# AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 25, 2011 - 1:30 P. M. COUNCIL CHAMBER - SECOND FLOOR - CITY HALL 901 BAGBY - HOUSTON, TEXAS

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1:30 P. M. - ROLL CALL

### **ADOPT MINUTES OF PREVIOUS MEETING**

<u>2:00 P. M. - PUBLIC SPEAKERS</u> - 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 - OCTOBER 26, 2011 - 9:00 A. M.

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

**MAYOR'S REPORT** 

**CONSENT AGENDA NUMBERS 1 through 39** 

### MISCELLANEOUS - NUMBERS 1 through 3

1. REQUEST from Mayor for confirmation of the appointment of the following individuals to the **INDEPENDENT POLICE OVERSIGHT BOARD**:

Name	District	Panel	Term
Bill C. Littlejohn, Chair	С	A1	3 years
Andrea Schmauss	G	A2	2 years
Minh Tran	С	A3	3 years
Alfredo Blanco	I	A4	2 years
Kristopher Banks	D	A5	3 years
Brendettae J. Payne	С	A Alternate	2 years
Ila Jane Harris, Chair	A	B1	3 years
Joe Tirado	D	B2	2 years
Kristin J. Anderson	Н	В3	3 years
Clinton Donald Johns, Jr.	В	B4	2 years
Philip H. Hilder	D	B5	3 years
Muriel Funches	D	B Alternate	2 years
Thomas B. "Ben" Gillis, Chair	A	C1	3 years
Wilburn C. (Dub) Wright, Jr.	А	C2	2 years
Patricia I. Cabrera	А	C3	3 years
Linda K. Brown	С	C4	2 years
Diane M. Guillerman	G	C Alternate	2 years
Bob Glazier, Ph. D., Chair	С	D1	3 years
Michael Espinoza	F	D2	2 years
Amy C. Weiss, Rabbi	C	D3	3 years
Timothy Webb	D	D4	2 years
Stelena Hooper Evans	С	D5	3 years
Margaret Palacios Rodriguez	А	D Alternate	2 years

- 2. RECOMMENDATION from Director Convention & Entertainment Facilities Department for supplemental budget submitted by the Greater Houston Convention and Visitors Bureau \$848,225.00 Enterprise Fund
- 3. RECOMMENDATION from Director Department of Public Works & Engineering for payment of invoice from **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** Annual Consolidated Water Quality Fee for FY12 \$1,357,963.55 Enterprise Fund

### **ACCEPT WORK** - NUMBER 4

4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,407,063.16 and acceptance of work on contract with REYTEC CONSTRUCTION RESOURCES, INC for On-Call Rehabilitation to Large Diameter Water Lines, Valves and Appurtenances Package No. 7 - 0.50% over the original contract amount

### **PROPERTY** - NUMBERS 5 through 8

- RECOMMENDATION from City Attorney to settle eminent domain proceeding styled City of Houston v. Woon Sun Lee and Kil Soon Lee, d/b/a Lee's Sign Co., et al., Cause No. 951,765; for acquisition of Parcel AY8-051; for the BUNKER HILL PAVING PROJECT, Phase II (IH-10 Feeder Road - Long Point Road) - <u>DISTRICT A - STARDIG</u>
- 6. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay the costs of Court and withdraw the City's objections to the Award to settle eminent domain proceeding styled City of Houston v. The Estate of Thomas Gary, Jr., deceased and Bertha Gary, et al., Cause No. 981,962; for acquisition of Parcels AY10-041 and AY10-042; for ELLA BOULEVARD (WHEATLEY) PAVING PROJECT (Little York W. Gulf Bank) DISTRICT B JOHNSON
- 7. RECOMMENDATION from City Attorney to purchase Parcel AY10-026 in lieu of condemnation from Mary Goodie, Landowner, for the ELLA BOULEVARD (WHEATLEY) PAVING PROJECT (Little York W. Gulf Bank) DISTRICT B JOHNSON
- 8. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Mary Lou Henry, TBG/Vernon Henry & Associates, on behalf of Crane/Willis Properties, LLC (Mark Willis, President) and Willis Real Estate Investments, LLC (Mark Willis, President), for abandonment and sale of a ±10-foot-wide sanitary sewer easement and a ±4-foot-wide sanitary sewer easement, both located within Lots 1, 2, 8, 9, 10 and 11, Block 1, Meyers First Addition, out of the A. C. Reynolds Survey, Parcels SY11-111A, SY11-111B and SY11-121 **DISTRICT G PENNINGTON**

### **PURCHASING AND TABULATION OF BIDS** - NUMBERS 9 through 12

- 9. ORDINANCE appropriating \$3,049,356.13 out of Equipment Acquisition Consolidated Fund for purchase of Patrol Vehicles for Houston Police Department
- a. PHILPOTT MOTORS LTD., d/b/a PHILPOTT FORD \$2,873,632.12, CALDWELL AUTOMOTIVE PARTNERS, LLC, d/b/a CALDWELL COUNTRY CHEVROLET \$105,543.00 and DALLAS DODGE JEEP CHRYSLER \$70,181.01 for Patrol Vehicles through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Houston Police Department
- 10. MACI FEED & SUPPLY for Dry Animal Feed for Houston Police Department Horses and Canines for the Police Department - 1 Year with four one-year options - \$244,085.99 - General and Asset Forfeiture Funds
- 11. **REPUBLIC INTELLIGENT TRANSPORTATION SERVICES, INC** for Traffic Signal System Parts for Department of Public Works & Engineering \$739,645.44 Grant Fund **DISTRICTS** A STARDIG; C CLUTTERBUCK and G PENNINGTON
- 12. **AMEND MOTION #2008-380**, **6/4/08**, **TO INCREASE** spending authority from \$229,724.95 to \$321,614.93 for Chemical, Liquid Ammonium Sulfate for Department of Public Works & Engineering, awarded to **ALTIVIA CORPORATION**

### **ORDINANCES** - NUMBERS 13 through 39

- 13. ORDINANCE reducing the boundaries of Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone)
- a. ORDINANCE approving the fifth amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone); authorizing the City Secretary to distribute such plans - <u>DISTRICTS A - STARDIG; D - ADAMS;</u> G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ
- 14. ORDINANCE approving and authorizing submittal of an application to the **U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES**, **CENTERS FOR DISEASE CONTROL**, for Community Transformation Grant; authorizing the Director of the City's Health and Human Services Department to act as the City's representative in the application process, to accept and expend the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant program \$500,000.00 Grant Fund
- 15. ORDINANCE approving submission of an application to the **DEPARTMENT OF STATE HEALTH SERVICES** for Tuberculosis Prevention and Control Services Grant; authorizing the Director of the Health and Human Services Department to accept the initial funding, to expend approved funding as awarded, to accept any supplemental change notices, to apply for and accept subsequent awards, if any, and authorizing the Mayor to execute, without further Council action, all subsequent related contracts and change notices \$1,178,930.00 Grant Fund
- 16. ORDINANCE approving and authorizing first amendment to Interlocal Agreement between the City and the UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON for Laboratory Manager for the Houston Department of Health & Human Services Public Health Laboratory
- 17. ORDINANCE awarding contract to **PRIME TREES, INC** for Tree Removal, Trimming and Pruning Services for the Parks and Recreation Department; providing a maximum contract amount 3 years with two one-year options \$2,976,062.50 General Fund
- 18. ORDINANCE amending Ordinance No. 2008-1225 to increase the maximum contract amount; approve and authorize second amendment to Contract No. C53094 between the City of Houston and NORTHROP GRUMMAN SYSTEMS CORPORATION (Formerly NORTHROP GRUMMAN INFORMATION TECHNOLOGY, INC) for Maintenance and Operational Support of the Consolidated Dispatching System at the Houston Emergency Center and extend the contract term from January 1, 2012 to January 1, 2016 \$6,000,000.00 Houston Emergency Center Fund
- 19. ORDINANCE appropriating \$1,538,280.00 out of Equipment Acquisition Consolidated Fund and amending Ordinance No. 2010-1007 (Passed on December 8, 2010) to increase the maximum contract amount for contract between the City of Houston and **LAGAN TECHNOLOGIES**, **INC** for Constituent Relationship Management Solution Upgrade for the Houston 3-1-1 Helpline for the Information Technology Department \$52,016.00 Central Services Revolving Fund
- 20. ORDINANCE awarding contract to **VALLEY TANK TESTING**, **LLC** for Fuel System Tank Testing Service for the Fleet Management Department; providing a maximum contract amount 3 Years with two one-year options \$344,335.00 Fleet Management Revolving Fund

### **ORDINANCES** - continued

- 21. ORDINANCE awarding contract to **PROFESSIONAL AUDIO VIDEO SERVICE**, **INC** for Television Production Equipment Repairs & Routine Maintenance Services for the Mayor's Office (HTV); providing a maximum contract amount 3 Years with two one-year options \$230,125.00 Special Cable Fund
- 22. ORDINANCE approving and authorizing contract between the City of Houston and **COZEN O'CONNOR**, **P.C.** for Legal Services relating to various utility related matters, legislative assistance and legal consultation; providing a maximum contract amount \$335,000.00 General Fund
- 23. ORDINANCE approving and authorizing submission of application for funding grant assistance from the U.S DEPARTMENT OF TRANSPORTATION to fund the Transportation Investment Generating Economic Recovery Discretionary Grant Program in the City of Houston; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Director of the Houston Parks & Recreation Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program DISTRICTS A STARDIG; D ADAMS; H GONZALEZ and I RODRIGUEZ
- 24. ORDINANCE consenting to the creation of **FORT BEND COUNTY ASSISTANCE DISTRICT NO. 1** consisting of 1,611 acres and providing an agreement for the duration, rate, and allocation of Sales and Use Tax
- 25. ORDINANCE consenting to the creation of **FORT BEND COUNTY ASSISTANCE DISTRICT NO. 2** consisting of 1,940 acres and providing an agreement for the duration, rate, and allocation of Sales and Use Tax
- 26. ORDINANCE consenting to the creation of **FORT BEND COUNTY ASSISTANCE DISTRICT NO. 4** consisting of 3,675 acres and providing an agreement for the duration, rate, and allocation of Sales and Use Tax
- 27. ORDINANCE approving the acquisition by the City of Houston, Texas, of the Former Rufus Cage School site located at 1417 Telephone Road, Houston, Texas, from Houston Independent School District ("HISD") for \$100,000.00 and in lieu of a cash payment, establishing a credit for HISD in the amount of \$100,000.00 pursuant to the terms and conditions of an Interlocal Agreement; approving a form of Special Warranty Deed **DISTRICT I RODRIGUEZ**
- 28. ORDINANCE extending the provisions of SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, to various single-family residential properties within SANTA ROSA SUBDIVISION, SECTIONS 1-5; SIMS BAYOU ESTATES SUBDIVISION, SECTIONS 1&2; KATERWOOD SUBDIVISION; PARK PLACE TERRACE SUBDIVISION; PARK PLACE SUBDIVISION AND ABST 27 J R HARRIS, to prohibit the parking of vehicles in the front or side yards of such residences DISTRICT I RODRIGUEZ
- 29. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES**, **HOUSTON**, **TEXAS**, to all improved single-family residential properties within **OAK FOREST SUBDIVISION**, **SECTION 16** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT A STARDIG**
- 30. ORDINANCE approving and authorizing Boundary Adjustment Agreement between the City of Houston and the CITY OF WEBSTER relating to the relinquishment of 1.7 acres and the annexation of 4.6 acres near the intersection of the southwest boundary line of El Camino Village Apartments Subdivision and the southeast row line of El Camino Village Drive <a href="DISTRICT">DISTRICT</a> E SULLIVAN

### **ORDINANCES** - continued

- 31. ORDINANCE approving and authorizing an Antenna Site License Agreement between **TEXAS TOWER LIMITED**, Licensor and the City of Houston, Texas, Licensee, to allow the Houston Police Department to operate communications equipment at 600 Travis Street, Houston, Texas **DISTRICT I RODRIGUEZ**
- 32. ORDINANCE amending Ordinance 2007-1144 to increase the maximum contract amount and approving third amendment to Interlocal Agreement with **GEOTECHNOLOGY RESEARCH INSTITUTE** for administration of **SECO** Grant Funded Wind Turbines and continued administration of ARRA Grant Funded Programs
- 33. ORDINANCE appropriating \$157,820.16 out of Parks & Recreation Dedication Fund and approving and authorizing issuance of purchase orders to **PLAYPOWER LT FARMINGTON**, **INC** and the **PLAYWELL GROUP**, **INC** for Purchase of Playground Equipment for St Lo Park and Clark Park **DISTRICTS D ADAMS and H GONZALEZ**
- 34. ORDINANCE appropriating \$64,000.00 out of Public Health Consolidated Construction Fund; awarding construction contract to **TIMES CONSTRUCTION**, **INC** for the Acres Homes Multi-Service Center 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 engineering material testing services and contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund and the American Recovery and Reinvestment Act of 2009 Reimbursement Fund \$2,185,200.00 Grant Fund **DISTRICT B JOHNSON**
- 35. ORDINANCE consenting to the consolidated of HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 433 and HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 435 into a single municipal utility district to be named HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 433 and the inclusion of land within the consolidated district
- 36. ORDINANCE approving and authorizing amendment to contract between the City of Houston and **NRG ENERGY SERVICES LLC** (Approved by Ordinance 2010-862) for Emergency Back Up Power Generation Services for the Public Works & Engineering Department
- 37. ORDINANCE appropriating \$3,766,576.28 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to contract between the City of Houston and ITRON, INC for Radio Automated Meter Reading and Fixed Network/Advanced Meter Infrastructure Systems (Approved by Ordinance No. 98-575, as amended)
- 38. ORDINANCE appropriating \$563,900.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **FCM ENGINEERS, P.C.** for 7,000 LF Well Collection Line along Scenic Ridge; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT A STARDIG**
- 39. ORDINANCE appropriating \$595,057.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **ENVIROWASTE SERVICES GROUP, INC** for Sanitary Sewer Cleaning and Television Inspection in support of rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4277-66)

### CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

#### **NON CONSENT AGENDA** - NUMBER 40

### **MISCELLANEOUS**

40. **SET A PUBLIC HEARING DATE** relative to the fifth amended Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER THREE (MAIN STREET/MARKET SQUARE ZONE)** - **DISTRICTS D - ADAMS; H - GONZALEZ and I - RODRIGUEZ SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - NOVEMBER 9, 2011** 

### MATTERS HELD - NUMBERS 41 and 42

- 41. ORDINANCE approving and authorizing Economic Development Agreement between the City of Houston, Texas, and KROGER TEXAS L.P. for the Development and Operation of a combination grocery and drug store and fuel center on Studemont Street - <u>DISTRICT H - GONZALEZ</u> TAGGED BY COUNCIL MEMBERS JONES, RODRIGUEZ, NORIEGA, CLUTTERBUCK, JOHNSON, SULLIVAN and BRADFORD This was Item 16 on Agenda of October 19, 2011
- 42. ORDINANCE approving and authorizing Amendment No. 1 to agreement for heating, ventilating, and air conditioning systems and associated plumbing, electrical and control systems operations and maintenance for the Houston Airport System between the City of Houston and TDINDUSTRIES, INC DISTRICTS B JOHNSON; E SULLIVAN and I RODRIGUEZ TAGGED BY COUNCIL MEMBER RODRIGUEZ

  This was Item 28 on Agenda of October 19, 2011

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

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

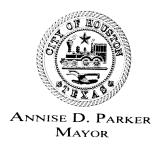
NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

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

### CITY COUNCIL CHAMBER - CITY HALL 2<sup>nd</sup> FLOOR - TUESDAY OCTOBER 25, 2011 2:00PM

### **AGENDA**

	AGENDA	
3MIN	3MIN	3MIN
	NON-AGENDA	
3MIN	3MIN	3MIN
MR. DWIGHT BAXTER – 3427 Freedom Award	Wentworth – 77004 – 832-546-5910 – Award C	eremony – American
MR. WILFORD SCOTT – 2626 S	S. Loop West. No. 530 – 832-473-3423 – Award	to the City
MS. MILDRED JONES – 713 E.	41 <sup>st</sup> – 77022 – 713-695-7644 – Sidewalk Project	t on 41 <sup>st</sup> Street
MS. HATTIE MORGAN – 2828	Collingsworth, No. 48 – 77022 – 832-405-6855	– Community
DR. CASSANDRA SCOTT – 380	02 Handberry Ln. – Pearland – TX – 77584 – 71	3-550-3370 – Prayer
MR. PAUL KUBOSH – 1619 Lul	obock – 77007 – 281-850-0171 – Municipal Cou	urts
MS. KENDRA PENRY – 1911 For Fair Trade Town	ountainview Dr., No. 18 – 77057 – 713-874-029	0 – Have Houston declared as
MS. REGINA SOPHUS – 14531 harassment, reported but no ac	Ella Blvd., No., 3911 – 77014 - 832-651-5083 – etion	Nothing where I'm living,
	PREVIOUS	
1MIN	1MIN	1MIN



## Office of the Mayor City of Houston Texas

OCT **2 6** 2011

October 12, 2011

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 10 -1

COUNCIL MEMBER:

The Honorable City Council City of Houston

Dear Council Members:

Pursuant to City of Houston Revised Executive Order 1-5, I am appointing the following individuals to the Independent Police Oversight Board (IPOB), subject to City Council confirmation:

Name	District	Panel	Term
Bill C. Littlejohn, Chair	С	A1	
Andrea Schmauss	G	A2	3 years
Minh Tran	C	A3	2 years
Alfredo Blanco		A3 A4	3 years
Kristopher Banks	Ь	A4 A5	2 years
Brendettae J. Payne	C		3 years
		A Alternate	2 years
lla Jane Harris, Chair	A	- 54	
Joe Tirado	D	B1	3 years
Kristin J. Anderson		B2	2 years
Clinton Donald Johns, Jr.	H	B3	3 years
Philip H. Hilder	В	B4	2 years
Muriel Funches	D	B5	3 years
THAT I WHO I'M	D	B Alternate	2 years
Thomas B. "Ben" Gillis, Chair			
Wilburn C. (Dub) Wright, Jr.	A	C1	3 years
Patricia I. Cabrera	A	C2	2 years
Linda K. Brown	A	C3	3 years
Diane M. Guillerman	С	C4	2 years
Diane W. Odillerman	G	C Alternate	2 years
Bob Glazier, Ph. D., Chair			
Michael Espinoza	С	D1	3 years
Amy C. Weiss, Rabbi	F	D2	2 years
Timothy Webb	С	D3	3 years
	D	D4	2 years
Stelena Hooper Evans	С	D5	3 years
Margaret Palacios Rodriguez	Α	D Alternate	2 years

Résumés are attached for your review.

Sincerely,

Annise D. Parker

Mayor

AP:JC:jsk

**Attachments** 

cc: Mr. C.A. McClelland, Chief of Police, Houston Police Department

Mr. Robert Doguim, Inspector General, City of Houston Ms. Sylvia R. Garcia, Chair, Independent Police Oversight Board (IPOB)



TO: Mayor via City Secreta	REQUEST FOR COUNCIL A	ACTION		
SUBJECT: Approve Motion submitted by the Greater H	on authorizing a Supplemental Budget louston Convention and Visitors Bureau.	Category #	Page 1 of 1	Agenda Item
FROM: (Department or oth Dawn R. Ullrich, Director Convention & Entertainmen		Origination I October 6, 201	Pate	Agenda Date
Dauri	:: - Wils ist	Council Distr	icts affected:	OCT 2 6 20
For addictional information of Stephen W. Lewis	Phone: 713-853-8888	Date and iden Council Action	tification of pron: 2010-1036	ior authorizing
RECOMMENDATION: (Sur Approve Motion authorizing Bureau.	a Supplemental Budget submitted by the	Greater Hous	ton Conventio	n and Visitors
Amount of Funding: \$848,22 Civic Center Facility Revenue SPECIFIC EXPLANATION:	Fund (#8601)		Finance Budge	et:
projected and paid under the GHCVB must submit a suppresented amount and obtain. The GHCVB has proposed the permanent Sales Manager prosition; funding the annual Renewal; funding additional	pancy tax ("HOT") receipts. Based of cortion of the HOT revenues is \$13,153 are FY11 contract with the City. Pursual lemental budget outlining how it will util City Council approval before it can receive attached Supplemental Budget. The osition in Chicago as well as promotion Best Cities Global Alliance fee, funding research and support commitments of VB websites and certain infrastructure	nt to the terms lize the funds ove the additional fund all tours and fang a renewal I	\$848,225 over of its annual over and abover and abover and abover and its second to be used imiliarization to icense for the	for funding a purs for such
The Convention and Entertain Budget for FY11.	ment Facilities Department recommends	s approval of th	ne GHCVB's S	upplemental
-				
	REQUIRED AUTHORIZATION	J		
nance Department	Other Authorization			NO
		Other Auth	orization	
	ı	1		

# GREATER HOUSTON CONVENTION AND VISITORS BUREAU

Statement of Activities: Budget Worksheet
Excess HOT Revenue From Fiscal Year 2010/2011

REVENUES	PROPOSED BUDGET
EXCESS HOT REVENUE (2010/2011)  TOTAL REVENUE  EXPENSES	848,225 848,225
GENERAL & OPERATIONS ADVERTISING & PROMO PROGRAMS CONVENTION SALES TOURISM MEMBERSHIP/VISITORS SVCS:/SPONSORSHIPS FILM COMMISSION SALES COMMITMENTS TOTAL EXPENSES	137,635 175,881 228,715 40,000 49,994 6,000 210,000 848,225
NET ASSET INCREASE(DECREASE)	

TO: Mayor via City Secretary

# REQUEST FOR COUNCIL ACTION

SUBJECT: Texas Commission Consolidated Water Quality (CWQ)		ality (TCEQ)'s Annual	Page 1 of 1	Agenda Item
FROM (Department or other point	t of origin):	Origination Date	Aganda	
Department of Public Works and	Engineering		Agenda	T 2 6 2011
Daniel W. Krueger, P.E., Director		Council District affected:		7
Senior Assistant Director	ne: 832-395-4989	Date and identification of p Council action: October 27, 2010, CM 20	10-0757	
RECOMMENDATION: Authorize particle Quality (CWQ) fee for the City's w	ayment of the TCEQ invo		annual Cons	olidated Water
Amount and Source of Funding:	\$1,357,963.55 W	ater and Sewer System Oper	ating Fund N	lo.8300
SPECIFIC EXPLANATION: This Commission on Environmental Qu City of Houston's wastewater treat	is a request to autho ality (TCEQ) for annual C ment plants.	rize payment of an invoice Consolidated Water Quality (C	received fro	om the Texas t applies to the
The current invoice covers the per year 2012. The annual assessme fee rate schedule is found in TCE Quality Fees, Section 21.3 Fee As on the consumer price index.	D'e requietiens Till as	ange permits for each waster	vater treatme	ent plant The
The revenue resulting from the Contreatment facilities and to enforce the contreatment quality for each river basin,	onsolidated Water Quali	ty Fee pays TCEQ's expens		
The TCEQ fee increased from \$1,33	38, <b>005</b> .55 in FY11 to \$1,3	357,963.55 in FY12 due to the	COncumer =	dian in d
Recommend that Council approve invoiced amount of \$1,357,963.55	the Department of Publi	c Works and Engineering's r	equest to pa	rice index.  By TCEQ the
DWK:JC:JAI:WS:nsh				
cc: Howard Hilliard Susan Band	y, CPA			
inones D	REQUIRED AUTH	ORIZATION		
inance Department	Other Authorization:	Other Authorization	CUI :	C# 20JAI424
V-3/06		Jun Chang, P.E., D. Public Utilities Divisi	WRE. Deput	y Director



## INVOICE

COMPANY: CITY OF HOUSTON

ACCOUNT: 23002078

DETACH BOTTOM PORTION AND RETURN WITH PAYMENT - KEEP TOP PORTION FOR YOUR RECORDS -

PAGE 1

ACCOUNT	NO.	INCLUDES P	AYMENTS THROUGH	MALL AMERI	PICTION FOR TO	PUR RECURDS -	PAGE	1
230020	78	The second section is a second	DCT10,11	DOCT GOST	THE RESERVE AND ADDRESS OF THE PARTY.	LATEFEES	BALANT	AND DESCRIPTION OF THE PARTY OF
VOICE DATE	INVOIC	ENG			0.00	0.00	1,357,9	63.55
OCT31,11	CWQ003	3263 PER		OADE OOD FILE		AMOUNT	BAL	ANCE
		CWQ	ASSESSMENT PE	0495-002 FY12	And the second	104,000.00	104,0	00.00
OCT31,11	CWQ003			0495-151 FY12		3,277.50	107 2	77 50
OCT31,11	CWQ003	3265 PER	ASSESSMENT FE				107,2	11.00
		CWO	ASSESSMENT FE	0495-009 FY12		29,850.00	137,12	27.50
OCT31,11	CWQ003			0495-010 FY12	1000	9,955.00	447.00	
OCT31,11	CWQ003:	3267 PERM	ASSESSMENT FE			9,905.00	147,08	32.50
	100	CWa	ASSESSMENT PE	0495-016 FY12	×100	32,475.00	179,55	7.50
OCT31,11	CWQ003:	3268 PERM	IT 010	0495-023 FY12	of the water of	17,910.00		
OCT31,11	CWQ0033	CWG	Assessment Fe		7 7 7 7 N	77,910.00	197,46	7.50
	ONGOOS.	THE RESERVE AND ADDRESS OF THE PARTY OF THE	ASSESSMENT FE	0495-030 FY12		104,000.00	301,46	7.50
OCT31,11	CWQ0033	270 PERM	IT 010	495-037 FY12		J <sub>104,000.00</sub>		
OCT31,11	CWQ0033		ASSESSMENT FE			104,000.00	405,46	7.50
1	CWWOOSS	the same of the sa	11 010 ASSESSMENT PR	495-050 FY12	No.	26,351.00	431,818	8.50
OCT31,11	CWQ0033	272 PERM	THE RESERVE AND VALUE OF THE PARTY AND VALUE	495-065 FY12		10 705 00	100 C 100 C	
OCT31 11	CMDOOSS		SSESSMENT PE		2, 22 (2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2	10,705.00	442,523	3.50
	CWQ0033		O10	495-075 FY12		21,814.00	464,337	7.50
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See REVERSE SIDE for Explanation of Charges and TCEQ Contact Telephone Numbers.

PLEASE PAY THIS AMOUNT 

A 
A

INCLUDE ACCOUNT NUMBER ON CHECK

EQ VIPP Form AR41A 02-17-2011

OCT10,11

DETACH THIS PORTION AND RETURN WITH CHECK OR MONEY ORDER PAYABLE TO:



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

ACCOUNT NO. BALANCE DUB				
23002078	1,357,963.55			

CHECK HERE IF YOUR ADDRESS HAS CHANGED.
PLEASE INDICATE ADDRESS CHANGE ON BACK

INVOICES NOT PAID WITHIN 30 DAYS OF INVOICE DATE WILL ACCRUE PENALTIES

CITY OF HOUSTON
ATTN: WALID SAMARNEH, PE
10500 BELLAIRE BLVD
PUBLIC WORKS AND ENGINEERING
HOUSTON TX 77072-5212

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# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2

BILLING DATE: OCT10,11

[CEQ VIPP Form AR41A2 02-16-08

ACCOUNT NO.: 23002078

**PAGE** VOICE DATE NOOICE NO. DESCRIPTION AMOUNT OCT31,11 BALANCE CWQ0033277 PERMIT 010495-079 FY12 19,190.50 634,235.50 CWQ ASSESSME OCT31,11 CWQ0033278 PERMIT 010495-090 FY12 104,000.00 738,235.50 CWQ ASSESSME OCT31.11 CWQ0033279 PERMIT 010495-095 FY12 32,435.00 770,670.50 CWQ ASSESSMENT F OCT31,11 CWQ0033280 PERMIT 010495-099 FY12 19,410.00 GWQ ASSESSMENT F 790,080.50 OCT31,11 CWQ0033281 PERMIT 010495-100 FY12 16,748.50 806,829.00 CNG ASSESSMENT FE OCT31,11 CWQ0033282 PERMIT 010495-101 FY12 17,910.00 824,739.00 GNO ASSESSMENT FE OCT31,11 CWQ0033283 PERMIT 010495-109 FY12 55,730.00 880,469.00 CWQ ASSESSME OCT31,11 CWQ0033284 PERMIT 010495-110 FY12 31,812.50 GWQ ASSESSM 912,281.50 OCT31,11 CWQ0033285 PERMIT 010495-111 FY12 60,079.00 972,360.50 CNO ASSESSMEN CWQ0033286 OCT31,11 PERMIT 010495-112 FY12 8,345.00 980,705.50 CWQ ASSESSMENT OCT31,11 CWQ0033287 PERMIT 010495-116 FY12 80,345.00 1,061,050.50 CVQ ANSESSMENT FE OCT31,11 CWQ0033288 PERMIT 010495-119 FY12 **▲102,560.00** AWO ASSESSMENT FE 1,163,610.50 OCT31,11 CWQ0033289 PERMIT 010495-122 FY12 23,770.00 1,187,380.50 CWO ASSESSMENTER OCT31,11 CWQ0033290 PERMIT 010495-126 FY12 10,705.00 1,198,085.50 GWQ ASSESSMENT OCT31,11 CWQ0033291 PERMIT 010495-133 FY12 7,970.00 1,206,055.50 CWQ ASSESSM OCT31,11 CWQ0033292 PERMIT 010495-135 FY12 16,795.00 1,222,850.50 CWQ ASSESS OCT31,11 CWQ0033293 PERMIT 010495-139 FY12 4,325.75 1,227,176.25 CWQ ASSESSME OCT31,11 CWQ0033294 PERMIT 010495-142 FY12 8,705.00 1,235,881.25 CWQ ASSESSMENT FE OCT31,11 CWQ0033295 PERMIT 010495-146 FY12 23,715.00 1,259,596.25 CWQ ASSESSMENT F OCT31,11 CWQ0033296 PERMIT 010495-148 FY12 2,124.80 CWO ASSESSMENT FE 1,261,721.05 OCT31,11 CWQ0033297 PERMIT 010495-149 FY12 4,137.50 1,265,858.55 CWQ ASSESSMENT OCT31,11 CWQ0033298 PERMIT 010495-150 FY12 3,055.00 1,268,913.55 CWQ ASSESSMEN OCT31,11 CWQ0033264 PERMIT 010495-003 FY12 89,050.00 1,357,963.55 CWQ ASSESSME

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

The state of the s	PEROFOLL ON COOMOIT WOLL	UN	
SUBJECT: Accept Work for On-Call Re Valves and Appurtenances Package No.	habilitation to Large Diameter Water Lines, 7. WBS No. S-000701-0008-4.	Page <u>1</u> of <u>1</u>	Agenda Item #
FROM (Department or other point of o	origin\.		
trem (population of other point of t	ongin):	Origination	Agenda Date
Department of Public Works and Engine	erino	Date	007.00
	ville ville		OCT 2 6 2011
Daniel W. Krueger, P.E., Director	· IWK	Council Distri All	cts affected:
For additional information contact:		Date and Iden	tification of prior
	A	authorizing Co	uncil Action:
J. Timothy Lincoln, P.E.	Phone: (832) 395-2355		56 dated 04/29/2009
Senior Assistant Director	(052) 575 2555	" <b>200</b> "	30 dated 04/29/2009

**RECOMMENDATION:** (Summary) Pass a motion to approve the final Contract Amount of \$1,407,063.16, which is 0.50% over the original Contract Amount, accept the Work and authorize the final payment.

Amount and Source of Funding: No additional appropriation required.

Original appropriation of \$1,649,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

PROJECT NOTICE/JUSTIFICATION: This project included on-call construction or rehabilitation to primarily large diameter (24 inches in diameter and greater) water lines, valves and appurtenances at various locations in the City. The scope of work includes mobilizing and cooperating with City personnel to develop appropriate rehabilitation solutions, install remedies, provide bedding and backfilling of utilities, and restore surface around area of work. City issued work orders over a 24-month period.

DESCRIPTION/SCOPE: This contract was for rehabilitation to primarily large diameter water line utilities in various locations throughout the City of Houston. The scope of work was determined by work order from time to time on as-needed basis. The location of the work could not be determined at the time of bid and was established by work order. Drawings, appropriate specifications and geotechnical and environmental reports, as required or as available were provided with each work order. This project was designed by Lockwood, Andrews and Newnam, Inc., with 730 calendar days allowed for construction. The project was awarded to Reytec Construction Resources, Inc. with an original Contract Amount of \$1,400,000.00 and an adjustment factor of 1.050.

**LOCATION:** The project is located in various Key Map grids, including but not limited to the City of Houston, extra territorial jurisdictions, and strategic partnership agreements.

CONTRACT COMPLETION AND COST: The Contractor, Reytec Construction Resources, Inc. has completed the Work under subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order Nos. 1 and 2 is \$1,407,063.16, an increase of \$7,063.16 or 0.50% over the original Contract Amount.

The increased cost is primarily due to Change Order Nos. 1 and 2.

<u>M/WBE PARTICIPATION:</u> The M/W/SBE goal for this project was 22.00%. According to Affirmative Action and Contract Compliance Division, the actual participation was 24.03%. The Contractor was awarded an "Outstanding" rating for the M/W/SBE compliance.

DWK:DRM:JTL:SKF:PSK:mq

Z:\E&C Construction\North Sector\PROJECT FOLDER\S-000701-0008-4 LDWL On-Call Package 7\21.0 Close Out\RCA\RCA.DOC

c: File No. S-000701-0008-4 - Closeout

REQUIRED AUTHORIZATION

CUIC ID#20MZQ229

Finance Department:

Other Authorization:

Other Authorization:

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

TO: Nayor via City Secretary REQUEST FOR COUNCIL	ACTION			
SUBJECT: Parcel AY8-051; City of Houston v. Woon Sun Lee and/b/a Lee's Sign Co., et al., Cause No. 951,765; Bunker Hill Pav II (IH-10 Feeder Road - Long Point Road) WBS/CIP No. N-0007 Legal Department File No. 052-0800007-008.	ing Project. Phase	Page 1 of 2	Agenda Item #	
FROM (Department or other point of origin): Legal Department - Real Estate Section David Feldman, City Attorney	Origination Date 09/02/11	Agenda D	2 6 2011	
DIRECTOR'S SIGNATURE:  Council District affected:  "A" Brenda Stardig; Key Map#450X				
For additional information contact: Joseph N. Quintal Phone: 832.393.6286  (alternatively Ondrea U. Taylor 832.393.6280)  Date and identification of prior authorizing Council action: A.O. #2009-703, psd. 7/29/09 B.A.O. #2007-1067, psd. 09/19/07				
RECOMMENDATION: (Summary)  That the City Attorney be authorized, by Motion, to settle this case for \$100,000.00, being \$25,560.00 more than the amount of the Award of Special Commissioners. Funding will be provided by a previously approved blanket Appropriation Ordinance.				
Amount and Source of Funding: \$25,560.00; No appropriation needed as funding will be provided by previously approved Appropriation Ordinance No. 2007-1067, psd. 09/19/07. Street & Bridge Consolidated Construction Fund  ### Page 10/11/2011				
SPECIFIC EXPLANATION: The Bunker Hill Paving Project, Phase II (IH-10 Feeder Road - Long and reconstruction of the existing roadway with concrete paving necessary underground utilities as needed. The project will upgrate	i curbs sidewalks st	troot light	ing and the	

standards and improve traffic flow.

