

**AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 5, 2013 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

**INVOCATION AND PLEDGE OF ALLEGIANCE** - Council Member Brown

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

**ADOPT MINUTES OF PREVIOUS MEETING**

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

**NOTE: If a translator is required, please advise when reserving time to speak**

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

**RECONVENE**

**WEDNESDAY - FEBRUARY 6, 2013 - 9:00 A. M.**

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

**HEARINGS - 9:00 A.M.**

1. **PUBLIC HEARING** relative to the second amendment to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER TWENTY (SOUTHWEST HOUSTON ZONE) - DISTRICTS F - HOANG and J - LASTER**

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 26**

**AGENDA - FEBRUARY 6, 2013 - PAGE 2**

**MISCELLANEOUS** - NUMBERS 2 through 4

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **ELECTRICAL BOARD**:
  - Position One - **CHRIS J. FAHRENTHOLD**, reappointment, for a term to expire 1/2/2015
  - Position Two - **ELIOT L. DOUCET**, reappointment, for a term to expire 1/2/2014
  - Position Three - **ROBERT A. JONES**, appointment, for a term to expire 1/2/2015
  - Position Four - **JIMMIE M. STALLONES, JR.**, appointment, for a term to expire 1/2/2014
  - Position Five - **LARRY S. NEAL**, reappointment, for a term to expire 1/2/2015, and to serve as Chair
  - Position Six - **CHAL W. SHRADER**, appointment, for a term to expire 1/2/2014
  - Position Seven - **R. BRAD HIBBETTS**, appointment, for a term to expire 1/2/2015
  - Position Eight - **NOLAN R. NEATHERY**, appointment, for a term to expire 1/2/2014
  - Position Nine - **CHARLES S. PRICHARD**, reappointment, for a term to expire 1/2/2015
  - Position Ten - **JAVIER M. RAMOS**, reappointment, for a term to expire 1/2/2014
  
3. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, for terms to expire August 31, 2014:
  - Position One - **PHILAMENA BAIRD**, reappointment
  - Position Two - **CHAU NGUYEN TODD**, appointment
  
4. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF DIRECTORS OF CITY OF HOUSTON REINVESTMENT ZONE NUMBER TWENTY-TWO (LELAND WOODS ZONE)**:
  - Position One - **LORNIA ANN PARKER**, appointment, for a term to expire 12/31/13
  - Position Two - **SENFRONIA THOMPSON**, reappointment, for a term to expire 12/31/14
  - Position Three - **GWENETTE E. FERGUSON**, appointment, for a term to expire 12/31/13
  - Position Four - **J. ALLEN PROVOST**, reappointment, for a term to expire 12/31/14 and to serve as Chair, for a term to expire 12/31/13
  - Position Five - **SAMUEL EATON**, reappointment, for a term to expire 12/31/13

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 5 through 7A

5. **GLOBE ELECTRIC COMPANY** to Furnish Oil Cooled Transformer Radiators for the Department of Public Works Engineering - \$62,139.00 - Enterprise Fund
  
6. ORDINANCE appropriating \$174,824.67 out of Equipment Acquisition Consolidated Fund for purchase of Light-duty Pickup Trucks for Various Departments - \$1,980,784.75 - Enterprise Fund
  - a. **PHILPOTT MOTORS LTD., d/b/a PHILPOTT FORD** for Light-Duty Pickup Trucks through the Interlocal Agreement for Cooperative Purchasing with BuyBoard
  
7. ORDINANCE appropriating \$1,156,441.00 out of Equipment Acquisition Consolidated Fund for the purchase of Automobiles, Vans, Utility Vehicles and Light-Duty Trucks for Various Departments
  - a. **RON CARTER AUTOLAND** - \$235,832.00, **CALDWELL AUTOMOTIVE PARTNERS, LLC, d/b/a CALDWELL COUNTRY FORD** - \$2,373,273.00, **TOMBALL DODGE, INC** - \$1,020,546.00 and **CALDWELL AUTOMOTIVE PARTNERS, LLC d/b/a CALDWELL COUNTRY CHEVROLET** \$285,652.00 for Automobiles, Vans, Utility Vehicles, and Light-Duty Trucks for Various Departments - \$3,962,299.00 - General, Enterprise and Other Funds

**AGENDA - FEBRUARY 6, 2013 - PAGE 3**

**ORDINANCES** - NUMBERS 8 through 26

8. ORDINANCE approving the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Twenty-Three, City of Houston, Texas (Harrisburg Zone) **DISTRICTS B - DAVIS; H - GONZALEZ and I - RODRIGUEZ**
9. ORDINANCE approving the creation of the Essential Public Health Services Fund (the "Fund"); establishing the revenue sources of the Fund and the purposes of the Fund to offset costs associated with the administration of Medicaid Transformation Waiver Program ("Program") and other essential Public Health Services as defined in Chapter 121 of the Texas Health and Safety Code; authorizing the deposit into the Fund of 58% of Reimbursement Funds received from the Centers for Medicare and Medicaid Services pursuant to the Program
10. ORDINANCE approving and authorizing an Interlocal Agreement between the City of Houston and **HARRIS COUNTY on behalf of Harris County Protective Services for Children and Adults** for Kashmere School-Based Wraparound Project
11. ORDINANCE approving and authorizing the submission of an application for grant assistance to the Texas Parks and Wildlife Department Recreational Trails Grant Program for the Trail Project at Brewster Park; declaring the city's eligibility for such grant; authorizing the Director of the Parks and Recreation Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - **DISTRICT B - DAVIS**
12. ORDINANCE approving and authorizing the acceptance of artworks located at Market Square Park into the City Art Collection - **DISTRICT I - RODRIGUEZ**
13. ORDINANCE approving and authorizing two Professional Weatherization Home Inspection Contracts between the City of Houston and **YOUR HOME CHECK, L.P.** and **HOLSTON INSPECTIONS INC** for the General Services Department Residential Energy Efficiency Program, contingent on contractor's submission of all required contract documents; providing a maximum contract amount - 1 Year with 1 one-year renewal option - \$75,000.00 per contract - Residential Energy Efficiency Program Fund
14. ORDINANCE awarding four Job Order Contracts between the City of Houston and **HORIZON INTERNATIONAL GROUP, LLC, BROWN STERLING BUILDERS, INC, PAYLESS INSULATION, INC** and **PMG PROJECT MANAGEMENT GROUP, LLC** for the General Services Department Residential Energy Efficiency Program, contingent on contractor's submission of all required contract documents; providing a maximum contract amount - 1 Year with 1 one-year renewal option - \$600,000.00 per contract - Residential Energy Efficiency Program Fund
15. ORDINANCE appropriating \$221,636.60 out of Water & Sewer System Consolidated Construction Fund; awarding construction contract to **INLAND ENVIRONMENTS, LTD.**, for Asbestos/Lead Abatement and Demolition at Department of Public Works and Engineering Water Plants; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for project management and construction oversight and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; D - ADAMS; E - MARTIN; H - GONZALEZ; I - RODRIGUEZ and J - LASTER**
16. ORDINANCE appropriating \$500,000.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **EPIC TRANSPORTATION GROUP, LP** for Traffic Signal Management Program / Intelligent Transportation Systems; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF

**ORDINANCES** - continued

17. ORDINANCE appropriating \$1,572,100.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ATKINS NORTH AMERICA, INC** for Keegans Bayou Wastewater Treatment Plant Improvements; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund  
**DISTRICT J - LASTER**
18. ORDINANCE appropriating \$1,087,800.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **FREESE AND NICHOLS, INC** for Metro Central, Upper Braes, White Oak, and Kingwood West Wastewater Treatment Plants Improvements; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - BROWN; E - MARTIN and F - HOANG**
19. ORDINANCE appropriating \$793,200.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **WESTON SOLUTIONS, INC** for Willowbrook Wastewater Treatment Plant Improvements; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - BROWN**
20. ORDINANCE appropriating \$1,235,600.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ARCADIS U.S., INC** for Lift Station Renewal and Replacement - Will Clayton, Interwood, John F. Kennedy, M.U.D. #266 and Vickery Lift Station; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - DAVIS**
21. ORDINANCE appropriating \$5,860,000.00 out of Federal State Local Fund PWE Pass Through DDSRF, \$1,555,841.00 out of Metro Projects Construction DDSRF, \$817,202.00 out of Water & Sewer System Consolidated Construction Fund, \$925,457.00 out of Street & Traffic Control and Storm Drainage DDSRF awarding contract to **ANGEL BROTHERS ENTERPRISES, LTD.** for Beechnut Rehabilitation from Wilcrest to Kirkwood Street; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Federal State Local PWE Pass Through DDSRF, Metro Projects Construction DDSRF, Water & Sewer System Consolidated Construction Fund, Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT F - HOANG**
22. ORDINANCE appropriating \$260,000.00 out of Contribution for Capital Projects Fund and \$237,745.02 from Woodland Regional Participation Fund; awarding contract to **REYTEC CONSTRUCTION RESOURCES, INC** for Museum District/Main Street Corridor Improvement Project; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, CIP Cost Recovery, and contingencies relating to construction of facilities financed by Contribution for Capital Projects Fund and Woodland Regional Participation Fund - \$2,333,591.87 - Grant Fund - **DISTRICTS C - COHEN and D - ADAMS**

**ORDINANCES** - continued

23. ORDINANCE appropriating \$4,615,361.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4257-132)
24. ORDINANCE appropriating \$9,201,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PEPPER-LAWSON WATERWORKS, LLC** for Pump Repair and Replacement at the East Water Purification Plant; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - MARTIN**
25. ORDINANCE No. 2013-0054, passed second reading January 30, 2013  
ORDINANCE granting to **UNITED SITE SERVICES OF TEXAS, INC, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **THIRD AND FINAL READING**
26. ORDINANCE No. 2013-0055, passed second reading January 30, 2013  
ORDINANCE granting to **FRANK LEYVA FELIX dba PAYLESS PORTA JONS, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBERS 27 and 27A

**MISCELLANEOUS**

27. MOTION to suspend the rules to receive nominations and consider appointment to Position 11 of the **HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM BOARD OF TRUSTEES**
  - a. MOTION to confirm the appointment of an individual from nominees to Position 11 of the **HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM BOARD OF TRUSTEES**, for a three year term

**MATTERS HELD** - NUMBERS 28 through 32

28. SELECT AND CONFIRM the appointment of **ADRIAN PATRICK PATTERSON** or **DR. BERNARD A. HARRIS, JR.**, to Position 10 of the **HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM BOARD OF TRUSTEES**, for a three year term  
**POSTPONED BY MOTION #2013-83, 1/30/13**  
This was Item 32 on Agenda of January 30, 2013
29. ORDINANCE **AMENDING SECTIONS 45-114 AND 45-115 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to angle parking on streets; containing findings and other provisions relating to the foregoing subject; providing for severability  
**POSTPONED BY MOTION #2013-64, 1/23/13**  
This was Item 39 on Agenda of January 23, 2013
30. ORDINANCE **AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to crafted precious metals - **TAGGED BY COUNCIL MEMBER HOANG**  
This was Item 11 on Agenda of January 30, 2013
31. ORDINANCE **AMENDING SECTION 1-16 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to correction of City ordinances and certain other records  
**TAGGED BY COUNCIL MEMBER LASTER**  
This was Item 12 on Agenda of January 30, 2013
32. ORDINANCE amending Ordinance No. 2007-1101 (Passed on October 3, 2007) to increase the maximum contract amount for contract between the City of Houston and **JOMAR CONTRACTORS, INC** for Lighting Maintenance Services for the Houston Airport System \$700,000.00 - Enterprise Fund - **DISTRICT B - DAVIS**  
**TAGGED BY COUNCIL MEMBER DAVIS**  
This was Item 19 on Agenda of January 30, 2013

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Costello 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  
FEBRUARY 5, 2013 – 2:00 PM**

**AGENDA**

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2MIN

2MIN

2MIN

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**NON-AGENDA**

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3MIN

3MIN

3MIN

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MR. ORLANDO SANCHEZ – 1001 Preston, Ste. 652 – 77002 – 713-755-5120 – Downtown Streets

MR. /COACH R. J. BOBBY TAYLOR - 3107 Sumpter - 77026 - FA34511 – Behavior Coward Conspiracy  
my born little girl from birth

MS. BRENDA WILKINS – 1222 Shannon Valley – 77076 – 281-704-3736 – Ticket and Parking  
Management

MR. WILLIAM BEAL - 4718 Boicewood – 77016 – no phone – President Ronald Wilson Reagan  
Reaganomics

**PREVIOUS**

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1MIN

1MIN

1MIN

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PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 – Black America History Month  
- Victory re-election I/w 5 US Impeachments w/Capital Punishment

FEB 06 2013

MOTION NO. 2013 0063

MOTION by Council Member Gonzalez that the recommendation of the Chief Development Officer, to set a hearing date to consider the second amendment to the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Twenty (Southwest Houston Zone), be adopted, and a Public Hearing be set for 9:00 a.m., Wednesday, February 6, 2013, in the City Council Chamber, Second Floor, City Hall.

Seconded by Council Member Laster and carried.

Mayor Parker, Council Members Brown, Davis, Cohen,  
Adams, Martin, Hoang, Pennington, Gonzalez, Rodriguez,  
Laster, Green, Costello, Burks, Noriega, Bradford and Christie  
voting aye  
Nays none

PASSED AND ADOPTED this 23rd day of January, 2013.

Pursuant to Article VI, Section 6 of the City Charter, the  
effective date of the foregoing motion is January 29, 2013.

  
City Secretary



ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

21  
FEB 06 2013

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 1-22-13  
date

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

January 16, 2013

The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to city of Houston Electrical Code Section 203, I am appointing or reappointing the following individuals to the Electrical Board, subject to Council confirmation:

Chris J. Fahrenthold, reappointment to Position One, for a term to expire January 2, 2015;  
Eliot L. Doucet, reappointment to Position Two, for a term to expire January 2, 2014;  
Robert A. Jones, appointment to Position Three, for a term to expire January 2, 2015;  
Jimmie M. Stallones, Jr., appointment to Position Four, for a term to expire January 2, 2014;  
Larry S. Neal, reappointment to Position Five, for a term to expire January 2, 2015,  
and to serve a Chair;  
Chal W. Shrader, appointment to Position Six, for a term to expire January 2, 2014;  
R. Brad Hibbetts, appointment to Position Seven, for a term to expire January 2, 2015;  
Nolan R. Neathery, appointment to Position Eight, for a term to expire January 2, 2014;  
Charles S. Prichard, reappointment to Position Nine, for a term to expire January 2, 2015; and  
Javier M. Ramos, reappointment to Position Ten, for a term to expire January 2, 2014.

Résumés of the nominees are attached for your review.

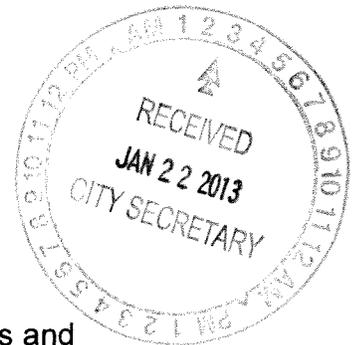
Sincerely,

Annise D. Parker  
Mayor

AP:JC:jsk

Attachments

cc: Mr. N.A. Weiman, Division Manager, Code Enforcement, Public Works and  
Engineering Department





ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

FEB 06 2013

3

COPY TO EACH MEMBER OF COUNCIL:  
CITY SECRETARY: 1-22-13  
date  
COUNCIL MEMBER: \_\_\_\_\_

January 16, 2013

The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to Section 335.035 of the Texas Local Government Code, I am appointing or reappointing the following individuals to the Harris County-Houston Sports Authority Board of Directors, subject to City Council confirmation:

Philamena Baird, reappointment to Position One, for a term to expire August 31, 2014; and  
Chau Nguyen Todd, appointment to Position Two, for a term to expire August 31, 2014.

Résumés are attached for your review.

Sincerely,

Annise D. Parker  
Mayor

AP:JC:jsk

Attachments

- cc: Harris County Judge Ed Emmett
- Mr. Stan Stanart, County Clerk, Harris County
- Ms. Janis Schmees, Executive Director, Harris County-Houston Sports Authority
- Mr. J. Kent Friedman, Chair, Harris County-Houston Sports Authority





ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

4

FEB 06 2013

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 1-11-13  
date

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

January 10, 2013

The Honorable City Council  
Houston, Texas

Dear Council Members:

Pursuant to Texas Tax Code, Chapter 311, and City Council Ordinance No. 2003-1330, I am nominating the following individuals for appointment or reappointment to the Board of Directors of City of Houston Reinvestment Zone Number Twenty-Two (Leland Woods Zone), subject to Council confirmation:

- Lornia Ann Parker, appointment to Position One, for a term to expire December 31, 2013;
- Senfronia Thompson, reappointment to Position Two, for a term to expire December 31, 2014;
- Gwenette E. Ferguson, appointment to Position Three, for a term to expire December 31, 2013;
- J. Allen Provost, reappointment to Position Four, for a term to expire December 31, 2014; and to serve as Chair for a term to expire December 31, 2013; and
- Samuel Eaton, reappointment to Position Five, for a term to expire December 31, 2013.

The résumés for the nominees are attached for your review.

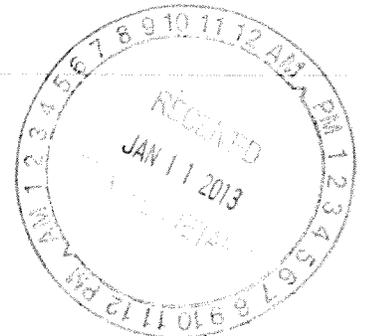
Sincerely,

Annise D. Parker  
Mayor

AP:JC:jsk

Attachments

cc: Mr. Ralph De Leon, Division Manager, Tax Increment Reinvestment Zone (TIRZ) Program, Mayor's Office of Economic Development



4

**REQUEST FOR COUNCIL ACTION**

RCA# 9561

**TO:** Mayor via City Secretary

**Subject:** Formal Bids Received to Furnish Oil Cooled Transformer Radiators for the Public Works and Engineering Department S19-N24457

Category #  
4

Page 1 of 1

Agenda Item

5

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

**Origination Date**  
January 22, 2013

**Agenda Date**  
FEB 06 2013

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

**Council District(s) affected**  
E

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

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

**RECOMMENDATION: (Summary)**

Approve an award to Globe Electric Company, a city business, in the amount of \$62,139.00 to furnish and deliver oil-cooled transformer radiators for the Public Works and Engineering Department.

Award Amount: \$62,139.00

**Finance Budget**

\$62,139.00 - PW&E Combined Utility System General Purchase Fund (8305)

**SPECIFIC EXPLANATION:**

The Director of the Public Works and Engineering Department and the City Purchasing Agent recommend that City Council approve an award to Globe Electric Company, a city business, in the amount of \$62,139.00 for oil-cooled transformer radiators for the Public Works and Engineering Department, and that authorization be given to issue a purchase order. These new radiators will be used to replace existing transformer radiators that are in poor condition. Transformers regulate the voltage on the incoming power lines which supply all of the power to the Southeast Water Purification Plant, located at 3100 Genoa-Red Bluff Road.

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

| <u>COMPANY</u>                      | <u>Total Amount</u> |
|-------------------------------------|---------------------|
| 1. Trantech Radiator Products, Inc. | \$59,345.00         |
| 2. <b>Globe Electric Company</b>    | <b>\$62,139.00</b>  |
| 3. Double E Engineering Sales       | \$207,559.00        |

- Pursuant to the Hire Houston First ordinance, the award recommendation is being made to a city business whose bid is within five percent of the low bidder, who is not a city business.

This purchase consists of eleven oil-cooled transformer radiators. These radiators (units) will replace 22 year old plus units that are in poor condition. The new units will come with a full one-year warranty and the life expectancy is 20 years.

**Hire Houston First:**

The proposed award requires compliance with the City's 'Hire Houston First' ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed contractor meets the requirements of Hire Houston First.

Buyer: Roy Korthals  
PR#: 10155339

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

**REQUEST FOR COUNCIL ACTION**

RCA# 9575

TO: Mayor via City Secretary

Subject: Purchase of Light-Duty Pickup Trucks Through the Texas Local Government Purchasing Cooperative for Various Departments  
S34-E24483-B

Category #  
1 & 4

Page 1 of 1

Agenda Item

*GrbA*

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

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

**Origination Date**

January 03, 2013

**Agenda Date**

FEB 06 2013

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

Kenneth Hoglund Phone: (832) 393-6901  
Ray DuRousseau Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$174,824.67 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and approve the purchase of light-duty pickup trucks through the Texas Local Government Purchasing Cooperative (BuyBoard) in the amount of \$2,155,609.42 for various departments.

Award Amount: \$2,155,609.42

**Finance Budget**

*[Signature]*

- \$ 174,824.67 - Equipment Acquisition Consolidated Fund (Fund 1800)
- \$ 107,953.25 - Dedicated Drainage & Street Renewal Fund (Fund 2310)
- \$1,872,831.50 - PWE-Combined Utility System General Purpose Fund (Fund 8305)
- \$2,155,609.42 - Total Funding

**SPECIFIC EXPLANATION:**

The Director of the Fleet Management Department and the City Purchasing Agent recommend that City Council approve an ordinance authorizing the appropriation of \$174,824.67 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approve the purchase of one hundred twenty-seven light-duty 1/2-ton pickup trucks through the Interlocal Agreement for Cooperative Purchasing with BuyBoard in the amount of \$2,155,609.42 for various departments and that authorization be given to issue purchase orders to the BuyBoard contractor, Philpott Motors Ltd., d/b/a Philpott Ford. These pickup trucks will be used citywide by department personnel to conduct City business and provide services to the citizens of Houston.

These new pickup trucks will meet the EPA's current emission standards for trucks with gasoline engines. They will come with a full bumper-to-bumper warranty of three years/36,000 miles and a full power-train warranty of five years/60,000 miles. The life expectancy of these trucks is seven years or 100,000 miles. See the attached Equipment Usage Summary for truck usage and replacement details. These trucks have reached their life expectancy and will be sent to auction for disposition.

**Hire Houston First:**

This procurement is exempt from the City's Hire Houston First Ordinance. The City is utilizing this Interlocal Agreement for Cooperative Purchasing with BuyBoard because of a lower price.

Attachment: Equipment Usage Summary

Buyer: Larry Benka

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MS*

*WA*



**EQUIPMENT USAGE SUMMARY  
LIGHT-DUTY TRUCKS  
FOR VARIOUS DEPARTMENTS  
S34-E24483-B / RCA 9575**

| BID ITEM NO/<br>DESCRIPTION   | REQUISITION<br>NO.      | QTY     | DEPARTMENT/FLEET USAGE                               | EQUIPMENT REPLACEMENT |    |         |
|---|-------------------------|---------|--|-----------------------|----|---------|
|   |                         |         |  |                       |    |         |
| Series 861C, Gasoline,<br>Regular Cab, Long<br>Bed, 1/2-Ton Pickup Truck<br>(Continued) | 10153105<br>(Continued) |         | Public Works & Engineering Department<br>(Continued) | 32003                 | 11 | 128,602 |
|   |                         |         |  | 29258                 | 14 | 163,406 |
|   |                         |         |  | 30720                 | 11 | 181,534 |
|   |                         |         |  | 30813                 | 11 | 145,297 |
|   |                         |         |  | 30814                 | 11 | 109,250 |
|   |                         |         |  | 33294                 | 10 | 159,520 |
|   |                         |         |  | 33329                 | 10 | 110,527 |
|   |                         |         |  | 22976                 | 18 | 119,286 |
|   |                         |         |  | 28975                 | 14 | 136,203 |
|   |                         |         |  | 28978                 | 14 | 126,168 |
|   |                         |         |  | 29015                 | 14 | 121,775 |
|   |                         |         |  | 29541                 | 14 | 106,629 |
|   |                         |         |  | 30270                 | 13 | 174,950 |
|   |                         |         |  | 30274                 | 13 | 200014  |
|   |                         |         |  | 30275                 | 13 | 140,857 |
|   |                         |         |  | 30276                 | 13 | 160,620 |
|   |                         |         |  | 30277                 | 13 | 124,458 |
|   |                         |         |  | 30303                 | 13 | 201,476 |
|   |                         |         |  | 30304                 | 13 | 199,334 |
|   |                         |         |  | 30305                 | 13 | 142,143 |
|   |                         |         |  | 30347                 | 13 | 125,455 |
|   |                         |         |  | 30694                 | 11 | 176,239 |
|   |                         |         |  | 30696                 | 11 | 224,294 |
|   |                         |         |  | 30804                 | 11 | 224,038 |
|   |                         |         |  | 30805                 | 11 | 171,353 |
|   |                         |         |  | 30806                 | 11 | 202,405 |
|   |                         |         |  | 30807                 | 11 | 158,494 |
|   |                         |         |  | 32373                 | 11 | 114,472 |
|   |                         |         |  | 30808                 | 11 | 274,739 |
|   |                         |         |  | 30875                 | 11 | 104,499 |
| 30999   | 11                      | 112,730 |  |                       |    |         |
| 32760   | 10                      | 101,625 |  |                       |    |         |

**EQUIPMENT USAGE SUMMARY  
 LIGHT-DUTY TRUCKS  
 FOR VARIOUS DEPARTMENTS  
 S34-E24483-B / RCA 9575**

| BID ITEM NO/<br>DESCRIPTION   | REQUISITION<br>NO.      | QTY     | DEPARTMENT/FLEET USAGE                               | EQUIPMENT REPLACEMENT |    |         |
|---|-------------------------|---------|--|-----------------------|----|---------|
|   |                         |         |  |                       |    |         |
| Series 861C, Gasoline,<br>Regular Cab, Long<br>Bed, 1/2-Ton Pickup Truck<br>(Continued) | 10153105<br>(Continued) |         | Public Works & Engineering<br>Department (Continued) | 32762                 | 10 | 101,906 |
|   |                         |         |  | 32763                 | 10 | 128,958 |
|   |                         |         |  | 25799                 | 16 | 149,593 |
|   |                         |         |  | 26082                 | 16 | 159,607 |
|   |                         |         |  | 26320                 | 16 | 153,085 |
|   |                         |         |  | 26535                 | 16 | 168,234 |
|   |                         |         |  | 26543                 | 16 | 171,478 |
|   |                         |         |  | 27277                 | 15 | 193,230 |
|   |                         |         |  | 27279                 | 15 | 190,623 |
|   |                         |         |  | 27328                 | 15 | 130,906 |
|   |                         |         |  | 27330                 | 15 | 179,861 |
|   |                         |         |  | 29558                 | 13 | 121,909 |
|   |                         |         |  | 29573                 | 13 | 124,762 |
|   |                         |         |  | 29576                 | 13 | 127,919 |
|   |                         |         |  | 29578                 | 13 | 140,664 |
|   |                         |         |  | 32020                 | 11 | 175,950 |
|   |                         |         |  | 32021                 | 11 | 150,706 |
|   |                         |         |  | 32349                 | 11 | 149,319 |
|   |                         |         |  | 32022                 | 11 | 272,002 |
|   |                         |         |  | 32023                 | 11 | 160,450 |
|   |                         |         |  | 32372                 | 11 | 173,137 |
|   |                         |         |  | 32024                 | 11 | 160,275 |
|   |                         |         |  | 32355                 | 11 | 161,350 |
|   |                         |         |  | 32025                 | 11 | 150,256 |
|   |                         |         |  | 32352                 | 11 | 148,723 |
|   |                         |         |  | 32026                 | 11 | 148,949 |
|   |                         |         |  | 32027                 | 11 | 137,435 |
|   |                         |         |  | 32028                 | 11 | 241,380 |
|   |                         |         |  | 32029                 | 11 | 136,952 |
|   |                         |         |  | 32030                 | 11 | 157,251 |
|   |                         |         |  | 32358                 | 11 | 169,089 |
|   |                         |         |  | 32031                 | 11 | 162,586 |
| 32359   | 11                      | 196,255 |  |                       |    |         |
| 32064   | 11                      | 102,533 |  |                       |    |         |
| 32066   | 11                      | 103,571 |  |                       |    |         |
| 32368   | 11                      | 104,130 |  |                       |    |         |
| 32369   | 11                      | 127,278 |  |                       |    |         |
| 23732   | 18                      | 160,654 |  |                       |    |         |

**EQUIPMENT USAGE SUMMARY  
LIGHT-DUTY TRUCKS  
FOR VARIOUS DEPARTMENTS  
S34-E24483-B / RCA 9575**

| BID ITEM NO./<br>DESCRIPTION   | REQUISITION<br>NO. | QTY     | DEPARTMENT/FLEET USAGE  | EQUIPMENT REPLACEMENT |            |         |
|--|--------------------|---------|---|-----------------------|------------|---------|
|  |                    |         |   | Shop No               | Age (Yrs.) | Mileage |
| ITEM NO. 15<br>SERIES 861C,<br>GASOLINE, REGULAR<br>CAB, LONG BED 1/2-TON<br>PICKUP TRUCK<br>(Continued) | 10154238           | 7       | Public Works & Engineering Department   | 32002                 | 11         | 69,888  |
|  |                    |         | These vehicles will be used citywide by the Department's Traffic Operations Division personnel to respond to service requests and investigate City traffic control devices.                 | 28190                 | 14         | 220,864 |
|  |                    |         |   | 23195                 | 18         | 145,410 |
|  |                    |         |   | 28864                 | 14         | 132,554 |
|  |                    |         |   | 31970                 | 11         | 145,246 |
|  |                    |         |   | 32802                 | 10         | 238,593 |
|  |                    |         |   | 31969                 | 11         | 164,959 |
|  | 10158208           | 9       | Parks & Recreation Department   | 32816                 | 10         | 113,701 |
|  |                    |         | These vehicles will be used citywide by the Department's personnel in various divisions to perform daily routine inspections and supervision of the Department's facilities and City parks. | 31100                 | 12         | 113,759 |
|  |                    |         |   | 31098                 | 12         | 149,392 |
|  |                    |         |   | 21278                 | 19         | 94,059  |
|  |                    |         |   | 24645                 | 17         | 104,641 |
|  |                    |         |   | 30784                 | 12         | 190,785 |
|  |                    |         |   | 32811                 | 10         | 207,921 |
|  |                    |         |   | 28721                 | 14         | 169,167 |
| 31118  | 12                 | 136,605 |   |                       |            |         |

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 9569**

**Subject:** Formal Bids Received for Automobiles, Vans, Utility Vehicles, and Light-Duty Trucks for Various Departments  
S34-N24417

**Category #**  
1 & 4

**Page 1 of 2**

**Agenda Item**

*7A7A*

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

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

**Origination Date**

January 14, 2013

**Agenda Date**

FEB 06 2013

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

All

**For additional information contact:**

Kenneth Hoglund Phone: (832) 393-6901  
Ray DuRousseau Phone: (832) 393-8726

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

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$1,156,441.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approve various awards as shown below in the total amount of \$3,915,303.00 for automobiles, vans, utility vehicles, and light-duty trucks for various departments.

Award Amount: \$3,915,303.00

**Finance Budget**

*[Signature]*

Total Funding: \$3,962,299.00

See Attachment No. 1 for Source of Funding

**SPECIFIC EXPLANATION:**

The Director of the Fleet Management Department and the City Purchasing Agent recommend that City Council approve an ordinance authorizing the appropriation of \$1,156,441.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approve various awards as shown below in the total amount of \$3,915,303.00 for automobiles, vans, utility vehicles, and light-duty trucks for various departments and that authorization be given to issue purchase orders. These vehicles will be used citywide by department personnel to conduct City business and provide services to the citizens of Houston. The funding for these vehicles is included in the adopted FY13 Equipment Acquisition Plan. The requested appropriation out of the Equipment Acquisition Consolidated Fund (Fund 1800) includes \$46,996.00 for two vehicles that will be purchased in a separate procurement.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Eighteen prospective bidders downloaded the solicitation from SPD's e-bidding website and eight bids were received as itemized in Attachment No. 2, Award Summary.

**Ron Carter Autoland:** Award on its low bid for Item Nos. 2 and 13 in the amount of \$235,832.00.

**Caldwell Automotive Partners, LLC, d/b/a Caldwell Country Ford:** Award on its low bid for Item Nos. 4, 5, 8, 10, 11, 16, 18, 20, 21, 23; low bid meeting specifications for Item No. 19 and sole bid for Item Nos. 22 and 24-28 in the amount of \$2,373,273.00.

**Tomball Dodge, Inc.:** Award on its low bid for Item Nos. 6, 7, 9, and 17 in the amount of \$1,020,546.00.

**Caldwell Automotive Partners, LLC, d/b/a Caldwell Country Chevrolet:** Award on its low bid for Item Nos. 3, 12 and 14 in the amount of \$285,652.00.

A purchase order will be issued to the sole bidder for Item No. 1, two hybrid electric/gasoline, 4-door compact sedans, as the award amount is less than \$50,000.00. Item No. 15 will not be awarded.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*Cal*

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These automobiles, vans, utility vehicles, and light-duty trucks will come with a full three-year/36,000-mile bumper-to-bumper warranty and the truck bodies will come with a full one-year warranty. The life expectancy of these vehicles is seven years or 100,000 miles. See Attachment No. 3, Equipment Usage Summary, for usage and replacement details. The units being replaced have reached their life expectancy and will be sent to auction for disposition. The vehicles that will be purchased meet the EPA's current emission standards for low emission vehicles.

