity Allocation \_\_\_\_\_

or property owner(s)

Name of District: \_\_\_\_\_

MGD Capacity Allocation \_\_\_\_\_

Water Treatment Plant Name: Dowdell Water Plant Nos. 1,2 & Rem Well

Water Treatment Plant Address: 8402 Creek Willow, 8424 Creek Willow, 8202 Hayden

Well Permit No: 119333; 119334; 119335

### Existing Capacity:

Well(s): 2,250 GPM

Booster Pump(s): 4,500 GPM

Tank(s): 0.632 MG

### Ultimate Capacity:

Well(s): 2,250 GPM

Booster Pump(s): 4,500 GPM

Tank(s): 0.844 MG

Size of Treatment Plant Site: 1- 0.6 ac.; 2-.52 ac.; Re

square feet/acres.

Comments or Additional Information: \_\_\_\_\_

—

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

**SUBJECT:** Petition for the City's consent to the addition of 13.95 acres of land to Harris County Municipal Utility District No. 64 (Key Map No. 444-V & 445-S, T, W & X) **Page 1 of 1** **Agenda Item # 25**

**FROM (Department or other point of origin):** Department of Public Works and Engineering **Origination Date** **Agenda Date** MAR 30 2011

**DIRECTOR'S SIGNATURE** Daniel W. Krueger, P.E. **Council District affected:** "ETJ"

**For additional information contact:** Mark L. Loethen, P.E., CFM, PTOE Deputy Director (713) 837-0724 **Date and identification of prior authorizing Council action:**

**RECOMMENDATION: (Summary)**  
The petition for the addition of 13.95 acres of land to Harris County Municipal Utility District No. 64 be approved.

**Amount and Source of Funding:**  
NONE REQUIRED

**SPECIFIC EXPLANATION:**

Harris County Municipal Utility District No. 64 has petitioned the City of Houston for consent to add 13.95 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of Franz Road, Katy-Fort Bend Road, Morton Road and Porter Road. The district desires to add 13.95 acres, thus yielding a total of 456.8820 acres. The district is served by a regional plant, the Williamsburg Regional Sewage Authority Wastewater Treatment Plant. The other districts served by this plant are Harris County Municipal Utility District Nos. 61, 62, 63, 64, 65, West Harris County Municipal Utility District Nos. 2 and 5, and Westside Ventures. The nearest major drainage facility for Harris County Municipal Utility District No. 64 is Buffalo Bayou which flows into the Houston Ship Channel.

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

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

**Attachments**

cc: Marta Crinejo Marlene Gafrick Jun Chang  
Bill Zrioka Deborah McAbee Carl Smitha

**REQUIRED AUTHORIZATION**

20UPA94

Finance Department

Other Authorization:

Other Authorization:

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



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form



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

Application is hereby made for consent of the City of Houston to the  creation/  addition of 13.95 acres to Harris County MUD No. 64 under the provisions of Chapters 49 & 54 Texas Water Code.

*[Handwritten Signature]*  
Attorney for the District

**Attorney: Wm. Scott Smith, Smith, Murdaugh, Little & Bonham**

Address: 1100 Louisiana, Suite 400, Houston, Texas Zip: 77002 Phone: 713/652-6500

**Engineer: Jared Bowlin, P.E., Edminster, Hinshaw, Russ & Ass**

Address: 10555 Westoffice Drive, Houston, Texas Zip: 77042 Phone: 713/784-4500

**Owners: Bearstone Franz Partners, LLC**

Address: c/o Grubb & Ellis 1330 Post Oak Boulevard, Suite 1400, Houston, Texas Zip: 77056 Phone: 713/599-5141

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

### LOCATION

INSIDE CITY  OUTSIDE CITY  NAME OF COUNTY (S) Harris  
Survey H&TC RR Company Survey Abstract 451

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

North of: Franz Road East of: Katy - Ft. Bend Road  
South of: Morton Road West of: Porter Road

### WATER DISTRICT DATA

Total Acreage of District: 442.932 Existing Plus Proposed Land 456.882

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

Single Family Residential % Multi-Family Residential \_\_\_\_

Commercial 100% Industrial \_\_\_\_ Institutional %

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

Sewage Treatment Plant Name: Williamsburg Regional Sewage Authority

NPDES/TPDES Permit No: 11598-001 TCEQ Permit No: \_\_\_\_



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 3.0

Ultimate Capacity (MGD): 3.0

Size of treatment plant site: 8.1 acres square feet/acres.

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

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

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

Total permitted capacity: 3.0 (existing)

MGD of (Regional Plant).

Name of District: See attachment

MGD Capacity Allocation \_\_\_\_\_

or property owner(s)

Name of District: See attachment

MGD Capacity Allocation \_\_\_\_\_

Water Treatment Plant Name: HCMUD 64 Water Plant No. 1

Water Treatment Plant Address: 14826 Pewtar Court, Katy, Texas

Well Permit No: 148323

### Existing Capacity:

Well(s): 1,500 GPM

Booster Pump(s): 4,500 GPM

Tank(s): 0.420 MG

### Ultimate Capacity:

Well(s): 1,500 GPM

Booster Pump(s): 6,000 GPM

Tank(s): 0.450 MG

Size of Treatment Plant Site: 0.95 acres

square feet/acres.

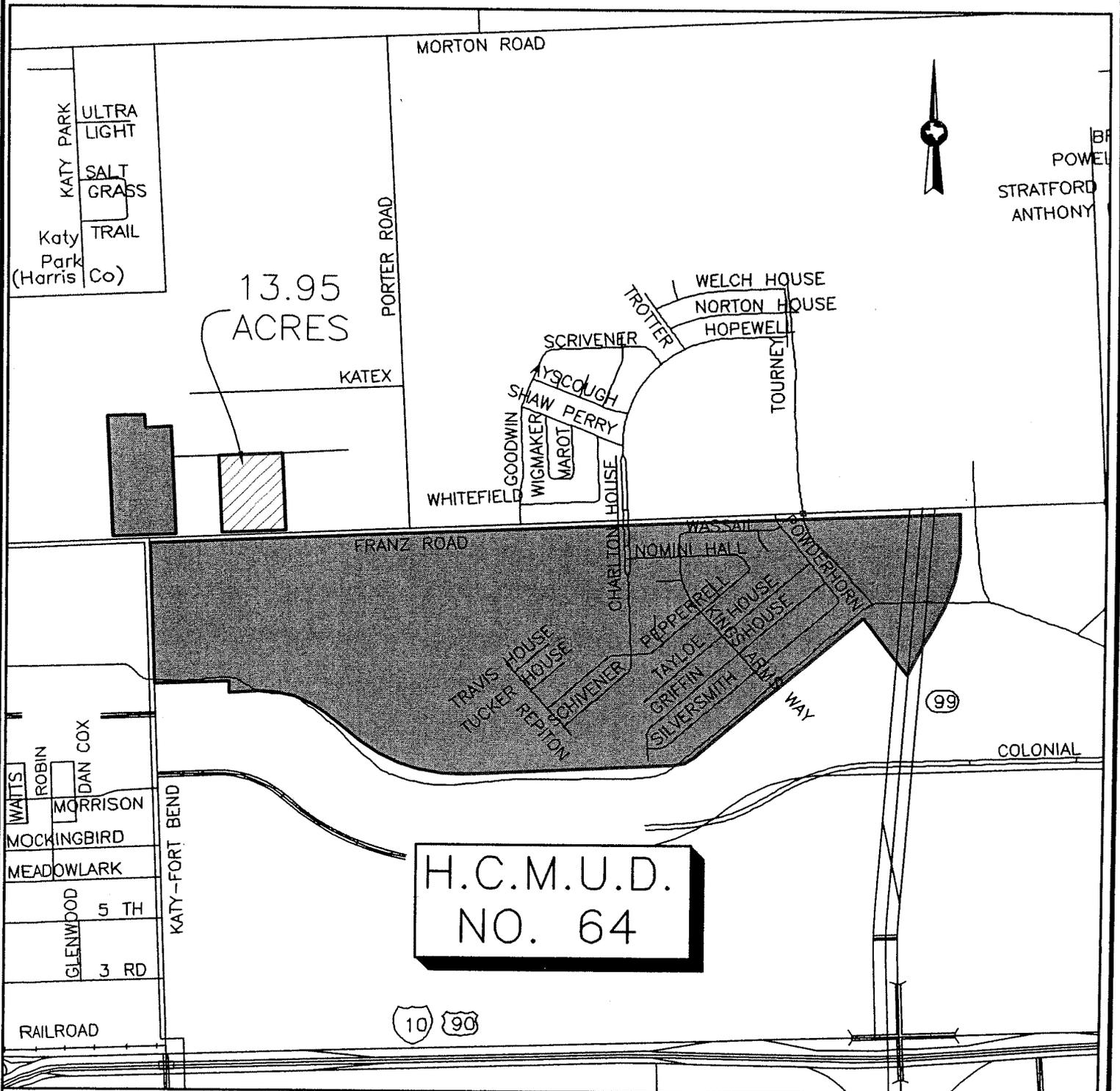
Comments or Additional Information: \_\_\_\_\_

—

—

# HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 64

Proposed Annexation of 13.95 Acres of Land  
(Key Map Page No. 444V & 445S, T, W & X)



VICINITY MAP  
N.T.S.

LO WPA 94

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

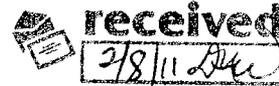
SUBJECT: Petition for the City's consent to the addition of 2.2463 acres of land to Porter Municipal Utility District (Key Map No. 295-D)		Page 1 of 1	Agenda Item # <i>26</i>
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date	Agenda Date MAR 30 2011
DIRECTOR'S SIGNATURE <i>[Signature]</i> Daniel W. Krueger, P.E.		Council District affected: "ETJ"	
For additional information contact: <i>[Signature]</i> Mark L. Loether, P.E., CFM, PTOE Deputy Director (713) 837-0724		Date and identification of prior authorizing Council action:	
<b>RECOMMENDATION: (Summary)</b>			
The petition for the addition of 2.2463 acres of land to Porter Municipal Utility District be approved.			
<b>Amount and Source of Funding:</b>			
NONE REQUIRED			
<b>SPECIFIC EXPLANATION:</b>			
<p>Porter Municipal Utility District has petitioned the City of Houston for consent to add 2.2463 acres of land, located in the city's extraterritorial jurisdiction, to the district.</p> <p>The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.</p> <p>The district is located in the vicinity of Old Sorters Road, Sorters Road, and FM 1314 State Highway. The district desires to add 2.2463 acres, thus yielding a total of 3,885.1453 acres. The district is served by the Porter Municipal Utility District Sewage Treatment Plant. The other district served by this plant is Woodridge Municipal Utility District. The nearest major drainage facility for Porter Municipal Utility District is the San Jacinto River which flows into Lake Houston.</p> <p>Potable water is provided by Porter Special Utility District. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.</p> <p>The Utility District Review Committee recommends that the subject petition be approved.</p>			
<b>Attachments</b>			
cc: Marta Crinejo Marlene Gafrick Jun Chang Bill Zrioka Deborah McAbee Carl Smitha			
<b>REQUIRED AUTHORIZATION</b>		20UPA93	
Finance Department	Other Authorization: <i>[Signature]</i> Mark L. Loether, P.E., CFM, PTOE Deputy Director Planning & Development Services Div.	Other Authorization:	



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form



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

Application is hereby made for consent of the City of Houston to the  creation/  addition of 2.2463 acres to Porter M.U.D. under the provisions of Chapters 49 & 54 Texas Water Code.

Attorney for the District

**Attorney:** J. Ron Young, Young & Brooks

Address: 1415 Louisiana, Fifth Floor, Houston, Texas Zip: 77002 Phone: 713-951-0800

**Engineer:** Gerald L. Gehman, P.E. - A & S Engineers, Inc.

Address: 10377 Stella Link Rd., Houston, Texas Zip: 77025 Phone: 713-942-2700

**Owners:** Alvaro J. Flores and Olga L. Flores

Address: 22897 Ganges Ct  
Porter, Texas Zip: 77365 Phone: 281-577-1176

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

### LOCATION

INSIDE CITY  OUTSIDE CITY  NAME OF COUNTY (S) Montgomery  
Survey Ella B. Walker Abstract # 702

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

North of: Old Sorters Road East of: Sorters Road  
South of: FM 1314 State Highway West of: Old Sorters Road

### WATER DISTRICT DATA

Total Acreage of District: 3882.8990 Existing Plus Proposed Land 3885.1453

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

Single Family Residential 0 Multi-Family Residential       
Commercial 100% Industrial      Institutional     

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

Sewage Treatment Plant Name: Porter MUD Sewage Treatment Plant

NPDES/TPDES Permit No: TX0084042 TCEQ Permit No: 12242-001



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 1.60

Ultimate Capacity (MGD): 1.60

Size of treatment plant site: 13.18 square feet/acres.

