

**CITY COUNCIL CHAMBER – CITY HALL 2nd FLOOR – TUESDAY
SEPTEMBER 11, 2007 - 2:00 P.M.**

AGENDA

3MIN.

3MIN.

3MIN.

NON-AGENDA

3MIN.

3MIN.

3MIN.

MR. JOSEPH CHASE II – 4640 Main Ste. 265 – 77002 – 713-823-6211 – Impeachment

MS. TERRI SPURLING – 1816 N. MacGregor Way – 77023 – 713-928-6273 – Numerous calls to 311 – I need request completed not closed

MS. SHARON LAUDER – 37½ W. 19 – 77008 – 713-862-9603 – Newsrack Ordinance

MR. DOMINICK LANZANO – Post Office Box 941826 – 77094 – 732-222-3411 – Fuqua is collapsing

MS. CLEO GLENN MCLAUGHLIN – 2606 Gregg – 77026 – 713-524-5767 – G. A. L. A.

MR/COACH R. J. BOBBY TAYLOR - 3107 Sumpter – 77026 – 202-FA3-4511 – Behavior, Coward, Conspiracy Campo Sheet Metal, Workers using People Children

MR. PATRICK FRESE – 914 Main – 77002 – 713-650-3905 – Parking garage 820 Main St.

MR. ROY GALLOWAY – 9003 Ledge – 77075 – 713-834-2135 – Happenings on Moseley

MS. KAREN BECER – 3401 Louisiana, No. 460 – 713-527-0702 – Small Business Contract Compliance

MR. ELVIN GALLIEN – 6732 Lozier – 77021 – 713-747-7657 – Bicycles around town after hours

PREVIOUS

1MIN.

1MIN.

1 MIN.

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 - 832-453-6376 – C/Houston – H/County Population – 911 – Calls Mandatory vs. – G/Mafia Terrorist/Headquarters

MR. DENNIS LEIBHAM – 1617 Fannin – 77002 – 713-751-0067 – Drop Bush from Intercontinental

SUBJECT: Ordinance approving amendments to Chapter 42, Code of Ordinances.		Category #	Page 1 of 1	Agenda Item # 1
FROM (Department or other point of origin): Department of Planning and Development		Origination Date 09-05-07		Agenda Date SEP 12 2007
DIRECTOR'S SIGNATURE: <i>Martyn Stein</i>		Council District affected: All		
For additional information contact: Marlene Gafrick Phone: x7-7760		Date and identification of prior authorizing Council action: 3/24/99, Ord. No. 99-262 3/20/07, Ord. 2007-0297		
RECOMMENDATION: (Summary) Approval of an ordinance to amend Chapter 42 relating to Section 42-42-135 and 42-165 stub streets; Section 42-235 fire protection performance standards and Section 42-194 minimum lot size.				
Amount and Source of Funding: NA		<i>Hearing Only</i>		F & A Budget:
SPECIFIC EXPLANATION: The Planning Commission's Programmatic Committee made recommendations to the Planning Commission on amendments to Chapter 42 covering the extension of dead end streets and fire protection performance standards. Hearings have been held by the Planning Commission and the Regulation and Neighborhood Protection and Development Committee. The Programmatic Committee recommended the following actions: a) Currently, all dead end streets are required to extend into adjacent property or be terminated in a suitable turnaround (i.e. cul-de-sac). The recommendation is to allow a dead end street to remain a dead end street if certain conditions are met. b) Establish a building line at the end of a stub 10 feet from the end of the stub street and 10 feet on either side and require the builder to build a wood or masonry opaque fence. c) Bring the fire protection performance standards for multi-family projects in Chapter 42 in compliance with fire code requirements that includes location of fire hydrants and fire truck access to fire hydrants, requirements for fire lanes, turnarounds for fire vehicles and access through 9-1-1 gates. In addition, Planning Commission requested changes be made to minimum lot size section to preserve the single family residential use within designated areas. It is proposed that Section of 42-194 be amended by adding a new section (k) with the following requirement: A subdivision plat or development plat shall not be approved unless the plat preserves the single family residential use of the lot or tract that was used as single family residential at the time the completed application was filed and provides for the development as single family residential of a lot or tract that was vacant unless that lot or tract was restricted to any use other than single family residential. Property developed with non-single family residential is not subject to this provision. Single family residential means one residence or one residence with a granny flat/ garage apartment or duplex. Under Section 42-81 The Planning Commission is authorized to grant variances to use but not the lot size. cc: Marty Stein, Agenda Director Arturo Michel, City Attorney Deborah McAbee, Legal Department Dr. Carol Lewis, Houston Planning Commission				
REQUIRED AUTHORIZATION				
F & A Director:		Other Authorization:		Other Authorization:



BILL WHITE
MAYOR
August 31, 2007

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

COPY TO EACH MEMBER OF COUNCIL:
CITY SECRETARY: ✓ DATE: 8-31-07
COUNCIL MEMBER: _____

2
SEP 12 2007

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to Texas Tax Code, Chapter 311, and City of Houston Ordinance 96-1337, I am nominating the following individuals for appointment to the Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights) Board of Directors, subject to Council confirmation:

- Mr. Curtis Michael Garver, appointment to Position One, for a term to expire December 31, 2008;
- Ms. Ann Lents, appointment to Position Two, for a term to expire December 31, 2007; and
- Mr. Alejandro Colom, appointment to Position Five, for a term to expire December 31, 2008.

Pursuant to the bylaws of the Memorial Heights Redevelopment Authority, appointment of a member to the Board of Directors of this Zone will also constitute appointment of the appointee to the corresponding position on the Board of Directors of the Authority for the same term.

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

Sincerely,
Bill White
Bill White
Mayor

BW:CC:jsk

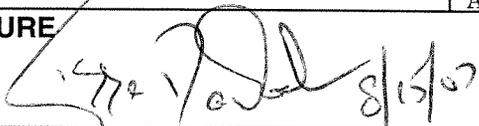
Attachments

cc: Mr. Robert Fiederlein, Special Assistant to the Mayor for TIRZ's



SUBJECT: Accept Work Arrow Services, Inc. Asbestos Abatement and Demolition at HPD Garage 1202 Washington Avenue. WBS No. G-000101-0001-3	Page 1 of 1	Agenda Item 
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FROM (Department or other point of origin): General Services Department	Origination Date August 31, 2007	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE  Issa Z. Dadoush, P.E.	Council District(s) affected: H
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For additional information contact: Jacquelyn L. Nisby Phone: 713- 247-1814	Date and identification of prior authorizing Council action: Ordinance: 06-0929 Date: 09/13/06
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RECOMMENDATION: Pass a motion approving the final contract amount of \$704,273.78, accept the work and authorize final payment.

Amount and Source Of Funding: No Additional Funding Required Previous Funding: \$ 780,420.00 Police Consolidated Construction Fund 4504.	F & A Budget:
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SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$704,273.78, or 0.55% over the original contract amount, accept the work and authorize final payment to Arrow Services, Inc. for asbestos abatement and demolition at the Houston Police Department (HPD) garage.

PROJECT LOCATION: 1202 Washington Avenue.
 Houston, Texas (Key Map 493-K)

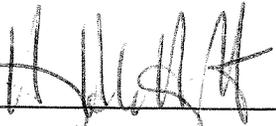
PROJECT DESCRIPTION: This project prepared the site for construction of the HPD Property Room. The scope of work consisted of asbestos/lead abatement, demolition, soil remediation, underground storage tank removal, data cable relocation, waste classification, loading, hauling and proper disposal of excavated material.

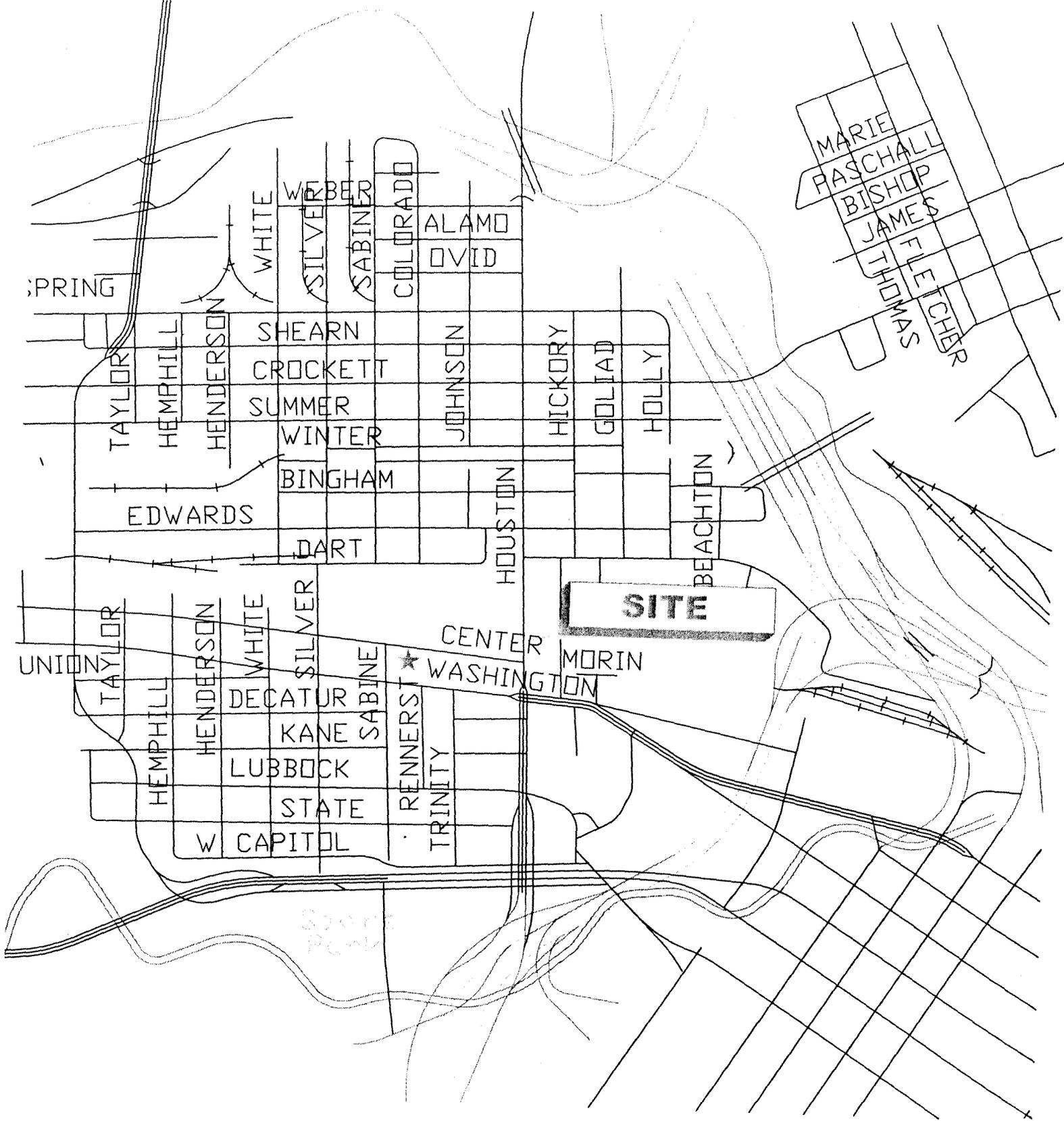
CONTRACT COMPLETION AND COST: The contractor completed the work within the contract time, plus 290 additional days allowed by Change Orders 1-7. The final cost of the project, including Change Orders 1-7 is \$704,273.78, an increase of \$3,873.78 over the original contract amount.

PREVIOUS CHANGE ORDERS: Change Orders 1-7 are primarily the result of unforeseen site conditions. During excavation, the contractor discovered four 10,000 gallon underground storage tanks resulting in the removal of an additional 8,400 cubic yards of soil excavation and removal of several large monolithic blocks of concrete. Change Orders 1-7 compensated the contractor for additional work and granted a non-compensable time extension for inclement weather.

IZD:WTH:JLN:GM:FK:fk
 c: Marty Stein, Jacquelyn L. Nisby, Velma Laws, Gabriel Mussio, File

REQUIRED AUTHORIZATION CUIC#25GM158

General Services Department:  Wendy Teas Heger, AIA Chief of Design and Construction Division	Other Authorization:	Houston Police Department  Harold L. Hurtt Chief of Police
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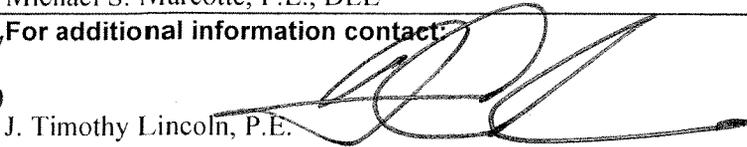
**ASBESTOS ABATEMENT AND DEMOLITION-HPD GARAGE
1202 WASHINGTON AVE**

COUNCIL DISTRICT "H"

KEY MAP NO. 193 K

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Storm Sewer Improvements for the Kashmere Area, WBS No. M-000184-0001-4.		Page 1 of 2	Agenda Item # 4
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 9/6/07	Agenda Date SEP 12 2007
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE		Council District affected: B <i>JK S.Y.A.</i>	
For additional information contact: <i>MS</i>  J. Timothy Lincoln, P.E. Senior Assistant Director Phone: (713) 837-7074		Date and identification of prior authorizing Council action: <i>JK S.Y.A.</i> Ord. #2005-812 dated 06/22/2005	
RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$4,035,124.95 or 17.64% under the original Contract Amount, accept the Work and authorize final payment.			
Amount and Source of Funding: No additional funding required. Total Original appropriation of \$5,773,800.00; with \$3,069,943.91 from the Drainage Improvements Commercial Paper Series F, Fund No. 49R, \$910,700.00 from the Water and Sewer System Consolidated Construction Fund No. 755 and \$1,793,156.09 from the Community Development Block Grant Fund:			
SPECIFIC EXPLANATION:			
PROJECT NOTICE/JUSTIFICATION: This project was part of the Storm Drainage Capital Improvement Plan (CIP) and was required to provide drainage improvements to alleviate flooding due to insufficient pipe capacity in this subdivision.			
DESCRIPTION/SCOPE: The project consists of approximately 300 linear feet of reinforced concrete box sewers, 5,800 linear feet of 60-inch, 54-inch, 42-inch, 36-inch, 30-inch and 24-inch storm sewers, 4650 linear feet of waterline replacement, concrete curb and gutter roadway reconstruction, sidewalks, and wastewater replacement. SES Horizon Consulting Engineers, Inc. designed the project with 485 calendar days allowed for construction. The project was awarded to Bearden Contracting Company with an original Contract Amount of \$4,899,417.00.			
LOCATION: The project area is generally bounded by Crane Street on the north, Liberty Road on the south, Altoona/Hirsch Road on the east and Kashmere Street on the west. The project is located in Key Map grids 454-X and 494-B.			
CONTRACT COMPLETION AND COST: The Contractor, Bearden Contracting Company has completed the work under the subject Contract. The project was completed within the Contract Time allowed. The final cost of the project, including overrun and underrun of estimated bid quantities will be \$4,035,124.95, a decrease of \$864,292.05 or 17.64% under the original Contract Amount.			
REQUIRED AUTHORIZATION			CUIC ID# 20SXA04
A Budget:	Other Authorization:	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division	NOT

Date:	SUBJECT: Accept Work for Storm Sewer Improvements for the Kashmere Area, WBS No. M-000184-0001-4.	Originator's Initials	Page 2 of 2
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The decreased cost is primarily a result of the differences between planned and measured quantities. This decrease is primarily a result of an underrun in Bid Item No. 13 – Ground water control for open-cut construction, Bid Item No. 18 – Transportation and disposal of category I soil, Bid Item No. 19 – Transportation and disposal of category II soil, Bid Item No. 20 – Transportation and disposal contaminated groundwater, Bid Item No. 119 – 8-foot by 8-foot storm box sewer by open cut (RCB) (PPCA), Bid Item No. 132 – 6” Diameter sanitary sewer by pipe augering, Bid Item No. 137 – Service stubs or reconnections including construction of stack on 8-inch diameter sanitary sewer, Bid Item No. 138 – Service stubs or reconnections including construction of stack on 10-inch diameter sanitary sewer, Bid Item No. 144 – 8” water main by augering, Bid Item No. 178 – Relocate and reinstall meter with new box, Bid Item No. 186 – Extra cement-stabilized sand, and Bid Item No. 192 – Early completion incentive (\$1000.00 per day; maximum 60 days) which were not necessary to complete the work.

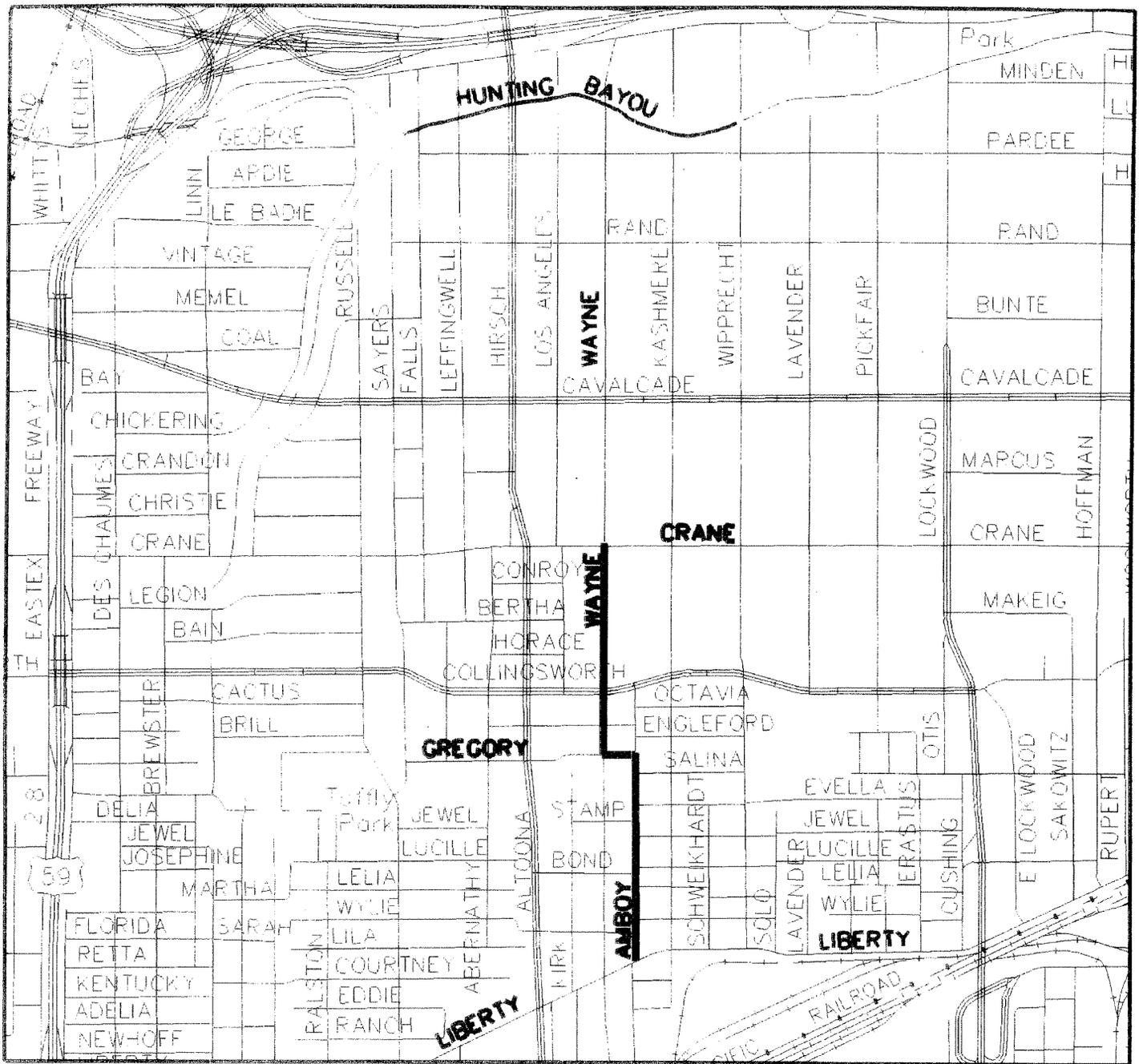
M/WBE PARTICIPATION: The M/WBE goal for this project was 17.00%. According to the Department of Housing and Community Development, the participation was 18.80%. Contractor’s M/WBE performance evaluation was rated satisfactory.



MSM:DWK:JTL:JK:SXA: ha

S:\E&C Construction\East Sector\PROJECTS\M-000184-0001-4 Kashmere SS\Accept Work RCA.doc

- c: Michael Ho, P.E.
- Velma Laws
- Marty Stein
- Craig Foster
- Richard S. Celli, HCD
- File No. SM5034. CLOSE OUT

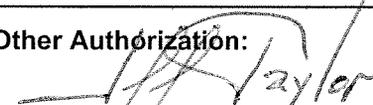


VICINITY MAP

KEY MAP NO 494B & 454X
 GIMS MAP NO. 454T, 454X, 494B

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Sanitary Sewer Repairs by Point Repair Method (Maintenance Repair Contract) WBS# R-000266-0070-4		Page 1 of <u>1</u>	Agenda Item # 5
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 7/12/07	Agenda Date SEP 12 2007
DIRECTOR'S SIGNATURE: <i>MS</i>  Michael S. Marcotte, P.E., DEE, Director		Council District affected: All	
For additional information contact: Roger Whitney, P.E. Sr. Assistant Director Phone: (713) 641-9198		Date and identification of prior authorizing Council action: Ordinance No. 1997-787 dated, 6/25/1997	
RECOMMENDATION: (Summary) Pass a motion to approve the final contract amount of \$1,323,201.05, which is approximately 1.94% over the original Contract Amount, accept the Work, and authorize final payment.			
Amount and Source of Funding: No additional Funding Required. Original appropriations of \$1,466,740.00 from Water and Sewer System Consolidated Construction Fund No. 755.			F&A Budget:
SPECIFIC EXPLANATION: PROJECT NOTICE/JUSTIFICATION: This project was an Annual Service Agreement to provide sanitary sewer rehabilitation to deteriorated sewer collection systems throughout the City. DESCRIPTION/SCOPE: This project consisted of emergency repairs of sanitary sewer lines by point repair method, required anywhere in the city limits. The project was awarded to D.E. Williams Contracting Company, Inc., with an original contract amount of \$1,298,000.00. The Notice to Proceed date was August 4, 1997. The final completion date was August 25, 2000. LOCATION: The project was located at various locations within all Council Districts. CONTRACT COMPLETION AND COST: The Contractor, D.E. Williams Contracting Company, Inc. has completed the work under the subject contract. The project was completed within the contract time. Final completion was awarded on 08/25/2000, the contract end date. The final cost of the project is \$1,323,201.05, including \$3,000.00 allowed by Change Order No. 1. The final cost of the project is approximately 1.94% over the original contract amount. More pipe replacements, saw cuts and concrete/asphalt pavement repairs were actually made than anticipated. M/WDBE PARTICIPATION: The M/WDBE participation goal for this project was 12%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 1.46%. The contractor was given a "Satisfactory" rating by Affirmative Action and Contract Compliance Division due to extenuating circumstances. MSM:JT:RBW:JGM:FOS:jsc Attachments c: Velma Laws Michael Ho, P.E. Craig Foster			
Project File 4235-7		REQUIRED AUTHORIZATION	
F&A Director:		Other Authorization:	
		 Jeff Taylor, Deputy Director Public Utilities Division	

4235-7		Accept Work for Sanitary Sewer		
		Maintenance Repairs by Point Repair Method		
GFS No. R-0266-70-3		DEW Construction		
WORK ORDER	KEY MAP	Street	BASIN	CD
3	451B	GOLDEN FOREST	NW138	A
4	450M	MAYSEL	NW171	A
9	449Y	BRITTMORE RD	WDP15	A
33	450P	SPRINGROCK	WD052	A
57	490P	KNIPP ROAD	WD114	A
84	489N	SUGAR SPRINGS DR	TK219	A
98	450F	GESSNER	WDP09	A
105	410X	ROTHWAY	NW147	A
106	489N	SPRING DR	TK219	A
127	449U	WARWANA	WD080	A
129	450F	CASA LOMA	NW177	A
135	452S	BROOKTREE	IA054	A
15	412Q	MARCOLIN	II084	B
16	412Q	ELLINGTON	II089	B
17	412Q	DEWALT	II089	B
22	455G	MESTINA	FB016	B
58	455K	GREEN RIVER	FB020	B
96	456R	WILEYWOOD	HW001	B
121	455G	TALTON	FBP07	B
142	455G	BURL	FBP07	B
150	412U	SOUTHLANE	II088	B
159	412V	SOUTH VICTORY	II083	B
10	490X	JARVIS STREET	WD103	C
11	490X	JARVIS STREET	WD103	C
12	490X	JARVIS STREET	WD103	C
18	530L	FONDREN	KB308	C
19	531U	W. BELLFORT	SW004	C
20	531T	CHIMNEY ROCK	SW248	C
21	531Q	ENDICOTT LANE	SW243	C
31	529N	BARRETT BRAE	BW234	C
32	492Z	MANDELL ST	AS075	C
35	529S	CREEKHURST	WJ275	C
41	531U	QUEENSLOCH	SW025	C
42	489U	MEADOWLAKE LANE	WD032	C
44	531S	MULLINS	SW250	C
45	531S	WIGTON	SW250	C
49	531T	RUTHERGLENN	SW249	C
50	489J	WOODLAND PARK DR	TK208	C
52	532N	STEEL F.M.	SWP033	C
53	532S	WOODWIND DR	SW213C	C
59	493S	WAUGH CREST DR.	493S	C
78	491S	CHEVY CHASE DR	WD111	C
99	492S	LAS PALMAS	AS056	C
122	531Y	WOODPECKER	SW006	C

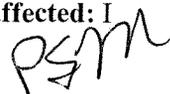
130	491S	WINROCK BLVD	WD111	C
136	532K	WINSLOW	SW217	C
137	532K	GREENBUSH	SW217	C
138	490V	MEADOWBRIAR LANE	WD137	C
144	532J	GRENNOC	SW202	C
145	532J	STELLA LINK	SW202	C
155	532F	BELLEFONTAINE	SW205	C
156	531P	DARNELL	SW246	C
2	533V	SUNFLOWER	CH006	D
8	533V	WEST LITTLE YORK	NW159	D
13	488F	WALKWOOD COURT	MD010	D
39	533Y	MAGGIE	CH005	D
40	533Y	PHLOX	CH005	D
43	571W	WEST FUQUA	GR001	D
54A	573H	SIMS	CHP03	D
54	573H	AIRPORT BLVD	CHP03	D
55	572Y	DANFIELD	AS024	D
60	573H	PALISADE	CHP03	D
61	573H	PARADISE	CHP03	D
63	492R	WELCH	AS091	D
65	572V	CANTERWELL	AS022	D
66	572V	MONARCH	AS022	D
67	572V	SCHURMIER	AS022	D
76	571X	RIDGECREEK	GR009	D
82	533A	LAMAR FLEMING	AS031	D
85	533Q	ST. AUGSTINE	SB171	D
86	571X	COURT RD.	GR010	D
87	570C	SOUTHMEADOW	SW056	D
88	533N	NAOMI	SB186	D
94	493W	SAN JACINTO ST	AS073	D
95	532H	UNIVERSITY BLVD	AS032	D
100	493J,N	STANFORDS	I173	D
108	571S	CHASEWOOD	GRP04	D
131	572S	WEST FUQUA	WE002	D
139	493N	WEST GRAY	AS088	D
140	572S	SMOOTH OAK LA	WE012	D
143	533P	SPRING HILL ST	SB181	D
149	533F,K	ALLEGHEY ST	SB196	D
153	533B	CHARTRES	SB164	D
154	487C	PARK ROW	PT001	D
167	573B	CHESTERFIELD	AS092	D
168	573B	FAIRLAND	AS092	D
169	573B	FAIRLAND	AS092	D
170	573B	CHESTERFIELD	AS092	D
5	576E	ARROW	WC007	E
23	536S	LAUREL CREEK WAY	SBP09	E
27	534Y	ROXBURY	SBP17	E
28	534Y	LUCE	SBP17	E
46	576E	SULPHUR	WC007	E
47	576S	RAMEY	SEP01	E

62	576W	NEWTON	SEP01	E
71	575H	RADIO RD	EH344	E
72	575H	ARLEDGE	EH344	E
73	575H	HOLLOCK	EH346	E
74	575H	MELDRUM	EH346	E
75	575G	HANSEN	EH344	E
77	576J	GULF FREEWAY	EH345	E
79	575H	KLONDIKE	EH346	E
109	575T	GULF SPRING	GMP02	E
110	575T	GULF SPRING	GMP02	E
111	575T	GULF TREE	GMP02	E
112	575T	LITTLE AVE.	GMP02	E
113	535N	DE LEON	SB032	E
114	535N	COLGATE	SB032	E
115	575P	ELLINGTON	SB057	E
117	535N	PARK PLACE BLVD	SB032	E
118	535N	PARK PLACE BLVD	SB032	E
119	535N	OAK VISTA	SB032	E
128	496L	YANCY	NE011	E
146	493T	ROSALIE	II170	E
162	575M	TAVENOR ST	EHU343	E
14	529K	STROUD	BW231	F
26	530L	BARBERTON DRIVE	KB308	F
38	528M	TREEWATER	BW230	F
90	529E	HIGH STAR	BW236	F
93	530G	MARINETTE DR	SW039	F
97	529F	BANEWAY	BW232	F
102	529L	SHARPVUE	BW231	F
103	529B	HIGH STAR	BW238	F
116	529F	ROWAN	BW232	F
132	529K	BOONE	BW231	F
147	529K	BOONE	BW231	F
148	529J,K	STROUD	BW232	F
24	491K	ROCKY RIVER ROAD	SW241	G
25	491K	PINE SHADOWS	SW241	G
37	489N	CRYSTAL HILL DR	TK212	G
48	489C	BRITTMORE RD	WD082	G
51	490N	BRIAR PARK	WD096	G
68	488F	LANGBOURNE DR	TK225	G
69	488F	SWISS HILL DR	TK225	G
70	488F	BUFFALO BAYOU	TK225	G
80	489U	MEADOWLAKE LANE	WD032	G
83	488Y	TRUCKEE DR	AR003	G
89	489U	WALNUT BEND LN	WD032	G
91	489N	WALNUT BEND LN	WD029	G
92	489N	WALNUT BEND LN	WD029	G
104	490V	STONEY BROOK	WD110	G
133	492P	INWOOD DR	AS060	G
134	490V	BURGOYNE	WD105	G
157	488Z	RICHMOND AVE.	AR001	G

163	489T	PIPING ROCK	TK208	G
166	489Q	BLUE WILLOW DR	WD030	G
6	493B	LAEKSPUR	CH005	H
7	493B	EUCLID	II115	H
29	453H	SADLER	IB072	H
30	412V	EAST LITTLE YORK RD	II053	H
36	493D	CETTI	IIP23	H
56	492P	INWOOD DR	AS061	H
64	453N	ABANDONED	II056	H
81	492P	DEL MONTE	AS060	H
107	372P,T	GREENSPARKWAY	NG000	H
124	413X	SOREN	II043	H
125	413X	PARKER RD	II043	H
126	413X	PARKER RD	II043	H
34	611B	72ND ST	IBU02	I
101	452R	DORCHESTER	II024	I
123	495S	NAVIGATION	IB013	I
141	535B	BROADWAY	SB074	I
151	494Z	WALKER	IBU02	I
152	495X	AVE. B	IB008	I
158	535B	ENDOR	SB074	I
160	535B	SYCAMORE	SB074	I
161	494N	GARROW	II265	I
164	493M	PRAIRIE	IIP42	I
165	493L	MCKINNEY	IIP19	I

SUBJECT: Request for a council motion declining the acceptance of, rejecting, and refusing the dedication of South B Street, from 75 th Street to its terminus, in exchange for the conveyance to the City of a 5-foot-wide sanitary sewer easement, both located in the Magnolia Terrace Subdivision, out of the S.M. Williams Survey, A-87. Parcels SY7-054 and DY7-032	Category # 7	Page <u>1</u> of <u>2</u>	Agenda Item # 6
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 9/6/07	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: I Key Map 495V 
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For additional information contact: Nancy P. Collins  Phone: (713) 837-0881 Senior Assistant Director-Real Estate	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary) It is recommended City Council approve a council motion declining the acceptance of, rejecting, and refusing the dedication of South B Street, from 75th Street to its terminus, in exchange for the conveyance to the City of a 5-foot-wide sanitary sewer easement, both located in the Magnolia Terrace Subdivision, out of the S.M. Williams Survey, A-87. **Parcels SY7-054 and DY7-032**

Amount and Source of Funding: Not Applicable	F & A Budget:
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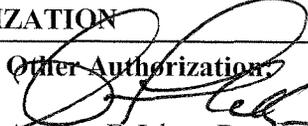
SPECIFIC EXPLANATION:
 Jose Garcia and Ana J. De Los Salmenes, 9747 Kirkville, Houston, Texas 77084, requested the abandonment and sale of South B Street, from 75th Street to its terminus, located in the Magnolia Terrace Subdivision, out of the S.M. Williams Survey, A-87. The street was shown on the Magnolia Terrace Subdivision plat recorded on April 22, 1925 under Volume 572, Page 294, Harris County Deed Records. However, there is no dedicatory language on this plat. The street has never been opened nor has the City used it for utility purposes. Further, the City has identified no future need for this street. The abutting property owners, Jose Garcia and Ana J. Garcia De Los Salmenes and Park Memorial Baptist Church, plan to incorporate the property being non-accepted into their abutting property. The Joint Referral Committee reviewed the request and determined the street could be processed as a non-acceptance subject to the conveyance to the City of a 5-foot-wide sanitary sewer easement across the terminus of the street. Jose Garcia and Ana J. De Los Salmenes have executed a Conveyance Deed to the City for the 5-foot-wide sanitary sewer easement.

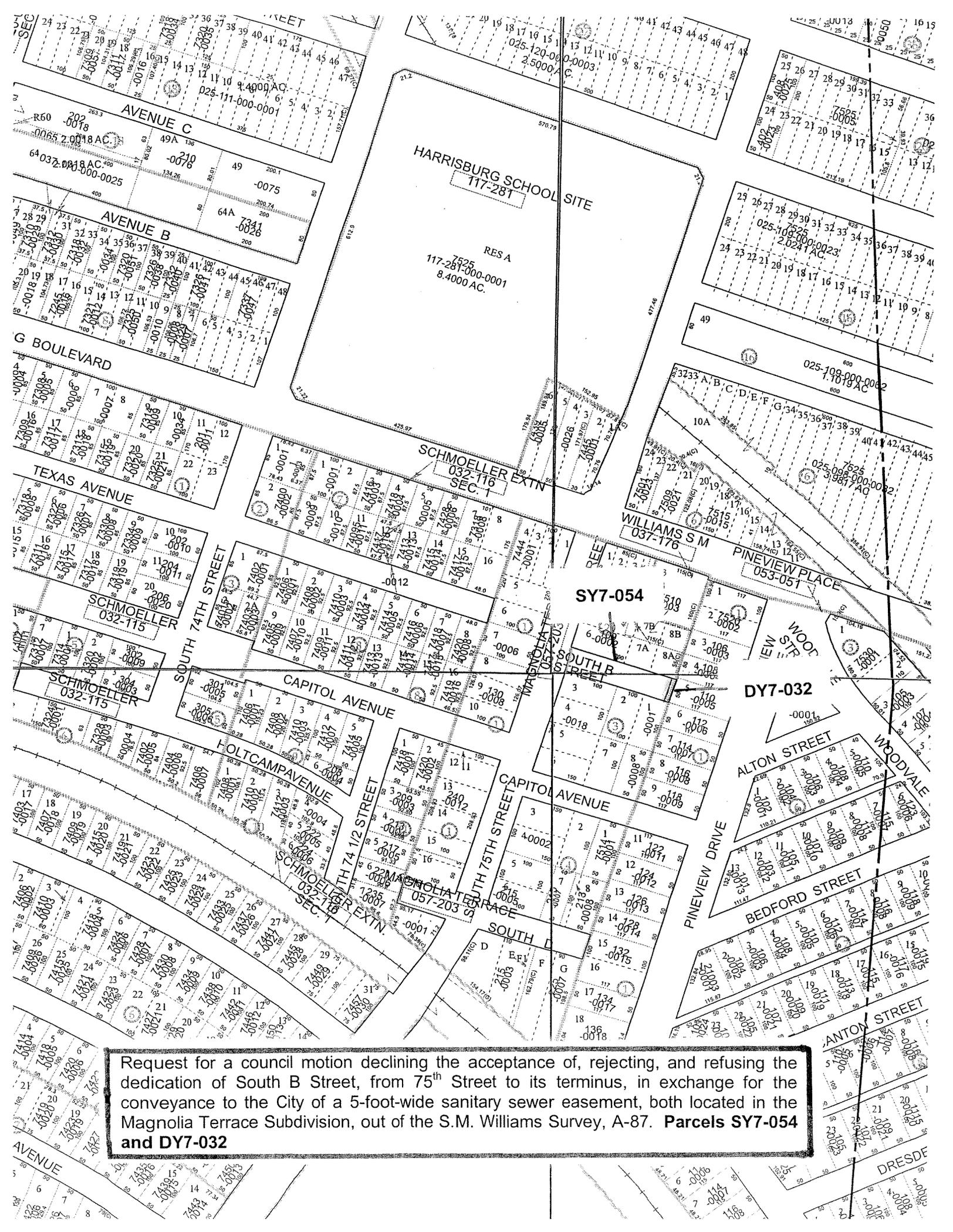
Therefore, it is recommended City Council approve a council motion declining the acceptance of, rejecting, and refusing the dedication of South B Street, from 75th Street to its terminus, in exchange for the conveyance to the City of a 5-foot-wide sanitary sewer easement, both located in the Magnolia Terrace Subdivision, out of the S.M. Williams Survey, A-87.

