

**CITY COUNCIL CHAMBER – CITY HALL 2<sup>nd</sup> FLOOR – TUESDAY  
JUNE 19, 2007 - 2:00 P.M.**

**NON-AGENDA**

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3MIN.

3MIN.

3MIN.

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MS. TERRI PARRIS – 41 Southwest Frwy #650 – 77027 – 713-807-1429 – Waste Reduction Fee

MS. THERESA COMSTOCK – 1613 W. 43rd St – 77007 – 713-695-5133 – Waste Reduction Fee

MS. EDIE WELMAKER – 203 Hill – Huffman - 77336 – 972-983-2809 – Septic and holding tank pump out  
From the City

**PREVIOUS**

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1MIN.

1MIN.

1 MIN.

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MS. JUANITA KNIGHT – 25814 Water Ridge Dr - Huffman – 77336 – 281-685-5612 – Paying City taxes  
without City Amenities

MS. MARILYN CURRY – 25842 Water Ridge Dr – Huffman – 77336 – 713-392-4246 - Paying City taxes  
without City Amenities

R

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Conduct a public hearing and pass a resolution determining that a correctional facility proposed for 5902 and 5908 Bolivia Street, Houston TX 77091 is not in the best interest of the City of Houston.	<b>Category #</b>	<b>Page 1 of</b>	<b>Agenda Item #</b> 1*1A
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<b>FROM (Department or other point of origin):</b> Planning and Development Department <i>Marlene L. Gafrick</i>	<b>Origination Date</b> 06/12/07	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b>  Marlene L. Gafrick	<b>Council District affected:</b> A and B
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<b>For additional information contact:</b> Jennifer Ostlind Phone: 713-837-7871	<b>Date and identification of prior authorizing Council action:</b> NA
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**RECOMMENDATION: (Summary)**  
Conduct a public hearing and pass a resolution determining that the correctional facility proposed for 5902 and 5908 Bolivia Street, Houston TX 77091 is not in the best interest of the City of Houston.

<b>Amount and Source of Funding:</b> NA	<b>F &amp; A Budget:</b> NA
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**SPECIFIC EXPLANATION:**

On May 4, 2007, the City received notification of a public hearing to solicit comment on the proposed operation of a half-way house serving parolees of the Texas Department of Criminal Justice to be located at 5902 and 5908 Bolivia Street. Pursuant to Section 244.004 of the Local Government Code requiring the Governing Body of the City of Houston to act on the project within 60 days of notice being made, it is determined that the proposed project is not in the best interests of the City for the following reasons:

1. The proposed facility is within 1,000 feet a place of worship, specifically, it is adjacent to Our Savior Lutheran Church and School and several other residential areas.
2. The proposed facility is adjacent to Candlewood Glens Condominiums and several other residential tracts.
3. Chapter 28, Article IV of the City of Houston Code of Ordinances makes it 'unlawful for any person to own or operate a correctional facility located within the city unless there is a permit for the correction facility' issued by the Director of Planning and Development. Because an application has not been properly submitted with the details required under Chapter 28 of the Code, the City must object to the operation of the proposed halfway house.
4. The City has received calls from citizens objecting to the proposed facility.

MLG:LH:jo  
 Attachments: Notice of intent to operate a correctional facility  
 Letter to Facility Operator  
 Correctional facility requirements  
 Map showing land uses within 1000' of proposed facility

Cc: Mary Stein, Agenda Director  
 Anna Russell, City Secretary  
 Arturo Michel, City Attorney

**REQUIRED AUTHORIZATION**

<b>F &amp; A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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MS

S.H.

07.00217803

Corp.

closed

~~closed~~

Dear Representative,

Pursuant to the requirements specified in Texas Government Code, Section 509.010 and Local Government Code Chapter 244, Subchapter A, this letter is formal notification of New Freedom, Inc.'s proposed intention to operate a TDCJ contracted parolee halfway house in or near to your district of representation.

The proposed location will be in the Candlewood Glen community located on the corner of DeSoto and Bolivia Streets. 2-4plex buildings located on the perimeter or the complex will be used for the controlled supervision of these parolees.

We have included a copy of the Notice for Public Hearing that began appearing in the Houston Chronicle (NW/Aldine Neighborhood section) on April 12, 2007.

We look forward to a healthy dialogue with all concerned on this matter and look forward to the opportunity to show how we will be an asset to the community. Please contact me if you require additional information or plan to attend the hearing on May 21, 2007.

Sincerely,



Karen McCright  
Director, New Freedom, Inc  
Ph: 713-956-5597  
Email: anewfreedominc-info@yahoo.com



**Notice of Public Hearing  
For Proposed Half Way House Facility  
Located at  
5902 & 5908 Bolivia St.  
Houston, TX 77091**

NOTICE is hereby given that New Freedom, Inc will hold a public hearing giving all interested parties the right to appear and be heard regarding the proposed location of a 50-75 bed half way house in support of various programs associated with the housing, training, education, rehabilitation and reformation of persons released by the Texas Department of Criminal Justice to parole and mandatory supervision. The housed and supervised offenders at the proposed facility will consist of parolees from all classes of felony convictions including sex offenders.

The public hearing has been scheduled for May 21, 2007 at 7:30 pm at the proposed facility located at 5902A Bolivia St. For further information contact Karen D. McCright, Director - A New Freedom, Inc. at 713-956-5597 or via email: [anewfreedominc-info@yahoo.com](mailto:anewfreedominc-info@yahoo.com)



# CITY OF HOUSTON

Bill White

Mayor

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

Telephone – Dial 311  
[www.cityofhouston.gov](http://www.cityofhouston.gov)

May 21, 2007

Ms. Karen McCright, Director  
New Freedom, Inc.  
5902A Bolivia St.  
Houston, Texas 77091

Dear Ms. McCright:

**RE: Public Hearing for proposed half-way house facility to be located at 5902 and 5908 Bolivia Street, Houston, TX 77091**

Please be advised that we are in receipt of your letter formally notifying the City of a public hearing on the proposed TDCJ contracted parolee half-way house to be located at 5902 and 5908 Bolivia Street.

Further be advised that pursuant to Section 244.001(a) of the Local Government Code, a Request for Council Action will be submitted recommending that the City Council conduct a public hearing and pass a resolution determining that the proposed correctional facility is not in the best interest of the City of Houston. Chapter 28, Article IV, of the City of Houston Code of Ordinances makes it "unlawful for any person to own or operate a correctional facility located within the city unless there is a permit for the correction facility" issued by the Director of Planning and Development. Because an application has not been properly submitted with the details required under Chapter 28 of the Code, the City must object to the operation of the proposed halfway house. Attached is a copy of the correctional facility requirements.

If you have any further questions, please call Jennifer Ostlind at 713-837-7871.

Sincerely,

Marlene L. Gafrick  
Director, Department of Planning and Development

cc: Councilmember Johnson

Attachment(s)  
MLG:JO

Council Members: Toni Lawrence Jarvis Johnson Anne Clutterbuck Ada Edwards Addie Wiseman M.J. Khan, P.E. Pam Holm Adrian Garcia  
Carol Alvarado Peter Brown Sue Lovell Shelley Sekula-Gibbs, M.D. Ronald C. Green Michael Berry Controller: Annise D. Parker

LAND USE within 1000' radius

- Single-family Residential : (1% )
- Multi-family Residential (30.4%)
- Public and Institutional (29.7%)
- Parks and Open Space (20.4%)
- Undeveloped (18.5%)

 Sufficient Width Major Thoroughfare

HOLLY VIEW DR

OAK COVE DR

OAK BAY DR

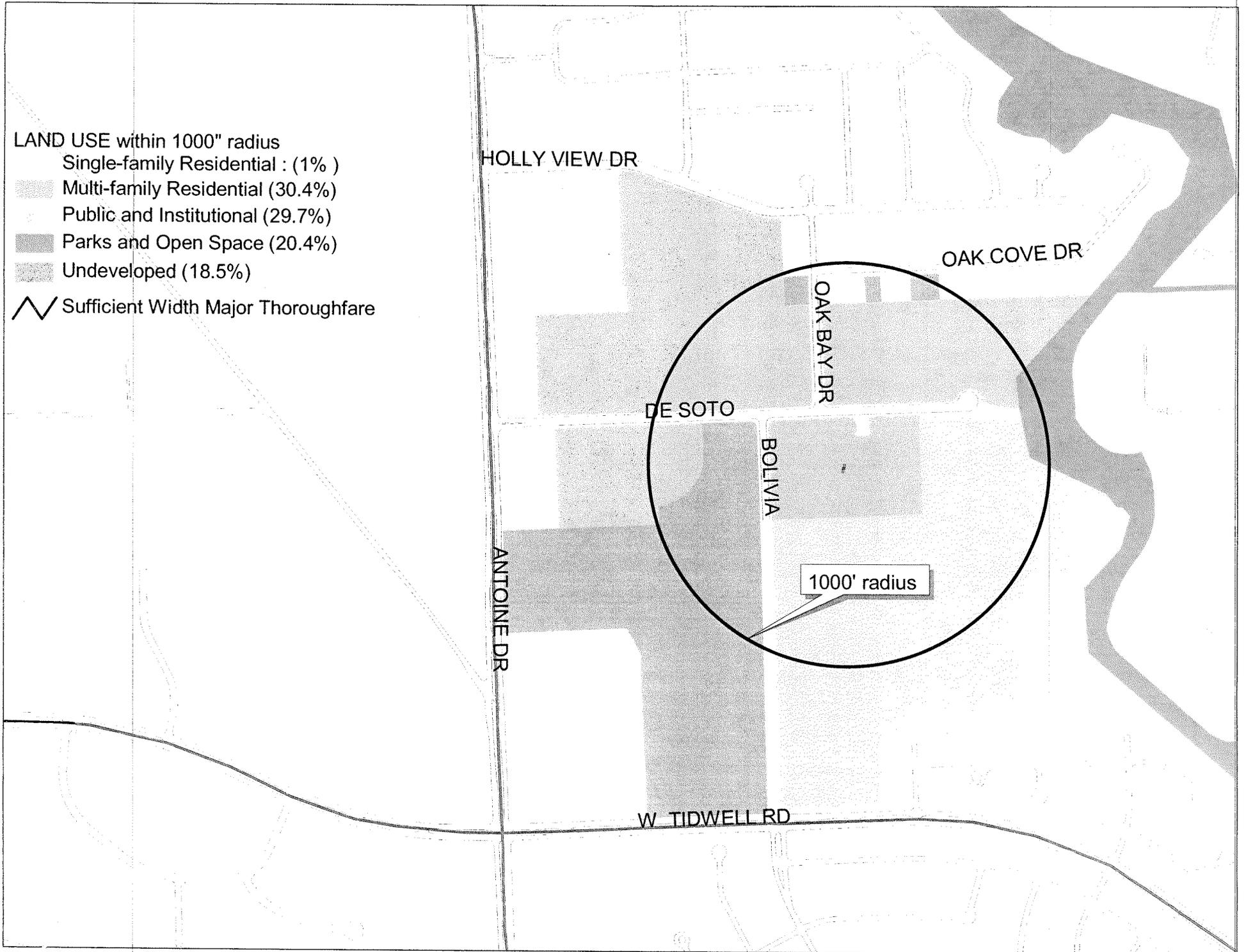
DE SOTO

BOLIVIA

1000' radius

ANTOINE DR

W TIDWELL RD



<b>SUBJECT:</b> Issuance and sale of Tax and Revenue Anticipation Notes, Series 2007		<b>Category #</b>	<b>Page</b> 1 of <u>1</u>	<b>Agenda Item #</b> <u>2-2A</u>
<b>FROM (Department or other point of origin):</b> Department of Finance and Administration and the Office of the City Controller		<b>Origination Date:</b> June 12, 2007	<b>Agenda Date:</b> JUN 20 2007	
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District Affected:</b> All		
<b>For additional information contact:</b> Michael Shannon (713) 221-0201 James Moncur (713) 247-2950		<b>Date and identification of prior authorizing Council action:</b> 2007-0546/7 May 8, 2007		

**RECOMMENDATION: (Summary)**

City Council adopt a motion authorizing the Mayor and City Controller to award the sale of \$115,000,000 Tax and Revenue Anticipation Notes, Series 2007 (the "Notes") and take any other action required related to the issuance of the Notes, including ratification and confirmation of the use of the POS provided to prospective bidders in connection with the offering for sale of the Notes and approval of the distribution of the Official Statement.

**Amount of Funding:** N/A

**F&A Budget:**

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

**SPECIFIC EXPLANATION:**

On May 8, 2007, City Council passed Ordinances No. 2007-0546/7 (the "Ordinance") authorizing the issuance and sale of Tax and Revenue Anticipation Notes, Series 2007 (the "Notes") in an amount not to exceed \$200,000,000. As in the past, the proceeds of the Notes will be used to fund General Fund operating expenditures in anticipation of the receipt of revenues received later in Fiscal Year 2008. The Ordinance also approved the form and content of the Preliminary Official Statement (the "POS") and the distribution of the POS in preparation for a competitive sale of the Notes.

On June 13, 2007, a POS was made available, via the Internet, to prospective purchasers offering for sale \$115,000,000 of such Notes and scheduling the receipt of bids on June 20, 2007. The bidding process allows the broker/dealers to bid for less than the full amount of such Notes; therefore, the winning bid may be awarded to more than one firm.

Electronic bids for the Notes will be received via the Internet between 9:30 a.m. – 10:00 a.m. Central Daylight Time on June 20, 2007, provided however, if any bid becomes a leading bid within two minutes prior to the scheduled end of the bidding, then the time period for submission of bids will automatically extend by two minutes from the time such new leading bid was received. At the close of the bidding period, the Office of the City Controller, Finance and Administration, and the City's financial advisors will verify interest rate calculations of bids received and join the City Council session to announce the results. City Council is asked to adopt a motion to award the sale based on the lowest true interest cost, ratify and confirm the use of the POS provided to prospective bidders in connection with the offering for sale of the Notes, and authorize the distribution of the Official Statement. It is expected that the proceeds from the sale of the notes will be available on Monday, July 2, 2007.

**REQUIRED AUTHORIZATION**

**F&A Director:**

**Other Authorization:**

**Other Authorization:**



OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

BILL WHITE  
MAYOR  
June 6, 2007

COPY TO EACH MEMBER OF COUNCIL:  
CITY SECRETARY: 2-2-07  
COUNCIL CLERK: [unclear]  
3  
JUN 20 2007

The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to Section 108.1 of the City of Houston Fire Code, I am appointing the following individuals to the Fire Code Board of Appeals, subject to City Council confirmation:

- Mr. Thomas C. Ballou, appointment to Position One, for a term to expire on December 31, 2008;
- Mr. Rey de la Reza, appointment to Position Five, for a term to expire on December 31, 2007, and to serve as Chair;
- Mr. Rodney H. Lewis, reappointment to Position Six, for a term to expire on December 31, 2008;
- Mr. Fred K. Whitty, reappointment to Position Seven, for a term to expire on December 31, 2008;
- Ms. Margia M. Blankenship, reappointment to Position Eight, for a term to expire on December 31, 2007;
- Mr. Ralph Green, reappointment to Position Nine, for a term to expire on December 31, 2008;
- Mr. Bruce J. Malcolm, appointment to Position Ten, for a term to expire on December 31, 2007; and
- Mr. Leonardo Camargo, appointment to Position Eleven, for a term to expire on December 31, 2007.

The résumés of the nominees are attached for your review.

Sincerely,

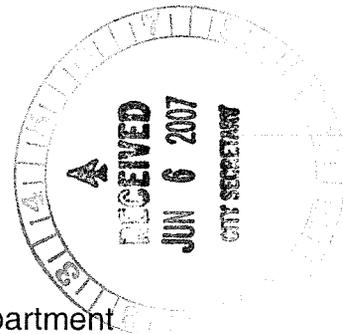
*Bill White*

Bill White  
Mayor

BW:CC:jsk

Attachments

cc: Mr. George Meadows, Chief Inspector, Houston Fire Department





OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

4  
JUN 20 2007

BILL WHITE  
MAYOR

May 31, 2007

COPY TO EACH MEMBER OF COUNCIL  
CITY SECRETARY: 2-2-07  
COUNCIL MEMBER: \_\_\_\_\_

The Honorable City Council  
Houston, Texas

Dear Council Members:

Pursuant to Houston City Code Sections 2-381 and 2-382, I am appointing or reappointing the following individuals to the Houston Commission on Disabilities, subject to City Council confirmation:

- Ms. Ana Calvo, appointment to Position Three, for a term to expire July 26, 2009;
- Ms. Monica Parks, appointment to Position Four, for an unexpired term ending July 26, 2008;
- Mr. Charles Bradley, reappointment to Position Five, for a term to expire July 26, 2009;
- Ms. Teri Wathen, reappointment to Position Seven, for a term to expire July 26, 2009;
- Mr. Jason Brumley, reappointment to Position Nine, for a term to expire July 26, 2009;
- Mr. Diego Demaya, appointment to Position Twelve, for an unexpired term ending July 26, 2008;
- Ms. Cheryl Amoruso, reappointment to Alternate Position One, for a term to expire July 26, 2009; and
- Mr. Raul Tello, reappointment to Alternate Position Three, for a term to expire July 26, 2009.

The résumés of the appointees are attached for your review. Additional appointments will be submitted at a later date.

Sincerely,

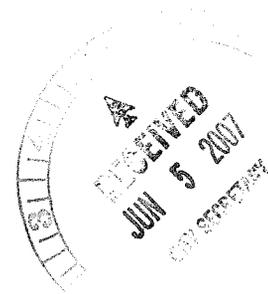
*Bill White*

Bill White  
Mayor

BW:CC:jsk

Attachments

cc: Ms. Michelle Colvard, Executive Director, MOPD





BILL WHITE  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

5  
JUN 20 2007

COPY TO BE SENT TO MEMBERS OF COUNCIL  
CITY SECRETARY  
2-2-07  
COUNCIL MEMBERS

May 30, 2007

The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to the City of Houston Ordinance No. 2007-464, Chapter 26 of the Code of Ordinances, I am appointing the following individual to the Public Parking Commission, subject to Council confirmation:

Ms. Jerri Thomas, appointment to Position Ten, for an unexpired term ending December 31, 2007.

The résumé of the appointee is attached for your review.

Sincerely,

*Bill White*

Bill White  
Mayor

BW:CC:jsk

Attachment



cc: Ms. Dawn Ullrich, Director, Convention and Entertainment Facilities  
Ms. Liliana Rambo, Chief Parking Official, Convention and Entertainment Facilities

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of the Fiscal Year 2008-2013 Capital Improvement Plan (FY2008-2013 CIP)

Page 1 of 1

Agenda Item 6

FROM (Department or other point of origin):

Building Services Department

Origination Date

6/5/07

Agenda Date

JUN 20 2007

DIRECTOR'S SIGNATURE:

Issa Z. Dadoush, P. E.

*Issa Z. Dadoush* 6/6/07

Council District(s) affected:

ALL

For additional information contact:

James Tillman, CIP Manager Phone: 713-437-6574

Date and identification of prior authorizing Council action:

RECOMMENDATION: That City Council approve by Motion the Fiscal Year 2008-2013 Capital Improvement Plan (FY2008-2013 CIP) and establish a charge of \$75.00 plus tax and postage for the purchase of the adopted CIP documents. CD version of the CIP will be available for \$20.00 plus tax and postage.

Amount and Source of Funding: N/A

F&A Budget:

SPECIFIC EXPLANATION:

The FY2008-2013 CIP continues to support improved delivery of services and improved quality of living for Houstonians, with increased emphasis on public safety, drainage, transportation infrastructure, mobility, quality of life, affordable housing and economic development. This plan emphasizes the replacement and rehabilitation of existing facilities and the selective addition and expansion of facilities.

The FY2008-2013 CIP is presented in three volumes. Volume One contains projects that are predominately vertical construction supported by the Building Services Department for its clients (C&E, Fire, Health, Library, Parks, Police, Solid Waste). Volume Two identifies projects, which are supported by Public Works & Engineering along with the Houston Airport System. This differs from previous versions of the CIP to save on printing costs and provide greater ease in locating projects by construction type and not funding. Volume Three is an Executive Summary of the plans shown in Volumes One and Two.

The FY2008-2013 CIP calls for the appropriation of \$5.92 billion during the six-year period. Planned appropriations for the Public Improvement Programs total \$2.00 billion and \$3.92 billion for the Enterprise Programs.

The Building Services Department recommends that City Council approve the FY2008-2013 CIP and establish a charge of \$75.00 (\$20.00 per CD) plus tax and postage per set (Volume One, Volume Two and the Executive Summary). All three volumes (one set) of the adopted CIP will be available for public viewing at the main offices of most city departments and will be on the Internet, accessible through the City's home page located at <http://www.houstontx.gov>. The FY2008-2013 CIP can be purchased at the City Secretary's office.

IZD:JLN:JT:cs

c: Marty Stein, Jacquelyn L. Nisby, Arturo Michel, James Tillman

REQUIRED AUTHORIZATION

CUIC 25JAT#002

F & A Director:

Other Authorization:

Other Authorization:

*James Tillman*

<b>SUBJECT:</b> Dedication Plaque Looscan Branch Library WBS No. E-000095-0001-4	<b>Page</b> 1 of 1	<b>Agenda Item</b> 7
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<b>FROM (Department or other point of origin):</b> Building Services Department	<b>Origination Date</b> 6/13/07	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE</b> Issa Z. Dadoush, P.E. <i>[Signature]</i>	<b>Council District(s) affected:</b> G
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<b>For additional information contact:</b> Jacquelyn L. Nisby <i>[Signature]</i> Phone: (713) 247-1814	<b>Date and identification of prior authorizing Council action:</b> Motion No. 83-2736, October 5, 1983 Ordinance No. 2005-770, June 15, 2005 Ordinance No. 2006-613, June 14, 2006
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**RECOMMENDATION:** Approve computer image for dedication plaque.

<b>Amount and Source Of Funding:</b> No Additional Funding Required.	<b>F &amp; A Budget:</b>
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**SPECIFIC DESCRIPTION:** The Building Services Department recommends that City Council pass a motion to approve a computer image for a dedication plaque (copy attached) for the Looscan Branch Library.

**PROJECT LOCATION:** Looscan Branch Library  
 2510 Willowick (492S)

**PROJECT DESCRIPTION:** This project involves the construction of a new branch library to replace the old branch library. The project is the culmination of the successful partnership with the City of Houston, Friends of Neighborhood Libraries, and the branch area community. The new 20,000 SF branch library will provide services and materials to adults, young adults, and children. The contractor utilized the Leadership in Energy & Environmental Design (LEED™) Green Building Rating System for New Construction & Major Renovations (LEED-NC) Version 2.1, developed by the U.S. Green Building Council, to improve occupant well-being, environmental performance, and economic return of the facility. By incorporating appropriate LEED™ credits, the project will seek a Silver Level Certification.

**REPRESENTATION:** The plaque identifies the City of Houston elected officials and department heads who served when the project commenced as well as the individuals serving in those positions at the completion of the project.

IJD:JLN:WTH/MCP:JBW:ps

Attachment

c: Marty Stein, Issa Z. Dadoush, P.E., Stephen Williams, Jacquelyn Nisby, Joseph Kurian, Kim Nguyen, File

**REQUIRED AUTHORIZATION** CUIC# 25WTH43

<b>Other Authorization:</b> <i>[Signature: Wendy Teas Heger]</i> Wendy Teas Heger, AIA Chief of Design and Construction Building Services Department	<b>Other Authorization:</b>	<b>Other Authorization:</b> <i>[Signature: Rhea Brown Lawson]</i> Rhea Brown Lawson, Ph.D. Director Houston Public Library
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EXPANDED VIEW

# ADELE BRISCOE LOOSCAN NEIGHBORHOOD LIBRARY REPLACEMENT CITY OF HOUSTON

2005

Bill White, Mayor

District Council Members

Toni Lawrence	District A
Carol Mims Galloway	District B
Mark Goldberg	District C
Ada Edwards	District D
Addie Wiseman	District E
M.J. Khan, P.E.	District F
Pam Holm	District G
Adrian Garcia	District H
Carol Alvarado	District I

Council Members at Large

Mark Ellis	Position 1
Gordon Quan	Position 2
Shelley Sekula-Gibbs, M.D.	Position 3
Ronald C. Green	Position 4
Michael Berry	Position 5

Annise D. Parker                      Controller

Toni Lambert                      Interim Director of Libraries

Issa Z. Dadoush, P.E.      Director of Building Services

Jackson & Ryan Architects

2007

Bill White, Mayor

District Council Members

Toni Lawrence	District A
Jarvis Johnson	District B
Anne Clutterbuck	District C
Ada Edwards	District D
Addie Wiseman	District E
M.J. Khan, P.E.	District F
Pam Holm	District G
Adrian Garcia	District H
Carol Alvarado	District I

Council Members at Large

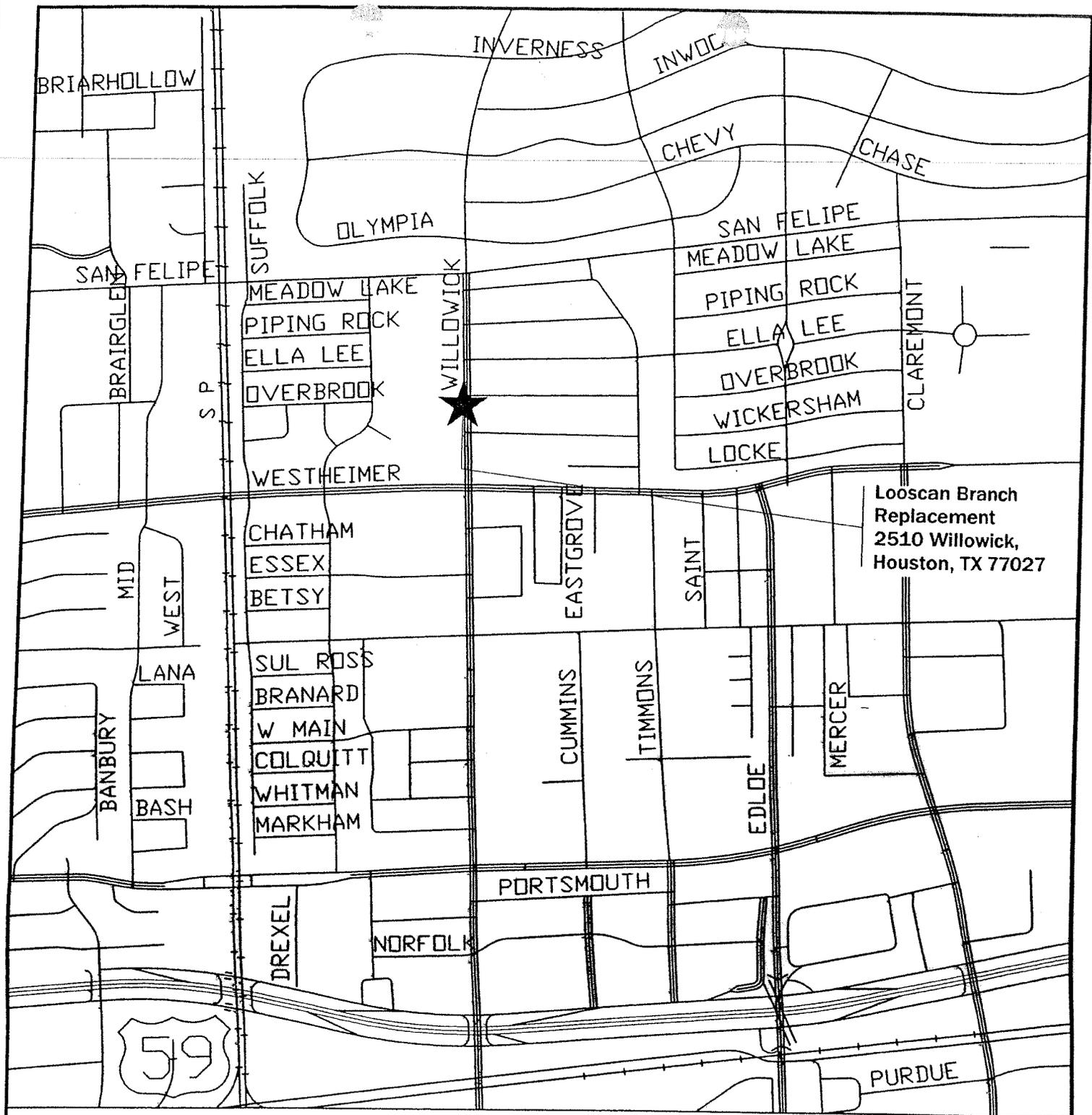
Peter Brown	Position 1
Sue Lovell	Position 2
Vacant	Position 3
Ronald C. Green	Position 4
Michael Berry	Position 5

Annise D. Parker                      Controller

Rhea Brown Lawson, Ph.D.      Director of Libraries

Issa Z. Dadoush, P.E.      Director of Building Services

Gilbane Building Company



# Looscan Branch Replacement

## 2510 Willowick, Houston, TX 77027

<b>SUBJECT:</b> Law Enforcement Agreement between Harris County Constable Precinct 1 and Garden Oaks Maintenance Organization, Inc.	<b>Category #</b>	<b>Page 1 of</b> _____	<b>Agenda Item #</b> 8
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<b>FROM (Department or other point of origin):</b> Harold L. Hurtt, Chief of Police Houston Police Department	<b>Origination Date</b> June 8, 2007	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b>  T.N. Oettmeier Acting Chief of Police	<b>Council District affected:</b>
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<b>For additional information contact:</b> T. N. Oettmeier Phone: (713) 308-1540 Executive Assistant Chief	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**

Approval of Law Enforcement Agreement between Harris County Precinct 1 and Garden Oaks Maintenance Organization, Inc.

<b>Amount and Source of Funding:</b> N/A	<b>F&amp;A Budget:</b>
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**SPECIFIC EXPLANATION:**

The Houston Police Department has no objections to the Law Enforcement Agreement between Harris County Precinct 1 and Garden Oaks Maintenance Organization, Inc. Both parties agree to have one deputy devote eighty percent (80%) of his working time within the geographical area within Harris County, Texas beginning July 21, 2007, through December 31, 2007.

lh:es  
Attachment

cc: Marty Stein  
City Legal Department

REQUIRED AUTHORIZATION		
<b>F&amp;A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

TO : Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Approval of Change Order No. 2 for Neighborhood Street Reconstruction Project, NSR 436B – Briargrove Phase III. WBS No. N-000368-0003-4.	Page 1 of 2	Agenda Item # <b>9+9A</b>
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<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  6/15/07	<b>Agenda Date</b>  JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> <i>MS Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE., Director	<b>Council District affected:</b> G, D <b>3A</b>
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<b>For additional information contact:</b> <i>JTL</i> J. Timothy Lincoln, P.E. Senior Assistant Director Phone: (713) 837-7074	<b>Date and identification of prior authorizing Council action:</b> Ord. # 2004-373 dated: 04/28/2004 Ord. # 2005-789 dated: 06/22/2005
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**RECOMMENDATION:** (Summary) Pass a motion to approve Change Order No. 2 in the amount of \$520,278.00 and approve an ordinance appropriating additional funds.

<b>Amount and Source of Funding:</b> \$480,000.00 from Street & Bridge Consolidated Construction Fund No. 4506. <i>Revised 06/14/07</i>	<b>F&amp;A Budget:</b>
<b>NSR 436B:</b> Total Original appropriation of \$10,099,398.08 with \$8,428,845.15 from the Series E Commercial Paper Metro Fund No. 49M; and \$1,670,552.93 from the Water and Sewer System Consolidated Fund No. 755.	

**SPECIFIC EXPLANATION:**  
**PROJECT NOTICE/JUSTIFICATION:** Neighborhood Street Reconstruction Project No. 436B was part of the Neighborhood Street Reconstruction Program and is required to improve the streets and upgrade the utilities for the various streets.

**PROJECT HISTORY:** On 6/22/05, City Council passed Ordinance No. 2005-789 which de-appropriated funds from the North MacGregor Storm Sewer Relief Project, appropriated funds for NSR 436B, and awarded a construction contract to JFT Construction, Inc. This de-appropriation allowed the North MacGregor project to be funded from the newly created Drainage Improvements Commercial Paper Series F, Fund 49R and ensured both projects were funded from the most appropriate funding source.

**DESCRIPTION/SCOPE:**  
The NSR 436B project consists of the complete reconstruction of twelve neighborhood streets. The proposed improvements will consist of concrete roadway with curb and gutter, sidewalks and underground utilities. JMA Engineers, Inc. designed the project with 540 calendar days allowed for construction. The project was awarded to JFT Construction, Inc. with an original contract Amount of \$8,796,755.03.

REQUIRED AUTHORIZATION

20TAA007

<b>F&amp;A Director:</b> <i>[Signature]</i>	<b>Other Authorization:</b>	<b>Other Authorization:</b> <i>[Signature]</i> Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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<b>Date</b>	<b>SUBJECT:</b> Approval of Change Order No. 2 for Neighborhood Street Reconstruction Project, NSR 436B – Briargrove Phase III. WBS No. N-000368-0003-4.	<b>Originator's Initials</b>	<b>Page</b> 2 of 2
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**LOCATION:** The street limits and Key Map grid locations are as follows:

<u>Street Name</u>	<u>From</u>	<u>To</u>	<u>Key Map</u>	<u>Street Name</u>	<u>From</u>	<u>To</u>	<u>Key Map</u>
Briargrove	Westheimer	Olympia	491S	Overbrook	Briargrove	Briar Hurst	491S
Briar Hurst	Westheimer	Ella Lee	491S	Ella Lee	Briargrove	Piping Rock	491S
Briar Ridge	Ella Lee	Olympia	491S	Piping Rock	Briargrove	Ella Lee	491S
Briar Mead	Burgoye	Olympia	491S	Burgoyne	Briargrove	Briar Mead	491S
Locke Lane	Briargrove	Briar Hurst	491S	Meadow Lake	Briargrove	Briar Mead	491S
Wickersham	Briargrove	Briar Hurst	491S	Olympia	Briargrove	Briar Mead	491S

**PREVIOUS CHANGE ORDER:** Change Order No.1 in the amount of \$36,669.36 was for the installation of 210 LF of 4-inch ductile iron pipe with viton gaskets and restraints (open cut) on Briar Ridge in the petroleum products contaminated area (PPCA), and also for the installation of 120 LF of 6-inch ductile iron pipe with viton gaskets and restraints (open cut) on Briar Ridge in the PPCA.

**CHANGE ORDER No. 2:** Change Order No.2 in the amount of \$520,278.00 when added to work yet to be completed and paid will require an additional appropriation of \$480,000.00 in excess of the original contract value and contingencies and is for additional quantities in Bid Item No. 100 – Environmental monitory and field screening, Bid Item No. 109 – 6-inch Concrete paving, complete in place, Bid Item No. 111 – 6-inch Lime or fly-ash stabilized subgrade, complete in place , Bid Item No. 112 – Lime, Bid Item No. 113 – 4-inch Concrete sidewalk, complete in place, Bid Item No. 122 – 6-inch Residential concrete driveways, all types of materials, complete in place, Bid Item No. 153 – salvage and reinstall lawn sprinkler heads and controllers, all types, complete in place, Bid Item No. 154 – Replace lawn sprinkler piping, all sizes, complete in place, and Bid Item No. 178 – Handling, transportation, treatment and disposal of category I soil from potentially contaminated areas, minimum unit price (3). Actual quantities required for construction of the project as designed and awarded exceeded the estimated bid quantities included in the original contract.

The requested appropriation will cover the entire cost of Change Order No. 2 and remaining work required in the Contract.

MSM:DWK:JIL:JAK:TAA:ce  
 S:\constr\Admin\CONST\Projects\N-368-03-3\CO-2-RCA

cc:  
 Marty Stein Daniel W. Krueger, P.E. Craig Foster Gaju Patel, P.E.  
 Gary Norman Velma Laws Waynette Chan File – SB9002

Document 00666

CHANGE ORDER No. 2

PROJECT: NSR Project No. 436B

CONTRACT No.: 57099 PROJECT No.: N-0368-03-3 (SB9002)

TO: JFT Construction, Inc.

P.O. Box 631054

Contractor and  
Address for Written Notice

Houston, TX 77263

1.01 DESCRIPTION OF CHANGES

CONTRACT CHANGE

ITEM 1 SCOPE: Additional Quantities

Amount	Time
\$520,278.00	162 Days

JUSTIFICATION: Actual quantities constructed exceeded estimated bid quantities.