This eminent domain proceeding involves the acquisition of a permanent easement in and to 1,252 square feet (0.0287 acre) of land out of a parent tract containing 23,418 square feet (0.5376 acre) of land. The property is located at 9819 Long Point Road, and is owned by Woon Sun Lee and Kil Soon Lee, d/b/a Lee's Sign Company. The property is improved with two (2) structures; one being a 4,075 square-foot multi-tenant retail building and the second being a 2,400 square-foot warehouse. The City's taking is a rectangularly shaped tract of land varying in width from 10.44 feet to 10.26 feet for 125 feet along the property's Long Point Road street frontage. The City's final offer of \$23,733.00, in April 2008, to purchase the needed property was rejected by the landowners' attorney and a counter-offer of \$180,805.00 was submitted for consideration. Efforts by Public Works & Engineering to reconcile the difference and negotiate the purchase of the subject property were unsuccessful and the matter was referred to the Legal Department to initiate eminent domain proceedings to acquire the property. The Legal Department retained the same appraiser, utilized by Public Works & Engineering in making the City's final offer, to value the property and testify at the Special Commissioners' Hearing. The appraiser updated their appraisal report for the hearing, and presented the following conclusions and opinions of market value for the Special Commissioners consideration.

City's Testimony Before the Special Commissioners: \$23,773.00 (i.e. \$15.50 psf for the land being acquired; \$3,558.00 for the improvements thereon and \$809.00 for damage to the remainder). The damage figure was limited to the estimated cost to relocate an on-premise sign.

h:\mark\leesignrca2.wpd	REQUIRED AUTHORIZATION	CU1c# 90AH242
Other Authorization:	Other Authorization:	Mark L. Loethen, P.P., CFM, PTOE Acting Deputy Director Planning and Development Services Division, PWE

Date SUBJECT: Parcel AY8-051; Woon Sun Lee & Kil Soon Lee; Cause No. 951,765; Bunker Hill Paving Project, Phase II; LD No. 052-0800007-008	Originator's Initials JNQ/OUT	Page 2 of 2	
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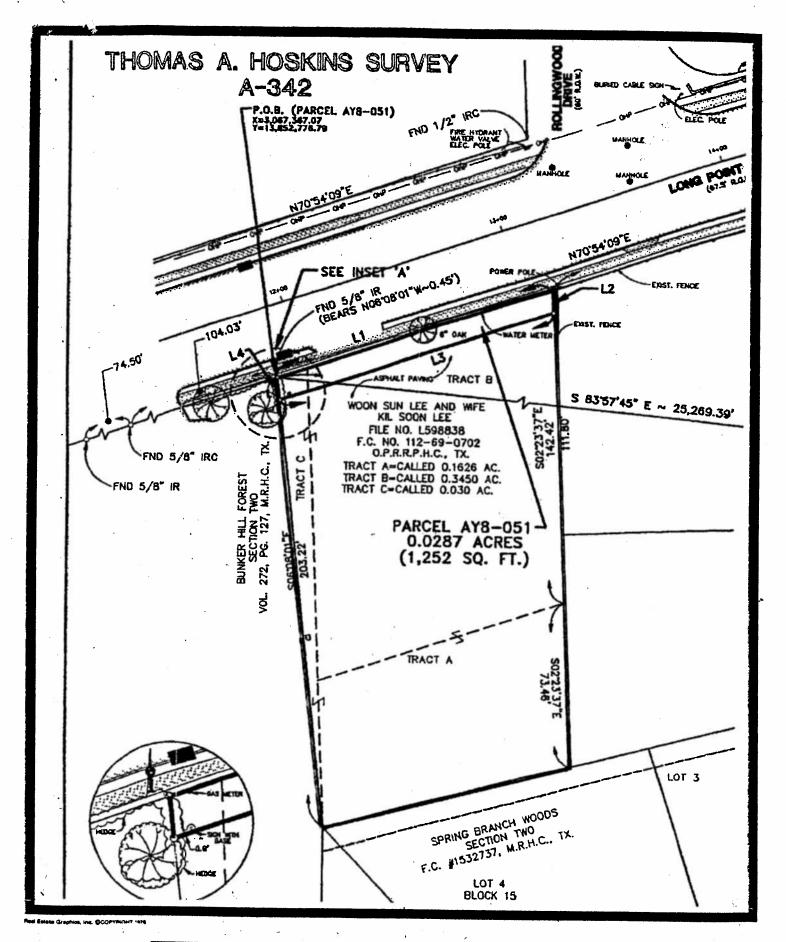
<u>Landowners' Testimony Before the Special Commissioners:</u> \$180,802.00 (i.e. \$15.50 psf for the land being acquired; \$19,534.00 for the improvements thereon; \$141,862.00 for damage to the remainder)

<u>Award of Special Commissioners:</u> \$74,440.00 The landowners' legal representative promptly filed Objections to the Award of Special Commissioners and the matter was placed on the Court's jury trial docket.

In anticipation of trial, the Legal Department retained a different appraiser to value the property and testify at trial. This appraiser opined the landowners are entitled to \$73,355.00 as just compensation for the City's taking. The landowner's retained the same appraiser for trial and their value conclusions remain unchanged from the Special Commissioners' hearing. The pivotal issue in this case centers around the issue and degree of damage to the remainder caused by the City taking. The parties have divergent opinions regarding the extent of remainder damages, and the solutions and options for lessening the impact of the City's taking on the landowner's business and property. The parties initiated pre-trial discovery and proceeded to prepare for a trial on the merits of the case.

During the course of trial preparation, the parties were able to reconcile their differences and arrive at a negotiated settlement proposal wherein all issues and matter in controversy were resolved. The proposed settlement, subject to City Council's approval, provides that the City will pay the total sum of \$100,000.00 in this case. The proposed settlement is \$25,560.00 more than the amount of the Award of Special Commissioners and is supported by the evidence available to this office. The proposed settlement is well within the range of evidence available and it is doubtful the City would benefit from further litigating this matter.

We recommend that the City Attorney be authorized, by Motion, to settle this case for \$100,000.00 being \$25,560.00 over the amount of the Award of Special Commissioners. Funding will be provided by a previously approved blanket Appropriation Ordinance.





Sketch of Part to be Acquired

Whole Property

Part Acquired

TO: Mayor via City Secretary REQUEST FOR COUNCIL A		
SUBJECT: Parcels AY10-041 & AY10-042; City of Houston v. The E Gary, Jr., deceased and Bertha Gary, et al., Cause No. 981,962; E (Wheatley) Paving Project (Little York - W. Gulf Bank) WBS/CIP N 0002-2-01; Legal Department File Nos. 052-1000010-038 & -039.	lla Boulevard	Page Agenda Item 1 of 2 #
FROM (Department or other point of origin): Legal Department - Real Estate Section David Feldman, City Attorney	Origination Date 08/26/11	Agenda Date OCT 2 6 2011
DIRECTOR'S SIGNATURE:	Council District affecting "B" Jarvis Johnso	n; Key Map#412P
For additional information contact: Ondrea U. Taylor IT DIA Date and identification of prior authorizing Council action: BAO#2009-0720,psd. 08/05/09 Authorizing Ord#2010-253, psd. 04/07/10		
RECOMMENDATION: (Summary) Authorize the City Attorney, by Motion, to deposit the amount of the registry of the Court, pay the costs of court incurred in this matter, w of Special Commissioners, and settle the case for the amount of the A will be provided by a previously approved blanket Appropriation Ord	ithdraw the City's o ward of Special Co.	hiections to the Award
Amount and Source of Funding: \$108,444.81; No appropriation needed as funding will be provided b Ordinance No. 2009-0720, psd. 08/05/09. Street & Bridge Consolid	ated Construction I	ved Appropriation Fund W.P. 19/11/2011
SPECIFIC EXPLANATION: The Ella Boulevard (Wheatley) Paving Project (Little York - W. Cacquisition, design and construction of a four lane divided concresidewalks, driveways, street lighting, traffic control and the necessary crossings over Harris County Flood Control ditches. The project of deteriorated beyond economic repair and normal maintenance. It will drainage in the service area. The improvements will upgrade the extended.	Gulf Bank) provides te roadway with st underground utilities will replace and wi	s for the right-of-way orm drainage, curbs, s. The project includes den a street that has

Standards.

This eminent domain proceeding involves the fee simple acquisition of land containing a total of 43,364 square feet and represents the whole taking of (2) adjacent lots respectively containing 21,753 square feet (0.4994 acre) and 21,611 square feet (0.4961 acre) of land. The property is improved with a 1,068 square foot single family residence located at 9702 Maxroy Street and is owned by the Estate of Thomas Gary, Jr., deceased and Bertha Gary. Title issues precluded the purchase of the property by Public Works & Engineering, and the matter was referred to the Legal Department to initiate eminent domain proceedings to acquire the property. The appraiser updated the appraisal report for the Special Commissioners' Hearing, and presented the following opinions of market value for the Special Commissioners' consideration.

City's Testimony Before the Special Commissioners: \$97,070.00 (i.e. \$1.30 psf for the land being acquired; \$40,696.80 for the improvements thereon and no damage to the remainder)

Award of Special Commissioners: \$97,070.00. The Legal Department filed Objections to the Award of Special Commissioners in order to preserve the City's legal and procedural options pending City Council's review and consideration of the subject matter.

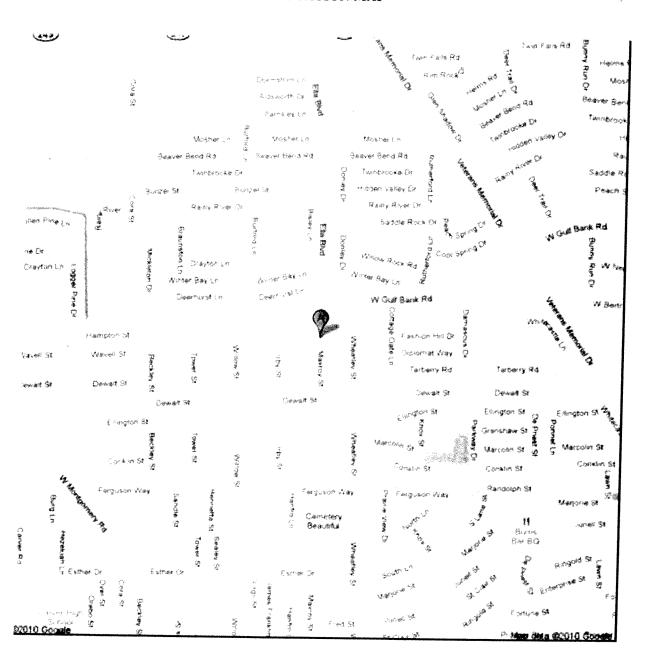
h:\mark\garyrca.wpd	REQUIRED AUTHORIZATION	CUIC# 90AH243
Other Authorization:	Other Authorization:	Offer Authopization:
		Mark Holl
		Mark L. Loether D.E. CFM, PTOE, Deputy Director Planning and Development Services Division, PWE

08/26/11	SUBJECT: Parcels AY10-041 & AY10-042; City v. the Estate of Thomas Gary, et al; Ella Blvd. (Wheatley) Paving Project; LD#'s 52-1000010-038 & -039	Originator's Initials OUT/JNQ	Page 2 of 2
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The "Costs of Court" are: \$187.00 filing fee; \$1,650.00 Service fee; \$1,350.00 Special Commissioners' fees (i.e. \$450.00 x 3); \$900.00 Publication fee; \$327.81 Court Reporter's fee; \$960.00 Attorney Ad Litem's fee; \$6,000.00 Appraiser's fee; Total: \$11,374.81. These "costs of court" account for the monetary difference between the amount of the Award of Special Commissioners and the total amount of funds needed herein.

We recommend that the City Attorney be authorized, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court, pay the costs of court incurred in this matter, withdraw the City's Objections to the Award of Special Commissioners, and settle the case for the amount of the Award of Special Commissioners. Funding will be provided by a previously approved blanket Appropriation Ordinance.

## LOCATION MAP



### REQUEST FOR COUNCIL ACTION

SUBJECT: Purchase Parcel AY10-026; Mary Goodie, Landowner; Ella Boulevard (Wheatley) Paving Project (Little York - W. Gulf Bank) WBS/CIP No. N-000533-0002-2-01; Legal Department File No. 052-1000010-059.			Agenda Item #
FROM (Department or other point of origin):  Legal Department - Real Estate Section  David Feldman, City Attorney  Origination Date 09/13/11		Agenda Date OCT 2 6 2011	
DIRECTOR'S SIGNATURE:	Council District affected:  "B" Jarvis Johnson; Key Map#412X		ap#412X
For additional information contact: Ondrea U. Taylor OVT  Phone: 832.393.6280  (alternatively Joseph N. Quintal 832.393.6286)	Date and identification of prior authorizing Council action: BAO#2009-0720,psd. 08/05/09 Authorizing Ord#2010-253, psd. 04/07/10		
RECOMMENDATION: (Summary)			

RECOMMENDATION: (Summary)

Authorize the City Attorney, by Motion, to purchase Parcel AY10-026 from Mary Goodie for \$75,000.00 in lieu of condemnation. Funding will be provided by a previously approved blanket Appropriation Ordinance.

Amount and Source of Funding:

\$75,000.00; No appropriation needed as funding will be provided by previously approved Appropriation Ordinance No. 2009-0720, psd. 08/05/09. Street & Bridge Consolidated Construction Fund

### **SPECIFIC EXPLANATION:**

The Ella Boulevard (Wheatley) Paving Project (Little York - W. Gulf Bank) provides for the right-of-way acquisition, design and construction of a four lane divided concrete roadway with storm drainage, curbs, sidewalks, driveways, street lighting, traffic control and the necessary underground utilities. The project includes crossings over Harris County Flood Control ditches. The project will replace and widen a street that has deteriorated beyond economic repair and normal maintenance. It will improve traffic circulation, mobility and drainage in the service area. The improvements will upgrade the existing roadway to Major Thoroughfare Standards.

This matter involves the acquisition of a permanent easement in and to 1,524 square feet (0.0322 acre) of land. The property is located at 8811 Wheatley Street and is owned by Mary Goodie. The property is improved with a 1,610 square-foot single family dwelling and related appurtenances. The City's taking is a rectangularly shaped tract of land 20.11 feet in width by 69.79 feet in length along Wheatley Street and will bring the new right-of-way line within ten (10') of the residence. The City's final offer of \$73,355.00 to purchase the needed property was withdrawn due to title and boundary problems and the matter was referred to the Legal Department to initiate eminent domain proceedings to acquire the property. The Legal Department addressed and resolved the title and boundary issues, and the landowner agreed to convey the property by deed for \$75,000.00. The purchase is supported by the evidence available to this office, and eliminates the need/costs of initiating a condemnation proceeding.

It is being recommended that the City Attorney be authorized, by Motion, to purchase Parcel AY10-026 from Mary Goodie for \$75,000.00 in lieu of condemnation. Funding will be provided by a previously approved blanket Appropriation Ordinance.

h:\mark\goodiellarca.wpd	REQUIRED AUTHORIZATION	CUIC# 90AH244
Other Authorization:	Other Authorization:	Mari L. Loethen, P.E. CFM, PTOE, Deputy Director Planning and Development Services Division, PWE

47. 10/11.

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION SUBJECT: Request for the abandonment and sale of a ±10-foot-Page Agenda Item # wide sanitary sewer easement and a ±4-foot-wide sanitary sewer 1 of 2 easement, both located within Lots 1, 2, 8, 9, 10, and 11, Block 1, Meyers First Addition, out of the A.C. Reynolds Survey. Parcels SY11-111A, SY11-111B, and SY11-121 FROM (Department or other point of origin): **Origination Date** Agenda Date OCT 2 6 2011 Department of Public Works and Engineering DIRECTOR'S SIGNATURE: Council District affected: G Daniel W. Knieger, P.E., Director Key Map: 492Q For additional information contact: Date and identification of prior authorizing Council Action: Nancy P. Collins Senior Active Phone: (832) 395-3130 Senior Assistant Director-Real Estate RECOMMENDATION: (Summary) It is recommended City Council approve a motion authorizing the abandonment and sale of a ±10-foot-wide sanitary sewer easement and a ±4-foot-wide sanitary sewer easement, both located within Lots 1, 2, 8, 9, 10, and 11, Block 1, Meyers First Addition, out of the A.C. Reynolds Survey. Parcels SY11-111A, SY11-111B, and SY11-121 Amount and Source of Funding: Not Applicable SPECIFIC EXPLANATION: Mary Lou Henry, TBG/Vernon Henry & Associates, 3050 Post Oak Boulevard, Suite 1100, Houston, Texas, 77056, on behalf of Crane/Willis Properties, LLC (Mark Willis, President), and Willis Real Estate Investments, LLC (Mark Willis, President), requested the abandonment and sale of a ±10-foot-wide sanitary sewer easement and a ±4-foot-wide sanitary sewer easement, both located within Lots 1, 2, 8, 9, 10, and 11, Block 1, Meyers First Addition, out of the A.C. Reynolds Survey. Crane/Willis Properties, LLC, and Willis Real Estate Investments, LLC, property owners, plan to construct twenty-five single family homes in the location of the subject easements. This transaction is Part One of a two-step process in which the applicant will first receive a City Council authorized Motion acknowledging the concept of the subject request. Upon the applicant satisfactorily completing all transaction requirements including those enumerated below, the Department of Public Works and Engineering will forward a subsequent recommendation to Council requesting passage of an Ordinance effecting the sale. The Joint Referral Committee reviewed and approved this request. Therefore, it is recommended: The City abandon and sell a ±10-foot-wide sanitary sewer easement and a ±4-foot-wide sanitary sewer easement, both located within Lots 1, 2, 8, 9, 10, and 11, Block 1, Meyers First Addition, out of the A.C. Reynolds Survey; The applicant be required to: (a) cut, plug, and abandon the 24-inch sanitary sewer line, from the manhole at the intersection of San Felipe Street and Argonne Street (AS069095) to the manhole in Brazoria Street (AS069093) because it is no longer needed or in use, (b) relocate the existing service connection at 2421 San Felipe Street to the San Felipe Street right-of-way to accommodate the flow from the north, (c) relocate the existing service connection at 2401 San Felipe Street into San Felipe Street or alternatively, a sewer line must be constructed in Revere Street to provide service, and (d) pay the depreciated value amount for the sanitary sewer line and manhole. All of the above work is to be done at no cost to the City and under the proper permits; 3. The applicant be required to prepare drawings that show all public utilities (sanitary sewer) that are to be abandoned, relocated, and/or constructed as part of this project and submit drawings to the Office of the City Engineer for plan review and approval. A copy of the motion shall be attached to the plan set when it is submitted for plan review; tj\syl1-111.rc1.doc CUIC #20TJ9219 REQUIRED AUTHORIZATION **Finance Department:** Other Authorization: Other Authorization:

Inance Department:

Other Authorization:

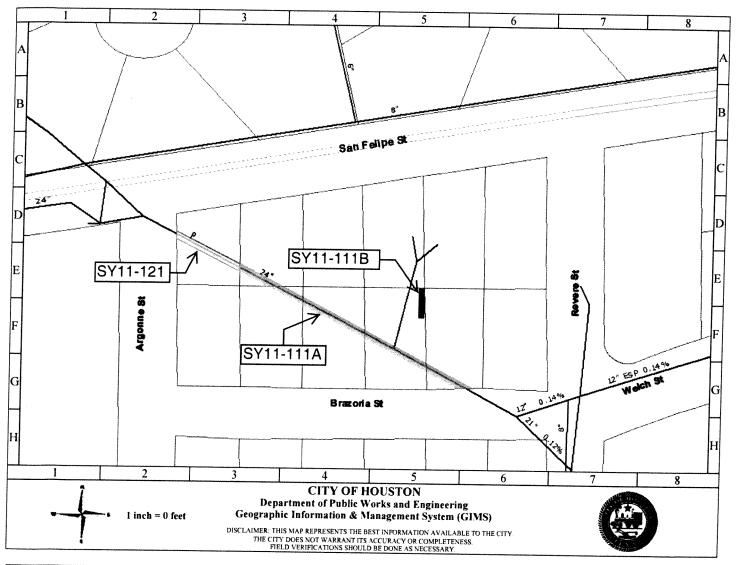
Mark L. Loethen, P.E., CFM, PTOE
Deputy Director
Planning and Development Services Division

Date à	Subject: Request for the abandonment and sale of a ±10-foot-wide sanitary sewer easement and a ±4-foot-wide sanitary sewer easement, both located within Lots 1, 2, 8, 9, 10, and 11, Block 1, Meyers First Addition, out of the A.C. Reynolds Survey. Parcels SY11-111A, SY11-111B, and SY11-121	Originator's Initials	Page <u>2</u> of <u>2</u>
		50	

- 4. In the interest of expediting the abandonment and sale process, the applicant may choose to provide the City with Letter of Credit (LOC), subject to the City's concurrence, covering the estimated construction cost for work required in Item 2 above in lieu of performing such work prior to finalization of the ordinance for this transaction. Should this option be selected, the applicant will be required to provide an LOC showing the City of Houston as specific time period which may be less than but not longer than twelve months from the effective date of the ordinance for the transaction. Upon the applicant's satisfactory completion of the construction-related work as request the City will release the LOC;
- 5. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
- 6. The Legal Department be authorized to prepare the necessary transaction documents; and
- 7. Inasmuch as the value of the City's property interest is not expected to exceed \$1,000,000.00, that the value be established by Ulysses S. Dotson, an independent appraiser appointed by the Director of Public Works and

### DWK:NPC:tj

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



Abandonment and sale of a ±10-foot-wide sanitary sewer easement and a ±4-foot-wide sanitary sewer easement, both located in within Lots 2, 8, 9, 10, and 11, Block 1, Meyers First Addition, out of the A.C. Reynolds Survey. Parcels SY11-111A, SY11-111B, and SY11-121. (Mary Lou Henry of TBG/Vernon Henry & Associates, on behalf of Crane/Willis Properties, LLC and Willis Real Estate Investments, LLC, Mark Willis, President)

REQUEST FOR COUNCIL ACTION TO: Mayor via City Secretary RCA# 9152 Subject: Purchase of Patrol Vehicles Through the Houston-Galveston Category # Page 1 of 1 Agenda Item Area Council for the Houston Police Department 1 & 4 S38-E24077-H FROM (Department or other point of origin): **Origination Date** Agenda Date Calvin D. Wells City Purchasing Agent October 10, 2011 Administration & Regulatory Affairs Department OCT 26 2011 DIRECTOR'S SIGNATURE Council District(s) affected For additional information contact:

Joseph A. Fenninger Date and Identification of prior authorizing Phone: (713) 308-1708 Council Action: Ray DuRousseau 10/12/11 Phone: (832) 393-8726 RECOMMENDATION: (Summary) Approve an ordinance authorizing the appropriation of \$3,049,356.13 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and approve the purchase of patrol vehicles through the Houston-Galveston Area Council (H-GAC) in the amount of \$3,049,356.13 for the Houston Police Department. **Finance Budget** Award Amount: \$3,049,356.13 \$3,049,356.13 - Equipment Acquisition Consolidated Fund (Fund 1800) SPECIFIC EXPLANATION: The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$3,049,356.13 out of the Equipment Acquisition Consolidated Fund (Fund 1800). recommended that City Council approve the purchase of 107 patrol vehicles through the Interlocal Agreement for Cooperative Purchasing with H-GAC in the amount of \$3,049,356.13 for the Houston Police Department, and that authorization be given to issue purchase orders to the H-GAC contractors as shown below. These new patrol vehicles will be used citywide by the Department for patrol activities and to respond to emergency incidents. These patrol vehicles are included in the adopted FY12 Equipment Acquisition Plan. Philpott Motors LTD, d/b/a Philpott Ford: Approve the purchase of 101 full-size, rear-wheel drive, 4-door sedan patrol vehicles in the amount of \$2,873,632.12. Caldwell Automotive Partners, LLC, d/b/a Caldwell Country Chevrolet: Approve the purchase of three full-size, rear-wheel drive, 4-door sedan patrol vehicles in the amount of \$105,543.00. Dallas Dodge Jeep Chrysler: Approve the purchase of three full-size, rear-wheel drive, 4-door sedan patrol vehicles in the amount of \$70,181.01. These new patrol vehicles will meet the EPA's current emission standards for low emission vehicles. They will come with a full three-year or 36,000-mile warranty and the life expectancy is four years or 100,000 miles. See the attached Equipment Usage Summary for vehicle usage and replacement details. These new patrol vehicles will replace existing units that have reached their useful life and will be sent to auction for disposition.

Attachment: Equipment Usage Summary

REQUIRED AUTHORIZATION

Other Authorization:

Other Authorization:

Finance Department:

Buyer: Lena Farris

,				
TO: Mayor via City S	NCIL ACTION			
TO: Mayor via City Secretary			RCA	<b>A</b> # 9101
Subject: Formal Bids Received for Dry Animal Feed for Ho Department Horses and Canines S40-S23775	uston Police	Category #	Page 1 of 1	Agenda Item
FROM (Department or other point of origin):				10
Calvin D. Wells	Origination I	Date	Agenda Date	
City Purchasing Agent Administration & Regulatory Affairs Department	October	10, 2011	ОСТ	<b>2 6</b> 2011
DIRECTOR'S SIGNATURE  WILL  OF THE COR'S SIGNATURE  OF	Council Distr All	ict(s) affected	I.	
For additional information contact:  Joseph A. Fenninger  Desiree Heath  Phone: (713) 308-1708  Phone: (832) 393-8742	Date and Identification of prior authorizing Council Action:			ng
RECOMMENDATION: (Summary) Approve an award to Maci Feed & Supply on its low bid me \$244,085.99 for dry animal feed for Houston Police Departs	eeting specifica ment Horses ar	tions in an a nd Canines.	imount not to	exceed
Estimated Spending Authority: \$244,085.99			Finance Budge	et
\$206,585.99 General Fund (1000)			<del></del>	
\$ 37,500.00 Asset Forfeiture Fund (2204)				

### **SPECIFIC EXPLANATION:**

\$244,085.99 Total

The City Purchasing Agent recommends that City Council approve an award to Maci Feed & Supply on its low bid meeting specifications, in an amount not to exceed \$244,085.99 for dry animal feed for the Police Department. It is further requested that authorization be given to make purchases, as needed, for a twelve (12) month period, with four 1-year options to extend. This award consists of various types of dry animal feed to be used by the Department to feed horses in its Mounted Patrol Division and to feed the dogs in its K-9 Patrol, Airport and Narcotics Divisions.

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

Maci Feed & Supply: Award on its sole bid for horse feed (Group 2, Item Nos. 1 – 6), and horse minerals and salt (Group 3, Item Nos. 1 and 2), and on its low bid meeting specifications for dog feed (Group 4, Item Nos. 7, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19) in an amount not to exceed \$244,085.99.

Company Total Amount

1. Supreme Pet \$ 91,000.00 (Partial Bid/Did Not Meet Specifications)

2. Maci Feed & Supply \$244,085.99

Group No. 1 is not being awarded and will be re-bid. Group No. 5 is not being awarded and the Department will purchase these items on as as-needed basis. Group 4, Items Nos. 1 - 6, 8 and 9 are not being awarded.

Buyer: Jeff D. Meekins

Attachment: MWBE zero-percent goal document approved by the Mayor's Office of Business Opportunity

Estimated Spending Authority				
Department	FY 2012	Out Years	Total	
Police	\$36,612.99	\$207,473.00	\$244,085.99	
			, ,	

	REQUIRED AUTHORIZA	ATION	
Finance Department:	Other Anthorization:	Other Authorization:	— MC
	10/1	0/11	

### City of Houston



Administration & Regulatory Affairs

# Memorandum

To:

Calvin D. Wells, Deputy Director

City Purchasing

Strategic Purchasing Division

From:

Jeff Meekins

Date:

July 12, 2011

Subject:

MWBE Participation Form

I am requesting a waiver of the MWBE Goal: Yes No No Type of Solicitation: Bid Proposal
I am <u>requesting</u> a MWBE goal below 11% (To be completed by SPD, and prior to advertisement) Yes No
I am requesting a <u>revision</u> of the MWBE Goal: Yes No Original Goal: 5% New Goal 0%
If requesting a revision, how many solicitations were received: _3
Solicitation Number: <u>\$40-\$23775</u> Estimated Dollar Amount: <u>\$245,000.00</u> Goal On Last Contract: <u>N/A</u>
Anticipated Advertisement Date: <u>04/15/11</u> Solicitation Due Date: <u>05/19/11</u> Was Goal met: Yes No
If goal was not met, what did the vendor achieve:
Name and Intent of this Solicitation: Feed, Dry Animal for the Police Department to feed and nourish their equine and K-9 work forces.
Rationale for requesting a Waiver of Revision (Zero percent goal or revision after advertisement):  (To be completed by SPD)
The scope of services has limited participation due to most suppliers being smaller family owned operations that lie outside of or on the outskirts of the Houston City Limits. The supplier has made a good-faith effort to acquire an M/WBE with no success. Per the supplier, they contacted Robert Gallegos with OBO on 7/11/2011 to discuss a plan of action and were instructed to request a waiver of the M/WBE requirement. See the attached letter from Maci Feed & Supply.
Concurrence:
Polytrigion Division Manuel Meanth
Kolert Halll
obert Gallegos, Depart Assistant Director

\*Affirmative Action office of Business types toucky

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

## MAC/ FEED & SUPPLY

P.O. Box 487 Hardin, TX 77561 Phone 936-298-9404 Fax 936-298-2824

E-mail: macifeed@imsdav.com

July 11, 2011

Jeff Meekins
Strategic Purchasing Division
Basement City Hall
901 Bagby
Houston, Texas 77002

RE: S40-S23775, Feed, Dry Animal (Minority Compliance)

#### Dear Mr. Meekins.

I'm writing to request a waiver on the M/W/DBE goal of \$12,204.30. I've made a good faith effort to comply and will continue to make the effort to establish a working relationship with minority venders. Immediately on notification from your office I requested from the feed manufacturers a list of minority venders in the area. Purina furnished one Jensen Feed, they didn't respond to my phone calls or emails. We make our own deliveries because of the packaging and weight of our products, but we could have purchased fuel. We began on June 30, 2011 contacting Sun Coast Resources, Inc.. They furnished us a copy of there HUD certificate #1760143483 and S/M/W/AAW/DIBE # 209095723. I sent them the letter of intent, and they requested a credit application from me to set up an account, by Thursday the 7th of July the account was set up and the letter of intent was sent on to be signed by a officer. I spoke with Robert Gallegos in the Mayor's Office of Business Opportunity (Formerly the Affirmative Action Division), he informed me Sun Coast Resources, Inc. had graduated from the City of Houston program. I'm sure the employee's assisting me were unaware.

Mr. Meekins I've been in touch with you almost on a daily basis so you are aware of the effort on my part, and I will continue the effort to use M/W/DBE. If awarded this contract Maci Feed & Supply #10-11-6337 (W/DBE) would be 100% of the award. Please let Mr.Gallegos know that I've requested the waiver of the 5% compliance.

Yours truly,

Connie P. Campbell DBA/Maci Feed & Supply

Janui P. Campbell

TO: Mayor via City Secretary  REQUEST FOR COUNTY	NCIL ACTION			
Subjects Formal Ride Descined for T. (f) Of the			RCA	# 9028
Subject: Formal Bids Received for Traffic Signal System Pa Public Works & Engineering Department	irts for the	Category #	Page 1 of 2	Agenda Iten
S12-N23849				.1
EDOM (D.				//
FROM (Department or other point of origin): Calvin D. Wells	Origination D	ate	Agenda Date	
City Purchasing Agent	August 0	E 2011		
Administration & Regulatory Affairs Department	August	5, 2011	OCT 2	6 2011
DIRECTOR'S SIGNATURE	Council Distri	ct(s) affected		
For additional information contact:	A, C, G			
David Guernsey Phone: (832) 395-3640	Date and Iden Council Action	tification of p	rior authorizin	g
Hay DuHousseau Phone: (832) 393-8726	Council Action	и;		
RECOMMENDATION: (Summary)	1			
Approve an award to Republic Intelligent Transportation Ser	vices, Inc. on	its low overa	all bid meeting	a
specifications in an amount not to exceed \$739,645.44 for tri Engineering Department.	affic signal sys	stem parts fo	or the Public	Works and
g of the g of the second secon				
Awarded Amount: \$739,645.44			F & A Budget	
			7.	
\$739,645.44 - Federal Government Grant (Fund 5000)			-4	
SPECIFIC EXPLANATION:				
The City Purchasing Agent recommends that City Court	ncil annrove	an award	/ to Demokstic	
Transportation Services, Inc. on its low overall bid meeti \$739,645.44 for traffic signal system parts for the Public	ng specification	an awaru Ons in an :	to Republic	intelligent
				and that
authorization be given to issue a purchase order. These	traffic cianal	0.4040	- sparancil	and that

order. These traffic signal system parts will be used by the Department's Traffic and Transportation Division as part of the City's Culberson Project to replace the City's less efficient and less visible incandescent traffic signal heads that do not meet the current U.S. Department of Transportation standards.

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

	COMPANY	T	OTAL AMOUNT
1.	Endeavor Concepts LLC	÷	
2.	Traffic Parts, Inc.	φ	3,100.00 (Partial Bid)
3	Paradigm Traffic Systems, Inc.	<b>Þ</b>	80,391.00 (Partial Bid)
1	Excellence Onto Inc.	\$	146,567.00 (Partial Bid)
7.	Excellence Opto, Inc.	\$	580,357.00 (Partial Bid)
	TraStar, Inc.	\$	651,346.80 (Partial Bid)
6.	Leotek Electronics USA Corp.	\$	670,450.00 (Partial Bid)
7.	Republic Intelligent Transportation Services, Inc.	φ.	720 645 44
8.	Globe Electric Supply, Inc.		739,645.44
a.	General Troffic Carriers and Occasions		767,311.75
10	General Traffic Equipment Corp.	\$1	,088,477.50
10.	McCain, Inc.		,091,441.00

This purchase consists of traffic signal system components/parts including, but not limited to, various types and sizes of light emitting diodes, mounting hardware, directional signals and accessories. aforementioned items will come with a full one-year warranty and the life expectancy is ten years. The old components/parts will be sent to the Property Disposal Management Office for disposition.

EQ.4 D:	REQUIRED AUTHORIZATION	RED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:		

Date: 8/5/2011	Subject: Formal Bids Received for Traffic Signal System Parts for the Public Works & Engineering Department S12-N23849	Initials	Page 2 of 2
		<u>MK</u>	

### **MWBE Subcontracting:**

This invitation to bid was issued with a 6% goal for MWBE participation. Republic Intelligent Transportation Services, Inc. has designated the below-named company as its certified MWBE subcontractor.

**Name** 

Energy Electric Supply, Inc.

Type of Service
Traffic Signal Parts

**Amount** \$44,378.73

The Office of Business Opportunity will monitor this award.

