

AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 9, 2011 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Clutterbuck

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 - AUGUST 10, 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 - Drought and Houston Reservoir Status

CONSENT AGENDA NUMBERS 1 through 37

MISCELLANEOUS - NUMBERS 1 through 3

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **AUTOMOTIVE BOARD**, for one-year terms:
 - Position One - **MR. WILLIAM C. SMITH, III**, appointment
 - Position Two - **MR. BILLY H. JONES**, reappointment
 - Position Three - **MS. SHELLY E. RICHARDSON**, reappointment
 - Position Four - **MS. ERMA PALMER**, reappointment
 - Position Five - **MR. MAZEN ALLAHAM**, reappointment
 - Position Six - **MR. KEN W. ULMER**, reappointment, and to serve as Chair
 - Position Seven - **MR. BENJAMIN K. SANCHEZ**, reappointment
 - Position Eight - **MR. OWEN C. WANG**, reappointment
 - Position Nine - **MR. TIMOTHY STRANEY**, reappointment

2. REQUEST from Mayor for confirmation of the appointment of **MS. NOLA J. LUSK** to Alternate Position 3 of the **BUILDING AND STANDARDS COMMISSION**, for a term to expire December 31, 2012

3. REQUEST from Mayor for confirmation of the appointment of the following individuals to the **BOARD OF DIRECTORS OF TAX INCREMENT REINVESTMENT ZONE NUMBER TWENTY, CITY OF HOUSTON, TEXAS (SOUTHWEST HOUSTON ZONE)**:
 - Position One - **MR. KEVIN M. CHAVEZ**, for a term to expire 12/20/2011
 - Position Three - **MS. NICHELLE L. MCLEMORE**, for a term to expire 12/20/2011
 - Position Four - **MR. STEPHEN T. LE, JR.**, for a term to expire 12/20/2012
 - Position Five - **MR. SAUL VALENTIN**, for a term to expire 12/20/2011

ACCEPT WORK - NUMBER 4

4. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$4,999,176.35 and acceptance of work on contract with **GILBANE BUILDING COMPANY** for Fire Station 90 - 1.53% under the guaranteed maximum price - **DISTRICT A - STARDIG**

PURCHASING AND TABULATION OF BIDS - NUMBERS 5 through 7

5. **HEWLETT PACKARD COMPANY** - \$1,093,077.66, **APPLE, INC** - \$379,496.16 and **DELL MARKETING, LP** - \$51,248.00 for the Purchase of Equipment and Services for the Broadband Technology Opportunities Program Initiative through the City's Master Agreement with the Texas Department of Information Resources for the Houston Public Library - \$1,567,772.87 and contingencies for an amount not to exceed \$1,724,550.15 - American Recovery and Reinvestment Act

6. **PUMPS & EQUIPMENT OF TEXAS, INC** for Emergency Repair of 48" Wastewater Transfer Pumps for the Department of Public Works & Engineering - \$206,238.00 - Enterprise Fund **DISTRICT I - RODRIGUEZ**

7. **TEXAS TOWEL & SUPPLY, INC** - \$354,196.00 and **THE BARGAIN SOURCE** - \$76,900.80 for Rags and Cleaning Towels for Various Departments - 5 Years - General and Enterprise Funds

AGENDA - AUGUST 10, 2011 - PAGE 3

ORDINANCES - NUMBERS 8 through 37

8. ORDINANCE re-adopting the Houston Youth Recreation Programs Standards of Care as codified at **ARTICLE XII OF CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**; containing findings and other provisions related to the subject; providing an effective date; providing for severability
9. ORDINANCE amending the City of Houston Construction Code by adopting the 2011 National Electrical Code and local amendments thereto entitled the 2011 Administrative Code Provisions for the National Electrical Code, as the City of Houston Electrical Code; containing other provisions relating to the foregoing subject; containing a repealer; containing a savings clause; providing for severability
10. ORDINANCE appropriating \$160,000.00 from the TIRZ Affordable Housing Fund (2409); approving and authorizing Development Agreement between the City and **CONGO, LLC dba CONTEMPO** for Development of eight Energy Efficient Affordable Single-Family Homes to be sold to qualified homebuyers - **DISTRICT G - PENNINGTON**
11. ORDINANCE appropriating \$90,000.00 from the TIRZ Affordable Housing Fund (2409); approving and authorizing Development Agreement between the City and **MASTERMARK DEVELOPERS, INC, dba SOLARIS HOMES** for the Development of two Energy Efficient Affordable Single-Family Homes to be sold to qualified homebuyers - **DISTRICT B - JOHNSON**
12. ORDINANCE appropriating \$3,000,000.00 out of Fund 2409 (TIRZ Affordable Housing Fund) for payment of administrative expenses associated with the TIRZ Affordable Housing Program
13. ORDINANCE appropriating \$71,500.00 from TIRZ Affordable Housing Fund (2409); approving and authorizing repayment in the amount of \$71,500.00 to the United States Department of Housing and Urban Development for the resolution of outstanding issues raised in a 2009 HUD Monitoring Report relating to the City's CDBG and HOME Programs
14. ORDINANCE approving and authorizing Sub-Grantee Award Agreement between Harris County, Texas and the City of Houston to accept FY2009 Port Security Grant Program Funding for Houston Police Department Unit Safe Boat - \$277,254.00 - Grant Fund
15. ORDINANCE approving and adopting an updated ongoing Service and Assessment Plan for and on behalf of the Lamar Terrace Public Improvement District No. 2 covering the period 2011 through 2020 pursuant to Chapter 372 of the Texas Local Government Code - **DISTRICT C - CLUTTERBUCK**
 - a. ORDINANCE appropriating \$228,662.52 out of Fund 7508, Lamar Terrace Public Improvement District No. 2 Fund, for payment to Saint George Place Redevelopment Authority pursuant to Ordinance No. 2003-0432 - **DISTRICT C - CLUTTERBUCK**
16. ORDINANCE relating to the Retail Water Rates of Aqua Texas, Inc, Aqua Utilities, Inc & Aqua Development, Inc dba Aqua Texas, approving a Settlement Agreement relating to an increase in the Water Rates that shall constitute the Legal Retail Water Rates of Aqua Texas until changed as provided by the Texas Water Code; providing for the filing of rate schedules and tariffs; providing for the repeal of conflicting ordinances - **DISTRICT E - SULLIVAN**
17. ORDINANCE appropriating \$66,547.04 out of Street & Bridge Consolidated Construction Fund for Landscaping and Beautification of City streets and thoroughfares

ORDINANCES - continued

18. ORDINANCE awarding contract to **ASSOCIATED LANDSCAPE SERVICES, LC** for Grounds Maintenance and Landscaping Services for the Public Works and Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$383,121.63 Enterprise and Houston TranStar Funds - **DISTRICTS A - STARDIG; F - HOANG and I - RODRIGUEZ**
19. ORDINANCE approving and authorizing Airport Shoeshine Concession Agreement between the City of Houston and **ELSIE HEBERT, A Sole Proprietor, d/b/a ELSIE HEBERT AIRPORT SHOESHINE PARLORS**, for Houston Shoeshine Facilities at George Bush Intercontinental Airport/Houston - 5 Years with three one-year options - Revenue - **DISTRICT B - JOHNSON**
20. ORDINANCE appropriating \$961,770.00 out of Federal Aviation Administration Grants Fund and \$961,770.00 out of Houston Airport System Consolidated 2004 NONAMT Construction Fund; approving and authorizing Design Build Agreement between the City of Houston and **SPAWGLASS CONSTRUCTION CORPORATION** for Central Plant Upgrades at George Bush Intercontinental Airport/Houston (Project No. 621) - **DISTRICT B - JOHNSON**
21. ORDINANCE appropriating \$5,609,765.00 out of Airports Improvement Fund; approving and authorizing Amendment No. 4 to Construction Management At Risk Contract between the City of Houston and **CLARK CONSTRUCTION GROUP - TEXAS, LP**, for Terminal and Central Concourse Expansion at William P. Hobby Airport (Project 417F); providing funding for engineering testing services and for contingencies relating to construction of the facilities financed by such funds; providing funding for the Civic Art Program - **DISTRICT I - RODRIGUEZ**
22. ORDINANCE amending the caption of City of Houston Ordinance No. 2011-0600 to correct a clerical error and lower the supplemental allocation to \$750,000.00 for contract between the City of Houston and **CH2M HILL, INC** (Project No. 677) - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**
23. ORDINANCE approving Lease Agreement with the **NEAR NORTHWEST MANAGEMENT DISTRICT, AS TENANT**, for the Inwood Forest Clubhouse Building and Swimming Pool at 7603 Antoine Drive - **DISTRICT A - STARDIG**
24. ORDINANCE amending Ordinance No. 2009-1362 (Passed December 16, 2009) to increase the maximum contract amount under the Job Order Contract with **WXR, LLC fka DIRECT ENERGY, LP** for the Residential Energy Efficiency Program - \$5,000,000.00 - American Recovery and Reinvestment Act
25. ORDINANCE approving and authorizing Professional Residential Post Weatherization Home Inspection Contract between the City of Houston and **THE GAIA GROUP, INCORPORATED** for the Residential Energy Efficiency Program - 1 Year - \$750,000.00 - American Recovery and Reinvestment Act
26. ORDINANCE appropriating \$651,630.00 out of C&E - Construction Fund; awarding construction contract to **TIMES CONSTRUCTION INC** for Relocation of Historic Houses and Train; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, environmental testing services, and contingencies relating to construction of facilities financed by C&E - Construction Fund **DISTRICT I - RODRIGUEZ**

ORDINANCES - continued

27. ORDINANCE appropriating \$2,070,000.00 out of Public Library Consolidated Construction Fund; awarding construction contract to **THE GONZALEZ GROUP, LP** for Stanaker Neighborhood Library Renovation; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for material testing laboratory services, Civic Art Program and contingencies relating to construction of facilities financed by the Public Library Consolidated Construction Fund and Federal Government - Grant Funded - \$668,000.00 Grant Fund - **DISTRICT I - RODRIGUEZ**
28. ORDINANCE appropriating \$57,897.00 out of Drainage Improvement Commercial Paper Series F Fund, \$392,071.00 out of Miscellaneous Capital Projects/Acquisitions CP-Series E Fund and \$1,206,299.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to the Consent Agreement between the City of Houston and **METROPOLITAN TRANSIT AUTHORITY** for betterment of the City Utility Facilities for the North Line Corridor Route (Approved by Ordinance No. 2008-0567); providing funding for CIP Cost Recovery relating to construction of facilities financed by Drainage Improvement Commercial Paper Series F Fund, Miscellaneous Capital Projects/Acquisitions CP-Series E Fund, and Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GONZALEZ**
29. ORDINANCE appropriating \$873,328.00 out of Street & Bridge Consolidated Construction Fund, \$667,645.00 out of Drainage Improvement Commercial Paper Series F Fund, \$179,431.00 out of Miscellaneous Capital Projects/Acquisitions CP-Series E Fund, \$545,288.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to the Consent Agreement between the City of Houston and **METROPOLITAN TRANSIT AUTHORITY** for betterment of the City Utility Facilities for the Southeast Corridor Route (Approved by Ordinance No. 2008-0567); providing funding for CIP Cost Recovery relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund, Drainage Improvement Commercial Paper Series F Fund, Miscellaneous Capital Projects/Acquisitions CP-Series E Fund, and Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - ADAMS and I - RODRIGUEZ**
30. ORDINANCE appropriating \$23,305.00 out of Miscellaneous Capital Projects/Acquisitions CP-Series E Fund and \$80,983.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to the Consent Agreement between the City of Houston and **METROPOLITAN TRANSIT AUTHORITY** for betterment of the City Utility Facilities for the East End Corridor Route (Approved by Ordinance No. 2008-0567); providing funding for CIP Cost Recovery relating to construction of facilities financed by Miscellaneous Capital Projects/Acquisitions CP-Series E Fund, and Water & Sewer System Consolidated Construction Fund - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**
31. ORDINANCE approving and authorizing Concession Agreement between the City of Houston and **LUCHI AND JOEY'S** for Operation of the Café at the Houston Permitting Center - 5 Years **DISTRICT H - GONZALEZ**
32. ORDINANCE appropriating \$54,220.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **NATHELYNE A. KENNEDY & ASSOCIATES** for Pinemont Paving Improvements from T. C. Jester Boulevard to Ella Boulevard (Approved by Ordinance No. 2004-0539); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT A - STARDIG**
33. ORDINANCE appropriating \$920,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **SES HORIZON CONSULTING ENGINEERS, INC** for Design of On-Call Small Diameter Water Line Extensions; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

ORDINANCES - continued

34. ORDINANCE appropriating \$750,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **KIT PROFESSIONALS, INC** for the Southwest Pump Station Improvements; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT C - CLUTTERBUCK**
35. ORDINANCE approving and authorizing first amendment to Construction Management and Inspection Services Agreement between the City of Houston and **OMEGA ENGINEERS, INC** for Construction Management and Inspection Services for Water and Sewer Capital Improvement Projects (Approved by Ordinance No. 2011-0412) - \$600,000.00 - Enterprise Fund
36. ORDINANCE granting to **GLOBAL WASTE SERVICES, LLC A Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **FIRST READING**
37. ORDINANCE No. 2011-624, passed second reading August 3, 2011
ORDINANCE granting to **FCC ENVIRONMENTAL, LLC A Texas Limited Liability 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 - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 38 through 42A

38. ORDINANCE **AMENDING ARTICLE XVI, CHAPTER 40, CODE OF ORDINANCES, HOUSTON, TEXAS**, by adding in an area within the East Downtown Management District as a designated area covered by such article; containing findings and other provisions relating to the foregoing subject; providing for severability - **DISTRICT I - RODRIGUEZ**
TAGGED BY COUNCIL MEMBER JONES
This was Item 25 on Agenda of August 3, 2011
39. ORDINANCE **AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the creation of the Department of Neighborhoods; authorizing the transfer of certain approved Fiscal Year 2012 Budget Funds
 - a. ORDINANCE amending Exhibits "A" of City of Houston Ordinance No. 90-1292 (as amended by City of Houston Ordinance No. 2011-0490), to amend the Master Classification Ordinance to add one new job classification; providing a repealer; providing for severability
TAGGED BY COUNCIL MEMBERS JONES, ADAMS and STARDIG
These were Items 26 and 26A on Agenda of August 3, 2011

AGENDA - AUGUST 10, 2011 - PAGE 7

MATTERS HELD – continued

40. ORDINANCE relating to the Retail Gas Utility Rates of CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy and as CenterPoint Energy Texas Gas; approving a Settlement Agreement relating to an Interim Rate Adjustment subject to refund and otherwise maintaining current rates in effect until changed; providing for the filing of rate schedules and tariffs; providing for the repeal of conflicting ordinances - **TAGGED BY COUNCIL MEMBER JONES**
This was Item 29 on Agenda of August 3, 2011
41. ORDINANCE approving and authorizing a Sub-Grantee Award Agreement between the **TEXAS DEPARTMENT OF PUBLIC SAFETY** and the City of Houston to accept FY2010 Buffer Zone Protection Program Funding to protect and secure critical infrastructures and key resources; declaring the city's eligibility for such grant; authorizing the Director of the Mayor's Office of Public Safety & Homeland Security to accept such grant funds; authorizing the Director of the Mayor's Office of Public Safety & Homeland Security to execute the agreement and any subsequent amendments, and to apply for and accept all subsequent awards, if any; pertaining to the program **TAGGED BY COUNCIL MEMBER SULLIVAN**
This was Item 36 on Agenda of August 3, 2011
42. ORDINANCE approving and authorizing Amendment No. 1 to Airport Use & Lease Agreement by and between the City of Houston and **CONTINENTAL AIRLINES, INC** for Terminals B and C at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON**
- a. ORDINANCE approving and authorizing second amended and restated Special Facilities Lease Agreement by and between the City of Houston and **CONTINENTAL AIRLINES, INC** for Terminal B at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON**
TAGGED BY COUNCIL MEMBERS JONES, NORIEGA and JOHNSON
These were Items 40 and 40A on Agenda of August 3, 2011

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

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

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

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

**CITY COUNCIL CHAMBER - CITY HALL 2nd FLOOR - TUESDAY
AUGUST 9, 2011 2:00 PM**

AGENDA

2MIN 2MIN 2MIN

3MIN 3MIN 3MIN

MS. LOIS MYERS – 9701 Westview Dr. – 77055 – 713-461-7447 – TIRZ 17 – Item

NON-AGENDA

3MIN 3MIN 3MIN

MS. LINDA SMITH – 20537 Patriot Parks Ln. – Katy – TX – 77449 – 832-206-5643 – Homelessness

MS. SHIRLEY PALEY – 3003 Catlin - 77026 – 832-267-7075 – House repair – I’ve been approved, but overlooked

MS. JACQUELINE REUBEN – 3838 Cosby – 77021 – 832-347-8532 – Veterans

MS. KIMBERLY BARRS – 12500 Sandpiper, No. 104 – 77035 – 281-515-4387 – Run around unfair treatment, mailing housing packet to wrong address

MR. WILLIAM STEVEN HANCE – 5847 Indiana Trl. – 77057 – 832-661-3770 – Claim for damages and water bill

MR. DAN INSALL - 5847 Indiana Trl. – 77057 – 713-409-4897 – Claim for damages and water bill

MR. ARMANDO ARMAS – 6315 Old Glory Dr. – Katy – TX – 281-398-1112 - Claim for damages and water Bill

MR. WILL SCHLINKE - 2400 Lawrence – 77008 - 713-291-1455 - Claim for damages and water dispute

MR. JOHN LEE – 5304 Simsbrook Rd. – 77045 – 832-338-8288 - Claim for damages and water dispute

MR. /COACH R. J. BOBBY TAYLOR - 3107 Sumpter - 77026 - FA34511 – Behavior Coward Conspiracy will hate over change

MR. WILLIAM BEAL – No address – No phone – Superman Returns

MS. YOLANDA FRANK BROUSSARD – 11835 Murr Way - 77048 – 832-364-8387 – County Attorney Office obstruction violating Civil Constitution and Civil Rights

MS. HATTIE JEAN MORGAN – 2828 Collingsworth, No. 46 – 77026 – 832-405-6855 – Right of my children

PREVIOUS

1MIN 1MIN 1MIN

MR. BOB SCHOELLKOFF – 7326 Shady Grove Ln. – 77040 – 713-466-0008 – Family helping Family

REV. JOE ANGEL LOPEZ - 13334 Wells River Dr. – 77041 - 832-891-2724 – Mayor Parker/George Greanias need to have moral character/turpitude



ANNISE D. PARKER
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

AUG 10 2011

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 7-21-11
date

COUNCIL MEMBER: _____

July 18, 2011

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to the City of Houston Code of Ordinances, Section 8-17, as amended, I am appointing or reappointing the following individuals to the Automotive Board for a one-year term, subject to Council confirmation:

- Mr. William C. Smith, III, appointment to Position One;
- Mr. Billy H. Jones, reappointment to Position Two;
- Ms. Shelly E. Richardson, reappointment to Position Three;
- Ms. Erma Palmer, reappointment to Position Four;
- Mr. Mazen Allaham, reappointment to Position Five;
- Mr. Ken W. Ulmer, reappointment to Position Six, and to serve as Chair;
- Mr. Benjamin K. Sanchez, reappointment to Position Seven;
- Mr. Owen C. Wang, reappointment to Position Eight; and
- Mr. Timothy Straney, reappointment to Position Nine.

Résumés are attached for your review.

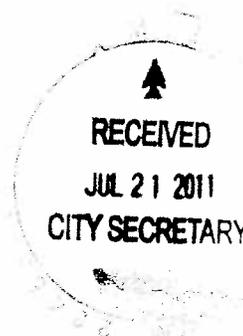
Sincerely,

Annise D. Parker
Mayor

AP:JC:jsk

Attachments

cc: Sgt. Michael Provost, Houston Police Department





ANNISE D. PARKER
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

21

AUG 10 2011

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 7-21-11
date

COUNCIL MEMBER: _____

July 20, 2011

The Honorable City Council
Houston, Texas

Dear Council Members:

Pursuant to Ordinance No. 2011-108, I am appointing the following individual to the Building and Standards Commission, subject to Council confirmation:

Alternate

Ms. Nola J. Lusk, appointment to Alternate Position 3, for a term to expire December 31, 2012.

Ms. Lusk's résumé is attached for your review.

Sincerely,

Annise D. Parker
Mayor

AP:JC:jsk

Attachment

cc: Ms. Catherine Flowers, Director, Office of Neighborhood Services





ANNISE D. PARKER
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

3

AUG 10 2011

July 18, 2011

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 7-21-11
date

COUNCIL MEMBER: _____

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to Chapter 311 of the Texas Tax Code, City of Houston Ordinance No. 1999-1330, and City of Houston Resolution No. 2000-8, I am nominating the following individuals to the Board of Directors of Tax Increment Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone), subject to City Council confirmation:

- Mr. Kevin M. Chavez, appointment to Position One, for a term to expire December 20, 2011;
- Ms. Nichelle L. McLemore, appointment to Position Three, for a term to expire December 20, 2011;
- Mr. Stephen T. Le, Jr., appointment to Position Four, for a term to expire December 20, 2012; and
- Mr. Saul Valentin, appointment to Position Five, for a term to expire December 20, 2011.

Pursuant to the Bylaws of the Southwest Houston Redevelopment Authority, appointment of a director of the Board of Directors of this Zone will also constitute appointment of the director to the corresponding position on the Board of Directors of the Redevelopment Authority for the same term.

Résumés are attached for your review.

Sincerely,

Annise D. Parker
Mayor

AP:JC:jsk

- cc: Mr. Tim Douglass, Deputy Director, Finance & Economic Development Department
- Mr. Ralph De Leon, Division Manager, Finance & Economic Development Department



TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work
Gilbane Building Company
Fire Station 90
WBS No. C-000065-0002-4

Page
1 of 2

Agenda
Item
4

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

Origination Date
8-3-11

Agenda Date
AUG 10 2011

DIRECTOR'S SIGNATURE:

Scott Minnix

Scott Minnix 7/18/11

Council District(s) affected:

A

For additional information contact:

Jacquelyn L. Nisby

Phone: 832.393.8023

Date and identification of prior authorizing Council action:

Ordinance No. 2007-1323; November 28, 2007
Ordinance No. 2009-0268; April 1, 2009

RECOMMENDATION: Pass a motion approving the final contract amount of \$4,999,176.35, accept the work, and authorize final payment.

Amount and Source of Funding: No Additional Funding Required

Finance Budget:

Previous Funding:

\$5,870,275.00 Fire Consolidated Construction Fund (4500)

SPECIFIC EXPLANATION: On November 28, 2007, City Council awarded a Construction Management at Risk (CMAR) Contract to Gilbane Building Company for construction of Fire Station 90. The General Services Department and Gilbane agreed to a Guaranteed Maximum Price (GMP) in the amount of \$5,076,861.00. The General Services Department recommends that City Council approve the final construction amount of \$4,999,176.35 or 1.53% under the GMP, accept the work and authorize final payment to Gilbane Building Company.

PROJECT LOCATION: 16553 Park Row (447Y)

PROJECT DESCRIPTION: The project constructed a new Fire Station 90, which consists of a four bay apparatus room, maintenance and EMT areas, living quarters, kitchen and lounge, exercise area, and locker rooms and bathrooms. The project also included demolition of the old two bay Fire Station 90 at the project site. The project utilized the Leadership in Energy & Environmental Design (LEED™) Green Building Rating System to achieve certification.

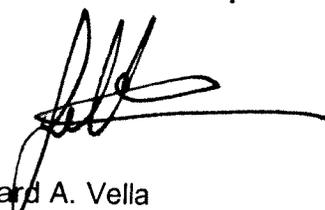
PREVIOUS HISTORY AND PROJECT SCOPE: On April 1, 2009, City Council approved a Second Amendment to delegate authority to the director to approve the GMP proposal, and appropriated \$5,738,000.00 for construction phase services based on the estimate of costs submitted by Gilbane.

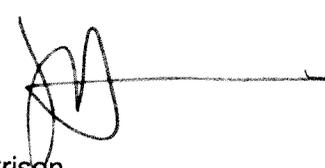
REQUIRED AUTHORIZATION

CUIC ID # 25CONS170

General Services Department:

Houston Fire Department:


Richard A. Vella
Chief of Design & Construction Division


Terry A. Garrison
Fire Chief

NOT

Date	SUBJECT: Accept Work Gilbane Building Company Fire Station 90 WBS No. C-000065-0002-4	Originator's Initials JW	Page 2 of 2
-------------	---	--	-----------------------

CONTRACT COMPLETION AND COST: The contractor completed the project within 322 days, eight days earlier than the contract time of 330 days. The final construction cost was \$4,999,176.35 a decrease of \$77,684.65 from the GMP.

English+Associates was the project design consultant.