Unit Item No	Unit Item Description	Unit	Add/Deduct Qty	Unit Price	Add/Deduct Amount
100	Environmental Monitory and Field Screening	C.Y.	765.00	\$80.00	\$61,200.00
109	6 Inch Concrete Paving, Complete in Place	S.Y.	1662.00	\$36.00	\$59,832.00
111	6 Inch Lime or Fly-Ash Stabilized Subgrade, Complete In Place	S.Y.	14694.00	\$2.00	\$29,388.00
112	Lime	Tons	471.00	\$100.00	\$47,100.00
113	4 Inch Concrete Sidewalk, Complete In Place	S.F.	15263.00	\$4.00	\$61,052.00
122	6 Inch Residential Concrete Driveways, All Types of Materials, Complete in Place	S.F.	15511.00	\$5.00	\$77,555.00
153	Salvage and Reinstall Lawn Sprinkler Heads and Controllers, All types, Complete in Place	Each	1563.00	\$50.00	\$78,150.00
154	Replace Lawn Sprinkler Piping, All Sizes, Complet in Place	L.F.	15337.00	\$3.00	\$46,011.00
178	Handling, Transportation, Treatment and Disposal of Category I Soil from Potentially Contaminated Areas, Minimum Unit Price (3)	C.Y.	857.00	\$70.00	\$59,990.00

TOTALS: \$520,278.00 162 Days

PROJECT No.: N-0368-03-3 (SB9002)

CHANGE ORDER No. 82  
511

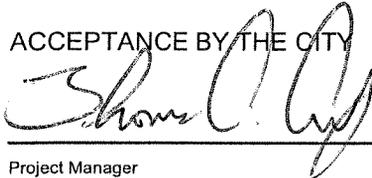
1.02 ACCEPTANCE BY CONTRACTOR

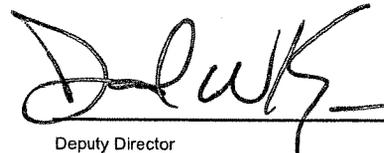
Contractor agrees to perform change(s) included in this Change Order for the price and time indicated. The prices for changes include all costs associated with this Change Order.

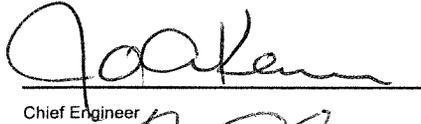
  
Contractor Signature and Title

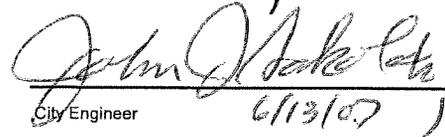
4/24/07  
Date

1.03 ACCEPTANCE BY THE CITY

  
Project Manager Date 4.23.07

  
Deputy Director Date

  
Chief Engineer Date 4/24/07

  
City Engineer Date 6/13/07

  
Assistant Director Date 5/1/07

  
Mayor - City of Houston Date 6/14/07

CC:  
File No. (SB9002)

EXECUTIVE SUMMARY

1.01 CONTRACT PRICE SUMMARY

	<u>DOLLAR AMOUNT</u>	<u>PERCENT</u>
A. Original Contract Price	\$8,796,755.03	100.00%
B. Previous Change Orders	\$36,669.36	0.42%
C. This Change Order	\$520,278.00	5.91%
D. Contract Price	<b>\$9,353,702.39</b>	<b>106.33%</b>

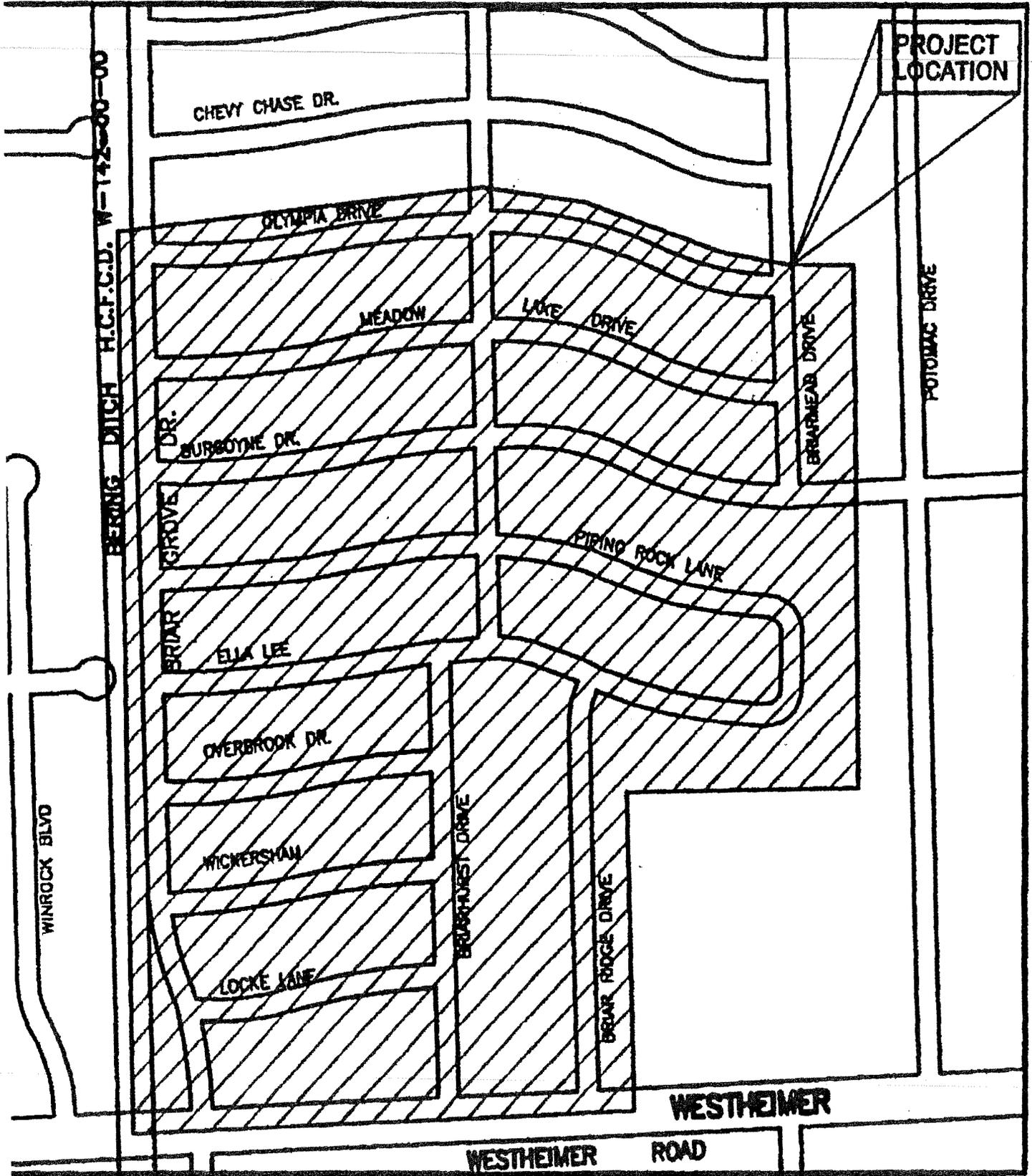
1.02 CONTRACT TIME SUMMARY

	<u>DURATION</u>	<u>COMPLETION DATE</u>
A. Original Contract Time	540 Days	Thursday, February 15, 2007
B. Previous Change Orders	4 Days	Monday, February 19, 2007
C. This Change Order	162 Days	Tuesday, July 31, 2007
D. Contract Time	<b>706 Days</b>	<b>Tuesday, July 31, 2007</b>

1.03 TOTAL VALUE OF INCREASES OUTSIDE OF GENERAL SCOPE OF WORK

- A. Including this Change Order, the following table is provided to track conditions related to Paragraph 7.1.2.3 of Document 00700 - General Conditions.

<u>CHANGE ORDER</u> <u>No.</u>	<u>AMOUNT ADDED</u>	<u>PERCENT OF ORIGINAL</u> <u>CONTRACT PRICE</u>
1	\$36,669.36	0.42%
2	\$520,278.00	5.91%
<hr/>		
TOTALS	\$556,947.36	6.33%



# VICINITY MAP

KEY MAP No. 491S

**SUBJECT:** Acceptance of the 2007 Semiannual Report of the Capital Improvements Advisory Committee relating to implementation of the water and wastewater impact fees program and transfer of revenues and interest generated by water and wastewater impact fees in the amount of \$12,536,750.58 to Combined Utilities System Operating Fund (Fund #8301) for revenue bond debt service.

Acceptance of the May 24, 2007 finding of the Planning Commission, acting as the Impact Fee Advisory Committee, that no update for the water or wastewater impact fee programs is necessary at this time pursuant to Chapter 395 of the Local Government Code.

Page  
1 of 2

Agenda Item #

10-10A

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

**Origination Date:**

**Agenda Date:**

6-14-07

JUN 20 2007

Jun Chang, P.E.  
713-837-0433

**Director's Signature:**

**Council District affected:**

*Michael S. Marcotte*

All

Michael S. Marcotte, P.E. DEE,  
Director of Public Works and Engineering

For additional information contact: Susan Bandy  
Phone: 713-837-0282

**Date and identification of prior authorizing Council action:**  
CM 2007-0196 / 02-21-07

**Recommendation: (Summary)**

Approval of a motion accepting the July 2007 semiannual report of the Capital Improvements Advisory Committee relating to the implementation of the water and wastewater impact fees program and transferring impact fee revenues and interest generated by the program to the Combined Utilities System Operating Fund (Fund #8301) for revenue bond debt service as recommended in the report.

Approval of a motion accepting the May 24, 2007 finding of the Planning Commission, acting as the Impact Fee Advisory Committee, that no Chapter 395 update for the water or wastewater impact fee programs is necessary at this time.

**Amount & Source of Funding:** \$12,536,750.58 (revenue)

**F & A Budget:**

**SOURCE OF FUNDING:**  General Fund  Grant Fund  Enterprise Fund

Other (Specify)

**Specific Explanation:**

Pursuant to Chapter 395 of the Local Government Code and the rules of procedures adopted by City Council, the Capital Improvement Advisory Committee (CIAC) must file semiannual reports on the implementation of the impact fee program and its supporting components. The Planning Commission, acting as the CIAC, approved the July 2007 semiannual report at its meeting on May 24, 2007. The Committee hereby now conveys the report to Council for consideration. This report contains documentation of impact fee administration from November 1, 2006 through April 30, 2007. The Committee recommends that City Council accept the report and authorize the transfer of revenues and interest generated by water and wastewater impact fees, \$12,536,750.58, to revenue bond debt service.

**REQUIRED AUTHORIZATION:** 20JZC296

F&A Budget:

**Other Authorization:**

**Other Authorization:**

*Andrew F. Icken*  
Andrew F. Icken, Deputy Director  
Planning & Development Services

*Susan Bandy*  
Susan Bandy, Deputy Director  
Resource Management Division

10-10A

**SUBJECT:** Acceptance of the 2007 Semiannual Report of the Capital Improvements Advisory Committee relating to implementation of the water and wastewater impact fees program and transfer of revenues and interest generated by water and wastewater impact fees in the amount of \$12,536,750.58 to Combined Utilities System Operating Fund (Fund #8301) for revenue bond debt service.

**Originator's  
Initials**

**Page  
2 of 2**



Acceptance of the May 24, 2007 finding of the Planning Commission, acting as the Impact Fee Advisory Committee, that no update for the water or wastewater impact fee programs is necessary at this time pursuant to Chapter 395 of the Local Government Code.

Pursuant to Chapter 395 of the Local Government Code, impact fees are subject to a formal update every five years unless the local government determines no update is necessary. Changes to the original 1990-2000 Impact Fee Capital Improvements Plan (IFCIP) have been made as a result of updates in the years 2000 and 2002. Examination of data regarding service unit consumption from November 1, 2006 to April 30, 2007 indicates significant capacity remains in the water and wastewater systems to support anticipated demand. A review of State of Texas procedures regarding Impact Fees was also completed. At its meeting on May 24, 2007, the Planning Commission, acting as the Impact Fee Advisory Committee, found that no Chapter 395 update for the water or wastewater impact fee programs was necessary. The Committee recommends that City Council approve the findings that no Chapter 395 update for the water or wastewater impact fee programs is necessary at this time.

Attachment:

cc: Arturo G. Michel, City Attorney  
Marty Stein, Agenda Director  
Michael S. Marcotte, Director, Public Works and Engineering  
Andrew F. Icken, Deputy Director, Public Works and Engineering  
Larry Liu, Public Works and Engineering, Resource Management

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July 2007

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**Semiannual Report of the  
Capital Improvements Advisory  
Committee  
On Impact Fees**

**Planning Commission  
Acting as the  
Capital Improvements Advisory Committee**

**Dr. Carol A. Lewis, Chair**

**City of Houston  
Planning and Development Department  
Planning Services Division**

**JULY 2007 SEMIANNUAL REPORT OF THE  
CAPITAL IMPROVEMENTS ADVISORY COMMITTEE  
ON IMPACT FEES**

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**A. Purpose of this Review**

Cities imposing impact fees on new development must comply with Chapter 395 of the Texas Local Government Code. In accordance with Chapter 395, City Council adopted Ordinances 90-675 and 90-676 to establish procedures to administer the City's water and wastewater impact fees programs, respectively. Approval of Motion 90-0614 by the City Council appointed the Planning Commission as the Capital Improvements Advisory Committee. Under State law, the Committee is charged with the following responsibilities:

- Assisting and advising the City in adopting land-use assumptions;
- Reviewing the IFCIP and filing written comments;
- Monitoring and evaluating the implementation of the IFCIP;
- Filing semiannual reports on the progress of the plan;
- Reporting actual or perceived inequities in plan implementation or the application of impact fees; and
- Recommending updates or revisions to the plan or any impact fees

This documentation fulfills the State requirement of the semiannual report on the progress of the plan. Preparation and conveyance of this report complies with City Council Motion 90-0614 to file a report by January and July of each year. This report documents changes that occurred between the period from **November 1, 2006 to April 30, 2007**, of the 2000-2010 Impact Fees Program.

**I. FINDINGS AND RECOMMENDATIONS**

The Planning Commission, acting in its capacity as the Capital Improvements Advisory Committee, finds the following for the **2000-2010 Impact Fee Program**:

- A total of **1,090** single-family residence (SFR) building permit application exemptions (from paying impact fees) were granted to single-family residences below the median housing price for the City of Houston between **November 1, 2006 and April 30, 2007**. The unit cost range for considering residences below the median housing price was from **\$146,916 to \$149,266**. The range is published by **the Real Estate Center at Texas A & M University**. A total of **17,105** applications have been exempted since the ordinance was adopted in 1997.
- A total of **\$12,536,750.58** generated from revenues and interest for water and wastewater impact fees accrued in the impact fees accounts between **November 1, 2006 and April 30, 2007**, the first half of the seventh year of the 2000-2010 Impact Fees Program. The program has an all-time total income of **\$180,594,371.87**.

- The current population projection for 2010 is 3% higher than the 2000 program projection. This difference is not significant since excess capacity in both the water and wastewater systems is sufficient to meet this projected demand.
- 

- Chapter 395 of the Texas Local Government Code requires that impact fees be subject to a formal update every five years unless the local government determines no update is necessary in accordance with the procedures of Chapter 395. A Chapter 395 update is now required since the last Chapter 395 update occurred in 2002. Part of the procedure is to obtain comments from the Impacts Fee Advisory Committee regarding whether an update is necessary. The Capital Improvements Advisory Committee finds that no Chapter 395 update for the water or wastewater impact fee programs be made at this time.

**Based on these findings, the CIAC recommends the following actions:**

- The total amount of the revenues and interest generated from water and wastewater impact fees during the reporting period in the sum of **\$12,536,750.58** should be authorized for appropriation to debt retirement.

**B. Background**

The City of Houston established an impact fees program in June 1990 and adopted an update in June 2000 in compliance with State legislative requirements. The Planning Commission, acting in the capacity of the Capital Improvements Advisory Committee, oversees the program. The program institutes a method to collect fees for new development applications for water and/or sanitary sewer service. The fees offset a portion of costs associated with capital improvements for providing water and wastewater facilities to meet the new demand.

According to State legislation, estimates of new demand and needed facilities must be based on approved land-use assumptions. Maximum chargeable impact fees, the maximum fees the City can charge, are calculated from the estimated cost of the facilities and the capacity of the system. City Council determines the impact fees collection rates, which cannot exceed the maximum chargeable fees. These are the actual rates paid by the developer upon request for service. The City applies collected fees to the cost of the capacity needed by new development for designated water and wastewater capital improvements. These capital improvements are identified in the IFCIP. (Note that the IFCIP is not the City's five year Capital Improvement Plan.)

**II. EVALUATION OF IMPACT FEE PROGRAM COMPONENTS**

**A. Land Use Assumptions**

Review of the Land Use Assumptions (LUA) consists of monitoring the following components: population and employment, and water and wastewater service units. Population and employment projections were distributed among census tracts, followed by calculation of water demand and wastewater generation for the projected growth within each census tract.

## 1. Population and Employment

Population and employment projections provide the foundation to develop forecasts of future land use. The 2000-2010 impact fees are based on population and employment projections published by the University of Houston, Center for Public Policy in *Population and Employment Projections: Houston Five County Regions* (1995). In January 2006, the City of Houston Planning Department confirmed that the total population and employment projections in the land-use assumptions are within acceptable tolerances when compared to actual growth between the 1990 and 2000 Census figures. Projected growth for this period ranged from 1.2% - 1.4% per year; actual growth was 1.2% per year. The Planning Department's current population projection for 2010 is 2,365,525, which is approximately 3% higher than the 2000 program projection of 2,292,625.

## 2. Service Units

The second method of analysis involves a comparison of service units projected in IFCIP to service units generated by actual development. Service units provide a method for converting demand from different land uses to a common unit of measure. Adopted units of measure are based on the average daily demands for a single-family residence, 420 gallons for water and 315 gallons for wastewater. Service unit analysis compares prorated ten-year growth projections in service units with service units generated by actual development. The number of projected service units was calculated for each ten-year planning period.

### 2000-2010 Program

Growth projections anticipate citywide demands will increase to 307,143 service units for water and 295,238 service units for wastewater between 2000 and 2010. Using an interpolation of proportionate service unit consumption, **211,145** service units for water and **202,964** service units for wastewater were projected to be consumed through this period of the updated program (**June 1, 2000 through April 30, 2007**). Service unit data were compiled from actual permit applications and totaled for the entire service area. Actual service units generated during this 6-month period totaled **10,086** water service units and **8,493** wastewater service units, for a cumulative total of **121,534** water service units and **106,216** wastewater service units (See Table 1).

Table 1 shows the percentage of cumulative actual growth slower than projected through this reporting period. With current consumption of service units only 58% for water and 52% for wastewater, significant capacity remains in these systems for new development. While actual service units are below projected levels, adjustment of projected service units for the ten-year period will have no affect on the maximum impact fees.

The maximum impact fee for each service unit calculated in the IFCIP is based on the prorated cost of projects divided by the capacity of the system. For both water and wastewater, the maximum rate is not time sensitive since it was calculated as the average cost per gallon for the entire system. Without a change to project costs or capacities in that IFCIP, maximum fees per service unit will not change.

**TABLE 1**  
**June 1, 2000 through April 30, 2007**  
**Percent of Actual to Prorated Projected Service Units (s.u.)**

Semiannual Report	Duration (months)	Water			Wastewater		
		Prorated s.u.	Actual s.u.	%*	Prorated s.u.	Actual s.u.	%*
January 2001	4.5	11,517	6,965	60	11,071	5,926	54
July 2001	10.5	26,873	16,926	63	25,832	14,018	54
January 2002	16.5	42,229	25,098	59	40,593	20,871	51
July 2002	22.5	57,585	33,269	58	55,354	26,806	48
January 2003	28.5	72,941	41,368	57	70,115	33,738	48
July 2003	34.5	88,297	51,068	58	84,876	46,929	55
January 2004	40.5	103,653	59,756	58	99,637	53,326	54
July 2004	46.5	119,009	67,715	57	114,398	60,024	52
January 2005	52.5	134,365	76,567	57	129,159	67,596	52
July 2005	58.5	149,721	84,594	57	143,920	76,811	53
January 2006	64.5	165,077	93,897	57	158,681	83,839	53
July 2006	70.5	180,433	101,708	56	173,442	90,021	52
January 2007	76.5	195,789	111,448	57	188,203	97,723	52
July 2007	82.5	211,145	121,534	58	202,964	106,216	52

\* Calculated by dividing total actual service units by total prorated service units for particular duration.

### 3. Impact Fees Capital Improvement Plan (IFCIP)

#### 2000-2010 Program

Changes to the original 1990-2000 IFCIP have been made as a result of updates in the years 2000 and 2002. The majority of the facilities were in place at adoption of the impact fees program update. Examination of data regarding service unit consumption from **November 1, 2006 to April 30, 2007** indicates significant capacity remains in the water and wastewater systems to support future demand. A review of State of Texas procedures regarding Impact Fees has been done. At this time, no update of the plan is necessary.

### 4. Maximum Chargeable Impact Fees

In its 2001 session, the Texas Legislature approved changes to the method of calculating the maximum impact fee a city is allowed to charge, by allowing certain taxes to be credited against the cost of the IFCIP facilities. As a result, the maximum chargeable impact fees decreased to \$2,121.89 for water and \$1,495.59 for wastewater beginning June 26, 2002. The maximum fees are derived by using the formula given in Chapter 395 of the Texas Local Government Code. The City of Houston Legal Department has evaluated the changes and determined that although the maximum allowable

fees have dropped, the fees the City charges are sufficiently below that maximum that they need not be reduced.

## 5. Findings:

The 2000 and 2002 impact fees programs are acceptable for continued administration through the next reporting period.

- Review of service unit data indicates excess capacity in both the water and wastewater systems sufficient to accommodate new development through the next scheduled update in 2007.
- Water and wastewater facilities identified in the IFCIP are adequate to meet anticipated demand through **October 31, 2007**, the end of the next reporting period.
- No update of the land use assumptions, capital improvement plans, or impact fee programs are necessary at this time. No Chapter 395 impact fee update is necessary at this time.

## III. SUMMARY OF IMPACT FEE ACCOUNTS

### A. Impact Fees Rates:

- Table 2 provides a summary of the maximum allowable fees collection rates adopted by City Council for the 2000-2010 planning period and proposed rates.
- The last increase in July 2006 was 3.6% based upon the annual adjustment in the Consumer Price Index (CPI) between the year 2005 and 2006.
- The current Water/Wastewater impact fee of \$1,417.66 per service unit for water and wastewater is 39.19% of the maximum fees allowed by current law.

**TABLE 2**  
Maximum and Adopted Impact Fees

2000-2010 Program	<u>Wastewater</u>	<u>Water</u>	<u>Total</u>
Maximum Impact Fee/Residential Equivalent	\$1,495.59	\$2,121.89	\$3,617.48
Adopted Fee	\$1,105.90	\$311.76	\$1,417.66

### B. Current Status of Fees:

The City maintains separate accounts for recording revenues received from water and wastewater impact fees. The funds may be expended for design and construction services, and/or retiring debt service. As of **April 30, 2007**, the City has accrued **\$174,839,154.98** since implementing the impact fees ordinances in 1990. A total of **\$168,057,621.29** has been transferred to the revenue bond debt service fund. The amount of **\$12,536,750.58** is available for transfer to the debt service fund from impact fees accounts. Table 3 provides a summary of impact fee revenues and account balances.

**TABLE 3**  
**Status of Impact Fees Accounts**

	<u>Wastewater</u>	<u>Water</u>	<u>Totals</u>
<i>1990-2000 Program</i>			
<i>Total Income</i>	<b>\$44,115,871.05</b>	<b>\$19,557,816.07</b>	<b>\$63,673,687.12</b>
<i>Transfers to Debt Service:</i>			
	<b>\$44,115,871.05</b>	<b>\$19,557,816.07</b>	<b>\$63,673,687.12</b>
 <i>2000-2010 Program:</i>			
Collections Income through 04/30/2007	\$83,883,218.69	\$30,088,175.34	\$113,971,394.03
Interest Income through 04/30/2007	\$2,163,171.49	\$786,119.23	\$2,949,290.72
<b>Total Income</b>	<b>\$86,046,390.18</b>	<b>\$30,874,294.57</b>	<b>\$116,920,684.75</b>
Transfers to Debt Service:			
Transferred	\$76,653,995.91	\$27,729,938.26	\$104,383,934.17
Not transferred	\$9,392,394.27	\$3,144,356.31	\$12,536,750.58
<b>All-Time Total Income (6/1/1990-04/30/2007)</b>	<b>\$120,769,866.96</b>	<b>\$47,287,754.33</b>	<b>\$168,057,621.29</b>
 <b>TOTAL AVAILABLE FOR TRANSFER</b>	 <b>\$9,392,394.27</b>	 <b>\$3,144,356.31</b>	 <b>\$12,536,750.58</b>

**C. Finding:**

- A total of **\$12,536,750.58** in the impact fee requires authorization for transfer to the revenue bond debt service fund.

**IV. REVIEW OF PROGRAM IMPLEMENTATION**

**A. Analysis of Inequities**

- Implementation: The Committee finds no inequitable implementation of the plan during this reporting period.
- Application of Fees: Impact fees for water and wastewater are based on a uniform usage standard calculated in single-family residential, equivalents, i.e. 420 gallons per day (gpd) for water and 315 gpd for wastewater. City Council adopted a standard conversion table which applies to the majority of land uses.

## **B. Reporting Period Activity**

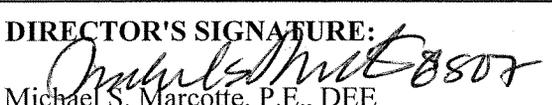
Provided by Ordinance 97-442, applicants qualify for a single-family residence (SFR) impact fee exemption as approved by the Department of Public Works and Engineering if the purchase price of the house does not exceed the latest available average of median prices for the past twelve months for single-family housing in the city as published by the Real Estate Center at Texas A&M University. The Maximum Exempt Unit Cost for the reporting period ranged from **\$146,916 to \$149,266**. For the period between **November 1, 2006 and April 30, 2007**, a total of **3,375** SFR building permits were sold. Of this number, 2,285 SFR building permit applications had to pay impact fees, and **1,090** were exempted from paying impact fees for a total of **\$1,205,431.00**

## **C. Findings:**

- The Impact Fees Program continues to be implemented in an equitable manner.
  
- Adding **1,090** exemptions from this reporting period, **17,105** applications for SFR building permits have been exempted from impact fees since Ordinance 97-442 was enacted in April 1997.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work for Generic Citywide Overlay Package #6. WBS No. N-001037-0043-4.		<b>Category #</b> 7	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 11
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 6/14/07	<b>Agenda Date</b> JUN 20 2007	
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., DEE		<b>Council District affected:</b> All <i>See</i>		
<b>For additional information contact:</b> J. Timothy Lincoln, P.E. Senior Assistant Director  Phone: (713) 837-7074		<b>Date and identification of prior authorizing Council action:</b> <i>See</i> Ord. # 2004-662 dated 06/23/2004		
<b>RECOMMENDATION:</b> (Summary) Pass a motion to approve the final Contract Amount of \$3,287,616.82 or 5.00% over the original Contract Amount, accept the Work and authorize final payment.				
<b>Amount and Source of Funding:</b> No Additional Funding Required. Original appropriation of \$3,670,510.00 from the Series E Commercial Paper METRO Project Fund, Fund No. 49M.				
<b>SPECIFIC EXPLANATION:</b>				
<b>PROJECT NOTICE/JUSTIFICATION:</b> This project was part of the Citywide Overlay Program. Asphalt overlay was needed to improve and maintain a safe road surface for deteriorated streets.				
<b>DESCRIPTION/SCOPE:</b> This project consisted of base repair and pavement resurfacing approximately 40 lane miles and pavement markings. Dannenbaum Engineering Corporation designed the project with 365 calendar days allowed for construction. The project was awarded to Main Lane Industries with an original Contract Amount of \$3,131,090.43.				
<b>LOCATION:</b> The project area is located throughout the City.				
<b>CONTRACT COMPLETION AND COST:</b> The Contractor, Main Lane Industries has completed the Work under subject Contract. The project was completed within the Contract Time with 72 additional days allowed by Change Order No. 1. The final cost of the project, including overrun and underrun of estimated bid quantities, and previously approved Change Order No. 1 will be \$3,287,616.82, an increase of \$156,526.39 or 5.00% over the original Contract Amount.				
The increased cost is a result of the differences between planned and measured quantities. This increase is primarily a result of an overrun in Bid Item No. 9 – Adjust Manholes upward, inlet and cover to new grade; Bid Item No. 13 – Remove concrete curb or curb; Bid Item No. 19 – Full dept base repair and spot repair of concrete pavement; Bid Item No. 20 – HMAC Type "D" NW Quad; Bid Item No. 22 - HMAC Type "D" SW Quad; Bid Item No. 30 – Parallel wheelchair ramps; Bid Item No. 31 – Perpendicular wheelchair ramp; Bid Item No. 35 – Temporary (painted 12" paving marking); Bid Item No. 51 – Curb and headers; Bid Item No. 71 – Remove and dispose of concrete sidewalk and driveways; which were necessary to complete the Work.				
<b>REQUIRED AUTHORIZATION</b>			<b>CUIC ID# 20 TAA05</b>	
<b>F&amp;A Budget:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division		

<b>Date</b>	<b>SUBJECT:</b> Accept Work for Generic Citywide Overlay Package #6. WBS No. N-001037-0043-4.	<b>Originator's Initials</b>	<b>Page</b>  2 of 2
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**M/WBE PARTICIPATION:** The M/WBE goal for this project was 17%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 10.15%. Contractor's M/WBE performance was rated satisfactory.



MSM:DWK:JTL:TAA:ce

cc: Marty Stein            Susan Bandy            Daniel W. Krueger, P.E.            Michael Ho, P.E.  
      Velma Laws            Craig Foster                 File No. OL2243

Generic City - Wide Overlay  
Package #6 (N-1037-43-3)  
STREET LIST

STREET	FROM	TO	COUNCIL DIST.	LANE MILES
LITTLE YORK	HEMPSTEAD	BRITTMORE	A	4.81
WILCREST	BEECHNUT	BISSONNET	F	3.74
BELLFORT	M.L.KING	SH 288	I	13.3
WHEELER	CALHOUN	SCOTT	D	1.9
BELLFORT	IH 45	MYKAWA	I	17.78
SOUTH RICHEY	20' N. GALVESTON RR	ALLEN GENOA	E	4.9

**CITY OF HOUSTON  
Contract Compliance Section  
Verification of MWDBE Participation**

Clearance Request Date: October 23, 2006 CCO Assigned: Siria Harbour  
 Project Description/#: Overlay #2243 - Generic City-Wide Overlay, package #6. N-1037-43-3. #C-4600004658  
 Prime Contractor: Main Lane Industries, Ltd.  
 MWDBE Goal: 17% Contract Amount: \$3,293,806.14

MWDBE	Phone Number	Type of Services	Amount Paid Per Prime	Amount Paid Per MWDBE	Retainage Held	Verified By:
C. M. Nunez Trucking Company	(713) 921-6414	Trucking	\$48,427.50	\$48,427.50	\$0.00	B2Gnow - confirmed
Contractors Source, Inc.	(713) 896-8999	Geotex tile fabrication	\$82,842.00	\$82,842.00	\$0.00	B2Gnow - confirmed
JMT Enterprises, Inc.	(281) 457-5727	asphalt delivery	\$95,310.03	\$95,310.03	\$0.00	B2Gnow - confirmed
Procon Enterprises, Inc.	(713) 862-4252		\$28,450.20	\$28,450.20	\$0.00	B2Gnow - confirmed
Work Zone Products, Inc.	(713) 290-9675	Striping	\$79,395.86	\$79,395.86	\$0.00	B2Gnow - confirmed
<b>Total:</b>			<b>\$334,425.59</b>	<b>\$334,425.59</b>	<b>\$0.00</b>	

**COMMENTS:**

A **Satisfactory** rating has been given. Although the contractor was 6.85% short of the goal, we were able to verify that **Changes** on the scope of work by the City kept them from meeting the entire goal.

Actual Participation: 10.15%  
 Prepared By: Siria Harbour

Date Submitted: November 6, 2006  
 Date Completed: November 6, 2006

<b>SUBJECT:</b> Accept Work for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-00S5-4		<b>Page</b> 1 of <u>1</u>	<b>Agenda Item #</b>  12
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 6-14-07	<b>Agenda Date</b> JUN 20 2007
<b>DIRECTOR'S SIGNATURE:</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director		<b>Council District affected:</b> A, B, C, D, E, G, H and I	
<b>For additional information contact:</b> <i>Roger B. Whitney</i> Roger B. Whitney, P.E. Sr. Assistant Director <b>Phone:</b> (713) 641-9198		<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2002-0673 dated, 07/17/2002	
<b>RECOMMENDATION: (Summary)</b> Pass a motion to approve the final contract amount of \$3,027,031.38, which is approximately 4.77% over the original contract amount, accept the work, and authorize final payment.			
<b>Amount and Source of Funding:</b> No additional funding required. Original appropriation of \$3,151,387.15 from Water and Sewer System Consolidated Construction Fund No. 755.			<b>F&amp;A Budget:</b>
<b>SPECIFIC EXPLANATION:</b>  <b>PROJECT NOTICE/JUSTIFICATION:</b> Under this project, the contractor provided sanitary sewer rehabilitation by sliplining and pipe bursting method to deteriorated sewer collection systems throughout the City.  <b>DESCRIPTION/SCOPE:</b> This project consisted of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The project was awarded to PM Construction & Rehab, L.P. with an original contract amount of \$2,889,146.87. The Notice to Proceed date was 01/06/2003 and the project had 730 calendar days for completion.  <b>LOCATION:</b> The project was located at various locations within Council Districts A, B, C, D, E, G, H and I.  <b>CONTRACT COMPLETION AND COST:</b> The Contractor, PM Construction & Rehab., L.P. has completed the work under the subject contract. On 08/31/2004, the last work order was closed. Substantial completion was awarded on 01/05/2005; final completion was awarded on 11/04/2006, the contract end date. The final cost of the project is approximately 4.77% over the original contract amount. More pipe removals/replacements and pavement removals were actually made than anticipated.  <b>MWBE PARTICIPATION:</b> The MWBE goal for this project was 19%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 20.35%. The contractor was awarded an "Outstanding" rating from Affirmative Action.  <i>RISA SHM Jos</i> MSM:JT:RBW:JGM:FOS:fos Attachments  c: Velma Laws      Michael Ho, P.E.      Craig Foster			
<b>Project File 4257-37</b>		<b>REQUIRED AUTHORIZATION</b>	
<b>F&amp;A Director:</b>		<b>Other Authorization:</b> <i>Jeff Taylor</i> Jeff Taylor, Deputy Director Public Utilities Division	
		<b>Other Authorization:</b> <i>NOT</i>	

<b>4257-37</b>		<b>Sanitary Sewer Rehabilitation</b>		
		<b>by Sliplining &amp; Pipebursting Methods</b>		
<b>WBS No. R-000266-00S5-4</b>		<b>P.M. Construction &amp; Rehab,L.P.</b>		
<b>WORK ORDER</b>	<b>KEY MAP</b>	<b>Subdivision</b>	<b>BASIN</b>	<b>CD</b>
4	450P	SOUTH HOUSTON GARDENS	WD054	A
16	449M	SPRING SHADOWS	WD061	A
23	451T	HILLENDAHL	IA017	A
30	451X	PINE TERRACE	NE011	A
11	495R	FIDELITY	CP003	B
12	495R	FIDELITY	CP003	B
18	495V	FIDELITY	CPP01	B
19	495V	FIDELITY	CPP01	B
20	495V	FIDELITY	CPP01	B
21	455C	RIDGEGET	FBP05	B
27	532C	SOUTHAMPTON PLACE EXTN	AS036	C
28	532D	SOUTHGATE	NE011	C
9	572L	ALMEDA PLAZA	AS014	D
13	533V	EAST SUNNYSIDE COURT	CH006	D
22	533M	FOSTER PALCE	SB169	D
26	572E	BRENTWOOD	NE011	D
31	572K	TOWNWOOD	NE011	D
2	576E	SOUTH HOUSTON GARDENS	WC007	E
3	575D	SOUTH HOUSTON GARDENS	WC007	E
6	617A	SCARSDALE	SM004	E
7	617A	SCARSDALE	SM004	E
8	576Z	WINDSWEPT	SM004	E
17	576E	REDFORD PARK	WCP06	E
24	616B	SAGEMONT	SM001	E
1	488Z	ASHTON VILLAGE	AR001	G
5	490Y	WESTBRIAR	KB322	G
29	432H	HOHLWOOD	NE011	H
10	535J	GREENWAY	SBP14	I
14	4958Z	FIDELITY	CP002	I
15	495V	FIDELITY	CP002	I

<b>SUBJECT:</b> Request for the sale of a 4,761-square-foot tract of land, located at 7114 Dorsetshire Drive, Reserve B, Block 2, subject to retention of a 15-foot-wide water line easement, all located in the Candlelight Forest West Section Four Subdivision, out of the Samuel Lewis Survey, A-510. <b>Parcels S95-063 and KY7-249</b>	<b>Category #7</b>	<b>Page</b> <u>1</u> of <u>1</u>	<b>Agenda Item #</b> <span style="font-size: 2em; font-weight: bold;">13</span>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 6/14/07	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., DEE, Director	<b>Council District affected: A</b> Key Map 411N <span style="float: right;">AD</span>
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<b>For additional information contact:</b> Nancy P. Collins <b>Phone:</b> (713) 837-0881 <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">NPC</span> Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b> C.M. 2006-0122 (2/8/06)
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**RECOMMENDATION: (Summary)** It is recommended City Council approve a council motion authorizing the sale of a 4,761-square-foot tract of land, located at 7114 Dorsetshire Drive, Reserve B, Block 2, subject to retention of a 15-foot-wide water line easement, all located in the Candlelight Forest West Section Four Subdivision, out of the Samuel Lewis Survey, A-510. **Parcels S95-063 and KY7-249**

<b>Amount and Source of Funding:</b> Not Applicable	<b>F &amp; A Budget:</b>
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**SPECIFIC EXPLANATION:**  
 Mary Beth Nathan Hayes, on behalf of Isaac J. and Lilyan Nathan, 7118 Dorsetshire Drive, Houston, Texas, 77040, requested the sale of a 4,761-square-foot tract of land, located at 7114 Dorsetshire Drive, Reserve B, Block 2, in the Candlelight Forest West Section Four Subdivision, out of the Samuel Lewis Survey, A-510.

