

AGENDA - COUNCIL MEETING - TUESDAY - MAY 3, 2011 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Hoang

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

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

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MAY 4, 2011 - 9:00 A. M.

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

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 32

AGENDA - MAY 4, 2011 - PAGE 2

ACCEPT WORK - NUMBERS 1 through 5

1. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,559,240.00 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for T.C. Jester Park - 5% over the original contract amount - **DISTRICT A - STARDIG**
2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,367,222.96 and acceptance of work on contract with **ANGEL BROTHERS ENTERPRISES, INC** for Whiteheather Storm Sewer Improvements Segment 1 4.77% under the original contract amount - **DISTRICT D - ADAMS**
3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$375,671.62 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Safe Sidewalk Program D6 - 5.27% under the original contract amount **DISTRICT G - PENNINGTON**
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,241,656.34 and acceptance of work on contract with **SER CONSTRUCTION PARTNERS, LTD.** for Lockwood Lift Station Rehabilitation - 2.30% over the original contract amount - **DISTRICT I - RODRIGUEZ**
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$854,238.50 and acceptance of work on contract with **N. G. PAINTING, L.P.** for Rehabilitation of Ground Storage Tanks and Cathodic Protection Systems - 19.94% under the original contract amount - **DISTRICTS A - STARDIG; B - JOHNSON and G - PENNINGTON**

PROPERTY - NUMBER 6

6. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Tracy Youngblood, Brown & Gay Engineers, Inc, on behalf of Saint Philip Presbyterian Church of Houston, for abandonment and sale of a 10-foot-wide utility easement and the attendant aerial easement, in exchange for the conveyance to the City of a 12-foot-wide access easement, all within Block 1, Riviera Addition, out of the A. C. Reynolds Survey, A-61, Parcels SY11-053 and AY11-168 - **DISTRICT C - CLUTTERBUCK**

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 12

7. **FORDE CONSTRUCTION COMPANY, INC** for Parking Lot Renovation at 4400 San Jacinto for the General Services Department - \$145,166.36 and contingencies for a total amount not to exceed \$152,424.68 - Parking Management Operating Fund
8. **PHILPOTT MOTORS, LTD., d/b/a PHILPOTT FORD** for Pickup Truck and a Utility Vehicle through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Houston Police Department - \$52,461.80 - Supplemental Environmental Project Fund
9. **OPERATIONAL RESOURCES INTERNATIONAL, INC** for Battery Powered Digital X-ray Systems and associated equipment for the Houston Police Department - \$165,375.00 - Grant Fund

PURCHASING AND TABULATION OF BIDS - continued

10. ORDINANCE appropriating \$306,812.00 out of Equipment Acquisition Consolidated Fund for Purchase of Light, Medium, and Heavy Duty Cabs & Chassis and Truck Bodies for Various Departments
 - a. **HOUSTON FREIGHTLINER, INC** - \$86,462.00; **INTERNATIONAL TRUCKS OF HOUSTON** - \$187,170.00 and **RUSH TRUCK CENTERS OF TEXAS, L.P.** - \$754,952.00 for Light, Medium and Heavy-Duty Cabs & Chassis and Truck Bodies for Various Departments - \$753,950.00 Stormwater and Enterprise Funds

11. ORDINANCE appropriating \$652,171.00 out of Equipment Acquisition Consolidated Fund for Purchase of Medium and Heavy Duty Cabs & Chassis and Truck Bodies for Various Departments
 - a. **TYMCO, INC** - \$165,897.00, **HOUSTON FREIGHTLINER, INC** - \$87,829.00; **VAC-CON, INC** - \$221,181.70, **RUSH TRUCK CENTERS OF TEXAS, L.P.** - \$1,181,766.00 and **SCHWARZE INDUSTRIES, INC** - \$132,520.00 through the Interlocal Agreements for Cooperative Purchasing (**H-GAC Contractors**) and **CHASTANG ENTERPRISES, INC** - \$381,247.00 (**Buy Board Contractor**) for Medium and Heavy-Duty Cabs & Chassis and Truck Bodies for Various Departments - \$1,518,269.70 Enterprise Funds

12. **SNAP-ON INDUSTRIAL a Division of IDSC Holding, LLC** for spending authority to Purchase Automotive Tools and Equipment from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program - 5 Years - \$478,952.00 General, Enterprise and Park Special Revenue Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 13 through 32

13. RESOLUTION designating certain properties within the City of Houston as historic landmarks

Holley-Mengden House	2240 Glen Haven Blvd	<u>DISTRICT C - CLUTTERBUCK</u>
Loggins-Hughes Building	4216-4218 Washington Avenue	<u>DISTRICT H - GONZALEZ</u>

14. ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to reorganization of the Mayor's Office of Affirmative Action and Contract Compliance

15. ORDINANCE supplementing the City of Houston, Texas Master Ordinance No. 2004-299; providing for the issuance of the City of Houston, Texas, Combined Utility System First Lien Revenue Bonds, Series 2011B and the City of Houston, Texas, Combined Utility System First Lien Revenue Bonds, Series 2011C, providing for the amounts, interest rates, prices, and terms thereof and other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; authorizing the defeasance, final payment, and discharge of Certain Combined Utility System Commercial Paper Notes; authorizing a Co-Bond Counsel Agreement, authorizing execution and delivery of a Paying Agent/Registrar Agreement; and declaring an emergency

16. ORDINANCE establishing the north and south sides of the 1600 block of Milford Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - CLUTTERBUCK**

17. ORDINANCE establishing the north and south sides of the 1600 block of Milford Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - CLUTTERBUCK**

RESOLUTIONS AND ORDINANCES - continued

18. ORDINANCE relating to the Retail Gas Rates of **CENTERPOINT ENERGY RESOURCES CORP. d/b/a CENTERPOINT ENERGY ENTEX**, and **CENTERPOINT ENERGY TEXAS GAS ("ENTEX")** within the City of Houston, Texas; suspending for forty-five days the effective date of new rates; maintaining current rates in effect; containing findings and other provisions relating to the foregoing subject; providing for severability
19. ORDINANCE approving and authorizing submission of an application for grant assistance to the **TEXAS AUTOMOBILE BURGLARY & THEFT PREVENTION AUTHORITY** for the Houston Auto Crimes Task Force/20 Grant; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program
20. ORDINANCE approving and authorizing contract between the City of Houston and **BUSINESS ENTERPRISE MAPPING, INC** for Consulting Services to attain ISO 9001:2008 Certification in the Houston Police Department's Emergency Communications and Property & Supply Room Divisions - \$35,900.00 - General Fund
21. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston, Greater Harris County 9-1-1 Emergency Network and **HARRIS COUNTY** for Sharing a Microwave System to enhance and augment their respective Emergency Communications Programs
22. ORDINANCE approving and authorizing contract between the City of Houston and **AKIN GUMP STRAUSS HAUER & FELD, LLP** for Professional Services relating to representing the Houston Airport System in Washington, D.C.; providing a maximum contract amount - 1 Year with 2 one-year options - \$446,400.00 - Enterprise Fund - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**
23. APPROVING and authorizing ordinance relating to the pursuit of reimbursement of funds associated with overpayments for street light maintenance and illumination; approving first amendment to Professional Services Contract between the City of Houston and **TRI-STEM, LTD.**, (Approved by Ordinance No. 2009-942) for Utility Bill Auditing Services and approving and authorizing contract between the City of Houston and **BECK, REDDEN & SECREST, A Registered Limited Liability Partnership** for Legal Services in connection with a contractual dispute with CenterPoint Energy Houston Electric LLC
24. ORDINANCE appropriating \$39,786.00 out of Library Capital Project Fund for Concrete Repair Services to the Clayton Library Parking for the Houston Public Library Department under an existing citywide contract (Approved by Ord No. 2007-1052) with **SPRING EQUIPMENT CO., INC** and Design/Permit Documents Services under an existing Professional Architectural Services Contract with **BRAVE/ARCHITECTS, INC** and providing funding for contingencies relating to construction of facilities financed by Library Capital Project Fund - **DISTRICT D - ADAMS**
25. ORDINANCE appropriating \$225,000.00 out of General Improvement Consolidated Construction Fund, \$310,000.00 out of Parks Consolidated Construction Fund, and \$180,000.00 out of Fire Consolidated Construction Fund; approving and authorizing first amendment to contract between the City of Houston and **INLAND ENVIRONMENTS, LTD.** (Approved by Ord No. 2009-1100) for Asbestos Abatement and Demolition Services
26. ORDINANCE approving and authorizing agreement between the City of Houston and **HARRIS COUNTY** for Construction of Ella/Wheatley Boulevard from West Little York to West Gulf Bank Road - **DISTRICT B - JOHNSON**

RESOLUTIONS AND ORDINANCES - continued

27. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **BRAES TERRACE SUBDIVISION, SECTION 1** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT C - CLUTTERBUCK**
28. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **BRAES MANOR SUBDIVISION, SECTION 2** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT C - CLUTTERBUCK**
29. ORDINANCE appropriating \$1,058,858.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for Paving Extension of Kirby Drive from Fannin Street to Airport Boulevard (Approved by Ordinance No. 2009-1103); providing funding for CIP Cost Recovery relating to construction financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT D - ADAMS**
30. ORDINANCE appropriating \$3,125,606.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; 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
31. ORDINANCE granting to **PHOENIX POLLUTION CONTROL & ENVIRONMENTAL SERVICES, INC, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING**
32. ORDINANCE NO. 2011-0280, passed second reading April 27, 2011
ORDINANCE granting to **SUN COAST RESOURCES, INCORPORATED, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 33 through 36

33. **ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS**, relating to a charge for SafeClear towing; containing findings and other provisions relating to the foregoing subject; providing for severability
TAGGED BY COUNCIL MEMBERS HOANG and BRADFORD
This was Item 10 on Agenda of April 27, 2011
34. **ORDINANCE** approving and authorizing amendments to the fourth amended and restated SafeClear Freeway Towing and Emergency Road Service Agreements between the City of Houston and **ALLIED COLLISION CENTER, INC, CANNINO WEST, INC, CORPORATE AUTO SERVICES, INC, C-MAS, INC, d/b/a FIESTA WRECKER SERVICE, KTL ENTERPRISES, INC, MILAM STREET AUTO STORAGE, INC, NORTH HOUSTON MOTORS, INC, T & T MOTORS, UNIFIED AUTO WORKS PAINT & BODY, INC, d/b/a UNIFIED AUTO WORKS AND WESTSIDE WRECKER SERVICE, INC** to add City's Contractor's Pay or Play Program and to provide for collection of Tow Service Fees; and authorizing and approving first amendments to SafeClear Towing Services Agreements with **RBEX, INC d/b/a APPLE TOWING CO., STERLING INTEREST INVESTMENTS, INC, d/b/a ELITE COLLISION CENTER AND HOUSTON AUTO TECH INC, d/b/a HOUSTON AUTO TECH** to provide for the collection of Tow Services Fees; establishing a maximum contract amount for and authorizing a Temporary Assistance Program; authorizing the City Attorney to establish guidelines for eligibility for such Temporary Assistance Program - **TAGGED BY COUNCIL MEMBERS HOANG, JONES, BRADFORD and JOHNSON**
This was Item 11 on Agenda of April 27, 2011
35. **ORDINANCE** approving the issuance of Bonds by the **MIDTOWN REDEVELOPMENT AUTHORITY - DISTRICTS C - CLUTTERBUCK; D - ADAMS and I - RODRIGUEZ**
TAGGED BY COUNCIL MEMBER CLUTTERBUCK
This was Item 13 on Agenda of April 27, 2011
36. **MOTION** by Council Member Lovell/Seconded by Council Member Rodriguez to receive nominations for City Council Appointees to the **REBUILD HOUSTON OVERSIGHT COMMITTEE DELAYED BY MOTION #2011-346, 4/27/11**
This was Item 36 on Agenda of April 27, 2011

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Jones first

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

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

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

**CITY COUNCIL CHAMBER - CITY HALL 2nd FLOOR - TUESDAY
MAY 3, 2011 2:00PM**

NON-AGENDA

3MIN 3MIN 3MIN

- MR. JOHN OXLEY – 12750 Brian Forest, No. 314 – 77077 – 832-392-6874 – Law Enforcement treatment of a 5yr. child
- MR. LEE MERCER – 4928 Winnett – 77021 – 713-741-9656 – Mercer for President – Governmental platform
- MR. DONALD BURNS – 13021 Dongeal – 77047 – 713-882-0307 – Shamrock Manor official oppression
- MS. TAMARA SCHARCK – 2115 E. Settlers Way – 77380 – 832-754-5094 – Parking sign in Houston
- MR. RAY FIELD – 5910 Jackwood – 77074 – 713-297-1397 – Budget ideas
- MS. SUZANNE POOLE – Post Office Box 1035 – Missouri City – TX – 77459 – 281-438-5427 – SafeClear
- MR. ROY MORALES – 501 Fellows Rd. – 77047 – 713-320-8167 – SafeClear
- MR. NATE LUBKE – 1719 Live Oak – 77003 – 832-687-5917 – Petty Cab Industry
- MR. TRAVIS STOWER - 1719 Live Oak – 77003 – 832-275-9464 – Petty Cab Industry
- MR. ZAC HENDRICKSON – 1202 W. Gray, No. 3 – 77019 – 253-886-7628 – Petty Cabs
- MS. BRENDA THOMPSON – 406 Bradshire Ct. – Deer Park –TX – 77536 – 281-723-1406 – Petty Cabs
- MS. SHIRLEY WHITE – 2505 Fannin – 77002 – no phone – World War III
- MR. AURELIO CANTU – 2310 Freeman - 77009 – 832-767-7855 – The Green Movement – Small businesses
- MR. WILLIAM BEAL – no address – no phone – United States Marine Corp; Major Brigadier General Clark Kent
- MS. ANGELA HERNANDEZ – 8215 Gulf Spring – 77075 – 832-310-6213 – HPD shot my dog
- MR. MARK SMITH – Post office Box 896 – Bellaire – TX – 77402 – 713-867-5998 – City of Houston policies
- MR. NORMAN NELSON – Post Office Box 68424 – 77268 – 713-854-7246 – Want a City audit on P2MG Construction site
- MR. JOHN CIESLEWICZ – 1250Duberry – 77018 – 713-683-0703 – Drainage

PREVIOUS

1MIN 1MIN 1MIN

- PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 – 713-928-2871 - C/Attorney Policies - D. Feldman Criminal denials – Enforcement C/Attorney W/Charges – Attorney Malpractice

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work Times Construction, Inc. T.C. Jester Park WBS No. F-504B01-0001-4	Page 1 of 2	Agenda Item /
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FROM (Department or other point of origin): General Services Department	Origination Date 4-28-11	Agenda Date MAY 04 2011
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DIRECTOR'S SIGNATURE: Scott Minnix <i>Scott Minnix 4/25/11</i>	Council District affected: A
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For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ordinance No. 2009-1156, December 2, 2009 Ordinance No. 2010-0472, June 16, 2010
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RECOMMENDATION: Pass a motion approving the final contract amount of \$1,559,240.00, accept the work, and authorize final payment.

Amount and Source of Funding: No Additional Funding Required	Finance Budget:
Previous Funding: \$1,680,158.00 Parks Consolidated Construction Fund (4502)	

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$1,559,240.00 or 5% over the original contract amount, accept the work and approve final payment to Times Construction, Inc. for construction services for T.C. Jester Park for the Houston Parks and Recreation Department.

PROJECT LOCATION: 4201 West T.C. Jester (Key Map No. 451M)

PROJECT DESCRIPTION: The project removed the existing asphalt parking lot and replaced it with an expanded concrete parking lot. The pool deck and existing pool mechanical equipment was replaced and a spray feature and slide were added. Additional pool improvements included new plaster, tile and coping, as well as, new fencing and compliant pool deck marker. The existing restrooms were upgraded and a new metal entrance trellis added. Site improvements included tree planting, irrigation, detention, site grading, amphitheater stage, sidewalks, site lighting along with a new trail section.

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

PREVIOUS HISTORY AND PROJECT SCOPE: On June 16, 2010, City Council approved a First Amendment to increase the director's authority to approve Change Orders up to 7.02% of the original contract price and deleted a \$30,000.00 cash allowance for environmental waste disposal that was not necessary for the project.

CONTRACT COMPLETION AND COST: The contractor completed the project within 289 days: the original contract time of 180 days plus 109 days approved by Change Orders. The final cost of the project, including Change Orders is \$1,559,240.00, an increase of \$74,240.00 over the original contract amount.

REQUIRED AUTHORIZATION

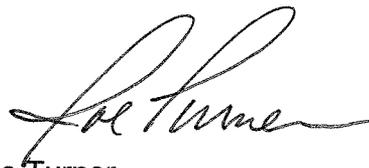
CUIC ID # 25PARK122

General Services Department:

Houston Parks and Recreation Department:



Richard A. Vella
 Chief of Design & Construction Division



Joe Turner
 Director

Date	SUBJECT: Accept Work Times Construction, Inc. T.C. Jester Park WBS No. F-504B01-0001-4	Originator's Initials DE	Page 2 of 2
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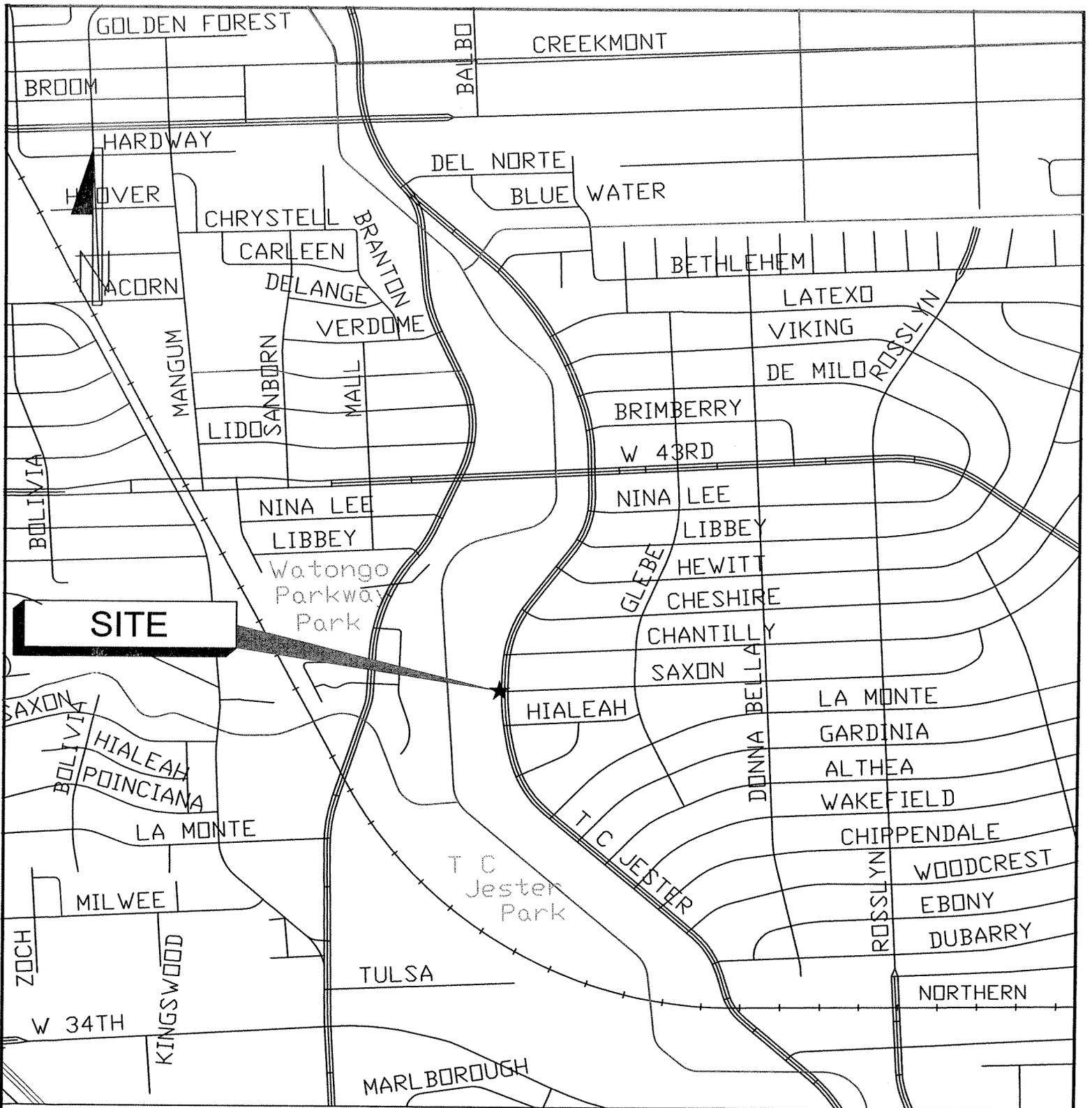
PREVIOUS CHANGE ORDERS: Change Orders 1-6 replaced the existing deteriorated roof substrate; removed and replaced a concrete block chase wall ; added camera inspection of an existing sewer line; replaced metal doors with fiber glass doors in the chemical room; removed and disposed of two pine trees; added a new electrical conduit to the pool sump pump; replaced zinc coated nuts and bolts with stainless steel nuts and bolts; pressure tested underground pool drain and supply lines to determine the condition of the existing lines; removed and replaced existing shower heads that had corroded; removed old pool lights; added grout sealant at the pool gutters; removed and replaced inlet fittings; expanded concrete pad at electrical panel; replaced chlorine tank; added clean-outs and hose boxes for the daily operation and maintenance of the pool; provided additional grading at amphitheatre to eliminate a mosquito breeding ground; added electrical service at amphitheatre area; installed pool furniture; enclosed ADA pool chair lift backflow preventer to secure from public tampering and potential mower damage; provided a key switch at amphitheater light poles; and added non-compensable time due to inclement weather and delay by Centerpoint in procuring the electrical meter.

MBE/SBE PARTICIPATION: The contract contained a 5% MBE goal and 5% SBE goal. According to the Affirmative Action and Contract Compliance Division, the contractor achieved 7.65% MBE and 10.24% SBE participation and was assigned an outstanding rating.

AT

SM:HB:JLN:LJ:DE:de

c: Marta Crinejo, Jacquelyn L. Nisby, Mark Ross, Luci Correa, Robert Gallegos, Tia Justice, Morris Scott, Christopher Gonzales, Gabriel Mussio, Russell Lee, Martha Leyva, File 1008



T.C. Jester Park
 4201 West T.C. Jester Blvd.
 Houston, TX 77018

COUNCIL DISTRICT "A"

WBS No. F-504B01-0001-4

KEY MAP NO. 451M

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Whiteheather Storm Sewer Improvements Segment 1; WBS No. M-000262-0001-4.	Category #1,7	Page 1 of 2	Agenda Item # 
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date MAY 04 2011
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: D 
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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. # 2008-606 dated: 06/25/2008
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RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$8,367,222.96 or 4.77% 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 \$9,973,000.00 with \$3,026,000.00 from Drainage Improvements Commercial Paper Series F, Fund No. 4030; \$5,250,000.00 from Federal Funds; \$1,697,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

PROJECT NOTICE/JUSTIFICATION: On April 28, 2006 the Metropolitan Planning Organization passed Amendment 82 to the Transportation Improvement Program, which authorized Texas Department of Transportation (TxDOT) to undertake and complete a highway improvement described as Whiteheather Storm Sewer Improvements, Segment 1. This project is 80% funded by Federal Funds. The COH is responsible for 20% of the cost associated with construction. Funding is being reimbursed by TxDOT through monthly billings as costs were incurred within the Drainage Fund.

DESCRIPTION/SCOPE: This project consisted of approximately 2,856 linear feet of reinforced concrete box storm sewers; 12,215 linear feet of 24-inch to 42-inch storm sewers, 2,490 linear feet of 8-inch and 12-inch sanitary sewers; 14,210 linear feet of 8-inch and 12-inch waterlines, concrete roadway reconstruction with curb and gutters, sidewalks and roadside ditch re-grade. SES Horizon Consulting Engineers, Inc. designed the project with 548 calendar days allowed for construction. The project was awarded to Angel Brothers Enterprises, Inc. with an original Contract Amount of \$8,786,305.27.

LOCATION: The project is generally bounded by West Fuqua on the north, Anderson Road on the south, Whiteheather Drive on the west and Bathurst Drive on the east. The project is located in Key Map Grid 572-S.

CONTRACT COMPLETION AND COST: The Contractor, Angel Brothers Enterprises, Inc., has completed the work under subject Contract. The project was completed with an extension of 6 days approved by change order no. 1. The final cost of the project, including overrun and underrun of estimated bid quantities, and previously approved Change Orders No. 2 thru 5 is \$8,367,222.96, a decrease of \$419,082.31 or 4.77% 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 various bid items, including Base Unit Price Items, Paving Items, Wastewater Items, Water Items, and Extra Unit Price Items, which were not necessary to complete the project.

REQUIRED AUTHORIZATION 20HA116

Finance Department:	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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Date	SUBJECT: Accept Work for Whiteheather Storm Sewer Improvements Segment 1; WBS No. M-000262-0001-4.	Originator's Initials	Page 2 of 2
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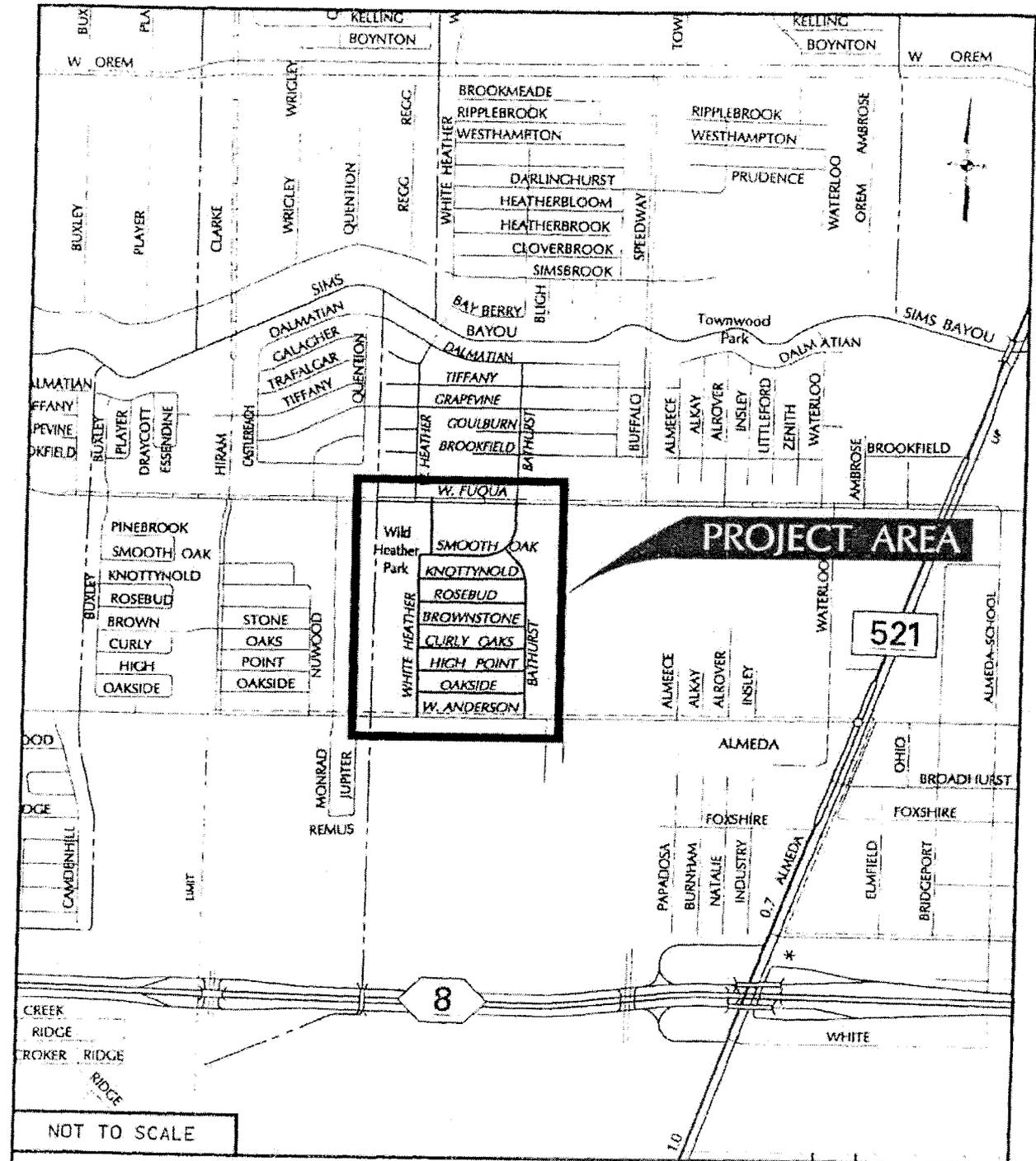
M/W/SBE PARTICIPATION: The M/W/SBE goal established for this project was 22%. According to Affirmative Action and Contract Compliance Division, the participant was 27.27% Contractor's M/W/SBE performance evaluation was rated Outstanding.


DWK:DRM:JTL:AK:AKJ:ha

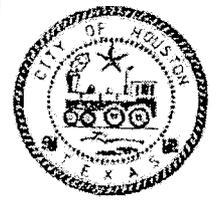
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File No. SM5056/21.0



NOT TO SCALE



CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

WHITEHEATHER STORM SEWER
IMPROVEMENTS - SEGMENT I
WBS NO. M-000262-0001-4
TxDOT CSJ 0912-72-070

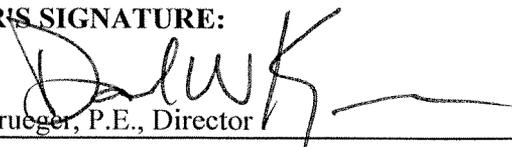
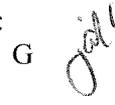
MAY, 2008

SES HORIZON
CONSULTING ENGINEERS, INC.
10101 Southwest Freeway, Suite 400 Houston, Texas 77074
1713 908-5504, Fax (713) 988-1447 www.seshorizon.com

VICINITY MAP

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Safe Sidewalk Program D6; WBS No. N-00610A-00D6-4.	Category #1, 7	Page 1 of 1	Agenda Item # 3
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date		Agenda Date MAY 04 2011
DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: G 		
For additional information contact: J. Timothy Lincoln, P.E. Senior Assistant Director  Phone: (832) 395-2355	Date and identification of prior authorizing Council action: Ord. # 2009-504 dated: 06/10/2009		

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$375,671.62 or 5.27% 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 \$495,100.00 from the Street and Bridge Consolidated Construction Fund No. 4506.

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

DESCRIPTION/SCOPE: This project provided for the construction of sidewalk improvements at numerous locations. SES Horizon Consulting Engineers, Inc. designed the project with 180 calendar days allowed for construction. The project was awarded to Metro City Construction, L.P. with an original Contract Amount of \$396,564.40.

LOCATION: The project area is located in Council District G. The project is located in various Key Map Grids.

CONTRACT COMPLETION AND COST: The Contractor, Metro City Construction, L.P., has completed the work under subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities, and previously approved Change Orders No. 1 and 2 is \$375,671.62, a decrease of \$20,892.78 or 5.27% 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 various bid items, including Base Unit Price Items and Cash Allowances Items, which were not necessary to complete the project.

M/W/SBE PARTICIPATION: There was no M/W/SBE goal established for this project.