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

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

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

Total permitted capacity: 1.60

MGD of (Regional Plant).

Name of District: Woodridge MUD

MGD Capacity Allocation 0.7245

or property owner(s)

Name of District: Porter MUD

MGD Capacity Allocation 0.8755

Water Treatment Plant Name: Porter Special Utility District

Water Treatment Plant Address: 22162 Water Well Road, Porter, Texas 77065

Well Permit No: 5 wells:

**Existing Capacity:**

Well(s): 6,045 (5 wells)

GPM

Booster Pump(s): 4,300

GPM

Tank(s): 1.310

MG

**Ultimate Capacity:**

Well(s): 11,250

GPM

Booster Pump(s): 12,000

GPM

Tank(s): 3.35

MG

Size of Treatment Plant Site: 5 sites; 12.5 acres

square feet/acres.

Comments or Additional Information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

## CHECKLIST

- The attorney for the district signed the application.
- The rounding of the acreage is consistent throughout the metes and bounds, petition, application, survey, and vicinity map, if listed.
- All documents are scanned electronically including survey and vicinity maps and copies submitted by e-mail or cd-rom (the original with original signature must be delivered in hard copy).

## Attachments

- Petition to the state.
- Exhibit A metes and bounds.
- Exhibit B Consent Conditions, either ETJ (2006 version) or in-city. If this is an in-city mud, exhibit must state bonds must be approved by the city.
- The sealed survey plat is included.
- An 8 ½ inches by 11 inches vicinity map is attached and shows nearby roads and depicts the original boundary of the district (East West South and North direction delineated correctly on maps). If this is an annexation, also highlight the area to be annexed.
- Letters from adjacent districts and municipalities stating availability of utility service are attached. (This is for creation petitions and is applicable only if there is not an existing regional plant.)
- Certificates of Authority from lien holders.
- An application fee of \$425 per each non-contiguous tract included.

### **Please submit a complete original with all attachments to:**

City of Houston, Planning & Development Services Division, Attention: Veronica Osegueda, 611 Walker St., 21<sup>st</sup> Floor; Houston, TX 77002.

An electronic copy of the entire consent application, including all attachments, will expedite processing and is encouraged. Please submit the electronic copy to [mudreview@cityofhouston.net](mailto:mudreview@cityofhouston.net).

**PLEASE NOTE, APPLICATION WILL NOT BE ACCEPTED AS COMPLETE FOR PROCESSING UNLESS ALL ITEMS ARE INCLUDED. INCOMPLETE APPLICATIONS ARE SUBJECT TO RETURN.**

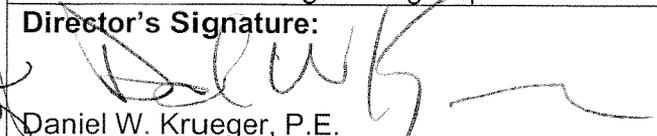
The applicant may be contacted at anytime during the review process for additional information, even after the application is accepted as complete.

Please direct any questions regarding consent applications to [mudreview@cityofhouston.net](mailto:mudreview@cityofhouston.net).



<b>SUBJECT:</b> Approve an Ordinance for a Sole Source Contract for Implementation Services for an Application Services Provider for the Public Works & Engineering Department	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  27
--	-----------------------	--------------------------------

<b>From: (Department or other point of origin):</b>  Public Works and Engineering Department	<b>Origination Date</b>	<b>Agenda Date</b>  MAR 30 2011
--	-------------------------	---------------------------------------

<b>Director's Signature:</b>  Daniel W. Krueger, P.E.	<b>Council District affected: (Council District Letter Only)</b>  All
---	---

<b>For additional information/contact:</b>  Oglvie Gericke (832) 395-2004 David Guernsey (832) 395-3640	<b>Date and identification of prior authorizing Council action:</b>
--	---

**Recommendation: (Summary)**  
Approve an ordinance awarding a sole source contract for an Interactive Inspection Process System on a dedicated server for real time online access for an Application Services Provider in the total amount of \$680,480.00 for the Public Works & Engineering Department.

Maximum Contract Amount:\$680,480.00	<b>Finance Budget</b>
--------------------------------------	-----------------------

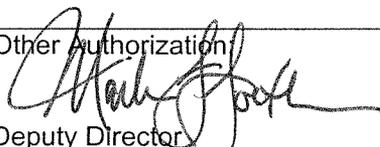
\$54,771.00 PWE Building Inspection Fund (2301) *DW 2/28/11*

**SPECIFIC EXPLANATION:**  
The Director of Public Works & Engineering recommends that City Council approve an ordinance awarding a two year contract with three one-year renewals for a total of five years for implementation services for an Application Services Provider in the total not to exceed amount of \$680,480.00 for the Public Works & Engineering Department. The Sivell Corporation will host a website as an Application Services Provider (ASP) to enable the Code Enforcement inspectors to enter data via wireless devices providing real time responses through the Integrated Land Management System (ILMS) to provide faster customer service. The City may cancel this contract upon 30 days notice.

The scope of work requires the contractor to host an Interactive Inspection Process System (IIPS) on a dedicated server at its data center location at 7155 Old Katy Rd., Suite 110 for real time online access as an ASP. This eliminates the need for the City to purchase software licenses and technical support. The IIPS will be for an unlimited number of users, add/delete or reassign inspections, real time updates on all devices, photographs, georeferences, GIS map layers, notifications, data extraction from the City's ILMS, access to Permit and Inspection Codes, allow supervisors to make assignments and re-assignments and allow communications between inspectors in the field or office using various devices such as Blackberries, PCs, tablet PCs and laptops. The ASP will provide off-site data recovery, all server maintenance and software upgrades, application training for inspectors and will train two current City employees on its software applications.

The Sivell Corporation is the sole proprietary owner, developer, manufacturer, supplier and distributor of the application software this software.

**REQUIRED AUTHORIZATION** **CUIC ID 20JBR13** NOT

Finance Department	Other Authorization:  Chief Technology Officer Oglvie Gericke	Other Authorization:  Deputy Director Mark Loethen
--------------------	---	--

SUBJECT: Approve an Ordinance for a Sole Source Contract for Implementation Services for an Application Services Provider for the Public Works & Engineering Department

Originator's Initials  
JR

Page  
2 of 2

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

**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.

Attachment: MD BE Zero-Percentage Goal Document approved by the Affirmative Action Division.

FY12	FY13	FY14	FY15	FY16
\$136,096.00	\$136,096.00	\$136,096.00	\$136,096.00	\$81,325.00



# CITY OF HOUSTON

Public Works and Engineering  
Department

## Interoffice

Correspondence

To: Tony Henshaw  
Robert Gallegos

From: Assistant Director  
Materials Management Brnach

Date: January 31, 2011

Cc Jerry Roberts

Subject: **MDBE GOAL WAIVER  
SOLE SOURCE FOR IMPLEMENTATION  
SERVICES FOR APPLICATIONS SERVICES  
PROVIDER**

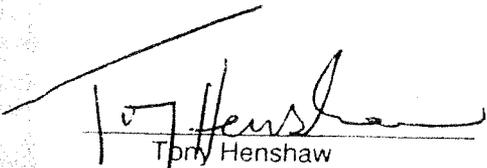
The Department of Public Works and Engineering, Public Utilities is requesting a 0% MDDBE Goal Waiver for Sivell Corporation. The scope of work requires the Sivell Corporation to host an interactive website for Code Enforcement to enter data via wireless devices to provide real time online access through Sivell's server located at their facility. The Application Service Provider (Sivell) will supply proprietary software on their server to interface directly with Code's Integrated Land Management System located at 611 Walker for the Inspectors. The estimated value of the contract is \$680,480.00 over 5 years.

Based upon the proprietary software and server provided by the Sivell Corporation, there exists no opportunities for MDDBE participation.



David Guernsey

Concur:



Tony Henshaw



Robert Gallegos

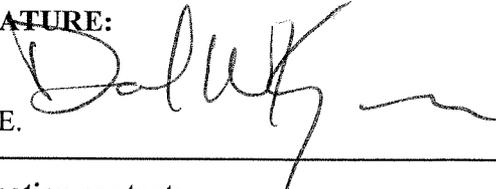
DG/jr

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for FY11 Fire Hydrant Replacement WBS No. S-000035-0138-4, File No. 10980	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 28
---	-----------------------	----------------------------

<b>FROM: (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date:</b>	<b>Agenda Date:</b> MAR 30 2011
---	--------------------------	------------------------------------

<b>DIRECTOR'S SIGNATURE:</b>  Daniel W. Krueger, P.E.	<b>Council District affected:</b> All
--	--

<b>For additional information contact:</b> A. James Millage Phone: 713-641-9566 Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b>
---	---

**RECOMMENDATION: (Summary)**  
Accept low bid, award construction Contract and appropriate funds.

**Amount and Source of Funding:**  
\$2,542,040.00 Water and Sewer System Consolidated Construction Fund No. 8500.  
*M.P. 2/11/2011*

**PROJECT NOTICE/JUSTIFICATION:** This project is required to replace damaged or irreparable fire hydrants throughout the City.

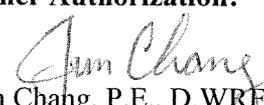
**DESCRIPTION/SCOPE:** This project will provide for the replacement of fire hydrants and valves, the height correction of fire hydrants, and the relocation of fire hydrants and ancillary work. The Contract duration for this project is 365 calendar days.

**LOCATION:** The project area is generally bound by the City limits. The project is located in various Key Map Grids.

**BIDS:** Bids were received on December 09, 2010. The six (6) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Reytec Construction Resources, Inc.	\$2,411,466.40
2. Metro City Construction, L.P.	\$2,431,546.00
3. Reliance Construction Services, L.P.	\$2,451,625.55
4. Caan Construction Services, Inc.	\$2,913,455.20
5. D. L. Elliott Enterprises, Inc.	\$3,134,330.25
6. Resicom, Inc.	\$3,796,955.40

**REQUIRED AUTHORIZATION** CUIC#20AJM230 *MS*

<b>Finance Department:</b>	<b>Other Authorization:</b>  02/10/11	<b>Other Authorization:</b>  Jun Chang, P.E., D.WRE, Deputy Director Public Utilities Division
----------------------------	--	---

**AWARD:** It is recommended that this construction Contract be awarded to Reytec Construction Resources, Inc. with a low bid of \$2,411,466.40.

**PROJECT COST:** The total cost of this project is \$2,542,040.00 to be appropriated as follows:

- Bid Amount \$2,411,466.40
- Contingencies \$120,573.60
- Engineering and Testing Services \$10,000.00

Engineering and Testing Services will be provided by Gorrondona & Associates, 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.

**M/WBE PARTICIPATION:** The low bidder has submitted the following proposed M/WBE participation to satisfy the 11% MBE goal, and 9% SBE goal for this project.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Access Data Supply, Inc.	Fire Hydrant Supplier and Miscellaneous Parts	\$132,630.63	5.5%
2. Ecung Construction	Site Restoration	\$132,630.63	5.5%
3. Vaca Underground Utilities, Inc.	Waterline Repairs	<u>\$217,031.97</u>	<u>9.0%</u>
	<b>TOTAL</b>	<b>\$482,293.23</b>	<b>20.0%</b>

DWK:AJM:OS:SM:TC:tc

- cc: A. James Millage  
Sam Lathrum  
Robert Gallegos  
Orin Smith, P.E.