MSM: NPC:psm

cc: 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 Stein
 Jeff Taylor

psm\sy7-054.rc1.doc CUIC #20PSM8823

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division



Request for a council motion declining the acceptance of, rejecting, and refusing the dedication of South B Street, from 75th Street to its terminus, in exchange for the conveyance to the City of a 5-foot-wide sanitary sewer easement, both located in the Magnolia Terrace Subdivision, out of the S.M. Williams Survey, A-87. **Parcels SY7-054 and DY7-032**

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7530

Subject: Sole Bid Received for Replacement Parts for Metering Pumps and Analyzers for the Public Works & Engineering Department S11-S22461

Category #
4

Page 1 of 1

Agenda Item

7

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 30, 2007

Agenda Date

SEP 12 2007

DIRECTOR'S SIGNATURE

[Handwritten Signature]

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 Macaulay Controls Company on its sole bid in an amount not to exceed \$996,032.00 for replacement parts for metering pumps and analyzers for the Public Works & Engineering Department.

Estimated Spending Authority \$996,032.00

F & A Budget

\$996,032.00 Water and Sewer System Fund (8300)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Macaulay Controls Company on its sole bid in an amount not to exceed \$996,032.00 for replacement parts for existing metering pumps and analyzers for the Public Works & Engineering Department. It is further requested that authorization be given to make purchases, as needed, for a 60-month term. This award, consisting of four price lists for prominent parts; which includes, but are not limited to, fault relay, open ended cable, connectors, motor mount, pump pacing, accessory kits, back pressure valves, calibration columns, foot valves, and pump spare parts will be used by Department personnel to repair metering pumps and analyzers citywide.

This project was advertised in accordance with the requirements of the State bid laws, and one bid was received. Macaulay Controls Company is the only authorized distributor of Prominent Brand Equipment for the metering pumps and analyzers replacement parts in the greater Houston area and the surrounding counties.

Gloria Jordan-King

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

Estimated Spending Authority:

Department	FY 2008	Out Years	Total
Public Works & Engineering	\$199,206.40	\$796,825.60	\$996,032.00

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

[Handwritten Initials]

7 RR



CITY OF HOUSTON

Finance & Administration Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

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

From: Gloria Jordan-King

Date: 08/17/2007

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: _____ New Goal: _____

If requesting a revision, how many solicitations were received: 1

Solicitation Number: S22461 Estimated Dollar Amount: \$996,032.00

Anticipated Advertisement Date: 6/29/2007 Solicitation Due Date: 7/5/2007

Goal On Last Contract: _____ Was Goal met: Yes No

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

Name and Intent of this Solicitation:

Replacement Parts Agreement for Metering Pumps and Analyzers for the Public Works & Engineering Department

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

The ProMinent replacement parts will be shipped directly from the manufacturer to the authorized Houston dealer who will deliver to the City of Houston designated location for acceptance. Please see attachment of Affirmative Action approval..

Concurrence:

Gloria Jordan-King
SPD Initiator

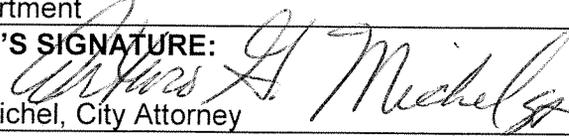
Renee Heath
Division Manager

Robert Gallegos
Robert Gallegos, Deputy Assistant Director
*Affirmative Action

Kevin M. Coleman
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

SUBJECT: Ordinance amending the Code of Ordinances, Houston, Texas, relating to game rooms	Category	Page	Agenda Item # # 8
FROM (Department or other point of origin): Legal Department	Origination Date: September 6, 2007	Agenda Date: SEP 12 2007	
DIRECTOR'S SIGNATURE:  Arturo G. Michel, City Attorney	Council District affected: ALL		
For additional information contact: Kuruvilla Oommen 710 713-247-2736	Date and identification of prior authorizing Council action:		

RECOMMENDATION:

Adopt ordinance amending the Code of Ordinances relating to game rooms.

Amount and source of funding: N/A

F&A Budget:

EXPLANATION:

The proposed ordinance amends various provisions of the current City Code relating to game rooms and adds new provisions relating to game rooms with amusement redemption machines. Amusement redemption machines are defined as game machines that provide the user with an opportunity to receive something of value other than a right of replay.

Specifically, the proposed Ordinance:

- Increases the annual license fee for game rooms from \$6.00 to \$60.00;
- Adds new provisions relating to game rooms with amusement redemption machines that:
 1. Provides unrestricted access to and authority to inspect such game rooms by law enforcement officers;
 2. Requires certain signage (four inch or larger block lettering that is legible and visible at all times);
 3. Requires doors be unlocked during business hours;
 4. Requires transparent, uncovered windows; and
- Increases the civil penalty for failure to pay the tax on a coin-operated machine from \$25 to \$250.

The Council Committee on Regulation, Development and Neighborhood Protection discussed the proposed revisions on August 20, 2007. The committee voted to recommend the revisions to City Council.

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

Sec. 5-172. License fee--Levied; amount.

There shall be levied and collected from every person operating, maintaining or managing, or causing to be operated, maintained or managed, any room or place in the city for the purpose set out in section 5-171 of this Code an annual license fee of \$60.00 per annum for each separate establishment used or maintained; provided, licenses may be taken out after January of any year and shall be paid for on the basis of ~~\$0.50~~ 5.00 per month for the remaining months of the year, including the month of issuance. All moneys received hereunder shall be the property of the city.

* * *

DIVISION 3. GAME ROOMS WITH AMUSEMENT REDEMPTION MACHINES

Sec. 5-181. Definitions.

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

Amusement redemption machine means a recreational machine that provides the user with an opportunity to receive something of value other than a right of replay.

Game room means a building, facility, or other place that contains one or more amusement redemption machines.

Game room owner means an individual who has an ownership interest in a game room.

Sec. 5-182. Unrestricted access by law enforcement officer.

It shall be the duty of any owner, manager, or employee of a game room, or other person exercising control over a game room, a portion of a game room, or an amusement redemption machine, to provide any law enforcement officer, with immediate unrestricted access during business hours to all areas of the game room and to all amusement redemption machines located in the game room.

Sec. 5-183. Inspection by law enforcement officer.

(a) Any law enforcement officer may inspect a game room or an amusement redemption machine located in the city to determine whether the game room or operational amusement redemption machine complies with this division and state law.

(b) An owner, manager, or employee of a game room or other person who does not allow a law enforcement officer to inspect a game room or amusement redemption machine commits an offense.

Sec. 5-184. Game room sign required.

(a) A game room owner shall mark each entrance to a game room with a sign that:

(1) States "GAME ROOM" in ~~one and one-half~~ four inch or larger block letters; and

(2) Is legible and visible at all times from a distance of 25 feet.

(b) Any signage required by this section shall be in conformance with the *Sign Code*.

Sec. 5-185. Egress doors.

It shall be the duty of any owner, manager, or employee of a game room, or other person exercising control over a game room or a portion of a game room, to provide egress doors that are readily openable from the egress side without the use of a key or special knowledge or effort during business hours, in conformance with the *Construction Code* and *Fire Code*.

Sec. 5-186. Transparent, uncovered windows required.

(a) It shall be the duty of any owner, manager, or employee of a game room, or other person exercising control over a game room or a portion of a game room, to provide transparent glass in each game room window.

(b) It shall be unlawful for any person to cover or tint a game room window or otherwise block or obscure the view of any amusement redemption machine through a game room window.

Sec. 5-187. Illegal machines.

This division shall not be construed to authorize or permit the keeping, exhibition, operation, display, or maintenance of any machine that is prohibited by the constitution of this state or Chapter 47 of the Texas Penal Code.

* * *

Sec. 44-85. Display and issuance of decal evidencing payment; penalties for noncompliance.

(a) The decal issued by the tax assessor-collector to evidence payment of the tax levied herein shall be securely attached with its own adhesive to be a fixed, noninterchangeable part of the coin-operated machine so as to be easily seen by the public. This decal shall be of such a nature that the word "void" will appear if one attempts to remove it.

(b) During the period commencing on December fifteenth and ending on December thirty-first of each year, owners shall pay the occupation tax, register the machines taxed, and thereby receive a decal for each coin-operated machine to be within the city on January first. At the same time, owners may also pay taxes and receive decals for unregistered machines, up to ten percent over the number registered. As a decal is placed on an additional machine, the owner shall notify the tax assessor-collector of each machine's make, model, and serial number, thereby registering it.

(c) If, during each calendar year, an owner desires to secure more decals than the additional ten percent which may be obtained during the period from December fifteenth through December thirty-first, such decals shall be issued upon payment of the tax applicable to the calendar quarter in which such decals are obtained.

(d) It shall be unlawful for an owner to permit to be exhibited or displayed for commercial use any coin-operated machine which does not have properly attached thereto a decal evidencing payment of the applicable occupation tax.

(e) The owner of a coin-operated machine on which the tax has not been paid or which does not have a decal thereon evidencing payment shall forfeit to the city as a penalty the sum of \$25.00-\$250.00. The penalty, if not paid, shall be recovered in a suit by the city attorney in a court of competent jurisdiction. A penalty assessed under this subsection is in addition to any other remedy authorized under this division.

City of Houston, Texas, Ordinance No. 2007-_____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO GAME ROOMS; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

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

Section 1. That Section 5-172 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 5-172. License fee--Levied; amount.

There shall be levied and collected from every person operating, maintaining or managing, or causing to be operated, maintained or managed, any room or place in the city for the purpose set out in section 5-171 of this Code an annual license fee of \$60.00 per annum for each separate establishment used or maintained; provided, licenses may be taken out after January of any year and shall be paid for on the basis of \$5.00 per month for the remaining months of the year, including the month of issuance. All moneys received hereunder shall be the property of the city."

Section 2. That Article VI of Chapter 5 of the Code of Ordinances, Houston, Texas, is hereby amended by adding a new Division 3 to read as follows:

"DIVISION 3. GAME ROOMS WITH AMUSEMENT REDEMPTION MACHINES

Sec. 5-181. Definitions.

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

Amusement redemption machine means a recreational machine that provides the user with an opportunity to receive something of value other than a right of replay.

Game room means a building, facility, or other place that contains one or more amusement redemption machines.

Game room owner means an individual who has an ownership interest in a game room.

Sec. 5-182. Unrestricted access by law enforcement officer.

It shall be the duty of any owner, manager, or employee of a game room, or other person exercising control over a game room, a portion of a game room, or an amusement redemption machine, to provide any law enforcement officer, with immediate unrestricted access during business hours to all areas of the game room and to all amusement redemption machines located in the game room.

Sec. 5-183. Inspection by law enforcement officer.

(a) Any law enforcement officer may inspect a game room or an amusement redemption machine located in the city to determine whether the game room or amusement redemption machine complies with this division and state law.

(b) An owner, manager, or employee of a game room or other person who does not allow a law enforcement officer to inspect a game room or amusement redemption machine commits an offense.

Sec. 5-184. Game room sign required.

(a) A game room owner shall mark each entrance to a game room with a sign that:

- (1) States "GAME ROOM" in four inch or larger block letters; and
- (2) Is legible and visible at all times from a distance of 25 feet.

(b) Any signage required by this section shall be in conformance with the *Sign Code*.

Sec. 5-185. Egress doors.

It shall be the duty of any owner, manager, or employee of a game room, or other person exercising control over a game room or a portion of a game room, to provide egress doors that are readily openable from the egress side without the use of a key or special knowledge or effort during business hours, in conformance with the *Construction Code* and *Fire Code*.

Sec. 5-186. Transparent, uncovered windows required.

(a) It shall be the duty of any owner, manager, or employee of a game room, or other person exercising control over a game room or a portion of a game room, to provide transparent glass in each game room window.

(b) It shall be unlawful for any person to cover or tint a game room window or otherwise block or obscure the view of any amusement redemption machine through a game room window.

Sec. 5-187. Illegal machines.

This division shall not be construed to authorize or permit the keeping, exhibition, operation, display, or maintenance of any machine that is prohibited by the constitution of this state or Chapter 47 of the Texas Penal Code."

Section 3. That Subsection (d) of Section 44-85 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(d) It shall be unlawful for an owner to permit to be exhibited or displayed for commercial use any coin-operated machine which does not have properly attached thereto a decal evidencing payment of the applicable occupation tax.

(e) The owner of a coin-operated machine on which the tax has not been paid shall forfeit to the city as a penalty the sum of \$250.00. The penalty, if not paid, shall be recovered in a suit by the city attorney in a court of competent jurisdiction. A penalty assessed under this subsection is in addition to any other remedy authorized under this division."

Section 4. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or

fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 5. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect at 12:01 a.m. on the ninetieth day next following the date of its passage and approval by the Mayor.

PASSED AND APPROVED this ____ day of _____, 2007.

Mayor of the City of Houston

Prepared by Legal Dept.

KO:asw 09/06/2007

Requested by Council Committee on Regulation, Development, and Neighborhood Protection
L.D. File No. 0080700001001

Teruvilla Oommen

Assistant City Attorney

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance Amending Sec. 8-126 (a) of the Code of Ordinances, Houston, Texas, relating to Police-Authorized Tow Service Agreements	Category #	Page 1 of 1	Agenda Item # 9
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FROM (Department or other point of origin): Harold L. Hurtt, Chief of Police Houston Police Department	Origination Date September 7, 2007	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: <i>MS</i> 	Council District affected: All
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For additional information contact: Lt. Allan Bukowski Phone: 713-308-1440	Date and identification of prior authorizing Council action: Code of Ordinances Automotive Dealers and Auto Wreckers sec. 8-126. (a)Police-authorized agreement.
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RECOMMENDATION: (Summary)
Approve an ordinance amending Sec. 8-126 of the Code of Ordinances to authorize the Chief of Police to execute Police-Authorized Tow Service Agreements (PATSA)

Amount and Source of Funding: N/A	F & A Budget:
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SPECIFIC EXPLANATION:

Sec. 8-126 of the Code of Ordinances currently requires the Mayor to authorize agreements on behalf of the City with persons to perform police-authorized tows. The right to enter into such agreements is extended on a uniform basis to all eligible persons, and there are currently approximately 300 PATSAs in place.

The proposed amendment would allow the Chief of Police to execute these agreements on behalf of the City. A redline version of the amendment is attached.

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization:
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REDLINE of tow agreement changes

Sec. 8-126. Police-authorized tow service agreement.

(a) ~~On recommendation of the mayor, the~~ The chief of police may execute agreements for the mayor and on behalf of the city with persons to perform police-authorized tows. The right to enter into such agreements shall be extended on a uniform basis to all eligible persons.

* * *

City of Houston, Texas, Ordinance No. 2007-_____

AN ORDINANCE AMENDING SECTION 8-126 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO EXECUTION OF POLICE-AUTHORIZED TOW SERVICE AGREEMENTS; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

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

Section 1. That Subsection (a) of Section 8-126 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(a) The chief of police may execute agreements for the mayor and on behalf of the city with persons to perform police-authorized tows. The right to enter into such agreements shall be extended on a uniform basis to all eligible persons."

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.

PASSED AND APPROVED this ____ day of _____, 2007.

Mayor of the City of Houston

Prepared by Legal Dept.

MJM:asw 09/06/2007

Requested by Harold L. Hurtt, Chief of Police

Tracy McKeel *JK*
Senior Assistant City Attorney

<p>SUBJECT: Ordinance authorizing the abandonment and sale of an 18-foot-wide alley from Yale Street ±353 feet west and a 10-foot-wide utility easement from Yale Street ±198 feet west, in exchange for conveyance to the City of right-of-way for and construction of an 18-foot-wide alley along the western property line of Lot 36, Block 73, to West 21st Street, all located within the Houston Heights Addition, out of the John Austin 2 Leagues Survey, A-1. Parcels SY6-090A, SY6-090B, SY6-121A, SY6-121B, and AY6-250</p>	<p>Category # 7</p>	<p>Page <u>1</u> of <u>2</u></p>	<p>Agenda Item # 10</p>
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<p>FROM (Department or other point of origin): Department of Public Works and Engineering</p>	<p>Origination Date 9/6/07</p>	<p>Agenda Date SEP 12 2007</p>
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<p>DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director</p>	<p>Council District affected: H Key Map 452V <i>DO</i></p>
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<p>For additional information contact: Nancy P. Collins Phone: (713) 837-0881 <i>MPC</i> Senior Assistant Director-Real Estate</p>	<p>Date and identification of prior authorizing Council Action: C.M. 2006-0689 (8/2/06)</p>
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RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of an 18-foot-wide alley from Yale Street ±353 feet west and a 10-foot-wide utility easement from Yale Street ±198 feet west, in exchange for the consideration of \$159,906.00 plus the conveyance to the City of right-of-way for and construction of an 18-foot-wide alley along the western property line of Lot 36, Block 73, to West 21st Street, all located within the Houston Heights Addition, out of the John Austin 2 Leagues Survey, A-1. **Parcels SY6-090A, SY6-090B, SY6-121A, SY6-121B, and AY6-250**

<p>Amount and Source of Funding: Not Applicable</p>	<p>F & A Budget:</p>
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SPECIFIC EXPLANATION:
By Council Motion 2006-0689, City Council authorized the abandonment and sale of an 18-foot-wide alley and a 10-foot-wide utility easement from Yale Street ±353 feet west, in exchange for conveyance to the City of right-of-way for and construction of an 18-foot-wide alley along the western property line of Lot 36, Block 73, to West 21st Street, all located within the Houston Heights Addition, out of the John Austin 2 Leagues Survey, A-1. Subsequent to the motion the abutting property owned by Martin A. Kaplan was sold to The Retreat at the Heights, Ltd. [Project 275 GP, Inc. (Tim L. Myers, President) general partner] and the ownership of the other abutting property was determined to be vested in the Estate of Shirley Swilley Harkins (Compass Bank as Executor) instead of K. L. Harkins, Jr.. Further Parcel SY6-121 was evenly divided into two portions, Parcels SY6-121A and SY6-121B, between the two abutting property owners. The Retreat at the Heights, Ltd., the abutting property owner, plans to use the subject property to build a 196-unit apartment complex. The Estate of Shirley Swilley Harkins, the other abutting property owner, plans to incorporate the subject property into its existing property.

The Retreat at the Heights, Ltd. and the Estate of Shirley Swilley Harkins have complied with the council motion requirements, have accepted the City's offer, and have rendered payment in full.

The City will abandon and sell to The Retreat at the Heights, Ltd.:

<p>Parcel SY6-090A 4,500-square-foot alley</p>	<p>\$112,500.00</p>
<p>Parcel SY6-090B 1,983-square-foot utility easement</p>	<p>\$24,788.00</p>
<p>Parcel SY6-121A 927-square-foot alley</p>	<p>\$23,175.00</p>

TOTAL ABANDONMENT AND SALE **\$160,463.00**

s:\dob\sy6-090.rc2.doc CUIC #20DOB014A

REQUIRED AUTHORIZATION

<p>F&A Director:</p>	<p>Other Authorization:</p>	<p>Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning and Development Services Division</p>
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Date:	Subject: Ordinance authorizing the abandonment and sale of an 18-foot-wide alley from Yale Street ±353 feet west and a 10-foot-wide utility easement from Yale Street ±198 feet west, in exchange for conveyance to the City of right-of-way for and construction of an 18-foot-wide alley along the western property line of Lot 36, Block 73, to West 21st Street, all located within the Houston Heights Addition, out of the John Austin 2 Leagues Survey, A-1. Parcels SY6-090A, SY6-090B, SY6-121A, SY6-121B, and AY6-250	Originator's Initials 	Page <u>2</u> of <u>2</u>
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In exchange, The Retreat at the Heights, Ltd. will pay:
Cash \$97,013.00
Plus convey to the City:
Parcel AY6-250
2,538-square-foot alley \$63,450.00

TOTAL CASH AND CONVEYANCE \$160,463.00

The City will abandon and sell to the Estate of Shirley Swilley Harkins:
Parcel SY6-121B
927-square-foot alley \$23,175.00

TOTAL ABANDONMENT AND SALE \$23,175.00

In exchange, the Estate of Shirley Swilley Harkins will pay:
Cash \$23,175.00

TOTAL CASH \$23,175.00

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of an 18-foot-wide alley from Yale Street ±353 feet west and a 10-foot-wide utility easement from Yale Street ±198 feet west, in exchange for the consideration of \$159,906.00 plus the conveyance to the City of right-of-way for and construction of an 18-foot-wide alley along the western property line of Lot 36, Block 73, to West 21st Street, all located within the Houston Heights Addition, out of the John Austin 2 Leagues Survey, A-1.

MSM:NPC:dob

c: Raymond D. Chong, P.E., P.T.O.E.
Daniel W. Krueger, P.E.
Marty Stein
Jeff Taylor

Parcel Valuation REVISED TO EXCLUDE CONSTRUCTION CREDIT

Following is a breakdown of the consideration for Parcel SY6-090A:

LAND (dedicated alley)
4,500-square-feet (0.1033-acre)
25.00 psf.....\$112,500.00

Following is a breakdown of the consideration for Parcel SY6-090B:

LAND (easement)
1983-square-feet (0.0455-acre)
12.50 psf.....\$24,788.00

Following is a breakdown of the consideration for Parcel SY6-121A:

LAND (dedicated alley)
927-square-feet (0.0213-acre)
25.00 psf.....\$23,175.00

Following is a breakdown of the consideration for Parcel SY6-121B:

LAND (dedicated alley)
927-square-feet (0.0213-acre)
25.00 psf.....\$23,175.00

TOTAL COMPENSATION.....\$183,638.00

Following is a breakdown of the consideration for Parcel AY6-250:

LAND (alley in fee)
2,538-square-feet (0.0583-acre)
25.00 psf..... \$63,450.00

Plus

CASH.....\$120,188.00

TOTAL CASH AND CONVEYANCE\$183,638.00

MOTION by Council Member Garcia that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Laura Jordan, Brown & Gay Engineers, Inc., 11490 Westheimer, Suite 700, Houston, Texas, 77077, on behalf of Martin A. Kaplan and K. L. Harkins, Jr., for the abandonment and sale of an 18-foot-wide alley and a 10-foot-wide utility easement from Yale Street \pm 353 feet west, between West 21st Street and West 22nd Street, in exchange for the conveyance to the City of right-of-way for, and construction of, an 18-foot-wide alley along the western property line of Lot 36, Block 73 to West 21st Street, all located within the Houston Heights Addition, out of the John Austin 2 Leagues Survey, A-1, Parcel Nos. SY6-090A, SY6-090B, SY6-121 and AY6-250, be adopted, as follows:

1. The City abandon and sell an 18-foot-wide alley and a 10-foot-wide utility easement from Yale Street \pm 353 feet west, between West 21st Street and West 22nd Street, in exchange for the conveyance to the City of right-of-way for, and construction of, an 18-foot-wide alley along the western property line of Lot 36, Block 73 to West 21st Street, all located within the Houston Heights Addition;
2. The applicant be required to (a) cut, plug, and abandon the existing 8-inch sanitary sewer line located in the subject alley from the western property line of Lot 36, Block 73 to Yale Street; (b) construct a new backend manhole in the alley at the northwestern corner of Lot 36; and (c) construct a public sanitary sewer line in West 21st Street from the existing 24-inch sewer line in Rutland Street to the eastern property line of Lot 46, Block 73 with a private sewer connection to the property at 2105 West 21st Street, all at no cost to the City and under the proper permits;
3. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies;
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;

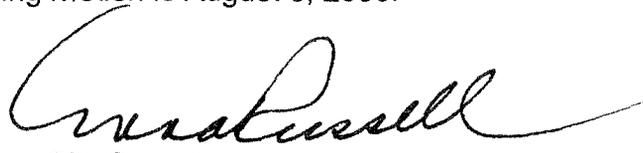
5. The Legal Department be authorized to prepare the necessary transaction documents; and
6. Frank Flores and Michael Copland, independent real estate appraisers, are hereby appointed to establish the value, inasmuch as the value of the property interest is expected to exceed \$25,000.00 and John Fox is hereby appointed as alternate appraiser should one of the two appointed appraisers be unable to accept the assignment.

Seconded by Council Member Lawrence and carried.

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

PASSED AND ADOPTED this 2nd day of August, 2006.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is August 8, 2006.



City Secretary

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance authorizing the sale to Harris County of a ±2,432-square-foot (±0.0558-acre) tract of land out of the John Austin Survey, A-1. Parcel SY7-147	Category # 7	Page 1 of <u>1</u>	Agenda Item # 11
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 9/6/07	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: <i>MS</i>  Michael S. Marcotte, P.E., DEE, Director	Council District affected: H Key Map 493G <i>PSM</i>
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For additional information contact: <i>P.W.</i> Nancy P. Collins <i>for</i> Phone: (713) 837-0881 Senior Assistant Director-Real Estate	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the sale to Harris County of a ±2,432-square-foot (±0.0558-acre) tract of land out of the John Austin Survey, A-1. **Parcel SY7-147**

Amount and Source of Funding: Not Applicable	F & A Budget:
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SPECIFIC EXPLANATION:
Jennifer Gonzales, Right of Way Agent, Harris County, Public Infrastructure Department, 10555 Northwest Freeway, Suite 210, Houston, Texas 77092, requested the sale to Harris County of a ±2,432-square-foot (±0.0558-acre) tract of land out of the John Austin Survey, A-1. Harris County requires the property as part of their South Street Project and it is to be used as a parking lot for Harris County Precinct Two's redevelopment of the Lee Elementary School property. This triangular shaped tract of land located at the intersection of Henry Street and South Street is out of property conveyed to the City by a deed dated August 28, 1911 from Carrie M. Lipe and husband, N.B. Lipe, recorded in Volume 275, Page 410 of the Harris County Deed Records and by a deed dated February 6, 1920 from R.R. Sanders, Sr. and C.W. Sanders, recorded in Volume 444, Page 167 of the Harris County Deed Records. Because Hogg Park is in close proximity to the subject property, the Joint Referral Committee required a clearance from the City's Parks and Recreation Department. The Parks and Recreation Department determined that the sale of this property would not impact Hogg Park and they have no objection to the sale of this property. The Joint Referral Committee reviewed and approved the request.

Section 272.001(b)(5) of the Local Government Code, pertaining to the sale of real property interests to a governmental entity that has the power of eminent domain, provides for the payment of a consideration based upon the appraised fair market value. Harris County submitted its appraisal report with its purchase offer to the City. A staff appraiser in the Department of Public Works and Engineering has reviewed the appraisal report and offer and finds it acceptable.

In this transaction, the City will sell to Harris County Parcel SY7-147, a ±2,432-square-foot (±0.0558-acre) tract of land, for \$15,200.00. Harris County has completed the transaction requirements and has agreed to tender payment in full upon delivery of the ordinance and the deed.

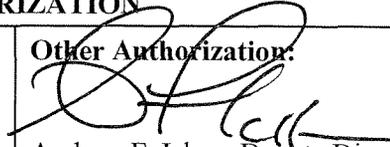
Therefore, it is recommended City Council approve an ordinance authorizing the sale to Harris County of a ±2,432-square-foot (±0.0558-acre) tract of land out of the John Austin Survey, A-1.

MSM: NPC:psm

c: Marty Stein
Raymond D. Chong, P.E., PTOE
Daniel W. Krueger, P.E.

s:\psm\sy7-147.rc2.doc CUIC #20PSM201

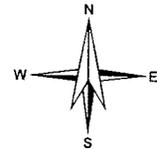
REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division
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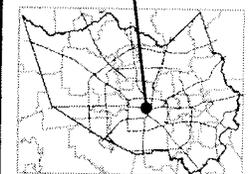
Harris County Appraisal District



0 100 200
 PUBLICATION DATE:
 2/8/2007

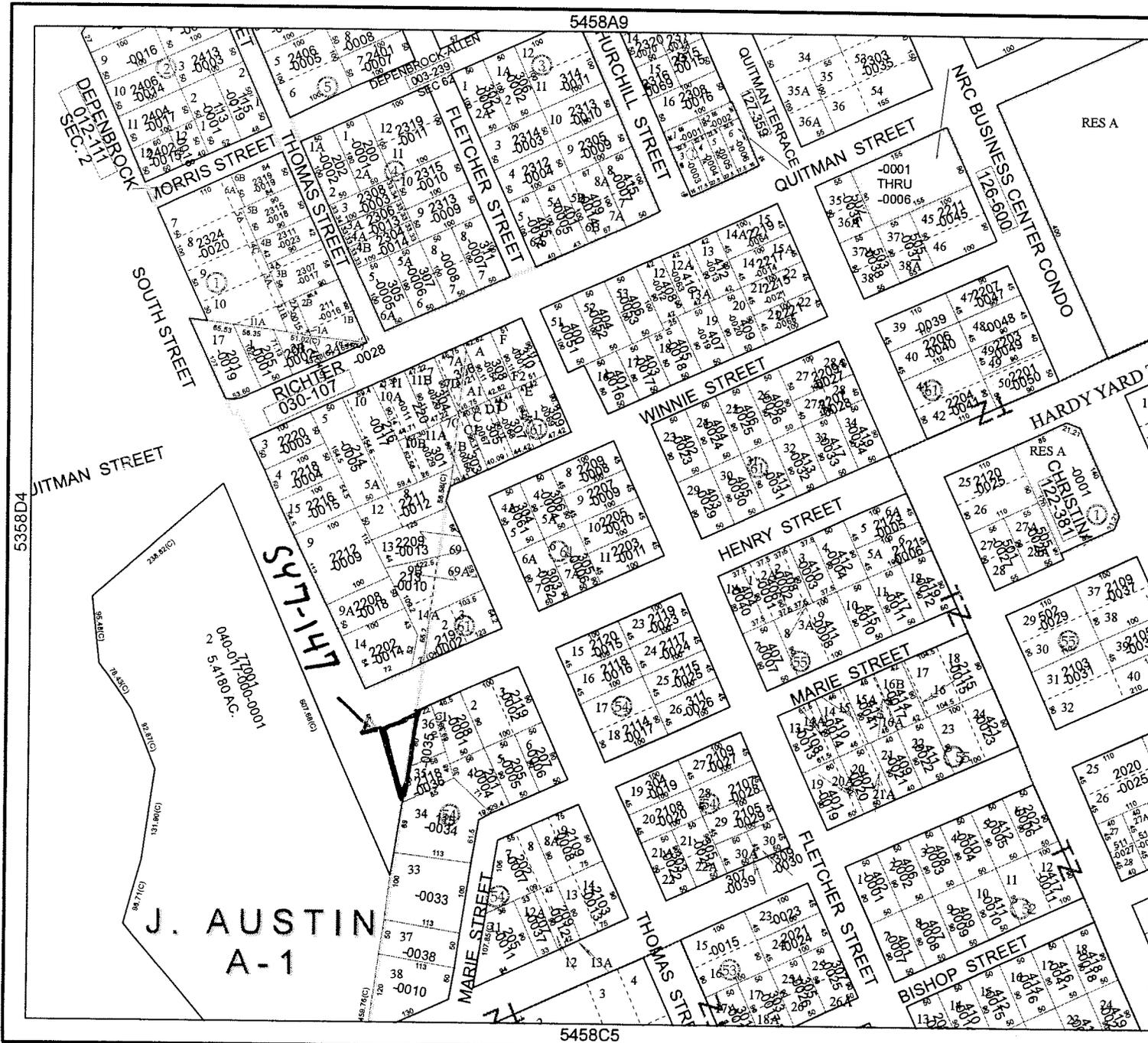


MAP LOCATION



FACET 5458C

	2	3	4
5	6	7	8
9	10	11	12



Ordinance authorizing the sale to Harris County of a ±2,432-square-foot (±0.0558-acre) tract of land out of the John Austin Survey, A-1. Parcel SY7-147

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

SUBJECT: Ordinance designating the 1100 block of Bomar Street, north side, between Van Buren Street and Montrose Boulevard as a Special Building Line Requirement Area	Category #	Page 1 of _____	Agenda Item # <i>12</i>
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 07/06/2007	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: <i>MSB Marlene L. Gafrick</i>	Council District affected: D
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For additional information contact: Matthew Dease Phone: 713.837.7815	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 1100 block of Bomar Street, north side, between Van Buren Street and Montrose Boulevard as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 15'-0" special building line.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-163 of the Code of Ordinances, the property owner of Lot 94, Block 9, of the Rosedale Subdivision initiated an application for the designation of a special building line requirement area. The application includes written evidence of support from owners of 66% of the area. Notification was mailed to eight (8) property owners indicating that the special building line requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. No written protests were filed. Although there were no protests, the application was not eligible for administrative approval because it failed to meet all criteria. The Director referred the application to the Planning Commission for consideration. The application was deferred at the applicant's request at the February 15, 2007 Houston Planning Commission meeting to allow time for the adoption of pending amendments to Chapter 42 which provided new and more favorable criteria for the establishment of Special Building Line Requirement Areas. The Houston Planning Commission considered the application at the May 24, 2007 meeting under the newly adopted provisions and voted to recommend that the City Council establish the Special Building Line Requirement Area.

It is recommended that the City Council adopt an ordinance establishing a 15'-0" Special Building Line for the area.

MLG:md:db

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

- xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department
Linda Tarver, Public Works and Engineering
Gary Bridges, Public Works and Engineering

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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CITY OF HOUSTON

HOUSTON PLANNING COMMISSION

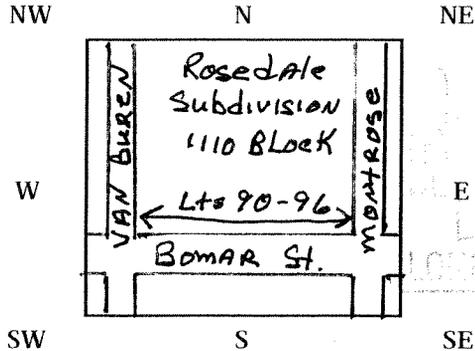
PLANNING & DEVELOPMENT DEPARTMENT

PREVAILING BUILDING LINE APPLICATION

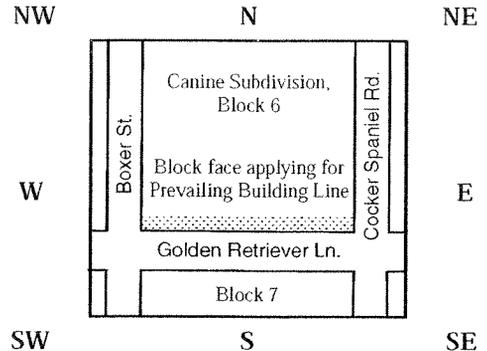
To expedite this application, please complete entire application form.

Staff will complete shaded items.

LOCATION



LOCATION EXAMPLE



1. BOUNDARY:

Block no.: _____
 Lot nos.: 90-96
 Subdivision name: Rosedale
 St. name & side: BOMAR NORTH
 Block Address: 1100
 Odd/Even Addresses: EVEN ADDRESSES

BOUNDARY EXAMPLE:

Block 6
 Lots 1-5
 Canine Subdivision
 North side of Golden Retriever Ln.
 800 Address Block Golden Retriever Ln.
 Odd Addresses

2. PROJECT INFO.:

File no.: 102
 Lambert: 5357 Census Tract: _____ School Dist.: 001
 Key Map: 493N Zip Code: 77006 City Council Dist.: D
 Co. Comm. Prct.: _____

3. CONTACTS:

Applicant: Thomas CheleNA Cell 713 545 0796
 Address: 1110 BomAR Phone: 713 522 7626 Fax: 713 522 3275
 City: HOUSTON State: TX Zip: 77006

Other: LAWRENCE FERGUSON
 Address: 1112 BomAR Phone: 713 366 2095 Fax: _____
 City: HOUSTON State: TX Zip: 77006

4. SUBMITTAL REQUIREMENTS

	PVL BL
Completed application form	<input checked="" type="checkbox"/>
Map or sketch showing the address and land use of all lots within boundary	<input checked="" type="checkbox"/>
Data showing the distance from the front property line to each building on the lot	<input checked="" type="checkbox"/>
Signed petition	<input checked="" type="checkbox"/>
Evidence of support from the property owners	<input checked="" type="checkbox"/>

May 1, 2006

I, Daniel Malachowski & Thomas Chelena, owners of property within the proposed boundaries of the special building line requirement area, specifically, Block 1110 Bomar North lot 94 of Rosedale subdivision, do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sec. 42-163. With this petition and other required information, I request to preserve the character of the existing blockface(s) for Block 1100 Bomar, North Lots 90-96 in Rosedale subdivision through the application of and creation of a special building line requirement area.