PREVIOUS CHANGE ORDERS: Change Order 1 addressed sanitary sewer modifications; temporary power for the adjacent property; thicker pervious concrete in the parking area; modifications to the structural steel and auxiliary generator fuel tank; installed a back-up HVAC system for the radio/telecom room; upgraded the dedication plaques from aluminum to bronze; installed additional phones and phone equipment, additional LEED signage, additional emergency alerting equipment, a concrete mow strip at the rear property line for ease of maintenance, and a pigmented sealer to the apparatus bay floor. Change Order 2 deducted the unused contractor contingency from the GMP, resulting in a savings to the project.

M/WBE PARTICIPATION: The contract contained a 14% MBE goal, 5% SBE goal and 5% WBE goal. According to the Office of Business Opportunity fka the Affirmative Action Contract Compliance Division, the contractor achieved 22.151% MBE participation, 5.923% SBE participation and 4.636% WBE participation and was assigned an outstanding rating.

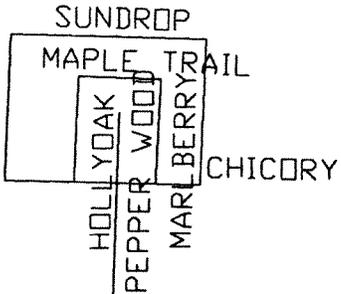


SM:RAV:JLN:MCP:jw

c: Marta Crinejo, Jacquelyn L. Nisby, Morris Scott, Christopher Gonzales, Martha Leyva, Herbert Griffin, Jack Williams, Gabriel Mussio

ADDICKS RESERVOIR

FLOOD CONTROL POOL ELEVATION 114.0'



Fire Station 90
16553 Park Row
Houston, TX

PARK ROW

PARK ROW

HOUSTON

CHRONICLE

RAILROAD

SOUTH CREEK

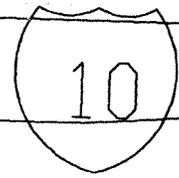
BARKER SPRINGS

LANGHAM

CREEK

PARK TEN

PARK TEN



Fire Station 90
16553 Park Row, Houston, TX

COUNCIL DISTRICT "A"

KEYMAP No. 447Y

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9120

Subject: Approve the Purchase of Equipment and Services for the Broadband Technology Opportunities Program Initiative through the City's Master Agreement with the Texas Department of Information Technology for the Houston Public Library/S17-H24037

Category #
4

Page 1 of 2

Agenda Item

5

FROM (Department or other point of origin):

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

Origination Date

August 04, 2011

Agenda Date

AUG 10 2011
AUG - - - - -

DIRECTOR'S SIGNATURE

Calvin D. Wells
For additional information contact:
Roosevelt Weeks Phone: (832) 393-1400
Douglas Moore Phone: (832) 393-8724

Council District(s) affected
All

Date and Identification of prior authorizing Council Action:

Ordinance # 2011-0167 3/2/11

RECOMMENDATION: (Summary)

Approve the purchase of equipment and services for the Broadband Technology Opportunities Program Initiative in the total amount of \$1,567,772.87 through the City's Master Agreement with the Texas Department of Information Resources and authorize 10% contingencies for unforeseen changes within the project's scope of work in the amount of \$156,777.28 for an amount not to exceed \$1,724,550.15 for the Houston Public Library.

Award Amount: \$1,724,550.15

Finance Budget

\$1,724,550.15 - American Recovery and Reinvestment Act (ARRA) - Grant Fund (5300)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council:

- 1) approve the purchase of equipment and services for the Broadband Technology Opportunities Program Initiative in the amount of \$1,567,772.87 through the City's Master Agreement with the Texas Department of Information Resources (DIR) for the Houston Public Library (HPL),
- 2) authorize 10% contingencies for unforeseen changes within the project's scope of work in the amount of \$156,777.28 for an amount not to exceed \$1,724,550.15 and
- 3) authorize purchase orders to be issued as needed to the DIR Go-Direct Vendors: **Hewlett Packard Company, Dell Marketing, LP., Apple, Inc.** Hewlett Packard Company's designated reseller for this project is M&T Consulting, Inc., a certified City of Houston M/WBE vendor. Additionally, the purchase to CDW Government, LLC, of \$43,951.05 does not exceed \$50,000.00, therefore does not require City Council approval.

The Broadband Technology Opportunities Program (BTOP) initiative is a project of the Houston Public Library (HPL) through the American Recovery and Reinvestment Act (ARRA) of 2009 funded by the Texas State Library Archives and Commission (TSLAC for broadband improvement/expansion, computer access improvement/expansion, digital literacy training and workforce readiness job skills training and the creation of over 60 technical and support jobs).

The expanded BTOP project and the Technology Expertise, Access and Learning for all Texans (TEAL) project provides new or upgraded computer centers at more than 150 locations including 38 public libraries, community colleges, recreation centers and health facilities, as well as three mobile learning labs. The goal is to expand technology expertise and access so all Texans can learn, work and prosper. In Houston, the funding will allow HPL to provide Houstonians with greater access to broadband internet access and much-needed educational and training opportunities and significantly expand the reach and impact of WeCAN, the City's Digital Inclusion Initiative.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Date: 8/4/2011	Subject: Approve the Purchase of Equipment and Services for the Broadband Technology Opportunities Program Initiative through the City's Master Agreement with the Texas Department of Information Technology for the Houston Public Library/S17-H24037	Originator's Initials MS	Page 2 of 2
-------------------	---	--------------------------------	-------------

The estimated allocation breakdown for this procurement is as follows:

- \$1,093,077.66 - Hewlett Packard Company for computers, scanners, printers, toner, computrace, carts (DIR Go-Direct Vendor)
- \$ 379,496.16 - Apple, Inc. for Apple Macbooks (DIR Go-Direct Vendor)
- \$ 51,248.00 - Dell Marketing, LP. for Dell computers (DIR Go-Direct Vendor)
- \$ 43,951.05 - CDW Government LLC. for scanners, webcams, headphones, etc. (DIR Go-Direct Vendors)
- \$1,567,772.87 - Project Value
- \$ 156,777.28 - 10% Contingencies
- \$1,724,550.15 - Total Allocation

The Houston Public Library will adhere to and comply with special reporting requirements associated with ARRA grant expenditures as required by the granting agency and/or Office of Management and Budget.

Murdock Smith III

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9027

Subject: Emergency Repair of 48" Wastewater Transfer Pumps for the Public Works & Engineering Department
S12-E23940

Category #
4

Page 1 of 1

Agenda Item

6

FROM (Department or other point of origin):

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

Origination Date

July 05, 2011

Agenda Date

AUG 1 0 2011

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

I

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 payment to Pumps & Equipment of Texas, Inc. in the total amount of \$206,238.00 for the emergency repair of two 48" wastewater transfer pumps at the 69th Street Wastewater Treatment Plant for the Public Works and Engineering Department

Payment Amount: \$206,238.00

F & A Budget

\$206,238.00 - PW&E Water and Sewer System Operating Fund (8300)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve payment to Pumps & Equipment of Texas, Inc. in the total amount of \$206,238.00 for the emergency repair of two 48" wastewater transfer pumps at the 69th Street Wastewater Treatment Plant for the Public Works & Engineering Department. These pumps are essential to the daily operations of the facility and are necessary to maintain compliance with the Texas Commission on Environmental Quality guidelines.

On March 29, 2011, due to damaged and inoperable wastewater transfer pumps, the 69th Street Wastewater Treatment Plant was not meeting the required daily wastewater pumping capacity, which is in violation of its Texas Commission on Environmental Quality permit. These pumps needed to be repaired immediately to prevent sanitary sewer overflows and to avoid the shutdown of the wastewater treatment facility, posing an immediate health and safety hazard to City employees and citizens in the area. The Strategic Purchasing Division issued an emergency purchase order to address the emergency.

The scope of work required the contractor to provide all labor, equipment, facilities, parts, tools, supervision and transportation necessary to immediately repair two 48" Fairbanks Morse pumps in strict accordance with the manufacturer's recommended standards. The contractor was required to disassemble, clean and sandblast all components; ground and polish the shafts; replace impeller rings, case rings and sleeves; and repair frames/frame housings, upper/lower bearing housings and impeller skirts. (All components and parts installed were original equipment manufacturer parts and components). Subsequent to completing the repairs, the contractor reassembled and painted the pumps; correctly set the bearing clearance; and prepared the rotating assemblies for delivery to the 69th Street Wastewater Treatment Plant. City personnel reinstalled the pumps in the plant facility. The repairs came with a full one-year warranty on parts and labor and the repairs will extend the life expectancy of the pumps by 10 years.

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

Buyer: Martin L. King
Purchase requisition 10125934

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

MA

Q

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9070

Subject: Formal Bids Received for Rags and Cleaning Towels for Various Departments
S44-S23777

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

July 05, 2011

Agenda Date

AUG 10 2011

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

Date and Identification of prior authorizing Council Action:

For additional information contact:

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

RECOMMENDATION: (Summary)

Approve various awards, as shown below, in an amount not to exceed \$431,096.80 for rags and cleaning towels for various departments.

Estimated Spending Authority: \$431,096.80

Finance Budget

\$248,200.00 PWE-W&S System Operating Fund (8300)
\$105,996.00 General Fund (1000)
\$ 76,900.80 HAS-Revenue Fund (8001)
\$431,096.80

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve various awards, as shown below, in an amount not to exceed \$431,096.80 for rags and cleaning towels for various departments. It is further requested that authorization be given to make purchases, as needed, for a 60-month period. These awards will be used by the Houston Airport System personnel for general purpose cleaning and by the Solid Waste Management and Public Works and Engineering Departments for daily cleanup of oils, solvents, and paints.

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

Texas Towel & Supply, Inc.: Award on its low bid meeting specifications for Item No. 2 (white No. 1 cotton wiping rags) in an amount not to exceed \$354,196.00.

<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1. Brownsville Textiles	\$ 266,860.00 (Did Not Meet Specifications)
2. Affordable Wipers (Bid #1)	\$ 315,380.00 (Did Not Meet Specifications)
3. Affordable Wipers (Bid #2)	\$ 334,302.80 (Did Not Meet Specifications)
4. Projan Janitorial Supplies	\$ 349,344.00 (Did Not Meet Specifications)
5. U.S. Wholesale Products	\$ 354,196.00 (Did Not Meet Specifications)
6. Texas Towel & Supply, Inc.	\$ 354,196.00
7. The Bargain Source (Bid #1)	\$ 366,326.00
8. The Bargain Source (Bid #2)	\$ 366,326.00
9. The Bargain Source (Bid #3)	\$ 366,326.00
10. The Bargain Source (Bid #4)	\$ 366,326.00
11. Houston Wiper & Mill Supply	\$ 368,752.00

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

MJD

12. Environmental Sorbents, LLC	\$ 421,638.80
13. Impco	\$ 574,476.80
15. Cleaningessence LLC	\$1,159,142.80
16. Quest Cleaning Centers	\$1,213,000.00

The Bargain Source: Award on its low bid for Item No. 4 (multi-use wipes) in an amount not to exceed \$76,900.80.

<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1. Pollock Paper Distributors, Inc. (Bid #1)	\$ 75,702.00 (Did Not Meet Specifications)
2. The Bargain Source (Bid #1)	\$ 76,900.80
3. The Bargain Source (Bid #2)	\$ 95,948.40
4. Pollock Paper Distributors, Inc. (Bid #2)	\$ 99,877.80
5. Unisource Worldwide, Inc.	\$106,160.40
6. Edward Don & Company, Inc.	\$107,337.00
7. The Bargain Source (Bid #3)	\$107,514.60
8. The Bargain Source (Bid #4)	\$107,514.60
9. U.S. Wholesale Products	\$110,977.80
10. Brownsville Textiles	\$111,000.00
11. Projan Janitorial Supplies	\$111,555.00
12. Impco	\$138,461.40
13. Cleaningessence LLC	\$154,312.20
14. Environmental Sorbents, LLC	\$193,140.00
15. Quest Cleaning Centers	\$244,200.00

Item Nos. 1 and 3 are not being awarded.

M/WBE Subcontracting:

This bid was issued with a 3% goal for M/WBE participation. **Texas Towel & Supply, Inc.** has designated the below-company as its certified M/WBE subcontractor:

<u>Name</u>	<u>Type of Work</u>	<u>Amount</u>
Houston Chem Safe, Inc.	Packaging Materials	\$10,625.88

The Mayor's Office of Business Opportunity will monitor this award.

Buyer: John Tatman

<u>DEPARTMENT</u>	<u>FY2012</u>	<u>OUT YEARS</u>	<u>TOTAL</u>
Public Works & Engineering	\$49,640.00	\$198,560.00	\$248,200.00
Solid Waste Management	\$17,666.00	\$ 88,330.00	\$105,996.00
Houston Airport System	\$15,380.16	\$ 61,520.64	\$ 76,900.80
TOTAL	\$82,686.16	\$348,410.64	\$431,096.80

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

Subject: Ordinance re-adopting Parks and Recreation Department youth recreation programs Standards of Care.

Category #

Page 1 of 1

Agenda Item 8

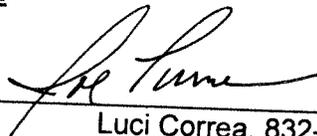
FROM (Department or other point of origin):
Houston Parks and Recreation Department

Origination Date:
July 20, 2011

Agenda Date
AUG 10 2011

DIRECTOR'S SIGNATURE:

Joe Turner, Director



Council District(s) affected:

ALL

For additional information contact:

Luci Correa, 832-395-7057
Debra Lathan, 832-395-7269
Kay Joshua, 832-395-7270

Date and Identification of prior authorizing Council Action: Ord. 2002-756 (8-21-2002); Ord. 2003-793 (9-3-2003); Ord. 2004-891 (9-1-2004); Ord. 2005-1011 (8-30-2005); Ord. 2006-875 (8-23-2006); Ord. 2007-964 (8-29-2007); Ord. 2008-743 (8-27-2008); Ord. 2009-711 (8-5-2009); Ord. 2010-660 (8-18-210)

RECOMMENDATION: (Summary):

Houston Parks and Recreation Department (HPARD) recommends City Council re-adopt Article XII Chapter 32, Code of Ordinances, City of Houston, regarding Standards of Care for the Houston Parks and Recreation Department youth recreation programs.

Amount of Funding: N/A

Finance Budget:

SPECIFIC EXPLANATION:

In order to comply with 42.041 (b) (14) of the Texas Human Resources Code, City Council held a public hearing on August 3, 2011 regarding the Houston Youth Recreation Programs Standards of Care codified at Article XII of Chapter 32 of the City of Houston Code of Ordinances. The next requirement for compliance is City Council approval of an Ordinance to re-adopt the Standards of Care.

The Standards of Care are intended to be the minimum standards that HPARD will use to operate the after-school enrichment program. The program offers a wide range of recreational activities including arts and crafts, sports, games, field trips, and cultural and special events.

HPARD's after-school enrichment program is subject to regulation. However, the Texas Human Resources Code 42.041 (b) (14) provides an exemption for a recreation program for elementary age (ages 5-13) with the following criteria:

- A municipality operates the program.
- The governing body of the municipality annually adopts standards of care by ordinance after a public hearing for such programs.
- The program provides these standards of care to the parents of each program participant.
- The ordinance includes child/caregiver ratios, minimum employee qualifications, minimum building, health and safety standards, and mechanisms for monitoring and enforcing the adopted local standards
- The program informs the parents that the state does not license the program.
- The program does not advertise itself as a child-care operation.

(attached)

Finance Director:

Other Authorization:

Other Authorization:

City of Houston, Texas, Ordinance No. 2011-_____

AN ORDINANCE RE-ADOPTING THE HOUSTON YOUTH RECREATION PROGRAMS STANDARDS OF CARE AS CODIFIED AT ARTICLE XII OF CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATED TO THE SUBJECT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the City of Houston has a long history of providing youth recreation programs that contribute to the overall well-being of youth and families in the City;

WHEREAS, City Council held a public hearing regarding youth recreation programs; and

WHEREAS, the City desires to re-adopt standards of care that fulfill the requirements of Section 42.041(b)(14) of the Texas Human Resources Code; **NOW, THEREFORE,**

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

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

Section 2. That the Houston Youth Recreation Programs Standards of Care, as codified as Article XII of Chapter 32 of the Code of Ordinances, Houston, Texas, and as originally adopted as Ordinance 2002-756, are hereby re-adopted.

Section 3. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Act, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 4. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other

persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 5. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect upon the date of its passage and adoption.

PASSED AND APPROVED this ____ day of _____, 2011.

Mayor of the City of Houston

(Prepared by Legal Dept.
07/20/2011

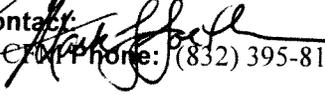

Sr. Assistant City Attorney

H:\Parks\YouthRecreationProgramsStdsofCare11.doc
Requested by Joe Turner, Director, Parks and Recreation Department
L.D. No. 049-0900073-003)

SUBJECT: An ordinance relating to the adoption of the 2011 National Electrical Code; adopting amendments to the City of Houston Electrical Code and containing other provisions relating to the foregoing subject; containing a repealer; containing a savings clause; providing for severability; and declaring an emergency.	Page 1 of 1	Agenda Item # 9
---	----------------	---------------------------

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date AUG 1 0 2011
--	-------------------------	------------------------------------

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

For additional information contact: Mark L. Loethen, P.E., PTOE, CDM Phone: (832) 395-8105 Acting Building Official 	Date and identification of prior authorizing Council action: None
--	---

RECOMMENDATION: (Summary) Approve an ordinance to adopt the City of Houston Electrical Code, which is comprised of the 2011 National Electrical Code with amendments to include local administrative provisions, for new construction of single family homes and commercial buildings.

Amount and Source of Funding: N/A

SPECIFIC EXPLANATION:

PROJECT: I NOTICE/JUSTIFICATION

The adoption of the 2011 National Electrical Code (NEC) along with proposed amendments will continue setting the minimum standards for the installation of electrical work in residential and commercial buildings and structures.

The NEC is published by the National Fire Protection Association, the national standard for the Electrical industry. This Electrical Code is also adopted by State Law, Chapter 1305 - Title 8 of the Texas Occupations Code for the installation, maintenance, and repair of electrical work.

The proposed amendments were reviewed and approved by the Electrical Committee of the Construction Industry Council during a series of meetings. The amendments establish the administrative procedures for the permitting, inspection, licensing and registration of local electricians.

The adoption of this code would ensure compliance with the state law and continue to establish local administrative rules. This code is being presented separately from the other construction codes because the rules of the Texas Department of Licensing and Regulation will adopt this code for the state effective September 1, 2011.

Highlights of the changes include the following:

- Electrical Signs may be allowed to use unlisted components with contractor liability
- Use of non-metallic sheathed cable is expanded for use in wood construction of residential occupancies
- Day care facilities and guest rooms in hotels require tamper-proof receptacles
- Disconnecting means for computer rooms can be located remotely
- Electrical expansion joints are required for all structural expansion joints in buildings

REQUIRED AUTHORIZATION

CUIC# 20SWB07

Finance Department:

Other Authorization:

Other Authorization:

Proposed Amendments to the 2011 NEC – Administrative Provisions

SECTION 104—CONFLICTING PROVISIONS

Where, in any specific case, different sections of the *City Code*, the *Building Code*, the *City of Houston Mechanical Code*, the *City of Houston Plumbing Code*, the *Residential Code for One- and Two-Family Dwellings of the City of Houston*, the *City of Houston Commercial Energy Conservation Code*, the *City of Houston Residential Energy Conservation Code*, the *City of Houston Fire Code* and this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

In any case where the City of Houston Electrical Code differs from the National Electrical Code the City of Houston Electrical Code shall apply.

406.6 Shop Inspection. All work performed and materials, apparatus, devices, appliances, fixtures or equipment used shall conform with the full requirements of this chapter. Any electric sign built within the city, that is not listed and labeled, for installation within the city shall have a shop inspection by the building official before the sign is shipped out of the shop. The shop inspection fee shall be separate from and shall be double that required for signs as specified in the *Building Code*. After approval by the building official, an inspector shall attach an approval label or stamp to the sign. Signs constructed outside the city, but erected within the city, shall be subject to the same rules and regulations as apply to signs constructed within the city, except that inspections shall be performed by an approved agency.

Exception: When unlisted component parts are utilized to reconfigure or construct a sign, the licensed sign contractor will assume all liability.

504.3 Grounding Electrode System. All grounding electrodes as described in the *National Electrical Code, 2008-2011 Edition*, Section 250.52(A) (1) through (A) (6), that are present at each building or structure served shall be bonded together to form the grounding electrode system. Grounding electrodes as described in the *National Electrical Code, 2008-2011 Edition*, Sections 250.52 (A) (1), (A) (2), (A) (3), and (A) (7), shall be supplemented with a rod electrode as described in Section 250.52 (A) (5) (b). Where no other grounding electrode is present a rod electrode shall be permitted to be the sole grounding electrode.

EXCEPTION: Concrete-encased electrodes of existing buildings or structures shall not be required to be part of the grounding electrode system where the steel reinforcing bars or rods are not accessible for use without disturbing the concrete.

504.4 Metal wireways. ~~In~~ Other than in single family residences, All metal wireways with parallel conductors shall have insulated step bus conductors.

(RENUMBERED SECTIONS AS FOLLOWS)

SECTION 505—NONMETALLIC SHEATHED CABLE

Proposed Amendments to the 2011 NEC – Administrative Provisions

505.1 Change of Occupancy. Where a portion of an existing R-3 (residence) constructed prior to 9/1/08 has a change of occupancy to a B (office) or M (retail) the use of existing copper nonmetallic sheathed cable with equipment grounding conductor shall be permitted when all of the following conditions are met:

1. The resident who occupies the R-3 dwelling operates the business.
2. The office or retail use is limited to 40 percent of the building.
3. Limited to wood construction.
4. Both the R-3 and the business are on the same meter.
5. It will not cause an unsafe condition.

505.2 Temporary installations. Nonmetallic sheathed cable shall be permitted for temporary installations.

SECTION 511 – TAMPER RESISTANT RECEPTACLES

511.1 When tamper-resistant receptacles are required by this code, they will not be required when the building is wired with aluminum wiring.

SECTION 512 - ARTICLES NOT ADOPTED

512.1 The following provisions of the *National Electrical Code, 2011 Edition* are not adopted.

1. Sections 210.12 (A) Exceptions 1 and 2 and Section 210.12 (B) regarding AFCI protection;
2. Section 240.91 (B), regarding protection of conductors;
3. Section 312.5 (c), regarding where cables are secured (exceptions to 312.5 are to remain)
4. Section 334.10 (3), regarding nonmetallic sheathed cable;
5. Section 406.4 (D) (4) regarding receptacle replacement; and
6. Section 645.25 regarding engineering supervision

HCD11-69a

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance approving and authorizing a contract between the City of Houston and Congo LLC d/b/a Contempo, to construct eight (8) affordable energy efficient single-family homes and appropriating funds from TIRZ Affordable Housing Fund 2409.

Category #

Page 1 of 1

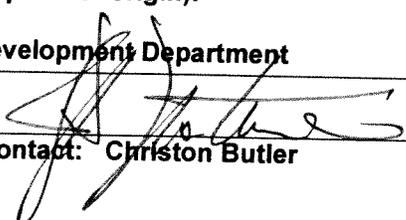
Agenda Item # 10

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

Origination Date
02/03/11

Agenda Date
AUG 10 2011

DIRECTOR'S SIGNATURE:



Council District affected: G

For additional information contact: Christon Butler

Date and identification of prior authorizing Council action:

Phone: 713-868-8448

RECOMMENDATION: The Department recommends approval of an ordinance authorizing a contract between the City of Houston and Congo d/b/a Contempo to construct eight (8) affordable energy efficient single-family homes and appropriating funds from TIRZ Affordable Housing Fund 2409.

Amount of Funding: \$ 160,000.00

Finance Department Budget:

SOURCE OF FUNDING [] General Fund [] Grant Fund [] Enterprise Fund [] CDBG

[X] Other (Specify) TIRZ FUND 2409

SPECIFIC EXPLANATION:

Congo LLC d/b/a Contempo is a Texas Limited Liability Company. The Housing and Community Development Department (HCDD) proposes providing a total of \$160,000.00 to Contempo in TIRZ funds to assist in the development of eight (8) affordable solar powered single-family houses. The \$160,000.00 will be in the form of a secured grant to help subsidize the added expense of the energy efficient upgrades. The TIRZ construction subsidy will be \$20,000.00 per house. At the completion of construction, HCDD will verify the HERS (Home Energy Rating System) rating of the home and will reimburse the builder based on the rating.

In 2009 the City of Houston received a grant from the Department of Energy to support energy efficient single family housing and created the 45-4-45 Energy Program. This program provided an opportunity for builders to build affordable homes that could be up to 55% more energy efficient than a standard home. The City was anxious to begin this program and as a result instructed Contempo to begin construction prior to receiving approval of the program guidelines from the D.O.E.

A standard home has a HERS rating of 100 and EnergyStar has a rating of 85 which means it is 15% more energy efficient than a standard home. The homes built by Contempo have HERS ratings ranging from 60 to 65 which means they are 35%-40% more energy efficient than a standard home.

The City is meeting its TIRZ objective of providing affordable housing to low-to-moderate income families. The newly constructed homes will be sold to families whose annual incomes do not exceed 110% of AMI, and who will occupy the property as their principal residence.