File No. WA 10980

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Astoria Boulevard Paving and Drainage Improvements WBS No. M-000276-0001-4

Page 1 of 2

Agenda Item # 29

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

Origination Date:

Agenda Date:

MAR 30 2011

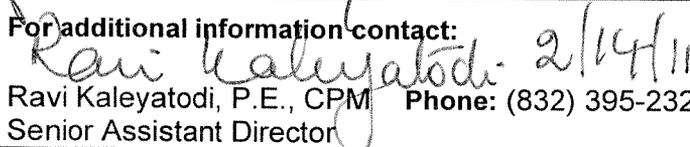
DIRECTOR'S SIGNATURE:

  
Daniel W. Krueger, P.E., Director

Council District affected:

E 

For additional information contact:

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

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

Reject low bid and return low bidder's bond, award construction contract to second low bidder and appropriate funds.

Amount and Source of Funding:

\$ 4,595,000.00 Drainage Improvements Commercial Paper Series F, Fund No. 4030

*M.P. 2/14/2011*

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

**DESCRIPTION/SCOPE:** This project consists of the installation of approximately 10,555 linear feet of 24-inch to 54-inch reinforced concrete pipe storm sewers including all appurtenances and concrete roadway reconstruction with curb and gutters, sidewalks and driveways.

The Contract duration for this project is 310 calendar days. This project was designed by Dannenbaum Engineering Corporation.

**LOCATION:** Project is generally bound by Sandy Hook on the north, Adirondack on the south, Binghampton on the west and Turkey Creek on the east. The project is located in Key Map Grids 616D and 617A.

**BIDS:** Bids were received on November 18, 2010. The Eight (8) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Conrad Construction Co., Ltd. (disqualified)	\$ 3,942,594.88
2. Reytec Construction Resources, Inc.	\$ 3,986,183.20
3. Triple B Services, L.L.P.	\$ 4,220,407.15
4. Metro City Construction, L.P.	\$ 4,408,806.27
5. SER Construction Partners, LTD	\$ 4,485,768.30
6. Texas Sterling Construction Co.	\$ 4,650,659.95
7. Resicom, Inc.	\$ 4,707,756.59
8. Total Contracting Limited	\$ 4,861,825.61

REQUIRED AUTHORIZATION

CUIC ID# 20DS11

Finance Department

Other Authorization:

Other Authorization:

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

MO

**AWARD:** The apparent low bidder, Conrad Construction Co., Ltd., bid was disqualified because Bidder increased a bid item that had a footnote specifically disallowing an adjustment. As per Paragraph 14.0 A of Document 00200 (instructions to Bidder) of the bid document for the referenced project, the City may disqualify a bid if the bidder improperly completes information required by the bid documents. It is therefore recommended that this construction Contract be awarded to Reytec Construction Resources, Inc. with a low bid of \$ 3,986,183.20 and that Addenda Numbers 1, 2, and 3 be made a part of this Contract.

**PROJECT COST:** The total cost of this project is \$4,595,000.00 to be appropriated as follows:

• Bid Amount	\$3,986,183.20
• Contingencies	\$199,310.00
• Engineering and Testing Services	\$130,000.00
• CIP Cost Recovery	\$279,506.80

Engineering and Testing Services will be provided by DAE & Associates, LTD. under a previously approved Contract.

**PAY OR PLAY PROGRAM:**

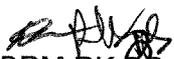
The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor has elected to pay into the Contractor Responsibility Fund in compliance with City policy.

**M/SBE PARTICIPATION:** The low bidder has submitted the following proposed program to satisfy the 9% MBE goal and 7% SBE goal for this project.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Reliable Signal & Lighting Solutions, LLC	Electrical Conduit	\$ 35,000.00	0.88%
2. Traffic Control Products	Striping & Signs	\$ 15,000.00	0.38%
3. Curb Planet, Inc.	Install Conc. Curb	\$ 9,000.00	0.22%
4. Jomar Silva Trucking, Inc.	Hauling Services	\$ 18,000.00	0.45%
5. Ecung Construction	Tree & Sodd	\$ 10,000.00	0.25%
6. PRV Services, Inc.	Storm Sewer Inst.	\$ 93,000.00	2.33%
7. Access Data Supply, Inc.	Supply Pipe	\$180,000.00	4.52%
	<b>TOTAL</b>	<b>\$ 360,000.00</b>	<b>9.03%</b>

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Rebar Supply Company, Ltd.	Supply Rebar	\$129,000.00	3.24%
2. Vaca Underground Utilities, Inc.	Waterline Const.	\$150,000.00	3.76%
	<b>TOTAL</b>	<b>\$279,000.00</b>	<b>7.00%</b>

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

  
 DWK:DRM:RK:DS:klw  
 z:\design\la-sw-div\wpdata\swmp\astoria m-0276\phase ii\post bid\rca astoria rev 02\_07\_2011a.docx

c: File No. M-000276-0001-4



<b>DANNENBAUM</b> ENGINEERING AND ARCHITECTURE 100 WEST 17TH STREET NEW YORK, NY 10011	
ASTORIA BOULEVARD	
EXHIBIT 1B VICINITY MAP	
SCALE: 1" = 400'	DECEMBER 2010

<b>SUBJECT:</b> Contract Award for Rehabilitation of Ground Storage Tanks and Cathodic Protection Systems WBS No. S-000600-0036-4.	Page 1 of 2	Agenda Item #  30
---	----------------	-------------------------

<b>FROM: (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date:</b>	<b>Agenda Date:</b> MAR 30 2011
---	--------------------------	------------------------------------

<b>DIRECTOR'S SIGNATURE:</b>  Daniel W. Krueger, P.E., Director	<b>Council District affected:</b> F, G 
---	---

<b>For additional information contact:</b>  Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b>
---	---

**RECOMMENDATION: (Summary)**

Accept low bid, award construction contract and appropriate funds.

**Amount and Source of Funding:**  
\$1,614,600.00 Water and Sewer System Consolidated Construction Fund No. 8500. *W.P. 3/2/2011*

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's Water Storage Tank Rehabilitation and Replacement Program and is required to ensure compliance with the Texas Commission on Environmental Quality regulations.

**DESCRIPTION/SCOPE:** This project consists of rehabilitation of two (2) ground storage tanks and replacement of existing cathodic protection systems with new horizontal impressed cathodic protection systems for two (2) ground storage tanks. The contract duration for this project is 285 calendar days. This project was designed by Brown & Gay Engineers, Inc.

**LOCATION:** The project area is located at the following water plants:

<u>Water Plant &amp; Tank No.</u>	<u>Address</u>	<u>Key Map Grids</u>	<u>Council District</u>
1. District 123 GST-1	10003 S. Kirkwood	529W	F
2. Katy-Addicks GST-2	11500 Old Katy Road	489B	G

**BIDS:** Bids were received on October 28, 2010. The two (2) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Blastco Texas Inc.	\$1,314,431.00
2. N. G. Painting, L. P.	\$1,403,950.00

**REQUIRED AUTHORIZATION** CUIC ID# 20RS91 *NOT*

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

Date	Subject: Contract Award for Rehabilitation of Ground Storage Tanks and Cathodic Protection Systems WBS No. S-000600-0036-4.	Originator's Initials <i>M</i>	Page 2 of 2
------	--	-----------------------------------	----------------

**AWARD:** The apparent low bidder Blastco Texas Inc. submitted the low bid in the amount of \$1,646,462.00 which included the Chasewood GST-1 tank. City issued Rider No.1 to delete the Chasewood GST-1 tank and the bid amount was corrected to \$1,314,431.00.

It is recommended that this construction contract be awarded to Blastco Texas Inc. with a low bid of \$1,314,431.00 and that Rider No. 1 be made a part of this contract.

**PROJECT COST:** The total cost of this project is \$1,614,600.00 to be appropriated as follows:

•	Bid Amount	\$1,314,431.00
•	Contingencies	\$65,721.55
•	Engineering and Testing Services	\$30,000.00
•	CIP Cost Recovery	\$39,447.45
•	Construction Management	\$165,000.00

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

Construction Management Services will be provided by Binkley & Barfield 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 goal established for this project is 8% MBE and 3% SBE. The Affirmative Action and Contract Compliance Division has reviewed and approved the following plan as a good faith effort of the contractor in complying with MBE/SBE goal. The low bidder has submitted the following proposed MBE/SBE participation of 9.2 % to satisfy the goal for this project

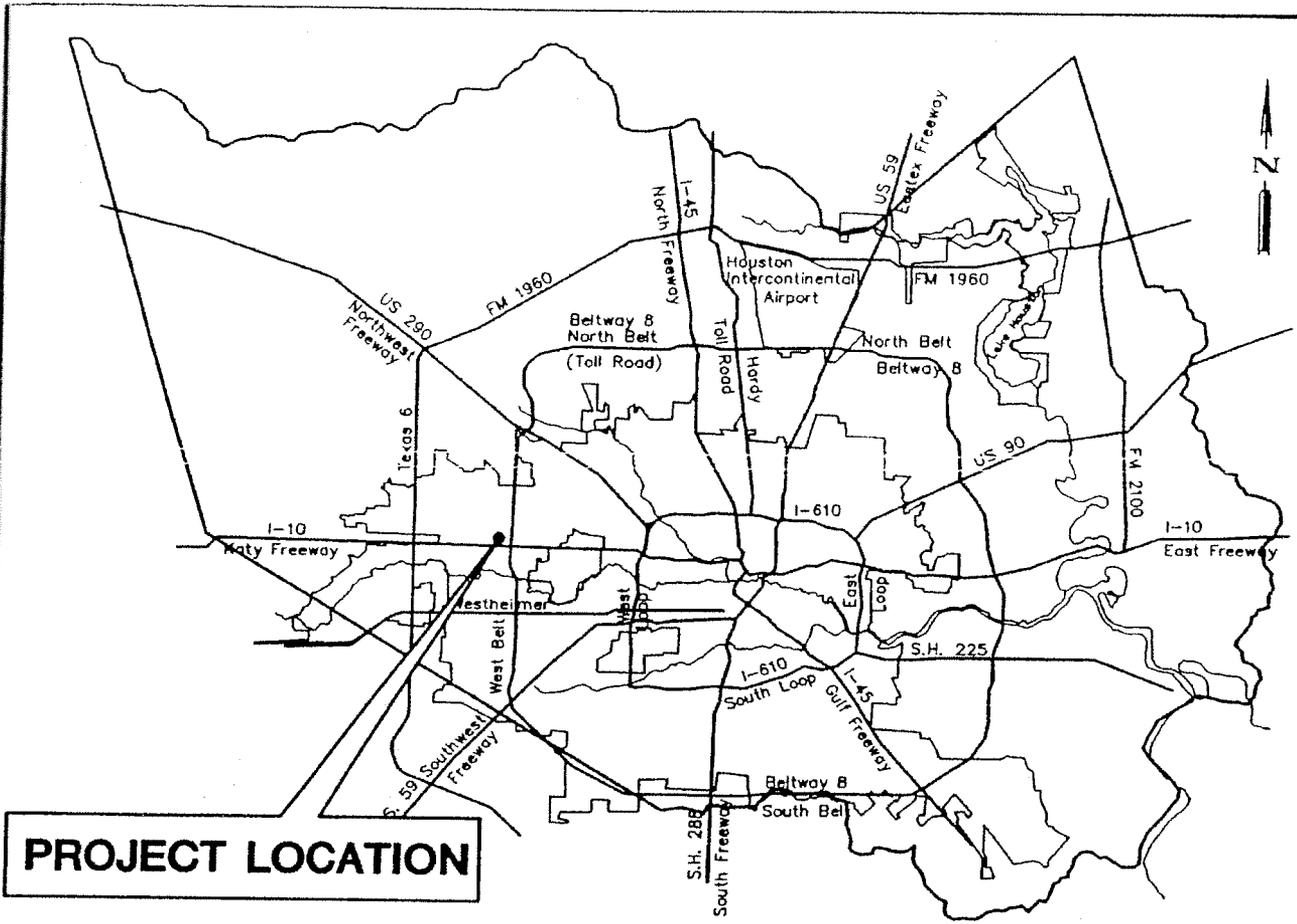
<u>MBE/SBE - Name of Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
✓ Blackstone Welding & Fabrications, Inc.	Welding & Fabrication	<u>\$121,000.00</u>	<u>9.2%</u>
	<b>TOTAL</b>	<b>\$121,000.00</b>	<b>9.2%</b>