Buyer: Martin L. King

g-					
REQUEST FOR	COUNCIL ACTION				
10: Mayor via City Secretary			RCA# 9189		
Subject: Amend Council Motion 2008-0380, Passed Chemical, Liquid Ammonium Sulfate for the Public V Engineering Department S12-S22503-A1	une 4, 2008, for orks and	Category #	Page 1 of 1	Agenda Item	
FROM (Department or other point of origin): Calvin D. Wells	Origination I	Pate	Agenda Date	)	
City Purchasing Agent Administration & Regulatory Affairs Department	Septembe	September 29, 2011		OCT 2 6 2011	
DIRECTOR'S SIGNATURE  Council District(s) affected  All					
For additional information contact:	Date and Ider	Date and Identification of prior authorizing			
David Guernsey Phone: (832) 395-36	640   Council Actio	Council Action:			
Ray DuRousseau Phone: (832) 393-87	726 CM No.	CM No. 2008-0380, passed 06-04-2008			
RECOMMENDATION: (Summary)					
Amend Council Motion 2008-0380, passed June 4, 2008, to increase the spending authority from \$229,724.95 to \$321,614.93 for chemical, liquid ammonium sulfate for the Public Works and Engineering Department.					
Spending Authority Increased By: \$91,889.98			Finance Budge	et	
\$91,889.98 - Water & Sewer System Operating Fund	(8300)				

### **SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council amend Council Motion 2008-0380, passed June 4, 2008, to increase the spending authority for chemical, liquid ammonium sulfate awarded to ALTIVIA Corporation, from \$229,724.95 to \$321,614.93. The additional spending authority is needed to sustain the Department until the end of the awarded term or until new award is put in place. The extreme and prolonged dry weather conditions and numerous ruptured water mains increased the volume of ground water to be treated and distributed citywide, thus causing the spending authority limit to be exhausted prior to the end of the awarded term.

This award began June 12, 2008 for a 60-month period, with two option years to extend, in an amount not to exceed \$229,724.95. Expenditures as of September 30, 2011 totaled \$194,784.50. All terms and conditions shall remain as originally approved by City Council.

The award consisted of approximately 2,524,450 pounds of liquid ammonium sulfate, which is utilized on a daily basis by the Department's Drinking Water Operations Branch to prevent the formation of carcinogenic compounds during the treatment of potable water at groundwater plants and re-pump stations located citywide. Liquid ammonium sulfate is essential to comply with the regulations promulgated by the Texas Commission on Environmental Quality and the Environmental Protection Agency to preserve and protect the public's health and safety.

The solicitation was issued with a 11% M/WBE participation goal. The supplier is currently achieving 4.72%. The Office of Business Opportunity met with the supplier to help them identify alternative subcontractors and opportunities for M/WBE firms and will continue to monitor and work with the supplier to achieve the established M/WBE goal.

Buyer: Martin L. King

	REQUIRED AUTHORIZATION	Λ	m
Finance Department:	Other Authorization:	Other Authorization:	<i>y</i>

	REQUEST FOR COU	NCIL ACTIO	N		
TO: Mayor via City Secretary		r _			RCA#
SUBJECT: Ordinance reducing	<del>-</del>	Category #		Page	Agenda Item#
Reinvestment Zone Number F Zone)	ive (Memorial Heights			1 of <u>1</u>	(3
FROM: (Department or other point Andrew F. Icken	of origin):	Origination	Date		Agenda Date
Chief Development Officer					OCT 2 6 2011
DIRECTOR'S SIGNATURE:	<u></u>	Council Dis	tricts aff	ected:	
K Sti	2-	A, D, G, H,	1		
For additional information contact:	<u> </u>	Date & iden	tification	of prior aut	horizing Council
	hone: (713) 837-9573	Actions:		•	•
Tim Douglass Pl				07-1142, 10/10/07;	
RECOMMENDATION: (Summary) Number Five (Memorial Heights Zo	• •				
Amount of Funding: No Funding F	Required			Finance Bu	ıdget:
SOURCE OF FUNDING: [ ] (	General Fund [ ] Grai	nt Fund	[ ] Ente	rprise Fund	[X] N/A
City of Houston Tax Increment Reinvestment Zone Number Five ("Zone") was created by Ordinance No. 1996-1337 on December 18, 1996. Subsequently, on May 21, 1997, by Ordinance No.1997-594, City Council approved a Project Plan and Reinvestment Zone Financing Plan for the Zone ("Plan") for the Zone and created the Memorial-Heights Redevelopment Authority by Resolution No. 1997-0067 on December 10, 1997 to help implement the Plan. The City subsequently enlarged the boundaries of the Zone by Ordinance 2007-1142 on October 10, 2007, again by Ordinance 2008-1204 on December 17, 2008, and again by Ordinance 2009-235 on March 25, 2009.  It is recommended that the boundaries of the Zone be reduced by approximately 253 acres. The proposed area to be removed consists of public right-of-way along the Buffalo Bayou bounded generally by Shepherd Street, Sabine Street, Allen Parkway, and Memorial Drive and including Spotts Park. Removal of this area will enable the Zone to focus its financial resources on physical improvements including reclamation and flood remediation infrastructure along the lower reaches of the White Oak Bayou channel.  Accordingly, the Administration recommends that City Council approve reducing the boundaries of the Zone as					
described above.  cc: Marta Crinejo, Agenda Direc Anna Russell, City Secretary Dave Feldman, City Attorney Deborah McAbee, Senior As	v v sistant City Attorney	IZATION			
Finance Director	REQUIRED AUTHOR	IZATION	Other 4	4h % a! 4! -	
Finance Director:	Other Authorization:		Otner A	uthorizatio	n:



# CITY OF HOUSTON

Interoffice

Office of the Mayor

Correspondence

To: City Council Members

From:

Andrew F. Icken

Chief Development Officer

Date:

October 20, 2011

Subject: TIRZ Actions Year End 2011

On February 23, 2011 City Council approved a Tri-Party Development Agreement between the Buffalo Bayou Partnership, Harris County Flood Control District, and the City of Houston for the Buffalo Bayou Park Project. The proposed project consists of the area of Buffalo Bayou generally bounded by Shepherd Street on the west, Sabine Street on the east, Allen Parkway on the south and Memorial Drive on the north. The project will improve the park area, provide for flood management for the Buffalo Bayou and enhance recreational, environmental and natural features within the proposed park. The site development plans also include provisions for restaurants, entertainment and concessions.

The Tri-Party Agreement set forth the criteria to develop agreements for future construction and operation of the park. We will bring definitive agreements for City Council and Commissioners Court approval in November. These agreements will require changes to boundaries and project plans for TIRZ 3 & 5, which are set out below:

## TIRZ No. 3 - Main Street/Market Square:

A request to amend the Project Plan and Reinvestment Zone Financing Plan for Main Street/Market Square TIRZ to restate the goals and objectives included in the original plan and subsequent amendments including addressing problems related to the reconstruction of key streets and utility systems, transit improvements, residential and retail site development, property acquisition, historic preservation, theater district, cultural, public and institutional facility improvements, economic development grants, parks and bayou parkland improvements. New goals included in the amended plan include provisions for upgrading public green space and creating attractive, safe, pedestrian environments for retail, restaurant, recreational and cultural activities. The amended Plan also enlarges the Zone's boundary by approximately 300 acres. The area proposed annexed could be characterized as areas subject to periodic inundation from the Buffalo Bayou, and areas characterized by deteriorating site improvements and conditions that endanger life and property. As part of the amended plan it is also recommended that the duration of the Zone be extended to December 31, 2043. The amended plan, the proposed annexation and Zone term extension will provide the tools needed to facilitate the development of the Buffalo Bayou Park Project including annual maintenance expenditures for Buffalo Bayou Park estimated at \$2m.

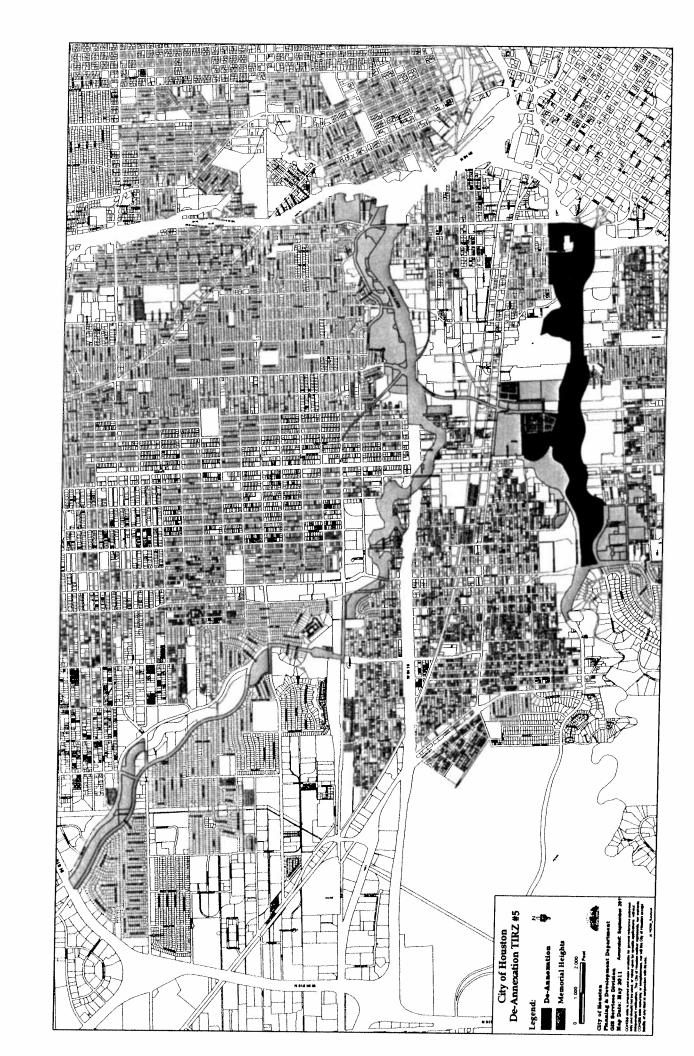
## TIRZ No. 5 (Memorial Heights Zone):

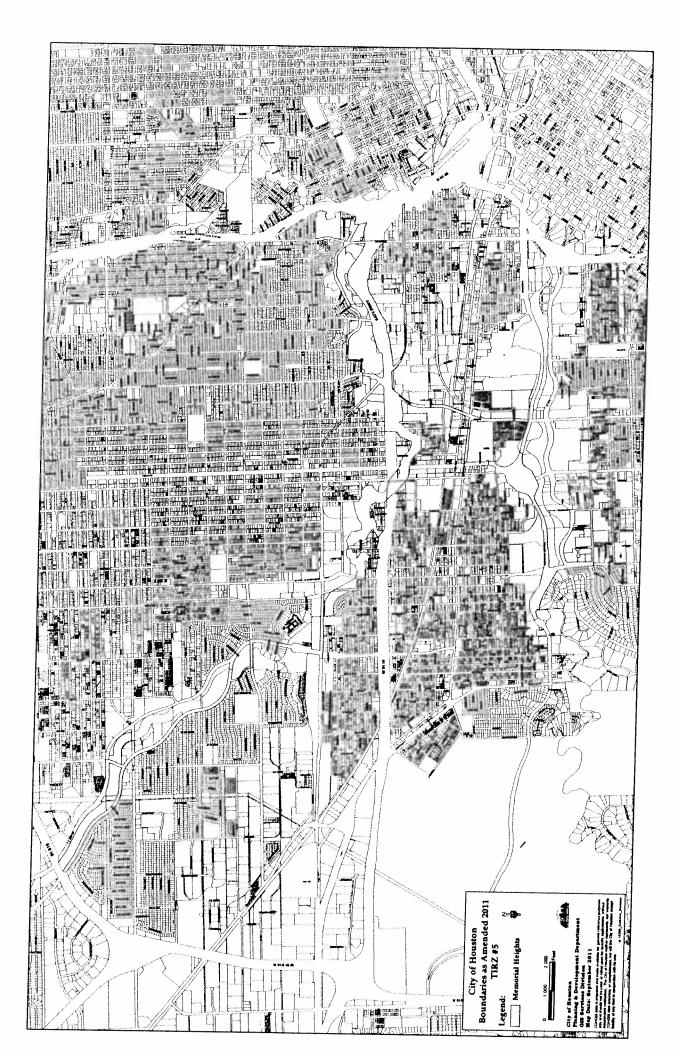
A request to amend the Project Plan and Reinvestment Zone Financing Plan for this TIRZ to restate the goals and objectives included in the original plan and subsequent amendments, including the design and construction of public infrastructure such as public streets and utility systems, parks, hike and bike trails, pedestrian bridges, the redevelopment of cultural and public facilities, and affordable housing. New goals include provisions for the design and construction of flood remediation infrastructure, reclamation projects and floodway drainage and detention facilities.

The amended plan provides for the reduction of the boundaries of the Zone. The proposed area to be removed consists of public right-of-ways along Buffalo Bayou generally bounded by Shepherd Street, Sabine Street, Allen Parkway and Memorial Drive. Removal of the territory will allow the Zone to better concentrate its financial resources on reclamation and flood remediation improvements along the lower reaches of the White Oak Bayou channel. The territory to be removed from the boundaries of the Memorial Heights Zone will subsequently be annexed into the Main Street/Market Square Zone.

Please do not hesitate to contact me if you have any questions or if I can be of assistance.

c: Mayor Annise D. Parker Waynette Chan Marta Crinejo William Paul Thomas





TO: Mayor via City Secretary	REQUEST FOR C	OUNCIL ACTIO	N	
SUBJECT: Ordinance approving a Plan and Reinvestment Zone Reinvestment Zone Number Fiv Zone)	Financing Plan for	Category #	Page 1 of <u>1</u>	Agenda Item #
FROM: (Department or other po	int of origin):	Origination	Date	Agenda Date
Andrew F. Icken Chief Development Officer			İ	OCT 2 6 2011
DIRECTOR'S SIGNATURE	$\gamma$	Council Dist	ricts affected:	001 0 0 2011
K Ste	K	A, D, G, H, I		
For additional information conta	ct:	Date and ide	ntification of pric	or authorizing Counci
	ne: (713) 837-9573 ne: (713) 837-9857	<b>Action:</b> Ord. 1 Res. 1997-006	996-1337, 12/18/96 7, 12/10/97; Ord. 19	5; Ord. 1997-594, 5/21/97 99-823, 8/11/99; Ord. 4/08/09; Ord. 2010-997,
RECOMMENDATION: (Summary) That City Council adopt an ordin Financing Plan for Reinvestment Zo	nance approving the	Fifth Amended	l Project Plan ar one).	nd Reinvestment Zon
Amount and Source of Funding: No Funding	g Required		Finance Budget	
Specific Explanation:				
Ordinance No. 1996-1337 on December Plan ("Plan") for the Zone by Ordinance Authority to help implement the Plan approved amendments to the Plan by C3, 2008; Ordinance No. 2009-299 on Approved and the City now desire to fur The Droposed Amended Plan restates the public infrastructure such as public streed redevelopment of cultural and public faction of flood remediation infrastructure overall, the non-educational project construction of flood remediation infrastructure and public factions of flood remediation infrastructure overall, the non-educational project construction of flood remediation infrastructure and the City and the Zone to address property, and other quality of life issues in	by Resolution No. 1997- Drdinance No. 1999-823 of the ramend the Plans ("And the goals and objectives in reets and utility systems cilities, and affordable how ructure projects including to support the projects of distressed infrastructure."	21, 1997, and cr 0067, on Deceion August 11, 19 e No. 2010-997 mended Plan"). cluded in the Pla , parks, hike ar using. A new p detention, recla rease by appro in the Amended	reated the Memorial mber 10, 1997. Cip99; Ordinance No. on December 8, 20 ans, including the dead bike trails, and roject category provention improvement ximately \$60 millions of Plan. The proposition of Plan.	Heights Redevelopment ity Council subsequently 2008-784 on September 10 (collectively, "Plans"). esign and construction of pedestrian bridges, the vides for the design and its, and land acquisition. In from previous Plans.
To support the Zone's and City's efforts Amended Plan for the Zone.	in this regard, the Admi	nistration recom	mends that City Co	ouncil approve the Fifth
cc: Marta Crinejo, Agenda Director Anna Russell, City Secretary Dave Feldman, City Attorney Deborah McAbee, Senior Assista	nt City Attorney			
	REQUIRED AUTHO	ORIZATION		
Finance Director:	Other Authorization:		Other Authorizat	tion:

# TAX INCREMENT REINVESTMENT ZONE NUMBER FIVE CITY OF HOUSTON, TEXAS

# **MEMORIAL HEIGHTS ZONE**

Fifth Amended
Project Plan and Reinvestment Zone Financing Plan

September 13, 2011

# REINVESTMENT ZONE NUMBER FIVE, CITY OF HOUSTON, TEXAS MEMORIAL HEIGHTS ZONE

Part F - Fifth Amended Project Plan and Reinvestment Zone Financing Plan

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Godi G	
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Existing & Proposed Uses of Land Proposed Changes of Zoning Ordinances, Municipality Master Plan, Building Codes, & Other Municipal Ordinances Estimated Non-Project Cost Items Statement of Method of Relocating Persons Displaced as Result of Implementing Plan  B. FINANCING PLAN Estimated Project Costs Statement Listing Kind, Number, & Location of Proposed Public Works or Improvements in Zone	444444
Existing & Proposed Uses of Land Proposed Changes of Zoning Ordinances, Municipality Master Plan, Building Codes, & Other Municipal Ordinances Estimated Non-Project Cost Items Statement of Method of Relocating Persons Displaced as Result of Implementing Plan  B. FINANCING PLAN Estimated Project Costs Statement Listing Kind, Number, & Location of Proposed Public Works or Improvements in Zone Economic Feasibility	444444
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Existing & Proposed Uses of Land Proposed Changes of Zoning Ordinances, Municipality Master Plan, Building Codes, & Other Municipal Ordinances Estimated Non-Project Cost Items Statement of Method of Relocating Persons Displaced as Result of Implementing Plan  B. FINANCING PLAN Estimated Project Costs Statement Listing Kind, Number, & Location of Proposed Public Works or Improvements in Zone Economic Feasibility Estimated Amount of Bond Indebtedness; Time When Related Costs or Monetary Obligations Incurred.	444444
Existing & Proposed Uses of Land Proposed Changes of Zoning Ordinances, Municipality Master Plan, Building Codes, & Other Municipal Ordinances Estimated Non-Project Cost Items Statement of Method of Relocating Persons Displaced as Result of Implementing Plan  B. FINANCING PLAN Estimated Project Costs. Statement Listing Kind, Number, & Location of Proposed Public Works or Improvements in Zone Economic Feasibility. Estimated Amount of Bond Indebtedness; Time When Related Costs or Monetary Obligations Incurred.  Description of Methods & Sources of Financing Project Costs & Percentage of Increment	4444444
Existing & Proposed Uses of Land Proposed Changes of Zoning Ordinances, Municipality Master Plan, Building Codes, & Other Municipal Ordinances Estimated Non-Project Cost Items Statement of Method of Relocating Persons Displaced as Result of Implementing Plan  B. FINANCING PLAN Estimated Project Costs. Statement Listing Kind, Number, & Location of Proposed Public Works or Improvements in Zone Economic Feasibility. Estimated Amount of Bond Indebtedness; Time When Related Costs or Monetary Obligations Incurred.  Description of Methods & Sources of Financing Project Costs & Percentage of Increment From Taxing Units.	44444444
Existing & Proposed Uses of Land Proposed Changes of Zoning Ordinances, Municipality Master Plan, Building Codes, & Other Municipal Ordinances Estimated Non-Project Cost Items Statement of Method of Relocating Persons Displaced as Result of Implementing Plan  B. FINANCING PLAN Estimated Project Costs. Statement Listing Kind, Number, & Location of Proposed Public Works or Improvements in Zone Economic Feasibility. Estimated Amount of Bond Indebtedness; Time When Related Costs or Monetary Obligations Incurred.  Description of Methods & Sources of Financing Project Costs & Percentage of Increment	4 4 4 4 4 4

## Maps & Exhibits

Map 1 - Proposed and Existing Land Uses

Exhibit 1 - Project Cost Schedule

Exhibit 2 - Net Revenue Schedule - All Jurisdictions

Exhibit 3 - Transfer Schedule - All Jurisdictions

Exhibit 4A - Revenue Schedule - City of Houston Original Area 1996

Exhibit 4B - Revenue Schedule - City of Houston Annexed Area 2007

Exhibit 4C - Revenue Schedule - City of Houston Annexed Area 2008

Exhibit 5 - Revenue Schedule - Houston Independent School District 1997

#### Introduction

The Project Plan and Reinvestment Zone Financing Plan and amendments ("Plans") for Reinvestment Zone Number Five, City of Houston, Texas ("Zone") sets forth goals, expectations, and redevelopment plans and programs to create and support an environment attractive to private investment in the greater Memorial Heights area and in portions of the Buffalo Bayou and the White Oak Bayou inner loop recreational corridor. The intent of the Plans is to implement improvements that will result in the long-term stability and viability of the area.

The Zone was created by Ordinance No. 96-1337, on December 18, 1996, to facilitate the master-planned, mixed-use, residential redevelopment of approximately 112 acres bounded generally by Washington Avenue, Washington Cemetery, Memorial Drive, and Heights Boulevard. The Plans were adopted by City Council on May 21, 1997 by Ordinance No. 1997-594 ("Part A Plan"). In the Part A Plan, two alternatives were identified that were predicated on the relocation/abandonment of an existing rail spur. Because the he rail spur was not abandoned within a time frame that would allow the development contemplated, the Plans were amended on August 11, 1999 by City Council by Ordinance No. 1999-823 ("Part B Plan").

On October 10, 2007, City Council approved the annexation of approximately 800 acres into the Zone by Ordinance No. 2007-1142, and approved the Second Amended Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 2008-784 on September 3, 2008 ("Part C Plan"). On December 17, 2008, City Council approved a second annexation of 38.4 acres into the Zone by Ordinance No. 2008-1204, for a proposed mixed-used development. On March 25, 2009, an additional .10 acres consisting of sidewalk/public trail access easements was added to the Zone's boundaries by Ordinance No. 2009-235. On April 8, 2009, City Council approved the Third Amended Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 2009-299, ("Part D Plan"). On December 8, 2010, City Council approved the Fourth Amended Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 2010-997 for the Zone ("Part E Plan).

This Fifth Amendment to the Plans ("Part F" Plan) consists of two parts, Section One and Section Two.

#### **Section One:**

The Part A Plan: The Part A Plan covered approximately 112 acres bounded generally by Washington Avenue, Washington Cemetery, Memorial Drive, and Heights Boulevard. The Part A Plan contemplated the financing and management tools needed to help alleviate blight, deteriorated site conditions, relieve obsolete platting; and encourage sound growth of residential development and supporting uses within the Zone. The aforementioned goals were to be achieved primarily through the financing of:

- Real property assemblage and associated costs
- Environmental remediation
- Public utilities including water, sewer, and drainage facilities
- Utility Impact Fees
- Paving
- Landscaping
- Improvements to Spotts Park
- Intersection improvements
- Pedestrian Bridge and improvements to tie into Houston Bikeways/Memorial Trail system.

Much of what was formerly vacant land previously occupied by industrial uses has been converted into high-density residential and commercial development. This development, which occurred within the

original boundaries of the Zone, has acted as a catalyst for additional redevelopment throughout the surrounding area. A new initiative proposed to occur within the original boundaries of the Zone will convert an additional 28 acres of multi-family housing from 616 units to an estimated 1,860 units. The Zone will continue to implement and pay for the project costs for the Part A Plan.

The Part B Plan: The Part B Plan both restated and further defined the fundamental goals and objectives identified in the Part A Plan. However, the primary intent of the Part B Plan was to reflect the inclusion of Houston Independent School District's ("HISD") participation in the Zone.

The Part C Plan: The Second Amendment to the Plans included provisions for a Zone area expansion and projects for the enhancement of and improvements to the newly annexed public land. The geographic area covered by the Part C Plan includes the areas covered by the Part A and Part B Plans, as well as the recently annexed 800 acres of land.

The Part D Plan: The Third Amended Project Plan includes provisions for a Zone area expansion and projects for the enhancement of and improvements to the newly annexed territory. The geographic area covered by the Part D Plan includes the areas covered by the Part A, Part B, and Part C Plans, as well as the approximately 39 acres of land recently annexed at Regent Square and sidewalk/trail easements at Studemont Street and Memorial Drive. The proposed improvements in the annexed area are associated with the Regent Square project and will allow the Zone to enter into a development agreement with the owner of most of this property to develop a mixed-use project that includes for-sale and rental residential units, retail and restaurant development, and office space. The development agreement would reimburse the developer for various public improvements including, but not limited to, underground utility improvements (water, wastewater, and storm drainage), street lighting and landscaping, sidewalks, and utility impact fees. Public improvements proposed in the Part D Plan relate to the original goals of the Zone. Part D Plan tax increment revenues that are not utilized for the project costs associated with the Part D Plan annexed area may be utilized for project costs in the Part A Plan, Part B Plan, and Part C Plan areas of the Zone.

The Part E Plan: The Part E Plan includes provisions in anticipation of funds associated with extending the duration of the Zone. The additional funds derived from the Part E Plan will be utilized for public improvement project costs consistent with the Part A, Part B, Part C, and Part D Plans. Additionally, funding increases for other project costs, administrative expenses, and operational costs were included, resulting in an overall increase in project costs of \$47,797,291.

#### Section Two:

The Zone and the City now desire to further amend the Plans as described herein ("Part F Plan"). The Part F Plan provides for enhancement of and improvements in the Zone, and contemplates reducing the boundaries of the Zone by approximately 253 acres of land that was previously included in the Part A-Part E Plans. The Part A-F Plans combined will provide the necessary tools to alleviate blight, deteriorated street and site conditions, and obsolete public services and facilities and will encourage growth of residential, retail, and commercial development within the Zone.

#### The Part F Plan:

Goals: Public improvements proposed in the Part F Plan relate to the goals of the Original and amended Plans and are as follows:

Goal 1: Infrastructure Improvements:

Public streets and public utility systems are required to create an environment that will stimulate private investment in retail, residential, and multi-family developments. Reconstruction (major and minor) of key streets and utility systems will be undertaken to enhance the level of service in the area, improve functionality, replace aged facilities, and increase aesthetics. All roadway improvements will be integrated with street reconstruction projects of the City of Houston and others, as needed, and where possible, include elements not included in those programs.

#### Goal 2: Parks and Related Amenities:

The creation of pedestrian-friendly safe environments, public open green space, and access and egress improvements including land acquisition, dedication of public easements, parking, and the construction of enhancements with an emphasis on the watershed of the Lower White Oak Bayou, are important components of the Part F Plan. All improvements will be integrated with adjacent land uses and provide upgrades focused on connectivity, pedestrian safety, and the visual environment.

#### Goal 3: Non-Vehicular/Multi-Modal Transportation Systems:

Development of on-road and off-road hike and bike trails including sidewalks, pedestrian bridges, lighting, street trees, landscaping, wayfinding signage, benches, street furniture, public art and other pedestrian amenities. Improvements include establishment of off-street hike and bike lanes where adequate right-of-way/public easements are available, widening of existing sidewalks/roadway bridge decks to accommodate both pedestrian and bicyclists, and modification of lane design within existing pavement.

#### Goal 4: Cultural and Public Facilities:

Efforts to enhance the quality of life of area residents through the rehabilitation of cultural and public facilities are anticipated in the Part F Plan. Repositioning of historic cemeteries is a component part of this category.

#### Goal 5: Drainage and Detention Facilities:

The fundamental goal of the Part F Plan will be to address issues related to storm water management. This will be achieved through the construction of flood mitigation utility systems, including the design and construction of new storm water systems, retention basins, channel and environmental/ecological restoration projects, reclamation and other methodologies proven to reduce volumes of runoff from drainage areas. Flood risk management will be implemented so as to minimize increased risk of flooding either locally or elsewhere.

#### Goal 6: Affordable Housing:

Provisions for a commitment to the City of Houston for an affordable housing contribution is included in the Part F Plan.

#### Project Plan and Reinvestment Zone Financing Plan for the Zone

### A. Project Plan

Existing Uses of Land (Texas Tax Code §311.011(b)(1)): Map 1 (attached) depicts the existing land and proposed uses in the Zone. The existing and proposed land uses include multi-family residential,

commercial, office, public and institutional, transportation and utility, park and open spaces, and undeveloped land uses.

Proposed Changes of Zoning Ordinances, Master Plan of Municipality, Building Codes, and other Municipal Ordinances (Texas Tax Code §311.011(b)(2)): All construction will be performed in conformance with the City's existing rules and regulations. There are no proposed changes to any City ordinance, master plan, or building code.

Estimated Non-Project Costs (Texas Tax Code §311.011(b)(3)): Resolution 1997-0001, adopted by City Council on January 8, 1997, created the Memorial Heights Public Improvement District (PID). The viability of submitting to City Council a PID Assessment has been discussed among single family and multi-family residents within the original boundaries of the Zone. No known assessment rate or collection amount is known at this time.

Method of Relocating Persons to be Displaced, if any, as a Result of Implementing the Plan (Texas Tax Code §311.011(b)(4)): It is not anticipated that any residents will be displaced by any of the projects to be undertaken in the Zone.

## B. Reinvestment Zone Financing Plan

Estimated Project Costs (Texas Tax Code §311.011(c)(1)): Exhibit 1 (attached) details the proposed public improvement and administrative project costs. The dollar amounts are approximate and may be amended from time to time by City Council. The financing costs are a function of project financing needs and will vary with market conditions from the estimates shown on Exhibit 1. The estimated project descriptions in the Part A Plan, Part B Plan, Part C Plan, Part D Plan, and Part E Plan remain valid for those projects at this time.

Proposed Kind, Number, and Location of all Proposed Public Works or Public Improvements to be Financed in the Zone (Texas Tax Code §311.011(c)(2)): These details are described throughout the Plan.

Economic Feasibility (Texas Tax Code §311.011(c)(3)): An economic feasibility study was completed for the Memorial Heights area in 1996 by CDS Market Research. The study documents the economic potential of the Zone. Exhibits 2 through 5 constitute incremental revenue estimates for the Zone. The incremental revenue estimates are projected to be sufficient to cover the costs of the proposed redevelopment and infrastructure improvements in the Zone. The Plan estimates total project costs of \$139,680,493. The Zoneand the City find and determine that the Part A Plan, Part B Plan, Part C Plan, Part D Plan, Part E Plan, and Part F Plan are economically feasible.

Estimated Amount of Bond Indebtedness: Estimated Time When Related Costs or Monetary Obligations Incurred (Texas Tax Code §311.011(c)(4), §311.011(c)(5)): Issuance of notes and bonds by the Zone will occur as tax increment revenues allow. The value and timing of the issuance of notes or bonds will correlate to debt capacity as derived from the attached revenue and project schedules, as well as actual market conditions for the issue and sale of such notes and bonds.

Methods and Sources of Financing Project Costs and Percentage of Increment from Taxing Units Anticipated to Contribute Tax Increment to the Zone (Texas Tax Code §311.011(c)(6)): Methods and sources of financing include the issuance of notes and bonds, as well as collaboration with developers and other entities for grant funding and partnerships. Tax Year 1997 was the base year for the Zone, and Tax Year 2029 is the scheduled termination date. As outlined in Exhibits 2 through 5, at least \$82.7 million of increment is estimated to be generated by the Zone for use in funding project costs. This figure is calculated using an estimated collection rate of 95% and a City contribution of \$0.63875/\$100 of assessed

valuation in the Original and 2007, 2008, and 2009 Annexed Areas and, a HISD contribution of \$1.15670/\$100 of assessed valuation in the Original Area. HISD participation in the Zone will terminate with the collection of the Tax Year 2017 increment payment.

<u>Current Total Appraised Value of Taxable Real Property</u> (Texas Tax Code §311.011(c)(7)): The current projected appraised value of taxable real property in the Zone as of April 15, 2011 is \$365,975.043.

Estimated Captured Appraised Value of Zone During Each Year of Existence (Texas Tax Code §311.011(c)(8)): The estimated captured appraised value for the remaining duration of the Zone is set forth in Exhibit 2.

Zone Duration (Texas Tax Code §311.011(c)(9)): When the Zone was initially created by City Council on December 10, 1997, its duration was established at 19 years. Due to the magnitude of development within and adjacent to the Zone and the increased demand on the already-distressed infrastructure, by Ordinance 2010-996, adopted by City Council on December 8, 2010, the duration of the Zone was extended to December 31, 2029.