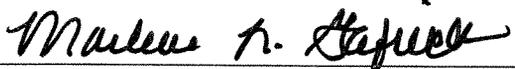
Daniel Malachowski Thomas Chelena

Daniel Malachowski Thomas Chelena
Petitioners

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 2200 block of Cortlandt Street, east side, between East 22nd and East 23rd Streets as a Special Building Line Requirement Area	Category #	Page 1 of _____	Agenda Item # 13
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 06/28/2007	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: <i>MS</i> 	Council District affected: H
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For additional information contact: Matthew Dease Phone: 713.837.7815	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 2200 block of Cortlandt Street, east side, between East 22nd and East 23rd Streets as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 29'-0" special building line.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-163 of the Code of Ordinances, the property owner of Lot 8, Block 61 of the Houston Heights Subdivision initiated an application for the designation of a special building line requirement area. The application includes written evidence of support from owners of 86% of the area. Notification was mailed to 7 property owners indicating that the special building line requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing an 29'-0" Special Building Line for the area.

MLG:md

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

- xc: Marty Stein, Agenda Director
 Anna Russell, City Secretary
 Arturo G. Michel, City Attorney
 Deborah McAbee, Land Use Division, Legal Department
 Linda Tarver, Public Works and Engineering
 Gary Bridges, Public Works and Engineering

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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Special Building Line Requirement Area No. 113

Planning Director's Approval

Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SBLRA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 2200 block of Cortlandt Street, east side.</p>
X		<p><i>More than 60% of the proposed SBLRA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>100% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 86% of the SBLRA.</p>
X		<p><i>Establishment of the SBLRA will further the goal of preserving the building line character of the area; and,</i></p> <p>A minimum building line of 29 ft exists on six (6) properties in the blockface.</p>
X		<p><i>The proposed SBLRA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan or scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivisions were platted in 1892 and 1910. The houses mostly originate from the 1940s. The establishment of a 29 ft minimum building line will preserve the building line character of the area.</p>
<p><i>The minimum building line for this application was determined by finding the current building line that represents a minimum standard for at least 70% of the structures in the application area.</i></p> <p>Six (6) out of seven (7) properties (representing 86% of the properties in the application area) have a building line of at least twenty-nine (29) feet.</p>		

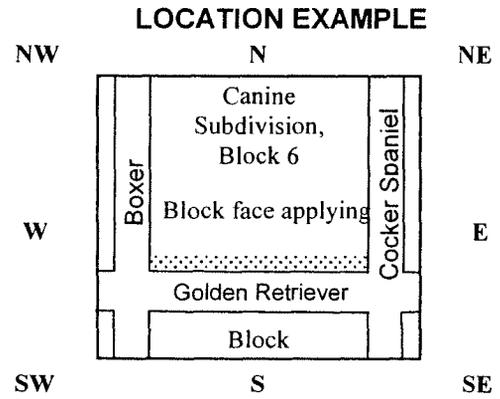
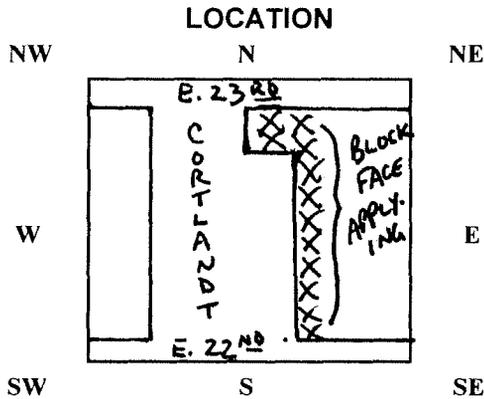
The Special Building Line Requirement Area meets the criteria.

Marlene L. Gafrick
 Marlene L. Gafrick, Director

6/28/07
 Date

SPECIAL MINIMUM BUILDING LINE APPLICATION

To expedite this application, please complete entire application form.



1. BOUNDARY:

Block # 74 SUNSET HEIGHTS; 61 HOUSTON HEIGHTS
 Lot #'s 1A+3A → ; 7-12 →
 Subdivision Name SUNSET HEIGHTS & HOUSTON HEIGHTS
 Street Name & Side (s) EAST SIDE - CORTLANDT
 Lot (s) Address 2204 - 2224
 Odd/Even Addresses EVEN

BOUNDARY EXAMPLE:

Block 6
 Lots 1-5
 Canine Subdivision
 North side of Golden Retriever Ln.
 800 Block Golden Retriever Ln.
 Odd Addresses

2. CONTACTS:

Applicant J. EDWARD MENGER & MEGAN M. ULLMAN Phone # 713-858-3951
 Address 2208 CORTLANDT E-mail edmenger@yahoo.com Fax # _____
 City HOUSTON State TX Zip 77008
 Other _____ Phone # _____
 Address _____ E-mail _____ Fax # _____
 City _____ State _____ Zip _____

3. PROJECT INFORMATION (STAFF USE ONLY-DO NOT FILL IN):

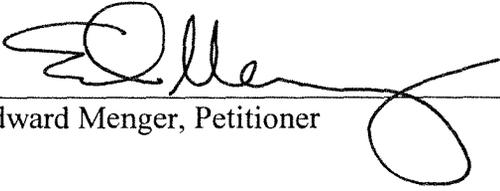
File # 113 Census Tract 5115
 Lambert # 5359 City Council District H
 Key Map # 4535
 Super Neighborhood 15
 TIRZ _____

COMPLETED 4/23/07
 LN

PETITION

April 15, 2007

We, J. Edward Menger and Megan M. Ullman, owners of property within the proposed boundaries of the Special Minimum Building Line Requirement Area, specifically Block 61, Lot 8 of Houston Heights, do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sections 42-163. With this petition and other required information, I request to preserve the character of the existing building lines for Block 61, Lots 7-12 in Houston Heights and Block 74, Lots 1A and 3A in Sunset Heights, through the application of and creation of a Special Minimum Building Line Requirement Area.



J. Edward Menger, Petitioner



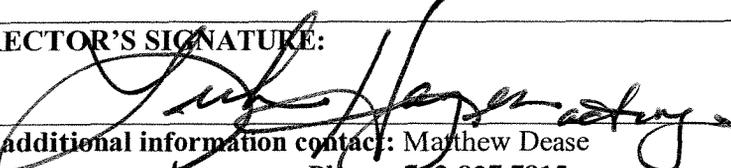
Megan M. Ullman, Petitioner

2208 v
Contra

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 300 block of East 24 th Street, north and south sides, between Cortlandt Street and Arlington Street as a Special Building Line Requirement Area	Category #	Page 1 of _____	Agenda Item # 14
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 8/6/07	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: 	Council District affected: H
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For additional information contact: Matthew Dease Phone: 713.837.7815	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 300 block of East 24th Street, north and south sides, between Cortlandt and Arlington Streets as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 15'-0" special building line.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-163 of the Code of Ordinances, the property owner of Lots 15 & 16, Block 72, of the Sunset Heights Subdivision initiated an application for the designation of a special building line requirement area. The application includes written evidence of support from owners of 53% of the area. Notification was mailed to fifteen (15) property owners indicating that the special building line requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within fifteen days of mailing. No written protests were filed. Although there were no protests, the application was not eligible for administrative approval because it failed to meet all criteria. The Director referred the application to the Planning Commission for consideration. The application was deferred at the applicant's request at the February 15, 2007 Houston Planning Commission meeting to allow time for the adoption of pending amendments to Chapter 42 which provided new and more favorable criteria for the establishment of Special Building Line Requirement Areas. The Houston Planning Commission considered the application at the April 26, 2007 meeting under the newly adopted provisions and voted to recommend that the City Council establish the Special Building Line Requirement Area.

It is recommended that the City Council adopt an ordinance establishing a 15'-0" Special Building Line for the area.

MLG:md:db

Attachments: Planning Commission Approval, Special Building Line Application & Petition, Evidence of Support, Map of the Area

- xc:**
- Marty Stein, Agenda Director
 - Anna Russell, City Secretary
 - Arturo G. Michel, City Attorney
 - Deborah McAbee, Land Use Division, Legal Department
 - Linda Tarver, Public Works and Engineering
 - Gary Bridges, Public Works and Engineering

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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Special Building Line Requirement Area No. 106 Planning Commission Approval

Planning Commission Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>The boundaries of the proposed SBLRA will include all properties within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 300 block of East 24th Street, north and south sides, between Cortlandt and Arlington Streets.</p>
X		<p><i>More than 60% of the area to be included within the proposed SBLRA, exclusive of land used for a park, library, place of religious assembly, or a public or private elementary, middle, junior high or high school, is developed with single-family residential (SFR) units;</i></p> <p>88% of the area is developed with single-family residential units.</p>
X		<p><i>That the applicant has demonstrated sufficient evidence of support for the establishment of the proposed SBLRA to warrant the establishment of the area;</i></p> <p>The petition was signed by property owners of 53% of the area.</p>
X		<p><i>That the establishment of the proposed SBLRA will further the goal of preserving the building line character of the area; and,</i></p> <p>A minimum building line of 15'-0" exists on ten of the fifteen (15) properties in the area. Two (2) properties are vacant. Three (3) developed properties do not meet the 15'-0" minimum building line.</p>
X		<p><i>That the proposed SBLRA has a building line character that can be preserved by the establishment of a minimum building line, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was originally platted in 1910. All structures in the proposed area, except for one house built in 2001, were built prior to 1950, and all are single-family homes.</p>
X		<p><i>The special building line for this application was determined by finding the constructed building line that represents a minimum standard for at least 70% of the SBLRA.</i></p> <p>A minimum building line of 15'-0" ft or greater exists on ten (10) of the thirteen (13) developed properties in the area, which represents 77% of the application area.</p>

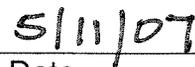
The Special Building Line Requirement Area meets the criteria.

Carol Lewis, Chair
Or

Date



Mark A. Kilkeny, Vice-Chair



Date

CITY OF HOUSTON

HOUSTON PLANNING COMMISSION

PLANNING & DEVELOPMENT DEPARTMENT

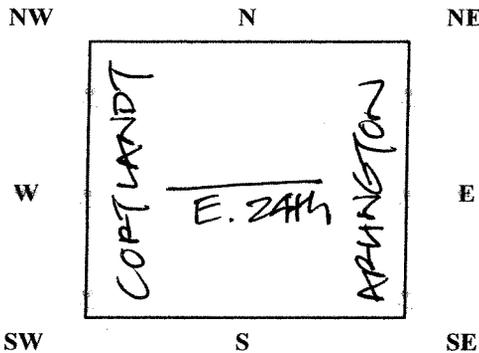
PREVAILING BUILDING LINE APPLICATION

To expedite this application, please complete entire application form.

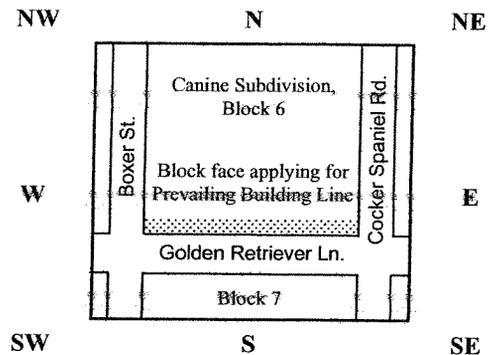
Staff will complete shaded items.

COMPLETED
Oct 3, '06

LOCATION



LOCATION EXAMPLE



1. BOUNDARY:

Block no.: 72 AND 75
 Lot nos.: 1 THROUGH 32
 Subdivision name: SUNSET HEIGHTS
 St. name & side: E. 24th NORTH + SOUTH
 Block Address: 300
 Odd/Even Addresses: BOTH

BOUNDARY EXAMPLE:

Block 6
 Lots 1-5
 Canine Subdivision
 North side of Golden Retriever Ln.
 800 Address Block Golden Retriever Ln.
 Odd Addresses

2. PROJECT INFO.:

File no.:
 Lambert: Census Tract: School Dist.: _____
 Key Map: _____ Zip Code: _____ City Council Dist.: _____
 Co. Comm. Prct.: _____

3. CONTACTS:

Applicant: MAURA CANNON
 Address: 334 E 24th Phone: 713-426-1148 Fax: 713-426-1241
 City: HOUSTON State: TX Zip: 77008
 Other: _____
 Address: _____ Phone: _____ Fax: _____
 City: _____ State: _____ Zip: _____

4. SUBMITTAL REQUIREMENTS

- Completed application form
- Map or sketch showing the address and land use of all lots within boundary
- Data showing the distance from the front property line to each building on the lot
- Signed petition
- Evidence of support from the property owners

PVL BL

PREVAILING BUILDING LINE

prevail

05/11/06



Received 09-28-06
 @ 10:15 am by Patricia Cotton
 mc.

September 27, 2006

I, Maura Cannon, owner of property with the proposed boundaries of the special building line requirement area, specifically, Block 72, Lots 15 and 16 of Sunset Heights, do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Section 42-163. With this petition and other required information, I request to preserve the character of the existing blockfaces for Block 55 and 72, Lots 1 through 32 in Sunset Heights through this application and creation of a special building line requirement area.

Maura Cannon
Petitioner
334 E 24th Street
Houston, TX 77008
713.426.1148

A handwritten signature in black ink that reads "Maura Cannon". The signature is written in a cursive style with a long, sweeping underline.

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 1700 block of Marshall Street, south side, between Woodhead and Dunlavy Streets as a Special Building Line Requirement Area	Category #	Page 1 of _____	Agenda Item # <i>15</i>
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 06/28/2007	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>	Council District affected: D
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For additional information contact: Matthew Dease Phone: 713.837.7815	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 1700 block of Marshall Street, south side, between Woodhead and Dunlavy Streets as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 25'-0" special building line.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-163 of the Code of Ordinances, the property owner of Lot 1, Block F of the Winlow Place Subdivision initiated an application for the designation of a special building line requirement area. The application includes written evidence of support from owners of 69% of the area. Notification was mailed to 14 property owners indicating that the special building line requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing an 25'-0" Special Building Line for the area.

MLG:md

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

- xc: Marty Stein, Agenda Director
 Anna Russell, City Secretary
 Arturo G. Michel, City Attorney
 Deborah McAbee, Land Use Division, Legal Department
 Linda Tarver, Public Works and Engineering
 Gary Bridges, Public Works and Engineering

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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Special Building Line Requirement Area No. 114

Planning Director's Approval

Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SBLRA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 1700 block of Marshall Street, south side.</p>
X		<p><i>More than 60% of the proposed SBLRA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>84% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 69% of the SBLRA.</p>
X		<p><i>Establishment of the SBLRA will further the goal of preserving the building line character of the area; and,</i></p> <p>A minimum building line of 25 ft exists on fourteen (14) properties in the blockface.</p>
X		<p><i>The proposed SBLRA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan or scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1923. The houses mostly originate from the 1920's. The establishment of a 25 ft minimum building line will preserve the building line character of the area.</p>
<p><i>The minimum building line for this application was determined by finding the current building line that represents a minimum standard for at least 70% of the application area.</i></p> <p>Fourteen (14) out of fourteen (14) developed properties (representing 100% of the application area) have a building line of at least twenty-five (25) feet.</p>		

The Special Building Line Requirement Area meets the criteria.


6/28/07
 Marlene L. Gafrick, Director Date

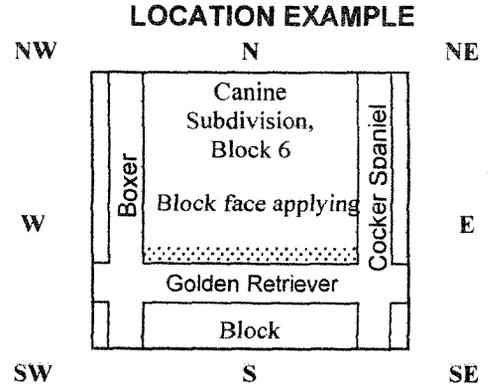
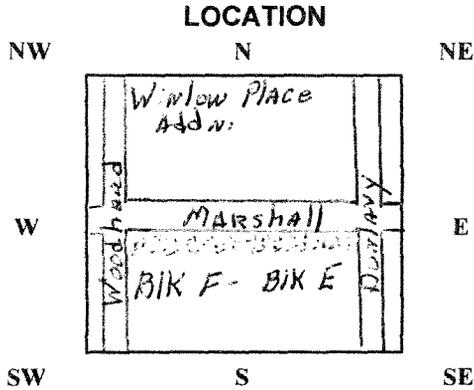
CITY OF HOUSTON

HOUSTON PLANNING COMMISSION

PLANNING & DEVELOPMENT DEPARTMENT

COMBINED SPECIAL MINIMUM LOT SIZE & SPECIAL MINIMUM BUILDING LINE APPLICATION

To expedite this application, please complete entire application form.



1. BOUNDARY:

Block # Block F Block E
 Lot #'s Lots 1-4 Lots 1-10
 Subdivision Name Winlow Place
 Street Name & Side (s) South side of MARSHALL
 Lot (s) Address 1700 Block MARSHALL
 Odd/Even Addresses Odd Addresses

BOUNDARY EXAMPLE:

Block # Block 6
 Lots 1-5 Lots 1-5
 Canine Subdivision Canine Subdivision
 North side of Golden Retriever Ln. North side of Golden Retriever Ln.
 800 Block Golden Retriever Ln. 800 Block Golden Retriever Ln.
 Odd Addresses Odd Addresses

2. CONTACTS:

Applicant Audrey B. Cook Phone # 713-522-9398
 Address 1745 MARSHALL E-mail acook21@houston.tx Fax # ---
 City Houston State TX Zip 77098
 Other E-mail: acook21@houston.tx.com Phone # ---
 Address _____ E-mail _____ Fax # _____
 City _____ State _____ Zip _____

3. PROJECT INFORMATION (STAFF USE ONLY-DO NOT FILL IN):

File # Lot (246) Bld (114) Census Tract 4108
 Lambert # 535-6 City Council District D
 Key Map # 492 ✓
 Super Neighborhood 24
 TIRZ _____

COMPLETED
 4/30/07
 JCL

PETITION FOR SPECIAL MINIMUM LOT SIZE
AND SPECIAL MINIMUM BUILDING LINE

April 20, 2007

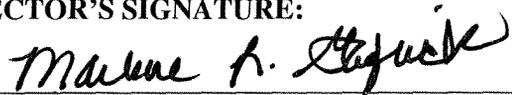
I, AUDREY B. COOK, owner of property within the proposed boundaries of the Special Minimum Lot Size and Special Minimum Building Line Requirement Area, specifically Block E - Lots 1 thru 10 and Block F - Lots 1 thru 4 of the Winlow Place Addition, do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sections 42-163 and 42-194. With this petition and other required information, I request to preserve the character of the existing lot sizes and building lines for Block E - Lots 1 thru 10 and Block F - Lots 1 thru 4 in Winlow Place through the application of and creation of a Special Minimum Lot Size and Special Minimum Building Line Requirement Area.

/s/ 
Audrey B. Cook, Petitioner

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 1000 block of Nadine Street, north and south sides, between Norhill and Michaux Streets as a Special Building Line Requirement Area	Category #	Page 1 of _____	Agenda Item # 16
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 7/3/2007	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: 	Council District affected: H
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For additional information contact: Matthew Dease Phone: 713.837.7815	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 1000 block of Nadine Street, north and south sides, between Norhill and Michaux Streets as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 16'-0" special building line.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-163 of the Code of Ordinances, the property owner of Lot 3, Block 2, of the Stude Section 1 Subdivision initiated an application for the designation of a special building line requirement area. The application includes written evidence of support from owners of 60% of the area. Notification was mailed to 17 property owners indicating that the special building line requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Three written protests were filed. The Houston Planning Commission considered the application and protests at the June 21, 2007 meeting and voted to recommend the City Council establish the Special Building Line Requirement Area.

It is recommended that the City Council adopt an ordinance establishing a 16'-0" Special Building Line for the area.

MLG:md:amm

Attachments: Planning Commission Approval, Special Building Line Requirement Application & Petition, Evidence of Support, Map of the Area, Protest Letters

- xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department
Linda Tarver, Public Works and Engineering
Gary Bridges, Public Works and Engineering

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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From: Sanchez, Thelma [TSANCHEZ@houstonisd.org]
Sent: Thursday, May 10, 2007 8:51 AM
To: annette.mitchell@cityofhouston.net
Subject: Special Minimum Lot size and special minimum building line requirement area application

Thelma Sanchez
331 Terrace Drive
Houston, TX 77007

Annette Mitchell
City of Houston
Planning and Development Department
P.O. Box 1562
Houston, TX 77251-1562

Re: Special Minimum Lot Size and Special Minimum Building Line Requirement Area Application, 1000 block of Nadine Street, north and south sides, between Norhill and Michaux

Ms. Mitchell:

As an owner of property on 1035 Nadine, between Norhill and Michaux, I would like to file a protest again the application you have received for creation of a Special Minimum Lot Size and Building Line Requirement Area. I would also like to protest both restrictions for a minimum lot size of 5,000 square feet and minimum building line of 16 feet.

Across the street of my property, which is the corner of lot Norhill and Nadine, a new development is already underway and two of the three structures are almost complete. There are other development completed or underway on the east side of Michaux. This, I believe has already increased the value of my property and the new restrictions would again reduce the value and would impede future development of the area.

Thank you in advance for your review of my protest.

Sincerely,

Thelma Sanchez

From: Christopher L. Carlson [chriscarlson@clclaw.net]

Sent: Friday, May 18, 2007 4:05 PM

To: annette.mitchell@cityofhouston.net

Cc: jtucker@jamesmartinhome.com

Subject: 1005 Nadine Houston, TX 77009 Protest of Minimum Lot Size and Minimum Building Line

Please be advised that I represent Felix N. Sabates who purchased 1005 Nadine Street (Lots 9 and 10, block 3 Stude's first addition) on 9/28/2006 with the intention of building multiple single family homes on the property. Mr. Sabates has retained my firm to file a protest to the application for Special Minimum Lot Size and Special Minimum Building Line Requirement Area for the 1000 block of Nadine Street, North and South sides, between Norhill and Michaux Streets. Please accept this email as our formal protest to such application. I will be out of town for June 8th through the 17th and I ask that the hearing on this matter not be set during those dates. Thank you for your assistance and please let me know if there is anything further you need from me in this matter.

Sincerely,

CHRISTOPHER L. CARLSON

*Christopher L. Carlson & Associates, P.L.L.C.
70th Floor JPMorgan Chase Tower
600 Travis, Suite 7070
Houston, TX 77002*

Phone: 713.651.1122

Fax: 713.651.1222

IMPORTANT/CONFIDENTIAL: This electronic transmission contains information from the law firm of Christopher L. Carlson & Associates, P.L.L.C. which may be confidential or privileged. The information is intended to be for the use of the use of the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of this information is prohibited. If you have received this transmission in error, please immediately notify us by telephone and delete this message.

May 20th, 20t07

Annette Mitchell
Planning and Development Dept.
P.O. Box 1562
Houston, Texas 77251-1562

Re: Special Minimum Lot Size and Special Minimum building Line Requirement Area Application, 1000 block of Nadine Street, North and South sides, between Norhill and Michaux.

Ms. Mitchell,

I would like to file a protest against the application you have received for creation of Special Minimum Lot Size and Line Requirement Area. And I would like to protest both restrictions for a minimum lot size of 5,0000 square feet and a minimum building line of 16 feet.

I believe the new restrictions would reduce property value in the area and unduly restrict future development. New buildings are under construction in the entire area and it would be unfair to restrict myself and other owners of the 1000 block of Nadine from the increased property value that would result from future development opportunities.

I own 1015 Nadine and my next-door neighbor's house sits almost on the sidewalk and has for many years. The increased property taxes are going to cause owners like myself to either sell or tear down and rebuild to pay the property taxes. This application with its restrictions would certainly limit the land value.

Thank you for your time,

Jo Walker

P.O. Box 681475
Houston, Texas 77268
Cell : 281-451-6948

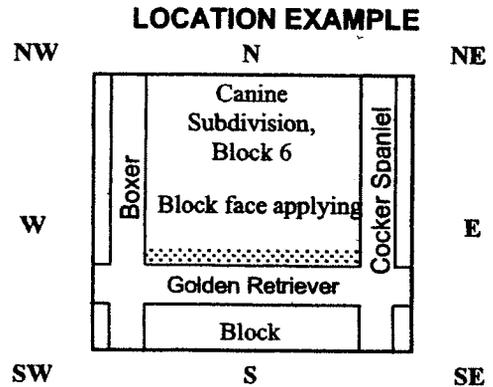
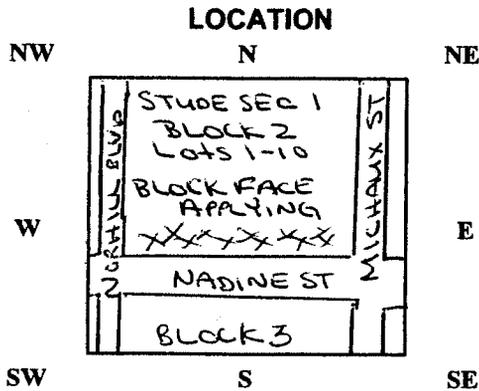
CITY OF HOUSTON

HOUSTON PLANNING COMMISSION

PLANNING & DEVELOPMENT DEPARTMENT

COMBINED SPECIAL MINIMUM LOT SIZE & SPECIAL MINIMUM BUILDING LINE APPLICATION

To expedite this application, please complete entire application form.



1. BOUNDARY:

Block # 2

Lot #'s 1-10

Subdivision Name STUDE SEC 1

Street Name & Side (s) NADINE ST. N. SIDE

Lot (s) Address 1000 BLOCK NADINE ST

Odd/Even Addresses EVEN ADDRESSES

BOUNDARY EXAMPLE:

Block 6

Lots 1-5

Canine Subdivision

North side of Golden Retriever Ln.

800 Block Golden Retriever Ln.

Odd Addresses

2. CONTACTS:

Applicant MARGARET LANDRUM Phone # 713-444-6230

Address 1032 NADINE ST E-mail landrummie@houston.tx.us Fax # N/A

City HOUSTON State Tx Zip 77009

Other E. A. CROCKER Phone # 713-854-6222

Address 1032 NADINE ST E-mail ecrocker@houston.tx.us Fax #

City HOUSTON TX State Tx Zip 77009

3. PROJECT INFORMATION (STAFF USE ONLY-DO NOT FILL IN):

File # 238

Lambert # 5359

Key Map # 4535

Super Neighborhood 15

TIRZ

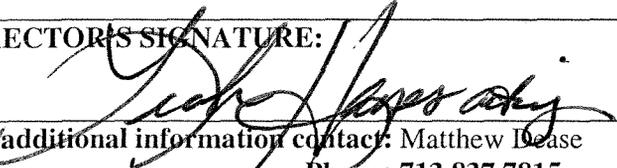
Census Tract 5115

City Council District 4

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

SUBJECT: Ordinance designating the 1700 block of Sul Ross Street, north and south sides, between Woodhead Street and a dead end as a Special Building Line Requirement Area	Category #	Page 1 of _____	Agenda Item # 17
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 8/3/2007	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: 	Council District affected: D
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For additional information contact: Matthew Dease Phone: 713.837.7815	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 1700 block of Sul Ross Street, north and south sides, between Woodhead Street and a dead end street as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing an 30'-0" special building line.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-163 of the Code of Ordinances, the property owner of Tract 10 & Tract 11A, Block 10, of the Lancaster Place Extension 3 Subdivision initiated an application for the designation of a special building line requirement area. The application includes written evidence of support from owners of 67% of the area. Notification was mailed to 12 property owners indicating that the special building line requirement area application had been made. One written protest was filed. The Houston Planning Commission considered the protest on June 7, 2007 and voted to recommend that the City Council establish the Special Building Line Requirement Area.

It is recommended that the City Council adopt an ordinance establishing an 30'-0" Special Building Line for the area.

MLG:md

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

- xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department
Linda Tarver, Public Works and Engineering
Gary Bridges, Public Works and Engineering

REQUIRED AUTHORIZATION		
F & A Director:	Other Authorization:	Other Authorization:

To: jason.holoubek@cityofhouston.net

Subject: 1700 Block of Sul Ross: Proposed building restrictions

Jason,

Thanks very much for the opportunity to comment on the proposed deed restrictions or ordinances regarding the 1700 block of Sul Ross.

I own property on the street at 1749 Sul Ross.

I would like to formally protest both proposed ordinances for the 1700 block -the required building setback ordinance, and the minimum lot size ordinance.

These proposed ordinances will substantially impair the value of my home and the many other homes on the street that trade at "lot value."

Thank You,

James Sivco

1749 Sul Ross Street

Houston, TX 77098

James Sivco | 713-993-4023

Director

Salient Partners

4265 San Felipe, Suite 900

Houston, TX 77027

713-993-4023 (direct)

713-927-6255 (mobile)

713-629-0379 (fax)

CITY OF HOUSTON

HOUSTON PLANNING COMMISSION

PLANNING & DEVELOPMENT DEPARTMENT

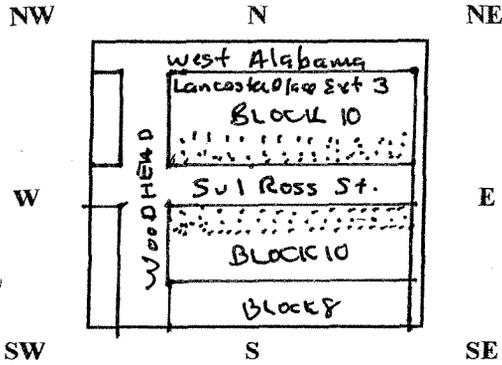
PREVAILING BUILDING LINE APPLICATION

MAR 27 2007

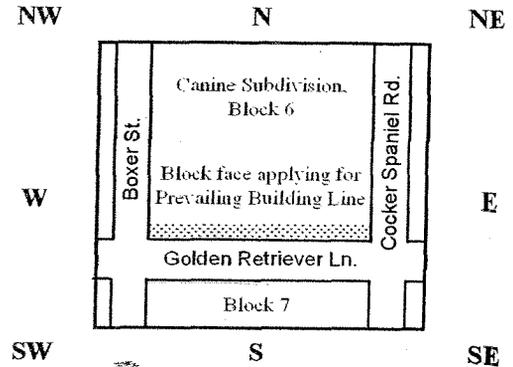
To expedite this application, please complete entire application form.

Staff will complete shaded items.

LOCATION



LOCATION EXAMPLE



1. BOUNDARY:

Block no.: 10 (both faces)

Lot nos.: 1-12

Subdivision name: Lancaster Place Extension 3

St. name & side: Sul Ross St. North + South side

Block Address: 1700s Sul Ross

Odd/Even Addresses: 1755, 1753, 1749, 1745, 1737

1756/54, 1752, 1750, 1746, 1740, 1738

2. PROJECT INFO.:

File no.: 111

Lambert: 5356

Key Map: 492V

Census Tract:

Zip Code: 77098

School Dist.: 27 - Houston

City Council Dist.: D

Co. Comm. Prct.:

3. CONTACTS:

Applicant: R. Kipp Miller robertokippmiller@yahoo.com

Address: 1750 Sul Ross Phone: 713 582 5355 Fax: 713 527 9586

City: Houston State: TX Zip: 77098

Other: Sandeep Bhakhti

Address: 1737 Sul Ross Phone: 713.545.2268 Fax:

City: Houston State: TX Zip: 77098

4. SUBMITTAL REQUIREMENTS

PVL BL

- Completed application form
- Map or sketch showing the address and land use of all lots within boundary
- Data showing the distance from the front property line to each building on the lot
- Signed petition
- Evidence of support from the property owners
- Copy of deed restrictions and signed affidavit attesting status
- Provide at least one lot survey per block face under consideration

SPECIAL BUILDING LINE REQUIREMENT AFFIDAVIT

I am eighteen years of age or older, of sound mind and capable of making this affidavit. I have personal knowledge of the facts set forth in the affidavit each of which is true and correct.

Initial (1), (2), or (3) as applicable:

- 1. RKM I affirm that all the property in the proposed Building Line Area does not have deed restrictions (the land is unrestricted).
2. I affirm that some or all of the properties have deed restrictions; however, the ordinance for which I am applying will not violate the provisions of the deed restrictions for front setback.
3. I affirm that some of the properties have deed restrictions that address building line; however, at least one of the properties in the application is not restricted for building line.

I have read the above affidavit and all statements therein are true and correct.

R. Kipp Miller March 22, 2007
Applicant Signature Date

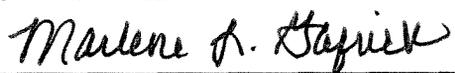
R. Kipp Miller 1750 Sol Ross, Houston, TX 77098
Applicant Printed name Address

11320841
Texas Drivers License or I.D. Number

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

SUBJECT: Ordinance designating the 1600 block of Colquitt Street, north and south sides, between Mandell and Dunlavy Streets as a Special Minimum Lot Size Area	Category #	Page 1 of _____	Agenda Item # 18
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 7/27/2007	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: <i>MS</i> 	Council District affected: D
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For additional information contact: Mina Gerall Phone: 713.837.7858	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 1600 block of Colquitt Street, north and south sides, between Mandell and Dunlavy Streets as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-194 of the Code of Ordinances, the property owner of Lot 23, Block 4, of the Lancaster Place Extn Sec 2 Subdivision initiated an application for the designation of a special lot size area. The application includes written evidence of support from the owners of 57% of the area. Notification was mailed to the 30 property owners indicating that the special minimum lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Three written protests were filed. The Houston Planning Commission considered the protest on July 5, 2007 and voted to recommend that the City Council establish the Special Minimum Lot Size Requirement Area.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 6,250 sf.

MLG:jh:amm

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

xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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Mitchell, Annette - PD

From: Linda Smith-Graham [REDACTED]
Sent: Thursday, June 14, 2007 9:55 AM
To: Mitchell, Annette - PD
Subject: Re: FW: Section 42-194

Mrs. Elda Dreyer wishes to submit a protest with regards to Sectio42-194 that is being forced upon the homeowners of the given properties, her's being 1656 Colquitt.

Submitted by her granddaughter on her behalf,
Linda Graham

tchell, Annette - PD" <Annette.Mitchell@cityofhouston.net> wrote:

Good morning Mrs. Smith-Graham: You may e-mail your protest to me.

Annette M. Mitchell
City of Houston
Planning and Development Department
Neighborhoods Division
611 Walker, 6th Floor
Houston, TX 77002
T. 713.837.7860 F. 713.837.7996
annette.mitchell@cityofhouston.net
www.houstonplanning.com

Mitchell, Annette - PD

From: Greg Tilton [REDACTED]
Sent: Thursday, June 14, 2007 8:52 AM
To: annette.mitchell@cityofhouston.net
Cc: f. e. tilton
Subject: 1600 block of Colquitt - Min Lot Size App

RE: Special Minimum Lot Size Area Application for 1600 block of Colquitt Street, north and south sides, between Mandell Street and Dunlavy Street

Annette,

Please accept this email as property owner Frank E. Tilton's protest to the above referenced application. He owns parcel 1601 Colquitt.

Please notify owner Frank E. Tilton and myself of the time and place of the hearing.

Thanks and please confirm your receipt of this protest.

Greg

Greg Tilton
Vice President
TRANSWESTERN
1330 Post Oak Blvd., Suite 2575
Houston, Texas 77056
Phone 713.407.8706 | Fax 713.407.8710
[REDACTED]
transwestern.net



Mitchell, Annette - PD

From: [REDACTED]
Sent: Tuesday, June 12, 2007 4:01 PM
To: annette.mitchell@cityofhouston.net
Subject: Re: 1631 colquitt street

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

From: [REDACTED]
To: annette@aol.com; .mitchell@cityofhouston.net
Sent: Tue, 12 Jun 2007 3:41 pm
Subject: 1631 colquitt street

Dear Ms Mitchell

I own 1631 Colquitt Street south side between Mandell and Dullavy street. I have owned it for over 35 years. It is a duplex with a rear unit (total 3 units). There have been no restrictions on this property and I do not want any. There are 2 townhouses across the street 1636 & 1638 on 3125 sq. ft. of land each. There are 4 plexes ,3 plex apartment buildings and Numerous residences with a unit or more behind making them more than one unit per lot. There are hundreds of subdivided lots with townhouse in the immediate area . Changing the ability to not subdivision your property affects the value. The property owner should be compensated for the lost A few new people have moved to this area and do not want townhouses. Inside the loop the density of people is important for Metro to be viable and this is what makes Montrose great.My property also backs up to lots that face Richmond and if Metro takes part of the lots on Richmond there is a good possibility development will need to come from Richmond to Colquitt as the lots on Richmond a part of our subdivision will be to shallow for development. Most of the buildings on Richmond are some type of small business and have more than one unit and or apartments on each lot. They are in the same subdivision on the same block and should have the same Rules. One block should should not be divided as to lot size.