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

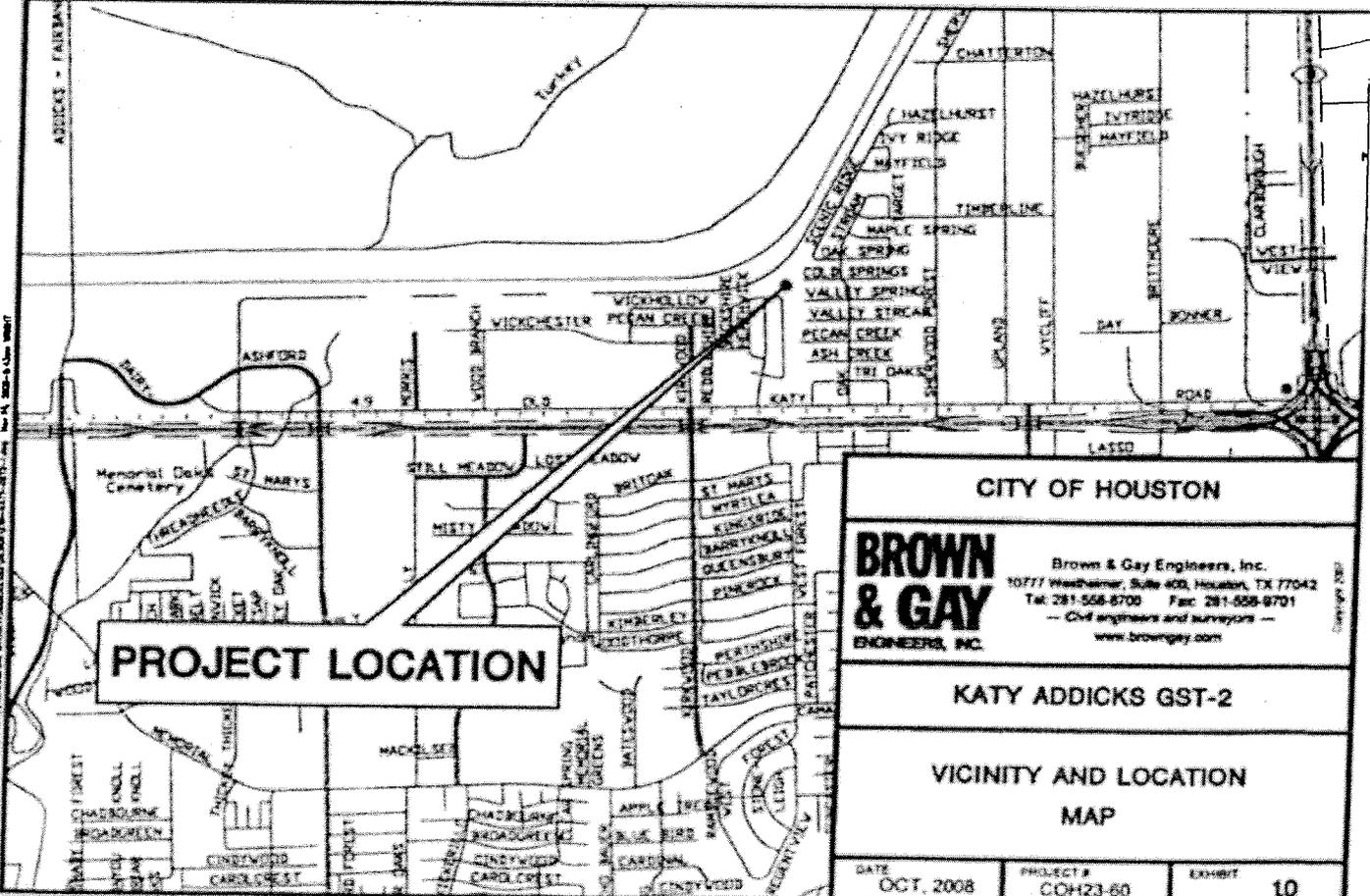
*[Signature]*  
DWK:DRM:RK:HH:SD:RS:j  
Z:\design\A-WS-DIV\WPDATA\IRS\S-0600-36-3\IRCA

File No. S-000600-0036-4(3.7)





**PROJECT LOCATION**



**PROJECT LOCATION**

<b>CITY OF HOUSTON</b>		
<b>BROWN &amp; GAY</b> ENGINEERS, INC.		
Brown & Gay Engineers, Inc. 10777 Westheimer, Suite 400, Houston, TX 77042 Tel: 281-556-8700 Fax: 281-556-8701 — Civil engineers and surveyors — www.browngay.com		
<b>KATY ADDICKS GST-2</b>		
<b>VICINITY AND LOCATION MAP</b>		
DATE	PROJECT #	EXHIBIT
OCT. 2008	COH23-60	10

BROWN & GAY ENGINEERS, INC. 10777 Westheimer, Suite 400, Houston, TX 77042 Tel: 281-556-8700 Fax: 281-556-8701 www.browngay.com

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

RCA #

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

Category #

Page 1 of 1

Agenda Item#

*2nd reading*

*31 48*

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

Alfred J. Moran, Director  
Administration & Regulatory Affairs

**Origination Date**  
3/15/11

**Agenda Date**

~~MAR 23 2011~~

**DIRECTOR'S SIGNATURE:**

*[Handwritten Signature]*

**Council Districts affected:**

ALL

MAR 30 2011

**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. Pot-O-Gold Rentals, 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.

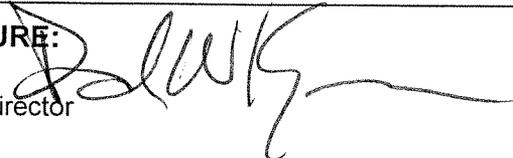
The Pay or Play Program does not apply to the Commercial Solid Waste Operator Franchise.

**REQUIRED AUTHORIZATION**

Finance Director:

<b>SUBJECT:</b> An ordinance adopting a new Article XIV to Chapter 47 of the Code of Ordinances creating a Municipal Drainage Utility System.	<b>Category #</b>	<b>Page 1 of</b>	<b>Agenda Item#</b> <span style="font-size: 2em; font-family: cursive;">32</span>
---	-------------------	------------------	--

<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date:</b>	<b>Agenda Date</b> MAR 30 2011
--	--------------------------	-----------------------------------

<b>DIRECTOR'S SIGNATURE:</b>  Daniel W. Krueger, P.E. Director	<b>Council District Affected:</b> All
---	--

<b>For additional information contact:</b> Andy Icken 832-393-1064 Daniel Krueger 832-395-2500	<b>Date and identification of prior authorizing Council action:</b>
--	---

**RECOMMENDATION: (Summary)**  
 Approval of an Ordinance adopting Article XIV to Chapter 47 of the Code of Ordinances to create a Municipal Drainage Utility System

<b>Amount of Funding:</b> Not Applicable	<b>Finance Budget:</b> NA
--	---------------------------

**Source of Funding:** NA  General Fund  Grant Fund  Other (Specify)  Enterprise Fund

**SPECIFIC EXPLANATION:**

On November 2, 2010 the Houston voters approved Proposition 1. This ballot initiative approved a City Charter Amendment creating a City of Houston Pay-As-You-Go Drainage and Street Fund. To implement the Charter Amendment, the City must, pursuant to Subchapter C, Chapter 552 of the Texas Local Government Code, create a Municipal Drainage Utility System dedicated to the maintenance and improvement of the city's drainage infrastructure to meet the city's current and future needs. This ordinance creates the Municipal Drainage Utility System.

The purpose of the Municipal Drainage Utility System is to design, construct and operate the City of Houston Drainage infrastructure system. The entirety of the system will encompass all current and future components of the city's drainage system.

In accordance with Texas Local Government Code 552.045, the City conducted a public hearing on March 9, 2011 for public input associated with consideration of the ordinance adopting a new Article XIV to Chapter 47 of the Code of Ordinances creating a Municipal Drainage Utility System.

Approval is recommended.

**REQUIRED AUTHORIZATION CUIC: 20SB33**

<b>Other Authorization:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
-----------------------------	-----------------------------	-----------------------------

32  
MAR 30 2011

City of Houston, Texas, Ordinance No. 2011-\_\_\_\_\_

**AN ORDINANCE ADOPTING ARTICLE XIV TO CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, TO CREATE A MUNICIPAL DRAINAGE UTILITY SYSTEM; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

**WHEREAS**, the City Council of the City of Houston, Texas (“the City”) received a citizen petition for the amendment of the City Charter pertaining to creation of a dedicated funding source to enhance, improve and renew the City’s drainage systems and streets; and,

**WHEREAS**, in accordance with state law and the City Charter, the City Council placed a proposition (Proposition No. 1) on the November 2, 2010 ballot for the electorate of the City of Houston to consider adoption of the proposed charter amendment relating to street and drainage improvements; and

**WHEREAS**, the proposed charter amendment was approved by the voters of the City of Houston, thereby amending the Charter of the City of Houston to add Section 22 to Article IX of the City Charter to create the Dedicated Drainage and Street Renewal Fund and to provide for the collection of drainage charges beginning July 1, 2011; and

**WHEREAS**, this Ordinance has been prepared for consideration by City Council in conformance with Subchapter C of Chapter 552 of the Texas Local Government Code and the City’s Home-Rule powers under Article XI, Section 5 of the Texas Constitution to create a City of Houston Municipal Drainage Utility System to accomplish the objectives and directives of Section 22, Article IX of the City Charter with regard to streets and drainage; and

**WHEREAS**, precedent to consideration of this Ordinance, the City Council complied with the requirements of Section 552.045 of the Texas Local Government Code to publish notices, conduct a public hearings, and make appropriate findings; and

**WHEREAS**, the City Council previously amended Chapters 36 and 47 of the Code of Ordinances to establish the W.A.T.E.R. Fund to provide financial assistance for qualified elderly residents, persons with disabilities, and certain other residents in the payment of city water and sanitary sewer bills; and

**WHEREAS**, the City Council finds and determines that similar financial assistance will be necessary for qualified individuals in the payment of drainage charges, and that funding should be provided from the proceeds of the drainage charges to provide such assistance, to be implemented in accordance with the procedures established for the W.A.T.E.R. Fund; and

**WHEREAS**, the City Council determines that adoption of this Ordinance will benefit the health, safety, and welfare of the citizens of the City of Houston and is in the best interest of the City; **NOW, THEREFORE**,

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

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

**Section 2.** That Chapter 47 of the Code of Ordinances, Houston, Texas, is hereby amended by adding a new Article XIV that reads as follows:

**"ARTICLE XIV. MUNICIPAL DRAINAGE UTILITY SYSTEM**

**DIVISION 1. CREATION OF THE SYSTEM**

**Sec. 47-801. Findings.**

Incident to the creation of a municipal drainage utility system, the city council of the City of Houston finds and determines that:

- (1) The city shall establish a schedule of drainage charges against all real property in the city subject to such charges under this article;
- (2) The city shall provide drainage for all real property in the city on payment of drainage charges unless the property is exempt from such payment as provided herein;
- (3) The city shall offer drainage service on nondiscriminatory, reasonable and equitable terms.

**Sec. 47-802. Definitions.**

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

*Benefitted property* means a lot or tract to which drainage service is made available under this article and which discharges

into a street, creek, river, slough, bayou, culvert, conduit, inlet, or other channel that forms part of the city drainage utility system.

*Billing year* means each twelve-month period that begins on July 1<sup>st</sup> of one year and ends on June 30<sup>th</sup> of the ensuing year.

*Cost of service*, as applied to the drainage service for any benefitted property, means but shall not be limited to, the prorated cost of the following:

- (1) The acquisition of interests in real property relating to drainage structures, equipment and facilities;
- (2) The acquisition, construction, repair, and maintenance of drainage structures, equipment, and facilities;
- (3) The acquisition of drainage-related architectural, engineering, legal, and related services, plans and specifications, studies, surveys, estimates of cost and of revenue, and all other expenses necessary or incident to planning, providing, or determining the feasibility and practicality of drainage structures, equipment and facilities;
- (4) Providing and operating all drainage-related machinery, equipment, furniture, and facilities;
- (5) Start-up costs of drainage facilities; and
- (6) Administrative costs including bank fees.

County means any of the counties of Fort Bend, Harris, and Montgomery, Texas.