**Hire Houston First:**

The proposed awards require compliance with the City's 'Hire Houston First' ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed contractors meet the requirements of Hire Houston First.

**M/WBE Subcontracting:**

Because these vehicles are manufactured with factory-installed options and are shipped directly to their authorized dealers, the only M/WBE potential for these vehicles is the purchase and installation of non-factory options. This bid was advertised with a 5% M/WBE goal for the purchase and installation of non-factory equipment options for all items with the exception of Bid Item Nos. 4, 6, 7, 9, 12, 13, 14, 19 and 20, which did not require any non-factory equipment options. To the extent possible, the suppliers listed below have agreed to subcontract the purchase and installation of non-factory options.

| Recommended Supplier  | Bid Items With M/WBE Goal                            | M/WBE Supplier     | M/WBE Award Amount | M/WBE Participation Amount | Percentage |
|-----------------------|--|--------------------|--------------------|----------------------------|------------|
| Ron Carter Autoland   | 2  | General Truck Body | \$215,122.00       | \$6,741.00                 | 3.13%      |
| Caldwell Country Ford | 5, 8, 10, 11, 16, 18, 21, 22, 23, 24, 25, 26, 27, 28 | General Truck Body | \$2,191,111.00     | \$188,105.00               | 8.58%      |

Buyer: Larry Benka

- Attachments: 1. Source of Funding  
2. Award Summary  
3. Equipment Usage Summary

**SOURCE OF FUNDING  
N24417  
RCA 9569  
G/L ACCOUNT 560220**

| <b><u>FUND</u></b> | <b><u>FY</u></b> | <b><u>FUND DESCRIPTION</u></b>               | <b><u>FUND AMOUNT</u></b> |
|--------------------|------------------|--|---------------------------|
| 1005               | 13               | Fleet Management Fund                        | \$21,271.00               |
| 1800               | 13               | Equipment Acquisition Consolidated Fund      | \$1,156,441.00            |
| 2301               | 13               | Building Inspection Fund                     | \$485,828.00              |
| 2302               | 13               | Stormwater Fund                              | \$400,243.00              |
| 2310               | 13               | Dedicated Drainage & Street Renewal Fund     | \$359,108.00              |
| 8305               | 13               | PWE-Combined Utility System Gen Purpose Fund | \$1,520,568.00            |
| 8700               | 13               | Parking Management Operating Fund            | \$18,840.00               |
|                    |                  | <b>TOTAL FUNDING AMOUNT:</b>                 | <b>\$3,962,299.00</b>     |

**AWARD SUMMARY  
FOR  
AUTOMOBILES, VANS, UTILITY VEHICLES AND LIGHT-DUTY TRUCKS  
FOR VARIOUS DEPARTMENTS  
S34-N24417  
RCA NO. 9569**

**Ron Carter Autoland:** Award on its low bid for Items No. 2 and 13 in the amount of \$235,832.00

Item No. 2: Thirteen gasoline-powered, 4-door, intermediate sedan automobiles  
Item No. 13: One gasoline-powered, small extended passenger van

| <u>Company</u>                  | <u>Amount</u>                                |
|---------------------------------|--|
| 1. Sterling McCall Toyota       | \$ 23,465.00 (Partial Bid/Higher Unit Price) |
| 2. Caldwell Country Ford.       | \$233,338.00 (Partial Bid/Higher Unit Price) |
| <b>3. Ron Carter Autoland</b>   | <b>\$235,832.00 (Local Business)</b>         |
| 4. Tomball Dodge Inc.           | \$237,436.00                                 |
| 5. Caldwell Country Chevrolet   | \$254,530.00                                 |
| 6. Sterling McCall Ford         | \$256,100.00                                 |
| 7. Classic Chevrolet Sugar Land | \$262,121.75                                 |
| 8. Friendly Ford                | \$270,806.00                                 |

**Caldwell Automotive Partners, LLC, dba Caldwell Country Ford:** Award on its low bid for Item Nos. 4, 5, 8, 10, 11, 16, 18, 20, 21, 23; low bid meeting specifications for Item No. 19 and sole bid for Item Nos. 22 and 24-28 in the amount of \$2,373,273.00.

- Item No. 4: Eight gasoline-powered, 4-door, medium duty two wheel drive utility vehicles
- Item No. 5: Three gasoline-powered, 4-door, medium duty all wheel drive utility vehicles
- Item No. 8: Two gasoline-powered, 4-door, heavy-duty two wheel drive utility vehicles
- Item No. 10: Four gasoline-powered, 8600-lb. Gross Vehicle Weight Rating (GVWR), full size cargo vans
- Item No. 11: One gasoline-powered, 8600-lb. Gross Vehicle Weight Rating, full size extended length cargo van
- Item No. 16: Twenty-three gasoline-powered extended cab, short bed, 1/2-ton pickup trucks
- Item No. 18: Seven gasoline-powered, extended cab, long bed, 3/4 ton pickup trucks
- Item No. 19: One diesel-powered, extended cab, long bed 3/4 ton pickup truck
- Item No. 20: Five gasoline-powered, regular cab, long bed 3/4 ton pickup trucks
- Item No. 21: Three gasoline-powered, regular cab, 56-inch cab-to-axle (CA) single rear wheels, 3/4-ton, cab & chassis w/bodies
- Item No. 22: Four diesel-powered, regular cab, 60-inch CA, single rear wheels, 1-ton, cabs & chassis with bodies
- Item No. 23: Three gasoline-powered, regular cab, 84-inch CA, dual rear wheels, 1-ton, cabs & chassis with bodies
- Item No. 24: Three diesel-powered, crew cab, 60-inch CA, dual rear wheels, 1-ton, cabs & chassis with bodies
- Item No. 25: One diesel-powered, regular cab, 84-inch CA, dual rear wheels, 1-ton, cab & chassis with body
- Item No. 26: Nine gasoline-powered, regular cab, 60-inch CA, dual rear wheels, 1-1/4-ton, cabs & chassis with bodies
- Item No. 27: Four diesel-powered, regular cab, 60-inch CA, dual rear wheels, 1 1/4-ton, cab & chassis with bodies
- Item No. 28: Six diesel-powered, crew cab, 60-inch CA, dual rear wheels, 1-1/4-ton, cabs & chassis with bodies

| <u>Company</u>                  | <u>Amount</u>                                  |
|---------------------------------|--|
| 1. Friendly Ford                | \$ 217,714.48 (Partial Bid/Higher Unit Price)  |
| 2. Caldwell Country Chevrolet   | \$ 446,651.00 (Partial Bid/Higher Unit Price)  |
| 4. Ron Carter Autoland          | \$ 878,824.00 (Partial Bid/Higher Unit Price)  |
| 3. Tomball Dodge, Inc.          | \$1,018,194.00 (Partial Bid/Higher Unit Price) |
| 5. Sterling McCall Ford         | \$1,173,643.00 (Partial Bid/Higher Unit Price) |
| <b>6. Caldwell Country Ford</b> | <b>\$2,373,273.00 (City/Local Business)</b>    |

**AWARD SUMMARY  
FOR  
AUTOMOBILES, VANS, UTILITY VEHICLES AND LIGHT-DUTY TRUCKS  
FOR VARIOUS DEPARTMENTS  
S34-N24417  
RCA NO. 9569**

**Tomball Dodge, Inc.:** Award on its low bid for Item Nos. 6, 7, 9, and 17 in the amount of \$1,020,546.00.

- Item No. 6: Two gasoline-powered, 4-door, AWD or 4-wheel drive, light-duty utility vehicles
- Item No. 7: Forty-five gasoline-powered, 4-door, 2-wheel drive, light-duty, utility vehicles
- Item No. 9: Nine gasoline-powered, small-size, front wheel drive, extended cargo vans
- Item No. 17: One gasoline-powered, crew cab, long bed 3/4-ton pickup truck

| <u>Company</u>                  | <u>Amount</u>                                  |
|---------------------------------|--|
| 1. Sterling McCall Toyota       | \$ 211,185.00 (Partial Bid/Higher Unit Price)  |
| 2. Classic Chevrolet Sugar Land | \$ 924,118.17 (Partial Bid/Higher Unit Price)  |
| 3. Caldwell Country Chevrolet   | \$ 928,279.00 (Partial Bid/Higher Unit Price)  |
| 4. Ron Carter Automotive        | \$1,005,823.00 (Partial Bid/Higher Unit Price) |
| 5. Caldwell Country Ford        | \$1,007,807.00 (Partial Bid/Higher Unit Price) |
| <b>6. Tomball Dodge, Inc.</b>   | <b>\$1,020,546.00 (Local Business)</b>         |
| 7. Sterling McCall Ford         | \$1,239,804.00                                 |

**Caldwell Automotive Partners, LLC, dba Caldwell Country Chevrolet:** Award on its low bid for Item Nos. 3, 12 and 14 in the amount of \$285,652.00.

- Item No. 3: Three gasoline powered, 3/4-ton utility vehicles, 4-door, 2-wheel drive
- Item No. 12: One gasoline-powered, full-size, extended length cargo van
- Item No. 14: Six gasoline-powered, full-size, extended length passenger vans

| <u>Company</u>                       | <u>Amount</u>                                |
|--------------------------------------|--|
| 1. Ron Carter Autoland               | \$143,491.00 (Partial Bid/Higher Unit Price) |
| 2. Caldwell Country Ford             | \$160,810.00 (Partial Bid/Higher Unit Price) |
| 3. Sterling McCall Ford              | \$173,396.00 (Partial Bid/Higher Unit Price) |
| <b>4. Caldwell Country Chevrolet</b> | <b>\$285,652.00 (City/Local Business)</b>    |
| 5. Classic Chevrolet Sugar Land      | \$295,049.51                                 |

**EQUIPMENT USAGE SUMMARY  
AUTOS, VANS UTILITY VEHICLES AND LIGHT-DUTY TRUCKS  
FOR VARIOUS DEPARTMENTS  
S34-N24417 / RCA 9569**

| BID ITEM NO./<br>DESCRIPTION  | REQUISITION<br>NO. | QTY | DEPARTMENT/FLEET USAGE   | EQUIPMENT REPLACEMENT   |  |   |
|---|--------------------|-----|--|---|--|---|
|   |                    |     |  | Shop No.  | Age (Yrs.)   | Mileage   |
| ITEM NO. 2<br>SERIES 360B,<br>GASOLINE,<br>INTERMEDIATE, 4-<br>DOOR SEDAN               | 10158089           | 4   | Neighborhoods<br><br>These vehicles will be used citywide by the Department's Inspection and Public Services Division to transport personnel for inspection and enforcement of City codes. | 30946<br>30950<br>30944<br>30947  | 12<br>12<br>12<br>12                               | 116,570<br>92,818<br>87,263<br>83,224   |
|   | 10157956           | 9   | Houston Fire<br><br>These vehicles will be used citywide by the Arson Division to provide fire investigative services to the citizens of Houston.  | 26110<br>26113<br>26931<br>28280<br>28288<br>28291<br>28451<br>28452<br>28454 | 16<br>16<br>16<br>14<br>14<br>14<br>14<br>14<br>14 | 141,985<br>198,000<br>151,011<br>165,909<br>200,992<br>157,926<br>145,429<br>159,865<br>173,306 |
| ITEM NO. 3<br>SERIES 655C,<br>GASOLINE, 3/4-TON, 4-<br>DOOR CARRYALL<br>UTILITY VEHICLE | 10157978           | 3   | Houston Fire<br><br>These vehicles will be used citywide by the Department's EMS Division to transport supervisors responding to various emergency situations.                             | 36457<br>31038<br>*33943<br>*Wrecked<br>/Sold                                 | 5<br>12<br>12                                      | 185,726<br>177,020<br>89,643  |

**EQUIPMENT USAGE SUMMARY  
AUTOS, VANS UTILITY VEHICLES AND LIGHT-DUTY TRUCKS  
FOR VARIOUS DEPARTMENTS  
S34-N24417 / RCA 9569**

| BID ITEM NO/<br>DESCRIPTION  | REQUISITION<br>NO. | QTY | DEPARTMENT/FLEET USAGE   | EQUIPMENT REPLACEMENT   |                |                               |
|--|--------------------|-----|--|-------------------------|----------------|-------------------------------|
|  |                    |     |  | Shop No.                | Age (Yrs.)     | Mileage                       |
| ITEM NO. 4<br>SERIES 656B<br>GASOLINE, MEDIUM-<br>DUTY, 4-DOOR 2-<br>WHEEL DRIVE UTILITY<br>VEHICLE  | 10154131           | 2   | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Street & Drainage Division to transport management personnel to conduct field inspections of workcrews and job worksites and to respond to field emergencies including accidents. | 22859<br>22937          | 18<br>18       | 175,409<br>224,572            |
|  | 10154187           | 3   | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Street & Drainage Division to transport Environmental Investigators that inspect and monitor incidents involving storm sewer, water and wastewater infrastructures.               | 30727<br>25640<br>21184 | 12<br>16<br>19 | 204,850<br>82,256<br>195,460  |
|  | 10156745           | 1   | Houston Library<br><br>This vehicle will be used citywide by the Department's Administration Division to transport library staff, equipment and supplies to various neighborhood libraries. *This unit has major mechanical problems, e.g., suspension and brakes.           | *31669                  | 11             | 47,735                        |
|  | 10158253           | 2   | Parks & Recreation<br><br>These vehicles will be used citywide by the Department's Greenspace Management Division to transport personnel on a daily basis to locations within and outside of the City.   | 27620<br>30788          | 15<br>12       | 102,648<br>93,197             |
| ITEM NO. 5<br>SERIES 657B<br>GASOLINE, MEDIUM-<br>DUTY, 4-DOOR ALL<br>WHEEL DRIVE UTILITY<br>VEHICLE | 10154474           | 3   | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department to transport safety personnel, equipment and supplies for surveys, facility inspections and accident investigations.  | 17235<br>22794<br>27014 | 22<br>18<br>15 | 112,469<br>191,082<br>108,688 |
| ITEM NO. 6<br>SERIES 661B<br>GASOLINE, LIGHT-<br>DUTY, 4-DOOR 4-<br>WHEEL DRIVE UTILITY<br>VEHICLE   | 10152841           | 2   | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Public Utilities Division to transport personnel, equipment and supplies to various facilities and work locations.  | 27013<br>27208          | 15<br>15       | 131,159<br>144,873            |

**EQUIPMENT USAGE SUMMARY  
AUTOS, VANS UTILITY VEHICLES AND LIGHT-DUTY TRUCKS  
FOR VARIOUS DEPARTMENTS  
S34-N24417 / RCA 9569**

| BID ITEM NO./<br>DESCRIPTION  | REQUISITION<br>NO. | QTY  | DEPARTMENT/FLEET USAGE  | EQUIPMENT REPLACEMENT                                    |  |         |
|---|--------------------|--|---|--|--|---------|
|   |                    |  |   | Shop No.   | Age (Yrs.)   | Mileage |
| ITEM NO. 7<br>SERIES 663B,<br>GASOLINE, LIGHT-<br>DUTY, 4-DOOR 2-<br>WHEEL DRIVE UTILITY<br>VEHICLE | 10158086           | 1  | Neighborhoods<br><br>This vehicle will used citywide by the Department's Inspection and Public Services Division to transport personnel to offsite meetings, training classes and to transport financial documents to various City Departments. | 27072  | 15   | 64,958  |
|   | 10154486           | 5  | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department to transport construction/occupancy inspectors to worksites to ensure compliance with the City's occupancy building codes.                             | 32974  | 10   | 82,944  |
|   |                    |  |   | 32975  | 10   | 120,743 |
|   |                    |  |   | 36368  | 5  | 109,955 |
|   |                    |  |   | 32979  | 10   | 124,396 |
| 32986   | 10                 | 92,032   |   |  |  |         |
| 10154484  | 5                  | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department to transport construction/occupancy inspectors to worksites to ensure compliance with the City's occupancy building codes.                                | 30866<br>*36376<br>30855<br>30864<br>34997<br>*Wrecked<br>/Sold   | 12<br>5<br>12<br>12<br>6                                 | 136,640<br>73,362<br>95,485<br>101,982<br>119,902  |         |
| 10152903  | 10                 | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Public Utilities Division to transport support personnel, equipment and administrative supplies to various Pubic Utilities Division locations.          | 21206<br>21225<br>25466<br>27394<br>27553<br>27575<br>29279<br>29022<br>32873<br>27577  | 19<br>19<br>16<br>15<br>15<br>15<br>14<br>14<br>10<br>19 | 103,192<br>74,399<br>99,803<br>89,101<br>173,273<br>143,962<br>147,535<br>137,090<br>116,300<br>91,811 |         |
| 10153604  | 1                  | Public Works & Engineering<br><br>This vehicle will be used citywide by the Department's Traffic Operations Division to transport personnel that ensure quality control of lane closures, maintenance and installation of traffic control devices. | 19719   | 19   | 115,050  |         |

**EQUIPMENT USAGE SUMMARY  
AUTOS, VANS UTILITY VEHICLES AND LIGHT-DUTY TRUCKS  
FOR VARIOUS DEPARTMENTS  
S34-N24417 / RCA 9569**

| BID ITEM NO./<br>DESCRIPTION  | REQUISITION<br>NO. | QTY  | DEPARTMENT/FLEET USAGE   | EQUIPMENT REPLACEMENT |            |          |
|---|--------------------|--|--|-----------------------|------------|----------|
|   |                    |  |  | Shop No.              | Age (Yrs.) | Shop No. |
| ITEM NO. 7 (Continued)<br>SERIES 663B,<br>GASOLINE, LIGHT-<br>DUTY, 4-DOOR 2-<br>WHEEL DRIVE UTILITY<br>VEHICLE | 10154130           | 1  | Public Works & Engineering<br><br>This vehicle will be used citywide by the Department's Street & Drainage Division personnel to respond to field emergencies.   | 30860                 | 12         | 138,487  |
|   | 10154485           | 3  | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Planning & Development Services Division personnel for inspections, investigations and to fulfill operational requirements regarding the City's sign codes. | 32835                 | 10         | 70,887   |
|   |                    |  |  | 33894                 | 8          | 124,648  |
|   |                    |  |  | 33895                 | 8          | 123,025  |
|   | 10154487           | 5  | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Planning & Development Services Division personnel for inspections and investigations to ensure compliance with the City's plumbing and building codes.     | 32987                 | 10         | 106,718  |
| 32990   |                    |  |  | 10                    | 132,480    |          |
| 33873   |                    |  |  | 8                     | 157,712    |          |
| 33874   |                    |  |  | 8                     | 133,931    |          |
| 33875   |                    |  |  | 8                     | 98,020     |          |
| 10154488  | 5                  | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Planning & Development Services Division personnel for inspections and investigations to ensure compliance with the City's structural building codes. | 33876  | 8                     | 107,626    |          |
|   |                    |  | 33877  | 8                     | 105,254    |          |
|   |                    |  | 33878  | 8                     | 149,252    |          |
|   |                    |  | 33880  | 8                     | 105,805    |          |
|   |                    |  | 33881  | 8                     | 182,871    |          |
| 10154489  | 5                  | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Planning & Development Services Division personnel for inspections and investigations to ensure compliance with the City's mechanical building codes. | 33876  | 8                     | 152,366    |          |
|   |                    |  | 33877  | 8                     | 122,121    |          |
|   |                    |  | 33878  | 8                     | 86,161     |          |
|   |                    |  | 33880  | 8                     | 119,870    |          |
|   |                    |  | 33881  | 8                     | 92,492     |          |

**EQUIPMENT USAGE SUMMARY  
AUTOS, VANS UTILITY VEHICLES AND LIGHT-DUTY TRUCKS  
FOR VARIOUS DEPARTMENTS  
S34-N24417 / RCA 9569**

| BID ITEM NO./<br>DESCRIPTION  | REQUISITION<br>NO. | QTY | DEPARTMENT/FLEET USAGE   | EQUIPMENT REPLACEMENT |            |         |
|---|--------------------|-----|--|-----------------------|------------|---------|
|   |                    |     |  | Shop No.              | Age (Yrs.) | Mileage |
| ITEM NO. 7 (Continued)<br>SERIES 663B,<br>GASOLINE, LIGHT-<br>DUTY, 4-DOOR 2-<br>WHEEL DRIVE UTILITY<br>VEHICLE | 10157560           | 1   | Solid Waste Management<br><br>This vehicle will be used citywide by the Department's Support Services Division personnel for the supervision of neighborhood depository sites across the City.           | 25538                 | 16         | 95,625  |
|   | 10157217           | 1   | General Services<br><br>This vehicle will be used citywide by the Department's Property Management Division to provide security services to City facilities managed by the Department.                   | 25941                 | 16         | 82,294  |
|   | 10158017           | 1   | Administration & Regulatory Affairs<br><br>This vehicle will be used citywide by the Department's Parking Management Division to transport its Parking Enforcement Officers to their assigned locations. | 36643                 | 5          | 125,000 |
|   | 10158058           | 1   | Administration & Regulatory Affairs<br><br>This vehicle will be used citywide by the Department's BARC Division to monitor field employees and to respond to complaints.                                 | 30874                 | 10         | 64,344  |
| ITEM NO. 8<br>SERIES 665C,<br>GASOLINE, HEAVY-<br>DUTY, 4-DOOR 2-<br>WHEEL DRIVE UTILITY<br>VEHICLE             | 10158670           | 1   | Houston Emergency Center<br><br>This vehicle will be used citywide by the Office of Emergency Management to transport personnel and equipment in support of disaster preparedness initiatives.           | 25504                 | 16         | 87,225  |
|   | 10152843           | 1   | Public Works & Engineering<br><br>This vehicle will be used citywide by the Department's Public Utilities Division personnel to perform leak detection and valve repair.                                 | 18511                 | 21         | 200,000 |

**EQUIPMENT USAGE SUMMARY  
AUTOS, VANS UTILITY VEHICLES AND LIGHT-DUTY TRUCKS  
FOR VARIOUS DEPARTMENTS  
S34-N24417 / RCA 9569**

| BID ITEM NO/<br>DESCRIPTION   | REQUISITION<br>NO. | QTY | DEPARTMENT/FLEET USAGE  | EQUIPMENT REPLACEMENT                                       |  |  |
|---|--------------------|-----|---|---|--|--|
|   |                    |     |   | Shop No.  | Age (Yrs.)                             | Mileage  |
| ITEM NO. 9<br>SERIES 668C,<br>GASOLINE, SMALL<br>CARGO VAN,<br>EXTENDED | 10152844           | 7   | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Public Utilities Division to transport maintenance personnel, supplies and tools for the maintenance and repair of equipment in wastewater treatment plants.   | 19439<br>22796<br>24887<br>27496<br>30636<br>30367<br>30638 | 20<br>18<br>17<br>15<br>12<br>12<br>12 | 82,456<br>78,051<br>95,921<br>146,795<br>178,225<br>216,402<br>178,225 |
|   | 10152846           | 2   | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Public Utilities Division personnel to perform leak detection and valve.   | 28607<br>28879  | 14<br>14                               | 182,110<br>175,341   |
| ITEM NO. 10<br>SERIES 680C,<br>GASOLINE, FULL-SIZE<br>CARGO VAN         | 10152847           | 2   | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Public Utilities Division personnel to perform leak detection and valve.   | 25292<br>27322  | 17<br>15                               | 68,353<br>160,943  |
|   | 10153607           | 1   | Public Works & Engineering<br><br>This vehicle will be used citywide by the Department's Traffic Operations Division personnel to repair traffic signals in response to service requests within the Division's goal of two hours.   | 28861   | 14                                     | 126,719  |
|   | 10157542           | 1   | Solid Waste Management<br><br>This vehicle will be used citywide by the Department's Support Services Division personnel to transport and distribute supplies and equipment to and between the Department's four operations centers and six neighborhood depositories and recycling facilities. | 25297   | 10                                     | 123,425  |

**EQUIPMENT USAGE SUMMARY  
AUTOS, VANS UTILITY VEHICLES AND LIGHT-DUTY TRUCKS  
FOR VARIOUS DEPARTMENTS  
S34-N24417 / RCA 9569**

| BID ITEM NO/<br>DESCRIPTION   | REQUISITION<br>NO. | QTY | DEPARTMENT/FLEET USAGE  | EQUIPMENT REPLACEMENT |            |         |
|---|--------------------|-----|---|-----------------------|------------|---------|
|   |                    |     |   | Shop No               | Age (Yrs.) | Mileage |
| ITEM NO. 11<br>SERIES 685C,<br>GASOLINE, FULL-SIZE<br>EXTENDED- LENGTH,<br>8600-LB. GVWR CARGO<br>VAN | 10157218           | 1   | General Services<br><br>This vehicle will be used citywide by the Department's Property Management Division as a mobile workstation to transport employees, tools, supplies and materials to provide maintenance services at City facilities managed by the Department.   | 34269                 | 8          | 155,683 |
| ITEM NO. 12<br>SERIES 687C,<br>GASOLINE, FULL-SIZE<br>EXTENDED-LENGTH<br>9500-LB. GVWR CARGO<br>VAN   | 10156774           | 1   | Houston Information Technology Services<br><br>This vehicle will be used citywide by the Department to transport technicians that provide emergency/routine repairs to public safety communication systems for the City's emergency First Responder Departments.  | 25019                 | 16         | 190,075 |
| ITEM NO. 13<br>SERIES 741B,<br>GASOLINE, SMALL-<br>SIZE EXTENDED-<br>LENGTH, 7-8<br>PASSENGERS VAN    | 10152848           | 1   | Public Works & Engineering<br><br>This vehicle will be used citywide by the Department's Public Utilities Division to transport personnel to meetings and training events.  | 22949                 | 15         | 74,936  |
| ITEM NO. 14<br>SERIES 760C<br>GASOLINE, FULL-SIZE<br>EXTENDED-LENGTH,<br>15-PASSENGER VAN             | 10158141           | 1   | Neighborhoods<br><br>This vehicle will be used citywide by the Mayor's Anti-Gang Office to transport City personnel and youth participants to various locations for after-school, weekend, school holiday and summer youth enrichment events to introduce them to new environments and positive activities. *This unit is 12 years old and is not dependable. | *31080                | 12         | 25,391  |
|   | 10158005           | 1   | Municipal Courts<br><br>This vehicle will used citywide by the Department's Judicial Operations Division to transport multiple juveniles to various events as part of their summer and after school programming activities.   | 30510                 | 13         | 129,822 |
|   | 10158255           | 1   | Parks & Recreation<br><br>This vehicle will be used citywide by the Department's Greenspace Management Division to transport children for recreation and wellness activities.   | 27545                 | 15         | 90,285  |

**EQUIPMENT USAGE SUMMARY  
AUTOS, VANS UTILITY VEHICLES AND LIGHT-DUTY TRUCKS  
FOR VARIOUS DEPARTMENTS  
S34-N24417 / RCA 9569**

| BID ITEM NO./<br>DESCRIPTION  | REQUISITION<br>NO. | QTY | DEPARTMENT/FLEET USAGE  | EQUIPMENT REPLACEMENT  |  |   |
|---|--------------------|-----|---|--|--|---|
| ITEM NO. 14 (Continued)<br>SERIES 760C<br>GASOLINE, FULL-SIZE<br>EXTENDED-LENGTH,<br>15-PASSENGER VAN | 10158599           | 1   | Fleet Management<br><br>This vehicle will be used citywide by the Department as a pool vehicle for the Mayor's Anti-Gang Program to transport staff to meetings, training classes and for other departments with vehicles that are out-of-service for repairs or maintenance.   | Addition to the City's fleet. Currently, there are no similar vehicles in the City's fleet that are available to meet this operational requirement.  |  |   |
|   | 10158662           | 2   | Fleet Management<br><br>These vehicles will be used citywide by the Department as pool vehicles for City Departments to transport personnel to City functions, meetings in and out of town and other City projects.   | Additions to the City's fleet. Currently, there are no similar vehicles in the City's fleet that are available to meet this operational requirement. |  |   |
| ITEM NO. 16<br>SERIES 862C,<br>GASOLINE, EXTENDED<br>CAB, SHORT BED, 1/2-<br>TON PICKUP TRUCK         | 10154079           | 3   | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Utility Customer Service Branch to transport two or four-man work crews, tools and materials to various locations for utility repairs and installations, maintenance and readings of water meters.   | <u>Shop No</u><br>35396<br>32440<br>32439  | <u>Age (Yrs.)</u><br>7<br>10<br>10             | <u>Mileage</u><br>121,149<br>115,300<br>126,436                     |
|   | 10153958           | 9   | Public Works & Engineering<br><br>These vehicles will used citywide by the Department's Engineering & Construction Division to transport inspectors who perform inspections on assigned capital improvement projects.<br>**Inspectors that are not assigned a City vehicle drive their personal vehicles and are currently provided a mileage allowance. Some of the personal vehicles are inadequate for certain projects such as driving into construction zones and projects that require an accumulation of high mileage; therefore, some inspectors may be overburdened with certain assignments because they drive City vehicles. There are also safety issues involved with providing adequate visible identification of City employees that drive their personal vehicles. The purchase of these additional vehicles will increase the Division's flexibility, productivity and efficiency. | <u>Shop No</u><br>*37765<br>25653<br>25595<br>32730<br>21189<br>*Wrecked<br>/Sold  | <u>Age (Yrs.)</u><br>4<br>16<br>16<br>10<br>19 | <u>Mileage</u><br>51,657<br>99,960<br>125,180<br>146,814<br>120,120 |
|   |                    |     | **Four units will be additions to the Department's fleet. Currently, there are no similar vehicles in the Department's fleet that are available to meet this operational requirement.   |  |  |   |

**EQUIPMENT USAGE SUMMARY  
AUTOS, VANS UTILITY VEHICLES AND LIGHT-DUTY TRUCKS  
FOR VARIOUS DEPARTMENTS  
S34-N24417 / RCA 9569**

| BID ITEM NO./<br>DESCRIPTION  | REQUISITION<br>NO. | QTY | DEPARTMENT/FLEET USAGE  | EQUIPMENT REPLACEMENT  |   |   |
|---|--------------------|-----|---|--|---|---|
| ITEM NO. 16 (Continued)<br>SERIES 862C,<br>GASOLINE, EXTENDED<br>CAB, SHORT BED, 1/2-<br>TON PICKUP TRUCK | 10153959           | 4   | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Engineering & Construction Division to transport inspectors who perform inspections on assigned capital improvement projects on a daily basis. *Inspectors that are not assigned a City vehicle drive their personal vehicles and are currently provided a mileage allowance. Some of the personal vehicles are inadequate for certain projects such as driving into construction zones and projects that require an accumulation of high mileage; therefore, some inspectors may be overburdened with certain assignments because they drive City vehicles. There are also safety issues involved with providing adequate visible identification of City employees that drive their personal vehicles. The purchase of these additional vehicles will increase the Division's flexibility, productivity and efficiency. | These units will be additions to the Department's fleet. Currently, there are no similar vehicles in the Department's fleet that are available to meet this operational requirement. |   |   |
|   | 10154274           | 7   | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Traffic Operations Division to transport personnel to job specific sites for investigation of various traffic control devices in response to service requests.   | <u>Shop No</u><br>28189<br>31984<br>32735<br>32801<br>31968<br>27561<br>28845  | <u>Age (Yrs.)</u><br>14<br>11<br>10<br>10<br>11<br>15<br>14 | <u>Mileage</u><br>164,843<br>176,307<br>140,530<br>125,882<br>116,529<br>139,906<br>220,864 |
| ITEM NO. 17<br>SERIES 867C,<br>GASOLINE, CREW CAB,<br>LONG BED, 3/4-TON<br>PICKUP TRUCK                   | 10158088           | 1   | Neighborhoods<br><br>This vehicle will be used citywide by the Department's Inspections and Public Services Division to transport personnel, trailers and mowing equipment to clean debris from heavy dumping/trash sites.  | <u>Shop No</u><br>31143  | <u>Age (Yrs.)</u><br>12                                     | <u>Mileage</u><br>177,741   |
| ITEM NO. 18<br>SERIES 868C,<br>GASOLINE, EXTENDED<br>CAB, LONG BED, 3/4-<br>TON PICKUP TRUCK              | 10154188           | 2   | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Street & Drainage Division to transport personnel, tools and equipment to worksites to de-silt and re-grade roadside ditches.  | <u>Shop No</u><br>25356  | <u>Age (Yrs.)</u><br>16                                     | <u>Mileage</u><br>184,438   |
|   |                    |     |   | 25357  | 16  | 127,913   |