# MAPS AND EXHIBITS

Project Cost Amendments: The following table includes the approved project cost for the Part A. Part B. Part C. and Part D. Plans and the changes made to those budgets through this Part E. amendment:

	1997 (B) Plan	1999 Plan	2008 Plan	2009 Plan	2010 Plan	2012 Plan			
infrastructure improvements:	Contra	tim ated	Estimated	Estimated	Estimated	Estimated	Total Plan	Cost through	Ne maining
Public Utilities - Parts A. B. C. Dand E.		25	Costs	Costs	Costs	Costs		06/30/10	Costs
Water Single Family/Tow rhome	2000 000								
Water Multi Farray	000,202	262,000	•		•		\$ 262 000		
Santary Sewer	23,000	\$ 123,000	•		,		123,000		
Water Impact Fees	383,625	\$ 383,625	•	•	•		363 636	:	i
Westew ater Impact Fees	\$ 158,800	\$ 158,800	•				203,023		
Storms after	\$ 555,800	\$ 555,800		۰		•	128,800		
Organization and	\$ 511,500	\$ 511,500	•			•	255,800		
Dieta India	5 5,400	5.400					\$ 511,500		
		•	\$ 1544510	4 500 000			5,400		
Total Public Utilities - Parts A, B, C, D and E S	\$ 2,000,126	\$ 2000 426	1	4,300,000		\$ 10,000,000	\$ 16,144,510		
4	1		\$ DL9'449'L	4,500,000	•	\$ 10,000,000	\$ 18,144,636	\$ 2.886.228	\$ 46 269 407
Intersection Improvements (Studemont@Washington)	450,000								in the second
Public 41' Paving Sect.	000,001	000,061	\$ 125,000	•			\$ 275,000		
Private/UE28' Paying sect	281,250	\$ 281,250	•				20,000		
Public right-of-way improvements	781,850	\$ 781,850	•	,			0070707		
			\$ 500,000	6.500,000	13 400 000	40,000,000	DC0 io		
	1	\$ 1,213,100	1	\$ 6,500,000	1	000000	30,400,000		
Other Brain and Comments - Parts A, B, C, Dand E, S	3,213,226	\$ 3,213,226	2.269.610	11 000 000	1	000,000,01	31,738,100	4,446,666	\$ 27,291,434
Part					13,400,000	\$ 20,000,000		\$ 7,331,854	\$ 42,660,841
Cert implovements - Parts A. B. C. Dand E									
	\$ 1,065,000	\$ 1065,000							
Permeter Fencing	284 375	000,000	•	•		` ,	\$ 1,065,000		
Park Improvements	200,003	500,000		,		,	\$ 284.375		
Pedestrian Bridge	000'000	200,000		•			200,000		
Parts/Pedestrian Amenities/Filice and Bite Trails	oon'one	300,000	•	•			30,000		
Darte A	1	- [	\$ 15,000,000		\$ 11,350,000	\$ 15,000,000	300,000		
	5 2,149,376	\$ 2,149,376	\$ 16,000,000		1	46 000,000	000,000		
Professional Services		1	ı		ŀ	- 1	5 43,499,376	\$ 1,112,616 \$	42,386,869
TRZ Administration and Management	\$ 1,185,000	\$ 1,185,000	\$ 2,133,460						
			\$ 1980 393				·		
Brooms A. B. C. Dand E S	\$ 1,186,000 \$	\$ 1.186.000	\$ 413.863 6	.	1,215,000		6		
tan-up - Parts A. B. C. Dand E	1	1	2, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1,	•	1,216,000		\$ 6,513,853	\$ 2,768,644 \$	3.756.308
uog	\$ 100,000	100,000				1			
	'n	\$ 2,000,000		•		\$ 25,000,000 \$	.4		
Politic Property Assemblage/Clean-up - Parts A, B, C, D and E S	\$ 2,100,000 \$	2,100,000		'	•		\$ 2,000,000		
Francisco Costs - Parts A. B. C. D. and E.						\$ 26,000,000	\$ 27,100,000	\$ 682,382 \$	25,217,618
ital Project Smenoine Cont.	8,959,321	\$ 8,959,321	\$ 920,192 \$	•					
Parts A. B. C. Dand E.	\$ 8,969,321	\$ 8,969,321	\$ 920,192 \$				9,8/9,513		- 1
						•	3,6/3,613	\$ 3,266,107 \$	6,624,406
Total Creation Coats - Barta A	165,000	165,000		,	•		465 000		
Educational Project Costs - Parts A D C Dans E 5	166,000	\$ 166,000	\$	,	ľ		000.001	176,300	-
							166,000	5 176,300 \$	(10,300)
,		10,903,863	\$ 10,903,863 \$	•			£ 10 ans ses		
E Coats - Parts A. B. C. Dand E		5 10,903,863	\$ 10,903,863 \$				ı	9 646 967 8	- 1
								70010	118, 306,1
Total Affordable Housing Costs - Parts A, B, C, Dand E	•		4,009,127	6,610,792	\$ 21,832,291 \$	٠	\$ 21,832,291		
Other Project Costs - Parts A, B,		14,668,696 \$ 26,462,658 €	4,003,12/	6,610,732		٠		\$ 1,147,142 \$	\$ 20,686,148
		\$ 28 E7E 764	800,120,00	6,610,782	5 34,397,291		\$ 119,893,896	•	\$ 100.866.962
		- 6	20,000,040	5 17,610,782		\$ 60,000,000	\$ 168,776,630	•	449 647 700
						ı	ł		2011110

Map of Existing and Proposed Land Uses

EXHIBIT 2 - Revenue Schedule All Jurisdictions

	<u> </u>			Increment Revenue			Т	
Tax Year (1	1)	City		Houston ISD (2)		Total Increment Revenue		Net Revenue (Total Increment Revenue Less Transfers)
2011	\$	1,439,910	\$	867,653	\$	2,307,563	1 1	1,822,985
2012	\$	1,476,938	\$	880,667	\$	2,357,605		••
2013	\$	1,683,930	\$	893,877	\$	2,577,807	•	,,,
2014	\$	2,896,772	\$	907,285	\$	3,804,057		
2015	\$	3,477,548	\$	920,895	\$	4,398,442	•	-,,
2016	\$	3,584,397	\$	934,708	\$	4,519,105		3,897,349
2017	\$	3,664,314	\$	948,729	\$	4,613,043	\$	3,981,028
2018	\$	3,745,830			\$	3,745,830	\$	3,558,538
2019	\$	3,828,975			\$	3,828,975	\$	3,637,527
2020	\$	3,913,784			\$	3,913,784	\$	3,718,095
2021	\$	4,000,289			\$	4,000,289	\$	3,800,275
2022	\$	4,088,524			\$	4,088,524	s	3,884,098
2023	\$	4,178,524			\$	4,178,524	\$	3,969,598
2024	\$	4,270,324		*	\$	4,270,324	Š	4,056,808
2025	\$	4,383,850			\$	4,383,850	\$	4,164,658
2026	\$	5,113,665			5	5,113,665	S	4,857,981
2027	\$	5,705,161		;	5	5,705,161	\$	5,419,903
2028	\$	7,181,456		;	5	7,181,456	S	6,822,384
2029	\$	7,753,815		,	3	7,753,815	\$	7,366,125
_	\$	76,388,006	;	6,353,814			Š	75,909,160

<sup>(1)</sup> TIRZ 5 is scheduled to terminate in Tax Year 2029

<sup>(2)</sup> Houston Independent School District participation in the TIRZ ends with the collection of the Tax Year 2017 payment

EXHIBIT 3 - Transfer Schedule All Jurisdictions

					T T ATTENDANCE	date our surficions	suc		
, X	3	Increment Revenue	9						
Year						ransmers			Net Revenue
ε	City (2)	Houston ISD(3)	locrament	Houston ISD		Admin Fees			Increment
			Revenue	Educational	City	Houston	Total	Transfere	Revenue less
2011	\$ 1,439,910	\$ 867 653	2002 200	1		ISD	ğ 5		Transform
2012	\$ 1,476,938				\$ 71,996	\$ 25,000	\$ 96 996	404 577	=
2013	\$ 1,683.930		1	\$ 393,396	\$ 73,847	\$ 25,000			
2014	\$ 2,896,772	\$ 907.795		1	\$ 84,196	\$	5	\$ 492,243	-
2015	\$ 3,477,548		3 3,804,057		\$ 144,839	\$ 25,000	8		\$ 2,069,314
2016	\$ 3,584,397				\$ 173,877	\$ 25,000	\$ 198.877		
2017	\$ 3,664,314	\$ 948 720			\$ 179,220	\$ 25,000	\$ 204.220		
2018	\$ 3,745,830			\$ 423,799	\$ 183,216	\$ 25,000	l		
2019	\$ 3,828,975				\$ 187,291				1
2020	\$ 3,913,784		1		\$ 191,449				
2021	\$ 4,000,289				\$ 195,689				
2022	\$ 4,088,524				\$ 200,014				-
2023	\$ 4,178,524		-		\$ 204,426				
2024	\$ 4,270,324				\$ 208,926			\$ 209,426	-
2025	\$ 4,383,850		4,270,324		\$ 213,516				
2026	\$ 5,113,665				\$ 219,193			, v	
2027	\$ 5,705,161		5 705 464		\$ 255,683		\$ 255,683		4, 164,658
2028	\$ 7,181,456		1		\$ 285,258		\$ 285,258		
2029	\$ 7,753,815				- 1		\$ 359,073		\$ 6,419,903
	\$ 76,388,006	\$ 6,353,814	82.741.820	\$ 2830 264		- 1	\$ 387,691	\$ 387,691	
Notes:			-4	102,000,2	3,819,400	\$ 175,000	\$ 3,994,400	\$ 6,832,661	-
.025									

TIRZ 5 is scheduled to terminate in Tax Year 2029
 Tax Year 2011 revenues derived from the Harris County Appraisal District August 26, 2011 report

For Tax Years 2012 to 2029, revenue increases reflect Regents Square development in the 2008 Annexed Area (3) Houston Independent School District participation in the TIRZ ends with the collection of the Tax Year 2017 payment

City of Houston - Original Area 1996 EXHIBIT 4A - Revenue Schedule

Tax Year(1)	Base Value (2)	Projected Value	Captured Appraised Value	Collection Rate (4)	Tax Rate	Increment	
2011	\$ 26.532.050	1				Kevenue	
2042		\$ 254,682,526	\$ 228,048,576	95,000			T
7	26,633,950	\$ 259,776,177	\$ 233 142 227	20.00	0.63875	\$ 1,383,827	27
2013	\$ 26,633,950	\$ 264 071 700		92.00%	0.63875	\$ 1414 736	g
2014	\$ 26.633 950	1		95.00%	0.63875	y.	3 8
2015	\$ 26,633,950	1	-	92.00%	0.63875	5	3 3
2016	\$ 26 633 950			95.00%	0.63875		J 5
2017	\$ 26 633 050	1		92.00%	0.63875		3 18
2018		\$ 286,813,890	\$ 260,179,940	95.00%	0.63875		्।
2019	\$ 26,533,050		\$ 265,916,217	95.00%	0.63875	» 6	4
2020		1	\$ 271,767,221	95.00%	0.63875	9 6	2
2021			\$ 277,735,244	95.00%	0.63075	9 6	
2022			\$ 283,822,628	95 00%	0.03073	6	2
2000	l	\$ 316,665,710	\$ 290,031,760	2000	0.038/5	\$ 1,722,271	Ξ
2023	\$ 26,633,950	\$ 322,999,024	\$ 206 365 031	800.08	0.63875	\$ 1,759,949	<u>g</u>
2024	\$ 26,633,950	\$ 329.459.004		95.00%	0.63875	<b>\$</b>	9
2025	\$ 26,633,950	\$ 336 048 184	1	95.00%	0.63875	\$ 1.837.580	9
2026	\$ 26,633,950			92.00%	0.63875	5	2 2
2027	\$ 26,633,950	1	-	82.00%	0.63875	ľ	t o
2028	\$ 26.633.950	1	-	%00.56	0.63875		2 1
2029	_	363 740 000		%00.56	0.63875		1 9
	_	202,749,302	\$ 337,115,412	92.00%	0.63875		n (
- 1							Ď

2,045,658 32,228,092

(1) TIRZ 5 is scheduled to terminate in Tax Year 2029

(2) Base Year is Tax Year 1996

(3) Tax Year 2011 Property Values based on the Harris County Appraisal District August 26, 2011 report For Tax Years 2012 to 2029, the property value increases at an annual rate of 2%

(4) Collection rate for Tax Year 2011 to Tax Year 2029 estimated at 95%

EXHIBIT 4B - Revenue Schedule City of Houston - Annexed Area 2007

_						
Tax Year(1)	Base Value (2)	Projected Value	Captured Appraised Value	Collection Rate (4)	Tax Rate	Increment
2011	·	l				
95.00	0	5,852,004	\$ 5,852,004	95 000		
2017	0	\$ 5.969 044	£ 000 01.	33.00.70	0.63875	\$ 35,511
2013		3		%00'56	0.63875	\$ 36.221
2014			\$ 6,088,425	95.00%	0.63875	36 96
2015		6,210,193		95.00%	0.63875	37 684
2016				92:00%	0.63875	\$ 38.438
2017			1	95.00%	0.63875	\$ 30,707
2018			\$ 6,590,307	92.00%	0.63875	
2019			\$ 6,722,113	95.00%	0.63875	
2020	0	\$ 6,856,555	\$ 6,856,555	82.00%	0.63876	
2024	9	\$ 6,993,686	\$ 6,993,686	95,00%	20000	
707	0	\$ 7.133.560	7 423 500	80.00 A	0.638/5	\$ 42,439
2022	0	\$ 7.776.234		82:00%	0.63875	\$ 43.287
2023	C		1	95.00%	0.63875	s
2024	0			95.00%	0.63875	5
2025	0			82.00%	0.63875	\$ 45 937
2026	0 0			92.00%	0.63875	
2027			\$ 7,876,027	82.00%	0.63875	
2028				92.00%	0.63875	
2029			\$ 8,194,218	95.00%	0.63875	
		\$ 8,358,103	\$ 8,358,103	95 00%	25050	
				20:00	0.038/3	\$ 50,718

50,718

(1) TIRZ 5 is scheduled to terminate in Tax Year 2029

(2) Base Year is Tax Year 2007(3) Tax Year 2011 Property Values based on the Harris County Appraisal District August 26, 2011 report

For Tax Years 2012 to 2029, the property value increases at an annual rate of 2% (4) Collection rate for Tax Year 2011 to Tax Year 2029 estimated at 95%

City of Houston - Annexed Area 2008 EXHIBIT 4C - Revenue Schedule

Tax Year(1)	Base Value (2)	Projected Value	Captured Appraised Value	Collection Rate (4)	Tax Rate	Increment	
2011	\$ 41 173 507	l		E		Revenue	
2012			\$ 3,390,204	95.00%	0.63875	6	T
2013			\$ 4,281,480	95.00%	0.63875	3 6	20,572
2014		74,251,558	- 1	95.00%	0.63875	A 6	25,981
2015		1		95.00%	0.63875	9 6	2 2
2016	\$ 41.173.587		-	95.00%	0.63875		8 8
2017	\$ 41.173.587			95.00%	0.63875		8 3
2018	\$ 41.173.587			95.00%	0 63875		7 5
2019	\$ 41.173.587			95.00%	0.63875	e 6	919
2020	\$ 41.173.587			95.00%	0.63875	9 6	97 6
2021	\$ 41.173.587			95.00%	0 63875	e 6	70
2022	\$ 41.173.587		- 1	95.00%	0 63875	, 6	
2023	\$ 41 173 587		- 1	95.00%	0.63875	9 6	5
2024	\$ 41 173 587		- 1	95.00%	0.63875	٠ ا	27
2025	\$ 41,173,587		-	95.00%	0.63875	, ,	2 3
2026	\$ 41,173,587	\$ 559 871 562	1	%00:56	0.63875		3 8
2027	\$ 41,173,587			%00:56	0.63875	69	2 2
2028	\$ 41,173,587	886 Aco 274		95.00%	0.63875		1 2
2029	\$ 41.173.587	072 404 94		82.00%	0.63875		
		140,484,010	\$ 932,320,754	82.00%	0.63875		ă ș
Notes:						3,057,439	2

(1) TIRZ 5 is scheduled to terminate in Tax Year 2029

43,348,830

(2) Base Year is Tax Year 2008

(3) Tax Year 2011 Property Values based on the Harris County Appraisal District August 26, 2011 report For Tax Years 2012 to 2029, revenue increases incorporates Regents Square development (4) Collection rate for Tax Year 2011 to Tax Year 2029 estimated at 95%

Houston Independent School District - Original Area 1997 EXHIBIT 5 - Revenue Schedule

			Lesser of:					<b></b>
_	(2) Base Value (2)	Captured App	Captured Appraised Value		Collection			
		Projected Value	Captured	Project Plan Appraised Value	Rate (4)	Tax Rate	Increment Revenue	
-	\$ 26 633 050		Appraised Value					
$\vdash$	Sec. 200.00	-	\$ 225,469,092 \$	\$ 78 958 07.4				
+	008,550,02	\$ 257,145,103	69		%00.cs	1.1567	\$ 867,653	
+	\$ 26,633,950	\$ 262.288 005	C 205 05 0	e 80,143,359	95.00%	1.1567	20000	
	\$ 26,633,950	202 500 202	- 1	\$ 81,345,509	95.00%	4 4503	/00,000	
۲	200.00	201,333,765	\$ 240,899,815	S ROE CON	2	/00:-	\$ 893,877	
+	20,633,950	\$ 272,884,440 \$		, ,	95.00%	1.1567	\$ 007 705	
-	\$ 26,633,950	\$ 278 242 420		\$ 83,804,177	95.00%	1 1527		
	\$ 26 633 050	1	\$ 251,708,179	\$ 85.061.240	95 009	7001.	920,895	
1	Oce constant	283,908,972	283,908,972 \$ 257,275,022	u	33.00 W	1.1567	\$ 934,708	
				BC1,755,00	95.00%	1.1567	\$ 0.78 7.20	

(1) Houston Independent School District participation in the TIRZ ends with the collection of the Tax Year 2017 payment

948,729 6,353,814

(3) Tax Year 2011 Property Values based on the Harris County Appraisal District August 26, 2011 report

For Tax Years 2012 to 2017, the property value increases at an annual rate of 2% (4) Collection rate for Tax Year 2011 to Tax Year 2017 estimated at 95%

REQUIRED AUTHORIZATION

Other Authorization;

Other Authorization:

**Finance Director** 

Other Authorization:

Other Authorization:

Finance Department

TO: Mayor via City Secretary	REQUEST FOR COUNCIL	ACTION	N.		
SUBJECT: Ordinance amending a University of Texas Health Science laboratory manager	an Interlocal Agreement with the Center for the services of a	ne	Category # 9	Page 1 of 1	Agenda Item #
FROM (Department or other po Houston Department of Health and	int of origin): d Human Services	<b>Origin</b> 10/14/	ation Date		a Date T 2 6 2011
DIRECTOR'S SIGNATURE:	Redge for sew	Counc ALL	il District a		2011
For additional information conta Telephone: 832-393-5045; 713-82	ct: Kathy Barton 26-5801	author	nd identific izing Cour )1-5-11; 20	cation of pi ncil action: 11-0017	rior
RECOMMENDATION: (Summary University of Texas Health Science	y) Adopt an Ordinance amend Center for the services of a la	ding an I	nterlocal Ao manager	greement w	ith the
Amount of Funding: N/A				Finance D	epartment:
SOURCE OF FUNDING: [ ] Gen	eral Fund [ ] Grant Fund	[ ]Ent	erprise Fu	nd [] Otl	ner ( Specify)
The Houston Department of Health and Human Services (HDHHS) requests City Council's approval of an ordinance amending an Interlocal Agreement with the University of Texas Health Science Center for the services of a laboratory manager. On January 5, 2011, City Council adopted Ordinance No. 2011-0017 approving and authorizing an Interlocal Agreement with the University of Texas Health Science Center for the services of a laboratory manager for the HDHHS laboratory. Since the implementation of the agreement, and as a result of the reorganization of the laboratory, it has become necessary to modify the scope to clarify the roles of the laboratory manager under the agreement, Revisions to the scope include removing duties pertaining to supervising and evaluating performance of subordinates and adding the following duties:					
	ip for clinical laboratory ser		suring tes	ting is don	e in a timely
<ul> <li>Work with laboratory staff and accrediting agencies to maintain laboratory certification and; performing all other laboratory related duties as assigned by the laboratory director.</li> </ul>					
<ul> <li>Laboratory manager is to v other attendance issues ar scheduled time off.</li> </ul>	vork a 40 hour work week; ond provide at least a five bus	ontact t siness d	the lab dire ays notice	ector for ab of planned	sènce or d or
cc: Legal Department Agenda Director					
	REQUIRED AUTHORIZAT	ION			
Finance Department	Other Authorization:		Other Au	thorization	:

TO: Mayor via City C.	REQUEST FOR COU	NCIL ACTION			
TO: Mayor via City Secretary	16. T			RCA	\# 9171
Subject: Formal Bids Receive Services for the Parks & Rec S50-L24052	reation Department	g and Pruning	Category #	Page 1 of 2	Agenda Item
FROM (Department or other poi	nt of origin):	Origination D	ate	Agenda Date	1
Calvin D. Wells City Purchasing Agent Administration & Regulatory A	Affairs Department	October 0		OCT 2	
Mine S W.	ulls	Council Distri All	ct(s) affected		
For additional information contact Luci Correa Ray DuRousseau	Phone: (832) 395-7057 Phone: (832) 393-8726	Date and Iden Council Action	tification of p	rior authorizin	g .
RECOMMENDATION: (Summar Approve an ordinance awardin \$2,976,062.50 for tree remova	ry) ng a contract to Prime Trees	Inc. on its low to	oid in an am	ount not to e eation Depar	xceed tment.
Maximum Contract Amount: \$	2.976.062.50			Finance Budge	t

# **SPECIFIC EXPLANATION:**

\$2,976,062.50 - General Fund (1000)

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract with two one-year options to Prime Trees, Inc. on its low bid in an amount not to exceed \$2,976,062.50 for tree removal, trimming and pruning services for the Parks and Recreation Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor. Under this contract, the contractor shall be required to provide tree removal, trimming and pruning services in City parks and on right-of-ways and esplanades throughout the City of Houston.

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

_	<u>Company</u>	<b>Total Amount</b>
1.	Prime Trees, Inc.	\$2,976,062.50
2.	Central Landscape & Maintenance	\$3,298,650.00
3.	Bio Landscape & Maintenance, Inc.	\$3,624,050.00
4.	Arbor Care, Inc.	\$7,155,550.00
5.	TIBH Industries, Inc.	\$9,923,219.00

The scope of work requires the contractor to furnish all labor, supervision, tools, equipment and transportation necessary to provide tree removal, trimming and pruning services that include, but are not limited to, trimming and pruning of tree branchs and removal of hazardous, damaged or dead trees. The contractor shall also be required to dispose of all debris associated with removing the tree(s) in strict accordance with local, State and Federal regulations. In the event of a declared disaster, for which debris removal is eligible for FEMA reimbursement, this contract would be administered in conjunction with the City Disaster Management Plan administered by the City Debris Manager.

	REQUIRED AUTHORIZATIO	)N	
Finance Department:	Other Adthorization:	Other Authorization:	<u> </u>
	THE MICE		

MA

Date: Subject: Formal Bids Received for Tree Removal, Trimming and Pruning Services for the Parks & Recreation Department S50-L24052	Originator's Initials AL	Page 2 of 2
--	--------------------------------	-------------

#### M/WBE Subcontracting:

This invitation to bid was issued as a goal-oriented contract with an 18% M/WBE participation level. Prime Trees, Inc. has designated the below-named company as its certified M/WBE subcontractor.

Name Type of Work D. H. Tire, Inc. Automotive Repair & Maintenance \$535,621.25 Percentage 18.0%

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

## PAY OR PLAY PROGRAM:

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

**Estimated Spending Authority** 

DEPARTMENT	FY12	OUT YEARS	TOTAL
Parks and Recreation	\$300,000.00	\$2,676,062.50	\$2,976,062.50

Buyer: Arturo Lopez

REQUEST FOR COUNCIL ACTION					
TO: Mayor via City Secretary				RCA	# 9119
Subject: Approve an Amending C	Ordinance to Increase the M	aximum	Category #	Page 1 of 2	Agenda Item
Contract Amount and Authorize	e Approval of a Second Ame	endment to	4 & 5		
Contract No. C53094 for the Co	nsolidated Dispatching Syst	tem (CDS)			10
for the Houston Emergency Cen	ter	, ,			10
FROM (Department or other point o	f origin):	Origination I	Date	Agenda Date	
Calvin D. Wells					
City Purchasing Agent		August 1	5, 2011	OCT 2	6 2044
Administration & Regulatory Affa	irs Department	_		501 2	0 2011
DIRECTOR'S SIGNATURE		Council Distr	ict(s) affected		
William & Will		All			
For additional information contact:		Date and Identification of prior authorizing			g
David Cutler	Phone: (713) 884-3602	Council Actio	n:		
Douglas Moore	Phone: (832) 393-8724	Ord. 01-81	8, 06-087, 0	8-1225; CM:	03-897, 03-
			1 -	167	
DECOMPOSE AND ADDRESS OF A					

#### **RECOMMENDATION:** (Summary)

Approve an amending ordinance to increase the maximum contract amount from \$23,431,560.96 to \$29,431,560.96 for a sole source contract between the City of Houston and Northrop Grumman Systems Corporation for maintenance and operational support of the consolidated dispatching system at the Houston Emergency Center and authorize approval of a second amendment to extend the contract term from January 1, 2012 to January 1, 2016.

Maximum Contract Amount Increased by: \$6,000,000.00

\$6,000,000.00 - Houston Emergency Center Fund (2205)

#### SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the maximum contract amount from \$23,431,560.96 to \$29,431,560.96 for a sole source contract between the City of Houston and Northrop Grumman Systems Corporation (NGSC) for maintenance and operational support of the consolidated dispatching system (CDS) at the Houston Emergency Center (HEC) and authorize approval of a second amendment to extend the contract term from January 1, 2012 to January 1, 2016.

This contract was originally awarded by Council on August 29, 2001, per Ordinance No. 2001-0818, in the original amount of \$12,363,291.00. On July 16, 2003, per Council Motion No. 2003-0897, City Council approved Change Order No. 1 for \$903,530.16. On October 1, 2003, per Council Motion No. 2003-1167, City Council approved additional funds in the amount of \$664,000.00, to authorize the purchase of preventive maintenance and operational support services (OSS) maintenance, which had not been provided for in the maintenance component of the original five-year contract. On January 25, 2006, per Ordinance No. 2006-087, City Council approved additional funds in the amount of \$4,372,843.61 for NGSC maintenance support for the CDS and records management system through January 2, 2009. On December 30, 2008, per Ordinance No. 2008-1225, City Council approved additional funds in the amount of \$5,127,896.19 for the continuation of NGSC maintenance support for the CDS and records management system and authorized a first amendment to extend the contract term through January 1, 2012.

The funding increase and contract extension shall allow the City to continue to receive software maintenance and support for this critical system beyond the expiration of the current contract term while the economic climate at the City improves enough to reduce the City's overall budget deficit and allow for the procurement and implementation of an entirely new system for HEC.

The scope of work requires the contractor to provide basic software maintenance, preventative maintenance, and OSS maintenance for the CDS. The CDS provides the means for the Houston Police and Fire Departments to use combined Computer Aided Dispatching (CAD) technology to assist with assigning and managing calls for service to the most appropriate Police and Fire/EMS first responders. The CDS utilizes CAD technology to electronically

	REQUIRED AUTHORIZATION	
Finance Department:	Other Authorization:	Other Authorization:

Date: 8/15/2011	Subject: Approve an Amending Ordinance to Increase the Maximum Contract Amount and Authorize Approval of a Second Amendment to Contract No. C53094 for the Consolidated Dispatching System (CDS) for the Houston Emergency Center	Originator's Initials JH	Page 2 of 2

accept call slips created by city call takers from 9-1-1 and police 10 digit calls that are then assigned to the appropriate police and fire/EMS dispatchers. The dispatchers will use the Automatic Vehicle Location (AVL) technology in conjunction with CAD to assist with processing the assignment, tracking and closing of those calls for service.

Northrop Grumman Systems Corporation has exclusive rights and owns all source codes worldwide in connection with the CDS for the City of Houston.

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

Buyer: Joyce Hays

	REQUEST FOR COUN	ICIL ACTION			
TO: Mayor via City Secretary				RCA	# 9172
Subject: Approve an Ordin	nance to Appropriate Funds and A	pprove an	Category #	Page 1 of 2	Agenda Item
Amending Ordinance to I	ncrease the Maximum Contract A	mount for	1 & 4		
Contract # 4600010747	for the CRM Solution Upgrade for	the Houston			14
3-1-1 Helpline for the I.T.	Dept./S37-T23484-A1				. / /
FROM (Department or other	point of origin):	Origination I	Date	Agenda Date	<del>'                                    </del>
Calvin D. Wells					
City Purchasing Agent		October	18, 2011	OCT 2 6	2011
Administration & Regulator	ory Affairs Department				2011
DIRECTOR'S SIGNATURE		Council District(s) affected			
For additional information co	VICE	All			
Gary Morris		Date and Identification of prior authorizing		ıg	
Douglas Moore	Phone: (832) 393-0065 Phone: (832) 393-8724	Council Actio		17: paged 10	00.40
RECOMMENDATION: (Sur		Ciu. N	10. 2010-100	7; passed 12	2-08-10
	propriating \$1,538,280.00 out of the	e Fauinment	Acquisition (	Concolidatod	Fund and
approve an amending ord	inance to increase the maximum	contract amou	nt for the co	ntract hetwoo	n the City
of Houston and Lagan Te	chnologies, Inc. from \$2,858,430.	00 to \$3.573.0	037 00 for th	e constituent	relationshin
management solution upg	rade for the Houston 3-1-1 Helplir	e for the infor	mation Tech	nology Dena	rtment
				mology Bopo	a a none.
				Finance Budge	et
Maximum Contract Amour	nt Increased By: \$714,607.00				
#4 F00 000 00 F)/40 F					
\$1,538,280.00 - FY12 Eqt	ipment Acquisition Consolidated	-und (1800) V	VBS# X-681	11 <i>7-0</i> 001-3-0	)1
\$ 52,016.00 - Central S	ervices Revolving Fund (1002) (O	ut Years)			
\$1,590,296.00 - Total	***************************************				
SPECIFIC EXPLANATION:					

The City Purchasing Agent recommends that City Council approve an ordinance appropriating \$1,538,280.00 out of the Equipment Acquisition Consolidated Fund and approve an amending ordinance to increase the maximum contract amount for the contract between the City of Houston and Lagan Technologies, Inc. from \$2,858,430.00 to \$3,573,037.00 for the constituent relationship management (CRM) solution upgrade for the Houston 3-1-1 Helpline for the Information Technology Department (ITD).

The total appropriation includes \$875,689.00 from the FY12 equipment acquisition fund which could not be approved at the time of the initial contract award in FY11. The additional increase to the maximum contract amount of \$714, 607.00 is needed to: (1) enable social networking components and smart phone applications to integrate seamlessly with the 3-1-1 CRM system; (2) set-up a robust role-based security framework; and (3) establish the basis for future objectives such as an enterprise-wide access tool for organizing citizen information across multiple City operations, which can support the regional 3-1-1 service. The additional funds requested shall sustain the department through the end of the contract term.

This contract was awarded on December 8, 2010 by Ordinance No. 2010-1007 for a three-year term, with two one-year options in the amount of \$2,858,430.00. The scope of work required the contractor to provide all supervision, resources, tools, software and supplies to enhance and upgrade the 3-1-1 Helpline. The new system will integrate with the GIS system to include a powerful knowledge base and workflow/case management system. Additionally, the new system will input and track calls effectively, upload any or all file formats including pictures and videos, produce comprehensive reports, and include advanced web self-service for 24/7 access and online status updates.

	REQUIRED AUTHORIZA	TION	
Finance Department:	Other Authorization:	Other Authorization:	P

Date: 10/18/2011	Subject: Approve an Ordinance to Appropriate Funds and Approve an Amending Ordinance to Increase the Maximum Contract Amount for Contract # 4600010747 for the CRM Solution Upgrade for the Houston 3-1-1 Helpline for the I.T. Dept./S37-T23484-A1	Originator's Initials JH	Page 2 of 2
Phase I of	the project is currently 60% complete. It is projected	that the salk is state	

Phase I of the project is currently 60% complete. It is projected that the go-live date will be mid November 2011. Additional functionality and features such as: (1) effective workflow/case management, (2) Integration with GIS and eight back-office systems, (3) advanced web self-service for 24/7 access, and (4) social media and smart apps integration shall be completed at the end of June 2012.

This contract was issued as a goal-oriented contract with a 7.11% M/WBE participation level, and the contractor is currently achieving 5.073%. The Mayor's Office of Business Opportunity will continue to monitor this contract to ensure maximum M/WBE participation.

Buyer: Joyce Hays

REQUEST FOR COUN	CIL ACTION			
TO: Mayor via City Secretary			RC.	\# 9123
Subject: Formal Bids Received for Fuel Systems Tank Testing for the Fleet Management Department S33-L23876	ng Services	Category # 4	Page 1 of 1	Agenda Item
FROM (Department or other point of origin): Calvin D. Wells	Origination D	ate	Agenda Date	
City Purchasing Agent Administration & Regulatory Affairs Department	9/21	/ 11	OCT	2 6 2011
DIRECTOR'S SIGNATURE	Council Distri All	ct(s) affected		***************************************
For additional information contact:  Kim Burley Phone: (832) 393-6920  Douglas Moore Phone: (832) 393-8724	Date and Iden Council Action		orior authorizi	ng
RECOMMENDATION: (Summary) Approve an ordinance awarding a contract to Valley Tank Te exceed \$344,335.00 for fuel systems tank testing services for	esting, LLC on or the Fleet Ma	its low bid anagement	in an amoun Department.	t not to
Maximum Contract Amount: \$344,335.00			Finance Budg	et

\$344,335.00 - Fleet Management Revolving Fund (1005)

#### SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options, to Valley Tank Testing, LLC on its low bid in an amount not to exceed \$344,335.00 for fuel systems tank testing services for the Fleet Management Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

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

Company

1.

2.

Valley Tank Testing, LLC

UST Services, Inc.

Total Amount \$344,335.00

\$545,346.50

The scope of work requires the contractor to provide all personnel, management, supervision, labor, equipment and incidentals necessary to provide fuel systems tank testing. The contractor shall be required to provide services such as line leak testing, stage I and II vapor recovery, including recovery re-test. Testing will be performed at approximately 120 sites citywide at periodic intervals as required by statutory guidelines.

#### Pay or Play Program:

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

Buyer: Conley Jackson

Estimated Spending Authority			
Department	FY12	Out Years	Total Amount
Fleet Management Department	\$57,700.00	\$286,635.00	\$344,335.00

Attachment: M/WBE Zero-Percent Goal Document approved by the Office of Business Opportunity

					_
		REQUIRED AUTHORIZATION		Mak	
	Finance Department:	Other Authorization:	Other Authorization:		
١					



# CITY OF HOUSTON

# Interoffice

Department of Public Works and Engineering

Correspondence

RECEIVED
AACODORECTOR'S OFFICE

MAR 2 4 2011

To:

Tony Henshaw

Robert Gallegos

From:

**Assistant Director** 

Materials Management Branch

Date:

February 24, 2011

Attn:

Tim Mills

Subject:

**MWDBE SET GOAL REQUEST** 

FOR FUEL SYSTEM TANK TESTING FOR

**VARIOUS DEPARTMENTS** 

The Public Works and Engineering Department (PW&E) is requesting the Office of Business Development to review/advise on the current MWDBE goal of 0% and set a new goal for the renewal/new <u>Fuel System Tank Testing</u>.

Public Works and Engineering is not the largest user on this contract. The previous goal was set at 0%. Attached is the RCA and justification from the current contract for your review.

Current Goal	New Goal 60%	
Office of Business Development Just	ification:	
Concur:		
Robert Gallegos: Approved Policy Fally	Disapproved	
$A \leftarrow A \rightarrow A$	Disapproved	
(for lony the	HSHEW)	

DG:mw:

TO: Manageria City Co.	REQUEST FOR COU	NCIL ACTION			
	TO: Mayor via City Secretary			RCA	<b>4 9084</b>
Subject: Approve an Ordinance Awarding a Contract to the Best		Category #	Page 1 of 2	Agenda Item	
Respondent for Television P	dent for Television Production Equipment Repair and Routine		4		
Maintenance for the Mayor's	Office (HTV)/S33-L23857				41
					121
FROM (Department or other po	int of origin):	Origination l	Date	Agenda Date	
Calvin D. Wells					
City Purchasing Agent		9/21	111	OCT 2	6 2011
Administration & Regulatory	Affairs Department	1 71-1	1 ''		- 2011
DIRECTOR'S SIGNATURE	100	Council Distr	rict(s) affected		
Marin DI	Velly		(-)		
For additional information conta	ct:	Date and Idea	tification of n	rior authorizin	ισ
Dwight Williams	Phone: (832) 393-1277	Date and Identification of prior authorizing Council Action:		<b>'6</b>	
Douglas Moore	Phone: (832) 393-8724				
RECOMMENDATION: (Summa	ıry)				
Approve an ordinance awardi	ing a contract to Professional A	Audio Video S	ervice. Inc. i	an amount	not to
exceed \$230, 125.00 for televi	ision production equipment rep	air and routin	e maintenan	ce for the Ma	ivor's
Office.					.,013
Maximum Contract Amazzata	2000 105 00			Finance Budge	et
Maximum Contract Amount: \$	230,125.00		ļ		
\$230 125 00 Special Cable !					
\$230,125.00 - Special Cable I	-una (2401)				

### **SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options, to Professional Audio Video Service, Inc., in an amount not to exceed \$230,125.00 for television production repair and routine maintenance for the Mayor's Office Houston Television (HTV). The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all personnel, management, supervision, labor, equipment and incidentals necessary to repair television production equipment that will be used to produce various City of Houston meetings and other media related programs.

This Best Value Bid (BVB) was advertised in accordance with the requirements of the State of Texas bid laws. Eighteen prospective proposers downloaded the solicitation document from SPD's e-bidding website and as a result, proposals were received from Industrial Audio Video, Inc., Noslar T.I. Inc., and Professional Audio/Video Service, Inc. The evaluation committee consisted of three evaluators from the Mayor's Office, HTV Houston Television. The proposals were evaluated based upon the following criteria:

- Expertise / Experience / Qualifications
- Price
- Financial Strength
- M/WBE Participation

Professional Audio Video Service, Inc. was determined the best respondent.