County-exempt property means real property owned by a county and administered or used by that county for a public purpose that is primarily supported by general county tax revenue, including, but not limited to, courthouses, emergency management facilities, jails, libraries, offices for county officers, parks, transportation

facilities, flood control facilities, and other similar properties. County-exempt property shall not include real property owned and administered or used by county-wide entities that are largely self-sufficient, are primarily supported by fees and charges or a separate tax, and are not primarily funded by general county tax revenue, including, but not limited to, the Port of Houston Authority, ~~the Harris County Hospital District~~, the Harris County Astrodome and Reliant Stadium complex, ~~toll road authorities~~, and other similar properties. For the purposes of this article, real property owned and administered or used by the Harris County Flood Control District, ~~the Harris County Hospital District~~, and toll road authorities for a public purpose shall be considered county-exempt property.

*Curb and gutter drainage* means drainage primarily removed from a benefitted property by use of street curbs and gutters to channel the water to a system of underground pipes or culverts.

*Department* means the City of Houston department of public works and engineering.

*Director* means the director of the department of public works and engineering or the director's designee.

*Drainage* means streets, curbs, bridges, catch basins, channels, conduits, creeks, culverts, detention ponds, ditches, draws, flumes, pipes, pumps, sloughs, treatment works, and appurtenances to those items, whether natural or artificial, or using force or gravity, that are used to draw off surface water from land, carry the water away, collect, store, or treat the water, or divert the water into natural or artificial watercourses; drainage shall also mean the water so transported.

*Drainage charge* means the charge imposed by the city herein, including penalties, to recover the city's cost in furnishing drainage for any benefitted property and the cost of funding future drainage system improvements.

*Drainage system* means the drainage owned or controlled in whole or in part by the city and dedicated to the service of benefitted property, including provisions for additions to the system. Drainage

system components, including but not limited to streets, sidewalks, other dedicated improvements, and supporting right-of-way shall not be considered residential or nonresidential property as defined herein.

*Impervious surface* means any area that has been compacted or covered such that it does not readily absorb water or does not allow water to percolate through to undisturbed underlying soil strata. Surface materials considered impervious shall include, but not be limited to, bricks, pavers, concrete, asphalt, compacted oil-dirt, compacted or decomposed shale, oyster shell, gravel, or granite, and other similar materials. Surface features utilizing such materials and considered impervious shall include, but not be limited to, decks, foundations (whether pier and beam or slab), building roofs, parking and driveway areas, sidewalks, compacted or rolled areas, paved recreation areas, swimming pools, and other features or surfaces that are built or laid on the surface of the land and have the effect of increasing, concentrating, or otherwise altering water runoff so that flows are not readily absorbed.

*Initial billing year* means the City of Houston's initial billing year for drainage charges, which begins on July 1, 2011 and ends on June 30, 2012.

*Notification letter* means the letter ~~the city mails~~ mailed by the city to every user, informing the user of the ~~exact~~ drainage charge the user shall be billed per year, beginning July 1, 2011, and for each ~~any~~ year thereafter. The notification letter will also inform the user of the frequency of billing for drainage charges and the amount per bill due the city, based on the number of billing cycles per year. Changes to the drainage charge caused by changes in the square footage of impervious surface or otherwise may prompt a new notification letter.

*Nonresidential property* means any property ~~which~~ that is not classified as residential under this article.

*Open ditch drainage* means drainage primarily removed from a benefitted property by use of an open ditch or ditches.

*Parcel* means one or more lots or tracts of land, or portions of lots or tracts.

*Public or private institution of higher education* means a public institution of higher education as defined by ~~Subdivision (8) of~~ Section 61.003 of the Texas Education Code or a private college or university that issues degrees in the state of Texas and is accredited by a recognized accrediting agency as defined by Section 61.003 of the Texas Education Code.

*Public utility* means drainage service that is regularly provided by the city through municipal property dedicated to providing such service to the users of benefitted property within the service area, and that is based on an established schedule of charges, the use of police power to implement the service, and nondiscriminatory, reasonable, and equitable terms as provided under this article.

*Religious organization* means a religious organization exempt from taxation pursuant to the current provisions of Section 11.20 of the Texas Tax Code.

*Residential property* means any property upon which two or ~~less~~ fewer single family residential units have or had been constructed or placed, including manufactured homes.

*School district* means any independent school district, as constituted by the laws of this state, located wholly or partly within the service area.

*Service area* for the drainage system, or *drainage service area*, means the corporate limits of the City of Houston, as those corporate limits are altered from time to time in accordance with state law and the charter and ordinances of the city. Land annexed for limited purposes shall become part of the service area upon annexation for full purposes.

*State agency* means an administrative agency of the State of Texas; for the purposes of this article, state agency shall not include counties, special districts, or independent school districts.

*User* means the person or entity who owns or occupies a benefitted property.

*Wholly sufficient and privately owned drainage system* means land owned and operated by a person or entity other than the city's drainage utility system, the drainage of which does not discharge into a street, ditch, culvert, creek, river, slough, or other channel that is a part of the city's drainage system.

**Sec. 47-803. Creation of municipal drainage utility.**

In the interest of public health and safety and a more efficient and economic operation of drainage facilities of the city, a municipal drainage utility system is created, which shall be a public utility. The public utility is created in accordance with the authority of the city as a home rule city pursuant to Article XI, Section 5 of the Texas Constitution; in accordance with Subchapter C of Chapter 552 of the Texas Local Government Code (the Municipal Drainage Utility Systems Act); and in accordance with Section 22 of Article IX of the City Charter. The provisions of Chapter 552, Subchapter C of the Texas Local Government Code, as amended, which are adopted and incorporated into this article by reference; the city charter; this article ordinance; and any other provisions of this code relating to drainage shall govern the operation of the utility. The city shall have full authority to operate such municipal drainage utility system. Drainage service will be offered on nondiscriminatory, reasonable and equitable terms within the service area.

**Sec. 47-804. Dedication of assets to drainage utility system.**

Existing City of Houston drainage facilities, including all real, personal, or mixed property, materials and supplies are incorporated into the drainage utility as permitted by section 552.046 of the Texas Local Government Code, as amended.

**Sec. 47-805. Administration of municipal drainage services.**

The director shall be responsible for the administration of this article ordinance including, but not limited to, enacting any procedures or policies

necessary for the administration of the drainage system and the drainage charges, developing maintenance and improvement programs, and establishing drainage criteria and standards for operation of the drainage system, in accordance with and subject to the provisions of this article ordinance. Calculation of impervious surface may be adjusted by the director based on utilization of specific storm water management techniques on the benefitted property.

**Secs. 47-806–47-820. Reserved.**

## DIVISION 2. FUNDING

### **Sec. 47-821. Management of utility funds.**

→ | All drainage charges collected by the city beginning after the effective date of this ordinance July 1, 2011 and such other monies as may be available to the city for the purpose of drainage shall be used exclusively for creation, operation, planning, engineering, inspection, construction, repair, maintenance, improvement, reconstruction, administration and other reasonable and customary expenses associated with the cost of service to provide drainage services within the service area. The income derived from the operation of municipal drainage services shall be maintained in accordance with Section 552.049 of the Texas Local Government Code and Section 22 of Article IX of the City Charter. | ←

### **Sec. 47-822. Drainage charge established; exemptions.**

(a) To recover the city's cost of service to provide drainage to benefitted properties, annual drainage charges calculated as provided herein ~~there is~~ are hereby imposed ~~annual drainage charges calculated as provided herein~~ on all parcels of real property within the drainage service area for which drainage service is made available under this article, save and except for those properties exempted from the payment of drainage charges as provided herein.

(b) The rate applicable to each square foot of impervious surface of a benefitted property shall be determined on the basis of whether the land use of the benefitted property is classified as residential or non-residential.

In addition, the rate applicable to a residential property shall be determined on the basis of whether the drainage system for the property is curb and gutter drainage or open ditch drainage.

(c) All drainage charges shall be calculated by ~~applying~~ multiplying the appropriate rate per square foot of impervious surface as specified in the Schedule of Rates attached hereto, ~~multiplied~~ by the area in square feet of impervious surface on each benefitted property.

(d) The area of impervious surface on each benefitted property shall be determined on the basis of digital map data associated with tax plats and assessment rolls or other similar reliable data as shall be determined by the director.

(e) In the event a residential property is served by curb and gutter drainage on one or more sides and by open ditch drainage on one or more sides, the appropriate rate shall be determined by the street address for the property and the drainage system that corresponds to that side of the property.

(f) The following are exempt ~~by State law~~ from imposition of a drainage charge:

- (1) Properties appraised for use as and designated as agricultural use property by the respective county appraisal district where the property is located;
- (2) Properties served exclusively by a properly constructed and maintained wholly sufficient and privately owned drainage system;
- (3) State agencies;
- (4) Any public or private institution of higher education;
- (5) Any impervious surface owned by a school district as of

\_\_\_\_\_ <sup>1.</sup><sub>1</sub>

→ | (6) Any impervious surface owned by a religious organization that is located on property exempt from taxation pursuant to Section 11.20, Tax Code as of \_\_\_\_\_ <sup>2.</sup><sub>1</sub> | ←

(7) County-exempt property.

~~(g) Other exemptions, if any, from the imposition of a drainage charge shall be as indicated in the Schedule of Rates attached hereto.~~

**Sec. 47-823. Review and adjustment of drainage rates.**

<sup>1</sup> Editor/City Secretary shall insert the effective date of this Ordinance.

<sup>2</sup> Editor/City Secretary shall insert the effective date of this Ordinance.

The drainage rates established herein shall not be ~~increased~~ raised by city council for a minimum of ten years from \_\_\_\_\_<sup>3</sup> ~~the date of adoption~~; provided, however, that such limitations shall not be applicable when a rate increase is necessitated by the enactment of any state law ~~that~~ ~~which~~ directly and negatively impacts the collection of drainage charges under the existing rate structure. Save and except for any rate increase prompted by the enactment of state law, approval of any rate increase shall require a super majority vote of 2/3 of the members of city council ~~to~~ ~~approve~~. The director shall on a regular basis review available data to verify the amount of impervious surface for benefitted property, and will make adjustments where appropriate to the calculations of the square footage of impervious surface for purposes of determining the drainage charge for benefitted property.

**Sec. 47-824. Verification, correction and appeal.**

(a) *Establishing a system for verification and correction.* The director shall establish and implement a system of verification and correction of drainage charges for each property subject to the drainage charges established by this article. Under such a system, the amount of surface on a particular property determined to be impervious by the city will be reviewed ~~by the city~~ based on documentation provided to the city by the user. The user requesting such a verification and correction must use either the city's officially-designated internet link (available on the city's website specifically for such purpose) or a form provided by the city with the notification letter, and mailed by the user to the ~~city~~ address shown in the notification letter, within the officially-allotted time frame. As a condition of requesting verification and correction, the user shall grant the city reasonable access to the property for the city to independently verify on-site information.

(b) *Request for verification and correction of the city's initial drainage charge.* A user's request for verification and correction of the city's initial drainage charge imposed on a benefitted property shall be forwarded by the user either electronically or in writing to the city within 60 days from the date of the initial notification letter mailed to the user by the city, ~~initially informing~~ that initially informed the user of:

- (1) The square footage of impervious surface on the benefitted property;

---

<sup>3</sup> Editor/City Secretary shall insert the effective date of this Ordinance.

- (2) The rate applicable to each square foot of impervious area;  
and
- (3) The calculated drainage charge resulting from the multiplication of the user's square footage of impervious surface by the applicable rate.

The documentation to be provided by the user in support of a request to the city for verification and correction shall include, as a minimum, a drawing or other depiction, with accompanying measurements, supporting ~~illustrating~~ the user's claim that the city's calculation of impervious area is in error. To be eligible for verification and correction, any request must at a minimum provide information sufficient to support a correction in the annual drainage charge to the user's favor of at least two percent or \$3.00, whichever is greater. Such documentation shall be forwarded to the city either electronically or via the U.S. Postal Service.

Any documentation submitted to the city for purposes of verification and correction shall also include an affidavit in a form approved by the city attorney whereby the user shall sign and verify under penalty of law that any document the user is submitting to the city is true and correct. A special affidavit form shall be mailed by the city to every user along with the letter of notification.

Based on documentation submitted by the user (provided it was received by the city within the allotted time frame), and information available to the city in its files and databases, the city may increase or decrease the figure for the amount of impervious surface on the property for purposes of assessing the drainage charge, and shall adjust the drainage charge accordingly.

The city shall notify the user ~~shall be notified by the city~~ of the outcome of the city's verification and correction process, using the same address and the same medium by which the request was tendered (whether in writing via the U.S. Postal Service ~~Postage~~ or electronically), including advising the user of the adjustment, if any, made to the drainage charge.