This item was presented to the Housing Committee on February 17, 2011 and was approved unanimously to proceed to City Council. The Department recommends approval of an ordinance authorizing a contract between the City of Houston and Contempo to construct eight (8) affordable solar powered single-family houses and appropriating funds from TIRZ Affordable Housing Fund 2409.

JDN:CB:vs

REQUIRED AUTHORIZATION

Finance Department Director:

Other Authorization:

Other Authorization:

NOT

PROJECT SUMMARY AND DESCRIPTION OF PROPERTY

The City of Houston will provide a total of \$160,000.00, in TIRZ funds to Contempo, to assist in the development of eight (8) affordable solar powered single-family houses. The \$160,000.00 will be in the form of a secured grant. The TIRZ construction subsidy will be \$20,000.00 per house. At the completion of construction, HCDD will verify the HERS (Home Energy Rating System) rating of the home and will reimburse the builder based on the rating.

Description of property:

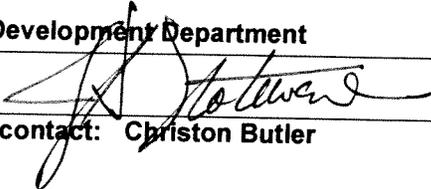
Lot	Block	Address	Street Name	ZIP
25	2	1720	Tornado	77094
28	2	1714	Tornado	77094
29	2	1712	Tornado	77094
30	2	1710	Tornado	77094
31	2	1708	Tornado	77094
32	2	1706	Tornado	77094
33	2	1704	Tornado	77094
34	2	1702	Tornado	77094

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

SUBJECT: An Ordinance approving and authorizing a contract between the City of Houston and Master Mark Developers d/b/a Solaris Homes, to construct one (1) affordable energy-efficient single-family home in Trinity Gardens and one (1) affordable energy-efficient home in Acres Homes and appropriating funds from TIRZ Affordable Housing Fund 2409.	Category #	Page 1 of 1	Agenda Item # 11

FROM (Department or other point of origin): James Noteware, Director Housing and Community Development Department	Origination Date 02/03/11	Agenda Date AUG 10 2011
--	-------------------------------------	-----------------------------------

WJG

DIRECTOR'S SIGNATURE: 	Council District affected: B
---	-------------------------------------

For additional information contact: Christon Butler Phone: 713-868-8448	Date and identification of prior authorizing Council action:
--	---

RECOMMENDATION: The Department recommends approval of an ordinance authorizing a contract between the City of Houston and Solaris Homes to construct 1 affordable energy efficient-home single-family home in Trinity Gardens and 1 affordable energy-efficient single-family home in Acres Homes and appropriating funds from TIRZ Affordable Housing Fund 2409.

Amount of Funding: \$ 90,000.00	Finance Department Budget:
--	-----------------------------------

SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund CDBG

Other (Specify) TIRZ FUND 2409

SPECIFIC EXPLANATION:

Master Mark Developer's d/b/a Solaris Homes is a Texas Limited Liability Company. The Housing and Community Development Department (HCDD) proposes providing a total of \$90,000.00 to Solaris Homes in TIRZ funds to assist in the development of (1) affordable energy-efficient single-family home in Trinity Gardens and (1) affordable energy-efficient home in Acres Homes. The \$90,000.00 will be in the form of a secured grant to help subsidize the added expense of the energy efficient upgrades. The TIRZ construction subsidy will be \$45,000.00 per house. At the completion of construction, HCDD will verify the HERS (Home Energy Rating System) rating of the home and will reimburse the builder based on the rating.

In 2009 the City of Houston received a grant from the Department of Energy to support energy efficient single family housing and created the 45-4-45 Energy Program. This program provided an opportunity for builders to build affordable homes that could be up to 55% more energy efficient than a standard home. The City was anxious to begin this program and as a result instructed Solaris Homes to begin construction prior to receiving approval of the program guidelines from the D.O.E.

A standard home has a HERS rating of 100 and EnergyStar has a rating of 85 which means its 15% more energy efficient than a standard home. The homes built by Solaris Homes have a HERS rating of 17 which means they are 83% more energy efficient than a standard home.

The City is meeting its TIRZ objective of providing affordable housing to low-to-moderate income families. The newly constructed homes will be sold to families whose annual incomes do not exceed 110% of AMI, and who will occupy the property as their principal residence.

This item was presented to the Housing Committee on February 17, 2011 and was approved unanimously to proceed to City Council. The Department recommends approval of an ordinance authorizing a contract between the City of Houston and Solaris Homes to construct (1) affordable energy efficient single-family home in Trinity Gardens and (1) affordable energy efficient single-family home in Acres Homes and appropriating funds from TIRZ Affordable Housing Fund 2409.

JN:CB

REQUIRED AUTHORIZATION

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

MD

PROJECT SUMMARY AND DESCRIPTION OF PROPERTY

The City of Houston will provide a total of \$90,000.00, in TIRZ funds to Solaris Homes, to assist in the development of one (1) affordable energy efficient single-family home in Trinity Gardens and one (1) affordable energy efficient single-family home in Acres Homes . The \$90,000.00 will be in the form of a secured grant. The TIRZ construction subsidy will be \$45,000.00 per home. At the completion of construction, HCDD will verify the HERS (Home Energy Rating System) rating of the home and will reimburse the builder based on the rating.

Description of property:

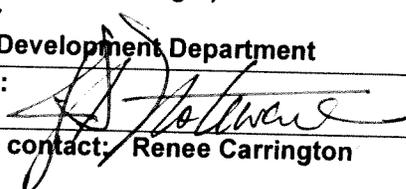
Lot	Block	Address	Street Name	ZIP
155	7	8321	Spaulding	77016
37 & 38	26	6603	Radcliffe	77016

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

HCD11-93

SUBJECT: Ordinance appropriating \$3,000,000 of TIRZ Affordable Housing Fund No. 2409 for funding of affordable housing overhead and staff costs known as "Administrative Expenses." **Category #** **Page 1 of 1** **Agenda Item # 12**

FROM (Department or other point of origin):
James Noteware, Director
Housing and Community Development Department **Origination Date**
06/17/11 **Agenda Date**
AUG 10 2011

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

For additional information contact: Renee Carrington **Date and identification of prior authorizing Council action:** 2009-768 and 2011-0250

Phone: 713-868-8360

RECOMMENDATION: (Summary)
Adoption of an Ordinance appropriating \$3,000,000 of TIRZ Affordable Housing Fund (Fund 2409) for funding of affordable housing administrative expenses associated with TIRZ Affordable Housing Funds and TIRZ funded programs for fiscal year 2011 and 2012 and to reimburse over expended administrative expenses in grant funds which accumulated over the years the City has received grants.

Amount of Funding: \$3,000,000 **Finance Department Budget:**

SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund CDBG

Other (Specify) TIRZ FUND 2409

SPECIFIC EXPLANATION:

Pursuant to Chapter 311 of the Texas Increment Financing Act (the "Act"), the State Legislature mandated that one-third of the tax increment in tax revenues generated by the Tax Increment Reinvestment Zones (TIRZ(s) created by petition of property owners ("petition zones") be dedicated for use in providing affordable housing. A primary mission of the Housing and Community Development Department (HCDD) is providing safe, decent, and affordable housing for low to moderate income residents of Houston.

The affordable housing funds generated from these petition zones are allocated to various departments and used to fund various Affordable Housing Programs. HCDD incurs staff costs as well as general overhead in managing the funds and affordable housing programs for the City. As a part of HCDD's on-going administrative cleanup effort, HCDD requests that \$3,000,000 be appropriated from TIRZ Affordable Housing Fund No. 2409 and that these funds be used to:

- Cover a three year estimate of accumulated over-expended administrative expenses
- Cover administrative expenses that are ineligible under federal grants resulting from the consolidation of various City wide housing programs and initiatives such as Houston Hope Program and Workforce Down Payment Assistance Program
- Cover the fiscal year 2011 and 2012 expenses, primarily staff compensation and benefits, associated with delivery of affordable housing projects by the HCDD where the projects or activities are not eligible under grants, such as the Workforce Down Payment Assistance Program and the Houston Hope Program

This item was presented to the Housing Committee on July 21, 2011, and no action was taken due to lack of quorum.

RC:GV
Cc: Mayor's Office
City Secretary
Legal Department
Finance

REQUIRED AUTHORIZATION

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

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

HCD11-91

SUBJECT: The Housing and Community Development Department recommends City Council's approval of an Ordinance approving repayment of HUD grants and appropriating TIRZ Affordable Housing Funds for such repayment in the amount of \$71,500.

Page
1 of 1

Agenda Item
#

13

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

Origination Date
June 1, 2011

Agenda Date
AUG 1 0 2011

DIRECTOR'S SIGNATURE:
James D. Noteware

Council District affected:

For additional information contact: Brenda Scott/Derek Sellers
Phone: 713-868-8484/713-868-8428

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

The Housing and Community Development Department recommends City Council's approval of an Ordinance approving repayment of HUD grants and appropriating TIRZ Affordable Housing Funds for such repayment in the amount of \$71,500.

Amount of Funding:
\$71,500

Finance Budget:

SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

Other (Specify) TIRZ Affordable Housing Fund 2409

SPECIFIC EXPLANATION:

The Housing and Community Development Department has management responsibility for ensuring that HUD grants awarded to the City are used in compliance with appropriate federal regulations and statutes. The City annually receives grant funds primarily for four different HUD programs: Community Development Block Grant (CDBG), Housing Opportunities for Persons with AIDS (HOPWA), Emergency Shelter Grant (ESG), and HOME Investment Partnerships. HUD continuously monitors the grant recipients to assess compliance with its applicable regulations and to ensure that the funds are being used for eligible purposes.

HUD's monitoring of 2009 program activities found non-compliance with HUD program regulations and disallowed certain expenditures made with CDBG funds. HUD determined that HCDD improperly procured legal services from Winstead PC and Andrews & Kurth LLP for multifamily projects resulting in the City's obligation to repay funds to HUD. HCDD requests the appropriation of \$71,500 in TIRZ Affordable Housing funds to be used to repay the City's CDBG account for these disallowed expenditures. As a result of this monitoring, HCDD staff members have received procurement training from HUD staff and have updated HCDD's procurement policies and procedures.

This item was reviewed by the Housing Committee on June 23, 2011. Therefore, approval of an ordinance is recommended.

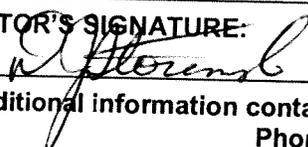
cc: City Secretary
Legal Department
Mayor's Office

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

SUBJECT: FY2009 Port Security Grant Program - HPD Marine Unit Safe Boat		Category	Page 1 of 1	Agenda Item # 14
FROM (Department or other point of origin): Dennis J. Storemski, Mayor's Office of Public Safety and Homeland Security		Origination Date: 7/15/2011	Agenda Date AUG 10 2011	
DIRECTOR'S SIGNATURE: 		Council District affected: All		
For additional information contact: Cheryl Murray Phone: 832-393-0929		Date and Identification of prior authorizing Council action:		

RECOMMENDATION: (Summary) Approval of an ordinance authorizing execution a Sub-grantee Award Agreement with Harris County to accept FY2009 Port Security Grant Program funding.

Amount of Funding: \$277,254 **F & A Budget:**

SOURCE OF FUNDING: [X] Federal Grant Funds: \$277,254 Harris County (pass-through from DHS)

SPECIFIC EXPLANATION:

The U.S. Department of Homeland Security (DHS) provides grants to strengthen critical infrastructure against terrorist attack. The Port Security Grant Program (PSGP) is one such DHS initiative that specifically supports port-wide risk management and mitigation, enhanced domain awareness, and resumption of trade (i.e., business continuity) planning.

Harris County serves as the PSGP fiscal agent for the Houston-Galveston Port Area. The proposed ordinance authorizes the Mayor to execute a Sub-grantee Award Agreement with Harris County to accept FY2009 PSGP funds for a watercraft, equipment trailer, and associated transportation costs.

This grant program requires 25% local match, which effectively means that the federal government will provide \$3 for each \$1 that the City contributes to the project. HPD has confirmed that it will use available equipment acquisition funds to meet this match requirement.

Federal Share (75%)	Local Share (25%)	TOTAL
\$277,254	\$92,418	\$369,672

PROJECT MANAGEMENT AND GRANT OVERSIGHT

HPD will manage procurement and implementation of this project. The Mayor's Office of Public Safety & Homeland Security will manage and administer this grant as they do other awards that originate with the U.S. Department of Homeland Security.

RECOMMENDATION

It is recommended that Council authorize the Mayor to execute this Sub-grantee Award Agreement.

DJS:CFM

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
----------------------------	-----------------------------	-----------------------------

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT: Two ordinances approving and adopting an updated ongoing Service & Assessment Plan for and on behalf of the Lamar Terrace Public Improvement District No. 2 covering the years 2011-2020; and appropriating funds for payment to St. George Place Redevelopment Authority.	Category #	Page 1 of 1	RCA # Agenda Item# <i>15-15A</i>
--	-------------------	--------------------	--

FROM: (Department or other point of origin): Andrew F. Icken Chief Development Officer	Origination Date	Agenda Date AUG 10 2011
---	-------------------------	---------------------------------------

DIRECTOR'S SIGNATURE: 	Council Districts affected: C
---	---

For additional information contact: Tim Douglass Jesse Bounds Phone: (713) 837-9857 Phone: (713) 859-4140	Date and identification of prior authorizing Council Action: Res. 95-121, 8/9/95; Ord. No. 1996-767, 8/7/96; Ord. No 1997-64, 1/15/97; Ord. No 2003-416, 4/30/03; Ord. No 2003-0432, 4/30/03; Ord. No 2003-508, 5/28/03; Ord. No 2004-1007 & 2004-1008, 9/29/04; Ord. No 2005-926 & 2005-927, 7/27/05; Ord. No 2007-1026 & 2007-1027, 9/12/07; Ord. No 2008-873 & 2008-874, 10/01/08; Ord. No 2009-754 & 2009-755, 8/19/09; Ord. No 2010-514 & 2010-515, 7/6/10
--	--

RECOMMENDATION: (Summary)
That City Council adopt two ordinances approving an updated ongoing Service & Assessment Plan for and on behalf of the Lamar Terrace Public Improvement District No. 2 covering the Years 2011 through 2020; and appropriating funds for payment to St. George Place Redevelopment Authority.

Amount of Funding: \$228,662.52

	Finance Budget:
--	------------------------

SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund
 Other (Specify) Lamar Terrace PID No. 2, Fund #7508

SPECIFIC EXPLANATION:
In August 1995, City Council passed a resolution for the establishment of the Lamar Terrace Public Improvement District ("PID") No. 2 to perform capital improvement projects and maintenance services. In January 1997, an ordinance was adopted for a Memorandum of Agreement ("MOA") between the City and the St. George Place TIRZ Board to perform the functions of the PID. Under the Financial Services Agreement approved in April 2003, the Redevelopment Authority was allowed to fulfill its obligations under the 1997 MOA. The Agreement allows the City to pay collected PID assessments to the Authority for costs associated with the PID's Service & Assessment Plan.

In accordance with Chapter 372 of the Local Government Code, Council is required to approve an annually updated Service & Assessment Plan for purposes of determining the annual assessment rate and budget. As of 2005, the capital improvements for the Western Redevelopment Area have been completed. The last approved Plan was adopted by ordinance in July 2010.

The Plan is hereby submitted for the budget year 2011 (public safety, administration of development regulations, and maintenance services), as approved by the Board. There has been no change in assessment (\$0.07/s.f. of each lot). Assessments were billed in the 2010 property tax bills and have been collected. Council's action will ratify the Plan and assessments which have been previously implemented by the Board.

Appropriate the sum of \$228,662.52 from Fund 7508, Lamar Terrace Public Improvement District No. 2 fund, for payment to St. George Place Redevelopment Authority in accordance with the Plan presented.

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

REQUIRED AUTHORIZATION

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

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: AN ORDINANCE RELATING TO THE RETAIL WATER RATES OF AQUA TEXAS APPROVING A SETTLEMENT AGREEMENT RELATING TO AN INCREASE IN THE WATER RATES THAT SHALL CONSTITUTE THE LEGAL RETAIL WATER RATES OF AQUA TEXAS FOR ITS HOUSTON CUSTOMERS

Category #

Page 1 of 1

Agenda Item#

16

FROM: (Department or other point of origin):

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

Origination Date

July 28, 2011

Agenda Date

AUG 10 2011

DIRECTOR'S SIGNATURE:

Council Districts affected:

E

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 water rates of Aqua Texas approving a settlement agreement relating to an increase in the water rates that shall constitute the legal retail water rates of Aqua Texas for customers inside the city limits.

Amount of Funding: N/A

ARA 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 water rates of Aqua Texas, Inc., Aqua Utilities, Inc. and Aqua Development, Inc. DBA Aqua Texas (collectively Aqua Texas) approving a settlement agreement relating to an increase in the water rates that shall constitute the legal water rates of Aqua Texas for its Houston customers. Aqua Texas is an investor-owned water utility operating within Houston. The City of Houston exercises original jurisdiction over the rates, operations and services of Aqua Texas under the provisions of the Texas Water Code for customers inside city limits.

On August 16, 2010, Aqua Texas filed an application to increase water rates for customers within its southwest region, including the City of Houston. The proposed rate change will impact approximately 32 customers located in Kingwood's Oak Manor Subdivision. On September 22, 2010 the City sent a Notice of Deficiency letter to Aqua Texas noting certain specified deficiencies in their application to increase rates, and declaring the filing to be administratively incomplete and deemed "not filed" for jurisdictional purposes. Among the noted deficiencies was the lack of an **existing legal rate tariff** on file with the City of Houston for Oak Manor residents receiving service within the Houston city limits. Aqua Texas disputed this deficiency finding, while addressing the remaining deficiencies. As a result, the filing remained incomplete. Unless Aqua Texas submitted a new application correcting this remaining deficiency, no action would be taken by the City and current rates would remain in effect.

In order to resolve the dispute, and implement new rates in the Oak Manor Subdivision, Aqua Texas agreed to enter into a settlement with the City. Believing resolution and a legal tariff on file with the City to be in the best interest of rate payers, the City entered into negotiations with Aqua Texas. Under the Settlement Agreement, the average residential customer with a 5/8" meter consuming an average of 6,000 gallons per month will experience an \$11.63 monthly increase, or approximately 22.81%. The attached table shows the effects on residential customer bills, based on monthly consumption from 1,000 to 30,000 gallons with a comparison to current rates. The proposed rate change will impact approximately 33 customers located in the Kingwood, Oak Manor Subdivision.

The effective date of the Settlement Rates is September 1, 2011. The Company will begin billing the Settlement Rates with its September 2011 bills, which will be based on consumption during parts of the months of August and September, 2011. By delaying implementation of Aqua Texas' requested rate increase for approximately 11 months, the savings to the average rate payer with a 5/8" meter is estimated at approximately \$127.93.

ARA recommends City Council adopt an ordinance relating to the retail water rates of Aqua Texas approving a settlement agreement relating to an increase in the water rates that shall constitute the legal retail water rates of Aqua Texas until changed.

REQUIRED AUTHORIZATION

ARA Director:

Aqua Texas Settlement Rates
Effect on Customer Bills - Customers with 5/8 x 3/4" Meters
(30 Customers Affected)

Usage (Gallons)	Current Water Rates	Settlement Water Rates**	Current vs. Settlement	% Current vs. Settlement Rates
1,000	\$ 36.23	\$ 40.03	\$ 3.80	10.48%
2,000	\$ 39.18	\$ 44.54	\$ 5.36	13.69%
3,000	\$ 42.13	\$ 49.06	\$ 6.93	16.45%
4,000	\$ 45.08	\$ 53.58	\$ 8.50	18.85%
5,000	\$ 48.03	\$ 58.09	\$ 10.06	20.95%
6,000	\$ 50.98	\$ 62.61	\$ 11.63	22.81%
7,000	\$ 53.93	\$ 67.13	\$ 13.20	24.47%
8,000	\$ 56.88	\$ 71.64	\$ 14.76	25.95%
9,000	\$ 59.83	\$ 76.16	\$ 16.33	27.29%
10,000	\$ 62.78	\$ 80.68	\$ 17.90	28.50%
30,000	\$ 121.78	\$ 171.01	\$ 49.23	40.42%

* Current rates include: 1) a \$9.94 per month 2004 Deferred Expense Surcharge and 2) a \$2.50 per month 2004 Rate Case Expense Surcharge.

** Settlement rates include a Hurricane Ike per month surcharge by meter size.

Aqua Texas Settlement Rates
Effect on Customer Bills - Customers with 1" Meters
(3 Customers Affected)

Usage (Gallons)	Current Water Rates	Settlement Water Rates**	Current vs. Settlement	% Current vs. Settlement Rates
1,000	\$ 67.50	\$ 93.30	\$ 25.80	38.22%
2,000	\$ 70.45	\$ 97.81	\$ 27.36	38.84%
3,000	\$ 73.40	\$ 102.33	\$ 28.93	39.41%
4,000	\$ 76.35	\$ 106.85	\$ 30.50	39.94%
5,000	\$ 79.30	\$ 111.36	\$ 32.06	40.43%
6,000	\$ 82.25	\$ 115.88	\$ 33.63	40.89%
7,000	\$ 85.20	\$ 120.40	\$ 35.20	41.31%
8,000	\$ 88.15	\$ 124.91	\$ 36.76	41.70%
9,000	\$ 91.10	\$ 129.43	\$ 38.33	42.07%
10,000	\$ 94.05	\$ 133.95	\$ 39.89	42.42%
30,000	\$ 153.05	\$ 224.28	\$ 71.23	46.54%

* Current rates include: 1) a \$9.94 per month 2004 Deferred Expense Surcharge and 2) a \$2.50 per month 2004 Rate Case Expense Surcharge.

** Settlement rates include a Hurricane Ike per month surcharge by meter size.

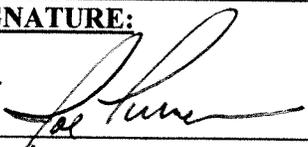
REQUEST FOR COUNCIL ACTION

R

To: Mayor via City Secretary

Subject: Landscaping and Beautification of City Streets and Thoroughfares WBS No. N-000675-0006-4	Category #	Page 1 of 2	Agenda Item 17
---	------------	-------------	---

FROM (Department or other point of origin): Houston Parks and Recreation Department	Origination Date: April 19, 2011	Agenda Date: AUG 10 2011
---	--	------------------------------------

DIRECTOR'S SIGNATURE: Joe Turner, Director 	Council District(s) affected: All
--	--

For additional information contact: Luci Correa (832) 395-7057 Victor Cordova (832) 395-8454	Date and Identification of prior authorizing Council Action: Resolution 90-03 01/17/1990 Ordinance 2007-0765 06/27/2007 (Cambridge) Ordinance 2007-0776 06/27/2007 (Kirby) Ordinance 2009-0921 03/30/09 (West Bellfort) Ordinance 2008-1008 11/12/2008 (N.MacGregor Way) Ordinance 2006-0015 1/4/2006 Ordinance 2007-706 5/31/2007
---	--

RECOMMENDATION: (Summary):
Approve an ordinance appropriating \$66,547.04 from the street and Bridge Consolidated Construction Fund for landscaping and beautification of City streets and thoroughfares.

Amount of Funding: \$66,547.04 from Street and Bridge Consolidated Construction Fund Number 4506	Finance Budget:
--	------------------------

SPECIFIC EXPLANATION:

On January 17, 1990 Council passed Resolution No. 90-03 adopting a policy of landscaping in connection with City of Houston roadways and facility construction. The policy directs that up to a maximum of one percent (1%) of street and thoroughfare construction costs be expended for landscaping and beautification on major thoroughfare construction. The funds are to be spent on tree planting in locations to be determined by the City Forester.

The first four roadway projects in the table below meet policy guidelines for generating landscape funding. The last two projects also meet policy guidelines, but were inadvertently appropriated twice in previous Council Actions (Ordinance 2006-0015 1/4/2006 and Ordinance 2007-706 5/31/2007). Therefore the 1% amount for those projects (total of \$68,331.09) will be subtracted from this appropriation to reach the Amount of Funding specified.

Upon authorization of this appropriation, the Parks and Recreation Department will proceed with requesting Council's approval in awarding the landscaping contracts for the beautification of roadways.