By Ordinance 77-2355 passed November 28, 1977 the City of Houston annexed the subject property from T. D. and Patsy R. Gardner as a utility district acquisition. By Council Motion 2006-0122 passed February 8, 2006 the subject property was declared surplus and available for sealed bid sale. City Council appointed two independent real estate appraisers to establish the value of the subject property. Thereafter it was determined the subject property could be sold to an abutting property owner because it is less than 5,000-square-foot minimum requirement for independent development in compliance with the subdivision deed restrictions and as provided in the Houston Code of Ordinances and the Local Government Code. Isaac J. and Lilyan Nathan, the abutting property owners, plan to include the subject property with their residential property.

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

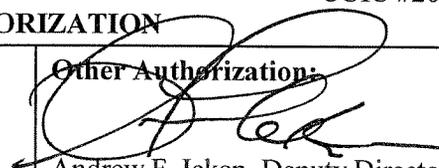
1. The City sell a 4,761-square-foot tract of land, located at 7114 Dorsetshire Drive, Reserve B, Block 2, subject to retention of a 15-foot-wide water line easement, all located in the Candlelight Forest West Section Four Subdivision, out of the Samuel Lewis Survey, A-510; and
2. The applicant be required to obtain a letter of no objection from the other abutting property owner; and
3. The Legal Department be authorized to prepare the necessary transaction documents.

MSM:NPC:dob

c: Phil Boriskie	Arturo G. Michel
Marlene Gafrick	Marty Stein
Daniel W. Krueger, P.E.	Jeff Taylor

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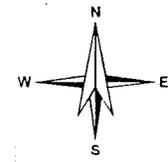
**REQUIRED AUTHORIZATION**

<b>F&amp;A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division
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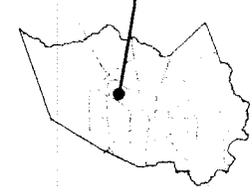
# Harris County Appraisal District



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PUBLICATION DATE:  
12/6/2006



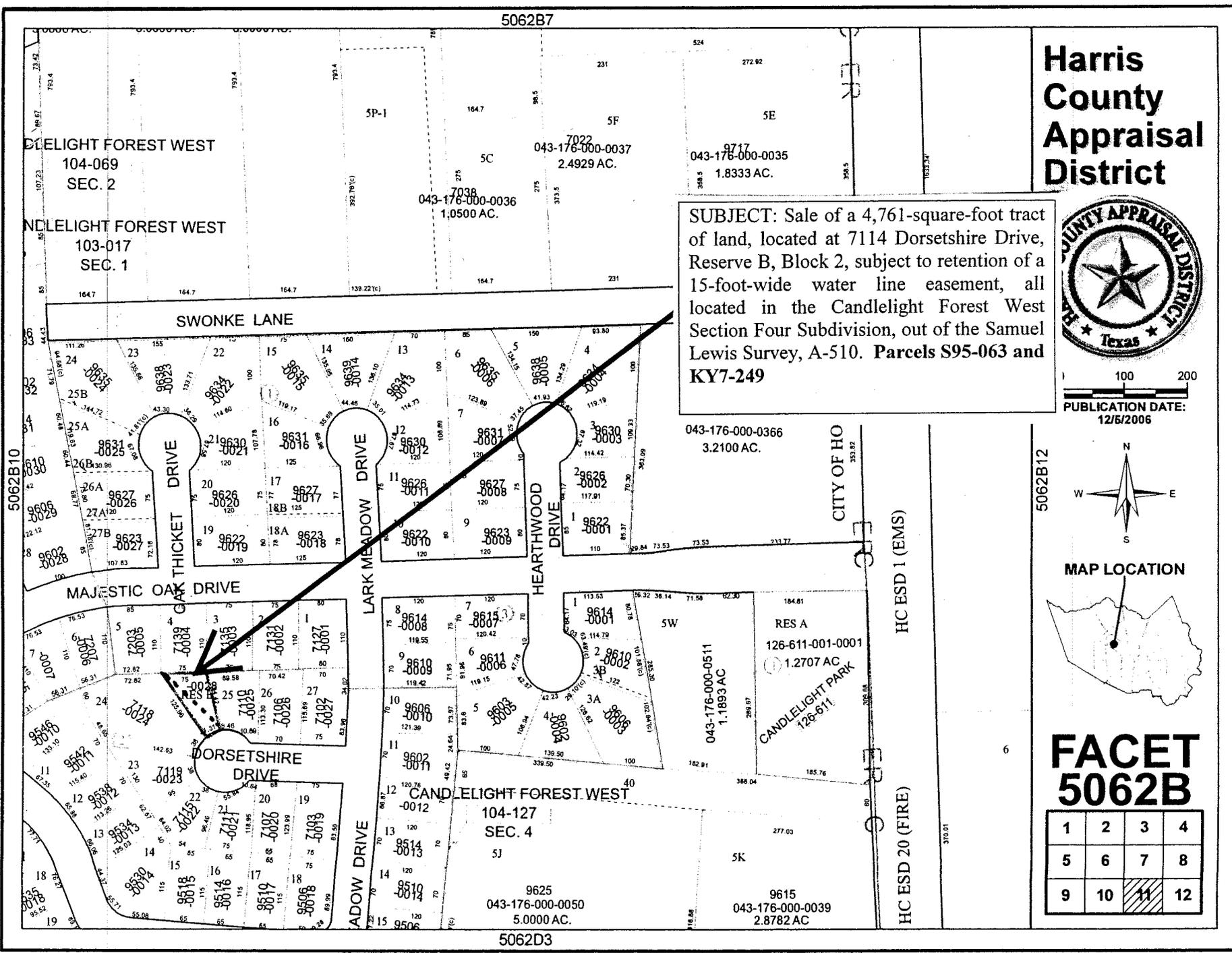
MAP LOCATION



## FACET 5062B

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**SUBJECT:** Sale of a 4,761-square-foot tract of land, located at 7114 Dorsetshire Drive, Reserve B, Block 2, subject to retention of a 15-foot-wide water line easement, all located in the Candlelight Forest West Section Four Subdivision, out of the Samuel Lewis Survey, A-510. **Parcels S95-063 and KY7-249**



DELIGHT FOREST WEST  
104-069  
SEC. 2

DELIGHT FOREST WEST  
103-017  
SEC. 1

SWONKE LANE

MAJESTIC OAK DRIVE

DORSETSHIRE DRIVE

LARK MEADOW DRIVE

HEARTWOOD DRIVE

ADOW DRIVE

CITY OF HO

HC ESD 1 (EMS)

HC ESD 20 (FIRE)

5062B7

5062B10

5062B12

5062D3

7022  
043-176-000-0037  
2.4929 AC.

9717  
043-176-000-0035  
1.8333 AC.

7038  
043-176-000-0036  
1,0500 AC.

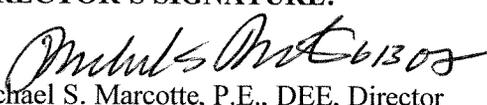
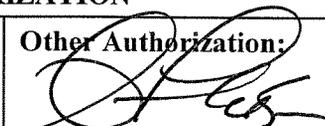
043-176-000-0366  
3.2100 AC.

043-176-000-0511  
1.1893 AC

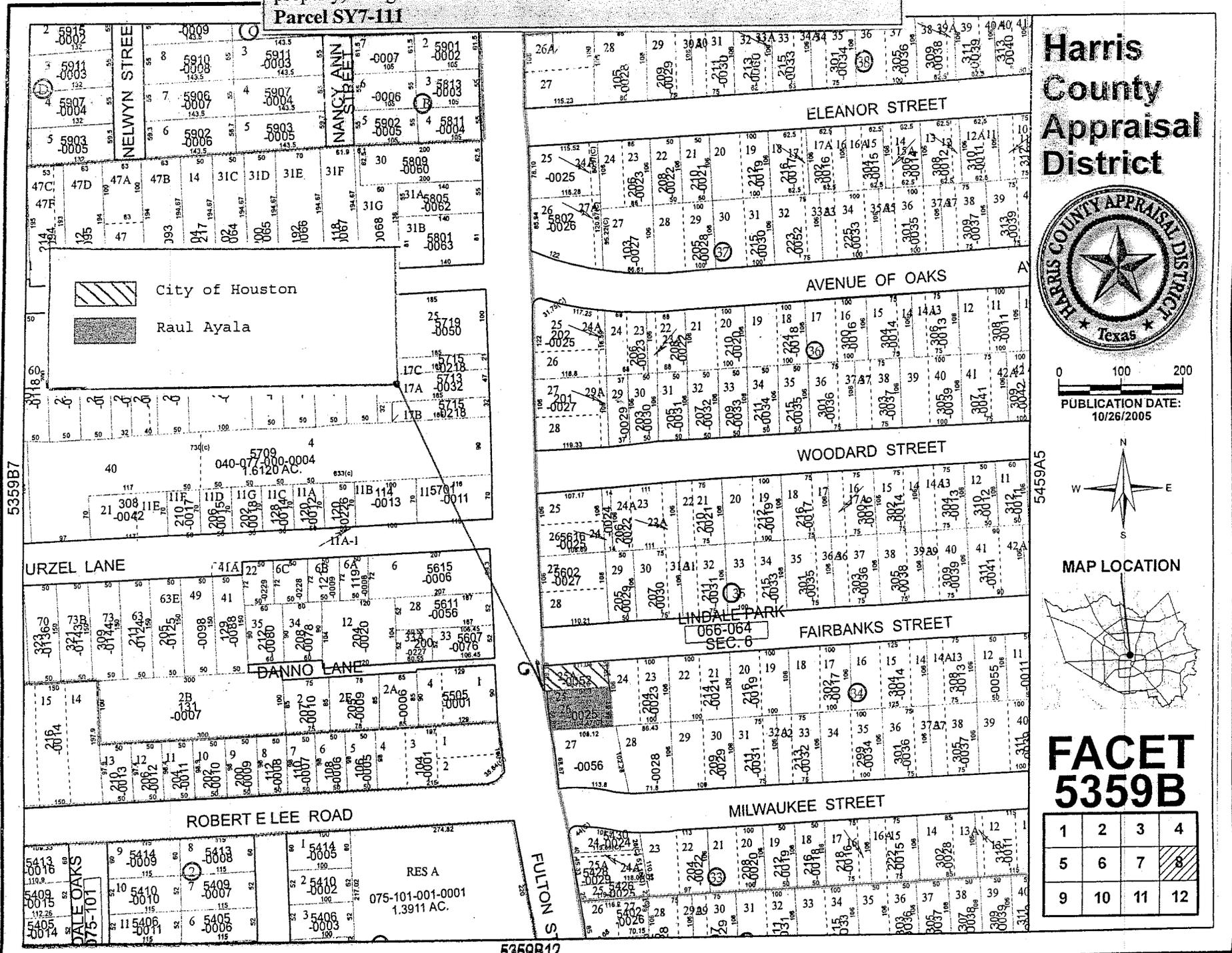
RES A  
126-611-001-0001  
1.2707 AC

9625  
043-176-000-0050  
5.0000 AC.

9615  
043-176-000-0039  
2.8782 AC

<b>SUBJECT:</b> Request for the sale of ±4,250 square feet of excess fee-owned property, being Lot 25A of Block 34, in the Lindale Park Addition, Section 6. Parcel SY7-111		<b>Category</b> # 7	<b>Page</b> <u>1</u> of <u>1</u>	<b>Agenda Item #</b>  14
<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering		<b>Origination Date</b> 6/14/07		<b>Agenda Date</b> JUN 20 2007
<b>DIRECTOR'S SIGNATURE:</b>   Michael S. Marcotte, P.E., DEE, Director		<b>Council District affected:</b> H  Key Map 453U 		
<b>For additional information contact:</b>  Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director-Real Estate		<b>Date and identification of prior authorizing Council Action:</b>		
<b>RECOMMENDATION: (Summary)</b> It is recommended City Council approve a council motion authorizing the sale of ±4,250 square feet of excess fee-owned property, being Lot 25A of Block 34, in the Lindale Park Addition, Section 6. Parcel SY7-111				
<b>Amount and Source of Funding:</b> Not Applicable			<b>F &amp; A Budget:</b>	
<b>SPECIFIC EXPLANATION:</b> Raul Ayala dba Ayala's Quality Food, 5616 Fulton Street, Houston, Texas, 77009, requested the sale of ±4,250 square feet of excess fee-owned property, being Lot 25A of Block 34, in the Lindale Park Addition, Section 6. Raul Ayala, the abutting property owner, wants to incorporate the property being sold into his abutting property for vehicle parking. Currently he leases the subject property from the City for vehicle parking. The subject property is under the jurisdiction of the Public Utilities Division (PUD). PUD determined the subject property is surplus and available for sale.  This is Part One of a two-step process in which the applicant will first receive a City Council authorized council motion acknowledging the concept of the subject request. Upon the applicant satisfactorily completing all transaction requirements including those enumerated below, the Department of Public Works and Engineering will forward a subsequent recommendation to City Council requesting passage of an ordinance effecting the sale. The Joint Referral Committee reviewed and approved this request. Therefore, it is recommended:  1. The City sell ±4,250 square feet of excess fee-owned property, being Lot 25A of Block 34, in the Lindale Park Addition, Section 6; 2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property; 3. The Legal Department be authorized to prepare the necessary transaction documents; and 4. Inasmuch as the value of the property interest is expected to exceed \$25,000.00, that the City Council appoint the following two independent real estate appraisers to establish the value – Michael Copland and Frank Flores.  MSM:NPCdob  c: Phil Boriskie Eric Dargan Marlene Gafrick Daniel W. Krueger, P.E. Arturo G. Michel Reid K. Mrsny, P.E. Marty Stein Jeff Taylor				
s:\dob\sy7-111.rc1.doc			CUIC #20DOB8865	
<b>REQUIRED AUTHORIZATION</b>				
<b>F&amp;A Director:</b>		<b>Other Authorization:</b>	<b>Other Authorization:</b>   Andrew F. Icken, Deputy Director Planning and Development Services Division	

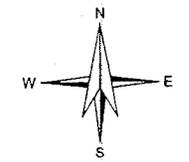
**SUBJECT:** Request for the sale of ±4,250 square feet of excess fee-owned property, being Lot 25A of Block 34, in the Lindale Park Addition, Section 6.  
**Parcel SY7-111**



# Harris County Appraisal District



0 100 200  
 PUBLICATION DATE:  
 10/26/2005



MAP LOCATION



## FACET 5359B

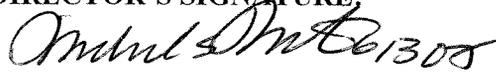
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5359B7

5359B12

<b>SUBJECT:</b> Request for the abandonment and sale of 4 <sup>th</sup> Street and 2 <sup>nd</sup> Street, from McGowan Street south to their respective dead ends, out of the Amended Genoa Townsite plat. <b>Parcel SY7-135 and SY7-143</b>	<b>Category #</b> 7	<b>Page</b> <u>1</u> of <u>2</u>	<b>Agenda Item #</b>  15
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<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  6-14-07	<b>Agenda Date</b>  JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., DEE, Director	<b>Council District affected:</b> E  Key Map 576R <i>psm</i>
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<b>For additional information contact:</b>  Nancy P. Collins <b>Phone:</b> (713) 837-0881 <i>(upc)</i> Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b>
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**RECOMMENDATION: (Summary)** It is recommended City Council approve a council motion authorizing the abandonment and sale of 4<sup>th</sup> Street and 2<sup>nd</sup> Street, from McGowan Street south to their respective dead ends, out of the Amended Genoa Townsite plat. **Parcel SY7-135 and SY7-143**

<b>Amount and Source of Funding:</b> Not Applicable	<b>F &amp; A Budget:</b>
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**SPECIFIC EXPLANATION:**

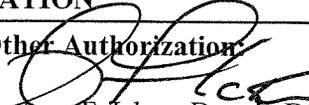
Karen Riddle of Able Permits, 20810 Durand Oak Court, Cypress, Texas 77433, on behalf of Texas Partners Holdings, L.P. [Texas Partners Investors, LLC (Thomas Balke, Managing Member), General Partner], requested the abandonment and sale of 4<sup>th</sup> Street and 2<sup>nd</sup> Street, from McGowan Street south to their respective dead ends, out of the Amended Genoa Townsite plat. As these portions of 4<sup>th</sup> Street and 2<sup>nd</sup> Street are unimproved, the posting of signs is not required. Texas Partners Holdings, L.P., an abutting owner, plans to combine its portion of the streets being abandoned and sold into its abutting property to increase the size of its property.

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

1. The City abandon and sell 4<sup>th</sup> Street and 2<sup>nd</sup> Street, from McGowan Street south to their respective dead ends, out of the Amended Genoa Townsite plat;
2. The applicant be required to secure the consent and participation of all the abutting property owners;
3. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the streets being abandoned and sold;
4. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;

psm\sy7-135.rc1.doc CUIC #20PSM8873

**REQUIRED AUTHORIZATION**

<b>F&amp;A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division
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<b>Date:</b>	<b>Subject:</b> Request for the abandonment and sale of 4 <sup>th</sup> Street and 2 <sup>nd</sup> Street, from McGowan Street south to their respective dead ends, out of the Amended Genoa Townsite plat. <b>Parcel SY7-135 and SY7-143</b>	<b>Originator's Initials</b>	<b>Page</b> <u>2</u> of <u>2</u>
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5. The Legal Department be authorized to prepare the necessary transaction documents; and
6. Inasmuch as the value of the property interest is expected to exceed \$25,000.00, that the City Council appoint the following two independent real estate appraisers to establish the value – Michael Copland and Jimmy Payton.

MSM:NPC:psm

- c: Phil Boriskie  
Raymond D. Chong, P.E., P.T.O.E.  
Marlene Gafrick  
Daniel W. Krueger, P.E.  
Arturo G. Michel  
Reid K. Mrsny, P.E.  
Marty Ste

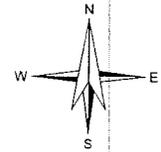
Abandonment and sale of 4<sup>th</sup> Street and 2<sup>nd</sup> Street, from McGowan Street south to their respective dead ends, out of the Amended Genoa Townsite plat. Parcel SY7-135 and SY7-143

# Harris County Appraisal District



0 100 200

PUBLICATION DATE:  
10/17/2005

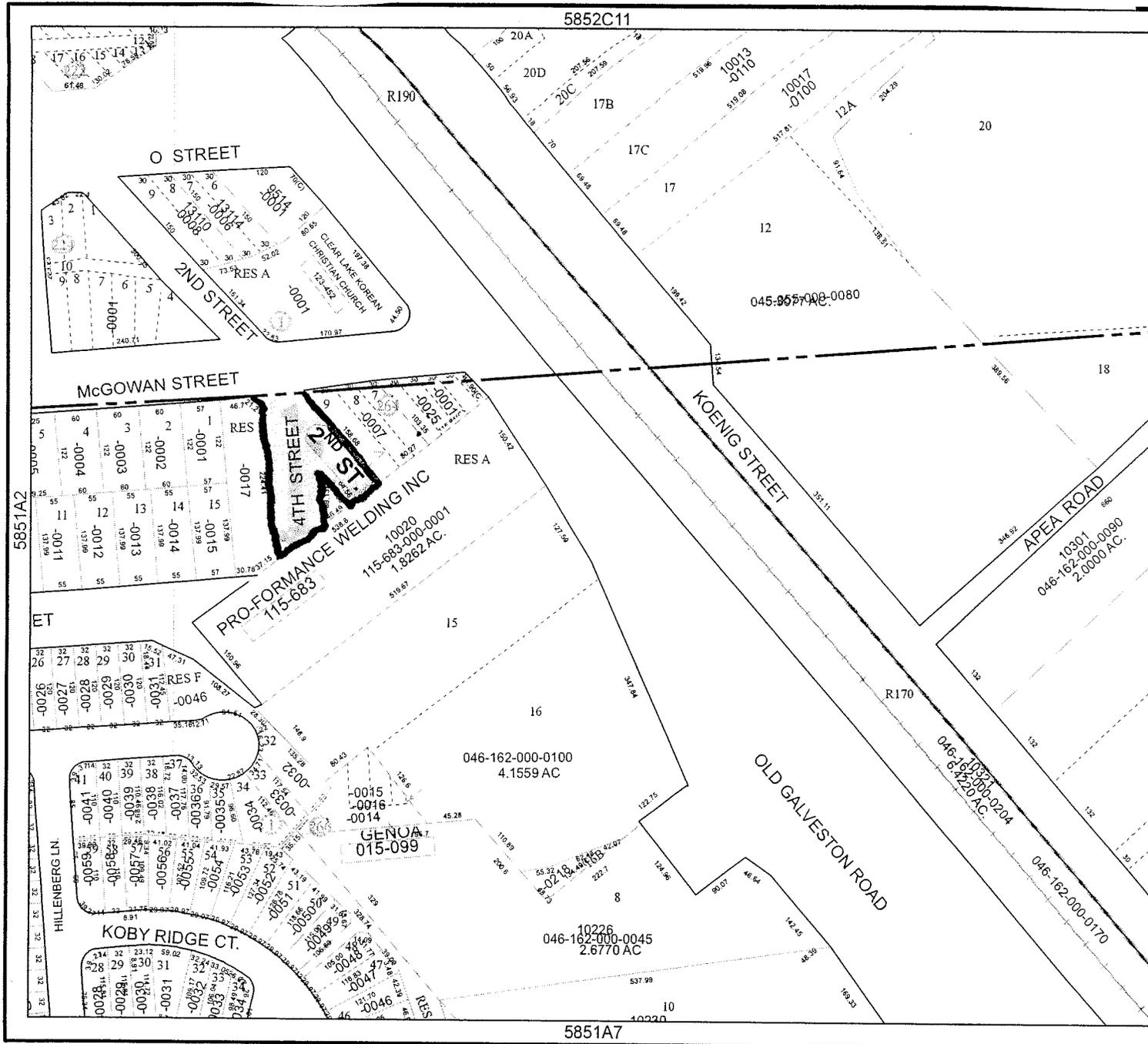


MAP LOCATION



## FACET 5851A

1	2	3	4
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9	10	11	12



5851A4

5851A2

5851A7

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 7459**

**Subject:** Approve the Sole Source Purchase of Equipment, E-Z RadioComm II Replacement Parts for the Fire Department S36-S22433

Category #  
4

Page 1 of 1

Agenda Item

16

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

Calvin D. Wells  
City Purchasing Agent  
Finance and Administration Department

**Origination Date**

June 08, 2007

**Agenda Date**

JUN 20 2007

**DIRECTOR'S SIGNATURE**

*MS Calvin D. Wells*

**Council District(s) affected**

All

**For additional information contact:**

Karen Dupont Phone: (713) 859-4934  
Desiree Heath Phone: (713) 247-1722

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

**RECOMMENDATION: (Summary)**

Approve the sole source purchase from Con-Space Communications, Inc. in an amount not to exceed \$507,730.50 for E-Z RadioComm II replacement parts for the Fire Department.

Estimated Spending Authority: \$507,730.50

**F & A Budget**

\$507,730.50 General Fund (1000)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the sole source purchase from Con-Space Communications, Inc. in an amount not to exceed \$507,730.50 for E-Z RadioComm II replacement parts for the Fire Department. It is further requested that authorization be given to issue purchase orders, as needed, for a 60-month period. The City Purchasing Agent may terminate this agreement at any time upon 30-days written notice to the supplier. This award consists of replacement parts such as; rubber connectors, speaker elements, 1/8" screw sets, 1/4" self tapping screws, 1/4" hex screws, belt clips, housing buttons, and cables to be used by the Department to repair E-Z RadioComm II radios.

Con-Space Communications, Inc. is the sole source manufacturer and has no authorized distributor for these replacement parts.

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

Buyer: Valerie Player-Kaufman

Attachment: M/WBE zero-percentage goal document approved by the Affirmative Action Division.

**Estimated Spending Authority:**

DEPARTMENT	FY2008	OUT YEARS	TOTAL
Fire	\$101,546.10	\$406,184.40	\$507,730.50

**REQUIRED AUTHORIZATION**

NDT

F&A Director:

Other Authorization:

Other Authorization:

*msgl*

5-29-07

16



# CITY OF HOUSTON

## Interoffice

Finance & Administration Department  
Strategic Purchasing Division (SPD)

Correspondence

RECEIVED

To: Kevin M. Coleman, C.P.M.  
Assistant Purchasing Agent

APR 26 7 11 AM

From: Valerie Player-Kaufman

City of Houston  
Affirmative Action

Date: April 23, 2007

Subject: MWBE Participation Form

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

I am **requesting** a MWBE goal below 11% (To be completed by SPD, and prior to advertisement): Yes  No  0%

I am requesting a **revision** of the MWBE Goal: Yes  No  Original Goal: N/A New Goal: N/A

If requesting a revision, how many solicitations were received: N/A

Solicitation Number: S36-S22433 Estimated Dollar Amount: \$402,164.20

Anticipated Advertisement Date: N/A Solicitation Due Date: N/A

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

If goal was not met, what did the vendor achieve: N/A

Name and Intent of this Solicitation:

Equipment, E-Z Radiocomm II Replacement Parts to repair radios for the Fire Department.

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

This is a new contract for E-Z Radiocomm II replacement parts that will be used by the Fire Department. Con-Space Communications, the manufacturer, is a sole source Supplier for the E-Z Radiocomm II replacement parts, and drop-ships the replacement parts directly to the City department. See attached letter from Supplier. Consequently, there is no opportunity for M/WBE participation; therefore, we request that a zero percentage goal be approved on this contract.

Concurrence:

SPD Initiator

Division Manager

FOR   
Velma Laws, Director  
\*Affirmative Action

Kevin M. Coleman, C.P.M.  
Assistant Purchasing Agent

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

R

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Single Source Purchase of Copper-bearing Intrauterine Contraceptive Devices or Paragard T380A	<b>Category #</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b> 17
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<b>FROM (Department or other point of origin):</b> Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services	<b>Origination Date</b> June 8, 2007	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> <i>Stephen L. Williams</i>	<b>Council District affected:</b> All
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<b>For additional information contact: Kathy Barton</b> Telephone: 713-794-9998 or 713-826-5801	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)** Approve the single source purchase from Integrated Commercialization Solutions (ICS) dba Duramed Pharmaceuticals, Inc. in the amount \$50,198.40 for copper-bearing intrauterine contraceptive devices for the Health & Human Services Department.

Amount of Funding: \$ 50,198.40 General Fund- Fund (1000)	<b>F&amp;A Budget:</b>
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**SOURCE OF FUNDING:**  General Fund  Grant Fund  Enterprise Fund  Other ( Specify )

**SPECIFIC EXPLANATION:**

The Houston Department of Health and Human Services recommends that City Council approve the single source purchase from ICS dba Duramed Pharmaceuticals, Inc. – through its ParaGard Direct Program in the total amount of \$ 50,198.40 for copper-bearing intrauterine contraceptive devices (Paragard T380 A) or IUD's and that authorization be given to issue a purchase order. The Purchase order will provide spending authority to purchase 54 boxes containing 5 IUDs in each box. This purchase will allow for more time to negotiate a multi-year agreement with the single source vendor. The City of Houston will be reimbursed by Title X dollars as the inventory is used.

ICS dba as Duramed Pharmaceuticals, Inc. is the sole distributor/supplier of Paragard T380A in the United States. It is also the only manufacturer of a copper-bearing IUD in the United States.

**REQUIRED AUTHORIZATION**

<b>F&amp;A Director</b>	<b>Other Authorization:</b> <i>Gabriel D. Wells</i>	<b>Other Authorization:</b>
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**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 7469**

**Subject:** Formal Bids Received for Helicopter Component Overhaul or Exchange for the Police Department  
S09-S22379

Category #  
4

Page 1 of 1

Agenda Item

18

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

Calvin D. Wells  
City Purchasing Agent  
Finance and Administration Department

**Origination Date**

May 25, 2007

**Agenda Date**

JUN 20 2007

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

1

**For additional information contact:**

Joseph Fenninger                      Phone: (713) 308-1708  
Desiree Heath                              Phone: (713) 247-1722

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

**RECOMMENDATION: (Summary)**

Approve an award to Heli-Tech, Inc., on its low bid meeting specifications in an amount not to exceed \$987,282.00 for the overhaul or exchange of helicopter components for the Police Department.

Estimated Spending Authority : \$987,282.00

**F & A Budget**

\$987,282.00 General Fund (1000)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an award to Heli-Tech, Inc., on its low bid meeting specifications in an amount not to exceed \$987,282.00 for the overhaul or exchange of helicopter components for the Police Department. It is further requested that authorization be given to issue purchase orders, as needed, for a 60-month period. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor. This award consists of helicopter components, such as, main rotor and tail rotor transmissions, main rotor swash plates, pitch controls, overrunning clutches, landing gear dampers, and one-way locks to be used by the Department in their MD helicopters located at William P. Hobby Airport. This award also includes a \$96,625.00 labor component for repairs that cannot be performed by City personnel.

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

	<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1.	HeliMart, Inc.	\$932,202.00 (Did Not Meet Specifications)
2.	Heli-Tech, Inc.	\$987,282.00

Buyer: M.A. Cruz Goldman

Attachment: M/WBE zero-percent goal document approved by the Affirmative Action Division

**Estimated Spending Authority:**

DEPARTMENT	FY08	OUT YEARS	TOTAL
Police	\$197,450.00	\$789,832.00	\$987,282.00

**REQUIRED AUTHORIZATION**

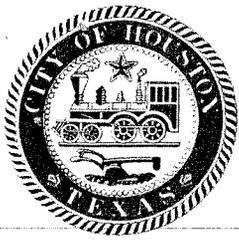
F&A Director: \_\_\_\_\_ Other Authorization: \_\_\_\_\_ Other Authorization: \_\_\_\_\_

NDT

*Wells*

6-4-07

1820



# CITY OF HOUSTON

Finance & Administration Department  
Strategic Purchasing Division (SPD)

## Interoffice

Correspondence

To: Kevin M. Coleman, C.P.M.  
Assistant Purchasing Agent

From: M. A. Cruz Goldman

Date: April 12, 2006

Subject: MWBE Participation Form

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

I am **requesting** a MWBE goal below 11% (To be completed by SPD, and prior to advertisement): Yes  No  0%

I am requesting a **revision** of the MWBE Goal: Yes  No  Original Goal: 0% New Goal: 0%

If requesting a revision, how many solicitations were received: \_\_\_\_\_

Solicitation Number: S09-S22379 Estimated Dollar Amount: \$944,300.00

Anticipated Advertisement Date: 4/13/2006 Solicitation Due Date: 5/3/2006

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

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

Name and Intent of this Solicitation:

This project covers helicopter engine exchange parts and turbine overhaul, and the associated labor necessary to keep the helicopters operating smoothly and effectively.

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

Bidders on the parts and labor must be FAA certified and its repair facilities approved as an Authorized Maintenance Center by the agency. At this moment there are no City-certified M/WBEs that have received such certification. As a result, Supply Contracts has been granted a 0% M/WBE sign-off in the past. Please see the attachment hereto.

Concurrence:

SPD Initiator

Division Manager

FOR   
Velma Laws, Director  
\*Affirmative Action

Kevin M. Coleman, C.P.M.  
Assistant Purchasing Agent

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

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA# 7403

Subject: Formal Bids Received for Chemical Storage Tanks for the Public Works & Engineering Department  
S23-N22135

Category #  
4

Page 1 of 1

Agenda Item

19

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

Calvin D. Wells  
City Purchasing Agent  
Finance and Administration Department

**Origination Date**

June 12, 2007

**Agenda Date**

JUN 20 2007

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

Gary Norman Phone: (713) 837-7425  
Ray DuRousseau Phone: (713) 247-1735

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

**RECOMMENDATION: (Summary)**

Approve an award to The Mur-Tex Company on its low bid in the total amount of \$58,458.00 for chemical storage tanks for the Public Works & Engineering Department.

Award Amount: \$58,458.00

F & A Budget

\$58,458.00 - PWE Combined Utility Service General Pur Fund (8305)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an award to The Mur-Tex Company on its low bid in the total amount of \$58,458.00 for chemical storage tanks for the Public Works & Engineering Department and that authorization be given to issue a purchase order.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Thirty-five prospective bidders viewed the solicitation document on SPD's e-bidding website and four bids were received as shown below:

<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1. The Mur-Tex Company	\$ 58,458.00
2. Diamond Fiberglass	\$104,190.00
3. Applied Instrumentation, Inc.	\$164,160.00
4. Manu-Rep, LP	\$182,466.00

- Due to the disparity between the bids, Strategic Purchasing contacted the representative of The Mur-Tex Company to discuss the published specifications for this equipment. The representative of The Mur-Tex Company confirmed in writing that the equipment offered, including accessories, will comply with the published specifications and will be delivered at the bid price. Based on the aforementioned, Strategic Purchasing is confident that the recommended supplier will provide the equipment at the price bid.

This purchase consists of six 6,400-gallon fiberglass chemical storage tanks with sight glasses and fittings. These new tanks, which will be used to store sodium hypochlorite, are warranted for five years, and the life expectancy is 15 years. Currently, the Wastewater Operations Branch has approximately 250 chemical storage tanks in operation at various treatment plants and lift stations citywide. Additionally, these new chemical storage tanks will replace existing tanks that have developed leaks at wastewater treatment plants and lift stations located throughout the City.

Buyer: Roy Breaux

**REQUIRED AUTHORIZATION**

NDT

F&A Director:

Other Authorization:

Other Authorization:

4-24-07

19

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 7400**

**Subject:** Sole Bid Received for Remote Activated School Flasher System Parts for the Public Works & Engineering Department S32-S22165

Category #  
4

Page 1 of 1

Agenda Item

**20**

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

Calvin D. Wells  
City Purchasing Agent  
Finance and Administration Department

**Origination Date**

June 04, 2007

**Agenda Date**

JUN 20 2007

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

All

**For additional information contact:**

Gary Norman Phone: (713) 837-7425  
Desiree Heath Phone: (713) 247-1722

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

**RECOMMENDATION: (Summary)**

Approve an award to Consolidated Traffic Controls, Inc. on its sole bid in an amount not to exceed \$528,890.00 for remote activated school flasher system parts for the Public Works & Engineering Department.

Estimated Spending Authority: \$528,890.00

**F & A Budget**

\$528,890.00 General Fund (1000)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an award to Consolidated Traffic Controls, Inc. on its sole bid in an amount not to exceed \$528,890.00 for remote activated school flasher system parts for the Public Works & Engineering Department. It is further requested that authorization be given to issue purchase orders, as needed, for a 60-month period. The City Purchasing Agent may terminate this agreement at any time upon 30-days written notice to the supplier. This award consists of various flasher system parts such as cabinet shells, control panels, lamps and solar panels to be used for new installations and replacement parts to existing school flasher systems located citywide.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Eight prospective bidders viewed the solicitation documents on SPD's e-bidding website and only one bid was received due to limited competition for this type of school flasher system.

**M/WBE Subcontracting:** This bid was issued with a 3% goal for M/WBE participation.

**Consolidated Traffic Controls, Inc.** has designated the below-named company as its certified M/WBE subcontractor:

<u>Company</u>	<u>Type of Work</u>	<u>Dollar Amount</u>
C.J. Hensch	Cabinet Supplier	\$15,866.70

The Affirmative Action Division will monitor this award.