**EQUIPMENT USAGE SUMMARY  
AUTOS, VANS UTILITY VEHICLES AND LIGHT-DUTY TRUCKS  
FOR VARIOUS DEPARTMENTS  
S34-N24417 / RCA 9569**

| BID ITEM NO/<br>DESCRIPTION   | REQUISITION<br>NO. | QTY | DEPARTMENT/FLEET USAGE   | EQUIPMENT REPLACEMENT            |                   |  |
|---|--------------------|-----|--|----------------------------------|-------------------|--|
|   |                    |     |  | Shop No                          | Age (Yrs.)        | Mileage                                  |
| ITEM NO. 18 (Continued)<br>SERIES 868C,<br>GASOLINE, EXTENDED<br>CAB, LONG BED, 3/4-<br>TON PICKUP TRUCK  | 10154208           | 4   | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Street & Drainage Division to transport personnel, tools and equipment to replace inlet covers and repair streets and bridges.                  | 34226<br>34227<br>34228<br>23103 | 8<br>8<br>8<br>18 | 158,156<br>254,778<br>310,446<br>171,679 |
|   | 10154205           | 1   | Public Works & Engineering<br><br>This vehicle will be used citywide by the Department's Street & Drainage Division to transport personnel and tools to provide road service for the Department's vehicles.                                | 23088                            | 18                | 120,172                                  |
| ITEM NO. 19<br>SERIES 868D, DIESEL,<br>EXTENDED CAB, LONG<br>BED, 3/4 TON PICKUP<br>TRUCK   | 10154425           | 1   | Public Works & Engineering<br><br>This vehicle will be used citywide by the Department's roving patrol operations to provide 24-hour security to the City's critical infrastructure facilities.  | 36198                            | 5                 | 247,361                                  |
| ITEM NO. 20<br>SERIES 872C,<br>GASOLINE, REGULAR<br>CAB, LONG BED,<br>SINGLE REAR<br>WHEELS, 3/4-TON<br>PICKUP TRUCK                                    | 10152840           | 2   | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Public Utilities Division for various functions that are required in the support of Drinking Water and Wastewater Operations.                   | 30812<br>33329                   | 11<br>10          | 149,051<br>110,527                       |
|   | 10158035           | 1   | General Services<br><br>This vehicle will be used citywide by the Department's Property Management Division to transport personnel, tools and equipment to provide maintenance services at City facilities managed by the Department.      | 27087                            | 15                | 131,060                                  |
|   | 10158250           | 2   | Parks and Recreation<br><br>These vehicles will be used citywide by the Department's Greenspace Management Division to transport superintendents for daily supervision at the City's flagship parks.                                       | 31041<br>31066                   | 12<br>12          | 93,973<br>150,500                        |
| ITEM NO. 21<br>SERIES 870C,<br>GASOLINE, REGULAR<br>CAB, 56-INCH CA,<br>SINGLE REAR<br>WHEELS, 3/4-TON CAB<br>& CHASSIS WITH<br>MOUNTED SERVICE<br>BODY | 10152850           | 2   | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Public Utilities Division to transport tools, equipment, supplies and parts for maintenance and repairs at the City's wastewater lift stations. | 29258<br>30720                   | 14<br>11          | 163,406<br>181,534                       |

**EQUIPMENT USAGE SUMMARY  
AUTOS, VANS UTILITY VEHICLES AND LIGHT-DUTY TRUCKS  
FOR VARIOUS DEPARTMENTS  
S34-N24417 / RCA 9569**

| BID ITEM NO/<br>DESCRIPTION   | REQUISITION<br>NO. | QTY | DEPARTMENT/FLEET USAGE   | EQUIPMENT REPLACEMENT            |                      |   |
|---|--------------------|-----|--|----------------------------------|----------------------|---|
|   |                    |     |  | Shop No                          | Age (Yrs.)           | Mileage                                 |
| ITEM NO. 21 (Continued)<br>SERIES 870C,<br>GASOLINE, REGULAR<br>CAB, 56-INCH CA,<br>SINGLE REAR<br>WHEELS, 3/4-TON CAB<br>& CHASSIS WITH<br>MOUNTED SERVICE<br>BODY                 | 10158031           | 1   | General Services<br><br>This vehicle will be used citywide by the Department's Property Management Division to transport personnel, tools and equipment to provide maintenance services at City facilities managed by the Department.            | 26260                            | 16                   | 111,048                                 |
| ITEM NO. 22<br>SERIES 873D, DIESEL,<br>REGULAR CAB, 60-<br>INCH CA, SINGLE REAR<br>WHEELS, 1-TON CAB &<br>CHASSIS WITH<br>MOUNTED SERVICE<br>BODY                                   | 10158258           | 4   | Parks and Recreation<br><br>These vehicles will be used citywide by the Department's Greenspace Management Division to transport workcrews and tools to provide maintenance services at Department facilities.                                   | 33063<br>32072<br>30928<br>30930 | 10<br>11<br>12<br>12 | 131,584<br>107,076<br>92,387<br>103,855 |
| ITEM NO. 23<br>SERIES 875C,<br>GASOLINE, REGULAR<br>CAB, 60-INCH CA, DUAL<br>REAR WHEELS, FOUR-<br>WHEEL DRIVE, 1-TON<br>CAB & CHASSIS WITH<br>MOUNTED<br>PLATFORM/STAKEBED<br>BODY | 10152849           | 3   | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Public Utilities Division to transport personnel, fire hydrants and parts to worksites and grass and lawn products to utility line restoration sites. | 27031<br>29247<br>30492          | 15<br>14<br>12       | 129,389<br>125,986<br>159,969           |
| ITEM NO. 24<br>SERIES 875D, DIESEL,<br>CREW CAB, 60-INCH<br>CA, DUAL REAR<br>WHEELS, 1-TON CAB &<br>CHASSIS WITH<br>MOUNTED<br>PLATFORM/STAKEBED<br>BODY                            | 10158257           | 3   | Parks & Recreation<br><br>These vehicles will be used citywide by the Department's Greenspace Management Division to transport workcrews and tools to provide maintenance services at Department facilities.                                     | 26681<br>30989<br>31107          | 15<br>12<br>12       | 124,256<br>71,805<br>86,412             |
| ITEM NO. 25<br>SERIES 875D, DIESEL,<br>CREW CAB, 84-INCH<br>CA,<br>DUAL REAR WHEELS, 1-<br>TON CAB & CHASSIS<br>WITH MOUNTED<br>PLATFORM/STAKEBED<br>BODY                           | 10158034           | 1   | General Services<br><br>This vehicle will be used citywide by the Department's Property Management Division to transport personnel, tools and equipment to provide maintenance services at City facilities managed by the Department.            | 28296                            | 14                   | 73,146                                  |

**EQUIPMENT USAGE SUMMARY  
AUTOS, VANS UTILITY VEHICLES AND LIGHT-DUTY TRUCKS  
FOR VARIOUS DEPARTMENTS  
S34-N24417 / RCA 9569**

| BID ITEM NO/<br>DESCRIPTION  | REQUISITION<br>NO. | QTY     | DEPARTMENT/FLEET USAGE   | EQUIPMENT REPLACEMENT  |                  |  |  |                  |  |
|--|--------------------|---------|--|--|------------------|--|--|------------------|--|
|  |                    |         |  | Shop No  | Age (Yrs.)       | Mileage  |  |                  |  |
| ITEM NO. 26<br>SERIES 930D, DIESEL,<br>CREW CAB, 60-INCH<br>CA, DUAL REAR<br>WHEELS, 1-1/4-TON<br>CAB & CHASSIS WITH<br>MOUNTED SERVICE<br>BODY      | 10153007           | 9       | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Public Utilities Division to transport workcrews, tools, parts and supplies to repair broken wastewater utility lines.      | 16392  | 24               | 143,326  |  |                  |  |
|  |                    |         |  | 21519  | 18               | 185,833  |  |                  |  |
|  |                    |         |  | 23755  | 18               | 181,864  |  |                  |  |
|  |                    |         |  | 23757  | 18               | 149,546  |  |                  |  |
|  |                    |         |  | 25108  | 17               | 171,022  |  |                  |  |
|  |                    |         |  | 26213  | 16               | 128,527  |  |                  |  |
| ITEM NO 27<br>SERIES 930D, DIESEL,<br>REGULAR CAB, 60-<br>INCH<br>CA, DUAL REAR<br>WHEELS, 1-1/4-TON<br>CAB & CHASSIS WTH<br>MOUNTED SERVICE<br>BODY | 10154120           | 2       | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Public Utilities Division's to transport workcrews, tools, parts and supplies to repair broken drinking water lines.        | These units will be additions to the Department's fleet. Currently, there are no similar vehicles in the Department's fleet that are available to meet this operational requirement. |                  |  |  |                  |  |
|  |                    |         |  | 10154121   | 1                | Public Works & Engineering<br><br>This vehicle will be used citywide by the Department's Public Utilities Division to transport a valve team workcrew and tools, parts and supplies to repair or replace large high pressure drinking water main valves. | This unit will be an addition to the Department's fleet. Currently, there are no similar vehicles in the Department's fleet that are available to meet this operational requirement. |                  |  |
|  |                    |         |  |  |                  |  | 10154122   | 1                | Public Works & Engineering<br><br>This vehicle will be used citywide by the Department's Public Utilities Division to transport a valve team workcrew and tools, parts and supplies to repair or replace large high pressure drinking water main valves. |
| ITEM NO 28<br>SERIES 930D, DIESEL,<br>CREW CAB, 60-INCH<br>CA, DUAL REAR<br>WHEELS, 1-1/4-TON<br>CAB & CHASSIS WTH<br>MOUNTED DUMP BODY              | 10154160           | 1       | Public Works & Engineering<br><br>This vehicle will be used citywide by the Department's Street & Drainage Division to transport personnel and tools to remove debris and litter from major ditches and right-of-ways. | Shop No<br>27066   | Age (Yrs.)<br>15 | Mileage<br>144,026   |  |                  |  |
|  |                    |         |  | 10154167   | 3                | Public Works & Engineering<br><br>These vehicles will be used citywide by the Department's Street & Drainage Division to transport personnel and tools to remove debris and litter from major ditches and right-of-ways.                                 | Shop No<br>21921   | Age (Yrs.)<br>18 | Mileage<br>91,419  |
| 21927  | 18                 | 111,218 |  |  |                  |  |  |                  |  |
| 21931  | 18                 | 128,547 |  |  |                  |  |  |                  |  |

**EQUIPMENT USAGE SUMMARY  
AUTOS, VANS UTILITY VEHICLES AND LIGHT-DUTY TRUCKS  
FOR VARIOUS DEPARTMENTS  
S34-N24417 / RCA 9569**

| BID ITEM NO/<br>DESCRIPTION   | REQUISITION<br>NO. | QTY | DEPARTMENT/FLEET USAGE  | EQUIPMENT REPLACEMENT |            |         |
|---|--------------------|-----|---|-----------------------|------------|---------|
|   |                    |     |   | Shop No               | Age (Yrs.) | Mileage |
| ITEM NO 28 (Continued)<br>SERIES 930D, DIESEL,<br>CREW CAB, 60-INCH<br>CA, DUAL REAR<br>WHEELS, 1-1/4-TON<br>CAB & CHASSIS WTH<br>MOUNTED DUMP BODY | 10154388           | 1   | Public Works & Engineering<br><br>This vehicle will be used citywide by the Department's Street & Drainage Division to transport personnel and tools to remove debris and litter from street repair and construction worksites. | 23251                 | 17         | 128,125 |
|   | 10154209           | 1   | Public Works & Engineering<br><br>This vehicle will be used citywide by the Department's Street & Drainage Division to transport personnel and tools to remove debris and litter from street repair and construction worksites. | 25727                 | 16         | 105,243 |

**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** Ordinance approving a Final Project Plan and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone Number Twenty-Three (Harrisburg Zone).

**Category #**

**Page**  
1 of 1

**Agenda Item#**

8

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

Andrew F. Icken  
Chief Development Officer

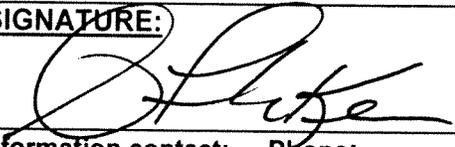
**Origination Date**

1/31/13

**Agenda Date**

FEB 06 2013

**DIRECTOR'S SIGNATURE:**

*Wag*  


**Council Districts affected:**  
B, H, I

**For additional information contact: Phone:**  
Ralph De Leon (832) 393-0985

**Date and identification of prior authorizing Council Action:**  
Ord. No. 2011-0900, 10/19/11

**RECOMMENDATION: (Summary)**

City Council adopt an Ordinance approving a Final Project Plan and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone Number Twenty-Three (Harrisburg Zone).

**Amount of Funding:** No Funding Required

**SOURCE OF FUNDING:**     General Fund     Grant Fund     Enterprise Fund     N/A

**SPECIFIC EXPLANATION:**

On October 19, 2011, City Council (City) approved the creation of Tax Increment Reinvestment Zone Number Twenty-Three (Harrisburg Zone) and was presented with a Preliminary Zone Project and Reinvestment Zone Financing Plan for the Harrisburg Zone. On January 25, 2013, the Board of Directors of the Harrisburg Zone approved a Final Plan (Plan) and recommended forwarding the Plan to the City for consideration. The Plan was found to comply with Chapter 311 of the Texas Tax Code and to be consistent with the land uses and development goals of the preliminary plan considered by City Council when it created the Harrisburg Zone.

The Plan details projects to be implemented by the Harrisburg Zone in the east end of Downtown, including provisions for the design and construction of a light rail underpass, public roadways, streets and utility systems, cultural and public facilities improvements, historic preservation, parks and recreational facilities, affordable housing and economic development programs.

To support the Harrisburg Zone's and the City's efforts in this regard, the Administration recommends that City Council approve the Final Project Plan and Reinvestment Zone Financing Plan for the Harrisburg Zone.

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

**REQUIRED AUTHORIZATION**

**Other Authorization:**

**Other Authorization:**

**Other Authorization:**

**TAX INCREMENT REINVESTMENT ZONE NUMBER TWENTY THREE  
CITY OF HOUSTON**

**HARRISBURG ZONE**

Project Plan and Reinvestment Zone Financing Plan

January 25, 2013

REINVESTMENT ZONE NUMBER TWENTY THREE, CITY OF HOUSTON, TEXAS  
HARRISBURG ZONE –Project Plan and Reinvestment Zone  
Financing Plan

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## **Introduction:**

**Houston's East End:** The East End is a district located on the eastern side of Houston's central business district and stretches from the eastern side of downtown to the Port of Houston. The area includes the site of Harrisburg, an early Texas trading post and the seat of government for the Republic of Texas in 1836. Historically, the area was primary destination for German, Italians and Mexican American immigrants. The Second Ward and Magnolia Park, two of Houston's oldest neighborhoods, are located in the East End. During the 1990's the area experienced a dramatic increase in Hispanic population, primarily south of Buffalo Bayou, within the Denver Harbor, Clinton Park, Second Ward, Eastwood, Harrisburg, Pecan Park, Park Place, Meadowbrook, Magnolia and Lawndale neighborhoods.

Today the area contains the highest concentration of petrochemical industries in the City. Also located in the East End are a significant number of industrial brownfield sites and several inactive landfills. Land use patterns could be characterized by areas consisting of large tracts of underdeveloped parcels, abandoned dock lands, industrial properties, railroads, and various commercial uses located throughout and amid single family residential areas.

Currently the East End is entering in to an unprecedented time in its history. Perhaps the largest single investment, public or private is currently being made in the East End. METRO has broken ground on the Harrisburg light rail alignment. The light rail line will run from the Magnolia Transit Center into downtown Houston and link the East End into the City's light rail transit system. In the future, East End residents will be able to use the light rail to gain access other activity centers within greater the Houston region, conversely residents from other districts of the City will be able to travel to the East End and visit eateries, attend cultural events and tour its historic neighborhoods.

## **Reinvestment Zone Number Twenty Three, Harrisburg Zone:**

Reinvestment Zone Number Twenty Three, City of Houston, Texas, also known as the Harrisburg Tax Increment Reinvestment Zone (TIRZ) is a proposed public finance tool intended to encourage investment and stimulate commercial and residential development in the East End. Essential to making the rail successful will be having the pedestrian infrastructure in place for the riders as they are traveling to or from the rail. To achieve this in the East End significant investments in infrastructure are required. Tax increment financing provides a means to leverage the potential growth in the area to fund this investment. This was recognized by the Texas Legislature when it made the inclusion of land on which a transit rail system is being constructed a single, stand-alone condition for the creation of a tax increment reinvestment zone (ref. Texas Tax Code 311.005(a-1)). As will be addressed further in this Proposed East End Tax Increment Zone Project and Financing Plan, the proposed tax increment zone does include the Harrisburg Light Rail Line. Other conditions within the proposed TIRZ include additional necessary conditions required for the creation of a reinvestment zone (ref. Texas Tax Code 311.005(1)). These include, but are not limited to 311.005(1)(A) a substantial number of substandard, slum, deteriorated, or deteriorated structures; 311.005(1)(B) the predominance of defective or inadequate sidewalk or street layout; 311.005(1)(C) faulty lot layout in relation to size, adequacy, accessibility, or usefulness; 311.005(1)(D) unsanitary or unsafe conditions; 311.005(1)(E) the deterioration of site or other improvements; and 311.005(1)(H) conditions that endanger life or property by fire or other cause.

The following photographs are taken within the proposed boundaries of the TIRZ and document existing conditions (See Figures 1 thru 6).



Figure 1 (Left): Dilapidated structure, vicinity of Sampson and Harrisburg;  
Figure 2 (Right): Missing sidewalk at Harrisburg (future light rail alignment).



Figure 3 (Left): Vacant lot along Harrisburg adjacent to future light rail alignment.  
Figure 4 (Right): No sidewalks at Texas and Lockwood.



Figure 5 (Left): Illegal Dumping on North Velasco.  
Figure 6 (Right): Undeveloped parcel on North Velasco with Downtown skyline in background.

The Project and Reinvestment Zone Financing Plan will create an investment tool for new construction and the redevelopment of the area. The proposed TIRZ will help finance approximately \$128 million of improvements and services needed to support the repositioning and revitalization of the East End. Those improvements include:

- Design and construction of public utilities including water, wastewater and storm water systems;
- Design and construction of major and minor roadways and streets including improvements/enhancements;
- Cultural and Public Facility Improvements;
- Parks and Recreational Facilities;
- and Economic Development.

During its 30-year life, the TIRZ expenditures will be funded by tax increment funds, assuming a City tax rate of \$0.63875 per \$100 valuation and a participation rate of 100% for the first ten years of the Zone, 90 % for the subsequent ten years of the Zone, and a maximum of 80% for the remaining ten years of the 30 year term of the Zone. If the City later determines to issue bonds for the TIRZ, additional City Council approval will be necessary. New projected development opportunities will focus on, strengthening the character of residential and commercial properties, improve and diversify the housing product type offered in the area and increase the stability and desirability of the East End's neighborhoods.

**Project Plan:**

At approximately 1,600 acres, the proposed TIRZ is comprised of four principal areas:

- The Harrisburg Light Rail Corridor;
- A significant portion of the Second Ward centered around the Jensen/Navigation/Canal intersection stretching to the North York and North Sampson Couplet;
- Undeveloped/underdeveloped land immediately adjacent to the Buffalo Bayou; and
- Commercial/warehouse properties stretching from the Hughes Tool site east to the Gus Wortham Golf Course.

As shown in the Existing Land Use Map, uses with the proposed boundaries of the Zone are predominately commercial (31%), parks and open space (21%), vacant land (15%), and industrial (9%). Over the 30-year life of the TIRZ, it is anticipated that a significant amount of underdeveloped and vacant land will be developed into commercial or residential (single-family and multi-family) uses. Anticipated land uses are proposed to consist of parks and open space (28%), commercial (25%), mixed use development (15%), and public/institutional (10%).

The improvements proposed as the goals of the Harrisburg TIRZ 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, multi-family and commercial developments. Construction 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. Potential projects include public utility and roadway improvements along the METRO Harrisburg transit alignment and intersection reconfiguration and improvements on Navigation and Jenson. All roadway improvements will be integrated with the street reconstruction programs of the City of Houston, TxDOT, METRO and others as needed, and where possible include elements not included by those programs. Attention will be placed on the leveraging of TIRZ monies through the funding of elements not addressed by the CIP programs of sister agencies.

**Goal 2: Utilize the present street grid as a framework to create pedestrian-friendly safe environments through the reconstruction of streets and sidewalks, with ample lighting and streetscape amenities.**

Streetscape enhancements are required to create an environment that will help stimulate investment in retail, residential, and commercial developments. Enhanced streetscapes components will include: sidewalks, lighting, signage, street trees, landscaping, benches and other pedestrian amenities. The reconstruction of key streets and major thoroughfares will enhance the level of service in the area. The construction of sidewalk systems including ADA complaint ramps and other treatments will improve pedestrian safety, enhance the visual environment and provide connectivity and reinforce the existing community framework of small urban neighborhoods.

Goal 3: Complementing the revitalization activities proposed to occur along the METRO Harrisburg Mass Transit Alignment.

METRO funding of public transit systems along the Harrisburg alignment can be complemented by TIRZ activities including the funding of streetscapes, right-of-way acquisition, and related transit improvements. The METRO Harrisburg alignment includes proposed stations on York, Lockwood, Altic, Cesar Chavez, and Magnolia. Stations at these locations could spur redevelopment while benefiting existing businesses. According to the METRO Solutions Final Environmental Impact Statement, placement of new stations would likely result in “redevelopment of vacant parcels and intensification of land uses.” The placement of METRO transit stations in the East End will be of particular importance, economically speaking, both from the consumer and the merchant’s perspectives. The present development schedule for the Harrisburg line calls for construction completion by Fall of 2013.

Goal 4: Economic Development

With substantial amounts of vacant land within the TIRZ, in order to stimulate and accelerate redevelopment within the TIRZ, the TIRZ would seek to fund economic development programs that would directly incentivize private enterprise that affect the TIRZ and serve as a catalyst for other business developments. Examples of how the program would be used include funding for business development and retention, business loss mitigation, economic development grants to catalyze investments, such as Agreements under Chapter 380 of the Texas Local Government Code, and matching grants to provide leverage for other economic development funds, such as state enterprise projects, state economic development bank funds and new market tax credit allocations. In cases such as those described in this section, an appropriate economic development program would be proposed by the City and/or the TIRZ and approved by both the TIRZ and City Council.

Goal 5: The reinforcement of pedestrian-attractive retail developments and mix-density uses with other compatible uses and activities along the Harrisburg, Canal, Wayside, Lockwood, Navigation, and the York/Sampson Corridors.

The retention and expansion of retail and commercial developments along Harrisburg, Canal, Wayside, Lockwood, Navigation, and the York/Sampson is of key importance to the successful redevelopment of the area. The provision of base level retail functionality is essential to the continued expansion of residential projects in the area. In particular, it is envisioned to develop Harrisburg into a key arterial/town center, through the implementation of a program resulting in an enhanced pedestrian environment with an emphasis on parking, lighting, street trees; landscaping, wide sidewalks, public art and adequate pedestrian amenities.

Goal 6: Parks and Related Amenities.

The creation of pedestrian-friendly safe environments, public open green space, access and egress improvements, dedication of public benefit easements, pedestrian bridges and other enhancements.

Proposed redevelopment and upgrades to public green space with the boundaries of the Harrisburg TIRZ, parks, and other appropriate recreational facilities include acquisition of new parkland along Buffalo Bayou, improvements and upgrades to Guadalupe Park and the development of pocket parks in neighborhoods adjacent to the Canal and Harrisburg corridors.

Goal 7: Cultural, Public Facilities, Affordable Housing and Historic Preservation

Increasing cultural and public facilities as well as cultural arts centers such as the Talento Bilingue de Houston and museums, historic preservation efforts and affordable housing for East End residents and its workforce is an important public policy goal. TIRZ funds may be leveraged with private, public, and non-profit developers to integrate affordable housing initiatives into ongoing and proposed redevelopment projects within the TIRZ. Also anticipated are the acquisition and rehabilitation of historic structures through the preservation and restoration of historic structures in the area through acquisition/resale and/or rehabilitation of roofs and other structural elements. These projects collectively with improved infrastructure and new fire, police, library, public health facilities, and cultural/community centers will lead to improved security and enhance the quality of life for existing and new residents and businesses.

**Project Plan and Reinvestment Zone Financing Plan for the Zone.**

**A. Project Plan**

Existing and Proposed Uses of Land (Texas Tax Code §311.011(b)(1)): Map 1 reflects the existing land and proposed land uses within the boundaries of the TIRZ. The existing and proposed land uses include single-family residential, multi-family residential, commercial, office, industrial, public and institutional, transportation and utility, park and open spaces, undeveloped and agricultural production 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 Cost Items (Texas Tax Code §311.011(b)(3)): The non-project costs reflect in part costs that the Greater East End Management District is making both capital and operation and maintenance investments in the Zone. The District has an annual budget of approximately \$1.7 million and has received grants totaling over \$5 million to implement the East End Livable Centers Project. An estimated \$400 million will be spent by the Metropolitan Transit Authority on the Harrisburg/East End Light Rail Alignment. At a distance of approximately 3 miles, the new alignment will include 5 Transit Stations.

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) is a detailed listing of 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 cost are a function of project financing needs and will vary with market conditions, and thus may vary significantly from what is shown in on the Exhibit 1.

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 provided throughout the Plan.

Economic Feasibility (Texas Tax Code §311.011(c)(3)): Numerous economic feasibility studies have been completed for the area that includes the proposed TIRZ. These include the following:

- *Houston Neighborhood Market Drill Down*, Social Compact for the City of Houston et al, February 2002.
- *East Houston Sector Study*, City of Houston Planning and Development Department, April 2005;
- *Strategic Vision Project*, Greater East End Management District, September 2006;
- *Greater East End Guide to Developer and Business Incentives and Assistance*, Greater East End Management District, February 2007;

Collectively, these reports document the economic potential within the boundaries of the proposed TIRZ. Exhibit 2 and Exhibit 3 constitute revenue estimates for the Zone. The Project Plan estimate total project cost of \$128,908,488. The Zone and the City find and determine that the Plan is economically feasible.

Estimated Amount of Bond Indebtedness; Time When Related Costs or Monetary Obligations Incurred (Texas Tax Code §311.011(c)(4), §311.011(c)(5)): Notes or bonds may be issued by the proposed TIRZ. Future note and bond issues will occur as tax increment revenues allow. The value and timing of these future notes or bonds issues will correlate to debt capacity as derived from the revenue and project schedules attached herein, and by actual market conditions for the issue and sale of such notes and bonds. The TIRZ will explore other financing methods, as well, including developer agreement, financing and collaboration with other entities for grant funding and partnerships.

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. TY 2011 is the proposed base year for the Zone, TY 2040 is the scheduled termination date. As outlined in Exhibit 2 and Exhibit 3, the proposed base year will be TY 2011 and the scheduled terminate date will be TY 2040, using an estimated collection rate of 95%, and a City of Houston contribution of 100% of the TY 2011 tax rate of \$0.63875/\$100 of assessed valuation for the first ten years of the Zone , 90% for the subsequent ten years of the Zone, and a maximum of 80% for the remaining ten years of the 30 year term of the Zone, approximately \$72 million of increment is estimated to be generated by the TIRZ for use in funding Project Costs. The projected \$72 million in increment is deemed to be a conservative figure. Should other jurisdictions wish to participate, this Plan, will allow such participation now or at a later date. In accordance with the provisions of Texas Tax Code Chapter 311, if a jurisdiction wishes to participate in the Zone, its participation will be evidenced by an Interlocal Agreement with the City and the Zone stating the share of property taxes that will be deposited in the tax increment fund on an annual basis.

Current Total Appraised Value of Taxable Real Property (Texas Tax Code §311.011(c)(7)): The current total appraised value of taxable real property in the Zone is \$369,721,736.

Estimated Captured Appraised Value of Zone During Each Year of Existence (Texas Tax Code §311.011(c)(8)): The estimated captured appraised value of the Zone during each year of its 30-year duration is set forth in Exhibit 2.

Zone Duration (Texas Tax Code §311.011(c)(9)): The TIRZ analysis reflects a 30 year duration and will terminate on December 31, 2040, or on an earlier date as adopted by a subsequent City Council Ordinance, or when all project costs, tax increment bonds, and bond interest have been paid, and all contractual obligations completed.

## MAPS AND EXHIBITS



**City of Houston**  
**Existing & Proposed**  
**Landuse Map**  
**TIRZ #23 Map**

- Legend:**
- Harrisburg Boundary
  - Single-Family Residential
  - Multi-Family Residential
  - Commercial
  - Office
  - Industrial
  - Public & Institutional
  - Transportation & Utility
  - Park and Open Spaces
  - Undeveloped
  - Agriculture Production
  - Unknown
  - Water

Source: CHGIS Database  
 Date: January 2013  
 Reference: 010023



**PLANNING & DEVELOPMENT DEPARTMENT**

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Houston will not accept liability of any kind in conjunction with its use.

## Exhibit 1 – Estimated Project Costs

**Project Cost Amendments:** The following table includes the approved project cost.

|   | <b>Estimated Costs</b> |
|---|------------------------|
| <b><u>Infrastructure Improvements:</u></b>            |                        |
| <b>Public Utility Improvements</b>                    |                        |
| Public Utilities                                      | \$ 8,000,000           |
| <b>Total Public Utility Improvements</b>              | <b>\$ 8,000,000</b>    |
| <b>Roadway and Sidewalk Improvements</b>              |                        |
| Roadway, Streets, Sidewalks, Lighting, ROW Acquisiton | \$ 55,500,000          |
| Light Rail Underpass Infrastructure Improvements      | \$ 2,500,000           |
| <b>Total Roadway and Sidewalk Improvements</b>        | <b>\$ 58,000,000</b>   |
| <b>Total Infrastructure Improvements</b>              | <b>\$ 66,000,000</b>   |
| <b><u>Other Project Costs:</u></b>                    |                        |
| <b>Cultural and Public Facilities Costs</b>           |                        |
| Cultural and Public Facilities                        | \$ 20,000,000          |
| <b>Total Cultural and Public Facilities</b>           | <b>\$ 20,000,000</b>   |
| <b>Parks and Recreational Facilities</b>              |                        |
| Parks and Receational Faciities                       | \$ 15,300,000          |
| <b>Total Parks and Land Acquisition</b>               | <b>\$ 15,300,000</b>   |
| <b>Economic Development</b>                           |                        |
| Economic Development                                  | \$ 10,000,000          |
| <b>Total Land Acquisition</b>                         | <b>\$ 10,000,000</b>   |
| <b>Affordable Housing</b>                             |                        |
| Affordable Housing                                    | \$ 150,000             |
| <b>Total Affordable Housing Costs</b>                 | <b>\$ 150,000</b>      |
| <b>TIRZ Creation</b>                                  |                        |
| TIRZ Creation   | \$ 150,000             |
| <b>Total TIRZ Creation</b>                            | <b>\$ 150,000</b>      |
| <b>TIRZ Management</b>                                |                        |
| TIRZ Administration and Management                    | \$ 1,500,000           |
| <b>Total TIRZ Management</b>                          | <b>\$ 1,500,000</b>    |
| <b>Financing Costs</b>                                |                        |
| Financing Costs                                       | \$ 12,000,000          |
| <b>Total Financing Costs</b>                          | <b>\$ 12,000,000</b>   |
| <b>City Administration</b>                            |                        |
| City Administration Costs                             | \$ 3,808,488           |
| <b>Total Financing Costs</b>                          | <b>\$ 3,808,488</b>    |
| <b>Total Other Project Costs</b>                      | <b>\$ 62,908,488</b>   |
| <b>PROJECT PLAN TOTAL</b>                             | <b>\$ 128,908,488</b>  |

Exhibit 2 – Net Revenue Schedule

| Tax Year (1) | Increment Revenue |              | Net Revenue<br>(Increment Revenue<br>less Transfers) |
|--------------|-------------------|--------------|--|
|              | City              | Transfers    |  |
| 2011         | \$ -              | \$ -         | \$ -   |
| 2012         | \$ 112,176        | \$ 5,609     | \$ 106,567   |
| 2013         | \$ 290,642        | \$ 14,532    | \$ 276,110   |
| 2014         | \$ 538,712        | \$ 26,936    | \$ 511,777   |
| 2015         | \$ 799,186        | \$ 39,959    | \$ 759,227   |
| 2016         | \$ 1,072,684      | \$ 53,634    | \$ 1,019,050   |
| 2017         | \$ 1,359,857      | \$ 67,993    | \$ 1,291,864   |
| 2018         | \$ 1,661,388      | \$ 83,069    | \$ 1,578,318   |
| 2019         | \$ 1,977,996      | \$ 98,900    | \$ 1,879,096   |
| 2020         | \$ 2,310,434      | \$ 115,522   | \$ 2,194,912   |
| 2021         | \$ 2,284,318      | \$ 114,216   | \$ 2,170,102   |
| 2022         | \$ 2,499,492      | \$ 124,975   | \$ 2,374,518   |
| 2023         | \$ 2,725,425      | \$ 136,271   | \$ 2,589,154   |
| 2024         | \$ 2,962,655      | \$ 148,133   | \$ 2,814,522   |
| 2025         | \$ 3,211,746      | \$ 160,587   | \$ 3,051,159   |
| 2026         | \$ 3,473,291      | \$ 173,665   | \$ 3,299,627   |
| 2027         | \$ 3,747,914      | \$ 187,396   | \$ 3,560,519   |
| 2028         | \$ 4,036,268      | \$ 201,813   | \$ 3,834,455   |
| 2029         | \$ 4,339,040      | \$ 216,952   | \$ 4,122,088   |
| 2030         | \$ 4,656,950      | \$ 232,848   | \$ 4,424,103   |
| 2031         | \$ 4,436,228      | \$ 221,811   | \$ 4,214,416   |
| 2032         | \$ 4,747,780      | \$ 237,389   | \$ 4,510,391   |
| 2033         | \$ 5,074,910      | \$ 253,745   | \$ 4,821,164   |
| 2034         | \$ 5,418,396      | \$ 270,920   | \$ 5,147,476   |
| 2035         | \$ 5,779,056      | \$ 288,953   | \$ 5,490,103   |
| 2036         | \$ 6,157,750      | \$ 307,887   | \$ 5,849,862   |
| 2037         | \$ 6,555,378      | \$ 327,769   | \$ 6,227,609   |
| 2038         | \$ 6,972,888      | \$ 348,644   | \$ 6,624,243   |
| 2039         | \$ 7,411,273      | \$ 370,564   | \$ 7,040,709   |
| 2040         | \$ 7,871,577      | \$ 393,579   | \$ 7,477,998   |
|              | \$ 104,485,409    | \$ 5,224,270 | \$ 99,261,139  |