#### Pay or Play Program:

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

REQUIRED AUTHORIZATION				NDT
	Finance Department:	Other Authorization:	Other Authorization:	ND 1
4		1		

Date: 9/10/2011  Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Television Production Equipment Repair and Routine Maintenance for the Mayor's Office (HTV)/S33-L23857	Originator's Initials CJ	Page 2 of 2
--	--------------------------------	-------------

Buyer: Conley Jackson

**Estimated Spending Authority** 

Attachment: M/WBE Zero-Percent Goal Document approved by the Office of Business Opportunity

# City of Houston



Administration & Regulatory Affairs

# Memorandum

To:

Calvin D. Wells, Deputy Director

City Purchasing

Strategic Purchasing Division

From:

Conley Jackson

Date:

July 6, 2011

Subject:

MWBE Participation Form

I am requesting a walver of the MWBE Goal: Yes No Type of Solicitation: Bid Proposal
I am requesting a MWBE goal below 11% (To be completed by SPD, and prior to advertisement) Yes No 10%
I am requesting a <u>revision</u> of the MWBE Goal: Yes No Original Goal: New Goal:
If requesting a revision, how many solicitations were received: _3
Solicitation Number: \$33-L23857 Estimated Dollar Amount: \$230,125.00 Goal On Last Contract: N/A
Anticipated Advertisement Date: 1/14/2011 Solicitation Due Date: 2/3/2011 Was Goal met: Yes No
If goal was not met, what did the vendor achieve:
Name and Intent of this Solicitation: Contract will be used to repair and do routine maintenance of television production equipment.
Rationale for requesting a Waiver of Revision (Zero percent goal or revision after advertisement):
CLEAR STUBBLES OF SI DI
The vendor community capable of participating as a sub-contractor in the solicitation for television production repair and routine maintenance is currently limited as two City and Cit
repair and routine maintenance is currently limited to two City of Houston registered sub-contractors. One vendor has an extremely expensive charge back to the prime contractor for after hours and holiday pay and the second
The name of the printer that they were not willing to northeingte. The name
TO PARTITION AND INVESTIGATION OF THE PROPERTY OF THE PARTITION OF THE PAR
Business Opportunity approve a zero M/WBE participation goal. Please refer to the attached vendor provided documents that substantiate their efforts.
occuments that substantiate their efforts.
Confuspence:
May Jan-
SPO Minister Division Manager Division Manager
Robert Gallegos, Deputy Assistant Director
Office of Business Opportunity
required, if the request is zero percent MWRE participation on to analysis to a series

# TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

P.C. FOR LEGAL SERVICES RELA	APPROVING AND AUTHORIZING OF HOUSTON AND COZEN O'CONNATING TO VARIOUS UTILITY RELATANCE AND LEGAL CONSULTATION	) # ac	Page Agenda 1 of 1 Item
DIRECTOR'S SIGNATURE: DAVID	, <del>-</del>	ouncil District af	fected: not 2 c and
CityjAtt			rected. OCT 2 6 2011
	rd Mille		
For additional information contact: Phone:		ate and identifica Ithorizing Counc	ition of prior il action:
RECOMMENDATION: (Summary) Adopt an ordinance approving and as legal services relating to various utilit	uthorizing a contract between the City of related matters, legislative assistance a	f Houston and Co	ozen O'Connor, P.C. for ion.
Amount of Funding: \$335,000 Maximum Contract Amou \$167,500 FY 12	nt		1
SPECIFIC EXPLANATION:			[ X] General Fund [ ] Grant Fund [ ] Enterprise Fund [ ] Other (Specify)
On August 4, 2010, City Cobetween the City and Epstein, Becker, June 17, 2011, the City Attorney ap O'Connor, P.C. (the Firm) to coincide attorneys representing the City of Hous The City Attorney now desire: #4600011132 including utility, legislarepresenting the City.  The proposed ordinance approx The Firm will represent the City pending in Travis County District Courany 2012 CenterPoint filing for a Distri Mr. Alton Hall, a shareholder in is subject to reimbursement pursuant to needed for technical consultants.	s to retain the services of the Firm on a ative and other legal consultation becauses a new legal services agreement betwy's interests in the Appeal of CenterPoint, the CenterPoint Gas Rate Case Appea bution Cost Recovery Factor.  In the Firm, estimates that approximately applicable law and that approximately of the proposed contract are consistent with	ultation.  8 approving colors  8H) for legal servel 1600010535 from and the employment atters related to ause of the Firm een the City of Hot Electric June 30, in Travis County  ninety percent of the ine-third to one-hat the fee schedule servel.	ontract # 4600011132 vices. Subsequently, on EBGW&H to Cozen ment of the EBGW&H the subject of contract n's acquired expertise suston and the Firm. , 2010 rate case District Court and in the contract expense lf of the funds will be uggested by the City
ARA Director:	Other Authorization:	Other Authoriza	ation:

# REQUEST FOR COUNCIL ACTION

·	•		•		
To: Mayor via City Secretary					
Subject: Ordinance to authorize a Economic Recovery (TIGER) Discr Regional Bicycle/Pedestrian Connection	etionary grant application for the Ho	g ouston	Category #	Page 1 of 2	Agenda Item
FROM (Department or other point Houston Parks and Recreation Department)	t of origin): rtment		pation Date: ber 6, 2011	Agenda Date	2 6 2011
DIRECTOR'S SIGNATURE: Joe Turner, Director	· · · · · · · · · · · · · · · · · · ·	Counc	il District(s)	affected: A	, D, H, I
for Ture					
For additional information contact: Lucio Correa  RECOMMENDATION: (Summa	Phone: (832) 395-7057	Date a	nd Identifica il Action:	tion of prior au	thorizing
Approve ordinance authorizing the D Transportation Investment Generatin Bicycle/Pedestrian Connections to Transport	ansit project.	lication in the cretionary	to the US Dep y grant progra	partment of Tran om for the Houst	nsportation, ton Regional
Amount of Funding: NO CITY FU \$19,811,053 TIGER Funds Requested \$ 9,375,150 Local Match \$29,186,878 Total Project	NDING	****		Finance Bu	ıdget:
Board and a public/private coalition Transportation Investment Generating titled the "Houston Regional Bicycle/pedestrian transportation coremployment centers, education center bikeway plan for shared use paths. The	ridors and in Houston's bike grid s, and bus and rail transportation. The project is made up of the following	cretionar ransit." , provid ne projec ; six bike	y Grant programmers of the eliminates ing extensive talso comple ped trail segrammers.	ram. The propo major gaps connections to tes a portion of ments:	sed project is on off-street o residences, the inner city
1. White Oak Bayou Path: Alabonso Antoine where it currently terminates.					
2. White Oak Bayou Path: 11th Streetermination at 11th & T.C. Jester to the	VIN 1/ melunis Rike trail				
3. White Oak Bayou Path: Connection of the White Oak trail at U Quitman and Pickney Streets.	n-Downtown to the North side of th	e Buffalo	o Bayou trail a	and makes conn	ections to
Buffalo Bayou Path: Smith St/Tra Buffalo Bayou trail to the International	VULLEE BOUSE AND THE MININ STRAAT IS	ioht mail			
East Downtown: Transit/Resident urrounding the new soccer stadium, shoke routes.	area use paths of 10 foot wide sidew	alk conn	ections to Bu	ffalo Bayou, and	d signed
A. Brays Bayou Path: Ardmore Rd/O with other currently funded sections of permination near the Port of Houston. A WH Campus to the new UH Energy Can	dds an electric shuttle path to transpopus.	the weste ort UH s		.1	
inance Director:	REQUIRED AUTHORIZAT	ION			
mance Director;	Other Authorization:		Other Author	rization:	

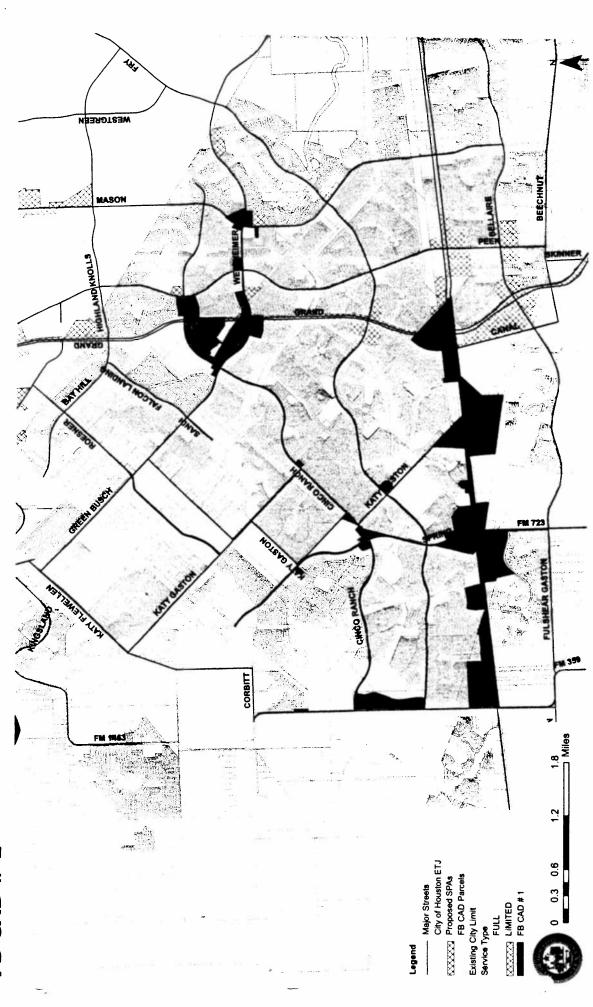
October 6, 2011	Subject: Ordinance to authorize a	Originator's initials: JT	Page 2 of 2
^	Transportation Investment Generating		
	Economic Recovery (TIGER)		
	Discretionary grant application for the		
	Houston Regional Bicycle/Pedestrian		
	Connections to Transit project.		

HPARD is the eligible applicant and the fiscal pass-through agent for this reimbursable grant. The Houston Parks Board is the lead project partner and has developed a coalition of the following organizations to provide matching funds:

Segment	Budget	Match	Partners
1	\$951,600	\$600,000	Houston Parks Board
2	\$6,391,470	\$1,691,000	TIRZ #5 (\$1.2M), Houston Parks Board (\$440K), City of Houston (\$51K In-Kind)
3	\$2,781,435	\$727,150	TIRZ #21 (\$400K), Houston Parks Board (\$327,150)
4	\$5,051,475	\$1,000,000	Buffalo Bayou Partnership
5	\$10,736,428	\$3,850,000	Greater East End Management District (\$1.85M), Downtown Management District (\$300K), TIRZ #15 (\$1.7M)
6	\$3,274,470	\$1,507,000	Houston Parks Board (\$832K), University of Houston (\$675K)
Total	\$29,186,878	\$9,375,150	

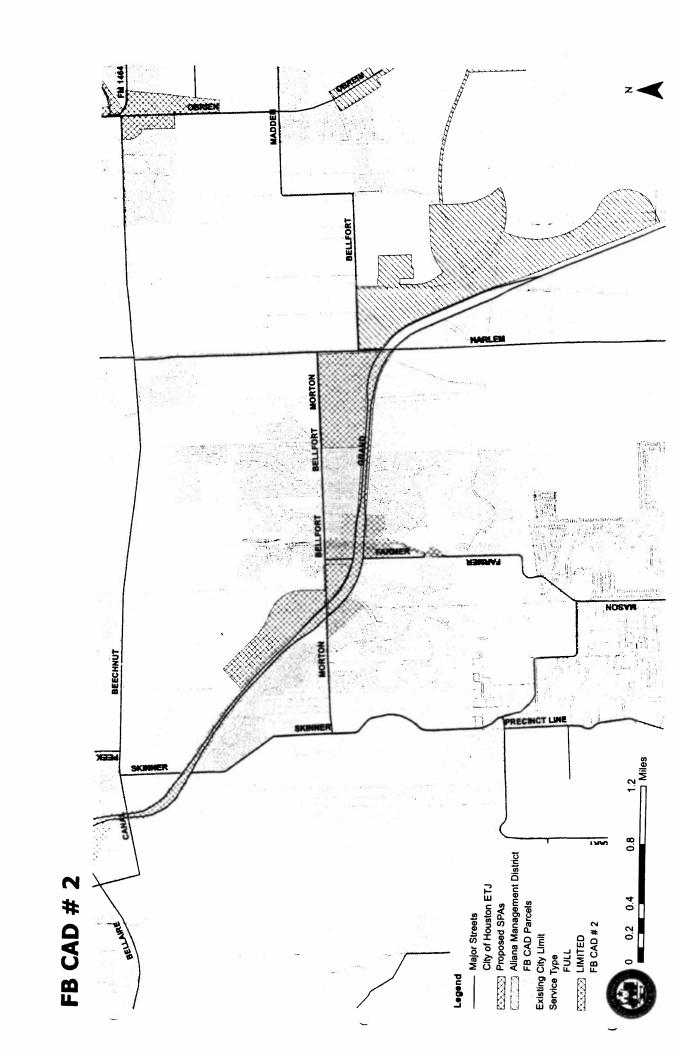
TO: Mayor via City Secretary	REQUEST FOR COUNCIL ACT	ION			
Ordinance consenting to the creati	on of Fort Bend County Assistance [		Category #	Page 1 of 1	Agenda Ito
FROM (Department or other Planning and Development	point of origin):		ation Date 18, 2011		nda Date 7
DIRECTOR'S SIGNATURES		Counci N/A	il District aff		
For additional information co			-1:1-1:p-		
	hone: 713-837-7856	Counci	l action:	ion of prior	authorizing
RECOMMENDATION: (Sum Approval of an ordinance consenting	nmary) g to the creation of Fort Bend County	Assistance Di	istrict No. 1		
Amount and Source of Funding:		-		Finance B	udget:
health or welfare; or the promot their operations by imposing a salevy an ad valorem tax. Further,  A CAD is intended to supplemen Bend County or the City of Houservices from the City. The City at On September 7, 2011, Fort Bend Create Fort Bend County Assistanthe vast majority of the District at the City of Houston's corporate it of Houston's consent to the creater Board of Directors will begin important highways within the district.  Fort Bend County Assistance District powers are expanded to allow the and allocation of sale and use tax	ways; the provision of law enformans, parks or other recreational faction of economic development and tales and use tax under chapter 387 districts may levy a tax only after ht, not supplant, existing public sensions from its obligations to provide assumes no liability for the debts, obdisations to provide assumes no liability for the debts, obdisations to liability for the debts, obdisations to liability for the debts, obdisations are liability for the debts, obdisations from the extraterritorial jurismits. Fort Bend County Judge Robettion of the District. Following city of covernment projects that support the extraterritorial in a creation of multiple CADs within a distinct in Exhibit B of the Ordinal Department recommends City County Department recommends City County Law 1981 and 1	ourism. Typications and electrices. Creation electrices creation electrices to the services to the construction of the construction, recounty Assistantiance.	Ally, CADs are glocally, CADs are glocal Government of these distributions of these distributions of the control of these distributions of the control of th	res that benegiven the powent Code. A district.  icts does not does it requidistrict.  ode, called an in Fort Bend in None of it	efit the public ver to finance CAD may not can release Fort re additional relection to County with talls within the District's nent of roads reauthorized ration, rate,
CC: Marta Crinejo, Agenda Directo David Feldman, City Attorney Daniel Krueger, Director, PWI	Sameera Ma	Abee, Sr. Assis ahendru, Assist ll, City Secreta	stant City Attor cant City Attorn ary	ney ley	
	REQUIRED AUTHORI	ZATION			
Finance Director:	Other Authorization:		ther Authoriz	cation:	



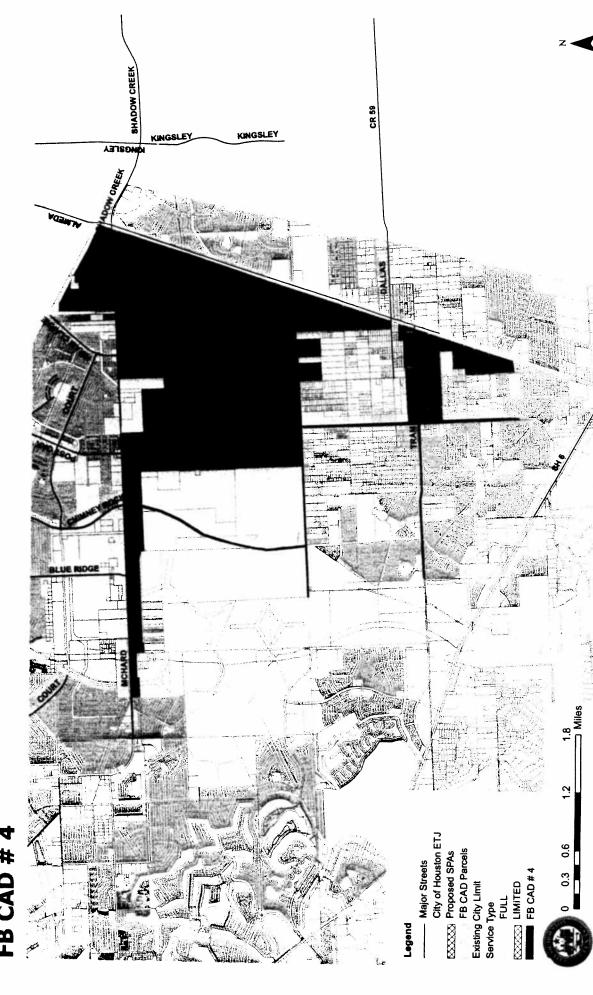


TO: Mayor via City Secretary	REQUEST FOR COUNCIL ACTION	I			
SUBJECT:	on of Fort Bend County Assistance Distric		Category #	Page 1 of 1	Agenda Ita
FROM (Department or other Planning and Development	October 18, 2011				
DIRECTOR'S SIGNATURE:	1. Gagrick	Counci N/A	l District affe	ected:	
For additional information con		Date and identification of prior authoriz Council action:			authorizing
RECOMMENDATION: (Sum	mary)				
Approval of an ordinance consenting	g to the creation of Fort Bend County Ass	istance Di	strict No. 2		
Amount and					
Source of Funding:				Finance Bu	udget:
SPECIFIC EXPLANATION:	-				
levy an ad valorem tax. Further,  A CAD is intended to supplement Bend County or the City of House services from the City. The City at On September 7, 2011, Fort Bend Create Fort Bend County Assistant entirely within the extraterritor corporate limits. Fort Bend Count to the creation of the District. For begin improvement projects that the district.	ion of economic development and touris ales and use tax under chapter 387 of the districts may levy a tax only after holding t, not supplant, existing public services, ston from its obligations to provide services are usually public services. It is not supplant, existing public services, ston from its obligations to provide services are usually public services. It is considered to the debts, obligated to County, pursuant to Chapter 387, Texice District No. 2 (FBCAD No. 2). This District is a purished to the City of Houston, ty Judge Robert Hebert has submitted a sollowing city consent to the creation of its support the construction, maintenance	ne Texas I ng an elec . Creation vices to ti cions or lia cas Local ( istrict is lo . None of Petition r FBCAD No. , and imp	of these distriction within the of these distriction within the of these districtions of the control of the control of the first falls with requesting the first the District rovement of reconstruction within the provention of the control of the c	ent Code. A district.  district does not does it requifistrict.  de, called and in Fort Bendin the City of Houst and high	release Fort re additional n election to d County and of Houston's on's consent Directors will nways within
and allocation of sale and use tax	ict No. 2 represents a new trend in Counce creation of multiple CADs within a sing is included in Exhibit B of the Ordinance.	,	The agreemer	nt for the du	ration, rate,
Assistance District No. 2.	Department recommends City Council	consent	to the creatio	n of Fort B	end County
CC: Marta Crinejo, Agenda Direct David Feldman, City Attorney Daniel Krueger, Director, PWI	Sameera Mahen	dru, Assist	ant City Attorn	ney eey	
	REQUIRED AUTHORIZAT	TION			
inance Director:	Other Authorization:	<del></del>	her Authoriz	ation:	





inance Director:					
	REQUIRED AUTHO	ORIZATION			
CC: Marta Crinejo, Agenda Directo David Feldman, City Attorney Daniel Krueger, Director, PWE	Samee	h McAbee, Sr. Ass a Mahendru, Assi ussell, City Secre	stant City Atto	orney rney	
The Planning and Development D Assistance District No. 4.	epartment recommends City	Council consent	to the creati	ion of Fort	Bend County
Fort Bend County Assistance District powers are expanded to allow the and allocation of sale and use tax is	s included in Exhibit B of the O	in a single county rdinance.	. The agreeme	ent for the c	luration, rate,
On September 7, 2011, Fort Bend create Fort Bend County Assistance entirely within the extraterritoria corporate limits. Fort Bend Count to the creation of the District. Fol begin improvement projects that the district.	e District No. 4 (FBCAD No. 4) all jurisdiction of the City of y Judge Robert Hebert has sub lowing city consent to the crease support the construction, main	This District is Houston. None mitted a Petition ation of FBCAD No itenance, and important the second control of the second control	located entirel of it falls wit requesting the o. 1, the Distric provement of i	ly in Fort Be hin the City cCity of Hou ct's Board of roads and hi	nd County and of Houston's iston's consent Directors will ighways within
A CAD is intended to supplement, Bend County or the City of Houst services from the City. The City as	on from its obligations to pro	vide services to :	the areast nor	door it roo	ot release For uire additiona
SPECIFIC EXPLANATION:  County Assistance Districts (CADs county. Generally, these districts improvement of roads or highw improvement of libraries, museum health or welfare; or the promotic their operations by imposing a sallevy an ad valorem tax. Further, or	ays; the provision of law ends, parks or other recreational on of economic development are and use tax under chapter.	ne following func- iforcement and facilities; the pro- nd tourism. Typic 387 of the Texas	tions: the condetention servivision of servivially, CADs are	istruction, making the making the making the making the possible p	naintenance, c naintenance c nefit the publi
Source of Funding:				rmance i	ouaget:
RECOMMENDATION: (Sumn Approval of an ordinance consenting Amount and	nary) to the creation of Fort Bend Co	unty Assistance D	strict No. 4	Finance I	Double 14.
Phone: 713-837-7856 Council action:				on of prio	r authorizin
For additional information cont	h. Hefuek	N/A	l District aff		
DIRECTOR'S SIGNATURE:					CT <b>2 6</b> 20
FROM (Department or other p Planning and Development	oint of origin):		ation Date 18, 2011	Age	nda Date
	of Fort Bend County Assistance	e District No. 4	#	1 of 1	# 2



**FB CAD #4** 

	EQUEST FOR COUNCIL ACTION			Re	1,5	ed
SUBJECT: Ordinance authorizing the acquired former Rufus Cage School site	uisition by the City of Houston of from HISD	f the	Category #	Page 1 of	)	Agenda Item # 27
FROM (Department or other por Planning and Development					•	
DIRECTOR'S SIGNATURE:		Coun	cil District affe	41 -	001	2 6 2011
Morlene h. S	Gafriek	Distric		ecteu:		
For additional information contact: Nicole B. Smothers Phone: 713-837-7856  Date and identification of prior author Council action: June 25, 1997 – Ord. No. 97-775					9	
RECOMMENDATION: (Summ Approval of an ordinance authoriste from HISD.	nary) prizing the acquisition by the City	of Hou	uston of the fo	ormer	Rufus (	Cage School
Amount and Source of Funding:				Finai	nce Bud	lget:
SPECIFIC EXPLANATION:		***************************************				
The historic Rufus Cage School, located at 1417 Telephone Road, Houston, Texas, was permanently closed by HISD in 1983 when a new Rufus Cage School campus was built at a different site. Since that time, the original building has not been operational.						
Recently, HISD approached the transfer historic property to and credit would be established for established pursuant to an inte City of Houston would have no building.	other governmental entity at below HISD in the amount of \$100,00 Priocal agreement between the 0	ow mai 00 to b City and	rket value. Ir e placed in th d HISD (Ordi	n lieu one ne cre nance	of cash dit acc No. 9	payment, a ount already 7-775). The
After ownership of the property is conveyed to the City, it will be designated as a protected landmark, and made available to a nonprofit that will make it available for public use and commits to raise funds to restore and maintain it.						
The Planning and Developmer Houston of the former Rufus Ca	nt Department recommends au ige School site from HISD.	thoriza	tion of the a	cquisit	tion by	the City of
cc: David Feldman, City Attorne Gary Dzierlenga, Sr. Assista Marta Crinejo, Agenda Dire Anna Russell, City Secretar	ant City Attorney ctor					
	REQUIRED AUTHORIZA	TION			······································	
Finance Director:	Other Authorization:		Other Autho	rizatio	n:	



TO: Mayor via City Secretary R	EQUEST FOR COUNCIL ACTION				
SUBJECT: Ordinance designation	ng certain improved single-family		Category	Page	Agenda Item
residential lots in the Santa Rosa	Subdivision, Sections $1-5$ ; Sims B	ayou	#	1 of	#
Estates Subdivision, Sections 1 &	Estates Subdivision, Sections 1 & 2; Katerwood Subdivision; Park Place				- 0
Terrace Subdivision; Park Place S	Terrace Subdivision; Park Place Subdivision And Abst 27 J R Harris as a				1 - 2X
Prohibited Yard Parking Require					120
FROM (Department or other p	oint of origin):	_	ation Date	Age	nda Date
Marlene L. Gafrick, Director		Octobe	r 5, 2011		
Planning and Development De	partment				OCT 26 2011
DIRECTOR'S SIGNATURE:		Counci	l District affe	ected•	
D m	M. M. W.	I		octcu.	
Mariene A	Haptie				
For additional information cont	tact: Kevin Calfee	Date ar	ıd identificat	ion of prio	r authorizing
Ph	one: 713.837.7768	Counci	l action: 2009	9-0059, 1-2	8-09
RECOMMENDATION: (Summ	nary) Approval of an ordinance de	esignatir	g certain im	proved sin	gle-family
residential lots in the Santa Ros	a Subdivision, Sections 1 – 5; Sims	Bayou	<b>Estates Subd</b>	livision. Se	ctions 1 & 2:
Katerwood Subdivision; Park P	lace Terrace Subdivision; Park Pl	ace Sub	division And	Abst 27 J	R Harris as a
Prohibited Yard Parking Requi	rement Area, pursuant to Chapter	r 28 of t	he Code of O	rdinances,	restricting
parking on the front and side ya	ard of single-family residential pro	perty.			
Amount and		<del>1 1 </del>		Finance l	Budget:
Source of Funding: NA					<b>3</b>
SPECIFIC EXPLANATION: In	n accordance with Section 28-303 of	the Coc	le of Ordinano	es, the Rev	eille - Park
Place Civic Club initiated an appli	cation for the designation of a Prohi	bited Ya	rd Parking Re	equirement	Area, The
application includes a letter of sup	port from the president of the Revei	lle - Parl	c Place Civic	Club. Notif	ication was
mailed to 931 property owners ind	licating that the prohibited yard park	ing requ	irement area a	application	had been made.
The notification further stated that	written protest could be filed with t	he Plann	ing and Deve	lopment De	epartment within
Official held a public hearing on A	otests were timely filed with the Plan	nning an	d Developmer	nt Departm	ent. The Hearing
Requirement Area.	August 24, 2011 and recommended e	stablishi	ng the Prohib	ited Yard I	arking
requirement rueu.					
Attachments:					
Decision of the Hearing Official					
Prohibited Yard Parking Requirem	ent Area Application				
Letter of Support					
Map of the proposed requirement a	area / land use				
xc: Anna Russell, City Secreta	1997				
David M. Feldman, City Attorney					
Don Cheatham, Senior Assistant City Attorney					
Chief C. A. McClelland, HPD					
Alfred Moran, ARA					***************************************
	REQUIRED AUTHORIZA	TION		****	
Finance Director:	Other Authorization:	<del></del>	Othor 4 41-	wina4!	
A MARICO DIFFERENCE	Omer Authorization;		Other Autho	rization:	

Finance 011.A REV. 3/94 7530-0100403-00

25

# Prohibited Yard Parking Requirement Area No. P110503 Hearing Official's Approval

# **Hearing Official Evaluation:**

Satisfies	Does Not Satisfy	Criteria
X		PYPRA includes five contiguous block faces;
		The application area contains at least five contiguous block faces.
		More than 60% of the proposed PYPRA is developed as single-family residential lots;
X		87.8% of the proposed application area is developed as single-family residential.
x		The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;
^		The president of the Reveille - Park Place Civic Club has signed a letter of support.
		Available parking is sufficient to accommodate the typical parking needs for the residential area;
x		The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

Willole Arw Her	Requirement Area meets the criteria.  — 9-27- //
Nicole Smothers, Hearing Official, Presiding	Date
Randall Stuewer, Hearing Official, Presiding	Date

GULF YAWGAORB Non-Single Family Residential YAWGAOA8 Single Family Residential 1445 HAS N HAS ERIE EBIE Parcels Landuse Legend DE FEON Landuse and Boundary Map TELEPHONE BEVEILLE липрен PARK PLACE Z

P110503 Reveille - Park Place Civic Club

REVEILLE-PARK PLACE CIVIC CLUB P. O. Box 266692

Houston, TX 77207

Ph: 713-459-3841 email: rpp\_cc@hotmail.com

March 1, 2011

We, the Reveille-Park Place Civic Club, an officially recognized Civic Club within the proposed boundaries of the Prohibited Yard Parking Requirement Area, do hereby submit this application as prescribed by the Code of Ordinances, City of Houston, Section 28-303.

With this application and other required information, we request to restrict the parking of vehicles on the front and side yard of all single-family residential properties in the subdivisions indicated on the attached maps.

Lillian Villarreal, President

Marisela Salinas, Vice President

Gerold Reimondo, Treasurer

Ph: 713-459-3841

Houston, TX 77207

email: rpp\_cc@hotmail.com

# **BOARD RESOLUTION**

Meeting Date: February 22, 2011

The Board of the Reveille-Park Place Civic Club does hereby approve and resolve to complete the application process for enforcement of the "Prohibited Yard Parking" ordinance in all sections of the following subdivisions:

Greenway

Katerwood

Lum Terrace

Park Place Terrace

Park Place (West of I-45)

Santa Rosa

Sturman Park

Julian Willeus and Cillian Villarreal, President

Marisela Salinas, Vice President

Gerold Reimondo, Treasurer

Beverly Musil Secretary

TO: Mayor via City Secretary R	REQUEST FOR COUNCIL ACTION					
SUBJECT: Ordinance designati	ng all improved single-family resident	ial	Category	Page	2	Agenda Item
	n, Section 16 as a Prohibited Yard Par	king	#	1		# 00
Requirement Area						29
FROM (Department or other p	point of origin):	Origina	tion Date		Agend	a Date
Marlene L. Gafrick, Director			5, 2011		9	
Planning and Development De	epartment				ООТ	9 6 2011
DIDECTORIS STOLET			******		061	<b>26</b> 2011
DIRECTOR'S SIGNATURE:			District affe	cted:		
Markette M. For additional information con	Keyver !	····				
For additional information con		)ate an	d identificati	on of	prior a	authorizing
Ph	one: 713.837.7768	Council	action: 2009	-0059	, 1-28-	09
RECOMMENDATION: (Summ	mary) Approval of an ordinance desi	anatin	a all improv	d sine	rla fam	.:
residential lots in the Oak Fore	st Subdivision, Section 16 as a Prohi	hited V	g an improve 'ard Parking	Dean	gie-iaiii iromor	illy at Aroa
pursuant to Chapter 28 of the C	Code of Ordinances, restricting park	ing on	the front and	ncyu I side	vard o	It AI ta, f sinale_
family residential property.	<b>pur</b>		ine mont and	, side	yara o	i single-
Amount and				Finar	ice Bud	dante
Source of Funding: NA				rman	ice Duc	uget:
<b>9</b>						
CDE CIEIC EVDI ANATION I	1 21 6 2 20 202 21	~ .				
Homeowners Association initiates	n accordance with Section 28-303 of the	ie Code	of Ordinanc	es, the	Oak F	orest
The application includes a letter of	d an application for the designation of a factor of the Oal	a Pronii	bited Yard Pa	rking	Require	ement Area.
was mailed to 644 property owner	s indicating that the prohibited yard pa	roresi rkina r	Homeowner	s Asso	ciation	. Notification
made. The notification further state	ed that written protest could be filed w	ith the	Planning and	Dave	oncatio.	n nad been
within twenty days of mailing. Eig	th (8) protests were timely filed with the	he Plan	ning and Dev	/elonn	ent De	nartment
within twenty days of mailing. Eight (8) protests were timely filed with the Planning and Development Department.  The Hearing Official held a public hearing on August 24, 2011 and recommended establishing the Prohibited Yard						
Parking Requirement Area.						
Attachments:						
Decision of the Hearing Official						
Prohibited Yard Parking Requirem	nent Area Application					
Letter of Support						
Map of the proposed requirement	area / land use					
xc: Anna Russell, City Secreta	1111					
David M. Feldman, City A	•					
Don Cheatham, Senior Ass	•					
Chief C. A. McClelland, H						
Alfred Moran, ARA						
	REQUIRED AUTHORIZAT	ION				
Finance Director:	Other Authorization:	0	ther Author	izatio	1:	

Finance 011.A REV. 3/94 7530-0100403-00

# Prohibited Yard Parking Requirement Area No. P110502 Hearing Official's Approval

# **Hearing Official Evaluation:**

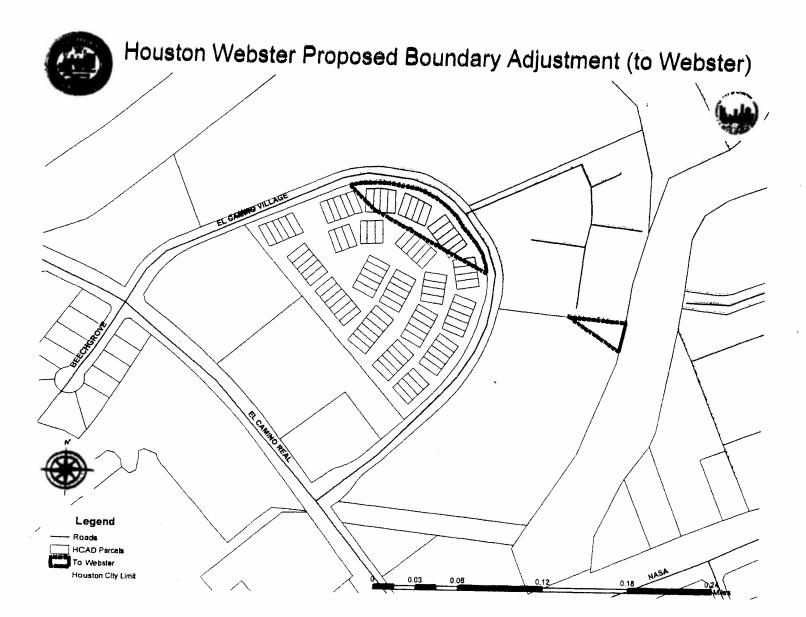
Satisfies	Does Not Satisfy	Criteria
X		PYPRA includes five contiguous block faces;
		The application area contains at least five contiguous block faces.
		More than 60% of the proposed PYPRA is developed as single-family residential lots;
X		99.8%% of the proposed application area is developed as single-family residential.
x		The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;
^		The president of the Oak Forest Homeowners Association has signed a letter of support.
		Available parking is sufficient to accommodate the typical parking needs for the residential area;
x		The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