Buyer: Veronica Douglas, CPPB

**Estimated Spending Authority:**

<b>Department</b>	<b>FY 2008</b>	<b>Out Years</b>	<b>Sub-Total</b>
Public Works & Engineering	\$105,778.00	\$423,112.00	\$528,890.00

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

**NDT**

6-11-07

207

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Approve an ordinance amending Section 9-57(g) of the Code of Ordinances relating to Ground Transportation at the City's airports to allow the Director of Aviation to authorize exceptions to the Airport Use Permit requirement when vehicles are transporting passengers for purely charitable purposes or events.	<b>Category #</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b> <i>21</i>
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<b>FROM (Department or other point of origin):</b> Houston Airport System	<b>Origination Date</b> May 1, 2007	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> <i>[Signature]</i>	<b>Council District affected:</b> B E I
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<b>For additional information contact:</b> Sara Culbreth <b>Phone:</b> 281/233-1832 David Arthur                              281/233-1388	<b>Date and identification of prior authorizing Council action:</b> N/A
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<b>AMOUNT &amp; SOURCE OF FUNDING:</b> None required	<b>Prior appropriations:</b> N/A
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**RECOMMENDATION: (Summary)**  
Approve an ordinance amending Section 9-57(g) of the Code of Ordinances relating to Ground Transportation at the City's airports to allow the Director of Aviation to authorize exceptions to the Airport Use Permit requirement when vehicles are transporting passengers for purely charitable purposes or events.

**SPECIFIC EXPLANATION:**

Section 9-57(g) of the Code of Ordinances requires Airport Use Permits and payment of related fees for vehicles to transport passengers to and from the City's airports. The City and the Houston Airport System (HAS) have received requests to allow occasional transport of passengers for charitable purposes without an Airport Use Permit and without charge.

In an effort to support such community outreach endeavors, HAS recommends that Section 9-57(g) of the Code of Ordinances be amended to waive Airport Use Permits for vehicles transporting passengers for purely charitable purposes or events, if adequate documentation is provided to the director. For the purpose of this ordinance, charitable is defined as no direct or indirect commercial enrichment of any individual or entity.

cc: Ms. Marty Stein    Mr. Anthony W. Hall, Jr.    Mr. Arturo G. Michel    Ms. Sara Culbreth    Ms. Kathy Elek

<b>REQUIRED AUTHORIZATION</b>		
<b>F&amp;A Budget:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

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

AN ORDINANCE AMENDING SECTION 9-57(g) OF THE CODE OF ORDINANCES, HOUSTON, TEXAS RELATING TO GROUND TRANSPORTATION AT THE CITY'S AIRPORTS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

\* \* \* \* \*

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

**Section 1.** That Subsection (g) of Section 9-57 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“(g) *Certain waivers.* For vehicles authorized to be operated under other types of agreements for use of airport property (e.g., airline agreements, hotel agreements, leases of real property) in exchange for rentals, fees or other charges paid to the city, the director may waive the fees required by this division (but not the requirement to obtain an airport use permit), if waiver is necessary to avoid a double payment to the city. The director may also waive the requirements for airport use permits and fees for local transit vehicles, if suitable vehicle identification provisions are made, and if, as a practical matter, they provide an essential public service requiring a direct tax subsidy. The director may also waive the requirements for airport use permits and fees for vehicles transporting passengers for purely charitable purposes or events if adequate evidence is provided to the director that such purpose or event is not for the commercial enrichment of an individual or entity.”

**Section 2.** That if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity

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

**Section 3.** That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Mayor of the City of Houston

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

\_\_\_\_\_  
City Secretary

Prepared by Legal Dept. \_\_\_\_\_  
RNR:pw 06/11/07  
Requested by Richard Vacar, Director, Houston Airport System  
L.D. File No. \_\_\_\_\_

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

**AN ORDINANCE AMENDING SECTION 9-57(g) OF THE CODE OF ORDINANCES, HOUSTON, TEXAS RELATING TO GROUND TRANSPORTATION AT THE CITY'S AIRPORTS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

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

**Section 1.** That Subsection (g) of Section 9-57 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(g) *Certain waivers.* For vehicles authorized to be operated under other types of agreements for use of airport property (e.g., airline agreements, hotel agreements, leases of real property) in exchange for rentals, fees or other charges paid to the city, the director may waive the fees required by this division (but not the requirement to obtain an airport use permit), if waiver is necessary to avoid a double payment to the city. The director may also waive the requirements for airport use permits and fees for local transit vehicles, if suitable vehicle identification provisions are made, and if, as a practical matter, they provide an essential public service requiring a direct tax subsidy. The director may also waive the requirements for airport use permits and fees for vehicles transporting passengers for purely charitable purposes or events if adequate evidence is provided to the director that such purpose or event is not for the commercial enrichment of an individual or entity."

**Section 2.** That if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or

invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**Section 3.** That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

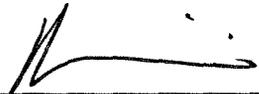
**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_.

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Mayor of the City of Houston

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

\_\_\_\_\_  
City Secretary

Prepared by Legal Dept.   
RNR:pw 06/11/07  
Requested by Richard Vacar, Director, Houston Airport System  
L.D. File No. \_\_\_\_\_

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

<b>SUBJECT:</b> Ordinance amending the Houston Fire Code to increase administrative fee for processing permits	<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda</b> Item  22
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<b>FROM (Department or other point of origin):</b> City of Houston Fire Department	<b>Origination:</b> 6-14-07	<b>Agenda Date:</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> Phil Boriskie, Fire Chief 	<b>Council District affected:</b>  All
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<b>For additional information contact:</b> Captain Karen DuPont 713.247.4049	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
It is recommended that City Council pass an ordinance amending the Houston Fire Code to increase the administrative fee to process permits.

<b>Amount of Funding</b> None required	<b>F &amp; A Budget:</b>
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**SOURCE OF FUNDING:** [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund  
[ ] Other (Specify)

**SPECIFIC EXPLANATION:**

In an effort to recover the City's administrative costs and remain consistent with fees charged throughout other permitting operations, the Fire Chief requests that the administrative fee charged for processing paperwork associated with the purchase of a fire permit be increased from five dollars (\$5.00) to ten dollars (\$10.00), per permit. The current fee is insufficient to cover the City's personnel and other costs to process the permits.

Changes in the fee structure are accomplished by ordinance authorizing changes to section 105.9 of the 2000 Houston Fire Code. The proposed ordinance will bring administrative fees charged for the permitting process in line with fees charged by the Code Enforcement Division of the Public Works and Engineering Department.

The proposed ordinance was recommended for Council approval at the June 11, 2007 meeting of the Public Safety and Homeland Security Committee.

REQUIRED AUTHORIZATION		
<b>F&amp;A Director</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

City of Houston, Texas, Ordinance No. 2007-\_\_\_\_\_

**AN ORDINANCE AMENDING THE CITY OF HOUSTON FIRE CODE RELATING TO ADMINISTRATIVE FEES; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

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

**Section 1.** That Sections 105.9.1, 105.9.2 and 105.9.3 of the City of Houston Fire Code are hereby amended to read as follows:

**"105.9.1 Permit or license.** An administrative fee of \$10.00 shall be charged upon the preparation of each permit or license issued by the fire department. This fee shall apply regardless of whether the permit or license is issued pursuant to this code or the *City Code*, and it shall be payable in addition to all other applicable fees for the permit or license. The foregoing administrative fee shall not be applicable if no other fee is provided by law for the permit or license.

**105.9.2 Receipt.** An administrative fee of \$10.00 shall be charged upon the preparation of each fee or deposit receipt issued by the fire department. This fee shall apply regardless of whether the fee or deposit is payable pursuant to this code or the *City Code*. This fee shall be in addition to all other applicable fees or deposits. When paid for a deposit or fee receipt, this fee shall neither constitute nor be refundable as a part of the deposit. This fee shall not apply when a permit or license is issued and the fee specified in Section 105.9.1 above is imposed.

**105.9.3 Correction fee.** A correction fee of \$10.00 shall be charged for correction of any license or permit in those instances where the license or permit is initially issued with an error caused by incorrect information having been furnished by the applicant. A re-inspection fee shall also be imposed as provided in Section 105.8.2 when the error causes a re-inspection to be required."

**Section 2.** That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not

be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**Section 3.** That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2007.

**APPROVED** this \_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Mayor of the City of Houston

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

\_\_\_\_\_  
City Secretary

Prepared by Legal Dept. *[Signature]*  
KO:asw 06/06/2007 Assistant City Attorney  
Requested by Phil Boriskie, Chief, Fire Department  
L.D. File No. 0350700529001 *[Signature]*

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Transfer of Real Property from the Department of Public Works and Engineering, Public Utilities Division to Houston Airport System for George Bush Intercontinental Airport/Houston. Project 999 WBS# A-00082-0001-2-01-01	<b>Category #</b>	<b>Page 1 of 2</b>	<b>Agenda Item #</b> <span style="font-size: 2em; font-weight: bold;">23</span>
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<b>FROM (Department or other point of origin):</b> Houston Airport System and Department of Public Works and Engineering	<b>Origination Date</b> April 25, 2007	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> <i>[Signature]</i> Richard M. Vacar, A.A.E, Director Houston Airport System	<b>Council District affected:</b> B
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<b>For additional information contact:</b> James D. Murff (HAS) Phone: 281.233.1820 James Valenta (HAS) 281.233.1828 Nancy Collins (PW&E) 713.837.0881	<b>Date and identification of prior authorizing Council action:</b> N/A
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<b>AMOUNT &amp; SOURCE OF FUNDING:</b> CIP A-0082.21 \$3,600,000 HAS-Consolidated 2001 AMT Construction (8201) <i>[initials]</i> (\$3,600,000) Combined Utility System Fund 8300	<b>Prior appropriations:</b>
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**RECOMMENDATION: (Summary)**  
 Approve an ordinance appropriating \$3,600,000 from the Airport System Bond Fund and depositing same amount into the Combined Utility System General Purpose Fund and transferring 82.74 acres of land near George Bush Intercontinental Airport/Houston from the Public Utilities Division to Houston Airport System.

**SPECIFIC EXPLANATION:**

The City of Houston owns an 82.74-acre tract of land being Lots 1 through 42 and Lots 81 through 120, Block 3, Barrett Subdivision, C.C. Shelby Survey, Abstract 693, Houston, Harris County, Texas, Parcel SY6-108 (the "Property"), as an asset of the Public Utility Division of the Department of Public Works and Engineering (PWE). PWE has declared the Property surplus to its needs and notified other City departments of the availability of the Property. Houston Airport System (HAS) seeks the right to use and control the Property due to its proximity to George Bush Intercontinental Airport and a need to develop future storm water detention for airport related development in the immediate vicinity. HAS requests that the right of use and control of the Property be transferred from PWE to HAS.

The Combined Utility System bond covenants require that the net proceeds from a sale or transfer of surplus utility assets be deposited into the Combined Utility System General Purpose Fund. Furthermore, the City is not able to expend aviation funds for non-aviation purposes, and therefore an acquisition of another City department's asset must be at fair value. David M. Ambrose, MAI, has prepared an appraisal of the fair market value of the Property. The Directors of the HAS and the PWE have agreed to a transfer of the Property at its appraised valuation of \$3,600,000.

REQUIRED AUTHORIZATION

20NPC13

<b>F&amp;A Budget:</b> <i>[Signature]</i>	<b>Other Authorization:</b> <i>[Signature]</i>	<b>Other Authorization:</b> <i>[Signature]</i> Michael S. Marcotte, P.E., DEE, Director Department of Public Works and Engineering
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<b>Date</b> April 25, 2007	<b>Subject:</b> Transfer of Real Property from the Department of Public Works and Engineering, Public Utilities Division to Houston Airport System for George Bush Intercontinental Airport/Houston Project 999 WBS# A-00082-0001-2-01-01	<b>Originator's Initials</b>	<b>Page</b> 2 of 2
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HAS and PWE request the approval of an ordinance to (i) appropriate \$3,600,000 out of the named Airport System Bond Fund and deposit such sum into the Combined Utility System General Purpose Fund, and (ii) approve the transfer of the Property from the control of PWE to HAS.

RMV:JDM:JAV

- cc: Marty Stein
- Richard M. Vacar, A.A.E
- Sara Culbreth
- James D. Murff
- Nancy Collins
- Jeff Taylor
- Kent McLemore
- Kathy Elek
- Robert Johnson
- James Valenta



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Communication Equipment License between the City of Houston and Nextel of Texas, Inc., d/b/a Nextel Communications – George Bush Intercontinental Airport/Houston (IAH)	<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  24
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<b>FROM (Department or other point of origin):</b> Houston Airport System	<b>Origination Date</b> May 9, 2007	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> <i>Kae</i> <i>San</i>	<b>Council District affected:</b> "B"
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<b>For additional information contact:</b> James D. Murff <i>DM</i> Phone: 281/233-1820 Janet Schafer <i>JS</i> Phone: 281/233-1796	<b>Date and identification of prior authorizing Council action:</b> N/A
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<b>AMOUNT &amp; SOURCE OF FUNDING:</b> REVENUE: \$53,993.52 per year/ \$4,499.46 per month	<b>Prior appropriations:</b> N/A
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**RECOMMENDATION: (Summary)**

Enact an ordinance approving and authorizing a Communication Equipment License between the City of Houston and Nextel of Texas, Inc., d/b/a Nextel Communications, for certain premises at George Bush Intercontinental Airport/Houston (IAH).

**SPECIFIC EXPLANATION:**

In exchange for the consideration listed below, Nextel of Texas, Inc., d/b/a Nextel Communications, ("Licensee") wishes to license from the City non-exclusive space on the roof of Terminal C garage at IAH for its operation of a commercial mobile radio service antenna system and equipment to be used in connection with the business of providing cellular reception to airport users.

The pertinent terms and conditions of the License are as follows:

- Licensed Premises:** As indicated on the exhibit to the License, certain non-exclusive space on the roof level of Terminal C garage for up to six antennas and three all-weather equipment enclosures, space for a small shed of approximately 100 square feet, along with equipment and cabling appurtenant thereto. Licensee shall not have the right to use the premises unless it receives and maintains all governmental approvals, permits and licenses.
- Term:** The Term will end five years after countersignature date. The Term shall be automatically extended for one additional five-year period, unless earlier terminated. If Licensee shall lose any governmental approvals, such as an FCC license, Licensee shall have the right to terminate this License.

REQUIRED AUTHORIZATION

<b>F&amp;A Budget:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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<b>Date</b> May 9, 2007	<b>Subject:</b> Communication Equipment License between the City of Houston and Nextel of Texas, Inc., d/b/a Nextel Communications – George Bush Intercontinental Airport/Houston (IAH)	<b>Originator's Initials</b>	<b>Page</b> 2 of 2
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3. Rental: Initially, rent commences at a monthly rate of \$4,499.46. At the conclusion of the first year and each successive year during the Term, the license fee shall increase by 4%, thus rent for the second year shall be at the rate of \$4,679.44 per month.
4. Use: Solely in support of Licensee's commercial mobile radio service antenna system for the business of providing cellular reception to airport users.
5. Maintenance: Licensee shall assume the entire responsibility, cost and expense for all repairs and maintenance of the equipment space and operation of the equipment shall not interfere with the operation of the Terminal or any other existing radio or telecommunication equipment operated on or from the Terminal. Neither operation of the distributed antenna system nor the wireless local area network shall be subordinate to Licensee's rights under the License.
6. Indemnification and Insurance: Licensee shall indemnify and hold the City harmless and shall provide the required insurance in the limits as stated in the agreement.
7. Airport Rules: Licensee agrees to comply with all rules and regulations adopted by the airport, the FCC, the FAA, and the TSA, and to comply with all federal, state and local laws, statutes, ordinances, and policies.

RMV:jls

Attachments

cc: Ms. Marty Stein  
Mr. Anthony W. Hall, Jr.  
Mr. Arturo Michel  
Ms. Kathy Elek  
Ms. Sara S. Culbreth  
Mr. Richard Fernandez  
Dr. Kent McLemore  
Mr. Charles Wall  
Ms. Mary Case  
Mr. Perry Miller, A.A.E.  
Mr. James D. Murff  
Ms. Rachel Suarez

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT: An ordinance approving and authorizing a contract with Interfaith Ministries for Greater Houston to recruit, train, mobilize and manage volunteers to support HDHHS staff during activation of Community Emergency Medication Center</b>	<b>Category #</b> 9	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 25
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<b>FROM (Department or other point of origin):</b> Houston Department of Health and Human Services	<b>Origination Date</b> 5/30/07	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> ALL
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<b>For additional information contact: Kathy Barton</b> Telephone: 713-794-9998, pgr. 713-826-5801	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Approval of an ordinance authorizing a contract with Interfaith Ministries for Greater Houston to recruit, train, mobilize and manage volunteers to support Houston Department of Health and Human Services (HDHHS) staff during activation of Community Emergency Medication Center.

<b>Amount of Funding:</b>	<b>Total Contract Value: \$270,000.00</b>	<b>F&amp;A Budget:</b>
	<b>Fund 5030 Federal State Local - Pass Through Fund</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 of an ordinance authorizing a contract with Interfaith Ministries for Greater Houston. The initial contract period is from June 1, 2007 through August 31, 2007, with two successive one-year renewals.

The purpose of this contract with Interfaith Ministries for Greater Houston is to work with the faith based community, corporate and disaster preparedness organizations to establish, use and maintain the relationships necessary to recruit and train 18,000 volunteers on HDHHS' hazards planning and the Strategic National Stockpile (SNS) plan to support HDHHS staff during activation of the Community Emergency Medication Center (CEMC). CDC's SNS provides large quantities of medicine and medical supplies to protect communities if there is a public health emergency (terrorist attack, flu outbreak, etc.) severe enough to deplete local supplies. Each state has plans to receive and distribute SNS medicine and medical supplies to local communities as quickly as possible.

Community Emergency Medication Centers (CEMCs) will be used locally to distribute SNS medications to Houston residents and guests in the event of a public health emergency severe enough to overwhelm the normal process of dispensing medications. Currently 50 public high schools and middle schools within the City of Houston have been identified as CEMC sites. During a public health emergency requiring deployment of SNS assets an aggressive public information campaign will be used to direct Houston residents and guests to the nearest CEMC site to pick medications for themselves and their families.

The contractor will establish, maintain and develop resources and communications systems sufficient to mobilize volunteers for public health emergencies, large-scale disasters, drills, and exercises to test emergency plans and readiness status. Volunteers will assist HDHHS personnel at sites to dispense medications.

cc: Finance & Administration  
Legal Department  
Agenda Director

REQUIRED AUTHORIZATION		
<b>F&amp;A Director</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

<b>SUBJECT:</b> First Amendment to Lease Agreement at 601 Sawyer with RMC HP III, LP for the Housing and Community Development Department	<b>Page</b> 1 of 1	<b>Agenda Item</b>  26
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<b>FROM (Department or other point of origin):</b> Building Services Department	<b>Origination Date</b> 6-7-07	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. <i>Issa Z. Dadoush 6/29/06</i>	<b>Council District(s) affected:</b> H
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<b>For additional information contact:</b> Jacquelyn L. Nisby Phone: 713 247-1814	<b>Date and identification of prior authorizing Council Action:</b> Ordinance No. 2006-1162, 11/29/06
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**RECOMMENDATION:** Approve and authorize First Amendment to Lease Agreement with RMC HP III LP, for the leased space at 601 Sawyer Street for the Housing and Community Development Department and allocate funds.

<b>Amount and Source of Funding:</b> \$367,111.20 Federal Government- Grant Funded (5000) -CDBG	<b>F &amp; A Budget:</b>
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**SPECIFIC EXPLANATION:** The Building Services Department recommends that City Council approve a First Amendment to Lease Agreement with RMC HP III LP, Landlord, for 40,520 square feet of space at 601 Sawyer Street for use by the Housing and Community Development Department (HCD). HCD occupies five floors of this building.

The proposed First Amendment is necessary to establish an additional monthly rental to facilitate additional tenant improvements to be made by the landlord as requested by HCD. These additional tenant improvements are valued at \$937,672.03, an increase of \$275,000 from the original cost of \$662,672.03.

The new base term rental rate is as follows:

Calendar Months of Lease Term	Original Rate	New Monthly Payment
1 – 36	\$54,026.67	\$59,125.43 (\$1.46 psf per month/\$17.51 psf per year)
37 – 72	\$57,403.33	\$62,502.10 (\$1.54 psf per month/\$18.51 psf per year),

This represents an increase of \$367,111 (\$5,098.76 per month) over the initial base term of the lease.

The lease will commence upon completion of the improvements made by the landlord and acceptance by HCD. All other terms and conditions of the original lease remain the same.

IZD:FRC:JLN:FA:fa

c: Marty Stein, Anna Russell, Jacquelyn L. Nisby, Forest R. Christy, Jr., Richard Celli

**REQUIRED AUTHORIZATION**

CUIC #25 FA 05

<b>Other Authorization:</b>  <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr. Director, Real Estate Division	<b>Housing and Community Development Department:</b>  Richard Celli Director <i>Richard Celli</i>
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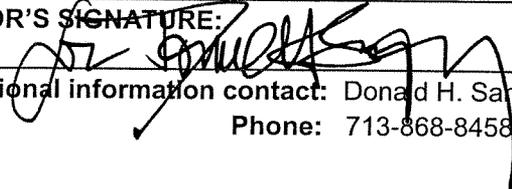
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

07-147

<b>SUBJECT:</b> An ordinance to amend a City Agreement between the City of Houston and Creative Choice Texas I, Ltd.	<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> <b>27</b>
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<b>FROM (Department or other point of origin):</b> Richard S. Celli. Director, Housing and Community Development Department	<b>Origination Date:</b> 05/31/07	<b>Agenda Date:</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> District "H" – Adrian Garcia
<b>For additional information contact:</b> Donald H. Sampley Phone: 713-868-8458	<b>Date and identification of prior authorizing Council action:</b> FC62125 / 06-0527

**RECOMMENDATION: (Summary)**  
The approval of an ordinance to amend a City Agreement between the City of Houston and Creative Choice Texas I, Ltd.

**Amount of Funding:** No Additional Funds Requested **F&A Budget:**  


**SOURCE OF FUNDING**       General Fund       Grant Fund       Enterprise Fund

Other (Specify)      HOME FUND

**SPECIFIC EXPLANATION:**  
Due to the construction pricing and the inclement weather, Creative Choice I, Ltd. has requested an extension to the completion of work date. The extended completion date for rehabilitation of a 100-unit facility, located at 8210 Bauman in Houston, is to be amended from July 1, 2007 to December 31, 2007.

On May 29, 2006, City Council approved a contract with Creative Choice Texas I, Ltd in the amount of \$500,000 as a loan to assist in the purchase and rehab of this facility. Creative Choice Texas I, Ltd also received a 9% Tax Credit from the State Department of Housing and Community Affairs.

**Source of Funds:**  
City of Houston HOME Fund Loan: \$500,000  
Housing Tax Credits: \$7,103,020 million  
Wells Fargo: \$7,900,000 (\$6,000,000 in interim construction financing and \$1,900,000 in permanent term financing)  
TOTAL: \$15,503,020

Low Income Housing Tax Credit funding is being used on this project. Housing is being targeted to low-income families earning less than 30%, 50%, or 60% of area median income. Note terms reflect a 2% per annum interest rate over a 10 year period with repayment of interest only for 12 months after closing and principal and interest beginning 13 months after closing. The note is secured with a 2nd lien on the subject property. Wells Fargo has a 1<sup>st</sup> lien. The affordability period is 10 years. The President of the Board is Henry Gorham.

The Project is consistent with the City's Consolidated Plan to provide Affordable Housing for Low-Income families. On June 13, 2007, HCDD presented the First Amendment to extend the construction completion date to the Housing and Community Development Committee, and they agreed to forward it for Council consideration, with recommendation.

cc: City Attorney  
City Secretary  
Legal Department  
Mayor's Office

*msg*

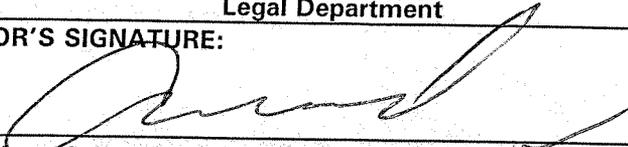
**REQUIRED AUTHORIZATION**

<b>F&amp;A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

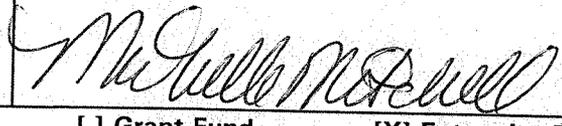
<b>SUBJECT:</b> Outside Environmental Legal Counsel for the Houston Airport System.	<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> <b>28</b>
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<b>FROM (Department or other point of origin):</b> Legal Department	<b>Origination Date</b> 6-15-07	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> B, E, I
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For additional information contact: Randy Rivin Phone: 713-247-1408	<b>Date and identification of prior authorizing Council action:</b> 6/13/01 Ord. No. 1002-556; 10/24/01 Ord. No. 2001-0970; 8/27/03 Motion No. 2003-1049; 6/9/04 Ord. No. 2004-570; 1/25/06 Ord. No. 2006-82.
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**RECOMMENDATION: (Summary)**  
Enact an ordinance approving Amendment No. 2 to Engagement Letter with Adams and Reese, LLP.

<b>Amount of Funding:</b> \$600,000.00 <b>Fund:</b> 8001 (HAS Revenue Fund)	<b>F &amp; A Budget:</b> 
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**SOURCE OF FUNDING:**                       General Fund                       Grant Fund                       Enterprise Fund

Other (Specify)

**SPECIFIC EXPLANATION:**

On June 27, 2001, the City entered into an Engagement Letter with Mayor, Day, Caldwell & Keeton, LLP ("MDCK") to provide environmental legal services for the Houston Airport System under the direction of the City Attorney's office.

On October 24, 2001, City Council consented to the assignment of the Engagement Letter to Connelly, Baker, Maston, Wotring, Jackson LLP ("CBMWJ"), a firm consisting of the environmental lawyers formerly of MDCK (which merged with Andrews & Kurth, LLP).

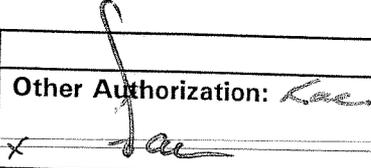
On June 9, 2004, City Council extended the Engagement Letter to June 27, 2007.

In January of 2006, the attorney with primary responsibility for providing legal services under the Engagement Letter withdrew from CBMWJ to join Adams and Reese, LLP ("Firm") and City Council consented to an assignment of the Engagement Letter to Firm on January 25, 2006.

The Legal Department and Houston Airport System are satisfied with the legal representation of the Firm which primarily consists of advice, consultation and representation regarding all environmental issues at the airports. Consequently, it is recommended that the Firm be granted a three year extension with two one year options beginning June 27, 2007.

The amount of funding for the three year extension with two one year options is \$600,000.00 for a total contract amount of \$1,550,000.00.

No MWBE goal was required for the Engagement Letter and none is recommended for the Amendment.

<b>REQUIRED AUTHORIZATION</b>		
<b>F&amp;A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  <b>NOT</b>

**Environmental Legal Services  
provided to  
City of Houston Airport System  
pursuant to  
Contract No. C52807**

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City of Houston entered into an Engagement Letter for environmental legal services to be provided to Houston Airport System (HAS). In the course of this representation, advice has been provided to HAS on numerous matters relating to regulatory compliance, permitting, contaminated site remediation, waste water and storm water management, environmental liability and release reporting. Lawyers advise regarding issues unique to multi-tenant and co-located facilities, analyze the applicability of various media permit programs and HAS/airport compliance with program requirements, and assist in negotiations with environmental regulators. Representative matters upon which advice has been rendered during the contract term include:

- **Spill Reporting/Waste Water Discharges.** Advise HAS regarding applicability of reporting requirements in connection with spills, releases, or discharges at or from the airports, including in connection with discharges of untreated sanitary sewer water and releases or spills of jet fuel to the storm water drainage system. Advise HAS regarding Clean Water Act and implications of unauthorized discharge of pollutants to waters of the United States. Assist HAS with reporting of and response to agency inquiries regarding discharge events. Work with HAS and HAS technical consultants to formulate work plans to investigate potential infrastructure deficiencies that could be contributing to potential releases.
  
  - **Spill Prevention, Control, and Countermeasures.** Assisting HAS with understanding the scope and applicability of SPCC regulations in context of developing SPCC Plans for airports and evaluating need for potential infrastructure capital improvements. Evaluating regulatory requirements with respect to issues relating to mobile fueling, containment and secondary containment, and drainage and diversionary systems applicable to HAS directly as airport operator and secondary liability associated with being landowner of multi-tenant facility.
  
  - **Notices of Violation.** Assist with investigation, evaluation and response to notices of violation for air emissions, waste water discharges, storm water discharges, and resolution of same.
  
  - **Stationary Source Emissions Audit and Corrective Measures.** Ongoing assistance to HAS in conducting inventory of emissions sources at airports and evaluating compliance of existing sources with regulations. Provide recommendation to conduct source inventories and compliance reviews for all three airports under Texas Audit Privilege Act (Act) to obtain protection from civil penalties for violations of air regulations discovered during audit. Assist in providing numerous statutory notices required by Act, evaluating self-reporting obligations, and assessing remedial response to discovered violations. Evaluate compliance status of grandfathered facilities, standard exemptions, and permit by rule sources in connection with determining existence of violations. Monitor audit results as information is generated and assist HAS with determining appropriate use of information response. Provide counsel regarding
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corrective measures necessary to address non-compliance issues identified during audits and schedule for attaining compliance. Prepare periodic reports to agency documenting measures undertaken and compliance status.

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- **Storm Water Quality Assurance.** Assist HAS analyzing adequacy of storm water pollution prevention plans, compliance with monitoring, reporting and record-keeping procedures, plan documentation and updates, and tenant responsibilities for compliance. Evaluate alleged violations of Municipal Separate Storm Sewer System ordinance, infrastructure components, tenant responsibility, and negotiate with regulators regarding implementation of best management practices for storm water quality assurance. Advise regarding document control and presentation of investigation results in connection with Storm Water Drainage Master Plan.
  - **Contaminated Site Investigation, Delineation and Remediation Projects.** Assist HAS on a number of on-going remediation projects associated with historic or current releases of hydrocarbons to the environment at Hobby and Intercontinental airports. Review and provide comments regarding submittals to TCEQ and advise regarding presentation of information, inadvertent admissions against interest, and control of documents. Assist HAS in evaluating various remediation options, recovery systems, pilot extraction demonstrations in connection with minimizing long-term liabilities and developing closure plans.
  - **Texas Pollutant Discharge Elimination System Multi-Sector General Permit/Storm Water Pollution Prevention Plans.** In connection with rule-making proceedings, engaged in dialogue with Texas Commission on Environmental Quality (TCEQ) legal and technical staff regarding issues arising at multi-tenant facilities, such as airports, in complying with requirements of the TPDES Multi-Sector General Permit (General Permit) governing storm water discharges, including liability of landowners such as City of Houston for the industrial activities of tenants, such that non-compliance by a tenant potentially subjected the City of Houston to enforcement by TCEQ, certification of Notice of Intent to be covered by the General Permit, and with certifications subject to penalties relating to non-storm water discharges. Represented HAS in stake-holder meetings hosted by TCEQ following issuance of the General Permit and was successful in obtaining certain revisions in a planned amendment to the permit, and in obtaining extensions for all three airports from TCEQ of the deadline for filing NOIs until such time as the agency addressed the outstanding certification issues.
  - **Contract and Lease Drafting and Review.** Provide on-request assistance with review of and comment to environmental provisions of contracts and leases between HAS and tenants, including Fuel License Agreements, termination of tenant leases, development and implementation of Operating Instructions, development of protocol relating to use and responsibility for underground storage tanks.
  - **NO<sub>x</sub> Emissions Reduction Plan.** Assisted HAS in analyzing issues and options for satisfying City of Houston obligation to TCEQ to reduce NO<sub>x</sub> emissions at the airports by 1.809 tons per day. City of Houston had entered into a Memorandum of Understanding (MOU) with TCEQ to assist airlines in obtaining an overall 90% reduction of NO<sub>x</sub> emissions from ground support equipment (GSE) by agreeing to provide reductions from other sources at the HAS to cover a shortfall of 75% reductions proposed by the airlines and the 90% reductions required by
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the TCEQ. Although most NOx sources at airports are operated by tenant airlines and not airports themselves, tenant operators of GSE were unwilling to participate in voluntary reductions and threatened to file suit if the airports attempted to enforce reductions. Helped HAS to analyze the requirements of the MOU, to evaluate potential bases upon which to re-open negotiations with respect to the MOU commitment, and ultimately to strategize regarding alternative approach and options for achieving the required reductions. Assisted with preparation of Supplemental NOx Emissions Reduction Plan demonstrating satisfaction of obligations.

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA# 7424

Subject: Approve an Ordinance Awarding a Contract for Food and Beverage Services for the Convention & Entertainment Facilities Department  
TC-22270

Category #  
4

Page 1 of 2

Agenda Item

**29**

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

Calvin D. Wells  
City Purchasing Agent  
Finance and Administration Department

**Origination Date**

June 12, 2007

**Agenda Date**

JUN 20 2007

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

1

**For additional information contact:**

Stephen Lewis Phone: (713) 853-8888  
Ray DuRousseau Phone: (713) 247-1735

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a revenue contract to a joint venture between ARAMARK Sports and Entertainment Services of Texas, Inc. and Quality Concession Foods, Inc. in the estimated revenue amount of \$25,647,352.00 for food and beverage services for the Convention & Entertainment Facilities Department.

NONE REQUIRED (REVENUE)

F & A Budget

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a five-year revenue contract, with five one-year options to extend, for a total ten-year term in the estimated revenue amount of \$25,647,352.00 to ARAMARK Sports and Entertainment Services of Texas, Inc. and Quality Concessions Foods, Inc., a joint venture, to provide food and beverage services for the Convention & Entertainment Facilities Department. Under this contract, the contractor shall provide food and beverage services at Department locations.

The scope of work requires the contractor to provide all personnel, management, supervision, labor, equipment and incidentals necessary to provide food and beverage services at the George R. Brown Convention Center, Wortham Theater Center, Jones Hall, Jones Plaza, Miller Outdoor Theatre, and Root Memorial Square Park.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. Forty-one prospective proposers viewed the request for proposal on SPD's e-bidding website and proposals were received from two firms: the joint venture of ARAMARK Sports and Entertainment Services of Texas, Inc. and Quality Concession Foods, Inc., and Centerplate. The evaluation committee consisted of personnel from the Convention & Entertainment Facilities Department and individuals from the convention and entertainment industry. The evaluations were based on the following criteria:

- A. Creativity reflected in the proposal for unique operational plans, replacement and renewal plans, point of sale techniques, menu, use of branded products and concepts, personnel training, uniforms and related marketing and promotional ideas.
- B. The experience, training, and past performance of proposed management personnel.
- C. Financial return to the City.
- D. Performance at comparable facilities.
- E. Financial condition, including ability to provide capital and operational investments.
- F. M/WBE participation.

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

Date: 6/12/2007	Subject: Approve an Ordinance Awarding a Contract for Food and Beverage Services for the Convention & Entertainment Facilities Department TC-22270	Originator's Initials RM	Page 2 of 2
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ARAMARK Sports and Entertainment Services of Texas, Inc. and Quality Concession Foods, Inc. (ARAMARK) received the highest overall score of 485 points out of a possible 600 points.

Besides demonstrating the ability to provide all the services required by the RFP, ARAMARK has an excellent reputation and is the preferred caterer in many of the largest convention centers in the United States. Also, ARAMARK proposed to make "Value-Added Contributions," investments in food service equipment and improvements, totaling \$1,500,000.00 over the term of the contract. Additionally, ARAMARK's corporate offices will contribute up to \$25,000.00 per contract year for sponsorship of industry events, to attract more business to the George R. Brown Convention Center (\$250,000.00 over the entire term of the contract).

ARAMARK's proposed branded concepts include restaurants widely recognized in the Houston area, such as James Coney Island, Mission Burritos, Niko Niko's, and Starbucks. As the incumbent contractor, ARAMARK's proposed management team has a proven successful track record with the Convention & Entertainment Facilities Department. It is projected that revenue to the City from this contract will exceed \$6,000,000.00 in the next three years.

In order to comply with Internal Revenue Service requirements, the new contract will be based upon a management fee, with up to a 20% incentive fee based upon the volume of business, with the entire incentive at risk based upon annual performance "report cards." The contract will have an initial five-year term, with up to five optional one-year renewal terms.

**M/WBE Subcontracting:**

This RFP was issued as a goal-oriented contract with a 15% M/WBE participation level. The joint venture of ARAMARK Sports and Entertainment Services of Texas, Inc. and Quality Concession Foods, Inc. has designated the below-named companies as its certified M/WBE subcontractors.