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization: Daniel W. Krueger, P.E., Director	Other Authorization:
--------------------------	--	-----------------------------

0

April 19, 2011

Subject: Landscaping and
Beautification of City Streets and
Thoroughfares
WBS No. N-000675-0006-4

Originator's initials: LC

Page 2 of 2

	Project	Council District	Key Map	1% Amount
1.	Kirby Drive Paving Improvements from IH610 to Holmes Road	C, D	532 U, Y	\$38,379.13
2.	Cambridge Bridge and Paving, Holcombe Boulevard to S. MacGregor	D	533E	\$62,299.00
3.	West Belfort South Main to Buffalo Speedway	C	532T	\$14,380.00
4.	North MacGregor Way Relocation (MacGregor to Alameda)	D	533E, F	\$19,820.00
5.	Scott Street Paving from S. Acres to E. Orem	D	573 G, L	-\$39,182.10
6.	San Felipe from Chimney Rock to Yorktown	G	491 P, Q	-\$29,148.99
			Total	\$66,547.04

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9066

Subject: Formal Bids Received for Grounds Maintenance/Landscaping Services for the Public Works & Engineering Department
S11 - L23893

Category #
4

Page 1 of 2

Agenda Item

18

FROM (Department or other point of origin):

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

Origination Date

July 01, 2011

Agenda Date

AUG 10 2011

DIRECTOR'S SIGNATURE

Calvin D. Wells
For additional information contact:
David Guernsey Phone: (832) 395-3640
Douglas Moore Phone: (832) 393-8724

Council District(s) affected
A, F, I

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to Associated Landscape Services, LC on its low bid in an amount not to exceed \$383,121.63 for grounds maintenance and landscaping services for the Public Works and Engineering Department.

Maximum Contract Amount: \$383,121.63

Finance Budget

\$316,967.84 - Water & Sewer System Operating Fund (8300)
\$ 66,153.79 - Houston Transtar Fund (2402)
\$383,121.63 - Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to Associated Landscape Services, LC on its low bid in an amount not to exceed \$383,121.63 for grounds maintenance and landscaping services for the Public Works and Engineering Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor. This contract will be used to provide grounds maintenance and landscaping services at four Public Works and Engineering Department facilities.

This bid was advertised in accordance with the requirements of the State of Texas bid laws. Sixty-five prospective bidders downloaded the solicitation document from the Strategic Purchasing website and nine bids were received as itemized below:

	<u>Company</u>	<u>Total Amount</u>
1.	Associated Landscape Services, LC	\$383,121.63
2.	DSD Landscape Maintenance	\$423,207.50
3.	Seril, Inc. dba Houston Grotech Services	\$452,450.00
4.	Western Horticultural Services, L.P.	\$497,955.00
5.	TIBH Industries	\$509,960.19
6.	Sal Esparza, Inc.	\$582,126.78
7.	Beriot Enterprise	\$780,640.00
8.	Lifescapes Landscaping	\$823,350.00
9.	Central Landscaping & Maintenance, Inc.	\$871,211.50

The scope of work requires the contractor to provide all equipment, labor, materials, supervision, tools, supplies and transportation necessary to provide grounds maintenance and landscaping services, including but not limited to weeding, mowing, tree trimming, spot treatment for insects, mulching beds, feeding

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

WOT

M

Date: 7/1/2011	Subject: Formal Bids Received for Grounds Maintenance/Landscaping Services for the Public Works & Engineering Department S11 - L23893	Originator's Initials GK	Page 2 of 2
-------------------	--	--------------------------------	-------------

flowering plants, light trash pickup, pruning, disease inspection, sprinkler system maintenance, fence-line cleaning, and fertilizing lawns, beds and trees at the following locations:

Facility

Utility Customer Service
Houston Transtar
E. B. Cape Training Center
Public Utilities Division (Wastewater Operations)

Address

4200 Leeland and 4215 Leeland
6922 Old Katy Road
4501 Leeland
10500 Bellaire

M/WBE Subcontracting:

This invitation to bid was issued as a goal-oriented contract with a 15% M/WBE participation level. Associated Landscape Services, LC has designated the below-named company as its certified M/WBE subcontractor.

Name	Type of Work	Dollar Amount	Percent
SRB Landscaping and Sprinkler System	Lawn Maintenance	\$57,468.39	15%

The Office of Business Opportunity will monitor this award.

Pay or Play Program:

The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City Contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

Funding Information

Public Works & Engineering Department

Funding Codes	FY12	Out Years	Total
8300	\$63,393.60	\$253,574.24	\$316,967.84
2402	\$13,230.72	\$ 52,923.07	\$ 66,153.79
Total	\$76,624.32	\$306,497.31	\$383,121.63

Buyer: Gloria Jordan-King

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

SUBJECT: Airport Shoeshine Concession Agreement with Elsie Hebert
 Airport Shoeshine Parlors at George Bush Intercontinental Airport (IAH).
Category # **Page 1 of 1** **Agenda Item #** 19

FROM (Department or other point of origin):
 Houston Airport System **Origination Date**
 June 28, 2011 **Agenda Date**
 AUG 10 2011

DIRECTOR'S SIGNATURE: *Kae KR*
M *Maudsley* **Council District affected:**
 B

For additional information contact:
 Dallas Evans **Phone:** 281/230-8001
 Randy Goodman 281/233-1822 *mc* **Date and identification of prior authorizing Council action:**
 N/A

AMOUNT & SOURCE OF FUNDING:
 REVENUE **Prior appropriations:**
 Minimum Annual Guarantee: \$98,400.00 or
 \$0.0065 per Enplaned Passenger, whichever is greater. N/A

RECOMMENDATION: (Summary) Enact an ordinance authorizing the City Council to award a Shoeshine Concession Agreement to Elsie Hebert, a sole owner and operator, d/b/a Elsie Hebert Airport Shoeshine Parlors.

SPECIFIC EXPLANATION: In May 2010, the Houston Airport System (HAS) issued a Request for Proposal (RFP) requesting qualified parties to submit a proposal for developing, managing, and operating the shoeshine facilities at IAH Terminals A, B, C, and D. The RFP was advertised locally in the *Houston Chronicle* and notices were sent to prospective proposers who had expressed interest in this concession. Three proposers responded to the request; Houston Shoeshine, Airport Shoeshine Parlors, and The Classic Shine Company. The selection committee evaluated the respondents based on the following criteria: Compensation to the City, Experience and Qualifications, Management and Operations, Chair/Stand Design and Details, and ACDBE Participation. Based on the proposer's submittal, the evaluation criteria defined in the RFP document, and total points received by each proposer, two proposers (Airport Shoeshine Parlors and The Classic Shine Company) were invited for oral interviews. The results of the evaluation process concluded that Elsie Hebert Airport Shoeshine Parlors is the selection committee's unanimous choice.

The pertinent terms and conditions of this agreement are as follows:

1. Term
 The term will be five (5) years plus three (3) one-year option periods.
2. Financial Terms
 The Concessionaire shall pay the City a Minimum Annual Guarantee of \$98,400 or \$0.0065 per Enplaned Passenger, whichever is greater.
3. Capital Investment
 Concessionaire shall spend a minimum of \$25,000 on improvements to the facilities.
4. ACDBE Goal
 The ACDBE goal for this agreement is thirty-five percent (35%) of total gross sales. Elsie Hebert Airport Shoeshine Parlors is an ACDBE certified firm.
5. Performance Security
 The concessionaire will provide a performance surety in the amount of \$49,200.

REQUIRED AUTHORIZATION

Finance Department: **Other Authorization:** **Other Authorization:** MDT

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Design Build Agreement with SpawGlass Construction Corporation for the Central Plant Upgrades at George Bush Intercontinental Airport/Houston (IAH), Project No. 621 (WBS# A-000091-0001-3-02; WBS# A-000091-0001-3-03)	Category #	Page 1 of 2	Agenda Item # <i>20</i>
---	-------------------	-----------------------	-----------------------------------

FROM (Department or other point of origin): Houston Airport System	Origination Date June 29, 2011	Agenda Date AUG 10 2011
--	--	-----------------------------------

DIRECTOR'S SIGNATURE: <i>M. Kae</i>	Council District affected: B
--	--

For additional information contact: Lance Lyttle <i>HL</i> 281/233-1889 Robert Bielek <i>RNB</i> 281/233-1941	Date and identification of prior authorizing Council action: N/A
--	--

AMOUNT & SOURCE OF FUNDING: CIP No. A-0091.27 \$ 961,770.00 HAS FAA Grants (8000) <i>JP</i> \$ 961,770.00 HAS-Consd2004NAMT (8204) Total \$1,923,540.00 <i>KR</i>	Prior appropriations: N/A
---	-------------------------------------

RECOMMENDATION: (Summary)
Enact an Ordinance to approve a Design Build Agreement with SpawGlass Construction Corporation and appropriate necessary funds to finance the cost of these services.

PROJECT LOCATION: Central Plant Facility located at 3200 Mecom Road, Houston, Texas 77032 - George Bush Intercontinental Airport/Houston (IAH)

PROJECT HISTORY: On November 6, 2005, Council approved a professional architectural and engineering services contract with Texas Energy Engineers, Inc./dba ccrd partners to provide a study which would identify upgrades to the Central Plant and the terminals. The modifications identified by the study consisted of restoring the cooling and increase the heating capacity of the Central Plant, reduce air emissions and improve efficiency and operability of the system. Based on the studies, the design concept was submitted to the FAA which approved an \$8,800,000 Voluntary Airport Low Emission (VALE) Grant to offset the project cost.

PROJECT SUMMARY: In response to a Request for Qualifications (RFQ) for this project, eight firms (Burns and McDonnell Engineering Company, Inc., Jacobs/McCarthy-Way/FISK, Manhattan Construction Company, SpawGlass Construction Corporation, TD Industries, Bartlett Cocke General Contractors, Vaughn Construction+Shah Smith & Associates with Gowan, Inc., The Gonzalez Group LP) submitted Statements of Qualifications. The evaluation committee evaluated and ranked the proposals based on selection criteria (experience and staff, experience as a design build team, past client satisfaction, performance in meeting budget and schedule, safety performance, project management methodology, and quality assurances), interviewed four short-listed firms (Burns and McDonnell, Jacobs/McCarthy, Manhattan Construction, and SpawGlass Construction Corporation), and recommended SpawGlass Construction Corporation as the best respondent.

This project will provide for upgrades to the Central Plant for VALE Grant emissions, reduction in energy costs, increase in the cooling and heating capacity of the Central Plant, modifications to the building for ADA compliance, and terminal building HVAC control upgrades. The project scope includes the following major upgrades to the Central Plant and terminals:

- Reduce usage of the steam heating system by installation of hot water heaters for terminal heating (VALE scope)

REQUIRED AUTHORIZATION

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

MD

Date June 13, 2011	Subject: Design Build Agreement with SpawGlass Construction Corporation for the Central Plant Upgrades at George Bush Intercontinental Airport/Houston (IAH), Project No. 621 (WBS# A-000091-0009-3-01)	Originator's Initials SK	Page 2 of 2
------------------------------	--	------------------------------------	-----------------------

- Reduce the usage of the steam driven chillers by the replacement or repair of the electric driven Chiller #4 (VALE scope)
- Reduce the usage of electricity by installing solar panels on the roof of the Central Plant (VALE scope)
- Reduce emissions from the existing boilers by the installation of low NOx combustion system (VALE scope)
- Provide a hot standby system for existing Boilers # 4 & 5 using the existing heating hot water system. Hot standby allows for a faster responding backup in case of the loss of the primary chilling and heating plant systems
- Modify the existing building to comply with ADA standards and TAS requirements
- Replace the aging Cooling Tower #2 (VALE scope)
- Automate the plant control system
- Modify the plant loading dock to facilitate loading of heavy barrels into the plant
- Reduce energy consumption by improving the performance of the existing cooling towers and replacing the 3-way chilled water valves and pneumatic control systems in Terminals A and C

PROJECT COST: The current appropriation of \$1,923,539.00 is for Phase I, Pre-Construction Services (including 100% design). During Phase I, the contractor will establish and submit for approval a Guaranteed Maximum Price (GMP) for Phase II, Construction. Phase II GMP will be presented to City Council for approval prior to beginning construction.

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.

DBE PARTICIPATION: The overall Disadvantage Business Enterprise (DBE) goal for this design build contract is thirty percent (30%). The DBE participation for Phase I, Pre-Construction Services is eighteen point three percent (18.03%), which will apply to the overall 30% goal set for this project. The following certified DBE firms have been submitted to fulfill the 18.03% goal for the pre-construction phase of the project:

Firms	Type of Work	Amount	% of Bid
Matrix Structural Engineers, Inc.	Structural Engineer	\$ 66,500	3.46 %
Hunt & Hunt Engineering Corp.	MEP Engineer	\$ 77,000	4.00 %
Jarreau & Associates, Inc.	Landscape Design	\$ 5,750	0.29 %
Jaymark Engineering Corp.	Civil Engineering	\$ 29,657	1.54 %
English + Associates Architects, Inc.	Architect	\$ 162,932	8.47 %
K Strategies Group, LLC	Consulting Services	\$ 5,000	0.26 %
	Total	\$ 346,839	18.03 %

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Amendment No. 4 to the Construction Management at Risk Contract with Clark Construction Group – Texas, LP for Terminal and Central Concourse Expansion at William P. Hobby Airport (HOU); Project No. 417F, (WBS# A-000141-0004-4-01; Contract No. 4600004538)

Category #7	Page 1 of 2	Agenda Item #
		21

FROM (Department or other point of origin): Houston Airport System

Origination Date: July 18, 2011

Agenda Date: AUG 10 2011

DIRECTOR'S SIGNATURE: *[Signature]*

Council District affected: I

For additional information contact:

Lance Lyttle Phone: 281/233-1889
Robert Bielek Phone: 281/233-1941

Date and identification of prior authorizing Council action:

09/28/05 (O) 2005-1108 07/01/08 (O) 2008-0618
12/14/05 (O) 2005-1373 04/29/09 (O) 2009-0365

AMOUNT & SOURCE OF FUNDING:

CIP No. A-0141.46 \$5,523,465.00
CIP No. A-0422.28 \$ 86,300.00
Total \$5,609,765.00
HAS Arpt Improvemt (8011)

Prior appropriations:

09/28/05.....\$ 2,380,297.00 HAS Revenue (8001)
12/14/05.....\$ 799,322.00 HAS Revenue (8001)
12/14/05.....\$ 57,898,637.00 HAS Consd2004AMT (8203)
07/01/08.....\$ 225,750.00 HAS Revenue (8001)
07/01/08.....\$ 14,190,000.00 HAS Consd2004AMT (8203)
04/29/09.....\$ 78,654,685.00 HAS Arpt Improvemt (8011)
04/29/09.....\$ 2,500,000.00 HAS Renew&Replacemt (8010)
Total.....\$156,648,691.00

RECOMMENDATION: (Summary) Enact an Ordinance to approve Amendment No. 4 to the Construction Management at Risk contract with Clark Construction Group – Texas, LP and appropriate the necessary funds to finance the cost of these services.

SPECIFIC EXPLANATION: On September 28, 2005, Council approved a Construction Management at Risk contract with Clark Construction Group – Texas, LP for Terminal and Central Concourse Expansion at William P. Hobby Airport (HOU). The initial appropriation was for pre-construction phase services, including construction document review and revisions, value engineering, estimating, scheduling and bidding the Phase I construction.

On December 14, 2005, Council approved Amendment No. 1 for the Phase I Guaranteed Maximum Price (GMP) and an allowance for permits and utilities. Phase I included the addition of five new aircraft gates to the central concourse, demolition of Concourses A and C, and the completion of the concrete aircraft apron on the north side of the west section of the central concourse. Phase I was completed in early 2007 and all HOU commercial airlines are operating from the new expanded Central Concourse.

Phase 2 of the project was divided into two stages (Stage I and Stage II). On July, 1, 2008, Council approved Amendment No. 2 that established GMP for Phase 2, Stage I of the project. Stage I consisted of the completion of the HOU Management Offices at the west side of the terminal, demolition and asbestos abatement. Stage 1 is completed.

On April 29, 2009, Council approved Amendment No. 3 that established GMP for Phase 2, Stage II, which consisted of renovations of the east terminal, main terminal building, baggage make-up and baggage claim, replacement of the roof of the central concourse and the main terminal building, as well as repairs of damages resulting from Hurricane Ike.

It is now requested that Council approve Amendment No. 4 to approve the GMP and provide funding for Phase 2, Stage III roadway repairs. This phase will consist of reconstruction of the enplaning passenger drop-off ramp and curbside. This

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

[Signature]

Date July 18, 2011	Subject: Amendment No. 4 to the Construction Management at Risk Contract with Clark Construction Group – Texas, LP for Terminal and Central Concourse Expansion at William P. Hobby Airport (HOU); Project No. 417F, (WBS# A-000141-0004-4-01; Contract No. 4600004538)	Originator's Initials FDC	Page 2 of 2
------------------------------	--	-------------------------------------	-----------------------

work is necessary to protect the newly renovated baggage claim, baggage make-up and passenger circulation areas from water leaks originating in the vehicle traffic lanes. The waterproofing membrane and pavement have deteriorated to the point that complete replacement is necessary to assure elimination of leaks from rainfall and high-pressure washing of the curbside surfaces. Construction term will be approximately two years.

ENGINEERING SERVICES TESTING CONTRACT: Engineering testing services will be provided by Terracon Consultants, Inc. under Contract No. 53716.

PROJECT COST: The total amount to be appropriated for Phase 2, Stage III is as follows:

\$4,933,465.00	Phase 2, Stage III Roadway Repairs GMP
350,000.00	Construction Contingency (7.1%)
240,000.00	Engineering Testing Services
<u>86,300.00</u>	Civic Art (1.75%)
\$5,609,765.00	Total Appropriation

M/WBE PARTICIPATION: The Minority Women Business Enterprise goal for this contract is twenty- five percent (25%). The following participation plan has been submitted for Amendment No. 4:

Firms	Type of Work	Amount	% of Bid
Houdal Corp. dba 2M Business Products	Office Supplies	\$ 5,000.00	0.14 %
B&E Reprographics, Inc.	Document Printing	\$ 2,500.00	0.07 %
BP Worldwide Security, Inc.	Security	\$ 144,000.00	3.93 %
C&D Janitor Services, Inc.	Final & Trailer Cleaning	\$ 27,500.00	.75 %
Canalco, Inc.	Waterproofing Supplies	\$ 560,855.00	15.30 %
Chavez Service Companies, Inc.	Electrical & Durable Goods Supplier	\$ 55,500.00	1.52 %
Corbett Personnel Services, Inc.	Staffing	\$ 2,500.00	0.07 %
D. Solis Trucking Company, Inc.	Material Transport	\$ 10,000.00	0.27 %
The Fiero Group, LTD.Co., dba Fencemaster of Houston	Temporary Fencing	\$ 50,000.00	1.36 %
Milam & Co. Painting, Inc.	Painting	\$ 10,210.00	0.28 %
Othon, Inc.	Quality Control Services	\$ 130,644.00	3.56 %
Professional Traffic Control	Striping/Pavement Marking	\$ 15,805.00	0.43 %
Silveria Sales	Plumbing Supplies	\$ 15,121.00	0.41 %
Tejas Office Products, Inc.	Office Supplies	\$ 5,000.00	0.14 %
	Total	\$ 1,034,635.00	28.22 %

Clark Construction Group - Texas, LP is currently achieving 23.68% participation on a 25% goal. The 23.68% M/WBE participation for Amendment No. 4 will result in total participation 23.68%. Clark Construction Group – Texas, LP is committed to identifying additional opportunities to achieve the goal of 25%. This participation plan has been reviewed and approved by HAS Office of Business Opportunities.

Bond Reimbursement: This action provides that HAS Airports Improvement Fund monies used to fund Project No. 417F be reimbursable from bond proceeds at a later time.

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance amending the caption of City of Houston Ordinance No. 2011-0600 for Supplemental Allocation to Professional Planning Consulting Services Contract for CH2M Hill, Inc. for the Houston Airport System; Project No. 677 (WBS# A-000368-0007-1-01; Contract No. 4600010715)	Category #	Page 1 of 1	Agenda Item # 22
--	-------------------	-----------------------	--------------------------------

FROM (Department or other point of origin): Legal Department	Origination Date July 18, 2011	Agenda Date AUG 10 2011
--	--	-----------------------------------

DIRECTOR'S SIGNATURE: <i>[Signature]</i>	Council District affected: B, E & I
--	---

For additional information contact: Jan Clark Phone: 832-393-6426 Laura Gill 832-393-6402	Date and identification of prior authorizing Council action: 12/15/2010 (O) 2010-1038 07/13/2011 (O) 2011-0600
--	---

RECOMMENDATION: (Summary)
 Enact an ordinance to amend the caption of City of Houston Ordinance No. 2011-0600 with CH2M Hill, Inc. to correct a clerical error.

Amount of Funding: None. .	F & A Budget:
--------------------------------------	--------------------------

Enterprise Fund

SPECIFIC EXPLANATION:

On July 13, 2011, Council approved Ordinance No. 2011-0600 for a supplemental allocation to the Professional Consulting Services contract with CH2M Hill. The amount and source of funding was \$4,250,000.00 from Airport Improvement Fund 8011 and \$750,000.00 from HAS Revenue 8001, for a total of \$5,000,000.00.

Due to a clerical error, the caption of Ordinance No. 2011-0600 appropriated \$4,250,000.00 out of the Airports Improvement Fund, but the supplemental allocation approved the total amount instead of the correct \$750,000.00.

The amounts and funds certified by the Controller's office on July 11, 2011, were correct.

It is now requested that Council approve an ordinance amending the caption of Ordinance No. 2011-0600 to reflect the correct amounts.

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization:
--------------------------	-----------------------------	-----------------------------

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Community Center and Swimming Pool Lease Agreement with Near Northwest Management District at the former Inwood Forest Golf Course at 7603 Antoine Drive, Houston, Texas.	Page 1 of 1	Agenda Item <i>23</i>
---	-----------------------	---------------------------------

FROM (Department or other point of origin): General Services Department	Origination Date	Agenda Date AUG 10 2011
---	-------------------------	-----------------------------------

DIRECTOR'S SIGNATURE: <i>CS</i> Scott Minnix <i>Scott Minnix</i> 8/4/11	Council District affected: A
---	-------------------------------------

For additional information contact: Jacquelyn L. Nisby Phone: (832) 393-8023	Date and identification of prior authorizing Council action: Ord. 2011-173; March 3, 2011
--	--

RECOMMENDATION: Approve and authorize Community Center and Swimming Pool Lease Agreement with Near Northwest Management District at the former Inwood Forest Golf Course at 7603 Antoine Drive, Houston, Texas.

Amount and Source Of Funding: Revenue	Finance Budget:
--	------------------------

SPECIFIC EXPLANATION: The General Services Department recommends approval of a Community Center and Swimming Pool Lease Agreement with Near Northwest Management District (NNMD), a governmental agency, for 8.31 acres of land and approximately 38,049 square feet of improvements at the former Inwood Forest Golf Course located at 7603 Antoine Drive, Houston, Texas. NNMD was created in 2001 and has boundaries of State Highway 249 on the north, TC Jester Blvd. on the east, Pinewood Drive on the south, and Hollister (projected to State Highway 249) on the west.

City Council approved the purchase of the land and improvements of the former Inwood Forest Country Club by Ordinance 2011-173 on March 3, 2011. The City closed on the purchase of the land and improvements on April 7, 2011. It is anticipated that the City will enter into an agreement with the Harris County Flood Control District to develop and use portions of the former golf course grounds for detention purposes. This lease is for the former Inwood Forest clubhouse building and swimming pool.

The proposed Lease Agreement will commence on the date of countersignature by the City Controller and expire on September 1, 2016 for \$1.00 per annum, with a five-year renewal option on the same terms and conditions. The City is allowing NNMD to offset its rent by the value of services it provides which includes NNMD's undertaking to maintain and operate the swimming pool as a public recreational facility and the former clubhouse as the "White Oak Conference Center" for the benefit of the public. NNMD may also use the facilities for its administrative office. Additionally, NNMD will mow the balance of the former Inwood Forest Golf Course grounds (approximately 215 acres) at least nine times per year. The City recognizes these services to be a legitimate public and municipal purpose that are in the best interests of the citizens of Houston. NNMD is responsible for all operating expenses, utilities, taxes and insurance.

The City has the right to terminate the agreement at any time if NNMD fails to provide a public or municipal purpose. NNMD will consider the approval of the Lease Agreement on August 9, 2011.

SM:BB:JLN:RB:npb

xc: Marta Crinejo, Jacquelyn L. Nisby, Anna Russell

REQUIRED AUTHORIZATION CUIC ID# 25 RB 115

General Services Department: <i>Humberto Bautista</i> Humberto Bautista, P.E. Assistant Director		
--	--	--

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Amend Ordinance No. 2009-1362 to Increase the Maximum Contract Amount under the Job Order Contract with WXR, LLC fka Direct Energy, LP. for the Residential Energy Efficiency Program (REEP).

Page
1 of 2

Agenda Item
24

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

Origination Date

Agenda Date
AUG 10 2011

DIRECTOR'S SIGNATURE:

Scott Minnix

Scott Minnix 7/14/11

Council District(s) affected:

All

For additional information contact:

Jacquelyn L. Nisby Phone: 832-393-8023

Date and identification of prior authorizing Council action:

Ordinance No. 2009-1362, dated 12/16/09

RECOMMENDATION: Approve an Ordinance amending Ordinance No. 2009-1362 (passed December 16, 2009) to increase the maximum contract amount to \$10,000,000.00 under the Residential Energy Efficiency Program (REEP) with WXR, LLC fka Direct Energy, LP.