Notes:

- (1) Redevelopment Authority is scheduled to terminate in Tax Year 2040
- (2) Base Year is Tax Year 2011
- (3) Projected Value for Tax Years 2011 to 2020 increases at an annual average of 5.00% and for Tax Years 2021 to 2040 at an annual average of 5.00%
- (4) Collection Rate for Tax Years 2011 to 2040 at 95%
- (5) Contribution Rate for Tax Years 2011 to 2040 is 75%
- (6) Transfers is 5% of Increment Revenue

Exhibit 3 – Transfer Schedule

| Tax Year(1) | Base Value (2) | Projected Value (3) | Captured Appraised Value | Collection Rate (4) | Tax Rate | Gross Increment Revenue | Contribution Rate (5) | Increment Revenue | Transfers (6) | Net Revenue (Increment Revenue less Admin Fees) |
|-------------|----------------|---------------------|--------------------------|---------------------|----------|-------------------------|-----------------------|-------------------|---------------|---|
| 2011        | \$ 369,721,736 | \$ 369,721,736      | \$ -                     | 95.00%              | 0.63875  | \$ -                    | 100.00%               | \$ -              | \$ -          | \$ -  |
| 2012        | \$ 369,721,736 | \$ 386,207,823      | \$ 18,486,087            | 95.00%              | 0.63875  | \$ 112,176              | 100.00%               | \$ 112,176        | \$ 5,609      | \$ 106,567                                      |
| 2013        | \$ 369,721,736 | \$ 417,618,214      | \$ 47,896,478            | 95.00%              | 0.63875  | \$ 290,642              | 100.00%               | \$ 290,642        | \$ 14,532     | \$ 276,110                                      |
| 2014        | \$ 369,721,736 | \$ 458,499,125      | \$ 88,777,389            | 95.00%              | 0.63875  | \$ 538,712              | 100.00%               | \$ 538,712        | \$ 26,936     | \$ 511,777                                      |
| 2015        | \$ 369,721,736 | \$ 501,424,081      | \$ 131,702,345           | 95.00%              | 0.63875  | \$ 799,186              | 100.00%               | \$ 799,186        | \$ 39,959     | \$ 759,227                                      |
| 2016        | \$ 369,721,736 | \$ 546,495,285      | \$ 176,773,549           | 95.00%              | 0.63875  | \$ 1,072,684            | 100.00%               | \$ 1,072,684      | \$ 53,634     | \$ 1,019,050                                    |
| 2017        | \$ 369,721,736 | \$ 593,820,049      | \$ 224,098,313           | 95.00%              | 0.63875  | \$ 1,359,857            | 100.00%               | \$ 1,359,857      | \$ 67,993     | \$ 1,291,864                                    |
| 2018        | \$ 369,721,736 | \$ 643,511,052      | \$ 273,789,316           | 95.00%              | 0.63875  | \$ 1,661,388            | 100.00%               | \$ 1,661,388      | \$ 83,069     | \$ 1,578,318                                    |
| 2019        | \$ 369,721,736 | \$ 695,686,604      | \$ 325,964,868           | 95.00%              | 0.63875  | \$ 1,977,996            | 100.00%               | \$ 1,977,996      | \$ 98,900     | \$ 1,879,096                                    |
| 2020        | \$ 369,721,736 | \$ 750,470,934      | \$ 380,749,198           | 95.00%              | 0.63875  | \$ 2,310,434            | 100.00%               | \$ 2,310,434      | \$ 115,522    | \$ 2,194,912                                    |
| 2021        | \$ 369,721,736 | \$ 787,894,481      | \$ 418,272,745           | 95.00%              | 0.63875  | \$ 2,538,131            | 90.00%                | \$ 2,284,318      | \$ 114,216    | \$ 2,170,102                                    |
| 2022        | \$ 369,721,736 | \$ 827,394,205      | \$ 457,672,469           | 95.00%              | 0.63875  | \$ 2,777,214            | 90.00%                | \$ 2,499,492      | \$ 124,975    | \$ 2,374,518                                    |
| 2023        | \$ 369,721,736 | \$ 868,763,915      | \$ 499,042,179           | 95.00%              | 0.63875  | \$ 3,026,250            | 90.00%                | \$ 2,725,425      | \$ 136,271    | \$ 2,589,154                                    |
| 2024        | \$ 369,721,736 | \$ 912,202,111      | \$ 542,480,375           | 95.00%              | 0.63875  | \$ 3,291,839            | 90.00%                | \$ 2,962,655      | \$ 148,133    | \$ 2,814,522                                    |
| 2025        | \$ 369,721,736 | \$ 957,812,217      | \$ 588,090,481           | 95.00%              | 0.63875  | \$ 3,568,607            | 90.00%                | \$ 3,211,746      | \$ 160,587    | \$ 3,051,159                                    |
| 2026        | \$ 369,721,736 | \$ 1,005,702,828    | \$ 635,981,092           | 95.00%              | 0.63875  | \$ 3,859,219            | 90.00%                | \$ 3,473,291      | \$ 173,665    | \$ 3,299,627                                    |
| 2027        | \$ 369,721,736 | \$ 1,055,987,969    | \$ 686,266,233           | 95.00%              | 0.63875  | \$ 4,164,349            | 90.00%                | \$ 3,747,914      | \$ 187,396    | \$ 3,560,519                                    |
| 2028        | \$ 369,721,736 | \$ 1,108,787,367    | \$ 739,065,631           | 95.00%              | 0.63875  | \$ 4,484,743            | 90.00%                | \$ 4,036,268      | \$ 201,813    | \$ 3,834,455                                    |
| 2029        | \$ 369,721,736 | \$ 1,164,226,736    | \$ 794,505,000           | 95.00%              | 0.63875  | \$ 4,821,156            | 90.00%                | \$ 4,339,040      | \$ 216,952    | \$ 4,122,088                                    |
| 2030        | \$ 369,721,736 | \$ 1,222,438,073    | \$ 852,716,337           | 95.00%              | 0.63875  | \$ 5,174,389            | 90.00%                | \$ 4,656,950      | \$ 232,848    | \$ 4,424,103                                    |
| 2031        | \$ 369,721,736 | \$ 1,283,559,976    | \$ 913,838,240           | 95.00%              | 0.63875  | \$ 5,545,285            | 80.00%                | \$ 4,436,228      | \$ 221,811    | \$ 4,214,416                                    |
| 2032        | \$ 369,721,736 | \$ 1,347,737,975    | \$ 978,016,239           | 95.00%              | 0.63875  | \$ 5,934,725            | 80.00%                | \$ 4,747,780      | \$ 237,389    | \$ 4,510,391                                    |
| 2033        | \$ 369,721,736 | \$ 1,415,124,874    | \$ 1,045,403,138         | 95.00%              | 0.63875  | \$ 6,343,637            | 80.00%                | \$ 5,074,910      | \$ 253,745    | \$ 4,821,164                                    |
| 2034        | \$ 369,721,736 | \$ 1,485,881,117    | \$ 1,116,159,381         | 95.00%              | 0.63875  | \$ 6,772,995            | 80.00%                | \$ 5,418,396      | \$ 270,920    | \$ 5,147,476                                    |
| 2035        | \$ 369,721,736 | \$ 1,560,175,173    | \$ 1,190,453,437         | 95.00%              | 0.63875  | \$ 7,223,820            | 80.00%                | \$ 5,779,056      | \$ 288,953    | \$ 5,490,103                                    |
| 2036        | \$ 369,721,736 | \$ 1,638,183,932    | \$ 1,268,462,196         | 95.00%              | 0.63875  | \$ 7,697,187            | 80.00%                | \$ 6,157,750      | \$ 307,887    | \$ 5,849,862                                    |
| 2037        | \$ 369,721,736 | \$ 1,720,093,129    | \$ 1,350,371,393         | 95.00%              | 0.63875  | \$ 8,194,222            | 80.00%                | \$ 6,555,378      | \$ 327,769    | \$ 6,227,609                                    |
| 2038        | \$ 369,721,736 | \$ 1,806,097,785    | \$ 1,436,376,049         | 95.00%              | 0.63875  | \$ 8,716,109            | 80.00%                | \$ 6,972,888      | \$ 348,644    | \$ 6,624,243                                    |
| 2039        | \$ 369,721,736 | \$ 1,896,402,674    | \$ 1,526,680,938         | 95.00%              | 0.63875  | \$ 9,264,091            | 80.00%                | \$ 7,411,273      | \$ 370,564    | \$ 7,040,709                                    |
| 2040        | \$ 369,721,736 | \$ 1,991,222,808    | \$ 1,621,501,072         | 95.00%              | 0.63875  | \$ 9,839,471            | 80.00%                | \$ 7,871,577      | \$ 393,579    | \$ 7,477,998                                    |
|             |                |                     |                          |                     |          |                         |                       | \$ 104,485,409    | \$ 5,224,270  | \$ 99,261,139                                   |

Notes:

- (1) Redevelopment Authority is scheduled to terminate in Tax Year 2040
- (2) Base Year is Tax Year 2011
- (3) Projected Value for Tax Years 2011 to 2020 increases at an annual average of 8.19% and for Tax Years 2021 to 2040 at an annual average of 5.00%
- (4) Collection Rate for Tax Years 2011 to 2040 at 95%
- (5) Contribution Rate for Tax Years 2011 to 2040 is 75%
- (6) Transfers is 5% of Increment Revenue

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

|  |                   |                    |                               |
|--|-------------------|--------------------|-------------------------------|
| <b>SUBJECT:</b> An ordinance creating the Essential Public Health Services Fund and establishing the sources and uses of the funds therein to offset costs associated with the administration of Medicaid Transformation Waiver projects and to perform other essential public health services as defined in Chapter 121 of the Texas Health and Safety Code | <b>Category #</b> | <b>Page 1 of 3</b> | <b>Agenda Item #</b><br><br>9 |
|--|-------------------|--------------------|-------------------------------|

|   |                                     |                                   |
|---|-------------------------------------|-----------------------------------|
| <b>FROM (Department or other point of origin):</b><br>Stephen Williams, Director<br>Houston Department of Health and Human Services | <b>Origination Date</b><br>01/28/13 | <b>Agenda Date</b><br>FEB 06 2013 |
|---|-------------------------------------|-----------------------------------|

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| <b>DIRECTOR'S SIGNATURE:</b> <i>Stephen J. Williams</i> | <b>Council District affected:</b><br>ALL |
|---|--|

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| <b>For additional information contact:</b><br>Kathy Barton – 832-393-5006; 713-826-5801 | <b>Date and identification of prior authorizing Council action:</b> |
|---|---|

**RECOMMENDATION: (Summary)**

**Approval of an ordinance creating the Essential Public Health Services Fund and establishing the sources and uses of the funds therein to offset costs associated with the administration of Medicaid Transformation Waiver projects and to perform other essential public health services as defined in Chapter 121 of the Texas Health and Safety Code**

|   |                 |
|---|-----------------|
| <b>Amount of Funding:</b><br>Total Project Match from FY2013 - 2017: \$49,505,628<br>Total Anticipated Reimbursement to the City from FY2013 - 2017: \$117,870,542 (including 100% return of match) | <b>Finance:</b> |
|---|-----------------|

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

**SPECIFIC EXPLANATION:**

The Houston Department of Health and Human Services recommends City Council approval of an ordinance creating the Essential Public Health Services Fund. The Essential Public Health Services Fund is created for the purpose of offsetting costs associated with the administration of Medicaid Transformation Waiver projects and to perform other essential public health services as defined in Chapter 121 of the Texas Health and Safety Code. The special fund will capture the costs and reimbursement of the expenses for the projects listed below. The expected reimbursements are for costs that are incurred for the expansion of health and human services.

The Centers for Medicare and Medicaid Services (CMS) approved the Texas request for a new Medicaid demonstration waiver in accordance with section 1115 of the Social Security Act. The Waiver was approved through September 30, 2016. The Waiver allows the state to expand Medicaid managed care while preserving hospital funding and provides incentive payments for health care improvements. Participants who implement the projects will earn payments by meeting performance targets.

As a participant, the City of Houston submitted a plan that identifies projects to carry out if approved as well as the performance targets to be met semi-annually for each project. Once approved, the City will proceed with each project, meet the performance targets, report the progress and simultaneously request payment for reimbursement. CMS will review reports submitted by the City of Houston and reimburse the City of Houston an assigned value for the project based upon achievement of specific objectives. The assigned value includes 100% reimbursement of the program costs and the required 42% local match for the project. Final approval of the plans is expected by February 1, 2013.

REQUIRED AUTHORIZATION

|  |   |  |
|--|---|--|
| <b>Finance Director</b><br><i>Kelly Dune</i> | <b>Fire Chief</b><br><i>[Signature]</i> | <del><b>Chief of Police</b></del><br><i>[Signature]</i><br>Director, Houston Recovery Center |
|--|---|--|

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|------------------------------------|---|---|-------------------------------|
| <p><b>Date</b></p> <p>01/28/13</p> | <p><b>SUBJECT:</b> : An ordinance creating the Essential Public Health Services Fund and establishing the sources and uses of the funds therein to offset costs associated with the administration of Medicaid Transformation Waiver projects and to perform other essential public health services as defined in Chapter 121 of the Texas Health and Safety Code</p> | <p><b>Originator's Initials</b></p> <p>MA</p> | <p><b>Page</b><br/>2 of 3</p> |
|------------------------------------|---|---|-------------------------------|

**Houston Department of Health and Human Services Waiver Programs:**

**CareHouston Links** - CareHouston Links proposes to provide care coordination to reduce the frequency of non-urgent ambulance runs and ER visits and link 911 callers to appropriate primary and preventive care.

**Diabetes Awareness and Wellness Network (DAWN)** - This project would establish a comprehensive, community based Diabetes Wellness Center in an underserved community with high incidence of diabetes.

**Healthy Homes Fall Prevention (HHFP)** – This project proposes to utilize community health workers to provide essential education related to fall prevention and safety as critical components to the health and well-being of older adults (60+ years) in the community and prevent unnecessary ER usage for preventable falls in the home.

**HIV Service Linkage** - This program will expand navigation services to targeted HIV clients who are at high risk of disconnect from institutionalized health care.

**Oral Health for the Underserved** – This program proposes to expand diagnostic and preventive oral health services for perinatal and safety net eligible persons, expand Project Saving Smiles and link more patients to a dental home.

**The Tuberculosis Rapid Identification, Treatment and Recovery Project** – This project proposes to utilize three modalities of testing and treatment to reduce tuberculosis in Houston.

**Nurse Family Partnership** - This project will expand the Nurse Family Partnership (NFP), an evidence-based home visitation program, for first-time mothers. NFP utilizes Bachelor prepared, Registered Nurses to conduct home visits to address multiple needs of their clients.

**Integrated Services for Homeless** - This project will create an integrated system of care to house and provide supportive services to homeless individuals for improved health and social outcomes.

**The Colorectal Cancer Awareness and Screening (COCAS) Project** – This project aims to increase colorectal cancer screening rates by 5% over baseline in previously identified high risk zip codes among 50-75 year old males and females and alleviate health disparities in colorectal cancer outcomes.

**Geriatric Oral Health** – This project will improve oral health by providing diagnostic, preventive, restorative, and surgical oral health services for at risk seniors and to provide training to the next public health dental workforce.

**Care Transitions Expansion** – The expansion of this program will improve transitions of patients with heart failure conditions from the inpatient hospital setting to other care settings, improve quality of care and reduce avoidable hospital readmissions.

**Houston Fire Department Program:**

**Telemedicine** – This project proposes to make use of telecommunication technologies to triage patients with non-life threatening, mild or moderate illnesses via telemedicine with an emergency physician at the City of Houston EMS base station. The physician will determine the most appropriate next step for the patient.

**Houston Police Department Program:**

**The Sobering Center** – This will establish is a short-term care facility designed as a safe location for police officers to transport individuals who are under the influence or alcohol or other substances. The Sobering Center will monitor the residents for safety and will be medically supervised.

| Category   | Fund Type    | Type        | Amount              |                     | Total                |
|--|--------------|-------------|---------------------|---------------------|----------------------|
|  |              |             | FY13                | FY14-17             |                      |
| 42% match to state                                 | General Fund | Expenditure | \$11,593,773        | \$37,911,855        | \$49,505,628         |
| Reimbursement from State (42%)                     |              | Revenue     | \$11,593,773        | \$37,911,855        | \$49,505,628         |
| Reimbursement from State (58%)                     | Special Fund | Revenue     | \$16,010,448        | \$52,354,466        | \$68,364,914         |
| Operation Cost                                     |              | Expenditure | \$16,010,448        | \$52,354,466        | \$68,364,914         |
| <b>Total Reimbursement from State (100% match)</b> |              |             | <b>\$27,604,221</b> | <b>\$90,266,321</b> | <b>\$117,870,542</b> |

cc: Finance  
Legal Department  
Agenda Director

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

|  |                   |                       |                                |
|--|-------------------|-----------------------|--------------------------------|
| <b>SUBJECT:</b> An ordinance authorizing an Interlocal Agreement between the City of Houston and Harris County on behalf of Harris County Protective Services for Children and Adults for Kashmere School-based Wraparound Project | <b>Category #</b> | <b>Page</b><br>1 of 1 | <b>Agenda Item #</b><br><br>10 |
|--|-------------------|-----------------------|--------------------------------|

|  |                                       |                                    |
|--|---------------------------------------|------------------------------------|
| <b>FROM (Department or other point of origin):</b><br>Stephen L. Williams, M.Ed., M.P.A.<br>Director-Houston Department of Health and Human Services | <b>Origination Date</b><br>01/24/2013 | <b>Agenda Date</b><br>FEB 0 6 2013 |
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| <b>DIRECTOR'S SIGNATURE:</b><br><i>Clay</i> <i>Clayna Parza Ridge for SLW</i> | <b>Council District affected:</b><br>ALL |
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| <b>For additional information contact:</b> Kathy Barton<br>Telephone: 832-393-5045 ; 713-826-5801 | <b>Date and identification of prior authorizing Council action:</b> 10/18/05; 2005-1155; 05/27/2009; 2009-0346 |
|---|--|

**RECOMMENDATION:** An ordinance authorizing an Interlocal Agreement between the City of Houston and Harris County on behalf of Harris County Protective Services for Children and Adults for Kashmere School-based Wraparound Project

|   |                           |
|---|---------------------------|
| <b>Amount of Funding:</b> \$60,000.00 - Revenue | <b>Finance Department</b> |
|---|---------------------------|

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

**SPECIFIC EXPLANATION:** The Houston Department of Health and Human Services (HDHHS) requests City Council approval and authorization of an Interlocal Agreement between the City of Houston and Harris County on behalf of Harris County Protective Services for Children and Adults for Kashmere School-based Wraparound Project (SWAP). The agreement is for a term of one year effective on the date of countersignature with two one year mutually agreed upon renewals.

Kashmere SWAP is a three-year project funded by the Hogg Foundation for Mental Health to develop a continuum of mental health services for students and families in the Kashmere and Trinity Gardens areas of Houston, Texas. The Kashmere SWAP is managed and implemented through Harris County Protective Services for Children and Adults, and is funded by the Hogg Foundation for a fourth year. The Year 4 Kashmere SWAP goals include continuing to improve the well-being of youth in the Kashmere/Trinity Gardens community by providing a sustainable continuum of mental health services in partnership with the area's schools. The mental health continuum includes school-based assessments, support with basic needs, individual and family counseling, wraparound services and community referrals.

HDHHS will 1) provide program evaluation services, 2) direct current methods for collecting empirical and anecdotal data to tell the Kashmere SWAP story and develop enhanced methods for data collection to be used to identify and attract additional partners and local funding sources for the continuation of the project, 3) provide staff support and materials to assist with planning meetings; preparation and printing of reports.

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the department is utilizing an Interlocal Purchasing Agreement for this purchase.

cc: Finance Department  
Legal Department  
Agenda Director

**REQUIRED AUTHORIZATION**

|                           |                             |                             |
|---------------------------|-----------------------------|-----------------------------|
| <b>Finance Department</b> | <b>Other Authorization:</b> | <b>Other Authorization:</b> |
|---------------------------|-----------------------------|-----------------------------|

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**Subject:** Ordinance authorizing application and receipt of grant from Texas Parks and Wildlife Department Recreational Trails Grant Program

Category #

Page  
1 of 1

Agenda Item:  
*11*

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

Houston Parks and Recreation Department

**Origination Date:**

January 29, 2013

**Agenda Date:**

FEB 06 2013

**DIRECTOR'S SIGNATURE:**

*Handwritten signature of Joe Turner*

Joe Turner, Director

**Council District(s) Affected:** B

**For additional information contact:**

Luci Correa (832) 395-7057

**Date and identification of prior authorizing Council Action:** Not applicable

**RECOMMENDATION (summary):**

The Houston Parks and Recreation Department (HPARD) recommends City Council approve an Ordinance authorizing the Director to apply for and receive a grant from the Texas Parks and Wildlife Department Recreational Trails Grant Program for a trail project at Brewster Park.

**Amount and Source of Funding:**

\$200,000 Texas Parks and Wildlife Department - Recreation Grants Branch Grant  
\$ 91,510 Parks Consolidated Construction Fund 4502 (to be appropriated at a later time)

**Finance Budget:**

**SPECIFIC EXPLANATION:**

The Parks and Recreation Department (HPARD) recommends City Council approve an Ordinance authorizing the Director to apply for and receive a reimbursable grant from the Texas Parks and Wildlife Department Recreational Trails Grant Program for a trail project at Brewster Park, 1800 Des Chaumes Street.

The total estimated cost of the project is \$291,510. HPARD is requesting the maximum grant award amount of \$200,000 or 69% of the total project cost and will exceed the required minimum 20% match by funding 31% or \$91,510 of the total project cost. HPARD has budgeted Parks Consolidated Construction Funds in order to meet the cash match but will return to Council for authorization to appropriate those funds if the grant is awarded.

Brewster Park is a 5.5-acre neighborhood park in Greater Fifth Ward Super Neighborhood. The project includes construction of 2,000 feet of new trail which will be designed to include a 1/3 mile loop within the park for walkers and runners. The new trail construction is 8-foot wide and built with reinforced concrete. The project scope includes trailside amenities such as benches and picnic tables with concrete pads, trail distance markers, turf, native trees, and irrigation. The trail is an addition to existing park amenities that include a baseball field, covered basketball court, and parking. A new playground is also planned for the park as part of a separate project. This new trail creates a safe outdoor recreation area for exercising, enjoying the outdoors and connecting the neighborhood to other amenities available within Brewster Park.

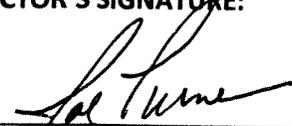
**REQUIRED AUTHORIZATION**

Finance Director:

Other Authorization:

Other Authorization:

**REQUEST FOR COUNCIL ACTION**

|  |  |  |                                    |
|--|--|--|------------------------------------|
| <b>TO:</b> Mayor via City Secretary  |  |  |                                    |
| <b>SUBJECT:</b> Ordinance accepting artworks in Market Square Park into the City Art Collection  |  | Category #   | Page 1 of 1                        |
|  |  |  | 12                                 |
| <b>FROM (Department or other point of origin):</b><br>Houston Parks and Recreation Department  |  | <b>Origination Date:</b><br>January 30, 2013                           | <b>Agenda Date:</b><br>FEB 06 2013 |
| <b>DIRECTOR'S SIGNATURE:</b><br><br><br>Joe Turner, Director  |  | <b>Council District(s) affected:</b> 1                                 |                                    |
| <b>For additional information contact:</b>   | Luci Correa, 832-395-7057<br>Minnette Boesel, 832-393-1097 | <b>Date and Identification of prior authorizing Council Action:</b> NA |                                    |
| <b>RECOMMENDATION (Summary):</b> Adopt Ordinance approving the acceptance of artworks created for the renovated Market Square Park into the city Art collection.   |  |  |                                    |
| <b>Amount and Source of Funding:</b> No funding required   |  |  | <b>Finance Budget:</b>             |
| <b>SPECIFIC EXPLANATION:</b>   |  |  |                                    |
| <p>The renovation of historic Market Square Park in downtown was completed in the fall of 2010. The project was funded by the Downtown Redevelopment Authority/TIRZ #3 and a private donation. A number of the park's existing artworks, already in the City Artwork Collection, remained, and several new artworks were commissioned through the Houston Arts Alliance and Houston Downtown Management District (HDMD). HDMD manages and maintains the park through an interlocal agreement but is not responsible for the care of the artworks in the park. City Council acceptance of artworks into the City Artwork Collection is required before the City can expend Civic Art funds for conservation, if needed. The following new artworks are proposed to be accepted into the City Artwork Collection:</p> <ol style="list-style-type: none"> <li>1. <i>Untitled, 2010</i> by Kertia Bastian Scott. 3 bronze silicon sculptural pieces including tendril set in granite/paving. Commissioned by the Houston Downtown Management District through the Houston Arts Alliance with funding from the Lauren Catuzzi Grandcolas Foundation.</li> <li>2. <i>Market Square Park Artwalk and Dogrun Reveal, 2010</i> by Richard Turner. Salvaged masonry fragments. Commissioned for the City of Houston by the Houston Downtown Management District through the Houston Arts Alliance.</li> <li>3. <i>Doing Time In Houston, 2010</i> by Paul Hester. The artwork is 86.5" x 25. 5" x 1.5" of porcelain enamel on steel panel commissioned for the City of Houston by the Houston Downtown Management District through the Houston Arts Alliance. The panel is set into a granite column that is not part of the artwork.</li> <li>4. <i>Double Skylines, 2010</i> by Paul Hester. Powder-coated plate steel. 84 in. x 240 in. x 6 in. Commissioned for the City of Houston by the Houston Downtown Management District through the Houston Arts Alliance.</li> <li>5. Bronze bust of Lauren Catuzzi Grancolas by Sharon Conally Ammann. Bronze. A gift from the artist and Catuzzi family.</li> </ol> |  |  |                                    |
| <b>Finance Director:</b>   | <b>Other Authorization:</b>                                | <b>Other Authorization:</b>  |                                    |

**EXHIBIT "A"**  
**MARKET SQUARE PARK ARTWORK**  
**Submitted for Accessioning - 2012**



*Untitled by Ketría Bastian Scott*

Scott's three cast-bronze elements are made up of two vine-like tendrils that seem to grow from the fountain in Lauren's Garden and appear to be eternally reaching towards each other and a young tendril with a new leaf emerging. A third bronze tendril is inlaid into the granite disk in front of the fountain.

**EXHIBIT "A"**  
**MARKET SQUARE PARK ARTWORK**  
**Submitted for Accessioning - 2012**



*Market Square Park Artwalk by Richard Turner*



*Dogrun Reveal by Richard Turner*

Richard Turner repurposed obscure architectural fragments, including objects from demolished downtown buildings. You can see the majority of the pieces along the 350' curved Artwalk and on the wall next to the dog run in what is referred to as the History Walk.

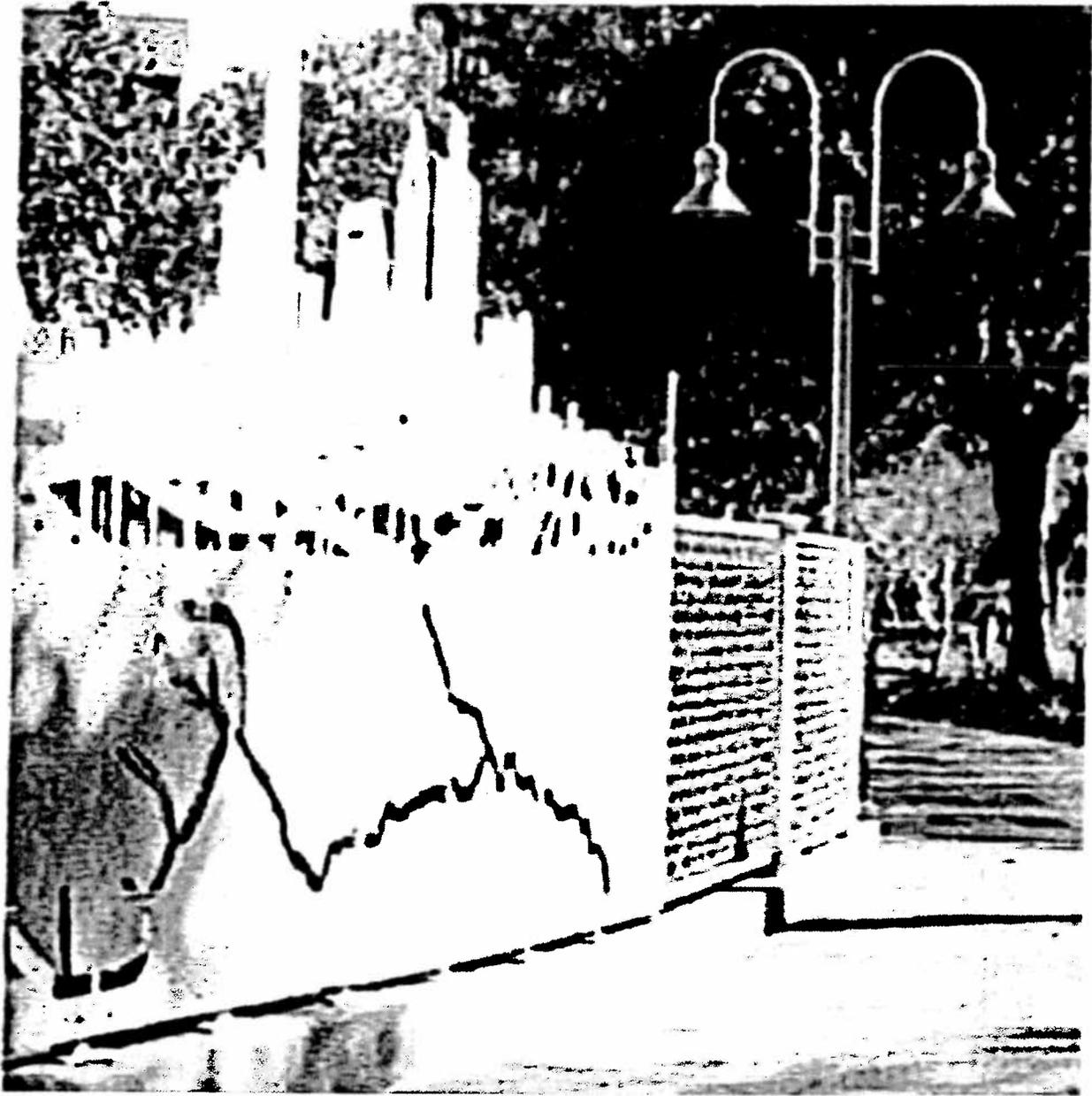
**EXHIBIT "A"**  
**MARKET SQUARE PARK ARTWORK**  
**Submitted for Accessioning - 2012**



*Doing Time in Houston* by Paul Hester

Artwork is 86.5" x 25. 5" x 1.5" of porcelain enamel on steel panel set into a granite column. The panel tells a vivid story of the site from 1873 to 2009.

EXHIBIT "A"  
MARKET SQUARE PARK ARTWORK  
Submitted for Accessioning - 2012



*Double Skylines* by Paul Hester

*Double Skylines* is a 7 x 12" powder coated steel sculptural panel juxtaposing Houston contemporary and historic skyline images above a map of Buffalo Bayou, the waterway on which Houston was founded.

**EXHIBIT "A"**  
**MARKET SQUARE PARK ARTWORK**  
**Submitted for Accessioning - 2012**



Bronze bust of Lauren Catuzzi Grancolas by Sharon Conally Ammann

Lauren Catuzzi Grancolas, a native Houstonian, was the victim of a terrorist attack on United Airlines Flight No. 93 on September 11, 2001. The bust is located in *Lauren's Garden*, designed in her memory and dedicated to all victims of the 9/11 attacks. The three granite walls in the fountain represent the three crash sites: New York, Washington DC, and Pennsylvania. The park designer incorporated works by two Texas artists in this memoriam.

**EXHIBIT "A"**  
**MARKET SQUARE PARK ARTWORK**  
**Submitted for Accessioning - 2012**

**ARTISTS BIOGRAPHIES**

**KETRIA BASTIAN SCOTT**

Houston sculptor Ketría Scott is largely self-taught in her discipline. She graduated from Stephen F. Austin State University in 1989 without taking a single sculpture class until enrolling in 3D design during her final semester, sparking what would become a lifelong passion.

After graduation, Scott took a job working in the non-profit sector as an administrator. She was able to use her sculpturing skills to repurpose toys for children with cerebral palsy. Although happy working for non-profits, Scott's calling remained art. She met Jim Neikirk who owned an ornamental ironworks shop and volunteered at the Orange Show. Neikirk taught her how to weld, and a new career path was forged.