<b><u>Name</u></b>	<b><u>Type of Work</u></b>	<b><u>Percentage</u></b>
Quality Concession Foods, Inc.	Food & Beverage Provider	8%
NatureBest Pre-Cut & Prod LLC	Processed Produce	4%
Quality Hospitality Consulting, Inc.	Temporary Staffing	4%
Now Packaging	Packaging Materials	1%
Tejas Office Products, Inc.	Office Supplies	1%
<b>TOTAL</b>		<b>18%</b>

The Affirmative Action Division will monitor this contract.

Buyer: Richard Morris







**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 7354**

**Subject:** Ordinance Authorizing a First Amendment to Contract Nos. C56086 and C56087 for Soft Drink and/or Vending Marketing Partnerships for the City of Houston  
TC-3-0734-039-13974-A1

Category #  
4

Page 1 of 2

Agenda Item

**30**

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

Calvin D. Wells  
City Purchasing Agent  
Finance and Administration Department

**Origination Date**

May 23, 2007

**Agenda Date**

**JUN 20 2007**

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

All

**For additional information contact:**

Tina Paez Phone: (713) 837-9630  
Ray DuRousseau Phone: (713) 247-1735

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

Ordinance No. 2004-0754, passed July 7, 2004

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing a first amendment to Contract #C56086 between the City of Houston and Dr. Pepper Bottling Company of Texas, and Contract #C56087 between the City of Houston and Fresh Brew Group USA to allow additional product offerings and prices for soft drink and/or vending partnerships for the City of Houston.

Revenue Contract

**F & A Budget**

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance authorizing a first amendment to Contract #C56086 between the City of Houston and Dr. Pepper Bottling Company of Texas to provide additional product offerings and pricing for the Soft Drink Marketing Partnership for the City of Houston, and to Contract #C56087 between the City of Houston and Fresh Brew Group USA to provide additional product offerings and pricing for the Snack Vending Machine Concessions for the City of Houston. Under these contracts, the City earns revenue through the sales of soft drinks, snacks and vending products.

These contracts were awarded on July 7, 2004 for a five-year term, with one additional five-year option to extend, for a total 10-year term. Under the terms of their respective contracts, Dr. Pepper and Fresh Brew are required to furnish all resources necessary to supply the City with approximately 320 soft drink machines and approximately 120 snack machines at approximately 150 locations citywide, including park facilities, community centers, health clinics, administrative buildings, airports and convention facilities. To date, revenue under these contracts has been as follows: \$175,355.00 in FY05, \$266,316.00 in FY06, and \$287,847.00 through April FY07.

Dr. Pepper currently offers a variety of carbonated beverages, juices and water in its City vending machines. The vending prices for these items are \$1.00 for 20-oz bottled beverages and \$0.60 for 12-oz canned beverages. In an effort to maintain the most requested and popular beverages in the vending machines, Dr. Pepper has introduced a new product category in convenience stores that are selling well and are a healthy alternative to sugary, carbonated beverages. The new product category consists of "enhanced waters" or "functional drinks" manufactured by Glacéau, and are sold under the brand name *Vitaminwater*. Glacéau's *Vitaminwater* is available in 11 functional formulas, and are low-calorie, vitamin and electrolyte-enhanced waters that are free of artificial ingredients.

Glacéau's *Vitaminwater* 20-ounce bottles retail for \$1.59 in convenience and health food stores, however Dr. Pepper will provide them in City vending machines for \$1.25 per 20-ounce bottle. The existing contract does not provide for an enhanced water category, nor for pricing above \$1.00 per bottle, nor the ability for the

**REQUIRED AUTHORIZATION**

**(2) NOT**

F&A Director:

Other Authorization:

Other Authorization:

Date: 5/23/2007	Subject: Ordinance Authorizing a First Amendment to Contract Nos. C56086 and C56087 for Soft Drink and/or Vending Marketing Partnerships for the City of Houston TC-3-0734-039-13974-A1	Originator's Initials RM	Page 2 of 2
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Director to negotiate vend pricing on new product offerings the City may wish to introduce in the beverage vending machines. There are similar limitations in the Fresh Brew's snack vending contract. The proposed amendment to both contracts provides the Director more flexibility in adding new products, the authority to negotiate vending prices and commission structures with the vendors for new products, and the authority to negotiate price increases for existing products as necessary.

Buyer: Richard Morris

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 7344**

**Subject:** Approve Ordinances Awarding Various Contracts for the Acquisition, Cataloging and Processing Services of Library Books and Materials for the Houston Public Library  
TC-06-5256-68-21077

Category #  
4

Page 1 of 2

Agenda Item

**31**

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

Calvin D. Wells  
City Purchasing Agent  
Finance and Administration Department

**Origination Date**

May 30, 2007

**Agenda Date**

JUN 20 2007

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

Richard Barchue                      Phone: (832) 393-1558  
Ray DuRousseau                      Phone: (713) 247-1735

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

**RECOMMENDATION: (Summary)**

Approve ordinances awarding various contracts, as shown below, in a total amount not to exceed \$28,100,000.00 for the acquisition, cataloging and processing services of library books and materials for the Houston Public Library.

Estimated Spending Authority: \$28,100,000.00

**F & A Budget**

\$28,100,000.00 - General Fund (1000) - Spending Authority for 3 contracts with total 8-year terms

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve ordinances awarding three 5-year contracts, with three one-year options to extend, for a total eight-year term, as shown below, in a total amount not to exceed \$28,100,00.00 for the acquisition, cataloging and processing services of library books and materials for the Houston Public Library. The Director may terminate these contracts at any time upon 30-days written notice to the contractors.

**Baker & Taylor, Inc.:** Award for acquisition, cataloging and processing services of library books and materials in an amount not to exceed \$21,600,000.00.

**Midwest Tape LLC.:** Award for acquisition, cataloging and processing services of library books and materials in an amount not to exceed \$5,500,000.00.

**Book Wholesalers, Inc.:** Award for acquisition, cataloging and processing services of library books and materials in an amount not to exceed \$1,000,000.00.

The scope of work requires the contractors to provide all equipment, facilities, labor, materials, parts, supervision, and transportation necessary to acquire, catalog and process library books and materials for the Houston Public Library. The primary contractors, Baker & Taylor, Inc. and Midwest Tape LLC, will be required to provide library books and audiovisual materials in a variety of formats including hardcover books, trade paperbacks, mass market paperbacks, audio books, DVDs and CDs. The secondary contractor, Book Wholesalers, Inc., will be required to furnish library books and audiovisual materials in a variety of formats including hardcover books, trade paperbacks, mass market paperbacks, audio books, DVDs and CDs as back-up to the primary contractors.

The Request for Proposal (RFP) was advertised in accordance with the requirements of the State bid laws and as a result, proposals were received from Baker & Taylor, Inc., Book Wholesalers, Inc., Midwest Tape, LLC, Brodart Co., and Ingram Library Services. The Evaluation Committee consisted of six employees of the Houston Public Library. The proposals were evaluated based on the following criteria:

- A. Responsiveness to RFP Requirements and Specifications
- B. Scope and Inventory of Materials Available
- C. Experience/Reputation

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

**(3) ADT**

Date: 5/30/2007	Subject: Approve Ordinances Awarding Various Contracts for the Acquisition, Cataloging and Processing Services of Library Books and Materials for the Houston Public Library TC-06-5256-68-21077	Originator's Initials MS	Page 2 of 2
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- D. Electronic Environment
- E. Pricing
- F. Collection Development Services
- G. Management Plan
- H. M/WBE Goal Participation

Buyer: Murdock Smith III

Attachment: M/WBE zero-percentage goal document approved by the Affirmative Action Division.



# CITY OF HOUSTON

# Interoffice

Finance & Administration Department  
Strategic Purchasing Division (SPD)

Correspondence

To: Kevin M. Coleman, C.P.M.  
Assistant Purchasing Agent

From: Murdock Smith III

Date: March 21, 2007

Subject: MWBE Participation Form

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

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

I am requesting a **revision** of the MWBE Goal: Yes  No  Original Goal: 12 New Goal: 0

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

Solicitation Number: TC-06-5256-68-21077 Estimated Dollar Amount: \$20,000,000.00

Anticipated Advertisement Date: \_\_\_\_\_ Solicitation Due Date: 6/30/2006

Goal On Last Contract: 5% Was Goal met: Yes  No

If goal was not met, what did the vendor achieve: 0

Name and Intent of this Solicitation: Acquisition, Cataloging, and Processing Services of Library Books and Materials

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

A request for the M/WBE goal to be waived for the Acquisition, Cataloging, and Processing of Library Books and Services contract is being submitted, due to that the services performed by the contractors will not require the services of a subcontractor. The contractors are responsible for the acquisition, cataloging, and processing of books, audiovisual materials, and DVD's. As distributors the contractors can only purchase from the specific publisher, which in essence is the manufacturer that publishes the specific title requested by the Houston Library System. The contractors will perform the cataloging and processing of the requested titles at their facilities which are not located in Texas. The materials are delivered from the cataloging and processing facilities via courier directly to HPL's facilities.

Concurrence:

Murdock Smith III  
SPD Initiator

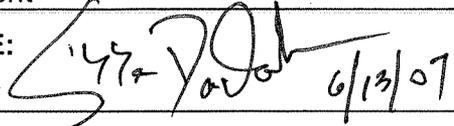
[Signature]  
Division Manager

[Signature]  
Velma Laws, Director

[Signature]  
Kevin M. Coleman, C.P.M.

<b>SUBJECT:</b> Approve Professional Consulting Services Contract Whaley Energy Consulting, LLC Energy Management Services	<b>Page</b> 1 of 1	<b>Agenda Item</b> 32
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<b>FROM (Department or other point of origin):</b> Building Services Department	<b>Origination Date</b> 6-15-07	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b>  Issa Z. Dadoush, P. E.	<b>Council District(s) affected:</b> ALL
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<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 713-247-1814	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Approve professional consulting services contract and appropriate funds.

<b>Amount and Source of Funding:</b> \$175,000 Consumer Choice Initiative Fund (2421)	<b>F&amp;A Budget:</b> see attached
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**SPECIFIC EXPLANATION:** The Building Services Department recommends that City Council approve and authorize a consulting services contract with Whaley Energy Consulting, LLC for energy management services related to the Consumer Choice Initiative.

The Consumer Choice Initiative is a public/private partnership between Retail Electric Providers (REPs) and the City of Houston, designed to assist the citizens of Houston minimize the impact of energy on their quality of life. In furtherance of this goal, the City created a website to inform consumers on their right to choose a REP and to promote competition among REPs. In February 2006, the City advertised a Request for Proposals from REPs interested in participating in the Consumer Choice Initiative, and requested funds to defray the costs of the Initiative. Nine REPs responded and three of the participating REPs agreed to contribute funds for each new customer who contracts for electricity as a result of the website. These contributions will be used to fund the proposed contract.

**PROJECT LOCATION:** Citywide

**SCOPE OF CONTRACT AND FEE:** Under the terms of the contract, Whaley Energy Consulting, LLC may perform the following tasks:

1. Design, implement and manage residential aggregation program for residential consumers in Houston not traditionally served by Retail Electric Providers;
2. Manage and promote the City of Houston Consumer Choice Initiative;
3. Act as Ombudsman on behalf of electric consumers in resolving complaints/disputes with their electric supplier; and
4. Expand Consumer Choice Initiative to small commercial customers.

These tasks will be performed on an as needed basis under task orders issued by the Director. Each task will be performed on a reimbursable basis.

**M/WBE INFORMATION:** Due to the limited scope of work, Affirmative Action has approved a 0% M/WBE goal as described in the attached correspondence.

IZD:FCJ:CRC:JLN:cs  
 c: Marty Stein, Velma Laws, Jacquelyn L. Nisby, File

**REQUIRED AUTHORIZATION** CUIC ID # 25 FCJ 05

<b>Other Authorization:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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**Curtis, Calvin - BSD**

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**From:** Laws, Velma - AAD  
**Sent:** Friday, June 01, 2007 10:01 AM  
**To:** Curtis, Calvin - BSD  
**Cc:** Gallegos, Robert - AAD  
**Subject:** RE: Whaley Energy - Waiver of MWBE Goal

Calvin,

Approved.

Velma Laws, Director  
City of Houston  
Affirmative Action and Contract Compliance  
713.837.9015

-----Original Message-----

**From:** Curtis, Calvin - BSD  
**Sent:** Friday, June 01, 2007 9:41 AM  
**To:** Laws, Velma - AAD  
**Cc:** Dadoush, Issa - BSD  
**Subject:** Whaley Energy - Waiver of MWBE Goal

Velma,

As per your conversation with Issa, we respectfully request that you waive the goal for the Whaley Energy Contract. We recognize that there are opportunities for MWBE participation related to translation of any public relations services. However the translation services will not be provided under this contract. Thank you for your assistance.

Calvin R. Curtis  
Contracts Manager  
T. 713-247-3125  
F. 713-437-6859

<b>SUBJECT:</b> Professional Services Contract eBusiness Strategies, LLC Integrated Workplace Management System Needs Assessment	Page 1 of 1	Agenda Item <b>33</b>
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<b>FROM (Department or other point of origin):</b> Building Services Department	<b>Origination Date</b> 6/7/07	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P. E. <i>[Signature]</i> 4/24/07	<b>Council District(s) affected:</b> All
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<b>For additional information contact:</b> Jacquelyn L. Nisby <i>[Signature]</i> Phone: 713-247-1814	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Approve and authorize a Professional Services Contract with eBusiness Strategies, LLC and allocate funds for the project.

<b>Amount and Source of Funding:</b> \$ 50,000.00 General Fund (1000)	<b>F&amp;M Budget:</b> <i>[Signature]</i> Mitchell Mitchell
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**SPECIFIC EXPLANATION:** The Building Services Department (BSD) recommends that City Council approve a Professional Services Contract with eBusiness Strategies, LLC to develop an Integrated Workplace Management System Needs Assessment for the City.

**PROJECT DESCRIPTION AND SCOPE:** The City owns and leases a diverse portfolio of land and buildings in support of City services. BSD manages all aspects of the real estate lifecycle of the diverse and mission-critical assets in this portfolio. As such, the City is looking for assistance in developing a Needs Assessment to clearly articulate business requirements in the area of integrated technology resources and the processes they support. The consultant shall develop an Integrated Workplace Management System Needs Assessment that investigates all core areas of BSD's real estate lifecycle including portfolio management, space management, project management, and maintenance management. The goal of the Needs Assessment is to identify those critical requirements that are fundamental to the delivery of high-quality services by BSD.

**SCOPE OF CONTRACT AND FEE:** The contract provides the development of an Integrated Workplace Management System Needs Assessment for the City with professional services fee to be paid as a lump sum and certain Additional Services to be paid on a reimbursable basis.

**FUNDING SUMMARY:**

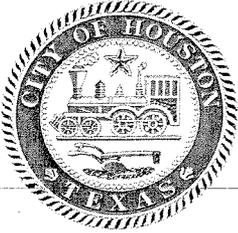
\$ 47,600.00	Professional Services
\$ 2,400.00	Additional Services and Reimbursable Expenses
<b>\$ 50,000.00</b>	<b>Total Contract Services</b>

**MWBE PARTICIPATION:** Due to the limited scope of work, Affirmative Action has approved a 0% M/WBE goal as described in the attached correspondence.

IZD:PJG:JLN:CRC:pjg  
 c: Marty Stein, Michael Shannon, File

**REQUIRED AUTHORIZATION** CUIC ID # 25PJG005

<b>Other Authorization:</b> <i>[Signature]</i> Phil Golembiewski, P.E. Assistant Director Building Services Department	<b>Other Authorization:</b> <i>[Signature]</i>
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**CITY OF HOUSTON**  
Building Services Department

**Interoffice**

Correspondence

**To:** Velma Laws, Director  
Affirmative Action and Contract  
Compliance Division

**From:** Phil Golembiewski, P.E.  
Assistant Director

A handwritten signature in black ink, appearing to read "P. Golembiewski".

**Date:** March 28, 2007

**Subject:** Needs Assessment – MWBE Goal

We would like to request the establishment of a 0% goal for the professional services contract with eBusiness Strategies, LLC to develop an Integrated Workplace Management System Needs Assessment for the City.

The development of the needs assessment for the City is to be performed primarily by the prime consultant. The possible MWBE participation level for this contract will produce a negligible MWBE participation.

Please find attached for your use a copy of our proposed Scope of Services, Exhibit "A". If you have any questions regarding this request, please call me directly at 713-247-2782, or Calvin Curtis at 713-247-3125.

**READ AND APPROVED:**

A handwritten signature in black ink, appearing to read "Velma Laws".

Velma Laws, Director  
Affirmative Action and Contract Compliance

Handwritten initials "PJG" in black ink above the typed text.  
PJG:CRC:pjg  
Attachment

c: Issa Z. Dadoush, P.E., Marty Stein, File

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Interlocal Agreement between the City of Houston and Harris County Flood Control District for Sims Bayou Flood Damage Reduction Project; WSB No. N-000785-0001-3.	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  34
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 6-14-07	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> <i>MS Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director	<b>Council Districts affected:</b> I, E, and D <i>[Signature]</i>
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<b>For additional information contact:</b> <i>Reid K. Mrsny</i> Reid K. Mrsny, P.E. Senior Assistant Director Phone: (713) 837-0452	<b>Date and identification of prior authorizing Council action:</b> N/A
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**RECOMMENDATION: (Summary)**  
Adopt and approve an ordinance authorizing an Interlocal Agreement between the City of Houston and Harris County Flood Control District.

**Amount and Source of Funding:** N/A *1/1 06/12/07*

**PROJECT NOTICE/JUSTIFICATION:** The U.S. Army Corp of Engineers (the Corps) has partnered with Harris County Flood Control District (the District) for the design and construction of channel improvements to increase the capacity of Sims Bayou Channel and address drainage capacity issues within the watershed. This project has been designated as Sims Bayou Flood Damage Reduction Project. As the lead agency, the District is coordinating efforts to relocate City of Houston (the City) water and sanitary sewer lines and facilities that are in conflict with the proposed channel improvements.

**LOCATION:** The project is located on Sims Bayou between the Houston Ship Channel and Croquet Drive on Key Map Nos. 534, 535, 536, 571, 572, 573, and 574.

**DESCRIPTION/SCOPE:** The Sims Bayou Flood Damage Reduction Project consists of 19.3 miles of channel enlargement and environmental enhancements which requires the replacement, modification, and relocation of numerous bridges and utilities along Sims Bayou. The total Project is approximately half complete and is expected to be completed in 2009.

Under the terms of this Agreement, the District will design and construct the following bridges (including any utilities mounted or immediately adjacent to the existing bridge):

- |                     |                            |                     |
|---------------------|----------------------------|---------------------|
| MLK Bridge          | Buffalo Speedway Bridge    | Whiteheather Bridge |
| Hiram Clarke Bridge | South Post Oak Bridge      | Heatherbrook Bridge |
| Croquet Bridge      | Law Park Pedestrian Bridge |                     |

**REQUIRED AUTHORIZATION** CUIC ID #20JAK542 *A*

<b>F&amp;A Director:</b>	<b>Other Authorization:</b> <i>[Signature]</i> Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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<b>Date</b>	<b>SUBJECT:</b> Interlocal Agreement between the City of Houston and Harris County Flood Control District for Sims Bayou Flood Damage Reduction Project; WSB No. N-000785-0001-3.	<b>Originator's Initials</b> JAK	<b>Page</b> <u>2</u> of <u>2</u>
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The City will design and construct the following public utilities which are identified to be in conflict with the proposed Sims Bayou improvements:

1. Crossing and Sanitary Sewer West of Whiteheather Drive
2. Sanitary Sewer East of Whiteheather Drive
3. Sanitary Sewer Crossing West of Almeda Road
4. Sanitary Sewer Force Main Crossing West of Almeda Road
5. Water Line Crossing West of Almeda Road
6. Sanitary Sewer South of Sims Bayou, East of Almeda Road
7. Sanitary Sewer South of Sims Bayou between Chiswick Lift Station and Almeda Wastewater Treatment Plant

Upon completion of the bridges and utilities, the City will accept and maintain all facilities built under this agreement.

The District will contribute a designated amount to the City for the design and construction costs associated with each of the seven listed utility projects. The District's design contribution for all listed utility projects will be forwarded to the City within 30 days of the execution of this Agreement. The District's design and construction contributions for the utility projects are estimated at \$5,645,694. The City will notify the District 60 days prior to bidding of each utility project. Upon notification, the District will forward the designated construction contribution for each project. Enhancements and upgrades to the utility projects will be funded by the City.

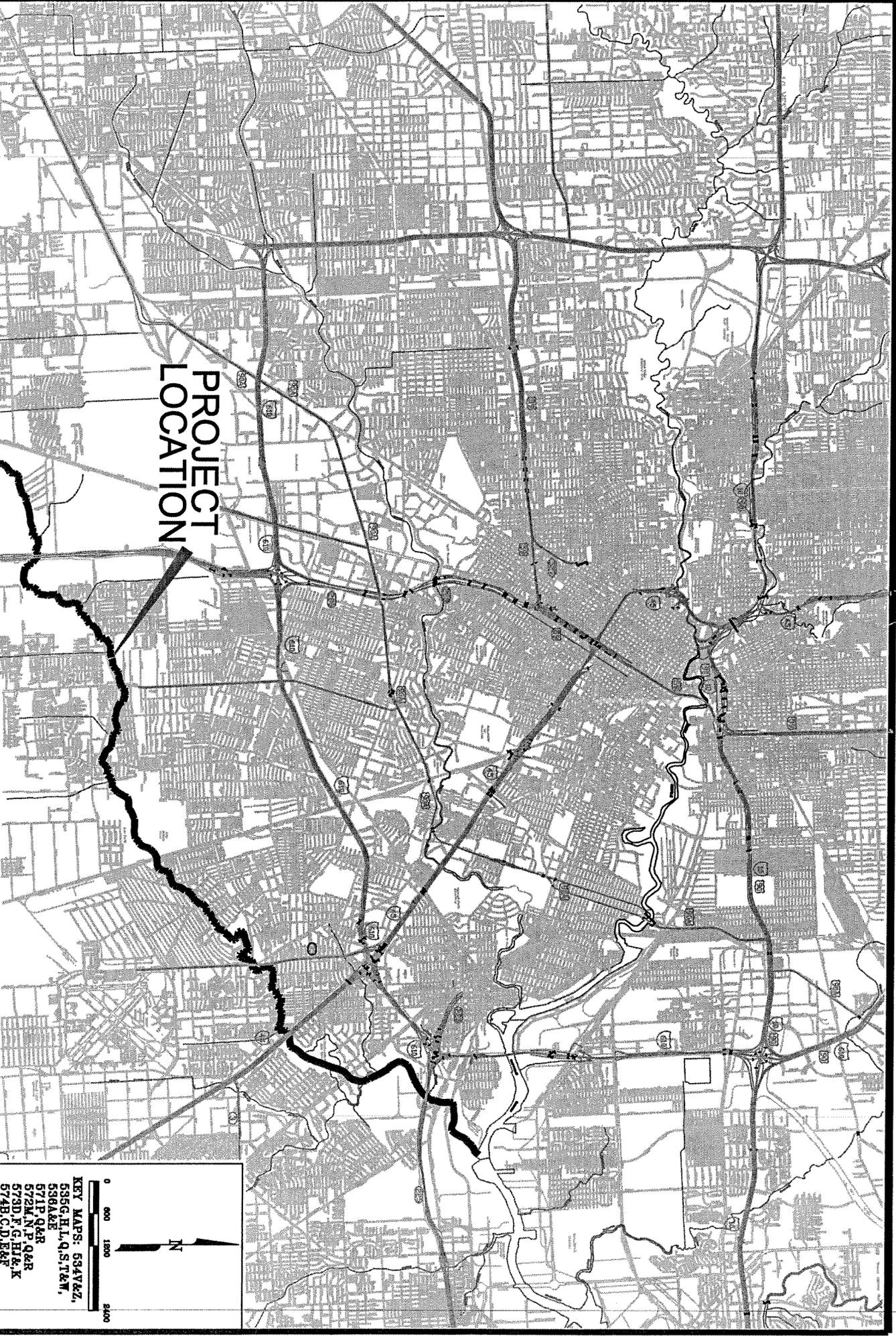
If enhancement or upgrade of facilities is found necessary and convenient to be included in Project bridges listed, the associated cost will be borne by the City. The funds for these enhancements/upgrades will be appropriated at the time of construction award for each phase of the project.

**ACTION RECOMMENDED:** It is recommended that City Council adopt and approve an ordinance authorizing an Interlocal Agreement between the City of Houston and Harris County Flood Control District.

MSM:DWK:RKM:MLL:AHH:ahh  
 S:\constr\A-SB-DIV\Design\HCFCDSims Bayou\RCA\RCA.DOC

c: Susan Bandy  
 O. Craig Foster  
 Velma Laws  
 Marty Stein  
 File: HCFCD – Sims Bayou FDR Project

# PROJECT LOCATION



**LEGEND:**

— PROJECT LOCATION

— COUNCIL DISTRICT BOUNDARY & CITY LIMITS

## CITY OF HOUSTON

Sims Bayou Flood Drainage Reduction Project  
From Houston Ship Channel to Near Crockett Street  
COUNCIL DISTRICTS "D", "E" & "I"

WBS No. N-000785-0001-3.

0 600 1200 2400

N

KEY MAPS: 684V&Z,  
538G H, L, Q, S, T & V,  
538A&E  
671F, Q&R  
672M, N, P, Q&R  
673D, F, G, H, I & K  
674B, C, D, E&F

<b>SUBJECT:</b> Professional Engineering Services Contract between the City and Freese and Nichols, Inc. for Energy Cost Reduction Study at various Wastewater Treatment Plants.	Page 1 of 1	Agenda Item # <b>35</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 4-26-07	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Jeff Taylor Deputy Director Phone: (713) 837-0448	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Approve Engineering Services Contract with Freese and Nichols, Inc., and allocate funds.

**Amount and Source of Funding:** \$252,000.00 Water & Sewer System Operating Fund #8300  
*PLR 4/19/07*

**DESCRIPTION/SCOPE:** This project will provide Professional Engineering Services, on a work order basis.

**LOCATION:** The contractor will perform Energy Cost Reduction Studies at various Wastewater Treatment Plants located throughout the city. These studies are expected to result in plant operation cost reduction by identifying opportunities for reducing electricity and natural gas demand.

**CONTRACT FEE:** The total amount required for the Contract is \$252,000 to be allocated as follows:  
FY 07: \$50,000, FY 08: \$202,000

**M/WBE INFORMATION:** With the approval of the Affirmative Action Division, the M/WBE goal for the project was established at 10-14%. 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 Contract</u>
1. B & E Reprographics, Inc.	Reprographic Services	\$5,000	2.0 %
2. TLC Engineering, Inc.	Records research data collection CADD	\$30,000	12.0 %
<b>Total:</b>		<b>\$35,000</b>	<b>14.0%</b>

MSM:JT:RBW:YMM:fb

- c: Marty Stein  
Susan Bandy  
Velma Laws  
Michael Ho, P.E.  
Craig Foster  
File No.8300/GL520114

**REQUIRED AUTHORIZATION** CUIC #20RBW158

<b>F&amp;A Budget:</b>	<b>Other Authorization:</b> <i>Jeff Taylor</i> Jeff Taylor, Deputy Director Public Utilities Division	<b>Other Authorization:</b> <i>NOT</i>
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# CITY OF HOUSTON

Public Works and Engineering  
Department

## Interoffice

Correspondence

**To:** Velma Laws, Director  
Mayor's Office of Affirmative  
Action and Contract Compliance

**From:** Interim Senior Assistant Director  
Engineering Branch  
Engineering and Construction Division

**Date:** October 31, 2006

**Subject:** REQUEST TO APPROVE OF 10% - 14% M/WBE  
PARTICIPATION BY FREESE AND NICHOLS,  
INC. FOR ENERGY COST REDUCTION STUDY

Attached is a letter from Freese and Nichols, Inc. requesting a ten to fourteen percent (10%-14%) M/WBE participation goal for the subject contract for your comment and consideration.

If you have any questions, please contact Ebi Nassiri, Managing Engineer at (713) 837-7378.

Handwritten signature of Hamlet Hovsepian in black ink.

Hamlet Hovsepian, P.E.

Handwritten signature of Daniel W. Krueger in black ink, written over a horizontal line.

Approved

*EN-IMR*  
HH:EN:IMR:pa

c: Daniel W. Krueger, P.E.



Freese

and

Nichols, Inc.

Engineers

Environmental Scientists

Architects

10375 Richmond, Suite 1450

Houston, TX 77042

713 592-8880

713 592-8881 fax

www.freese.com

October 9, 2006

Mr. Iraj Ranjbar, P.E.  
Supervising Engineer  
City of Houston  
611 Walker  
Houston, TX 77002

**RE: Energy Cost Reduction Study  
MWBE Participation Goal**

Dear Mr. Ranjbar:

As you are aware, Freese and Nichols, Inc. (FNI) has been selected by the City of Houston (City) to provide engineering services related to identifying and evaluating energy cost reduction strategies at various wastewater treatment plants and sludge processing facilities owned by the City. The contract between the City and FNI is to be a Work Order based contract with a detailed scope and schedule agreed for each Work Order. To facilitate this approach and comply with the City's engineering contracting procedures, FNI has submitted a Scope of Work and an Estimate of Effort and Associated Fee for your review. It is expected that this Scope and Fee will provide an overall project budget for the future Work Orders that will not be exceeded.

In preparing our Estimate of Effort, FNI evaluated the potential for using currently certified MWBE firms on our project team. The nature of this project is primarily the application of highly specialized engineering expertise to evaluate wastewater treatment plant and sludge processing facility equipment, processes and operations in order to identify and evaluate potential energy cost saving strategies. FNI was selected for this project largely because we have this highly specialized expertise and experience within our company. Our evaluation of MWBE subcontracting opportunities on this project found that the services which could potentially be subcontracted to MWBE firms were limited to report reproduction, report figure and illustration drafting, and records research and retrieval. This limited range of services is a direct result of the engineering investigation, analysis and evaluation nature of the project. Given this limited potential for MWBE subcontracting, we believe a MWBE participation of 10% to 14% is achievable. We therefore respectfully request your approval of this level of MWBE participation.

October 9, 2006

Page 2 of 2

Even though we are asking for a lower participation level, we would like to stress that we are fully supportive of MWBE programs and strive to not only meet our participation goals but exceed them. In fact, we have been recognized in North Texas for our efforts to develop and mentor MWBE firms. Unfortunately, the specific and specialized nature of this project, which does not include design work, prevents us from reaching the City's goal of 24% on this project. We are committed to achieving meaningful and productive MWBE participation for both the City and our minority partners.

Approval of this MWBE participation level at your earliest convenience will be greatly appreciated. Once we have agreed on the level of participation, FNI will identify the specific MWBE firms to be used on the project and provide the necessary Letters of Intent and Exhibit I forms.

If you have any questions, please do not hesitate to call.

Sincerely,

**Freese and Nichols, Inc.**

A handwritten signature in black ink, appearing to read 'W. Brian Walls', with a large, sweeping flourish extending to the right.

W. Brian Walls P.E.  
Houston Office Manager

**SUBJECT:** Professional Engineering Services Contract  
Edwards and Kelcey, Inc.  
Storm Worthiness Assessment of CEFD Facilities  
WBS No. B-000098-0001-3

**Page**  
1 of 2

**Agenda**  
**Item**  
**36**

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

Building Services Department

**Origination Date**

5.17.07

**Agenda Date**

JUN 20 2007

**DIRECTOR'S SIGNATURE:**

Issa Z. Dadoush, P.E.

*Issa Z. Dadoush 5/10/07*

**Council District:**

D, H, I

**For additional information contact:**

Jacquelyn L. Nisby

Phone: 713-247-1814

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

**RECOMMENDATION:** Approve professional engineering services contract and appropriate funds for the project.

**Amount and Source of Funding:**

\$220,000 C&E-Construction Fund (8611)

**F&A Budget:**

*[Signature]*

**SPECIFIC EXPLANATION:** The Building Services Department and the Convention and Entertainment Facilities Department (CEFD) recommend that City Council approve the professional engineering services contract with Edwards and Kelcey, Inc. to provide a storm worthiness assessment report for six CEFD facilities.

**PROJECT LOCATIONS:**

<u>Facility</u>	<u>Address</u>	<u>Key Map</u>	<u>District</u>
George R. Brown Convention Center	1001 Avenida de las Americas	(493R)	I
Wortham Center Theater	510 Preston	(493L)	I
Jones Hall for the Performing Arts	615 Louisiana	(493L)	I
Houston Center for the Arts	3201 Allen Parkway	(492M)	D
Talento Bilingue de Houston	333 South Jensen Drive	(494J)	H
Miller Outdoor Theatre	100 Concert Drive	(533A)	D

**PROJECT DESCRIPTION:** The project provides for the evaluation of six CEFD Facilities to determine the vulnerabilities in and around each facility during different levels of storms. The information provided in the reports will be used to create a plan to fortify the building components that are distinguished as potential hazards and also prepare the facility managers for what repairs will be needed after the storm has passed. The analysis also forms the basis for planning future capital projects and repairs. The scope of the project consists of site inspection; comparison of existing conditions to the proper building code requirements; repair recommendations; cost estimates for restoration work; construction drawings and specifications as needed; and construction administration.

**REQUIRED AUTHORIZATION**

CUIC ID # 25RJO047

**Building Services Department**

**Other Authorization:**

**Convention & Entertainment Facilities Department:**

**NOT**

*Wendy Teas Heger*

Wendy Teas Heger, AIA  
Chief of Design and Construction

*Dawn R. Ullrich*

Dawn R. Ullrich, Director

<b>Date</b>	<b>SUBJECT:</b> Professional Engineering Services Contract Edwards and Kelcey, Inc. Storm Worthiness Assessment of CEFD Facilities WBS No. B-000098-0001-3	<b>Originator's Initials</b> RJO	<b>Page</b> 2 of 2
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**SCOPE OF CONTRACT AND FEE:** Under the terms of the contract, the Consultant will perform Phase I – Preliminary Design services, which will encompass a report providing recommendations for repairs with associated opinions of probable cost; Phase II – Final Design of repairs with specifications and drawings; Phase III – Construction Administration services.

\$	180,000.00	Basic Services Fee
\$	29,000.00	Total Additional Services Fee
\$	11,000.00	Reimbursable Expenses
<b>\$</b>	<b>220,000.00</b>	<b>Total Contract Services</b>

**MWBE INFORMATION:** Due to the specialized, technical nature of the work, Affirmative Action has determined that a MWBE goal of 12% is appropriate, as described in the attached correspondence. The Consultant has submitted the following certified firm to achieve this goal:

<u>FIRM</u>	<u>WORK</u>	<u>AMOUNT</u>	<u>% of CONTRACT</u>
1. CBIC Construction & Development, L.P.	Construction Management & Cost Estimating	\$ 26,400.00	12.00%

*MA*  
IZD:WTH:RJO:JLN:JJR:mp.

- c: Marty Stein  
Jacquelyn L. Nisby  
Russell Clark  
Brenda Bazan  
Gloria Salinas  
Velma Laws  
James Tillman, IV  
File



**CITY OF HOUSTON**  
Building Services Department

**Interoffice**  
Correspondence

To: Velma Laws, Director  
Affirmative Action Department  
Contract Compliance Division

From: Wendy Teas Heger, AIA *FOR WENDY*  
Chief of Design and Construction Division

Date: May 4, 2007

Subject: **Request For M/WBE Requirement  
Concurrence**  
Professional Engineering Consulting  
Services Contract  
Edwards and Kelcey, Inc.  
Storm Worthiness of CEFD Facilities  
WBS No. B-000098-0001-3

**RECEIVED**

MAY 10 2007

City of Houston  
Affirmative Action

The Building Services Department has selected Edwards and Kelcey, Inc. to provide Professional Engineering Services for the subject project. The Phase I scope of work consists of a storm worthiness assessment of six (6) Convention and Entertainment Department Facilities and to provide recommendations to fortify the building components. In addition, the consultant will generate estimated construction costs to implement the solutions. The fee to provide Phase I services is not to exceed \$97,500.00.

In addition, the contract includes Basic Services to provide Phase II Construction Documents and Phase III Construction Administration. The fees to perform Phase II and Phase III will not exceed \$112,000.00 and shall be determined after Phase I services are complete.

The total appropriation for this contract shall not exceed \$220,000.00.

Edwards and Kelcey was selected because of their experience and expertise in the area of evaluating building systems in areas that are exposed to tropical storms and hurricanes. Due to the specialization of this type of service, the contract limits the opportunity to include sub-consultant services.

Therefore, I request your concurrence to establish the M/WBE participation goal associated with this contract as 12%. If you concur, please sign and return this letter so we can proceed with the RCA and other documents for City Council approval.

For additional information or clarification, please contact me at 713-437-6855.