DWK:DRM:JTL:AK:AK:ha

Z:\E&C Construction\South Sector\PROJECT FOLDER\N-00610A-00D6-4 SAFE SIDEWALK\21.0 Close-Out Documentation\RCA\RCA - Closeout.doc

c: File No.:N-00610A-D6/21.0

REQUIRED AUTHORIZATION

20HA114

NOT

Finance Department:

Other Authorization:

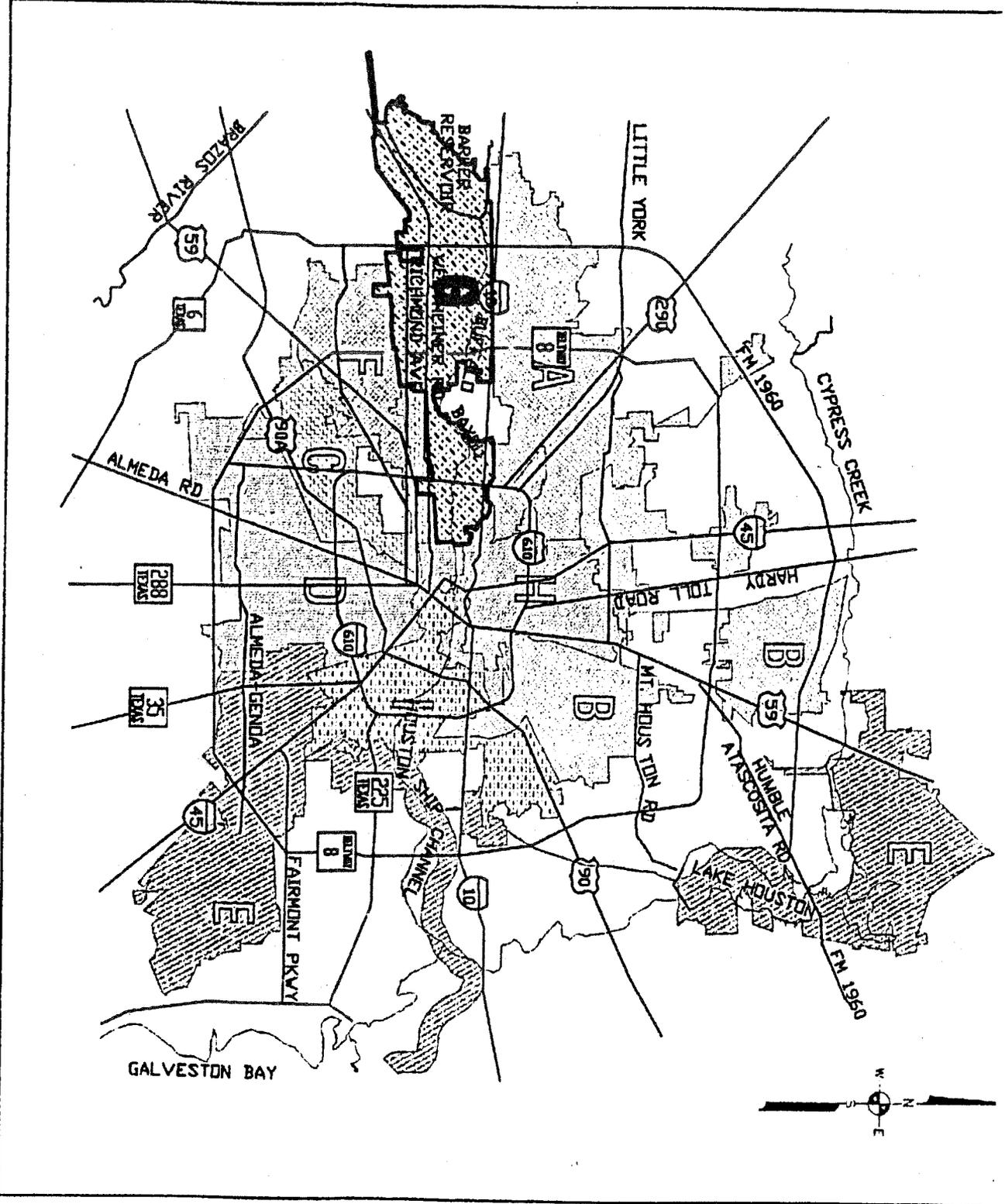
Other Authorization:


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

3

VICINITY MAP

COUNCIL DISTRICT G





PROJECT STREET LIST

Project Name : Safe Sidewalk D6
 Contractor : Metro City Construction, L.P.
 Project No: N-00610A-00D6-4
 Contract No: 460009687

Street	From Street	To Street	KEY MAP	Council District	Comments
Arnot Street	Haksell Street	Wescott Street	492F	G	Complete.
Richmond Avenue	Unity Drive	Freshmeadows Drive	490Z	G	Complete.
Westheimer Street	Sage Road	McCue Road	491T	G	The sidewalk in this area was removed from the scope of work due to the Galleria Management team notifying us that they intended to complete their own sidewalk improvements around the shopping center.
Willowick Street	Ella Lee Lane	Del Monte Drive	492N	G	The crushed granite sidewalk on the East side of Willowick from Ella Lee to San Felipe was removed from the scope of work due to severe tree obstructions in the area.
Wax Myrtle Lane	Kimberly Lane	Queensbury Lane	489G	G	Complete.
Gessner Drive	Boheme Drive	STA 3+52	490E	G	Complete.
Skyline Drive	Fountainview Street	Unity Drive	490Z, 491W	G	Complete.
Unity Drive	Skyline Drive	Fairdale Lane	490Z	G	Complete.
Richmond Avenue	Ashlock Drive	STA 13+90	488Z	G	Complete.

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Lockwood Lift Station Rehabilitation. WBS No. R-000267-00B3-4.	Page <u>1</u> of <u>1</u>	Agenda Item # 4
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date MAY 04 2011
DIRECTOR'S SIGNATURE: Daniel W. Krueger, P.E., Director	Council Districts affected: I	
For additional information contact: J. Timothy Lincoln, P.E. Senior Assistant Director Phone: (832) 395-2355	Date and Identification of prior authorizing Council Action: Ord. #2009-380 dated 05/06/2009	

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$2,241,656.34, which is 2.30% over the original Contract Amount, accept the Work and authorize the final payment.

Amount and Source of Funding: No additional appropriation required.
 (Original appropriation of \$2,596,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500).

PROJECT NOTICE/JUSTIFICATION: This project was part of the City's ongoing program to improve and upgrade lift station facilities.

DESCRIPTION/SCOPE: The project consisted of rehabilitation of the existing lift station, construction of 600 linear feet of 20-inch force main, and reconstruction of asphalt access road. Demopulos & Ferguson Associates, Inc., a division of Neel-Schaffer designed the project with 365 calendar days allowed for construction. The project was awarded to SER Construction Partners, Ltd. with an original Contract Amount of \$2,191,285.28.

LOCATION: The lift station is located at 698 Lockwood Drive, Key Map Grid 494-Q.

CONTRACT COMPLETION AND COST: The Contractor, SER Construction Partners, Ltd. has completed the Work under subject Contract. The project was completed with an additional 45 days approved by Change Order Nos. 1 and 2. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order Nos. 1, 2, and 3 is \$2,241,656.34, an increase of \$50,371.06 or 2.30% over the original Contract Amount.

The increased cost is primarily due to Change Order Nos. 1 and 2, which were necessary to complete the Work.

M/WBE PARTICIPATION: The M/W/SBE goal for this project was 22.00%. According to Affirmative Action and Contract Compliance Division, the actual participation was 21.76%. The Contractor achieved a "Satisfactory" rating for M/W/SBE compliance.

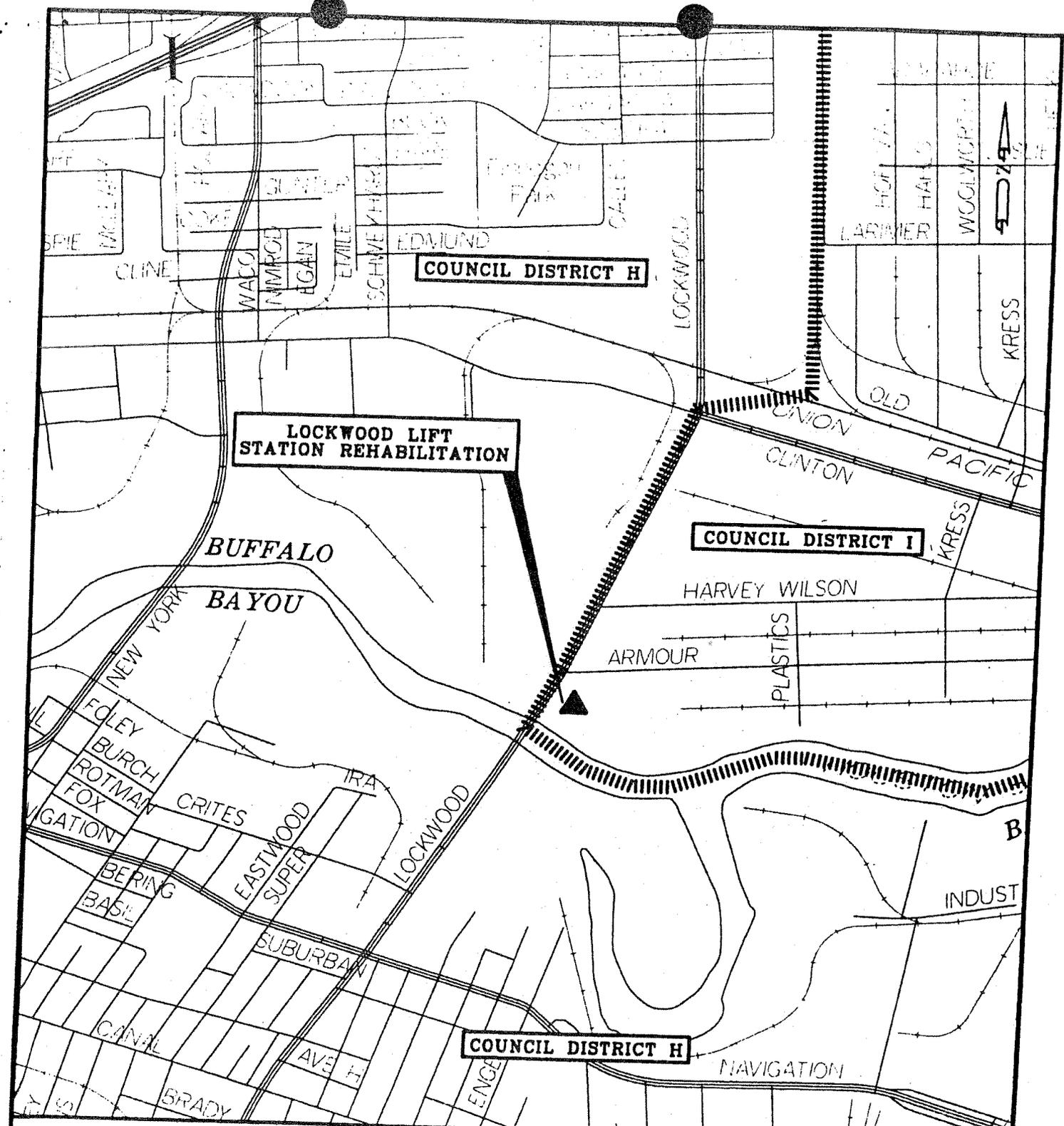
DWK:DRM:JTL:SKF:JP:mq
 Z:\E&C Construction\Facilities\Projects\R-000267-00B3-4 Lockwood Lift Station\Closeout\RCA\RCA-rev.DOC

c: File No. R-000267-00B3-4 – Closeout

REQUIRED AUTHORIZATION		CUIC ID# 20MZQ201
Finance Department:	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

MOT

4



LEGEND



PROJECT LOCATION



COUNCIL DISTRICT BOUNDARY

CITY OF HOUSTON
 GFS No. R-0267-B3-3 FILE No. WW4816-3
LOCKWOOD LIFT STATION
REHABILITATION

KEY MAP: 494-Q NOT TO SCALE

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Rehabilitation of Ground Storage Tanks and Cathodic Protection Systems. WBS No. S-000600-0034-4.

Page 1 of 1

Agenda Item # **5**

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

Agenda Date

MAY 04 2011

DIRECTOR'S SIGNATURE:

Daniel W. Krueger, P.E., Director

Council Districts affected:

A, B, G

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. #2010-330 dated 04/28/2010

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$854,238.50, which is 19.94% under the original Contract Amount, accept the Work and authorize the final payment.

Amount and Source of Funding: No additional appropriation required.

(Original appropriation of \$1,231,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500).

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

DESCRIPTION/SCOPE: The project consisted of rehabilitation of five (5) ground storage tanks and replacement of existing cathodic protection systems with new horizontal impressed cathodic protection systems for five (5) ground storage tanks. Brown & Gay Engineers, Inc. designed the project with 250 calendar days allowed for construction. The project was awarded to N. G. Painting, L. P. with an original Contract Amount of \$1,067,000.00.

LOCATION: The project areas are located at the following water plants:

<u>Water Plant & Tank No.</u>	<u>Address</u>	<u>Key Map Grids</u>	<u>Council District</u>
1. Spring Branch GST-1	9400 Kempwood	450-L	A
2. Spring Branch GST-2	9400 Kempwood	450-L	A
3. Acres Homes GST-1	1810 Dolly Wright	412-S	B
4. Acres Homes GST-2	1810 Dolly Wright	412-S	B
5. Southwest GST-5	4410 Westpark	491-Z	G

CONTRACT COMPLETION AND COST: The Contractor, N. G. Painting, L. P. has completed the Work under subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 1 is \$854,238.50, a decrease of \$212,761.50 or 19.94% under the original Contract Amount.

The decreased cost is primarily due to Change Order No. 1.

M/WBE PARTICIPATION: The M/SBE goal for this project was 11.25%. According to Affirmative Action and Contract Compliance Division, the actual participation was 14.18%. The Contractor achieved a "Satisfactory" rating for M/SBE compliance.

DWK:DRM:JTL:SKF:JP:mq

Z:\E&C Construction\Facilities\Projects\S-000600-0034-4 Rehab of tanks at acres homes, southwest and spring branch\Close out\RCA\RCA-rev.DOC

c: File No. S-000600-0034-4 - Closeout

REQUIRED AUTHORIZATION

CUIC ID# 20MZQ203

Finance Department:

Other Authorization:

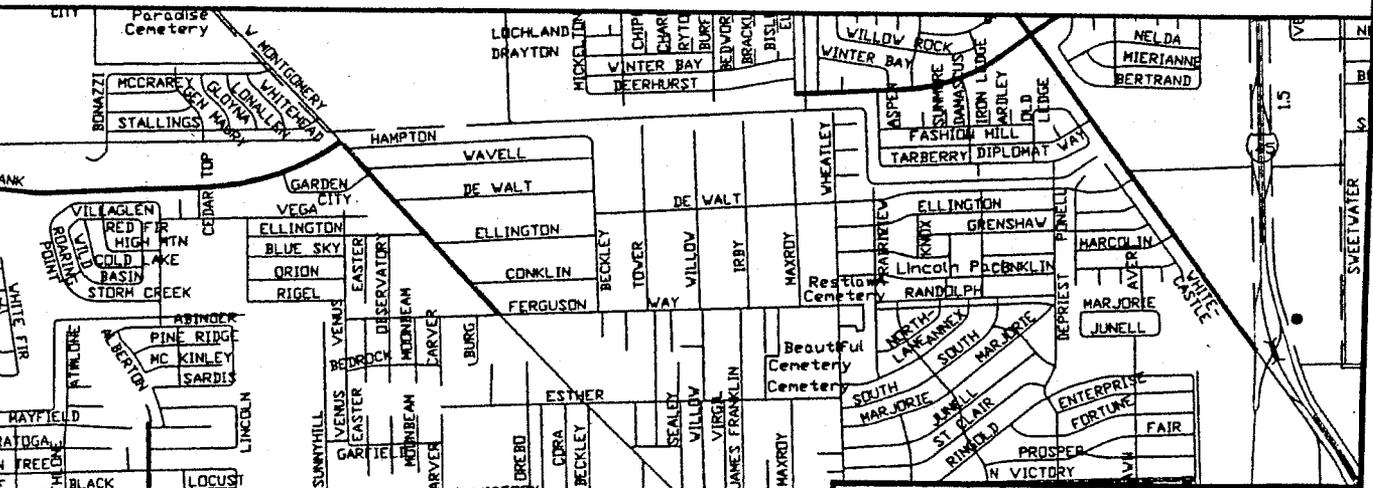
Other Authorization:


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

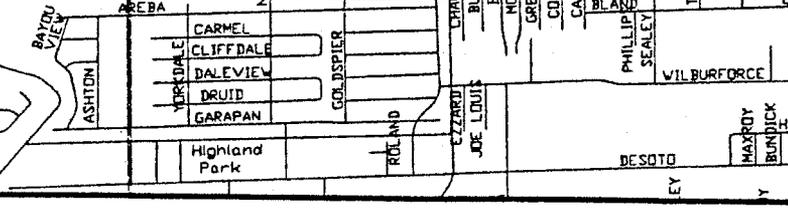
NOT

5

PROJECT LOCATION



PROJECT LOCATION



CITY OF HOUSTON

BROWN & GAY

ENGINEERS, INC.

Brown & Gay Engineers, Inc.
10777 Westheimer, Suite 400, Houston, TX 77042
Tel: 281-658-6700 Fax: 281-658-9701
— Civil engineers and surveyors —
www.browngay.com

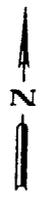
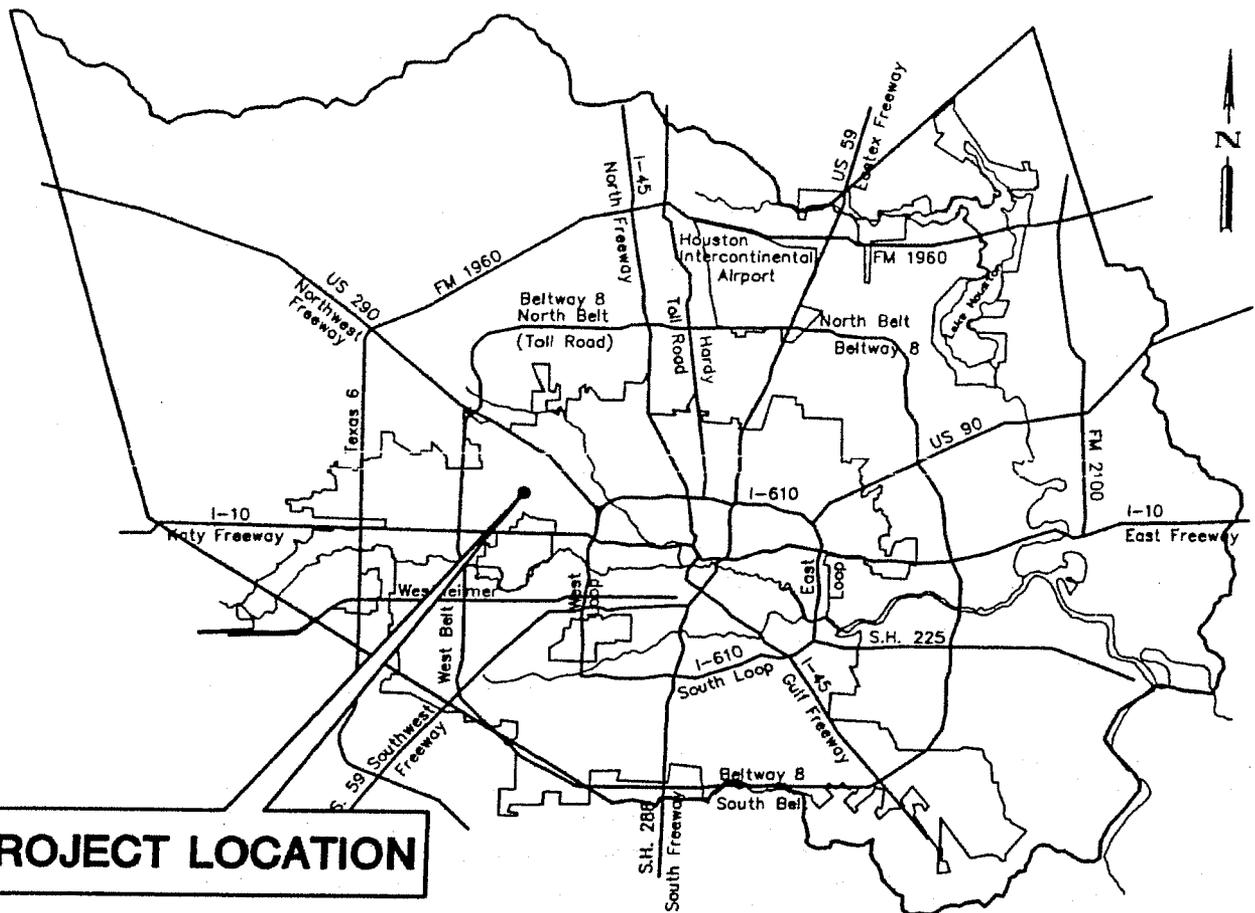
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ACRES HOMES GST-1

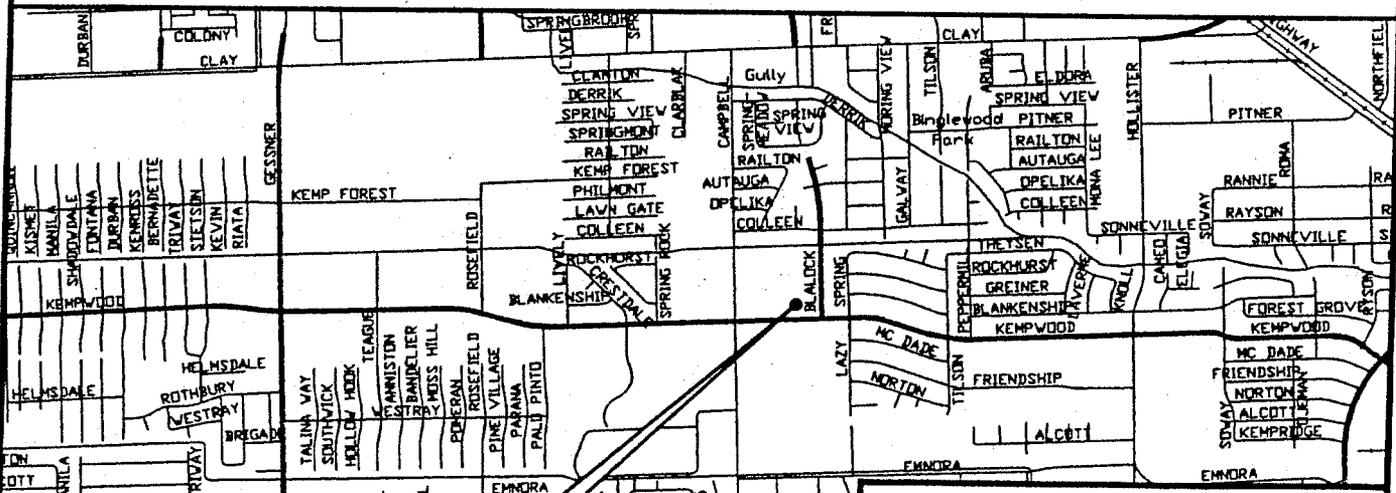
VICINITY AND LOCATION MAP

DATE: OCT, 2008	PROJECT # COH23-60	EXHIBIT: 1
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PROJECT LOCATION



PROJECT LOCATION



CITY OF HOUSTON

BROWN & GAY
ENGINEERS, INC.

Brown & Gay Engineers, Inc.
10777 Westheimer, Suite 400, Houston, TX 77042
Tel: 281-558-8700 Fax: 281-558-8701
— Civil engineers and surveyors —
www.browngay.com

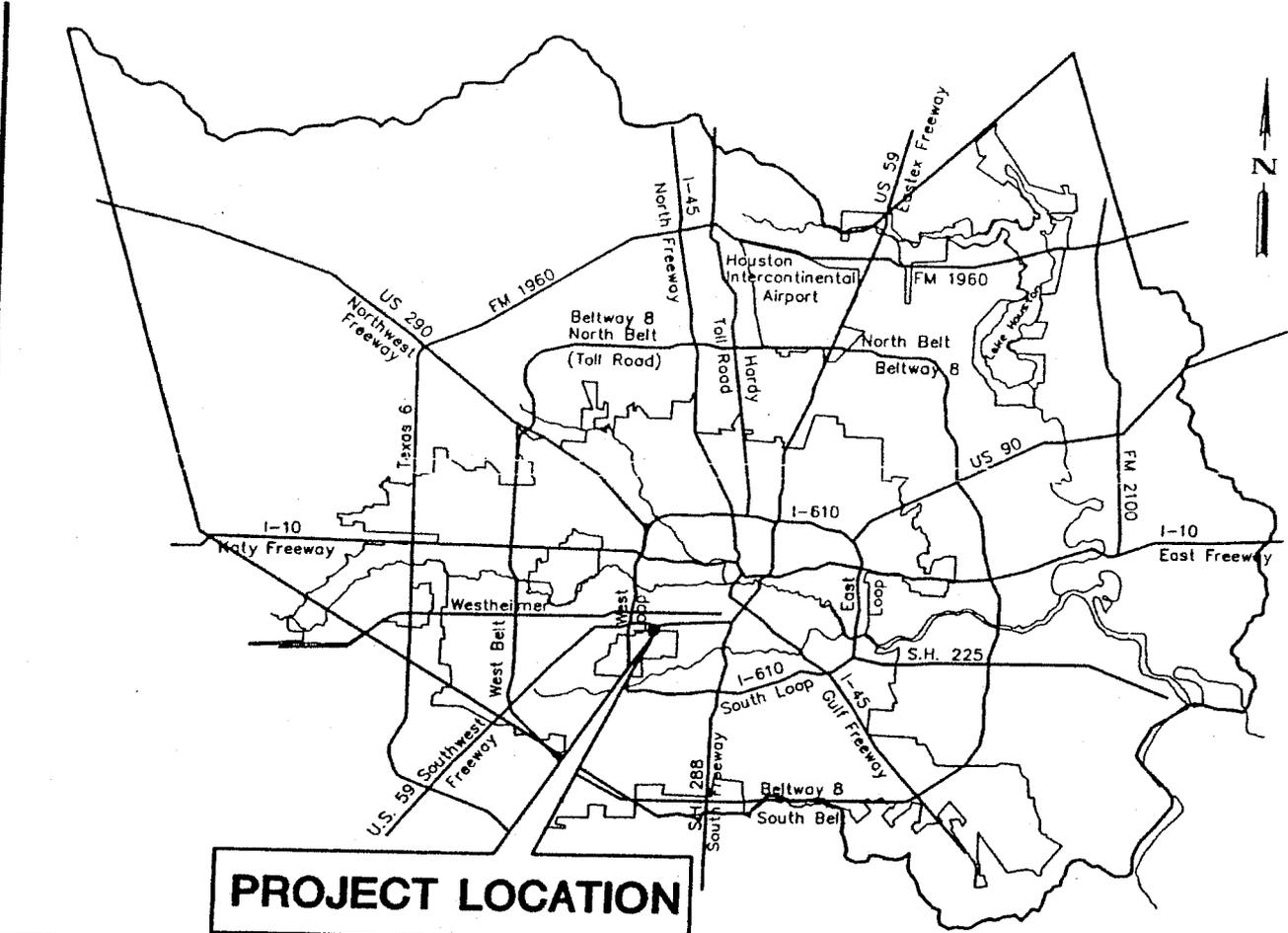
Copyright 2007

SPRING BRANCH GST-1

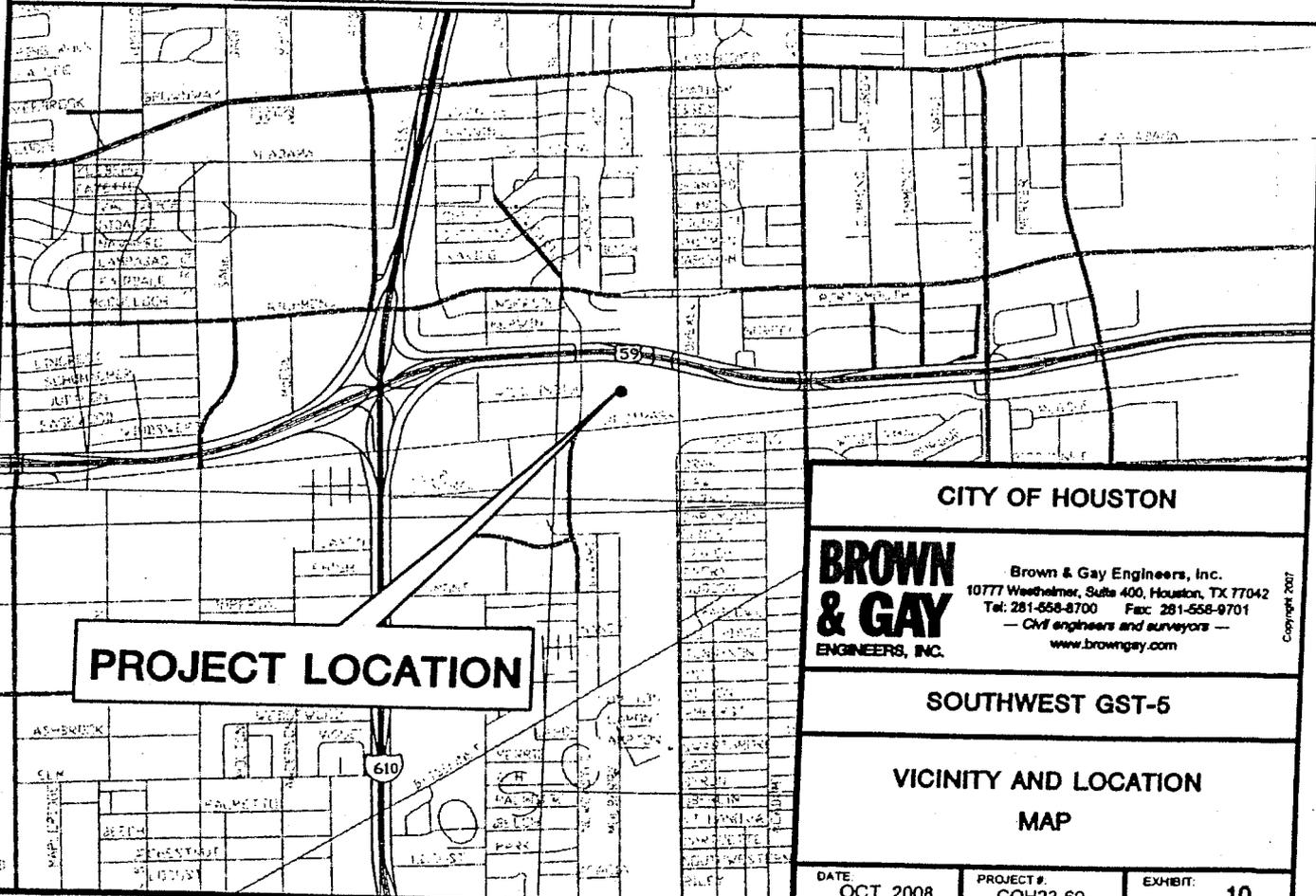
VICINITY AND LOCATION MAP

DATE	PROJECT #	EXHIBIT:
OCT, 2008	COH23-60	10

BROWN & GAY ENGINEERS, INC. 10777 Westheimer, Suite 400, Houston, TX 77042 Tel: 281-558-8700 Fax: 281-558-8701 www.browngay.com



PROJECT LOCATION



PROJECT LOCATION

CITY OF HOUSTON		
BROWN & GAY ENGINEERS, INC.		
Brown & Gay Engineers, Inc. 10777 Westheimer, Suite 400, Houston, TX 77042 Tel: 281-558-8700 Fax: 281-558-9701 — Civil engineers and surveyors — www.browngay.com		
SOUTHWEST GST-5		
VICINITY AND LOCATION MAP		
DATE OCT, 2008	PROJECT # COH23-60	EXHIBIT: 10

BROWN & GAY ENGINEERS, INC.
10777 Westheimer, Suite 400, Houston, TX 77042
Tel: 281-558-8700 Fax: 281-558-9701
www.browngay.com

Copyright 2007

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Request for the abandonment and sale of a 10-foot-wide utility easement and the attendant aerial easement, in exchange for the conveyance to the City of a 12-foot-wide access easement, all within Block 1, Riviera Addition, out of the A. C. Reynolds Survey, A-61. Parcels SY11-053 and AY11-168	Page <u>1</u> of <u>2</u>	Agenda Item # 6
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date MAY 04 2011
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: C Key Map: 492W
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For additional information contact: Nancy P. Collins  Senior Assistant Director-Real Estate Phone: (713) 837-0881	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary) It is recommended City Council approve a Motion authorizing the abandonment and sale of a 10-foot-wide utility easement and the attendant aerial easement, in exchange for the conveyance to the City of a 12-foot-wide access easement, all within Block 1, Riviera Addition, out of the A. C. Reynolds Survey, A-61. **Parcels SY11-053 and AY11-168**

Amount and Source of Funding: Not Applicable

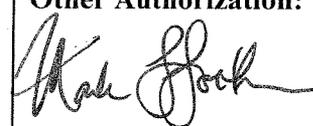
SPECIFIC EXPLANATION:
Tracy Youngblood, Brown & Gay Engineers, Inc., 10777 Westheimer Road, Suite 400, Houston, Texas, 77042, on behalf of Saint Philip Presbyterian Church of Houston, requested the abandonment and sale of a 10-foot-wide utility easement and the attendant aerial easement, within Block 1, Riviera Addition, out of the A. C. Reynolds Survey, A-61. Saint Philip Presbyterian Church of Houston, the property owner, plans to redevelop its property for multi-family residential use in the location of the subject utility easement.