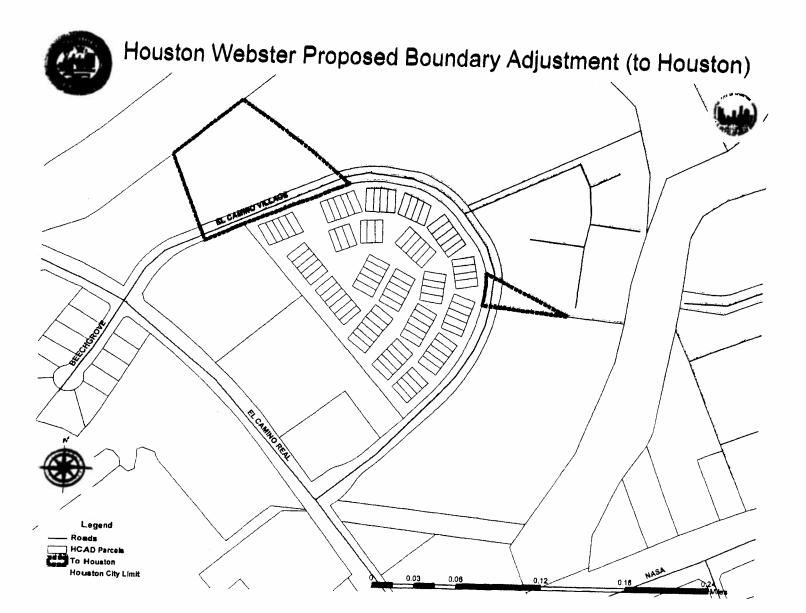
The Prohibited Yard Parking  Micole Smothers, Hearing Official, Presiding	Requirement Area meets the criteria.
Randall Stuewer, Hearing Official, Presiding	Date

Non-Single Family Residential DE MILO Single Family Residential 001 NONIA MANGUM Parcels Landuse Legend P110502
Oak Forest Homeowners Association
Landuse and Boundary Map DONNA LYNN APRIL **ANTOINE** DE MILO NINA LEE CHESHIRE HEWITT TIBBEY 43RD

	SUBJECT:		····			
	Ordinarace approving and autho	orizing a boundary adjustment between	.1	Category	Page	Agenda Item
		1103661	ine	#	1 of 1	# Tenda Item
	FROM (Department or oth	er noint of origin).				1" (30)
	Planning and Development	point of origin):	0	rigination Date	Age	nda Date
			00	ctober 12, 2011	Octo	<del>ber 19, 201 t</del>
(	DIRECTOR'S SIGNATUR	RE:	C		LOCT	2 6 2011
2	Madene ;	& Holish		ouncil District affo	ected:	
B	For additional is	1. Sague		E		
$\cup$	For additional information	contact: Margaret Wallace	Da	te and identificat		
		Phone: 713-837-7826	Co	te and identification:	ion of prior	authorizing
	DECON		- 1			
	RECOMMENDATION: (Su	immary) It is recommended that C	tre Con			
	clarification of boundary adjusts	nmmary) It is recommended that C ment between the City of Houston ar and enhance public safety to the affe	d the C	ity of Webster G	ance approv	ing and
	ines	and enhance public cofoty to the con-	cted pro	ony of Webster. Suc Operties.	ch adjustmen	it would result in a
	Amount and Source of Fund N/A	ing:			·	
L					Finance B	udget:
	SPECIFIC EXPLANATION	*				
- 1		<u>.</u>				
1	THE CLEAN THE COLUMN T					
	The City of Houston and the C	ity of Webster consented to an agree	Omn =4			
1	duction and fire protection	ity of Webster consented to an agre services to certain properties situat	ement v	whereby the City o	f Webster pr	ovided police.
	formally and the proximity of the	services to certain properties situate Webster's public safety facilities to	thoso =	in the City of Hous	ston's corpor	ate boundaries
	those certain many it	services to certain properties situate Webster's public safety facilities to of Houston resume the provision of	f notice	oroperties. In April	l, 2011, the (	City of Webster
	mose certain properties.	•	· pone	e, emergency and r	ire protectio	n services to
	The existing common boundary	Barrier et al.				
	of Houston and the City of Web	line divides multi-family and cond ster which complicates dispatched try line and enhance public safety, t	ominiu	m residential prope	erties locator	Landa Landa
I.	n an effort to clarify the bounds	ster which complicates dispatched any line and enhance public safety, the to better define the jurisdictions.	ervice	calls and may imp	act service m	within the City
a	greed to adjust the boundary lin	the to better define the	he City	of Houston and th	e City of W	sponse times.
a	nnex into its corporate boundari	te to better define the jurisdictions. In the City of Houston relinquishing the land previously relinquished the land previously relinquished.	g 1.7 ac	cres of land. Each	city would th	len accept and
m	aterial financial impact.	tand previously refinduished	by the	other city. This a	djustment w	ill not have a
						not have a
PI	anning and D					
D	evelopment and Basel and Page 1	rtment staff presented the proposed airs Committee on August 11, 201	hound	ary adjustman		
bo	undary adjustment agreement	rtment staff presented the proposed airs Committee on August 11, 201 pproved by the City of Webster Cit	. The	City of Webster and	he City Cour	ncil
	agreement a	airs Committee on August 11, 2011 pproved by the City of Webster City	y Cour	icil on October 4	proved and	executed the
Th	e ordinance requires two readin	uge hafama is	- '-'	0010001 4, 2	COLL.	
18	Reading October 26, 20	gs before it can be passed as follow	'S:			
Pu	blication October 28, 20	J 1 1				
2"	Reading December 7, 2	011				
	·					
Cc:	Marta Crinejo	Samaoro Mal				
	David Feldman	Sameera Mahendru Kelly Dowe				
<b> </b>		Towe				
E2:		REQUIRED AUTHORIZ	ATION	V		
Fina	ince Director:	Other Authorization:				
		izativii.	Other	Authorization:		







	REQUIRED AUTHORIZATION	CUIC ID# 25 RB 121
General Services Department:		Houston Police Department:
A Courth		Untillield
Humberto Bautista, P.E. Assistant Director		Charles A. McClelland, Jr. Chief of Police

F &A 011.A Rev. 3/940

O: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

Mo. Mayor via. City Secretary	REQUEST FO	R COUNCIL ACTIC	N		
SUBJECT: Approve a Third Amendme Technology Research Institute (GTRI) a increase the maximum contract amount.	nd Amend Ordina	al Agreement with ance No. 2007-114	Geo 4 to	Page 1 of 2	Agenda Item
FROM (Department or other point of o	origin):	Origination Date		<u> </u>	Agenda Date
General Services Department					OCT 2 6 201
DIRECTOR'S SIGNATURE:		Council District(	s) affected:		1001 2 0 20.
Scott Minnix	~ 10/18/11	1	All		
For additional information contact:	× 1/8/11	Date and identific	cation of pri	or authori	zina .
Jacquelyn L. Nisby Phone:	832-393-8023	Ordinance No. 200 Ordinance No. 200 Ordinance No. 200 Ordinance No. 200 Ordinance No. 200 Ordinance No. 200	07-1144; Oct 09-070; Febr 09-646; July 10-003; Janu 11-004; Janu	ober 10, 2 uary 4,200 8, 2009 ary 6, 201 ary 5, 201	007 9 0 1
RECOMMENDATION: (1) Approve a Titerm an additional two years; and (2) An maximum contract amount from \$5,700,0	nend Ordinance I	No. 2007-1144 (pas	eement with ossed Octobe	GTRI to ext r 10, 2007	tend the contrac ) to increase the
Amount and Source of Funding:				Finance E	Budget:
Maximum Contract Amount: \$6,700,00	00				
amend Ordinance No. 2007-1144 to increasists the City of Houston in administering under the Energy Efficiency and Conserve grants, Solar America grants, and other gadditionally, the City of Houston has secutive wind turbines at the Houston Permitting Cogrant funds for the Houston Permitting Cobehalf of the City.	ng American Rec ation Block Grant rant initiatives. T ired another SEC enter and is awa	overy and Reinvest (EECBG), State Ei he EECBG grant e: O grant for approxi iting funding. This	ment Act (AF nergy Conse xpires Septer mately \$900, action will alle	RRA) grant rvation Off mber 27, 2 000 for the	funds received ice (SECO) 012. e installation of administer the
PREVIOUS HISTORY AND PROJECT SO Interlocal Agreement with GTRI, a State as assist the City in implementing a Sustaina buildings. The maximum contract amount GTRI to perform a development study for Treatment Plant and for the development infrastructure.	gency operating uble Development was set at \$2,00 or a combined he	under the Houston A Program that woul 0,000. An initial all eat and power sys	Advanced Re d improve th ocation of \$2 tem_at_the A	search Ce e energy e 100,000 wa Jmeda, Sir	nter (HARC), to fficiency of City is expended for is Wastewater
On February 4, 2009, Ordinance No. 200 perform third-party engineering analysis of known as Schneider Electric Buildings An energy audits of City facilities. These third-302.005.	' the energy savin nericas, Inc.) and	igs measures recon Siemens Building	nmended by Technologie	TAC Amer s. Inc. as a	ricas, Inc. (now a result of their
	REQUIRED AU	THORIZATION		CUIC # 2	25MSCL98
General Services Department:					
Courte Bautista B.E.					
Humberto Bautista, P.E. Assistant Director					

SUBJECT: Approve a Third Amendment to the Interlocal Agreement with Geo Technology Research Institute (GTRI) and Amend Ordinance No. 2007-1144 to increase the maximum contract amount.	Originator's Initials HB	Page 2 of 2
On July 8, 2009, Ordinance No. 2009-646, Council approved an additional allocation of \$20 continue its third-party review of the energy savings measures recommended by TAC Ame Building Technologies, Inc. and to assist the City in securing federal stimulus dollars (ARR, environmental projects.	ricas. Inc. and S	iemens
On January 6, 2010, Ordinance No. 2010-003, Council amended the Interlocal Agreemer ARRA provisions to allow GTRI to assist the City in administering the \$22.7M expended undeallocated an additional \$500,000 out of the ARRA Fund for GTRI to continue to perform this	er the EECBG pr	ogram ar
On January 5, 2011, Ordinance No. 2011-004, Council increased the maximum contract an approved a Second Amendment to incorporate additional ARRA requirements for GTRI to a number of the Challenge and to allow GTRI to continue to administer other ARRA further the City.	administer the C	itv's first
SM:HB:JLN:hb		
: Marta Crinejo, Jacquelyn L. Nisby, Laura Spanjian, Calvin Curtis		

## TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Appropriate Funds and Authorize Issuance of Purchase Orders to PlayFower LT Farmington, Inc., and The PlayWell Group, Inc., through the Texas Local Government Purchasing Cooperative (Buy Board) for St. Lo Park and Clark Park. WBS No. F-002001-0002-4, WBS No. F-002003-0002-4

Page 1 of 2 Agenda Item

FROM (Department or other point of origin): **Origination Date** Agenda Date General Services Department OCT 2 6 2011 10-19-2011

**DIRECTOR'S SIGNATURE:** Scott Minnix

cololer

Council District(s) affected:

D. H

For additional information contact:

Jacquelyn L. Nisby

Date and identification of prior authorizing Phone: 832 393-8023

Council action:

RECOMMENDATION: Appropriate funds and authorize issuance of purchase orders to PlayPower LT Farmington, Inc., and The PlayWell Group, Inc., through the Texas Local Government Purchasing Cooperative (Buy Board) for improvements at St. Lo Park and Clark Park for the Houston Parks and Recreation Department.

**\$ 157,820.16** Parks & Recreation Dedication Fund (4035)

Finance Budget:

SPECIFIC EXPLANATION: The General Services Department recommends that City Council appropriate \$157,820.16 and authorize issuance of purchase orders, through the Buy Board, to PlayPower LT Farmington, Inc. in the amount of \$84,126.39 for playground equipment and site furnishings at St. Lo Park; and \$73,693.77 to The PlayWell Group, Inc. for playground equipment and site furnishings at Clark Park for the Parks and Recreation Department.

**PROJECT LOCATIONS:** 

St. Lo Park

7335 St. Lo Road (534S)

Dist. D

Clark Park

9718 Clark Road

(453B)

Dist. H

#### **FUNDING SUMMARY:**

St. Lo Park \$ 80,120,37 **Construction Services** \$ 4,006.02

\$ 84,126.39

5% Contingency

Clark Park

\$ 70,184,54

**Construction Services** 

\$ 3,509.23

5% Contingency \$ 73,693.77

**Total Funding** 

\$157,820.16

REQUIRED AUTHORIZATION

CUIC# 25PARK159

**General Services Department:** 

Parks and Recreation Department:

Richard A. Vella

Chief of Design & Construction Division

Joe Turner Director

F&A 011.A Rev. 3/94

7530-0100403-0

SUBJECT: Appropriate Funds and Authorize Issuance of Purchase Orders to PlayPower LT Farmington, Inc., and The PlayWell Group, Inc., through the Texas Local Government Purchasing Cooperative (Buy Board) for St. Lo Park and Clark Park.  WBS No. F-002001-0002-4, WBS No. F-002003-0002-4	Originator's Initials MS	Page: 2 of 2
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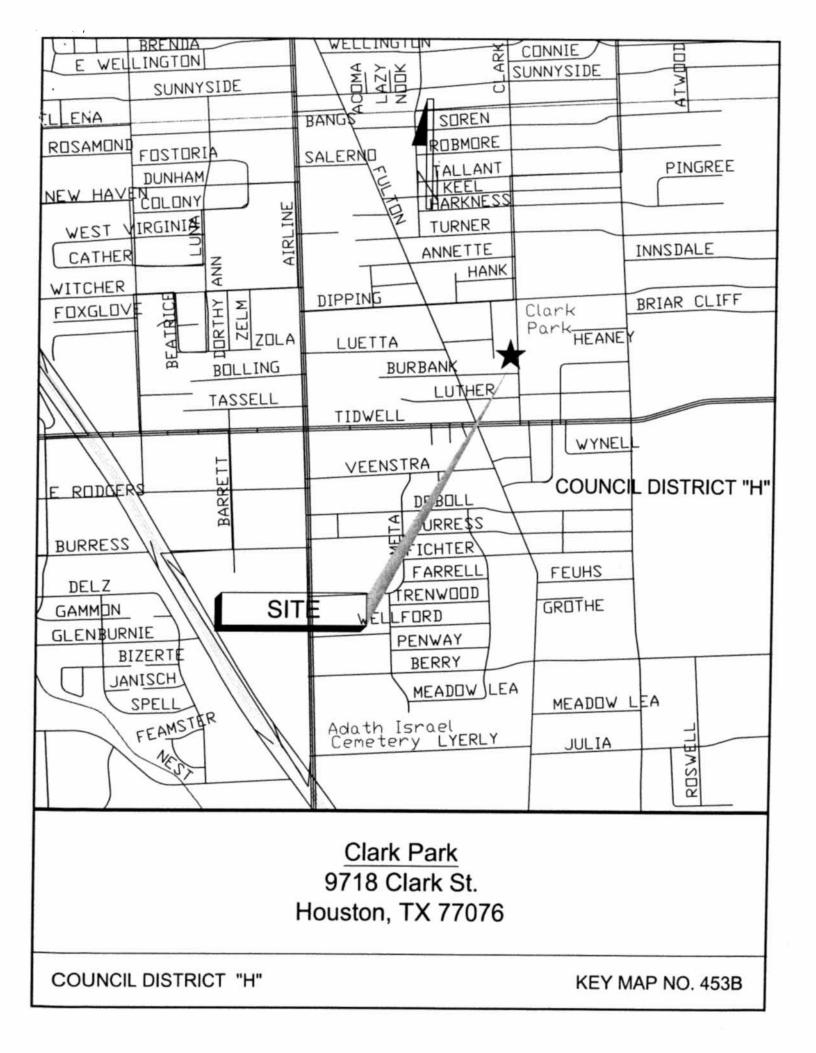
**PROJECT DESCRIPTION:** The scope of work is as follows:

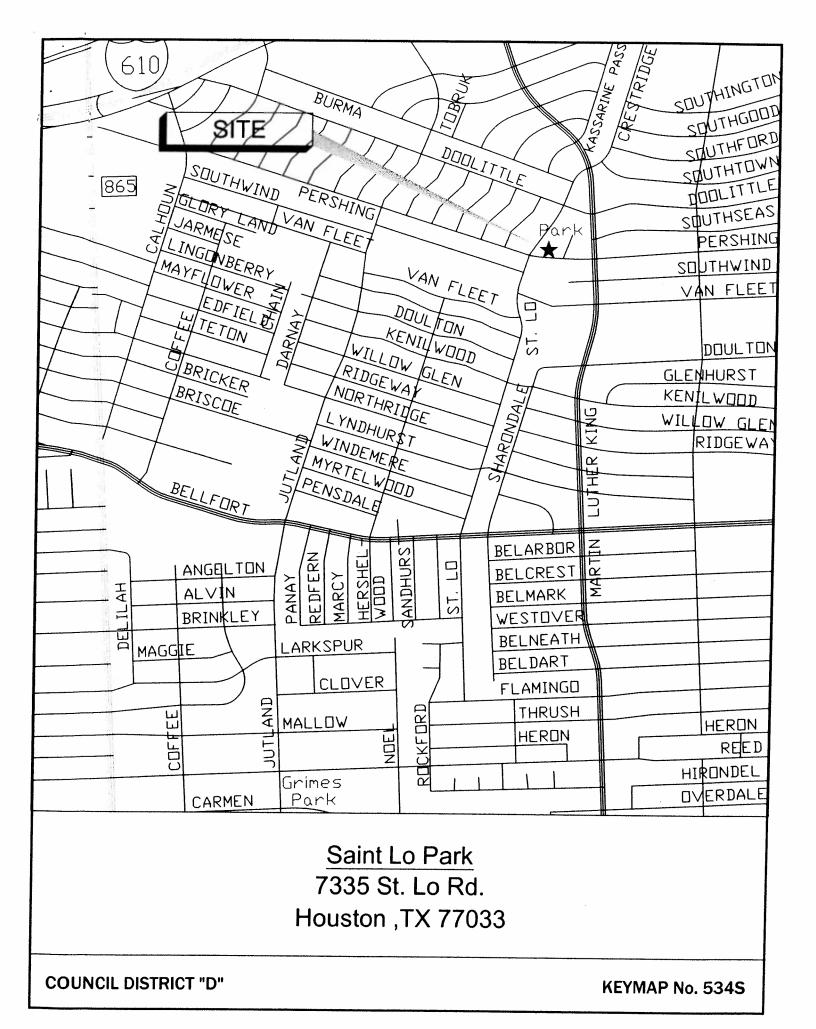
**St. Lo Park** - Remove the old swings and perimeter timbers; purchase, deliver and install a new 2 bay swing set, fall surface material, benches, and grass seeding the disturbed areas.

Clark Park - Remove the old playground equipment; purchase, deliver and install a new playground unit, 2 bay swing set, fall surface material, bike rack, picnic table, benches, construct an accessible ramp, and grass seeding the disturbed areas.

SM:RAV:JLN:LJ/MS:ms

c: Marta Crinejo, Jacquelyn L. Nisby, Mark Ross, Luci Correa, Yuhanya McCoy, Angela Jackson, Sandy Yen, Christopher Gonzales, File 712





Mayor via City Secretary REQUEST FOR COUNCIL ACTION

,	REQUES	ST FOR COUNCIL ACTION	
	Times Construction, Inc. Acres Homes Multi-Service Center F		Page Agenda 1 of 2 Item
	FROM (Department or other point of origin): General Services Department  DIRECTOR'S SIGNATURE: Scott Minnix For additional information contact: Jacquelyn L. Nisby Phone: 832-393-80  RECOMMENDATION: Award construction contract	Date and identification of prior authorization:	Agenda Date OCT 2 6 2011 Orizing
-	Amount 10	ot and appropriate funds for the project.	

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

Amount and Source of Funding:

\$ 2,185,200.00 ARRA - American Recovery and Reinvestment Act (5300)

(HUD Grant - must be expended by September 30, 2012)

64,000.00 Public Health Consolidated Construction Fund (4508)

\$ 2,249,200.00 Total Funding

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council award a construction contract to Times Construction, Inc. on the proposal amount of \$1,861,000.00 to provide construction services for the Acres Homes Multi-Service Center Renovation for the Department of Health and Human Services.

**Finance Budget:** 

7530-0100403-00

PROJECT LOCATION: 6719 W. Montgomery Road (412Y)

PROJECT DESCRIPTION: The scope of work consists of the renovation of the existing two-story facility to bring it into compliance with the City of Houston Building Code, ADA and the Texas Accessibility Standards. Under the design contract, a structural assessment was performed and it was determined that extensive structural stabilization was required to bring the building into compliance with the code prescribed wind loads. A 20% contingency is being requested to address the increased potential for unforeseen conditions that may impact the structural stabilization work and other building improvement upgrades to enhance the project. Exterior improvements include the replacement of the membrane and metal roofs, skylights, sloped glazing, parking lot lighting, repairs and refurbishment of the exterior envelope, fencing and gates. Interior improvements include but are not limited to new finishes, flooring, painting, window coverings, renovation of the service kitchen and limited interior reconfiguration to support building functions. This project will also replace the elevator, interior door hardware, toilet fixtures, partitions and accessories in the public restrooms and update the security system. Work will be performed in phases to minimize tenant relocation moves.

The contract duration for this project is 240 calendar days from the date of the Notice to Proceed. Pierce Goodwin Alexander & Linville, Inc. is the design consultant for this project.

PROPOSALS: On July 8 and July 15, 2011, GSD advertised a Request for Qualifications for construction services for the Acres Homes Multi-Service Center. The RFQ contained selection criteria that ranked respondents on experience, references, schedule and contractor responsibility. The Statements of Qualifications were due on July 21, 2011, and six firms responded. GSD evaluated the respondents and short listed all six. Five of the six respondents submitted proposals on September 22, 2011 and Times Construction, Inc. offers the best value for the City based on the

REQUIRED AUTHORIZATION General Services Department: **CUIC ID #25CONS190** Department of Health and Housing and Community **Human Services:** Development Department: Muchh Bust Richard A. Vella Stephen L. Williams, M.Ed, MPA Okief of Design & Construction Division James Neweware Director Director &A 011.A REV. 3/94

Date:	Subject: Award Construction Contract		
*	Times Construction, Inc. Acres Homes Multi-Service Center Renovation WBS No. H-000060-0001-4	Originator's Initials ON	Page 2 of 2

PROPOSAL CONT: The five proposers are ranked as follows:

### **PROPOSER**

- Times Construction, Inc.
- 2. Horizon International Group, LLC
- 3. DivisionOne Construction, LLC
- 4. The Gonzalez Group, LP
- 5. Turner Construction Company

**AWARD:** It is recommended that City Council award the construction contract to Times Construction, Inc. and appropriate funds for the project, including an additional \$16,000.00 for Engineering Material Testing under the existing contract with Geotech Engineering & Testing, Inc.

# **FUNDING SUMMARY:**

<b>\1.</b>
Construction Contract 20% Contingency
Total Contract Services Engineering Material Testing Total Funding

**CONSTRUCTION GOALS:** An MBE goal of 14% and SBE goal of 10% have been established for this contract. The contractor has submitted the following certified firms to achieve the goals:

	3 -	or annual minis to ac	meve me goals:
MBE Firms P.R.C. Roofing Co., Inc. Total MBE Participation	SCOPE Roofing	<b>AMOUNT</b> \$500,650.00	% of CONTRACT 26.90% 26.90%
SBE Firms			
Arc Light Electric, Inc. El Dorado Services, LLC dba	Electrical	\$127,029.00	6.83%
El Dorado Construction Total SBE Participation	Concrete	\$ 75,000.00	<u>4.03%</u> <b>10.86%</b>

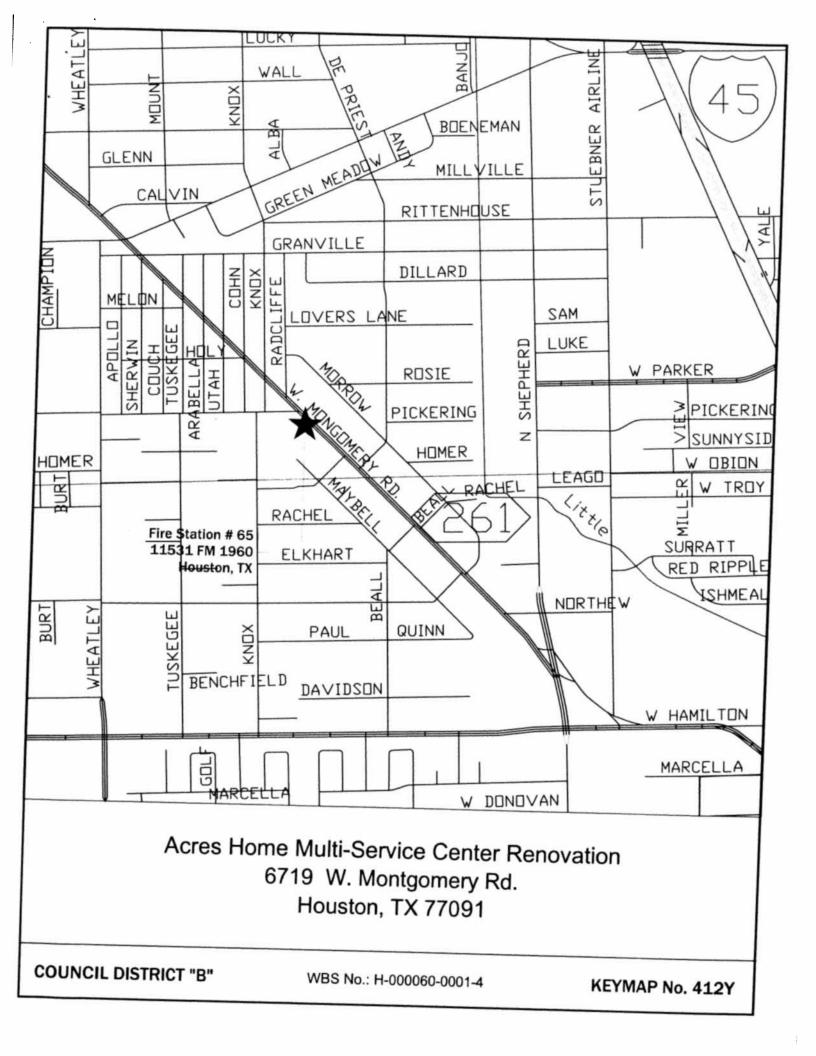
**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's "Play or Pay" Ordinance regarding health benefits for employees of City contractors. In this case, the contractor has elected to pay into the Contractor Responsibility Fund in compliance with City policy.

**ARRA Requirements:** The contractor will adhere to and comply with the special reporting requirements associated with this ARRA Grant as required by the U.S. Department of Housing and Urban Development 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 U.S. Department of Housing and Urban Development and/or the U.S. Office of Management and Budget.

# SM:RAV:JLN:ON:on

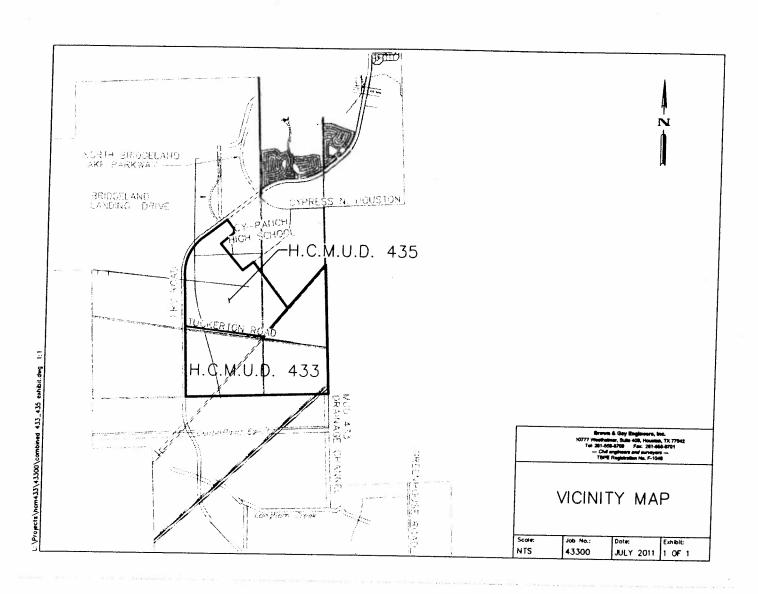
c: Marta Crinejo, Jacquelyn L. Nisby, Esq., Christopher Gonzales, David Godwin, Celina Ridge, Calvin Curtis, Esq.



County Municipal Utility District No. 433 and Harris County Mu District No. 435 to be known as Harris County Municipal Utilit 433 (Key Map No. 366-U, V)	tion of Harris inicipal Utility y District No.	Page 1 of 1	Agenda Item #
FROM (Department or other point of origin):	0-1-1-	4: D-1-	99
the second control point of origin).	Origina	tion Date .	Agenda Date
Department of Public Works and Engineering			66, 26 2011
Daniel W. Krueger, P.E.	Counci	District affe	cted:
For additional information contact:	Date an	d identification	on of prior authorizing
Mark L. Loethen, P.E. CFM, PTOE	Council	action: Ordir	ance 2005-0586 (HCMUD 433)
Deputy Director (832) 395-2705	dated 5/	5/17/05; Ordina I7/05	nce 2005-0587 (HCMUD 435)
RECOMMENDATION: (Summary)	1 32302 01		
The petition for the consolidation of two (2) municipal utility distr No. 433 be approved.  Amount and Source of Funding:	icts to be know	n as Harris Co	unty Municipal Utility District
NONE REQUIRED			
SPECIFIC EXPLANATION:			
Harris County Municipal Utility District No. 433 and Harris Co	ounty Municipal	Utility District	
the only a extraterintonal jurisuiction have peritioned the Ch	N At Hauetan f	ar concent to	
The City's extraterritorial jurisdiction have petitioned the Citinto a single municipal utility district to be named Harris Cou The Utility District Review Committee has evaluated the altreatment, potable water distribution, storm water conveyance	ty of Houston for Inty Municipal U	or consent to Itility District N	consolidate the districts lo. 433.
into a single municipal utility district to be named Harris Cou	pplication with ee, and other pure eek, Fry Road, es under the judiction of Harrist County Municip	respect to wablic services.  Cypress Nourisdiction of His County Municipal Utility District.	consolidate the districts lo. 433.  stewater collection and  rth Houston Road and Harris County Municipal icipal Utility District No. icipal Utility District No. icit No. 433 Wastewater
The Utility District Review Committee has evaluated the all treatment, potable water distribution, storm water conveyand.  The districts are located in the vicinity of Langham Crowsenhouse Road. This action consolidates the 312.14 acrutility District No. 435 with the 485.07 acres under the jurise 433, thus yielding a total of 797.2100 acres all under the jurise 433. The consolidated district will be served by the Harris Treatment Plant. The nearest major drainage facility for Langham Creek which flows to South Mayde Creek and their	pplication with the and other pure eek, Fry Road, the sunder the judiction of Harris County Municipal Harris County noto Buffalo Bayonty Municipal eall plans for the sunder the sunder the sunder eall plans for the sunder eall	or consent to obtility District National County Municipal Utility District Municipal Utility District Municipal Utility District National Utility Di	consolidate the districts lo. 433.  stewater collection and  rth Houston Road and farris County Municipal icipal Utility District No. icipal Utility District No. rict No. 433 Wastewater lity District No. 433 is y into the Houston Ship

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

		0UPA122
Finance Department	Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Div.	Other Authorization:





Rev. 2/2011

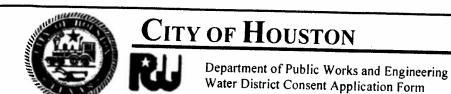
# CITY OF HOUSTON



Department of Public Works and Engineering Water District Consent Application Form



	Application Accepted as Complete (to be completed by	PW&E)	8/10/11 244		
j	Application is hereby made for consent of the City of Houston to thecreation/ \( \sum_{\text{addition}}\) addition of consolidation acres to 312.14 acres under the provisions of Chapters 49 and 54 Texas Water Code.				
		Val	ey for the District		
1	Attorney: <u>Neil Thomas - Fulbright &amp; Jaworski L.L</u>		, District		
	Address: 1301 McKinney, Suite 5100, Houston, Texas	- <del>1 -</del> Zip: <u>77010-3995</u>			
E	Engineer: <u>Keli Schroeder - Brown &amp; Gay Engineers</u>	ыр. <u>77010-3993</u>	Phone: <u>713-651-3613</u>		
Α	Owners: Roy Behrens - Mischer Investments L.P.	Zip: <u>77042</u>	Phone: <u>281-558-8700</u>		
	ddress: 9 Greenway Plaza, Suite 2900, Houston, Texas  (If more than one owner, attach additional page)	Zip: <u>77046</u> List all owners of property with	Phone: 713-869-7800		
St	SIDE CITY OUTSIDE CITY DUTSIDE	TION  NAME OF COUNTY (S) Har  Abstract			
Ge	eographic Location: List only major streets, bayous or o	creeks:			
No	orth of: <u>Langham Creek</u>	East of: Fry Road			
So	uth of Cynress North Houston D. 1	West of: Greenhouse Roa	<u>.d</u>		
Tot	tal Acreage of District: 485.07	RICT DATA Existing Plus Proposed La	1707.04		
Dev	velopment Breakdown (Percentage) for tract being o	Considered for apposed La	ind <u>797.21</u>		
Sing Con Sew Sew	gle Family Residential 77%  numercial 11%  Industrial 0%  Ir  age generated by the District will be served by a: District age Treatment Plant Name: HCMUD 433 Wastewater  DES/TPDES Permit No. TV01201643	Multi-Family Residential ( astitutional 12% rict Plant   Region	0% nal Plant [		



Existing Capacity (MGD): 0

Ultimate Capacity (MGD): 0.9

Size of treatment plant site: 10.64 acres square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 0.15 MGD MGD.

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

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

Total permitted capacity: N/A

MGD of (Regional Plant).

Name of District: N/A

MGD Capacity Allocation \_\_\_\_

or property owner(s)

Name of District: N/A

MGD Capacity Allocation \_\_\_\_

Water Treatment Plant Name: Harris County MUD 433 Water Plant No. 1

Water Treatment Plant Address: 26802 Sawmill Creek Drive, Cypress, Texas 77433

Well Permit No: 148506

**Existing Capacity:** 

Well(s): 1,000

**GPM** 

Booster Pump(s): 4,500

**GPM** 

Tank(s): 0.3

MG

**Ultimate Capacity:** 

Well(s): 1,000

**GPM** 

Booster Pump(s): <u>10,400</u>

**GPM** 

Tank(s): 0.9

MG

Size of Treatment Plant Site: 2.71 acres

square feet/acres.

Comments or Additional Information: This request is for the Consolidation of Harris County

MUD 433 (485.07 acres) and Harris County MUD 435 (312.14). The consolidated district

will be named Harris County MUD 433 and consist of 797.21 acres.