Amount and Source of Funding:

Maximum Contract Amount for WXR, LLC- \$10,000,000.00

Finance Budget:

Previous Funding:

Maximum Contract Amount - \$5,000,000.00

Initial Allocation:

\$2,000,000 American Recovery and Reinvestment Act (ARRA) (5300)

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve an Ordinance amending Ordinance No. 2009-1362 to increase the maximum contract amount from \$5,000,000.00 to \$10,000,000.00 under the Job Order Contract for REEP with WXR, LLC. It is expected that WXR, LLC will deplete the \$5,000,000.00 expenditure cap by the end of July 2011. The requested action is necessary to continue to provide weatherization measures for approved residential and apartment units under the Program.

PROJECT LOCATION: Citywide

PREVIOUS HISTORY AND PROJECT SCOPE: On December 16, 2009, City Council awarded a job order contract to Direct Energy, LP for the REEP, set a maximum contract amount of \$5,000,000.00 and delegated authority to the director to approve supplemental allocations up to the maximum contract amount. The initial allocation was \$2,000,000.00.

REQUIRED AUTHORIZATION

CUIC ID 25MSCL94

General Services Department:

Other Authorization:

Humberto Bautista

Humberto Bautista, P.E.
Assistant Director

NO

25

Date	SUBJECT: Amend Ordinance No. 2009-1362 to Increase the Maximum Contract Amount under the Job Order Contract with WXR, LLC fka Direct Energy, LP. for the Residential Energy Efficiency Program (REEP).	Originator's Initials DBW	Page 2 of 2
-------------	---	-------------------------------------	-----------------------

M/WBE INFORMATION: A 14% MBE goal and 10% SBE goal have been established for this contract. As of June 2011, WXR, LLC has achieved 13.2% MBE participation and 66.67% SBE participation.



SM:JLN:DBW:as
c: Scott Minnix, Jacquelyn L Nisby, Humberto Bautista, File

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Professional Residential Post Weatherization Home Inspection Contract The Gaia Group, Incorporated Residential Energy Efficiency Program (REEP)		Page 1 of 2	Agenda Item 25
---	--	----------------	----------------------

FROM (Department or other point of origin): General Services Department	Origination Date	Agenda Date AUG 10 2011
---	-------------------------	-----------------------------------

DIRECTOR'S SIGNATURE Scott Minnix <i>Scott Minnix 8/3/11</i>	Council District(s) affected: All
For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023	Date and identification of prior authorizing Council action:

RECOMMENDATION: Approve a Professional Residential Post Weatherization Home Inspection Contract for REEP.

Amount and Source Of Funding: Maximum Contract Amount: \$750,000.00 - 1 year	Finance Budget:
--	------------------------

SPECIFIC EXPLANATION: The City of Houston entered into a Grant Contract with the Texas Department of Housing and Community Affairs (TDHCA) in September, 2009. The contract provides approximately \$23.5M in American Recovery and Reinvestment Act (ARRA) funds to develop and implement a Weatherization Assistance Program. Currently, the contract's period of performance runs through December 31, 2011. To date, the Residential Energy Efficiency Program (REEP) developed by the City has spent approximately \$11.1M and weatherized 1,719 homes.

The REEP currently employs two post-weatherization home inspection contractors: The Nelrod Company d/b/a Fox Energy Specialists and Your Home Check, L.P. These contractors inspect homes; deem them qualified to receive weatherization measures; detail the measures to be installed in each home or apartment unit; and then perform a post inspection of the energy efficiency measures prior to payment of a weatherization contractor. The REEP currently has a backlog of approved residential and apartment units. On August 3, 2011, Ordinance No. 2011-624, City Council approved the addition of ten contractors to meet the increased demand of the Program. An additional contractor is now required to perform inspections and accelerate the spending through the Program.

Therefore, the General Services Department recommends that City Council approve a professional residential post weatherization home inspection contract with The Gaia Group, Incorporated to perform inspection services to ensure that all energy efficiency measures are properly installed in compliance with the Department of Energy guidelines and that residents are satisfied with the service.

PROJECT LOCATIONS: Citywide

REQUIRED AUTHORIZATION

CUIC ID 25MSCL97

General Services Department:

Humberto Bautista

Humberto Bautista, P.E.
Assistant Director

SUBJECT: Professional Residential Post Weatherization Home Inspection Contract
The Gaia Group, Incorporated
Residential Energy Efficiency Program (REEP)

Page
2 of 2

Agenda
Item

SCOPE OF CONTRACT AND FEE: The consultant will perform initial and post-weatherization inspections through work orders. Work orders issued under the contract will be paid on a per house basis.

M/WBE PARTICIPATION: A 24% MWBE goal has been established for this contract. The consultant has submitted the following certified firm to achieve the goal:

<u>Firm</u>	<u>Scope of Work</u>	<u>Amount</u>	<u>% of Contract</u>
Lane Staffing	Field personnel	\$240,000.00	24%

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

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

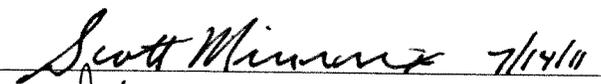
The City of Houston will adhere to and comply with the special reporting requirements associated with this ARRA Grant as required by the granting agency and/or the U.S. Office of Management and Budget.

SM:JLN:DBW:HB:as

c: Scott Minnix, Jacquelyn L. Nisby, File

SUBJECT: Award Construction Contract Times Construction, Inc. Relocation of Historic Houses and Train WBS No. B-000177-0001-4	Page 1 of 2	Agenda Item 26
---	-----------------------	--------------------------

FROM (Department or other point of origin): General Services Department	Origination Date 7-28-11	Agenda Date AUG 10 2011
---	------------------------------------	-----------------------------------

DIRECTOR'S SIGNATURE: Scott Minnix 	Council District(s) affected: 1
---	---

For additional information contact: Jacquelyn L. Nisby Phone: 832-393-8023	Date and identification of prior authorizing Council action:
---	---

RECOMMENDATION: Award construction contract and appropriate funds for the project.

Amount and Source of Funding: \$651,630.00 C&E – Construction Fund (8611)	Finance Budget:
---	------------------------

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council award a construction contract to Times Construction, Inc. on the proposal amount of \$600,600.00 for the relocation and placement of the Cohen and Foley Historic Houses and Locomotive Engine 982 for the Convention and Entertainment Facilities Department (CEFD).

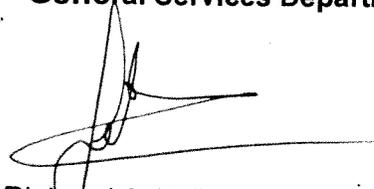
PROJECT LOCATION: 600 Avenida de las Americas (493R)

PROJECT DESCRIPTION: The historic Cohen and Foley houses are located on the west side of the 700 block of Avenida de las Americas. The houses will be relocated to the east side of the 600 block of Avenida de las Americas. The locomotive engine, which was relocated from Hermann Park in 2005, will be moved a short distance to accommodate the site for the historic houses. The scope of work involves the relocation and reconfiguration of the property to accommodate the houses and the locomotive engine; to include the partial demolition of structures, concrete walks, foundations, underground storm lines and landscaping; construction of new foundations; installation of new curb and driveway; site grading; fencing; landscaping and drainage improvements.

The contract duration for this project is 90 days. Bailey Architects, Inc. is the design consultant for the project.

PROPOSALS: Times Construction, Inc. was selected through a two-step Competitive Sealed Proposals process. The project was advertised in accordance with the requirements of Chapter 271 – Subchapter H of the Texas Local Government Code and contained selection criteria that ranked the respondents on building construction experience, references, contractor representatives, subcontractors and suppliers, safety and claim history. Seven firms responded. A selection committee comprised of GSD and CEFD project management ranked the respondents. Six of the seven firms received sufficient points and were requested to submit proposals. Four firms submitted proposals. Times Construction, Inc. submitted the lowest proposal and offers the best value for the City.

REQUIRED AUTHORIZATION CUIC ID # 25CON182

General Services Department:  Richard A. Vella Chief of Design & Construction Division	Convention and Entertainment Facilities Department:  Dawn R. Ullrich Director
--	---

Date	SUBJECT: Award Construction Contract Times Construction, Inc. Relocation of Historic Houses and Train WBS No. B-000177-0001-4	Originator's Initials JJR	Page 2 of 2
------	---	---	---------------------------

The four firms are ranked as follows:

Proposer

1. Times Construction, Inc.
2. The Gonzalez Group, LP
3. Carrera Construction, Inc.
4. DivisionOne Construction, LLC

AWARD: It is recommended that City Council award the construction contract to Times Construction, Inc. and appropriate funds for the project, including additional appropriations of \$18,000.00 for engineering and testing services under the existing contract with Fugro Consultants, Inc. and \$3,000.00 for environmental testing services under the existing contract with Technology Serving People, Inc.

FUNDING SUMMARY:

\$ 600,600.00 Construction Contract Services
 \$ 30,030.00 5% Contingency
\$ 630,630.00 Total Contract Services
 \$ 3,000.00 Environmental Testing Services
 \$ 18,000.00 Engineering and Testing Services
\$ 651,630.00 Total Funding

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's "Pay or Play" Ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

SM:JLN:RAV:JJR:jr

c: Marta Crinejo, Jacquelyn L. Nisby, Esq., Calvin Curtis, Esq., Morris Scott, Kim Nguyen, Tom Smyer, Gabriel Mussio, File

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Award Construction Contract
The Gonzalez Group, LP
Stanaker Neighborhood Library Renovation
WBS No. E-000017-0001-4

Page
1 of 2

Agenda
Item
27

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

Origination Date
8-4-11

Agenda Date
AUG 10 2011

DIRECTOR'S SIGNATURE:

Scott Minnix

Scott Minnix 7/21/11

Council District affected: I

For additional information contact:

Jacquelyn L. Nisby

Phone: 832-393-8023

Date and identification of prior authorizing
Council action:

RECOMMENDATION: Award construction contract and appropriate funds for the project.

Amount and Source of Funding:

\$2,070,000.00 Public Library Consolidated Construction Fund (4507)
\$ 668,000.00 Federal Government—Grant Funded (5000) CDBG
\$2,738,000.00 Total Funding

Finance Budget:

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council award a construction contract to The Gonzalez Group, LP on the proposal amount of \$2,431,322.00 to provide construction services for the Stanaker Neighborhood Library Renovation for the Houston Public Library (HPL).

PROJECT LOCATION: 611 S/Sgt. Macario Garcia Drive (494V)

PROJECT DESCRIPTION: The existing 9,265 square feet library building that was opened in 1986 is in need of upgrades for compliance with life safety codes and Texas Accessibility Standards. The project will restore facility to acceptable standards, and provide for technology improvements. The improvements include new exterior cladding, roof repair, re-orientation of the entrance, replacement of worn interior finishes and furnishings, new interior and exterior signage, upgrade of restrooms, parking lot adjustments and upgrades to the HVAC system.

PROPOSALS: The Gonzalez Group, LP was selected through a two-step process. The project was advertised in accordance with the requirements of Chapter 271-Subchapter H of the Texas Local Government Code and contained selection criteria that ranked the respondents on experience, references, project scheduling and management, years in business, safety and claims history. Thirteen firms responded. A selection committee comprised of representatives from GSD and HPL evaluated the respondents. Five of the 13 firms received sufficient points and were requested to submit proposals. All five firms submitted proposals. The Gonzalez Group, LP submitted the lowest proposal.

The five firms are ranked as follows:

- The Gonzalez Group, LP
- J.E. Dunn Construction Company
- Sterling Structures, Inc.
- Times Construction, Inc.
- Teal Construction Company

REQUIRED AUTHORIZATION

CUIC ID # 25CONS183

General Services Department:

Houston Public Library:

Housing and Community
Development Department: NOT

[Signature]

[Signature]

[Signature]

Richard A. Vella
Chief of Design & Construction Division

Rhea Brown Lawson, Ph. D.
Director

James Noteware
Director

Date	SUBJECT: Award Construction Contract The Gonzalez Group, LP. Stanaker Neighborhood Library Renovation WBS No. E-000017-0001-4	Originator's Initials VTN	Page 2 of 2
------	---	---	---------------------------

AWARD: It is recommended that City Council award the construction contract to The Gonzalez Group, LP and appropriate funds for the project, including \$21,000 for material testing laboratory services under the existing contract with Coastal Testing Laboratories, Inc.

FUNDING SUMMARY:

\$ 2,431,322.00	Construction Contract Services
\$ 243,128.00	10% Contingency
\$ 2,674,450.00	Total Contract Services
\$ 42,550.00	Civic Art (1.75%)
\$ 21,000.00	Material Testing Laboratory Services
\$ 2,738,000.00	Total Appropriation

CONSTRUCTION GOALS: A 15% MBE goal and 10% SBE goal have been established for this contract. The contractor has submitted the following certified subcontractors to achieve the goals:

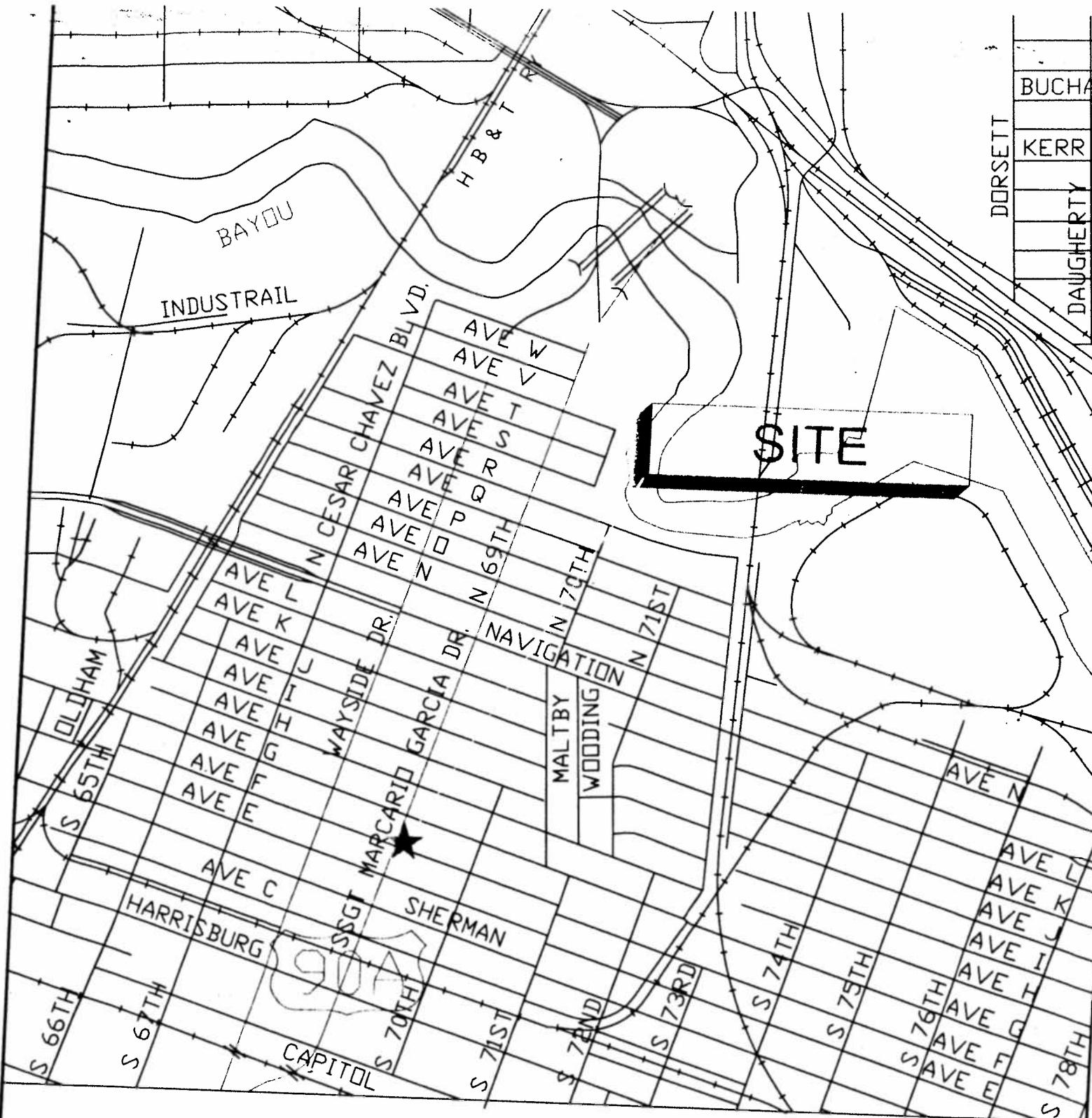
<u>MBE Firm</u>	<u>Scope of Work</u>	<u>Amount</u>	<u>% of Contract</u>
Deluxe Cleaning Concepts	Cleaning	\$ 1,086.00	0.04%
Rocman Security Solutions, Inc.	Security	\$ 40,146.00	1.65%
Milam and Co Painting, Inc.	Painting	\$ 10,000.00	0.41%
DG Medina Construction, LLC	Concrete/Demo	\$ 66,267.00	2.73%
Environmental Allies, G.P., Inc.	Erosion Protection	\$ 4,524.00	0.19%
Webbco Fabrication, Inc.	Steel	\$ 52,711.00	2.17%
TAG Electric Company, L.P.	Electrical	\$ 183,000.00	7.53%
Chavez Service Companies, Inc.	Roofing	\$ 8,500.00	0.35%
MBE TOTAL		\$ 366,234.00	15.07%

<u>SBE Firm</u>	<u>Scope of Work</u>	<u>Amount</u>	<u>% of Contract</u>
Byrne Metals Corp.	Metal Panels	\$ 421,900.00	17.35%

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

SM:JLN:RAV:VTN:vtn

c: Marta Crinejo, Jacquelyn Nisby, Mary Villarreal, Wendy Teas Heger, Pirooz Farhoomand, Morris Scott, Gabriel Mussio, Martha Leyva, File



Stanaker Neighborhood Library Renovation

611 Ssgt Marcario Garcia Dr.

Houston , TX 77011

COUNCIL DISTRICT "I"

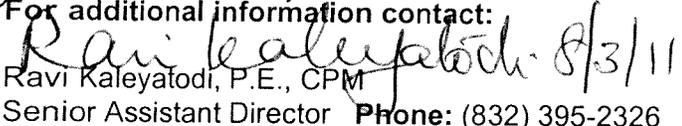
WBS NO. E-000017-0001-4

KEY MAP NO. 494V

<p>SUBJECT: An Appropriation of Funds to the Consent Agreement between the City of Houston and the Metropolitan Transit Authority (METRO) for the Betterment of the City Utility Facilities; WBS No. N-001201-0001-4, M-000101-0006-4, N-000830-0004-4, R-000521-0061-4, S-000521-0061-4.</p>	<p>Page 1 of 2</p>	<p>Agenda Item # 28</p>
--	------------------------	----------------------------------

<p>FROM (Department or other point of origin): Department of Public Works and Engineering</p>	<p>Origination Date</p>	<p>Agenda Date AUG 10 2011</p>
--	--------------------------------	---

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

<p>For additional information contact:  Ravi Kaleyatodi, P.E., CPM Senior Assistant Director Phone: (832) 395-2326</p>	<p>Date and identification of prior authorizing Council action: Ordinance No. 2008-0567, June 18, 2008</p>
---	---

RECOMMENDATION: (Summary) Adopt an Ordinance approving and authorizing an appropriation of funds to the Consent Agreement with Metro.

Amount and Source of Funding: Total \$1,656,267.00; \$57,897.00 from the Drainage Improvement Commercial Paper Series F Fund No 4030, \$392,071.00 from the Miscellaneous Capital Projects/Acquisitions CP-Series E Fund No 4039 and \$1,206,299.00 from Water and Sewer System Consolidated Construction Fund No. 8500. *M.P. 8/3/2011*

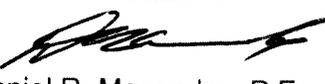
PROJECT NOTICE/JUSTIFICATION: Chapter 451 of the Texas Transportation Code specifically authorizes metropolitan transit authorities to use a municipality's public rights of way to design, construct, operate and maintain public transit system. The project consists of the design, construction, operation and maintenance of METRO's transit system for the defined scope. This project is part of the METRO Solutions Plan, Phase 2.

DESCRIPTION/SCOPE: The desired betterment consists of upsizing the total of 5,980 linear feet of planned 8-inch water lines to 12-inch water lines, 4,018 linear feet of waste water line encasement, 1,286 linear feet of drainage line upsizing and/or replacement and 50,707 square feet of 4-foot sidewalks to 6-foot sidewalks.

LOCATION: The North Line is approximately 5.2 miles long and extends from the existing METRO Rail University of Houston-Downtown Station along Main, Boundary and Fulton streets and terminates adjacent to the existing North line Transit Center. It is located in Key Map Grids 453P, 453Q, 453U, 453Y, 493C, 493D, 493G, 493H and 493M.

SCOPE OF CONTRACT AND FEE: The Consent Agreement with Metro was approved by City Council on June 18, 2008, Ordinance Number 2008-0567. In accordance with the agreement, METRO agrees to submit for the City's approval its design for the relocation of City and privately-owned utilities, as well as all other rearrangements and betterments to facilities within the public right-of-way or property, to relocate City and privately-owned utilities within the route at METRO's expense, and to construct certain improvements (betterments) to City utility facilities as the project is being constructed. The betterments will increase the service capacity, capability, efficiency, and function of City services over that which currently exists.

REQUIRED AUTHORIZATION CUIC ID #20TAA73

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

Date	Subject: An Appropriation of Funds to the Consent Agreement between the City of Houston and the Metropolitan Transit Authority (METRO) for the Betterment of the City Utility Facilities; WBS No. N-001201-0001-4, M-000101-0006-4, N-000830-0004-4, R-000521-0061-4, S-000521-0061-4.	Originator's Initials TAA	Page <u>2</u> of <u>2</u>
------	---	--	-------------------------------------

During the development and construction of the project, the City requested the upsizing of water lines, drainage lines, the encasement of sewer lines and paving and sidewalk widening in various segments along the route of the project. The estimated cost associated with these utilities betterments is \$1,547,913.04. Therefore, it is necessary to appropriate funds in the amount of \$1,656,267.00 which includes \$108,353.96 for CIP Cost Recovery.

ACTION RECOMMENDED: It is recommended that City Council adopt an Ordinance approving the appropriation of \$1,656,267.00 for the cost of City utility betterment performed by METRO.

[Handwritten initials]
 DWK:DRM:RK:TAA:PKC:ma

Z:\constr\A-SB-DIV\Interagency\METRO Projects\Betterment Allocation\North Corridor\20TAA73.doc

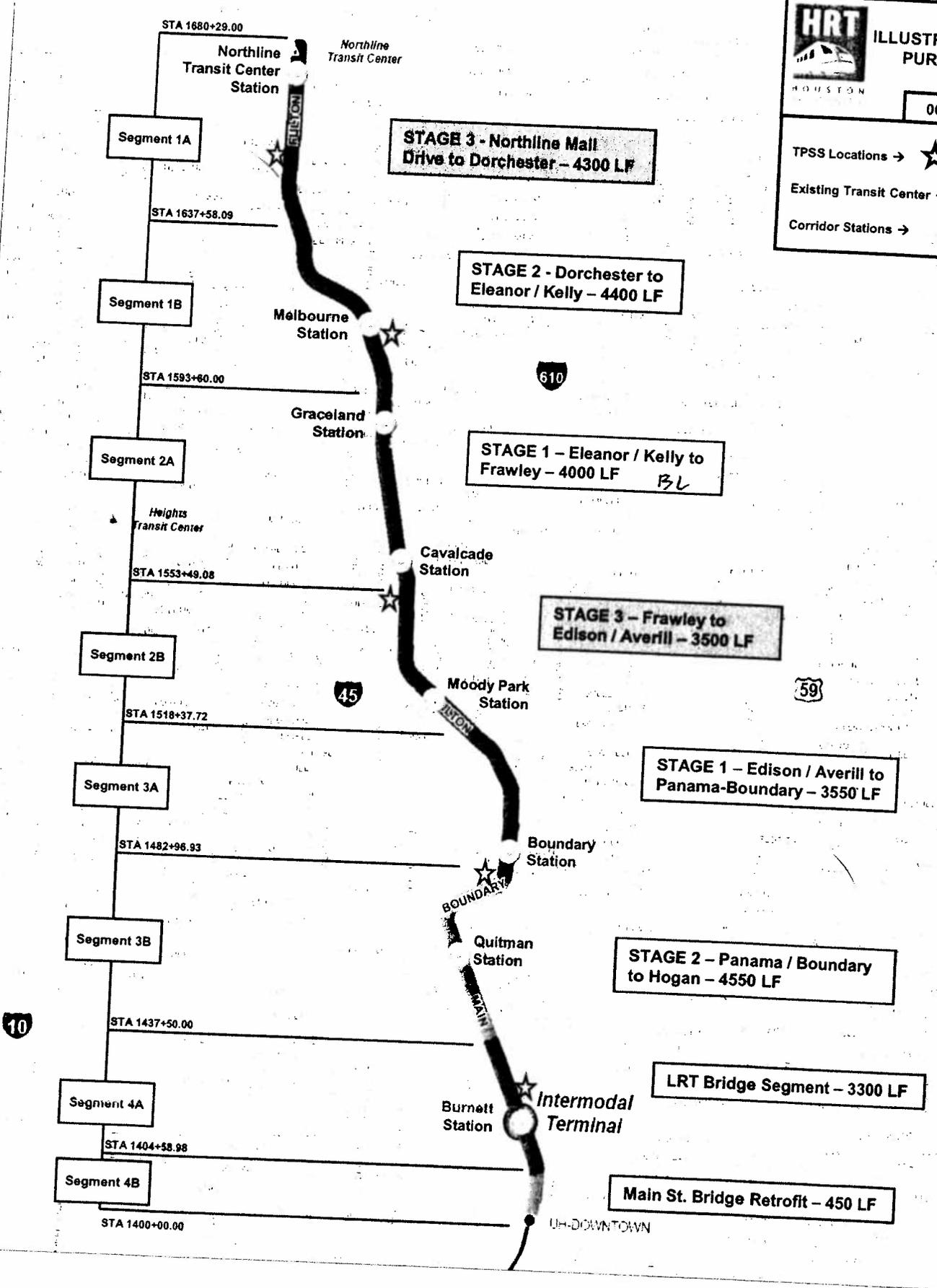
NORTH CORRIDOR



FOR ILLUSTRATION PURPOSES ONLY

06/02/09

- TPSS Locations → ★
- Existing Transit Center → ▲
- Corridor Stations → ○



<p>SUBJECT: An Appropriation of Funds to the Consent Agreement Between the City of Houston and the Metropolitan Transit Authority (METRO) for the Betterment of the City Utility Facilities; WBS No. N-001204-0001-4, M-000101-0004-4, N-000830-0002-4, R-000521-0059-4, S-000521-0059-4.</p>	<p>Page 1 of 2</p>	<p>Agenda Item # 29</p>
--	-------------------------------	---

<p>FROM (Department or other point of origin): Department of Public Works and Engineering</p>	<p>Origination Date</p>	<p>Agenda Date AUG 10 2011</p>
--	--------------------------------	---

<p>DIRECTOR'S SIGNATURE: <i>[Signature]</i> Daniel W. Krueger, P.E., Director</p>	<p>Council District affected: I,D</p>
--	--

<p>For additional information contact: <i>[Signature]</i> 8/1/11 Ravi Kaleyatodi, P.E., CPM Senior Assistant Director Phone: (832) 395-2326</p>	<p>Date and identification of prior authorizing Council action: Ordinance No. 2008-0567, June 18, 2008</p>
--	---

RECOMMENDATION: (Summary) Adopt an Ordinance approving and authorizing an appropriation of funds to the Consent Agreement with Metro.