Scott currently works at the Ken King Foundry, crafting bronze work of local and national sculptors on projects ranging in scale from the intimate to the monumental. She has advanced skills and experience in mold making, welding and metal fabrication. Her work at Ken King includes a large contemporary sculpture for the Guggenheim in New York, and a planter series for the Museum of Fine Arts Houston.

**RICHARD TURNER**

Richard Turner is co-director of the Guggenheim Gallery at Chapman University in Orange, California where he also teaches sculpture, design and Asian art history.

Turner has been an active public artist since 1980, working individually and with design teams on projects ranging from police stations to waste water treatment plants, public parks to light rail. His team's work for Portland Oregon's light rail stations won a Presidential Award in 2001. His work is currently on display in Houston, Los Angeles, San Diego, Anaheim, Seattle and Portland.

Turner received his B.A. from Antioch College in Yellow Springs, Ohio and his M.F.A from the University of Michigan in Ann Arbor. He has also studied in Taiwan and in India as a Fulbright Scholar. Turner resides in the city of Orange, California.

**PAUL HESTER**

Photographer Paul Hester earned a B.A. from Rice University in 1971 and an M.F.A. from the Rhode Island School of Design in 1976. He was the founding president of the Houston Center for Photography in 1982.

Hester has been teaching a beginning photography course in the Department of Visual Arts at Rice University since 2003. He is also an architectural photographer for the Rice Design Alliance's Cite magazine. He owns and operates Hester + Hardaway – a photography company – with his creative partner, Lisa Hardaway.

Hester's work has been exhibited at The Menil Collection, Rice University, The University of Houston College of Architecture, Williams Tower, and The Houston Public Library in addition to an extensive list of books and magazines. His work can also be found among the collections of the Museum of Fine Arts Houston and the National Museum of American art in Washington, DC.

**EXHIBIT "A"**  
**MARKET SQUARE PARK ARTWORK**  
**Submitted for Accessioning - 2012**

**SHARON CONNALLY AMMANN**

Sharon Connally Ammann is the daughter of late Governor and Mrs. John B. Connally, and has been an active artist for the past 20 years. Born in Austin, Texas, she attended The University of Texas but never sculpted before her father died. She did a bronze bust of him for her mother's birthday, and that was the catalyst in turning a hobby into a profession. All of her work is by commission. In addition to a 7' statue of her father, which stands in Connally Plaza of Heritage Park in downtown Houston (1994) and a bronze bust of Lauren Catuzzi Grancolas (2010) in Market Square Park, Houston, other works include life-size statues of Bob Bullock, a former Texas Lieutenant Governor (2002) and The Student (1996) installed at UT Austin.

|  |  |                       |                          |
|--|--|-----------------------|--------------------------|
| <b>SUBJECT:</b> Approve Two Professional Weatherization Home Inspection Contracts for the Residential Energy Efficiency Program (REEP) |  | <b>Page</b><br>1 of 2 | <b>Agenda Item</b><br>13 |
|--|--|-----------------------|--------------------------|

|   |                                    |                                   |
|---|------------------------------------|-----------------------------------|
| <b>FROM (Department or other point of origin):</b><br>General Services Department | <b>Origination Date</b><br>1/31/13 | <b>Agenda Date</b><br>FEB 06 2013 |
|---|------------------------------------|-----------------------------------|

|   |   |
|---|---|
| <b>DIRECTOR'S SIGNATURE</b><br>Scott Minnix <i>Scott Minnix 1129/13</i> | <b>Council District(s) affected:</b><br>All |
|---|---|

|   |   |
|---|---|
| <b>For additional information contact:</b><br>Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023 | <b>Date and identification of prior authorizing Council action:</b> |
|---|---|

**RECOMMENDATION:** Approving and authorizing two Professional Weatherization Home Inspection Contracts for the REEP with Your Home Check, L.P., and HolSton Inspection Inc., and setting a maximum contract amount of \$75,000 for each contract.

|  |                        |
|--|------------------------|
| <b>Amount and Source of Funding:</b><br>Maximum Contract Amount for each contract: \$75,000.00 – 1 year REEP Fund (2007) | <b>Finance Budget:</b> |
|--|------------------------|

**SPECIFIC EXPLANATION:** In early 2008, the City partnered with CenterPoint Energy, through CenterPoint's Agencies in Action (AIA) Program, to assist in the City's REEP. The REEP assists low-income residents in lowering their energy consumption and utility bills by installing energy efficiency improvements in their homes; thereby making their housing more affordable. The AIA Program targets households with an annual household income at or below 200% of the federal poverty line. CenterPoint has continued to fund the REEP on an annual basis. Recently, CenterPoint allocated \$2.3MM to the City to continue the REEP through 2013, and will reimburse the City up to \$6,500 per home.

The proposed contractors will perform initial and post-weatherization inspections through work orders issued under the contract and will be paid on a per unit basis. The scope of services consists of an initial assessment process known as NEAT (National Energy Audit Tool). The NEAT process will include a comprehensive assessment of each unit, including but not limited to the existing building envelope, insulation, HVAC and lighting to evaluate the units for weatherization, and post-inspection of the installed energy efficiency improvements prior to payment of a REEP contractor.

Therefore, the General Services Department recommends that City Council approve two Professional Weatherization Home Inspection Contracts for the REEP with Your Home Check, L.P., and HolSton Inspection Inc. to perform initial and post-inspection weatherization services in accordance with the CenterPoint AIA Program. Each contract term is one-year with a one-year renewal option.

**PROJECT LOCATIONS:** Citywide

**REQUIRED AUTHORIZATION** CUIC ID 25MSCL107

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

|              |   |                                    |                       |
|--------------|---|------------------------------------|-----------------------|
| <b>Date:</b> | <b>SUBJECT</b> Approve Two Professional Weatherization Home Inspection Contracts for the Residential Energy Efficiency Program (REEP) | <b>Originator's Initials</b><br>HB | <b>Page</b><br>2 of 2 |
|--------------|---|------------------------------------|-----------------------|

**M/WBE PARTICIPATION:** A 24% M/WBE goal has been established for each contract. Each contractor has submitted the following certified firm to achieve the goal:

| <b>Contractor</b>              | <b>Subcontractor</b>    | <b>Work Description</b>     | <b>DBE/SBE</b> | <b>% of Contract</b> |
|--------------------------------|-------------------------|-----------------------------|----------------|----------------------|
| <b>Your Home Check, L.P.</b>   | The Gaia Group Inc.     | Weatherization              | D/M/SBE        | 24%                  |
| <b>HolSton Inspection Inc.</b> | First Class Inspections | Inspection / Weatherization | D/M/SBE        | 24%                  |

**HIRE HOUSTON FIRST:** The proposed contracts require compliance with the City's 'Hire Houston First' Ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed contractors meet the requirements of Hire Houston First.

SM:JLN:HB:jw  
c: Scott Minnix, Marta Crinejo, Jacquelyn L. Nisby, File

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| <b>SUBJECT:</b> Award four Job Order Contracts for the Residential Energy Efficiency Program (REEP)   |  | <b>Page</b><br>1 of 2   | <b>Agenda Item</b><br>14          |
| <b>FROM (Department or other point of origin):</b><br>General Services Department   |  | <b>Origination Date</b><br>1/31/13                                  | <b>Agenda Date</b><br>FEB 06 2013 |
| <b>DIRECTOR'S SIGNATURE</b><br>Scott Minnix <i>Scott Minnix</i> 1/16/13   |  | <b>Council District(s) affected:</b><br>All                         |                                   |
| <b>For additional information contact:</b><br>Jacquelyn L. Nisby Phone: 832-393-8023  |  | <b>Date and identification of prior authorizing Council action:</b> |                                   |
| <b>RECOMMENDATION:</b> Award Job Order Contracts for the Residential Energy Efficiency Program (REEP) to Horizon Group International, LLC; Brown Sterling Builders, Inc.; Payless Insulation Inc.; and PMG Project Management Group, LLC., and setting a maximum contract amount of \$600,000 for each contract.  |  |   |                                   |
| <b>Amount and Source of Funding:</b><br>Maximum Contract Amount for each contract: \$600,000.00 – 1 year REEP Fund (2007)   |  | <b>Finance Budget:</b>  |                                   |
| <p><b>SPECIFIC EXPLANATION:</b> The General Services Department (GSD) recommends that City Council award Job Order Contracts to Horizon Group International, LLC; Brown Sterling Builders, Inc.; Payless Insulation Inc.; and PMG Project Management Group, LLC to install energy efficiency improvements in low-income residential homes participating in the City's Residential Energy Efficiency Program(REEP). Each contract term is one-year with a one-year renewal option.</p> <p><b>BACKGROUND:</b> In early 2008, the City partnered with CenterPoint Energy, through CenterPoint's Agencies in Action (AIA) Program, to assist in the City's REEP, which assists low-income residents in lowering their energy consumption and utility bills by installing energy efficiency improvements in their homes; thereby making their housing more affordable. The program targets households with an annual household income at or below 200% of the federal poverty line. CenterPoint has continued to fund the REEP on an annual basis. To date, under the AIA Program, the City has weatherized 1,500 units. In 2009, the City secured an ARRA grant from the Department of Energy in the amount of \$23,571,279 to provide additional weatherization improvements. The City expended the ARRA funds by March 2012 and provided weatherization improvements to 7100 units. It is estimated that these weatherization improvements save residents 15-20% on their energy bills.</p> <p>Under CenterPoint's AIA Program, it has currently allocated \$2.3MM to the City to continue the REEP through 2013, and will reimburse the City up to \$6,500 per home. The scope of work consists of installing energy efficiency measures in eligible homes based on Home Energy Rating standards including weather-stripping to exterior doors, attic insulation, caulking windows, insulating water heaters, replacing light bulbs with compact fluorescent lamps, and installing energy efficient refrigerators and room air conditioning units</p> <p><b>SELECTION PROCESS:</b> On September 12, 2012 and September 19, 2012, GSD advertised a Request for Proposals (RFP) for a Job Order Contract for the REEP. The RFP contained selection criteria that ranked respondents on experience, bonding capacity, references, project management plan, years in business, claims history, and Hire Houston First status. The proposals were due on November 1, 2012, and nine firms responded. GSD evaluated the proposals and Horizon Group International, LLC; Brown Sterling Builders, Inc.; Payless Insulation Inc.; and PMG Project Management Group, LLC received the most points based on the advertised criteria.</p> |  |   |                                   |
| <b>REQUIRED AUTHORIZATION</b>   |  | CUIC ID 25MSCL107   |                                   |
| <b>General Services Department:</b><br><i>H. Bautista</i><br>Humberto Bautista, P.E.<br>Assistant Director  |  |   |                                   |

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|--------------|---|--|-----------------------|
| <b>Date:</b> | <b>SUBJECT:</b> Award four Job Order Contracts for the Residential Energy Efficiency Program (REEP) | <b>Originator's<br/>Initials</b><br>HB | <b>Page</b><br>2 of 2 |
|--------------|---|--|-----------------------|

**PROJECT LOCATIONS:** Citywide

**PAY OR PLAY PROGRAM:** The proposed contracts require compliance with the City's 'Pay or Play' Ordinance regarding health benefits for employees of City contractors. In this case, Horizon Group International, LLC and PMG Project Management Group, LLC. have elected to provide health benefits to eligible employees in compliance with City policy; Brown Sterling Builders, Inc., and Payless Insulation Inc. have elected to pay into the Contractor Responsibility Fund in compliance with City policy.

**HIRE HOUSTON FIRST:** The proposed contracts require compliance with the City's 'Hire Houston First' Ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case the proposed contractors meet the requirements of Hire Houston First.

SM:JLN:HB:JW

c: Scott Minnix, Marta Crinejo, Jacquelyn L. Nisby, File

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

|  |                       |   |
|--|-----------------------|---|
| <b>SUBJECT:</b> Award Construction Contract<br>Inland Environments, Ltd.<br>Asbestos/Lead Abatement and Demolition at Department of Public Works & Engineering Water Plants<br>WBS No. S-000536-0010-4 | <b>Page</b><br>1 of 3 | <b>Agenda Item</b><br> |
|--|-----------------------|---|

|   |                                    |                                   |
|---|------------------------------------|-----------------------------------|
| <b>FROM (Department or other point of origin):</b><br>General Services Department | <b>Origination Date</b><br>1/31/13 | <b>Agenda Date</b><br>FEB 06 2013 |
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| <b>DIRECTOR'S SIGNATURE:</b><br>Scott Minnix <i>Scott Minnix 1/9/13</i> | <b>Council Districts affected:</b><br>A, B, C, D, E, H, I, J |
|---|--|

|   |   |
|---|---|
| <b>For additional information contact:</b><br>Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023 | <b>Date and identification of prior authorizing Council action:</b> |
|---|---|

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

|   |                        |
|---|------------------------|
| <b>Amount and Source of Funding:</b><br>\$221,636.60 PWE – W & S System Consolidated Construction Fund (8500) <i>U.P. 1/25/2013</i> | <b>Finance Budget:</b> |
|---|------------------------|

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council award a construction contract to Inland Environments, Ltd. on the low bid amount of \$172,800.00 for asbestos/lead abatement and demolition at closed water plants and off-site wells for the Department of Public Works & Engineering.

**PROJECT LOCATIONS:** Citywide – Please see attached list.

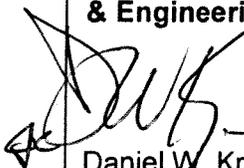
**PROJECT DESCRIPTION:** The scope of work consists of asbestos/lead abatement, demolition and disposal of water tanks and off-site wells, buildings, booster pumps, electrical equipment, splash boxes, pipe support and all concrete foundations. The work also includes disposal of contaminated soil, backfilling and restoring the sites in their original or better condition after completion of work.

The contract duration for this project is 240 calendar days.

**BIDS:** The following four bids were received on November 2, 2012:

|    | <u>Bidder</u>                  | <u>Bid Amount</u> |
|----|--------------------------------|-------------------|
| 1. | Inland Environments, Ltd.      | \$172,800.00      |
| 2. | AAR Incorporated               | \$317,550.00      |
| 3. | Cherry Demolition Company      | \$378,200.00      |
| 4. | Basic Environmental Group, LLC | \$977,695.80      |

**REQUIRED AUTHORIZATION** NOT CUIC ID #25GM278

|  |  |
|--|--|
| <b>General Services Department:</b><br><br>Humberto Bautista, P.E.<br>Assistant Director | <b>Department of Public Works &amp; Engineering:</b><br><br>Daniel W. Krueger, P.E.<br>Director |
|--|--|

|             |   |  |                           |
|-------------|---|--|---------------------------|
| <b>Date</b> | <b>SUBJECT:</b> Award Construction Contract<br>Inland Environments, Ltd.<br>Asbestos/Lead Abatement and Demolition at Department<br>of Public Works & Engineering Water Plants<br>WBS No. S-000536-0010-4 | <b>Originator's<br/>Initials</b><br><br>GM | <b>Page</b><br><br>2 of 3 |
|-------------|---|--|---------------------------|

Bids were obtained from the list of pre-qualified asbestos/lead abatement contractors to act as the general contractor for the project. All pre-qualified asbestos/lead abatement contractors were notified of the request for bids on this project. The City Legal Department has previously determined that formal bids are not required when the pre-qualified asbestos/lead abatement contractors' list is utilized and all contractors on the list are notified of the bid request.

**AWARD:** It is recommended that City Council award the construction contract to Inland Environments, Ltd. and appropriate funds for the project, including an additional appropriation of \$31,556.60 for project management and construction oversight services under the existing contract with Environmental Solutions, Inc.

**FUNDING SUMMARY:**

|                      |  |
|----------------------|--|
| \$ 172,800.00        | Construction Contract Services                 |
| \$ 17,280.00         | 10% Contingency                                |
| <u>\$ 190,080.00</u> | <b>Total Contract</b>                          |
| \$ 31,556.60         | Project Management and Construction Oversight. |
| <u>\$ 221,636.60</u> | <b>Total Funding</b>                           |

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

**HIRE HOUSTON FIRST:** The proposed contract requires compliance with the City's "Hire Houston First" Ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed contractor meets the requirements of Hire Houston First.



SM:HB:JLN:GM:FK:fk

- c: Marta Crinejo  
Jacquelyn L. Nisby  
Carlecia Wright  
Calvin Curtis  
Gabriel Mussio  
Mike Phan  
Martha Leyva  
File

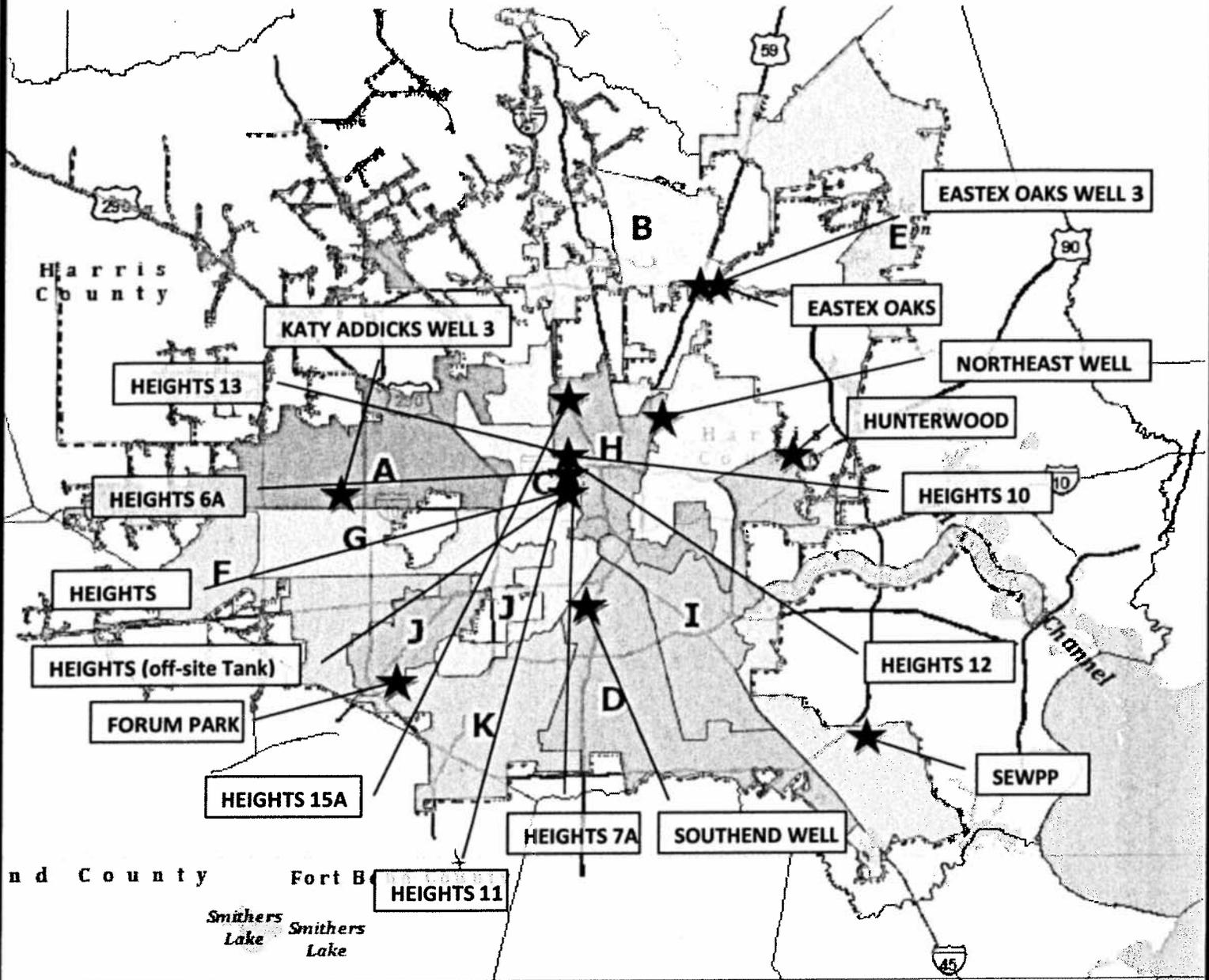
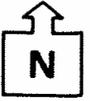
|             |  |  |                           |
|-------------|--|--|---------------------------|
| <b>Date</b> | <b>SUBJECT:</b> Award Construction Contract<br>Inland Environments, Ltd.<br>Asbestos/Lead Abatement and Demolition at<br>Department of Public Works & Engineering Water<br>Plants<br>WBS No. S-000536-0010-4 | <b>Originator's<br/>Initials</b><br><br>GM | <b>Page</b><br><br>3 of 3 |
|-------------|--|--|---------------------------|

**WATER PLANTS**

| <b><u>Plant Name</u></b>               | <b><u>Address</u></b>          | <b><u>Key Map</u></b> | <b><u>Council District</u></b> |
|--|--------------------------------|-----------------------|--------------------------------|
| Heights                                | 449 W. 19 <sup>th</sup> Street | 452-V                 | C                              |
| Heights Off-Site Tank                  | 500 W 21 <sup>st</sup> Street  | 452-V                 | C                              |
| Heights 15A                            | 6404 Yale                      | 412-Z                 | H                              |
| District 139 (Forum Park)              | 10079 SW Freeway               | 529-Z                 | J                              |
| Hunterwood                             | 6310 Lake Houston              |                       |                                |
|  | Parkway                        | 456-R                 | I                              |
| Eastex Oaks                            | 7018 North Belt E              | 375-T                 | B                              |
| South-East Water Purification<br>Plant | 3100 Genoa Red<br>Bluff        | 577-R                 | E                              |

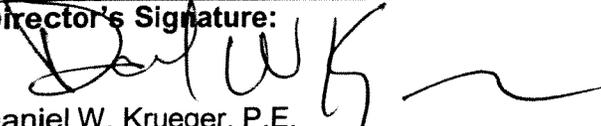
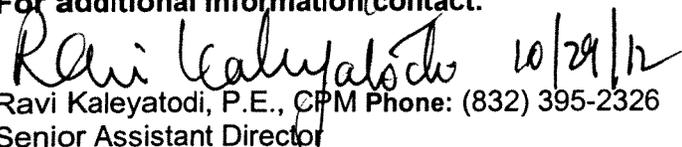
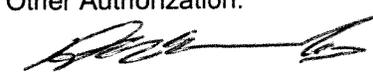
**Off-Site Wells Demolition**

|                       |                                |       |   |
|-----------------------|--------------------------------|-------|---|
| Heights 6A            | 441 W. 26 <sup>th</sup> Street | 452-V | C |
| Heights 7A            | 804 W. 15 <sup>th</sup> Street | 452-Z | C |
| Heights 10            | 4219 Tulane                    | 452-M | H |
| Heights 11A           | 134 Norview                    | 452-V | H |
| Heights 12            | 5002 Yale                      | 452-H | H |
| Heights 13            | 221 W. Hamilton                | 452-D | H |
| Southend Well         | 1435 MacGregor                 | 533-A | D |
| Northeast Well        | 6501 Tuson                     | 454-P | B |
| Katy Addicks – Well 3 | 12600 Old Katy Rd.             | 488-D | A |
| Eastex Oaks – Well 3  | 6806 North Belt E.             | 375-T | B |



**Asbestos/Lead Abatement & Demolition at  
Department of Public Works & Engineering Water Plants**

**Plants:** Heights (452V), Heights (off-site Tank) (452V), Heights 15A (412Z), Forum Park (529Z), Hunterwood (456R), Eastex Oaks (375T), SEWPP (577R), Heights 6A (452V), Heights 7A (452Z), Heights 10 (452M), Heights 11A (452V), Heights 12 (452H), Heights 13 (452D), Southend Well (533A), Northeast Well (454P), Katy Addicks Well 3 (488D), Eastex Oaks Well 3 (375T)

|  |  |  |                                       |
|--|--|--|---------------------------------------|
| <b>SUBJECT:</b> Professional Engineering Services Contract between the City and EPIC Transportation Group, LP for Traffic Signal Management Program/Intelligent Transportation Systems.<br>WBS No N-000650-0071-3  |  | <b>Page</b><br>1 of 2  | <b>Agenda Item #</b><br><br>16        |
| <b>From: (Department or other point of origin):</b><br><br>Public Works and Engineering Department   |  | <b>Origination Date</b><br><br>1/31/13   | <b>Agenda Date</b><br><br>FEB 06 2013 |
| <b>Director's Signature:</b><br><br>Daniel W. Krueger, P.E.  |  | <b>Council District affected:</b><br><br>All <input checked="" type="checkbox"/>   |                                       |
| <b>For additional information contact:</b><br><br>Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326<br>Senior Assistant Director  |  | <b>Date and identification of prior authorizing Council action:</b>  |                                       |
| <b>Recommendation: (Summary)</b><br>An ordinance approving a Professional Engineering Services Contract with EPIC Transportation Group LP and appropriate funds.   |  |  |                                       |
| <b>Amount and Source of Funding:</b> \$500,000.00 from Fund 4040 – METRO Projects Construction DDSRF<br><i>U.P. 11/29/2012</i>   |  |  |                                       |
| <p><b>PROJECT NOTICE/JUSTIFICATION:</b> This project is part of the Street &amp; Traffic Capital Improvement Program and is needed to improve substandard traffic signal intersections and enhance safety and traffic mobility.</p> <p><b>DESCRIPTION/SCOPE:</b> This is one of two (2) annually programmed work order contracts to rebuild traffic signals throughout the city at approximately 12-13 locations to be identified by the Traffic Operations Division. This contract consists of developing complete traffic signal plans, specifications and estimates for traffic signal construction. This project will improve the flow of traffic and reduce accidents at various locations.</p> <p><b>LOCATION:</b> The project is located throughout the City.</p> <p><b>SCOPE OF CONTRACT AND FEE:</b> Under the scope of the Contract, the Consultant will perform a variety of services such as data collection, traffic analysis, signal warrant analysis, signal timing development, traffic signal designs, conceptual geometric designs, and construction documents for minor roadway geometric improvements.</p> <p><b>PROJECT COST:</b> The total cost of this project is \$500,000.00 to be appropriated as follows: \$434,783.00 for Contract services and \$65,217.00 for CIP Cost Recovery.</p> |  |  |                                       |
| <b>LTS No. 3877</b>  |  | <b>CUIC No. 20KBH07</b>  |                                       |
| Finance Department   |  | <b>Other Authorization:</b><br><br>Daniel R. Menendez, P.E., Deputy Director<br>Engineering and Construction Division |                                       |

Date

**SUBJECT:** Professional Engineering Services Contract between the City and EPIC Transportation Group, LP for Traffic Signal Management Program/Intelligent Transportation Systems.  
WBS No N-000650-0071-3

**Originator's Initials**

**Page 2 of 2**

**PAY OR PLAY PROGRAM:**

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

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

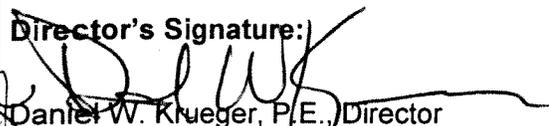
| <u>Name of Firms</u>      | <u>Work Description</u> | <u>Amount</u>       | <u>% of Total Contract</u> |
|---------------------------|-------------------------|---------------------|----------------------------|
| 1. Kuo & Associates, Inc. | Engineering Services    | \$86,957.00         | 20.0%                      |
| 2. Midtown Engineers, LLC | Engineering Services    | \$21,740.00         | 5.0%                       |
|                           | <b>TOTAL</b>            | <b>\$108,697.00</b> | <b>25.0%</b>               |

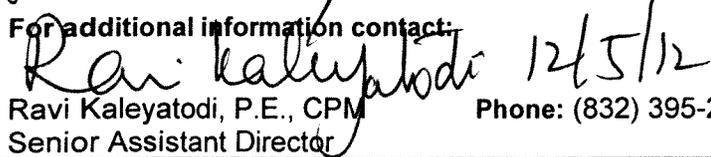
  
DWK:DRM:RK:JK:KH:kh

c: File No. N-000650-0071-3

|   |                       |                                |
|---|-----------------------|--------------------------------|
| <b>SUBJECT:</b> Professional Engineering Services Contract between the City and Atkins North America, Inc. for Keegans Bayou Wastewater Treatment Plant Improvements.<br>WBS No. R-000265-0101-3. | <b>Page</b><br>1 of 2 | <b>Agenda Item #</b><br><br>17 |
|---|-----------------------|--------------------------------|

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|--|------------------------------------|-----------------------------------|
| <b>FROM (Department or other point of origin):</b><br>Department of Public Works and Engineering | <b>Origination Date</b><br>1/31/13 | <b>Agenda Date</b><br>FEB 06 2013 |
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| <b>Director's Signature:</b><br><br>Daniel W. Krueger, P.E., Director | <b>Council District affected:</b> B2.<br>J |
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| <b>For additional information contact:</b><br><br>Ravi Kaleyatodi, P.E., CPM<br>Senior Assistant Director<br>Phone: (832) 395-2326 | <b>Date and identification of prior authorizing Council action:</b> |
|--|---|

**RECOMMENDATION: (Summary)**  
An ordinance approving a Professional Engineering Services Contract with Atkins North America, Inc. and appropriate funds.

**Amount and Source of Funding:** \$1,572,100.00 Water and Sewer System Consolidated Construction Fund No. 8500.  
*M.P. 12/12/2012*

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's program to renew/replace inefficient components of the existing wastewater treatment plant (WWTP) facilities.

**DESCRIPTION/SCOPE:** This project consists of the design of various improvements including blowers, lift station, thickeners, valves, scum collection and non potable water systems.

**LOCATION:** The project is located at 9401 White Chapel Lane. The project is located in Key Map Grid 530S.

**SCOPE OF CONTRACT AND FEE:** Under the scope of the Contract, the Consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III -Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on cost of time and materials with not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum amount after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$300,547.56. The total Basic Services appropriation is \$1,199,898.76.

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include surveying, geotechnical and reproduction. The total Additional Services appropriation is \$167,132.00.

LTS No. 4238 CUIC ID# 20BZ99 *110*

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

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| Date | SUBJECT: Professional Engineering Services Contract between the City and Atkins North America, Inc. for Keegans Bayou Wastewater Treatment Plant Improvements.<br>WBS No. R-000265-0101-3. | Originator's Initials<br><i>B-E</i> | Page<br>2 of 2 |
|------|--|-------------------------------------|----------------|

The total cost of this project is \$1,572,100.00 to be appropriated as follows: \$1,367,030.76 for Contract services and \$205,069.24 for CIP Cost Recovery.

**PAY OR PLAY PROGRAM:**

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

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

| <u>Name of Firms</u>               | <u>Work Description</u>                 | <u>Amount</u>       | <u>% of Total Contract</u> |
|------------------------------------|---|---------------------|----------------------------|
| 1. Gupta & Associates, Inc.        | Electrical and Instrumentation Services | \$199,034.00        | 14.56%                     |
| 2. KIT Professionals, Inc.         | Engineering Services                    | \$105,015.00        | 7.68%                      |
| 3. Geotech Engineering and Testing | Geotechnical and Environmental Services | <u>\$ 48,700.00</u> | <u>3.56%</u>               |
| <b>TOTAL</b>                       |   | \$352,749.00        | 25.80%                     |

  
DWK:DRM:RK:EN:BZ:pa

c: File No. R-000265-0101-3 (1.2)



**SUBJECT:** Professional Engineering Services Contract between the City and Freese and Nichols, Inc. for Metro Central, Upper Braes, White Oak, and Kingwood West Wastewater Treatment Plants Improvements. WBS No. R-000265-0102-3.

Page  
1 of 2

Agenda Item #  
*18*

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

**Origination Date**  
*1/31/13*

**Agenda Date**  
FEB 06 2013

**Director's Signature:**  
*[Signature]*  
Daniel W. Krueger, P.E., Director

**Council District affected:** *A-2*  
A, E, F

**For additional information contact:**  
*Ravi Kaleyatodi 12/20/12*  
Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326  
Senior Assistant Director

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

**RECOMMENDATION: (Summary)**

An ordinance approving a Professional Engineering Services Contract with Freese and Nichols, Inc. and appropriate funds.

**Amount and Source of Funding:** \$1,087,800.00 Water and Sewer System Consolidated Construction Fund No. 8500.  
*W.P. 1/9/2013*

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's program to renew/replace inefficient components of the existing wastewater treatment plant (WWTP) facilities.

**DESCRIPTION/SCOPE:** This project consists of the design of various components including valves, pumps, non potable water and bar screen at Metro Central, Upper Braes, White Oak and Kingwood West Wastewater Treatment Plants.

**LOCATION:** Wastewater Treatment Plant facilities are located:

| Facility           | Address                 | Key Map | Council District |
|--------------------|-------------------------|---------|------------------|
| White Oak WWTP     | 7103 Gulf Bank Rd.      | 411N    | A                |
| Metro Central WWTP | 12815 Galveston Rd.     | 617C    | E                |
| Kingwood West WWTP | 26808 Sorters Rd.       | 295V    | E                |
| Upper Braes WWTP   | 13525 W. Houston Center | 529A    | F                |

**SCOPE OF CONTRACT AND FEE:** Under the scope of the Contract, the Consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III -Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on cost of time and materials with not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum amount after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$230,189.00. The total Basic Services appropriation is \$771,200.00.

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include surveying, geotechnical, and reproduction. The total Additional Services appropriation is \$174,700.00.