This is Part One of a two-step process in which the applicant will first receive a City Council authorized Motion acknowledging the concept of the subject request. Upon the applicant satisfactorily completing all transaction requirements including those enumerated below, the Department of Public Works and Engineering will forward a subsequent recommendation to City Council requesting passage of an Ordinance effecting the sale. The Joint Referral Committee reviewed and approved this request, subject to the conveyance to the City of a 12-foot-wide access easement. Therefore, it is recommended:

1. The City abandon and sell a 10-foot-wide utility easement and the attendant aerial easement, in exchange for the conveyance to the City of a 12-foot-wide access easement, all within Block 1, Riviera Addition, out of the A. C. Reynolds Survey, A-61;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the utility easement being abandoned and sold;

s:\dob\sy11-053.rc1.doc CUIC #20DOB9197

REQUIRED AUTHORIZATION

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

Date:	Subject: Request for the abandonment and sale of a 10-foot-wide utility easement and the attendant aerial easement, in exchange for the conveyance to the City of a 12-foot-wide access easement, all within Block 1, Riviera Addition, out of the A. C. Reynolds Survey, A-61. Parcels SY11-053 and AY11-168	Originator's Initials 	Page <u>2</u> of <u>2</u>
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4. The applicant be required to: (a) cut, plug, and abandon the 6-inch sanitary sewer line, from manhole A5045175 west to its terminus, and relocate any existing service connections to the remaining 8-inch sanitary sewer line; (b) rehabilitate the 8-inch sanitary sewer line to remain within the remainder of the utility easement, from the proposed terminus to the existing 8-inch sanitary sewer line in Timmons Lane; (c) pay the depreciated value amount for the sanitary line to be abandoned and sold; 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 (sanitary sewer) 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 Motion shall be attached to the plan set when it is submitted for plan review;
6. In the interest of expediting the abandonment and sale process, the applicant may choose to provide the City with a Letter of Credit (LOC), subject to the City's concurrence, covering the estimated construction cost for work required in Item 4 above in lieu of performing such work prior to finalization of the ordinance for this transaction. Should this option be selected, the applicant will be required to provide a LOC showing the City of Houston as beneficiary and in an amount of the estimated construction cost approved by the City. The LOC will be for a specific time period which may be less than but not longer than twelve months from the effective date of the ordinance for this transaction. Upon the applicant's satisfactory completion of the construction-related work as evidenced by written inspection clearance/approval by the Office of the City Engineer, PWE, at the applicant's request the City will release the LOC;
7. The Legal Department be authorized to prepare the necessary transaction documents; and
8. 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 Sheila Stewart, an independent appraiser appointed by the Director of Public Works and Engineering.

DWK:NPC:dob

- 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



TIMMONS LANE
(60' R.O.W.)

CALLLED A 1.85075 ACRE TRACE OF LAND OUT OF
THE GUIDO-TASCHERI 22.5 ACRE TRACT
H.C.C.F. NO. 20080439057

Saint Philip Presbyterian Church of Houston

CALLLED 4.536 ACRE TRACT
CENTRAL PRESBYTERIAN CHURCH U.S.A.
VOL. 2878, PG. 243, H.C.D.R.
VOL. 2878, PG. 246, H.C.D.R.
VOL. 2889, PG. 537, H.C.D.R.
VOL. 2897, PG. 551, H.C.D.R.
VOL. 2911, PG. 675, H.C.D.R.

10' U.E. W/ 5' A.E.
VOL. 43 PG. 60, H.C.M.R.

10' U.E. W/ 5' A.E.
VOL. 43 PG. 60, H.C.M.R.

CUMMINS LANE
(60' R.O.W.)

Parcel SY11-053
Utility Easement
to be abandoned

Parcel AY11-168
Access Easement
to be conveyed
to the City

6 7 9 10
RIVERIA ADDITION
H.C.M.R.
PG. 43, PG. 60,
VOL. 43

25' B.L., VOL. 43, PG. 60, H.C.M.R.

RICHMOND AVENUE
(120' R.O.W.)

Subject: Request for the abandonment and sale of a 10-foot-wide utility easement and the attendant aerial easement, in exchange for the conveyance to the City of a 12-foot-wide access easement, all within Block 1, Riviera Addition, out of the A. C. Reynolds Survey, A-61. **Parcels SY11-053 and AY11-168**

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8994

Subject: Formal Bids Received for Parking Lot Renovation at 4400 San Jacinto for the General Services Department S50-C23856

Category #
4

Page 1 of 2

Agenda Item

7

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

Origination Date
April 22, 2011

Agenda Date
MAY 04 2011

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
1

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

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Forde Construction Company, Inc. on its low bid in the amount of \$145,166.36 and contingencies (5% for unforeseen changes within the scope of work) in the amount of \$7,258.32 for a total amount not to exceed \$152,424.68 for parking lot renovations at 4400 San Jacinto Street for the General Services Department.

Award Amount: \$152,424.68

Finance Budget

\$152,424.68 - Parking Management Operating Fund (8700)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Forde Construction Company, Inc. on its low bid in the amount of \$145,166.36 and contingencies (5% for unforeseen changes within the scope of work) in the amount of \$7,258.32 for a total amount not to exceed \$152,424.68 for parking lot renovations at 4400 San Jacinto Street for the General Services Department, and that authorization be given to issue purchase orders as necessary. These improvements will make the lot safer and increase security for patrons.

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

	<u>Company</u>	<u>Total Amount</u>
1.	Forde Construction Company, Inc.	\$145,166.36
2.	El Dorado Paving Company	\$147,500.00
3.	Times Construction, Inc.	\$164,500.00
4.	CBL Industries, LLC	\$167,670.00
5.	Carrera Construction, Inc.	\$183,900.00

The scope of work requires the construction contractor to provide all labor, materials, equipment, supervision, and transportation necessary to prepare the existing asphalt parking lot surface, re-surface the parking lot, re-stripe parking spaces, repair concrete curbs, as necessary, furnish and install new lighting (power, fixtures, mounting, etc.) and install electrical connections for parking meters. (Meters will be furnished and installed by others.) The warranty period on all materials and workmanship is one year and the life expectancy of the project is 20 years. The contractor shall have 120 calendar days to complete all work described herein as well as in the structural drawings, after receipt of the notice to proceed from the City.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

MO

7
12

Date:
4/22/2011

Subject: Formal Bids Received for Parking Lot Renovation at 4400
San Jacinto for the General Services Department
S50-C23856

Originator's
Initials
AL

Page 2 of 2

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: Arturo Lopez

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9036

Subject: Purchase of a Pickup Truck and a Utility Vehicle Through the Houston-Galveston Area Council for the Houston Police Department S34-E23938-H

Category #
4

Page 1 of 1

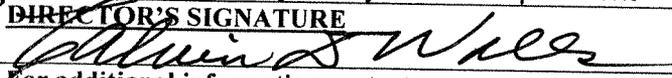
Agenda Item

8

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

Origination Date
April 13, 2011

Agenda Date
MAY 04 2011

DIRECTOR'S SIGNATURE


Council District(s) affected
All

For additional information contact:
Joseph A. Fenninger *JAF* Phone: (713) 308-1708
Ray DuRousseau *RD* Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of a pickup truck and a utility vehicle through the Houston-Galveston Area Council (H-GAC) in the amount of \$52,461.80 for the Houston Police Department.

Award Amount: \$52,461.80

Finance Budget

\$52,461.80 - Supplemental Environmental Project Fund (Fund 2404)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of a 1/2-ton, crew cab, gasoline-powered, pickup truck and a heavy-duty, four-door, gasoline-powered, utility vehicle through the Interlocal Agreement for Cooperative Purchasing with H-GAC in the amount of \$52,461.80 for the Houston Police Department and that authorization be given to issue a purchase order to the H-GAC contractor, Philpott Motors, Inc., d/b/a Philpott Ford. These vehicles will be used citywide by HPD's Major Offenders Division to transport Environmental Investigations Officers and special equipment to crime scenes that are often located in remote off-road areas.

These new vehicles will come with a full warranty of three years/36,000 miles and their life expectancy is seven years or 100,000 miles. These new vehicles will replace Shop No. 31906, a 10-year-old unit with 145,290 miles and Shop No. 33567, a 4-year-old unit with 137,309 miles. The units that will be replaced have reached their life expectancy and will be sent to auction for disposition.

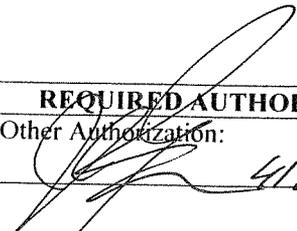
Buyer: Larry Benka
PR Nos. 10122646 and 10122648

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

 4/20/11

NOT

8

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8979

Subject: Formal Bids Received for the Purchase of Battery Powered Digital X-ray Systems and Associated Equipment for the Houston Police Department. S50-N23850

Category # 4

Page 1 of 1

Agenda Item

9

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

Origination Date April 19, 2011

Agenda Date MAY 04 2011

DIRECTOR'S SIGNATURE

Wells

Calvin D. Wells

Council District(s) affected All

For additional information contact: Joseph A. Fenninger Phone: (713) 308-1708 Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Operational Resources International, Inc. on its low bid in the amount of \$165,375.00 for battery powered digital x-ray systems and associated equipment for the Houston Police Department.

Awarded Amount: \$165,375.00

Finance Budget

\$165,375.00 - Homeland Security Grant (Fund 5030)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Operational Resources International, Inc. on its low bid in the amount of \$165,375.00 for battery powered digital x-ray systems and associated equipment for the Houston Police Department and that authorization be given to issue a purchase order. The x-ray system and associated equipment will be used by HPD's Bomb Squad technicians to disarm improvised explosive devices (IEDs) and secondary protective devices (booby traps). In addition, the new x-ray system will give the bomb squad technicians more mobility and faster mitigation time, giving HPD the ability to properly assess suspicious packages and disarm explosive devices.

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

<u>Company</u>	<u>Total Amount</u>
1. Operational Resources International, Inc.	\$165,375.00
2. Scanna MSC, Inc.	\$174,825.00

This purchase consists of five battery powered digital x-ray systems with hard cases and accessory packs, fifteen 14" x 17" storage plates, fifteen storage plate protectors, five laptop computers complete with Scanview software installed and eight hours of onsite training for the Bomb Squad technicians and equipment, which will be provided by the awarded contractor. The x-ray system equipment shall be delivered by common carrier and the x-ray equipment package will come with a full one-year warranty and the life expectancy is 10 to 15 years.

Affirmative Action has approved a 0% goal for equipment, training that can only be supplied by a reseller for the manufacturer and shipping by common carrier (Federal Express).

Attachment: MWBE Zero Percentage Goal Approved by the Affirmative Action Division

Buyer: Art Lopez

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

[Signature] 4/20/11

9

CITY OF HOUSTON
INTER OFFICE CORRESPONDENCE

to: Robert Gallegos, Assistant Director
Affirmative Action

FROM: Patricia Cheesman, IRM Manager
Technology Services Command, HPD

DATE: March 28, 2011

SUBJECT: **Revised Letter for 0% Goal**

The Houston Police Department is purchasing (5) five Scan Scout X-Ray systems, accessories, specialized onsite training and shipping (Federal Express) for the Bomb Squad.

As this action is a one-time procurement of the above mentioned items, HPD respectfully requests the approval of a waiver of an MWDBE participation goal. The approximate cost is \$160,000.

If I can provide further information please feel free to contact me at 713-247-8545.

**Patricia
Cheesman**

Digitally signed by Patricia Cheesman
DN: cn=Patricia Cheesman, o,
ou=Houston Police Department,
email=Patricia.
Cheesman@cityofhouston.net, c=US
Date: 2011.03.28 14:37:11 -05'00'

Patricia Cheesman, IRM Manager
Technology Services Command, HPD


Robert Gallegos, Assistant Director

March 28, 2011
Date



Memo to Houston,

Attention Arturo Lopez

This memo is to identify Operational Resources International as the training provider for the ScanX Scouts to the Houston Police Department. Operational Resources International will be providing training at the Houston facility that will include:

ScanX Scout hardware operation

ScanX Scout software operation

ScanX Scout maintenance

Basic Operator X-Ray techniques

All equipment will be delivered via Fed Ex to the designated shipping address.

Signed

X

Susan J. Driver

CEO

Operational Resources International Inc

271 Industrial Lane

Alum Bank Pa, 15521

814.839.2335

Cell 412.443.7313

sdriver@operationalresourcesintl.com

www.operationalresourcesintl.com

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8944

Subject: Formal Bids Received for Light-, Medium- and Heavy-Duty Cabs & Chassis and Truck Bodies for Various Departments S38-N23754

Category #
1 & 4

Page 1 of 2

Agenda Item

10+10A

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

Origination Date
March 28, 2011

Agenda Date
MAY 04 2011

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
David Guernsey Phone: (832) 395-3640
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)
Approve an ordinance authorizing the appropriation of \$306,812.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and approve various awards, as shown below, in the total amount of \$1,028,584.00 for light-, medium- and heavy-duty cabs & chassis and truck bodies for various departments.

Award Amount: \$1,028,584.00

Finance Budget

- \$ 306,812.00 - Equipment Acquisition Consolidated Fund (Fund 1800)
- \$ 568,553.00 - Stormwater Fund (Fund 2302)
- \$ 98,935.00 - PWE-Combined Utility System General Purpose Fund (Fund 8305)
- \$ 86,462.00 - HAS-AIF Capital Outlay Fund (Fund 8012)
- \$1,060,762.00 - Total Funding

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$306,812.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approve various awards, as shown below, in the total amount of \$1,028,584.00 for light-, medium- and heavy-duty cabs & chassis and truck bodies for various departments and that authorization be given to issue purchase orders. These trucks will be used citywide by department personnel to provide City services to the citizens of Houston. The requested appropriation out of the Equipment Acquisition Consolidated Fund (Fund 1800) includes \$32,178.00 for additional equipment that will be purchased in a separate procurement. The trucks that will be purchased with funding from the Equipment Acquisition Consolidated Fund (Fund 1800) are included in the adopted Equipment Acquisition Plan.

This bid was advertised in accordance with the requirements of the State of Texas bid laws. Ten prospective bidders downloaded the solicitation document from SPD's e-bidding website and five bids were received.

Houston Freightliner, Inc.: Award on its low bid meeting specifications for Item No. 3, a 52,000-lb. GVWR diesel-powered cab & chassis mounted with a 12/14 cubic yard dump truck body in the amount of \$86,462.00.

International Trucks of Houston: Award on its low bid for Item No. 4, a 21,500-lb. GVWR diesel-powered chassis mounted with a delivery step van body and Item No. 8, a 27,500-lb. diesel-powered GVWR cab & chassis mounted with platform/crane truck body in the amount of \$187,170.00.

Rush Truck Centers of Texas, L.P.: Award on its low bid meeting specifications for Item No. 5, a 56,000-lb. GVWR diesel-powered cab & chassis mounted with a winch; Item No. 6, a 50,000-lb. GVWR diesel-powered cab & chassis mounted with a combination sewer jet/vacuum truck body and Item No. 7, a 50,000-lb. GVWR diesel-powered cab & chassis mounted with a flusher truck body in the amount of \$754,952.00.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

D

Date: 3/28/2011	Subject: Formal Bids Received for Light-, Medium- and Heavy-Duty Cabs & Chassis and Truck Bodies for Various Departments S38-N23754	Originator's Initials LF	Page 2 of 2
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Strategic Purchasing Division will award Item No. 1 as the award amount is less than \$50,000.00. Item Nos. 2, 9 and 10 will not be awarded.

The trucks that will be purchased will meet the EPA's current emission standards for trucks equipped with gasoline and diesel engines. The cabs & chassis will come with warranties that range from three years/36,000 miles to five years/100,000 miles. The truck bodies will come with warranties that range from one to three years. The life expectancy of these trucks is seven years or 100,000 miles. See Attachment No. 2, Equipment Usage Summary, for truck usage and replacement details. The trucks that will be replaced have reached their life expectancy and will be sent to auction for disposition.

M/WBE Subcontracting:

Because these trucks are manufactured with factory-installed options and are shipped directly to the manufacturer's authorized dealer, the only M/WBE potential for these trucks is the purchase and installation of non-factory options such as truck bodies and associated equipment. This bid was advertised with an 11% M/WBE goal for the purchase of non-factory options. To the extent possible, the suppliers listed below have agreed to subcontract the purchase and installation of non-factory options and has designated General Truck Body Manufacturing, Inc. as their certified M/WBE subcontractor.

Recommended Supplier	Item No. with M/WBE Goal	Award Amount	M/WBE Supplier	M/WBE Participation Amount	Percentage
International Trucks of Houston	4 and 8	\$187,170.00	General Truck Body Manufacturing, Inc.	\$67,503.00	36%

Buyer: Lena Farris

- Attachments:
1. Vehicle Award Details
 2. Equipment Usage Summary
 3. Revised M/WBE Zero Percentage Goal Document Approved by the Affirmative Action Division (Item Nos. 3, 5, 6, and 7)

**VEHICLE AWARD DETAILS
FOR
LIGHT-, MEDIUM- AND HEAVY-DUTY TRUCKS
FOR VARIOUS DEPARTMENTS
BID N23754
RCA 8944**

Houston Freightliner, Inc.: Award on its low bid meeting specifications for Item No. 3, a 52,000-lb. GVWR diesel-powered cab & chassis mounted with a 12/14 cubic yard dump truck body in the amount of \$86,462.00.

<u>Company</u>	<u>Amount</u>
1. International Trucks of Houston	\$ 85,285.00 (Did Not Meet Specifications)
2. Houston Freightliner, Inc.	\$ 86,462.00
3. Rush Truck Centers of Texas, L.P.	\$100,837.00

International Trucks of Houston: Award on its low bid for Item No. 4, 21,500-lb. GVWR diesel-powered chassis mounted with a delivery step van body and Item No. 8, a 27,500-lb. diesel-powered GVWR cab & chassis mounted with platform/crane truck body and in the amount of \$187,170.00.

<u>Company</u>	<u>Amount</u>
1. International Trucks of Houston	\$187,170.00
2. Houston Freightliner, Inc.	\$193,147.00

Rush Truck Centers of Texas, L.P.: Award on its low bid meeting specifications for Item No. 5, a 56,000-lb. GVWR diesel-powered cab & chassis mounted with a winch; Item No. 6, a 50,000-lb. GVWR diesel-powered cab & chassis mounted with jet vacuum body and Item No. 7, a 50,000-lb. GVWR diesel-powered cab & chassis mounted with a flusher body in the amount of \$754,952.00.

<u>Company</u>	<u>Amount</u>
1. Houston Freightliner, Inc.	\$686,850.00 (Did Not Meet Specifications)
2. International Trucks of Houston	\$698,280.00 (Did Not Meet Specifications)
3. Rush Truck Centers of Texas, L.P.	\$754,952.00

**RCA 8944
EQUIPMENT USAGE SUMMARY
LIGHT-, MEDIUM- AND HEAVY-DUTY TRUCKS
S38-N23754**

Item No./Description/ Requisition Number	Qty	Department/Division Fleet Usage	Equipment Replacement		
Item No. 3/ 52,000-lb. GVWR, diesel-powered Cab & Chassis mounted with a 12/14-cubic yard Dump Truck Body PR No.10109673	1	Houston Airport System This truck will be used at the George Bush Intercontinental Airport by the Department to haul small to medium material loads.	<u>Shop No.</u> 21013	<u>Age/Yrs</u> 18	<u>Mileage</u> 113,363
Item No. 4/ 21,500-lb. GVWR, diesel-powered Chassis mounted with a Delivery Step Van Body PR No.10110389	1	Public Works & Engineering/ Public Utilities This truck will be used citywide by the Department for residential and commercial water/wastewater meter reading, collections, inspections, connections/disconnection, repair/replacement of meters and response to customer inquiries.	<u>Shop No.</u> 21856	<u>Age/Yrs</u> 18	<u>Mileage</u> 109,270
Item No. 5/ 56,000-lb. GVWR, diesel-powered Cab & Chassis mounted with a Winch PR No.10109515	1	Public Works & Engineering/ Right-of-Way & Fleet Maintenance This truck will be used citywide by the Department to transport heavy equipment required for repairs of City bridges.	<u>Shop No.</u> 16466	<u>Age/Yrs</u> 22	<u>Mileage</u> 29,306
Item No. 6/ 50,000-lb. GVWR, diesel-powered Cab & Chassis mounted with a Combination Sewer Jet/Vacuum Truck Body PR No.10109439	1	Public Works & Engineering/ Right-of-Way & Fleet Maintenance This truck will be used citywide by the Department's Storm Water Maintenance personnel to clean and maintain storm sewers to reduce flooding of City streets.	Addition to the Fleet Currently, Storm Water Maintenance has similar trucks in its Fleet, several of which are old and require constant maintenance and repairs. This additional truck is required to increase the productivity and efficiency of the Storm Water Maintenance Branch to enable it to meet its production goals.		
Item No. 7/ 50,000-lb. GVWR, diesel-powered Cab & Chassis mounted with a Flusher Truck Body PR No.10109438	1	Public Works & Engineering/ Right-of-Way & Fleet Maintenance This truck will be used citywide by the Department's Storm Water Maintenance personnel to flush driveway and crossover culverts located in roadside ditches.	<u>Shop No.</u> 18451	<u>Age/Yrs</u> 19	<u>Mileage</u> 127,357

**RCA 8944
EQUIPMENT USAGE SUMMARY
LIGHT-, MEDIUM- AND HEAVY-DUTY TRUCKS
S38-N23754**

Item No. 8/ 27,500-lb. GVWR, diesel-powered Cab & Chassis mounted with Platform/Crane Truck Body PR No.10111106	1	Parks & Recreation/Facilities Management This truck will be used citywide by the Department's Playground Group to transport personnel, tools and equipment to build and maintain playground equipment in City parks.	<u>Shop No.</u> 29250	<u>Age/Yrs</u> 13	<u>Mileage</u> 117,562
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Memorandum

Administration &
Regulatory Affairs

To: Robert Gallegos, Deputy Assistant Director
Affirmative Action Division

From: Lena Farris
Procurement Specialist

Date: February 21, 2011

Subject: MWBE Participation Form

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

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

I am requesting a revision of the MWBE Goal for Bid Item Nos. 3, 5-7, 9 and 10: Yes No Original Goal: 11% New Goal: 0% PDF

If requesting a revision, how many solicitations were received: 5

Solicitation Number: S38-N23754 Estimated Dollar Amount: \$1,273,583.00

Anticipated Advertisement Date: 11/19/2010 Solicitation Due Date: 12/23/2010

Goal On Last Contract: N/A Was Goal met: Yes No

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

Name and Intent of this Solicitation: Light-, Medium-, and Heavy-Duty Cabs & Chassis and Bodies

Rationale for requesting a Waiver of MWBE Goal for Bid Item Nos. 3, 5-7, 9 and 10:

The only M/WBE potential in this procurement is the purchase and installation of after-market truck bodies. 1) The award recommendation to Houston Freightliner is for Item Nos. 3 and 9. Houston Freightliner requested and received truck body pricing for Item Nos. 3 and 9 from General Truck Body (the only Affirmative Action Certified M/WBE supplier that can provide truck bodies). General Truck Body's price quote was higher than a price quote received from a non-M/WBE body supplier and Houston Freightliner made a business decision to accept the lower price quote from the non-M/WBE body supplier. 2) The award recommendation to Rush Truck Centers of Texas is for Bid Item Nos. 5-7. Rush Truck Centers of Texas requested truck body pricing from General Truck Body but they could not provide price quotes for Item Nos. 6 and 7 because General Truck Body cannot provide the City-specified truck bodies. General did submit a price quote for Item No. 5 but their pricing was higher than that of a non-M/WBE body supplier and Houston Rush Truck Centers of Texas made a business decision to accept the lower price quote of the non-M/WBE body supplier. 3) The award recommendation to International Trucks of Houston includes Item No. 10. International Trucks of Houston requested truck body pricing from General Truck Body but they could not provide a price quote because General Truck Body cannot provide the specified truck body. See attached documentation received from Houston Freightliner, Rush Truck Centers of Texas, and International Trucks of Houston.

Concurrence: _____
Initiator: _____
Robert Gallegos
Robert Gallegos, Deputy Assistant Director
*Affirmative Action

Calvin D. Wells, Deputy Director
City Purchasing Agent

Signature is required if the request is three percent or less MWBE participation, or to revise the MWBE goal.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8921

Subject: Purchase of Medium- and Heavy-Duty Cabs & Chassis and Truck Bodies Through the Houston-Galveston Area Council and the Texas Local Government Purchasing Cooperative for Various Departments S38-E23756 B&H

Category #
1 & 4

Page 1 of 2

Agenda Item

11/11A

FROM (Department or other point of origin):

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

Origination Date

January 21, 2011

Agenda Date

MAY 04 2011

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

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

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of \$652,171.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and approve the purchase of medium- and heavy-duty cabs & chassis and truck bodies through the Houston-Galveston Area Council (H-GAC) and the Texas Local Government Purchasing Cooperative (Buyboard) in the total amount of \$2,170,440.70 for the Public Works & Engineering Department and the Houston Airport System.

Award Amount: \$2,170,440.70

Finance Budget

\$ 1,352,372.70 - PWE Combined Utility System General Purpose Fund (Fund 8305)
\$ 652,171.00 - Equipment Acquisition Consolidated Fund (Fund 1800)
\$ 165,897.00 - HAS-AIF Capital Outlay Fund (Fund 8012)
\$ 2,170,440.70 - Total Funding

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$652,171.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approve the purchase of medium- and heavy-duty cabs & chassis and truck bodies through the Interlocal Agreements for Cooperative Purchasing with H-GAC and Buyboard in the total amount of \$2,170,440.70 for the Public Works & Engineering Department and the Houston Airport System, and that authorization be given to issue purchase orders to the cooperative purchasing agencies contractors as shown below. These cabs & chassis and truck bodies will be used citywide by Department personnel to provide City services to the citizens of Houston. The equipment that will be purchased with the funding from the Equipment Acquisition Consolidated Fund (Fund 1800) is included in the adopted Equipment Acquisition Plan.

H-GAC Contractors:

TYMCO, Inc.: Approve the purchase of a 30,000-lb. Gross Vehicle Weight Rating (GVWR) diesel-powered cab & chassis mounted with a regenerative air street sweeper truck body in the amount of \$165,897.00.

Houston Freightliner, Inc.: Approve the purchase of a 60,000-lb GVWR diesel-powered cab & chassis in the amount of \$87,829.00.

VAC-CON, Inc.: Approve the purchase of a sewer jet/vacuum combination truck body with a 9-cubic yard debris tank, including mounting onto the new 60,000-lb GVWR diesel-powered cab & chassis that is being purchased from Houston Freightliner, Inc. in the amount of \$221,181.70.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NOT

11/11A

Date: 1/21/2011	Subject: Purchase of Medium- and Heavy-Duty Cabs & Chassis and Truck Bodies Through the Houston-Galveston Area Council and the Texas Local Government Purchasing Cooperative for Various Departments S38-E23756 B&H	Originator's Initials LF	Page 2 of 2
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Rush Truck Centers of Texas, L.P.: Approve the purchase of a 39,000-lb GVWR diesel-powered cab & chassis; a 33,000-lb GVWR diesel-powered cab & chassis mounted with a 60-ft. aerial manlift truck body; a 34,000-lb GVWR diesel - powered cab & chassis mounted with a 46-ft. aerial manlift truck body; and four 35,000-lb GVWR diesel-powered cabs & chassis mounted with service bodies in the amount of \$1,181,766.00.

Schwarze Industries, Inc. Approve the purchase of an asphalt patcher truck body, including mounting onto the new 39,000-lb. GVWR diesel - powered cab & chassis that is being purchased from Rush Truck Centers of Texas, L.P., in the amount of \$132,520.00.

BuyBoard Contractor:

Chatang Enterprises, Inc.: Approve the purchase of a 43,000-lb GVWR diesel-powered cab & chassis mounted with a thermoplastic applicator truck body in the amount of \$381,247.00.

These new trucks will meet the EPA's current emission standards for trucks equipped with diesel engines. The trucks will come with full warranties that range from three years/36,000 miles to five years/100,000 miles on the cabs & chassis and one to three years on the bodies. The life expectancy of the trucks is seven years or 100,000 miles. See the attached Equipment Usage Summary for truck usage and replacement details. The trucks that are being purchased will replace units that have reached their life expectancy and will be sent to auction for disposition.

Buyer: Lena Farris

Attachment: Equipment Usage Summary

**RCA 8921
EQUIPMENT USAGE SUMMARY
MEDIUM- AND HEAVY-DUTY TRUCKS S38-E23756 B & H**

Requisition Number/ Item Description	Qty	Department/Division Fleet Usage	Equipment Replacement		
			Shop No.	Age/Yrs	Mileage
PR10109734/ 30,000-lb. GVWR, Diesel-Powered Cab & Chassis mounted with a Regenerative Air Street Sweeper Truck Body	1	Houston Airport System/ Ellington Airport This truck will be used at the Ellington Airport by the Department to remove debris from runway and taxiway areas.	28949	13	69,187
PR10109414/ 60,000-lb. GVWR, Diesel-Powered Cab & Chassis mounted with a Sewer Jet/Vacuum Combination Truck Body	1	Public Works & Engineering Department/ Public Utilities Division This truck will be used citywide by the Department to remove and dispose of sediment and other debris from the City's wastewater system and lift stations.	28028	13	80,995
PR 10109501/ 39,000-lb. GVWR, Diesel-Powered Cab & Chassis mounted with an Asphalt Patcher Truck Body	1	Public Works & Engineering Department/ Right-of-Way and Fleet Maintenance Division This truck will be used citywide by the Department to repair potholes in City streets.	29339	11	91,220
PR 10109744 33,000-lb. GVWR, Diesel-Powered Cab & Chassis mounted with a 60-ft lift capacity Aerial Manlift Truck Body	1	Public Works & Engineering Department/ Public Utilities Division This truck will be used citywide by the Division's Wastewater Operations Branch/Electrical Section to transport personnel, equipment, and tools required to perform maintenance on electrical equipment mounted on utility poles in excess of 50 ft. at the City's 40 wastewater treatment plants.	Addition to the Fleet. This additional truck is required to increase the productivity and efficiency of the Wastewater Operations Branch in repairing electrical equipment. Currently, the Branch does not have a manlift truck with the lift capacity to reach electrical equipment at heights greater than 50 feet. They have to either borrow a truck from another Branch or Division, or lease a truck to perform the necessary maintenance.		
PR 10110374/ 34,000 lb. GVWR, Diesel-Powered Cab & Chassis mounted with a 46-ft lift capacity Aerial Manlift Truck Body	1	Public Works & Engineering Department/ Public Utilities Division This truck will be used citywide by the Division's Wastewater Operations Branch/Electrical Section to transport personnel, equipment, and tools required to perform maintenance on electrical equipment mounted on utility poles 50-ft. or less at the City's 40 wastewater treatment plants.	Addition to the Fleet. This additional truck is required to increase the productivity and efficiency of the Wastewater Operations Branch in repairing electrical equipment. Currently, the Branch has only one 19-year-old 46-ft. lift capacity manlift truck to provide this service in the City's wastewater treatment plants.		

**RCA 8921
EQUIPMENT USAGE SUMMARY
MEDIUM- AND HEAVY-DUTY TRUCKS S38-E23756 B & H**

Requisition Number/ Item Description	Qty	Department/Division Fleet Usage	Equipment Replacement		
			<u>Shop No.</u>	<u>Age/Yrs</u>	<u>Mileage</u>
PR 10109296/ 35,000-lb. GVWR, Diesel-Powered Cab & Chassis mounted with a Service Body	4	Public Works & Engineering Department/ Public Utilities Division These trucks will be used citywide by the Department to transport personnel, equipment, and tools to repair 16-inch or larger water distribution and wastewater utility lines.	23261	16	92,923
			21902	16	80,215
			24723	16	82,153
			23259	16	100,639
PR 10110986/ 43,000-lb. GVWR, Diesel-Powered Cab & Chassis mounted with a Thermoplastic Applicator Truck Body	1	Public Works & Engineering Department/ Traffic & Transportation Division This truck will be used citywide by Department personnel to apply thermoplastic pavement markings on City streets.	<u>29362</u>	<u>12</u>	<u>97,638</u>

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8989

Subject: Spending Authority to Purchase Automotive Tools and Equipment from the State of Texas Procurement and Support Services Contract for Various Departments
S36-S23904-S

Category #
4

Page 1 of 1

Agenda Item

12

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

Origination Date
March 25, 2011

Agenda Date
MAY 04 2011

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
David Guernsey Phone: (832) 395-3640
Desiree Heath Phone: (832) 393-8742

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve spending authority to purchase automotive tools and equipment from the State of Texas Procurement and Support Services Contract in an amount not to exceed \$478,952.00 for various departments.