Amount and Source of Funding: Total \$2,265,692.00; \$873,328.00 from the Street and Bridge Consolidated Construction Fund No. 4506, \$667,645.00 from the Drainage Improvement Commercial Paper Series F Fund No 4030, \$179,431.00 from the Miscellaneous Capital Projects/Acquisitions CP-Series E Fund No 4039 and \$545,288.00 from Water and Sewer System Consolidated Construction Fund No. 8500. *M.P. 8/3/2011*

PROJECT NOTICE/JUSTIFICATION: Chapter 451 of the Texas Transportation Code specifically authorizes metropolitan transit authorities to use a municipality's public rights of way to design, construct, operate and maintain public transit system. The project consists of the design, construction, operation and maintenance of METRO's transit system for the defined scope. This project is part of the METRO Solutions Plan, Phase 2.

DESCRIPTION/SCOPE: The desired betterment consists of upsizing the total of 8,055 linear feet of planned 8-inch water lines to 12-inch water lines, 332 linear feet of waste water line encasement, drainage line upsizing and/or replacement, pavement widening on Texas from Dowling to Hamilton and 23,206 square feet of 4-foot sidewalks to 6-foot sidewalks.

LOCATION: The Southeast corridor route begins in downtown Houston running on Capital and Rusk and continues Southeast to terminate in the vicinity of Palm Center at MLK and Griggs, for a distance of approximately 6.1 miles. It is located in Key Map Grids 493L, 493M, 493Q, 493R, 493V, 493Z, 533D, 534A, 534E and 534J.

SCOPE OF CONTRACT AND FEE: The Consent Agreement with Metro was approved by City Council on June 18, 2008, Ordinance Number 2008-0567. In accordance with the agreement, METRO agrees to submit for the City's approval its design for the relocation of City and privately-owned utilities, as well as all other rearrangements and betterments to facilities within the public right-of-way or property, to relocate City and privately-owned utilities within the route at METRO's expense, and to construct certain improvements (betterments) to City utility facilities as the project is being constructed. The betterments will increase the service capacity, capability, efficiency, and function of City services over that which currently exists.

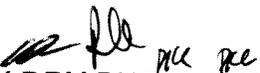
REQUIRED AUTHORIZATION **CUIC ID #20TAA71**

<p>Finance Department:</p>	<p>Other Authorization: <i>[Signature]</i> Jun Chang, P.E., D. WRE, Deputy Director Public Utility Division</p>	<p>Other Authorization: <i>[Signature]</i> Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division</p>
-----------------------------------	--	---

Date	Subject: An Appropriation of Funds to the Consent Agreement Between the City of Houston and the Metropolitan Transit Authority (METRO) for the Betterment of the City Utility Facilities; WBS No. N-001204-0001-4, M-000101-0004-4, N-000830-0002-4, R-000521-0059-4, S-000521-0059-4.	Originator's Initials TAA	Page <u>2</u> of <u>2</u>
-------------	--	--	--------------------------------------

During the development and construction of the project, the City requested the upsizing of water lines, drainage lines, the encasement of sewer lines and paving and sidewalk widening in various segments along the route of the project. The estimated cost associated with these utility betterments is \$2,117,469.41. Therefore, it is necessary to appropriate funds in the amount of \$2,265,692.00 which includes \$148,222.59 for CIP Cost Recovery.

ACTION RECOMMENDED: It is recommended that City Council adopt an Ordinance approving the appropriation of \$2,265,692.00 for the cost of City utility betterment performed by METRO.


DWK:DRM:RK:TAA:PKC:ma
Z:\constr\A-SB-DIV\Interagency\METRO Projects\Betterment Allocation\20TAA71.doc

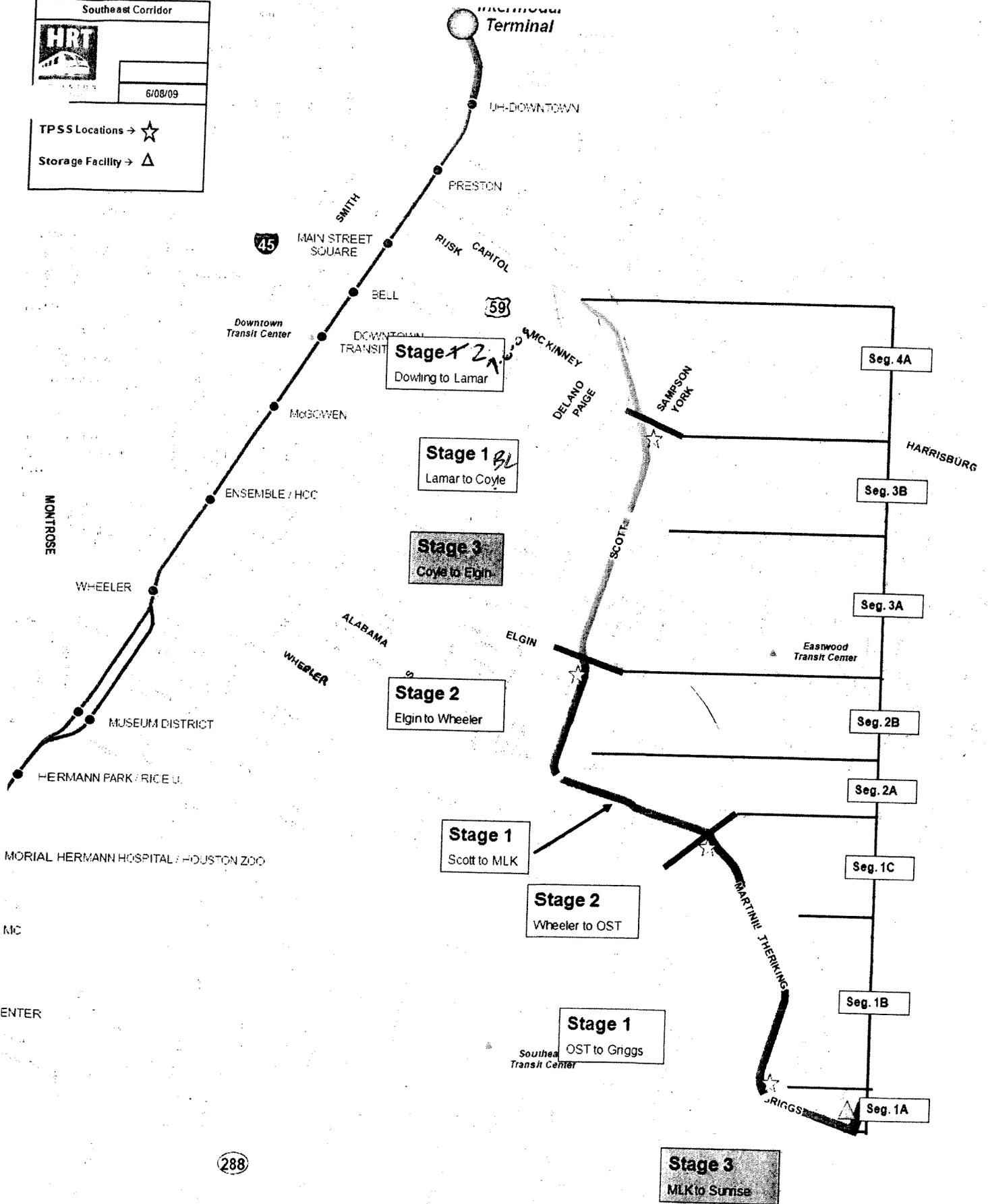
Southeast Corridor

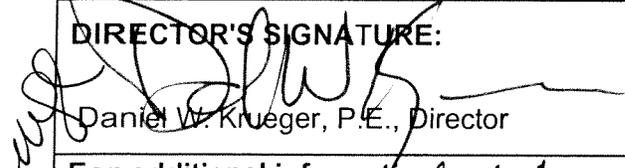
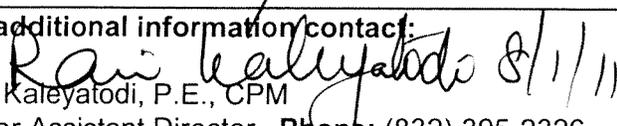
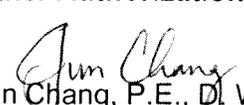
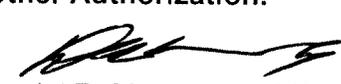


6/08/09

TPSS Locations → ☆

Storage Facility → ▲



SUBJECT: An Appropriation of Funds to the Consent Agreement between the City of Houston and the Metropolitan Transit Authority (METRO) for the Betterment of the City Utility Facilities; WBS No. N-001205-0001-4, N-000830-0003-4, R-000521-0060-4, S-000521-0060-4.		Page 1 of <u>2</u>	Agenda Item # 30
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date AUG 10 2011	
DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: I,H		
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. 2008-0567, June 18, 2008		
RECOMMENDATION: (Summary) Adopt an Ordinance approving and authorizing an appropriation of funds to the Consent Agreement with Metro.			
Amount and Source of Funding: Total \$104,288.00; \$23,305.00 from the Miscellaneous Capital Projects/Acquisitions CP-Series E Fund No 4039 and \$80,983.00 from Water and Sewer System Consolidated Construction Fund No. 8500. <i>M.P. 8/3/2011</i>			
PROJECT NOTICE/JUSTIFICATION: Chapter 451 of the Texas Transportation Code specifically authorizes Metropolitan transit authorities to use a municipality's public right of way to design, construct, operate and maintain public transit system. The project consists of the design, construction, operation and maintenance of METRO's transit system for the defined scope. This project is part of the METRO Solutions Plan, Phase 2			
DESCRIPTION/SCOPE: The desired betterment consists of upsizing the total of 930 linear feet of planned 8-inch water lines to 12-inch water lines, 135 linear feet of waste water line encasement, and the widening of 3014 square feet of 4-foot sidewalks to 6-foot sidewalks.			
LOCATION: The East end corridor route travels along Harrisburg from Magnolia transit center to Bastrop station in downtown, for a distance of approximately 4 miles. It is located in Key Map Grids 493R, 494N, 494R, 494S, 494T, 494U, 494V and 494Z.			
SCOPE OF CONTRACT AND FEE: The Consent Agreement with Metro was approved by City Council on June 18, 2008, Ordinance Number 2008-0567. In accordance with the agreement, METRO agrees to submit for the City's approval its design for the relocation of City and privately-owned utilities, as well as all other rearrangements and betterments to facilities within the public right-of-way or property, to relocate City and privately-owned utilities within the route at METRO's expense, and to construct certain improvements (betterments) to City utility facilities as the project is being constructed. The betterments will increase the service capacity, capability, efficiency, and function of City services over that which currently exists.			
REQUIRED AUTHORIZATION		CUIC ID #20TAA72	
Finance Department:	Other Authorization:  Jun Chang, P.E., D. WRE, Deputy Director Public Utility Division	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division	

Date	Subject: An Appropriation of Funds to the Consent Agreement between the City of Houston and the Metropolitan Transit Authority (METRO) for the Betterment of the City Utility Facilities; WBS No. N-001205-0001-4, N-000830-0003-4, R-000521-0060-4, S-000521-0060-4	Originator's Initials TAA	Page <u>2</u> of <u>2</u>
------	--	---------------------------------	------------------------------

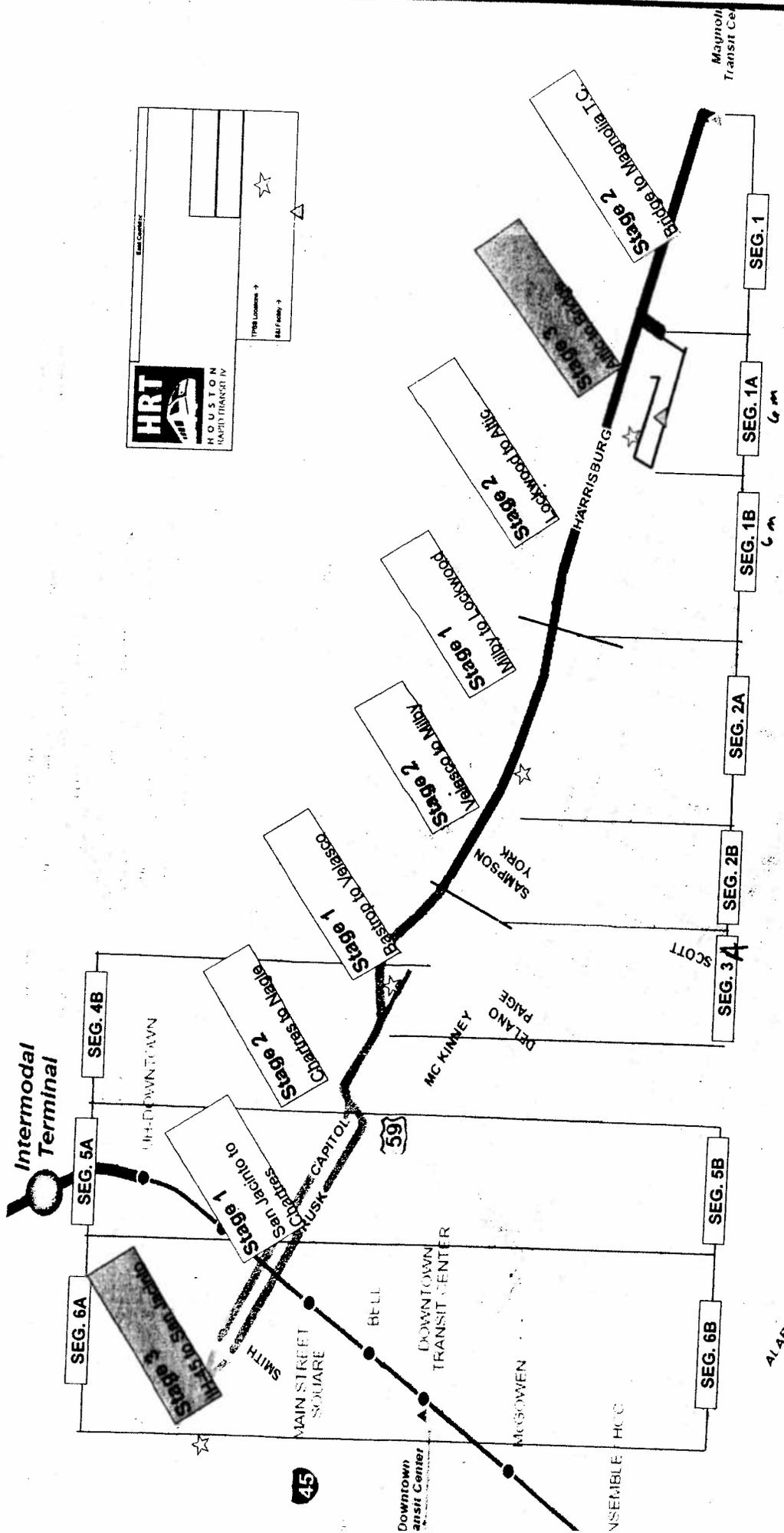
During the development and construction of the project, the City requested the upsizing of water lines, the encasement of sewer lines and sidewalk widening in various segments along the route of the project. The estimated cost associated with these utilities betterments is \$97,464.67. Therefore, it is necessary to appropriate funds in the amount of \$104,288.00 which includes \$6,823.33 for CIP Cost Recovery.

ACTION RECOMMENDED: It is recommended that City Council Adopt an Ordinance approving the appropriation of \$104,288.00 for the cost of City utility betterment performed by METRO.



DWK:DRM:RK:TAA:PKC:ma
 Z:\constr\A-SB-DIV\Interagency\METRO Projects\Betterment Allocation\East end Corridor\20TAA72.doc

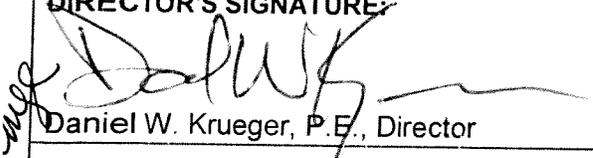
stage = Roadway Construction

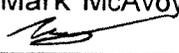


CORRECTED 7.6.09

SUBJECT: Ordinance Approving the Concession Agreement between the City of Houston and Luchi and Joey's for operation of the café at the Houston Permitting Center.	Page 1 of 1	Agenda Item # 31
---	----------------	-------------------------

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date AUG 1 0 2011
--	-------------------------	------------------------------------

DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: H
---	--

For additional information contact: Mark McAvoy  Phone: 832-394-9400	Date and identification of prior authorizing Council action: N/A
---	--

RECOMMENDATION: (Summary)
Adopt an ordinance approving a Concession Agreement between the City of Houston and Luchi and Joey's.

REVENUE
Rent payments totaling \$39,262.32 over five years from the countersignature date.

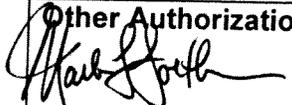
SPECIFIC EXPLANATION: The Houston Permitting Center (HPC) is scheduled to be fully operational in August 2011. On an average business day, the HPC will host 700 visitors and 450 full time employees. Considering the limited number of food service providers within reasonable walking distance of the HPC the decision was made to provide a café at the center.

In November 2010 the City of Houston solicited requests for proposals (RFP) for the operation of a café at the HPC. The City received one proposal, which was subsequently withdrawn by the submitter. As a result, the City began negotiating a concession agreement with Luchi and Joey's, a company doing business locally. Luchi and Joey's was approached due to their current negotiations to provide similar services at a Health Department facility.

The Public Works & Engineering Department has reached agreeable terms with the contractor and a summary of the agreement is below:

- Term :** The concession agreement is effective on the countersignature date and remains in effect for five years unless sooner terminated.
- Payment Terms:** The contractor shall pay the City an annual rental rate of \$25.00 per square foot for the concession area beginning six months from the countersignature date of the agreement. Rent payments for the concession area are payable to the City on the first day of each month in the amount of \$727.08.
- Scope of Services:** The contractor shall provide all labor, material and supervision necessary to perform the services of providing high quality foods and beverages at a reasonable price.

The Director of the Public Works & Engineering Department recommends that City Council adopt an ordinance approving a concession agreement with Luchi and Joey's for the operation of a café at the HPC.

REQUIRED AUTHORIZATION		20HPC01
Finance Department:	Other Authorization:	Other Authorization:  Mark L. Loethen P.E., CFM, PTOE, Deputy Director

SUBJECT: Additional Appropriation to Professional Engineering Services Contract between the City and Nathelyne A. Kennedy & Associates for Pinemont Paving Improvements from T.C. Jester Boulevard to Ella Boulevard WBS No. N-000475-0001-3	Page 1 of <u>2</u>	Agenda Item # 32
--	------------------------------	---

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date AUG 10 2011
--	-------------------------	-----------------------------------

DIRECTOR'S SIGNATURE: Daniel W. Krueger, P.E.	Council District affected: <div style="text-align: right; margin-top: 10px;"> JK^A </div>
---	--

For additional information contact: Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	Date and identification of prior authorizing Council action: Ordinance No. 2004-0539 : Dated 06/02/2004 Ordinance No. 2010-0147: Dated 02/17/2010
---	--

RECOMMENDATION: (Summary)
 Approve an Ordinance appropriating additional funds for Professional Engineering Services Contract with Nathelyne A. Kennedy & Associates

Amount and Source of Funding:
 \$54,220.00 from the Street & Bridge Consolidated Construction Fund No. 4506 *U.P. 8/01/2011*
 Original (previous) appropriation of \$896,067.00 from the Street and Bridge Consolidated Construction Fund No. 437

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

DESCRIPTION/SCOPE: This project consists of the design and reconstruction of approximately 8,400 linear feet of divided concrete boulevard roadway on Pinemont Drive from T.C. Jester to Ella Boulevard with curb & gutter, sidewalks and other necessary underground utilities.

LOCATION: The project area is along Pinemont Drive from T.C. Jester to Ella Boulevard. The project is located in Key Map Grids 451H, 452E & F.

PREVIOUS HISTORY AND SCOPE: The original Contract was approved on June 2, 2004 by Ordinance 2004-0539. 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. Upon completion of Phase I Services, the Basic Services fees were adjusted based on the agreed estimate amount of \$8,194,195.00 per the contract. The renegotiated Basic Services fee was \$646,932.00 calculated by the City's curve of median compensation (Curve "A"). On February 17, 2010, construction was awarded based on the Low Bid amount of \$7,514,375.03. As per contract, the Basic Services fees were again re-calculated and revised to \$614,585.40. Of this amount, \$92,188.00 was for Phase III-Construction Phase Services which was not budgeted after adjustment of fees. Due to lack of funds, the remaining portion of Phase III-Construction Phase Services was suspended. In the interim, Construction Phase Services is being handled by Public Works and Engineering staff. Under this contract the consultant completed Phase I-Preliminary Design, Phase II-Final Design and Additional Services.

SCOPE OF THIS SUPPLEMENT AND FEE: The requested additional appropriation is necessary to complete the remainder of Phase III- Construction Phase Services. This supplement is also needed to incorporate the re-design of continuous left turn lanes due to traffic conditions. The total negotiated amount needed to complete the remaining portion of the project is \$47,147.00.

The total requested appropriation is \$54,220.00 to be appropriated as follows: \$47,147.00 for contract services and \$7,073.00 for CIP Cost Recovery.

REQUIRED AUTHORIZATION CUIC ID#20SAB37A *NDT*

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

Date	Subject: Additional Appropriation to Professional Engineering Services Contract between the City and Nathelyne A. Kennedy & Associates for Pinemont Drive Improvements from T.C. Jester Boulevard to Ella Boulevard WBS No. N-000475-0001-3	Originator's Initials SAB	Page 2 of 2
-------------	---	-------------------------------------	-----------------------

M/WBE INFORMATION: The M/WBE goal established for the overall project is set at 24%. The original contract amount was approved on June 2, 2004, by Ordinance Number 2004-0539 total \$814,606.00. The consultant has been paid \$798,020.00 (97.96%) to date. Of this amount, \$229,390.00 (28.74%) has been paid to M/WBE sub-consultants to date. Assuming approval of this additional appropriation, the contract amount will be increased to \$861,753.00. The M/WBE goal set for this project has been met. No additional funds will be assigned to sub-contractors or suppliers.