Rev. 2/2011

TO: Mayor via City Secretary	REQUEST	FOR COUNCIL ACTI	ON		
SUBJECT: Ordinance amendi Services for Emergency Back U Works & Engineering Departmen			Agenda Item #		
From: (Department or other point of origin): Public Works and Engineering Department		Origination Date		Agenda Date	
				OCT 2 6 2011	
Director's Signature:  Daniel W. Krueger, P.E.		Council District affected:  All			
For additional information con	Date and identification of prior authorizing Council action:				
Yvonne Forrest (832) 395-2847	November 03, 2010, Ordinance No. 2010-862				
Recommendation: (Summary) Adopt an ordinance amending generation services for the Drinki	ng Water Operatio				
Award Amount: No additional fu	nding required.				
SPECIFIC EXPLANATION:				***************************************	
City Council approved a contract generators to the East Water Proplement. The Director of the Public ordinance amending the contract grant the Director the authority to from the East Water Production For the contract, a detailed configuration of the contract and contract the contract of the cont	duction Plant, Nor lic Works & Engire to provide for mic approve change of Plant to the Northes aration analysis was up generating capa	theast Water Production the comment of the completed and it was completed and it was the complete of	on Plant and Secommends Cing how the ago of emergency of Plant. Subseques determined	outheast Water Production ity Council approval of an reement may be modified, generators, to be relocated ent to the original approval the East Water Production	
As a result of Hurricane Ike, the on Environmental Quality (TCEQ) Harris County to adopt an emerge generators.	to adopt rules req	uiring water utilities tha	at supply water	to wholesale customers in	
NRG Energy Services will manage permits, transportation, constructi SB 361 and TCEQ regulations.					
The original contract was approve the lease, the City of Houston will					
REQUIRED AUTHORIZATION				CUIC ID 20PUD20	
Finance Department	Other Authorizati	on:	Other Authoriza	ation:	
			Jun Chang, P. Deputy Directo Public Utilities I	r V	

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUB IECT: Appropria	te Additional Funds for Radio Aut	ACTION					
System (AMR) and Fi	omated Meter Reading rastructure System (AM	Page	Agenda Item				
Contract with Itron, Inc.	1) 1 of 2	A					
WBS# S-000956-0002	2-5	Department.		2/7			
From: (Department of	or other point of origin):	Origination Data					
Daniel W. Krueger, P.E.	Director	Origination Date 10/11/2011		Agenda Date			
Public Works and Engine	eering Department	10/11/2011		00T 9 6 20tt			
Director's Signature:				OCT 2 6 2011			
Janovioi Zoigilature.	$\mathcal{K}$	Council District af	fected:				
To los	JD _	All					
For additional inform	ation contact:	Date and identified	-41				
Jømmy McClung	Rhone: 713-371-1357	Date and identification:	ation of prior	authorizing			
David Guernsey	Phone: 832-395-3640	Ord. #98-0575, passed July 15, 1998; Ord, #01-1181, passed					
		December 19, 2001; Or	d. #03-0581_nas	sed June 18, 2002: 0-4			
		#00-1071, passed Octob	oer 24 2006: Ord	#08-0896 passed			
		October 8, 2008; Ord. #I	୦୫-୦7୭୮, passed ctober 6  2010	August 12, 2009;			
RECOMMENDATION: A	pprovo op ordinara						
Automated Meter Read	pprove an ordinance appropriatin	g additional funds to the	e Itron, Inc. co	ontract for Radio			
	ling and Fixed Network/ Advance		Systems.				
SOURCE OF FUNDING:	\$3,766,576.28 - Water & Sewer	System Consolidated		Finance Department:			
Construction Fund (850	00)	4.7	? 10/18/2011	bopartment.			
install and replace critic Components for the Pull The ordinance will provi accuracy. This includes mechanisms required to accurate billing, this app On July 15, 1998, City C \$25,510,709.00. Since to amount of \$64,903,350. The Radio Automated M (AMI) currently employ If	Engineering Department recommendations of the Water & Seval Automated Meter Reading and polic Works & Engineering Department and softer the materials, equipment and softer registers, electronic endpoints, or operate a water meter reading or operation is necessary.  Council awarded by Ordinance Nothat time, the contract has been as the contract has been as the contract has been as the contract of December Reading System (AMR) and the endpoints that can be read of the contract signal to be read. Itron contracts	ver System Consolidated Fixed Network/Advancement.  ware to assure the high data collectors, data representation. In order to en mended and extended lember 17, 2012.  Fixed Network /Advancements by the ltrop hardware.	ed Construction and Meter Infragreest level of meters, and a sure good customers in the alleaving a maximum and the contract in the alleaving a maximum and the contract in the alleaving a maximum and the contract in the co	etering system etering system If other stomer service and mount of imum contract astructure System			
	PEOUIDED AUT	HODIZATION		<u>a</u>			
inance Department	REQUIRED AUT		CUIC ID	20DLN12 NOT			
mance Department		Other	Other Authori	zation // 1			
		Authorization:	-11111	100/			
		-	Susan Bandy	. Deputy Director			

<b>SUBJECT:</b> SUBJECT: Appropriate Additional Funds for Radio Automated Meter Reading System (AMR) and Fixed Network/Advanced Meter Infrastructure	Originator's Initials	Page
System (AMI) Contract with Itron, Inc. for Public Works & Engineering Department.	dln	2 of 2
WBS# S-000956-0002-5		

## M/WDBE Subcontractor:

This contract was awarded with a 0.6% participation level with the only opportunity of MWBE participation being delivery of equipment. Itron Inc. had worked closely with the Affirmative Action Division (AAD) to incorporate a small MWBE component into the subject contract. They agreed to hire a local MWBE delivery service, Rabbit Run Delivery, to drive trucks to Minnesota and bring Itron equipment (endpoints) back to Houston. Later it was determined that it was more cost effective to have the endpoints connected to the new meters at the factory. It was determined by AAD there were no other MWBE opportunities within the scope of the automated meter reading contract.

This recommendation is made in pursuant to Chapter 252 Section 252, 022 (a) (7) (D) of the Texas Government Code for exempt procurements.

#### Mayor via City Secretary

#### REQUEST FOR COUNCIL ACTION

LF Well Collection Line along Sc	ween the City and FCM enic Ridge	Page 1 of 2	
r point of origin):	Origination Date	Agenda Date	
s and Engineering		OCT 2 6 2011	
irector	Council District affected A	:	
polodo 6/23/11	Date and identification o Council action:	f prior authorizing	
mary)			
Professional Engineering Service	s Contract with FCM Engir	neers, P.C. and appropriate	
ling: \$563,900.00 Water and Se	wer System Consolidated	Construction Fund No. 8500.	
Improve quality and dependabilit his project consists of the design dappurtenances in Katy Addicks	y of ground water and mee gn of approximately 7,000 Water Plant and Scenic F	et TCEQ requirements.	
Bounded By	Key Map Grid	<b>Council District</b>	
Metronome Drive to the north, Cold Springs Drive to the south Wycliffe Drive to the east, and Scenic Ridge to the west	449 T, X	A	
- Final Design, Phase III - Cons e I is based on cost of time and n Phase II and Phase III will be ne e I. The negotiated maximum fo	truction Phase Services ar naterials with a not-to-exce gotiated on a lump sum an	nd Additional Services. The eed agreed upon amount.	
CIUC ID#20	ACM72	Y	
Engineers, P.C. for 7,000 LF Well Collection Line along Scenic Ridge  ### WBS No. S-000936-0012-3    FROM (Department or other point of origin):   Department of Public Works and Engineering			
	r point of origin):  ks and Engineering  Phone: (832) 395-2326  mary)  Professional Engineering Service  ling: \$563,900.00 Water and Service dappurtenances in Katy Addicks  located in the following Key Mark  Bounded By  Metronome Drive to the north, Cold Springs Drive to the south Wycliffe Drive to the east, and Scenic Ridge to the west  ID FEE: Under the scope of the large of th	r point of origin):  Research Engineering  Council District affected A  Date and identification of Council action:  Phone: (832) 395-2326  Professional Engineering Services Contract with FCM Engineering:  Services in Final Design:  Services and Services Contract with FCM Engineering:  Services and Services Contract with FCM Engineering:  Services in Final Design:  Services and Services Contract with FCM Engineering:  Services and Services Contract with FCM Engineering:  Services and	

**Public Utilities Division** 

Engineering and Construction Division

Date	SUBJECT: Professional Engineering Services Contract between the City and FCM Engineers, P.C. for 7,000 LF Well Collection Line along Scenic Ridge WBS No. S-000936-0012-3	Originator's Initials	Page 2 of <u>2</u>
	WBS No. S-000936-0012-3	km	

The contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include Environmental Site Assessment Phase I, Technical Review Committee Presentation, Surveying, Environmental Assessment Phase II, Geotechnical Investigations, Tree Protection Plans, Traffic Control Plans, Storm Water Pollution Prevention Plans, Right-of-Way acquisitions, Hydraulic Engineering Center/Structural Analysis, Reproduction Services, Subsurface Investigations, Public Meetings, Permits, Court House Research and Drug Testing. The total Additional Services appropriation is \$257,500.00

The total cost of this project is \$563,900.00 to be appropriated as follows: \$490,335.62 for contract services and \$73,564.38 for CIP Cost Recovery.

<u>PAY OR PLAY PROGRAM:</u> 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 the City policy.

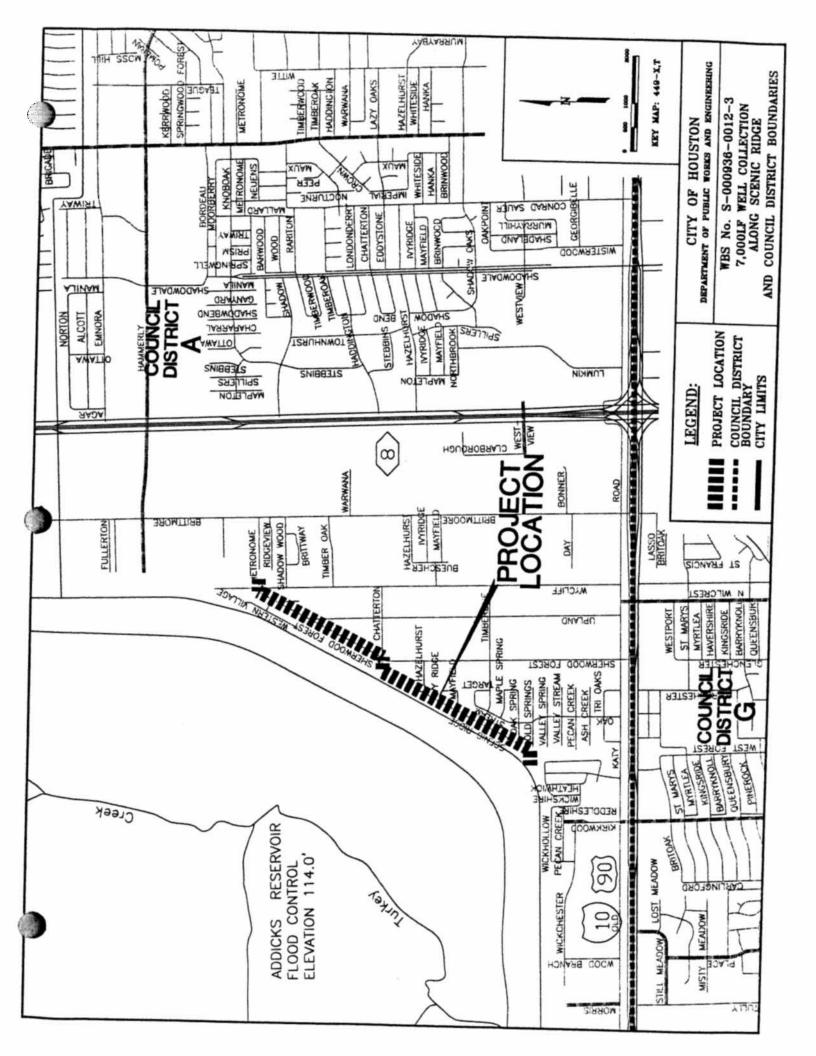
M/WBE INFORMATION: The M/WBE goal for the project is set at 24%. The engineer has proposed the following firms to achieve this goal.

l .			
Name of Firms	Work Description	<u>Amount</u>	% of Contract
1. Amani Engineering, Inc.	Surveying & Engineering Services	\$ 46,760.00	9.53%
2. HVJ Associates, Inc.	Geotechnical & Environmental Services	\$ 32,271.00	6.58%
<ol><li>H &amp; H Engineering Services, Inc.</li></ol>	Hydraulics Engineering	\$ 18,000.00	3.67%
<ul><li>4. Apex Consulting Group, Inc.</li><li>5. B &amp; E Reprographics, Inc.</li></ul>	Civil/Structural Services Reproduction Services	\$ 15,000.00 \$ 6,000.00	3.06% <u>1.22%</u>
	TOTAL	\$118,031.00	24.07%

DWK:DRM:RK:HH:ACM:JP:VHR

Z:\design\A-WS-DIV\Projects\S-000936-0012-3\FCM Engineers\Professional Services RCA.doc

File: S-000936-0012-3 (1.2)



TO:	Mayor via City Secretary	REQUEST FOR COUNC	OIL ACTION	
SUB	Inspection In Support of Rehabilit WBS# R-000266-0176-4	er Cleaning and Television tation	Page 1 of 2	Agenda Item #
FRO	M (Department or other point of origin)	): Origina	tion Date	Agenda Date
Depa	artment of Public Works and Engineering			OCT 2 6 2011
	el W. Krueger, P.E.	Council All	District affected:	
Jason	additional information contact:  I Iken, P.E.  or Assistant Director Phone: (832) 39	Council	d identification of prio action:	or authorizing
RECO Acce	OMMENDATION: (Summary) pt low bid, award construction contract, an			
Const	unt and Source of Funding: \$595,057.00 truction Fund No. 8500. This project is eligible fund (SRF), Tier II.	igible for low interest funding	tem Consolidated  g through the State  I.P. 10/5/2011	
SPEC renew	CIFIC EXPLANATION: This project is project in project is project in project i	part of the Neighborhood Sold collection systems through	ewer Rehabilitation Proout the City.	ogram and is required to
DESC The co	ERIPTION/SCOPE: This project consists of contract duration for this project is 730 cales	of sanitary sewer cleaning and endar days.	l television inspection in	າ support of rehabilitation.
LOCA	TION: The project area is generally bound	ided by the City Limits.		

**BIDS:** Three (3) bids were received on July 14, 2011 for this project as follows:

<u>Bidder</u>	Bid Amount
1. Envirowaste Services Group, Inc.	\$561,958.83
2. Specialized Maintenance Services, Inc.	\$638,163.00
3. CleanServe, Inc.	\$703,856.25

File/Project No. WW 4277-66	REQUIRED AUTHORIZ	ATION CUIC# 20JAI395
Finance Department	Other Authorization:	Other Authorization:
		Jun Chang P.E., D. WRE, Deputy Director Public Utilities Division

	Subject: Contract Award for Sanitary Sewer Cleaning and Television Inspection In Support of Rehabilitation	Originator's Initials	Page 2 of 2
	WBS# R-000266-0176-4		

**AWARD:** It is recommended that this construction contract be awarded to Envirowaste Services Group, Inc., with a low bid of \$561,958.83.

**PROJECT COST:** The total cost of this project is \$595,057.00 to be appropriated as follows:

Bid Amount \$561,958.83
 Contingencies \$28,098.17
 Engineering Testing Services \$5,000.00

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

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

M/WSBE PARTICIPATION: No City M/WSBE participation goal has been established for this project.

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



File No. WW 4277-66

	REQUEST FOR COUNCIL AC	CTION		
TO: Mayor via City Secretary			•	RCA#
SUBJECT: Motion establishing a	public hearing date for the Fifth vestment Zone Financing Plan for	Category #	Page 1 of 1	Agenda Item#
	ree (Main Street/Market Square		_	40
FROM: (Department or other point	of origin):	Origination	Date	Agenda Date
Andrew F. Icken Chief Development Officer				OCT 2 6 2011
DIRECTOR'S SIGNATURE: )		Council Dis	tricts affected	<u> </u>
£ 54	(Ke	D, H, I		•
For additional information contact:		Date and id	entification of	prior authorizing
Ralph De Leon		<b>Council Act</b>		•
Tim Douglass	(713) 837-9857	Ord. 1995- 9/11/96	-1323, 12/13	/95; Ord. 1996-911
RECOMMENDATION: (Summary)				
	e regarding the Fifth Amended Pro er Three (Main Street/Market Squa		nd Reinvestn	nent Zone Financing
Amount of Funding: No Funding F	Required .		Finance Budo	jet:
SOURCE OF FUNDING: [ ] (	General Fund [ ] Grant Fund	[ ] Ent	erprise Fund	[X] N/A
SPECIFIC EXPLANATION:		····		
On October 11, 2011, the Board Downtown Redevelopment Authorithe Zone and transmitted the prop Plan restates the goals and object systems, transit improvements, restand institutional facility improvement green space and creating attractive activities. In addition, the Amended allow for the construction of flood space along Buffalo Bayou. Add December 31, 2043.	of Directors of the Main Street/Maity and the Zone approved the fifth a osed Amended Plan to the City for ctives included in the Plan, including sidential and retail site developments. New goals included in the American provides for the enlargement remediation infrastructure improve	amendment r City Coun ing reconst t, historic pended Plair retail, rest t of the Zorments and	to the Plan (" cil considerat ruction of key preservation, in include upg daurant, recrea ne by approximal upgrades to	Amended Plan") for ion. The Amended y streets and utility and cultural, public, rading open, public ational, and cultural mately 300 acres to open, public green
Pursuant to Section 311.011(e) of to ordinance approving the Amended In 2011.	the Texas Tax Code, a public heari Plan. The Administration recommer	ing must be nds setting	held prior to a public heari	the adoption of an ng for November 9,
cc: Marta Crinejo, Agenda Direct Anna Russell, City Secretary David Feldman, City Attorney Deborah McAbee, Senior As	<i>I</i>			
	REQUIRED AUTHORIZATION	Į.		
Finance Director:	Other Authorization:	Other Au	thorization:	

		REQUEST FOR COUNCIL	ACTION		
	To: Mayor via City Secretary	REQUEST FOR COUNCIL	ACTION		
	SUBJECT: Ordinance approving	ng an economic development d Kroger Texas L.P. pursuant to	Category #	Page 1 of 1	RCA#
	Chapter 380, Texas Local Gover	nment Code.			14 #6
	FROM: (Department or other point of Andy Icken, Chief Development)	of origin):	Origination Da	te	Agenda Date
	Mayor's Office	Officer	10/13/	11	061-9-204
	SIGNATURE:		Council Distric	ts affected:	OCT 2 6 2011
h	For additional information contact:	Se	CM Gonzale		,
<b>بر</b>	Tim Douglass	Phone: 713-837-9857	Action:		r authorizing Council
	DECOMMENDATION: (C	Ordination	Ordir 	nance No. 99- 	-674 dated 6/30/99
	- Barodant to Or	Ordinance approving an economic napter 380, Texas Local Governme	c developmen ent Code.	t agreement l	between the City and
	Amount of Funding:			Finance Budge	et:
		General Fund [ ] Grant Fund Other (Specify)	Enter	prise Fund	
	SPECIFIC EXPLANATION:				
	In 1989, the State legislature enact which municipalities could make purposes. Subsequently, by Ord provide the City with an additional growth.	inance No. 99-674 the City acts	to be used to	or public eco	nomic development
	Kroger Texas L.P. ("Kroger") into (approximately 79,000 square for Summer streets. The City is inte economic growth and diversification development in the City of Housestablished economic developmen	rested in Kroger building this project of the economy in the surround	ate 10 at the ect at this local ling area. This	intersection tion as it is cr	of Studemont and itical to the ongoing
٠,٠	n consideration of this new deve /ears. Additionally, Kroger will do property.	lopment, Kroger must create at land a long to the long to be used for improved to be used for improved to the long	east 170 jobs evements to O	at this locat livewood Cer	ion for the next 13 netery, an adjacent
t	The City will reimburse its portion he City's portion of the amount of the Base Property Tax, with the to the City Improvements Cost p	otal Reimbursement Amount not	excess of the orem taxes ir to exceed A)	Base Sales nposed on th the lesser o	Tax and 100% of ne Property above f (i) \$2,500,000 or
A	approval is recommended.				
C	c: Marta Crinejo, Agenda Direc Anna Russell, City Secretary David Feldman, City Attorne Deborah McAbee, Senior As	/ V			
		REQUIRED AUTHORIZATION	ON		
Fi	nance Director:	Other Authorization:	Other Aut	horization:	

#### **EXHIBIT A**

Economic Development Agreement Between the City of Houston, Texas, and Kroger Texas L.P.

### **ECONOMIC DEVELOPMENT AGREEMENT**

This **ECONOMIC DEVELOPMENT AGREEMENT** ("Agreement") by and between the **CITY OF HOUSTON, TEXAS,** a Texas home-rule municipal corporation ("City"), and **KROGER TEXAS L.P.**, an Ohio limited partnership ("Developer"), is entered into as of the Effective Date as defined herein.

WHEREAS, Developer owns certain tracts of land totaling approximately 8.5658 acres within the corporate limits of the City, as depicted on the site survey marked as Exhibit "A" attached hereto ("Land"), for the purpose of developing and constructing an approximately 79,000 square foot combination grocery and drug store and fuel station ("Project"); and

WHEREAS, Developer has entered into a Ground Lease Agreement dated July 26, 2011, granting a leasehold interest in the Land to its affiliate Kroger Management -- NMTC Houston I, LLC, an Ohio limited liability company ("Project Owner");

WHEREAS, Project Owner will construct and own real property improvements located on the Land ("Project Improvements") and will provide and own furniture, fixtures and equipment ("Project FFE") located thereon and necessary for the operation of the Project; and

WHEREAS, Project Owner will lease the Project Improvements and the Project FFE and will sublease the Land to its affiliate Kroger 017 Operator, Inc. ("Project Operator"), which will operate the Project, including ownership of inventory items and other personal property located at the Project ("Project Inventory"); and

WHEREAS, the City acknowledges and desires that the Developer shall provide valuable services to the City through the work described in this Agreement, including but not limited to the development of public works and improvements, including water, sewer, drainage, road and street improvements, traffic signals and other mobility improvements and public infrastructure to benefit the Project and to serve the City generally and the surrounding community specifically; and

WHEREAS, the City has established a program in accordance with Article III, Chapter 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code ("Chapter 380") authorizing the City to use public funds for the public purposes of promoting local economic development and stimulating business and commercial activity within the City of Houston, including the authority to enter into sales and use tax rebate agreements such as this Agreement; and

WHEREAS, the City recognizes the positive economic impact that the Project will bring to the City through the timely development and diversification of the economy, elimination of unemployment and underemployment through the creation and retention

of new jobs, the attraction of new businesses, and the retention and growth of the ad valorem and sales and use tax revenues generated by the Project for the City; and

WHEREAS, the City and Developer desire to work together to advance the public purposes of developing and diversifying the economy of the state, eliminating unemployment or underemployment in the state, and developing or expanding transportation or commerce in the state; and

WHEREAS, in consideration of Developer causing the design, timely construction, development, financing, and operation of the Project and related public infrastructure improvements, in accordance with the performance standards described herein and including commercially reasonable efforts to hire local and disadvantaged businesses and buying local products in constructing the public infrastructure improvements, which will result in the creation of new jobs and additional sales and use tax and ad valorem tax revenues for the City, the City agrees to purchase the public infrastructure improvements from the Developer based on the costs of the improvements by granting to Developer, pursuant to Chapter 380 and other applicable law, a reimbursement of the incremental sales and use tax revenues and the increase above the base year ad valorem tax revenues generated by the Project, the terms and conditions of which are more fully described in this Agreement; and

WHEREAS, the City has concluded and hereby finds that this Agreement promotes economic development in the City of Houston and therefore meets the requirements of Chapter 380 and the City's established economic development program, and is in the City's best interests;

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual promises, agreements, services, obligations, covenants, and benefits set forth in this Agreement, the City and Developer agree and contract as follows:

# ARTICLE I DEFINITIONS AND TERMS

- A. <u>Incorporation of Recitals and Exhibits</u>. The recitals in this Agreement and the Exhibits attached to this Agreement are hereby incorporated for all purposes. In the event of any conflict between any of the provisions of the Exhibits and the provisions of this Agreement, the provisions of this Agreement shall prevail.
- B. <u>Singular and Plural</u>. Words used herein in the singular, where the context so permits, also include the plural and vice versa. The definitions of words in the singular herein also apply to such words when used in the plural where the context so permits and vice versa.
- C. <u>Definitions and Terms</u>. The terms "Agreement," "Chapter 380," "City," "Developer," "Land," "Project," "Project FFE," "Project Improvements," "Project Inventory," "Project Operator," and "Project Owner" shall have the meanings set forth above, and the terms defined below shall have the meanings set forth below.

"Base Property Tax" means the amount of ad valorem taxes levied and collected by the City on the Property based on the total taxable appraised value of the Property as of January 1<sup>st</sup> of the respective year in which Developer commences construction of the Project.

"Base Sales Tax" means the amount of Sales Tax Revenues received by the City for the calendar quarter preceding the Effective Date.

"Effective Date" means the date that the City Controller countersigns this Agreement, as shown on the execution page of this Agreement.

"Exhibit 'A" refers to the attached survey/map of the Land.

"Exhibit 'B'" refers to the attached preliminary list of City Improvements.

"Exhibit 'C" refers to the attached conceptual site plan for the Project.

"Exhibit 'D'" refers to the attached depiction of the landscaping to be performed on the esplanades/medians on Studemont Street.

"Exhibit 'E'" refers to the attached form of release necessary to allow the State Comptroller to provide the Sales Tax Disclosure.

"City Improvements" means certain public water, sewer, drainage, road, traffic signal, right-of-way, landscaping, irrigation, sidewalk and other related improvements located in the public right of way and necessary to serve the Project as and when needed. A preliminary list of City Improvements is attached hereto as **Exhibit "B."** 

"City Improvements Cost" means all costs of acquisition, design, development, and construction of the City Improvements including, without limitation: (i) the acquisition cost of any land that is part of the City Improvements; (ii) all costs of design, engineering, materials, labor, construction, testing and inspection and other services, arising in connection with the design and construction of the City Improvements; (iii) all payments arising under any contracts entered into for the design or construction of the City Improvements; (iv) all costs incurred in connection with obtaining governmental approvals, certificates, and permits required in connection with the construction of the City Improvements; and (v) costs to acquire any rights-of-way.

"Interest" means interest (i) that accrues at a rate of 5.17% per annum, (ii) that is computed quarterly on the last day of each calendar quarter beginning with the first calendar quarter that includes the Reimbursement Date, and (iii) that is computed based on a principal amount equal to the amount by which the City Improvements Cost exceeds all payments that the City has made to the Developer pursuant to paragraph (B)(4) of Article VI of this Agreement as of the Interest computation date.

"Maximum Reimbursement Amount" means (A) the lesser of (i) \$2,500,000 or (ii) the City Improvements Cost plus (B) Interest.

"Party" or "Parties" means the City and Developer.

"Property" means the Land, the Project FFE, the Project Improvements, the Project Inventory, and any other real property improvements or personal property that is located on the Land and part of the Project.

"Reimbursement Amount" means the Sales Tax Revenues in excess of the Base Sales Tax and 100% of the City's portion of the amount of incremental increase in ad valorem taxes imposed on the Property above the Base Property Tax, with the total Reimbursement Amount not to exceed the Maximum Reimbursement Amount during the Term of this Agreement.

"Reimbursement Date" means the date on which the Developer receives from the City a certificate of occupancy for the Project for use and occupancy of the Project for its intended purpose as a combination grocery and drug store and fuel station.

"Reimbursement Fund" means the special fund created by the City as described in Article VI of this Agreement.

"Sales Tax Revenues" means the amount of sales and use tax received by the City pursuant to Chapter 321, Texas Tax Code, from the sale of Taxable Items at the Project, from the construction of the City Improvements or Project Improvements, or from purchases of Project FFE and Project Inventory.

"Taxable Items" has the meaning assigned by Chapter 151, Texas Tax Code, as it may be amended from time to time.

"Term" means the period of time beginning on the Effective Date and continuing until the earlier of either the payment to Developer of the Maximum Reimbursement Amount or the expiration of thirteen (13) years from the date on which the City issues a certificate of occupancy for the Project Improvements for use and occupancy of the Project Improvements for the Project's intended purpose as a grocery and drug store.

## ARTICLE II THE PROJECT

Developer intends to cause the construction of the Project, an approximately 79,000 square foot combination grocery and drug store and fuel station located just south of Interstate 10 at the intersection of Studemont and Summer streets in

Houston, Texas. A Conceptual Site Plan for the Project is attached hereto as Exhibit "C."

# ARTICLE III REPRESENTATIONS AND WARRANTIES

- (1) The City hereby represents and warrants to Developer that the City has full constitutional and lawful right, power and authority, under current applicable law, to execute and deliver and perform the terms and obligations of this Agreement, and all of the foregoing have been or will be duly and validly authorized and approved by all necessary City proceedings, findings, and actions. Accordingly, this Agreement constitutes the legal, valid, and binding obligation of the City, is enforceable in accordance with its terms and provisions, and does not require the consent of any other governmental authority.
- (2) Developer hereby represents and warrants to the City that Developer has full constitutional and lawful right, power, and authority, under current applicable law, to execute and deliver and perform the terms and obligations of this Agreement, and all of the foregoing have been or will be duly and validly authorized and approved by all actions necessary. Accordingly, this Agreement constitutes the legal, valid, and binding obligation of Developer, is enforceable in accordance with its terms and provisions, and does not require the consent of any other authority or entity.

# ARTICLE IV DEVELOPER COMMITMENTS

- A. <u>Design of the Project.</u> Developer agrees to design the Project in an architectural style that, in Developer's sole discretion, is harmonious with the general architectural style of the surrounding Heights neighborhoods. Developer shall satisfy all permitting requirements, including, but not limited to, Chapter 9 of the City's Department of Public Works and Engineering Infrastructure Design Manual and building permitting requirements. Prior to initiating construction of the City Improvements, Developer's engineer shall certify to the Chief Development Officer of the City that the Project complies with all applicable laws, ordinances, rules and regulations pertaining to the rate of storm water runoff from the Property.
- B. <u>Community Meetings.</u> Prior to commencing construction of the Project, Developer agrees to conduct at least one public meeting to provide information to and answer questions from the public and to provide an opportunity for interested persons to speak for or against the Project.
- C. <u>City Improvements.</u> Developer agrees to design and construct the City Improvements necessary to serve the Project as and when needed. The preliminary list of the City Improvements is set forth in **Exhibit "B,"** which may be modified at any time by mutual agreement of the Mayor, or his or her designee, and Developer, to modify, add, or remove City Improvements if the Mayor or Developer

determines that the modification, addition, or removal is necessary to achieve the intent of this Agreement and if such modification, addition, or removal is not estimated to cause the City Improvements Cost to exceed \$2,500,000. The dollar amounts of the City Improvements listed in **Exhibit "B"** are estimates of probable costs; actual costs may be higher or lower. The City Improvements include certain off-site improvements such as sanitary sewer, sidewalk, and street and landscaping improvements. Acquisition of right-of-way is required for some City Improvements.

- D. Standards and Approvals. Developer agrees that the plans and specifications for the City Improvements shall be subject to the review and approval of all governmental entities with jurisdiction, including, without limitation, the City. Developer agrees to comply with all applicable legal requirements from such jurisdictions. Before commencing construction of any City Improvements, Developer will submit to the City's Director of the Department of Public Works and Engineering, or his or her designee ("Director"), all plans and specifications for the construction of such City Improvements and obtain the Director's approval of such plans and specifications which approval shall not be unreasonably withheld and shall be decided upon expeditiously. In the event that the Director does not render a decision regarding approval of such plans and specifications within fifteen (15) days of receipt from Developer, such plans and specifications shall automatically be deemed approved. All water wells, water meters, flushing valves, valves, pipes, and appurtenances thereto, will conform exactly to the City's specifications. All water service lines, sewer service lines, lift stations, sewage treatment facilities, road facilities, and appurtenances thereto, will comply with the City's standard plans and specifications as amended from time to time. Prior to construction of any City Improvements, Developer or its engineer will give written notice by registered or certified mail to the Director stating the date that construction will be commenced. Construction of the City Improvements will be in accordance with the approved plans and specifications, and with the City's applicable standards and specifications, and during the progress of the construction and installation of the City Improvements, the Director may conduct periodic, on-the-ground inspections.
- E. <u>Summer Street.</u> Developer agrees to rehabilitate Summer Street and its adjoining sidewalks from Studemont Street to Givens Street and to construct and extend a new segment of Summer Street from Givens Street to Diesel Street.
- F. <u>Esplanade/Median Landscaping.</u> Developer agrees to develop or enhance the landscaping on the esplanades/medians on Studemont Street to beautify the surrounding community as depicted in attached **Exhibit "D."**
- G. <u>Job Creation</u>. Developer's receipt of the Reimbursement Amount is subject to the following commitment ("Job Creation Condition"): Developer agrees to create at least 170 jobs at this Project, effective as of the date on which the Project commences operations as a combination grocery and drug store. As used herein, the term "jobs" shall mean persons employed by Developer, the Project Operator, or any

other affiliate of Developer on a full- or part-time basis to perform services at the Project in connection with the operation of the Project. Developer shall annually submit documentation as reasonably necessary to evidence that Developer has satisfied the Job Creation Condition.

If Developer does not satisfy the Job Creation Condition for any period during the Term of this Agreement, and if such failure continues for sixty (60) days after written notice to Developer, the City may, as its sole and exclusive remedy, beginning on the date which is sixty (60) days after such written notice until Developer has provided evidence that it has satisfied the Job Creation Condition, reduce the Reimbursement Amount to be paid to Developer by a percentage by which the Developer does not satisfy the Job Creation Condition.

- H. Olivewood Cemetery. Developer agrees to donate forty thousand dollars (\$40,000) to Descendants of Olivewood, Inc. to be used for improvements to Olivewood Cemetery. Developer shall make such donation within a reasonable period of time following Developer's receipt of all necessary approvals, permits, and other authorizations necessary to commence construction of the Project.
- I. <u>Sidewalks and Trees.</u> Developer agrees to work with the City to (1) design and construct sidewalks that are wider than the standard requirement of four (4) feet; and (2) plant trees along Studemont Street and Summer Street that are larger in caliper than the standard requirement of one and one-half (1.5) inches. The City agrees that such sidewalks or trees will be Improvements and shall be reimbursable to the Developer subject to the terms and conditions of this Agreement.
- J. Payment of Project Costs. Developer agrees to pay (or cause to be paid) all costs of acquisition, design, development, and construction of the Project as such costs become due, including, without limitation: (i) all costs of design, engineering, materials, labor, construction, testing and inspection and legal or other consultant services, arising in connection with the design and construction of the Project; (ii) all payments arising under any contracts entered into for the design or construction of the Project; (iii) all costs incurred in connection with obtaining governmental approvals, certificates, and permits required in connection with the construction of the Project; (iv) Developer's share of costs to acquire any rights-of-way (recognizing that the City also will incur and be responsible for some costs of acquiring rights-of-way); and (v) costs in connection with the negotiation, preparation, and approval of this Agreement and all matters related thereto.
- K. <u>Competitive Bidding.</u> Construction contracts for the City Improvements shall not be subject to the City's competitive procurement requirements. After preparation of final plans and specifications and their approvals as required herein, Developer shall advertise for or solicit bids for construction as described in the final plans and specifications.
- L. <u>Sales Tax Disclosure</u>. The City agrees to request from the State Comptroller sales tax reports as provided in Section 321.3022, Texas Tax Code,

establishing the amount of Sales Tax Revenues for each calendar quarter during the Term ("Sales Tax Disclosure"). Developer agrees to provide any release or releases to the City necessary to allow the State Comptroller to provide the Sales Tax Disclosure. The City and Developer shall rely on the Sales Tax Disclosure as accurate and definitive for purposes of this Agreement. A form of release is attached hereto as **Exhibit E**. The City shall not be required to pay Developer the Reimbursement Amount until such time that Developer provides any required release and the State Comptroller provides the City the Sales Tax Disclosure; provided, however, the Developer may establish the amount of Sales Tax Revenues arising from the construction of the Project Improvements or the purchase of the Project FFE or Project Inventory using other documentation approved by the City, which approval shall not be unreasonably withheld.