Estimated Spending Authority: \$478,952.00

Finance Budget

\$ 151,783.00 General Fund (1000)
\$ 10,489.00 Park Special Revenue Fund (2100)
\$ 16,680.00 HAS-Revenue Fund (8001)
\$ 300,000.00 PWE-W & S System Operating Fund (8300)

\$ 478,952.00 Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve spending authority to purchase automotive tools and equipment from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program in an amount not to exceed \$478,952.00 for various departments and that authorization be given to make purchases using purchase orders and the City's Purchasing Card, as needed, from the State contract supplier, Snap-On Industrial a Division of IDSC Holding, LLC for a 60-month period. This contract will be used by City departments to purchase various automotive tools and equipment such as flat chisels, adjustable wrenches and pliers, screwdrivers, ratchet sockets, battery and radiator testers, tool boxes, paint gun cleaners, and swivel-head rivet tools to be used by City personnel to repair and maintain various types of equipment and machinery citywide.

Purchases will be made using the supplier's Internet website. This will significantly reduce paper transactions and overall delivery time. Shorter delivery times will reduce the amount of inventories currently being maintained by the City.

Sections 271.081 through 271.083 of the Texas Local Government Code provide the legal authority for local governments to participate in the State of Texas Purchasing Program.

Buyer: Valerie Player-Kaufman

Estimated Spending Authority

Department	FY2011	Out Years	Total
Public Works & Engineering	\$15,000.00	\$285,000.00	\$300,000.00
Fire	\$ 1,223.00	\$ 72,160.00	\$ 73,383.00
Police	\$ 2,000.00	\$ 27,100.00	\$ 29,100.00
Solid Waste Management	\$ 1,000.00	\$ 24,000.00	\$ 25,000.00
Houston Airport System	\$ 834.00	\$ 15,846.00	\$ 16,680.00
Parks & Recreation	\$ 550.00	\$ 34,239.00	\$ 34,789.00
Total	\$20,607.00	\$458,345.00	\$478,952.00

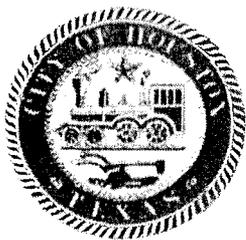
REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NOT



CITY OF HOUSTON

Administration & Regulatory Affairs Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

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

From: Valerie Player-Kaufman

Date: March 24, 2011

Subject: MWBE Participation Form

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

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

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

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

Solicitation Number: S23904-S Estimated Dollar Amount: \$478,952.00

Anticipated Advertisement Date: _____ Solicitation Due Date: _____

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

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

Name and Intent of this Solicitation:

Automotive Tools and Equipment. This award is for miscellaneous tools and equipment such as, flat chisels, adjustable wrenches and pliers, screwdrivers, ratchet sockets, battery and radiator testers, and tool boxes to be used by various departments to repair and maintain equipment and machinery on a daily basis citywide.

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

The current award was processed utilizing the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program, and a 0% M/WBE Goal was approved by the Affirmative Action Division (see attachment). The State of Texas Procurement and Support Services Contract will be used to process this renewal. Based on the information from the Supplier, Snap-On- Industrial, the items are produced and stocked by Snap-On Industrial, and will be drop-shipped directly from the manufacturer's plant to the City of Houston's user departments on an as needed basis using UPS as its common carrier. Subsequently, there is no opportunity for M/WBE participation; therefore, based on this information and prior history, we request that a 0% M/WBE Goal be approved on this award.

Concurrence:

SPD Initiator

Division Manager

Robert Gallegos, Deputy Assistant Director
*Affirmative Action

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

SUBJECT: Approval of a resolution designating two Historic Landmarks in accordance with Chapter 33, Code of Ordinances		Category #	Page 1 of 1	Agenda Item # 13
FROM (Department or other point of origin): Planning and Development Department		Origination Date April 15, 2011		Agenda Date MAY 04 2011
DIRECTOR'S SIGNATURE: <i>Marene K. Gajewski</i> RP		Council District affected: C, H		
For additional information contact: Courtney Spillane Phone: (713) 837-7894		Date and identification of prior authorizing Council action:		

RECOMMENDATION: (Summary)
Approval of a resolution designating two Historic Landmarks

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

SPECIFIC EXPLANATION:
A property owner may initiate an application for the designation of a Historic Landmark. These applications for Historic Landmark designation were initiated by the owners.

A public hearing was held by the Houston Archaeological and Historical Commission and there were no objections to the designations. The Houston Archaeological and Historical Commission determined that the applications satisfied applicable criteria of the ordinance and unanimously recommended approval of the Historic Landmark designations.

Photos of the proposed landmarks can be found by going to the following on the Planning Department's website: http://www.houstontx.gov/planning/historic_pres/pending.htm.

	HISTORIC LANDMARK NAME/ADDRESS:	INITIATED BY:	COUNCIL DISTRICT:	HAHC HEARING:
1	Holley-Mengden House 2240 Glen Haven Blvd	Owner	C	3-24-2011
2	Loggins-Hughes Building 4216-4218 Washington Avenue	Owner	H	3-24-2011

MG: rp

Attachments: Applications and Staff Reports

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

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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Planning and Development Department

LANDMARK DESIGNATION REPORT

LANDMARK NAME: Holley-Mengden House
OWNERS: Leonard and Susan Teich
APPLICANTS: Same
LOCATION: 2240 Glen Haven Blvd – Old Braeswood
30-DAY HEARING NOTICE: N/A

AGENDA ITEM: II.b
HPO FILE NO: 11L234
DATE ACCEPTED: Mar-02-11
HAHC HEARING: Mar-24-11

SITE INFORMATION

Lot 20, Block 6, Section One, Braeswood Subdivision, City of Houston, Harris County, Texas. The site includes a two-story, brick veneer, single-family residence and two-story brick veneer garage apartment.

TYPE OF APPROVAL REQUESTED: Landmark Designation for historic house

HISTORY AND SIGNIFICANCE SUMMARY

The Holley-Mengden House was built circa 1930 in the historic subdivision of 'Old' Braeswood. Established in 1928 by Houston developer and financier, George F. Howard, Braeswood was planned as the South End's version of the exclusive River Oaks, with gently curving streets, lush landscaping, and large lots filled with 'country' houses designed in the eclectic architectural styles of the time. The plan for Old Braeswood was designed by Hare and Hare of Kansas City, the nation's premier landscape firm. The neighborhood was developed in spurts through the 1930s, 1940s, and 1950s by different developers, with each section of the neighborhood having a distinct character reflecting its era of development.

The two-story brick house at 2240 Glen Haven was built in Braeswood's earliest section, and its French eclectic style of architecture reflects the eclectic manorial styles in vogue at the time. The earliest residents of the house were Dolores Welder and her first husband, William Crabb. In 1938, the house was purchased by Walter and Eugenia Mengden, who lived in the house until the mid-1950s. Their son, Walter Mengden, Jr., who grew up in the house, went on to serve in the Texas Legislature from 1971-1982. A Republican in an era when most Texas legislators were Democrats, Mengden acquired the nickname 'Mad Dog' because of a reputation for opposing almost any bill that was introduced.

If approved, the Holley-Mengden House will become the first designated landmark in Old Braeswood. The Holley-Mengden House meets Criteria 1, 3, and 4 for landmark designation.

HISTORY AND SIGNIFICANCE

Old Braeswood

Old Braeswood is one of Houston's historic neighborhoods, bounded by South Main, North Braeswood, Kirby Drive, and Holcombe Blvd. Located within one mile of the Texas Medical Center, Rice University, Rice Village, and the Astrodome complex, and surrounded by some of

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Houston's best schools, medical facilities, museums, restaurants, and shopping, Old Braeswood is one of the most convenient neighborhoods in the city.

Originally planned as a model 1920s garden subdivision, Braeswood was intended to be the South End's response to River Oaks, also developed in the 1920s, with similar gently curving streets, lush landscaping, and large lots filled with 'country' houses designed in the eclectic architectural styles of the time. The subdivision was planned in 1927 and 1928 for banker and developer George F. Howard by Hare and Hare, the Kansas City landscape architects responsible for many garden suburbs across the country, including Houston.

Howard was a lawyer and president of the San Jacinto Trust Company of Houston, a bank he established in 1920 that specialized in financing suburban real estate development. In 1927, Howard purchased 450 acres from John H. Kirby, who had assembled a large amount of land between Bellaire/Holcombe Blvd and Brays Bayou during the 1910s and early 1920s. Strict deed restrictions were drawn up that controlled land use, height, setbacks, building materials, and required all architectural plans to be approved by the Braeswood Corporation.

Between 1928 and 1929, five houses were built by the Braeswood Corporation in Section One of Braeswood (2115 Glenn Haven, 2329 Bluebonnet, 7319 Greenbriar, 2234 Glenn Haven, and 2318 Glenn Haven), and numerous others were built speculatively or by resident owners. All were two-story, brick-faced houses and, with one exception, were designed in a picturesque English manorial style, one of an array of eclectic "period" styles in vogue for American suburban houses of the 1920s. The first of these houses, at 2115 Glenn Haven, was designed by the architect Harry D. Payne; the others were designed by Carl A. Mulvey, whom the corporation designated consulting architect by September 1928. Mulvey had spent two years working in the office of Birdsall P. Briscoe. Payne and Mulvey were not the only architects used in Old Braeswood, just the first. Other architects that designed houses in Braeswood included Joseph Finger, Joseph W. Northop, Jr., Cameron Fairchild, Hollis E. Parker, Maurice J. Sullivan, Harvin C. Moore, and Theo G. Keller. The first house completed in Braeswood was at 7404 Greenbriar at Main St. Early purchasers of houses in Braeswood included former Governor William P. Hobby, members of the Fondren family, various oil company and corporate executives, lawyers, and doctors.

The Braeswood Corporation foundered, however, during the stock market crash of October 1929, and home construction slowed in the new neighborhood. In early 1930, the Braeswood Corporation dissolved and its interests and obligations were transferred to the Belmain Company, which maintained its office in the former Braeswood Corporation sales office on Main. The Belmain Company continued the landscaping of the subdivision and, during 1930, sold several speculatively built houses. It even built two new houses in 1931: the stucco-surfaced, tile-roofed "Belmain Mediterranean" designed by Charles S. Chase at 2315 Glenn Haven, and a brick-faced, American colonial-style house designed by J.W. Northop, Jr., at 2341 Glenn Haven.

Although twenty-two houses were built in Section One between 1930 and 1935, home construction did not really take off again until the 1935. Although the neighborhood remained on the edge of town in the 1930s, Houston annexed Braeswood in 1937. After Braeswood Corporation dissolved, portions of the original tract were sold off to new developers, and the neighborhood continued to develop in spurts through the 1930s, 1940s, and 1950s. The various sections of the neighborhood, developed over twenty-five years by different individuals, are

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quite distinct in character and architectural style, reflecting the era of development and the city's changing residential patterns. A detailed history of the neighborhood and its unique homes can be found in the publication, *Braeswood: An Architectural History*, written by architectural historian Stephen Fox.

2240 Glen Haven

In 1931, Wesley Fielden Holley and his wife Jessie E. purchased the property at 2240 Glen Haven Blvd from the Belmain Corporation. The 1931 directory lists W. Fielden Holley as a contractor living at 1815 Rosedale Ave. In 1938, Holley's occupation is listed as 'real estate' with an office at 1206 Texas Ave and residence at 33 West Thornton.

The house at 2240 Glen Haven first appears in the City Directories in 1931-2, when it is listed as vacant. The following year, 1932-3, William and Dolores Welder Crabb appear in the directory as the first residents of the house. William J. Crabb was a special agent at Underwriters Salvage Co. Dolores was the daughter of James F. Welder of Victoria, Texas, a cattle rancher and chairman of the board of the Victoria National Bank. Her great-grandparents were Dolores de la Portilla and James Power, the latter the co-founder of the Power-Hewetson Colony. Dolores left Old Braeswood for River Oaks after the death of her father, living with William Crabb, the first of her four husbands, in a 1935 house designed by John Staub at 2416 Pine Valley Drive, and described by Stephen Fox as "a magnificent Spanish colonial style house demolished in the mid-80s after her death."

In 1938, Walter and Eugenia Mengden purchased the house at 2240 Glen Haven from the Holleys. Although the Crabbs were listed as owners of the house in the city directories 1932-1935, this appears to have been in error. As the Holleys appear to have never lived in the house and Mr. Holley is listed as a contractor in the 1931 directory, it may be that Mr. Holley built the house at 2240 Glen Haven on spec, renting it first to the Crabbs before selling it to the Mengdens in 1938.

Walter H. Mengden was born in 1903, and worked as a landman for Superior Oil Company during the years the family lived on Glen Haven Blvd. Walter and his wife Eugenia, born in 1905, had two sons, Walter Jr. and Carl, and a daughter, Mary Patricia. By 1954, the Mengdens had moved to 3730 Willowick Road in River Oaks, and Walter had become a Vice President at Superior Oil. Eugenia died in 1983 and Walter Sr. in 1986.

Walter 'Mad Dog' Mengden, Jr.

Walter Mengden, Jr., was born October 25, 1926, and was 11 years old when his parents bought the house at 2240 Glen Haven in 1938. When Walter was 20, he moved out of the main house and into the garage apartment at the rear of the property. Walter attended the University of Texas and University of Texas Law School, served in the U.S. Army in the early 1950s, and was admitted to the Texas Bar in 1954.

Between 1971 and 1982, Walter Mengden was a Texas state legislator from Houston and was known as "Mad Dog Mengden." He served in the Texas House from 1971-1973 and represented the Houston-area Senate District 13 in the Texas Senate from 1973 until his retirement in 1982. Mengden served as the President Pro Tempore of the Texas Senate in the 67th Legislature, 1981-1983.

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Apparently Mengden got his nickname "Mad Dog" because he had a reputation for opposing almost any bill that was introduced. This becomes less surprising knowing that he was a Republican when nearly all Texans were Democrats. Legend has it that when Mengden "rose to speak, the rest of the Representatives would start barking and howling." There is also a colorful story, perhaps apocryphal, that Miss Ima Hogg once confronted Mad Dog in an elevator, and berated him for being a Republican when his parents and grandparents had been Democrats. According to one version, she even gave him a light whack on the leg with her cane.

Mengden is remembered for his support for adopting a statewide initiative and referendum (I&R) process in Texas. A state leader on the issue, Mengden pushed unsuccessfully for I&R at the Texas state constitutional convention in 1974, and continued to support it until his retirement in 1982. In both 1980 and in 1982, the state's Republican Party endorsed an I&R measure, but the movement never took off statewide after opposition arose from lobbyists and major corporate interests. When George W. Bush was elected Governor in 1994, he allowed the state's Republican Party to remove the pro I&R plank from the Party's platform and replace it with an anti I&R platform, thus ending any chances of I&R being adopted in Texas in the foreseeable future.

Mengden is also remembered for being part of the 'Dirty Thirty'- the name given to thirty members of the 1971 Texas House of Representatives, both Democrats and Republicans - who grouped against Speaker of the House Gus Mutscher and other Texas officials charged in a bribery-conspiracy investigation by the United States Securities and Exchange Commission. The coalition of thirty Democrats and Republicans, conservatives and liberals, has been given credit for keeping the Sharpstown Stock Fraud Scandal alive as a political issue.

In September 1971 a Travis County grand jury indicted Mutscher and two colleagues for conspiracy to accept a bribe and accepting a bribe. Mutscher was tried, found guilty, and sentenced to five years' probation. Although not brought to trial, Governor Preston Smith and Lieutenant Governor Ben Barnes saw their political careers effectively ended.

Walter Mengden Jr is currently 84 years old and lives in Central Texas.

Later Owners and Occupants

Later owners and occupants of the house include John P. and Jane Connor in the 1950s; Joseph M. Levy from 1958-1962; Albert Waina, a beauty operator at the nearby Shamrock Hotel in 1968; Dr. William Hawes, a UH professor in the Jack J. Valenti School of Communications, and his wife Ella Hawes, 1969-1989; Jim Gwinn, an architect, and Linda Webb, an organizational development consultant, 1989-2004; and Leonard and Susan Teich, the current owners, both retirees from Conoco. Susan Teich is also a former Assistant City Attorney for the City of Houston.

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY

The Holley-Mengden House is a two-story red brick veneer house built circa 1930. The pier and beam house is an example of the French Eclectic style, and features an asymmetrical façade, steeply pitched hipped roof, a two-story front porch with ironwork railings and columns, and a decorative brick band below the roofline.

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For its style, the house features a unique, corner two-story porch, which is inset and is covered by the main roof of the home. In the 1950s, a family room on slab was added in back. The current owners extended the kitchen out into the rear yard by about ten feet to make a breakfast area, which is not visible from the front. The original double-hung windows leaked, and were replaced in 2004 with single-pane windows. Although this could be considered an 'inappropriate' alteration, it is easily reversible and does not affect the landmark designation criteria. The doorknocker on the back door still features the name 'Mengden.'

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

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APPROVAL CRITERIA FOR LANDMARK DESIGNATION

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

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

- | S | NA | | S - satisfies | D - does not satisfy | NA - not applicable |
|-------------------------------------|-------------------------------------|---|---------------|----------------------|---------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation; | | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event; | | | |

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- (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation;
- (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city;
- (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood;
- (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation;
- (7) Whether specific evidence exists that unique archaeological resources are present;
- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride.

STAFF RECOMMENDATION

Staff recommends that the Houston Archaeological and Historical Commission recommend to City Council the Landmark Designation of the Holley-Mengden House at 2240 Glen Haven Boulevard.

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EXHIBIT A
Holley-Mengden House
2240 Glen Haven Boulevard



LANDMARK DESIGNATION REPORT

LANDMARK NAME: Loggins-Hughes Building

OWNER: Eva Hughes

APPLICANT: L.E. Chapman, Next Generation Advisors

LOCATION: 4216-4218 Washington Avenue

AGENDA ITEM: II.a

HPO FILE NO: 11L233

DATE ACCEPTED: Sep-14-10

HAHC HEARING: Mar-24-11

SITE INFORMATION: Lots 180, 181, 182 and 183 of the Magnolia Addition, City of Houston, Harris County, Texas. The site includes two adjoining one-story commercial structures.

TYPE OF APPROVAL REQUESTED: Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY

The Loggins-Hughes Building, built in 1936, is a one-story, retail structure designed in the Art Deco style. It is located on Washington Avenue, an historic thoroughfare that connected early Houston to neighboring communities and created for the growing city a hub for commerce and other travels. In recent years, Washington Avenue has undergone intense redevelopment. The Loggins-Hughes Building is one of the few remaining historic commercial buildings on the Washington Avenue corridor.

Between 1926 and 1936, Carl James Loggins purchased the lots on which the Loggins-Hughes Building stands. Loggins hired a well-known local contractor, W. L. Goyen, in February 1936 to build a new store building. Although the building was designed in the Art Deco style, the ornamentation on the façade is reminiscent of classical themes, particularly on the pilasters, a style that Goyen frequently utilized. Other notable Goyen buildings in Houston include the John G. Logue House (aka Italian Cultural Center) at 1108 Milford-Street, a city landmark designed by William Ward Watkin, and the Renaissance-Revival style Southwestern Bell building at 743 Harvard Street, built in 1926-27.

The building at 4216-4218 Washington Avenue remained in the Loggins family until 1973 when it was sold to the current owner, Eva Hughes. Throughout its seventy-five years, the Loggins-Hughes Building has housed Standard Pharmacy, Great A & P Tea Company, Hughes Liquor Store, food stores, a home supply outlet, a used furniture dealer, and a succession of clubs and bars. The building façade underwent unsympathetic alterations over the years, and the owner recently received a Certificate of Appropriateness to restore the building façade to its original appearance.

The Loggins-Hughes Building meets Criteria 1, 4, 5, and 6 for Landmark designation.

HISTORY AND SIGNIFICANCE

The Loggins-Hughes Building stands on a historically significant street in Houston's history, in an area that has long offered immigrants, and others, places to make their homes and build their businesses. According to Anne Sloan in her essay, "Washington Avenue: The Soul of Houston, Texas," this thoroughfare has long been an important connector of the city to its surrounding

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hinterland and beyond. Possibly it was so named because legislators supposedly moved the Texas capital from Washington-on-the-Brazos to Houston along this road in 1836. Farmers carried their produce to Market Square along the road. Eventually, Houston's original rail terminal, the Grand Central Station, was located on Washington Avenue, where the street met the sprawling town. Architectural historian Stephen Fox states that, by the end of the 1830s, Washington Avenue was one of eight historic roads that fanned out from Houston to neighboring towns, creating for the growing city a hub for commerce and other travels. Washington Avenue appears on Houston maps as early as 1839.

As Houston's population increased, rural farmland was subdivided for residential and other uses. As elsewhere, this process of suburbanization occurred along Washington Avenue. Neighborhoods such as Houston Heights (1892) and Brunner (1888), both separate communities from Houston until 1913 and 1918, respectively, developed in this fashion. A much smaller subdivision, Magnolia Addition, in which the subject property is located, was platted and filed of record in the Harris County Clerk's office on March 6, 1888. These west side additions are carved out of the John Austin Survey, A-1, which is, according to Neal Parker in his history of the West End (on the Rice Military website), "the first, largest, and best known of the Harris County land grants". John Austin was one of the original 300 settlers that came to Texas with Stephen F. Austin (no relation) in the 1820s. Two leagues of land were granted to John Austin by the Mexican government in 1824. The southern league was purchased in 1836 by John K. and Augustus C. Allen, which along with other land grants they acquired at the same time, became the location of a new town they named Houston.

The land that was to become Magnolia Addition, a thirty-one (31) acre tract along Washington Avenue was conveyed on February 28, 1888, to Ferris W. Colby by the Ohio Wool Growing Company. Magnolia Addition is adjacent to and north of Magnolia Grove, a larger subdivision stretching from Buffalo Bayou to Lillian (formerly Welch) Street, just one block south of Washington Avenue. Once part of the town of Brunner, Magnolia Grove was platted in 1895; Magnolia Grove became the name by which the wider area became known. The smaller Magnolia Addition is traversed east/west by Washington Avenue and Center Street, and north/south by Thompson Street. It is bounded by Patterson Street (the east line of Brunner Addition) on the west, Lillian (formerly Welch) Street on the south, Jackson Hill and Bonner streets on the east, and Allen (formerly West Rail Road) and Schuler streets on the north.

In their description of Magnolia Grove community, which included Magnolia Addition, Alisa Kline and Chris Braswell portray the neighborhood as a thriving working class area near the railroad yards and other industrial centers. Washington Avenue, as it traverses the neighborhood had "a concentration of shops said to rival Market Square," in a corridor known as "uptown." The streetcar line ran from downtown along Washington Avenue, turning at Shepherd (formerly Brunner) Avenue, which for years was the primary route to Dallas.

The subject property is in the south central part of the Magnolia Addition, bounded by Washington Avenue on the south and Thompson Street on the west. The west one-half of the property in its current configuration (Lots 180 and 181) was purchased by an attorney and Civil War veteran, Alfred Schrimsher, on September 29, 1904. According to the Morrison & Fourmy City of Houston directories, Schrimsher, his wife, Amanda, and two (presumably) daughters, Lillie and Pearl, lived in the Brunner Addition, on Roy Street between Dickson (formerly Pine) Street and Buffalo Bayou. The family had lived there since 1897 or 1898. In 1905 or 1906, Mr. Schrimsher became a land

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agent, but by 1907, Amanda was a widow living at 4218 Washington Avenue with her daughters, and making a living as a grocer. It is not known why Mr. Schrimsher acquired the property; it possibly was a speculative purchase or payment for legal services. It is also not known when the first building was constructed on the property as the 1896 Sanborn Map does not cover the area. But when Mrs. Schrimsher moved to Washington Avenue, she lived in a two-story frame structure that also served as her business location, according to the 1907 Sanborn Map. This building was apparently torn down in 1931, as noted on an investigation ticket from the Harris County Tax Assessor's office.

After having been a grocer, then a landlord renting rooms to boarders, Mrs. Schrimsher sold the property in 1920. Her last known address on Washington Avenue was 4218½, so another dwelling may have been constructed on the property during her residency there. Lots 180 and 181 appear to have changed hands twice in the early to mid 1920s. In 1922, a drug store occupied 4218 and a grocer occupied 4216, the first time that address appears in the City Directory. Then in 1926 and 1930, Carl James (C. J.) Loggins purchased Lots 180 and 181, respectively, from Guisseppe and Stefana Borzelleri. In 1936, Mr. Loggins purchased Lots 182, 183, 184, and 185 from Theodore G. and Martha Juergen. Thus began a lengthy association of the Loggins family and the north side of Washington Avenue.

According to Eva Hughes, Mr. Loggins was a pharmacist, although the 1923-24 City Directory lists him as a bookkeeper. Thereafter, he was associated with Standard Pharmacy, then at 4219 Washington Avenue, according to the 1925 and later years of the City Directory. It is unknown if this pharmacy was related to the earlier establishment, Service Drug Store, which was at 4218 Washington Avenue in 1922, then at 4219 the next two years. (After that, Service Drug Store had relocated near Houston's central business district, at 1301 Capitol Avenue.) C. J. Loggins remained at Standard Pharmacy, 4219 Washington Avenue, from 1925 to 1935.

During this time, according to the Harris County Deed Records, for about ten years from 1926, Mr. Loggins purchased several parcels of real estate, including the subject property, in Magnolia Addition, Houston Heights, Rice Military, Sunset Heights, H. & T. C. R. R. Co. Survey, and others. There were apparent title problems with Lots 180 and 181 because several quit claim deeds were among the instruments filed of record. In any event, Mr. Loggins had much interest in this area of Houston because he made his home in the Houston Heights from 1923 until 1972, living at 433 W. 23rd Avenue with his wife Linnie and daughter Sylvia Joyce.

In 1936, the same year that he purchased the adjoining Magnolia Addition lots, Mr. Loggins hired a contractor, W. L. Goyen (1884-1966) of Houston, in February 1936 to build a new store building on Lots 180 and 181. Mr. Goyen was a well-known builder in the Houston area, having overseen the construction of several notable commercial buildings and homes. Originally from Mississippi, he was residing with his parents at 218 West 20th Avenue in Houston Heights according the 1910 City Directory. In the 1915 directory, he was a general contractor. The 1930 U. S. Census reported the Goyen family living at 230 West 20th Avenue, with William L., wife Ruth M., son John R., and daughter Eloise in residence there.

Mr. Goyen's notable projects include the 1923 Logue House at 1108 Milford Street. Designed by William Ward Watkin, and described as "a two-story, brick veneer, and classically detailed country house with a modified rectangular plan and a side-gabled roof," according to the application for

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listing in the National Register of Historic Places, this house is now known as the Italian Cultural and Community Center. Another Goyen project, a commercial building at 743 Harvard Street, is built in the Renaissance Revival style in 1926-27 for the local telephone company. Southwestern Bell Telephone Company applied for a National Register listing in 1980. Similar to the Logue House, this building is ornamented with classical detailing, which was unusual for the 1920s. A third Goyen building is a home at 317 West 20th Avenue, only one block from his residence. Known as the T. C. Jester/Clayton Lee Home, it was built in a classical style in 1928, according to Anne Sloan's photographic history of the Houston Heights.

The Texas General Contractors Association Bulletin of February 1936 states that the subject building was planned to be a one-story, six-room commercial building with sixty feet fronting along Washington Avenue and sixty-three feet in depth along Thompson Street. The cost was projected at \$7,600. As noted above, the Loggins-Hughes was built in the Art Deco style. However, the ornamentation on the façade is reminiscent of classical themes, particularly on the pilasters, a style that Mr. Goyen frequently utilized.

Construction must have proceeded at brisk pace because before the year was ended, Standard Pharmacy had moved into its new location, across the street from its original site, per the 1936 City Directory. Standard Pharmacy occupied the west portion of the new building, at the corner of Washington and Thompson, also known as 4218. At the same time, a tenant occupied the east portion of the building, 4216; it was the Great A & P Tea Company, which became A & P Food Store the next year, remaining in that location until 1949. Standard Pharmacy remained at 4218 at least until 1953; thereafter, the business was known as either Wolf's Drug Store or Standard Pharmacy until 1968 when Hughes Liquor Store occupied the space. For 4216, the turnover was more frequent; this part of the building housed food stores, a home supply outlet, and a used furniture dealer over the years. Lots 182 and 183 have served as parking for the businesses on lots 180 and 181. There is also an outbuilding at the rear of these lots that is connected to 4216.

Having purchased about 400 acres in Waller County, Mr. Loggins was listed as "farmer Hempstead Texas" in the City Directory from 1958 until 1972, which is presumably the year of his death. On October 2, 1973, daughter Sylvia Joyce Loggins sold the subject property to Homer and Eva Hughes. Eva Hughes remains the current owner of record. In the intervening years, 4218-4216 Washington Avenue has housed a liquor store and a succession of clubs and bars. Currently, the Pearl Bar, a popular and trendy club is in 4216 and the Salt Bar, a similar tenant, is in 4218.

The Loggins-Hughes Building takes its name from the only owners who have held title to the property from 1936, and have had the most responsibility for the improvements.

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY

A classic example of Houston's Art Deco period, the building features six cast limestone pilasters that project above the parapet wall, providing vertical decorative elements (four on the Washington Avenue or south elevation, one on the Thompson Street or west elevation, and one at the corner of the building facing both streets). At the top of the pilasters is an abstract acanthus-like pattern, which adds unique eye-catching detail and makes the pilasters appear light and almost organic.

Another distinctive period design element is the cornice line, which was designed with an ornamental chevron pattern. This line extends across the entire front, and onto the west side of the

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building. Below the cornice, an original cable-stayed canopy wraps around the south (front) and west facades of the building. (This overhanging roof is currently supported by wood-clad metal poles; however, the original canopy is still in place.)

Since C. J. Loggins, with general contractor W. L. Goyen, built the structures, totaling 3,780 square feet, in 1936, the adjoining buildings have housed numerous types of companies over the years. The interior at 4218 Washington was designed specifically for Mr. Loggins' drug store and pharmacy, with twenty-foot (20) ceilings, front display windows that wrapped around from the south to west sides of the building, terrazzo floors, and a soda fountain with lunch counter.

The building at 4216 Washington shares a common wall with 4218; it was designed to be wider and more open to house a grocery store, the A & P Food Store. Its ceiling is lower at eighteen (18) feet, but the wood-frame roof joist are the same. The two Art Deco buildings were designed for retail with large glass store fronts and facades with decorative period designs.

The corner building at 4218 remained a drug store until 1968 when Homer Hughes occupied the building for a liquor store. He made major interior changes at that time, including removing the fountain and the counter. He also demolished a small wooden house, at 1008 Thompson in the back of the property, that was constructed by Mr. Loggins. (It is not known when this house was built; it appears as a later addition on the 1925-1957 Sanborn Map.)

The building maintained a similar appearance over the years, but fell into disrepair after Mr. Hughes died in 1992. In December 2009, his family replaced the roof and cleaned up the grounds

In early 2010, the current tenant of 4218, Salt Bar, completed a major interior renovation which included air conditioning, electrical wiring, and a large interior bar. The exterior storefront was repainted, but otherwise remained relatively untouched. A traditional-style front door, in keeping with the bar, was installed. Twelve (12) windows on the west wall, previously boarded up, were put back into service, and two (2) exterior doors along the same wall were removed. At the rear of the property, Salt Bar also built a patio and an approximate 400 square-foot bathroom and mechanical room addition, clad with hardy plank to meet code, adjoining the old building. It appears that this renovation covered over and painted most of the Art Deco embellishments to match the adjoined building.

The 4216 building was leased to various tenants over the years, but the interior open concept was maintained. One tenant, Perry Home Refrigeration, in about 1953, built a small wooden warehouse on part of lots 182 and 183 to house its refrigeration business. The exterior of the main building remained intact over the years, except for an attempt to mask the Art Deco embellishments on the cornice and pilasters. It is unknown who covered over these areas. In 1982 with the occupancy of a bar, known as the Boardwalk Beach Club, major interior changes were made. In 1986, another bar, Mary Jane's, occupied the space. This tenant added an outside covered patio and bar with tile countertop immediately behind and adjoining the old building.

In about 2002, Eva Hughes, widow of Homer Hughes, demolished the warehouse outbuilding. In 2005 the current tenant, Pearl Bar, remodeled the interior, replacing the wooden double entrance doors with industrial-style steel doors and side lights. In 2008, Pearl Bar added a mobile walk-in storage and ice shed addition to the back portion of lot 183.

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In February 2011, the owner was granted a Certificate of Appropriateness to restore the building. At some time in the past, the building was cast in tar. The owners plans to remove the tar and clean and repair the underlying brick and clay block masonry; remove existing roof and install a new modified bitumen roof; remove existing canopy, which is a later alteration, and install a new overhead supported metal canopy more in keeping with the character of the building; remove the existing wooden support columns and railing, which are a later inappropriate alteration; and repair existing cover of encased transom on the east entrance (transom to be restored in a future phase).