If any charge paid by the user during the initial billing year and prior to such adjustment exceeds the amount of the charge as adjusted by the city, the cumulative total of such corrections due the user for payments

made prior to such adjustment shall be credited to the user's account and shall be applied against the user's future charges due the city.

If any charge paid by the user in the city's initial billing year and prior to such adjustment falls short of the amount of the charge as adjusted by the city, the cumulative total of such corrections due the city for payments made prior to such adjustment shall be debited to the user's account and shall be applied against the user's future charges due the city.

The facts and information a user provides ~~provided by a user~~ in a request to the city for verification and correction shall not form the basis for any subsequent request for verification and correction.

(c) *Request by user for verification and correction of changed impervious surface.* If the user's amount of impervious surface ~~has~~ changes ~~and~~ subsequent to the user's initial billing year, and the user notifies the city of such change electronically or in writing and requests the city to verify and correct the drainage charges, the request will be handled as an initial request for verification and correction as provided in Section 47-824(b) of this Code. Any adjustment in the drainage charge as a result of such request will become effective the first day of the month following the date of the user's request.

(d) *Request by user for verification and correction of change to drainage charge by the city.* The city may periodically review any properties within the service area, shall revise the city's database to reflect any changes that affect the area of impact the impervious surface, and shall forward a notification letter to the user advising the user of such change and the resulting change in the drainage charge. Any request for verification and correction of drainage charges ~~imposed on a benefitted property for~~ resulting from changes to property which affect the impervious surface as identified by the city that ~~and~~ are added by the city to the city's drainage utility database ~~throughout~~ for any year following the city's initial billing year, will be handled as an initial request for verification and correction, as provided in Section 47-824(b) of this Code. The allotted time frame for subm

itting such a request shall be 60 days from the date of the letter of notification mailed to the user.

(e) *Appeals.* In the event a user ~~disagrees~~ ~~is dissatisfied~~ with the results of the verification and correction process, the user or the user's designated representative may request an appeal. Participation by a user in the verification and correction process as described herein and filing of a timely request for appeal shall be a prerequisite to any appeal.

The director shall designate drainage hearing examiners who will be independent of the operation of the city's drainage system to consider appeals as to whether or not a drainage charge was correctly determined based on the amount of impervious surface on the property.

Any request for such an appeal shall be submitted by the user either online through a specifically-designated link on the city's website, or in writing, no later than fifteen days following the date of the city's notification letter advising the user of the outcome of the verification and correction process.

The user, or the user's designated representative, may select a date and time for the appeal from those available dates shown on the city's online calendar, or if the user does not have access to said calendar, the user shall contact the city to schedule an appeal. The appeal shall be based exclusively on the information and data considered in the verification and correction process. Based on the outcome of the appeal, the drainage charge shall be adjusted accordingly or remain unchanged, and if appropriate, a credit or debit shall be applied to the user's account. The user shall be notified, using the same address and the same medium by which the appeal was tendered (whether in writing via the U.S. Postal Service Postage or electronically) of the outcome of the appeal.

The decision of the hearing examiner, following such appeal, shall be final.

**Secs. 47-825–47-840. Reserved.**

### DIVISION 3. BILLING

**Sec. 47-841. Billing and payment.**

(a) For users billed by the city for other utility charges ~~incurred for a benefitted property~~, such as water and/or sewer service, the city may bill for drainage charges, identified separately, in the same bill. Otherwise the city shall establish new drainage billing accounts.

(b) An initial notification letter advising the user of the imposition of a drainage charge shall be mailed to all each users. Such notice, as well as the bill itself, shall state the drainage charge that will be billed to the user and that failure of a user to pay such charges may result in the discontinuance of city drainage, water and sewer services.

(c) Bills for drainage charges shall reflect the annual charge imposed on a property divided by the user's number of utility billing cycles per year, e.g., if the city is billing a user for drainage on a monthly basis, the user's monthly drainage charge will equal the total annual drainage charge imposed on the property divided by 12 billing cycles per year.

(d) Bills shall be considered as received by the user, whether actually received or not, when deposited by the city in the United States mail, postage prepaid, addressed to the user's last known billing address or when electronically transmitted to the user's last known electronic address.

(e) Payment of bills shall be due when the bill is rendered.

**Sec 47-842. Delinquent charges and penalties.**

(a) Any drainage charge due hereunder ~~which~~ that is not paid when due may subject the user to late charges and reconnection fees authorized under the provisions of this Code relating to water and sewer charges.

(b) Any drainage charge due hereunder ~~which~~ that is not paid when due may subject the user to discontinuance of all utility services provided by the city, including drainage, water and sewer services.

(c) Any drainage charge due hereunder ~~which~~ that is not paid when due may be recovered in an action at law by the city, or by any other remedies or penalties provided at law or in Subchapters A and C of Chapter 552 of the Texas Local Government Code.

(d) The employees of the city's drainage utility shall have access, at all reasonable times, to any benefitted properties served by the drainage utility for inspection or repair of the drainage system or for the enforcement of the provisions of this article ordinance.

**Sec. 47-843. Determination of payment responsibility.**

Under circumstances where there may be more than one user, either multiple tenants and/or multiple owners, the director shall determine the party responsible for payment of city-billed drainage charges as follows:

- (1) On parcels where multiple utility accounts may exist and more than one tenant may be held responsible for payment of drainage charges within a single parcel or group of parcels belonging to the same owner, the director may choose the common owner of the subject property or properties to be the officially-designated user.
- (2) Where, within a twelve-month period, a rental property has changed tenants two or more times, the director may ~~henceforth~~ choose the owner of the property to be the designated user. Such designation shall have no effect on responsibility for payment of water, sewer or solid waste charges.
- (3) Where multiple residential owners are grouped into a single association responsible for the payment of collective water or sewer charges, the director may designate the association as the official user for all impervious surfaces within the association's purview, regardless of parcel boundaries.

**Sec. 47-844. Applicability of the W.A.T.E.R. fund.**

Beginning the effective date of this article August 1, 2012, and on such date for each billing year thereafter, to the extent drainage charges collected under this article for the previous billing year exceed \$125 million, the amount of any excess up to, but no more than \$500,000, shall annually be transferred monies donated- to the W.A.T.E.R. Fund from the proceeds

~~of drainage charges, (as such Fund has been established by Section 36-61 of this code), shall to be available for use in the payment of drainage bills; as well as water and sanitary sewer bills; provided, however, the cumulative amount in the W.A.T.E.R. Fund for payment of drainage charges on such date for each billing year shall not exceed \$500,000. Monies accumulated in the W.A.T.E.R. Fund as provided herein shall be administered in accordance with the applicable provisions of Chapters 36 and 47 of this code, but such funds prior to the effective date of this ordinance shall be used exclusively for drainage water and sanitary sewer bills.~~

**Secs. 47-845–47-860. Reserved.**

#### DIVISION 4. USE OF FUNDS

**Sec. 47-861. Oversight committee.**

There shall be created an oversight committee of nine members, five members to be appointed by the mayor, including the committee chair, and four members to be appointed by city council, whose members shall advise the city on drainage project priorities and process. The committee will consist of individuals with significant backgrounds in community development, infrastructure assessments, and other appropriate qualifications. Contractors, engineers or firms participating in any city drainage system project will be ineligible to serve on the committee.

**Sec. 47-862. No assumed liability.**

Floods from drainage and storm water runoff may occasionally occur ~~which that~~ exceed the capacity of the drainage system maintained and financed with the drainage charges. In addition, surface water stagnation and pollution arising from nonpoint source runoff may occasionally occur ~~which that~~ exceed the capacity of the drainage system maintained and financed with drainage charges. This article ordinance does not imply that properties subject to charges shall always be free from flooding or flood damage, surface water stagnation or nonpoint source pollution or that all flood control and water treatment projects to control the quantity and quality of runoff can be constructed effectively. Nothing whatsoever in this article ordinance should be construed as creating or be deemed to create additional duties on the part of the city or to hold the city liable for any damages incurred in a flood or from adverse water quality due to drainage runoff. Nothing in this article ordinance shall be deemed to waive the city's

immunities under state law or to reduce the need or necessity for flood insurance by property owners within or without the city."

**Section 3.** That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**Section 4.** That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

**PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2011.**

**APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2011.**

Mayor of the City of Houston

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

---

City Secretary

Prepared by Legal Dept. \_\_\_\_\_

LWS:asw 03/21/2011                      Senior Assistant City Attorney

Requested by Daniel W. Krueger, P.E., Director, Department of Public Works & Engineering

L.D. File No. \_\_\_\_\_

**SUBJECT:** Motion approving rates and establishing and levying a schedule of drainage charges for property subject to implementation of a Municipal Drainage Utility System under Article XIV of Chapter 47 of the Code of Ordinances

**Category #**

**Page 1 of**

**Agenda Item#**

32A

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

Department of Public Works and Engineering

**Origination Date:**

**Agenda Date**

MAR 30 2011

**DIRECTOR'S SIGNATURE:**

Daniel W. Krueger, P.E. Director

**Council District Affected:**

All

**For additional information contact:**

Andy Icken

832-393-1064

Daniel Krueger

832-395-2500

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

**RECOMMENDATION: (Summary)**

Approve rates to establish and levy a schedule of drainage charges.

**Amount of Funding:**

Not Applicable

**Finance Budget: NA**

**Source of Funding:** NA  General Fund  Grant Fund  Other (Specify)  
 Enterprise Fund

**SPECIFIC EXPLANATION:**

On November 2, 2010 the Houston voters approved Proposition 1. This ballot initiative approved a City Charter Amendment creating a City of Houston Pay-As-You-Go Drainage and Street Fund. To implement the Charter Amendment, the City must, pursuant to Subchapter C, Chapter 552 of the Texas Local Government Code, create a Municipal Drainage Utility System dedicated to the maintenance and improvement of the city's drainage infrastructure to meet the city's current and future needs. By motion City Council must adopt rates to establish and levy a schedule of drainage charges for property subject to implementation of a Municipal Drainage Utility System.

In accordance with Texas Local Government Code 552.045, the City has conducted a public hearing on March 9, 2011, and will conduct an additional one on March 23, 2011, for public input regarding rates to establish and levy a schedule of drainage charges for the Municipal Drainage Utility System.

Attachment: Proposed Drainage Charge Schedule.

Approval is recommended.

**REQUIRED AUTHORIZATION CUIC: 20SB34**

**Other Authorization:**

**Other Authorization:**

**Other Authorization:**

ATTACHMENT

City of Houston

Schedule of Proposed Rates

Annual Rate per Square Foot of Impervious Surface

<b><u>Proposed Rate</u></b>	
<b>(per sq ft of impervious surface per year)</b>	
Residential curb & gutter, non residential	3.20¢
Residential open ditch	2.60¢

33

MAR 30 2011

MOTION NO. 2011

MOTION by Council Member Gonzalez that the recommendation of the Director of the General Services Department of Public Works and Engineering, for approval of final contract amount and acceptance of work on contract with Studio Red Architects, LP., for Miller Outdoor Theatre Sound System Replacement, WBS No. D-000125-0005-4, be adopted, and the final contract amount of \$1,364,500.00 is hereby approved by the City Council and the work be accepted and final payment is hereby authorized.

Seconded by Council Member Noriega

Council Member Sullivan absent

On 3/23/11 the above motion was tagged by Council Member Jones.

cr

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work Studio Red Architects, LP Miller Outdoor Theatre Sound System Replacement WBS No. D-000125-0005-4	Page 1 of 1	Agenda Item 33 <del>6</del>
--	----------------	--------------------------------

<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b>	<b>Agenda Date</b> <del>MAR 23 2011</del>
---	-------------------------	--

<b>DIRECTOR'S SIGNATURE:</b> Scott Minnix <i>Scott Minnix by JAC</i>	<b>Council District affected:</b> D	MAR 30 2011
---	--	-------------

<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. 2009-1075; Dated 11/04/2009
---	--

**RECOMMENDATION:** Pass a motion approving the final contract amount of \$1,364,500.00, accept the work, and authorize final payment.