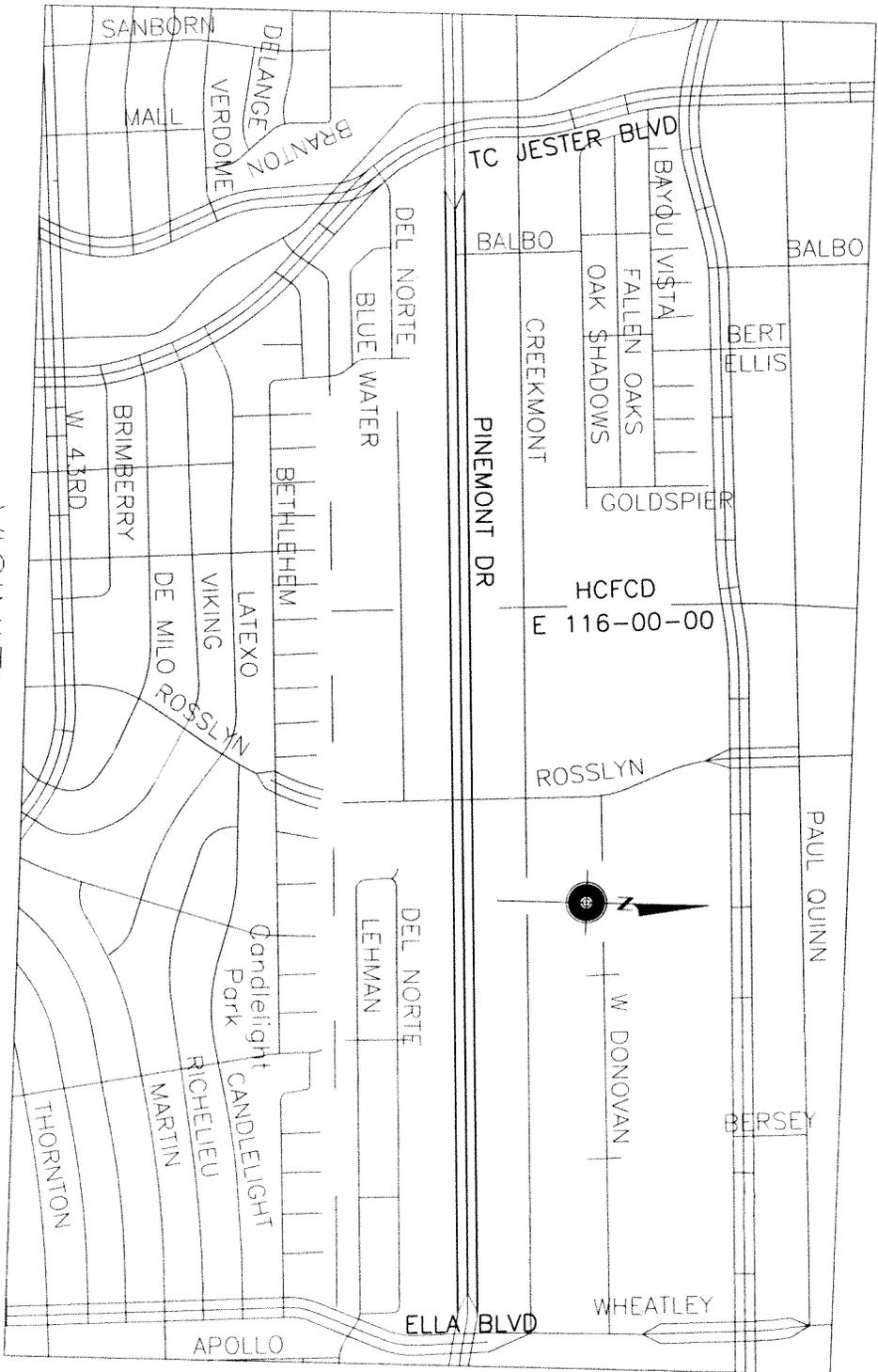
JK

DWK:DRM:RK:JHK:SAB

Z:\constr\A-SB-DIV\KS\Engineers\Sam\RCA\Additional Appropriation Pinemont Paving N-000475-0001-3 - Revised.doc

ec: WBS No. N-000475-0001-3 (1.2_DSGN_RCA_SUPPL 1)

PINEMONT DR PAVING: TC JESTER BLVD TO ELLA BLVD
 WBS NO. N-000475-0001-4

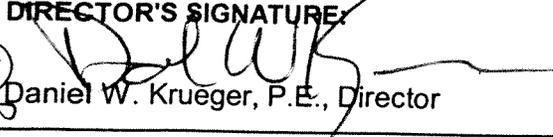


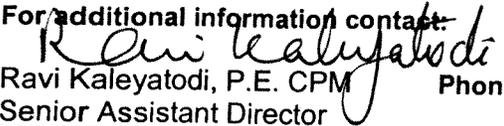
VICINITY MAP

KEY MAP 451H & 452E,F
 GIM'S MAP # 5161D & 5261C
 NTS

SUBJECT: Professional Engineering Services Contract between the City and SES Horizon Consulting Engineers, Inc. for the Design of On-Call Small Diameter Water Line Extensions. WBS No. S-000700-0065-3.		Page 1 of <u>2</u>	Agenda Item # <u>33</u>
---	--	-----------------------	-------------------------------

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date AUG 10 2011
--	-------------------------	-----------------------------------

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

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

RECOMMENDATION: (Summary)
Approve Professional Engineering Services Contract with SES Horizon Consulting Engineers, Inc. and appropriate funds.

Amount and Source of Funding: \$920,000.00 from Water and Sewer System Consolidated Construction Fund No.8500. *U.P. 7/20/2011*

PROJECT NOTICE/JUSTIFICATION: This project is to provide engineering services for the design of small diameter water line extensions and replacements in neighborhoods where the systems are inadequate.

DESCRIPTION/SCOPE: When requested by the director, the engineer will provide engineering services for the design of 4-inch through 20-inch water lines. Additionally, when requested by the director, the engineer will develop construction documents for a construction work order contract.

LOCATION: The location of the project areas within the City will be determined by the Public Utilities Division.

SCOPE OF CONTRACT AND FEE: Under the terms of this contract, for services performed in the development of the base construction document, the engineer will be reimbursed on a time and material basis. The services performed by the engineer to design small diameter water lines on an as needed basis for projects less than 5,000 linear feet will be reimbursed on a per sheet basis. When required by the director, work performed on water lines greater than 5,000 linear feet will involve Phase I - Preliminary Design, Phase II - Final Design and Phase III - Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on the cost of time and materials with a not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum basis after the completion of Phase I. Additional Services such as surveying, geotechnical, traffic control and environmental design will be paid on a reimbursable basis subject to authorization by the director.

The total cost of this Additional Appropriation is \$920,000.00 to be appropriated as follows: \$800,000.00 for contract services and \$120,000.00 for CIP Cost Recovery.

REQUIRED AUTHORIZATION CUIC ID #20MB105

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

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

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

<u>Name of Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
✓ 1 Landtech Consultants, Inc.	Topographic Survey Investigations and Engineering Design Services	\$80,000.00	10.00%
✓ 2. Accessible Design Solutions	Engineering Design Services	\$2,000.00	0.25%
✓ 3. HVJ Associates, Inc.	Geotechnical Investigations Services and Environmental Site Assessment	\$30,000.00	3.75%
✓ 4. JAG Engineering, Inc.	Topographic Survey Investigations and Engineering Design Services	\$40,000.00	5.00%
✓ 5. United Engineers, Inc.	Topographic Survey Investigations and Engineering Design Services	<u>\$40,000.00</u>	<u>5.00%</u>
TOTAL		\$192,000.00	24.00%

pluff
 DWK:DRM:RK:HH:MB:ofa

Z:\design\A-WS-DIV\WPDATA\IBM700-On Call-SES\Design RCA Package\RCA-SES.DOC

File Number: S-000700-0065-3 (1.2)

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Professional Engineering Services Contract between the City and KIT Professionals, Inc., for engineering services associated with the Southwest Pump Station Improvements.
WBS No. S-001000-0033-3

Page
1 of 2

Agenda Item #

34

From: (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

Agenda Date

AUG 10 2011

Director's Signature:

Daniel W. Krueger, P.E.

Council District affected: (Council District Letter Only)

C

per ff.

For additional information contact:

Ravi Kaleyatodi 4/26/11
Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326
Senior Assistant Director

Date and identification of prior authorizing Council action:

Recommendation: (Summary)

Approve Professional Engineering Services Contract with KIT Professionals, Inc. and appropriate funds.

Amount and Source of Funding:

\$750,000.00 - Water and Sewer System Consolidated Construction Fund No. 8500

M.P. 7/20/2011

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's improvements of various groundwater treatment plants and is required to meet the Texas Commission on Environmental Quality regulations. Also, this project will improve the operability, maintainability and reliability of the plants.

DESCRIPTION/SCOPE: The project consists of providing professional engineering services associated with the design of Groundwater Treatment Plants improvements and the design of 30-inch large diameter water transmission line from Southwest Pump Station to Richmond Avenue.

LOCATION: The two sites for the project are located as follows:

1. South West Pump Station at 4410 Westpark Dr., Key Map Grid 491Z
2. New Castle Dr.: from Southwest Pump Station to Richmond Avenue, Key Map Grid 491Z.

SCOPE OF CONTRACT AND FEE: Under the scope of the contract, the consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on the cost of time and materials with a not-to-exceed agreed upon amount. The Basic Services Fee for Phase II and Phase III will be negotiated on a lump sum basis after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$49,440.00. The total Basic Services appropriation is \$442,300.00.

The contract also includes certain Additional Services to be paid as either lump sum or on a reimbursable basis. The Additional Services include surveying, geotechnical investigation, environmental site assessments, tree protection, modeling and traffic control plan. The Additional Services appropriation is \$209,700 00.

REQUIRED AUTHORIZATION

CUIC ID #20RS94

Finance Department:

Other Authorization:


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

Other Authorization:


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

SUBJECT: Professional Engineering Services Contract between the City and KIT Professionals, Inc., for engineering services associated with the Southwest Pump Station Improvements.
WBS No. S-001000-0033-3

Originator's
Initials

Page
2 of 2

The total cost of this project is \$750,000.00 to be appropriated as follows: \$652,000.00 for contract services and \$98,000.00 for City CIP Cost Recovery.

PAY OR PLAY:

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

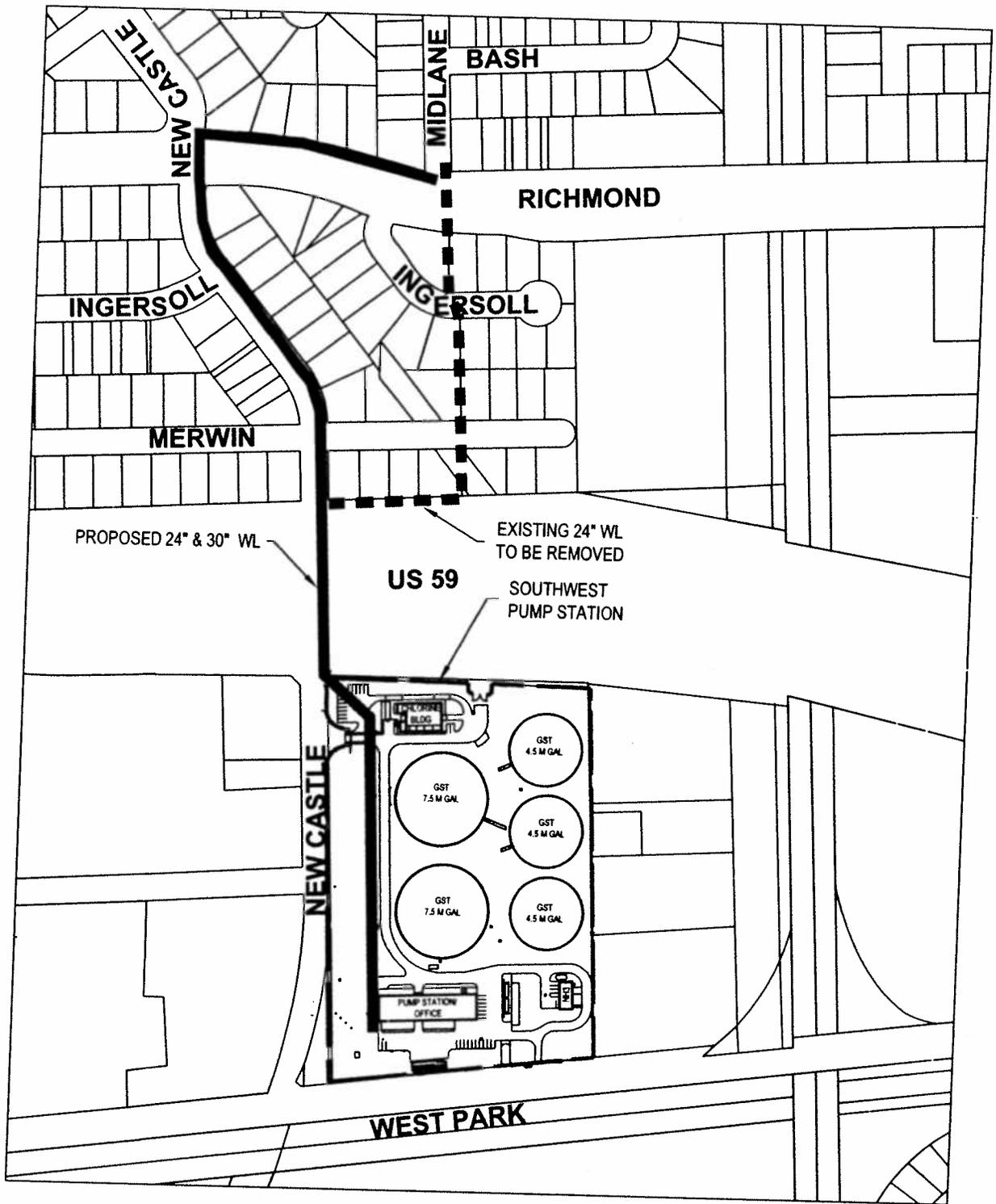
M/WBE INFORMATION: The M/WBE goal established for this project is 24%. The engineer proposes the following plan to meet the outstanding M/WBE goal participation:

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
✓ 1. Amani Engineering, Inc.	Engineering Design Support	\$58,080.00	8.91%
✓ 2. Associated Testing Laboratories, Inc.	Geotechnical Investigations	\$40,000.00	6.13%
✓ 3. B & E Reprographics, Inc.	Reprographics Services	\$14,520.00	2.23%
✓ 4. Texas American Engineering, LLC.	Civil Engineering Services	<u>\$61,710.00</u>	<u>9.46%</u>
	TOTAL.	\$174,310.00	26.73%

DWK:DRM:RK:HH:SD:RS:jtk
Z:\design\A-WS-DIV\WPDATA\IRSIS-1000-33-3\IRCA.doc

File S-0001000-0033-3 (1.2)

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
ENGINEERING & CONSTRUCTION DIVISION



KEY MAP NO.: 491Z
GIMS MAP NO.: 5256C
COUNCIL DISTRICT - C & G



**SOUTHWEST PUMP STATION
IMPROVEMENTS**
WBS NO.: S-001000-0033-3

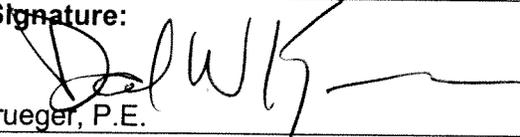
PROJECT LOCATION MAP
EXHIBIT 'B'



KIT Professionals, Inc.
Engineers • Planners • Construction Managers
2525 W. Loop Drive, Suite 900 Houston, Texas 77042
Phone: (713) 783-8700 Fax: (713) 791-8747
TSPCE Firm Registration No. F-1499

SUBJECT: Approve an Amendment with Omega Engineers, Inc. to Increase the Original Allocation for Professional Construction Management and Inspection Services Agreement for the Public Works & Engineering Department	Page 1 of 2	Agenda Item # 35
--	-----------------------	--------------------------------

From: (Department or other point of origin): Public Works and Engineering Department	Origination Date	Agenda Date AUG 10 2011 AUG 1
--	-------------------------	--

Director's Signature:  Daniel W. Krueger, P.E.	Council District affected: ALL
--	--

For additional information contact: James Millage (713) 641-9566 David Guernsey (832) 395-3640	Date and identification of prior authorizing Council action: Ordinance 2011-0412, 6/1/11
---	--

Recommendation: (Summary)
Approve an amendment with Omega Engineers, Inc. to increase the original allocation for construction management and inspection services agreement to increase the spending authority from \$12,000.00 to \$612,000.00 for the Public Works & Engineering Department

Award Amount: \$600,000.00	Finance Budget 
-----------------------------------	--

\$600,000.00 – Water & Sewer System Operating Fund (8300)

SPECIFIC EXPLANATION:
The Director of Public Works & Engineering Department recommends that City Council approve a contract amendment authorizing the allocation of \$600,000.00 from the Water & Sewer System Operating Fund (8300), for construction management and inspection services to Omega Engineers, Inc., to increase the original allocation to \$612,000.00. The current Work Order contract funding is insufficient to cover the required inspection services for emergency repairs to water service connection breaks.

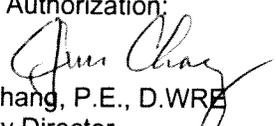
The Utility Maintenance Branch is responsible for maintain approximately 7,500 miles of water lines throughout the 650 square miles of the City of Houston. Hot dry weather conditions during the months of May and June has resulted in a large increase in the number of water line breaks throughout the City. Omega Engineers Inc. will provide construction inspection services to support the emergency repairs of water service connection breaks.

On June 1, 2011, City Council awarded a work order contract by Ordinance 2011-0412, for a three year term in the amount of \$12,000.00. The requested increase is to only provide inspection services for the duration of the emergency water service connection repairs. There are no expenditures as of July 1, 2011.

The scope of work requires the contractor to provide all supervision, labor, tools and transportation necessary to perform inspection services for water projects. All other terms and conditions shall remain as originally approved by City Council.

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 agrees to provide health benefits for each covered employee and ensure compliance by the covered subcontractors.

REQUIRED AUTHORIZATION CUIC ID 20JBR19

Finance Department	Other Authorization:  Jun Chang, P.E., D.WRE Deputy Director	Other Authorization: David Guernsey Assistant Director
--------------------	--	--

SUBJECT: SUBJECT: Approve an Amendment with Omega Engineers, Inc. to Increase the Original Allocation for Professional Construction Management and Inspection Services Agreement for the Public Works & Engineering Department

Originator's Initials

Page
1 of 2

MDBE Participation: Omega Engineers, Inc. has proposed the following firms to achieve the 24% MDBE goal for this project:

<u>Name of Firm</u>	<u>Description of Work</u>	<u>Dollar</u>	<u>Percentage</u>
✓ Texas American Engineering	Inspection Services	\$61,200.00	10%
✓ Access Data Supply, Inc.	Administrative Services	<u>\$85,680.00</u>	<u>14%</u>
	Total	\$146,880.00	24%

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT:

Ordinance granting a Commercial Solid Waste Operator Franchise

Category #

Page 1 of 1

RCA #

Agenda Item#

36

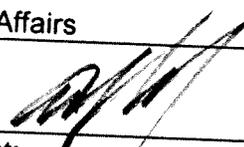
FROM: (Department or other point of origin):

Alfred J. Moran, Director
Administration & Regulatory Affairs

Origination Date
7/29/2011

Agenda Date
AUG 10 2011

DIRECTOR'S SIGNATURE:



Council Districts affected:

ALL

For additional information contact:

Juan Olguin JFO
Nikki Cooper

Phone: (713) 837- 9623
Phone: (713) 837- 9889

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

RECOMMENDATION: (Summary)

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

Amount of Funding:

REVENUE

FIN Budget:

SOURCE OF FUNDING:

General Fund Grant Fund Enterprise Fund Other (Specify)

SPECIFIC EXPLANATION:

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

1. Global Waste Services, LLC

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

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

REQUIRED AUTHORIZATION

Finance Director:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT:

Ordinance granting a Commercial Solid Waste Operator Franchise

Category #

37

Page 1 of 1

67

RCA #

Agenda Item#

30

FROM: (Department or other point of origin):

Alfred J. Moran, Director
Administration & Regulatory Affairs

Origination Date

07/06/11

Agenda Date

~~AUG 03 2011~~

~~JUL 06 2011~~

DIRECTOR'S SIGNATURE:



Council Districts affected:

ALL

AUG 10 2011

For additional information contact:

Juan Olguin *JFO*
Nikki Cooper

Phone: (713) 837- 9623

Phone: (713) 837- 9889

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

RECOMMENDATION: (Summary)

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

Amount of Funding:

REVENUE

FIN Budget:

SOURCE OF FUNDING:

General Fund Grant Fund Enterprise Fund Other (Specify)

SPECIFIC EXPLANATION:

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

1. FCC Environmental, LLC

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

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

REQUIRED AUTHORIZATION

Finance Director:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance amending Chapter 40 of the Code of Ordinances to extend provisions of the Civility Ordinance to the East Downtown Management District

Page 1 of 1

Agenda Item #

38 ~~25~~

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

Origination Date:

Agenda Date:

~~AUG 03 2011~~

DIRECTOR'S SIGNATURE:

Charles A. McClelland, Jr. Chief of Police

Council District affected:

AUG 10 2011

District I

For additional information contact:

Joseph A. Fenninger Phone: 713-308-1708

Kevin Gallier Phone: 713-308-1779

Date and identification of prior authorizing Council action:

RECOMMENDATION:

Adopt an ordinance amending Chapter 40, Code of Ordinances to extend the provisions of the Civility Ordinance to the East Downtown Management District

Amount and Source of Funding: N/A

SPECIFIC EXPLANATION:

The Civility Ordinance prohibits certain conduct on sidewalks (lying, sitting, or depositing personal possessions) during most daylight hours. It is currently applicable to the Central Business District, Midtown, Old Sixth Ward, Avondale, and Hyde Park. The ordinance contains provisions for a citizen petition procedure to extend the restrictions to other areas of the City.

Residents and business owners in the East Downtown Management District have submitted a petition to the City Secretary to extend the Civility Ordinance to their neighborhood. In compliance with the procedures set forth in Sec. 40-353 of the Code of Ordinances, the Legal and Planning and Development Departments have certified that the petition meets required criteria, and the Houston Police Department has prepared a report verifying that there is a need to extend the ordinance restrictions to the East Downtown Management District.

The required Public Hearing was conducted on Wednesday, July 13, 2011. Based on public testimony and the corroborating police report, it is recommended that City Council adopt the proposed ordinance to extend provisions of the Civility Ordinance to the East Downtown Management District.

REQUIRED AUTHORIZATION

Finance:

Other Authorization:

Other Authorization:



Serving Houston's Homeless Since 1907

Edward Black
419 Dowling
Houston, TX 77003
June 27, 2011

Honorable Mayor Annise Parker
City of Houston
P.O. Box 1562
Houston Texas 77251-1562

Dear Honorable Mayor Parker:

Star of Hope's (and other Houston agencies) goal is to change lives so homeless persons and those coming for help will become productive citizens after receiving care, healing resources and skills. Our Mission Statement calls on us to serve the Community by offering program assistance to homeless and near homeless persons. We open our doors and partner with churches and groups who want to serve a meal or conduct a service project for the homeless, and we think this is a much better answer than offering food to people on the street where longer term assistances are not available. For many on the streets, there is a strong distrust of society and we strive to build relationship in order to better help homeless individuals and families make a life change for the better. Our "Love in Action" van is already going out on the streets to encourage the less fortunate to come in for tangible assistance. We stand ready to offer assistance to those seeking short and long term assistance.

We support the civility ordinance in that it encourages people to seek help and not continue to live on the streets where they are subject to predators, dangers and there are no answers to help move a life forward. We feel strongly that the streets are not a safe place. We open our doors to all who need help and support encouraging people to come to Star of Hope, as an option for people who have trouble moving on, during the daytime hours. The staff at Star of Hope welcomes the opportunity to help those in need and offers a place for emergency needs as well as a start on a path to success!

Sincerely,

A handwritten signature in black ink that reads "Edward E. Black".

Edward Black
Director
Star of Hope Women & Family Shelter



Women & Family Emergency Shelter

419 Dowling • Houston, Texas 77003 • 713-222-2220 • 713-222-1046 Fax • www.sohmission.org



June 18, 2011

Honorable Mayor Annise Parker
City of Houston
P.O. Box 1562
Houston Texas 77251-1562

Dear Honorable Mayor Parker:

We, the undersigned, are asking you to place the extension of the Civility Ordinance to a segment of EaDo District (as described in the petition enclosed) on the City Council agenda for public hearing as soon as possible. Please note, this is only a small representation of residents and property owners in the impacted area. The petition attached lists all the businesses, property owners, and residents who are in support of the extension of the civility ordinance. Please review the attached copy of the petition.

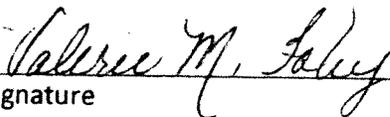
We, as a community, have completed the extensive requirements of the "Sitting and Lying Down on the Sidewalks" Civility Ordinance to become a designated area many months ago. We have obtained over 100 of the required signatures of residents, over 20% (33%) of property owners, and adhered to the timelines as instructed by the ordinance. We have been very patient; however, the problem continues to escalate. Everyday, we are asked what is happening with the ordinance. There is a dire need for the Civility Ordinance in this area because of the public health issues that have resulted from the massive trash accumulation. Residents have also been victimized by vandalism, assaults, harassment that is perpetrated by loiterers right outside our homes and businesses. This also poses a serious public safety issue to residents.