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

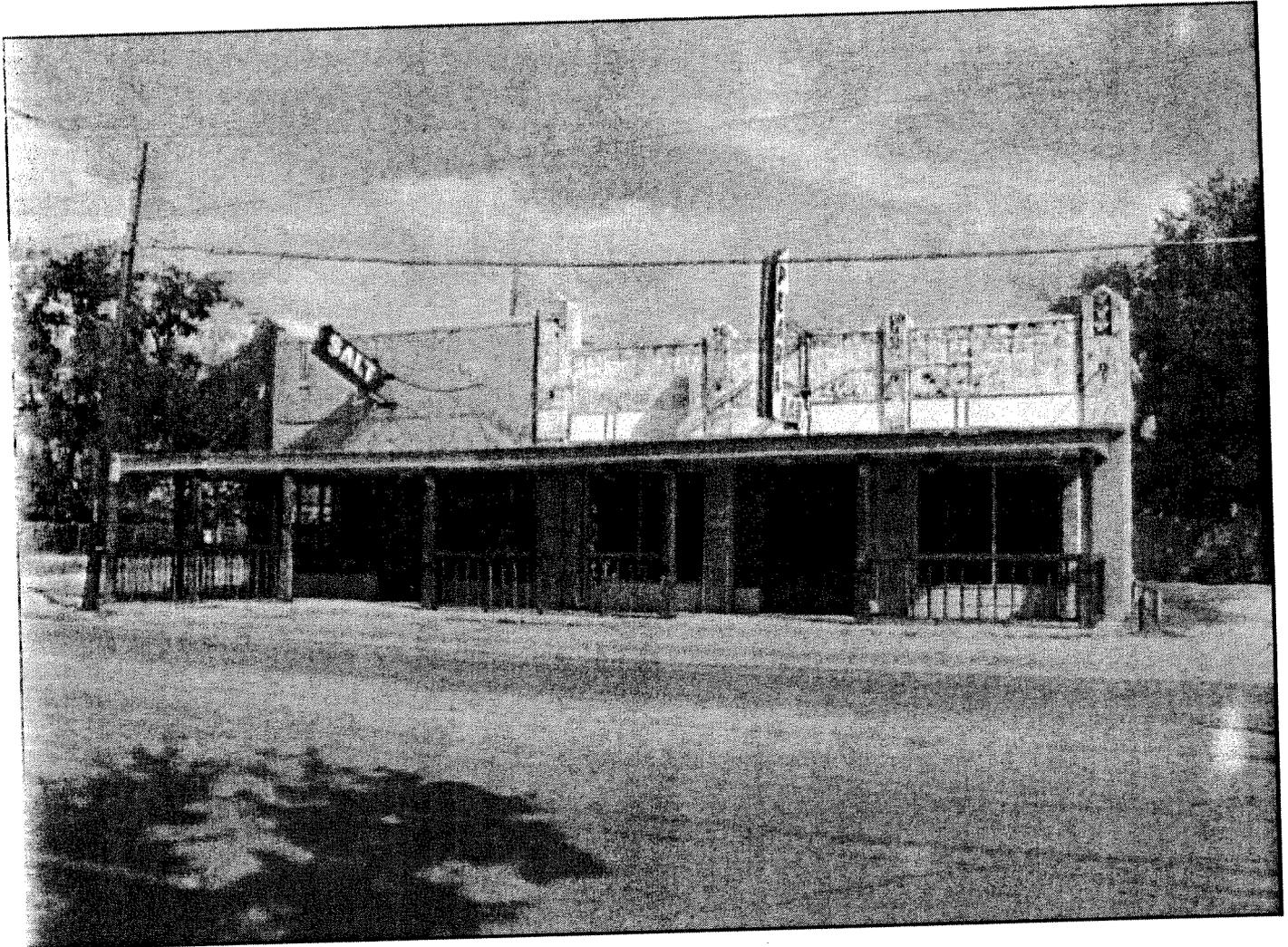
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EXHIBIT A

Loggins-Hughes Building
4216-4218 Washington Avenue



CITY OF HOUSTON

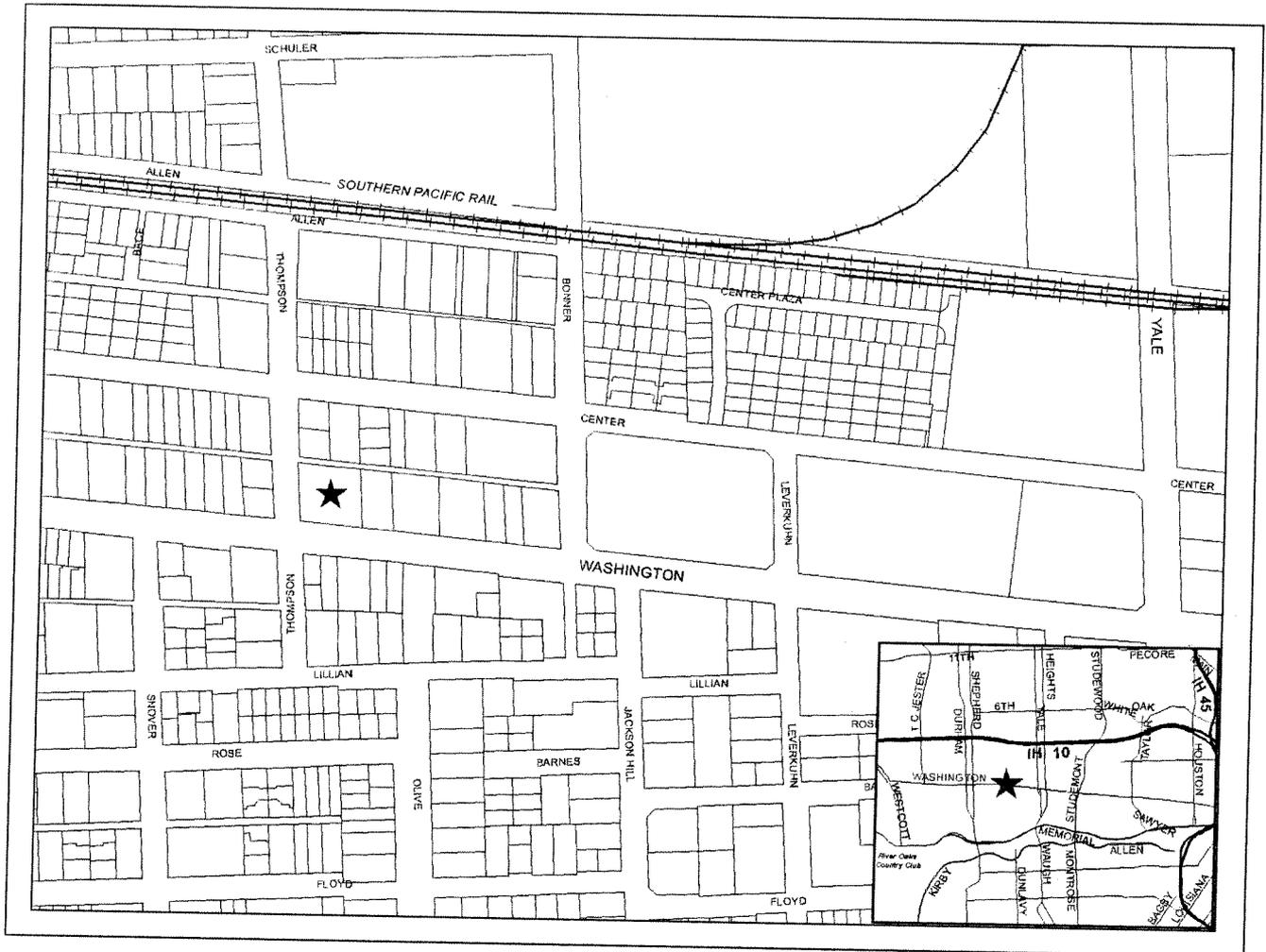
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Planning and Development Department

SITE LOCATION MAP

Loggins-Hughes Building
4216-4218 Washington Avenue

NOT TO SCALE



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

SUBJECT: An ordinance amending the Code of Ordinances relating to a reorganization of the Mayor's Office of Affirmative Action and Contract Compliance		Page 1 of 1	Agenda Item # 14
FROM (Department or other point of origin): Mayor's Office of Affirmative Action & Contract Compliance		Origination Date	Agenda Date MAY 04 2011
DIRECTOR'S SIGNATURE: <i>MSJ Carlecia D. Wright</i>		Council District affected: All	
For additional information contact: Carlecia D. Wright, Director Phone: (713) 837-9025		Date and identification of prior authorizing Council action: N/A	
RECOMMENDATION: (Summary) Approve an ordinance amending the Code of Ordinances relating to a reorganization of the Mayor's Office of Affirmative Action and Contract Compliance			
Amount and Source of Funding: None			
SPECIFIC EXPLANATION: The purpose of this ordinance is to amend sections of the Code of Ordinance in order to reorganize the Mayor's Office of Affirmative Action and Contract Compliance (AACC). On October 25, 2010, the Mayor's MWDBE Transition Task Force recommended that the AACC be renamed the Mayor's Office of Business Opportunity (OBO). The ordinance amends various sections of the Code to reflect the name change. Additionally, some duties and responsibilities that were carried out by the AACC will be reassigned to the Human Resources Department, and other duties and responsibilities will be handled by OBO. The Mayor's Office recommends that this ordinance be approved.			
REQUIRED AUTHORIZATION			
Other Authorization:	Other Authorization:	Other Authorization:	

14

**Chapter 2
ADMINISTRATION**

ARTICLE IX. HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT

Sec. 2-293. Duties.

In addition to any other duties that may from time to time be assigned, the director and the department shall be charged with:

* * *

- (7) Rendering support services to the ~~city's affirmative action division~~ human resources department and director regarding compliance with affirmative action requirements, and rendering support services regarding Davis-Bacon Act compliance and other requirements that are administered by the affirmative action division mayor's office of business opportunity for contracts, programs and projects administered by the department under this article;

* * *

ARTICLE XI. BOARDS AND COMMISSIONS, AUTHORITIES, ETC.

Sec. 2-381. Creation; appointment of members.

There is hereby created the Houston Commission on Disabilities that shall consist of 12 regular members, to be appointed by the mayor and subject to confirmation by the city council, as specified in this section. The mayor shall designate the commission's chairperson from among the membership of the commission. The individual designated by the mayor to head the mayor's office on disabilities shall be a non-voting ex-officio member. The person ~~from the mayor's staff~~ who is designated as the Americans with Disabilities coordinator, ~~mayor's office, affirmative action division~~ human resources department, shall also be a non-voting ex-officio member. The city attorney shall designate a representative from the legal department to render legal advice and attend commission meetings, but such person shall not be a member of the commission and shall not have a vote.

* * *

Sec. 2-385. Assistance by certain city departments.

The directors of the departments of personnel, public works and engineering, planning and development, health and human services, general services and the ~~mayor's office division of affirmative action~~ human resources and their staffs shall provide requested assistance to the commission. The city attorney and staff shall provide legal services and representation to the commission.

**Chapter 14
CIVIL SERVICE**

* * *

ARTICLE II. RULES

DIVISION 1. RULE 1. DEFINITIONS

Sec. 14-27. Enumeration.

The following words and phrases when they appear in these rules and regulations shall have these meanings unless otherwise clearly indicated in the text:

* * *

Department director. Each person appointed as a department director by the mayor and confirmed by the council to assume the administrative duties of the various departments of the city. For purposes of administering this article only, each person appointed by the mayor as the director or head of the division for each of the divisions of the mayor's office which is limited to each of the following (~~311~~, Citizens Assistance Office, ~~Affirmative Action~~ Mayor's Office of Business Opportunity (including the Office of Disabilities and One Stop Business Center), 911, Houston Emergency Center) shall also be considered a "department director."

* * *

DIVISION 11. RULE 11. LAYOFFS

* * *

**EXHIBIT A
CITY DEPARTMENTS**

Administration and Regulatory Affairs
City Controller
City Council
City Secretary
Convention and Entertainment Facilities
Finance
Fire
Fleet Management
General Services
Health and Human Services

Housing and Community Development
Houston Airport System
Houston Public Library System
Human Resources
Information Technology
Legal
Mayor's Office--Administration
~~Mayor's Office--Affirmative Action~~
Mayor's Office--Citizens' Assistance
Mayor's Office--Houston Emergency Center
Mayor's Office--Mayor's Office of Business Opportunity
Municipal Courts
Parks and Recreation
Planning and Development
Police
Public Works and Engineering
Solid Waste Management

Chapter 15 CONTRACTS

* * *

ARTICLE II. ANTI-DISCRIMINATION PROVISIONS IN CITY CONTRACTS

* * *

Sec. 15-20. Appointment of contract compliance officers.

* * *

(b) The director of the ~~affirmative action division~~ mayor's office of business opportunity shall appoint one or more contract compliance officers.

Sec. 15-21. Function of contract compliance officers.

* * *

(b) The contract compliance officers of the ~~affirmative action division of the~~ mayor's office of business opportunity shall coordinate with the contract compliance officers of the respective departments so that he or she can monitor all contract compliance functions in all city departments and divisions to ensure that contract compliance procedures are applied uniformly throughout the city.

* * *

ARTICLE V. MINORITY, WOMEN AND SMALL BUSINESS ENTERPRISES

* * *

Sec. 15-82. Definitions.

The words and phrases defined in this section shall have the meanings ascribed when used in this article and in article VI of this chapter, unless the context clearly indicates another meaning. For the purpose of these definitions, the singular shall also include the plural, and the plural shall also include the singular.

~~(1)~~ *Bidder* means any person or legal entity which submits a bid or proposal to provide labor, goods or services to the city by contract for profit.

~~(2)~~ *Contractor* means any person or legal entity providing goods, labor, or services to the city by contract for profit.

~~(3)~~ *Established business enterprise* shall mean an MBE, WBE, SBE or PDBE or any business applying for certification as an MBE, WBE, SBE or PDBE that, by virtue of its size meets or exceeds the standards promulgated by the U.S. Small Business Administration for that category of business, as determined by the procedures described in section 15-87(a) of this Code.

~~(4)~~ *Goal-oriented contract* shall mean any contract, agreement or other undertaking anticipated for construction work to be in excess of \$1,000,000.00 and for the supply of goods or nonpersonal or nonprofessional services to be in excess of \$100,000.00 for which:

- a. Competitive bids are required by law to be taken;
- b. Which is not within the scope of the disadvantaged business enterprise programs of the United States Environmental Protection Agency or the United States Department of Transportation; and
- c. Which the initiating city department, in consultation with the director of the ~~affirmative action division~~ mayor's office of business opportunity, determines has significant subcontracting potential in fields in which there are adequate numbers of known MBEs, SBEs and/or WBEs to compete for and perform the subcontract service(s).

~~(5)~~ *Minority business enterprise or MBE* shall mean a business which is:

- a. A sole proprietorship in which the owner is a minority person who owns, controls and manages the business; or
- b. A corporation in which at least 51 percent of the stock or of the assets of such corporation is owned, controlled and managed by one or more minority persons; or
- c. A partnership in which at least 51 percent of the assets of such partnership is owned, controlled and managed by one or more minority persons; or
- d. A joint venture in which at least 51 percent of the interests of such joint venture is owned, controlled and managed by one or more minority persons; or
- e. Any other business or professional entity in which at least 51 percent of the assets in such business or professional entity is owned, controlled and managed by one or more minority persons; or

- f. Any entity in which at least 51 percent of the assets of such entity is owned, controlled and managed by one or more minority persons and one or more women and such minority person; or
- g. A business which has been certified as an MBE by the ~~city's affirmative action division~~ mayor's office of business opportunity under any other MBE program.

~~(6)~~ *Minority person* shall mean a citizen or legal resident alien of the United States who is:

- a. Black (a person having origins in any of the black racial groups in Africa);
- b. Spanish/Hispanic (a person who is either Mexican, Puerto Rican, Cuban or "other Spanish/Hispanic" in origin or descent. "Other Spanish/Hispanic" are those whose origins are from Spain or the Spanish speaking countries of Central or South America. Persons of Spanish origin may be of any race);
- c. Asian-Pacific American (a person having origins in the Far East, Philippines, Vietnam, Korea, Samoa, Guam, the U.S. Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, Taiwan or the Indian Subcontinent);
- d. Native American (a person having origins in any of the original peoples of North America, American Indian, Eskimo, Aleut, Native Hawaiian).

Origin or descent can be regarded as the ancestry, nationality group, lineage or country in which the person or persons' parents or ancestors were born before their arrival in the United States.

~~(7)~~ *Owned, controlled and managed* shall mean that the one or more minority persons or women who own the requisite interests in or assets of a business applying for minority or women business enterprise certification, shall possess equivalent incidents of such ownership, including an equivalent interest in profit and loss, and shall have contributed an equivalent percentage of capital, equipment and/or expertise to the business. Ownership shall be measured as though not subject to the community property interest of a spouse, if both spouses certify in writing that the nonparticipating spouse relinquishes control over his or her community property interest in the subject business (but by doing so is not required to transfer to his or her spouse his or her community property ownership interest or to characterize the property as the separate property of the spouse). The one or

more minority person or woman owners shall have recognized ultimate control over all day-to-day business decisions affecting the MBE or WBE and shall hold a title commensurate with such control. Such ultimate control shall be known to and at least tacitly acknowledged in day-to-day operations by employees of the business.

~~(89)~~—*Regulated contract* shall mean any contract, agreement or other undertaking for which:

- a. Competitive bids are not required by law to be taken;
- b. Which is not covered by the MBE/WBE programs of the United States Environmental Protection Agency or the United States Department of Transportation; and
- c. Which the recommending city department has determined, in consultation with the director of the ~~affirmative action division~~ mayor's office of business opportunity:
 1. Either has significant subcontracting potential in fields in which there are sufficient known MBEs and/or WBEs, or if a construction contract, MBEs and/or SBEs to perform the particular subcontract service(s); or
 2. Is of a type for which there are sufficient known MBEs and/or WBEs, or if a construction contract, MBEs and/or SBEs, which have represented their ability to perform the prime contract service to afford effective competition for the prime contract.

~~(9)~~—*Small business enterprise or SBE* means a firm whose gross revenues or number of employees, averaged over the past three years, inclusive of any affiliates as defined by 13 CFR Section 121.103, does not exceed the size standards defined in Section 3 of the Federal Small Business Act and applicable Small Business Administration regulations related to the size standards found in 13 CFR Part 121. The term shall also include a certified minority/women business enterprise defined in this Code.

~~(10)~~—*Subcontractor* means any business providing goods, labor or services to a contractor if such goods, labor or services are procured or used in fulfillment of the contractor's obligations arising from a contract with the City of Houston.

~~(11)~~—*Woman* shall mean a person who is a citizen or legal resident alien of the United States and who is of the female gender.

~~(12)~~—*Women business enterprise or WBE* shall mean a business which is:

- a. A sole proprietorship in which the owner is a woman who owns, controls and manages the business; or
- b. A corporation in which at least 51 percent of the stock or assets of such corporation is owned, controlled and managed by one or more women; or
- c. A partnership in which at least 51 percent of the assets of such partnership is owned, controlled and managed by one or more women; or
- d. A joint venture in which at least 51 percent of the interests in such joint venture is owned, controlled and managed by one or more women; or
- e. Any other business or professional entity in which at least 51 percent of the assets in such business or professional entity is owned, controlled and managed by one or more women; or
- f. Any entity in which at least 51 percent of the assets of such entity is owned, controlled and managed by one or more minority persons and one or more women; or
- g. A business which has been certified as a WBE by the ~~city's affirmative action division~~ mayor's office of business opportunity under any program.

Sec. 15-83. Program elements.

(a) Based upon a review of data submitted annually by affected city departments, the mayor's ~~affirmative action division~~ office of business opportunity shall each year submit a progress report to the city council. The report shall include two percentage figures that are intended to as closely as possible represent the ratio of the prior year's measured utilization and capacities of local MBEs and WBEs to do business in:

* * *

(c) It is the responsibility of each city department to determine which contracts initiated by it are goal-oriented contracts and which are regulated contracts. If the determination is made that a contract is a goal-oriented contract or a regulated contract, the initiating department shall review the contract and shall determine, by reference to the MBE/SBE/WBE register, the number of certified MBEs and WBEs in each of the two named categories described in subsection (a)(1) and (2), above, and for construction, the number of certified MBEs and SBEs in the construction category. The initiating department

director or his or her designee shall determine whether the contract is one to which MBE/SBE/WBE provisions should be applied.

- (1) These provisions are not required to be applied in the following circumstances:

* * *

If one of the above-listed conditions is determined to exist, the department director shall certify that determination to the director of the ~~affirmative action division~~ mayor's office of business opportunity and specify the conditions which lead to the determination. This certification is to be made prior to award of the contract.

* * *

(d) The bidding documents and the contract documents for goal-oriented contracts for which an MBE/SBE/WBE participation level has been established shall contain a provision detailing the purposes and objectives of the city's MBE/SBE/WBE ordinance and shall incorporate by reference this article and the then-current motion or ordinance establishing MBE, SBE and WBE annual goals. Regulated contracts which are determined to have significant subcontracting potential for which an MBE/SBE/WBE participation level has been established shall contain contractual provisions (and proposal provisions if submitted for proposals or for bids) requiring the contractor to meet or exceed the determined MBE/SBE/WBE participation level for that contract, or to establish that it has made good-faith efforts to do so, and that notwithstanding such efforts, was unable to meet or exceed the determined participation levels. The directors of the administration and regulatory affairs, general services, fleet management and public works and engineering departments will establish procedures defining good-faith efforts. These procedures will be reviewed and approved by the ~~affirmative action division~~ mayor's office of business opportunity, the mayor and the city attorney.

Sec. 15-84. ~~Affirmative action division~~ Mayor's office of business opportunity.

The ~~affirmative action division~~ of the mayor's office of business opportunity has responsibility for:

* * *

- (5) Reviewing documentation from potential contractors and from contractors concerning good-faith efforts made to meet or exceed the participation level for contracts. The final recommendation to city council for award or for acceptance of work shall be the city department's, although the ~~affirmative action division~~ mayor's office of business opportunity may take exception;

- (6) Compiling, bimonthly, a report of the progress of city departments, by department, in attaining the city-wide goals set by city council. This report shall be based upon MBE, SBE and WBE contractor and subcontractor information, to be specified by the ~~affirmative action division~~ mayor's office of business opportunity, which each department is to submit to the ~~affirmative action division~~ mayor's office of business opportunity monthly. The report is to be submitted bimonthly to city council members, the mayor and all affected city department directors for their information;

* * *

- (8) Without limiting the authority of the ~~affirmative action division~~ mayor's office of business opportunity to establish procedures that are consistent with the terms of this article, the division is specifically directed to promulgate and implement procedures as follows:

* * *

Sec. 15-85. Filing of plan.

Before execution of any contract or issuance of any purchase order for which an MBE/SBE/WBE goal has been established, a bidder or potential contractor shall submit a plan setting forth how it intends to meet the contract MBE/SBE/WBE goal. After execution of a contract or receipt of a purchase order, the contractor shall comply with the submitted plan, unless it has received approval from the director of ~~affirmative action~~ the mayor's office of business opportunity for a deviation therefrom. Approval shall not be unreasonably withheld. While it is not a requirement that a contractor meet its goal, it is required that the contractor objectively demonstrate to the ~~affirmative action division~~ mayor's office of business opportunity that it has made good faith efforts to meet the goal. To this end, the contractor shall maintain records as prescribed by the ~~affirmative action division~~ mayor's office of business opportunity demonstrating its efforts at compliance. The contractor shall be required to submit to the ~~affirmative action division~~ mayor's office of business opportunity reports of its efforts under this article in such form or manner as shall be prescribed by the division.

Sec. 15-86. Sanctions.

(a) The director of ~~affirmative action~~ the mayor's office of business opportunity is authorized to suspend any contractor who has failed to make good faith efforts to meet any goal established under this article from engaging in any contract with the city for a period up to, but not to exceed, five years. The director is also authorized to suspend any MBE, SBE or WBE who has failed to make good faith efforts to meet all requirements necessary for participation as an MBE, SBE or WBE from engaging in any contract affected by this article for a period up to, but not to exceed, five years.

(b) In accordance with section 15-84 of this Code, the ~~affirmative action division~~ mayor's office of business opportunity shall establish procedures for the imposition of sanctions and shall ensure that no sanction is imposed without notice of the grounds being given, an opportunity for a hearing and an opportunity for appeal to city council or to an impartial hearing officer designated by the mayor. Any procedure established shall be consistent with state law.

Sec. 15-87. Determination of established business enterprise status.

(a) Based upon a review of data submitted by MBEs, SBEs, WBEs or MBE/SBE/WBE applicants and any other information available from its files or the files of any other governmental entity, the ~~affirmative action division of the mayor's office of~~ business opportunity shall determine the size of each MBE, SBE, WBE or MBE/SBE/WBE applicant by determining the average of the gross receipts for the prior three years and the average number of employees for the 12 calendar months immediately preceding the review, as applicable. The calculation of size shall be based solely upon the size standards and methods of calculation identified by the U.S. Small Business Administration (SBA) including, without limitation those set forth in 13 C.F.R. part 121, subpart A, secs. 121.101 through 121.107, and sec. 121.201, any amendment or successor thereto, or any other document defining such size standards or the calculation thereof that has been fully and finally adopted by the SBA. The review shall be applicable to business entities applying for initial certification as an MBE, SBE or WBE or to certified MBEs, SBEs or WBEs, provided that such review may not be initiated until the applicant or certified MBE, SBE or WBE has established a business history of sufficient length to allow calculation of size based on the three year financial or 12 month employee data, as applicable.

(b) Following the review described in this section, each certified MBE, SBE, WBE or MBE/SBE/WBE applicant shall be re-evaluated under this section on an annual basis, beginning with the next annual application for re-certification of the business. Provided, however, that if any such business has been subjected to a size evaluation under any provision of this chapter within 180 days immediately preceding the date of its re-certification application, the director of ~~affirmative action~~ the mayor's office of business opportunity may defer a re-evaluation until the annual re-certification next following such date.

(c) All MBEs, SBEs, WBEs and MBE/SBE/WBE applicants shall, upon written request of the director of ~~affirmative action~~ the mayor's office of business opportunity, provide to the director copies of any and all documents, including without limitation financial statements and tax records, requested by the director in connection with the review authorized in subsection (a) of this section, not later than 20 business days following the date of mailing of the request. Failure to timely and completely comply with any such request will authorize the imposition of sanctions under section 15-86 of this Code, or denial of certification in the case of an MBE, SBE or WBE applicant.

(d) Following the review authorized by subsection (a) of this section, the ~~affirmative action division of the mayor's office of business opportunity~~ shall classify each MBE, SBE, WBE or MBE/SBE/WBE applicant whose size meets or exceeds the size standard identified by the SBA for that class of enterprise as an established business enterprise. The classification shall be effective as of the date of mailing the notice provided in section 15-88 of this Code.

Sec. 15-88. Notice, appeal and waiver.

(a) Immediately upon classification of a certified MBE, SBE, WBE or MBE/SBE/WBE applicant, as an established business enterprise pursuant to section 15-87 of this Code, the ~~affirmative action division of the mayor's office of business opportunity~~ shall notify the business so classified of the action by United States certified mail, return receipt requested, addressed to the last known address of the business and deemed given when placed in a United States mail depository.

* * *

(c) In order to appeal a classification as an established business enterprise, an MBE, SBE, WBE or MBE/SBE/WBE applicant must submit to the director of ~~affirmative action~~ the mayor's office of business opportunity a written notice of appeal no later than 60 days following the date of mailing of the notice of classification. The sole basis for an appeal shall be that the ~~affirmative action division~~ mayor's office of business opportunity has incorrectly calculated the size of the business according to SBA standards based upon incorrect information or error in computation. The notice of appeal shall be accompanied by any documentation necessary to demonstrate the asserted error. If the director of the ~~affirmative action division~~ mayor's office of business opportunity finds that an error or errors were made in calculating the size of the business and that any such error resulted in an incorrect classification as an established business enterprise, the classification shall be withdrawn and the business promptly notified of the withdrawal. If the director finds that no error was made, or that any error would not materially alter the classification, he shall notify the business that the classification is not altered, by certified mail, return receipt requested. The business may within 10 days of the date of mailing of the notice submit to the director of ~~affirmative action~~ the mayor's office of business opportunity a written request for a hearing, which hearing shall be conducted under the procedures set forth in subsections (e) through (g) of this section.

(d) In order to seek a waiver of a classification as an established business enterprise, an MBE, SBE, WBE or MBE/SBE/WBE applicant must submit to the director of ~~affirmative action~~ the mayor's office of business opportunity a written request for a hearing no later than 60 days following the date of mailing of the notice of classification. The written request shall include documentary evidence, including but not limited to financial statements and tax records, relevant to the following criteria:

* * *

(e) The director of ~~affirmative action~~ the mayor's office of business opportunity shall notify the affected MBE, SBE, WBE or MBE/SBE/WBE applicant of the place and time of a hearing before the director or his designee to consider an appeal requested under subsection (c) of this section, or a request for waiver of the classification under subsection (d) of this section, or both, as applicable, by United States certified mail, return receipt requested. The hearing shall be set not later than 30 days following receipt of the request, provided that the director or his designee may in his discretion extend such date by a reasonable period for good and sufficient cause shown. Hearings for businesses that have both appealed under subsection (c) of this section and requested a waiver under subsection (d) of this section may be consolidated in a single hearing at the discretion of the director or his designee.

* * *

(g) Notwithstanding any provision of this Code or of the rules or regulations of the ~~affirmative action division~~ mayor's office of business opportunity to the contrary, including any provision for arbitration or mediation of a decision of the director of ~~affirmative action~~ the mayor's office of business opportunity, the decision of the director or his designee regarding appeal or waiver shall be final.

Sec. 15-89. Effect of classification; re-application.

(a) Upon the expiration of one year following the notice of classification as an established business enterprise referenced in section 15-88(a) of this Code, and in the absence of any withdrawal of such classification by the director of ~~affirmative action~~ the mayor's office of business opportunity, each certified MBE, SBE or WBE so classified shall be ineligible for future participation in any city contract as an MBE, SBE or WBE and its certification shall be withdrawn. No application for re-certification shall be granted absent the prior determination of the director of the ~~affirmative action division~~ mayor's office of business opportunity that the applicant does not meet or exceed the SBA size standards referenced in section 15-87(a) of this Code. Certified businesses whose evaluation results in classification as an established business enterprise shall timely file any re-certification application due prior to expiration of the one year extension of program eligibility referenced in this section, but the application shall not be granted unless and until the classification is withdrawn or waived.

(b) Notwithstanding any provision of this Code or the rules or regulations of the ~~affirmative action division~~ mayor's office of business opportunity to the contrary, including any provision for arbitration or mediation of a decision of the director of ~~affirmative action~~ the mayor's office of business opportunity, any initial applicant for MBE/SBE/WBE certification who meets the criteria for an established business enterprise at the time of its application and is so classified shall be denied certification on that basis alone and shall

have no recourse for the denial except through challenging the classification in the manner set forth in section 15-88 of this chapter. Any and all other matters pertaining to the eligibility of the applicant shall be abated and shall only be reinstated if the classification as an established business enterprise is withdrawn.

(c) The ~~affirmative action division~~ mayor's office of business opportunity may continue to assist established business enterprises following ineligibility as follows:

* * *

(2) Such businesses, if formerly certified by the city, may receive information, counseling and referrals to other agencies supporting business enterprises from the ~~affirmative action division~~ mayor's office of business opportunity after their classification as established business enterprises.

* * *

(e) Applications for reinstatement shall be on a form prescribed by the director of the ~~affirmative action division~~ mayor's office of business opportunity and shall be accompanied by relevant documentary evidence supporting the ground or grounds for reinstatement asserted, as requested by the director.

* * *

(h) The decision of the director of ~~affirmative action~~ the mayor's office of business opportunity or his designee following a hearing on reinstatement shall be final, and any applicant denied reinstatement is to be notified in writing of the decision within ten days following the hearing. No business denied reinstatement may subsequently apply for reinstatement until the expiration of one year from the date of the denial.

ARTICLE VI. PERSONS WITH DISABILITIES BUSINESS ENTERPRISES

* * *

Sec. 15-92. Program elements.

* * *

(b) The ~~affirmative action division of the mayor's office~~ of business opportunity has responsibility for establishing procedures for the PDBE program consistent with the directives set forth under section 15-84 of this Code for the MBE/SBE/WBE program; provided, that the ~~affirmative action division~~ mayor's office of business opportunity may simplify, condense or modify reporting and monitoring responsibilities consistent with the anticipated lower volume of PDBE contracts in the interest of administrative efficiency.

* * *

Sec. 15-93. Application and certification.