<b>Amount and Source of Funding:</b> No Additional Funding Required	<b>Finance Budget:</b>
<b>Previous Funding:</b> \$1,500,000.00—General Improvement Consolidated Construction Fund (4509)	

**SPECIFIC EXPLANATION:** On November 4, 2009, City Council awarded a Design/Build contract to Studio Red Architects, LP to provide design and construction services for replacement of the sound system at the Miller Outdoor Theatre for the Convention and Entertainment Facilities Department. The General Services Department (GSD) and Studio Red Architects agreed to a Guaranteed Maximum Price (GMP) for construction services in the amount of \$1,287,500.00. GSD recommends that City Council approve the final contract amount of \$1,364,500.00 or 5.98% over the original GMP, accept the work and authorize final payment to Studio Red Architects, LP.

**PROJECT LOCATION:** 6000 Hermann Park Drive (formerly 100 Concert Drive) (533A)

**PROJECT DESCRIPTION:** The project designed and replaced the existing sound system at the Miller Outdoor Theatre, which included replacement of the sound consoles, speaker systems for the covered and hill seating areas, microphone systems, monitor system, computer systems, electrical components, and minor structural work to hang the new speakers and safety lights from the existing structure.

**CONTRACT COMPLETION AND COST:** The contractor completed the project within the original contract duration of 61 days. The final cost of the project including Change Orders is \$1,364,500.00, an increase of \$77,000.00 over the original GMP.

**PREVIOUS CHANGE ORDER:** Change Order 1 replaced an existing deteriorated wireless microphone system with a new 24 channel wireless microphone system that includes 24 handheld transmitters and 24 microphones.

**M/WBE PARTICIPATION:** The contract contained a 10% M/WBE goal during the design phase and a 2% MBE goal and 3% SBE goal during the construction phase. According to the Affirmative Action and Contract Compliance Division, the contractor achieved 13.33% M/WBE participation, 3.73% MBE participation and 3.34% SBE participation and was assigned a satisfactory rating.

SM:JLN:RAV:JJR:ps  
c: Marta Crinejo, Jacquelyn L. Nisby, Mario Ariza, Morris Scott, Deyanira Rodriguez, Donald Black, Kim Nguyen, Martha Leyva, Gabriel Mussio, File

**REQUIRED AUTHORIZATION** CUIC ID# 25CONS172

<b>General Services Department:</b> <i>[Signature]</i> Richard A. Vella Chief of Design & Construction Division	<b>Convention and Entertainment Facilities Department:</b> <i>[Signature]</i> Dawn R. Ullrich Director
--	---



**Miller Outdoor Theatre**  
**100 Concert Dr. Houston, TX**

COUNCIL DISTRICT "D"

KEYMAP No. 533A

SUBJECT: Ordinance amending Ordinance No. 2004-1003 relating to employment conditions, compensation and benefits of classified police officers and ratifying the Meet and Confer Agreement with the Houston Police Officers' Union.		Page 1 of 1	Agenda Item # 37 26
FROM (Department or other point of origin):  Houston Police Department		Origination Date March 15, 2011	Agenda Date MAR 30 2011 <del>March 23, 2011</del>
DIRECTOR'S SIGNATURE:  Charles McClelland, Chief of Police		Council District affected:  All	
For additional information contact:  Phone: Natalie DeLuca 832.393.6272		Date and identification of prior authorizing Council action: Ord. #2004-1003, September 29, 2004	
RECOMMENDATION: (Summary) Approve an ordinance amending Ordinance No. 2004-1003, September 29, 2004, relating to employment conditions, compensation and benefits of classified police officers and ratifying the 2011 Meet and Confer Agreement with the Houston Police Officers' Union.			
Amount and Source of Funding: n/a			
SPECIFIC EXPLANATION:  The City of Houston and Houston Police Officers' Union (HPOU) have reached an agreement through the meet and confer process to extend police officers' labor agreement until fiscal year 2015. HPOU members voted March 9, 2011, through March 12, 2011, to ratify the agreement.  The new agreement replaces 2001 Meet and Confer Agreement and its amendments, due to expire June 30, 2011. The new agreement covers fiscal years 2011 through 2015. and calls for 0% base pay increases across the board in the first two years of the agreement, followed by across-the-board increases of 3% in FY 2013, 3% in FY 2014, and 4% in FY 2015. The agreement will expire on June 30, 2015. The new agreement also creates patrol incentive pay for certain officers engaged in certain patrol functions.  The new agreement provides for a physical agility test and requires that officers sworn after the date of ratification must pass the test in order to accrue personal fitness & training hours. Officers sworn after July 2013, shall accrue a limited number personal fitness & training hours upon passage of the physical agility test.  The new plan also provides for selection of a new roster of independent hearing examiners after ratification of the agreement and creates limitations on the terms of service for examiners.			
REQUIRED AUTHORIZATION			
Other Authorization:			

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA# 8887

**Subject:** Approve an Ordinance Awarding a Contract to the Best Respondent for Multi-Function Office Machines for Various Departments  
S30-T23683

Category #  
4

Page 1 of 2    Agenda Item

35 | 34

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

**Origination Date**  
January 25, 2011

**Agenda Date**  
MAR 30 2011  
~~MAR 28 2011~~

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

**Council District(s) affected**  
All

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

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to Xerox Corporation in an amount not to exceed \$12,000,000.00 for multi-function office machines for various departments.

Maximum Contract Amount: \$12,000,000.00

**Finance Budget**

\$12,000,000.00 - Central Service Revolving Fund (1002)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to Xerox Corporation in an amount not to exceed \$12,000,000.00 for multi-function office machines for various departments. The City Purchasing Agent or designee may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of services requires the contractor to provide all personnel, management, supervision, labor, and equipment necessary to manage and support 756 multi-function office machines for various departments. The contractor shall also be required to provide toner, maintenance and repair services for black-and-white and color machines. The estimated annual cost for rental and cost per impression will be 25% less than the City currently spends. The new contract will include:

- No minimum copier impression volume commitment
- Black-and-white copy per impression cost is reduced from .007 to .0065
- Color-copy per impression cost is reduced from .098 cents to .0609 cents
- The entire fleet will be replaced with new equipment
- Complete flexibility of equipment upgrade/downgrade/return with no financial penalty
- A 7.5% reduction in equipment charges for contract years four and five

The Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. One hundred ten prospective proposers downloaded the solicitation document from SPD's e-bidding website and as a result, proposals were received from Canon Business Solutions, Inc., Konica Minolta Business Solutions USA Inc., Marimon Business Systems, Inc., Oce North America, OfficeMax Inc., Ricoh Americas Corporation, and Xerox Corporation. The evaluation committee was comprised of five expert staff from the Public Works & Engineering, Administration & Regulatory Affairs, Houston Airport System, and Information Technology Departments. The proposals were evaluated based upon the following criteria:

**REQUIRED AUTHORIZATION**

Finance Department:	Other Authorization:	Other Authorization: <i>NO</i>
---------------------	----------------------	--------------------------------

Date: 1/25/2011	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Multi-Function Office Machines for Various Departments S30-T23683	Originator's Initials RM	Page 2 of 2
--------------------	---	--------------------------------	-------------

- Conformance to the RFP
- Expertise, Experience, and Qualifications
- Conformance to the RFP
- Price
- Financial Strength
- M/WBE Participation

Xerox Corporation received the highest overall score by the Evaluation Committee.

M/WBE Subcontracting:

This RFP was issued as a goal-oriented contract with an 11% M/WBE participation level. Xerox Corporation has designated the below-named companies as its certified M/WBE subcontractors:

NAME	TYPE OF WORK	DOLLAR AMOUNT	Percentage
Enterprise Advisory Services, Inc., dba EASI Document Integration	Systems Analyst	\$ 600,000.00	5%
Office Evolutions, Inc.	Management Network and Software	\$ 720,000.00	6%
TOTAL:		\$1,320,000.00	11%

The Affirmative Action Division will monitor this contract.

Pay or Play Program:

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

Buyer: Richard Morris

ESTIMATED SPENDING AUTHORITY

DEPARTMENT	FY 2011	OUT YEARS	TOTAL
Various	\$1,200,000.00	\$10,800,000.00	\$12,000,000.00

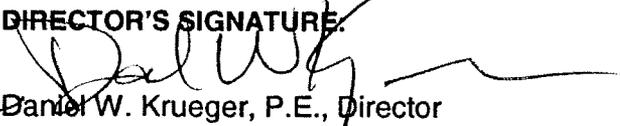
<u>Company</u>	<u>Total Points</u>
Xerox Corporation	467
Ricoh Americas Corporation	426
Canon Business Solutions	409
Konica Minolta Business Solutions USA Inc.	407
Office Max, Inc.	374
Oce North America	364
Marimon Business Systems, Inc.	236

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Safe Sidewalk Project, W.B.S. No. N-00610A-00K2-4.	Page 1 of 2	Agenda Item # <b>36#3</b>
--	----------------	------------------------------

FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date:	Agenda Date: <del>MAR 23 2011</del> MAR 30 2011
--	-------------------	---

DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: B, C, H <i>She</i> MAR 30 2011
--	---

For additional information contact: <i>Ravi Kaleyatodi 2/9/11</i> Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	Date and identification of prior authorizing Council action:
---	--

**RECOMMENDATION: (Summary)**

Accept low bid, award construction Contract and appropriate funds.

**Amount and Source of Funding:** Total of \$2,312,400.00 to be appropriated from the Street and Bridge Consolidated Construction Fund No. 4506. *U.P. 2/15/2011*

**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 its residents.

**DESCRIPTION/SCOPE:** This project provides for the construction of sidewalk improvements at numerous locations. The Contract duration for this project is 308 calendar days. This project was designed by Nedu Engineering Services, Inc.

**LOCATION:** This project is located in Council Districts B, C and H. The project is located in various Key Map Grids.

**BIDS:** Bids were received on November 18, 2010. The five (5) bids are as follows:

Bidder	Bid Amount
1. Resicom, Inc.	\$1,966,391.60
2. CAAN Construction Services, Inc.	\$2,259,113.00
3. Spring Equipment Co., Inc.	\$2,352,218.50
4. Total Contracting Limited	\$2,436,721.92
5. DCE Construction, Inc.	\$2,558,050.42

REQUIRED AUTHORIZATION CUIC#20SIK34 *NOT*

Finance Department	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
--------------------	----------------------	--

**AWARD:** It is recommended that this construction Contract be awarded to Resicom, Inc. with a low bid of \$1,966,391.60.

**PROJECT COST:** The total cost of this project is \$2,312,400.00 to be appropriated as follows:

- Bid Amount \$ 1,966,391.60
- Contingencies \$ 98,319.58
- Engineering and Testing Services \$ 110,000.00
- CIP Cost Recovery \$ 137,688.82

Engineering and Testing Services will be provided by Kenall, 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.

**M/WBE PARTICIPATION:** The low bidder has submitted the following proposed program to satisfy the 4% M/WBE goal and 9% SBE goal for this project.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Po & Go Concrete Work	Concrete Construction Work	\$78,655.00	4.0%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Aztec Remodeling and Landscaping Company	Landscaping Services	\$176,975.00	9.0%

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

*Handwritten signature*

DWK:DRM:RK:MS:SK:as

Z:\design\VA-NP-DIV\Sidewalks\W-00610A-00K2-4\1.0 Design Contract\1.2 RCA\Construction RCA.doc

ec: File No. N-00610A-00K2-3 (1.2 RCA)



SAFE SCHOOL SIDEWALK PROGRAM  
 WBS NO. N-00610A-00K2.4

District	Location	Limits	Key Map
B	Antoine	De Soto to Holly View	411 Y
B	Blue River Dr.	12215	415E, J
B	Jay	Darien to Homestead (Houston Gardens Elementary)	455N, 454R
B	Lucerne	Mohawk to Little York (10800 Block)	415-S
B	Meadow	IH 10 to Gillespie	494J
B	Meadowfern	Northborough to IH 45	372-L
B	Wileyvale	Baton Rouge to Shreveport	454-Q
C	Airport, West	Preakness Way to Brookvalley	570G
C	Fonmeadow	Haviland to Fondren	570H
C	Bellfort, W.	Beltway 8 to Stanwood -south side	569D, 570-A
C	Landsdowne	Cheena to Braesheather	531-S
C	McKnight Street	5519	571-A
C	Rice, South	Braes Valley to Jason Street	531Q
C	Underwood	S. Main to Morningside	532L
C	West Place	at Gessner (8899)	570-B
H	Parker	Larry to Peach	414X, Y

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

**SUBJECT:** Award Construction Contract  
The Gonzalez Group, L.P.  
Lake Houston Park – Phase One  
WBS No. F-000695-0005-4

Page  
1 of 2

Agenda  
Item

37 ~~47~~

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

**Origination Date**  
3-16-11

**Agenda Date**  
~~MAR 23 2011~~

**DIRECTOR'S SIGNATURE:**  
Scott Minnix

*Scott Minnix 2/21/11*

**Council District(s) affected:** MAR 30 2011  
ETJ

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

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

**RECOMMENDATION:** Award construction contract and appropriate funds for the project.

**Amount and Source of Funding:**

\$1,984,500.00 Woodlands Regional Participation Fund (2425)

**Finance Budget:**

**SPECIFIC EXPLANATION:** The General Services Department (GSD) recommends that City Council award a construction contract to The Gonzalez Group, L.P. on the proposal amount of \$1,798,898.00 to provide construction services for Lake Houston Park – Phase One, for the Parks and Recreation Department. The Lake Houston Park Master Plan identified several phases of development for the park. Future phases will be developed as funds become available and include bridge construction, a new visitors' center, canoe launch improvements, recreational vehicle pad sites, additional cabins, camping sites, site utilities, restroom and shower facilities, a large picnic pavilion and additional hiking trails.