Approved:

*Velma Laws*  
\_\_\_\_\_  
Velma Laws, Director  
Affirmative Action Department  
Contract Compliance Division

*CRQ RJD*  
Cc: Calvin Curtis, File 201

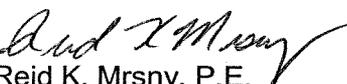
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for Generic City Wide Overlay Package # 11 (Work Order Contract). WBS No. N-001037-0051-4.	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  37
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<b>FROM: (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date:</b> 6/14/07	<b>Agenda Date:</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E. DEE	<b>Council District affected:</b> RA All
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<b>For additional information contact:</b>  Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Accept low bid, award construction Contract and appropriate funds.

**Amount and Source of Funding:** \$5,119,665.00 from the METRO Project Commercial Paper Series E, Fund No. 4027.

*Reid K. Mrsny 05/18/07*

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City Wide Overlay Program and is required to improve and maintain a safe road surface and accessibility.

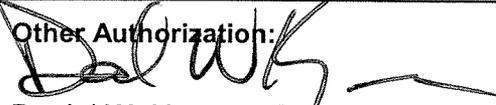
**DESCRIPTION/SCOPE:** This project consists of base repair of flexible and rigid pavements; construction of approximately 3.5 inches of hot mix asphaltic concrete pavement; pavement markings, curb ramp repair/replacement, and a variety of miscellaneous work.  
The Contract duration for this project is 365 calendar days. This project was designed in-house by the Engineering Branch staff.

**LOCATION:** All citywide streets, throughout all Council Districts.

**BIDS:** Bids were received on April 12, 2007. The four (4) bids are as follows:

Bidder	Bid Amount
1. Durwood Greene Construction, L.P.	\$4,157,355.90
2. Angel Brothers Enterprises, Ltd.	\$4,610,820.75
3. Main Lane Industries, Ltd.	\$4,620,290.50
4. Silva Contracting Company, Inc.	\$6,236,691.80

**REQUIRED AUTHORIZATION** CUIC#20MAM09

<b>F&amp;A Budget:</b> 	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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Date	Subject: Contract Award for Generic City Wide Overlay Package # 11 (Work Order Contract). WBS No. N-001037-0051-4	Originator's Initials <i>RA</i>	Page 2 of 2
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**AWARD:** It is recommended that this construction Contract be awarded to Durwood Greene Construction, L.P. with a low bid of \$4,157,355.90 and that Addenda Numbers 1, 2 be made a part of this Contract.

**PROJECT COST:** The total cost of this project is \$5,119,665.00 to be appropriated as follows:

•	Bid Amount	\$4,157,355.90
•	Contingencies	\$207,867.80
•	Engineering and Testing Services	\$255,000.00
•	Real Estate & Legal Services	\$41,573.56
•	Construction Salary	\$250,000.00
•	Project Management	\$207,867.74

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

**M/WBE PARTICIPATION:** The low bidder has submitted the following proposed program to satisfy the 15% M/WBE goal and 5% SBE goal for this project.

<u>MWBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. R & A Transport, Inc.	Asphalt supplier	\$294,642.50	7.1%
2. L. O. Materials & Trucking, Inc.	Asphalt supplier	\$295,450.00	7.1%
3. Contractors Source, Inc.	Fabric supplier	\$42,075.00	1.0%
<b>TOTAL</b>		<b>\$632,167.50</b>	<b>15.2%</b>

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. L. O. Materials & Trucking, Inc.	Asphalt supplier	\$103,933.90	2.5%
2. Curb Planet, Inc.	Concrete work	\$103,933.90	2.5%
<b>TOTAL</b>		<b>\$207,867.80</b>	<b>5.0%</b>

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

*RA*  
MSM:DWK:RKM:MAM:RA

- c:** Daniel W. Krueger  
Marty Stein  
Susan Bandy  
Velma Laws  
Michael Ho, P.E  
Craig Foster  
File OL 2251  
3.7 Advertisement/Bid/Award Records

S:\design\A-NP-DIV\Ayoub\N-1037-51-3\Post-bid\RCA.doc

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for Special Sanitary Sewer Rehabilitation by Cured-in-Place Method WBS# R-0002013-018-4	<b>Page</b> 1 of <u>2</u>	<b>Agenda Item #</b>  <b>38</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 5/31/07	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Roger B. Whitney, P.E. Senior Assistant Director <b>Phone:</b> (713) 641-9198	<b>Date and identification of prior authorizing Council action:</b> N/A
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**RECOMMENDATION: (Summary)**

Accept low bid, award construction Contract and appropriate funds.

<b>Amount and Source of Funding:</b> \$3,272,944.00 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 II. <i>Balance 03/19/07</i>	<b>F&amp;A Budget:</b>
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**SPECIFIC EXPLANATION:** This project is part of the Neighborhood Sewer Rehabilitation Program required to renew/replace various deteriorated neighborhood collection systems on an emergency basis throughout the City.

**DESCRIPTION/SCOPE:** This project consists of Sanitary Sewer Rehabilitation by Cured-in-Place Method. The Contract duration for this project is 720 calendar days.

**LOCATION:** The project area is generally bounded by the City Limits.

**BIDS:** Bids were received on November 30, 2006. The three (3) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Insituform Technologies, Inc.	\$3,030,933.50
2. Reynolds Inliner, LLC	\$3,591,674.52
3. re-Pipe-Texas, Inc.	\$4,905,934.20

*mjc*

<b>File/Project No.</b> WW 4258-28	<b>REQUIRED AUTHORIZATION</b>	<b>CUIC#</b> 20RBW149
<b>F&amp;A Director:</b> <i>Michael S. Marcotte</i>	<b>Other Authorization:</b>	<b>Other Authorization:</b> <i>Jeff Taylor</i> Jeff Taylor, Deputy Director Public Utilities Division

<b>Date</b>	<b>Subject:</b> Contract Award for Special Sanitary Sewer Rehabilitation by Cured-in-Place Method WBS# R-002013-0018-4	<b>Originator's Initials</b>	<b>Page <u>2</u> of <u>2</u></b>
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**AWARD:** It is recommended that this construction Contract be awarded to Insituform Technologies, Inc., with a low bid of \$3,030,933.50

**PROJECT COST:** The total cost of this project is \$3,272,944.00 to be appropriated as follows:

- Bid Amount \$3,030,933.50
- Contingencies \$151,546.68
- Project Management \$45,463.82
- Engineering Testing Services \$45,000.00

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

**M/WBE PARTICIPATION:** The low bidder has submitted the following proposed M/WBE participation of 15% and SBE participation of 5% to satisfy the goal for this project.

<u>MWBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Chief Solutions, Inc.	Clean & TV Sewer Lines	\$198,000.00	6.53%
Briones Consulting & Engineering, LTD	Engr. Serv./Traffic	\$28,500.00	.94%
Briones Construction & Supply, LTD	Plans & P.S. Video	\$46,000.00	1.52%
CBL Industries, LLC	Pavement Restorer	\$42,000.00	1.39%
Genoa International	Resin Supplier	\$168,500.00	5.56%
Tish Cowan Photography	Video	<u>\$12,500.00</u>	<u>.41%</u>
	<b>TOTAL</b>	<b>\$495,500.00</b>	<b>16.35%</b>

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Standard Cement Materials, Inc.	Concrete Work	<u>\$151,550.00</u>	<u>5.00%</u>
	<b>TOTAL</b>	<b>\$151,550.00</b>	<b>5.00%</b>

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

MSM:JT:RBW:JGM:FOS:jsc

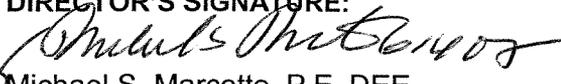
cc: Marty Stein  
 Jeff Taylor  
 Susan Bandy, CPA  
 Velma Laws  
 Michael Ho, P.E.  
 File No. WW 4258-28

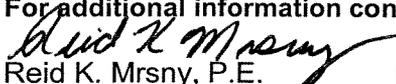
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for Construction of 12.5 MG Concrete Ground Storage Tank at East Water Purification Plant No. 3. WBS No. S-000056-0040-4.	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  39
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<b>FROM: (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date:</b> 6-15-07	<b>Agenda Date:</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E. DEE	<b>Council District affected:</b> E <i>PS</i>
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<b>For additional information contact:</b>  Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Accept low bid, award construction contract and appropriate funds.

**Amount and Source of Funding:** \$5,336,000.00 Water and Sewer System Consolidated Construction Fund No. 8500. *Pratt 06/12/07*

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's water storage tank rehabilitation and replacement program. It is required to meet the area's increased water demand and also ensures compliance with the Texas Commission on Environmental Quality (TCEQ) regulations.

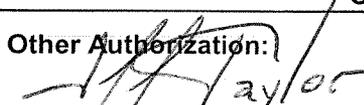
**DESCRIPTION/SCOPE:** This project consists of construction of 12.5 MG concrete ground storage tank at East Water Purification Plant No. 3. The contract duration for this project is 360 calendar days. This project was designed by Infrastructure Associates, Inc.

**LOCATION:** This project area is located at East Water Purification Plant No. 3, 2300 Federal Road, Key Map 496U.

**BIDS:** Bids were received on May 17, 2007. The two bids received are as follows:

Bidder	Bid Amount
1. Preload Inc.	\$4,680,645.58
2. Natgun Corporation	\$4,990,002.28

**AWARD:** It is recommended that this construction contract be awarded to Preload Inc. with a low bid of \$4,680,645.58 and that Addenda Numbers 1 and 2 be made a part of this contract.

<b>REQUIRED AUTHORIZATION</b>		CUIC# 20RS76	NDT
<b>F&amp;A Budget:</b> 	<b>Other Authorization:</b>  Jeff Taylor, Deputy Director Public Utilities Division	<b>Other Authorization:</b>  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division	

<b>Date</b>	<b>Subject:</b> Contract Award for Construction of 12.5 MG Concrete Ground Storage Tank at East Water Purification Plant No. 3. WBS No. S-000056-0040-4.	<b>Originator's Initials</b> <i>RS</i>	<b>Page</b> 2 of 2
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**PROJECT COST:** The total cost of this project is \$5,336,000.00 to be appropriated as follows:

- Bid Amount \$4,680,645.58
- Contingencies \$234,032.27
- Engineering and Testing Services \$100,000.00
- Project Management \$94,322.15
- Construction Management \$227,000.00

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

Construction Management Services will be provided by Jaymark Engineering Corporation under a previously approved contract.

**M/WBE PARTICIPATION:** The low bidder has submitted the following proposed program to satisfy the 14% MBE goal, 5% WBE goal and 3% SBE goal for this project.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. TCB Services	Concrete	\$276,829.00	5.91%
2. DNA Trucking	Hauling	\$160,000.00	3.42%
3. Hallmark Hose Organization	Piping & Valves	\$140,000.00	3.00%
4. Indus Construction, L.P.	Rebar placing	\$ 61,200.00	1.30%
<b>TOTAL</b>		<b>\$638,029.00</b>	<b>13.63%</b>

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Jimerson Underground, Inc.	Site work	\$722,512.00	15.43%
<b>TOTAL</b>		<b>\$722,512.00</b>	<b>15.43%</b>

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Rebar Supply Company Ltd.	Furnish rebar	\$143,650.00	3.06%
<b>TOTAL</b>		<b>\$143,650.00</b>	<b>3.06%</b>

This project does not require accessibility review and registration.

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

MSM:DWK:RKM:HH:JM:rs  
*DWK RKM HH JM rs*  
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**c:** Marty Stein  
 Velma Laws  
 Susan Bandy  
 Michael Ho, P.E.  
 Craig Foster  
 File S-000056-0040-4 (3.7)



630

10 130

10

**CITY OF JACINTO CITY**

31

**EWPP  
PLANT 3**

**CITY OF GALENA PARK**

FEDERAL

W. 171 St

Bayou

CLINTON

BUFFALO BAYOU

**CITY OF PASADENA**

User: BAT  
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J.F. Thompson, Inc.  
6110 Clarkson Lane  
Houston, Texas 77055  
713.956.4100 tel  
713.956.4121 fax

**EAST WATER  
PURIFICATION PLANT  
LOCATION MAP**

<b>SUBJECT:</b> Award Construction Contract Comex Corporation South Post Oak Multi-Service Center and Vinson Branch Library WBS No. D-000081-0001-4 & E-000138-0001-4	Page 1 of 2	Agenda Item <b>40</b>
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<b>FROM (Department or other point of origin):</b> Building Services Department	<b>Origination Date</b> 6-15-2007	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> <i>Issa Z. Dadoush</i> 5/22/07 Issa Z. Dadoush, P.E.	<b>Council District:</b> D
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<b>For additional information contact:</b> Jacquelyn L. Nisby <i>JLN</i> Phone: 713-247-1814	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Award construction contract and appropriate funds for the project.

<b>Amount and Source of Funding</b> \$5,207,059.50 General Improvements Consolidated Const. Fund (4509) \$5,913,040.50 Public Library Consolidated Construction Fund (4507) <b>\$11,120,100.00 Total Funding</b>	<b>F&amp;A Budget:</b> <i>[Signature]</i>
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**SPECIFIC EXPLANATION:** The Building Services Department (BSD) recommends that City Council award a construction contract to Comex Corporation on the accepted proposal amount of \$10,090,000.00 to provide construction services for South Post Oak Multi-Service Center and Vinson Branch Library for the Houston Department of Health and Human Services (HDHHS) and the Houston Public Library.

On February 23 and March 2, 2007, BSD advertised a Request for Competitive Sealed Proposals containing selection criteria that ranked the respondents on price, experience, references, sub-contractors and schedule. The proposals were due on April 12, 2007 and two firms responded. BSD evaluated the proposals and Comex Corporation received the most points and offers the best value to the City based on the advertised criteria, qualifications, and price.

**PROJECT LOCATION:** South Post Oak Multi-Service Center and Vinson Branch Library  
 3810 Fuqua (572S)

**PROJECT DESCRIPTION:** The construction of the South Post Oak Multi-Service Center and Vinson Branch Library will be the first planned pilot project undertaken by BSD to combine different department services utilizing one site. Incorporating both facilities on one site has reduced the overall land acquisition and design and construction costs. The facilities will share common space areas, thereby reducing the total overall square footage.

The project will include the following areas: Multi-purpose room, Seniors area, Head Start Children's Center, lease office space, computer classroom, library collection, public reading rooms, café, HPL Express, staff work areas, and parking.

The contract duration for this project is 365 calendar days. The design consultant for this project is AutoArch Architects, LLC

**PROPOSALS:** The following two proposals were received on April 12, 2007 and are ranked as follows:

**Proposer**

1. Comex Corporation
2. Morganti Texas, Inc.

**REQUIRED AUTHORIZATION**

CUIC ID # 25RAV161

<i>Wendy Heger</i> Wendy Teas Heger, AIA, Chief of Design and Construction Division Building Services Department	<i>[Signature]</i> Rhea Brown Lawson, PhD., Director Houston Public Library	<i>[Signature]</i> Stephen L. Williams, M.ED, MPA, Director Department of Health and Human Services
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Date	<b>SUBJECT:</b> Award Construction Contract Comex Corporation South Post Oak Multi-Service Center and Vinson Branch Library WBS No. D-000081-0001-4 & E-000138-0001-4	Originator's Initials LJC	Page 2 of 2
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**AWARD:** It is recommended that City Council award the construction contract to Comex Corporation and appropriate funds for the project, including additional appropriations of 284,800.00 for construction management services under the existing contract with AutoArch Architects, LLC., and \$64,225.00 for engineering testing services under the existing contract with Fugro Consultants, Inc.

**FUNDING SUMMARY:**

\$ 10,090,000.00	Construction Contract Services
\$ 504,500.00	5% Contingency
<b>\$ 10,594,500.00</b>	<b>Total Contract Services</b>
\$ 176,575.00	Civic Art (1.75%)
\$ 64,225.00	Engineering Testing
\$ 284,800.00	Construction Management (includes \$78,131.90 for LEED commissioning)
<b>\$ 11,120,100.00</b>	<b>Total Funding</b>

**M/WBE INFORMATION:** Construction goals of 15% for M/WBE and 5% for SBE have been established for this contract. The contractor has submitted the following certified firms to achieve the goals:

**M/WBE PARTICIPATION:**

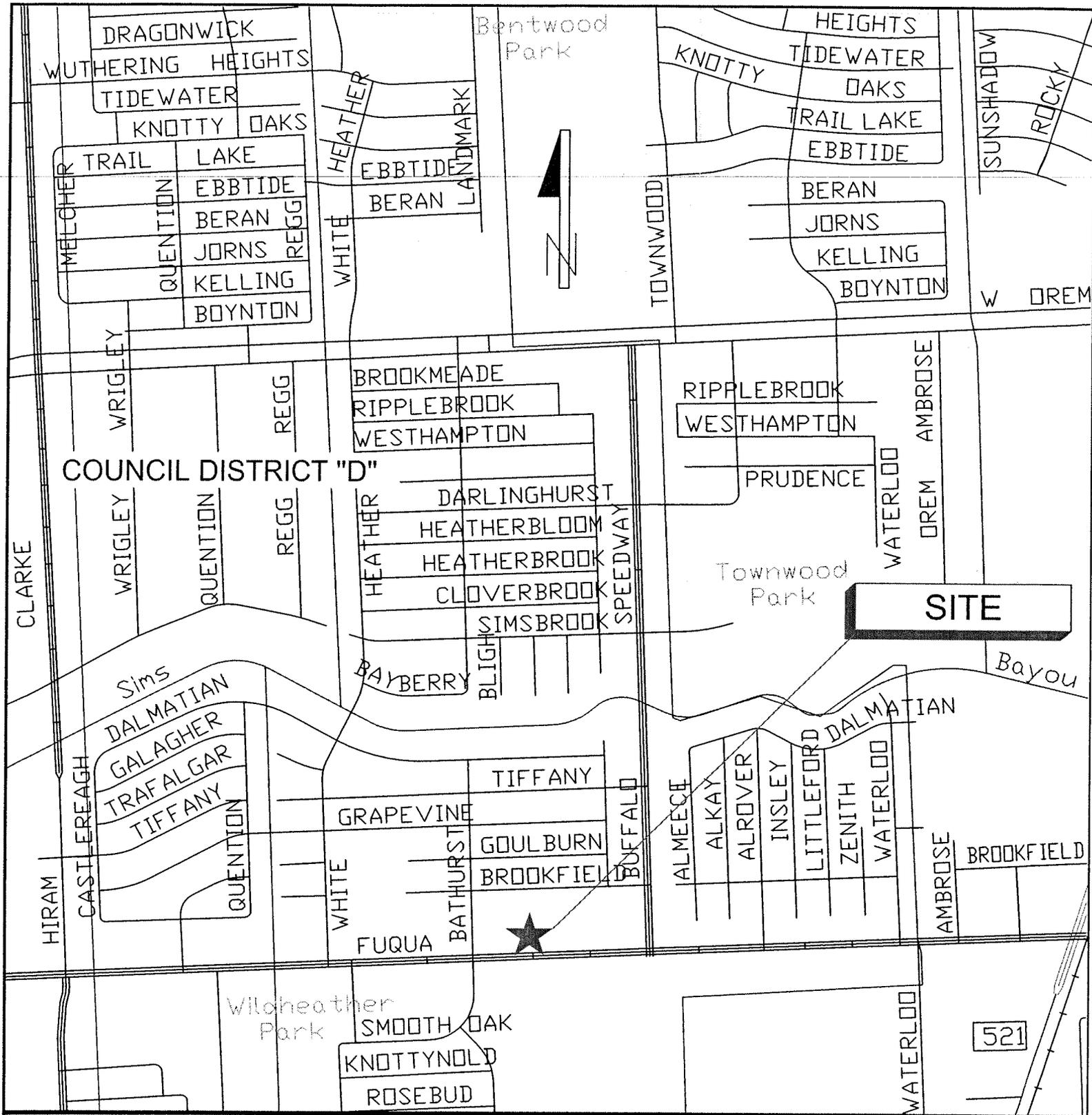
<u>Firm</u>	<u>Scope of Work</u>	<u>Amount</u>	<u>% of Contract</u>
Ace Fabricators, Inc.	Structural Steel	\$ 980,000.00	9.71%
Tag Electric Company, Inc.	Electrical	\$ 1,385,617.00	13.73%
Houston Christian Brothers Painting, Inc.	Painting	\$ 50,762.00	.50%
<b>TOTAL</b>		<b>\$ 2,416,379.00</b>	<b>23.94%</b>

**SBE PARTICIPATION:**

<u>Firm</u>	<u>Scope of Work</u>	<u>Amount</u>	<u>% of Contract</u>
T. Bradshaw Plumbing Company	Plumbing	\$ 874,478.00	8.67%

*MS* *RAV* *JLN* *LJC*  
IZD:WTH:RAV:JLN:LJC:lc

c: Marty Stein, Issa Z. Dadoush P.E., Stephen L. Williams, Rhea Brown Lawson, Jacquelyn L. Nisby, James Tillman, John Middleton, Fred Maier, Joseph Kurian, Kim Nguyen, File



SOUTH POST OAK MULTI-SERVICE CENTER  
 3810 FUQUA

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Award Construction Contract Carrera Construction, Inc. Godwin Park WBS No. F-504A07-0001-4		<b>Page</b> 1 of 2	<b>Agenda Item</b> 41
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<b>FROM (Department or other point of origin):</b> Building Services Department	<b>Origination Date</b> 6-14-07	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. <i>Issa Dadoush</i>	<b>Council District affected:</b> C
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<b>For additional information contact:</b> Jacquelyn L. Nisby Phone: 713-247-1814	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Award construction contract and appropriate funds for the project.

<b>Amount and Source of Funding:</b> \$787,966.51 Parks Consolidated Construction Fund (4502)	<b>F &amp; A Budget:</b> <i>Michelle</i>
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**SPECIFIC EXPLANATION:** The Building Services Department recommends that City Council award a construction contract to Carrera Construction, Inc. on its low bid amount of \$670,778.00 for construction services in connection with the Godwin Park redevelopment for the Parks and Recreation Department.

**PROJECT LOCATION:** 5105 Rutherglen (531U)

**PROJECT DESCRIPTION:** This project will redevelop the playground area with new playground equipment and swing unit, replace fall surface material, provide a new picnic shelter, picnic tables and benches, replace and improve the walkways in the park, replace the perimeter fence along Rice Street and the sanitary sewer line to the community center, add ornamental park lighting and improve the site drainage.

The contract duration for this project is 180 calendar days. Park Team Plus is the design consultant and construction manager for this project.

**BIDS:** The following four bids were received on April 5, 2007:

<u>Bidder</u>	<u>Accepted Bid Amount (base bid plus cash allowances)</u>	<u>Total Bid Amount (All Alternates)</u>
1. Carrera Construction, Inc.	\$670,778.00	\$932,818.00
2. Resicom, Inc.	\$614,975.00	\$1,005,975.00
3. Millis Development & Construction, Inc.	\$638,571.00	\$1,194,711.00
4. Apache Services, Inc.	\$699,975.00	\$1,490,975.00

**REQUIRED AUTHORIZATION** CUIC ID# RJO039 *NDT*

**Other Authorization:**

*Wendy Heger*

Wendy Teas Heger, AIA  
 Chief of Design and Construction  
 Building Services Department

**Other Authorization:**

**Other Authorization:**

*Joe Turner*

Joe Turner  
 Director  
 Parks and Recreation Department

<b>Date</b>	<b>Subject:</b> Award Construction Contract Carrera Construction, Inc. Godwin Park WBS No. F-504A07-0001-4	<b>Originator's Initials</b> LJ	<b>Page</b> 2 of 2
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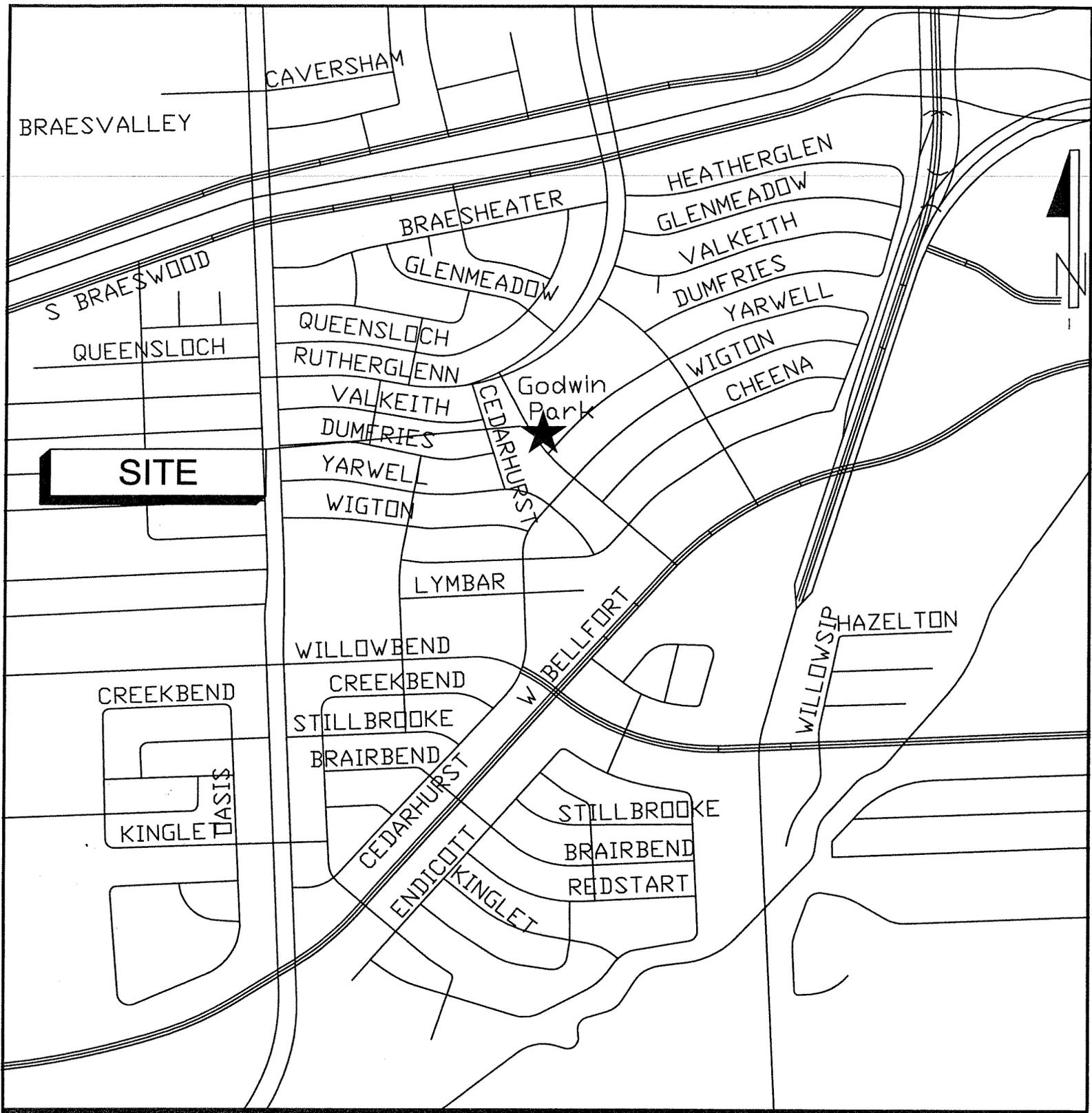
**AWARD:** It is recommended that City Council award the construction contract to Carrera Construction, Inc. and appropriate funds for the project, including additional appropriations of \$26,956 for engineering testing services under the existing contract with Raba-Kistner Consultants, Inc., and \$44,955 for construction management services under the existing contract with Park Team Plus.

**FUNDING SUMMARY:**

\$	670,778.00	Construction Contract
\$	33,538.90	5% Contingency
\$	<b>704,316.90</b>	<b>Total Contract Services</b>
\$	26,956.00	Engineering Testing
\$	44,955.00	<b>Construction Management</b>
\$	11,738.61	Civic Art (1.75%)
\$	<b>787,966.51</b>	<b>Total Funding</b>

*WTH*  
IZD:WTH:RJD:JLN:LJ:tc

- c: Issa Dadoush  
Jacquelyn L. Nisby  
Mark Ross  
Richard Odlozil  
Lisa Johnson  
Velma Laws  
James Tillman  
Gabriel Mussio  
File



GODWIN PARK  
 5105 RUTHERGLEN  
 HOUSTON, TX

<b>SUBJECT:</b> Award Construction Contract F. W. Walton, Inc. Roof Replacement at Police Academy Buildings "A" and "C" WBS No. G-000066-0008-4	Page 1 of 2	Agenda Item 42
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<b>FROM (Department or other point of origin):</b> Building Services Department	<b>Origination Date</b> 6/13/07	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. <i>Issa Z. Dadoush 3/30/07</i>	<b>Council District:</b> B
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<b>For additional information contact:</b> Jacquelyn L. Nisby <i>JL Nisby</i> Phone: 713-247-1814	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Award construction contract and appropriate funds for the project.

<b>Amount and Source of Funding</b> \$352,674.85 Police Consolidated Construction Fund (4504)	<b>F&amp;A Budget:</b> <i>Michelle SL</i>
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**SPECIFIC EXPLANATION:** The Building Services Department recommends that City Council award a construction contract to F. W. Walton, Inc. on the low bid amount of \$326,357.00 in connection with roof replacement services for the Houston Police Department.

**PROJECT LOCATION:** 17000 Aldine Westfield (373H)

**PROJECT DESCRIPTION:** This project involves removal of existing built-up roofs on the Police Academy Buildings "A" and "C" and replacement with upgraded efficient roofing systems. The existing roofs are approximately 30 years old and have outlived their useful life.

The contract duration for this project is 120 days. Price Consulting, Inc., is the design consultant for the project.

**BIDS:** The following five bids were received on April 26, 2007:

<u>Bidder</u>	<u>Base Bid</u>	<u>Total Bid Amount</u>
1. F. W. Walton	\$326,357.00	\$436,134.00
2. Pyramid Waterproofing, Inc.	\$484,000.00	\$554,000.00
3. Woodland Contracting Group, Inc. dba Gulf Star Roofing and Sheetmetal	\$535,255.00	\$608,481.00
4. PRC Roofing Co., Inc.	\$592,00.00	\$612,000.00
5. Royal American Services, Inc.	\$658,209.00	\$734,509.00

**REQUIRED AUTHORIZATION** CUIC ID # 25VTN20

<b>Other Authorization:</b> <i>Wendy Heger</i> Wendy Teas Heger, AIA, Chief of Design and Construction Division Building Services Department	<b>Other Authorization:</b> <span style="float: right;">NDT</span> <i>Harold L. Hurtt</i> Harold L. Hurtt, Chief of Police Houston Police Department  <i>T.N. Oettmeier</i> T.N. Oettmeier Acting Chief of Police
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<b>Date:</b>	<b>SUBJECT:</b> Award Construction Contract F. W. Walton, Inc. Roof Replacement at Police Academy Buildings "A" and "C" WBS No. G-000066-0008-4	<b>Originator's Initials</b>  VTN	<b>Page</b>  2 of 2
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**AWARD:** It is recommended that City Council award the construction contract to F. W. Walton, Inc. and appropriate funds for the project, including an additional appropriation of \$10,000.00 for project management and air monitoring services during asbestos abatement under the existing contract with Environmental Consulting Services, Inc.

**FUNDING SUMMARY:**

\$326,357.00	Construction Contract Services
<u>\$ 16,317.85</u>	5% Contingency
<b>\$342,674.85</b>	<b>Total Contract Services</b>
<u>\$ 10,000.00</u>	Project Management & Air Monitoring
<b>\$352,674.85</b>	<b>Total Appropriation</b>

*MH* *WJL*  
IZD:WTH:MCP:JLN:VTN:JW:mg

c: Marty Stein, Issa Z. Dadoush, P.E., Wendy Teas Heger, AIA, Assistant Chief Kirk Munden, Jacquelyn L. Nisby, Gabriel Mussio, Joseph Kurian, Kim Nguyen, File



<b>SUBJECT:</b> Award Construction Contract F. W. Walton, Inc. Roof Replacement at Gershan and Fleet Administration Buildings WBS No. G-000066-0010-4		Page 1 of 2	Agenda Item 43
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<b>FROM (Department or other point of origin):</b> Building Services Department	<b>Origination Date</b> 6/13/07	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. <i>[Signature]</i> 5/21/07	<b>Council District:</b> H
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<b>For additional information contact:</b> Jacquelyn L. Nisby <i>[Signature]</i> Phone: 713-247-1814	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Award construction contract and appropriate funds for the project.

<b>Amount and Source of Funding</b> \$452,683.35 Police Consolidated Construction Fund (4504)	<b>F&amp;A Budget:</b> <i>[Signature]</i>
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**SPECIFIC EXPLANATION:** The Building Services Department recommends that City Council award a construction contract to F. W. Walton, Inc. on the low bid amount of \$431,127 in connection with roof replacement services for the Houston Police Department.

**PROJECT LOCATIONS:** Gershan Building 33 Artesian (493L)  
 Fleet Administration Building 52 Riesner (493L)

**PROJECT DESCRIPTION:** This project involves removal of existing built-up roofs on the Gershan Building and Fleet Administration Building and replacement with upgraded efficient roofing systems. The existing roofs are approximately 25 years old and have outlived their useful life.

The contract duration for this project is 120 days. Price Consulting, Inc., is the design consultant for the project.

**BIDS:** The following five bids were received on April 26, 2007:

<u>Bidder</u>	<u>Bid Amount</u>
1. F. W. Walton	\$431,127.00
2. Brinkman Roofing, Inc.	\$438,800.00
3. PRC Roofing Co., Inc.	\$442,000.00
4. Pyramid Waterproofing, Inc.	\$469,000.00
5. Royal American Services, Inc.	\$652,980.00

**REQUIRED AUTHORIZATION** CUIC ID # 25VTN21

<b>Other Authorization:</b> <i>[Signature]</i> Wendy Teas Heger, AIA, Chief of Design and Construction Division Building Services Department	<b>Other Authorization:</b> <i>[Signature]</i> NDT Harold L. Hurtt, Chief of Police Houston Police Department
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<b>Date:</b>	<b>SUBJECT:</b> Award Construction Contract F. W. Walton, Inc. Roof Replacement at Gershan and Fleet Administration Buildings WBS No. G-000066-0010-4	<b>Originator's Initials</b> VTN	<b>Page</b> 2 of 2
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**AWARD:** It is recommended that City Council award the construction contract to F. W. Walton, Inc. and appropriate funds for the project.

**FUNDING SUMMARY:**

\$431,127.00	Construction Contract Services
<u>\$ 21,556.35</u>	5% Contingency
<b>\$452,683.35</b>	<b>Total Appropriation</b>

*MT*      *VTN*  
 IZD:WTH:MCP:JLN:VTN:JW:mg

c : Marty Stein, Issa Z. Dadoush, P.E., Wendy Teas Heger, AIA, Assistant Chief Kirk Munden, Jacquelyn L. Nisby, Joseph Kurian, Kim Nguyen, File

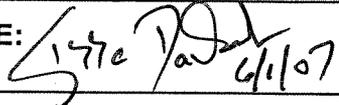


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Award Construction Contract Times Construction, Inc. Southwest Environmental Service Center WBS No: L-000036-0001-7	<b>Page</b> 1 of 2	<b>Agenda Item</b> 44
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<b>FROM (Department or other point of origin):</b> Building Services Department	<b>Origination Date</b> 6-14-07	<b>Agenda Date</b> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b>  Jissa Z. Dadoush, P.E.	<b>Council District(s) affected:</b> C
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<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 713-247-1814	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Award construction contract and appropriate funds for the project.

<b>AMOUNT AND SOURCE OF FUNDING:</b> \$3,897,890.00 - Solid Waste Consolidated Construction Fund (4503)	<b>F &amp; A Budget:</b> 
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**SPECIFIC EXPLANATION:** The Building Services Department (BSD) recommends that City Council award a construction contract to Times Construction, Inc., on the accepted proposal amount of \$3,628,000.00 for construction services in connection with the Southwest Environmental Service Center for the Solid Waste Management Department (SWM).

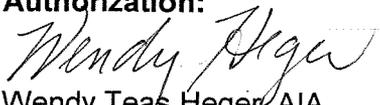
On February 16 and February 23, 2007, BSD advertised a Request for Competitive Sealed Proposals containing selection criteria that ranked the respondents on price, experience, references, sub-contractors and schedule. The proposals were due on March 29, 2007 and four firms responded. BSD and SWM evaluated the proposals and Times Construction, Inc. received the most points and offers the best value to the City based on the advertised criteria.

**PROJECT LOCATION:** 11500 South Post Oak Rd, (571C)

**PROJECT DESCRIPTION:** This project involves construction of a new Southwest Environmental Service Center, to include 5,433 sf of office space and 13,446 sf of storage space within a one-story facility. The facility will accommodate an educational outreach program in two areas: observation area and multi-purpose room. The public can utilize the observation area to observe and learn about the actual recycling operation within the facility, and the multi-purpose room will be utilized for conferences and public forums. The storage space will allow area residents to drive into a passageway within the facility and drop off household wastes such as paper, used oil, used car batteries and other recyclable items as allowed under the current Fire Code.