LTS No. 4321

CUIC ID #20BZ101

*MS*

**Finance Department:**

**Other Authorization:**  
*[Signature]*  
Jun Chang, P.E., D.WRE Deputy Director  
Public Utilities Division

**Other Authorization:**  
*[Signature]*  
Daniel R. Menendez, P.E., Deputy Director  
Engineering and Construction Division

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| <b>Date</b> | <b>SUBJECT:</b> Professional Engineering Services Contract between the City and Freese and Nichols, Inc. for Metro Central, Upper Braes, White Oak, and Kingwood West Wastewater Treatment Plants Improvements. WBS No. R-000265-0102-3. | <b>Originator's Initials</b><br><i>P-2</i> | <b>Page</b><br>2 of 2 |
|-------------|--|--|-----------------------|

The total cost of this project is \$1,087,800.00 to be appropriated as follows: \$945,900.00 for Contract services and \$141,900.00 for CIP Cost Recovery.

**PAY OR PLAY PROGRAM:**

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

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

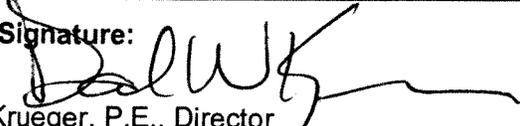
| <u>Name of Firms</u>               | <u>Work Description</u> | <u>Amount</u> | <u>% of Total Contract</u> |
|------------------------------------|-------------------------|---------------|----------------------------|
| 1. Kalluri Group, Inc.             | Engineering Services    | \$ 98,000.00  | 10.36%                     |
| 2. KIT Professionals, Inc.         | Engineering Services    | \$ 82,000.00  | 8.67%                      |
| 3. Amani Engineering, Inc.         | Surveying Services      | \$ 40,000.00  | 4.23%                      |
| 4. Geotech Engineering and Testing | Geotechnical Services   | \$ 15,000.00  | 1.59%                      |
| 5. B&E Reprographics, Inc.         | Reproduction Services   | \$ 8,000.00   | 0.84%                      |
| <b>TOTAL</b>                       |                         | \$243,000.00  | 25.69%                     |

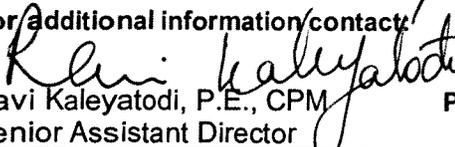
*[Signature]*  
DWK:DRM:RK:EN:BZ:pa

c: File No. R-000265-0102-3 (1.2)

|   |                       |                                |
|---|-----------------------|--------------------------------|
| <b>SUBJECT:</b> Professional Engineering Services Contract between the City and Weston Solutions, Inc., for Willowbrook Wastewater Treatment Plant Improvements. WBS No. R-000265-0104-3. | <b>Page</b><br>1 of 2 | <b>Agenda Item #</b><br><br>19 |
|---|-----------------------|--------------------------------|

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| <b>FROM (Department or other point of origin):</b><br>Department of Public Works and Engineering | <b>Origination Date</b><br>1/31/13 | <b>Agenda Date</b><br>FEB 06 2013 |
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| <b>Director's Signature:</b><br><br>Daniel W. Krueger, P.E., Director | <b>Council District affected:</b><br>A TH |
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| <b>For additional information contact:</b><br><br>Ravi Kaleyatodi, P.E., CPM<br>Senior Assistant Director<br>Phone: (832) 395-2326<br>12/20/12 | <b>Date and identification of prior authorizing Council action:</b> |
|---|---|

**RECOMMENDATION: (Summary)**  
An ordinance approving a Professional Engineering Services Contract with Weston Solutions, Inc. and appropriate funds.

**Amount and Source of Funding:** \$793,200.00 Water and Sewer System Consolidated Construction Fund No. 8500.  
*M.P. 1/3/2013*

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's ongoing program for improvements to wastewater treatment facilities.

**DESCRIPTION/SCOPE:** This project consists of evaluation and improvements to existing clarifier, addition of a second clarifier, and evaluation of source of odor within the plant and corrective improvements.

**LOCATION:** The project area is located at 7101 W. Greens Road, Key Map Grid 370K.

**SCOPE OF CONTRACT AND FEE:** Under the scope of the Contract, the Consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on cost of time and materials with not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum amount after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$136,175.00. The total Basic Services appropriation is \$580,001.00.

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include Site Topographical Survey, Geotechnical Investigations, Storm Water Pollution Prevention Plan, Reproduction Services, Technical Review Committee Presentation and Recommendations, Existing Conditions Survey, Hydraulic Evaluation and Analysis, and Preparation of Designer's Operation and Maintenance Manual. The total Additional Services appropriation is \$109,735.00.

LTS No. 4237 CUIC ID #20TH05 *MS*

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| <b>Finance Department:</b> | <b>Other Authorization:</b><br><br>Jun Chang, P.E., D.WRE, Deputy Director<br>Public Utilities Division | <b>Other Authorization:</b><br><br>Daniel R. Menendez, P.E., Deputy Director<br>Engineering and Construction Division |
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The total cost of this project is \$793,200.00 to be appropriated as follows: \$689,736.00 for Contract services and \$103,464.00 for CIP Cost Recovery.

**PAY OR PLAY PROGRAM:**

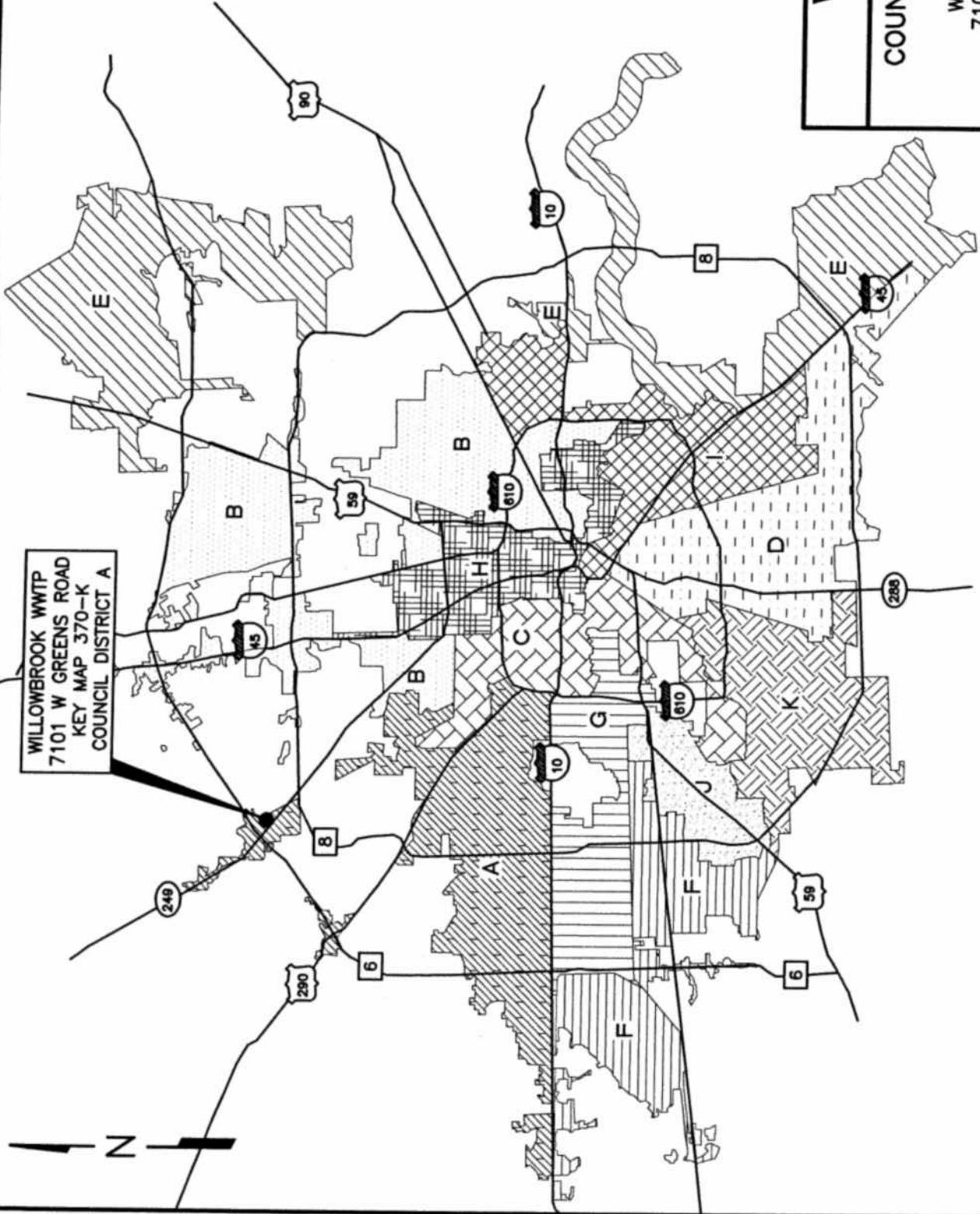
The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the Consultant provides health benefits to eligible employees in compliance with City policy.

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

| <u>Name of Firms</u>                           | <u>Work Description</u>           | <u>Amount</u> | <u>% of Total Contract</u> |
|--|-----------------------------------|---------------|----------------------------|
| 1. B & E Reprographics, Inc.                   | Reprographics                     | \$ 8,600.00   | 1.25%                      |
| 2. Gupta & Associates, Inc.                    | Electrical Instrumentation Design | \$ 57,195.00  | 8.29%                      |
| 3. HVJ Associates, Inc.                        | Geotechnical Services             | \$ 12,000.00  | 1.74%                      |
| 4. Landtech Consultants, Inc.                  | Land Surveying                    | \$ 24,020.00  | 3.48%                      |
| 5. Neera Associates, Inc.                      | Engineering Services              | \$ 41,135.00  | 5.96%                      |
| 6. Apex-RBI, Inc.,<br>DBA Ratnala & Bahl, Inc. | Engineering Services              | \$ 24,970.00  | 3.62%                      |
| <b>TOTAL</b>                                   |                                   | \$167,920.00  | 24.35%                     |

  
DWK:DRM:RK:EN:IMR:TH:pa

c: File No. R-000265-0104-3 (1.2)



WILLOWBROOK WWTP  
 7101 W GREENS ROAD  
 KEY MAP 370-K  
 COUNCIL DISTRICT A

**LEGEND:**

- COUNCIL DISTRICT A
- COUNCIL DISTRICT B
- COUNCIL DISTRICT C
- COUNCIL DISTRICT D
- COUNCIL DISTRICT E
- COUNCIL DISTRICT F
- COUNCIL DISTRICT G
- COUNCIL DISTRICT H
- COUNCIL DISTRICT I
- COUNCIL DISTRICT J
- COUNCIL DISTRICT K



**COUNCIL DISTRICT MAP**

WILLOWBROOK WWTP  
 7101 W. GREENS ROAD

HOUSTON, TEXAS

|          |               |              |
|----------|---------------|--------------|
| DATE     | PROJECT NO.   | SCALE        |
| OCT 2012 | 00934.392.006 | NOT TO SCALE |

**SUBJECT:** Professional Engineering Services Contract between the City and ARCADIS U.S., Inc., for Lift Station Renewal and Replacement - Will Clayton, Interwood, John F. Kennedy, M.U.D. #266, and Vickery Lift Station.  
WBS No. R-000267-0121-3.

**Page**  
1 of 2

**Agenda Item #**  
20

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

**Origination Date:** 1/31/13

**Agenda Date:** FEB 06 2013

**Director's Signature:**   
Daniel W. Krueger, P.E., Director

**Council District affected:** B TH

**For additional information contact:**  12/20/12  
Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326  
Senior Assistant Director

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

**RECOMMENDATION: (Summary)**  
An ordinance approving a Professional Engineering Services Contract with ARCADIS U.S., Inc., and appropriate funds.

**Amount and Source of Funding:** \$1,235,600.00 Water and Sewer System Consolidated Construction Fund No. 8500.  
M.P. 1/9/2013

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's ongoing program to upgrade its wastewater lift station facilities.

**DESCRIPTION/SCOPE:** This project consists of the overall condition assessment/evaluation of the five lift stations listed below to provide recommended alternatives for improvement, and prepare the complete design package for each lift station.

**LOCATION:** The project areas are located as follows:

| Lift Station       | Location/Address      | Key Map Grid | Council District |
|--------------------|-----------------------|--------------|------------------|
| 1. Will Clayton    | 18095 Lee Road        | 375A         | B                |
| 2. John F. Kennedy | 17130 John F. Kennedy | 374F         | B                |
| 3. M.U.D. #266     | 15021 Crosswinds      | 374U         | B                |
| 4. Vickery         | 15479 Vickery         | 374U         | B                |
| 5. Interwood       | 4150 Aldine Bender    | 374Y         | B                |

**SCOPE OF CONTRACT AND FEE:** Under the scope of the Contract, the Consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on cost of time and materials with not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum amount after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$132,850.00. The total Basic Services appropriation is \$886,705.00.

LTS No. 4302 CUIC ID #20TH07

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| <b>Finance Department:</b> | <b>Other Authorization:</b><br><br>Jun Chang, P.E., D.WRE, Deputy Director<br>Public Utilities Division | <b>Other Authorization:</b><br><br>Daniel R. Menendez, P.E., Deputy Director<br>Engineering and Construction Division |
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|-------------|---|---|-----------------------|
| <b>Date</b> | <b>SUBJECT:</b> Professional Engineering Services Contract between the City and ARCADIS U.S., Inc., for Lift Station Renewal and Replacement - Will Clayton, Interwood, John F. Kennedy, M.U.D. #266, and Vickery Lift Station.<br>WBS No. R-000267-0121-3. | <b>Originator's Initials</b><br><i>TH</i> | <b>Page</b><br>2 of 2 |
|-------------|---|---|-----------------------|

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include Route and Site Topographical Survey, Geotechnical Investigations, Environmental Site Assessment, Subsurface Investigations, Tree Protection Plans, Storm Water Pollution Prevention Plans, Traffic Control Plans, Reproduction Services, Technical Review Committee Presentation and Recommendations, Existing Conditions Survey, and Independent Construction Cost Estimate. The total Additional Services appropriation is \$187,728.00.

The total cost of this project is \$1,235,600.00 to be appropriated as follows: \$1,074,433.00 for Contract services and \$161,167.00 for CIP Cost Recovery.

**PAY OR PLAY PROGRAM:**

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

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

| <u>Name of Firms</u>             | <u>Work Description</u>  | <u>Amount</u> | <u>% of Total Contract</u> |
|----------------------------------|--------------------------|---------------|----------------------------|
| 1. Amani Engineering, Inc.       | Engineering Services     | \$ 74,200.00  | 6.9%                       |
| 2. B & E Reprographics, Inc.     | Reprographics Services   | \$ 10,000.00  | 0.9%                       |
| 3. CivilTech Engineering, Inc.   | Engineering Services     | \$ 55,500.00  | 5.2%                       |
| 4. EPIC Transportation Group, LP | Traffic Control Services | \$ 4,000.00   | 0.4%                       |
| 5. Geotest Engineering, Inc.     | Geotechnical Services    | \$ 47,500.00  | 4.4%                       |
| 6. Gunda Corporation, LLC        | Engineering Services     | \$ 33,100.00  | 3.1%                       |
| 7. Kuo & Associates, Inc.        | Surveying Services       | \$ 33,600.00  | 3.1%                       |
| <b>TOTAL</b>                     |                          | \$257,900.00  | 24.0%                      |

*[Handwritten initials]*  
DWK:DRM:RK:EN:IMR:TH:pa

c: File No. R-000267-0121-3 (1.2)

|   |                       |                            |
|---|-----------------------|----------------------------|
| <b>SUBJECT:</b> Contract Award for Beechnut Rehabilitation from Wilcrest to Kirkwood Road. WBS No. N-000765-0001-4 , R-000500-0129-4, S-000500-0129-4 | <b>Page</b><br>1 of 2 | <b>Agenda Item #</b><br>21 |
|---|-----------------------|----------------------------|

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| <b>FROM (Department or other point of origin):</b><br>Department of Public Works and Engineering | <b>Origination Date</b><br>1/31/13 | <b>Agenda Date</b><br>FEB 06 2013 |
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| <b>DIRECTOR'S SIGNATURE:</b><br><br>Daniel W. Krueger, P.E. | <b>Council District affected:</b><br>JK F |
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| <b>For additional information contact:</b><br><br>Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326<br>Senior Assistant Director | <b>Date and identification of prior authorizing Council action:</b><br>1/7/13 |
|---|---|

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

**Amount and Source of Funding:** \$5,860,000.00 Fund 5430-Federal State Local PWE Pass Through DDSRF  
 \$1,555,841.00 Fund 4040-METRO Projects Construction DDSRF.  
 \$817,202.00 Fund 8500-Water and Sewer System Consolidated Construction  
 \$925,457.00 Fund 4042-Street & Traffic Control and Storm Drainage DDSRF  
 \$9,158,500.00 Total Cost U.P. 1/15/2013

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the Street & Traffic Capital Improvement Program (CIP) and is necessary to meet City of Houston design and safety standards and improve traffic mobility. This project was approved by the Texas Transportation Commission in the 2011-2014 Transportation Improvement Program (TIP) Amendment. Under this program, construction funding included both Federal and City participation. The State shall refund the City 80% of the construction cost up to a maximum \$5,860,000.00 which will be reimbursed through monthly billings as cost incurs for the street and drainage work.

**DESCRIPTION/SCOPE:** This project consists of the reconstruction of approximately 7,300 linear feet of six lane concrete divided roadways with a rehabilitated storm sewer system ranging from twenty four-inch to fifty four- inch, new concrete gutter lines and inlets for improvement of street conveyance to relieve street flooding and eliminate localized surface ponding, accessible sidewalks, driveways, street lighting, traffic control and necessary underground utilities on Beechnut from Wilcrest to Kirkwood Boulevard.

The Contract duration for this project is 540 calendar days. This project was designed by Jones and Carter Inc.

**LOCATION:** The project is generally bounded by Bellaire on the north, Bissonnet on the south, West Sam Houston Parkway on the east, and Dairy Ashford on the west. The project is located in Key Map Grids 529 N, P, and Q.

**BIDS:** Bids were received on November 1, 2012. Eight (8) bids are as follows:

| Bidder                              | Bid Amount     |
|-------------------------------------|----------------|
| 1. Angel Brothers Enterprises, Ltd  | \$7,922,595.33 |
| 2. Conrad Construction Company Ltd. | \$7,987,720.75 |

LTS No. 4168 REQUIRED AUTHORIZATION CUIC ID #20MAC72

|                            |                             |   |
|----------------------------|-----------------------------|---|
| <b>Finance Department:</b> | <b>Other Authorization:</b> | <b>Other Authorization:</b><br><br>Daniel R. Menendez, P.E., Deputy Director<br>Engineering and Construction Division |
|----------------------------|-----------------------------|---|

|    | <u>Bidder</u>                      | <u>Bid Amount</u> |
|----|------------------------------------|-------------------|
| 3. | JFT Construction, Inc              | \$8,105,054.16    |
| 4. | SER Construction Partners          | \$8,299,349.81    |
| 5. | ReyTec Construction Resources Inc. | \$8,686,932.45    |
| 6. | Menade, Inc.                       | \$8,697,404.90    |
| 7. | Texas Sterling Construction Inc    | \$9,216,937.60    |
| 8. | Total Contracting LTD              | \$10,512,157.19   |

**AWARD:** It is recommended that this construction Contract be awarded to Angel Brothers Enterprises, Ltd. with a low bid of \$7,922,595.33 and that Addendums Number 1 and Number 2 be made a part of this Contract.

**PROJECT COST:** The total cost of this project is \$9,158,500,000.00 to be appropriated as follows:

|   |                                  |                |
|---|----------------------------------|----------------|
| • | Bid Amount                       | \$7,922,595.33 |
| • | Contingencies                    | \$400,000.00   |
| • | Engineering and Testing Services | \$285,000.00   |
| • | CIP Cost Recovery                | \$550,904.67   |

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

**HIRE HOUSTON FIRST:** Hire Houston First does not apply to this expenditure, because it involves the use of federal funds and is subject to specific procurement rules of the federal government. However, Angel Brothers Enterprises, Ltd is registered under Hire Houston First as a Houston/Local firm.

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

**M/WBE PARTICIPATION:** The low bidder has submitted the following proposed program to satisfy the 11.70 % DBE goal for this project.

|              | <u>DBE - Name of Firms</u>                | <u>Work Description</u> | <u>Amount</u>       | <u>% of Contract</u> |
|--------------|---|-------------------------|---------------------|----------------------|
| 1            | P.A. Berrios Trucking                     | Dump Truck Services     | \$75,960.00         | 0.96%                |
| 2            | Professional Traffic Control LLC          | Flagmen Services        | \$204,019.79        | 2.58%                |
| 3            | Reliable Signal & Lighting Solutions, LLC | Traffic Signal Services | <u>\$650,188.50</u> | <u>8.21%</u>         |
| <b>TOTAL</b> |   |                         | <b>\$930,168.29</b> | <b>11.75%</b>        |

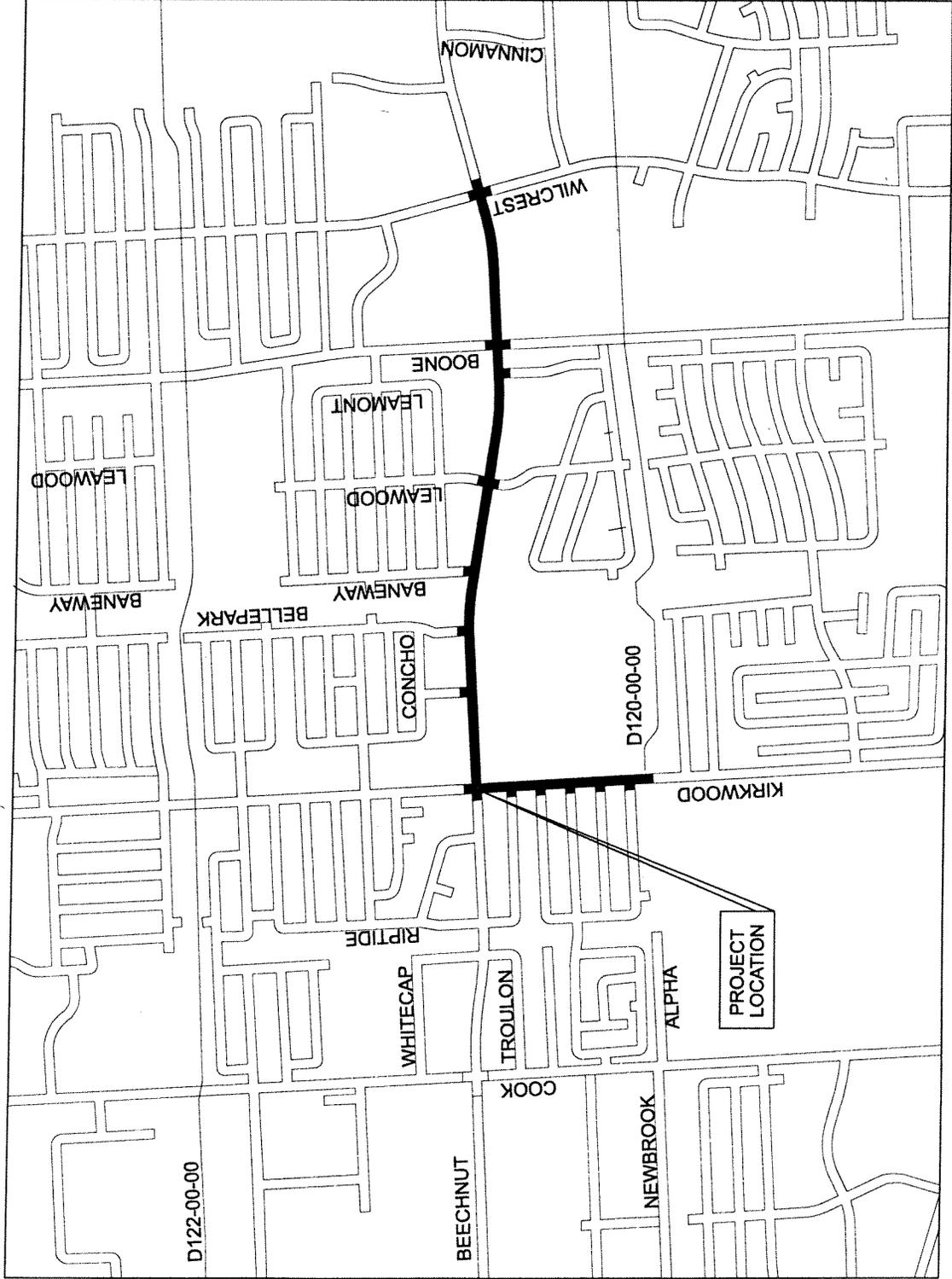
All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.

*[Signature]*  
DWK:DRM:RK:JHK:SAB:MC

File: N-000765-0001-4 (3.7 Construction Award RCA)

# BEECHNUT STREET

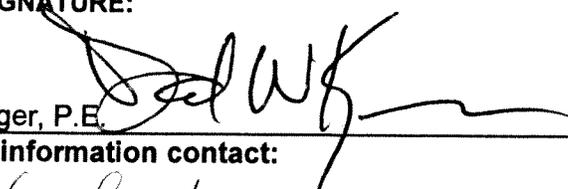
LIMITS: FROM KIRKWOOD ROAD TO WILCREST DRIVE  
TYPE: RECONSTRUCT BLVD ROADWAY WITH PAVING,  
CURBS, STREET LIGHTING, AND UNDERGROUND UTILITIES



LOCATION MAP

|  |                       |                                   |
|--|-----------------------|-----------------------------------|
| <b>SUBJECT:</b> Contract Award for Museum District/Main Street Corridor Improvement Project. WBS Number: N-000824-0002-4 | <b>Page</b><br>1 of 2 | <b>Agenda Item #</b><br><i>22</i> |
|--|-----------------------|-----------------------------------|

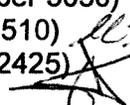
|  |                                    |                                   |
|--|------------------------------------|-----------------------------------|
| <b>FROM (Department or other point of origin):</b><br>Department of Public Works and Engineering | <b>Origination Date</b><br>1/31/13 | <b>Agenda Date</b><br>FEB 06 2013 |
|--|------------------------------------|-----------------------------------|

|  |   |
|--|---|
| <b>DIRECTOR'S SIGNATURE:</b><br><br>Daniel W. Krueger, P.E. | <b>Council District affected:</b><br>C & D  |
|--|---|

|  |   |
|--|---|
| <b>For additional information contact:</b><br><br>Richard Smith, P.E., PTOE<br>Managing Engineer, PW&E<br>Phone: (832) 394-9137 | <b>Date and identification of prior authorizing Council action:</b> |
|--|---|

**RECOMMENDATION: (Summary)**  
Reject Low bid, return bid bond, award construction contract to the next low bidder and appropriate funds.

**Amount and Source of Funding:** \$2,831,336.89

\$2,333,591.87 from Federal-State-Local-Pass Through Fund (Fund Number 5030)  
 \$260,000.00 from Contribution for Capital Projects Fund (Fund Number 4510) *LL.P. 1/28/2013*  
 \$237,745.02 from Woodland Regional Participation Fund (Fund Number 2425) 

**PROJECT NOTICE/JUSTIFICATION:** This project will provide an enhanced pedestrian and transit supportive environment along the Main Street, vicinity of Rice University, Hermann Park areas and Museum District Venues.

**DESCRIPTION/SCOPE:** The scope of the project includes construction of sidewalks, ramps, medians, pedestrian lightings, and landscape improvements along Main Street and Binz Corridors. The contract duration for this project is 180 calendar days. The project is designed by Clark Condon Associates, Inc.

**LOCATION:** The project area is generally bound by Binz Street on the North, Holcombe Boulevard on the South, Fannin Street on the East and Main Street on the West. It also includes the Museum District Area bound by Southmore on the North, Binz on the South, Crawford on the East and Montrose and Main Street on the West. The project is located in Key Map 532D, 532H, 493W & 533A.

**BIDS:** Bids were received on August 9, 2012. Three(3) bids are as follows:

| <u>Bidder</u>                       | <u>Amount</u>                            |
|-------------------------------------|--|
| Metro City Construction, L.P.       | \$2,414,494.11 ( <i>Non-Responsive</i> ) |
| Reytec Construction Resources, Inc. | \$2,483,336.51                           |
| Jerdon Enterprise, L.P.             | \$3,434,343.43                           |

LTS No. 4205 CUIC ID# 20RPS26 *M*

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

**AWARD:** The low bid of \$2,417,494.11 was submitted by Metro City Construction L.P. The apparent low bidder raised the maximum unit prices set for Item No. 5 and Item No. 6 of Extra Unit Price Items. Based on the interpretation of Document 00410(B), the bid submitted by Metro City Construction L.P. was found to be non-responsive. It is recommended that this construction contract be awarded to the responsive low bidder Reytec Construction Resources, Inc. with a low bid of \$2,483,336.51 and that no Addendum be made a part of this Contract.

**PROJECT COST:** The total cost of the project is \$2,831,336.89 to be appropriated as follows:

- Bid Amount \$2,483,336.51
- Contingencies \$124,166.83
- Testing and Engineering Services \$50,000.00
- CIP Cost Recovery \$173,833.55

Engineering and Testing Services will be provided by Geoscience Engineering & Testing, Inc. under a previously approved contract. Construction Management will be provided by City of Houston personnel.

**HIRE HOUSTON FIRST:** Hire Houston First does not apply to this expenditure, because it involves the use of federal funds and is subject to specific procurement rules of the federal government. However, Reytec Construction Resources, Inc. is registered under Hire Houston First as a City Business.