Sincerely
John F. Houchins
1210 Miramar
Houston Texas 77006
713 5226094
June 12 2007

AOL now offers free email to everyone. Find out more about what's free from AOL at AOL.com.

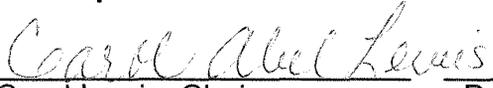
Special Minimum Lot Size Requirement Area No. 252

Planning Commission Approval

Planning Commission Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>MLS area includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 1600 block of Colquitt Street, north and south sides.</p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>69% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 57% of the SMLSA.</p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p>A minimum lot size of 6,250 sq ft exists on twenty-eight (28) lots in the blockface.</p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan or scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1923. The houses originate from the 1920's. The establishment of a 6,250 sf minimum lot size will preserve the single-family lot size character of the area.</p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p>Twenty-eight (28) out of thirty-one (31) lots (representing 94% of the application area) are at least 6,250 square feet in size.</p>		

The Special Minimum Lot Size Requirement Area meets the criteria.


7/15/07
 Carol Lewis, Chair Date
 or

 Mark A. Kilkenny, Date
 Vice-Chair

ATTN: JASON HOLOUBEK

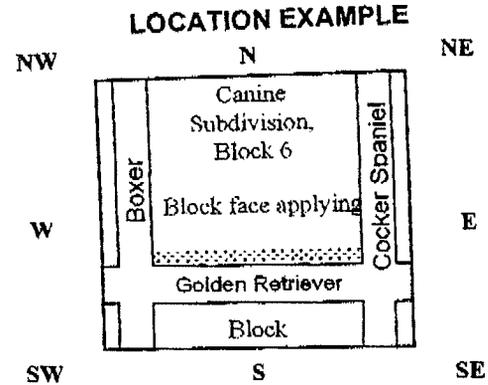
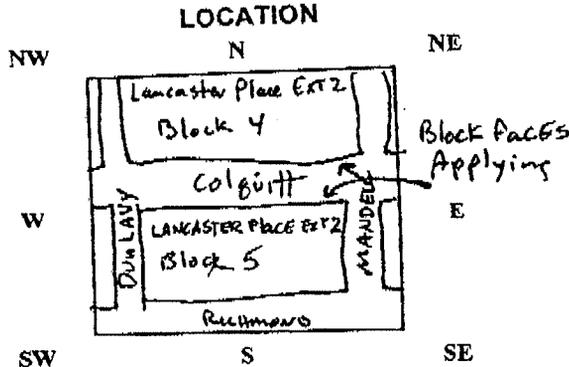
CITY OF HOUSTON

PLANNING & DEVELOPMENT DEPARTMENT

HOUSTON PLANNING COMMISSION

SPECIAL MINIMUM LOT SIZE APPLICATION

To expedite this application, please complete entire application form.



1. BOUNDARY:

Block # Blocks 4-5

Lot #'s Lots 1-30

Subdivision Name Lancaster Place Ext 2

Street Name & Side (s) North & South side of Colquitt

Lot (s) Address 1600 Block Colquitt st

Odd/Even Addresses ODD & EVEN ADDRESSES

BOUNDARY EXAMPLE:

Block 6

Lots 1-5

Canine Subdivision

North side of Golden Retriever Ln.

800 Block Golden Retriever Ln.

Odd Addresses

2. CONTACTS:

Applicant RICHARD LOPER Phone # 713-529-3880

Address 1632 Colquitt ST E-mail rico@eldoradowoodworks.com

City HOUSTON TX State TX Zip 77006

Other _____ Phone # _____

Address _____ E-mail _____ Fax # _____

City _____ State _____ Zip _____

3. PROJECT INFORMATION (STAFF USE ONLY-DO NOT FILL IN):

File # MLS 252

Lambert # 5356

Key Map # L 4923

Super Neighborhood 24

TIRZ _____

Census Tract 4708

City Council District D

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 500 block of Granberry Street, east side, between White Oak and Reserve Streets as a Special Minimum Lot Size Area	Category #	Page 1 of _____	Agenda Item # 19
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 6/28/2007	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>	Council District affected: H
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For additional information contact: Mina Gerall Phone: 713.837.7858	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 500 block of Granberry Street, east side, between White Oak and Reserve Streets as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-194 of the Code of Ordinances, the property owner of Lot 1A & 2, Block 2, of the Freeland Subdivision initiated an application for the designation of a special minimum lot size area. The application includes written evidence of support from the owners of 74% of the area. Notification was mailed to the 6 property owners indicating that the special lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 5,000 sf.

MLG:jh

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

xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department

REQUIRED AUTHORIZATION		
F & A Director:	Other Authorization:	Other Authorization:

Special Minimum Lot Size Requirement Area No. 251

Planning Director's Approval

Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SMLSA area includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 500 block of Granberry Street, east side.</p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>100% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 74% of the SMLSA.</p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p>A minimum lot size of 5,000 sq ft exists on five (5) lots in the blockface.</p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan or scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1920. The houses originate from the 1920's. The establishment of a 5,000 sf minimum lot size will preserve the lot size character of the area.</p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p>Five (5) out of six (6) lots (representing 89% of the application area) are at least 5,000 square feet in size.</p>		

The Special Minimum Lot Size Requirement Area meets the criteria.



 Marlene L. Gafrick, Director Date

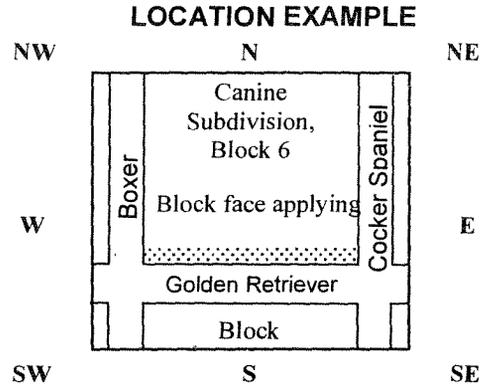
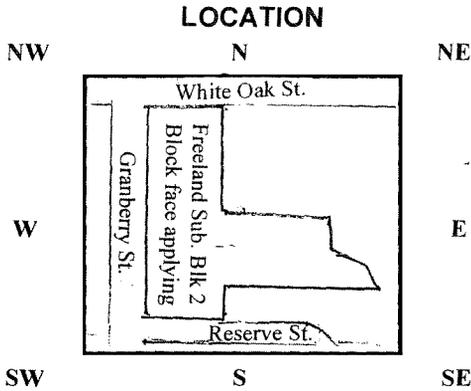
CITY OF HOUSTON

HOUSTON PLANNING COMMISSION

PLANNING & DEVELOPMENT DEPARTMENT

SPECIAL MINIMUM LOT SIZE APPLICATION

To expedite this application, please complete entire application form.



1. BOUNDARY:

Block # Block 2
 Lot #'s Lots 1-8
 Subdivision Name Freeland
 Street Name & Side (s) East side of Granberry St.
 Lot (s) Address 500 Block Granberry St.
 Odd/Even Addresses Even Addresses

BOUNDARY EXAMPLE:

Block # Block 6
 Lot #'s Lots 1-5
 Subdivision Name Canine Subdivision
 Street Name & Side (s) North side of Golden Retriever Ln.
 Lot (s) Address 800 Block Golden Retriever Ln.
 Odd/Even Addresses Odd Addresses

2. CONTACTS:

Applicant Jean Taylor Phone # 713-862-4249
 Address 546 Granberry St. E-mail jean_taylor@juno.com Fax # 713-580-6320
 City Houston State TX Zip 77007
 Other _____ Phone # _____
 Address _____ E-mail _____ Fax # _____
 City _____ State _____ Zip _____

3. PROJECT INFORMATION (STAFF USE ONLY-DO NOT FILL IN):

File # 257
 Lambert # 5308
 Key Map # 4734
 Super Neighborhood 15
 TIRZ _____
 Census Tract 5104
 City Council District 4

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 1600 block of Hawthorne Street, north and south sides, between Dunlavy and Mandell Streets as a Special Minimum Lot Size Area	Category #	Page 1 of _____	Agenda Item # <i>20</i>
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 7/09/2007	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: <i>MS Marlene R. Gafrick</i>	Council District affected: D
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For additional information contact: Mina Gerall Phone: 713.837.7858	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 1600 block of Hawthorne Street, north and south sides, between Dunlavy and Mandell Streets as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-194 of the Code of Ordinances, the property owner of of Lot 7, Block 7, of the Mandell Place Subdivision initiated an application for the designation of a special minimum lot size area. The application includes written evidence of support from the owners of 52% of the area. Notification was mailed to the thirty-one (31) property owners indicating that the special lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 5,565 sf.

MLG:jh

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

- xc: Marty Stein, Agenda Director
 Anna Russell, City Secretary
 Arturo G. Michel, City Attorney
 Deborah McAbee, Land Use Division, Legal Department

MS
MLG

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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**Special Minimum Lot Size Area No. 250
Planning Director's Approval**

Planning Director Evaluation:

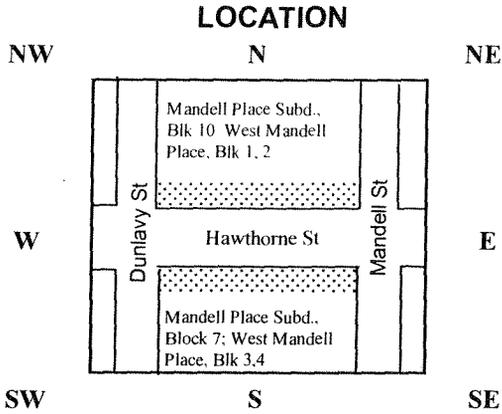
Satisfies	Does Not Satisfy	Criteria
X		<p><i>SMLSA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 1600 block of Hawthorne Street, north and south sides.</p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>71% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 52% of the SMLSA.</p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p>A minimum lot size of 5,565 sq ft exists on twenty (20) lots in the blockface.</p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan or scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1922. The houses originate from the 1920's and 1930's. The establishment of a 5,565 sf minimum lot size will preserve the lot size character of the area.</p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p>Twenty (20) out of thirty-one (31) lots (representing 71% of the application area) are at least 5,565 square feet in size.</p>		

The Special Minimum Lot Size Area meets the criteria.

Marlene L. Gafrick 7/3/07
 Marlene L. Gafrick, Director Date

SPECIAL MINIMUM LOT SIZE APPLICATION

To expedite this application, please complete entire application form.



*Approved 7/8
8-2-07
Tina J. ...*

1. BOUNDARY:

Block #s Mandell Place 7,10; West Mandell Place 1,2,3,4

Lot #'s Lts 1-10 of Blk 7; Lts 1-10 & Trs 6A,6B of Blk 10; Lts 1-4 of Blk 1; Lt 2 & Tr 1 of Blk 2; Lts 5,7,8 & Trs 6,6A of Blk 3; Lts 1,4 of Blk 4

Subdivision Name Mandell Place & West Mandell Place

Street Name & Side (s) South and North sides of Hawthorne St

Lot (s) Address 1600 Block Hawthorne St

Odd/Even Addresses Odd & Even Addresses

2. CONTACTS:

Applicant Robert Clayton Phone # 281.705.5706

Address 1615 Hawthorne E-mail mrbclayton@yahoo.com Fax # _____

City Houston State TX Zip 77006

Other _____ Phone # _____

Address _____ E-mail _____ Fax # _____

City _____ State _____ Zip _____

3. PROJECT INFORMATION (STAFF USE ONLY-DO NOT FILL IN):

File # 250 Census Tract 4108

Lambert # 5356A City Council District D

Key Map # 492V

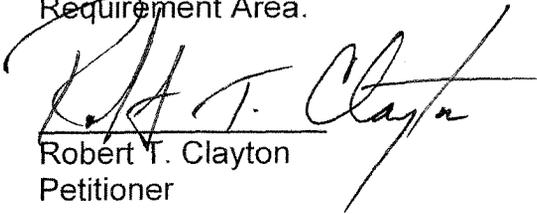
Super Neighborhood 24

TIRZ _____

PETITION

April 11, 2007

I, Robert T. Clayton, owner of property within the proposed boundaries of the Special Minimum Lot Size Requirement Area, specifically, **Block 7, Lot 7 of Mandell Place**, do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sections 42-194. With this petition and other required information, I request to preserve the character of the existing lot sizes for **Block 7, Lots 1-10 and Block 10, Lots 1-10 & Tracts 6A,6B of Mandell Place; Block 1, Lots 1-4 and Block 2, Lot 2 & Tract 1 and Block 3, Lots 5,7,8 & Tracts 6,6A and Block 4, Lots 1,4 of West Mandell Place** through the application of and creation of a Special Minimum Lot Size Requirement Area.



Robert T. Clayton
Petitioner

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 1700 block of Marshall Street, south side, between Woodhead and Dunlavy Streets as a Special Minimum Lot Size Area	Category #	Page 1 of _____	Agenda Item # 21
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 06/28/ 2007	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>	Council District affected: D
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For additional information contact: Mina Gerall Phone:713.837.7858	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 1700 block of Marshall Street, south side, between Woodhead and Dunlavy Streets as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-194 of the Code of Ordinances, the property owner of of Lot 1, Block F, of the Winlow Place Subdivision initiated an application for the designation of a special minimum lot size area. The application includes written evidence of support from the owners of 69% of the area. Notification was mailed to the 14 property owners indicating that the special lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 6, 250 sf.

MLG:jh

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

xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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Special Minimum Lot Size Area No. 246

Planning Director's Approval

Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SMLSA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 1700 block of Marshall Street, south side.</p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>84% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 69% of the SMLSA.</p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p>A minimum lot size of 6,250 sq ft exists on all fourteen (14) lots in the blockface.</p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan or scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1923. The houses originate from the 1920s. The establishment of a 6,250 sq ft minimum lot size will preserve the lot size character of the area.</p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p>Fourteen (14) out of fourteen (14) lots (representing 100% of the application area) are at least 6,250 square feet in size.</p>		

The Special Minimum Lot Size Area meets the criteria.

Marlene L. Gafrick
 Marlene L. Gafrick, Director

6/28/07
 Date

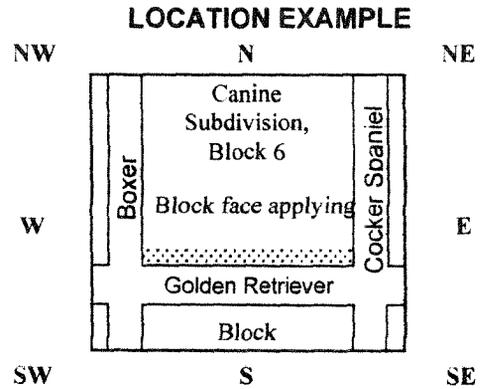
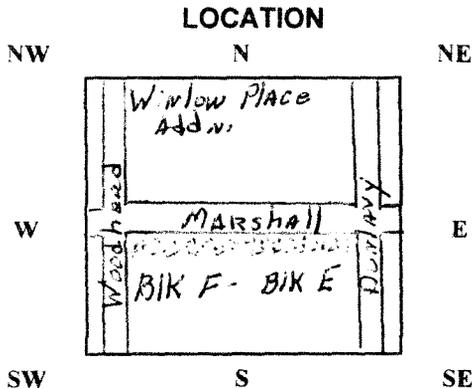
CITY OF HOUSTON

HOUSTON PLANNING COMMISSION

PLANNING & DEVELOPMENT DEPARTMENT

COMBINED SPECIAL MINIMUM LOT SIZE & SPECIAL MINIMUM BUILDING LINE APPLICATION

To expedite this application, please complete entire application form.



1. BOUNDARY:

Block # Block F Block E
 Lot #'s Lots 1-4 Lots 1-10
 Subdivision Name Winlow Place
 Street Name & Side (s) South side of Marshall
 Lot (s) Address 1700 Block Marshall
 Odd/Even Addresses Odd Addresses

BOUNDARY EXAMPLE:

Block # Block 6
 Lots 1-5
 Canine Subdivision
 North side of Golden Retriever Ln.
 800 Block Golden Retriever Ln.
 Odd Addresses

2. CONTACTS:

Applicant Audrey B. Cook Phone # 713-522-9398
 Address 1745 Marshall E-mail cook21@houston.com Fax # ---
 City Houston State TX Zip 77098
 Other E-mail: alook21@houston.tx.com Phone # ---
 Address _____ E-mail _____ Fax # _____
 City _____ State _____ Zip _____

3. PROJECT INFORMATION (STAFF USE ONLY-DO NOT FILL IN):

File # Lot (245) BLK (114) Census Tract 4108
 Lambert # 5356 City Council District D
 Key Map # 492V
 Super Neighborhood 24
 TIRZ _____

COMPLETED
 4/30/07 *fu*

PETITION FOR SPECIAL MINIMUM LOT SIZE
AND SPECIAL MINIMUM BUILDING LINE

April 20, 2007

I, AUDREY B. COOK, owner of property within the proposed boundaries of the Special Minimum Lot Size and Special Minimum Building Line Requirement Area, specifically Block E - Lots 1 thru 10 and Block F - Lots 1 thru 4 of the Winlow Place Addition, do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sections 42-163 and 42-194. With this petition and other required information, I request to preserve the character of the existing lot sizes and building lines for Block E - Lots 1 thru 10 and Block F - Lots 1 thru 4 in Winlow Place through the application of and creation of a Special Minimum Lot Size and Special Minimum Building Line Requirement Area.

/s/ 
Audrey B. Cook, Petitioner

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 1100 block of Tabor Street, east and west sides, between Mathis Street and Pittman Avenue as a Special Minimum Lot Size Area	Category #	Page 1 of _____	Agenda Item # <i>22</i>
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 06/05/2007	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: <i>MS</i> <i>Marlene L. Gafrick</i>	Council District affected: H
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For additional information contact: Mina Gerall Phone:713.837.7858	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 1100 block of Tabor Street, east and west sides, between Mathis Street and Pittman Avenue as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-194 of the Code of Ordinances, the property owner of of Lot 6, Block 101, of the Brooke Smith Subdivision initiated an application for the designation of a special minimum lot size area. The application includes written evidence of support from the owners of 75% of the area. Notification was mailed to the 11 property owners indicating that the special lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 5,000 sf.

MLG:jh

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

xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department

MS

REQUIRED AUTHORIZATION		
F & A Director:	Other Authorization:	Other Authorization:

Special Minimum Lot Size Area No. 248

Planning Director's Approval

Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SMLSA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 1100 block of Tabor Street, east and west sides.</p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>100% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 75% of the SMLSA.</p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p>A minimum lot size of 5,000 sq ft exists on twelve (12) lots in the blockface.</p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan or scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1906. The houses originate from the 1920's. The establishment of a 5,000 sf minimum lot size will preserve the lot size character of the area.</p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p>Twelve (12) out of twelve (12) lots (representing 100% of the application area) are at least 5,000 square feet in size.</p>		

The Special Minimum Lot Size Area meets the criteria.


6/25/04
 Marlene L. Gafrick, Director Date

COMPLETED

5/2/07

CITY OF HOUSTON

HOUSTON PLANNING COMMISSION

PLANNING & DEVELOPMENT DEPARTMENT

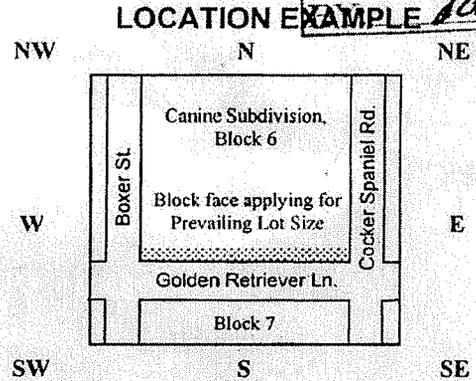
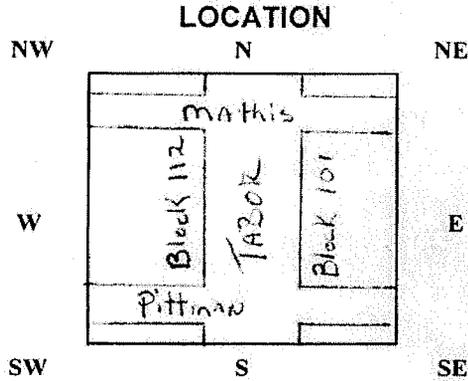
PREVAILING LOT SIZE APPLICATION

RECEIVED APR 27 2007 James N.

To expedite this application, please complete entire application form.

Shaded box for expedited application

Staff will complete shaded items.



1. BOUNDARY:

Block no.: Block 101, 112
Lot nos.: 1-6, 4-9
Subdivision name: Brocke Smith
Street name & side: Tabor St.
Lot(s) Address: 1100
Odd/Even Addresses: Both ODD and EVEN

BOUNDARY EXAMPLE:

Block 6
Lots 1-5
Canine Subdivision
North side of Golden Retriever Ln.
800 Address Block Golden Retriever Ln.
Odd Addresses

2. PROJECT INFO.:

File no.: MS 248
Lambert: 5359
Key Map: 453 x
S Neigh: 15
TIRZ:

Census Tract: 5116
School Dist.: HISD
Zip Code: 77009
City Council Dist.: H
Co. Comm. Prct.:

3. CONTACTS:

Applicant: David Brasley
Address: 1102 Tabor St.
City: Houston
Phone: 832.877.8485
State: TX
Zip: 77009

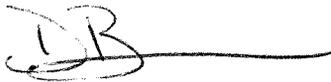
4. SUBMITTAL REQUIREMENTS

- Completed application form [checked]
Map showing the address and land use of all lots within boundary (from www.hcad.org) [checked]
Data showing the actual size of each lot [checked]
Signed petition [checked]
Evidence of support from the property owners within the boundary [checked]
Copy of deed restrictions and signed affidavit attesting status [checked]

PREVAILING LOT SIZE PETITION

April 16, 2007

I, David Beasley, owner of property within the boundaries of the special minimum lot size requirement area, specifically, Block 101, Lot 6, of Brooke Smith, do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sec. 42-213. With this petition and other required information, I request to preserve the character of the existing lot sizes for Block 101, Lots 1-6, Block 112, lots 4-9 in Brooke Smith through the application and creation of a special and minimum lot size requirement area.

A handwritten signature in black ink, consisting of the initials 'DB' followed by a long horizontal stroke.

David Beasley

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

SUBJECT: Ordinance designating the 1600 block of Vassar Street, north side, between Dunlavy and Mandell Streets as a Special Minimum Lot Size Area	Category #	Page 1 of _____	Agenda Item # 23
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 6/08/2007	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: 	Council District affected: C
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For additional information contact: Mina Gerall Phone: 713.837.7858	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 1600 block of Vassar Street, north side, between Dunlavy and Mandell Streets as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-194 of the Code of Ordinances, the property owner of Lot 3, Block 1, of the North Edgemont Subdivision initiated an application for the designation of a special minimum lot size area. The application includes written evidence of support from the owners of 62% of the area. Notification was mailed to the 14 property owners indicating that the special lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 3,800 sf.

MLG:jh

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

xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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Special Minimum Lot Size Area No. 249

Planning Director's Approval

Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SMLSA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 1600 block of Vassar Street, north side.</p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>100% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 62% of the SMLSA.</p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p>A minimum lot size of 3,800 sq ft exists on ten (10) lots in the blockface.</p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan or scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1923. The majority of the houses originate from the 1930's and 1940's. The establishment of a 3,800 sf minimum lot size will preserve the lot size character of the area.</p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p>Ten (10) out of fifteen (15) lots (representing 76% of the application area) are at least 3,800 square feet in size.</p>		

The Special Minimum Lot Size Area meets the criteria.



 Marlene L. Gafrick, Director Date

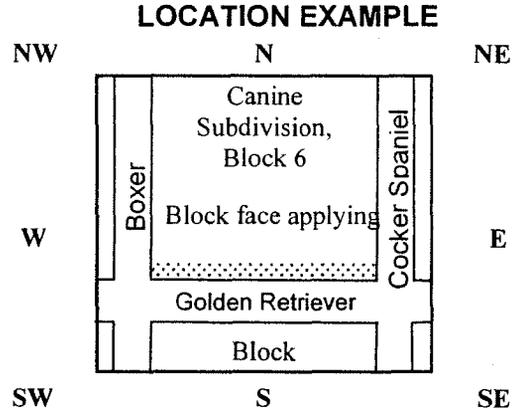
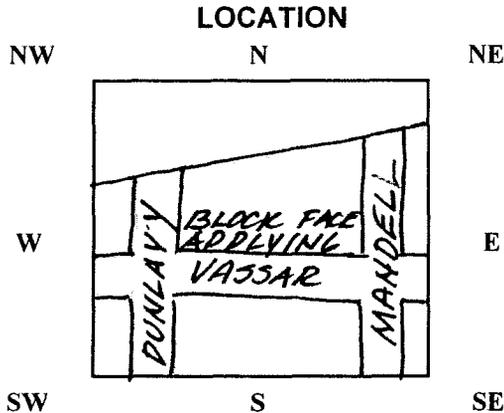
CITY OF HOUSTON

HOUSTON PLANNING COMMISSION

PLANNING & DEVELOPMENT DEPARTMENT

SPECIAL MINIMUM LOT SIZE APPLICATION

To expedite this application, please complete entire application form.



1. BOUNDARY:

Block # 1
 Lot #'s 1-15
 Subdivision Name NORTH EDMONT
 Street Name & Side (s) NORTH SIDE VASSAR ST.
 Lot (s) Address 1600 - 1656
 Odd/Even Addresses EVEN

BOUNDARY EXAMPLE:

Block 6
 Lots 1-5
 Canine Subdivision
 North side of Golden Retriever Ln.
 800 Block Golden Retriever Ln.
 Odd Addresses

2. CONTACTS:

Applicant BARBARA EAVES Phone # (713) 521 0768
 Address 1652 VASSAR E-mail BEAVES1@HOUS Fax # _____
 City HOUSTON State TEXAS Zip 77006
 Other _____ Phone # _____
 Address _____ E-mail _____ Fax # _____
 City _____ State _____ Zip _____

3. PROJECT INFORMATION (STAFF USE ONLY-DO NOT FILL IN):

File # 749 Census Tract 4119
 Lambert # 5356 City Council District C
 Key Map # 492Z
 Super Neighborhood 2A
 TIRZ _____

PETITION
to create a
Minimum Lot Size Requirement Area

Date: 4-27-07

I, Barbara Eaves, owner of property within the proposed boundaries of the Special Minimum Lot Size Requirement Area, specifically, Block 1, Lot 3 of North Edgemont Subdivision, do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sections 41-194. With this petition and other required information, I request to preserve the character of the existing lot sizes for Block 1, Lots 1 through 15, in North Edgemont Subdivision through the application of and creation of a Special Minimum Lot Size Requirement Area.

Signature of petitioner Barbara Eaves

Printed name of petitioner BARBARA EAVES

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

SUBJECT: Ordinance designating the 2400-2500 block of Wichita Street, south side, between Dowling and Live Oak Streets as a Special Minimum Lot Size Area	Category #	Page 1 of _____	Agenda Item # 24
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 5/22/2007	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: <i>MS Marlene L. Gafrick</i>	Council District affected: D
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For additional information contact: Mina Gerall Phone: 713.837.7858	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 2400-2500 block of Wichita Street, south side, between Dowling and Live Oak Streets as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

Amount and Source of Funding: N/A	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-194 of the Code of Ordinances, the property owner of Lot 20, Tracts 19 and 21A, Block 24, of the Riverside Terrace Section 3 Subdivision initiated an application for the designation of a special minimum lot size area. The application includes written evidence of support from the owners of 65% of the proposed area. Notification was mailed to the ten (10) property owners indicating that the special minimum lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 10,350 sf.

MLG:jh

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

xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department

MS
MS

REQUIRED AUTHORIZATION		
F & A Director:	Other Authorization:	Other Authorization:

Special Minimum Lot Size Requirement Area No. 216

Planning Director's Approval

Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SMLSA includes all properties within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 2400-2500 block of Wichita Street, south side.</p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>84% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition was signed by owners of 65% of the SMLSA.</p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p>A minimum lot size of 10,350 sf exists on seven (7) lots in the blockface.</p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan or scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1925. The houses originate from the 1940's. The establishment of a 10,350 sf minimum lot size will preserve the lot size character of the area.</p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p>Seven (7) out of ten (10) lots (representing 75% of the application area) are at least 10,350 square feet in size.</p>		

The Special Minimum Lot Size Requirement Area meets the criteria.


 Marlene L. Gafrick, Director Date

CITY OF HOUSTON

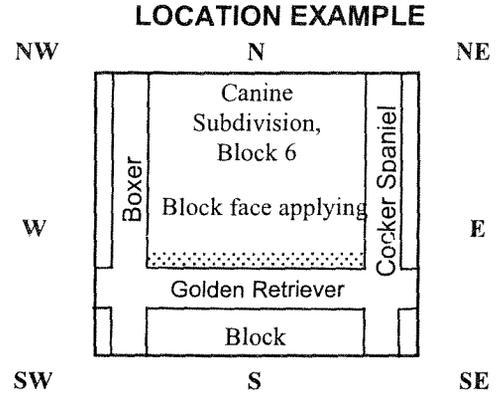
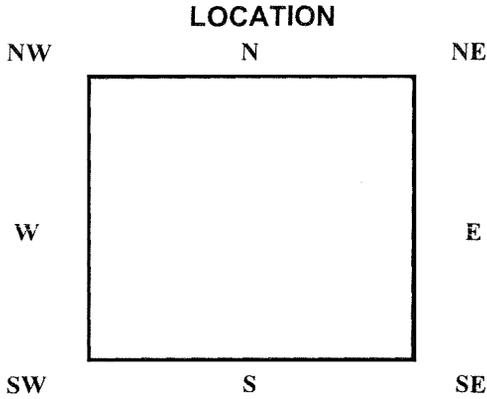
HOUSTON PLANNING COMMISSION

PLANNING & DEVELOPMENT DEPARTMENT

SPECIAL MINIMUM LOT SIZE APPLICATION

To expedite this application, please complete entire application form.

COMPLETE 4/19



1. BOUNDARY:

Block # 24
 Lot #'s 13 ~~and~~ 24
 Subdivision Name Riverside Terrace
 Street Name & Side (s) North side of Wichita
 Lot (s) Address 2400 through 2500
 Odd/Even Addresses Even

BOUNDARY EXAMPLE:

Block 6
 Lots 1-5
 Canine Subdivision
 North side of Golden Retriever Ln.
 800 Block Golden Retriever Ln.
 Odd Addresses

2. CONTACTS:

Applicant ALLENE HILLARD Phone # 713 5231040
 Address 2420 WICHITA E-mail _____ Fax # 713 5231040
 City HOUSTON TX 77004 State _____ Zip _____
 Other _____ Phone # _____
 Address _____ E-mail _____ Fax # _____
 City _____ State _____ Zip _____

3. PROJECT INFORMATION (STAFF USE ONLY-DO NOT FILL IN):

File # _____
 Lambert # _____
 Key Map # _____
 Super Neighborhood _____
 TIRZ _____
 Census Tract _____
 City Council District _____

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

SUBJECT: Ordinance amending Ordinances No 03-0849, 04-0022, 04-0023, 03-0934 and 03-0848 to increase the maximum contract amount and authorizing the first amendment to extend the term of service for various Contractors of the Harris County Area Agency on Aging	Category # 9	Page 1 of 3	Agenda Item # 25
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FROM (Department or other point of origin): Houston Department of Health and Human Services	Origination Date 09/05/07	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: <i>Stephen J. Williams</i>	Council District affected: ALL
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For additional information contact: Kathy Barton Telephone: 713-794-9998; pgr 713-826-5801	Date and identification of prior authorizing Council action: 10-22-03; 03-0981; 11-11-03; 03-1052; 11-05-03; 03-1022; 10-0803; 03-0933; 09-17-03; 03-0848; 02-05-06; 06-0159.
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RECOMMENDATION: (Summary)
Approval of an Ordinance to amend Ordinances No 03-0849, 04-0022, 04-0023, 03-0934 and 03-0848 to increase the maximum contract amount and authorizing the first amendment to extend the term of service for various contractors of the Harris County Area Agency on Aging.

Amount of Funding: Total Maximum Contract Amount: \$ 7,822,760.12 Total Contract Increase: \$ 1,571, 392.12 Fund 5030 Federal State Local – Pass Through Fund	F&A Budget:
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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 to amend ordinances No. 03-0849, 04-0022, 04-0023, 03-0934 and 03-0848 to increase the maximum contract amount and authorizing the first amendment to extend the term of service from September 30, 2007 to September 30, 2008 for various contractors of the Department's Harris County Area Agency on Aging. These contractors were selected through a request for proposal process. The amendment will increase the Director's ability to add funds through the supplemental allocation process should additional funds be received.

The City of Houston, as designated by the Texas Department of Aging and Disability Services, has full authority and responsibility for funds authorized under the Title III of the Older Americans Act of 1965, as amended. These funds are disbursed by the U.S. Department of Health and Human Services through the Texas Department of Aging and Disability Services and administered by the Department's Harris County Area Agency on Aging.

Services provided by these contractors are:

- **Congregate** services include a hot or other appropriate meal that meets the recommended dietary allowance and is served to an eligible person at a congregate meal site.
- **Home delivered meal** services include a hot or otherwise appropriate meal that meets the recommended dietary allowance and is served to an eligible person at his/her residence.
- **Caregiver education and training** services include the establishment of support groups for caregivers, conferences and training for those providing care to older adults.
- **Respite in-home and non-residential** includes temporary relief of caregivers that includes an array of services provided to people who need supervision. In home services are provided in the client's home environment on a short term, temporary basis while the primary caregiver is unavailable or needs relief. Non-residential respite services are provided in an adult type day care location while the primary caregiver is unavailable or needs relief. Services may also include meal preparation, housekeeping and assistance with personal care and/or social recreational activities. The City or the service provider identifies the client.

REQUIRED AUTHORIZATION			NDT
F&A Director	Other Authorization:	Other Authorization:	

Date 09/05/07	Subject: Ordinance amending Ordinances No 03-0849, 04-0022, 04-0023, 03-0934 and 03-0848 to increase the maximum contract amount and authorizing the first amendment to extend the term of service for various Contractors of the Harris County Area Agency on Aging	Originator's Initials	Page <u>2</u> of <u>3</u>
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- **Personal Assistance** includes the performance of personal care tasks including bathing, dressing, feeding, grooming, transferring / ambulation to individuals who need assistance with performing activities of daily living in their residential place.
- **Homemaker** services include the performance of housekeeping/home management, meal preparation and/or escort tasks and shopping assistance, provided to individuals who require assistance with these activities in their places of residence.
- **Long Term Care Ombudsman** includes services that identify, investigate, and resolve complaints made by, or on behalf of, residents of nursing facilities and assisted living facilities, and which relate to action, inaction, or decisions that may adversely affect the health, safety, welfare, or rights of the residents, of providers, or representatives of providers, of long-term care services, public agencies, or health and social service agencies.
- **Legal Assistance** services include advice and representation by an attorney, or counseling, or representation by a non-lawyer where permitted by law to older individuals with economic and social needs. Legal assistance activities include advice/counseling, document preparation, representation and benefits counseling.
- **Transportation** services involve taking an older person from one location to another. Demand/Response transportation includes carrying older persons from specific origin to specific destination upon request.
- **Health Maintenance** services include medical treatment by a health professional; health education and counseling services about lifestyles and daily activities; or provisions of medication, nutritional supplements, glasses, dentures, hearing aids, provision of medication management, technical support, and materials that connect eligible individuals to free or reduced cost prescription medication services.

Contracts were approved by City Council as follows:

- October 8, 2003 for the Sheltering Arms Houston, Texas and Eye Care Express Lab, Inc., under Ordinance No. 03-0934.
- January 14, 2004 for Jewish Community Center of Houston and Texas Southern University under Ordinances No. 04-0022 and 04-0023.
- September 17, 2003 for Lone Start Legal Aid, Perrylee Home Health Care Services, Inc., and Asian American Family Counseling Center under Ordinances No. 03-0848, and 03-0849.