(a) Applications for certification as a PDBE and any addenda thereto shall be in a form to be promulgated by the director of the ~~affirmative action division of the mayor's office~~ of business opportunity, and the requirements for certification shall be consistent with the applicable requirements set forth under article V of this chapter and the procedures of the ~~affirmative action division~~ mayor's office of business opportunity for businesses applying for certification as MBEs, SBEs or WBEs, except as follows:

* * *

(c) Notwithstanding any provision of this chapter to the contrary, the director of the ~~affirmative action division of the mayor's office~~ of business opportunity shall have the authority to question the authenticity or accuracy of information provided by any PDBE applicant, either for initial certification or for renewal of certification, purporting to verify the present existence of the claimed mental or physical impairment and/or the degree to which the impairment is claimed to limit a major life activity.

(d) If the director of the ~~affirmative action division of the mayor's office~~ of business opportunity finds that the PDBE application meets the criteria of this article, article V of this Code and applicable rules and procedures promulgated by the director, the director shall approve the application.

(e) If the director of the ~~affirmative action division~~ mayor's office of business opportunity determines that questions exist as to the matters referenced in subsection (b) of this section, the director shall notify the applicant in writing of the nature of the questions raised and set the matter for a hearing before the director or his designee not later than 30

days following the date of mailing of the notice. At such hearing the burden shall be upon the applicant to provide clear, convincing and cogent evidence to establish the nature and extent of the claimed impairment. The decision of the director or his designee denying or granting certification shall be final, subject to the grievance procedures authorized by section 15-84(8)(a) of this Code.

Sec. 15-94. Renewal of certification.

(a) PDBE certification shall be renewable on an annual basis pursuant to procedures established by the director of the ~~affirmative action division of the mayor's office~~ of business opportunity.

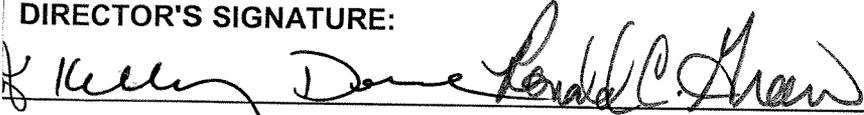
* * *

Sec. 15-95. Confidentiality of records.

Information submitted by PDBE applicants in connection with an application for certification or re-certification as a PDBE under this article shall be confidential and may be disclosed by the ~~affirmative action division~~ mayor's office of business opportunity only pursuant to the requirements of a statute or the order of a court of competent jurisdiction.

SUBJECT: Approve an ordinance authorizing the City of Houston Combined Utility System First Lien Revenue Bonds, Series 2011B and the City's Combined Utility System First Lien Revenue Refunding Bonds, Series 2011C.	Category #	Page 1 of <u>1</u>	Agenda Item# <u>15</u>
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FROM (Department or other point of origin): Department of Finance and Office of the City Controller	Origination Date: 4/29/2011	Agenda Date MAY 04 2011
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DIRECTOR'S SIGNATURE: 	Council District Affected: All
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For additional information contact: James Moncur Shawnell Holman-Smith Phone: 832-393-1009 Phone: 832-393-3513	Date and identification of prior authorizing Council action: October 3, 2007, Resolution No. 2007-0038 August 13, 2008, Resolution No. 2008-0022
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RECOMMENDATION: (Summary) Approve an ordinance authorizing the City of Houston Combined Utility System First Lien Revenue Bonds, Series 2011B and the City's Combined Utility System First Lien Revenue Refunding Bonds, Series 2011C, in an amount not to exceed \$90 million. These bonds will be privately placed with the Texas Water Development Board (the "TWDB").

Amount of Funding: Not Applicable	Finance Budget:
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Source of Funding: [] General Fund [] Grant Fund [] Other (Specify) [X] Enterprise Fund

SPECIFIC EXPLANATION:

The Texas Water Development Board ("TWDB") operates a program that provides below market, low-interest loans to applicants to assist in meeting clean water needs of communities. This program is known as the Clean Water State Revolving Fund ("CWSRF") and is open to political subdivisions that own and operate a wastewater system. The City's Combined Utility System ("CUS") has participated in this program since the late 1980's. The City of Houston Combined Utility System First Lien Revenue Bonds, Series 2011B and the City's Combined Utility System First Lien Revenue Refunding Bonds, Series 2011C, will be issued in an amount not to exceed \$90 million.

The FWG recommends that the City issue the CUS Series 2011B and 2011C Bonds with the proceeds to be used to fund approved projects, a reserve fund, costs of issuance and refund commercial paper.

The CUS Series 2011B and 2011C Bonds will be privately placed with the TWDB, which eliminates the need for underwriters. The closing is expected to occur in early June 2011. Fulbright & Jaworski are recommended as bond counsel along with Bratton & Associates as co-bond counsel.

Recommendation:

The Finance Working Group recommends the approval of this item.

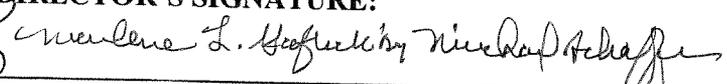
REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: Ordinance designating the 1600 block of Milford Street, north and south sides, between Mandell and Dunlavy Streets as a Special Building Line Requirement Area	Category #	Page 1 of _____	Agenda Item # 16
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date April 5, 2011	Agenda Date MAY 04 2011
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DIRECTOR'S SIGNATURE: 	Council District affected: C
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 1600 block of Milford Street, north and south sides, between Mandell and Dunlavy Streets as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 28'-0" special building line.

Amount and Source of Funding:	Finance Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-163 of the Code of Ordinances, the property owner of TRS 10A and 11, Block 4 of the North Edgemont Subdivision initiated an application for the designation of a special building line requirement area. The application includes written evidence of support from owners of 78% of the area. Notification was mailed to 27 property owners indicating that the special building line requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a 28'-0" Special Building Line for the area.
MLG:md

Attachments: Planning Director's Approval, Special Building Line Requirement Application & Petition, Evidence of Support, Map of the Area

xc: Anna Russell, City Secretary
David M. Feldman, City Attorney
Deborah McAbee, Land Use Division, Legal Department

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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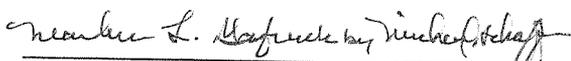
Special Building Line Requirement Area No. 165

Planning Director's Approval

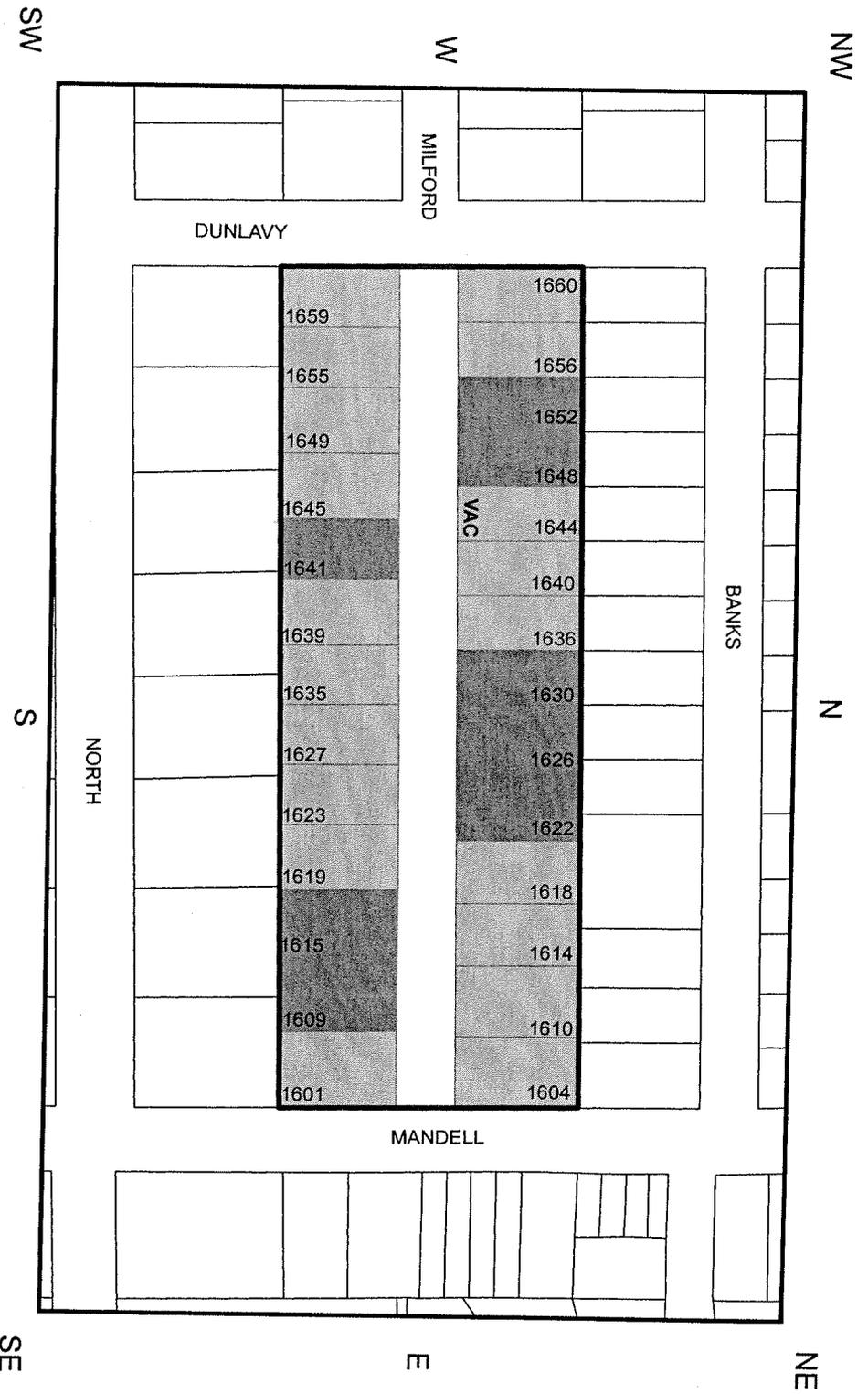
Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SBLRA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 1600 block of Milford Street, north and south sides.</p>
X		<p><i>More than 60% of the proposed SBLRA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>97% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 78% of the SBLRA.</p>
X		<p><i>Establishment of the SBLRA will further the goal of preserving the building line character of the area; and,</i></p> <p>A minimum building line of 28 ft exists on nineteen (19) properties in the blockface.</p>
X		<p><i>The proposed SBLRA has a building line character that can be preserved by the establishment of a special building line, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1923. The houses mostly originate from the 1923's. The establishment of a 28 ft minimum building line will preserve the building line character of the area.</p>
<p><i>The minimum building line for this application was determined by finding the current building line that represents a minimum standard for at least 70% of the application area.</i></p>		
<p>Nineteen (19) out of twenty seven (27) developed properties (representing 70% of the application area) have a building line of at least twenty nine (29) feet.</p>		

The Special Building Line Requirement Area meets the criteria.


3.30.11
 Marlene L. Gafrick, Director Date

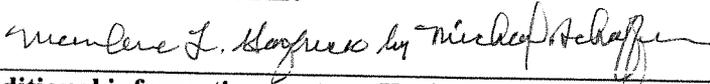
NORTH EDMONTON



TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 1600 block of Milford Street, north and south sides, between Mandell and Dunlavy Streets as a Special Minimum Lot Size Area	Category #	Page 1 of _____	Agenda Item # 17
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date April 5, 2011	Agenda Date MAY 04 2011
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DIRECTOR'S SIGNATURE: 	Council District affected: C
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 1600 block of Milford Street, north and south sides, between Mandell and Dunlavy Streets as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

Amount and Source of Funding:	Finance Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-194 of the Code of Ordinances, the property owner of of TRS 10A and 11, Block 4, of the North Edgemont Subdivision initiated an application for the designation of a special minimum lot size area. The application includes written evidence of support from the owners of 82% of the area. Notification was mailed to the 27 property owners indicating that the special minimum lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 6,600 sf.

MLG:kw

Attachments: Planning Director's Approval, Special Minimum Lot Size Application, Evidence of support, Map of the area

xc: Anna Russell, City Secretary
David M. Feldman, City Attorney
Deborah McAbee, Land Use Division, Legal Department

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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Special Minimum Lot Size Area No. 325

Planning Director's Approval

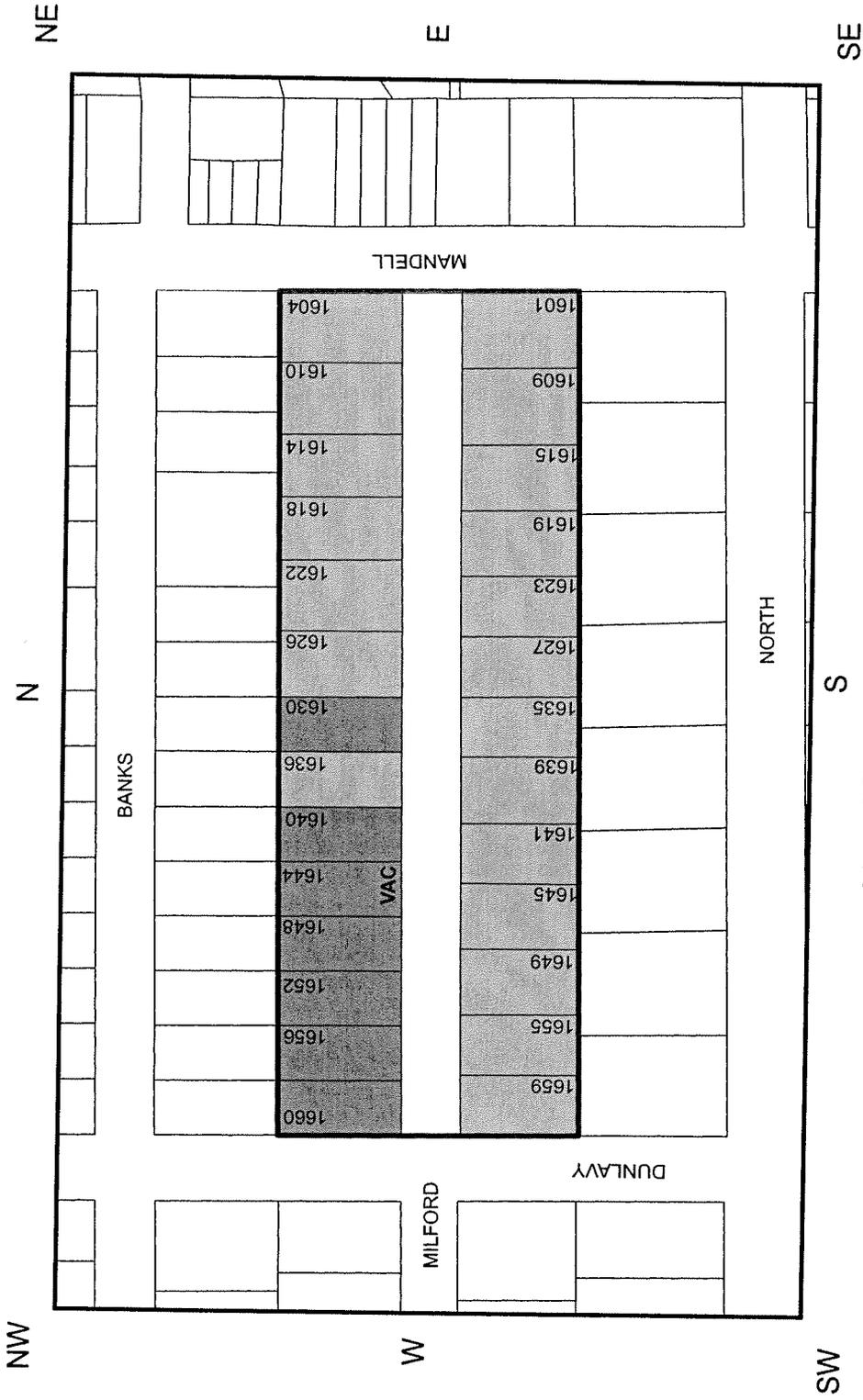
Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SMLSA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 1600 block of Milford Street, north and south sides.</p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>97% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 78% of the SMLSA.</p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p>A minimum lot size of 6,600 sq ft exists on eighteen (18) lots in the blockface.</p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1923. The houses originate from the 1923's. The establishment of a 6,600 sf minimum lot size will preserve the lot size character of the area.</p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p>Eighteen (18) out of Twenty-seven (27) lots (representing 70% of the application area) are at 6,600 square feet in size.</p>		

The Special Minimum Lot Size Area meets the criteria.


3.30.11
 Marlene L. Gafrick, Director Date

NORTH EDMONT



- Properties that meet the 6,600sf Special Minimum Lot Size
- Properties less than the 6,600sf Special Minimum Lot Size
- MF Multi Family
- COM Commercial
- VAC Vacant
- EXC Excluded

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: AN ORDINANCE RELATING TO THE RETAIL GAS RATES OF CENTERPOINT ENERGY ENTEX WITHIN THE CITY OF HOUSTON, TEXAS; SUSPENDING FOR FORTY-FIVE DAYS THE EFFECTIVE DATE OF NEW RATES; MAINTAINING CURRENT RATES IN EFFECT

Category #

Page 1 of 1

Agenda Item#

18

FROM: (Department or other point of origin):

Alfred J. Moran, Jr., Director
Administration & Regulatory Affairs Department

Origination Date

April 21, 2011

Agenda Date

MAY 04 2011

DIRECTOR'S SIGNATURE:

Council Districts affected:

All

For additional information contact:

Tina Paez Phone: 713-837-9630
Alisa Talley Phone: 713-837-0849

Date and identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Adopt an ordinance relating to the retail gas rates of CenterPoint Energy Entex; suspending for 45 days the effective date of the new rates, maintaining current rates in effect.

Amount of Funding: N/A

FIN Budget:

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

SPECIFIC EXPLANATION:

The Administration & Regulatory Affairs Department (ARA) recommends that Council adopt an ordinance relating to the retail gas rates of CenterPoint Energy Resources Corp. D/B/A CenterPoint Energy Entex, and CenterPoint Energy Texas Gas ("CenterPoint") within the city of Houston, Texas; suspending for 45 days the effective date of the new rates and maintaining existing rates in effect. CenterPoint is a domestic energy delivery company that provides natural gas distribution services in the Houston metropolitan area. The City of Houston exercises original jurisdiction over the rates, operations and services of CenterPoint under the provisions of the Utilities Code for customers inside city limits.

On March 31, 2011, CenterPoint filed a Gas Reliability Infrastructure Program Interim Rate Adjustment (GRIP Adjustment) within its Houston Division, which includes the City of Houston. CenterPoint's proposed increase will affect all residential, small commercial and large volume customers within the Houston Division — approximately 950,000 customers total. Approximately 400,000 Houston customers will be affected including an approximate 370,000 residential customers.

According to the utility's GRIP Adjustment, CenterPoint is requesting a \$2.5 million rate increase for service to retail gas customers. If the Company's proposed rates are adopted, the fixed customer charge for all customer classes would increase as follows:

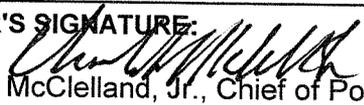
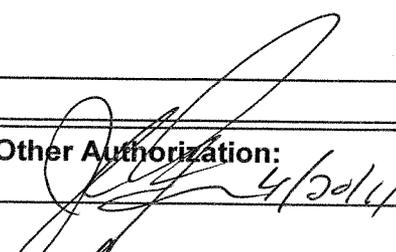
Customer Class	Current Base Charge	Proposed Base Charge	Proposed Increase
Residential	\$13.54	\$13.74	\$0.20
Small General Service	\$14.59	\$14.88	\$0.29
Large General Service	\$191.00	\$196.61	\$5.61

According to the provisions of Utilities Code, the new rates will take effect May 30, 2011 — 60 days after filing — unless City Council adopts an ordinance suspending the proposed effective date. The Utilities Code allows the City, as regulatory authority, to suspend the proposed effective date of the new rates for 45 days beyond the proposed effective date (from May 30, 2011 to July 14, 2011.) During the suspension period, the City will obtain and review all the information necessary to determine just and reasonable rates. A rate analyst will be engaged to assist in preparing a final recommendation that will be presented to City Council before July 14, 2011.

ARA recommends that City Council adopt an ordinance relating to the retail gas rates of CenterPoint within the city of Houston, Texas; suspending for 45 days the effective date of the new rates and maintaining existing rates in effect.

REQUIRED AUTHORIZATION

ARA Director:

SUBJECT: Houston Auto Crimes Task Force Grant/20		Category # 1	Page 1 of 1	Agenda Item # 19								
FROM: (Department or other point of origin): Houston Police Department		Origination Date April 22, 2011		Agenda Date MAY 04 2011								
DIRECTOR'S SIGNATURE:  Charles A. McClelland, Jr., Chief of Police		Council Districts affected: All										
For additional information contact: Joseph A. Fenninger, CFO and Deputy Director (713) 308-1770		Date and identification of prior authorizing Council Action:										
RECOMMENDATION: (Summary) Adopt an ordinance approving the submission of ABTPA grant application.												
Amount of Funding: <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:25%;"><u>ABTPA</u></th> <th style="width:25%;"><u>Cash Match</u></th> <th style="width:25%;"><u>In-Kind</u></th> <th style="width:25%;"><u>Total Funding</u></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">\$1,011,870</td> <td style="text-align: center;">\$589,391</td> <td style="text-align: center;">\$324,113</td> <td style="text-align: center;">\$1,925,374</td> </tr> </tbody> </table>					<u>ABTPA</u>	<u>Cash Match</u>	<u>In-Kind</u>	<u>Total Funding</u>	\$1,011,870	\$589,391	\$324,113	\$1,925,374
<u>ABTPA</u>	<u>Cash Match</u>	<u>In-Kind</u>	<u>Total Funding</u>									
\$1,011,870	\$589,391	\$324,113	\$1,925,374									
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund												
<input type="checkbox"/> Other (Specify)												
SPECIFIC EXPLANATION: <p style="text-align: center;"><u>Houston Auto Crimes Task Force/20</u></p> <p>The Houston Police Department (HPD) is requesting an ordinance be approved authorizing the submission of a grant application to the Texas Automobile Burglary and Theft Prevention Authority (ABTPA) in support of the Houston Auto Crime Task Force. HPD is the coordinating police agency for this grant and works in conjunction with the Texas Department of Public Safety (DPS), Fort Bend County Sheriff's Office (FBCSO) and the Harris County Metropolitan Transit Authority Police Department (METRO). If approved, this will be our 20th year of funding through the ABTPA program. Since its inception in 1991, the ABTPA Grant Unit has been instrumental in reducing the auto theft rate in Houston and the surrounding areas by 68%.</p> <p>As the lead agency, the HPD ABTPA program has successfully fostered an increased level of cooperation with other police agencies. These agencies have provided personnel that assisted in the apprehension and prosecution of suspected buyers and sellers of stolen motor vehicles and automotive parts. These participating law enforcement partners have requested to continue their collaborative efforts with HPD. Interlocal agreements will be presented for City Council approval at a later date.</p> <p>The in-kind contributions consist of direct expenses such as fuel and utilities, while the cash match consists of salaries and fringe benefits. Both the in-kind and cash match items are presently included in the HPD General Fund budget, therefore no additional allocation is required.</p> <p>HPD will pass on \$1,248 to DPS, \$24,873 to Metro PD and \$26,746 to FBCSO in support of their participation in the Houston Auto Crime Task Force.</p>												
F&A Director:		Other Authorization: 		Other Authorization:								

CITY OF HOUSTON

INTER OFFICE CORRESPONDENCE

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

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

Attn: Marta Crinejo

DATE: April 28, 2011

SUBJECT: **No-Tag Request for Council Action
Houston Auto Crimes Task Force/20
Grant Application**

The Houston Police Department (HPD) is respectfully requesting that City Council not tag the Request for Council Action (RCA) that will appear on the May 4th agenda regarding the application and acceptance of funding from the Texas Auto Burglary & Theft Prevention Authority (ABTPA). HPD is the lead agency for this grant and has partnered with the Texas Department of Public Safety (DPS), Fort Bend County Sheriff's Office (FBCSO) and the Metropolitan Transit Authority of Harris County (METRO) Department of Public Safety for the past 20 years.

HPD was dependent on responses from three other law enforcement agencies to provide information needed to complete the application. Final information was not received from all of the agencies until April 14, 2011. Though HPD worked quickly to complete the application, there was insufficient time left over before the grant deadline of May 6th that would allow for a tag week.

It is for this reason that HPD respectfully requests a No-Tag on this application to avoid any possibility of the City's loss of these ABTPA funds. This funding, in the amount of \$1,925,374, pays 70% of salaries for 13 classified positions and 1 administrative assistant.

This grant is annually recurring and is an integral part of the HPD budget. HPD makes every attempt to meet Council agenda deadlines, but on rare occasions circumstances beyond its control create shortened processing times.

The department is working to ensure this does not happen again and greatly appreciates Council's consideration.


Charles A. McClelland, Jr.
Chief of Police

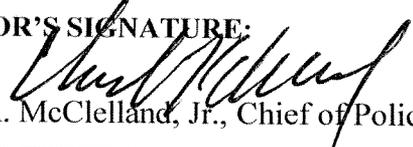
cam:jm
Attachment

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance approving a contract with Business Enterprise Mapping, Inc. (BEM) for consulting services related to the implementation of the requisite quality management system to attain ISO 9001:2008 certification in the Houston Police Department's Emergency Communications and Property & Supply Divisions.	Page 1 of 2	Agenda Item # 20
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FROM: (Department or other point of origin): Houston Police Department	Origination Date:	Agenda Date: MAY 04 2011
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DIRECTOR'S SIGNATURE:  Charles A. McClelland, Jr., Chief of Police	Council District affected: All
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For additional information contact: Joseph A. Fenninger  4/21/11 Phone: 713-308-1770 CFO and Deputy Director	Date and identification of prior authorizing Council Action: Ordinance 2010-0223; March 24, 2010 and Ordinance 2011-0141; February 23, 2011.
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RECOMMENDATION: (Summary) Adopt an ordinance approving a one year contract with Business Enterprise Mapping, Inc. for consulting services to attain ISO 9001:2008 certification in the Houston Police Department's Emergency Communications and Property & Supply Divisions.

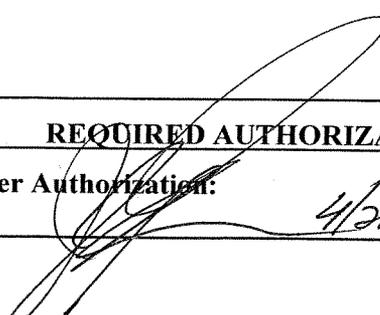
Amount and Source of Funding: \$35,900.00 General Fund (1000)
(\$22,000 FY11, \$13,900 FY12)

SPECIFIC EXPLANATION:

On March 24, 2010, via Ordinance 2010-0223, City Council approved a contract with Business Enterprise Mapping, Inc. to provide consulting services to the Houston Police Department relative to the department obtaining ISO 9001:2008 certification in the Emergency Communication Division and the Property Supply Division. Recognized on an international level, the ISO 9001:2008 certification documents that an organization meets "best practices" standards for a wide range of business practices. Meeting these standards results in lower costs, improved efficiency and higher quality of delivered services. Further, by demonstrating a commitment to controlling costs and efficient operations, obtaining ISO 9001:2008 certification allows the department to score higher when seeking grant funds.

To date, Business Enterprise Mapping, Inc. has assisted the department in identifying and mapping 32 key work processes that are critical to the operation of each Division. A total of 91 Opportunities for Improvement have been identified within these 32 processes where inefficiencies have been resolved, economic gains maximized and the overall quality of services improved.

On February 23, 2011, City Council approved Ordinance 2011-0141 to increase the maximum contract amount by \$35,900 and expand the scope of services with BEM relative to the department obtaining ISO 9001-2008 certification in the Emergency Communication Division and the Property Supply Division. However, the contract expired on March 31, 2011 and services have not been completed. The Houston Police Department recommends that City Council adopt an ordinance to approve a new one-year contract period with Business Enterprise Mapping, Inc. for consulting services.

REQUIRED AUTHORIZATION		
Finance Budget:	Other Authorization:  4/21/11	Other Authorization: AOT

Date	Ordinance approving a contract with Business Enterprise Mapping, Inc. (BEM) for consulting services related to the implementation of the requisite quality management system to attain ISO 9001:2008 certification in the Houston Police Department's Emergency Communications and Property & Supply Divisions.	Originator's Initials 	Page 2 of 2
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Pay or Play:

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

M/WBE:

Due to the absence of M/WBE certified vendors qualified to provide these highly specialized consulting services, and in accordance with consultations with the Affirmative Action Division, no M/WBE participation goal has been established for this contract.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9046

Subject: Approval of an Ordinance authorizing an Interlocal Agreement between the City of Houston, Harris County and the Greater Harris County 911 Emergency Network

Category #
9

Page 1 of 1

Agenda Item

21

FROM (Department or other point of origin):

Gary Morris
Deputy Director
Information Technology

Origination Date

April 21, 2011

Agenda Date

MAY 04 2011

DIRECTOR'S SIGNATURE

[Handwritten Signature]

Council District(s) affected

All

For additional information contact:

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

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Ordinance approving an Interlocal Agreement between the City of Houston, Harris County and the Greater Harris County 911 Emergency Network to allow the sharing of an advanced microwave backhaul network to support both public safety voice radio systems and the 911 phone system.

None Required

Finance Budget

SPECIFIC EXPLANATION:

The Information Technology Department requests Council approval of an Interlocal Agreement with Harris County and the Greater Harris County 911 Emergency Network to allow for the sharing of an advanced microwave backhaul network to support both public safety voice radio systems and the 911 phone system. This network is a critical component of the new radio system that enables each individual radio site to share data and timing information with all the other radio sites. This system was planned as part of the overall radio system. This three party agreement is merely a means to share costs and facilities providing a better system for use by all three entities.

In the spring of 2009, discussions began between the City of Houston, Harris County and the Greater Harris County 911 Emergency Network regarding the potential opportunity to share communication resources as a means of saving money and implementing the best possible network(s). After lengthy discussions/negotiations involving technical design, network operations, and maintenance and control of the assets, all three parties were able to reach agreement in the fall of 2010.

Once fully implemented, the resulting agreement will allow all three parties to share an advanced microwave backhaul communication network at significant savings for each of the entities. Not only did each of the entities save more than \$500,000.00 in up-front capital costs, but there will also be on-going savings for operations and maintenance of the network due to sharing and division of labor. Each entity has agreed to share parts and technical staff as needed and allowed by the agreement.

The initial term of this interlocal agreement is one year with annual automatic renewals.

The agreement was approved by the Harris County Commissioner court February 22, 2011 and after approval by the City of Houston will be submitted for approval to the Greater Harris County 911 Emergency Network Board of Directors for final approval.

REQUIRED AUTHORIZATION

Finance Department:

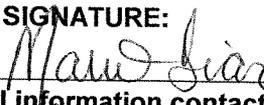
Other Authorization:

Other Authorization:

21

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT Contract between the Houston Airport System and Akin Gump Strauss Hauer & Feld LLP for representation before the United States Congress and Federal agencies.		Category #	Page 1 of 1	Agenda Item # 22
FROM (Department or other point of origin): Houston Airport System		Origination Date April 20, 2011	Agenda Date MAY 04 2011	
DIRECTOR'S SIGNATURE: 		Council District affected: B, E, I		
For additional information contact: Saba Abashawl  Phone: 281-233-1829		Date and identification of prior authorizing Council action: N/A		
AMOUNT & SOURCE OF FUNDING: FY11 \$ 24,800.00 Out Years \$421,600.00 Total Funding \$446,400.00 HAS Revenue Fund (8001)		Prior appropriations: N/A		
RECOMMENDATION: (Summary) That City Council adopt an ordinance approving a contract between the Houston Airport System (HAS) and Akin Gump Strauss Hauer & Feld, LLP for professional services related to representing HAS before the United States Congress and Federal agencies.				
SPECIFIC EXPLANATION: The Houston Airport System (HAS) recommends that City Council approve a contract with Akin Gump Strauss Hauer & Feld LLP ("Akin Gump") to advocate for the HAS before the United States Congress and Federal agencies on legislative issues affecting airport operations, facilities and infrastructure, as well as funding. The proposed contract term is one-year with two additional one-year options and the maximum spending authority in the amount of \$446,400.00.				
Akin Gump will provide representation and legal services related to the following aviation concerns:				
<ul style="list-style-type: none"> • Monitor developments on homeland security and other legislation of interest to HAS as well as associated regulations, programs and policies and advise HAS of opportunities and risks related to such developments. • Identify federal funding opportunities for development at Houston airports and develop and implement strategies for pursuing such funding. • Develop and implement strategies for identifying opportunities for attracting government contractors to Ellington Airport, including coordinating with the Department of Defense and securing federal funds for military construction. • Develop and implement strategies for attracting new military commands and activities to Ellington Airport. 				
The City solicited proposals through an RFQ in the fall of 2010. An executive selection committee carefully reviewed the 18 proposals that were received and recommended the selection of Akin Gump.				
Akin Gump shall utilize the services of City certified MWBE firm Outreach Strategists, resulting in 11% MWBE participation as established in the contract.				
The proposed contract requires compliance with the City's "Pay or Play" ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.				
REQUIRED AUTHORIZATION				
Finance Department:	Other Authorization:	Other Authorization:		

MDT

TO: Mayor via City Secretary

SUBJECT: An ordinance relating to the pursuit of reimbursement of funds associated with overpayments for street light maintenance and illumination through modification of an existing contract with Tri-Stem, such modification being conditioned upon concurrent execution of an agreement for legal services with Beck Redden & Secrest LLP which will support the effort and reduce the overall contingent fee.