**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.

**DBE INFORMATION:** The low bidder has submitted a utilization plan of 6% to fulfill the DBE goals of the State of Texas, Department of Transportation and the City of Houston.

| <u>DBE - Name of Firms</u>                    | <u>Work Description</u> | <u>Amount</u>       | <u>% of Contract</u> |
|---|-------------------------|---------------------|----------------------|
| 1. Reliable Signal & Lighting Solutions, LLC. | Electrical              | \$339,597.15        | 13.68%               |
| <b>TOTAL</b>                                  |                         | <b>\$339,597.15</b> | <b>13.68%</b>        |

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

DWK:MML:RPS:MEM

File: WBS No. N-000824-0002 (RCA-1.2)

# Museum District / Main Street Corridor Improvement Projects

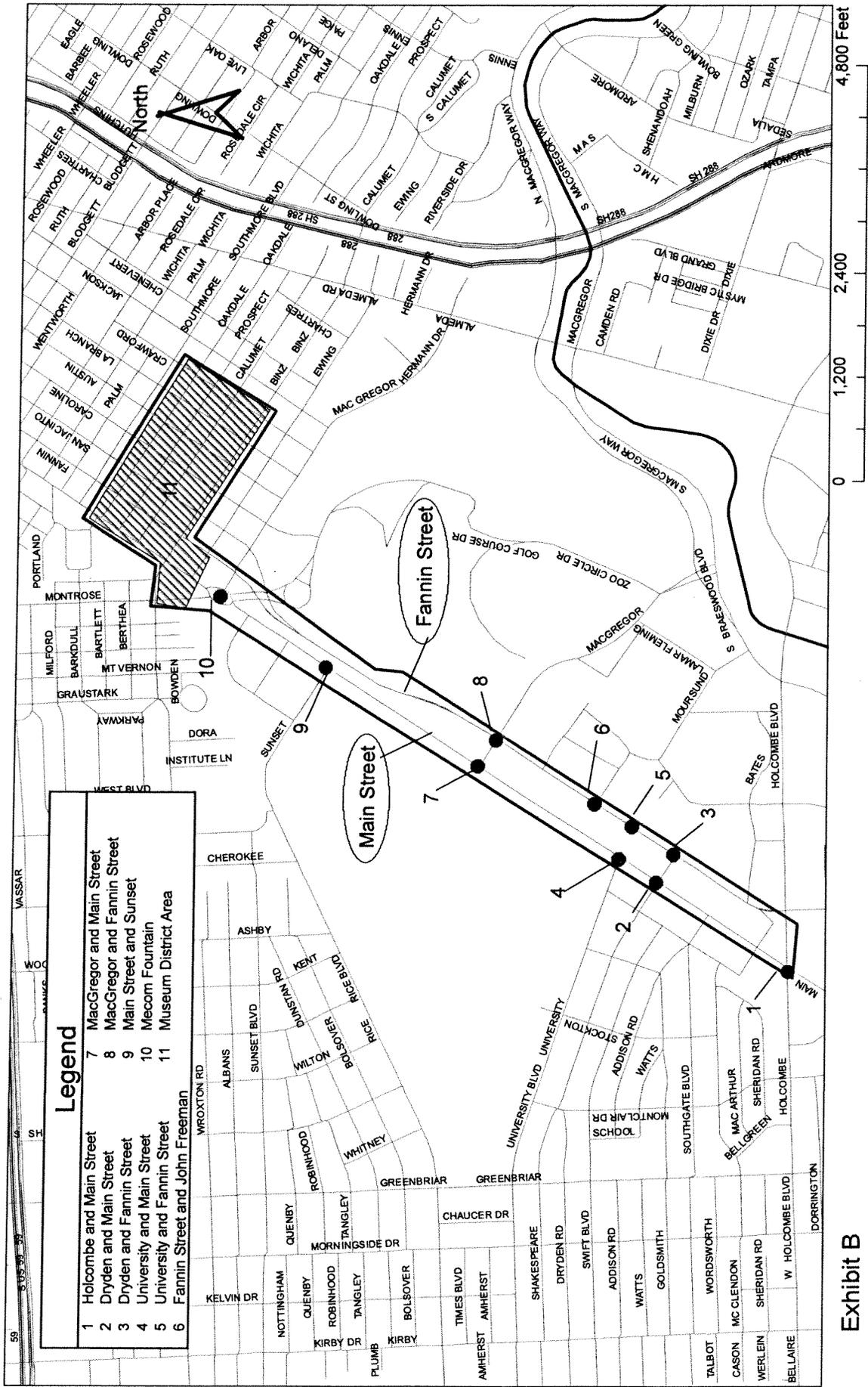
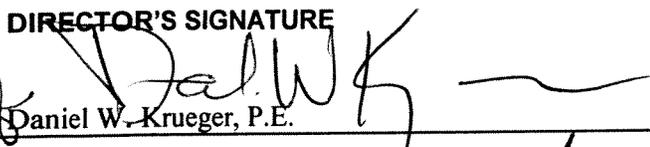
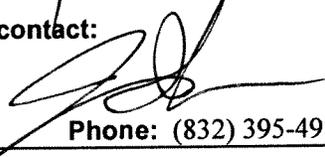
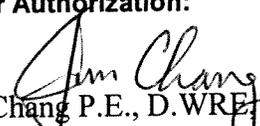


Exhibit B

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

|  |                             |   |                                   |
|--|-----------------------------|---|-----------------------------------|
| <b>SUBJECT:</b> Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods<br>WBS# R-000295-0042-4   |                             | <b>Page</b><br>1 of 2   | <b>Agenda Item #</b><br>23        |
| <b>FROM (Department or other point of origin):</b><br>Department of Public Works and Engineering   |                             | <b>Origination Date</b><br>1/31/13  | <b>Agenda Date</b><br>FEB 06 2013 |
| <b>DIRECTOR'S SIGNATURE</b><br><br>Daniel W. Krueger, P.E.  |                             | <b>Council District affected:</b><br>All  |                                   |
| <b>For additional information contact:</b><br>Jason Iken, P.E.<br>Senior Assistant Director<br><br>Phone: (832) 395-4989                    |                             | <b>Date and identification of prior authorizing Council action:</b><br>N/A  |                                   |
| <b>RECOMMENDATION: (Summary)</b><br>Accept low bid, award construction contract, and appropriate funds.  |                             |   |                                   |
| <b>Amount and Source of Funding:</b> \$4,615,361.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier III. |                             | <i>M.P. 1/9/2013</i>  |                                   |
| <b>SPECIFIC EXPLANATION:</b> This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems throughout the City.                |                             |   |                                   |
| <b>DESCRIPTION/SCOPE:</b> This project consists of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The contract duration for this project is 540 calendar days.                                       |                             |   |                                   |
| <b>LOCATION:</b> The project area is generally bounded by the City Limits.   |                             |   |                                   |
| <b>BIDS:</b> Two (2) bids were received on September 20, 2012 for this project as follows:   |                             |   |                                   |
| <u>Bidder</u>  |                             | <u>Bid Amount</u>   |                                   |
| 1. PM Construction & Rehab, LLC  |                             | \$4,338,439.30  |                                   |
| 2. Portland Utilities Construction Company, LLC  |                             | \$4,463,861.75  |                                   |
| <b>LTS No. 4279</b><br><b>File/Project No. WW 4257-132</b>   |                             | <b>REQUIRED AUTHORIZATION</b><br><b>CUIC# 20JAI444</b>  |                                   |
| Finance Department   | <b>Other Authorization:</b> | <b>Other Authorization:</b><br><br>Jun Chang P.E., D. WRE Deputy Director<br>Public Utilities Division |                                   |

|             |  |                              |                       |
|-------------|--|------------------------------|-----------------------|
| <b>Date</b> | <b>Subject:</b> Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods<br>WBS# R-000295-0042-4 | <b>Originator's Initials</b> | <b>Page</b><br>2 of 2 |
|-------------|--|------------------------------|-----------------------|

**AWARD:** It is recommended that this construction contract be awarded to PM Construction & Rehab, LLC, with a low bid of \$4,338,439.30.

**PROJECT COST:** The total cost of this project is \$4,615,361.00 to be appropriated as follows:

- Bid Amount \$4,338,439.30
- Contingencies \$216,921.70
- Engineering Testing Services \$60,000.00

Engineering Testing Services will be provided by HVJ Associates, Inc. under a previously approved contract.

**HIRE HOUSTON FIRST:** Hire Houston First does not apply to this expenditure, because it involves the use of federal funds and is subject to specific procurement rules of the federal government.

**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/W/SBE PARTICIPATION:** The low bidder has demonstrated a good faith effort to comply with the M/WBE goals of the Texas Water Development Board and the City of Houston. The bidder has proposed an MBE participation of 19.00% and WBE participation of 5.00%.

| <u>MBE - Name of Firms</u>     | <u>Work Description</u>       | <u>Amount</u>       | <u>% of Contract</u> |
|--------------------------------|-------------------------------|---------------------|----------------------|
| CBL Industries, LLC            | Asphalt/Concrete paving       | \$216,921.97        | 5.00%                |
| Chief Solutions, Inc.          | Clean & Televiser Sewer Lines | \$147,506.94        | 3.40%                |
| 5M Rope & Supply, LLC          | Supplies                      | \$373,105.78        | 8.60%                |
| J. A. Gamez, Trucking Services | Dump Truck Services           | \$86,768.79         | 2.00%                |
|                                | <b>TOTAL</b>                  | <b>\$824,303.48</b> | <b>19.00%</b>        |

| <u>WBE - Name of Firms</u>                  | <u>Work Description</u> | <u>Amount</u>       | <u>% of Contract</u> |
|---|-------------------------|---------------------|----------------------|
| Deanie Hayes, Inc.                          | Supplies                | \$108,460.98        | 2.50%                |
| Advantage Manhole & Concrete Services, Inc. | Manhole Rehabilitation  | \$108,460.98        | 2.50%                |
|   | <b>TOTAL</b>            | <b>\$216,921.96</b> | <b>5.00%</b>         |

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

  
DWK:JC:JI:DR:MB:mb

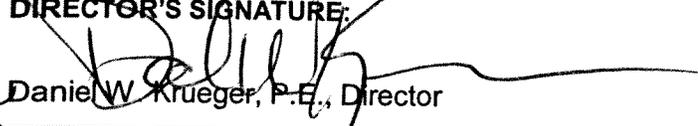
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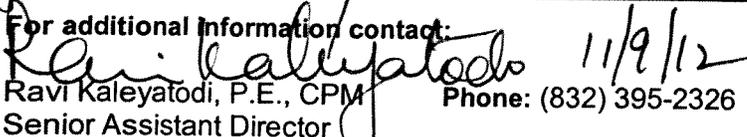
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

|   |                       |                            |
|---|-----------------------|----------------------------|
| <b>SUBJECT:</b> Contract Award for Pump Repair and Replacement at the East Water Purification Plant, WBS Number S-000056-0064-4 | <b>Page</b><br>1 of 2 | <b>Agenda Item #</b><br>24 |
|---|-----------------------|----------------------------|

|   |                                     |                                    |
|---|-------------------------------------|------------------------------------|
| <b>FROM: (Department or other point of origin):</b><br>Department of Public Works and Engineering | <b>Origination Date:</b><br>1/31/13 | <b>Agenda Date:</b><br>FEB 06 2013 |
|---|-------------------------------------|------------------------------------|

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

|   |   |
|---|---|
| <b>For additional information contact:</b><br><br>Ravi Kaleyatodi, P.E., CPM<br>Senior Assistant Director<br>11/9/12<br>Phone: (832) 395-2326 | <b>Date and identification of prior authorizing Council action:</b> |
|---|---|

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

**Amount and Source of Funding:**  
\$9,201,000.00 from the Water and Sewer System Consolidated Construction Fund No. 8500. *U.P. 11/13/2012*

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's Capital Improvement Program to increase the safety, reliability and the efficiency of operations at the East Water Purification Plant.

**DESCRIPTION/SCOPE:** This project consists of the replacement of 10 pumps and the rehabilitation of 7 pumps and motors.

The contract duration for this project is 645 calendar days. This project was designed by Jones & Carter, Inc.

**LOCATION:** This project is located at 2300 Federal Road in key map grids 496 U and Y.

**BIDS:** Bids were received on September 6, 2012. The one (1) bid is as follows:

| Bidder                           | Bid Amount     |
|----------------------------------|----------------|
| 1. Pepper-Lawson Waterworks, LLC | \$8,192,000.00 |

**AWARD:** It is recommended that this construction contract be awarded to Pepper-Lawson Waterworks, LLC with a low bid of \$8,192,000.00 and that Addendum Number 1 be made a part of this contract.

LTS No. 3803 CUIC#20JWM67

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

**PROJECT COST:** The total cost of this project is \$9,201,000.00 to be appropriated as follows:

|                                    |                |
|------------------------------------|----------------|
| • Bid Amount                       | \$8,192,000.00 |
| • Contingencies                    | \$409,600.00   |
| • Engineering and Testing Services | \$25,000.00    |
| • CIP Cost Recovery                | \$574,400.00   |

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

**HIRE HOUSTON FIRST:** The proposed contract requires compliance with the City's 'Hire Houston First' ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed contractor does not meet the requirements of Hire Houston First; no Hire Houston First firms were within three percent.

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

**M/WBE PARTICIPATION:** The M/WBE goal established for this project is 18%. To comply with this goal, the contractor had submitted to the Small Business Development Group of the Public Works and Engineering Department, a good faith effort amounting to 7% of the contract amount. The Small Business Development Group, in conjunction with the Office of Business Opportunity, has agreed to the contractor's M/WBE good faith effort proposal due to the nature of the project. Pepper-Lawson Waterworks has identified the following certified firms to meet the proposed MBE/SBE goal:

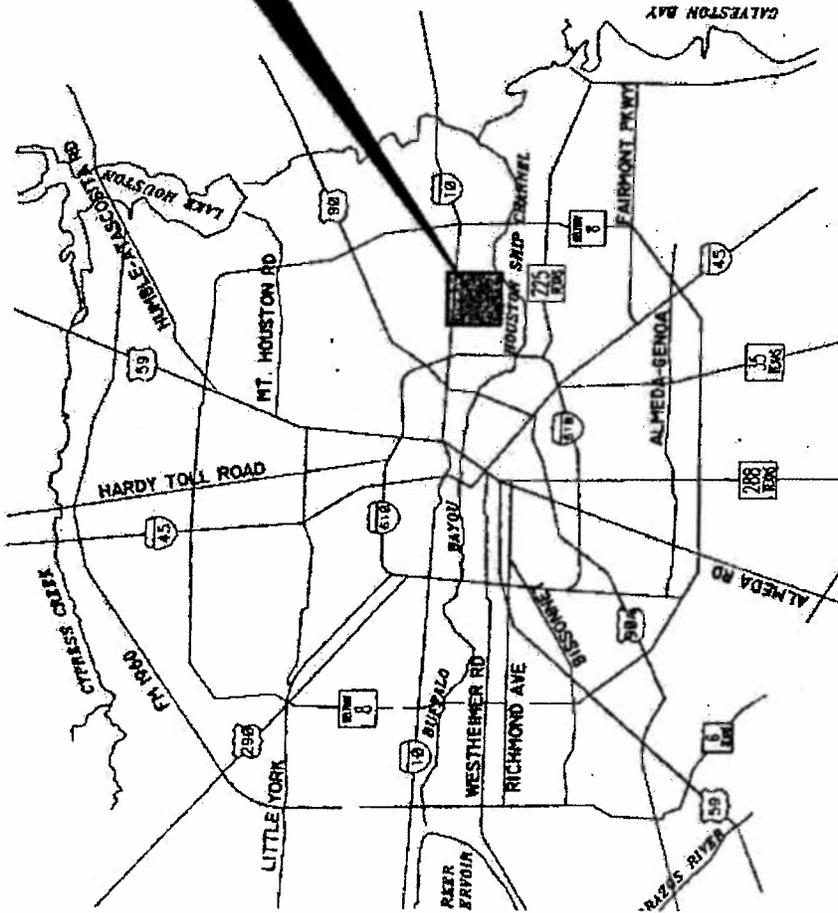
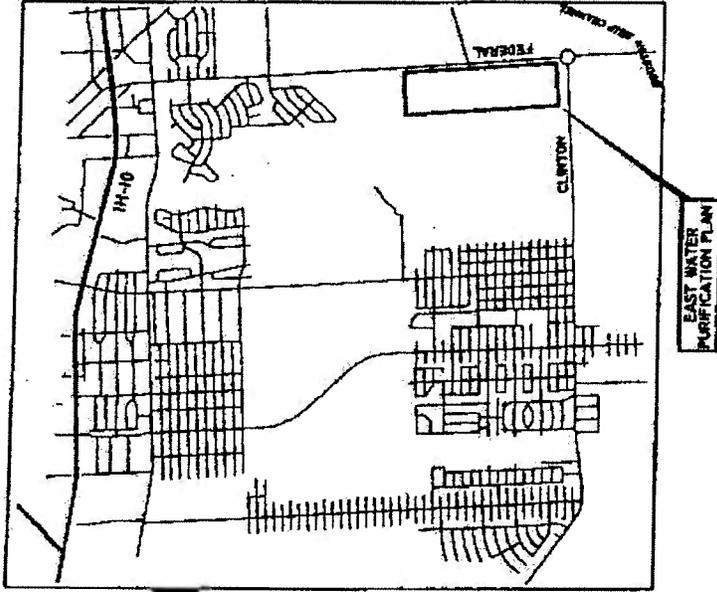
| <u>MBE - Name of Firms</u>                         | <u>Work Description</u> | <u>Amount</u>       | <u>% of Contract</u> |
|--|-------------------------|---------------------|----------------------|
| 1. Gonzales Commercial Electric Corporation        | Electrical Services     | \$65,735.00         | 0.80%                |
| 2. Trinity Freight Services, LLC                   | Freight/Trucking        | \$55,000.00         | 0.67%                |
| 3. Medcalf Fabrication, Inc.                       | Metal Fabrications      | \$2,300.00          | 0.03%                |
| <br><u>SBE - Name of Firms</u>                     |                         |                     |                      |
| 1. Automation Nation, Inc.                         | Software Services       | \$53,000.00         | 0.65%                |
| 2. Riverway Services, LLC                          | Piping Installations    | \$375,000.00        | 4.58%                |
| 3. Hazard Assessment Leaders, Inc.<br>DBA HAL, Inc | Lead Paint Abatement    | \$20,000.00         | 0.24%                |
| <b>TOTAL</b>                                       |                         | <b>\$571,035.00</b> | <b>6.97%</b>         |

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

DWK:DRM:RK:HH:SD:JM:kb

H:\design\A-WS-DIV\WPDATA\JM\JMS-000056-0064-3\new postbid\RCAIR20jwm67.DOC

c: File No. S-000056-0064-4 (3.7)



Area Map  
Pump Repair and Replacement at the East Water Purification Plant  
WBS No. S-000056-0064-4



**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:**

Ordinance granting a Commercial Solid Waste Operator Franchise

**Category #**

**Page 1 of 1**

**Agenda Item#**

*25-26*

~~*29-30*~~

~~*35-36*~~

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

Tina Paez, Interim Director  
Administration & Regulatory Affairs

**Origination Date**

01/09/2013 ~~JAN 30 2013~~

**Agenda Date**

~~JAN 23 2013~~

**DIRECTOR'S SIGNATURE:**

*[Handwritten Signature]*

**Council Districts affected:**

FEB 06 2013

ALL

**For additional information contact:**

Juan Olguin Phone: (713) 837- 9623  
Naelah Yahya Phone: (713) 837- 9636

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

**RECOMMENDATION: (Summary)**

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

**Amount of Funding:**  
REVENUE

**FIN Budget:**

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

**SPECIFIC EXPLANATION:**

It is recommended that City Council approve ordinances granting Commercial Solid Waste Operator Franchises to the following solid waste operators pursuant to Article VI, Chapter 39. The proposed Franchisees are:

1. United Site Services, Inc.
2. Frank Leyva Felix DBA Payless Porta Jons

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to 4% of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the franchise, the City has the right to inspect, and the company has the duty to maintain, required customer records during regular business hours. The franchise contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise term is 10 years from the effective date.

The Pay or Play Program does not apply to the solid waste franchises.

**REQUIRED AUTHORIZATION**

Finance Director:

MOTION by Council Member Green that the following Item be postponed for one week:

Item 32 - Select and Confirm the appointment of Adrian Patrick Patterson or Dr. Bernard A. Harris, Jr., to Position 10 of the Houston Municipal Employees Pension System Board of Trustees, for a three year term

27  
27A { and the Administration place an item on next weeks agenda for Position 11 so that nominations can be received.

Seconded by Council Member Burks

**ROLL CALL VOTE:**

Mayor Parker voting aye  
Council Member Brown voting aye  
Council Member Davis voting aye  
Council Member Cohen voting aye  
Council Member Adams voting aye  
Council Member Martin voting aye  
Council Member Hoang voting aye  
Council Member Pennington voting no  
Council Member Gonzalez voting no  
Council Member Rodriguez voting no  
Council Member Laster voting no  
Council Member Green voting aye  
Council Member Costello absent on personal business  
Council Member Burks voting aye  
Council Member Noriega voting no  
Council Member Bradford voting aye  
Council Member Christie voting aye  
MOTION CARRIED

PASSED AND ADOPTED this 30th day of January 2013.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is February 5, 2013.

City Secretary

28

FEB 06 2013

MOTION by Council Member Green that the following Item be postponed for one week:

28  
FEB 06 2013

Item 32 - Select and Confirm the appointment of Adrian Patrick Patterson or Dr. Bernard A. Harris, Jr., to Position 10 of the Houston Municipal Employees Pension System Board of Trustees, for a three year term

and the Administration place an item on next weeks agenda for Position 11 so that nominations can be received.

Seconded by Council Member Burks

**ROLL CALL VOTE:**

- Mayor Parker voting aye
  - Council Member Brown voting aye
  - Council Member Davis voting aye
  - Council Member Cohen voting aye
  - Council Member Adams voting aye
  - Council Member Martin voting aye
  - Council Member Hoang voting aye
  - Council Member Pennington voting no
  - Council Member Gonzalez voting no
  - Council Member Rodriguez voting no
  - Council Member Laster voting no
  - Council Member Green voting aye
  - Council Member Costello absent on personal business
  - Council Member Burks voting aye
  - Council Member Noriega voting no
  - Council Member Bradford voting aye
  - Council Member Christie voting aye
- MOTION CARRIED**

**PASSED AND ADOPTED** this 30th day of January 2013.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is February 5, 2013.

City Secretary

29

FEB 06 2013

MOTION NO. 2013 0064

MOTION by Council Member Burks that the following item be postponed for two weeks:

Item 39 - Ordinance amending Sections 45-114 and 45-115 of the Code of Ordinances, Houston, Texas, relating to angle parking on streets; containing findings and other provisions relating to the foregoing subject; providing for severability

Seconded by Council Member Gonzalez and carried.

Mayor Parker, Council Members Brown, Davis, Cohen, Adams, Martin, Hoang, Pennington, Gonzalez, Rodriguez, Laster, Green, Costello, Burks, Noriega, Bradford and Christie  
voting aye  
Nays none

PASSED AND ADOPTED this 23rd day of January, 2013.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is January 29, 2013.

City Secretary

**SUBJECT:** Ordinance amending sections 45-114 and 45-115 of the Code of Ordinances, relating to curb cut backs and angle parking in areas of the roadway.

|                |   |
|----------------|---|
| Page<br>1 of 1 | Agenda<br>Item<br><del>39</del> <b>41</b> |
|----------------|---|

29

**FROM (Department or other point of origin):**  
Chief Development Officer

**Origination Date:** FEB 06 2013  
~~12/28/12~~

**Agenda Date:** ~~JAN 22 2013~~  
JAN 16 2013

**DIRECTOR'S SIGNATURE:**



**Council District affected:**  
All

**For additional information contact: Andrew F. Icken**  
Phone: 832.393.1064

**Date and identification of prior authorizing Council action:**  
N/A

**RECOMMENDATION: (Summary)**  
That Council enact the proposed ordinance amending the Code of Ordinances to authorize the Department of Public Works and Engineering to approve curb cut backs and angle parking in the roadway.

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

**SPECIFIC EXPLANATION:**

Chapter 45 of the Code of Ordinances currently requires City Council approval for any curb cut back for the purpose of providing individual parking spaces for customers. The Chief Development Officer proposes to transfer authority for such approval from City Council to the Director of the Department of Public Works and Engineering (PWE). This change would be consistent with the remainder of Article VI, Chapter 45 of the Code (pertaining to "Stopping, Standing, and Parking Generally"), which already authorizes the traffic engineer to make decisions about activity in the right of way, such as bus stops, loading zones, parking near hazardous or congested places, and standing or parking of taxis. This amendment is expected to make the process for approval of angle parking more efficient and will retain the expertise of (PWE) with respect to traffic management. This change will also facilitate the review and approval process for curb extensions currently used in several parts of the city. These curb extensions can, at times, aid in pedestrian safety and walkability.

**REQUIRED AUTHORIZATION**

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

## Cut-Back Curb REDLINE

### **Sec. 45-114. Cut-back curb sections for parking—Consent required to cut curb.**

It shall be unlawful for any person to cut back any curb in front of any place or establishment for the purpose of providing individual parking space or parking space for the use of customers of such person without the consent of the Director ~~city council~~.

### **Sec. 45-115. Same—Method of parking.**

(a) As approved by the traffic engineer, ~~Within authorized cut-back curb sections,~~ parking may be at an angle to the curb, ~~but in no event shall any portion of a parked vehicle extend more than six feet into the roadway from the curb line as it would exist in the absence of such a cut-back.~~

(b) The traffic engineer is authorized to prohibit angle parking ~~in any curb cut-back~~ when, upon the basis of an engineering and traffic investigation, it is determined that such practice is hazardous or dangerous to vehicular or pedestrian traffic.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

|  |                |                              |
|--|----------------|------------------------------|
| <b>SUBJECT:</b><br>Revisions to Chapter 7 and Chapter 1 of the City of Houston Code of Ordinances relating to crafted precious metals. | Page<br>1 of 1 | Agenda Item #<br><b>30</b> # |
|--|----------------|------------------------------|

|  |                                     |  |
|--|-------------------------------------|--|
| <b>FROM: (Department or other point of origin):</b><br>Houston Police Department | <b>Origination Date:</b><br>1/24/13 | <b>Agenda Date:</b><br><del>JAN 30 2013</del><br>FEB 06 2013 |
|--|-------------------------------------|--|

|   |  |
|---|--|
| <b>DIRECTOR'S SIGNATURE:</b><br><br>Charles A. McClelland, Jr., Chief of Police | <b>Council District affected:</b><br>All |
|---|--|

|  |   |
|--|---|
| <b>For additional information contact:</b><br>J. A. Fenninger <i>JAF</i> 12/14/12<br>CFO and Deputy Director Phone: 713-308-1708 | <b>Date and identification of prior authorizing Council Action:</b> |
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**RECOMMENDATION:** Adopt an Ordinance approving amendments to the Code of Ordinances to create a new Article IV in Chapter 7 and to revise Ch. 1, Secs. 1-10 and 1-15 relating to crafted precious metals.

**Amount and Source of Funding:** No Funding Required

**SPECIFIC EXPLANATION:**

The Houston Police Department (HPD), in conjunction with the Department of Administration and Regulatory Affairs (ARA) and the City Attorney's Office, has reorganized and updated Chapter 7 of the Code of Ordinances relating to crafted precious metals dealers. Several factors led to revising the ordinance. The value of precious metals has increased significantly over the last ten years and there has been almost a 100% increase in monetary losses from jewelry-related crimes over the past four (4) years. State law relating to crafted precious metals was significantly revised in the 2011 legislative session.

The revisions will serve to align city ordinance with state law, which requires enhanced recordkeeping by precious metals dealers. These revisions will assist law enforcement in the identification and recovery of stolen precious metals. The Precious Metals Unit (PMU) of HPD conducted two (2) stakeholder meetings consisting of approximately ninety (90) dealers in an effort to learn about the industry and to obtain feedback on industry issues and changes to the city ordinance. HPD presented their request for a revision to the Public Safety and Homeland Security Committee.

Specific amendments:

Provisions of Ch. 7 pertaining to precious metals are being updated so that they are consistent with state law, and are moved to a new article IV which will pertain solely to precious metals. In general, Ch. 7 is reorganized for clarity and consistency. Some of the changes include removing precious metals from article III, which addresses unrelated secondhand dealers such as clothing and resale media dealers.

Consistent with state law, the ordinance contains provisions relating to temporary and permanent licenses, a thumb print impression, records to be uploaded daily to a real-time electronic web-based database, retention of records to match state law, and a photograph of the seller as well as the description of the crafted precious metal that is required by state law.

The revisions also contain amendments to Sec. 1-10 and 1-15 of the Code of Ordinances regarding grounds for revoking a crafted precious metals dealer's license and a national criminal background check of applicants for such license.

| REQUIRED AUTHORIZATION |   |                             |
|------------------------|---|-----------------------------|
| <b>Finance Budget:</b> | <b>Other Authorization:</b><br>12/14/12 | <b>Other Authorization:</b> |

## Chapter 7

### ANTIQUÉ DEALERS, COMMON MARKETS, SCRAP METAL PROCESSORS, SECONDHAND RESELLERS AND RELATED BUSINESSES

Art. I. In General, §§ 7-1--7-15

Art. II. ~~Antique, Precious Metals, and Resale Media and Clothing Dealers, §§ 7-16--7-50~~

Art. III. Metal Recyclers/Secondhand Metal Dealers and Secondhand Resellers, §§ 7-51--7-80

Art. IV. Crafted Precious Metals Dealers Reserved, §§ 7-81 – 7-100.

Art. V. Common Markets, §§ 7-101--7-118

#### ARTICLE I. IN GENERAL

##### Sec. 7-1. Definitions.

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

*Antique dealer* means any person who engages in the business of buying, selling, trading, or otherwise dealing in used items which, because of age or design or quality or intrinsic beauty, or rarity or demand or otherwise have a value enhanced over the original value of such the goods.

*Business* means an activity carried on for profit, but shall not include occasional purchases or trades by a hobbyist.

*Chief of police* means the chief of police for the City of Houston and ~~such~~ persons as he may designate to perform his duties under this article.

Clear thumb print impression means an intentional digital recording of the friction ridge detail on the volar pads of the thumb. **[Moved from Article III because the definition is used in Articles III and IV]**

*Director* means the director of the department of administration and regulatory affairs or his designee.

*Minor* means any person under 18 years of age.

~~Precious metals~~ means gold, silver or platinum. **[Updated, moved to Art. IV]**

~~*Precious metals dealer* means any person who engages in the business of buying, selling, trading or otherwise dealing in precious metals. [Updated, moved to Art. IV]~~

*Secondhand reseller* means any person who buys, sells, exchanges or deals in personal property that has been previously used, broken or disfigured; provided, that a merchant who deals in new furniture, dishes or other regular household furnishings and accepts such articles for credit on the purchase price of new or used articles sold contemporaneously therewith that are of similar character to the goods so exchanged shall not be considered a secondhand reseller for the purposes of this article.

*Show* means any display and offering of used items for sale or trade by more than one dealer at a single location.

*Used* means any items, goods, products, wares, chattels, or articles of any sort, which have previously been owned by someone other than the manufacturer, or by a dealer whose business it is to sell such items, goods, products, wares, chattels, or articles when new to the customer.

*Web-based database* means an electronic reporting system approved by the chief of police that is capable of transmitting information and responding to input on the internet. [Revised, moved from Art. III because the definition is used in Arts. III and IV.]

**Sec. 7-2. Licensed pawnbrokers excluded.**

This chapter shall not apply to pawnbrokers licensed by the State of Texas.

**Sec. 7-3. Penalty for violation of any portion of this chapter.**

Any person who owns or operates any business governed by this chapter but does not have a valid license therefor or any person who shall violate any portion of this chapter shall be guilty of a misdemeanor and, upon conviction thereof shall be punished by a fine of not less than \$100.00 nor more than \$500.00. Each day ~~such~~ the owner/operator/person permits the sale or purchase of any goods from ~~such~~ the unlicensed business or violates any provision of this chapter shall constitute a separate offense.

**Sec. 7-4. State law/city retention periods.**

Any retention periods required by this chapter are not meant to replace any required retention periods provided ~~for~~ by state law; in the event there is a conflict between retention periods provided for in this chapter and retention periods required by state law, the longer retention requirements shall ~~control and~~ apply.

**Sec. 7-5. Requirement for certificate of occupancy.**

Any business covered by this chapter that operates out of facilities required by city ordinance to have a certificate of occupancy must obtain said certificate of occupancy prior to a license being issued under this chapter.

**Sec. 7-6. Reports of property suspected stolen; purchase of city property.**

(a) It shall be the duty of the licensee, his agents, or employees to immediately report to the police department any offer to sell to the licensee, his agents, or employees property which the licensee, his agents, or employees have actual knowledge is stolen or by reasonable diligence should know is stolen, together with the identity, when known, and description of the person or persons making such offer. The licensee, his agents, or employees shall also report any property acquired by the licensee which the licensee, his agents, or employees subsequently determine or reasonably suspect to be stolen property and shall furnish such other information as might be helpful to the police in investigating the matter.

(b) It shall be unlawful for any licensee, his agents, or employees to purchase an item of property on which are written or affixed the words "Property of the City of Houston" or other words demonstrating ownership by the city except in the following circumstances:

- (1) When the person offering the property for sale is an employee of the city who is authorized to make the sale by the director of the department of administration and regulatory affairs or the director of the department of public works and engineering pursuant to section 2-202 of this Code, and provides the licensee, his agents or employees with a written authorization for the sale of the property from his department's director or the director's designee; or
- (2) When the person offering the property for sale presents at the time of the offer a valid receipt from the department of administration and regulatory affairs or the department of public works and engineering, pursuant to section 2-202 of this Code, evidencing the purchase of the property.

**[Moved from Article II and revised.]**

**Sec 7-7. Process for revocation of license; appeal.**

(a) A license issued pursuant to this chapter may be revoked without refund of any portion of the license application or renewal fee.

(b) The director shall give written notice of revocation to the licensee by certified mail, return receipt requested, and by regular mail, setting forth the grounds for revocation and the opportunity to request a hearing regarding the revocation. A revocation hearing based upon the licensee's conviction of a criminal offense shall be conducted in accordance with section 1-9 of this Code and applicable state laws.

(c) If the licensee wishes to request a hearing, the request must be made in writing and provided to the director within 10 business days of the date of the director's notice of revocation. The hearing shall be conducted within 15 business days of the director's receipt of the request. If the licensee does not request a hearing within 10 business days, the revocation is effective on the 11<sup>th</sup> business day after the date of the director's revocation notice.

(d) The hearing shall be conducted by a hearing officer appointed by the director, who shall revoke the license if he determines by a preponderance of the evidence that grounds exist for revocation. At the hearing, the licensee may be represented by an attorney, present evidence, and cross-examine witnesses.

(e) The hearing officer shall give written notice to the licensee of his findings as to whether or not the license should be revoked and the reasons therefor. The notice shall be by certified mail, return receipt requested, as soon after the conclusion of the hearing as practicable but in no event more than 30 days thereafter. The decision of the hearing officer shall be final.

**Secs. 7-68--7-15. Reserved.**

## **ARTICLE II. ANTIQUE, ~~PRECIOUS METALS,~~ AND RESALE MEDIA AND CLOTHING DEALERS**

### **Sec. 7-16. Definitions.**

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

*Licensee* means any person licensed as a secondhand reseller pursuant to article III of this chapter, or as an antique dealer, ~~precious metals dealer,~~ or resale media and clothing dealer pursuant to this article.

*Resale media and clothing dealer* means any dealer who deals exclusively in:

- (1)a. Used books, magazines and other printed documents;
- (2)b. Used phonographic records, magnetic audio tapes, audio discs or other recordings of sound which do not include recordings of visual images; and/or
- (3)c. Used items of clothing, except those made in whole or in part from fur, but not in any other items, goods, products, wares, clothes or articles which are subject to regulation under this article.

~~Tableware means any flatware, dishes, serving pieces or other items designed or intended to be used in connection with the serving or eating of food when such items are made of any precious metal or wholly or partially plated with a precious metal. [Moved to Article IV]~~

**Sec. 7-17. License required; display.**

No person shall operate as an antique dealer, ~~precious metals dealer,~~ or resale media and clothing dealer, ~~or own any such business,~~ or engage in the business of buying, trading, or otherwise receiving used books, magazines and other printed documents, ~~or used items of clothing (except those made from fur), jewelry, used tableware, or other used items containing precious stones or made of or plated with precious metals~~ unless he is licensed pursuant to ~~the licensing provisions of this article,~~ is licensed as a secondhand reseller pursuant to article III of this chapter, is licensed as a pawnbroker pursuant to ~~the statutes of the state law~~ or is acting in the employment of one licensed under one of the above-listed laws. A separate license shall be required for each permanent location of any such business. A license issued under this subsection shall be marked to indicate that the business is authorized to deal only in the items listed in this subsection (or as a secondhand reseller pursuant to article III of this chapter) and shall be posted in a conspicuous place upon the licensed premises.