**PROJECT LOCATION:** 25800 FM 1485 (257Q)

**PROJECT DESCRIPTION:** This project consists of a new entry development, four new cabin sites and associated utilities. The new entry is accessible from FM 1485 and includes a new park guardhouse and concrete entry drive with culvert crossings. Access gates, an exit gate and fencing are included to provide vehicular control. Additionally, a crushed concrete parking area is being provided for visitors with an accessible sidewalk connecting to the guardhouse. Site utilities include new water, electrical and sanitary sewer systems which will serve the guardhouse, cabins and limited future development. The four new cabins will be installed on the eastside of the new lake. Cabins will have metal roof and will be built out of sawn logs. Crushed concrete driveways and sidewalks will be provided for each cabin connecting the new road system.

The contract duration for this project is 270 days. SWA Group is the design consultant and GSD is the construction manager for this project.

**PROPOSALS:** The Gonzalez Group, L.P. was selected through a two-step process. The project 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 park site and building construction experience, references, contractor representatives, subcontractors and suppliers, safety, and claim history. Eight firms responded. A selection committee comprised of GSD project management ranked the respondents. Six of the eight firms received sufficient points and were requested to submit proposals. All six firms submitted proposals. The Gonzalez Group, L.P. submitted the lowest proposal.

**REQUIRED AUTHORIZATION**

CUIC ID # 25PARK144

**General Services Department:**

**Parks and Recreation Department:**

*[Signature]*  
Richard A. Vella  
Chief of Design & Construction Division

*[Signature]*  
Joe Turner  
Director

3/2 3/11 agenda

R  
#

<b>Date</b>	<b>SUBJECT:</b> Award Construction Contract The Gonzalez Group, L.P. Lake Houston Park – Phase One WBS No. F-000695-0005-4	<b>Originator's Initials</b> CP	<b>Page</b> 2 of 2
-------------	---	------------------------------------	-----------------------

**PROPOSAL CONT.:** The following six proposals were received on December 2, 2010:

	<u>Proposer</u>	<u>Price</u>
1	The Gonzalez Group, L.P.	\$1,798,898.00
2	Resicom Inc.	\$1,943,500.00
3	Times Construction, Inc.	\$2,015,500.00
4	Millis Development & Construction, Inc.	\$2,043,970.85
5	Carrera Construction, Inc.	\$2,052,000.00
6	Jerdon Enterprise, L.P.	\$2,494,599.00

**AWARD:** It is recommended that City Council award the construction contract to The Gonzalez Group, L.P. and appropriate funds for the project, including an additional appropriation of \$64,176.38 for engineering and materials testing services under the existing contract with Kenall, Inc.

**FUNDING SUMMARY:**

\$ 1,798,898.00	Construction Contract Services
\$ 89,944.90	5% Contingency
<b>\$ 1,888,842.90</b>	<b>Total Contract Services</b>
\$ 31,480.72	Civic Art (1.75%)
\$ 64,176.38	Engineering and Materials Testing
<b>\$ 1,984,500.00</b>	<b>Total Funding</b>

**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 play and pay into the Contractor Responsibility Fund in compliance with City policy.

**CONSTRUCTION GOALS:** A 7% MBE goal and 5% SBE goal have been established for this contract. The contractor has submitted the following certified firms to achieve the goals:

<u>FIRM (MBE)</u>	<u>SCOPE</u>	<u>AMOUNT</u>	<u>% of CONTRACT</u>
Chavez Service Companies, Inc.	Concrete	\$ 47,000.00	2.61%
Environmental Allies, G.P., Inc.	SWPPP	\$ 7,500.00	0.42%
Montemayor Management, Inc.	Rough Carpentry	\$ 75,000.00	4.17%
	<b>TOTAL</b>	<b>\$129,500.00</b>	<b>7.20%</b>

<u>FIRM (SBE)</u>	<u>SCOPE</u>	<u>AMOUNT</u>	<u>% of CONTRACT</u>
Burts Construction, Inc.	Earthwork	\$ 112,350.00	6.25%

SM:JLN:RAV:LJ:CP:cfp  
c: Marta Crinejo, Jacquelyn L. Nisby, Mark Ross, Calvin Curtis, Morris Scott, Chris Gonzales, Martha Leyva, File 712

38

MAR 30 2011

MOTION NO. 2011

WRITTEN Motion by Council Member Gonzalez that the proposed Ordinance appropriating \$2,766,738.74 out of the Equipment Acquisition Consolidated Fund for the purchase of Automobiles, Vans, Utility Vehicles and Light-Duty Trucks be amended, as follows:

I motion to amend item 52 on the agenda to reduce the appropriation from \$2,766,738.74 to \$1,637,205.11.

Council Member Clutterbuck absent

On 3/23/11 the above motion was tagged by Council Member Adams.

cr

38B

MAR 30 2011

MOTION NO. 2011

WRITTEN Motion by Council Member Gonzalez to amend the recommendation to issue purchase orders for the purchase of Automobiles, Vans, Utility Vehicles and Light-Duty Trucks, as follows:

I motion to amend item 52a on the agenda to reduce the authority for purchase orders to certain vendors as follows:

Philpott Motors Ltd., d/b/a Philpott Ford	\$2,413,764.00
Ron Carter Automotive	\$560,293.00
Caldwell Automotive Partners, LLC. d/b/a Caldwell Country Chevrolet	\$258,902.00
Johnson Whitesboro Ford, d/b/a Holiday Ford	\$385,922.10
Fred Haas Toyota Country	\$164,137.00

Council Member Clutterbuck absent

On 3/23/11 the above motion was tagged by Council Member Adams.

cr

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8899

Subject: Formal Bids Received for Automobiles, Vans, Utility Vehicles, and Light-Duty Trucks for Various Departments S34-N23753

Category # 1 & 4

Page 1 of 2

Agenda Item

38B+38C | 52-52A | 9 + 9A

FROM (Department or other point of origin):

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

Origination Date

March 02, 2011

Agenda Date

MAR 30 2011  
MAR 09 2011

DIRECTOR'S SIGNATURE

*Calvin D. Wells*

Council District(s) affected  
All

For additional information contact:

Ray DuRousseau Phone: (832) 393-8726  
Phone:

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of \$2,766,738.74 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and approve various awards as shown below in the total amount of \$5,736,017.83 for automobiles, vans, utility vehicles, and light-duty trucks for various departments.

NOTE: See BACKUP FOR

Award Amount - \$5,736,017.83

Item 9 + 9A FOR

Finance Budget

Total Funding: \$5,736,017.83  
See Attachment No. 1 for Source of Funding

AGENDA of 3-9-11

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$2,766,738.74 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and approve various awards as shown below in the total amount of \$5,736,017.83 for automobiles, vans, utility vehicles, and light-duty trucks for various departments and that authorization be given to issue purchase orders. These vehicles will be used citywide by department personnel to conduct City business and provide services to the citizens of Houston. The vehicles being purchased with funding from the Equipment Acquisition Consolidated Fund are included in the adopted Equipment Acquisition Plan.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Fifteen prospective bidders downloaded the solicitation from SPD's e-bidding website and eleven bids were received as itemized in Attachment No. 2, Award Summary.

**Philpott Motors, Ltd., d/b/a Philpott Ford:** Award on its low bid for Item Nos. 2, 8, 10, 11, 13, 15-22, 25, 27, 29, 32, and 34 in the amount of \$3,006,220.00.

**Ron Carter Automotive:** Award on its low bid for Item Nos. 7 and 9 in the amount of \$671,943.00.

**Caldwell Automotive Partners, LLC, d/b/a Caldwell Country Chevrolet:** Award on its low bid for Item Nos. 3, 4, and 30 in the amount of \$627,321.00.

**Tommie Vaughn Motors, Inc.:** Award on its low bid for Item Nos. 5, 6, 14, 31, and 38 in the amount of \$466,896.00.

**Johnson Whitesboro Ford, d/b/a Holiday Ford:** Award on its low bid for Item Nos. 12, 28, 33, 36, and 37 in the amount of \$492,866.83.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Date: 3/2/2011	Subject: Formal Bids Received for Automobiles, Vans, Utility Vehicles, and Light-Duty Trucks for Various Departments S34-N23753	Originator's Initials LB	Page 2 of 2
-------------------	--	--------------------------------	-------------

**Fred Haas Toyota Country:** Award on its low bid for Item No. 1 in the amount of \$409,136.00.

**Caldwell Automotive Partners, LLC, d/b/a Caldwell Country Ford:** Award on its low bid for Item Nos. 23 and 26 in the amount of \$61,635.00.

Item Nos. 24 and 35 will not be awarded.

These automobiles, vans, utility vehicles, and light-duty trucks will come with a full three-year/36,000-mile bumper-to-bumper warranty, and the truck bodies will come with a full one-year warranty. The life expectancy of these vehicles is seven years or 100,000 miles. For vehicle usage and replacement details, see Attachment No. 3, Equipment Usage Summary. The vehicles that will be replaced have reached their life expectancy and will be sent to auction for disposition. The vehicles that will be purchased meet the EPA's current emission standards for low emission vehicles.

**M/WBE Subcontracting:**

Because these vehicles are manufactured with factory-installed options and are shipped directly to their authorized dealers, the only M/WBE potential for these vehicles is the purchase and installation of vehicle non-factory options. This bid was advertised with a 5% M/WBE goal for the purchase and installation of non-factory equipment options for all items with the exception of Bid Item Nos. 1-5, 7, 11-13, and 17, which did not require any non-factory equipment options. To the extent possible, the suppliers listed below have agreed to subcontract the purchase and installation of non-factory equipment options.

Recommended Supplier	Bid Items with M/WBE Goal	M/WBE Supplier	M/WBE Potential Award Amount	M/WBE Participation Amount	Percentage
Philpott Ford	10, 27, 29, 32, 34	General Truck Body	\$2,720,747.00	\$124,551.00	4.6%
Caldwell Chevrolet	30	General Truck Body	\$627,321.00	\$47,180.00	7.5%
Tommie Vaughn Motors	6, 14, 31, 38	General Truck Body	\$401,631.00	\$35,183.00	8.76%
Caldwell Ford	23, 26	General Truck Body	\$61,635.00	\$1,300.00	2%

Buyer: Larry Benka

- Attachments: 1. Funding Source Summary  
2. Award Summary  
3. Equipment Usage Summary

**S34-N23753 Funding Source Summary  
RCA 8899**

<b>FUND</b>	<b>FY</b>	<b>FUND DESCRIPTION</b>	<b>FUND AMOUNT</b>
1800	11	Equipment Acquisition Consolidated Fund	\$2,766,738.74
2302	11	Stormwater Fund	\$228,703.00
2304	11	Mobility Response Fund	\$84,750.00
2401	11	Cable Television Fund	\$38,609.00
5030	11	State Energy Conservation Office Fund	\$47,954.10
8012	11	HAS-AIF Capital Outlay Fund	\$498,735.00
8305	11	PWE-Combined Utility System General Purpose Fund	<u>\$2,070,527.99</u>
<b>Total Funding</b>			<b>\$5,736,017.83</b>