Date 09/05/07	Subject: Ordinance amending Ordinances No 03-0849, 04-0022, 04-0023, 03-0934 and 03-0848 to increase the maximum contract amount and authorizing the first amendment to extend the term of service for various Contractors of the Harris County Area Agency on Aging	Originator's Initials	Page 3 of 3
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The Contractors and their respective increase through supplemental allocations will be:

Contractors	Contract No.	Current Cap Value	Contract Increase	Maximum Contract Amount
Jewish Community Center of Houston	FC55627	\$1,919,565.00	\$20,000.00	\$1,939,565.00
Eye Care Express Lab, Inc.	FC55839	\$153,750.00	\$42,937.50	\$196,687.50
Lone Star Legal Aid	FC55781	\$126,000.00	\$31,500.00	\$157,500.00
The Sheltering Arms Houston Texas	FC55520	\$2,160,175.00	\$837,805.00	\$2,997,980.00
Asian American Family Counseling Center	FC55505	\$453,986.00	\$198,160.31	\$652,146.31
Perry lee Home Health Care Services, Inc.	FC55807	\$993,126.00	\$329,797.73	\$1,322,923.73
Texas Southern University	FC55628	\$444,766.00	\$111,191.58	\$555,957.58
Total		\$6,251,368.00	\$1,571,392.12	\$7,822,760.12

cc: Finance & Administration
Legal Department
Agenda Director

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

SUBJECT: Ordinance amending Ordinances No 03-1052, 03-1022, 03-0933, 03-0981 and 03-0848 to increase the maximum contract amount and authorizing the first amendment to extend the term of service for various Contractors of the Harris County Area Agency on Aging	Category # 9	Page 1 of 3	Agenda Item # 26
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FROM (Department or other point of origin): Houston Department of Health and Human Services	Origination Date 08/27/07	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: <i>Stephen J. Williams</i>	Council District affected: ALL
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For additional information contact: Kathy Barton Telephone: 713-794-9998; pgr 713-826-5801	Date and identification of prior authorizing Council action: 10-22-03; 03-0981; 11-11-03; 03-1052; 11-05-03; 03-1022; 10-0803; 03-0933; 09-17-03; 03-0848; 02-05-06;06-0159.
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RECOMMENDATION: (Summary)
Approval of an Ordinance to amend Ordinances No 03-1052, 03-1022, 03-0933, 03-0981 and 03-0848 to increase the maximum contract amount and authorizing the first amendment to extend the term of service for various contractors of the Harris County Area Agency on Aging.

Amount of Funding: Total Maximum Contract Amount: \$28,542,491.90 Total Contract Increase: \$ 6,855,712.81 Fund 5030 Federal State Local – Pass Through Fund	F&A Budget:
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SOURCE OF FUNDING: [] General Fund [X] Grant Fund [] Enterprise Fund [] Other (Specify)

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an ordinance to amend ordinances No. 03-1052, 03-1022, 03-0933, 03-0981 and 03-0848 to increase the maximum contract amount and authorizing the first amendment to extend the term of service from September 30, 2007 to September 30, 2008 for various contractors of the Department's Harris County Area Agency on Aging. These contractors were selected through a request for proposal process. The amendment will increase the Director's ability to add funds through the supplemental allocation process should additional funds be received.

The City of Houston, as designated by the Texas Department of Aging and Disability Services, has full authority and responsibility for funds authorized under the Title III of the Older Americans Act of 1965, as amended. These funds are disbursed by the U.S. Department of Health and Human Services through the Texas Department of Aging and Disability Services and administered by the Department's Harris County Area Agency on Aging.

- Services provided by these contractors are:
- **Congregate** services include a hot or other appropriate meal that meets the recommended dietary allowance and is served to an eligible person at a congregate meal site.
 - **Home delivered meal** services include a hot or otherwise appropriate meal that meets the recommended dietary allowance and is served to an eligible person at his/her residence.
 - **Caregiver education and training** services include the establishment of support groups for caregivers, conferences and training for those providing care to older adults.
 - **Respite in-home and non-residential** includes temporary relief of caregivers that includes an array of services provided to people who need supervision. In home services are provided in the client's home environment on a short term, temporary basis while the primary caregiver is unavailable or needs relief. Non-residential respite services are provided in an adult type day care location while the primary caregiver is unavailable or needs relief. Services may also include meal preparation, housekeeping and assistance with personal care and/or social recreational activities. The City or the service provider identifies the client.
 - **Personal Assistance** includes the performance of personal care tasks including bathing, dressing, feeding, grooming, transferring / ambulation to individuals who need assistance with performing activities of daily living in their residential place.

REQUIRED AUTHORIZATION NDT

F&A Director	Other Authorization:	Other Authorization:
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Date 08/27/07	Subject: Ordinance amending Ordinances No 03-1052, 03-1022, 03-0933, 03-0981 and 03-0848 to increase the maximum contract amount and authorizing the first amendment to extend the term of service for various Contractors of the Harris County Area Agency on Aging	Originator's Initials	Page <u>2</u> of <u>3</u>
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- **Homemaker** services include the performance of housekeeping/home management, meal preparation and/or escort tasks and shopping assistance, provided to individuals who require assistance with these activities in their places of residence.
- **Long Term Care Ombudsman** includes services that identify, investigate, and resolve complaints made by, or on behalf of, residents of nursing facilities and assisted living facilities, and which relate to action, inaction, or decisions that may adversely affect the health, safety, welfare, or rights of the residents, of providers, or representatives of providers, of long-term care services, public agencies, or health and social service agencies.
- **Legal Assistance** services include advice and representation by an attorney, or counseling, or representation by a non-lawyer where permitted by law to older individuals with economic and social needs. Legal assistance activities include advice/counseling, document preparation, representation and benefits counseling.
- **Transportation** services involve taking an older person from one location to another. Demand/Response transportation includes carrying older persons from specific origin to specific destination upon request.
- **Health Maintenance** services include medical treatment by a health professional; health education and counseling services about lifestyles and daily activities; or provisions of medication, nutritional supplements, glasses, dentures, hearing aids, provision of medication management, technical support, and materials that connect eligible individuals to free or reduced cost prescription medication services.

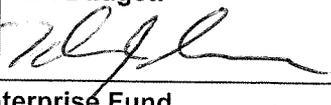
Contracts were approved by City Council as follows:

- October 22, 2003 for City of Jacinto City, City of La Porte and First Presbyterian Church of Goose Creek Texas, under Ordinance No. 03-0981.
- November 11, 2003 for Heights Hearing Aids, LLC; City of South Houston and the University of Texas Health Science Center at Houston under Ordinance No. 03-1052.
- November 5, 2003 for Young Women's Christian Association of Houston (YWCA) and Interfaith Ministries for Greater Houston under Ordinance No. 03-1022.
- October 8, 2003 for Alzheimer 's disease and Related Disorders Association, Inc. Greater Houston under Ordinance No. 03-0933.
- September 17, 2003 for Chinese Community Center under Ordinance No. 03-0848.

The Contractors and their respective increase through supplemental allocations will be:

Contractors	Contract No.	Current Cap Value	Contract Increase	Maximum Contract Amount
City of Jacinto City	FC55675	\$264,515.00	\$72,378.00	\$336,893.00
City of La Porte	FC55469	\$282,745.00	\$70,686.00	\$353,431.00
City of South Houston	FC55703	\$579,266.84	\$303,619.00	\$882,885.84
Interfaith Ministries for Greater Houston	FC55600	\$12,513,985.00	\$3,328,573.75	\$15,842,558.75
Heights Hearing Aids, LLC	FC55702	\$541,666.00	\$191,982.00	\$733, 648.00
The University of Texas Health Science Center at Houston	FC55472	\$1,690,000.00	\$422,500.00	\$2,112,500.00
Young Women's Christian Association of Houston	FC55471	\$4,389,125.00	\$2,093,077.50	\$6,482,202.50
First Presbyterian Church of Goose Creek Texas	FC55924	\$560,225.00	\$169,583.75	\$729,808.75
Alzheimer's Disease and Related Disorders Association, Inc. Greater Houston	FC55701	\$293,460.00	\$73,365.00	\$366,825.00
Chinese Community Center, Inc.	FC55430	\$571,791.25	\$129,947.81	\$701,739.06
Total		\$21,686,779.09	\$6,855,712.81	\$28,542,491.90

cc: Finance & Administration
 Legal Department
 Agenda Director

SUBJECT: An Ordinance Authorizing the Execution of a First Contract Amendment Between the City of Houston and A Caring Safe Place, Inc. for a Community Residence with Supportive Services HOPWA Program.		Category #	Page 1 of 2	Agenda Item # 27
FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development Department		Origination Date 08/21/07	Agenda Date SEP 12 2007	
DIRECTOR'S SIGNATURE: 		Council District affected: B		
For additional information contact: Donald Sampley Phone: 713.868.8458		Date and identification of prior authorizing Council action: 02/28/07 Ordinance No. 2007-0261		
RECOMMENDATION: (Summary) Approval of an ordinance authorizing the execution of a First Contract Amendment between the City of Houston and A Caring Safe Place, Inc., which will (1) extend the Pre-Contract Services timeframe and (2) increase the contract amount by \$24,000 for supportive services and the administration and operation of a "Community Residence" project under the Housing Opportunities for Persons with AIDS ("HOPWA") Program.				
Amount of Funding: \$24,000 H OPWA Grant			F&A Budget: 	
SOURCE OF FUNDING <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund				
<input type="checkbox"/> Other (Specify) Grant Fund (5000)				
SPECIFIC EXPLANATION: The Housing and Community Development Department ("HCDD") recommends approval of a First Contract Amendment between the City of Houston ("City") and A Caring Safe Place, Inc. to finance the administration and operation of a HOPWA community residence. A Caring Safe Place is a Texas nonprofit corporation that provides transitional housing and supportive services for persons with HIV/AIDS who also have a chemical and/or alcohol dependency. By passage of Ordinance No. 2007-0261, on February 28, 2007, City Council authorized and approved a contract between the City of Houston and A Caring Safe Place, Inc., which provided funding for the administration and operation of its HOPWA project. Located in the Fifth Ward area of Houston, A Caring Safe Place has provided transitional living and supportive services to individuals infected and affected by HIV/AIDS, since its establishment in 1997. The agency's mission is to provide crisis intervention services to HIV/AIDS infected individuals who are also victims of drug abuse, abandonment and neglect. Services funded by other grants have included health education, risk reduction counseling, mental health case management, and outreach services. Through its HOPWA contracts, A Caring Safe Place has provided transitional housing and life management skills training to dually diagnosed HIV/AIDS men, for the past seven years. The initial funding of the contract provided for program costs in the amount of \$384,855.00 that was inclusive of \$34,855 in pre-contract services. The pre-contract costs result from a lapse in funding for services due to internal procedure modification. The agency continues to provide the same services in this contract as they did in previous contracts. A Caring Safe Place now desires to amend the contract with the City to (1) extend the pre-contract timeframe from December 31, 2006 to February 28, 2007 and (2) increase the pre-contract costs by \$24,000.00 to a total of \$58,855.00, thereby increasing the total contract amount to \$408,855.00.				
REQUIRED AUTHORIZATION				
F&A Director:		Other Authorization:		Other Authorization: <i>NOT</i>

Date
08/21/07

Subject: An Ordinance Authorizing the Execution of a First Contract Amendment Between the City of Houston and A Caring Safe Place, Inc. for a Community Residence with Supportive Services HOPWA Program.

Originator's
Initials

Page
2 of 2

During the months of January and February, a total of nine (9) clients received services through the operation of a community residence and available supportive services. The current scope of work for this project entails the provision of transitional housing assistance, supportive services, and housing information and referral services for thirty-five ("35") unduplicated persons. Supportive services provided include life skills training and mental health counseling; job search, placement, and vocational training; and case management.

This contract will provide the following activities for a 12-month period.

Pre-Contract Services Agreement Amendment

	Current Nov.1-Dec31.2007	Amended (Additional Funding) Jan.1-31.2007	Total Pre-Contract Services
Administration	\$ 2,846.00	\$ 1,950.85	\$4,796.85
Supportive Services	\$ 28,545.00	\$18,943.76	\$47,488.76
Operating Costs	\$ 3,464.00	\$ 3,105.39	\$6,569.39
Total	\$ 34,855.00	\$24,000.00	\$58,855.00

Annual Contract Services

Administration	\$ 24,415.00
Supportive Services	\$ 261,192.00
Operating Costs	\$ 60,393.00
Housing Information	\$ 4,000.00
Total Contract	\$408,855.00

Therefore, HCDD is requesting approval of a First Contract Amendment increasing the original contract amount by \$24,000; thereby providing up to \$408,855.00 in total contract funds, which sum includes pre-contract services in the amount of \$58,855.00, for this anticipated one-year contract.

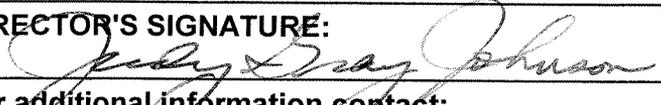
The original project was reviewed by the Housing and Community Development Committee on December 12, 2006, and was recommended for Council Action.

RC:DS:DG:AB

C: City Attorney
Mayor's Office
City Secretary
Finance and Administration

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approve the Fiscal Year 2008 Operating Budget for St. George Place Redevelopment Authority (TIRZ No. 1).	Category # 1	Page 1 of 1	Agenda Item # 28
FROM: (Department or other point of origin): Finance & Administration	Origination Date August 27, 2007		Agenda Date Sep 12 2007
DIRECTOR'S SIGNATURE: 	Council Districts affected: C & G		
For additional information contact: Robert Fiederlein Phone: 713-837-9661 Tom Mesa Phone: 713-837-9857	Date and identification of prior authorizing Council Action:		

RECOMMENDATION: (Summary)
City Council approve an ordinance to approve the Fiscal Year 2008 Operating Budget for St. George Place Redevelopment Authority (TIRZ No. 1).

Amount and Source of Funding: No Funding Required	F & A Budget
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Specific Explanation:

The administration has undertaken a comprehensive review of proposed FY 2008 TIRZ budgets. In addition, the Council Committee on Regulation, Development and Neighborhood Protection convened to review and discuss FY08 TIRZ budgets.

The Finance & Administration Department recommends approval of the Fiscal Year 2008 Operating Budget for St. George Place Redevelopment Authority (TIRZ No. 1).

- Total operating budget for FY2008 is \$3,247,654, which includes \$1,275,476 for required fund transfers and \$1,972,179 for Project Costs.
- The project expenses include \$45,825 for administration and overhead. Administration costs are budgeted to remain in line with equivalent City costs. The Redevelopment Authority Board must advise Finance & Administration of any budget amendments. Adjustments to the Project Costs in the budget of the lesser of \$400,000 or 5% or more require City Council approval.
- The budget includes \$92,500 in CIP expenditures for an intersection improvement project. This is expected to be the last project to complete the Project Plan.
- The Redevelopment Authority will remain to administer the Lamar Terrace PID and will continue using consultants for development reviews and zoning enforcement as required by the Lamar Terrace zoning code.

FY08 Actions/Priorities – TIRZ to pay off Certificates of Obligation issued by City of Houston on their behalf on 4/25/2000.

Attachments: TIRZ Profile and FY08 Operating Budget

cc: Marty Stein, Agenda Director Deborah McAbee, Senior Assistant City Attorney
Anna Russell, City Secretary Arturo Michel, City Attorney

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization: 	Other Authorization: 

P R O J E C T I N F O R M A T I O N	Base Year:	Created 1991 and expanded 1993
	Base Year Taxable Value:	\$ 27,150,340
	Project Plan Taxable Value (TY2007):	\$ 107,850,340
	Current Taxable Value (TY2007):	\$ 189,808,439
	Acres:	115
	Administrator (Contact):	David Hawes/Hawes Hill Calderon
	Contact Number:	713-541-0447

N A R R A T I V E	Zone Purpose:
	The purpose of the Zone is to increase and stabilize property values; remove visual blight, deteriorated buildings and incompatible land uses; replace and reconstruct aging infrastructure including water, sanitary and storm sewer facilities, sidewalks, paving, drainage and landscaping; promote the general health, safety, and welfare of the St. George Place (formerly known as Lamar Terrace) community and surrounding areas through the enforcement of city zoning ordinances; and ensure mobility in and through the area in a manner that is compatible with the resulting land use.
	Accomplishments in FY07 (Projects Underway):
	The Zone in partnership with TIRZ 16 constructed new sidewalks on South Rice Boulevard, constructed a sound barrier and continued with its landscaping plan. Through zoning, the Zone established a new Planned Unit Development designation that will advance the construction of 32 new homes over the next two years. In addition, the Zone has been vigilant in enforcing zoning infractions with regard to condition and incompatible land uses of older properties; 56 zoning inspections were conducted; 121 zoning enforcement letters were sent to property owners; of those, 84 are resolved; 6 replats were approved which allows for an additional 43 homes to be constructed; 17 house plans were reviewed and approved for construction; 11 various zoning permits; and 6 disconnect and demolition permits were approved.
	Actions/Priorities in FY08:
TIRZ to pay off Certificates of Obligation issued by the City of Houston on their behalf on 4/25/2000.	

		Total Plan	Cumulative Expenses (to FY07)	Variance
P R O J E C T I N F O R M A T I O N	Capital Projects:			
	Water Sewer Drainage	\$ 1,085,000	\$ 161,628	\$ 923,372
	Street Paving	3,540,000	2,648,641	891,359
	Brick Sound Wall	420,000	1,171,838	(751,838)
	Landscaping	450,000	378,612	71,388
	Cul-de-sacs	200,000	-	200,000
	Land Assembly	1,000,000	1,704,118	(704,118)
	Other	355,000	233,192	121,808
	Contingency	451,000	-	451,000
	Total Capital Projects	\$ 7,501,000	\$ 6,298,029	\$ 1,202,971
Affordable Housing	31,785,702	2,444,079	29,341,623	
Education Facilities	18,771,094	2,183,555	16,587,539	
Financing Costs	2,280,000	4,980,946	(2,700,946)	
Administration Costs	1,240,000	756,877	483,123	
Creation Costs	95,000	167,585	(72,585)	
Total Project Plan	\$ 61,672,796	\$ 16,831,071	\$ 44,841,725	

		FY2005 Budget	2007 Projection	2008 Budget
D E B T	Additional Financial Data			
	<u>Debt Service</u>	\$ 1,060,826	\$ 760,978	\$ 1,724,532
	Principal	\$ 84,042	\$ 600,072	\$ 1,598,255
	Interest	\$ -	\$ 160,906	\$ 126,277
		Balance as of 6/30/06	Balance as of 6/30/07	Balance as of 6/30/08
	<u>Year End Outstanding</u>			
	Bond Debt	\$ 2,620,000	\$ 2,420,000	\$ 2,210,000
	Bank Loans	\$ 678,327	\$ 278,255	\$ -
	Developer Agreement	\$ -		
	Other (City CO's)	\$ 5,504,123	\$ 5,504,123	\$ 4,394,123

TIRZ Budget Line Items	FY2005 Budget	2007 Projection	2008 Budget
Available Resources			
Beginning Fund Balance			
Restricted Funds - Capital Projects	\$ -	\$ -	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ -	\$ 301,355	\$ 301,355
Unrestricted Fund Balance	\$ 528,301	\$ 1,251,767	\$ 1,208,663
Total Beginning Fund Balance	\$ 528,301	\$ 1,553,122	\$ 1,510,018
TIRZ Revenues			
City	\$ 677,225	\$ 926,069	\$ 955,141
ISD	\$ 984,711	\$ 1,229,132	\$ 1,200,526
County	\$ 397,825	\$ 89,550	\$ -
Community College			\$ -
Total Revenues	\$ 2,059,761	\$ 2,244,751	\$ 2,155,667
Bond Proceeds	\$ -	\$ -	\$ -
Loan Proceeds	\$ -	\$ -	\$ -
Grant Proceeds	\$ -	\$ -	\$ -
Other	\$ -	\$ 63,240	\$ 40,000
Total Available Resources	\$ 2,588,062	\$ 3,861,113	\$ 3,705,685
Fund Transfers			
Affordable Housing			
City of Houston - Increment	\$ 78,753	\$ 308,690	\$ 318,380
City of Houston - Debt Issue		\$ -	\$ -
ISD Increment to Houston	\$ 553,979	\$ 409,711	\$ 400,175
Harris County	\$ 132,608	\$ 29,850	\$ -
ISD Education Set-Aside	\$ 390,540	\$ 495,699	\$ 484,163
Municipal Services - Public Safety		\$ -	\$ -
Administration Fee to General Fund			
COH Admin Fee (5%)		\$ 46,303	\$ 47,757
Harris County Admin		\$ 4,478	\$ -
ISD Admin		\$ 25,000	\$ 25,000
Other	\$ -	\$ -	\$ -
Total Fund Transfers	\$ 1,155,880	\$ 1,319,731	\$ 1,275,476
Funds Available for Project Costs	\$ 1,432,182	\$ 2,541,382	\$ 2,430,209
Project Costs			
Administrative Staff	\$ 79,200	\$ 11,000	\$ 11,000
Administrative Consultant			
Legal - General Counsel	\$ 24,000	\$ 9,663	\$ 7,000
Accounting/Audit	\$ 10,400	\$ 16,637	\$ 17,200
Program / Project Consulting		\$ 49,975	\$ 49,975
Administrative Operating Expenses	\$ 6,000	\$ 14,232	\$ 11,250
Capital Expenditures (See CIP for details)	\$ 95,000	\$ 110,157	\$ 92,500
Developer / Project Reimbursements		\$ 58,722	\$ 58,722
Debt Issuance Costs		\$ -	\$ -
Debt Service*	\$ 976,784	\$ -	\$ -
Principal	\$ 84,042	\$ 600,072	\$ 1,598,255
Interest Expense	\$ -	\$ 160,906	\$ 126,277
Refinance / Pre-Payments	\$ -	\$ -	\$ -
Total Project Costs	\$ 1,275,426	\$ 1,031,364	\$ 1,972,179
Total Budget	\$ 2,431,306	\$ 2,351,095	\$ 3,247,654
Resources Less Transfer and Expenses	\$ 156,756	\$ 1,510,018	\$ 458,030
Planned Ending Fund Balance:			
Restricted Funds - Capital Projects	\$ -	\$ -	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ -	\$ 301,355	\$ 301,355
Unrestricted Fund Balance	\$ 156,756	\$ 1,208,663	\$ 156,675

* TIRZ to pay off Certificates of Obligation issued by City of Houston on their behalf on 4/25/2000.

2008 - 2013 CAPITAL IMPROVEMENT PLAN
 TIRZ No. 1 - Saint George Place Redevelopment Authority

CITY OF HOUSTON - TIRZ PROGRAM
 Finance and Administration
 Fund Number: 7512/65

Council District	CIP No.	Project	FY Planned Appropriations (\$ Thousands)										Total 2008-2013	Cumulative Total (To Date)	
			Through 2007	Projected 2007	2008	2009	2010	2011	2012	2013					
C	T-0101	Intersection Reconstruction	-	-	92,500	-	-	-	-	-	-	-	-	92,500	92,500
Totals			-	-	92,500	-	-	-	-	-	-	-	-	92,500	92,500

2008 - 2013 CAPITAL IMPROVEMENT PLAN
 TIRZ No. 1 - Saint George Place Redevelopment Authority
 CIP Sources by TIRZ

CITY OF HOUSTON - TIRZ PROGRAM
 Finance and Administration

Source of Funds	FY Planned Appropriations (\$ Thousands)										Total 2008-2013	Cumulative Total (To Date)	
	Through 2007	Projected 2007	2008	2009	2010	2011	2012	2013					
TIRZ No. 1													
TIRZ funds	-	-	92,500	-	-	-	-	-	-	-	-	92,500	92,500
Revenue bond proceeds	-	-	-	-	-	-	-	-	-	-	-	-	-
Proceeds from bank loan	-	-	-	-	-	-	-	-	-	-	-	-	-
Developer Advance/Reimbursement	-	-	-	-	-	-	-	-	-	-	-	-	-
City of Houston	-	-	-	-	-	-	-	-	-	-	-	-	-
Grants	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-	-	-
Project Total	-	-	92,500	-	-	-	-	-	-	-	-	92,500	92,500

Project: Intersection Reconstruction		City Council District	Key Map: 491	WBS.: T-0101				
Description: This project is located at the intersection of West Alabama and McCulloch Circle. The project would reconstruct the intersection to allow for an acceleration lane on West Alabama east of McCulloch Circle.		Location: C	Geo. Ref.:					
Justification: The purpose of this intersection improvement is to mitigate the increased incidents of traffic problems and supports the safety and welfare of the community at large.		Served: C	Neighborhood:					
Operating and Maintenance Costs: (\$ Thousands)								
		2008	2009	2010	2011	2012	2013	Total
Personnel								
Supplies								
Svcs. & Chgs.								
Capital Outlay								
Total		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs								

Fiscal Year Planned Expenses

Project Allocation	Project Expenses thru 6/30/06	2007 Budget	2007 Estimate	2008	2009	2010	2011	2012	2013	FY08 - FY13 Total	Cumulative Total (To Date)
Phase											
1 Planning										\$ -	\$ -
2 Acquisition											
3 Design				17,500						17,500	17,500
4 Construction				75,000						75,000	75,000
5 Equipment											
6 Close-Out											
7 Other											
Other Sub-Total:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Total Allocations	\$ -	\$ -	\$ -	\$ 92,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 92,500	\$ 92,500
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Source of Funds											
TIRZ Increment Revenue				92,500						\$ 92,500	\$ 92,500
TIRZ Increment Bond Funds											
Grant Funds											
Total Funds	\$ -	\$ -	\$ -	\$ 92,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 92,500	\$ 92,500

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: 2- ordinances approving and adopting an updated ongoing Service & Assessment Plan for and on behalf of the Lamar Terrace Public Improvement District No. 2 covering the years 2006-2015 and 2007-2016. Also appropriating funds for payment to St. George Place Redevelopment Authority in accordance with the 2-Plans presented.

Category # **Page 1 of 1** **Agenda Item#**

29-29A

FROM: (Department or other point of origin):
Finance & Administration

Origination Date
August 27, 2007

Agenda Date
SEP 12 2007

DIRECTOR'S SIGNATURE:

Judy Gray Johnson

Council Districts affected:
District "C"

For additional information contact:

Robert Fiederlein **Phone:** (713) 837-9661
Julia Gee **Phone:** (713) 837-7828

Date and identification of prior authorizing Council Action:

Resolution 95-121, 8/9/95
Ordinances 97-64, 1/15/97; 2003-0432, 4/30/03;
2005-926, 7/27/05

RECOMMENDATION: (Summary)

That City Council adopt an ordinance approving an updated ongoing Service & Assessment Plan for and on behalf of the Lamar Terrace Public Improvement District No. 2 covering the years 2006-2015 and years 2007-2016.

Amount of Funding: \$485,800.81

F&A Budget:

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

SPECIFIC EXPLANATION:

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

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

Two Plans are hereby submitted for the budget years 2006 and 2007, as the Plans were not submitted previously by staff to Council in a timely manner.

- Plan for 2006-2015: The Board approved the plan in 2006. There has been no change in assessment (\$0.07/s.f of each lot). Council's action will ratify this plan.
- Plan for 2007-2016: The Board approved the plan in 2007. There has been no change in assessment (\$0.07/s.f of each lot). Council's action will ratify this plan.

The PID has operated from its Board-approved Plans and budget for 2006 and 2007 (public safety, administration of development regulations, and maintenance services). Assessments were billed in the 2005 and 2006 property tax bills and have been collected. With the adoption of this ordinance, Council's action would ratify the two Plans and assessments which been previously implemented by the Board.

Appropriate the sum of \$485,800.81 out of fund 7508, Lamar Terrace Public Improvement District no. 2 fund, for payment to St. George Place Redevelopment Authority in accordance with the 2-Plans presented.

cc: Marty Stein, Agenda Director
Anna Russell, City Secretary

Arturo Michel, City Attorney
Deborah McAbee, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Arturo Michel

Other Authorization:

Deborah McAbee

**UPDATED
SERVICE AND ASSESSMENT PLAN
FOR YEARS 2007-2016
LAMAR TERRACE PUBLIC IMPROVEMENT
DISTRICT NO. 2**

1. Introduction

This Service and Assessment Plan (this “Plan”) is prepared in conformance with Chapter 372, Texas Local Government Code, and pursuant to City of Houston Resolution No. 95-121, which created the Lamar Terrance Public Improvement District No. 2 (the “District”). This Plan covers years 2007 through 2016.

2. Boundaries

The boundaries of the District are coterminous with the boundaries of Reinvestment Zone Number One, City of Houston, Texas, as more fully described on the map attached hereto as Exhibit A.

3. The Project

The project to be carried out by the District consists of Supplemental Services.

4. Supplemental Services

A. Description of Supplemental Services

The Supplemental Services consist of special services that will confer benefit on all property in the District as follows:

- (i) Public Safety contract services
- (ii) Administration of Development Regulations within the Zone
- (iii) Board Management
- (iv) Annual maintenance services
- (v) Cost of administration and operation of the District related to the provision of Supplemental Services

B. Apportionment of Costs; Supplemental Services

It is hereby found that the Supplemental Services will benefit every lot or parcel within the District; therefore, the Supplemental Services assessment is established as an assessment of \$0.07 per square foot of each lot annually. The assessment assumes a 95 percent collection rate of the payment of assessments.

5. Annual Plan Budget

Year one of this Plan begins January 1, 2007. The following constitutes the annual budget for the District Improvements for each of the ten years of the Plan, unless amended in accordance with Chapter 372, Texas Local Government Code.

SUPPLEMENTAL SERVICES

Revenue:

Supplemental Service Assessment Levy \$190,000.00

Permit Revenue (Includes Past Revenue owed PID) 29,000.00

Total \$219,000.00

Expenses:

Public Safety Services; Enhanced Enforcement of Building, Health and Sanitation laws by the Zone; Landscape Maintenance; Utilities; Insurance; Administration of the Development Regulations of the Zone; and cost of Administration and Operation of the District related to the Provision of Supplemental Services

Total Supplemental Assessments and Permit Revenue \$219,000.00

6. Notice, payment and collection of assessments

A. Notice and payment provisions

The Supplemental Services Assessments will be made each year, and each annual assessment for Supplemental Services shall be identified with a particular assessment year, concurrent with the City's tax year. The Supplemental Services Assessments will be paid annually and may not be financed or paid in installments.

The unpaid annual assessment on a lot or parcel must be paid at the time of the sale or transfer of any lot or parcel. The assessment plan contemplates the City may adjust the assessment annually to reflect the actual collection of assessments in the District, which may represent an increase if the collection of assessments is less than 95 percent, or a decrease if the collection of assessments is more than 95 percent.

Notice of each levy of assessment is to be given as provided by Chapter 372, Texas Local Government Code. The assessment levy statement setting forth all assessments levied by the District shall be sent to each property owner in the District.

B. Collection and delinquency

The payment of any annual assessment becomes due and payable to the City of Houston when mailed and is delinquent on the next-following February 1 or, if the assessment bill is mailed to the landowner after January 10 following the year for which the assessment is levied, the delinquency date is postponed to the first day of the next month that will provide a period of at least 21 days after the date of mailing.

Delinquent installments of the assessment shall incur interest, penalties, and attorney's fees in the same manner as delinquent ad valorem taxes of the City of Houston. The owner of the assessed property may pay at any time the entire assessment then due on each property, with interest that is accrued on the assessment, or any lot or parcel.

A lien will be established against the property assessed effective as of the date of the ordinance levying the assessment, privileged above all other liens, including prior mortgage liens, to the extent allowed by Section 372.018(b) of the Local Government Code. The assessment lien shall be perfected immediately as to the entire assessment, but may be executed only with respect to the amounts then due or past due for current or prior installments or final payment. Assessments are personal obligations of the person owning the property assessed in the year an installment payment becomes due, and only to the extent of such installment(s). Failure of an owner to receive an invoice shall not relieve the owner of the responsibility for the assessment.

7. Exempt jurisdictions

The payment of the costs of the project attributable to the lots or parcels within the District owned by the Houston Independent School District ("HISD") on the effective date hereof shall be determined by contract with HISD providing for the conveyance of certain rights of way and other good and valuable consideration, the sufficiency of which is hereby acknowledged. No further payment by HISD with regard to the project is required hereunder. There is no municipal or other exempt property within the District.

8. Management of the District

Management and administration of the District shall be provided by the Board of Directors of Reinvestment Zone No. One, City of Houston, Texas (the "Board"), under the terms of a Memorandum and Agreement between the City and the Board. The Board may subcontract such portions of its obligations to the Saint George Place Redevelopment Authority as may be reasonably required.

**UPDATED
SERVICE AND ASSESSMENT PLAN
FOR YEARS 2006-2015
LAMAR TERRACE PUBLIC IMPROVEMENT
DISTRICT NO. 2**

1. Introduction

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- (ii) Administration of Development Regulations within the Zone
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- (iv) Annual maintenance services
- (v) Cost of administration and operation of the District related to the provision of Supplemental Services

B. Apportionment of Costs; Supplemental Services

It is hereby found that the Supplemental Services will benefit every lot or parcel within the District; therefore, the Supplemental Services assessment is established as an assessment of \$0.07 per square foot of each lot annually. The assessment assumes a 95 percent collection rate of the payment of assessments.

5. Annual Plan Budget

Year one of this Plan begins January 1, 2006. The following constitutes the annual budget for the District Improvements for each of the ten years of the Plan, unless amended in accordance with Chapter 372, Texas Local Government Code.

SUPPLEMENTAL SERVICES

Revenue:

Supplemental Service Assessment Levy \$210,000.00

Permit Revenue (Includes Past Revenue owed PID) 20,000.00

Total \$230,000.00

Expenses:

Public Safety Services; Enhanced Enforcement of Building, Health and Sanitation laws by the Zone; Landscape Maintenance; Utilities; Insurance; Administration of the Development Regulations of the Zone; and cost of Administration and Operation of the District related to the Provision of Supplemental Services

Total Supplemental Assessments and Permit Revenue \$230,000.00

6. Notice, payment and collection of assessments

A. Notice and payment provisions

The Supplemental Services Assessments will be made each year, and each annual assessment for Supplemental Services shall be identified with a particular assessment year, concurrent with the City's tax year. The Supplemental Services Assessments will be paid annually and may not be financed or paid in installments.

The unpaid annual assessment on a lot or parcel must be paid at the time of the sale or transfer of any lot or parcel. The assessment plan contemplates the City may adjust the assessment annually to reflect the actual collection of assessments in the District, which may represent an increase if the collection of assessments is less than 95 percent, or a decrease if the collection of assessments is more than 95 percent.

Notice of each levy of assessment is to be given as provided by Chapter 372, Texas Local Government Code. The assessment levy statement setting forth all assessments levied by the District shall be sent to each property owner in the District.

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The payment of any annual assessment becomes due and payable to the City of Houston when mailed and is delinquent on the next-following February 1 or, if the assessment bill is mailed to the landowner after January 10 following the year for which the assessment is levied, the delinquency date is postponed to the first day of the next month that will provide a period of at least 21 days after the date of mailing.

Delinquent installments of the assessment shall incur interest, penalties, and attorney's fees in the same manner as delinquent ad valorem taxes of the City of Houston. The owner of the assessed property may pay at any time the entire assessment then due on each property, with interest that is accrued on the assessment, or any lot or parcel.

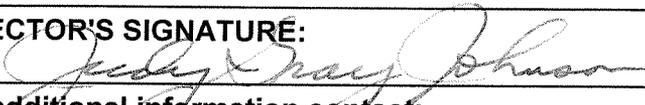
A lien will be established against the property assessed effective as of the date of the ordinance levying the assessment, privileged above all other liens, including prior mortgage liens, to the extent allowed by Section 372.018(b) of the Local Government Code. The assessment lien shall be perfected immediately as to the entire assessment, but may be executed only with respect to the amounts then due or past due for current or prior installments or final payment. Assessments are personal obligations of the person owning the property assessed in the year an installment payment becomes due, and only to the extent of such installment(s). Failure of an owner to receive an invoice shall not relieve the owner of the responsibility for the assessment.

7. Exempt jurisdictions

The payment of the costs of the project attributable to the lots or parcels within the District owned by the Houston Independent School District ("HISD") on the effective date hereof shall be determined by contract with HISD providing for the conveyance of certain rights of way and other good and valuable consideration, the sufficiency of which is hereby acknowledged. No further payment by HISD with regard to the project is required hereunder. There is no municipal or other exempt property within the District.

8. Management of the District

Management and administration of the District shall be provided by the Board of Directors of Reinvestment Zone No. One, City of Houston, Texas (the "Board"), under the terms of a Memorandum and Agreement between the City and the Board. The Board may subcontract such portions of its obligations to the Saint George Place Redevelopment Authority as may be reasonably required.