M. <u>Developer Affiliates</u>. The Project Owner and the Project Operator may satisfy Developer's obligations under this Article IV.

# ARTICLE V CONSTRUCTION SCHEDULE AND CRITERIA

- A. <u>Conditions of Grant.</u> The 380 Grant and the City's reimbursement to Developer is conditioned upon and subject to Developer complying with the agreements stated above, as well as the conditions and Construction Schedule described in this Article V.
- B. <u>Commencement of Development.</u> Developer agrees to commence the site work and construction of the Project no later than six (6) months after the Effective Date of this Agreement, subject to the *force majeure* provisions of Article VII herein.
- C. <u>Completion of Development.</u> Developer agrees to substantially complete construction of the Project not later than eighteen (18) months following commencement of construction of the Project, subject to the *force majeure* provisions of Article VII herein.
- D. <u>Equal Business Opportunity Compliance.</u> Developer shall demonstrate good faith efforts to comply with the City's MWDBE (Minority/Women/Disadvantaged Business Enterprise) program in the construction of the City Improvements.
- E. <u>Buy/Hire Local Compliance.</u> In the construction of the City Improvements, Developer shall demonstrate good faith efforts, to the extent legally permissible, to comply with a "Buy Local" goal of not less than twenty-five percent (25%) local sourcing of services procured through vendors and/or service providers with offices within the United States Office of Management and Budget "metropolitan statistical area" of the City.
- F. <u>Easements and Rights-of-Way.</u> All public water, sewer, and drainage facilities shall be constructed within City or public easements or rights-of-way. All public road improvements shall be constructed in City or public rights-of-way.

- G. <u>Joint Referral Committee Process.</u> Concurrently with the negotiation of this Agreement, Developer and the City's Joint Referral Committee of its Public Works and Engineering Department have been cooperating to implement the abandonment, sale, and conveyance of the easements, rights-of-way and property necessary to complete the Project and the City Improvements. The Parties agree to use commercially reasonable efforts to complete the Joint Approval Committee process in a time and manner that allows the performance of this Agreement according to its terms.
- Ownership, Operation, and Maintenance. Η. As the acquisition and construction of each integral stage of the City Improvements is completed and each integral stage of the City Improvements becomes operational, Developer shall convey all such City Improvements to the City (including rights-of-way). As construction of each integral stage of the City Improvements is completed, City representatives shall inspect the same and, if the City finds that the same has been completed in accordance with the final plans and specifications, or any modifications thereof, and in accordance with all applicable laws, rules, and regulations, the City will accept the same, whereupon such portion of the City Improvements shall be operated and maintained by the City at its sole expense. The Parties intend this paragraph to constitute a conditional acceptance of the City Improvements by the City for purposes of qualifying the construction of the City Improvements for exemption from the imposition of sales and use taxes to the maximum extent possible.
- I. Records and Audit. Developer shall be responsible for maintaining records of amounts paid to construct the City Improvements and evidence of such payments and shall make such records available to the City at the City's reasonable request. Developer agrees to provide to the City prior to the Reimbursement Date its computation of the City Improvements Cost incurred by Developer as of the Reimbursement Date; provided, Developer shall have the right after the Reimbursement Date to notify the City of any adjustments to the City Improvements Cost. The City may audit the calculation of the City Improvements Cost at its own expense.

#### ARTICLE VI CITY COMMITMENTS

A. Reimbursement Fund. The City hereby covenants and agrees upon the Effective Date of this Agreement to create a special fund ("Reimbursement Fund") for the benefit of Developer for the purpose of paying Developer the Maximum Reimbursement Amount. Following Developer's fulfilling the funding conditions in Article IV hereof, the City shall deposit the Reimbursement Amount into the Reimbursement Fund pursuant to this Agreement. The Reimbursement Fund shall always remain unencumbered by the City and segregated from all other funds of the City. Such funds are held in trust by the City for Developer to be used in accordance with the terms hereof as long as Developer is in compliance with this Agreement. To the fullest extent permitted by law, the City agrees that: (i) it will not pledge or apply the

Reimbursement Fund to any other purpose or payment of any obligation of the City except for the obligations arising under this Agreement; (ii) it will not commingle the Reimbursement Fund with any other funds of the City; (iii) it will not take any action or omit to take any action that will affect the continued existence of the Reimbursement Fund or the availability for deposit therein of the Reimbursement Amount; and (iv) it will direct the investment of the Reimbursement Fund in accordance with Texas law applicable to investment of funds by municipalities. The Reimbursement Fund shall be used only to pay the Reimbursement Amount to the Developer.

#### B. <u>City Commitments.</u>

- Calculation of Reimbursement Amount; Deposit of Reimbursement 1. Amount. For each calendar year during the Term of this Agreement, the City shall determine the Reimbursement Amount in cooperation with the Developer and the State Comptroller. The City shall calculate the Reimbursement Amount as: (i) the incremental increase above the Base Property Tax of the City's portion of the ad valorem taxes on the value of the Property, as certified by the Harris County Appraisal District and (ii) Sales Tax Revenues in excess of the Base Sales Tax received by the City each calendar quarter from the State Comptroller. The Parties acknowledge that the City may not receive sufficient information from the State Comptroller to determine the Sales Tax Revenues until fifteen (15) or more days into the subsequent month. Based upon the City's quarterly calculation of the sales and use taxes derived from the Project, the City agrees to deposit the sales and use tax portion of the Reimbursement Amount into the Reimbursement Fund within thirty (30) business days following receipt from the State Comptroller. Based upon the City's annual calculation of the ad valorem taxes derived from the Property, the City agrees to deposit the ad valorem tax portion of the Reimbursement Amount into the Reimbursement Fund within thirty (30) business days following certification by the Harris County Appraisal District.
- 2. <u>Confidential Information</u>. The City hereby designates this Agreement as a Revenue Sharing Agreement, thereby entitling the City to request sales tax information from the State Comptroller, pursuant to section 321.3022, Texas Tax Code, as amended. Unless determined otherwise by the Texas Attorney General, in writing, any information received relating to the sales tax shall be considered confidential proprietary financial information not subject to immediate release to the public. The City shall seek a written opinion from the Texas Attorney General, raising any applicable exception to release, prior to any release to a third-party under the Texas Public Information Act, and City shall provide Developer timely notice and an opportunity to review and comment on any such opinion request.
- 3. <u>Maintenance of Records</u>. The City shall maintain complete books and records showing deposits to and disbursements from the Reimbursement Fund, which books and records shall be deemed complete if kept in accordance with generally accepted accounting principles as applied to Texas municipalities. Such books and records shall be available for examination by the duly authorized officers or agents of Developer during normal business hours upon request made not less than five (5) business days prior to the date of such examination. The City shall maintain such

books and records throughout the Term of this Agreement and store the same for four (4) years thereafter. Developer shall, upon not less than five (5) business days prior written notice, have the right to review and audit such books and records at its own expense.

4. Payment of Reimbursement Amounts. Beginning on the Reimbursement Date and continuing each quarter throughout the Term of this Agreement, the City shall pay the Reimbursement Amount due to Developer within forty-five (45) days following the end of the month for which sales and use taxes and ad valorem taxes are received by the City and deposited into the Reimbursement Fund, pursuant to this Agreement ("City Commitment"). The City Commitment is an unconditional obligation of payment by the City (but solely from the Reimbursement Fund), if the Project and Property generates sales and use taxes and ad valorem taxes. Such payments are not subject to any reduction, whether offset or otherwise.

# ARTICLE VII DEFAULT AND REMEDY; FORCE MAJEURE

#### A. <u>Developer Events of Default</u>

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Developer's failure to comply with and satisfy any of the conditions and obligations under this Agreement with which Developer must comply or satisfy to receive the Reimbursement Amount shall be deemed an event of default, whereupon the City shall deliver written notice to Developer detailing such event(s) of default. If such event(s) of default is not cured within sixty (60) days following the date of Developer's receipt of the City's written notice, then the City shall not be obligated to pay to Developer the amount of the Reimbursement Amount proportionate to the period of time during which the default(s) remains uncured as measured in, for sales and use taxes, each full fiscal quarter and for ad valorem taxes, each full month(s) of the calendar year during which the default remains uncured. Alternatively, the City may terminate this Agreement by written notice to Developer, and its obligation to make any payments to Developer shall be null and void as of the date of such written notice.

#### B. <u>City Events of Default</u>

The City's failure to perform any of its obligations in substantial compliance with this Agreement (except for its obligation to pay Developer, with which the City shall strictly comply) shall be deemed an event of default, whereupon Developer shall deliver written notice to the City detailing such event(s) of default. If such event(s) of default is not cured within sixty (60) days following the date of the City's receipt of Developer's written notice, then Developer shall have all rights and remedies to which it is entitled under this Agreement and under all applicable laws.

#### C. Remedies Cumulative

- (1) In addition to the remedies provided for in paragraphs A and B of this Article VII, the non-defaulting Party may seek any remedy available under all applicable laws, in any court of competent jurisdiction, subject to paragraph G of Article VIII herein. Unless provided otherwise herein, no action taken pursuant to this Agreement shall constitute an election of remedies, and all remedies set forth in this Agreement shall be cumulative and non-exclusive of any other remedy either set forth herein or available at law or in equity. The non-defaulting Party shall have the affirmative obligation to mitigate its damages in the event of a default by the defaulting Party.
- (2) Notwithstanding the foregoing, the City Attorney is hereby authorized to negotiate and enter into amendments and revisions to this Agreement in the event of default by either Party which has not been cured after notice and opportunity to cure.
- (3) The Parties' right and authority to pursue any remedies for default under this Agreement shall survive the amendment, revision, expiration, or termination of this Agreement.

#### D. Waiver of Immunity

Notwithstanding anything to the contrary herein, the City and Developer hereby acknowledge and agree that this Agreement is subject to the provisions of Subchapter I of Chapter 271, Texas Local Government Code, as amended. The City agrees that its immunity from suit is waived for the purpose of adjudicating a claim for breach of this Agreement, which is subject to the terms and conditions of Subchapter I of Chapter 271, Texas Local Government Code, as amended.

#### E. Force Majeure

Notwithstanding anything in this Agreement which is or may appear to be to the contrary, if the performance by either Party of any covenant or obligation hereunder (specifically excluding any monetary obligations) is delayed as a result of circumstances which are beyond the reasonable control of such Party, the time for such performance shall be extended by the amount of time of such delay. Such circumstances include, without limitation, pending or threatened litigation; acts of God; war; acts of civil disobedience; fire or other casualty; shortage of materials; adverse weather conditions (such as, by way of illustration and not limitation, severe rain storms, below-freezing temperatures, hurricanes, or tornadoes); and labor actions, strikes or similar acts. The Party claiming delay of performance as a result of a *force majeure* event shall deliver written notice of the commencement of such delay not later than seven (7) days after the claiming Party becomes aware of the same, and if the claiming Party fails to so notify the other Party of delay caused by a *force majeure* event, the claiming Party shall not be entitled to extend the time for performance as provided herein.

# ARTICLE VIII GENERAL PROVISIONS

- A. <u>Time of the Essence.</u> Time is of the essence in the performance of this Agreement.
- B. <u>Notices.</u> Any notice sent under this Agreement (except as otherwise expressly required) shall be written and mailed by certified mail, return receipt requested, or sent by rapid transmission with written confirmation, or personally delivered to an officer of the receiving Party with written confirmation of acceptance, to the following:

#### If to Developer:

Kroger Southwest Real Estate 19245 David Memorial Drive Shenandoah, TX 77385 Attention: David Koppenhafer Telephone: (713) 507-4834 Facsimile: (936) 442-6703

#### With copies to:

Locke Lord Bissell & Liddell LLP 2200 Ross Ave., Suite 2200 Dallas, TX 75201 Attention: Geoffrey Polma Telephone: (214) 740-8644

Telephone: (214) 740-8644 Facsimile: (214) 756-8644

#### If to the City:

Director, Finance Department City of Houston P.O. Box 1562 Houston, Texas 77002

Notice shall be deemed to have been received on the date such notice is personally delivered or three (3) days from the date such notice is mailed or sent by rapid transmission. Either Party may change its address by written notice as provided herein. Any communication addressed and mailed as provided herein shall be deemed to be given when so mailed, any notice so sent by rapid transmission shall be deemed to be given when receipt of such transmission is acknowledged, and any communication so delivered in person shall be deemed to be given when received signed for by an authorized officer, of Developer or the City, or his or her designee, as applicable.

- C. <u>Amendment and Waiver.</u> A provision of this Agreement may be amended or waived if such amendment or waiver is in writing and is approved by Developer and the City. No course of dealing on the part of Developer or the City, nor any failure or delay by Developer or the City with respect to exercising any right, power or privilege pursuant to this Agreement, shall operate as a waiver thereof, except as otherwise provided herein.
- D. <u>Severability.</u> Should any of the provisions contained in this Agreement be held unenforceable in any respect, such unenforceability shall not affect any other provisions of this Agreement, and all provisions, covenants, agreements or portions of this Agreement are declared to be severable.
- E. <u>Successors and Assigns.</u> Developer may assign all or part of its rights (including the right to receive payments), duties, and obligations under this Agreement to any lender, investor, escrow agent, affiliate, subsidiary, or related party of Developer, or an owner or tenant of the Project.
- F. <u>Headings.</u> All titles or headings in this Agreement are only for the convenience of the Parties and shall not be construed to have any effect or meaning as to the agreement between the Parties hereto. Any reference herein to an article, section, subsection, or paragraph shall be considered a reference to such article, section, subsection, or paragraph of this Agreement unless otherwise stated. Any reference herein to an exhibit shall be considered a reference to the applicable exhibit attached hereto unless otherwise stated.
- G. <u>Governing Law.</u> This Agreement is a contract made under, and shall be construed in accordance with and governed by, the laws of the United States of America and the State of Texas, and any actions concerning this Agreement shall be brought in either the Texas State Courts of Harris County, Texas or the United States District Court for the Southern District of Texas.
- H. <u>Approval by the Parties.</u> Whenever this Agreement requires or permits approval or consent to be given by either Party, the Parties agree that such approval or consent shall not be unreasonably withheld or delayed.
- I. <u>Counterparts.</u> This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which shall constitute the same agreement.
- J. <u>Interpretation.</u> This Agreement has been negotiated jointly by the Parties and shall not be construed against a Party because that Party may have assumed primary responsibility for the drafting of this Agreement.
- K. <u>Conflicts with Ordinances.</u> The City and Developer agree that any City ordinance, or regulation by any other agency over which the City has control, whether heretofore or hereafter adopted, that addresses matters that are addressed by this

Agreement shall not be enforced by the City or the other regulatory agency within the Property, and that the provisions of this Agreement govern development of the Property.

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[EXECUTION PAGES FOLLOW]

IN TESTIMONY OF WHICH this instrument has been executed in multiple counterparts, each of equal validity and effect, on behalf of the City and Developer effective as of the date of the countersignature of the City Controller below.

CITY OF HOUSTON:

Mayor	Date:
ATTEST/SEAL:	
City Secretary	Date:
COUNTERSIGNED:	
City Controller	Date:
APPROVED:	
Director, Finance Department	Date:
PPROVED AS TO FORM:	
Ssistant City Attorney D. File No. 034100007001 AND\CHAP 380 ECON DEV\380 Agmt - Kroger\Kroger Ch380 Agr	Date:

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KROGER TEXAS L.P.,
an Ohio limited partnership

By: KRGP Inc.,
an Ohio corporation

Its: General Partner

By: \_\_\_\_\_\_
Patricia T. Ash
Vice President

Date: September \_\_\_\_, 2011

# EXHIBIT A Survey/Map of Land

# **EXHIBIT B**Preliminary List of City Improvements.

NAMES OF THE PARTY	Intended Infrastructure Improv Kroger Retail Center at NEC of S	tudemont an	d Summer S	ziii. Street	m(************************************	and and you want or some distributions and systems and sections and sections and sections are sections and sections and sections are sections and sections are sections and sections are sections and sections are sections as the section and section are section as the section and section are section as the section are section are section as the section are section as t
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	Paving and Storm - Summer Street from Studemont to Givens			The Condition of the Control of the		
	STREET R-O-W PREPARATION	LS	1	\$ 5,000.	00 \$	5,00
3	PAVING AND SIDEWALK DEMOLITION	SY	975.00	\$ 5.	00 \$	4,87
	PAVING SUBGRADE CUT, FILL, COMPACTION, DISPOSAL	SY	1,050	\$ 3.	00 \$	3,15
	LIME FOR SUBGRADE STABILIZED 27 LBS./SY	TON	14	<b>\$</b> 130.	00 \$	1,84
	MANIPULATION OF LIME FOR SUBGRADE STABILIZATION	SY	1,050	\$ 1.0	00 \$	1,05
- 1	7-INCH REINFORCED CONCRETE PAVING	SY	1,002	\$ 30.0	0 \$	30,06
	6-INCH REINFORCED CONCRETE CURB	LF_	300	\$ 3.0	0 \$	90
1	STREET SIGNS & STOP SIGNS	EA	3	\$ 150.0	0 \$	45
	PAVING TRAFFIC MARKINGS	LF	150	<b>\$</b> 2.0	0 \$	30
	5-FOOT SIDEWALK (MINIMUM)	SF	660	\$ 5.0	0 \$	3,30
1	HC RAMP FOR SIDEWALK	EA EA	4	\$ 2,500.0	0 \$	10,00
	TYPE BB STORM SEWER INLET	EA EA	2	\$ 1,500.0	0 \$	3,00
13 2	24-INCH C76, CI III, RCP, STORM SEWER	LF	40	\$ 55.0		2,200
	to make a make a make to the contract of the c	SUB'	TOTAL - PAVING	& STORM ITEMS	\$	66,134
2 F		****		****		
	Paving and Storm - Summer Street from Givens to Diesel		PMARAMATA	onennnakk i salah (selah ) kira cir kala kalamak kala kansasan kala kira kala kansasan kala kala kala kala kal		
	STREET R-O-W Dedication (\$787,200 - \$32,520 = \$754,680)	SF	1	\$ 754,680.0	\$	754,680
- 1	TREET R-O-W PREPARATION	LS	1	\$ 4,000.00	\$	4,000
	AVING SUBGRADE CUT, FILL, COMPACTION, DISPOSAL	SY	1,450	\$ 3.00	\$	4,350
	IME FOR SUBGRADE STABILIZED 27 LBS./SY	TON	20	\$ 130.00	\$	2,545
	IANIPULATION OF LIME FOR SUBGRADE STABILIZATION	SY	1,450	\$ 1.00	\$	1,450
	INCH REINFORCED CONCRETE PAVING	SY	1,375	\$ 30.00	\$	41,250
	INCH REINFORCED CONCRETE CURB	LF L	220	\$ 3.00	\$	660
	TREET SIGNS & STOP SIGNS	EA	3	\$ 150.00	\$	450
	AVING TRAFFIC MARKINGS	LF	300	\$ 2.00	\$	600
	FOOT SIDEWALK (MINIMUM), ON SUMMER ST, GIVENS, & DIESEL	SF	2886	\$ 5.00	\$	14,430
	C RAMP FOR SIDEWALK	EA EA	12	\$ 2,500.00	\$	30,000
- 1	/PE BB STORM SEWER INLET	EA	2	\$ 1,500.00	\$	3,000
	PE C MANHOLE	EA L	2	\$ 1,800.00	\$	3,600
	-INCH C76, CI III, RCP, STORM SEWER	LF	300	\$ 55.00	\$	16,500
	VING TRANSITIONS, COMPLETE IN PLACE	EA	2 3	15,500.00	\$	31,000
PA	VING HEADER, COMPLETE IN PLACE	LF	124		\$	1,488
	and and the same production and the same and	SUBTO	TAL - PAVING 8	STORM ITEMS	\$	910,003
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1	ft Turn Lane - Studemont at Fuel Station			***************************************		
	VING DEMOLITION	SY	65.00	12.00	\$	780
	VING SUBGRADE CUT, FILL, COMPACTION, DISPOSAL	SY	270 \$	10.00	\$	2,700
	NCH REINFORCED CONCRETE PAVING	SY	270 \$	50.00	\$	13,500
	NCH REINFORCED CONCRETE CURB	LF	300 \$	The state of the s	\$	1,500
	OOT (MINIMUM) SIDEWALK DOWN STUDEMONT	LF	2990 \$		\$	14,950
HC	RAMP FOR SIDEWALKS ON STUDEMONT	EA	7 \$		\$	17,500
1		***************************************		UBTOTAL - LTL	\$	50,930

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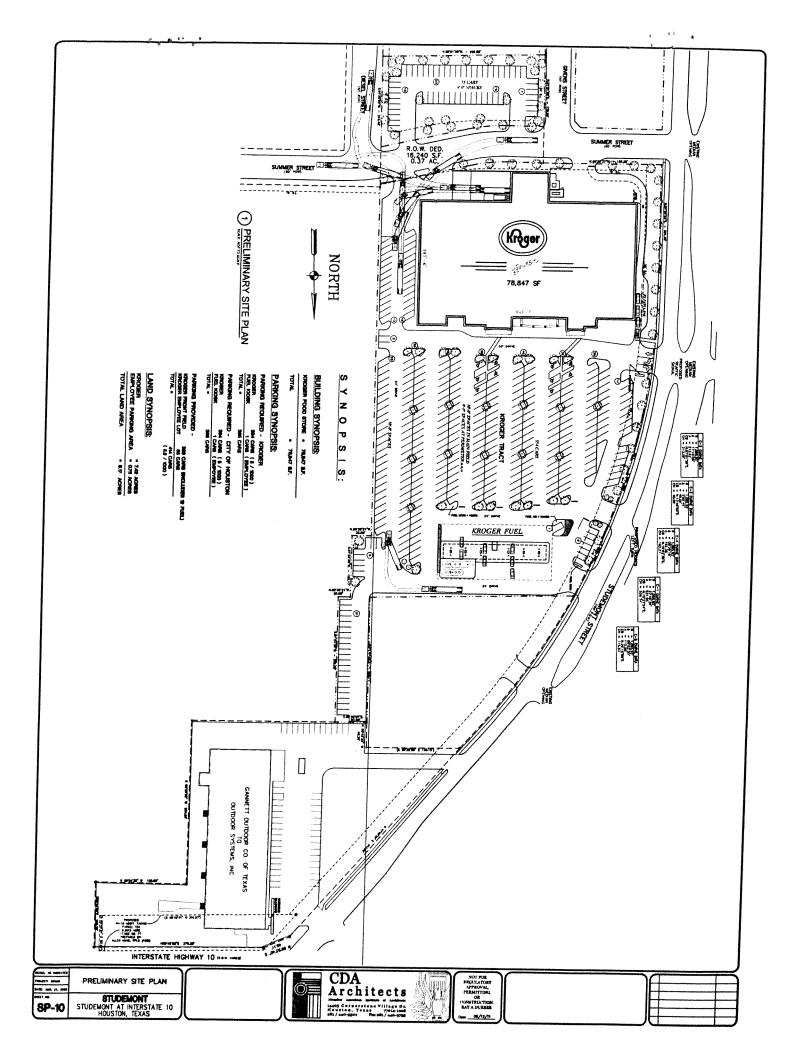
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4	Left Turn Lane - Studemont at Front Drive	- We special and an experience		T	to decide copyrigation and an artist control of the second control		or or to the enter the entertainty, after an at-state expensions
35	PAVING DEMOLITION	SY	340,00	\$	12.00		
36	PAVING SUBGRADE CUT, FILL, COMPACTION, DISPOSAL	SY	475	s	10.00	+	4,08 4,75
37	7-INCH REINFORCED CONCRETE PAVING	SY	475	\$	50.00	ļ	23,75
38	4-INCH REINFORCED MOUNTABLE CONCRETE CURB	LF	90	s	7.00	1	63
39	6-INCH REINFORCED CONCRETE CURB	LF	450	s	5.00	†- <del></del>	2,25
	The second secon	offer an own accompanyon ground	to the second se		BTOTAL - LTL	\$	35,460
5	Left Turn Lane - Summer Street			T		<b>-</b> -	33,480
40	PAVING DEMOLITION	SY	19.00	s	12.00	•	200
41	PAVING SUBGRADE CUT, FILL, COMPACTION, DISPOSAL	SY	97	s	10.00	pertura.	228 970
42	7-INCH REINFORCED CONCRETE PAVING	SY	97	s	50.00		4.850
43	6-INCH REINFORCED CONCRETE CURB	LF	315	s	5.00		1,575
44	RELOCATE EXISTING INLET	EA	1	s	3,500.00	S	3,500
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		** ************************************	y differente e a distribuita de la companya de la c	1	Color of Col	orioteen, orionaan e	11,123
6	Signal at Studemont and Front Drive (or at Summer St)		American material and the control of		NOTE OF STANDARD THE NOTE OF A STANDARD CONTRACT AND A	C-market	and the second second section of the second second
45	SIGNAL, INCLUDING DECORATIVE MAST ARM/POLE, LOOP DETECTORS, EMERGENCY OPTICOM DETECTORS, ETC,	LS	1	\$	160,000.00	\$	160,000
		**************************************	is - manistrier - delevation emissioner (Philomolegicanon conductor	SUBTO	OTAL - SIGNAL	÷	160,000
7	Joint Referral		entropolar i artifamilijajus ipijing par in is sistematikania	1	TAL - SIGNAL	*	100,000
46	WATER LINE EASEMENT ABANDONMENT (JOINT REFERRAL PROCESS)	LS	1	s	2,100,00	S	0.400
		aka Tamana ka	and the second of the second of the second			\$	2,100
	The state of the s	central policies, cut una diferentiale secululari	e Service - Miller - Japan Britain Standard Communication		E-UTILITIES		2,100
8	Off Site Sanitary Sewer		ter en	T		(Arm) (remission) s	20-00-14-0-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-
47	8-INCH, SDR 26, ASTM D 2241, PVC SAN. SEWER Open Cut	LF	311	s	30.00	<b>s</b>	0.330
48	8-INCH, SDR 26, ASTM D 2241, PVC SAN. SEWER Bored	LF	597	s	75.00	**********	9,330
49	8-INCH, SDR 28, ASTM D 2241, PVC SAN. SEWER Pipe Bursting	LF	0	s		\$ \$	44,775
50	TYPE 4 SANITARY SEWER MANHOLE	EA	6	s		\$ \$	40.000
51	SAN SEWER SERVICE LEADS RECONNECTS	EA	7	S	800.00	I	12,600
52	PAVING REPLACEMENT	LS	1	\$ \$	10,000,00		5,600
53	TRAFFIC CONTROL	LS	1	s	6,000.00		10,000
	The state of the s		-		TARY SEWER		6,000 88,305

eropina penera	a a thair the states and a manuscript and a state and	JUB	IUIAL - OH S	IIE SAN	ITARY SEWER	\$	88,30
9	Upgrades to Landscape and Streetscape - Studemont		***************************************	1		-	
64	LANDSCAPING - INCLUDING STUDEMONT ROW	LS	1	s	73,625.00	2	73,62
65	IRRIGATION - INCLUDING STUDEMONT ROW	LS	1	\$	18,075.00	\$	18,07
************			SUBTO	TAL - LA	NDSCAPING	\$	91,70
10	Ollvewood Restoration	LS	1	\$	40,000.00	\$	40.00
F-3 <b></b>	SUBTOTAL - RESTORATION					\$	40,00
na tikrama apapa.				тотл	AL ITEMS 1-10	\$	1,455,75
11	Engineering/Legal/Consulting Fees		бог 4.04 одна применения в применения в применения в породу у д	1	20%	\$	291,151
12	Contingencies	N	of the control of the	1	10%	\$	145,576
			TOTAL E	STIMAT	E ITEMS 1-12	\$	1,892,482

## **EXHIBIT C**

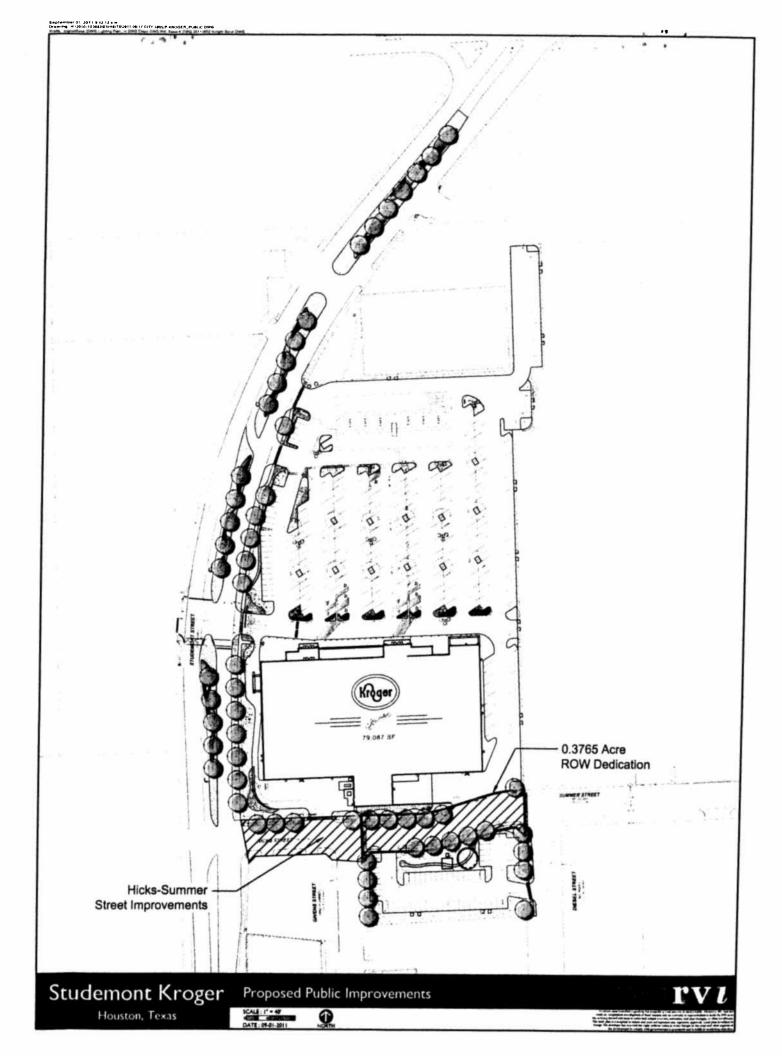
1 . 1 1V . 1

Conceptual Site Plan for Project.



#### **EXHIBIT D**

**Depiction of Project Landscaping** 



#### **EXHIBIT E**

Form of Release for Sales Tax Area Report

# AGREEMENT FOR DISCLOSURE OF CONFIDENTIAL TAX INFORMATION

P = 8 + 1 + 1 + 1

This agreement is entered into between the City of Houston (hereafter the "City") and (hereinafter the "Taxpayer") for the purposes indicated herein.	I,	I hereby authorize the Texas Comptroller's Office to release and disclose any and all Sales and Use tax information relating to the operation of the above referenced taxpayer's business location to the City. I understand and agree that this release will be made by the Comptroller's Office to the City on an ongoing monthly basis beginning on the date this Agreement is executed. This Agreement waives any and all rights with respect to the parties regarding the confidentiality of tax information under Sections 111.006, 151.027, Tax Code, or other state law.	The City agrees that it will use the tax information disclosed by the Comptroller pursuant to this Agreement solely and exclusively for the purposes of an economic development agreement between the City and Taxpayer pursuant to Chapter 380, Texas Local Government Code.	This Agreement is entered into in the City of Houston, Harris County, Texas and Texas law will apply to its interpretation and enforcement.	SIGNED AND AGREED TO on this theday of, 2011.	name title On Behalf of the "City"  Texas Taxpayer Identification No.
This agreement is entered into bet he purposes indicated herein.	1 1	hereby authorize the Texas Compation of the above referenced taxp ptroller's Office to the City on an ny and all rights with respect to the, or other state law.	he City agrees that it will use the ely for the purposes of an econom vernment Code.	his Agreement is entered into in tent.	GNED AND AGREED TO on the	of the "City"

a. 69 a.

	DEOLIECT POR CO-						
TO: Mayor via City Secretary	REQUEST FOR COUN						
Subject: Ordinance Authorizing a	Subject: Ordinance Authorizing a First Amendment to Contract No.						
# 4000007 122 for Heating, Ventila	400000/122 for Heating, Ventilating and Air Conditioning (HVAC)						
Operations and Maintenance for	Operations and Maintenance for the Houston Airport System/S33-						
T21088-A1	we would will bort by stor	11/000-					
FROM (Department or other point o	P						
Calvin D. Wells	i origin):	Origination Date	Agenda Date				
City Purchasing Agent			Agenda Date 2 6 2011				
Administration & Bogulators Age	ina D	September 29, 2011	06I 19 2011				
Administration & Regulatory Affa  DIRECTOR'S SIGNATURE	irs Department						
Jollin & Wel		Council District(s) affected					
For additional information contact:		B-Johnson, E-Sullivan,	I-Rodriguez				
Dallas Evans	DI (004) 000 000	Date and Identification of	prior authorizing				
Douglas Moore	Phone: (281) 230-8001	Council Action:	•				
RECOMMENDATION: (Summary)	Phone: (832) 393-8724	Ordinance 2006-10	044, Passed 10/11/06				
Approve an amonding ordinary	models to the second						
Approve an amending ordinance of Houston and TDIndustries, Inc.	authorizing a first amendme	ent to Contract No. 4600	007122 between the City				
of Houston and TDIndustries, Inc.	. to extend the contract tern	n from October 30, 2011	to December 31, 2011				
for heating, ventilating and air cor System.	nditioning (HVAC) operation	is and maintenance for t	ne Houston Airport				
Gystern.							
No Additional Funding Required			Finance Budget				
140 Additional Funding Required							
		=					
SPECIFIC EXPLANATION:							
The City Purchasing Agent recom	mends that City Council or						
amendment to Contract No. 4600007 from October 30, 2011 to December	122 between the City of House	ton and TDInductrics to	nance authorizing a first				
		illating and air conditioning	o extend the contract term				
maintenance for the Houston Airport	System.	mating and an conditioning	g (MVAC) operations and				
i							
The contract was awarded on Octob \$27,456,203.50. Expenditures as of S	per 11, 2006 by Ordinance N	o. 2006-1044 for a five-ve	ear term in the amount of				
\$27,456,203.50. Expenditures as of S	September 28, 2011 totaled \$2	5,054,484.97.	to amount of				
The scope of work requires the connicidentals, reports, training and trans	ontractor to provide all equi	pment, materials, supplie	s, tools, instrumentation.				
incidentals, reports, training and trans HVAC systems at George Bush Interc	optinental Hauster Halle	e remedial and preventive	maintenance services on				
y same at deorge Buon milero	ontinental, Houston Hoppy and	d Ellington airports.					
This contract was awarded with a 12% the required M/WBE goal. The Office	6 MWRF participation goal as	ad TDInduction In					
the required M/WBE goal. The Office M/WBE participation.	of Business Opportunity will a	continue to monitor this cur	rently achieving 7.36% of				
M/WBE participation.	The second opportunity will be	continue to monitor this cor	tract to ensure maximum				
Branco O. I. I.							
Buyer: Conley Jackson							
			1				
Finance Department:	REQUIRED AUTHORIZA	ATION	NOT				
тнанее Беранипели:	Other Authorization:	Other Authoriza	tion:				

X