There has been a strong collaboration with the East Downtown Management District (EaDo District), residents, property owners, and non-profits to implement various strategies to curb and significantly reduce the negative impacts to clients directly resulting from the chronic camping that occurs in the area of Congress Ave., Chartres, St. Emanuel, Preston, Prairie and surroundings.

We eagerly await the public hearing in order to express to the Mayor and Council of the City our full support for the extension of the civility ordinance into a segment of the EaDo district as illustrated on the map provided with the petitions.

Please contact us if you have any questions. Thank you in advance for your attention to this serious matter.

Regards,


Signature


Print Name and Title

Stanford Lofts
505 Bastrop Street
Houston, Texas 77003

Patricia Nigh

Signature

PATRICIA NIGH, BOB

Print Name and Title

Herrin Lofts
2205 McKinney

KNOWL

Signature

KNOWL V. KEF. OWNER

Print Name and Title

Kim Hung Market
1005 St Emanuel

Pearl Thompson

Signature

Pearl Thompson

Print Name and Title

*Pearl & Johnny B's BBQ
1005 St. Emanuel*

Elsa Salazar

Signature

EISA SALAZAR

Print Name

Lofts at the Ballpark
610 Saint Emanuel St.

Norm Peguam Chair / Eado

Signature

Norm Peguam Chair / Eado

Print Name and Title

Premier IMS,
815 Live Oak

C.W. Gribble

Signature

C.W. GRIBBLE

Print Name

Gribble Stamp Company,
121 St Emanuel St.

Anh Dang

Signature

Anh Dang

Print Name and Title

Huynh's Restaurant
912 St. Emanuel St.



Signature

Will Smith - PARTNER

Print Name and Title

Little Woodrow's
2019 SWAiker
Houston, TX 77003



Signature

Rick Ehrlich, Pres.

Print Name and Title

Houston Electric Cars
1005 St. Emanuel, Ste #7
Houston TX 77003



Signature

Cindy Dang - Owner

Print Name and Title

Fine Gifts
910 St. Emanuel St.

Cc:
James Rodriguez, District I
Norm Pegram, EaDo District
Tina Araujo, EaDo District

CHAPTER 40

SITTING AND LYING UPON PUBLIC SIDEWALKS

Sec. 40-351. Definitions.

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

Central Business District means the area beginning at the intersection of the centerline of U.S. 59 and the centerline of I.H. 45; thence in a northwesterly and northerly direction along the centerline of I.H. 45 to its intersection with the centerline of I.H. 10; thence in an easterly direction along the centerline of I.H. 10 to its intersection with the centerline of U.S. 59; thence in a southwesterly direction along the centerline of U.S. 59 to its intersection with I.H. 45, the point of beginning.

Designated area means the following areas finally approved and designated by the city council under section 40-353 of this Code:

- (1) *The Central Business District.*
- (2) *Midtown Area:* The area described in Exhibit A to Ordinance No. 2004-825, a copy of which is on file in the office of the city secretary.
- (3) *Old Sixth Ward Area:* The area described in Exhibit A to Ordinance No. 2006-922, a copy of which is on file in the office of the city secretary.
- (4) *Avondale Area:* The area described in Exhibit A to Ordinance No. 2006-923, a copy of which is on file in the office of the city secretary.
- (5) *Greater Hyde Park Area:* The area described in Exhibit A to Ordinance No. 2006-924, a copy of which is on file in the office of the city secretary.
- (6) *East Downtown Management District Area:* The area described in Exhibit A to Ordinance No. 2011 _____, a copy of which is on file in the office of the city secretary.

Sidewalk means that portion of the public street that is between the curblines, or the lateral lines of a roadway, and the adjacent property lines and is improved and designed for or is ordinarily used for pedestrian travel.

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance amending various sections of the Code of Ordinances (a) to create a Department of Neighborhoods; (b) to authorize the transfer of certain approved FY 2012 budget funds; and (c) to establish a mechanism by which the City may provide releases of administrative orders entered pursuant to Article IX of Chapter 10 of the Code of Ordinances.	Page	Agenda Item <div style="border: 1px solid black; display: inline-block; padding: 5px; margin-top: 5px;"> 39 26 </div>
--	-------------	--

FROM (Department or other point of origin): Office of the Mayor	Origination Date: July 27, 2012	Agenda Date: August 3, 2012
---	---	--

Director's Signature: 	AUG 10 2011 Council District(s) affected: ALL
---	---

For additional information contact: Andy Icken Phone: 832-393-1064	Date and identification of prior authorizing Council action: Motion No. 2011-498 (incorporated into Ord. No. 2011-547, approved June 22, 2011); Ord. No. 2011-108 (approved Feb. 9, 2011).
---	---

RECOMMENDATION: Adopt an ordinance creating a Department of Neighborhoods, authorizing the transfer of certain approved FY 2012 budget funds, and establishing a mechanism for the release of certain administrative orders.

Amount and Source of Funding: N/A – Transfer of Funds Only	Finance Budget:
---	------------------------

EXPLANATION: Consistent with long-standing priorities of the Mayor and City Council, the City has created multiple programs to improve the quality of life in Houston's neighborhoods. Some programs have been reactive (such as Citizens' Assistance and the Neighborhood Protection Corps), while others (for example, the anti-gang initiative) have been largely preventive. Although these programs may be disparate in methods and resources, they share the same ultimate goal of improving residential living conditions.

Of these various programs, some performance benchmarks can be improved and some are simply out of date. Some programs have inadequate record keeping, which hampers accountability and makes success difficult to evaluate. Although citizens' needs rarely are confined to the boundaries of a single program, insufficient communication among City personnel prevents timely solutions by appropriate departments. The ultimate goal is to manage the City's assets for a comprehensive program to solve problems and improve the quality of life in our neighborhoods.

The proposed ordinance addresses these circumstances by consolidating the management of several programs into a single entity with department status. (Among other benefits, department status will enable City Council to examine operations closely during the annual budget process.) The Department of Neighborhoods will include the divisions of Inspections and Public Service (f/k/a Neighborhood Protection), Citizens' Assistance, Office on Disabilities, Office of Education Initiatives, Office of Gang Prevention, Office of Immigrant and Refugee Affairs, and Office of Volunteer Initiatives. It is anticipated that the person appointed as Director of the Department of Neighborhoods will have experience and a commitment to managing municipal programs for high constituent satisfaction within significant fiscal constraints. The new Department will develop comprehensive performance benchmarks for all activities.

The ordinance does not require the appropriation of additional funds for the approved FY12 budget. Ord. No. 2011-547 appropriated funds to operate the Department of Neighborhoods during FY 2012. The proposed ordinance authorizes a transfer of \$86,140 in revenue from the General Fund and \$8,935,847 from the Department of Administration and Regulatory Affairs, where the funds were established in the current year budget until Council created the Department of Neighborhoods. An additional transfer not required to be in this ordinance is \$78,731 in General Fund monies from the FY 2012 budget for the Mayor's Office.

The ordinance also restores a mechanism for release of certain administrative orders entered pursuant to Article IX of Chapter 10 of the Code of Ordinances. The mechanism was omitted inadvertently by Ord. No. 2011-108.

Other Authorization:	Other Authorization:	
-----------------------------	-----------------------------	--

SUBJECT: Revisions to the Master Classification Ordinance for City Employees	Category # 3	Page 1 of 1	Agenda Item # 39A 26A
--	------------------------	-----------------------	--

FROM (Department or other point of origin): Human Resources Department	Origination Date July 25, 2011	Agenda Date AUG 03 2011
--	--	--

DIRECTOR'S SIGNATURE: 	Council District affected: ALL	AUG 10 2011
---	---------------------------------------	--------------------

For additional information contact: Omar Reid Phone: (713) 837-9330	Date and identification of prior authorizing Council action: Rev. to Ord. 90-1292 as amended by Ord. 2011-0409
--	---

RECOMMENDATION: (Summary)
Approve the proposed revision to the Master Classification Ordinance by adding one job classification.

Amount & Source of Funding: None	Budget:
--	----------------

SPECIFIC EXPLANATION:

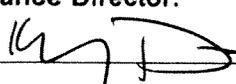
The Human Resources Department recommends the following revision to the civilian Master Classification Listing. This revision can be found on Exhibit A of the ordinance.

A. Add job classifications

<u>Proposed Job Title</u>	<u>Proposed Pay Grade</u>
Director of Neighborhoods	35

This job is needed due to the creation of the new department, Department of Neighborhoods.

REQUIRED AUTHORIZATION

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

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

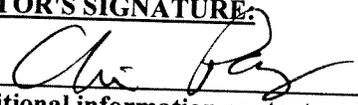
RCA #

SUBJECT: AN ORDINANCE RELATING TO THE RETAIL GAS UTILITY RATES OF CENTERPOINT ENERGY ENTEX; APPROVING A SETTLEMENT AGREEMENT RELATING TO AN INTERIM RATE ADJUSTMENT SUBJECT TO REFUND AND OTHERWISE MAINTAINING CURRENT RATES IN EFFECT UNTIL CHANGED

Category #	Page 1 of <u>1</u>	Agenda Item# 40 29
------------	--------------------	---

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

Origination Date July 28, 2011	Agenda Date AUG 10 2011 AUG 03 2011
-----------------------------------	--

DIRECTOR'S SIGNATURE:


Council Districts affected: All	Date and identification of prior authorizing Council Action: Ord. No. 2011-0323, passed May 4, 2011; Ord. No. 2011-590, passed July 6, 2011
------------------------------------	---

For additional information contact:
Carolyn Hanahan Phone: 832-393-6322
Tina Paez Phone: 713-837-9630

RECOMMENDATION: (Summary)
Adopt an ordinance relating to the retail gas utility rates of CenterPoint Energy Entex; approving a settlement agreement relating to an interim rate adjustment subject to refund and otherwise maintaining current rates in effect until changed.

Amount of Funding: N/A	ARA Budget:
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify) N/A	

SPECIFIC EXPLANATION:

The Administration & Regulatory Affairs Department (ARA) recommends that Council adopt an ordinance relating to the retail gas utility rates of CenterPoint Energy Resources Corp. D/B/A CenterPoint Energy Entex, and CenterPoint Energy Texas Gas ("CenterPoint" or "Company"); approving a settlement agreement relating to an interim rate adjustment request subject to refund and otherwise maintaining current rates in effect until changed. CenterPoint is a domestic delivery company that provides natural gas distribution services in the Houston metropolitan area. CenterPoint serves approximately 395,000 Houston customers — 369,000 residential, 24,000 small general service, and 2,000 large volume customers. The City of Houston exercises original jurisdiction over the rates, operations and services of CenterPoint under the provisions of the Texas Utilities Code for customers inside city limits.

On March 31, 2011, CenterPoint filed a Gas Reliability Infrastructure Program Interim Rate Adjustment (GRIP Interim Adjustment) with the cities in the Company's Houston Division, including the City of Houston. The current GRIP Interim Adjustment is the first such adjustment filed with the City. GRIP was established during the 78th Legislative Session to allow gas utilities to file an interim rate adjustment to recover return on capital expenditures made during the interim period between rate cases. The City's role is to review the application to ensure compliance with GRIP statutory requirements. GRIP Interim Adjustments are reviewed and approved subject to a final determination of reasonableness and prudence in the next full CenterPoint Houston Division base rate case. The utility is required to file a full rate case no later than five and one-half years after implementation of the GRIP Adjustment, and for purposes of this ordinance, the rate case will be filed in 2017.

CenterPoint initially requested a \$2.5 million GRIP Interim Adjustment, or about \$0.20 per residential customer per month. The City reviewed the filing request and determined that it contained amounts that did not conform to the GRIP statutory requirements, thus, the non-conforming amounts could not be considered in the GRIP Interim Adjustment, reducing the Company's request from \$2.5 million to \$1.8 million. On July 6, 2011, City Council adopted Ordinance No. 2011-590 approving interim rates and excluding these items, resulting in a lesser rate increase to residential customers of approximately \$0.15 per residential customer per month.

Subsequently, CenterPoint disputed the City's exclusion of these amounts. The City and CenterPoint entered into negotiations and have determined that, rather than incur litigation expenses, it is in the best interest of the ratepayers for the City and CenterPoint to enter into a settlement agreement which would defer consideration of the disputed items, and give the City the right to assert all arguments with respect to the appropriateness of the disputed expenses in the next full rate case. The net impact of this settlement to the residential ratepayer in the interim will be approximately \$0.05 per customer per month. To the extent the City prevails on this issue in the next full rate case, CenterPoint agrees to refund all amounts collected from customers, with interest, that are attributable to the inclusion of these disputed items.

REQUIRED AUTHORIZATION

ARA Director:

SUBJECT: FY2010 Buffer Zone Protection Program		Category	Page 1 of 1	Agenda Item # 136
FROM (Department or other point of origin): Dennis J. Storemski, Mayor's Office of Public Safety and Homeland Security		Origination Date: 7/15/2011		Agenda Date AUG 03 2011
DIRECTOR'S SIGNATURE: 		Council District affected: AUG 10 2011		
For additional information contact: Cheryl Murray Phone: 832-393-0929		Date and Identification of prior authorizing Council action:		
RECOMMENDATION: (Summary)		Approval of an ordinance authorizing execution a Sub-grantee Award Agreement with the Texas Department of Public Safety to accept FY2010 Buffer Zone Protection Program funding.		
Amount of Funding: \$1,330,000		F & A Budget:		
SOURCE OF FUNDING: <input checked="" type="checkbox"/> Federal Grant Funds: \$1,330,000 Texas Department of Public Safety (pass-through from DHS)				
SPECIFIC EXPLANATION:				
<p>The U.S. Department of Homeland Security provides Buffer Zone Protection Program grant funding to states to pass on to local jurisdictions for use to protect and secure critical infrastructures and key resources. Funding is used to reduce vulnerabilities by extending the protected area around a site into the surrounding community and by supporting the prevention and preparedness efforts of local first responders. In Texas, this grant program is administered by the Texas Department of Public Safety, which has forwarded Houston's FY2010 grant in a subrecipient award.</p> <p>The proposed ordinance authorizes the Director of the Mayor's Office of Public Safety & Homeland Security to execute a Sub-Recipient Award Agreement with DPS to accept these funds, which will be used for the purchase of mobile data computers and associated components.</p> <p>There is no local match requirement associated with this program.</p> <p>PROJECT MANAGEMENT AND GRANT OVERSIGHT David Morgan, HPD's deputy director of technology services, is serving as the project manager. The Mayor's Office of Public Safety & Homeland Security will manage and administer this grant as they do other awards that originate with DHS.</p> <p>RECOMMENDATION It is recommended that Council authorize the Mayor to execute this Sub-grantee Award Agreement.</p>				
DJS:CFM				
REQUIRED AUTHORIZATION				
F & A Director:		Other Authorization:		Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Amendment No. 1 to Airport Use & Lease Agreement with Continental Airlines for Terminals B and C - George Bush Intercontinental Airport/Houston (IAH)	Category #	Page 1 of 1	Agenda Item #
			4240

FROM (Department or other point of origin): Houston Airport System	Origination Date July 27, 2011	Agenda Date AUG 03 2011
---	-----------------------------------	---------------------------------------

DIRECTOR'S SIGNATURE:  For Marco Diaz	Council District affected: B	AUG 10 2011
--	------------------------------	-------------

For additional information contact: Ian Wadsworth Phone: 281-233-1682 Janet Schafer Phone: 281-233-1796	Date and identification of prior authorizing Council action: 10/14/98 (O) 98-905
---	---

AMOUNT & SOURCE OF FUNDING: Revenue: Approximately \$51.4 Million per year (rent & landing fees)	Prior appropriations:
---	-----------------------

RECOMMENDATION: (Summary)
Enact an ordinance authorizing and approving the execution of Amendment No. 1 to Airport Use & Lease Agreement with Continental Airlines for Terminals B and C at George Bush Intercontinental Airport/Houston (IAH).

SPECIFIC EXPLANATION:
On October 14, 1998, Council approved Airport Use & Lease Agreement with Continental Airlines for Terminals B and C to lease gates in the Terminals on an exclusive-use basis, while leasing aircraft ramp on a preferential use basis. The initial term is set to expire December 31, 2017.

The parties subsequently entered into discussions regarding the Terminal B Expansion Program for a major renovation of the terminal building and concourses at Terminal B. As partial consideration for Continental undertaking the Terminal B Expansion Program, the City agreed to extend the term of the Use & Lease Agreement for Terminal C for an extra ten years, until December 31, 2027. The Use & Lease Agreement for Terminal C will not be extended if construction of the Initial Phase of Terminal B does not occur. All other terms and conditions regarding Terminal C are unchanged.

A separate agreement (Second Amended and Restated Special Facilities Lease) will cover all provisions relating to Terminal B and be submitted to City Council for approval. Concurrently, all provisions in the Use & Lease Agreement of 1998 as they apply to Terminal B will be of no further force and effect.

REQUIRED AUTHORIZATION		
Finance Department:	Other Authorization:	Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Second Amended & Restated Special Facilities Lease - Terminal B - George Bush Intercontinental Airport/Houston (IAH)		Category #	Page 1 of 3 42A	Agenda Item 40A
FROM (Department or other point of origin): Houston Airport System		Origination Date July 27, 2011	Agenda Date AUG 03 2011 AUG 10 2011	
DIRECTOR'S SIGNATURE: <i>[Signature]</i> For Mario Diaz		Council District affected: B		
For additional information contact: Ian Wadsworth <i>[Signature]</i> Phone: 281/233-1682 Janet Schafer <i>[Signature]</i> 281-233-1796		Date and identification of prior authorizing Council action: 3/12/97 (O) 97-271 ; 12/9/98 (O) 98-1143 4/23/08 (O) 08-0357		
AMOUNT & SOURCE OF FUNDING: N/A		Prior appropriations:		
RECOMMENDATION: (Summary) Enact an ordinance authorizing and approving the execution of the Second Amended & Restated Special Facilities Lease for Terminal B at George Bush Intercontinental Airport/Houston (IAH) with Continental Airlines.				
SPECIFIC EXPLANATION: The Terminal B Expansion Program is planned in order to provide additional domestic and international aircraft gates at an expanded Terminal B and a second Federal Inspection Services Facility (Second FIS) to accommodate future international service by United Airlines, Continental Airlines and their affiliates operating at George Bush Intercontinental Airport/Houston (IAH). On April 23, 2008, Council approved a Term Sheet that designated the improvement projects to be completed by each party, established the basis for issuance of the Special Facility Bonds by the City on behalf of Continental and provided specific provisions to be incorporated into the Second Amended & Restated Special Facilities Lease ("Agreement"). The parties now wish to have the Agreement approved by City Council. City Project: The following projects, estimated at \$288 Million, will be constructed by the City: a) Terminal B South Ramp Replacement b) Terminal B North Ramp Replacement c) Infrastructure (which includes improvements to existing roadway, signage, utilities and fuel storage systems to accommodate the new facilities). The City will select and inform Continental of its design teams for each element of the City Project and a Program Management/Construction Management ("PM/CM") Team for the City Project. The City intends to finance the City Project primarily with the proceeds of Passenger Facility Charge (PFC) Revenue Bonds, Airport System Revenue Bonds, or a combination thereof. The City may also use other Airport System financial resources. Continental Project: The following projects, estimated at \$686 Million, will be constructed by Continental Airlines:				
REQUIRED AUTHORIZATION				
Finance Department:		Other Authorization:		Other Authorization:

Date
7/27/11

Subject: Second Amended & Restated Special Facilities Lease
- Terminal B - George Bush Intercontinental Airport/Houston
(IAH)

**Originator's
Initials**

**Page
2 of 3**

- a) Terminal B South Side Concourse Replacement Facility (including a central elevated passenger hold area connecting to three corridors that support thirty (30) regional jet aircraft gates).
- b) Terminal B North Side Concourse Replacement Facility (consisting of a three-pier concourse connecting to the northwest concourse of the existing Terminal C designed to accommodate 30-35 aircraft gates).
- c) Central Terminal B Redevelopment (consisting of either the refurbishment or rebuilding of the existing Terminal B and executed in phases to allow for the use of the facility during the renovation period).
- d) New Terminal B FIS Facility (constructed in the area presently used as a surface parking area east of the existing Central Terminal B Facility). The new FIS will be designed to provide passenger processing of up to 2,500 passengers per hour.

Continental will select and inform the City of the design team for the Continental Project. Continental shall contract for and manage the selected design team. Continental shall be responsible for assuring that its design team designs the Continental Project in accordance with HAS design standards and subject to the review and approval of HAS.

Schedule: The City and Continental have prepared a draft Program Definition Manual detailing the scope, criteria and schematic layout of the City and Continental projects along with estimated timelines.

City Commitment: The City will award construction contracts for the City Project on the basis of competitive bidding or other alternative delivery vehicles authorized by law to manage the City Project to reduce the potential of cost overruns and schedule delays. The City will use its Best Efforts to optimize federal grant funding for the City Project under the FAA's Airport Improvement Program (AIP).

Continental Commitment: Continental will award construction contracts for the Continental Project on the basis of negotiation and/or competitive bidding to manage the Continental Project to reduce the potential of cost overruns and schedule delays. Continental will cooperate with the City in the City's efforts to secure FAA funding for the City Project. Continental shall use Best Efforts to meet S/MWBE participation goals established in the Agreement. Continental and its contractors shall pay prevailing wage rates per State law.

Funding: The City shall use its Best Efforts to authorize and issue, on behalf of Continental, two or more installments of Airport System Special Facilities Revenue Bonds in an amount not to exceed \$800 Million and will be paid solely by Continental from the net rentals to be required by the Special Facilities Lease.

Terms & Conditions: Continental will be responsible for all costs associated with Terminal B and the Second FIS including all costs allocable to public and concession areas located within such facilities and will pay a ground rental rate consistent with then-current Terminal E ground rental rate. The rental rate will escalate 15% every five years.

The term begins upon the bond/cash funding ("Effective Date") and continues for 25 years from the Date of Beneficial Occupancy (DBO) of the final Phase (expected to be the Central Terminal B redevelopment). All phases shall end on the same day. In no event shall the total term of the Agreement exceed forty years as allowed by State law.

Continental shall receive revenue from the inside concessions (food and beverage, retail, etc.) in Terminal B and the second FIS beginning at the staged commencement dates corresponding to the phased construction of the Program. Continental shall pay to the City an amount equal to 10% of all net inside concession rent (guaranteed or percentage) paid to Continental subject to a maximum of \$1.0 million annually. The City

Date 7/27/11	Subject: Second Amended & Restated Special Facilities Lease - Terminal B - George Bush Intercontinental Airport/Houston (IAH)	Originator's Initials	Page 3 of 3
------------------------	--	----------------------------------	------------------------

shall retain the revenue from all outside concessions, (parking, rental car and ground transportation). Continental shall comply with the City's then-current goals for ACDBE participation.

Additionally, the City will turn over management to Continental of all inside concessions on the first day of the third month after the Effective Date of the Agreement. The City, during the transition phase only, will derive all of the financial benefit of the inside concessions, but shall pay Continental a management fee for operating the concession program in Terminal B on behalf of the City.

On the first day of the third month after the Effective Date of the Agreement, the City shall transfer to Continental the obligations of operation, maintenance and janitorial duties in the Existing Terminal B Improvements. Continental shall undertake such maintenance, and for the portion which is the financial responsibility of the City, during the transition phase only, Continental shall be granted a credit under rates and charges for the actual cost of such maintenance and cleaning. Continental shall pay prevailing wage rates for such work.

Continental shall have exclusive use of all gates and facilities of the new Terminal B south concourse and north concourse and preferential use of the aircraft parking positions on the south apron and the north apron.

Rate-Making Procedures: In addition to ground rental, Continental shall pay the customary rates and charges for airfield and common system charges. Also, beginning at the DBO of the Second FIS, Continental will guarantee a minimum traffic level through the Central FIS. The minimum traffic level will be the lesser of (i) the total number of arriving international passengers processed through both the Central FIS and Second FIS during any fiscal year or (ii) 3.2 million total international arriving passengers using the Central FIS Facility (escalating by 5% on the later of (i) the fifth anniversary of DBO of the Second FIS Facility, or (ii) December 31, 2018.)

Terminal C: Continental and the City agree to extend Continental's lease of Terminal C for 10 years to 2027, upon the same terms and conditions. This will be done by a separate Council request. The Terminal C lease will not be extended if construction of the Initial Phase of Terminal B does not occur.

Terminal D: Upon the Effective Date of the Agreement, Continental shall relinquish its gate rights in Terminal D.

The issuance of Special Facility Bonds, any amendment to this Agreement required by underwriters or bond counsel and agreements to complete the City project will be submitted separately for Council consideration and authorization.

The Transportation, Infrastructure and Aviation Committee reviewed the Terminal B Redevelopment Program Overview on June 14, 2011, and HAS will present the terms of the Agreement to the Committee on August 1, 2011.