SUBJECT: Approve the Fiscal Year 2008 Operating Budget for TIRZ No. 4 Village Enclaves.	Category # 1	Page 1 of 1	Agenda Item # 30
FROM: (Department or other point of origin): Finance & Administration	Origination Date August 27, 2007		Agenda Date
DIRECTOR'S SIGNATURE: 	Council Districts affected: SEP 12 2007 G		
For additional information contact: Robert Fiederlein Phone: 713-837-9661 Tom Mesa Phone: 713-837-9857	Date and identification of prior authorizing Council Action:		

RECOMMENDATION: (Summary)

City Council approve an ordinance to approve the Fiscal Year 2008 Operating Budget for TIRZ No. 4 Village Enclaves

Amount and Source of Funding: No Funding Required	F & A Budget
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Specific Explanation:

The administration has undertaken a comprehensive review of proposed FY 2008 TIRZ budgets. In addition, the Council Committee on Regulation, Development and Neighborhood Protection convened to review and discuss FY08 TIRZ budgets.

The Finance & Administration Department recommends approval of the Fiscal Year 2008 Operating Budget for TIRZ No. 4 Village Enclaves.

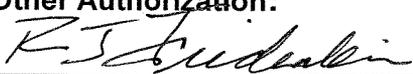
- The Village Enclaves TIRZ has completed the projects for which it was established. Per the City of Houston – Houston Independent School District (HISD) interlocal agreement governing HISD's participation in the Zone, the revenues generated by the Zone (less affordable housing transfers) are transferred to HISD to service the debt issued to construct Westside High School.
- In FY08, \$2,555,305 will be transferred to the City for affordable housing programs.

FY08 Actions/Priorities – The City will consult with HISD and investigate options to restructure HISD debt.

Attachments: FY08 Operating Budget

- cc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo Michel, City Attorney
Deborah McAbee, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization: 	Other Authorization: 
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P R O J E C T F I L E	Year Created:	1996, expanded in 1997
	Taxable Base Value:	\$ 57,002,700
	Project Plan Taxable Value (TY2007):	\$ 64,002,534
	Current Taxable Value (TY2007):	\$ 717,797,925
	Acres:	1076
	Administrator (Contact):	Economic Development
	Contact Number:	713-837-9287

N A R R A T I V E	Mission and Purpose:	The purpose of the zone is to facilitate residential and commercial development and to finance the construction of the Westside High School, a shared use high school facility.
	Accomplishments in FY07 (Projects Underway):	Zone projects complete - processed annual payment to Houston ISD per interlocal agreement for Westside High School facilities.
	Actions/Priorities in FY08:	City will consult with HISD and investigate options to restructure HISD debt.

P R O J E C T P L A N		Cumulative Expenses		
		Total Plan	(to FY07)	Variance
	Capital Projects:			
	Water Sewer/Impact, Land, Improvements, Utility Lines, Engineering (Developer Agreement)	1,095,535	1,364,445	(268,910)
	Interest on Developer Agreement	936,911	360,590	576,321
				-
				-
				-
				-
	Total Capital Projects	\$ 2,032,446	\$ 1,725,035	\$ 307,411
	Affordable Housing	40,500,934	11,239,243	29,261,691
	Education Facilities	45,000,000	18,299,640	26,700,360
	Financing Costs	36,920,015	2,754,389	34,165,626
	Administration Costs	167,000	146,730	20,270
	Creation Costs	42,600	26,856	15,744
	Total Project Plan	\$ 124,662,995	\$ 34,191,893	\$ 90,471,102

D E B T	Additional Financial Data	2007 Budget	2007 Projection	2008 Budget
		Debt Service	\$ -	\$ -
	Principal	\$ -	\$ -	\$ -
	Interest	\$ -	\$ -	\$ -
		Balance as of 6/30/06	Balance as of 6/30/07	Balance as of 6/30/08
	Year End Outstanding			
	Bond Debt	\$ -	\$ -	\$ -
	Bank Loan	\$ -	\$ -	\$ -
	Developer Agreement	\$ -	\$ -	\$ -
	Other (Westside High School)	\$ 65,502,740	\$ 60,865,986	\$ 55,780,374

TIRZ Budget Line Items	2007 Budget	2007 Projection	2008 Budget
Available Resources			
Beginning Fund Balance			
Restricted Funds - Capital Projects	\$ -	\$ -	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ -	\$ -	\$ -
Unrestricted Fund Balance	\$ 8,001	\$ 40,368	\$ 40,368
Total Beginning Fund Balance	\$ 8,001	\$ 40,368	\$ 40,368
TIRZ Revenues			
City	\$ 2,771,282	\$ 3,216,105	\$ 3,864,240
ISD	\$ 5,946,440	\$ 3,776,526	\$ 3,801,677
County	\$ -	\$ -	\$ -
Community College	\$ -	\$ -	\$ -
Total Revenues	\$ 8,717,722	\$ 6,992,631	\$ 7,665,917
Bond Proceeds	\$ -	\$ -	\$ -
Loan Proceeds	\$ -	\$ -	\$ -
Grant Proceeds	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total Available Resources	\$ 8,725,723	\$ 7,032,999	\$ 7,706,285
Fund Transfers			
Affordable Housing			
City of Houston - Increment	\$ 923,761	\$ 1,072,035	\$ 1,288,080
City of Houston - Debt Issue	\$ -	\$ -	\$ -
ISD Increment to Houston	\$ 1,982,147	\$ 1,258,842	\$ 1,267,225
Harris County	\$ -	\$ -	\$ -
ISD Education Set-Aside	\$ 5,794,815	\$ 4,636,754	\$ 5,085,612
Municipal Services - Public Safety	\$ -	\$ -	\$ -
Administration Fee to General Fund			
COH Admin Fee (5%)			
Harris County Admin	\$ -	\$ -	\$ -
ISD Admin	\$ 25,000	\$ 25,000	\$ 25,000
Other	\$ -	\$ -	\$ -
Total Fund Transfers	\$ 8,725,723	\$ 6,992,631	\$ 7,665,917
Funds Available for Project Costs	\$ -	\$ 40,368	\$ 40,368
Project Costs			
Administrative Staff	\$ -	\$ -	\$ -
Administrative Consultant	\$ -	\$ -	\$ -
Legal - General Counsel	\$ -	\$ -	\$ -
Accounting/Audit	\$ -	\$ -	\$ -
Program / Project Consulting	\$ -	\$ -	\$ -
Administrative Operating Expenses	\$ -	\$ -	\$ -
Capital Expenditures (See CIP for details)	\$ -	\$ -	\$ -
Developer / Project Reimbursements	\$ -	\$ -	\$ -
Debt Issuance Costs	\$ -	\$ -	\$ -
Debt Service*	\$ -	\$ -	\$ -
Principal	\$ -	\$ -	\$ -
Interest Expense	\$ -	\$ -	\$ -
Refinance / Pre-Payments	\$ -	\$ -	\$ -
Total Expense	\$ -	\$ -	\$ -
Resources Less Transfer and Expenses	\$ -	\$ 40,368	\$ 40,368
Planned Ending Fund Balance:			
Restricted Funds - Capital Projects	\$ -	\$ -	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ -	\$ -	\$ -
Unrestricted Fund Balance	\$ -	\$ 40,368	\$ 40,368

*City will consult with HISD and investigate options to restructure HISD debt.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approval the Fiscal Year 2008 Operating Budget for Gulfgate Redevelopment Authority (TIRZ No. 8).	Category # 1	Page 1 of 1	Agenda Item # 31
FROM: (Department or other point of origin): Finance & Administration	Origination Date August 29, 2007		Agenda Date SEP 19 2007
DIRECTOR'S SIGNATURE: 	Council Districts affected: 1		
For additional information contact: Robert Fiederlein Phone: 713-837-9661 Tom Mesa Phone: 713-837-9857	Date and identification of prior authorizing Council Action:		

RECOMMENDATION: (Summary)

City Council approve an ordinance to approve the Fiscal Year 2008 Operating Budget for Gulfgate Redevelopment Authority (TIRZ No. 8).

Amount and Source of Funding: No Funding Required	F & A Budget
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Specific Explanation:

The administration has undertaken a comprehensive review of proposed FY 2008 TIRZ budgets. In addition, the Council Committee on Regulation, Development and Neighborhood Protection convened to review and discuss FY 08 tax increment reinvestment zone (TIRZ) and Redevelopment Authority budgets.

The Finance & Administration Department recommends approval of the Fiscal Year 2008 operating budget for Gulfgate Redevelopment Authority (TIRZ No. 8).

- Total operating budget for FY2008: \$1,440,750, which includes \$312,191 for required fund transfers and \$1,128,559 for project costs.
- The project expenses include \$50,885 for administration and overhead. Administration costs are budgeted to remain in line with equivalent City costs. The Redevelopment Authority Board must advise Finance & Administration of any budget amendments. Adjustments to the Project Costs in the budget of the lesser of \$400,000 or 5% or more require City Council approval.
- The budget includes \$338,684 in CIP expenditures for enhancements to a pedestrian bridge over South Loop and traffic signals for two intersections. These are expected to be the last projects to complete the project plan.
- Gulfgate Redevelopment Authority expects to receive grant funds during FY08 to finance the CIP expenditures. Finance & Administration will have authority to approve the amendment of the budget if further grants are received.
- The FY08 budget includes refinancing existing debt to lower interest costs. F&A will work with the zone financial advisor, consultants, and zone board to identify an efficient method to finance the projects.

FY08 Actions/Priorities: The City will reevaluate its participation.

Attachments: TIRZ Profile and FY08 Operating Budget

cc: Marty Stein, Agenda Director Deborah McAbee, Senior Assistant City Attorney
 Anna Russell, City Secretary Arturo Michel, City Attorney

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization: 	Other Authorization: 
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**CITY OF HOUSTON
FINANCE & ADMINISTRATION
FISCAL YEAR 2008 TIRZ PROFILE**

Fund Summary
Fund Name: **Gulfgate Redevelopment Authority**
TIRZ: **#8**
Department Name: **Finance & Administration**
Fund Number: **7556/65**

P R O F I L E	Base Year:	Created 1997 and expanded 1999
	Base Year Taxable Value:	\$ 25,127,840
	Projected Taxable Value (TY2007):	\$ 123,234,819
	Current Taxable Value (TY2007):	\$ 68,103,092
	Acres:	259
	Administrator (Contact):	Knudson & Associates, LLC
	Contact Number:	(713) 463-8200

N A R R A T I V E	Zone Purpose:
	The Zone was created with the purpose of acquiring the Gulfgate Shopping Center for redevelopment, after which a Joint Venture Partnership was formed, in which the Houston Redevelopment Authority (HRA) has an ownership share in the Mall. The Zone was enlarged in 1999 with the purpose of facilitating the redevelopment of the surrounding areas by providing funding for utility relocation, traffic signalization & realignments, refurbishment of the Loop 610 Crosswalk and landscaping along the ROW's.
	Accomplishments in FY07 (Projects Underway):
	Wulfe & Co., Project Developer, continued working with architects Llewelyn-Davies Sahni on the TXDoT STEP Grant design work for the refurbishment of the crosswalk over Loop 610 and the attendant landscaping along the Loop 610 row. The Zone also made payments to Houston Gulfgate Partners on the Purchase Money Note totaling \$100,000 to date for FY 2007. The HRA Gulfgate Mall is generating revenue of approximately \$27,000 per month. The Community Redevelopment Coalition, of which the Zone is a member successfully lobbied the State Legislature to effectively keep laws related to school district participation in TIRZ unchanged.
	Actions/Priorities in FY08:
The City will reevaluate its participation.	

P R O J E C T		Cumulative Expenses		
		Total Plan	(to FY07)	Variance
	Capital Projects:			
	Property Acquisition (Original Plan)	\$ 5,250,000	\$ 5,336,525	\$ (86,525)
	Box Culvert Replacement & Realignment	\$ 2,676,930	\$ -	\$ 2,676,930
	Right Turn Lane Additions & Traffic Signalizations	\$ 759,000	\$ 31,145	\$ 727,855
	Refurbished Crosswalk & Landscaping & Irrigation	\$ 261,756	\$ 1,040,636	\$ (778,880)
				\$ -
				\$ -
				\$ -
	Total Capital Projects	\$ 8,947,686	\$ 6,408,306	\$ 2,539,380
	Affordable Housing	\$ -	\$ -	\$ -
	Education Facilities	\$ 15,867,163	\$ 1,290,934	\$ 14,576,229
	Financing Costs	\$ 15,161,953	\$ 3,666,553	\$ 11,495,400
	Administration Costs	\$ -	\$ 1,189,388	\$ (1,189,388)
	Creation Costs	\$ 1,460,000	\$ 322,143	\$ 1,137,857
	Total Project Plan	\$ 41,436,802	\$ 12,877,324	\$ 28,559,478

D E B T	Additional Financial Data	2007 Budget	2007 Projected	2008 Budget
		<u>Debt Service</u>		
	Principal	\$ 697,910	\$ 1,367,285	\$ 705,000
	Interest	\$ 400,000	\$ 700,000	\$ 425,000
		\$ 297,910	\$ 667,285	\$ 280,000
		Balance as of 6/30/06	Balance as of 6/30/07	Balance as of 6/30/08
	<u>Year End Outstanding</u>			
	Bond Debt	\$ -	\$ -	\$ -
	Bank Loans	\$ 3,991,000	\$ 3,291,000	\$ 4,875,000
	Developer Advances			
	Other (HGP Loan)	\$ 1,264,000	\$ 1,264,000	\$ 1,264,000

TIRZ Budget Line Items	2007 Budget	2007 Projected	2008 Budget
Beginning Fund Balance			
Restricted Funds - Capital Projects	\$ -	\$ -	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ -	\$ -	\$ -
Unrestricted Fund Balance	\$ 1,061,787	\$ 1,061,787	\$ 234,456
Total Beginning Fund Balance	\$ 1,061,787	\$ 1,061,787	\$ 234,456
TIRZ Revenues			
City*	\$ 306,133	\$ 316,859	\$ 266,466
ISD	\$ 587,453	\$ 587,453	\$ 530,008
County	\$ 189,783	\$ 189,783	\$ 165,192
Community College	\$ -	\$ -	\$ -
Total Revenues	\$ 1,083,369	\$ 1,094,095	\$ 961,666
Bond Proceeds	\$ -	\$ -	\$ -
Loan Proceeds	\$ -	\$ -	\$ -
Grant Proceeds	\$ -	\$ -	\$ -
Other	\$ 338,684	\$ 68,852	\$ 338,684
Total Available Resources	\$ 2,483,840	\$ 2,224,734	\$ 1,534,806
Fund Transfers			
Affordable Housing			
City of Houston - Increment	\$ -	\$ -	\$ -
City of Houston - Debt Issue	\$ -	\$ -	\$ -
ISD Increment to Houston	\$ -	\$ -	\$ -
Harris County	\$ -	\$ -	\$ -
ISD Education Set-Aside	\$ 283,694	\$ 283,694	\$ 265,608
Municipal Services - Public Safety	\$ -	\$ -	\$ -
Administration Fee to General Fund			
COH Admin Fee (5%) *	\$ 15,307	\$ 15,843	\$ 13,324
Harris County Admin	\$ 9,489	\$ 9,489	\$ 8,259
ISD Admin	\$ 25,000	\$ 25,000	\$ 25,000
Other	\$ -	\$ -	\$ -
Total Fund Transfers	\$ 333,490	\$ 334,026	\$ 312,191
Funds Available for Project Costs	\$ 2,150,350	\$ 1,890,708	\$ 1,222,615
Project Costs			
Administrative Staff	\$ -	\$ -	\$ -
Administrative Consultant	\$ 28,200	\$ 29,600	\$ 29,046
Legal - General Counsel	\$ 30,000	\$ 18,000	\$ 30,900
Accounting/Audit	\$ 17,800	\$ 12,735	\$ 18,334
Program / Project Consulting	\$ -	\$ -	\$ -
Administrative Operating Expenses	\$ 6,403	\$ 6,403	\$ 6,595
Capital Expenditures (See CIP for details)	\$ 338,684	\$ 68,852	\$ 338,684
Developer / Project Reimbursements	\$ -	\$ -	\$ -
Debt Issuance Costs	\$ -	\$ -	\$ -
Debt Service			
Principal	\$ 400,000	\$ 700,000	\$ 425,000
Interest Expense	\$ 297,910	\$ 369,228	\$ 280,000
Refinance / Pre-Payments & Other (HGP)	\$ -	\$ 298,057	\$ -
Extraordinary Item: Remittance for overpayment of TY04 County revenue (FY05)	\$ -	\$ 153,377	\$ -
Total Project Costs	\$ 1,118,997	\$ 1,656,252	\$ 1,128,559
Total Budget	\$ 1,452,487	\$ 1,990,278	\$ 1,440,750
Planned Ending Fund Balance:	\$ 1,031,353	\$ 234,456	\$ 94,056
Restricted Funds - Capital Projects	\$ -	\$ -	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ -	\$ -	\$ -
Unrestricted Fund Balance	\$ 1,031,353	\$ 234,456	\$ 94,056

* The City will reevaluate its participation.

2008 - 2013 CAPITAL IMPROVEMENT PLAN
 TIRZ No. 8 - Gulfgate Redevelopment Authority
 CIP Sources by TIRZ

CITY OF HOUSTON - TIRZ PROGRAM
 Finance and Administration
 Fund Number: 7565/65

Source of Funds	FY Planned Appropriations (\$ Thousands)										Cumulative Total (To Date)	
	Through 2007	Projected 2007	2008	2009	2010	2011	2012	2013	Total 2008-2013			
TIRZ No. 17												
TIRZ funds												
Revenue bond proceeds												
Proceeds from bank loan												
Developer Advance/Reimbursement												
City of Houston												
Grants			\$ 2,025,936								\$ 2,025,936	\$ 2,025,936
Other	\$ 348,945	\$ 188,684	\$ 338,684								\$ 338,684	\$ 876,313
Project Total	\$ 348,945	\$ 188,684	\$ 2,364,620	\$ -	\$ -	\$ 2,364,620	\$ 2,902,249					

Project: Gulfgate/TxDOT Pedestrian Bridge Urban Design Enhancements and Landscaping		City Council District 1	Key Map: 535J	WBS.: T-0801				
Description: Gulfgate/TxDOT funded refurbishment and major urban design enhancements to pedestrian crosswalk over Loop 610, between Evergreen and Woodridge. Includes concrete replacement, painting and beautification.		Location: 1	Geo. Ref.: Neighborhood					
Justification: Pedestrian crosswalk has deteriorated and is no longer safe.		Served: 1	Neighborhood 69					
Operating and Maintenance Costs: (\$ Thousands)								
		2008	2009	2010	2011	2012	2013	Total
Personnel								
Supplies								
Svcs. & Chgs.								
Capital Outlay								
Total		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs								

Fiscal Year Planned Expenses

Project Allocation	Phase	Project Expenses thru 6/30/06	2007 Budget	2007 Estimate	2008	2009	2010	2011	2012	2013	FY08 - FY13 Total	Total
	1 Planning											
	2 Acquisition											
	3 Design	317,800	188,684	-	188,684						188,684	506,484
	4 Construction				2,025,936						2,025,936	2,025,936
	5 Equipment											
	6 Close-Out											
	7 Other											
Other Sub-Total:		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Total Allocations	\$ 317,800	\$ 188,684	\$ -	\$ -	\$ 2,214,620	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,214,620	\$ 2,532,420
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Source of Funds	2008	2009	2010	2011	2012	2013	FY08 - FY13 Total
TIRZ Increment Revenue							\$ -
TIRZ Increment Bond Funds							\$ -
Grant Funds TxDOT STEP	2,025,936						2,025,936
Developer Advance	188,684						188,684
Total Funds	\$ 317,800	\$ 188,684	\$ -	\$ -	\$ -	\$ -	\$ 2,214,620

SUBJECT: Approval of an ordinance to approve the Fiscal Year 2008 Operating Budget for South Post Oak Redevelopment Authority (TIRZ No. 9).	Category # 1	Page 1 of 1	Agenda Item # <i>32</i>
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FROM: (Department or other point of origin): Finance & Administration	Origination Date August 29, 2007	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: <i>Judy Tracy Johnson</i>	Council Districts affected: D
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For additional information contact: Robert Fiederlein Phone: 713-837-9661 Tom Mesa Phone: 713-837-9857	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary)
City Council approve an ordinance to approve the Fiscal Year 2008 Operating Budget for South Post Oak Redevelopment Authority (TIRZ No. 9).

Amount and Source of Funding: No Funding Required	F & A Budget
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Specific Explanation:

The administration has undertaken a comprehensive review of proposed FY 2008 TIRZ budgets. In addition, the Council Committee on Regulation, Development and Neighborhood Protection convened to review and discuss FY 08 tax increment reinvestment zone (TIRZ) and Redevelopment Authority budgets.

The Finance & Administration Department recommends approval of the Fiscal Year 2008 operating budget for South Post Oak Redevelopment Authority (TIRZ No. 9).

- Total operating budget for FY2008: \$1,838,771, which includes \$337,173 for required fund transfers and \$1,501,598 for project costs.
- The project expenses include \$55,900 for administration and overhead. Administration costs are budgeted to remain in line with equivalent City costs. The Redevelopment Authority Board must advise Finance & Administration of any budget amendments. Adjustments to the Project Costs in the budget of the lesser of \$400,000 or 5% or more require City Council approval.
- The projects identified in the project plan have been completed.
- The FY08 budget includes a reimbursement to the developer. F&A will work with the zone financial advisor, consultants, and zone board to identify an efficient method to pay down the outstanding developer reimbursement.

FY08 Actions/Priorities: The City will reevaluate its participation.

Attachments: TIRZ Profile and FY08 Operating Budget

cc: Marty Stein, Agenda Director Deborah McAbee, Senior Assistant City Attorney
Anna Russell, City Secretary Arturo Michel, City Attorney

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization: <i>R. J. Fiederlein</i>	Other Authorization: <i>Tom Mesa</i>
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CITY OF HOUSTON
 FINANCE & ADMINISTRATION
 FISCAL YEAR 2008 TIRZ PROFILE

Fund Summary
 Fund Name: **South Post Oak Redevelopment Authority**
 TIRZ: **#9**
 Department Name: **Finance & Administration**
 Fund Number: **7557/65**

P R O J E C T I V E	Base Year:	1997
	Base Year Taxable Value:	\$ 13,580
	Project Plan Taxable Value (TY2007):	\$ 60,553,580
	Current Taxable Value (TY2007):	\$ 56,658,474
	Acres:	247
	Administrator (Contact):	Knudson & Associates, LLC
	Contact Number:	(713) 463-8200

N A R R A T I V E	Zone Purpose:
	Creation of a master-planned community with commercial, recreational improvements and residential, of which 80% of the homes are affordable housing (homes at or below the maximum home sales price for the City's Homebuyers Assistance Program).
	Accomplishments in FY07 (Projects Underway):
	All public improvements contemplated in the Project Plan have been completed. As of May 25, 2007, all 462 single-family residential lots have been sold to builders with 459 homes to residents. Phase I of the Kingdom Builders Center is underway with scheduled completion in September 2007. A new HISD elementary school opened in the fall of 2005, and as of Jan. 30, 2006, a new Walgreen's with estimated value of \$2.1MM was completed. The new YMCA officially opened on May 17, 2007 and a new Advance Auto Parts Store opened in April 2007 with estimated value of \$900,000. The \$9.2MM 124-unit Independent Senior Living Community is projected to start construction during September 2007. Closing on a commercial tract for a new McDonalds with estimated value at \$2.2MM is scheduled for June 2007 with a projected fall 2007 opening. A new 14,000 sq ft retail center is also planned for a portion of the commercial tract on West Orem with an estimated value of \$1.8M. Construction of the commercial catfish pond is expected to begin in 2008.
Actions/Priorities in FY08:	
The City will reevaluate its participation.	

P R O J E C T P L A N		Total Plan	Cumulative Expenses (to FY07)	Variance
	Capital Projects:			
	Public Improvements (Utilities)	\$ 4,563,450	\$ 4,378,709	\$ 184,741
	Site Improvements (Park and Landscaping)	695,742	641,276	54,466
	Lot Development	82,200	3,100	79,100
				-
				-
				-
	Total Capital Projects	\$ 5,341,392	\$ 5,023,085	\$ 318,307
	Affordable Housing	-	-	-
	Education Facilities	5,485,747	889,813	4,595,934
	Financing Costs	1,941,559	2,104,654	(163,095)
	Administration Costs	450,000	475,513	(25,513)
	Creation Costs	332,636	385,692	(53,056)
	Total Project Plan	\$ 13,551,334	\$ 8,878,757	\$ 4,672,577

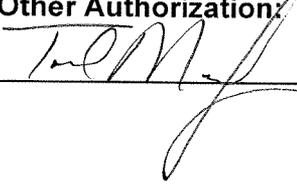
D E B T	Additional Financial Data	2006 Budget	2007 Projection	2008 Budget
		Debt Service		
	Principal	\$ -	\$ -	\$ -
	Interest	\$ -	\$ -	\$ -
		Balance as of 6/30/06	Balance as of 6/30/07	Balance as of 6/30/08
	Year End Outstanding			
	Bond Debt	\$ -	\$ -	\$ -
	Bank Loan	\$ -	\$ -	\$ -
	Developer Agreement	\$ 5,708,777	\$ 5,169,777	\$ 3,724,079
	Other	\$ -	\$ -	\$ -

TIRZ Budget Line Items	2006 Budget	2007 Projection	2008 Budget
Beginning Fund Balance			
Restricted Funds - Capital Projects	\$ -	\$ -	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ -	\$ -	\$ -
Unrestricted Fund Balance	\$ 29,381	\$ 485,716	\$ 704,456
Total Beginning Fund Balance	\$ 29,381	\$ 485,716	\$ 704,456
TIRZ Revenues			
City *	\$ 232,716	\$ 278,614	\$ 337,730
ISD	\$ 550,406	\$ 703,536	\$ 209,066
County	\$ 131,418	\$ 184,166	\$ 698,429
Community College	\$ -	\$ -	\$ -
Total Revenues	\$ 914,540	\$ 1,166,316	\$ 1,245,225
Bond Proceeds	\$ -	\$ -	\$ -
Loan Proceeds	\$ -	\$ -	\$ -
Grant Proceeds	\$ -	\$ -	\$ -
Other	\$ -	\$ 2,173	\$ 1,080
Total Available Resources	\$ 943,921	\$ 1,654,205	\$ 1,950,761
Fund Transfers			
Affordable Housing			
City of Houston - Increment	\$ -	\$ -	\$ -
City of Houston - Debt Issue	\$ -	\$ -	\$ -
ISD Increment to Houston	\$ -	\$ -	\$ -
Harris County	\$ -	\$ -	\$ -
ISD Education Set-Aside	\$ 255,463	\$ 318,460	\$ 295,286
Municipal Services - Public Safety	\$ -	\$ -	\$ -
Administration Fee to General Fund			
COH Admin Fee (5%) *	\$ 11,636	\$ 13,931	\$ 16,887
Harris County Admin (N/A per Interlocal)	\$ 6,571	\$ -	\$ -
ISD Admin	\$ 18,429	\$ 25,000	\$ 25,000
Other	\$ -	\$ -	\$ -
Total Fund Transfers	\$ 292,099	\$ 357,391	\$ 337,173
Funds Available for Project Costs	\$ 651,822	\$ 1,296,814	\$ 1,613,588
Project Costs			
Personnel Costs	\$ -	\$ -	\$ -
Professional Service	\$ 29,000	\$ 24,000	\$ 26,000
Legal	\$ 20,000	\$ 10,000	\$ 10,000
Accounting/Audit	\$ 22,200	\$ 13,071	\$ 13,500
Consulting	\$ -	\$ -	\$ -
Administrative Operating Expenses	\$ 4,900	\$ 6,287	\$ 6,400
Capital Expenditures (See CIP for details)	\$ -	\$ -	\$ -
Developer / Project Reimbursements	\$ 415,367	\$ 539,000	\$ 1,445,698
Debt Issuance Costs	\$ -	\$ -	\$ -
Debt Service			
Principal	\$ -	\$ -	\$ -
Interest Expense	\$ -	\$ -	\$ -
Refinance / Pre-Payments	\$ -	\$ -	\$ -
Total Project Costs	\$ 491,467	\$ 592,358	\$ 1,501,598
Total Budget	\$ 783,566	\$ 949,749	\$ 1,838,771
Planned Ending Fund Balance:			
Restricted Funds - Capital Projects	\$ -	\$ -	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ -	\$ -	\$ -
Unrestricted Fund Balance	\$ 160,355	\$ 704,456	\$ 111,990

* The City will reevaluate its participation.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of an ordinance to approve the 2008 -2013 6-Year CIP Budget and Fiscal Year 2008 Operating Budget for Memorial City Redevelopment Authority (TIRZ No. 17).		Category # 1	Page 1 of 1	Agenda Item # 33
FROM: (Department or other point of origin): Finance and Administration		Origination Date August 27, 2007		Agenda Date SEP 19 2007
DIRECTOR'S SIGNATURE: 		Council Districts affected: A, G		
For additional information contact: Robert Fiederlein Phone: 713-837 - 9661 Tom Mesa Phone: 713-837- 9857		Date and identification of prior authorizing Council Action:		
RECOMMENDATION: (Summary) City Council approve an ordinance to approve the 2008 -2013 6-Year CIP Budget and Fiscal Year 2008 Operating Budget for Memorial City Redevelopment Authority (TIRZ No. 17).				
Amount and Source of Funding: No Funding Required			F & A Budget	
Specific Explanation: The administration has undertaken a comprehensive review of proposed FY08 TIRZ budgets. In addition, the Council Committee on Regulation, Development and Neighborhood Protection convened to review and discuss FY08 TIRZ budgets. The Finance & Administration Department recommends approval of the FY08 Operating Budget and the FY2008-2013 CIP for Memorial City Redevelopment Authority (TIRZ #17). <ul style="list-style-type: none"> Total Operating Budget for FY08 is \$15,216,989 which includes \$150,748 for required fund transfers and \$15,066,241 for Project Costs. The 2008 – 2013 CIP for Memorial City Redevelopment Authority totals \$26,290,000. The majority of these expenditures are on mobility and drainage projects including projects reconstructing portions of Gessner and Bunker Hill. The FY08 Operating Budget includes \$14.67 million for capital expenditures and \$83,991 for administration and overhead. The Memorial City Management District will provide staff support to operate the TIRZ and the redevelopment authority under a cost-sharing agreement. Adjustments to the Project Costs in the budget of the lesser of \$400,000 or 5% or more require City Council approval. 				
Attachments: TIRZ Profile, FY08 Operating Budget, and FY 2008-2013 CIP.				
cc: Marty Stein, Agenda Director Anna Russell, City Secretary Arturo Michel, City Attorney Deborah McAbee, Senior Assistant City Attorney				
REQUIRED AUTHORIZATION				
F&A Director:		Other Authorization: 		Other Authorization: 

CITY OF HOUSTON
 FINANCE & ADMINISTRATION
 FISCAL YEAR 2008 TIRZ PROFILE

Fund Summary
 Fund Name: **Memorial City Redevelopment Authority**
 TIRZ: **#17**
 Department Name: **Finance & Administration**
 Fund Number: **7565/65**

P R O J E C T I N F O R M A T I O N	Base Year:	1999
	Base Year Taxable Value:	\$ 509,671,530
	Project Plan Taxable Value (TY2007):	\$ 827,504,310
	Current Taxable Value (TY2007):	\$ 1,012,874,703
	Acres:	1,000
	Administrator (Contact):	Pat Walters
	Contact Number:	713.984.8737

N A R R A T I V E	Zone Purpose:
	To facilitate redevelopment in the Memorial City major activity center principally through improving mobility and drainage in the area.
	Accomplishments in FY07 (Projects Underway):
	Completed preliminary engineering of widening of Gessner from 6 lanes to 8 lanes; began detailed design. Project to break ground in FY08. Began preliminary engineering of Bunker Hill widening to 4 lanes from 2. Detailed design began late in FY07 with ground breaking in FY08. Concluded drainage project development engineering study. Detailed project engineering began in FY07. Concluded East/West Mobility Action Plan. Projects from this study commenced in FY07. Funded security lighting and other improvements at Bendwood Park.