The contract duration for this project is 365 days. The design consultant is Nathelyne A. Kennedy & Associates, Inc.

**REQUIRED AUTHORIZATION** NDT CUIC ID# 25RJO045

**Authorization:**  
  
Wendy Teas Heger, AIA  
Chief of Design and Construction  
Building Services Department

**Authorization:**  
  
Thomas Buchanan, Director  
Solid Waste Management Department

<b>Date</b>	<b>Subject:</b> Award Construction Contract Times Construction, Inc. Southwest Environmental Service Center WBS No: L-000036-0001-7	<b>Originator's Initials</b> CL	<b>Page</b> 2 of 2
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**PROPOSALS:** The following four proposals were received on March 29, 2007 and are ranked as follows:

**Proposer**

1. Times Construction, Inc.
2. Morganti Texas, Inc.
3. Resicom, Inc.
4. Carrera Construction, Inc.

**AWARD:** It is recommended that City Council award the construction contract to Times Construction, Inc. and appropriate funds for the project, including additional appropriations of \$25,000.00 for material testing and inspection services under the existing contract with HVJ, Associates Inc.

**FUNDING SUMMARY:**

\$3,628,000.00	Construction Contract
<u>\$ 181,400.00</u>	5% Contingency
<b>\$3,809,400.00</b>	<b>Total Contract Services</b>
\$ 63,490.00	Civic Art (1.75%)
<u>\$ 25,000.00</u>	Material Testing and Inspection Services
<b>\$ 3,897,890.00</b>	<b>Total Appropriation</b>

**MWBE INFORMATION:** Construction goals of 15% for M/WBE and 5% for SBE have been established for this contract. The contractor has submitted the following certified firms to achieve the goals:

**MWBE PARTICIPATION:**

<u>FIRM</u>	<u>WORK DESCRIPTION</u>	<u>AMOUNT</u>	<u>% OF CONTRACT</u>
S&S Masonry	Masonry	\$ 248,000.00	6.84%
EDH Plumbing	Plumbing	\$ 126,000.00	3.47%
Land Pro, Inc.	Landscaping	\$ 38,000.00	1.05%
United Electric Supply Company	Electrical Material	\$ 73,230.00	2.02%
Security Integrators and Consulting	Fire Alarm, Security	\$ 78,673.00	2.17%
<b>TOTAL</b>		<b>\$ 563,903.00</b>	<b>15.55%</b>

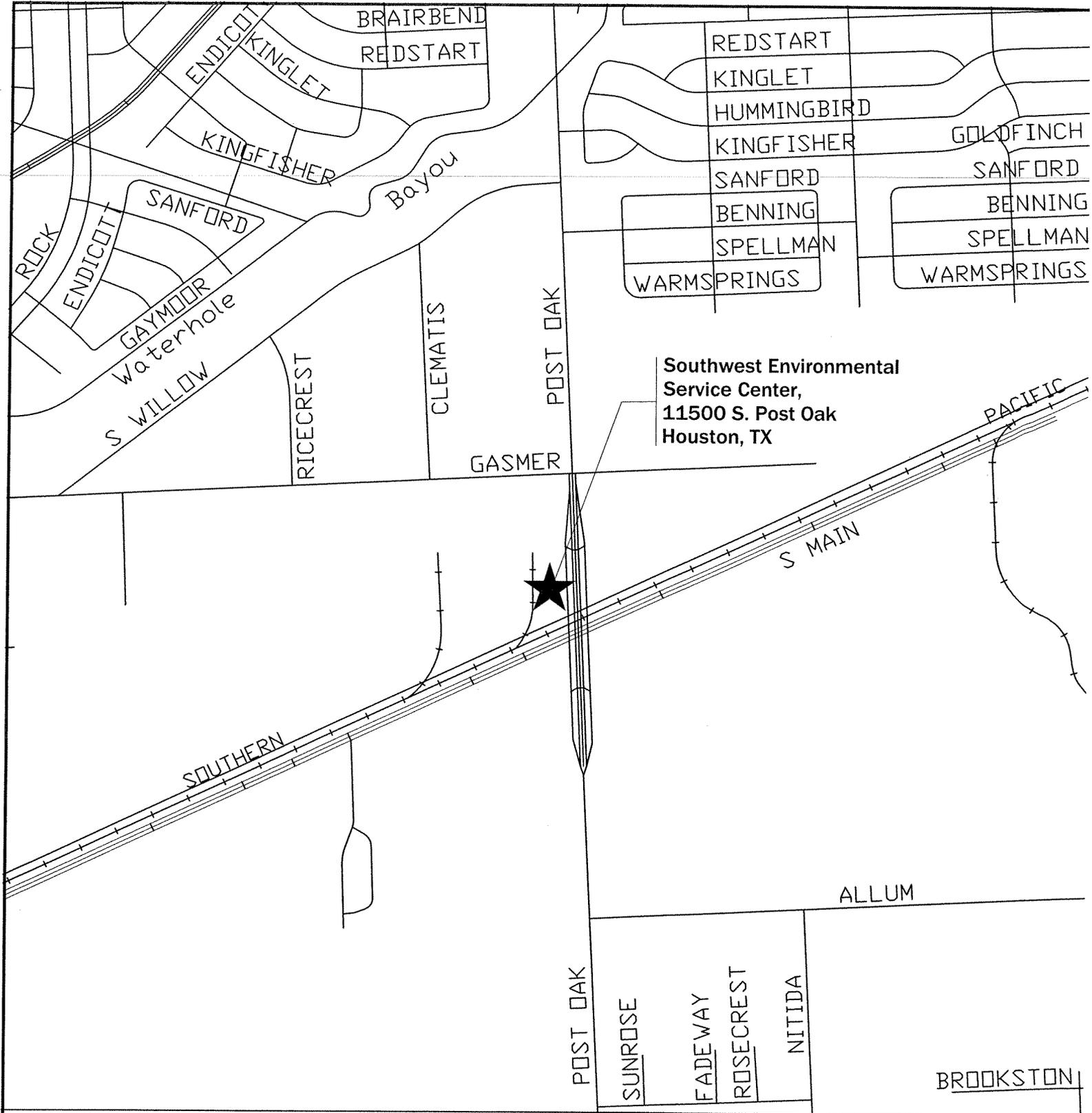
**SBE PARTICIPATION:**

<u>FIRM</u>	<u>WORK DESCRIPTION</u>	<u>AMOUNT</u>	<u>% OF CONTRACT</u>
Houston Christian Brothers Painting	Painting	\$ 41,792.00	1.15%
New Choice Builders	Cold Formed – Gypsum Sheathing	\$ 103,218.00	2.85%
Absolute Design Countertops and Tile, Inc.	Ceramic Work	\$ 54,000.00	1.49%
<b>TOTAL</b>		<b>\$ 199,010.00</b>	<b>5.49%</b>

*MH*

IZD:WTH:RJO:JLN:CL:tc

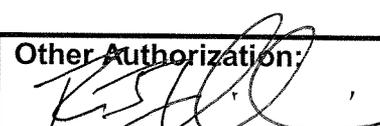
c: Marty Stein, Wendy Heger, Richard Odlozil, Jacquelyn L. Nisby, Gabriel Mussio, Charlie Lee  
Velma Laws, Joseph Kurian, James Tillman, IV, Thomas Buchanan, Project File 813



**Southwest Environmental Service  
Center**  
**11500 S. Post Oak (Key Map 571C)**

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> An ordinance appropriating \$38,883,478.62 in tax increment revenue payments made by the City of Houston and authorizing the transfer of tax increment revenues from the various Tax Increment Funds pursuant to Tri-Party Agreements.		<b>Category # 1</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b> 45
<b>FROM: (Department or other point of origin):</b> Finance and Administration (Economic Development)		<b>Origination Date</b> June 8, 2007		<b>Agenda Date</b> JUN 20 2007
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council Districts affected:</b>		
<b>For additional information contact:</b> Tom Mesa Phone: 7-9857 Randell M. Naquin Phone: 7-9646		<b>Date and identification of prior authorizing Council Action:</b>		
<b>RECOMMENDATION: (Summary)</b> An ordinance appropriating \$38,883,478.62 in tax increment revenue payments made by the City of Houston, and authorizing the transfer of tax increment revenues from the various Tax Increment Funds pursuant to Tri-Party Agreement.				
<b>Amount of Funding:</b> \$38,883,478.62			F & A Budget	
<b>Source of Funding:</b> ) [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [X] Other (Specify) \$38,883,478.62 from various TIRZ funds (See attached spreadsheet).				
<b>Specific Explanation:</b> The appropriation of \$38,883,478.62 results from tax increment payments received in April 2007 from the City of Houston for various Zones.  As set forth in the attached spreadsheet, \$1,875,272.61 will be transferred to the City of Houston affordable housing fund pursuant to Tri-Party Agreement; \$1,783,368.72 will be transferred to the General Fund for TIRZ Administrative costs; and \$35,224,837.29 will be paid to various redevelopment authorities or retained in the TIRZ Fund for approved project costs.				
cc: Marty Stein, Agenda Director Anna Russell, City Secretary Arturo Michel, City Attorney Deborah McAbee, Senior Assistant City Attorney				
<b>REQUIRED AUTHORIZATION</b>				
<b>F&amp;A Director:</b>	<b>Other Authorization:</b> 		<b>Other Authorization:</b> 	

TIRZ Revenue City Increment Tax Year 2006 (FY07)

#	TIRZ Name	Fund #	City Increment	Affordable Housing Transfer to Fund 2409	City Admin. Fee Transfer to Fund 1000	Total Increment Amount Due to Redev. Auth.	Payee
1.	Lamar Terrace	7512	\$ 926,068.87	\$ 308,689.62	\$ 46,303.44	\$ 571,075.81	St. George Place RA
2.	Midtown	7550	\$ 4,436,744.92	N/A	\$ 221,837.25	\$ 4,214,907.67	Midtown RA
	Original		3,895,557.38		194,777.87	3,700,779.51	
	Annexed		541,187.54		27,059.38	514,128.16	
3.	Main St./Market Square	7551	\$ 3,624,074.54	N/A	\$ 181,203.74	\$ 3,442,870.80	Special Pay Instructions #1
	Original		349,431.90		17,471.60	331,960.30	
	Annexed		3,258,224.52		162,911.23	3,095,313.29	
	Annexed		16,418.12		820.91	15,597.21	
4.	Village Enclave	7552	\$ 3,216,104.96	\$ 1,072,034.99	\$ -	\$ 2,144,069.97	Special Pay Instructions #2
	Original		231,877.25	77,292.42		154,584.83	
	Annexed		2,984,227.71	994,742.57		1,989,485.14	
5.	Memorial Heights	7553	1,264,260.39	N/A	\$ 63,213.02	\$ 1,201,047.37	Memorial Heights RA
6.	Eastside	7554	\$ -	N/A	\$ -	\$ -	No payment.
7.	OST/Alameda	7555	\$ 2,690,660.49	N/A	\$ 134,533.03	\$ 2,556,127.46	OST Alameda RA
	Original		1,898,855.71		94,942.79	1,803,912.92	
	Annexed		791,804.78		39,590.24	752,214.54	
8.	Gulfgate	7556	\$316,859.23	N/A	\$15,842.96	\$301,016.27	Gulfgate RA
	Original		130,664.15		\$6,533.21	\$124,130.94	
	Annexed		186,195.08		\$9,309.75	\$176,885.33	
9.	South Post Oak	7557	\$ 278,613.54	N/A	\$ 13,930.68	\$ 264,682.86	South Post Oak RA
10.	Lake Houston	7558	\$ 2,161,545.97	N/A	\$ 108,077.30	\$ 2,053,468.67	Special Pay Instructions #3
	Original		1,848,664.94		92,433.25	1,756,231.69	
	Annexed		312,881.03		15,644.05	297,236.98	
11.	Greater Greenspoint	7559	\$ 2,470,604.35	N/A	\$ 123,530.22	\$ 2,347,074.13	Greater Greenspoint RA
12.	City Park	7560	\$ 223,937.00	N/A	\$ 11,196.85	\$ 212,740.15	City Park RA
13.	Old Sixth Ward	7561	\$ 385,233.39	\$ 128,411.13	\$ 19,261.67	\$ 237,560.59	Old Sixth Ward RA
14.	Fourth Ward	7562	\$ 1,098,410.60	\$ 366,136.87	\$ 54,920.53	\$ 677,353.20	Fourth Ward RA
15.	East Downtown	7563	\$ 394,871.27	N/A	\$ 19,743.56	\$ 375,127.71	East Downtown RA
16.	Uptown	7564	\$ 7,244,224.14	N/A	\$ 362,211.21	\$ 6,882,012.93	Uptown Development Authority
17.	Memorial City	7565	\$ 2,270,316.18	N/A	\$ 113,515.81	\$ 2,156,800.37	Memorial City RA
18.	Fifth Ward	7566	\$ 42,898.64	N/A	\$ 2,144.93	\$ 40,753.71	Special Pay Instruction #3
19.	Upper Kirby	7567	\$ 2,619,681.31	N/A	\$ 130,984.07	\$ 2,488,697.24	Upper Kirby RA
20.	Southwest Houston	7568	\$ 3,062,591.73	N/A	\$ 153,129.59	\$ 2,909,462.14	Southwest Houston RA
21.	Hardy Place	7569	\$ 153,135.98	N/A	\$ 7,656.80	\$ 145,479.18	Special Pay Instruction #3
22.	Leland Woods	7570	\$ 2,641.12	N/A	\$ 132.06	\$ 2,509.06	Special Pay Instruction #3
	<b>Total</b>		<b>\$38,883,478.62</b>	<b>\$ 1,875,272.61</b>	<b>\$ 1,783,368.72</b>	<b>\$ 35,224,837.29</b>	

**Special Pay Instructions #1**

Payment to HHFC for Rice Hotel (original zone) \$ 331,960.30  
 Payment to Main Street/Market Square RA \$ 3,110,910.50  
 Total to Main Street/Market Square \$ 3,442,870.80

**Special Pay Instructions #3**

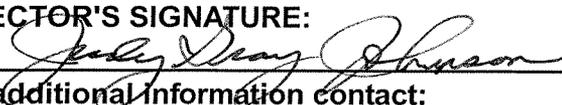
Payments are for project costs, developer reimbursements, and debt service; invoices to be submitted at a later date.

**Special Pay Instructions #2**

Payment to HSD for West Side HS \$ 2,144,069.97  
 Withholding for TIRZ Admin costs \$ -

TO: Mayor via City Secretary

**REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> An ordinance appropriating \$35,453,630.09 in tax increment revenue payments made by Houston, Aldine, and Spring ISDs and North Harris Montgomery Community College District and authorizing the transfer of tax increment revenues from the various Tax Increment Funds pursuant to Tri-Party & Interlocal Agreements.		<b>Category # 1</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b>  <div style="text-align: right; font-size: 2em;">46</div>
<b>FROM: (Department or other point of origin):</b> Finance and Administration		<b>Origination Date</b> June 8, 2007		<b>Agenda Date</b> JUN 20 2007
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council Districts affected:</b>		
<b>For additional information contact:</b> Tom Mesa <b>Phone: 7-9857</b> Randell M. Naquin <b>Phone: 7-9646</b>		<b>Date and identification of prior authorizing Council Action:</b>		
<b>RECOMMENDATION: (Summary)</b> That City Council approve an ordinance appropriating \$35,453,630.09 in tax increment revenue payments made by Houston, Aldine, and Spring ISDs and North Harris Montgomery Community College District and authorizing the transfer of tax increment revenues from the various Tax Increment Funds pursuant to Tri-Party & Interlocal Agreements.				
<b>Amount of Funding:</b> \$35,453,630.09			F & A Budget	
<b>Source of Funding:</b> ) [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ X ] Other (Specify) \$35,453,630.09 from various TIRZ funds (See attached ISD Analysis).				
<b>Specific Explanation:</b>  The appropriation of \$35,453,630.09 results from tax increment payments received in the months of April and May 2007 from Houston, Aldine and Spring Independent School Districts, and North Harris Montgomery Community College District for various Zones in which the jurisdictions participate.  As set forth in the attached spreadsheet, \$3,157,949.03 will be transferred into the City's affordable housing fund; \$421,835.53 will be transferred to the General Fund for TIRZ Administrative costs; \$16,356,925.30 will be paid to Houston and Aldine ISDs for Educational Facilities Project Costs (of which \$849,866.89 will be paid to Greater Greenspoint Redevelopment Authority to be held in escrow for Aldine ISD); and \$15,516,920.23 will be paid to various redevelopment authorities or retained in TIRZ funds for approved project costs.				
cc: Marty Stein, Agenda Director Judy Gray Johnson, Director, Finance & Administration Anna Russell, City Secretary Arturo Michel, City Attorney Deborah McAbee, Senior Assistant City Attorney				
<b>REQUIRED AUTHORIZATION</b>				
<b>F&amp;A Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

**SCHOOL DISTRICT INCREMENT TAX YEAR 2006 FROM ALDINE, SPRING ISDs and NHMCCD**

#	TIRZ	Fund #	ISD and CCD Payments Received (1)	Affordable Housing Transfer to Fund 872	ISD & CCD Admin. Transfer to General Fund	Payment Amount to ISDs for Educational Facilities (3)	ISD and CCD Increment due to the Redevelopment Authorities	Payee
1	Lamar Terrace	7512	\$ 1,117,536.28	\$ 372,512.09	\$ 25,000.00 (2)	\$ 426,712.27	\$ 293,311.92	St. George Place RA
2	Midtown	7550	\$ 5,331,686.51	N/A	\$ 25,000.00 (2)	\$ 2,512,933.23	\$ 2,793,755.28	Midtown RA
	Original		\$ 4,893,301.36					
	Annexed		\$ 438,387.15					
3	Market Square	7551	\$ 4,954,707.61	N/A	\$ 25,000.00 (2)	\$ 2,862,487.57	\$ 2,087,220.04	Special Pay Instruction #1
	Original		\$ 784,408.39			\$ 506,979.90	\$ 264,928.49	
	Annexed		\$ 4,170,299.22			\$ 2,355,507.67	\$ 1,802,291.55	
4	Village Enclave	7552	\$ 6,428,042.06	\$ 2,142,680.69	\$ 25,000.00 (4)	\$ 4,260,361.37	\$ -	
	Original		\$ 502,693.54					
	Annexed		\$ 5,925,348.52					
5	Memorial Heights	7553	\$ 977,186.08	N/A	\$ 25,000.00 (2)	\$ 558,286.20	\$ 393,899.88	Memorial Heights RA
6	Eastside	7554	\$ -	N/A	\$ -	\$ -	\$ -	No Payment
7	OST/Alameda	7555	\$ 1,948,733.40	N/A	\$ 25,000.00 (2)	\$ 694,017.80	\$ 1,229,715.60	OST/Alameda RA
	Original		\$ 1,020,488.38					
	Annexed		\$ 928,265.02					
8	Gulfgate	7556	\$ 550,576.04	N/A	\$ 25,000.00 (2)	\$ 255,866.93	\$ 289,689.11	Gulfgate RA
9	South Post Oak	7557	\$ 525,915.13	N/A	\$ 25,000.00 (2)	\$ 239,861.67	\$ 261,053.46	South Post Oak RA
10	Lake Houston	7558	\$ -	N/A	\$ -	\$ -	\$ -	Special Pay instructions #2
	Original (Humble ISD)		\$ -					
	Annexed		\$ -					
11	Greenspoint	7559	\$ 3,231,782.98	N/A	\$ 70,600.96	\$ 849,866.89	\$ 2,311,315.13	Special Pay instructions #3
	Aldine ISD		\$ 2,549,600.67		\$ 25,000.00 (2)	\$ 849,866.89		
	Spring ISD		\$ 270,163.04		\$ 25,000.00 (2)	N/A		
	NHMCCD		\$ 412,019.27		\$ 20,600.96 (5)			
12	CityPark	7560	\$ 502,519.48	N/A	\$ 25,000.00 (2)	\$ 288,306.82	\$ 189,212.66	City Park RA
13	Old Sixth Ward	7561	\$ 316,492.24	\$ 105,497.41	\$ 25,000.00 (2)	\$ 143,817.78	\$ 42,177.05	Old Sixth Ward RA
14	Fourth Ward	7562	\$ 1,611,776.52	\$ 537,258.84	\$ 25,000.00 (2)	\$ 593,897.82	\$ 455,619.86	Fourth Ward RA
15	East Downtown	7563	\$ 585,521.24	N/A	\$ 25,000.00 (2)	\$ 196,135.56	\$ 364,385.68	East Downtown RA
16	Uptown	7564	\$ 6,160,071.61	N/A	\$ 25,000.00 (2)	\$ 2,067,000.96	\$ 4,068,070.65	Uptown DA
17	Memorial City	7565	N/A	N/A	\$ 25,000.00 (2)	\$ -	N/A	
18	Fifth Ward	7566	\$ 38,692.63	N/A	\$ 1,234.57 (5)	\$ 14,001.20	\$ 23,456.86	Special Pay instructions #2
19	Upper Kirby	7567	\$ 1,172,388.28	N/A	\$ 25,000.00 (2)	\$ 393,351.23	\$ 754,037.05	Upper Kirby RA
20	Southwest Houston	7568	N/A	N/A			N/A	
21	Hardy Yards	7569	N/A	N/A			N/A	
22	Leland Woods	7570	N/A	N/A			N/A	
	<b>Total</b>		<b>\$ 35,453,630.09</b>	<b>\$ 3,157,949.03</b>	<b>\$ 421,835.53</b>	<b>\$ 16,356,925.30</b>	<b>\$ 15,516,920.23</b>	

The table sets forth several requested appropriations: a) recently deposited tax increments received by the City from Houston ISD, Aldine ISD, Spring ISD, and North Harris Montgomery County College District. The table also sets forth several requested expenditures: a) transfers into Fund 2409 for the one-third affordable housing set-aside; b) payment amounts to ISDs for educational facilities; c) transfer amounts into the General Fund for costs associated with the administration of the zones; and d) payments to the various redevelopment authorities, or for direct TIRZ project costs.

**Special Pay Instructions #1**

Payment to HHFC for Rice Hotel \$ 418,039.70  
 Payment to Main Street/Market Square RA \$ 1,649,180.34  
 \$ 2,067,220.04

**Special Pay Instructions #2**

Retain in fund to pay developer and TIRZ admin costs.

**Special Pay Instructions #3**

Educ. Facilities - Aldine ISD \$ 849,866.89 Held in escrow with #11-Greenspoint RA  
 Increment Revenue \$ 2,311,315.13  
 Total Payment to Greater Greenspoint RA \$ 3,161,182.02

**ISD Pay Instructions**

Aldine ISD (Held in escrow) \$ 849,866.89  
 Payment to Houston ISD \$ 15,507,058.41  
 Payment to Humble ISD \$ 16,356,925.30

**Notes:**

- 1) ISD = Independent School District and CCD = Community College District
- 2) Per the Houston, Humble, Aldine and Spring ISD Interlocal Agreements, there is a \$25,000 maximum for administrative fees.
- 3) Educational Facilities revenues are set-aside per the Houston ISD and Humble ISD Interlocal Agreements in which the increment is paid to the ISDs for construction of educational facilities inside or outside the zones.
- 4) All Houston ISD payment minus set-aside for affordable housing is returned for payments for Westside High School.
- 5) The administration fee is calculated at 5% of the net increment revenue rather than the \$25,000 maximum.

47  
JUN 20 2007

MOTION NO. 2007 0581

MOTION by Council Member Garcia that an item be placed on the Agenda of June 20, 2007, to receive nominations for Position 3 on the Port of Houston Authority of Harris County, for a two-year term.

Seconded by Council Member Alvarado and carried.

Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell and Green voting aye  
Nays none  
Council Member Berry absent

PASSED AND ADOPTED this 13th day of June, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is June 19, 2007.

City Secretary

48  
JUN 20 2007

MOTION NO. 2007 0552

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

Item 55 - Ordinance approving and authorizing agreement between the City of Houston, Whitney Community Development Corporation and Re-Ward Third Ward to provide a second lien construction loan of Federal "HOME" Funds in the amount of \$700,000.00 for eligible costs in connection with the construction of ten (10) affordable homes

Seconded by Council Member Alvarado and carried.

Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell, Green and Berry voting aye  
Nays none

PASSED AND ADOPTED this 6th day of June, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is June 12, 2007.

  
City Secretary

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

HCD 07-133 Re-Ward Third Ward

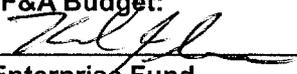
<b>SUBJECT:</b> An ordinance approving and authorizing a \$700,000 contract between the City of Houston and Re-Ward Third Ward, Inc. using Federal HOME funds to assist in the development of 10 affordable single-family houses in the Third Ward Houston Hope area.	<b>Category #</b>	<b>Page</b>	<b>Agenda Item #</b>
	48	1 of 2	5542

<b>FROM (Department or other point of origin):</b> Housing and Community Development Department	<b>Origination Date:</b> 05/22/07	<b>Agenda Date:</b> <del>MAY 30 2007</del> <del>JUN 06 2007</del> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> MS Richard S. Celli, Director 	<b>Council District affected:</b> "D" CM Ada Edwards "I" CM Carol Alvarado
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<b>For additional information contact:</b> Donald Sampley, Assistant Director Phone: 713-868-8458	<b>Date and identification of prior authorizing Council action:</b> None
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**RECOMMENDATION: (Summary)**  
The Department recommends approval of an ordinance authorizing a \$700,000 contract between the City of Houston and Re-Ward Third Ward, Inc. using Federal HOME funds to assist in the development of 10 affordable single-family houses in the Third Ward Houston Hope area.

<b>Amount of Funding:</b> \$700,000	<b>F&amp;A Budget:</b> 
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**SOURCE OF FUNDING**       General Fund       Grant Fund       Enterprise Fund

Other (Specify) HOME FUND      Grant Funds (5000)

**SPECIFIC EXPLANATION:**

Re-Ward Third Ward, Inc., (Re-Ward) is a 501(c) 3 nonprofit corporation certified as a Community Housing Development Organization (CHDO).

The Housing and Community Development Department, (HCDD) proposes providing a total of \$700,000 to Re-Ward Third Ward, Inc., in Federal HOME funds to assist in the development of 10 affordable single-family houses. The \$700,000 will be in the form of a grant. HCDD will require that there be an interim construction lender that finances the cost of the construction less the subsidy from the HOME funds, to include all lots costs to include carry and all non HOME eligible costs. The HCDD construction subsidy will be \$70,000 per house.

Specific home sites are: 3123 Trulley; 3328 McIlhenny; 3332 McIlhenny; 3267 Simmons; 3430 Simmons; 3431 Simmons; 3433 Simmons; 3213 Tuam; 3214 Beulah; and 338 Beulah.

The development will be known as "Re-Ward Affordable Housing I." The sites comply with HUD's environmental regulations. The newly constructed houses will be sold to families whose annual incomes do not exceed 80% of AMI, and who will occupy the property as their principal residence.

The City will allow the CHDO (Re-Ward) to retain the proceeds generated from this CHDO development activity provided that Re-Ward performs as required under the contract and provided that Re-Ward uses the proceeds from the sale of the houses to conduct HOME-eligible activities in the Third Ward Houston Hope area. HOME Regulations do not apply to use of the proceeds.

<b>REQUIRED AUTHORIZATION</b>			<b>NOT</b>
<b>F&amp;A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>	

<b>Date</b> 05/22/07	<b>Subject:</b> An ordinance approving and authorizing a \$700,000 contract between the City of Houston and Re-Ward Third Ward, Inc. using Federal HOME funds to assist in the development of 10 affordable single-family houses in the Third Ward Houston Hope area.	<b>Originator's Initials</b> <i>RSC</i>	<b>Page</b> <u>2</u> of <u>2</u>
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The development is consistent with the City's Consolidated Plan to provide affordable housing for low-income residents. HCDD secured HUD's approval of this contract before being submitted to City Council.

The plan to give Re-Ward funds to assist in the development of 10 affordable single-family houses in the Third Ward area was published for 30 days in the local newspaper. There was no citizen or community opposition to the Re-Ward development.

On November 29, 2006, the Housing and Community Development Committee recommended this item for favorable Council consideration.

The Department recommends approval of an ordinance approving and authorizing a \$700,000 contract between the City of Houston and Re-Ward using Federal HOME Housing Funds to assist in the development of 10 affordable single-family houses in the Third Ward Houston Hope area.

RSC:DHS:MEB

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

RCA# 7468

**Subject:** Formal Bids Received for Chemical, Sodium Hypochlorite for the Public Works & Engineering Department  
S12-S22472

Category #  
4

Page 1 of 2 | Agenda Item

49 20

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

Calvin D. Wells  
City Purchasing Agent  
Finance and Administration Department

**Origination Date**

June 05, 2007

**Agenda Date**

JUN 20 2007  
~~JUN 13 2007~~

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

Gary Norman Phone: (713) 837-7425  
Ray DuRousseau Phone: (713) 247-1735

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

**RECOMMENDATION: (Summary)**

Approve an award to ALTIVIA Corporation on its low bid in an amount not to exceed \$34,926,668.33 for sodium hypochlorite for the Public Works & Engineering Department.

Estimated Spending Authority: \$34,926,668.33

**F & A Budget**

\$34,926,668.33 Water & Sewer System Operating Fund (8300)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an award to ALTIVIA Corporation on its low bid in an amount not to exceed \$34,926,668.33 for sodium hypochlorite for the Public Works & Engineering Department. It is further requested that authorization be given to issue purchase orders, as needed, for a 60-month period. The City Purchasing Agent may terminate this agreement at any time upon 30-days written notice to the supplier. Sodium hypochlorite, a common bleaching and disinfecting agent, is utilized on a daily basis by the Department to treat wastewater and potable drinking water necessary to preserve and protect the health and safety of the citizens of Houston.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Fourteen prospective bidders viewed the solicitation document on SPD's e-bidding website and bids were received from the companies listed below:

<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1. ALTIVIA Corporation	\$34,926,668.33
2. DXI, Industries, Inc	\$37,435,686.60

- The City's current price for sodium hypochlorite is \$0.5412/lb. The unit price for the low bid submitted by ALTIVIA Corporation is \$0.5787/lb., which is in line with the latest Chemical Market Associates, Inc. (CMAI) Chlor-Alkali Market Report price index for this commodity. Based on prior experience with ALTIVIA Corporation and its proven performance on existing City agreements, the Department and Strategic Purchasing Division are confident that the recommended supplier will be able to satisfy the terms of the agreement.

This award, consisting of approximately 60,323,130 pounds of sodium hypochlorite to be delivered in 4,000- to 5,000- and 1,200- to 2,500-gallon loads, will be utilized daily by the Department's Wastewater Operations and Water Production Branches to disinfect and treat wastewater and potable drinking water during the water treatment process at treatment plants citywide.

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

Date: 6/5/2007	Subject: Formal Bids Received for Chemical, Sodium Hypochlorite for the Public Works & Engineering Department S12-S22472	Originator's Initials MK	Page 2 of 2
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**M/WBE Subcontracting:**

This invitation to bid was issued with a 3% goal for M/WBE participation. ALTIVIA Corporation has designated the below-named companies as its certified M/WBE subcontractors.

<u>Name</u>	<u>Type of Service</u>	<u>Amount</u>	<u>Percentage</u>
Pretty Quick Delivery Services dba Pretty Quick Delivery Services	Delivery Support	\$960,483.37	2.75%
A & B Environmental Services, Inc. dba A & B Labs	Laboratory Support	\$ 87,316.67	0.25%

The Affirmative Action Division will monitor this award.

**Estimated Spending Authority:**

<u>DEPARTMENT</u>	<u>FY 2007</u>	<u>OUT YEARS</u>	<u>TOTAL</u>
PW&E	\$600,000.00	\$34,326,668.33	\$34,926,668.33

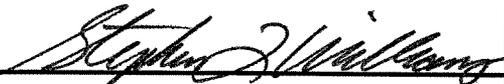
Buyer: Martin L. King

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT: An ordinance approving and authorizing the submission of an application for a grant to the U.S. Environmental Protection Agency (EPA) for Community-Scale Air Toxics monitoring in the Houston Ship Channel area Superneighborhoods</b>	<b>Category</b>	<b>Page</b>	<b>Agenda Item</b>
	9 #	1 of 1	50 30

<b>FROM (Department or other point of origin):</b> Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services	<b>Origination Date</b> 05/22/07	<b>Agenda Date</b> <del>JUN 18 2007</del>
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> 1	JUN 20 2007
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<b>For additional information contact: Kathy Barton</b> Telephone: 713-794-9998 – 713-826-5801	<b>Date and identification of prior authorizing Council action:</b> 04-19-06 ; 2006-374
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**RECOMMENDATION: (Summary)**  
Approval of an ordinance to approve a grant application to the U.S. Environmental Protection Agency (EPA) for funding to initiate a Community-Scale Air Toxics monitoring by the Mobile Ambient Air Monitoring Laboratory in the Houston Ship Channel area Superneighborhoods.

Amount of Funding: Total Project Cost: \$667,325.00 \$ 452,000.00 – Air Pollution EPA Grant -Federal Government Fund (5000) \$ 215,325.00 – General Fund (Fund 1000) BFY08	<b>F&amp;A Budget</b>
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**SOURCE OF FUNDING:**  General Fund  Grant Fund  Enterprise Fund  Other ( Specify )

**SPECIFIC EXPLANATION:**

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of a grant application to the U.S Environmental Protection Agency (EPA) to obtain funding for Community-Scale Air Toxics monitoring by the mobile ambient air laboratory (MAAML) in the Houston Ship Channel area. The start date for this project will be on or about July 15, 2007 through July 14, 2009. The estimated total project cost is \$667,325. The HDHHS contribution will be \$215,325.00 from the budgeted FY08 general fund. The remaining \$452,000.00 will come from the EPA grant.

HDHHS requests City Council approval and authorization of the application to EPA for the entire project period through July 14, 2009. HDHHS is requesting City Council to authorize the Director to: 1) accept and expend approved funding as soon as awarded; and 2) accept supplemental awards offered by the EPA during the entire project period.

HDHHS will apply mobile laboratory technologies in the Houston Ship Channel area to establish public health risk assessments.

cc: Finance & Administration  
Legal Department  
Agenda Director

REQUIRED AUTHORIZATION

<b>F&amp;A Director</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT: An ordinance approving and authorizing the submission of an application for a grant to the U.S. Environmental Protection Agency (EPA) to measure volatile organic compounds (VOC) emissions in the Houston Ship Channel Area</b>	<b>Category</b> 9 #	<b>Page</b> 1 of 1	<b>Agenda Item</b> <div style="border: 1px solid black; padding: 2px; display: inline-block;">         57       </div>
			<div style="border: 1px solid black; padding: 2px; display: inline-block;">         34       </div>

<b>FROM (Department or other point of origin):</b> Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services	<b>Origination Date</b> 05/22/07	<b>Agenda Date</b> <del>JUN 13 2007</del> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> <i>Stephen L. Williams</i>	<b>Council District affected:</b> 1
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<b>For additional information contact: Kathy Barton</b> <b>Telephone: 713-794-9998 – 713-826-5801</b>	<b>Date and identification of prior authorizing Council action:</b> 04-19-06 ; 2006-374
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**RECOMMENDATION: (Summary)**  
 Approval of an ordinance to approve a grant application to the U.S. Environmental Protection Agency (EPA) for funding to measure volatile organic compounds (VOC) in the Houston Ship Channel area.

Amount of Funding: Total Project Cost: \$735,055.00 \$ 671,221.00 – Air Pollution EPA Grant -Federal Government Fund (5000) \$ 63,834.00 – General Fund (Fund 1000) BFY08	<b>F&amp;A Budget</b>
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**SOURCE OF FUNDING:**  General Fund  Grant Fund  Enterprise Fund  Other ( Specify )

**SPECIFIC EXPLANATION:**

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of a grant application to the U.S Environmental Protection Agency (EPA) to obtain funding for measuring volatile organic compounds (VOC) in the Houston Ship Channel area. The start date for this project will be on or about July 15, 2007 through June 15, 2008. The estimated total project cost is \$735,055.00. The HDHHS contribution will be \$63,834.00 from the budgeted FY08 general fund. The remaining \$671,221.00 will come from the EPA grant.

HDHHS requests City Council approval and authorization of the application to EPA for the entire project period through June 15, 2008. HDHHS is requesting City Council to authorize the Director to: 1) accept and expend approved funding as soon as awarded; and 2) accept supplemental awards offered by the EPA during the entire project period.

HDHHS will use a proven remote sensing methodology known as DIAL (Differential Absorption Light Detection and Ranging) to measure the mass flux of benzene and VOC emissions in the Houston Ship Channel area. According to the Texas Emissions Inventory, emissions from these industrial sources are comprised as follows: a) wastewater 10%; b) cooling towers 6.5%; flares 13.3%; c) miscellaneous loading and unloading vents 36.1%; and d) fugitive-not including cooling towers, wastewater or tanks 34%.