Category #

Page 1 of 1

Agenda Item #

23

FROM: (Department or other point of origin):

General Services Department and
Legal Department

Origination Date

Agenda Date

MAY 04 2011

DIRECTOR'S SIGNATURE:

Scott Minnix



David M. Feldman



Council Districts affected:
All

For additional information contact:

Felix C. Johnson, P.E. -GSD 832-393-8086
Jacquelyn L. Nisby -GSD 832-393-8023
Lynette Fons-Legal 832-393-6282

Date and identification of prior authorizing Council Action:

Council action: Ordinance #2009-942 –
October 7, 2009

RECOMMENDATION: (Summary)

Adopt an ordinance approving: (1) an amendment to a professional services contract for utility bill auditing services with **Tri-Stem, LTD.**, and (2) an agreement for legal services between the City of Houston and **Beck Redden & Secrest, LLP**, for representation of the City in matters pertaining to a contractual dispute with CenterPoint Energy Houston Electric LLC relating to maintenance of street lights and delivery of lumens.

AMOUNT AND SOURCE OF FUNDING:

Contingent Fee based on recovery of funds due to City from CenterPoint Energy Houston Electric LLC.

Budget:

SPECIFIC EXPLANATION:

The City currently has a professional services contract with Tri-Stem, LTD. to conduct a comprehensive audit and study of the City's utility bills to determine whether the utility providers are billing the City at the correct rate and for the actual services provided. Under this contract Tri-Stem is to be compensated at the rate of 45% of any cash refunds the City actually receives relative to disputed accounts. Tri-Stem and City desire to amend the contract to reduce that portion of Tri-Stem's fee related to disputes pertaining to street lights or illumination provided by street lights to 20% of any cash recovery.

Concurrently City seeks to retain Beck Redden & Secrest, LLP on a contingency fee basis of twenty percent (20%) to pursue, through suit or settlement, the City's claims against CenterPoint Energy Houston Electric LLC (company) or other responsible parties related to company's failure to deliver lumens (street light illumination) which have been paid for by the City. The resulting contingency arrangements between the City, Tri-Stem and Beck Redden & Secrest LLP will be less than the previous fee payable to Tri-Stem individually. This will result in a more favorable contingency arrangement for the City. No settlement or resolution of the dispute will be undertaken without the approval of the City Attorney. Beck Redden & Secrest, LLP will pay all expenses associated with their pursuit of a recovery on the City's behalf and be reimbursed for same in accordance with the City's policy on reimbursement of expenses and only in the event of a recovery favoring the City. The City has the ability to terminate the agreement with Beck Redden & Secrest, LLP for convenience or cause. In the unlikely event of such termination, the City will be responsible for reasonable, documented expenses incurred up to the date of termination, subject to allocation of funds to pay for them.

Beck Redden & Secrest, LLP enjoys an excellent reputation as a highly qualified and highly competent trial firm capable of handling complex commercial litigation. The firm has previously performed work on behalf of the City and is currently performing work for the City on a pro bono basis. The contingency fee agreed to by the firm represents a discounted fee arrangement.

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

SUBJECT: Appropriate Funds Spring Equipment Co., Inc. Clayton Library Parking Repairs WBS No. E-000156-0002-4	Page 1 of 1	Agenda Item 24
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FROM (Department or other point of origin): General Services Department	Origination Date	Agenda Date MAY 04 2011
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DIRECTOR'S SIGNATURE: Scott Minnix <i>Scott Minnix</i> 2/10/11	Council District(s) affected: D
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For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 832.393.8023	Date and identification of prior authorizing Council action: Ordinance No. 2007-1052 dated 9/12/2007 Ordinance No. 2010-0695 dated 9/1/2010
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RECOMMENDATION: Appropriate funds for the project.

Amount and Source of Funding: \$39,786.00 Library Capital Project Fund (4018)	Finance Budget:
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SPECIFIC EXPLANATION: The General Services Department recommends that City Council appropriate \$28,000.00 to the existing citywide contract with Spring Equipment Co., Inc. for concrete repair services at Clayton Library. The General Services Department further recommends that City Council appropriate an additional \$11,786.00 to the existing task order design contract with Brave/Architecture Inc. to facilitate design/permit documents services for this project.

PROJECT LOCATION: 5300 Caroline (493W)

PROJECT DESCRIPTION: This project will repair the existing sunken driveway entrance which retains water after storm events and will alleviate the drainage problem.

PREVIOUS HISTORY AND PROJECT SCOPE: On September 12, 2007, Ordinance No. 2007-1052, City Council awarded a one-year construction contract with two one-year renewal options to Spring Equipment Co., Inc., in an amount not to exceed \$2,625,020.44, for concrete repair services for various departments. On September 1, 2010, City Council approved a first amendment to extend the contract term to September 30, 2011, reduce the contract pricing for materials and labor back to contract year one pricing, and increase the maximum contract amount to \$3,281,275.55. The contract is funded through various appropriations/allocations for concrete repair services. To date, \$2,511,844.04 has been expended on the contract.

M/WBE INFORMATION: The contract was awarded with a 20% M/WBE goal. Currently, Spring Equipment Co. Inc. has achieved 19.38% M/WBE participation.

JLN
 SM:JLN:RAV:MCP:jb

REQUIRED AUTHORIZATION

CUIC ID # 25CONS166

General Services Department:
[Signature]
 Richard A. Vella
 Chief of Design & Construction Division

Houston Public Library:
[Signature]
 Rhea Brown Lawson, PhD.
 Director

<p>SUBJECT: Approve a First Amendment to the Task Order Contract Inland Environments, Ltd. Asbestos Abatement and Demolition Services City of Houston Dangerous Buildings for the Houston Police Department (HPD) WBS Nos. D-000073-0094-4, F-000509-0076-4, C-000171-0002-4</p>	<p>Page 1 of 2</p>	<p>Agenda Item 25</p>
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<p>FROM (Department or other point of origin): General Services Department</p>	<p>Origination Date</p>	<p>Agenda Date MAY 04 2011</p>
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<p>DIRECTOR'S SIGNATURE: Scott Minnix <i>Scott Minnix 5/10/11</i></p>	<p>Council Districts affected: All</p>
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<p>For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023</p>	<p>Date and identification of prior authorizing Council action: Ordinance: 2009-1100 Dated: 11-10-2009</p>
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RECOMMENDATION: Approve a First Amendment to the task order contract with Inland Environments, Ltd. and appropriate funds for the project.

<p>Amount and Source of Funding: Maximum contract amount: \$2,000,000.00 – 5 years \$225,000.00 – General Improvements Consolidated Construction Fund (4509) \$310,000.00 – Parks Consolidated Construction Fund (4502) \$180,000.00 – Fire Consolidated Construction Fund (4500) \$715,000.00 – Total Appropriation</p> <p>Previous Funding: Initial allocation \$200,000.00 – Dangerous Building Consolidated Fund (1801)</p>	<p>Finance Budget:</p>
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SPECIFIC EXPLANATION: On November 10, 2009, City Council awarded a five-year task order contract with Inland Environments, Ltd. for asbestos abatement and demolition services for the HPD Dangerous Building Program and allocated \$200,000.00 out of the Dangerous Building Consolidated Fund. The General Services Department recommends that City Council approve a First Amendment to the task order contract with Inland Environments, Ltd. to increase the scope of services to include mold and lead abatement and soil remediation and to expand the contract to perform work for other City facilities. The requested appropriation will fund these activities.

PROJECT LOCATIONS: Citywide

PROJECT DESCRIPTION: The scope of work consisted of asbestos abatement and demolition of dangerous buildings, proper disposal of asbestos containing material, loading and hauling all debris generated as a result of all activities.

REQUIRED AUTHORIZATION CUIC ID # 25GM255

<p>General Services Department: <i>H. Bautista</i> Humberto Bautista, P.E. Assistant Director</p>	<p>Parks and Recreation Department: <i>Joe Turner</i> Joe Turner Director</p>	<p>Houston Fire Department: <i>Terry A. Garrison</i> Terry A. Garrison Fire Chief</p>
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Date	SUBJECT: Approve a First Amendment to the Task Order Contract Inland Environments, Ltd. Asbestos Abatement and Demolition Services City of Houston Dangerous Buildings for the Houston Police Department (HPD) WBS Nos. D-000073-0094-4, F-000509-0076-4 C-000171-0002-4	Originator's Initials GM	Page 2 of 2
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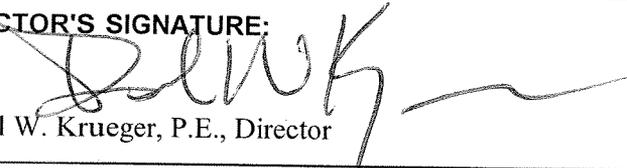
M/SBE PARTICIPATION: The original contract and this additional appropriation have a 5% MBE goal and 10% SBE goal. To date, the contractor has achieved 9% MBE participation and 5.5% SBE participation.


SM:HB:JLN:GM:FK:fk

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

SUBJECT: Interagency Agreement between the City of Houston and Harris County for the Construction of Ella/Wheatley Boulevard from West Little York to West Gulf Bank Road; WBS No. N-000533-0002-4.	Page 1 of 1	Agenda Item # <i>26</i>
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date MAY 04 2011
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: B <i>302</i>
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For additional information contact: <i>Ravi Kaleyatodi</i> Ravi Kaleyatodi, P.E., CPM Senior Assistant Director Phone: (832) 395-2326	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)
Adopt an ordinance approving and authorizing an Interagency Agreement between the City of Houston and Harris County.

Amount and Source of Funding: N/A

PROJECT NOTICE/JUSTIFICATION: This project is part of the Street and Traffic Capital Improvement Program (CIP). The City of Houston (City) desires to construct Ella/Wheatley Boulevard from West Little York to the City limit located at the south bank of Harris County Flood Control District Ditch (City Segment). The City proposed Harris County (County) to participate in a joint project which will include the County Segment of Ella/Wheatley from the south bank of Harris County Flood Control Ditch to West Gulf Bank Road. The City and the County have determined such participation will result in a cost benefit to the County, improve traffic flow/circulation, drainage and reduce traffic congestion.

DESCRIPTION/SCOPE: This project consists of the construction of approximately 8,400 linear feet, four-lane reinforced concrete roadway with curbs, sidewalks, street lighting, storm sewer, and other necessary underground utilities.

LOCATION: The project is located on Ella/Wheatley Boulevard from West Little York to West Gulf Bank Road. It is located on Key Map Grids 412 P, T and X.

SCOPE OF THIS AGREEMENT: Under the terms of the Agreement, the City will be responsible for the design, advertisement, bid and award of the construction contract including the County Segment. The County shall review and approve the plans and specifications for the County Segment. The County shall contribute up to \$400,000.00 in funding for the design and construction of the County Segment. The County shall deliver a check based on the lowest responsible bid which cannot exceed \$400,000.00, for the County's portion of the Project, within forty five (45) days after the written request from the City. The County shall assume full ownership and maintenance of the County Segment upon the completion of the Project.

ACTION RECOMMENDED: It is recommended that City Council adopt an ordinance approving and authorizing an Interagency Agreement between the City of Houston and Harris County.

302
DWM:DRM:RK:TAA:PKC:kdt
Z:\constr\A-SB-DIV\Interagency\HCPID Projects\Ella - Little York to Gulf Bank\Agreement-RCA\WORKING FILES\20TAA65.doc

c: File: HC - Ella/Wheatley from West Little York to West Gulf Bank Road.

REQUIRED AUTHORIZATION **CUIC ID #20TAA65**

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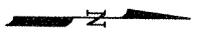
PROJECT LOCATION

COUNCIL DISTRICT "B"

WHEATLEY

COUNCIL DISTRICT "B"

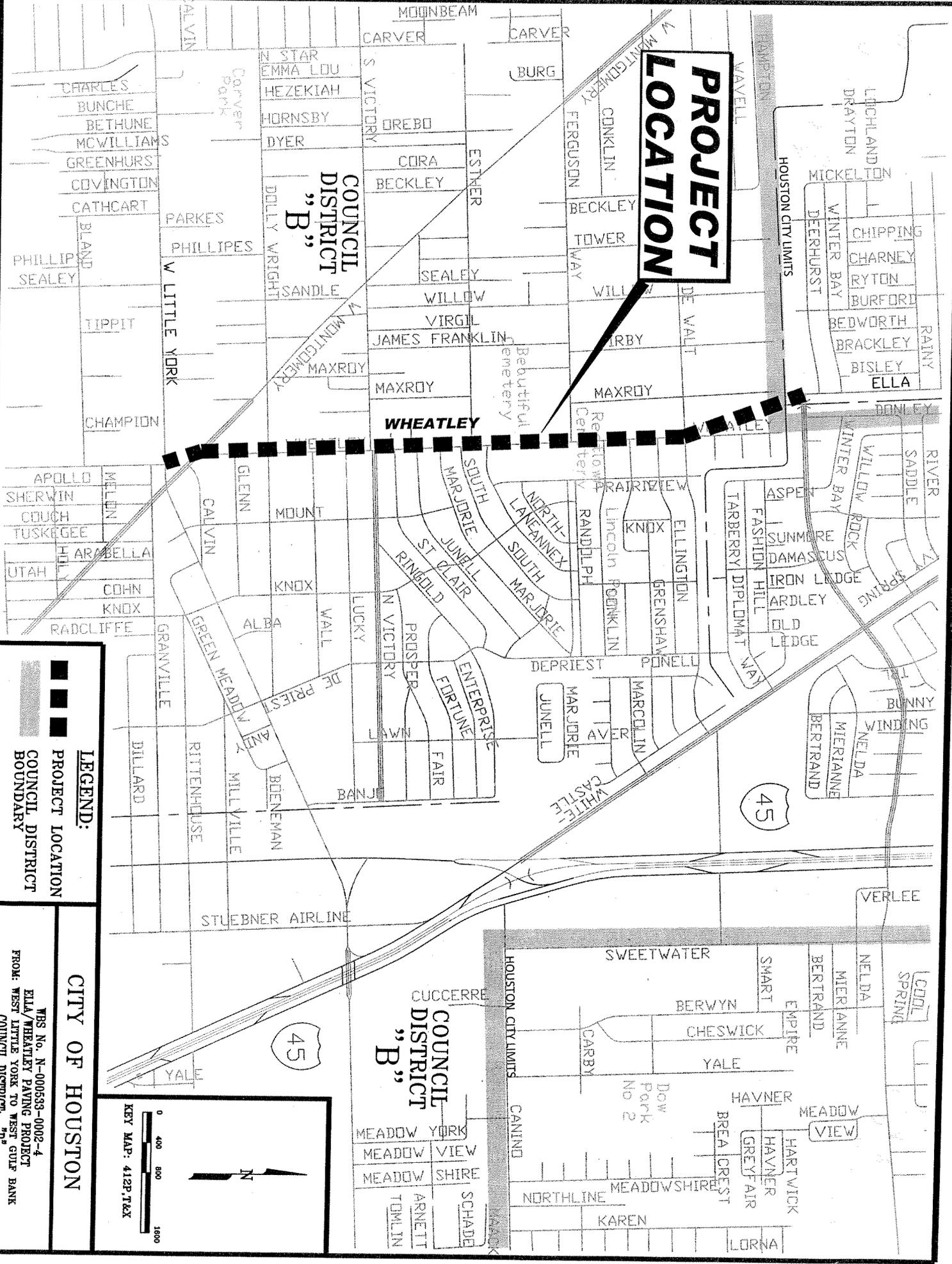
CITY OF HOUSTON



LEGEND:

-  PROJECT LOCATION
-  COUNCIL DISTRICT BOUNDARY

MS No. N-000533-0002-4
 ELLA/WHEATLEY PAVING PROJECT
 FROM: WEST LITTLE YORK TO WEST GULF BANK
 COUNCIL DISTRICT: "B"



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

SUBJECT: Ordinance designating all improved single-family residential lots in the Braes Terrace Subdivision, Section 1 as a Prohibited Yard Parking Requirement Area	Category #	Page 1 of _____	Agenda Item # 27
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date April 26, 2011	Agenda Date MAY 04 2011
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DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>	Council District affected: C
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: 2009-0059, 1-28-09
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RECOMMENDATION: (Summary) Approval of an ordinance designating all improved single-family residential lots in the Braes Terrace Subdivision, Section 1 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

Amount and Source of Funding: NA	Finance Budget:
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SPECIFIC EXPLANATION: In accordance with Section 28-303 of the Code of Ordinances, the Braeswood Place Homeowners Association initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Braeswood Place Homeowners Association. Notification was mailed to 184 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Since no protests were timely filed and the application meets the requirements, the Director is forwarding the application to City Council for consideration.

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

- Attachments:
 Planning Director's Approval
 Prohibited Yard Parking Requirement Area Application
 Letter of Support
 Map of the proposed requirement area / land use

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

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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SH

21

Prohibited Yard Parking Requirement Area No. P110102

Planning Director's Approval

Planning Director Evaluation:

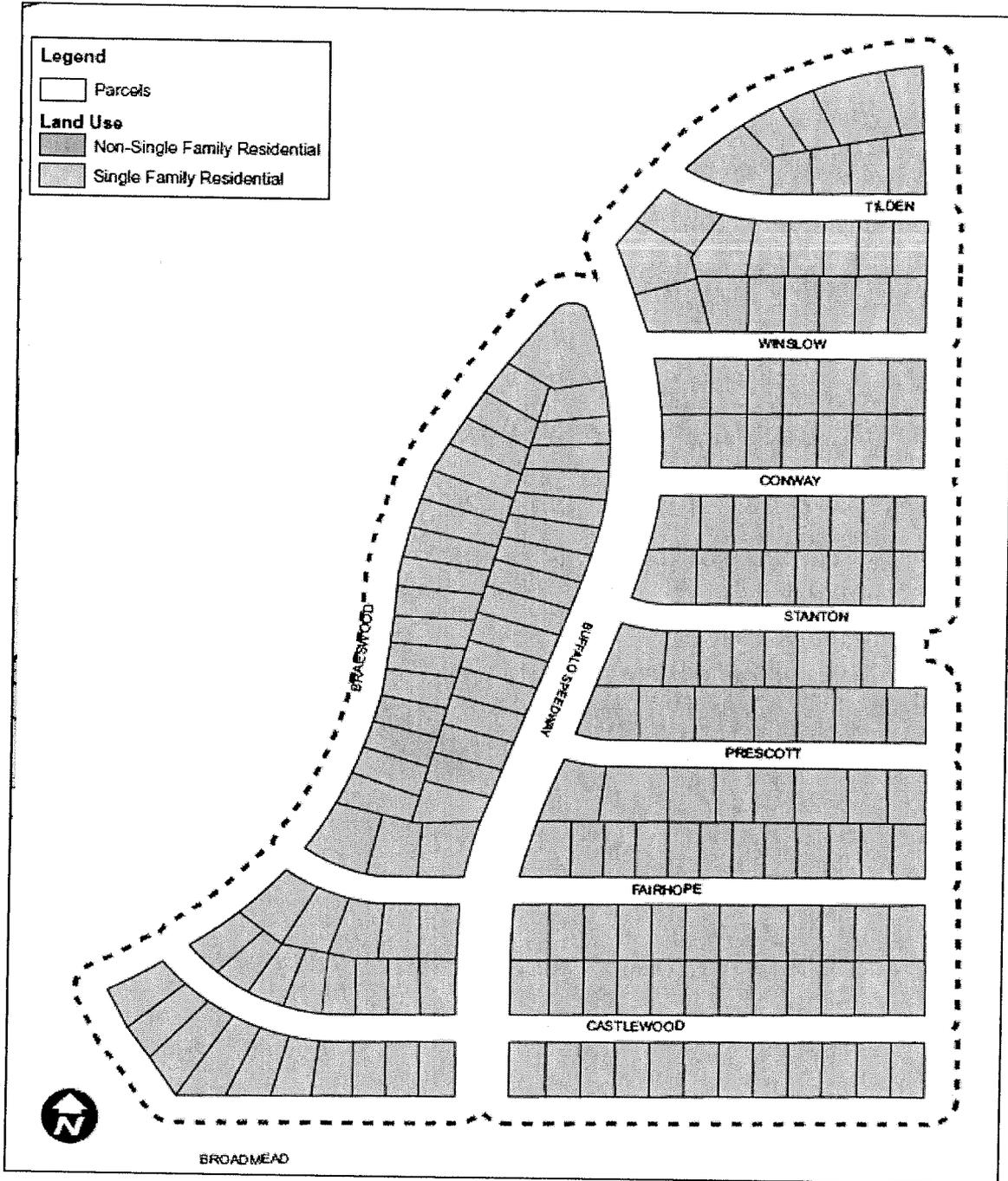
Satisfies	Does Not Satisfy	Criteria
X		<p><i>PYPRA includes five contiguous block faces;</i></p> <p>The application area contains at least five contiguous block faces.</p>
X		<p><i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i></p> <p>100% of the proposed application area is developed as single-family residential.</p>
X		<p><i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i></p> <p>The president of the Braeswood Place Homeowners Association has signed a letter of support.</p>
X		<p><i>No valid protests were timely filed;</i></p> <p>The protest period ended on March 21, 2011 with no protests being timely filed.</p>

The Prohibited Yard Parking Requirement Area meets the criteria.

Marlene L. Gafrick 4/21/11
 Marlene L. Gafrick, Date
 Director

P110102

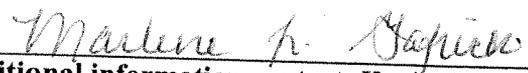
Braeswood Place Homeowner's Association



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

SUBJECT: Ordinance designating all improved single-family residential lots in the Braes Manor Subdivision, Section 2 as a Prohibited Yard Parking Requirement Area	Category #	Page 1 of _____	Agenda Item # 28
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date April 26, 2011	Agenda Date MAY 04 2011
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DIRECTOR'S SIGNATURE: 	Council District affected: C
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: 2009-0059, 1-28-09
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RECOMMENDATION: (Summary) Approval of an ordinance designating all improved single-family residential lots in the Braes Manor Subdivision, Section 2 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

Amount and Source of Funding: NA	Finance Budget:
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SPECIFIC EXPLANATION: In accordance with Section 28-303 of the Code of Ordinances, the Braeswood Place Homeowners Association initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Braeswood Place Homeowners Association. Notification was mailed to 92 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Since no protests were timely filed and the application meets the requirements, the Director is forwarding the application to City Council for consideration.

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

- Attachments:
Planning Director's Approval
Prohibited Yard Parking Requirement Area Application
Letter of Support
Map of the proposed requirement area / land use

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

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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Prohibited Yard Parking Requirement Area No. P110104

Planning Director's Approval

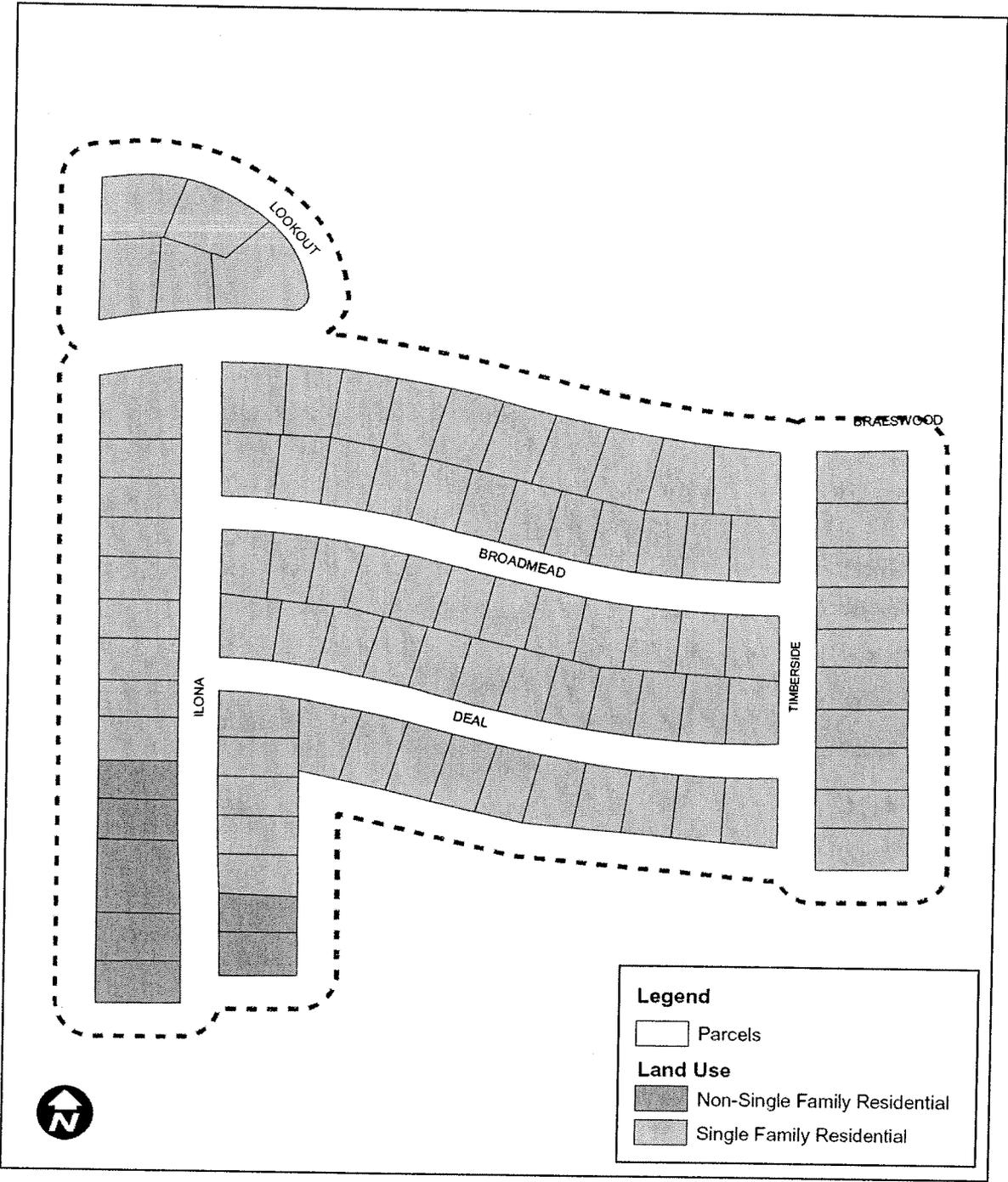
Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>PYPRA includes five contiguous block faces;</i></p> <p>The application area contains at least five contiguous block faces.</p>
X		<p><i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i></p> <p>92.4% of the proposed application area is developed as single-family residential.</p>
X		<p><i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i></p> <p>The president of the Braeswood Place Homeowners Association has signed a letter of support.</p>
X		<p><i>No valid protests were timely filed;</i></p> <p>The protest period ended on March 21, 2011 with no protests being timely filed.</p>

The Prohibited Yard Parking Requirement Area meets the criteria.

Marlene L. Gafrick 4/21/11
 Marlene L. Gafrick, Date
 Director

P110104
Braeswood Place Homeowner's Association

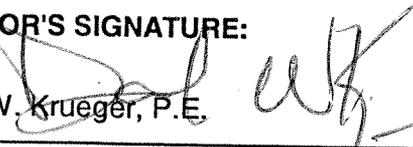


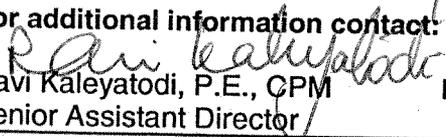
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Additional Appropriation to Professional Engineering Services Contract between the City of Houston and Pierce Goodwin Alexander & Linville, Inc. for the Paving Extension of Kirby Drive from Fannin Street to Airport Boulevard. WBS No. N-000594-0003-3.	Page 1 of 2	Agenda Item # 29
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date MAY 04 2011
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E.	Council District affected: D 5C JK
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For additional information contact:  Ravi Kaleyatodi, P.E., CPM Senior Assistant Director Phone: (832) 395-2326	Date and identification of prior authorizing Council action: Ordinance No. 2009-1103; Dated: 11/10/2009
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RECOMMENDATION: (Summary)
Approve an Ordinance appropriating additional funds for Professional Engineering Services Contract with Pierce Goodwin Alexander & Linville, Inc.

Amount and Source of Funding:
\$1,058,858.00 from the Street and Bridge Consolidated Construction Fund No. 4506. *M.P. 4/19/2011*
Original (previous) appropriations of \$353,614.00 from the Street and Bridge Consolidated Construction Fund No.4506.

PROJECT NOTICE/JUSTIFICATION: This project is part of the Street & Traffic Capital Improvement Plan (CIP) and is necessary to meet City of Houston standards and improve traffic.

DESCRIPTION/SCOPE: This project consists of the design of approximately 7,100 linear feet of four lane divided concrete roadways with curbs and gutter, raised medians, sidewalks, streetlights, signals and necessary underground utilities.

LOCATION: The project area is generally bound by Fannin Street and Almeda Road on the north and Airport Boulevard on the south. The project is located in Key Map Grids 572D & 572H.

PREVIOUS HISTORY AND SCOPE: The original Contract was approved November 10, 2009 by Ordinance 2009-1103. The scope of services under the original Contract consisted of Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services and Additional Services. The original contract focused on the development of alternate alignment solutions for three remaining subprojects of Kirby Drive; subproject IV, Holmes Road to Fannin Road, subproject III, Fannin Road to Airport Boulevard and subproject V, North Side of Sims Bayou to Orem Drive. Subproject II, Airport Boulevard to North Side of Sims Bayou is under construction. Subproject III, Fannin Street to Airport Boulevard was chosen for Phase II, Final Design and Phase III Construction Phase Services. Subproject III was extended to Fannin Street for contiguous north/south traffic flow along the proposed Kirby Corridor.

SCOPE OF THIS SUPPLEMENT AND FEE: Additional funds are needed to complete Phase II and Phase III Basic Services and Additional Services which were not previously appropriated. The requested additional appropriation will accomplish the following task: Phase II - Final Design, Phase III - Construction Phase Services, Additional Services and certain miscellaneous services if required. \$431,580.00 has been budgeted for Phase II - Final Design Services and \$83,658.00 has been budgeted for Phase III - Construction Phase Services. The total Basic Services amount of \$515,238.00 is computed by a lump sum amount or reimbursable basis. Certain other Additional Services are also

REQUIRED AUTHORIZATION CUIC ID #20SMC37

Finance Department:	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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Date	SUBJECT: Additional Appropriation to Professional Engineering Services Contract between the City of Houston and Pierce Goodwin Alexander & Linville, Inc. for the Paving Extension of Kirby Drive from Fannin Street to Airport Boulevard. WBS No. N-000594-0003-3.	Originator's Initials <i>SL</i>	Page 2 of 2
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proposed to be paid as lump sum or on a reimbursable basis. The Additional Services are currently anticipated to include surveying, geotechnical investigation, phase II environmental services, traffic control plans, signalization, tree protection, storm water prevention pollution plans and lighting which comprise the bulk of the funds. The total Additional Services Fee under the additional appropriation is \$405,500.00.

The total requested appropriation is \$1,058,858.00 to be appropriated as follows: \$920,738.00 for contract services and \$138,120.00 for CIP cost recovery.

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.