**Sec. 7-18. Application for and issuance or refusal of license.**

(a) Any person desiring a license required by this article shall make application therefore in writing to the director on an application form provided for that purpose. On the application, the applicant shall provide the following information:

- (1) ~~The full name of the applicant, the and mailing street address of where the business is to be located, and the residence address of each owner, manager and operator of the business;~~
- (2) ~~Such~~ The application form shall be accompanied by an affidavit, sworn to by the applicant, that neither he nor any business partner, nor, in the case of a corporation, any corporate officer, has had a license revoked under this chapter or any preceding city ordinance governing the business described herein;
- (3) ~~Whether any owner or operator is an individual, partnership, corporation, or other legal entity; provided, however, that the type of business organization shall include only those organizations recognized by the Texas Business Organizations Code ("BOC"), and if the organization is a foreign entity required to register under Chapter 9 of the BOC, full and complete copies of such organization's current registration;~~
- (4) If any owner or operator is a corporation, all officers of the corporation; and if there are fewer than five shareholders, the names of all shareholders;

- (5) If any owner or operator is a partnership, the type of partnership and names and addresses of all general partners;
- (6) If any owner or operator is an unincorporated association, the names and addresses of all officers of such association;
- (7) The location where the business will be conducted, along with a copy of the certificate of occupancy for the location; and
- (8) The time period or periods during which the business will be conducted.

(b) Upon receipt of ~~such~~ the application, the director shall investigate the items sworn to by affidavit or by declaration pursuant to the Texas Civil Practices and Remedies Code section 132.001. If neither the applicant, his business partners, nor any corporate officers have had a license revoked as described above, the director shall issue a license to the applicant upon payment of the license fee.

(c) If the director rejects the application, he shall give written notice by personal delivery or certified mail, return receipt requested to the applicant at the address stated in the application. The written notice shall specifically set forth the reasons for the rejection.—~~A rejection shall be subject to appeal in the same manner provided in section 7-25 of this Code.~~

**Sec. 7-19. License fees.**

(a) The annual fee for a license issued pursuant to this article for a dealer with a permanent place of business within the city is stated for this provision in the city fee schedule. The license shall be valid for one year from the date of issuance.

Each licensee with a permanent business location in the city may use the license for that business when attending shows at other locations in the city.

(b) Any dealer described herein who desires to sell or purchase items at shows in the city, but who does not maintain a permanent place of business in the city, must apply for and secure a license for each location. The daily license fee for each show is stated for this provision in the city fee schedule.

**Sec. 7-20. Records required to be kept.**

(a) Every person engaged in the business of buying, trading or otherwise receiving antique items, ~~used jewelry, used tableware or other used items made of precious stones or precious metals~~ shall keep at his place of business a record book, in a form approved by the chief of police, in which he shall enter daily a full description of all personal property purchased or otherwise received at his licensed place of business.—~~Such~~ The description shall include the date and hour of receipt, the name and address of the person or place of

business from which ~~such~~ the item was received, and the driver's license or Texas personal identification certificate number of the person selling or otherwise giving the items. All entries in the record book shall be made legibly.

(b) In addition to the requirements set out in subsection (a) hereof, the property shall be fully described including, where customary in the business, the size, weight, material, length, number of items, capacity, and any other designations or descriptions customarily employed in the sale and purchase of ~~such~~ the items.

(c) The licensee, his agents or employees shall provide a receipt to the seller or transferor of the property. Each receipt shall be consecutively numbered and shall be dated on the actual date of the transaction and shall list the items sold or otherwise transferred. An accurate copy or record of receipts obtained shall be retained for a period of not less than two years, and shall be available for inspection upon request during business hours by any peace officer or authorized inspector of the department of administration and regulatory affairs.

(d) Every person engaged in the business of buying, trading or otherwise receiving antique items, ~~used jewelry, used tableware or other used items made of precious stones or precious metals~~ shall, upon request, submit and exhibit the various business records which are required to be maintained for inspection or copying to any peace officer or authorized inspector of the authorized inspector of the department of administration and regulatory affairs. Failure to maintain or to so permit the examination or copying of ~~such~~ the records when required shall be a misdemeanor.

#### **Sec. 7-21. Stock to be open for examination.**

The stock or inventory of any dealer that is openly displayed and available to the public shall at any time during ordinary business hours be accessible for examination by any peace officer or authorized inspector of the department of administration and regulatory affairs. Failure to permit an examination when requested shall be a misdemeanor.

#### **Sec. 7-22. Articles to be retained.**

~~(a)~~—No antique dealer or resale media and clothing dealer shall sell, dismantle, deface or in any manner alter or dispose of any item purchased or otherwise received by him at his licensed place of business for 72 hours after receipt. During ~~such~~ the 72-hour period, all items of property shall be stored or displayed at the dealer's business location, in the exact form received, and in a manner so as to be identifiable from the description entered in the record book. ~~Such~~ The property shall not be kept so as to prevent or impede its examination hereunder.

~~(b)~~ No precious metals dealer shall sell, dismantle, deface or in any manner alter or dispose of any item purchased or otherwise received by him at his licensed place of business for 11 days after receipt. During such 11-day period, all items of property shall be stored or displayed at the dealer's business location, in the exact form received, and in a

~~manner so as to be identifiable from the description entered in the record book. Such property shall not be kept so as to prevent or impede its examination hereunder. [Moved to Art. IV]~~

**Sec. 7-23. Purchasing or receiving goods of minors.**

~~No antique or precious metals dealer shall purchase or otherwise receive in the course of his business, any item, ownership of which is claimed by any minor, or which may be in the possession of or under control of a minor, unless the minor's parent or guardian shall state in writing, that such the transaction is taking place with such the parent's or guardian's full knowledge and consent. It shall be the duty of such the antique or precious metals dealer to preserve and keep on file, and available for inspection, such the written statements of consent.~~

**Sec. 7-24. Change in business address.**

~~Should any person licensed under this article move his permanent place of business from the place designated in such the license to a new address, he shall immediately give written notice to the director and have the change noted on his license. The fee stated for this provision in the city fee schedule, payable to the director, is hereby levied for such a the change.~~

**Sec. 7-25. Revocation of license.**

A license may be revoked in the manner provided in section 7-7 of this Code if:

- (1) Any information supplied in the permit application was materially false or incorrect;
- (2) The license was issued as a result of error; or
- (3) The licensee has violated the provisions of this chapter, any state or federal statute involving the criminal offense of theft, or Texas Penal Code section 37.09 or 37.10.

**[The following provisions were revised, updated and moved to Sec. 7-7, and will apply to entire chapter]**

~~(a) Upon written verified complaint filed by any person with the director setting out facts alleging that any licensee under this article has, since the license was granted, violated the provisions of this chapter, or any state or federal statute involving the criminal offense of theft, or the provisions of § 37.09 or 37.10 of the Texas Penal Code or that the licensee falsified his original application for a license, the director shall cause the allegations to be investigated.~~

~~(b) If just cause exists for a hearing on revocation of a license herein, the director shall notify the licensee in writing by certified mail, return receipt requested, and by regular mail that a revocation hearing will be conducted at a specified time and place with reference~~

~~to such complaint. A copy of the verified complaint shall be included, notifying the licensee of the allegations against him.~~

~~(c) At the hearing conducted by the director or his designee, all parties may present evidence, be represented by an attorney, and question opposing witnesses.~~

~~(d) Based on a preponderance of the evidence, the director or his designee shall determine, whether the license should be revoked. A written copy of the decision shall be sent to all parties by certified mail, return receipt requested, as soon after the conclusion of the hearing as practicable but in no event more than 30 days thereafter. The decision of the hearing officer shall be final. In the event a license is revoked, the city shall not be liable to the licensee for any refund of any part of the license fee.~~

~~(e) In the event that the licensee's license is revoked, such licensee may appeal the revocation to the city council pursuant to Rule 12 of Section 2-2 of this Code and by notifying the city secretary in writing within 14 days after the revocation. A hearing before the city council shall be set as soon as practicable. Failure to appeal within 14 days shall render the decision of the director of administration and regulatory affairs final.~~

~~(f) The city council shall, based on a preponderance of the evidence, render its decision. A copy of the decision shall be sent by the director of Administration and Regulatory Affairs to all parties by certified mail, return receipt requested, as soon after the conclusion of the hearing as practicable but in no event more than 30 days. The city council action shall be final.~~

**[The following provision was revised, updated and moved to Sec. 7-6, and will apply to entire chapter]**

**Sec. 7-26. Reports of property suspected stolen.**

~~(a) It shall be the duty of the licensee, his agents or employees to report immediately to the police department any offer to sell to the licensee, his agents or employees property which such licensee, his agents or employees have actual knowledge is stolen or by reasonable diligence should know is stolen, together with the identity, when known, and description of the person or persons making such offer. Such licensee, his agents, or employees, shall also report any property acquired by the licensee which the licensee, his agents or employees, subsequently determine or reasonably suspect to be stolen property and the licensee, his agents or employees, shall furnish such other information as might be helpful to the police in investigating the matter.~~

~~(b) It shall be unlawful for any licensee, his agents or employees to purchase an item of property on which are written or affixed the words "Property of the City of Houston" or other words demonstrating ownership by the city except in the following circumstances:~~

- ~~(1) Where the person offering such property for sale is an employee of the city authorized by the city treasurer to make such a sale, and provides the licensee, his agents or employees with a written authorization from the city treasurer for the sale of such property; or~~

- ~~(2) Where the person offering such property for sale presents at the time of such offer a valid receipt from the city treasurer evidencing the purchase of such property by the person offering such property.~~

**Sec. 7-27. Exemptions from license fee.**

~~An organization engaged in a business described herein, but which has qualified as nonprofit and which is exempt from taxation under the provisions of Section 501(c)(3) of Title 26 (Internal Revenue Code), of the United States Code, must obtain a license as required herein; provided however, that such organization shall be exempt from paying the license fee required herein. All other provisions of this article apply to such organizations. **[Per discussion with Don Cheatham, delete; there's no legal justification for exempting nonprofits.]**~~

**Sec. 7-28. Inapplicability of certain chapter provisions.**

Notwithstanding any other provision of this article that might be construed to the contrary, the provisions of section 7-23 of this Code shall not be applicable to the sale, receipt, transfer or holding of (1) Used books, magazines and other printed documents; (2) Used phonographic records, magnetic audio tapes, audio discs or other recordings of sound which do not include recordings of visual images; and/or (3) Used items of clothing, except those made in whole or in part from fur.

**Secs. 7-2927--7-50. Reserved.**

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**[Art. III is omitted from this redline; Don Cheatham is revising that Art.]**

**ARTICLE IV. RESERVED CRAFTED PRECIOUS METALS DEALERS**

**Sec. 7-81. Definitions.**

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

*Crafted precious metal* means jewelry, silverware, an art object, or another object made wholly or partly from precious metal, other than a coin, a bar, a commemorative medallion, or scrap or a broken item selling at five percent or more than the scrap value of the item.

*Dealer* means a person licensed to engage in the business of purchasing and selling crafted precious metal (including purchases or sales made through the mail), except for coins, bars, commemorative medallions, or items that the dealer purchases for five percent or more than the scrap value.

Licensee means any person licensed as a dealer pursuant to this article.

Permanent registered location means a location where a crafted precious metals dealer engages in the business of buying crafted precious metal for one year or longer.

Precious metal means gold, silver, platinum, palladium, iridium, rhodium, osmium, ruthenium, or an alloy of those metals.

Scrap value means the value at which an item would be purchased by a person who will melt the item or otherwise transform it so that it will not be used for its original purpose.

Tableware means any flatware, dishes, serving pieces or other items designed or intended to be used in connection with the serving or eating of food when the items are made of any precious metal or wholly or partially plated with a precious metal.

Temporary dealer means any person who conducts business as a dealer in the city for a period of time not to exceed one year but does not have a permanent place of business in the city.

**Sec. 7-82. License required; display, exceptions.**

(a) No person shall operate as a dealer or own any such business or engage in the business of buying, trading, or otherwise receiving jewelry, used tableware, or other used items containing precious stones or made of or plated with precious metals unless he is licensed pursuant to this article, is licensed as a pawnbroker pursuant to the statutes of the state or is acting in the employment of one licensed under one of the above-listed laws. A separate license shall be required for each permanent location of any such business. A license issued under this subsection shall indicate that the business is authorized to deal only in the items listed in this article and shall be posted in a conspicuous place upon the licensed premises.

(b) A dealer must provide and display valid city and state license numbers on all forms of advertisement (i.e., print, video, internet, and radio) for business conducted within the city limits.

(c) Exceptions to the applicability of this article are as provided in the Texas Occupations Code, Chapter 1956, Subchapter B.

**Sec. 7-83. Application for license.**

(a) Any person desiring a license required by this article shall make application therefor in writing to the director on an application form provided for that purpose. On the application, the applicant shall provide the following information:

- (1) The full name of the applicant, the street address where the business is to be located, and the residence address of each owner, manager and operator of the business;
- (2) Whether any owner or operator is an individual, partnership, corporation, or other legal entity; provided, however, that the type of business organization shall include only those organizations recognized by the Texas Business Organizations Code ("BOC") and authorized to engage in the type of business covered by this article, and if the organization is a foreign entity required to register under Chapter 9 of the BOC, full and complete copies of the organization's current registration;
- (3) If any owner or operator is a corporation, all officers of the corporation; and if there are fewer than five shareholders, the names of all shareholders;
- (4) If any owner or operator is a partnership, the type of partnership and names and addresses of all general partners, and for limited liability companies, the names and addresses of all members;
- (5) If any owner or operator is an unincorporated association, the names and addresses of all officers of the association;
- (6) If any applicant does business under an assumed name as that term is defined in Texas Business and Commerce Code section 71.002, all assumed names used and copies of all filings relating to such names;
- (7) The person responsible for the on-site day-to-day operation of the applicant's permanent registered location and a person responsible for each temporary location;
- (8) A copy of the certificate of occupancy for the location where the business will be conducted;
- (9) The time period or periods during which the business will be conducted, including hours of operation;
- (10) A copy of the certification of registration issued by the Office of Consumer Credit Commissioner (OCCC) of the State of Texas; and

(11) Any other information reasonably required by the director for the purpose of processing the application under the requirements of this article.

(b) The application form shall be accompanied by an affidavit, sworn to by the applicant or declaration pursuant to Texas Civil Practice and Remedies Code section 132.001, acknowledging that the applicant:

(1) Including his business partners, and, in the case of a corporation, all corporate officers, have not had a license revoked under this chapter or any preceding city ordinance governing the business described herein;

(2) Has read the application and agrees to all of its terms and provisions;

(3) Affirms the correctness and accuracy of the information given on the application; and

(4) Affirms that he has the authority to bind the applicant to all of the terms, provisions and requirements of the application.

#### **Sec. 7-84. Temporary license.**

A temporary dealer who wishes to purchase crafted precious metals in the city must apply for and secure a license for each location. An application for a temporary dealer's license shall be submitted as required in section 7-83, not later than 30 business days prior to the desired effective date of the license, and shall contain, for each location:

(1) The approximate dates and hours of operation for each temporary location; and

(2) The name of the person responsible for on-site operations and compliance with applicable laws at each temporary location.

#### **Sec. 7-85. Issuance, denial, fees.**

(a) Upon receipt of an application, the director shall investigate the items sworn to by affidavit or declaration. An application is complete when the application contains the information required by this article and is accompanied by the payment of the license fee.

(b) Within 30 days of receiving an incomplete application, the director will provide written notice to the applicant stating that the application is incomplete and specifying the additional information required for completion. If the director requests additional information and the applicant does not respond within 30 days, the application will be considered withdrawn, and the applicant must reapply to obtain a license.

(c) For temporary licenses, within 10 business days of receiving an incomplete application, the director will provide written notice to the applicant stating that the application

is incomplete and specifying the additional information. If the applicant does not respond within 10 business days, the application will be considered withdrawn, and the applicant must reapply to obtain a temporary license.

(d) Upon receipt of a complete application for a temporary or permanent license, the director shall issue a license to the applicant unless:

- (1) The information provided in the application is materially false or incorrect;
- (2) The applicant has violated the provisions of this chapter;
- (3) The applicant or any of the applicant's principals are not in compliance with the criminal history provisions of section 1-10 of this Code; or
- (4) The applicant, his business partners or corporate officers have had a license revoked under this article or a preceding city ordinance governing the business described herein within the last five years.

(e) If the director denies the application, he shall give written notice by personal delivery or certified mail, return receipt requested, to the applicant at the address stated in the application. The written notice shall specifically set forth the reasons for the denial and shall be subject to an appeal pursuant to the procedures in section 7-7 of this Code.

(f) The annual fee for a license issued pursuant to this article for a dealer with a permanent place of business within the city is stated for this provision in the city fee schedule. The license, unless revoked, shall be valid for one year from the date of issuance.

(g) A temporary dealer shall pay the daily license fee for each show. The daily license fee is stated for this provision in the city fee schedule.

**Sec. 7-86. Change in business name or address; notice.**

(a) Should any person licensed under this article move his permanent place of business from the place designated in the license to a new address, he shall immediately give written notice to the director to have the change noted on his license and pay the fee stated for this provision in the city fee schedule.

(b) The director will rely on the mailing and e-mail addresses currently on file to contact dealers. The failure to maintain a current mailing or e-mail address with the director is not a defense to any action based on a dealer's failure to respond to notifications from the director.

**Sec. 7-87. Use of license at shows, other locations.**

Each licensee with a permanent business location in the city may use the license for that business when attending shows or conducting business at other locations in the city.

**Sec. 7-88. Required recordkeeping; transaction report form, scrap value estimation, receipt.**

(a) A dealer shall keep at his place of business a record of all purchases of crafted precious metals in a web-based database, in a form and method approved by the chief of police. The record shall be updated daily, with a full description in English of each transaction in which personal property is purchased or otherwise received at the dealer's licensed place of business.

(b) The dealer must prepare a transaction report form for each transaction. The report form shall be preprinted and pre-numbered, and shall contain all the following information:

- (1) The date of purchase.
- (2) The name and address of the dealer's permanent business location.
- (3) The name and address where the dealer purchased the crafted precious metal, if the location is different than the dealer's permanent business location and the transaction takes place in person.
- (4) The dealer's registration number.
- (5) The full name of the seller, as listed on the seller's driver's license or personal identification certificate as defined by Texas Occupations Code § 1956.001(8).
- (6) A physical description of the seller to include date of birth, height, eye color, and gender.
- (7) The physical address where the seller is residing at the time of the transaction.
- (8) The seller's driver's license number or personal identification number from the following unexpired forms of identification:
  - a. A driver's license number from Texas or another state within the United States;
  - b. An identification card issued by the Texas Department of Public Safety;
  - c. A United States military identification card; or
  - d. A United States passport or visa, or other identification issued by the United States government as described in the administrative rules promulgated pursuant to section 7-93 of this Code.

- (9) A clear digital photograph of the seller, in accordance with the administrative rules issued by the director and the chief of police.
- (10) A clear thumbprint from the seller.
- (11) The seller's certification that the seller's name and address, as well as the description of the crafted precious metal, are true and complete.
- (12) The seller's representation that the seller has the right to possess and sell the property.
- (13) A description of the crafted precious metal purchased by the dealer, accompanied by a clear digital image of each item purchased, including the:
- a. Total number of items purchased by the dealer;
  - b. Type of each item (e.g., fork, tray, chain, ring);
  - c. Type, color and purity of each kind of metal purchased (e.g., 10 karat white gold, 0.925 sterling silver);
  - d. Weight in troy ounces, grams, or pennyweights for each kind of metal;
  - e. Amount paid by the dealer for each kind of metal;
  - f. Color (e.g., clear, blue, green), number, and approximate size (e.g., small, medium, large) of any stones and which item(s) included those stones;
  - g. Size or length of each item (e.g., size 7, 18 inches);
  - h. Any discernible serial numbers;
  - i. Any engravings, inscriptions, distinctive markings, or designs;
  - j. Gender for which any jewelry item was manufactured, if identifiable; and
  - k. Any unique markings that are not visible and identifiable from the photographic images.
- (14) The total amount paid to the seller by the dealer.
- (15) The notice regarding oversight of precious metals dealers by the state's Office of Consumer Credit Commissioner and the office's contact information for

consumer complaints as required by Title 7 of the Texas Administrative Code, Part 5, Ch. 85, Subch.B, Div. 2, Rule 85.2001(a).

Additional information is permissible on the transaction report form as long as it is not misleading with respect to rights arising under the law.

(c) The dealer shall maintain a scrap value estimation record for each purchase of crafted precious metal, including a reasonable good faith estimate of the each item's scrap value or the percentage of scrap value that the dealer will pay the seller. The scrap value estimation is not required on the seller's receipt copy of the transaction report form, but must be included on the dealer's copy, which must be maintained for a period of not less than three years, pursuant to Texas Occupations Code § 1956.063.

(d) The dealer shall submit the required records to the web-based database by the close of business on each day on which the dealer is open for business. Failure to comply with any provision of this section shall be grounds for the revocation of or the refusal to issue or renew a dealer's license. Any person violating any provision of this section shall be punished as provided by section 1-6 of this code.

(e) The dealer, his agents, or employees shall supply a consecutively-numbered receipt to the seller or transferor of the property. The receipt shall be dated on the actual date of the transaction and shall list the items sold or otherwise transferred. A printed version of the record input to the web-based database shall satisfy this requirement. An accurate copy or record of receipts shall be retained for a period of not less than three years.

(f) A dealer and every person engaged in the business of buying, trading or otherwise receiving crafted precious metals in any form shall, upon request, submit and exhibit the various business records required to be maintained under this section for inspection and copying to any peace officer or authorized inspector of the director. Failure to maintain or to so permit the examination or copying of the records when requested shall be a misdemeanor.

**Sec. 7-89. Stock to be open for examination.**

The stock or inventory of any dealer that is openly displayed and available to the public shall at any time during ordinary business hours be accessible for examination by any peace officer or authorized inspector of the department of administration and regulatory affairs. Failure to permit an examination when requested shall be a misdemeanor.

**Sec. 7-90. Articles to be retained, placed on hold, exceptions.**

(a) No dealer shall sell, dismantle, deface, melt, or in any manner alter or dispose of any item purchased or otherwise received at the dealer's licensed place of business for eleven days after receipt. During the eleven-day period, all items of property shall be stored or displayed at the dealer's permanent business location or in a secure location readily

accessible to the dealer, in the exact form received, and in a manner so as to be identifiable from the description entered in the record book. The property shall not be kept so as to prevent or impede its examination hereunder and shall be available for inspection by a peace officer within 24 hours of a peace officer's request to inspect the property.

(b) A dealer may not melt, deface, alter, or dispose of crafted precious metal received by the dealer before the 11<sup>th</sup> day after the required report is filed unless:

- (1) The peace officer to whom the report is submitted, for good cause, authorizes the disposition of the metal;
- (2) The dealer obtains the name, address, and description and other information pertaining to the buyer as required in section 7-88(b) of this article and retains a record of that information; or
- (3) The dealer is a pawnbroker and the disposition is the redemption of pledged property by the pledger.

(c) A peace officer who has a reasonable suspicion that an item of crafted precious metal in a dealer's possession is stolen may place the item on hold for a period not to exceed 60 days by issuing to the dealer a written notice that specifically identifies the item alleged to be stolen and subject to the hold, and informs the dealer of the requirements of this section.

(d) On receiving notice from a peace officer that an item is placed on hold, the dealer may not melt, deface, alter, or dispose of the identified crafted precious metal until the hold is released in writing by a peace officer of this state or by court order.

(e) Failure to comply with any provision of this section shall be grounds for the revocation of or the refusal to issue or renew any license required of a dealer under this code. Any person violating any provision of this section shall be punished as provided by section 1-6 of this code.

**Sec. 7-91. Purchasing or receiving goods from minors.**

No dealer shall purchase or otherwise receive in the course of his business any item, ownership of which is claimed by any minor, or which may be in the possession of or under control of a minor, unless the minor's parent or guardian shall state in writing, that the transaction is taking place with the parent's or guardian's full knowledge and consent. It shall be the duty of the dealer to preserve and keep on file and available for inspection the written statements of consent, for a period of three years.

**Sec. 7-92. Revocation of license.**

(a) A license may be revoked pursuant to the procedures in section 7-7 of this Code if:

- (1) Any information supplied in the permit application was materially false or incorrect;
- (2) The license was issued as a result of error;
- (3) The licensee has failed to operate in compliance with any applicable provision of the license or this chapter; or
- (4) The licensee has violated the provisions of this chapter, or is not in compliance with the criminal history provisions of section 1-10 of this Code.

(b) A dealer whose registration has been revoked may not reapply for five years from the date of revocation.

**Sec. 7-93. Administrative rules.**

The director and the chief of police shall promulgate rules and regulations to administer the provisions of this ordinance. The rules and regulations shall not conflict with any applicable provisions of this Code. All rules and regulations so promulgated shall be kept on file for public inspection at the office of the director and the office of the chief of police.

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Chapter 1

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**Sec. 1-10. Same--Specific permits and licenses.**

(a) Except as provided in the succeeding sentence applicable to the license enumerated in subsection (2) of this section, the licenses and permits enumerated in this subsection shall be denied if the applicant (i) has been convicted of any of the designated offenses within the seven-year period immediately preceding the date of the filing of the application or has spent time in jail or prison during the seven-year period immediately preceding the date of filing of the application for such a conviction, or (ii) is subject to deferred adjudication in connection with any of the above offenses. As to the license listed in subsection (2) of this section, the seven-year limitation shall not apply to any felony conviction for any sexual offense or offense involving violence, including, but not limited to, murder. Additionally, the following licenses and permits shall be subject to denial, revocation, or refusal for renewal, as applicable, if the licensee or permittee has been convicted of any of the designated offenses since the application was filed. Provided, however, no such license or permit shall be denied, revoked, or refused for renewal if the conviction was set aside as invalid or if it is found that the license or permit should not be denied, revoked or refused for renewal under chapter 53 of the Texas Occupations Code:

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- (5) Licenses issued to crafted precious metals dealers pursuant to Chapter 7 of this Code:
- a. Any violation of the ordinances or statutes regulating the purchase or sale of crafted precious metals.
  - b. Any offense involving fraud or misrepresentation.
  - c. Any offense involving theft, robbery, or burglary.
  - d. Any offense involving forgery.
  - e. Any offense involving a false report to a peace officer, federal special investigator or law enforcement employee as described in Chapter 37 of the Texas Penal Code.
  - f. Any offense involving tampering with or fabricating physical evidence as described in Chapter 37 of the Texas Penal Code.
  - g. Any offense involving tampering with a governmental record as described in Chapter 37 of the Texas Penal Code.

The above listed offenses shall be grounds for denial or revocation of, or refusal to renew a precious metals dealer's license issued pursuant to Chapter 7, Article IV, because the license allows persons to engage in a business in which there is a high degree of opportunity for unlawful practices relating to the crafted precious metals trade. The precious metals business also affords special opportunities for theft, fraud, and false reporting. Therefore, there is a serious need to protect the public from the types of criminal conduct represented by these offenses.

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**Sec. 1-15. Conducting national criminal background checks.**

- (a) This section applies to the following licenses, permits or authorizations or renewals thereof:
- (1) A salesman's license issued pursuant to article II of Chapter 8 of this Code;
  - (2) Wrecker licenses issued pursuant to subdivision B of division 2 of article III of Chapter 8 of this Code;
  - (3) Licenses issued pursuant to section 5-171 of this Code authorizing a person to operate, use or maintain any room or place where persons are permitted to play at any game of dominoes, cards or other games;

- (4) Authorizations for private storage lots issued pursuant to Chapter 8, article III, division 2 of this Code;
- (5) Permits for sexually oriented business enterprise entertainers and managers issued pursuant to article VII of Chapter 28;
- (6) Permits for valet parking services, issued pursuant to Chapter 26, article VII, division 2;
- (7) Permits for vehicle immobilization services issued pursuant to Chapter 26, article X, division 2 of this Code; ~~or~~
- (8) SGT licenses issued pursuant to section 9-58 of this Code and licenses issued pursuant to chapter 46 for school vehicle operators, pedicab operators and drivers, low-speed shuttle operators and drivers, charter or sightseeing service operators and drivers, chauffeured limousine service operators and drivers, taxicab drivers, and jitney drivers, and permits issued for taxicab, pedicabs, low-speed shuttles, jitneys, and franchises issued pursuant to uncodified ordinances for school bus operators; or
- (9) Licenses for crafted precious metals dealers issued pursuant to Article IV of Chapter 7 of this Code.

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**Sec. 1-16. Non-substantive corrections to Code provisions or non-codified ordinances, resolutions or other records.**

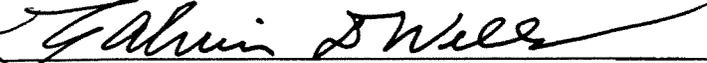
The city attorney is directed and authorized to direct the publisher to make necessary minor, non-substantive corrections to the provisions of this Code, including but not limited to, the misspelling of words, typographical errors, duplicate pages, incorrect references to state or federal laws, statutes, this Code, or other codes or similar legal or technical sources, and other similar amendments, without necessity of passage of ~~an~~ a correction ordinance or other action of the city council. The city secretary shall, upon the written advice or recommendation of the city attorney and without the necessity of further council action, alter, amend or supplement any non-codified ordinance, resolution or other record filed in her office as necessary to effect similar non-substantive changes or revisions to ensure that such public records are correct, complete and accurate.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

|  |                   |                       |                              |
|--|-------------------|-----------------------|------------------------------|
| <b>SUBJECT:</b> Approve an Amending Ordinance to Increase the Maximum Contract Amount for Contract No. 4600008190 for Lighting Maintenance Services for the Hosuton Airport System S30-L22308-A1 | <b>Category #</b> | <b>Page</b><br>1 of 1 | <b>Agenda Item #</b><br>3219 |
|--|-------------------|-----------------------|------------------------------|

|  |   |   |
|--|---|---|
| <b>FROM (Department or other point of origin):</b><br>Calvin D. Wells<br>City Purchasing Agent<br>Administration & Regulatory Affairs Department | <b>Origination Date</b><br>January 24, 2013 | <b>Agenda Date</b><br>FEB 06 2013<br><del>JAN 30 2013</del> |
|--|---|---|

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| <b>DIRECTOR'S SIGNATURE:</b><br> | <b>Council District affected:</b><br>B |
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| <b>For additional information contact:</b><br>Dallas Evans Phone: 281/233-8001 | <b>Date and identification of prior authorizing Council action:</b><br>Ord. 2007-1101, 10/3/2007 |
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|--|-------------------------------------|
| <b>AMOUNT &amp; SOURCE OF FUNDING:</b><br>Increase contract amount by \$700,000.00 – HAS Revenue Fund (8001) | <b>Prior appropriations:</b><br>N/A |
|--|-------------------------------------|

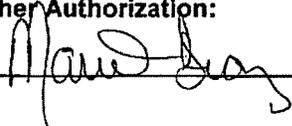
**RECOMMENDATION: (Summary)**  
Approve an amending ordinance to increase the maximum contract amount from \$4,446,891.63 to \$5,146,891.63 for the contract between the City of Houston and Jomar Contractors, Inc.

**SPECIFIC EXPLANATION:**  
The Director of the Houston Airport System (HAS) and the City Purchasing Agent recommend that City Council approve an ordinance to increase the maximum contract amount from \$4,446,891.63 to \$5,146,891.63 for the contract between the City of Houston and Jomar Contractors, Inc. for lighting maintenance services for HAS.

The contract was awarded on October 3, 2007 by Ordinance No. 2007-1101 for a three-year term, with two one-year options in the original amount of \$4,446,891.63. The contract term commenced on December 15, 2007 and is currently in a 90-day extension period that expires on March 14, 2013. Expenditures as of January 24, 2012 totaled \$4,427,429.00. The contract incurred expenditures at a rate higher than anticipated due to a combination of factors, primarily a mandate from U.S. Department of Energy to phase out high energy lamps and replace them with more efficient lamps, and an unexpected large increase in the cost of Rare Earth Elements that led to a significant increase in the cost of light bulbs for those lamps. In an attempt to mitigate the increase in contract expenditures, HAS insourced Terminal A lighting maintenance, and eventually transferred Terminal B lighting maintenance to United as part of the Terminal B Use and Lease Agreement. The increase to the maximum contract amount is required to ensure continuation of services through contract expiration on March 14, 2013. As of March 15, 2013 all work will be taken over by HAS personnel.

The scope of work requires the contractor to provide all supervision, equipment, parts, tools and transportation necessary to replace lamps, ballasts, and other fixture components, install additional or replace damaged and obsolete fixtures, and maintain emergency lighting systems.

**M/WBE PARTICIPATION:**  
The Contract was awarded with an 11% M/WBE participation goal. Jomar Contractors, Inc. is currently achieving 11.99% of the required M/WBE goal. The Mayor's Office of Business Opportunity will continue to monitor this contract to ensure maximum M/WBE participation.

| REQUIRED AUTHORIZATION     |  |                             |
|----------------------------|--|-----------------------------|
| <b>Finance Department:</b> | <b>Other Authorization:</b><br> | <b>Other Authorization:</b> |