The City faces difficult air toxic challenges caused by air emissions from one of the largest petrochemical complexes in the world. According to the EPA'S 2003 Toxic Releases Inventory (TRI) report, the Houston metropolitan area was exposed to over 19 million pounds of hazardous air pollutants in 2003, including 750,325 pounds of benzene.

cc: Finance & Administration  
 Legal Department  
 Agenda Director

REQUIRED AUTHORIZATION		
<b>F&amp;A Director</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Developer Participation Contract between City of Houston and Waterway Development, Inc. for the construction of water, sanitary sewer and storm sewer lines. S-000800-00M3-4/ R-000800-00M3-4/ M-000800-00M3-4		Page 1 of 2	Agenda Item # <b>52</b> <del>53</del>
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		Origination Date 5/31/07	Agenda Date <del>JUN 13 2007</del> JUN 20 2007
<b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director		Council District affected: E	
<b>For additional information contact:</b> Jun Chang, P.E. <sup>ge</sup> Phone: (713) 837-0433		<b>Date and identification of prior authorizing Council action:</b>	
<b>Recommendation: (Summary)</b> Approve a Developer Participation Contract between City of Houston and Waterway Development, Inc, for the City to pay 70% of the cost to construct approximately 3,420 linear feet of water line, 4,105 linear feet of sanitary sewer line and 100% of the cost to construct 2,545 linear feet of storm sewer line to serve the 127-lot subdivision, Sterling Village, and appropriate funds.			
<b>Amount &amp; Source of Funding:</b> \$286,086.49 Water & Sewer System Consolidated Construction Fund No. 8500 \$381,000.00 Homeless & Housing Consolidated Fund 4501 \$667,086.49 Total Appropriation			
<b>Specific Explanation:</b> <p>Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences.</p> <p>Waterway Development, Inc. proposes to construct approximately 3,420 linear feet of water line, 4,105 linear feet of sanitary sewer line and 2,545 linear feet of storm sewer line to serve the 127-lot subdivision, Sterling Village. The maximum amounts to be reimbursed are as follows:</p>			
<b>Required Authorization:</b> CUI# 20JZC153			
<b>F &amp; A Budget:</b> <i>Michael S. Marcotte</i>	<b>Other Authorization:</b>	<b>Other Authorization:</b> <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning & Development Services	

**Date:**

**Subject:** Developer Participation Contract between City of Houston and Waterway Development, Inc. for the construction of water, sanitary sewer and storm sewer lines.

**Originator's  
Initials**

**Page  
2 of 2**

Water

70% of construction cost (including interest & 5% contingency):	\$76,432.55
design cost:	<u>\$14,172.60</u>
total:	\$90,605.15

Wastewater

70% of construction cost(including interest & 5% contingency):	\$164,903.84
design cost:	<u>\$30,577.50</u>
total:	\$195,481.34

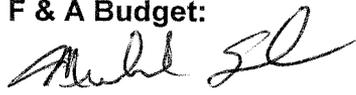
Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	\$323,850.00
design cost:	<u>\$57,150.00</u>
total:	\$381,000.00

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

c: Marty Stein  
Craig Foster  
John Sakolosky

<b>SUBJECT:</b> Developer Participation Contract between City of Houston and Middlebury Properties, L.P., for the construction of water, sanitary sewer and storm sewer lines. S-000800-00N2-4/ R-000800-00N2-4/ M-000800-00N2-4		Page 1 of 2	Agenda Item # <div style="border: 1px solid black; padding: 5px; display: inline-block;">53</div> <del>54</del>
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 5/31/07	<b>Agenda Date</b> JUN 20 2007 <del>JUN 13 2007</del>	
<b>DIRECTOR'S SIGNATURE</b>  Michael S. Marcotte, P.E., DEE, Director	<b>Council District affected:</b> E		
<b>For additional information contact:</b> Jun Chang, P.E. Phone: (713) 837-0433	<b>Date and identification of prior authorizing Council action:</b>		
<b>Recommendation: (Summary)</b> Approve a Developer Participation Contract between the City and Middlebury Properties, LP for the City to pay 70% of the cost to construct approximately 3,187 linear feet of water line, 3,282 linear feet of sanitary sewer line and 100% of the cost to construct 3,052 linear feet of storm sewer line in Fuqua Landing Section 2, and appropriate funds.			
<b>Amount &amp; Source of Funding:</b> \$430,489.32 Water & Sewer System Consolidated Construction Fund No. 8500 \$375,000.00 Homeless & Housing Consolidated Fund 4501 \$805,489.32 Total Appropriation			
<b>Specific Explanation:</b> <p>Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences.</p> <p>Middlebury Properties, L.P., proposes to construct approximately 3,187 linear feet of water line, 3,282 linear feet of sanitary sewer line and 3,052 linear feet of storm sewer line to serve the 125-lot subdivision, Fuqua Landing Section Two. The maximum amounts to be reimbursed are as follows:</p>			
<b>Required Authorization:</b> CUIC# 20JZC189			
<b>F &amp; A Budget:</b> 	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning & Development Services	

13

NOT

<b>Date:</b>	<b>Subject:</b> Developer Participation Contract between City of Houston and Middlebury Properties, L.P., for the construction of water, sanitary sewer and storm sewer lines.	<b>Originator's Initials</b>	<b>Page</b> 2 of 2
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Water

70% of construction cost (including interest & 5% contingency):	\$117,066.87
design cost:	<u>\$21,777.95</u>
total:	\$138,844.82

Wastewater

70% of construction cost (including interest & 5% contingency):	\$245,899.78
design cost:	<u>\$45,744.72</u>
total:	\$291,644.50

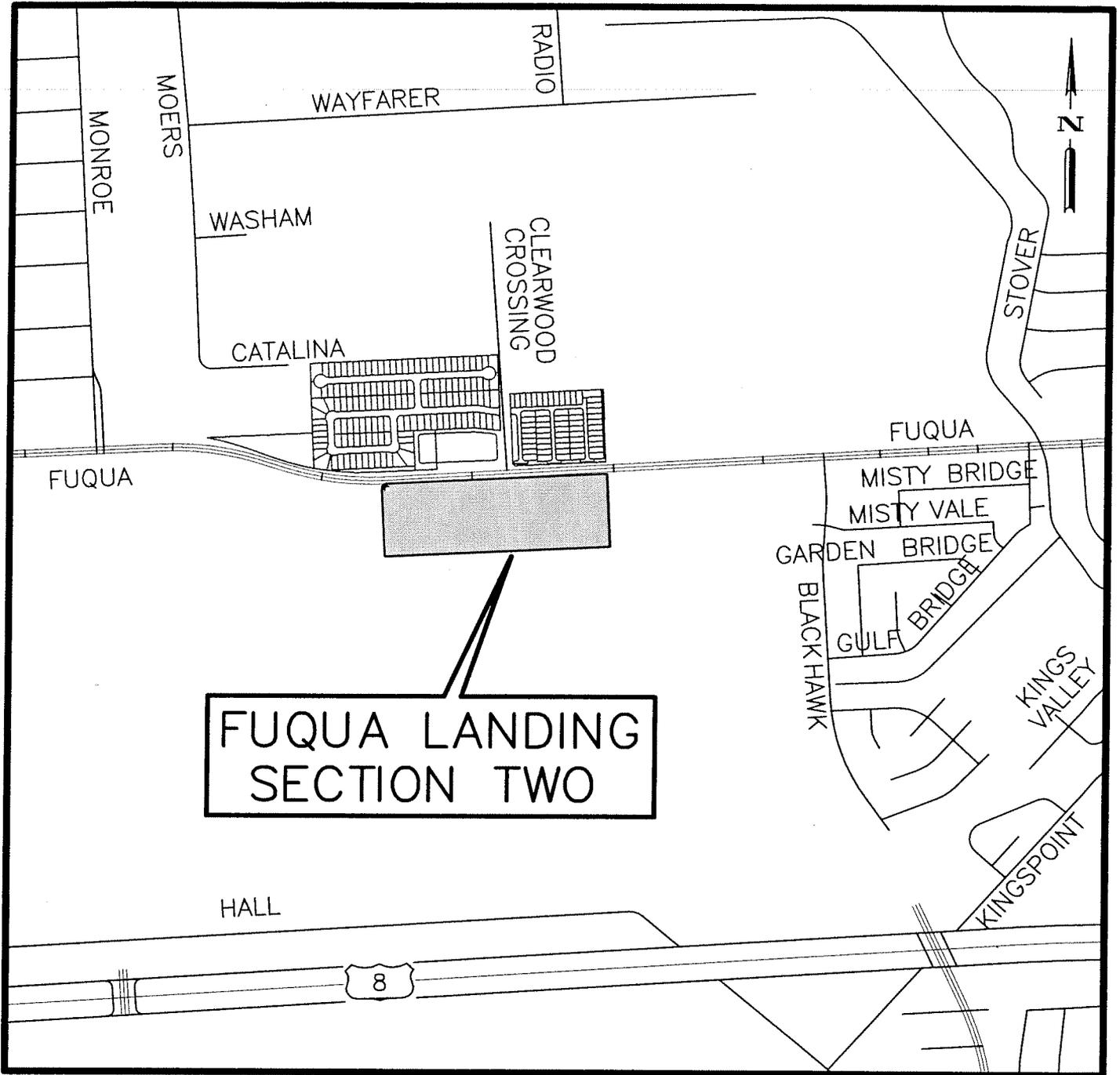
Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	\$318,750.00
design cost:	<u>\$56,250.00</u>
total:	\$375,000.00

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

c: Marty Stein  
Craig Foster  
John Sakolosky



# VICINITY MAP

N.T.S.

HARRIS COUNTY KEY MAP 575 U  
GIMS MAP 5651B & 5651D

<b>SUBJECT:</b> Developer Participation Contract between City of Houston and Middlebury Properties, L.P., for the construction of water, sanitary sewer and storm sewer lines.	Page 1 of 2	Agenda Item #
S-000800-00N1-4/ R-000800-00N1-4/ M-000800-00N1-4		<div style="border: 1px solid black; padding: 5px; display: inline-block;">                     54 <del>55</del> </div>

<b>FROM: (Department or other point of origin)</b>	<b>Origination Date:</b>	<b>Agenda Date:</b>
Department of Public Works & Engineering	5/31/07	<del>JUN 13 2007</del>

<b>Director's Signature:</b>	<b>Council District affected:</b>
 Michael S. Marcotte, P.E. DEE	E JUN 20 2007

<b>For additional information contact:</b>	<b>Date and identification of prior authorizing Council action:</b>
Jun Chang, P.E. ☞ (713) 837-0433	

**Recommendation: (Summary)**

Approve a Developer Participation Contract between the City and Middlebury Properties, LP., for the City to pay 70% of the cost to construct approximately 4,295 linear feet of water line, 3,953 linear feet of sanitary sewer line and 100% of the cost to construct 3,752 linear feet of storm sewer line in Clearwood Crossing Section 4, and appropriate funds.

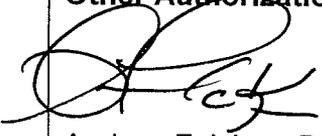
<b>Amount &amp; Source of Funding:</b>	\$461,639.06 Water & Sewer System Consolidated Construction Fund No. 8500
	\$420,000.00 Homeless & Housing Consolidated Fund 4501
	\$881,639.06 Total Appropriation

**Specific Explanation:**

Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences.

Middlebury Properties, L.P., proposes to construct approximately 4,295 linear feet of water line, 3,953 linear feet of sanitary sewer line and 3,752 linear feet of storm sewer line to serve the 140-lot subdivision, Clearwood Crossing Section Four. The maximum amounts to be reimbursed are as follows:

**REQUIRED AUTHORIZATION:** 20JZC188

<b>F&amp;A Budget:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
		 Andrew F. Icken, Deputy Director Planning & Development Services

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**SUBJECT:** Developer Participation Contract between City of Houston and Middlebury Properties, LP., for the construction of water and sanitary sewer.

**Originator's  
Initials**

**Page  
2 of 2**

**Water**

70% of construction cost (including interest & 5% contingency):	\$140,094.71
design cost:	<u>\$26,101.31</u>
total:	\$166,196.02

**Wastewater**

70% of construction cost (including interest & 5% contingency):	\$249,043.31
design cost:	<u>\$46,399.73</u>
total:	\$295,443.04

**Storm Sewer (Including appropriate detention)**

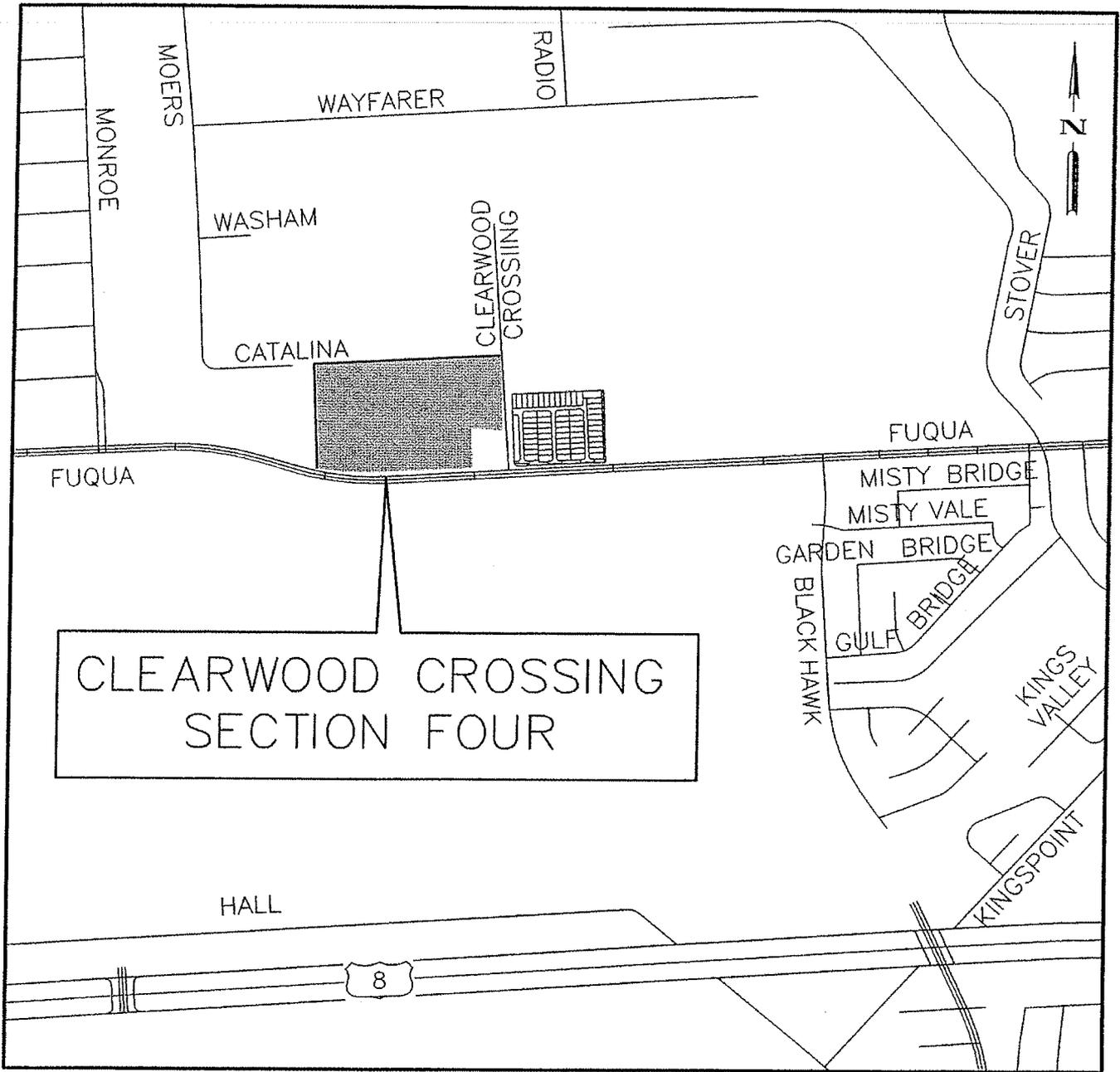
100% of construction cost (including interest & 5% contingency):	\$357,000.00
design cost:	<u>\$63,000.00</u>
total:	\$420,000.00

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

c: Marty Stein  
Craig Foster  
John Sakolosky

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# VICINITY MAP

N.T.S.

HARRIS COUNTY KEY MAP 575 U

GIMS MAP 5651B & 5651D

<b>SUBJECT:</b> Award Construction Contract Prime Contractors, Inc. Property Room Replacement WBS No. G-000101-0001-4	Page 1 of 2 <span style="font-size: 2em; border: 1px solid black; padding: 2px;">55</span>	Agenda Item <span style="font-size: 2em; border: 1px solid black; padding: 2px;">69</span>
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<b>FROM (Department or other point of origin):</b> Building Services Department	<b>Origination Date</b> June 5, 2007	<b>Agenda Date</b> <del>JUN 13 2007</del> JUN 20 2007
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<b>DIRECTOR'S SIGNATURE:</b> <i>Issa Z. Dadoush</i> 5/30/07 Issa Z. Dadoush, P.E.	<b>Council District:</b> H
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<b>For additional information contact:</b> Jacquelyn L. Nisby Phone: 713-247-1814	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Award construction contract and appropriate funds for the project.

<b>Amount and Source of Funding</b> \$11,736,304.84 Police Consolidated Construction Fund (4504)	<b>F&amp;A Budget:</b> <i>[Signature]</i>
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**SPECIFIC EXPLANATION:** The Building Services Department (BSD) recommends that City Council award a construction contract to Prime Contractors, Inc., on the negotiated amount of \$9,040,257.00 to provide construction services for the new Houston Police Department (HPD) Property Room. Prime Contractor, Inc. initially proposed \$8,770,000.00 for the project. However, BSD increased the original scope of work to enhance fire safety measures that include a fire pump, fire tank and emergency generator upgrade to support the additional equipment; thereby increasing the contract amount by \$270,257.00.

On March 23 and March 30, 2007, BSD advertised a Request for Competitive Sealed Proposals containing selection criteria that ranked respondents on price, experience, references, sub-contractors and schedule. The proposals were due on April 12, 2007, and only Prime Contractors, Inc., responded. Although it is a single proposal, BSD reviewed the price and confirmed that it is reasonable for the work.

**PROJECT LOCATION:** 1202 Washington Street (493L)

**PROJECT DESCRIPTION:** This project will replace the existing HPD Property Room with a new 32,676 sf interior one-story storage structure, 11,117 sf two-story office space; and 15,277 sf exterior covered storage; related parking and site work. The scope of work includes interior evidence storage for hand and long guns, electronic items, frozen and non-frozen biological specimens, general storage, and exterior storage for tires, bicycles, large machinery and flammable chemicals.

The contract duration for this project is 548 days. Page Southerland Page, LLP, is the design consultant and construction manager for the project.

**PROPOSAL:** The following single proposal was received on April 12, 2007:

**Proposer**  
 Prime Contractors, Inc.

**REQUIRED AUTHORIZATION** CUIC ID # 25VTN18

<b>Other Authorization:</b> <i>Wendy Teas Heger</i> Wendy Teas Heger, AIA, Chief of Design and Construction Division Building Services Department	<b>Other Authorization:</b> <i>Harold L. Hurtt</i> Harold L. Hurtt, Chief of Police Houston Police Department
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NOT

**AWARD:** It is recommended that City Council award the construction contract to Prime Contractors, Inc. and appropriate funds for the project, including additional appropriations of \$53,438.00 for engineering testing services under the existing contract with Terracon, Inc.; \$132,000.00 for construction management services under the existing contract with Page Southerland Page, LLP; \$1,742,952.26 to purchase high density storage shelves under TEXMAS Contract with Southwest Solutions Group/Spacesaver; and \$149,530.01 for office furniture under TEXMAS with Jimenez Contract Services, Ltd.

**FUNDING SUMMARY:**

\$ 9,040,257.00	Construction Contract Services
\$ 452,012.85	5% Contingency
<b>\$ 9,492,269.85</b>	<b>Total Contract Services</b>
\$ 166,114.72	Civic Art (1.75%)
\$ 53,438.00	Engineering Testing
\$ 132,000.00	Construction Management Services
\$ 1,742,952.26	High Density Storage Shelves
\$ 149,530.01	Office Furniture
<b>\$11,736,304.84</b>	<b>Total Appropriation</b>

**M/WBE PARTICIPATION:** Construction goals of 15% for M/WBE and 5% for SBE have been established for this contract. The contractor has submitted the following certified firms to achieve the goals.

<u>Firm (M/WDBE)</u>	<u>Scope of Work</u>	<u>Amount</u>	<u>% Of Contract</u>
Eagle Fabricators, Inc.	Steel Fabrication	\$ 267,630.00	2.96%
TAG Electric Company, Inc.	Electrical	\$1,176,623.00	13.02%
SAAB's Construction Company, Inc.	Masonry	\$ 60,000.00	0.66%
<b>TOTAL</b>		<b>\$1,504,253.00</b>	<b>16.64%</b>

<u>Firm (SBE)</u>	<u>Scope of Work</u>	<u>Amount</u>	<u>% Of Contract</u>
A & L Services, Inc.	Plumbing	\$ 344,257.00	3.81%
Eagle Fabricators, Inc.	Steel Fabrication	\$ 215,500.00	2.38%
<b>TOTAL</b>		<b>\$ 559,757.00</b>	<b>6.19%</b>

IZD:WTH:MCP:JLN:VTN:JW:mg

c : Marty Stein, Issa Z. Dadoush, P.E., Wendy Teas Heger, AIA, Chief Jack Williams, Jacquelyn L. Nisby, Gabriel Mussio, Joseph Kurian, Kim Nguyen, File

56  
JUN 20 2007

MOTION NO. 2007 0590

MOTION by Council Member Alvarado that the following item be postponed for one week:

Item 82 - Ordinance approving and authorizing contract between the City of Houston and Air Products and Chemicals, Inc., for Operation and Maintenance of Oxygen Plant, 69th Street Wastewater Treatment Facility for the Public Works Department; providing a maximum contract amount - 3 Years with two one-year options - \$8,492,400.00 - Enterprise Fund

Seconded by Council Member Garcia and carried.

Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell, Green and Berry voting aye  
Nays none

PASSED AND ADOPTED this 13th day of June, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is June 19, 2007.

City Secretary

**REQUEST FOR COUNCIL ACTION**

RCA# 7295

**TO:** Mayor via City Secretary

**Subject:** Approve an Ordinance Awarding a Contract to the Sole Respondent for Operation and Maintenance of the Pure Oxygen Plant for the Public Works and Engineering Department  
TC-6-0767-20863

Category #	Page 1 of 2	Agenda Item
4	56	8228

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

Calvin D. Wells  
City Purchasing Agent  
Finance and Administration Department

**Origination Date**

February 23, 2007

**Agenda Date**

~~JUN 19 2007~~  
~~JUN 16 2007~~  
JUN 20 2007

**DIRECTOR'S SIGNATURE**

*MS*  


**Council District(s) affected**  
All

**For additional information contact:**

Gary Norman Phone: (713) 837-7425  
Ray DuRousseau Phone: (713) 247-1735

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to the sole respondent, Air Products and Chemicals, Inc., in an amount not to exceed \$8,492,400.00 for operation and maintenance of the pure oxygen generating plant for the Public Works and Engineering Department.

Estimated Spending Authority: \$8,492,400.00

**F & A Budget**

\$8,492,400.00 Water and Sewer System Operating Fund (8300)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to extend, for a total five-year term, to Air Products and Chemicals, Inc. on its sole proposal in an amount not to exceed \$8,492,400.00 for the operation and maintenance of the pure oxygen generating plant at the 69<sup>th</sup> Street Wastewater Treatment Facility for the Public Works and Engineering Department. This contract is for the operation and maintenance of the cryogenic pure oxygen plant, which provides oxygen for the 69<sup>th</sup> Street Wastewater Treatment Facility.

The request for proposal (RFP) was advertised in accordance with the requirements of the State bid laws and one proposal was received. The Strategic Purchasing Division conducted a thorough search for additional vendors who could perform these services. Those vendors surveyed indicated that they did not have the technology and expertise to produce liquid oxygen and maintain a facility such as the 69<sup>th</sup> Street Wastewater Treatment Facility.

The scope of work requires the contractor to provide all labor, supplies, materials, equipment, transportation, and supervision necessary to operate the oxygen plant as well as perform preventative and remedial maintenance services to the oxygen plant.

**M/WBE Subcontracting**

This RFP was issued as a goal-oriented contract with a 3% M/WBE participation level. Air Products and Chemicals, Inc. has designated the following company as its certified M/WBE subcontractor:

<u>Subcontractor</u>	<u>Type of Work</u>	<u>Amount</u>
Facility Management Solutions, LLC.	Custodial Services	\$254,772.00

The Affirmative Action Division will monitor this contract.

Buyer: Richard Morris

**REQUIRED AUTHORIZATION**

F&A Director:	Other Authorization:	Other Authorization: <span style="float: right;">NDT</span>
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*MS*

3-7-07

Date: 2/23/2007	Subject: Approve an Ordinance Awarding a Contract to the Sole Respondent for Operation and Maintenance of the Pure Oxygen Plant for the Public Works and Engineering Department TC-6-0767-20863	Originator's Initials RM	Page 2 of 2
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<b>Estimated Spending Authority</b>			
<b>Department</b>	<b>FY 2007</b>	<b>Out Years</b>	<b>Total</b>
<b>Public Works &amp; Engineering</b>	<b>\$250,000.00</b>	<b>\$8,242,400.00</b>	<b>\$8,492,400.00</b>

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**Subject:** Adoption of the Interim Spending Plan Appropriation Ordinance for the Fiscal Year beginning July 1, 2007.

**Category #**

**Page 1 of 2 Agenda Item**

15777

**FROM (Department or other point of origin):**  
 Judy Gray Johnson, Director of Finance & Administration  
 Annise D. Parker, City Controller

**Origination Date:**  
 6/12/07

**Agenda Date:**  
 JUN 20 2007  
~~JUN 19 2007~~

**DIRECTOR'S SIGNATURE** *Annise D. Parker*

**Council District(s) affected:**

All

**For additional information contact:** Michelle Mitchell  
 Phone: 713-221-0935

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

**RECOMMENDATION: (Summary)**

City Council adopt an interim spending plan appropriation for FY2008, based on the FY2007 Budget.

**Amount of Funding:**  
 (See Below)

**F&A Budget:**

**SOURCE OF FUNDING:**                     General Fund                     Grant Fund                     Enterprise Fund

**Other (Specify)**                    (See Below)

**SPECIFIC EXPLANATION:**

The City adopts an interim-spending plan at the beginning of the fiscal year and it is recommended that the FY2007 General Appropriation serve as the basis for a spending plan for City operations beginning July 1, 2007. Exceptions are noted with asterisk. It is requested that the following amounts be appropriated to support this interim spending plan and, subsequently, the FY2008 Budget.

FUND	RECOMMENDED SPENDING
General Fund	\$1,689,519,338
Aviation	442,307,500
Convention & Entertainment Facilities-Operating Fund	83,010,790
Convention & Entertainment Parking Management	11,563,455**
Public Works & Engineering/Public Utilities – 701	636,723,843
Combined Utility System Operating - 702	256,413,813
Stormwater Fund	37,004,000
Digital Houston	564,161**
Houston Emergency Center	19,872,000
Cable Television	1,532,091 *
Courts Building Security Fund	1,404,539*
Municipal Courts Technology Fee	3,594,629*
Parks Special Revenue	6,882,880
Building Inspection	40,285,957
Sign Administration	3,577,013*
Asset Forfeiture	7,787,000*
Auto Dealers	4,270,390*
Child Safety Fund	3,040,000*
Police Special Services	13,261,174*
Supplemental Environmental Protection	256,000
Mobility Response Team	1,738,870
Houston TranStar Center	1,887,145
Waste Reduction Fund	4,786,700**
<b>Total</b>	<b>\$3,271,283,288</b>

\*Proposed FY2008 Budget Numbers & \*\* New Funds

<b>F&amp;A Director</b>	<b>Authorization</b>	<b>Other Authorization</b>

<b>Date:</b>	<b>Subject:</b> Adoption of the Interim Spending Plan Appropriation Ordinance for the Fiscal Year beginning July 1, 2007.	<b>Originator's Initials</b>	<b>Page 2 of 2</b>
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**Enterprise Related Funds**

Airport System Capital Outlay	7,470,196*
<del>Combined Utility System General Purpose Fund - 708</del>	<del>111,090,110</del>
<b>Total</b>	<b>\$118,560,306</b>

Proposed FY2008 Expenditures

This appropriation also provides spending authority for the Central Services Revolving Fund (\$233,798,606\*), Long-Term Disability (\$2,286,368\*), Fleet/Equipment Internal Service Fund (\$20,250,000\*\*), Workers Compensation (\$20,637,000), Health Benefits (\$249,330,071), Property & Casualty (\$29,617,176), and Fleet Management (\$31,258,096) and provides spending authority for the In-House Renovation Fund (\$2,540,000) and the CIP Salary Recovery Fund – 10D (\$32,940,798\*) subject to previously appropriated funds.

In additional to the proposed expenditures shown above:

Approval to appropriate \$3.3 million from the Limited Use Roadway & Mobility Capital Fund – 4034 and transfer to the following funds:

- \$1.5 million to In House Renovation Fund for the development of a Weatherization Program.
- \$950,000 to Mobility Response Team Fund for mobility plan which shall address mobility issues, such as traffic congestion, infrastructure, and storm drainage.
- \$873,200 to Parks Special Revenue Fund for replacement of lighting at the Mecon Fountain and update fitness equipment

Approval to create a new fund entitled Library Special Revenue Fund – It is a new Special Revenue Fund for the benefit of the Houston Pubic Library. The City has received \$829,060.86 from a trust created by the Last Will of Henry Slaughter for the trust and benefit of the Library. It is further requested that approximately \$65,000 be appropriated and repaid to Property & Casualty out of these funds for cost and fees associated with the recovery.

Total funds included in this appropriation request cover maintenance and operating expenditures as well as interfund transfers.

cc: Marty Stein, Mayor's Office  
 Arturo Michel, City Attorney

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**Subject:** Ordinance approving Annual Budget for Fiscal Year 2008 (July 1, 2007- June 30, 2008)

**Category #**

**Page 1 of 3**

**Agenda Item**

58A 73

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

Judy Gray Johnson  
Director, Finance & Administration

**Origination Date:**  
June 7, 2007

**Agenda Date**

JUN 20 2007  
~~JUN 19 2007~~

**DIRECTOR'S SIGNATURE**

*Judy Gray Johnson*

For additional information contact: Michelle Mitchell  
Phone: 713-221-0935

**Council District(s) affected:**

All

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

**RECOMMENDATION: (Summary)**

Adopt an ordinance approving the Annual Budget of the City of Houston Fiscal Year 2007 (July 1, 2007 – June 30, 2008) and establish a charge of \$35.00 for purchase by the public.

**Amount of Funding:**

N/A

**F&A Budget:**

**SOURCE OF FUNDING:**

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

N/A

**SPECIFIC EXPLANATION:**

Beginning May 29, 2007, City Council's Budget and Fiscal Affairs Committee hosted a series of budget workshops to review and discuss the proposed Fiscal Year 2008 operating budget. The proposed budget was distributed to City Council on May 16, 2007, in accordance with the City Charter. The proposed budget for all funds total approximately \$3.9 billion, which includes a General Fund budget of approximately \$2 billion.

Since the proposed budget was introduced on May 16, 2007, we have additional information on some of our resources. We are increasing our estimate for Property Tax Revenue by \$10 million and decreasing our estimate on Sales Tax Revenue by \$10 million.

The budget ordinance includes the following provisions:

- The proposed budget includes re-designation of the cash reserve of \$20 million for the Rainy Day Fund.
- Approval for budget transfers of up to 5% of a "budget expenditure group" between departments within a fund without further City Council approval.
- Approval of the inclusion in the Adopted Budget the audited FY2006 information, if available, at time of printing.
- Approval for budget transfers of up to \$6,622,443 from General Government to General Fund departments without further City Council approval if the amount budgeted by those departments in the FY08 Adopted Budget is insufficient to pay actual expenses for electricity, fuel, natural gas or other expenses for which the budget is inadequate to pay actual expenses.
- Approval for budget transfers of up to \$4,977,552 from General Government without further City Council approval to various General Fund departments for 611 Walker lease payments.
- Approval for budget transfers of up to \$20,250,000 from General Fund Debt Service without further City Council approval to various General Fund departments for debt payments on fleet.

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

- Approval to increase the budget and appropriation for the Aviation Revenue Fund (fund 501) for transfer to the Airport Capital Outlay Fund (fund 562) only in an amount equivalent to revenue increases as certified by the Controller without further approval by City Council.
- Approval to increase the budget and appropriation for the Water and Sewer Operating Fund (fund 701) and the appropriation and budget for the Combined Utility System Operating Fund (fund 702) only in an amount equivalent to revenue increases as certified by the Controller without further approval by City Council but only for transfer of an equivalent amount to the Combined Utility System General Purpose Fund (fund 708).
- Approval to increase the allocation for all revolving funds and Internal Service Funds as needed without City Council approval if sufficient budget exists in other funds.
- Approval to create Four new funds with defined purposes for each fund:
  1. Fleet/Equipment Fund is a new Internal Service Fund included in the operating budget to account for the costs of equipment acquisition and charge the operating departments a capital charge for the debt payments made on their vehicles.
  2. Waste Reduction Fund is a new Special Revenue Fund included in the operating budget and will be managed by Solid Waste. The budget does not authorize any waste reduction fee and no expenditure of funds from the Waste Reduction Special Revenue Fund is authorized unless and until City Council approves and authorizes a waste reduction fee under separate ordinance.
  3. Digital Houston is a new Special Revenue Fund included in the operating budget and will be managed by Information Technology created to receive payments by Earthlink for use of City property as wireless network mounting platforms. Authorization to advance from the General Fund fund balance to Digital Houston Special Revenue Fund \$564,161 to be repaid from revenues.
  4. Convention & Entertainment Parking Management Operating Fund is a new Enterprise Fund included in the operating budget to support the activities of the Parking Management Division.

The budget totals include maintenance and operation expenditures, inter-fund transfers, and operating and capital reserves, as well as planned ending fund balances.

The proposed budget does not include the budgets for the tax increment reinvestment zones. These will be brought before City Council in a separate action.

It is recommended that a charge be established to the public of \$35.00 plus tax and postage per set be established for the purchase of the budget document. Copies will also be available for review in the main library as well as the Internet, accessible through the City's home page located at <http://www.houstontx.gov/budget/index.html>.

The Proposed Fiscal Year 2008 Budget is recommended for approval as follows on the next page.

c: Marty Stein, Mayor's Office  
Arturo Michel, City Attorney

<b>GENERAL FUND, ENTERPRISE, &amp; SPECIAL REVENUE FUNDS</b>	<b>\$ AMOUNT</b>
General Fund	1,959,056,613
Aviation	464,492,800
Convention and Entertainment Facilities	103,312,408
Convention and Entertainment Parking Management Operating Fund	11,628,823
Public Works & Engineering Water & Sewer System Operating Fund	778,010,620
Combined Utility System Operating Fund	372,112,851
Stormwater Fund	40,319,750
Digital Houston	564,161*
Houston Emergency Center	21,524,129
Cable Television	2,206,400
Municipal Courts Building Security Fund	1,741,315
Municipal Courts Technology Fee Fund	4,372,789
Parks Special Revenue	10,205,657
Building Inspection	51,606,088
Sign Administration	4,295,368
Asset Forfeiture	7,787,000
Auto Dealers	5,317,717
Child Safety Fund	3,040,000
Police Special Services	18,735,157
Supplemental Environmental Protection Fund	542,533
Houston TranStar Center	2,048,463
Mobility Response Team Fund	10,859,734
Waste Reduction Fund	<u>4,831,000</u>
Total	3,878,611,376
<b><u>Enterprise Related Funds</u></b>	
Airport System Capital Outlay	7,470,196
Combined Utility System General Purpose Fund	<u>368,544,669</u>
Total	376,014,865
<b><u>Internal Service Funds</u></b>	
Fleet/Equipment Acquisition Fund	20,250,000
Health Benefits	274,217,943
Long Term Disability	<u>3,646,342</u>
Total	298,114,285
<b><u>Revolving Funds</u></b>	
Central Services	233,798,606
In-House Renovation	4,061,161
CIP Salary Recovery	32,940,798
Fleet Management	31,652,043
Property and Casualty	31,419,398
Workers Compensation	<u>24,674,696</u>
Total	358,546,702

\*\$564,161 to be advanced from the General Fund fund balance as a loan to be repaid with revenues