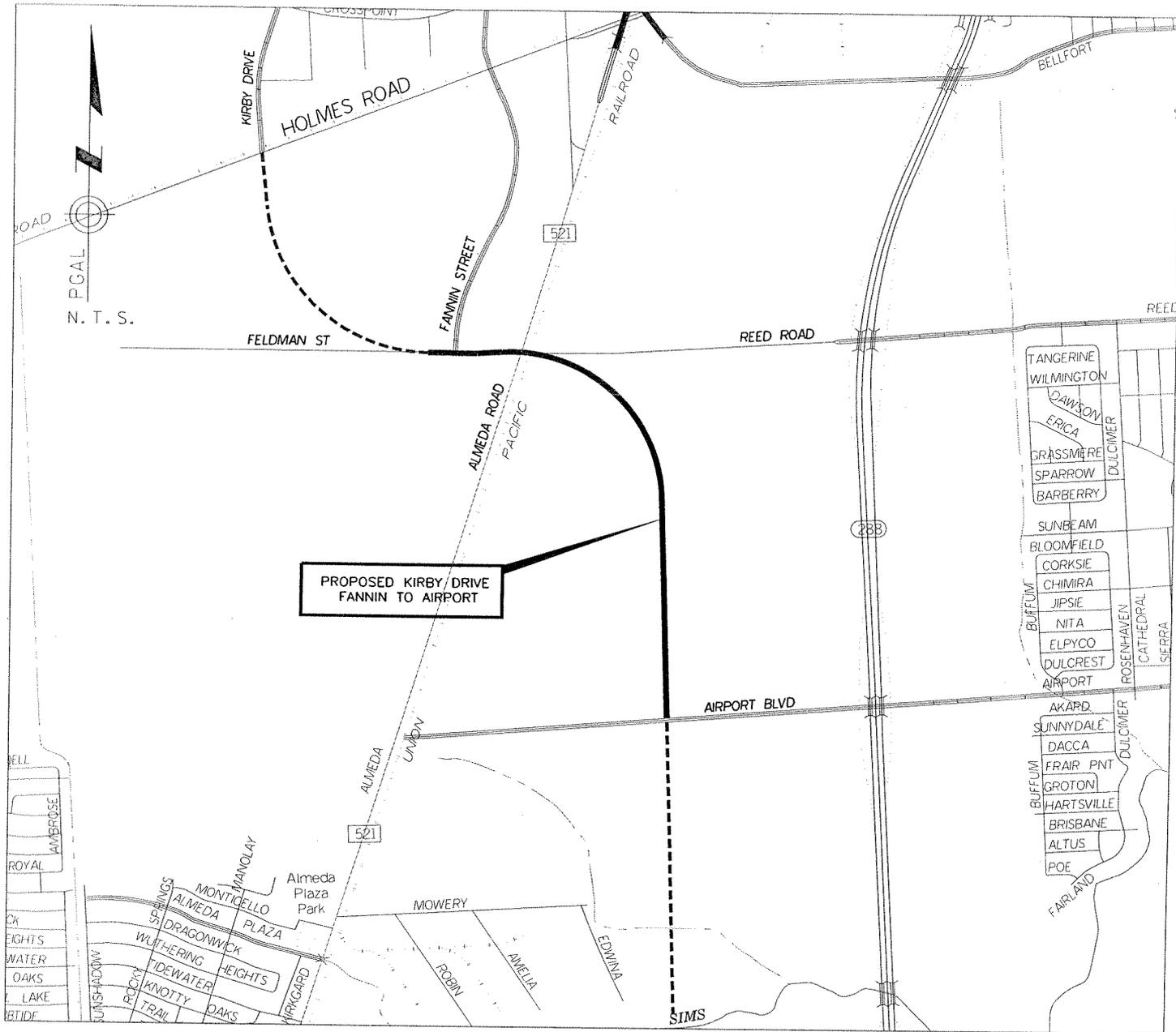
M/WBE INFORMATION: The M/WBE goal established for the project is 24%. The original Contract approved by Ordinance No. 2009-1103 totals \$321,464.00. The consultant has been paid \$318,970.29 (99.22%) to date. Of this amount \$77,547.00 (24.31%) has been paid to M/WBE sub-consultants to date. Assuming approval of the requested additional appropriation the contract amount will increase to \$1,242,202.00.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
1. Prior M/WBE Work		\$77,547.00	6.24%
✓ 2. Civil Systems Engineering, Inc.	Drainage Study	\$34,700.00	2.79%
✓ 3. Landtech Consultants, Inc.	Surveying Services	\$136,006.00	10.95%
✓ 4. Associated Testing Laboratories, Inc.	Geotechnical/Environmental Services	\$46,964.00	3.78%
✓ 5. B & E Reprographics, Inc.	Document Reproduction	\$9,260.00	0.75%
✓ 6. Accessibility Check	Accessibility Review	<u>\$1,000.00</u>	<u>0.08%</u>
TOTAL		\$305,477.00	24.59%

JK
DWK:DRM:RK:JHK:SMC

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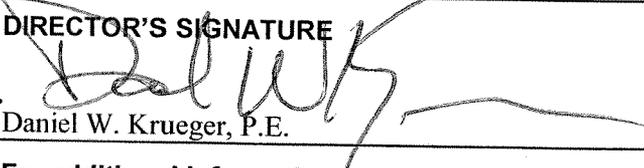
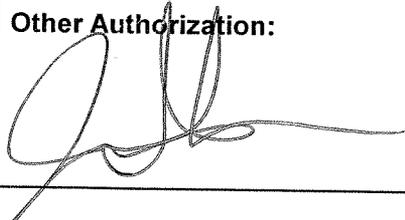
ec: WBS No. N-000594-0003-3 (1.2 DSGN RCA Supplement)



VICINITY MAP

KIRBY DRIVE EXTENSION FANNIN TO AIRPORT

WBS NO N-000594-0003-3
 KEYMAP NO 572D, 573A, 572H, 573E
 COUNCIL DISTRICT D

SUBJECT: Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000295-0030-4		Page 1 of 2	Agenda Item # 30								
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date	Agenda Date MAY 04 2011								
DIRECTOR'S SIGNATURE  Daniel W. Krueger, P.E.		Council District affected: All									
For additional information contact: Jason Iken, P.E. Interim Senior Assistant Director Phone: (832) 395-4989		Date and identification of prior authorizing Council action: N/A									
RECOMMENDATION: (Summary) Accept low bid, award construction contract, and appropriate funds.											
Amount and Source of Funding: \$3,125,606.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier III. <i>W.P. 4/19/2011</i>											
SPECIFIC EXPLANATION: This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems throughout the City.											
DESCRIPTION/SCOPE: This project consists of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The contract duration for this project is 540 calendar days.											
LOCATION: The project area is generally bounded by the City Limits.											
BIDS: Three (3) bids were received on September 23, 2010 for this project as follows:											
<table border="0"> <thead> <tr> <th style="text-align: left;"><u>Bidder</u></th> <th style="text-align: left;"><u>Bid Amount</u></th> </tr> </thead> <tbody> <tr> <td>1. PM Construction & Rehab, L.P.</td> <td>\$2,919,625.11</td> </tr> <tr> <td>2. Huff & Mitchell, Inc.</td> <td>\$3,145,280.00</td> </tr> <tr> <td>3. Portland Utilities Construction Co., LLC.</td> <td>\$3,188,426.25</td> </tr> </tbody> </table>				<u>Bidder</u>	<u>Bid Amount</u>	1. PM Construction & Rehab, L.P.	\$2,919,625.11	2. Huff & Mitchell, Inc.	\$3,145,280.00	3. Portland Utilities Construction Co., LLC.	\$3,188,426.25
<u>Bidder</u>	<u>Bid Amount</u>										
1. PM Construction & Rehab, L.P.	\$2,919,625.11										
2. Huff & Mitchell, Inc.	\$3,145,280.00										
3. Portland Utilities Construction Co., LLC.	\$3,188,426.25										
File/Project No. WW 4257-118		REQUIRED AUTHORIZATION									
Finance Department		CUIC# 20JAI347									
Other Authorization: 		Other Authorization:  Jun Chang P.E., D.WRE, Deputy Director Public Utilities Division									

NOT

30

Date	Subject: Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000295-0030-4	Originator's Initials	Page 2 of 2
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AWARD: It is recommended that this construction contract be awarded to PM Construction & Rehab, L.P., with a low bid of \$2,919,625.11.

PROJECT COST: The total cost of this project is \$3,125,606.00 to be appropriated as follows:

- Bid Amount \$2,919,625.11
- Contingencies \$145,980.89
- Engineering Testing Services \$60,000.00

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

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

M/WSBE PARTICIPATION: The low bidder has demonstrated a good faith effort to comply with the M/WBE goals of the Texas Water Development Board and the SBE goals of the City of Houston. The bidder has proposed an MBE participation of 12.00% and SBE participation of 9.00%.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
✓ CBL Industries, LLC	Asphalt/Paving	\$116,785.00	4.00%
✓ Chief Solutions, Inc.	Clean & Televisive Sewer Lines	\$102,186.88	3.50%
✓ 5M Rope & Supply, LLC	Supplies	<u>\$131,383.13</u>	<u>4.50%</u>
	TOTAL	\$350,355.01	12.00%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
✓ Deanie Hayes, Inc.	Supplies	\$116,785.00	4.00%
✓ Standard Cement Materials, Inc.	Manhole Rehabilitation	\$102,186.88	3.50%
✓ J. A. Gamez, Trucking Services	Dump Truck Services	<u>\$43,794.38</u>	<u>1.50%</u>
	TOTAL	\$262,766.26	9.00%

All known rights-of-way and easements required for this project have been acquired.


DWK:JC:JI:DR:mb

cc: Robert Gallegos
File No. WW 4257-118

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#

31

FROM: (Department or other point of origin):

Alfred J. Moran, Director
Administration & Regulatory Affairs

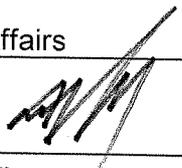
Origination Date

4/20/11

Agenda Date

MAY 04 2011

DIRECTOR'S SIGNATURE:



Council Districts affected:

ALL

For additional information contact:

JFO JB
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:

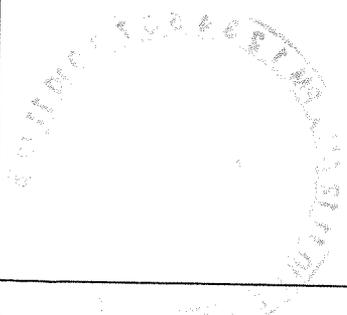
1. Phoenix Pollution Control & Environmental Services, Inc.

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

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

REQUIRED AUTHORIZATION

Finance Director:



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT:

Ordinance granting a Commercial Solid Waste Operator Franchise

Category #

Page 1 of 1

Agenda Item#

3rd Reading

32 36

FROM: (Department or other point of origin):

Alfred J. Moran, Director
Administration & Regulatory Affairs

Origination Date
3/31/11

Agenda Date

~~APR 20 2011~~

final

DIRECTOR'S SIGNATURE:

[Handwritten Signature]

Council Districts affected:

ALL

~~APR 27 2011~~
MAY 04 2011

For additional information contact:

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

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

RECOMMENDATION: (Summary)

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

Amount of Funding:
REVENUE

FIN Budget:

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

SPECIFIC EXPLANATION:

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

1. Sun Coast Resources, Incorporated

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:

MX

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

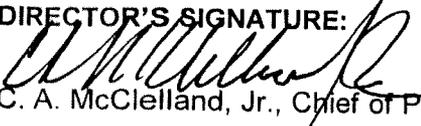
SUBJECT: An ordinance amending Sections 8-127 and 8-191 of the Code of Ordinances, Houston, Texas, relating to the SafeClear Major Freeway Towing and Emergency Road Service Program; and an ordinance authorizing amendments to the City's agreements with tow operators under the SafeClear Major Freeway Towing and Emergency Road Service Program and establishing a maximum contract amount and a Temporary Assistance Program.

Page 1 of 2
Agenda Item # 33.34
~~10 + 11~~

FROM: (Department or other point of origin):
Houston Police Department

Origination Date:

Agenda Date:
~~APR 27 2011~~

DIRECTOR'S SIGNATURE:

C. A. McClelland, Jr., Chief of Police

Council District affected:
All
MAY 04 2011

For additional information contact:
Joseph A. Fenninger *JAF 4/25/11*
CFO and Deputy Director Phone: 713-308-1770

Date and identification of prior authorizing Council action:
Code Amendments: December 5, 2001, Ord. No. 2001-1079; September 22, 2005, Ord. No. 2005-1271
Contract Amendments: October 14, 2009, Ord. No. 2009-0980; October 27, 2010, Ord. No. 2010-0548

RECOMMENDATION:

1. The Houston Police Department recommends that City Council approve an ordinance amending Sections 8-127 and 8-191 of the Code of Ordinances relating to the payment of towing fees under the SafeClear Major Freeway Towing and Emergency Road Service Program ("SafeClear").
2. Provided the ordinance amending Sections 8-127 and 8-191 of Code of Ordinances is approved, approve an ordinance
 - (a) authorizing Amendments to the Fourth Amended and Restated SafeClear Freeway Towing and Emergency Road Service Agreements between the City and
 - Allied Collision Center, Inc.;
 - Cannino West, Inc.;
 - C-MAS, Inc. d/b/a Fiesta Wrecker Service;
 - Corporate Auto Service, Inc.;
 - KTL Enterprises, Inc.;
 - Milam Street Auto Storage, Inc.;
 - North Houston Motors, Inc.
 - T & T Motors, Inc. d/b/a T & T Motors;
 - Unified Auto Works Paint & Body, Inc. d/b/a/ Unified Auto Works;
 - Westside Wrecker Service, Inc.;

to include the City's Contractor Pay or Play Program and provide that the free tow services currently paid by the City to be paid for by owners of vehicles towed under the SafeClear Program and

- (b) authorizing First Amendments to SafeClear Towing Services Agreements between the City and
 - RBEX, Inc. d/b/a/ Apple Towing Co.;
 - Houston Auto Tech, Inc. d/b/a Houston Auto Tech;
 - Sterling Interest Investments, Inc. d/b/a Elite Collision Center;

to provide that the free tow services currently paid by the City be paid for by owners of vehicles towed under the SafeClear Program.

Amount and Source of Funding: \$100,000.00 – Fund 2201

Date	An ordinance amending Sections 8-127 and 8-191 of the Code of Ordinances, Houston, Texas, relating to the SafeClear Major Freeway Towing and Emergency Road Service Program; and an ordinance authorizing amendments to the City's agreements with tow operators under the SafeClear Major Freeway Towing and Emergency Road Service Program and establishing a maximum contract amount and a Temporary Assistance Program.	Originator's Initials 	Page 2 of 2
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SPECIFIC EXPLANATION:

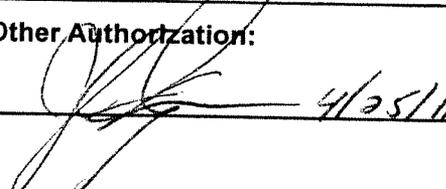
An ordinance amending Sections 8-127 and 8-191 of the Code of Ordinances, Houston, Texas, relating to the SafeClear Major Freeway Towing and Emergency Road Service Program; and an ordinance authorizing amendments to the City's agreements with tow operators under the SafeClear Major Freeway Towing and Emergency Road Service Program. In conjunction with this amendment to the Code of Ordinances, the City's agreements with SafeClear Tow Operators will be amended as follows:

- SafeClear tows previously funded by the City and free to the public will now be charged to the vehicle owner directly at a rate of for \$50.00 for a tow and \$30.00 for On-freeway Roadside Services.
- For vehicle owners who are unable to pay the charge at the point of service, vehicles will be towed and placed in a city approved storage facility for up to 48 hours at no charge to the owner.
- The SafeClear Management Group will continue to fund Houston TranStar dispatchers to work with the Metro Police Department to oversee the freeway system and respond to all accidents and incidents on a 24/7 basis.
- SafeClear vendors will participate in the Pay or Play Program.

The Houston Police Department recommends that City Council approve these proposed amendments to Sections 8-127 and 8-191 of the Code of Ordinances, which will enable the City to amend the SafeClear agreements and will result in a cost savings to the City.

The Houston Police Department also recommends authorizing \$100,000 for a Temporary Assistance Program for vehicle owners who provide proof of inability to pay the fees authorized by the amended Section 8-127(5). The Temporary Assistance Program will terminate when the \$100,000.00 is exhausted or December 31, 2011, whichever occurs first. The City Attorney will establish guidelines for determining inability of a vehicle owner to pay the Section 8-127 (5) towing fees based on proof of eligibility to participate in a federal, state or local government program of assistance for low-income, disabled or unemployed persons.

REQUIRED AUTHORIZATION

Finance Budget:	Other Authorization:  4/25/11	Other Authorization:
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~~Redline #10~~
~~and Revised pg 1~~

Sec. 8-127. SafeClear—Freeway tow agreement.

On recommendation of the mayor and approval by the city council, the chief of police may execute non-exclusive agreements on behalf of the city with any tow operator then holding a valid police-authorized tow service agreement under section 8-126 of this Code to provide towing or emergency road service on freeways in the manner and according to specifications required by this Code and described in such agreements. Such agreements shall be in a form approved by the city attorney and shall provide, without limitation, the following:

- (1) That the tow operator shall remove wrecked or stalled vehicles from a designated segment of a freeway on a 24-hour basis and shall respond to the scene within the time designated in the agreement;
- (2) That the term of the agreement shall not exceed five years from date of execution unless terminated earlier as outlined in the agreement;
- (3) That the tow operator shall perform nonconsent tows from a freeway and remove all such vehicles to a licensed storage facility within the zone for the rate set forth in section 8-123 of this Code;
- (4) That the tow operator shall remove to the nearest place of safety a wrecked vehicle, regardless of location, or a stalled vehicle in a moving lane for the rate established under section 8-123 of this chapter;
- (5) That the tow operator shall tow a stalled vehicle located on a shoulder to a safe place off the freeway within one mile from the nearest freeway exit at the rate prescribed and subject to the conditions established in the agreement, provided, however, that if the vehicle owner is unable to pay the tow operator at the time of service, such vehicle shall be towed to the nearest licensed storage facility that is lighted and manned on a 24-hour basis, provides telephone and other access to the vehicle owner, and will not charge any storage-related fees for the first 48 hours;
-  ~~(6) That, at no cost to the vehicle owner, except that during the period each day from 10:00 p.m. to 6:00 a.m., the tow operator shall tow a stalled such vehicle shall be towed to a safe place in accordance with the agreement. If there is no safe place, the vehicle shall be towed to the nearest licensed storage facility that is lighted and, manned on a 24-hour basis, and provides the vehicle owner with access to a telephone and other facilities, and will not charge any storage-related fees for the first 24 hours or other safe place;~~
- (7) That the tow operator shall provide continuous coverage of its designated freeway segment, respond immediately to a call for assistance from a law enforcement officer, and patrol its segment as required by the agreement;

- (87) That the tow operator shall cooperate with all law enforcement and other public service employees responding to or present at a police scene;
- (98) That solicitation of business of any kind whatsoever at a police scene is prohibited;
- (109) That the tow operator shall not employ any wrecker driver who does not meet the requirements of this Code relating to towing of vehicles and any current and valid police-authorized tow service agreement;
- (1140) That, except as otherwise provided in this chapter, the tow operator shall respond to a police scene with no more towing capacity than necessary, based on the number of wrecked or stalled vehicles at the scene, to minimize hazards and traffic obstructions within the time designated in the agreement and will expeditiously remove from the freeway any wrecked or stalled vehicle, debris, and other traffic impediment;
- (1244) That any failure by the tow operator to timely respond to a call for assistance shall authorize an incident management supervisor or a law enforcement officer at a police scene who has determined that public emergency then exists to direct any PATSA auto wrecker to remove any wrecked or stalled vehicle, debris, or other traffic hazard or impediment;
- (1312) That emergency road service shall consist of providing towing, gasoline, tire changing, or other services as designated in the agreement;
- (1413) That the chief of police or his designee is authorized, upon a determination of a public emergency or when required in the interest of public safety, to direct the tow operator to direct its patrol activities to specific times and/or portions of the tow operator's freeway segment;
- (1514) That the tow operator shall report any wrecked or stalled vehicle or other hazardous road condition to the police department and remain at the scene until a law enforcement officer arrives or he receives authorization to remove the hazardous condition;
- (1615) That authorization to remove a wrecked or stalled vehicle shall be provided in the manner and form specified by the agreement; and
- (1746) That removal of any wrecked or stalled vehicle at the direction of a law enforcement officer shall be documented on a police department vehicle disposition form.

Sec. 8-191. Notice to owner and lienholders.

It shall be the duty of the authorization holder of a private storage lot to mail or cause to be mailed notices as provided in this section to the registered owner and primary lienholder of each vehicle that is towed or delivered to the private storage lot without the authorization of the vehicle owner. The notice must be given by certified U.S. mail, return receipt requested, and shall be deposited in the United States Mail not later than 72 ~~48~~ hours after but not sooner than 24 hours after the vehicle is received on the lot. The notice must contain:

- (1) The date and time the vehicle was accepted for storage;
- (2) The daily storage rate;
- (3) The type and amount of all other charges to be paid when the vehicle is claimed;
- (4) The full name, street address and telephone number of the private storage lot;
- (5) The hours during which the vehicle owner may claim the vehicle; and
- (6) Any additional information requested by the police chief to inform the owner/lienholder of his rights and obligations. The private storage lot authorization holder shall keep a record of the date and time that each notice was deposited in the United States mail.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Ordinance authorizing the issuance of additional bonds by the Midtown Redevelopment Authority on behalf of Reinvestment Zone Number Two (Midtown Zone).

Category #

Page
1 of 1

Agenda Item#

35 13

FROM: (Department or other point of origin):

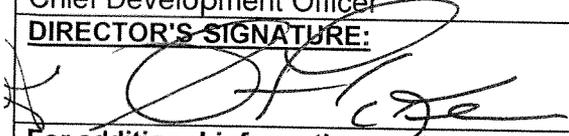
Andrew F. Icken
Chief Development Officer

Origination Date
April 20, 2011

Agenda Date

~~APR 27 2011~~

DIRECTOR'S SIGNATURE:



Council Districts affected:
C, D, & I

MAY 04 2011

For additional information contact:

Ralph De Leon **Phone:** (713) 837-9573
Tim Douglass **Phone:** (713) 837-9857

Date and identification of prior authorizing Council Action:

Ord. 1994-1345, 12/14/94, Res. 95-96, 6/28/95, Ord. 96-389, 4/17/96, Ord. 97-600, 5/28/97, Ord. 97-1338, 10/22/97, Ord. 97-1540, 12/10/97, Ord. 98-301, 4/22/98, Ord. 1999-850, 8/11/99, Ord. 2000-494, 6/7/00, Ord. 2000-0495, 6/07/00, Ord. 2003-538, 6/11/03, Ord. 2005-355, 4/13/05, Ord. 2009-1395, 12/29/09

RECOMMENDATION: (Summary)

That City Council adopt an Ordinance increasing the authorization of the Midtown Redevelopment Authority to issue additional bonds up to \$20,000,000.

Amount of Funding: N/A

Finance Budget:

SOURCE OF FUNDING:

General Fund Grant Fund Enterprise Fund
 Other (Specify)

Specific Explanation:

By various prior ordinances, City Council has authorized the Midtown Redevelopment Authority ("Authority") to issue bonds in an aggregate principal amount not to exceed \$59,500,000 outstanding at any one time in addition to \$6,000,000 in notes outstanding at any one time. The Authority currently has approximately \$47,000,000 in bonds outstanding. To implement its Fiscal Year 2011-2015 City Council-approved Budget and Capital Improvement Plan, the Authority will need to obtain financing to fund its current year design and construction plans and will need to issue up to an additional \$20,000,000 in bonds. This will require an increase of \$20,000,000 in the total amount of bonds the Authority is authorized to issue.

Approval of this Ordinance will authorize the Authority to issue additional bonds in an aggregate principal amount not to exceed \$20,000,000 outstanding at any one time without further approval from the City, and this authorization is in addition to the \$59,500,000 in bonds and the \$6,000,000 in notes authorized previously by City Council on April 13, 2005 by Ordinance No. 2005-355.

In order to allow for a logical and efficient time period for payment of the additional bonds, in the near future the Administration also intends to bring forward to Council an Ordinance extending the life of the Authority by 8 years, and an Amended Project Plan for the Midtown Zone.

The Administration recommends that City Council approve this Ordinance to provide the capital needed to support redevelopment projects in the Zone consisting primarily of major roadway, street reconstruction, parks and greenspace, and pedestrian improvement projects

cc: Marta Crinejo, Agenda Director
 Anna Russell, City Secretary
 Deborah McAbee, Senior Assistant City Attorney
 Dave Feldman, City Attorney

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:



36

MAY 04 2011

36. MOTION by Council Member Lovell/Seconded by Council Member Rodriguez to receive nominations for City Council Appointees to the **REBUILD HOUSTON OVERSIGHT COMMITTEE**

DELAYED BY MOTION #2011-346, 4/27/11

This was Item 36 on Agenda of April 27, 2011

MOTION NO. 2011 0346

MOTION by Council Member Lovell that in connection with the nomination by City Council to the Rebuild Houston Oversight Committee the City Council accepts the receipt of nomination received for Position 1 and any further nominations be delayed for one week.

Seconded by Council Member Stardig and carried.

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

PASSED AND ADOPTED this 27th day of April, 2011.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is May 3, 2011.

City Secretary

Council Member Rodriguez nominated Ms. Frances Castaneda Dyess for Position 1.



CITY OF HOUSTON
City Council

James Rodriguez
Council Member
District I

City Hall Annex
P.O. Box 1562
Houston, Texas 77251-1562

T. 832.393.3011
F. 832.393.3313

To: Mayor and City Council

Fr: Council Member James G. Rodriguez

Date: April 27, 2011

Re: Nomination-Rebuild Houston Oversight Committee

It is with great honor that I nominate Frances Castaneda Dyess for the Rebuild Houston Oversight Committee, Position 1. Ms. Dyess possesses the necessary knowledge and experience for this committee. I am confident she will be a major asset to the team.

I am attaching her resume for your reference. Please do not hesitate to contact me if you have any questions or concerns.

[ENCLOSURE]

Frances Castaneda Dyess Resume
Page Two

Siboney USA, Dallas, TX, Account Executive, 11/94 – 11/95

Responsible for launching first-ever Hispanic advertising/promotional campaigns for Nestlé USA Nesquik and Kerns Nectars Accounts.

- Directed and participated in focus groups and other studies that helped Nestlé Client's understand the behaviors of many cultures, including Mexican, Puerto Rican and Cuban mothers and children's grocery buying power and habit. This understanding paved the way for national and regional campaigns that were relevant to the cultural differences and resulted in successful marketing and advertising campaigns.
- Managed and launched the first, fully integrated, national marketing campaign for Kerns Nectars into a competitively saturated market and won market share.
- Introduced the Nesquik Bunny to the Hispanic market through strategic advertising, community events, sampling and promotions. This resulted in top of mind awareness for the Nesquik Bunny over competitive, established characters.
- Supervised and managed advertising and marketing campaign for the introduction of Strawberry Nesquik to the Hispanic market that successfully increased awareness and achieved Client's revenue objectives.

Berry*Brown Advertising, Dallas, TX, Account Executive – 2/93 – 11/94

Responsible for Hispanic advertising and marketing programs for Quaker Oats – Cap'n Crunch and Rice-A-Roni Accounts.

- Managed and launched advertising, promotional and media plans for the introduction of the new, Cap'n Crunch Peanut Butter cereal to the Hispanic market. Resulted in a wide acceptance in the market place and increased sales nationally.
- Managed Cap'n Crunch's sponsorship of the weekly Spanish language "Sábado Gigante" shows. The integration and product placement resulted in a greater awareness of the Brand, increased market share and achieved Client's revenue objectives nationally.
- Authored a report on Hispanic child behavior that provided the Client a true understanding of the marketplace.
- Day to day contact between client and all agency departments. Solely responsible for the increase of Client/Agency relationship/revenue.

Ornelas & Associates, Dallas TX, Account Manager/PR Consultant – 6/92 – 2/93

Provide support to account executives of many accounts including GTE, Wrangler, Bank One, and Anheuser-Busch, Inc. Handled many tasks including proactive traffic support to creative departments and prepared estimates and ensured approvals prior to job initiative.

- Performed all Public Relations tasks for the 1992 Pepsi Cola Alliance for Literacy Program with Henry Cisneros as spokesman. Organized the opening of five literacy computer labs in five Texas cities. Event received extensive English and Spanish media coverage and notable recognition from the Hispanic community.
- Negotiated and facilitated Anheuser-Busch's participation in local/national Hispanic Conventions, i.e. United States Hispanic Chamber of Commerce (USHCC), National Council of La Raza (NCLR), LULAC, etc. Resulting in booth placed in heavy traffic areas and most visited booth at each convention.

COMMUNITY INVOLVEMENT

- American Leadership Forum, Class of XXVII
- Talento Bilingue de Houston, Board Member 2002 – 2004, 2006 – 2010
- Girl's Inc., Volunteer 2008 – present. Chair 2011 Scholarship Luncheon
- Woman on the Move, recipient, 2008
- Houston Hispanic Chamber of Commerce, Corporate Advisory Member, 2005 – 2007
- East End Chamber of Commerce, Board Member 2004 – 2006
- Junior Achievement, Volunteer 2004 – 2006
- Houston Ad Federation – Judge for Student ADDY Awards, 2005
- Southern Methodist University Hispanic Alumni Associates, Board Member 1998 – 2000

EDUCATION/SKILLS

- Southern Methodist University, Dallas, TX, May 1992
Bachelor of Arts in Communications with concentration in Public Relations.
Minor in Mexican-American Studies.
- Computer Skills: Microsoft Word, Excel, Power Point

References Available Upon Request

Frances Castañeda Dyess

19 Estelle St.
Houston, TX 77003

Cell - 713/408-3600

SUMMARY

Top-ranked executive with a proven track record of success in Sports and Hispanic Marketing with extensive knowledge and diverse business experience of consumer marketing, advertising, public relations and promotions that result in increase brand awareness and market share growth. Strength in reviewing changes to the marketplace and industry and adjust plans accordingly. Self-starter that can lead and direct the work of others.

PROFESSIONAL EXPERIENCE

Houston East End Chamber of Commerce, Houston TX, President 7/11 – Present

Oversee member and business growth and retention of Houston's East End, a vibrant international business district rich in diversity and bursting with residential and commercial development. Oversee all Chamber responsibilities, including organizing monthly Business Luncheons, Annual Gala, Annual Golf Tournament, Education and Economic Development Programs.

Houston Rockets, Houston TX, Director of Corporate Services, 2/01 – 7/11

Responsible for developing innovative marketing programs and PR strategies for Rockets corporate Clients, that is in line with the organization's core values. Identify opportunities for strategic alliances with current Clients and local community groups that further organizational goals.

- Supervise, train and develop account management team responsible for contract fulfillment executing programs including media, signage, hospitality, community programs and promotions for over 40 Corporate Clients, including Anheuser-Busch Inc, Southwest Airlines, Landry's Restaurant Inc, etc.
- Managed the P&L for over \$20 million in Sponsorship revenue.
- Improved customer service and retention, achieving an 80% corporate Client contract renewal rate.
- Work closely with Clients to understand objectives and formulate internal/external marketing programs and services that achieve objectives. Annual surveys conducted by organization and Clients show an increase in usage and awareness of their products and services.
- Identified by the organization as a key representative to community, Hispanic organizations and local/state officials. Created strategic alliances that resulted in an increased respect and awareness of the organization.

Lopez Negrete Communications, Houston, TX, Sr. Account Supervisor – 9/99 – 1/01

Responsible for all marketing, advertising and promotional efforts for several Business Partners of Bank of America and Havoline Motor Oil.

- Supervised a team charged with creative development and execution of all Bank of America's Spanish language TV, radio, print and outdoor productions, resulting in captured market share and increased awareness.
- Effectively launched Havoline Motor Oil's first advertising/promotional efforts into the Hispanic market, driving new business development and market expansion.
- Bank of America ad campaign resulted in a Houston ADDY Award.
- Successfully built trust and positive Client relationships that resulted in new projects and increased Agency revenue.
- Managed annually, multimillion-dollar budget and consistently achieved under budget results.

Ornelas & Associates, Dallas, TX, Account Supervisor – 11/95 – 8/99

Successfully managed U.S. Hispanic marketing/promotional efforts for the top billing accounts: GTE, Mobil Corporation and BANC ONE CORPORATION.

- Developed and launched Hispanic advertising programs which include TV, radio, print and promotional collateral materials for the introduction of Bank One's Check Card to the Hispanic market. This fully integrated plan successfully increased awareness and usage nationally.
- Managed the introduction of the first-ever Bank One TV commercial with Hispanic talent in English. This reached the acculturated, Hispanic market watching general market TV and was well received by the community and industry. This breakthrough concept was followed and utilized by other large corporations.
- Participated in focus groups and AAU studies for the introduction of Mobil's Pegasus character into the Hispanic market. Conclusions from studies resulted in an effective advertising campaign that increased awareness of Pegasus and Mobil brand.
- Developed and launched effective creative strategies, marketing and promotional plans for the introduction of Mobil's Speedpass product into the Hispanic market. Resulting in increased application registration and usage of new product.
- Top achiever in managing annual budget.

Matters Held 4/27/11

10 - Hoary - Bradford
tag

11 - Hoary, Jones, Bradford
& Johnson tag

13 - Clutterbuck tag

36 - M. 346 - novations

All present for
meeting