P R O J E C T I N F O R M A T I O N	Total Plan	Cumulative Expenses (to FY07)	Variance
Capital Projects:			
Road way Improvements	45,829,681	1,622,549	\$ 44,207,132
Utility System Improvements	32,125,200	383,672	\$ 31,741,528
Traffic Signal Improvements	2,100,000	-	\$ 2,100,000
NTP, Noise.Safety Walls, Eng. Study	5,500,000	-	\$ 5,500,000
Park Improvements & Landscaping	11,889,119	60,000	\$ 11,829,119
			\$ -
Total Capital Projects	\$ 97,444,000	\$ 2,066,221	\$ 95,377,779
Affordable Housing			\$ -
Education Facilities	99,819,796	-	\$ 99,819,796
Financing Costs	100,000,000	135,761	\$ 99,864,239
Administration Costs	356,000	761,584	\$ (405,584)
Creation Costs	200,000	373,903	\$ (173,903)
Total Project Plan	\$ 297,819,796	\$ 3,337,469	\$ 294,482,327

Additional Financial Data		2007 Budget	2007 Projection	2008 Budget
D E B T	Debt Service			
	Principal	\$ 223,395	\$ -	\$ 206,250
	Interest	\$ 137,145	\$ -	\$ -
		\$ 86,250	\$ -	\$ 206,250
		Balance as of 6/30/06	Balance as of 6/30/07	Balance as of 6/30/08
	Year End Outstanding			
	Bond Debt	\$ -	\$ -	\$ -
	Bank Loan	\$ -	\$ -	\$ 5,000,000
	Developer Agreement	\$ 1,199,700	\$ -	\$ -
	Other	\$ -	\$ -	\$ -

TIRZ Budget Line Items	2007 Budget	2007 Projection	2008 Budget
Beginning Fund Balance			
Restricted Funds - Capital Projects	\$ -	\$ -	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ -	\$ -	\$ -
Unrestricted Fund Balance	\$ 948,126	\$ 947,012	\$ 1,683,914
Total Beginning Fund Balance	\$ 948,126	\$ 947,012	\$ 1,683,914
TIRZ Revenues			
City	\$ 1,552,687	\$ 2,270,316	\$ 3,014,958
ISD	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Community College	\$ -	\$ -	\$ -
Total Revenues	\$ 1,552,687	\$ 2,270,316	\$ 3,014,958
Bond Proceeds	\$ -	\$ -	\$ -
Loan Proceeds	\$ 3,450,000	\$ -	\$ 5,000,000
Grant Proceeds	\$ 3,000,000	\$ -	\$ 5,800,000
Other	\$ 12,500	\$ 30,000	\$ 37,000
Total Available Resources	\$ 8,963,313	\$ 3,247,328	\$ 15,535,872
Fund Transfers			
Affordable Housing			
City of Houston - Increment	\$ -	\$ -	\$ -
City of Houston - Debt Issue	\$ -	\$ -	\$ -
ISD Increment to Houston	\$ -	\$ -	\$ -
Harris County	\$ -	\$ -	\$ -
ISD Education Set-Aside	\$ -	\$ -	\$ -
Municipal Services - Public Safety	\$ -	\$ -	\$ -
Administration Fee to General Fund			
COH Admin Fee (5%)	\$ 77,634	\$ 113,516	\$ 150,748
Harris County Admin	\$ -	\$ -	\$ -
ISD Admin	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total Fund Transfers	\$ 77,634	\$ 113,516	\$ 150,748
Funds Available for Project Costs	\$ 8,885,679	\$ 3,133,812	\$ 15,385,124
Project Costs			
Administrative Staff	\$ 45,000	\$ 45,466	\$ 55,941
Administrative Consultant	\$ -	\$ -	\$ -
Legal - General Counsel	\$ 25,000	\$ 36,729	\$ 37,000
Accounting/Audit	\$ 25,300	\$ 14,100	\$ 21,250
Program / Project Consulting	\$ 19,800	\$ 116,456	\$ 16,800
Administrative Operating Expenses	\$ 8,000	\$ 4,062	\$ 8,000
Capital Expenditures (See CIP for details)	\$ 8,495,000	\$ 1,233,085	\$ 14,671,000
Developer / Project Reimbursements	\$ -	\$ -	\$ -
Debt Issuance Costs	\$ -	\$ -	\$ 50,000
Debt Service			
Principal	\$ 137,145	\$ -	\$ -
Interest Expense	\$ 86,250	\$ -	\$ 206,250
Refinance / Pre-Payments	\$ -	\$ -	\$ -
Total Project Costs	\$ 8,841,495	\$ 1,449,898	\$ 15,066,241
Total Budget	\$ 8,919,130	\$ 1,563,414	\$ 15,216,989
Planned Ending Fund Balance:			
Restricted Funds - Capital Projects	\$ -	\$ -	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ -	\$ -	\$ -
Unrestricted Fund Balance	\$ 44,184	\$ 1,683,914	\$ 318,883

2008 - 2013 CAPITAL IMPROVEMENT PLAN
TIRZ No. 17 - Memorial City Redevelopment Authority

CITY OF HOUSTON - TIRZ PROGRAM
Finance and Administration
Fund Number: 7565/65

Council District	CIP No.	Project	FY Planned Appropriations (\$ Thousands)										Cumulative Total (To Date)			
			Through 2007	Projected 2007	2008	2009	2010	2011	2012	2013	Total 2008-2013					
A,G	T-1701	Gessner Widening	764,000	580,000	9,417,000	-	-	-	-	-	-	-	-	-	9,417,000	10,761,000
A,G	T-1702	Bunker Hill	160,000	861,000	2,354,000	1,222,000	-	-	-	-	-	-	-	-	3,576,000	4,597,000
A,G	T-1703	Drainage	-	-	2,012,000	2,562,000	-	-	-	-	-	-	-	-	4,574,000	4,574,000
A,G	T-1704	Barry Knoll/Kingside Realignment	-	-	-	-	-	-	-	-	-	-	-	-	-	-
A,G	T-1705	East/West Mobility	-	71,000	888,000	-	-	-	-	-	-	590,000	800,000	-	1,390,000	1,390,000
A,G	T-1706	Traffic Signals/Traffic Mgt/Upgrades	-	-	-	350,000	-	1,000,000	785,000	-	-	-	-	-	888,000	959,000
A,G	T-1707	Gessner I-10 to Westview	-	-	-	-	150,000	-	500,000	-	-	-	-	-	2,135,000	2,135,000
A,G	T-1708	Witte Road Widening	-	-	-	-	-	-	-	-	-	170,000	1,000,000	-	650,000	650,000
A,G	T-1709	Lumpkin Road Widening	-	-	-	-	-	-	-	-	310,000	2,180,000	-	-	2,490,000	2,490,000
Totals			924,000	1,512,000	14,671,000	4,134,000	1,150,000	1,285,000	1,070,000	3,980,000	26,290,000	28,726,000				

2008 - 2013 CAPITAL IMPROVEMENT PLAN
TIRZ No. 17 - Memorial City Redevelopment Authority
CIP Sources by TIRZ

CITY OF HOUSTON - TIRZ PROGRAM
Finance and Administration

Source of Funds	FY Planned Appropriations (\$ Thousands)											Cumulative Total (To Date)	
	Through 2007	Projected 2007	2008	2009	2010	2011	2012	2013	Total 2008-2013				
TIRZ funds	924,000	1,512,000	500,000	-	-	-	-	-	-	-	-	500,000	2,936,000
Revenue bond proceeds	-	-	8,371,000	4,134,000	1,150,000	1,285,000	1,070,000	3,980,000	19,990,000	19,990,000	-	19,990,000	19,990,000
Proceeds from bank loan	-	-	-	-	-	-	-	-	-	-	-	-	-
Developer Advance/Reimbursement	-	-	-	-	-	-	-	-	-	-	-	-	-
City of Houston	-	-	-	-	-	-	-	-	-	-	-	-	-
Grants	-	-	5,800,000	-	-	-	-	-	-	-	-	5,800,000	5,800,000
Other	-	-	-	-	-	-	-	-	-	-	-	-	-
Project Total	924,000	1,512,000	14,671,000	4,134,000	1,150,000	1,285,000	1,070,000	3,980,000	25,290,000	25,290,000	3,980,000	28,725,000	28,725,000

Project: Gessner Widening Barryknoll to I-10		City Council District		Key Map:		WBS.:					
		Location:	Served:	Geo. Ref.:	Neighborhood:	2010	2011	2012	2013	Total	
Description: Widen Gessner, enhance signalization and improve drainage to W151 watershed.		G	G	490A	T-1701	10, 16					
Justification: Addition of one northbound and one southbound lane will facilitate right turn movements and serve as a transit lane. Project will improve traffic flow at I-10 and Gessner.		Operating and Maintenance Costs: (\$ Thousands)									
		2008	2009	2010	2011	2012	2013			Total	
Personnel										\$ -	
Supplies										\$ -	
Svcs. & Chgs.										\$ -	
Capital Outlay										\$ -	
Total		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
FTEs											

Fiscal Year Planned Expenses												
Project Allocation	Phase	Project Expenses thru 6/30/06	2007 Budget	2007 Estimate	2008	2009	2010	2011	2012	2013	FY08 - FY13 Total	Cumulative Total (To Date)
1	Planning										\$ -	\$ -
2	Acquisition											
3	Design	764,000	4,410,000	580,000	98,000						98,000	1,442,000
4	Construction				9,319,000						9,319,000	9,319,000
5	Equipment											
6	Close-Out											
7	Other											
Other Sub-Total:		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Allocations		\$ 764,000	\$ 4,410,000	\$ 580,000	\$ 9,417,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,417,000	\$ 10,761,000
Source of Funds												
TIRZ Increment Revenue		764,000		580,000							\$ -	\$ 1,344,000
TIRZ Increment Bond Funds			4,410,000		3,617,000						3,617,000	3,617,000
Grant Funds					5,800,000						5,800,000	5,800,000
Total Funds		\$ 764,000	\$ 4,410,000	\$ 580,000	\$ 9,417,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,417,000	\$ 10,761,000

Project: Bunker Hill Widening I-10 to Long Point		City Council District	Key Map: 490B 450X	WBS.:			T-1702	
Location: A		A	Geo. Ref.:					
Served: A		A	Neighborhood: 10, 16					
Description: Widen Bunker Hill to 4 lanes, provide curb and gutter, storm water system upgrades and improve intersection of Long Point at Bunker Hill.		Operating and Maintenance Costs: (\$ Thousands)						
Justification: Present traffic volumes with large number of turning movements and redevelopment of adjacent commercial area requires upgrades to existing roadway.		2008	2009	2010	2011	2012	2013	Total
Personnel								\$ -
Supplies								\$ -
Svcs. & Chgs.								\$ -
Capital Outlay								\$ -
Total		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs								-

Fiscal Year Planned Expenses												
Project Allocation	Phase	Project Expenses thru 6/30/06	2007 Budget	2007 Estimate	2008	2009	2010	2011	2012	2013	FY08 - FY13 Total	Cumulative Total (To Date)
1	Planning										\$ -	\$ -
2	Acquisition										\$ -	\$ -
3	Design	160,000	500,000	861,000							-	1,021,000
4	Construction				2,354,000	1,222,000					3,576,000	3,576,000
5	Equipment										-	-
6	Close-Out										-	-
7	Other										-	-
Other Sub-Total:		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Allocations		\$ 160,000	\$ 500,000	\$ 861,000	\$ 2,354,000	\$ 1,222,000	\$ -	\$ -	\$ -	\$ -	\$ 3,576,000	\$ 4,597,000
Source of Funds												
TIRZ Increment Revenue		160,000		861,000							\$ -	\$ 1,021,000
TIRZ Increment Bond Funds Grant Funds			500,000		2,354,000	1,222,000					3,576,000	3,576,000
Total Funds		\$ 160,000	\$ 500,000	\$ 861,000	\$ 2,354,000	\$ 1,222,000	\$ -	\$ -	\$ -	\$ -	\$ 3,576,000	\$ 4,597,000

Project: TIRZ # 17 Drainage Improvements Area Wide		Key Map: 490A, B	WBS.:		T-1703			
Description: Provide drainage improvements in the watersheds of TIRZ # 17.		City Council District						
		Location: A, G						
		Served: A, G						
		Geo. Ref.:						
		Neighborhood: 10, 16						
Operating and Maintenance Costs: (\$ Thousands)								
		2008	2009	2010	2011	2012	2013	Total
Personnel								
Supplies								\$ -
Svcs. & Chgs.								-
Capital Outlay								-
Total		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs								-

Fiscal Year Planned Expenses

Project Allocation	Project Expenses thru 6/30/06	2007 Budget	2007 Estimate	2008	2009	2010	2011	2012	2013	FY08 - FY13 Total	Cumulative Total (To Date)
Phase											
1 Planning				170,000						\$ -	\$ -
2 Acquisition				572,500						170,000	170,000
3 Design		125,000								572,500	572,500
4 Construction				1,269,500	2,562,000					3,831,500	3,831,500
5 Equipment										-	-
6 Close-Out										-	-
7 Other										-	-
Other Sub-Total:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Total Allocations	\$ -	\$ 125,000	\$ -	\$ 2,012,000	\$ 2,562,000	\$ -	\$ -	\$ -	\$ -	\$ 4,574,000	\$ 4,574,000
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Source of Funds	2008	2009	2010	2011	2012	2013	FY08 - FY13 Total
TIRZ Increment Revenue	500,000						\$ 500,000
TIRZ Increment Bond Funds	1,512,000	2,562,000					4,074,000
Grant Funds							-
Total Funds	\$ 2,012,000	\$ 2,562,000	\$ -	\$ -	\$ -	\$ -	\$ 4,574,000

Project: East/West Mobility Improvements		City Council District		Key Map: 490A, B		WBS: T-1705					
Location: A, G		A, G		Geo. Ref.:							
Served: A, G		A, G		Neighborhood: 10, 16							
Description: Address limited east/west mobility in the TIRZ in provision of east/west collector streets.		Operating and Maintenance Costs: (\$ Thousands)									
Justification: Traffic studies have determined limited east/west mobility to be a hindrance to redevelopment in the TIRZ. Project includes engineering studies, ROW acquisition and construction.		2008	2009	2010	2011	2012	2013	Total			
Personnel											
Supplies								\$ -			
Svcs. & Chgs.								-			
Capital Outlay								-			
Total		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			
FTEs								-			
Fiscal Year Planned Expenses											
Project Allocation	Project Expenses thru 6/30/06	2007 Budget	2007 Estimate	2008	2009	2010	2011	2012	2013	FY08 - FY13 Total	Cumulative Total (To Date)
1 Planning										\$ -	\$ -
2 Acquisition				385,000						385,000	385,000
3 Design		250,000	71,000	20,000						20,000	91,000
4 Construction				483,000						483,000	483,000
5 Equipment										-	-
6 Close-Out										-	-
7 Other										-	-
Other Sub-Total:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Allocations	\$ -	\$ 250,000	\$ 71,000	\$ 888,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 888,000	\$ 959,000
Source of Funds											
TIRZ Increment Revenue		250,000	71,000								\$ 71,000
TIRZ Increment Bond Funds				888,000						888,000	888,000
Grant Funds											-
Total Funds	\$ -	\$ 250,000	\$ 71,000	\$ 888,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 888,000	\$ 959,000

Project:		Traffic Signalization Improvements		Key Map: 490A, B		WBS: T-1706		
Location:		A, G		Geo. Ref.:				
Served:		A, G		Neighborhood: 10, 16				
Description:		Upgrade traffic signalization hardware and timing schemes.						
Justification:		Upgrade traffic signalization schemes to coordinate with TxDOT and COH signals at I-10 using advanced technologies to improve traffic flow.						
		Operating and Maintenance Costs: (\$ Thousands)						
		2008	2009	2010	2011	2012	2013	Total
Personnel								\$ -
Supplies								\$ -
Svcs. & Chgs.								\$ -
Capital Outlay								\$ -
Total		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs								\$ -

Fiscal Year Planned Expenses												
Project Allocation	Phase	Project Expenses thru 6/30/06	2007 Budget	2007 Estimate	2008	2009	2010	2011	2012	2013	FY08 - FY13 Total	Cummulative Total (To Date)
	1 Planning										\$ -	\$ -
	2 Acquisition										\$ -	\$ -
	3 Design					350,000					350,000	350,000
	4 Construction						1,000,000	785,000			1,785,000	1,785,000
	5 Equipment										\$ -	\$ -
	6 Close-Out										\$ -	\$ -
	7 Other										\$ -	\$ -
	Other Sub-Total:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Total Allocations	\$ -	\$ -	\$ -	\$ -	\$ 350,000	\$ 1,000,000	\$ 785,000	\$ -	\$ -	\$ 2,135,000	\$ 2,135,000
	Source of Funds											
	TIRZ Increment Revenue										\$ -	\$ -
	TIRZ Increment Bond Funds					350,000	1,000,000	785,000			2,135,000	2,135,000
	Grant Funds										\$ -	\$ -
	Total Funds	\$ -	\$ -	\$ -	\$ -	\$ 350,000	\$ 1,000,000	\$ 785,000	\$ -	\$ -	\$ 2,135,000	\$ 2,135,000

Project: Improvements to Gessner from I-10 to south of Westview	City Council District	Key Map: 490A, 450W	WBS.:		T-1707			
	Location: A	Geo. Ref.:						
	Served: A	Neighborhood: 10, 16						
Operating and Maintenance Costs: (\$ Thousands)								
Description: Improve traffic flow on Gessner north of I-10 by access management and other management techniques. Justification: Large traffic volumes, transit traffic, and large numbers of turning movements limit mobility along this portion of Gessner. Project compliments COH access management study on Clay at I-10.		2008	2009	2010	2011	2012	2013	Total
	Personnel							
	Supplies							\$ -
	Svcs. & Chgs.							-
	Capital Outlay							-
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs								-

Fiscal Year Planned Expenses

Project Allocation	Project Expenses thru 6/30/06	2007 Budget	2007 Estimate	2008	2009	2010	2011	2012	2013	FY08 - FY13 Total	Cumulative Total (To Date)
Phase											
1 Planning										\$ -	\$ -
2 Acquisition											
3 Design		150,000				150,000				150,000	150,000
4 Construction						500,000				500,000	500,000
5 Equipment											
6 Close-Out											
7 Other											
Other Sub-Total:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Total Allocations	\$ -	\$ 150,000	\$ -	\$ -	\$ -	\$ 150,000	\$ 500,000	\$ -	\$ -	\$ 650,000	\$ 650,000
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Source of Funds	2008	2009	2010	2011	2012	2013	FY08 - FY13 Total	Cumulative Total (To Date)
TIRZ Increment Revenue							\$ -	\$ -
TIRZ Increment Bond Funds			150,000	500,000			650,000	650,000
Grant Funds								
Total Funds	\$ -	\$ -	\$ 150,000	\$ 500,000	\$ -	\$ -	\$ 650,000	\$ 650,000

Project:		Improvements to Witte from I-10 to south of Westview		City Council District		Key Map: 490A, 450W		WBS: T-1708				
Description:		Improve traffic flow on Witte north fo I-10 with addition of third lane. Provide curb and gutter drainage.		Location: A		Geo. Ref.:		Neighborhood: 10, 16				
Justification:		Present roadway is narrow with open-ditch drainage. Improve mobility by adding third continuous left-turn lane and improve drainage by providing upgraded drainage system.		Operating and Maintenance Costs: (\$ Thousands)								
		2008	2009	2010	2011	2012	2013	Total				
Personnel												
Supplies									\$ -			
Svcs. & Chgs.									-			
Capital Outlay									-			
Total		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			
FTEs									-			
Fiscal Year Planned Expenses												
Project Allocation	Phase	Project Expenses thru 6/30/06	2007 Budget	2007 Estimate	2008	2009	2010	2011	2012	2013	FY08 - FY13 Total	Cummulative Total (To Date)
1	Planning										\$ -	\$ -
2	Acquisition											
3	Design											
4	Construction								170,000		170,000	170,000
5	Equipment									1,000,000	1,000,000	1,000,000
6	Close-Out											
7	Other											
Other Sub-Total:		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Allocations		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 170,000	\$ 1,000,000	\$ 1,170,000	\$ 1,170,000
Source of Funds												
TIRZ Increment Revenue											\$ -	\$ -
TIRZ Increment Bond Funds									170,000	1,000,000	1,170,000	1,170,000
Grant Funds												
Total Funds		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 170,000	\$ 1,000,000	\$ 1,170,000	\$ 1,170,000

Project:		City Council District		Key Map:		WBS.:		
Improvement to Lumpkin from I-10 to Westview		A		498D, 449Z		T-1709		
Location:		A		Geo. Ref.:				
Served:		A		Neighborhood: 10, 16				
Description: Improve traffic flow on Lumpkin north of I-10 by adding an additional lane in each direction. Provide curb and gutter drainage. Justification: Large traffic volumes from HCC Town & Country Campus and adjacent retail development require additional roadway capacity.		Operating and Maintenance Costs: (\$ Thousands)						
		2008	2009	2010	2011	2012	2013	Total
Personnel								\$ -
Supplies								\$ -
Svcs. & Chgs.								\$ -
Capital Outlay								\$ -
Total		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs								

Fiscal Year Planned Expenses												
Project Allocation	Phase	Project Expenses thru 6/30/06	2007 Budget	2007 Estimate	2008	2009	2010	2011	2012	2013	FY08 - FY13 Total	Cumulative Total (To Date)
	1 Planning										\$ -	\$ -
	2 Acquisition											
	3 Design								310,000		310,000	310,000
	4 Construction									2,180,000	2,180,000	2,180,000
	5 Equipment											
	6 Close-Out											
	7 Other											
	Other Sub-Total:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Allocations		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 310,000	\$ 2,180,000	\$ 2,490,000	\$ 2,490,000
Source of Funds												
TIRZ Increment Revenue											\$ -	\$ -
TIRZ Increment Bond Funds									310,000	2,180,000	2,490,000	2,490,000
Grant Funds												
Total Funds		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 310,000	\$ 2,180,000	\$ 2,490,000	\$ 2,490,000

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of an ordinance to approve the Fiscal Year 2008 Operating Budget for Fifth Ward Redevelopment Authority (TIRZ No. 18).	Category # 1	Page 1 of 1	Agenda Item # 34
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FROM: (Department or other point of origin): Finance & Administration	Origination Date	Agenda Date
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DIRECTOR'S SIGNATURE: 	Council Districts affected: B, H	SEP 12 2007
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For additional information contact: Robert Fiederlein Phone: 713-837-9661 Tom Mesa Phone: 713-837-9857	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary)
City Council approve an ordinance to approve the Fiscal Year 2008 Operating Budget for Fifth Ward Redevelopment Authority (TIRZ No. 18).

Amount and Source of Funding: No Funding Required	F & A Budget
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Specific Explanation:

The administration has undertaken a comprehensive review of proposed FY 2008 TIRZ budgets. In addition, the Council Committee on Regulation, Development and Neighborhood Protection convened to review and discuss (TIRZ) budgets.

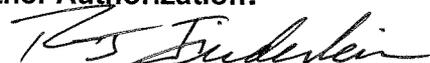
The Finance & Administration Department recommends approval of the Fiscal Year 2008 Operating Budget for Fifth Ward Redevelopment Authority (TIRZ No. 18).

- Total Operating Budget for FY08 is \$207,069, which includes \$23,569 for required fund transfers and \$183,500 for Project Costs.
- The project expenses include \$56,500 for administration and overhead. Administration and overhead costs (staff, board insurance, legal, accounting and audits) are budgeted to remain in line with equivalent City costs. The Redevelopment Authority must advise Finance and Administration of any budget amendments. Adjustments to the Project Costs in the budget of the lesser of \$400,000 or 5% or more require City Council approval.
- At this time, the FY08 budget does not include a 2008 – 2013 CIP for the Fifth Ward Redevelopment Authority. TIRZ program staff and PWE will evaluate the infrastructure in the TIRZ to develop a list of improvements required to support residential and commercial development. Based on the recommendations for infrastructure improvements, TIRZ program staff will work with the Zone Board to revise the Project and Financing Plan for the Fifth Ward TIRZ by the end of FY08.

Attachments: TIRZ Profile and FY08 Operating Budget

cc: Marty Stein, Agenda Director Deborah McAbee, Senior Assistant City Attorney
Anna Russell, City Secretary Arturo Michel, City Attorney

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization: 	Other Authorization: 
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CITY OF HOUSTON
 FINANCE & ADMINISTRATION
 FISCAL YEAR 2008 TIRZ PROFILE

Fund Summary
 Fund Name: **Fifth Ward Redevelopment Authority**
 TIRZ: **#18**
 Department Name: **Finance & Administration**
 Fund Number: **7566/65**

P R O J E C T F I L E	Base Year:	1999
	Base Year Taxable Value:	\$ 21,543,150
	Project Plan Taxable Value (TY2007):	\$ 58,173,150
	Current Taxable Value (TY2007):	\$ 24,952,325
	Acres:	
	Administrator (Contact):	Bill Calderon/Hawes Hill Calderon
	Contact Number:	713-541-0447

N A R R A T I V E	Zone Purpose:
	To establish a framework and create conditions for redevelopment to occur that will stabilize a declining tax base, establish the basis for a consistency of land uses and strengthen the character or residential and commercial properties.
	Accomplishments in FY07 (Projects Underway):
	Board has recommended that activation of a Redevelopment Authority to assist in catalyzing development in the zone. The Administrators have worked with PWE to update project plan engineering assumptions and associated infrastructure costs.

P R O J E C T P L A N		Cumulative		
		Total Plan	Expenses (to FY07)	Variance
	Capital Projects:			
	Land Assembly & Historic Preservation	\$ 1,750,000	\$ -	\$ 1,750,000
	Roadway/Sidewalk Construction	\$ 2,550,000	\$ -	\$ 2,550,000
	Water/Sewer Construction	\$ 30,000	\$ -	\$ 30,000
	Brownfield Remediation	\$ 500,000	\$ -	\$ 500,000
	Demolition	\$ 400,000	\$ -	\$ 400,000
	Parks/Recreation	\$ 800,000	\$ -	\$ 800,000
	Gateway Improvements	\$ 300,000	\$ -	\$ 300,000
	Streetscape/Landscaping/Lighting	\$ 350,000	\$ -	\$ 350,000
	Bus Shelters	\$ 80,000	\$ -	\$ 80,000
	Total Capital Projects	\$ 6,760,000	\$ -	\$ 6,760,000
	Affordable Housing	\$ -	\$ -	\$ -
	Education Facilities	\$ 2,952,463	\$ 82,368	\$ 2,870,095
	Financing Costs	\$ -	\$ -	\$ -
	Administration Costs	\$ -	\$ 40,000	\$ (40,000)
	Creation Costs	\$ 120,000	\$ -	\$ 120,000
	Total Project Plan	\$ 9,832,463	\$ 122,368	\$ 9,710,095

D E B T	Additional Financial Data	2007 Budget	2007 Projection	2008 Budget
		Debt Service		
	Principal	\$ -	\$ -	\$ -
	Interest	\$ -	\$ -	\$ -
		Balance as of 6/30/06	Balance as of 6/30/07	Balance as of 6/30/08
	Year End Outstanding			
	Bond Debt	\$ -	\$ -	\$ -
	Bank Loan	\$ -	\$ -	\$ -
	Developer Agreement	\$ 100,000	\$ 100,000	\$ -
	Other	\$ -	\$ -	\$ -

CITY OF HOUSTON
 FINANCE & ADMINISTRATION
 FISCAL YEAR 2008 BUDGET

Fund Summary
 Fund Name: **Fifth Ward Redevelopment Authority**
 TIRZ: **#18**
 Department Name: **Finance & Administration**
 Fund Number: **7566/65**

TIRZ Budget Line Items	2007 Budget	2007 Projection	2008 Budget
Beginning Fund Balance			
Restricted Funds - Capital Projects	\$ -	\$ -	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ -	\$ -	\$ -
Unrestricted Fund Balance	\$ 160,963	\$ 160,963	\$ 208,844
Total Beginning Fund Balance	\$ 160,963	\$ 160,963	\$ 208,844
TIRZ Revenues			
City	\$ 42,533	\$ 42,899	\$ 37,981
ISD	\$ 63,305	\$ 83,884	\$ 56,531
County	\$ -	\$ -	\$ -
Community College	\$ -	\$ -	\$ -
Total Revenues	\$ 105,838	\$ 126,783	\$ 94,512
Bond Proceeds	\$ -	\$ -	\$ -
Loan Proceeds	\$ -	\$ -	\$ -
Grant Proceeds	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total Available Resources	\$ 266,801	\$ 287,746	\$ 303,356
Fund Transfers			
Affordable Housing			
City of Houston - Increment	\$ -	\$ -	\$ -
City of Houston - Debt Issue	\$ -	\$ -	\$ -
ISD Increment to Houston	\$ -	\$ -	\$ -
Harris County	\$ -	\$ -	\$ -
ISD Education Set-Aside	\$ 21,100	\$ 27,961	\$ 18,844
Municipal Services - Public Safety	\$ -	\$ -	\$ -
Administration Fee to General Fund			
COH Admin Fee (5%)	\$ 2,127	\$ 2,145	\$ 1,899
Harris County Admin	\$ -	\$ -	\$ -
ISD Admin	\$ 3,165	\$ 2,796	\$ 2,827
Other	\$ -	\$ -	\$ -
Total Fund Transfers	\$ 26,392	\$ 32,902	\$ 23,569
Funds Available for Project Costs	\$ 240,409	\$ 254,844	\$ 279,787
Project Costs			
Administrative Staff	\$ -	\$ -	\$ -
Administrative Consultant	\$ 36,000	\$ 36,000	\$ 36,000
Legal - General Counsel	\$ 6,000	\$ 6,000	\$ 12,000
Accounting/Audit	\$ 8,500	\$ -	\$ 8,500
Program / Project Consulting	\$ 20,000	\$ -	\$ 5,000
Administrative Operating Expenses	\$ 7,000	\$ 4,000	\$ 7,000
Capital Expenditures (See CIP for details)	\$ -	\$ -	\$ -
Developer / Project Reimbursements	\$ 115,000	\$ -	\$ 115,000
Debt Issuance Costs	\$ -	\$ -	\$ -
Debt Service			
Principal	\$ -	\$ -	\$ -
Interest Expense	\$ -	\$ -	\$ -
Refinance / Pre-Payments	\$ -	\$ -	\$ -
Total Project Costs	\$ 192,500	\$ 46,000	\$ 183,500
Total Budget	\$ 218,892	\$ 78,902	\$ 207,069
Planned Ending Fund Balance:			
Restricted Funds - Capital Projects	\$ -	\$ -	\$ -
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ -	\$ -	\$ -
Unrestricted Fund Balance	\$ 47,909	\$ 208,844	\$ 96,287

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approve the Fiscal Year 2008 Operating Budget for Southwest Houston Redevelopment Authority (TIRZ No. 20).	Category # 1	Page 1 of 1	Agenda Item # 35
FROM: (Department or other point of origin): Finance & Administration	Origination Date August 27, 2007		Agenda Date
DIRECTOR'S SIGNATURE: 	Council Districts affected: SEP 12 2007 F, G		
For additional information contact: Robert Fiederlein Phone: 713-837 - 9661 Tom Mesa Phone: 713-837 - 9857	Date and identification of prior authorizing Council Action:		

RECOMMENDATION: (Summary)

City Council approve an ordinance to approve the Fiscal Year 2008 Operating Budget for Southwest Houston Square Redevelopment Authority (TIRZ No. 20).

Amount and Source of Funding: No Funding Required	F & A Budget
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Specific Explanation:

The administration has undertaken a comprehensive review of proposed FY08 TIRZ budgets. In addition, the Council Committee on Regulation, Development and Neighborhood Protection convened to review and discuss FY08 TIRZ budgets.

The Finance & Administration Department recommends approval of the FY08 Operating Budget for Southwest Houston Redevelopment Authority (TIRZ No. 20).

- Total Operating Budget for FY08 is \$8,787,119, which includes \$408,583 for required fund transfers and \$8,378,536 for Project Costs.
- At this time, the budget does not include a full 6-year CIP. Based on TIRZ program staff recommendations for infrastructure and public facility improvements, City staff will work with the Zone administrator and Zone Board to develop a strategy for commercial and residential redevelopment for the Zone by the end of FY08. This process will be followed by amendment of the Zone's Project and Financing Plan, as necessary, and the development of a full 6-year CIP.
- The FY08 Operating Budget includes \$92,300 for administration and overhead. Administration and overhead costs (staff, board insurance, legal, accounting and audits) are budgeted to remain in line with equivalent City costs for a zone undertaking redevelopment activities. The redevelopment authority must advise the Director of any budget amendments. Adjustments to the Project Costs in the budget of the lesser of \$400,000 or 5% or more require City Council approval.
- The budget includes a municipal services payment in FY08 of \$250,000 to support city-issued debt to construct a new police station.

Attachments: TIRZ Profile and FY08 Operating Budget

cc: Marty Stein, Agenda Director Deborah McAbee, Senior Assistant City Attorney
 Anna Russell, City Secretary Arturo Michel, City Attorney

REQUIRED AUTHORIZATION

P&D Director:	Other Authorization: 	Other Authorization:
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P R O F I L E	Base Year:	1999
	Base Year Taxable Value:	\$ 766,295,210
	Project Plan Taxable Value (TY2007):	\$ 1,011,607,030
	Current Taxable Value (TY2007):	\$ 1,317,995,597
	Acres:	2052
	Administrator (Contact):	Bill Calderon
	Contact Number:	713-541-0447

N A R R A T I V E	Zone Purpose:
	1) Address Mobility deficiencies along the Bellaire /Fondren commercial corridors with necessary capital improvements, 2) provide resources for the redevelopment of the Sharpstown Mall and Bellaire Fondren commercial corridors to expand the tax base and increase output of sales tax revenues to the City General fund, and 3) reimburse to Westchase Section 3 Partners (Halliburton) for improvements made to their property to render it developable.
	Accomplishments in FY07 (Projects Underway):
	The Construction Project at the intersection at Bellaire Blvd and Fondren has been completed, inspected by the City and ADA compliance officers and is now completed. The project will come in under budget an estimated \$200,000. The preliminary engineering on the access management project for improvements from Mary Bates to Beltway 8 has been completed. An agreement with TxDOT for the construction on that project has been negotiated and will be approved before the end of the fiscal year. The Authority Board has delivered an updated project cost for the proposed Project Plan amendment to the City. The Board also has approved a short term loan facility with Bank of America whose closing is scheduled for the first week in June. Proceeds from the loan will enable the board to continue funding engineering on targeted projects and also consider takeout of the high interest debt attributable the the WCS3 Development Agreement. A request for advancing the receipt of grant funding for the access management project has been favorably received. HGAC staff will recommend moving the project funding up to next fiscal year.

P R O J E C T		Cumulative Expenses		
		Total Plan	(to FY07)	Variance
	Capital Projects:			
	Sharpstown Center Area Public Improvements	\$ 9,170,000	\$ -	\$ 9,170,000
	Area Public Improvements	\$ 4,353,000	\$ 4,849,346	\$ (496,346)
	Westchase Section Improvements (Halliburton)	\$ 4,993,000	\$ 11,143,192	\$ (6,150,192)
				\$ -
				\$ -
				\$ -
	Total Capital Projects	\$ 18,516,000	\$ 15,992,538	\$ 2,523,462
	Affordable Housing	-	-	\$ -
	Education Facilities	-	-	\$ -
	Financing Costs	22,203,050	5,056,392	\$ 17,146,658
	Administration Costs	890,000	696,833	\$ 193,167
	Creation Costs	80,000	81,085	\$ (1,085)
	Total Project Plan	\$ 41,689,050	\$ 21,826,848	\$ 19,862,202

D E B T	Additional Financial Data	2006 Budget	2007 Estimate	2008 Budget
		Debt Service		
	Principal	\$ 480,000	\$ 480,000	\$ 490,000
	Interest	\$ 519,469	\$ 519,469	\$ 779,918
		Balance as of 6/30/06	Balance as of 6/30/07	Balance as of 6/30/08
	Year End Outstanding			
	Bond Debt	\$ 12,825,000	\$ 11,880,000	\$ 11,390,000
	Bank Loan	\$ -	\$ -	\$ -
	Developer Agreement	\$ 6,102,964	\$ 3,838,164	\$ -
	Other	\$ -	\$ -	\$ -

TIRZ Budget Line Items	2007 Budget	2007 Projection	2008 Budget
Available Resources			
Beginning Fund Balance			
Restricted Funds - Capital Projects	\$ 3,332,700	\$ 3,332,700	\$ 5,860,645
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ 1,053,608	\$ 1,053,608	\$ 1,053,608
Unrestricted Fund Balance	\$ 3,276,156	\$ 3,276,156	\$ 5,084,592
Total Beginning Fund Balance	\$ 7,662,464	\$ 7,662,464	\$ 11,998,845
TIRZ Revenues			
City	\$ 2,202,256	\$ 3,062,591	\$ 3,171,662
ISD	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Community College	\$ -	\$ -	\$ -
Total Revenues	\$ 2,202,256	\$ 3,062,591	\$ 3,171,662
Bond Proceeds	\$ -	\$ -	\$ -
Loan Proceeds	\$ 5,000,000	\$ 5,000,000	\$ -
Grant Proceeds	\$ -	\$ -	\$ -
Other	\$ 43,000	\$ 320,000	\$ 350,000
Total Available Resources	\$ 14,907,720	\$ 16,045,055	\$ 15,520,507
Fund Transfers			
Affordable Housing			
City of Houston - Increment	\$ -	\$ -	\$ -
City of Houston - Debt Issue	\$ -	\$ -	\$ -
ISD Increment to Houston	\$ -	\$ -	\$ -
Harris County	\$ -	\$ -	\$ -
ISD Education Set-Aside	\$ -	\$ -	\$ -
Municipal Services - Public Safety	\$ 300,000	\$ 300,000	\$ 250,000
Administration Fee to General Fund			
COH Admin Fee (5%)	\$ 110,113	\$ 153,130	\$ 158,583
Harris County Admin	\$ -	\$ -	\$ -
ISD Admin	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total Fund Transfers	\$ 410,113	\$ 453,130	\$ 408,583
Funds Available for Project Costs	\$ 14,497,607	\$ 15,591,925	\$ 15,111,924
Project Costs			
Administrative Staff	\$ -	\$ -	\$ -
Administrative Consultant	\$ 54,000	\$ 48,000	\$ 54,000
Legal - General Counsel	\$ 12,000	\$ 12,000	\$ 12,000
Accounting/Audit	\$ 20,300	\$ 18,150	\$ 18,300
Program / Project Consulting	\$ 12,000	\$ 11,597	\$ 12,000
Administrative Operating Expenses	\$ 12,000	\$ 10,479	\$ 11,500
Capital Expenditures (See CIP for details)	\$ 3,116,773	\$ 2,472,055	\$ 2,800,000
Developer / Project Reimbursements	\$ 4,020,000	\$ -	\$ 4,200,818
Debt Issuance Costs	\$ -	\$ -	\$ -
Debt Service			
Principal	\$ 480,000	\$ 480,000	\$ 490,000
Interest Expense	\$ 519,469	\$ 519,469	\$ 779,918
Refinance / Pre-Payments	\$ -	\$ -	\$ -
Total Expense	\$ 8,246,542	\$ 3,593,080	\$ 8,378,536
Total Budget	\$ 8,656,655	\$ 4,046,210	\$ 8,787,119
Resources Less Transfer and Expenses	\$ 6,251,065	\$ 11,998,845	\$ 6,733,388
Planned Ending Fund Balance:			
Restricted Funds - Capital Projects	\$ 215,927	\$ 5,860,645	\$ 3,060,645
Restricted Funds - Affd. Housing	\$ -	\$ -	\$ -
Restricted Funds - Bond Reserve	\$ 1,053,608	\$ 1,053,608	\$ 1,053,608
Unrestricted Fund Balance	\$ 4,981,530	\$ 5,084,592	\$ 2,619,135

2008 - 2013 CAPITAL IMPROVEMENT PLAN
 TIRZ No. 20 - Southwest Houston Redevelopment Authority
 CIP Sources by TIRZ

CITY OF HOUSTON - TIRZ PROGRAM
 Finance and Administration

Source of Funds	FY Planned Appropriations (\$ Thousands)										Culmulative Total (To Date)	
	Through 2007	Projected 2007	2008	2009	2010	2011	2012	2013	Total 2008-2013			
TIRZ No. 20												
TIRZ funds	-	-	2,800,000	-	-	-	-	-	-	-	-	2,800,000
Revenue bond proceeds	-	-	-	-	-	-	-	-	-	-	-	-
Proceeds from bank loan	-	-	-	-	-	-	-	-	-	-	-	-
Developer Advance/Reimbursement	-	-	-	-	-	-	-	-	-	-	-	-
City of Houston	-	-	-	-	-	-	-	-	-	-	-	-
Grants	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-	-
Project Total	-	-	2,800,000	-	-	-	-	-	-	-	-	2,800,000

Project: Access Management Mobility Improvements		City Council District	Key Map: 530G	WBS.:		T-2001	
Description: Multiple median closures and modifications on Bellaire from Gessner to Beltway 8.		Location:	Geo. Ref.:				
Justification: Funding for mobility improvements along Bellaire. One of key mobility improvements identified to rectify mobility limitations along the Bellaire Corridor.		Served:	Neighborhood: 25,26, 29				
Operating and Maintenance Costs: (\$ Thousands)							
		2008	2009	2010	2011	2012	2013
Personnel							
Supplies							
Svcs. & Chgs.							
Capital Outlay							
Total		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FTEs							

Fiscal Year Planned Expenses

Project Allocation	Phase	Project Expenses thru 6/30/06	2007 Budget	2007 Estimate	2008	2009	2010	2011	2012	2013	FY08 - FY13 Total	Cumulative Total (To Date)
1	Planning										\$ -	\$ -
2	Acquisition										\$ -	\$ -
3	Design				2,800,000						2,800,000	\$ 2,800,000
4	Construction		2,250,000								\$ -	\$ -
5	Equipment										\$ -	\$ -
6	Close-Out										\$ -	\$ -
7	Other										\$ -	\$ -
Other Sub-Total:		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Total Allocations	\$ -	\$ 2,250,000	\$ -	\$ -	\$ 2,800,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,800,000	\$ 2,800,000
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Source of Funds	2008	2009	2010	2011	2012	2013	FY08 - FY13 Total	Cumulative Total (To Date)
TIRZ Increment Revenue							\$ 2,800,000	\$ 2,800,000
TIRZ Increment Bond Funds							\$ -	\$ -
Grant Funds							\$ -	\$ -
Total Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,800,000	\$ 2,800,000

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Food and Beverage Managing Agent Agreement – Amendment No. 4 – JDDA SSP - George Bush Intercontinental Airport/Houston (IAH)	Category #	Page 1 of 2	Agenda Item # 36
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FROM (Department or other point of origin): Houston Airport System	Origination Date September 7, 2007	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: <i>Kae Jun</i>	Council District affected: B
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For additional information contact: Janet Schafer Phone: 281/233-1796 Randy Goodman <i>RG</i> 281/233-1822	Date and identification of prior authorizing Council action: 1/10/90 - Ordinance No. 90-8 12/11/91 - Ordinance No. 91-1753 6/30/98 - Ordinance No. 98-552 3/1/00 - Ordinance No. 2000-0150
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AMOUNT & SOURCE OF FUNDING: REVENUE	Prior appropriations:
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RECOMMENDATION: (Summary)
Enact an Ordinance approving and authorizing the execution of Amendment No. 4 to the Managing Agent Agreement for Food and Beverage Services between the City of Houston and JDDA SSP at George Bush Intercontinental Airport/Houston.

SPECIFIC EXPLANATION:

The Managing Agent Agreement for Food and Beverage Services (“Agreement”) between the City of Houston and JDDA Concession Management, Inc. at George Bush Intercontinental Airport will expire June 30, 2008. JDDA Concession Management, Inc. is entering into a joint venture agreement with Creative Host Services, Inc. Under this joint venture (JDDA SSP), JDDA Concession Management, Inc. will hold 51% equity and Creative Host Services, Inc. will hold 49% for the purpose of operating and managing the facilities. Amendment No. 4 will also assign the Agreement to JDDA SSP.

The Houston Airport System desires to enter into this Amendment No. 4 to restate the Agreement. The pertinent terms and conditions of this Amendment are as follows:

- The concessionaire will pay the City a Minimum Guarantee fee per enplaned passenger or a percentage fee of gross sales, whichever is greater. The following fees will apply:
 - \$0.20 per enplaned passenger during concessionaire’s facility remodel
 - \$0.30 per enplaned passenger after facility remodel
 OR
 - 12% of branded food gross sales
 - 14% of non-branded food gross sales
 - 15% of alcoholic beverage gross sales

Current fees to the City are 10% on all food gross sales and 13.50% on alcoholic beverage gross sales.

REQUIRED AUTHORIZATION			NOT
F&A Budget:	Other Authorization:	Other Authorization:	

Date 9/7/2007	Subject: Food and Beverage Managing Agent Agreement – Amendment No. 4 – JDDA SSP – George Bush Intercontinental Airport/Houston (IAH)	Originator's Initials	Page 2 of 2
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2. Concessionaire agrees to expend a minimum of \$10,500,000.00 on improvements to the facilities.
3. Amendment No. 4 will provide an extension of seven (7) years with one, two-year option period. If the option period is granted, Concessionaire shall expend a minimum of \$75.00 per square foot for upgrades and renovations to the facilities.
4. Concessionaire will collect no more than 3.50% of gross sales from its subtenants for administrative fees. 0.25% of this fee will be used for marketing and promoting the facilities at the airport and 0.25% of this fee will be used for common area renovations.
5. Amendment No. 4 will provide the Houston Airport System the ability to assess liquidated damages in the event the Concessionaire fails to operate in accordance to the agreement requirements. These include:
 - Hours of operations
 - Product approval and pricing
 - Janitorial and maintenance
 - Adequate and appropriately trained staff
 - Remodel and build out schedule for the facilities
6. The ACDBE Goal on this agreement will increase from 25% to 35%. Concessionaire will meet this goal through business arrangements with the following DBE certified individuals and companies:
 - A separate Joint Venture between Creative Host Services and an entity owned by Mr. Jason Yoo, Mr. Aaron Smith, Mr. Harlon Brooks and the Molina Group
 - Subcontract locations to LaTrelle's Management, Inc. (Mr. Kenneth James and Mr. Wally James)
 - Subcontract locations to On the Mark Food Service Management, Inc. (Ms. Toni Burns)
 - Subcontract locations to Bush Group (Mr. Charles Bush)
7. Concessionaire will provide a performance security in the amount of \$1,500,000.00

RMV: rwg

Attachments

cc: Ms. Marty Stein
Mr. Anthony W. Hall, Jr.
Mr. Arturo G. Michel
Mr. Richard M. Vacar, A.A.E.
Ms. Sara Culbreth
Mr. David Arthur

Ms. Kathy Elek
Mr. Richard Fernandez
Mr. Randy Rivin
Ms. Janet Schafer
Mr. Mark McMullen

Pursuant to Section 15-124(e) of the Code of Ordinances of the COH, the Office of the City Controller certifies that the tax delinquency status for the current tax year is listed below for the contracting entities contained in this log.

J. Annise D. Parker

On behalf of Annise D. Parker, City Controller

**Notice
MARCH 2007 -
FEBRUARY 2008**

File	Company Name/Address	Account No.	City Tax	County Tax	Years	Notes
28-1102-P	JDDA CONCESSION MANAGEMENT, INC. 3100 TERMINAL RD - TERMINAL B HOUSTON, TX 77032	no del found				Company name is: JASON YOO JDDA CONCESSION MANAGEMENT, INC.
	JASON YOO 20307 HICKORY CHASE CT. KATY, TX 77460	no del found				
28-1102-P	CREATIVE HOST SERVICES, INC. 19465 DEERFIELD AVE, SUITE 105 LANSDOWNE, VA 20178	no del found				
	SSP GROUP LIMITED THE HEIGHTS, BROOKLANDS, WEYBRIDGE, SURREY KT13 0NY, UK	no del found				

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Property Acquisition – William P. Hobby Airport (HOU) Project 999 WBS# A-000528-0001-2-01	Category #	Page 1 of 2	Agenda Item # 37
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FROM (Department or other point of origin): Houston Airport System	Origination Date August 9, 2007	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: <i>Kae</i> <i>Jae</i>	Council District affected: I
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For additional information contact: Janet L. Schafer <i>JS</i> Phone: 281.233.1796 James Valenta 281.233.1828	Date and identification of prior authorizing Council action: N/A
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AMOUNT & SOURCE OF FUNDING: CIP A-0528.05.1 \$1,821,447.59 Airports Improvement Fund (8011) <i>EE</i>	Prior appropriations:
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RECOMMENDATION: (Summary)
Approve an ordinance appropriating \$1,821,447.59 from the Airports Improvement Fund and approving and authorizing a Purchase and Sale Agreement to acquire a certain tract of land, including all improvements thereon, adjacent to William P. Hobby Airport.

SPECIFIC EXPLANATION:

Runway protection zones (RPZ) are obstacle free areas or clear zones located at each end of an aircraft runway. The RPZ for Runway 4/22 at the southwest corner of William P. Hobby Airport (HOU) is primarily located on the opposite side of Telephone Road and a portion is not owned by the City of Houston. In this transaction the City will acquire additional land for the Runway 4/22 RPZ, an action strongly encouraged by the FAA to protect runways from non-compatible land development.

The Houston Airport System (HAS) requests the appropriation of requested funds and the approval of a Purchase and Sale Agreement with FPA/PinPoint Hobby, LLC (Seller) for the acquisition of a tract of land containing approximately 26.897 acres located in the 9100 Block of Telephone Road (Key Map 575J). The acquisition of this land is included in HAS's Capital Improvement Program.

The negotiated purchase price agreed to by the Seller is based on the value for the land as determined by professional appraisers under contract with the City. Upon the effective date, which takes effect on the date of the Controller's countersignature, the City has a 20-day inspection period in which it has the right to terminate the Agreement.

MSJ

REQUIRED AUTHORIZATION

F&A Budget: <i>MSJ SL</i>	Other Authorization:	Other Authorization:
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Date August 9, 2007	Subject: Property Acquisition – William P. Hobby Airport (HOU) Project 999 WBS# A-000528-0001-2-01	Originator's Initials	Page 2 of 2
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HAS requests approval of a Purchase and Sale Agreement for the property acquisition described below:

Owner	Property Description	Purchase Price
FPA/PinPoint Hobby, LLC	26.897 acres of land, more or less, out the Blas Herrera Survey, Abstract 320 and the W.A. Arnold Survey, Abstract 1461, Houston, Harris County Texas Vacant Land	\$1,803,447.59
	Estimated Title Insurance and Closing Costs (not to exceed)	\$18,000.00
	Requested Appropriation	\$1,821,447.59

HAS further requests the appropriation of \$1,821,447.59 from the Airports Improvement Fund for the above property acquisition, inclusive of the payment of title insurance premium and other miscellaneous closing costs. This land acquisition may be eligible for federal funding through the FAA's Airport Improvement Program (AIP). Appropriate fund source adjustments will be made in the future if AIP funding becomes available.

The Legal Department prepared the Purchase and Sale Agreement and has reviewed documentation related to the acquisition.

RMV:JS:JAV

cc: Ms. Marty Stein
Mr. Anthony W. Hall, Jr.
Mr. Arturo Michel
Mr. Richard M. Vacar, A.A.E.
Ms. Sara Culbreth
Mr. David Arthur
Ms. Janet Schafer
Mr. Carlos Ortiz
Ms. Kathy Elek
Mr. Robert Johnson
Mr. James Valenta

Attachments

SUBJECT: Purchase and Sale Agreement between Omne Educational Resources, Inc. (Seller) and the City of Houston (Purchaser) for the purchase of 2.0808 acres of land, known as 7277 Regency Square Boulevard, and an additional 12,000 SF of adjacent parking for the Houston Police Department. WBS No. G-000120-0001-4		Page 1 of 2	Agenda Item 38
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FROM (Department or other point of origin): General Services Department	Origination Date 9/6/07	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>Issa Z. Dadoush 8/29/07</i>	Council District affected: F
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For additional information contact: Jacquelyn L. Nisby 713-247-1814	Date and identification of prior authorizing council action:
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RECOMMENDATION: Approve an ordinance authorizing the appropriation of \$130,000.00 from Commercial Paper Series E and approving a Purchase and Sale Agreement between Omne Educational Resources, Inc., a Texas corporation (Seller) and the City of Houston (Purchaser) for the purchase of land at 7277 Regency Square Boulevard and an additional 12,000 SF asphalt parking lot for the location of the District 18 police station for the Houston Police Department, and appropriate funds.

Amount and Source Of Funding: \$130,000.00 Commercial Paper Series E Previous Funding: \$4,172,500.00 Commercial Paper Series E	F&A Budget: <i>Muhl SL</i>
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SPECIFIC EXPLANATION: Police District 18 is a newly created police district that has been established to provide services to a large area of southwest Houston. On July 3, 2007, Ordinance No. 2007-802, City Council approved a Purchase and Sale Agreement for 2.2635 acres of land located at 5800 Richmond Avenue for the Houston Police Department police station, and appropriated \$4,172,500. During the feasibility period, it was determined that this property was not suitable as a new police station due to the close proximity to adjacent residences and businesses, security concerns, drainage issues, limited parking capacity and the condition of the building.

The Real Estate Division of the General Services Department has located a 60,000 SF office building at 7277 Regency Square Boulevard, that recently became available, and an additional 12,000 SF of adjacent parking that are more suitable for the new District 18 Police Station. An Initial Due-Diligence Review was performed to assess the overall condition of the site and the following positive features were noted:

- Covered, secure parking
- Inherent security advantages of the site
- Good location
- Sound foundation and structure

The purchase price of the properties is \$4,275,000.00 plus additional expenses of \$11,700.00.

Purchase Price	\$4,275,000.00
Appraisal	3,000.00
Closing Costs	8,700.00
TOTAL	\$4,286,700.00

REQUIRED AUTHORIZATION

CUIC ID# 25 RB 21

General Services Department:

Forest R. Christy, Jr.
Forest R. Christy, Jr., Director
Real Estate Division

Houston Police Department:

Harold L. Hurtt
Harold L. Hurtt, Chief

Date	SUBJECT: Purchase and Sale Agreement between Omne Educational Resources, Inc. (Seller) and the City of Houston (Purchaser) for the purchase of 2.0808 acres of land, known as 7277 Regency Square Boulevard, and an additional 12,000 SF of adjacent parking for the Houston Police Department. WBS No. G-000120-0001-4	Originator's Initials RB	Page 2 of 2
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City Council previously appropriated \$4,172,500.00. Of this amount, \$15,800.00 was used for appraisal, survey, Due Diligence Review and binder's fees. The remaining funds in the amount of \$4,156,700.00 plus the requested appropriation of \$130,000.00 will fund the purchase.

The General Services Department recommends that City Council approve and authorize a Purchase and Sale Agreement with Omne Educational Resources, Inc. to purchase the above-described properties at a purchase price of \$4,275,000.00 plus additional expenses of \$11,700.00.

IZD:BC:JLN:RB:ddc

xc: Marty Stein, Jacquelyn L. Nisby, Anna Russell and Sgt. Stephen Hanner

SUBJECT: Lease Agreement with Lincoln Harbert 3NB Houston, LLC, at 12707 N. Freeway, Suite 165 for the Psychological Services Division of the Houston Police Department	Page 1 of 1	Agenda Item 39
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FROM (Department or other point of origin): General Services Department	Origination Date 9-6-07	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>Issa Z. Dadoush</i> 8/2/07	Council District affected: B
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For additional information contact: Jacquelyn L. Nisby 713-247-1814	Date and identification of prior authorizing council action:
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RECOMMENDATION: Approve and authorize a Lease Agreement with Lincoln Harbert 3NB Houston, LLC., for the leased space at 12707 N. Freeway, Suite 540, for the Psychological Services Division of the Houston Police Department and allocate funds.

Amount and Source Of Funding: \$429,590.04 General Fund (1000)	F&A Budget:
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SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve and authorize a Lease Agreement with Lincoln Harbert 3NB Houston, LLC., for 4,522 square feet of leased space at 12707 N. Freeway, Suite 540, for the Psychological Services Division of the Houston Police Department (HPD). HPD has utilized this space for general office purposes since October, 2001. The original lease expired and HPD has continued to occupy the leased premises on a month-to-month basis at a monthly rental of \$7,526.00. There are no city-owned facilities that can accommodate this operation.

The proposed Lease Agreement provides for a five-year lease term at the following monthly payments:

Calendar Year of Lease Term	Monthly Rental
1	\$6,783.00 (\$1.50 psf per month, \$18.00 psf per year)
2	\$6,971.42 (\$1.54 psf per month, \$18.50 psf per year)
3	\$7,159.83 (\$1.58 psf per month, \$19.00 psf per year)
4	\$7,348.25 (\$1.63 psf per month, \$19.50 psf per year)
5	\$7,536.67 (\$1.67 psf per month, \$20.00 psf per year)

The lease term will commence on the date of countersignature by the City Controller and will have two five-year renewal options at the current market rate.

The landlord is responsible for maintenance and utilities.

IZD:BC:JLN:FA:fa

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Verdi Letherman

ms

REQUIRED AUTHORIZATION

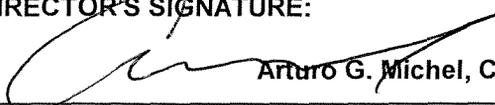
CUIC ID# 25 FA 07

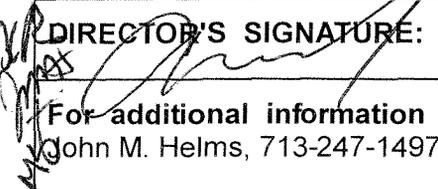
General Services Department:

Forest R. Christy, Jr.
Forest R. Christy, Jr.
Director, Real Estate Division

Houston Police Department:

Harold L. Hurtt
Harold L. Hurtt
Chief

SUBJECT: An ordinance authorizing a contract for legal services between the City of Houston and Howrey LLP in connection with <i>Steve Williams, et al. v. City of Houston, et al.</i>		Category # 1	Page 1 of 1	Agenda Item # <div style="text-align: right; font-size: 2em; font-weight: bold;">40</div>
FROM (Department or other point of origin): Legal Department		Origination Date	Agenda Date <div style="text-align: right; font-weight: bold;">SEP 12 2007</div>	
DIRECTOR'S SIGNATURE:  Arturo G. Michel, City Attorney		Council District affected: All		
For additional information contact: Connie Acosta, Labor Division Phone: (713) 247-1485		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) That Council approve and authorize an Ordinance authorizing a contract for legal services between the City of Houston and Howrey LLP in connection with <i>Steve Williams, et al. v. City of Houston, et al.</i>				
Amount of Funding: \$340,000.00		F & A Budget: 		
SOURCE OF FUNDING: 1004 <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund				
<input checked="" type="checkbox"/> Other (Specify) Property and Casualty Fund				
SPECIFIC EXPLANATION: <p>The City of Houston (City), former Fire Chief Chris Connealy, and the Civil Service Commission, are Defendants in Case No. 2002-22690-A; <i>Steve Williams, et al. v. City of Houston, et al.</i>; in the 80th Judicial District Court of Harris County, Texas. This is a suit by 544 firefighters seeking in excess of \$5,000,000 for overtime and benefit leave payouts.</p> <p>Initially, the trial and appellate courts ruled in favor of these employees, and the City faced significant exposure for damages. The Howrey firm assisted the City in overturning the ruling before the Texas Supreme Court. The Supreme Court remanded the case to the trial court on a limited issue and that trial is scheduled for November of this year. The work needed to prepare for the number of plaintiffs and the damages at issue necessitates outside counsel be retained in order for the City to be well prepared for trial. The Legal Department does not have the resources to prepare for this trial and also maintain the level of legal services it regularly provides elsewhere. The lawyers sought to be hired are experienced and highly capable trial lawyers who are familiar with this case and have had significant success on behalf of the City.</p> <p>The City Attorney requests that City Council pass the ordinance approving and authorizing a contract with Howery LLP in connection with <i>Steve Williams, et al. v. City of Houston, et al.</i></p>				
REQUIRED AUTHORIZATION				
F&A Director:		Other Authorization:		Other Authorization:

SUBJECT: An Ordinance approving and authorizing a Compromise & Settlement Agreement Between the City and Tom H. Connolly, As Liquidating Trustee of the Consolidated WIN Liquidating Trust To Settle A Lawsuit		Category # 6	Page 1 of 1	Agenda Item # 41
FROM (Department or other point of origin): Legal Department		Origination Date		Agenda Date SEP 12 2007
DIRECTOR'S SIGNATURE: 		Council District ALL		
For additional information contact: John M. Helms, 713-247-1497		Date and identification of prior authorizing Council action: Ord. No. 00-678 dated 08/16/00 Od. No. 01-1054 dated 12/12/01		

RECOMMENDATION: (Summary)

That Council pass an Ordinance approving and authorizing a Compromise & Settlement Agreement Between the City and Tom H. Connolly, As Liquidating Trustee of the Consolidated WIN Liquidating Trust To Settle A Lawsuit.

Amount of Funding: \$525,000.00

F&A Budget: 

SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund

Other (Specify)

Property and Casualty Fund

SPECIFIC EXPLANATION:

Houston is the defendant in a Bankruptcy Adversary Proceeding (i.e., lawsuit within a bankruptcy proceeding) pending in Denver, Colorado brought by the Trustee of the Consolidated WIN Liquidating Trust ("Trustee") seeking the return of approximately \$1,000,000.00, plus interest ("Money") deposited with the City on or about August 16, 2000 by Western Integrated Networks of Texas Operating, L.P. (WIN-TX") pursuant to the grant of a cable television franchise agreement. The franchise agreement did not specifically state that the deposit was "non-refundable". WIN-TX and numerous related and affiliated entities filed for Ch 11 bankruptcy in Denver on March 11, 2002. The Adversary Proceeding was filed on March 10, 2004 and trial is set in Denver for September 12-14, 2007.

Houston is represented in the Adversary Proceeding by the Greenberg Traurig law firm's Dallas office and by in-house counsel.

In the Adversary Proceeding the Trustee sought return of the Money on numerous and unique theories based on bankruptcy, federal, and state law. The Adversary Proceeding has been hotly contested and Houston's legal fees have been substantial. Settlement discussions have been difficult until recently, as the Trustee has consistently demanded between \$700,000 to \$800,000.00.

The Trustee has made an offer to settle the Adversary Proceeding for \$525,000.00.

The Legal Department recommends that Council accept the Trustee's offer of settlement and pass an Ordinance authorizing a Compromise & Settlement Agreement to accomplish the settlement. The Department of Finance & Administration concurs.

REQUIRED AUTHORIZATION

F&A Director:



Other Authorization:

Director, Legal

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7546

Subject: Approve an Amending Ordinance to Increase the Spending Authority for Contract No. C55412 for Alarm Monitoring, Inspection, Maintenance and Telephone Response Services for Various Departments/LC-R-6350-027-13971-A1

Category #
4

Page 1 of 1

Agenda Item

42

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

August 10, 2007

Agenda Date

SEP 12 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Jacquelyn L. Nisby Phone: (713) 247-1814
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing

Council Action:
Ord. 2003-1009; Passed October 22, 2003

RECOMMENDATION: (Summary)

Approve an amending ordinance to increase the spending authority for the contract between the City of Houston and Johnson Controls, Inc. from \$815,177.58 to \$975,177.58 for alarm monitoring, inspection, maintenance and telephone response services for various departments.

Spending Authority Increase: \$160,000.00

F & A Budget

\$160,000.00 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the spending authority for the contract between the City Of Houston and Johnson Controls, Inc. from \$815,177.58 to \$975,177.58 for alarm monitoring, inspection, maintenance and telephone response services for various departments.

This contract was awarded on October 22, 2003, by Ordinance No. 2003-1009 for a three-year term, with two one-year options to extend, for a total five-year term in the amount of \$815,177.58. Expenditures as of July 16, 2007 totaled \$746,597.08. The additional spending authority is needed to sustain the Departments until the end of the contract term. The addition of the Houston Airport System to the contract has caused expenditures to exceed the original estimated spending amount.

The scope of work requires the contractor to provide all equipment, labor, materials, supervision and transportation necessary to monitor, maintain and respond to activated security alarms and fire alarms at facilities throughout the City. Additionally, the contractor will be required to provide 24/7 monitoring of elevator telephones at Health & Human Services and Solid Waste Management Department locations, as well as monitor low temperature alarms of walk-in coolers at Health & Human Services Department locations. The contractor is also required to perform periodic testing, repair and certification of fire alarm systems specified in the contract.

This contract was awarded with a 3% M/WBE participation goal and the contractor is currently achieving 2.1% of its goal. The Affirmative Action Division will continue to monitor this contract to ensure maximum M/WBE participation.

Buyer: Douglas Moore

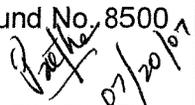
REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

SUBJECT: Developer Participation Contract between City of Houston and Castone Homes, Inc. for the construction of sanitary sewer line. R-000802-0054-4		Page 1 of 1	Agenda Item # 43
FROM: (Department or other point of origin) Department of Public Works & Engineering	Origination Date: 9/7/07	Agenda Date: SEP 12 2007	
Director's Signature:  Michael S. Marcotte, P.E. DEE	Council District affected: H		
For additional information contact: Jun Chang, P.E. (713) 837-0433 Ae	Date and identification of prior authorizing Council action:		
Recommendation: (Summary) Approve a Developer Participation Contract between the City and Castone Homes, Inc ("Developer") for the City to pay 100% of the design cost and 50% of the cost to construct approximately 90 linear feet of 8-inch sanitary sewer line along Utah Street and appropriate funds.			
Amount & Source of Funding: \$9,800.00 Water & Sewer System Consolidated Construction Fund No. 8500. <div style="text-align: right;"><i>Paula / 07.12.07</i></div>			
Specific Explanation: Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) includes provisions for City participation in the cost of design and construction of water and sewer mains by a developer. Under Section 47-164 of the Houston Code, the City and the Developer may enter into a cost-sharing agreement under which the Developer designs and constructs the mains and dedicates them to the City for 50% reimbursement of the construction cost and 100% of the design cost, up to a maximum of \$25,000.00. Castone Homes, Inc. proposes to construct approximately 90 linear feet of 8-inch sanitary sewer line to serve their development on Utah Street. The estimated construction cost is \$12,600.00 (including a 5% contingency) and \$3,500.00 design cost, thereby making \$9,800.00 the City of Houston's maximum contribution. Plans for the extension have been approved by the Department of Public Works and Engineering. Before payment is made to the Developer, the Department of Public Works and Engineering will inspect the lines and review the final construction cost to determine the actual amount of the City's share, which cannot exceed \$9,800.00. AFI:JC:MAS:tp c: Marty Stein Craig Foster John Sakolosky			
REQUIRED AUTHORIZATION:		20JZC314	
F&A Budget: 	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning & Development Services	

SUBJECT: Developer Participation Contract between City of Houston and RMJ Custom Homes, LLC. for the construction of water line. S-000802-0053-4		Page 1 of 1	Agenda Item # 44
FROM: (Department or other point of origin) Department of Public Works & Engineering	Origination Date: 9/6/07	Agenda Date: SEP 12 2007	
Director's Signature: MS  Michael S. Marcotte, P.E. DEE	Council District affected: D		
For additional information contact: Jun Chang, P.E. AC (713) 837-0433	Date and identification of prior authorizing Council action:		
Recommendation: (Summary) Approve a Developer Participation Contract between the City and RMJ Custom Homes, LLC ("Developer") for the City to pay 100% of the design cost and 50% of the cost to construct approximately 147 linear feet of 8-inch water line along Tuam Street and appropriate funds.			
Amount & Source of Funding: \$14,476.25 Water & Sewer System Consolidated Construction Fund No. 8500 			
Specific Explanation: Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) includes provisions for City participation in the cost of design and construction of water and sewer mains by a developer. Under Section 47-164 of the Houston Code, the City and the Developer may enter into a cost-sharing agreement under which the Developer designs and constructs the mains and dedicates them to the City for 50% reimbursement of the construction cost and 100% of the design cost, up to a maximum of \$25,000.00. RMJ Custom Homes, LLC proposes to construct approximately 147 linear feet of 8-inch water line to serve their development on Tuam Street. The estimated construction cost is \$18,952.50 (including a 5% contingency) and \$5,000.00 design cost, thereby making \$14,476.25 the City of Houston's maximum contribution. Plans for the extension have been approved by the Department of Public Works and Engineering. Before payment is made to the Developer, the Department of Public Works and Engineering will inspect the lines and review the final construction cost to determine the actual amount of the City's share, which cannot exceed \$14,476.25. AFI:JC:MAS:tp c: Marty Stein Craig Foster John Sakolosky			
REQUIRED AUTHORIZATION:		20JZC315	
F&A Budget: 	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning & Development Services	

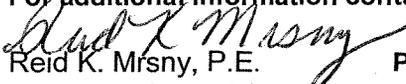


VICINITY MAP
(N.T.S.)

SUBJECT: Contract Award for Water Line Replacements in Willow Run North Area. WBS No. S-000035-00F3-4.	Page 1 of <u>2</u>	Agenda Item # 45
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/30/07	Agenda Date SEP 12 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: B <i>AD</i>
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For additional information contact:  Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
Accept low bid, award construction contract and appropriate funds.

Amount and Source of Funding:
\$2,244,100.00 from the Water and Sewer System Consolidated Construction Fund No. 8500. *Q*

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Water Line Replacement Program. This program is required to replace and upgrade water lines within the City to increase availability of water, improve circulation and fire protection.

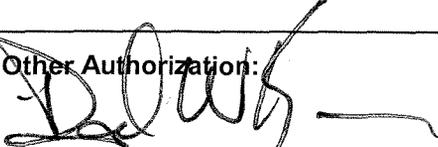
DESCRIPTION/SCOPE: This project consists of approximately 675 linear feet of 4-inch, 510 linear feet of 6-inch, 25,021 linear feet of 8-inch and 2,964 linear feet of 12-inch diameter water lines, valves and appurtenances. The contract duration for this project is 280 calendar days. This project was designed by Cobb, Fendley & Associates / KIT Professionals, Inc.

LOCATION: The project area is generally bound by Mosher Lane on the north, West Gulf Bank Road on the south, Veterans Memorial Drive on the east and Ella Boulevard on the west. The project is located in Key Map Grids 412-K, L, P & Q.

BIDS: Bids were received on July 12, 2007. The seven (7) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. ACM Contractors, Inc.	\$1,898,338.16
2. Collins Construction, L.L.C.	\$1,905,052.19
3. R. K. Wheaton, Inc.	\$1,951,374.00
4. Metro City Construction, L.P.	\$2,184,442.81
5. RWL Construction, Inc.	\$2,409,425.00
6. Resicom, Inc.	\$2,510,703.00
7. C.E. Barker, Ltd.	\$2,597,469.50

REQUIRED AUTHORIZATION CUIC ID #20SD80 *NO*

F&A Budget:	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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AWARD: It is recommended that this construction contract be awarded to ACM Contractors, Inc. with a low bid of \$1,898,338.16 and that no Addendum be made a part of this contract.

PROJECT COST: The total cost of this project is \$2,244,100.00 to be appropriated as follows:

•	Bid Amount	\$1,898,338.16
•	Contingencies	\$ 94,917.00
•	Engineering and Testing Services	\$ 80,000.00
•	Project Management	\$ 38,014.84
•	Construction Management	\$ 132,830.00

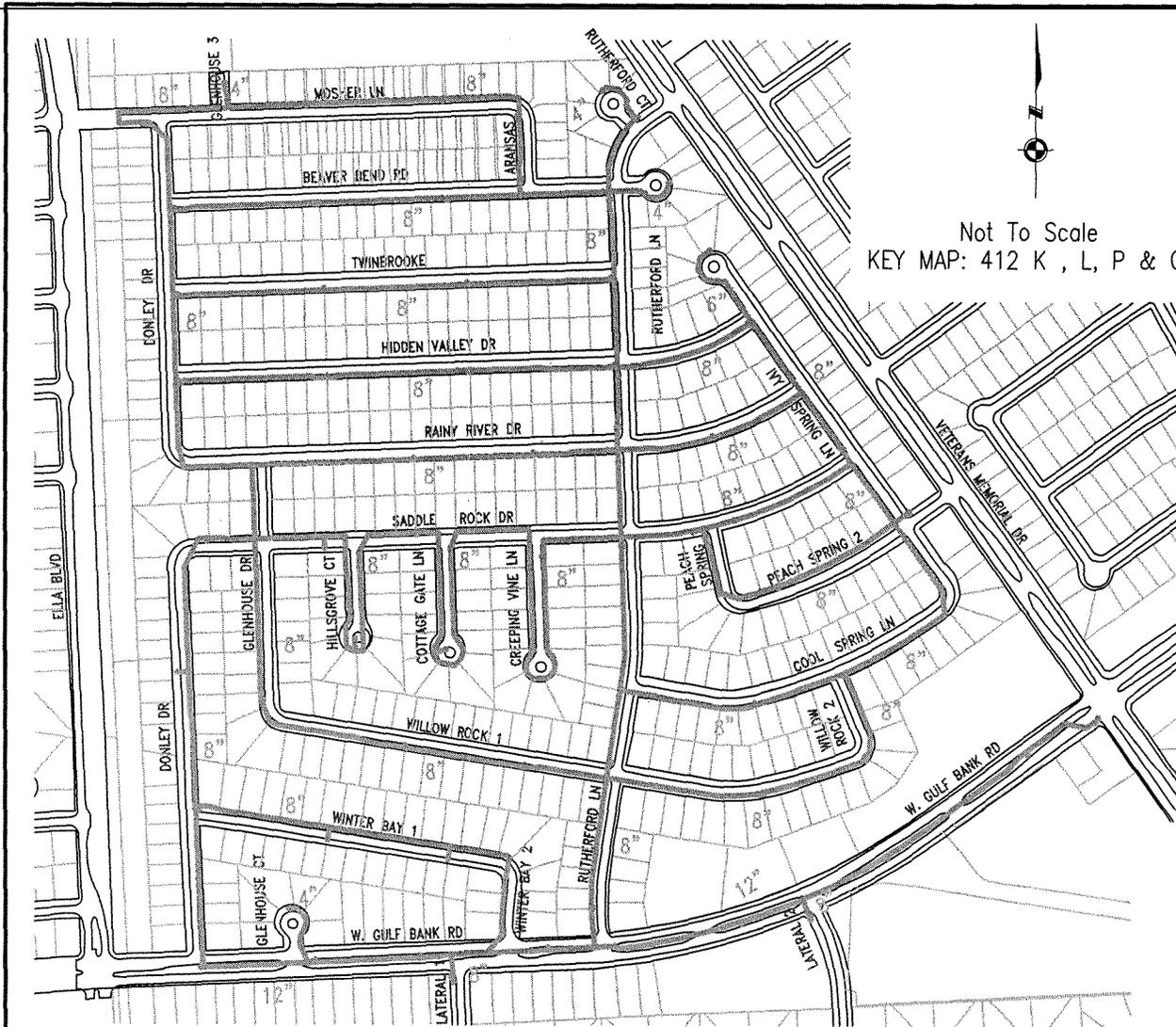
Engineering and Testing Services will be provided by ATSER, L.P. under a previously approved contract. Construction Management Services will be provided by S & B Infrastructure, Ltd. under a previously approved contract.

M/W/SBE 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. Central Texas Hauling	Trucking (Haul Material)	\$114,000.00	6.00%
✓ 2. Two-Way Barricade Equipment Sales & Rentals, Inc.	Traffic Control and Concrete work	\$152,000.00	8.01%
	Subtotal	\$266,000.00	14.01%
<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
✓ 1. Paradigm Outdoor Supply, LLC	Pipe & Fittings Supplies	\$ 95,000.00	5.00%
	Subtotal	\$ 95,000.00	5.00%
<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
✓ 1. Vikki's Service & Supply	Pipe & Fittings Supplies	\$ 57,000.00	3.00%
	Subtotal	\$ 57,000.00	3.00%
	TOTAL	\$418,000.00	22.01%


MSM:DWK:RKM:HH:SD:TT:tt
S:\design\A-WS-DIV\WPDATA\TTC56776\S-000035-00F3-3 (Willow Run North)\PostBid\RCA.doc

c: Marty Stein
Velma Laws
Susan Bandy
Michael Ho, P.E.
Craig Foster
File: S-000035-00F3-4 (3.7)



Not To Scale
KEY MAP: 412 K , L, P & Q

PROPOSED WATER LINE SCHEDULE

STREET NAME	START STREET	END STREET	PIPE SIZE (IN.)	LENGTH (LF)
MOSHER	DONLEY 2	ARANSAS	4, 6, 8	78, 18, 1352
BEAVER BEND	DONLEY 2	RUTHERFORD	4, 8	217, 1578
TWINBROOKE	DONLEY 2	RUTHERFORD	8	1354
HIDDEN VALLEY	DONLEY 2	IVY SPRING	8	1809
RAINY RIVER	DONLEY 2	IVY SPRING	8	1932
SADDLE ROCK	DONLEY 1	IVY SPRING	8	1881
PEACH SPRING 1	PEACH SPRING 2	SADDLE ROCK	8	261
PEACH SPRING 2	PEACH SPRING 1	IVY SPRING	8	588
COOL SPRING	RUTHERFORD	IVY SPRING	8	1068
WILLOW ROCK 1	GLENHOUSE 2	WILLOW ROCK 2	8	1668
WILLOW ROCK 2	WILLOW ROCK 1	COOL SPRING	8	279
WINTER BAY 1	DONLEY 1	WINTER BAY 2	8	974
WINTER BAY 2	W. GULF BANK	WINTER BAY 1	8	304
W. GULF BANK	DONLEY 1	VETERANS MEMORIAL	8, 12	150, 2952
DONLEY 1	W. GULF BANK	SADDLE ROCK	8	1301
DONLEY 2	RAINY RIVER	MOSHER	8	1074
RUTHERFORD	W. GULF BANK	VETERANS MEMORIAL	8	2526
RUTHERFORD CT	CUL-DE-SAC	RUTHERFORD	4, 6	149, 11
HILLSGROVE CT	CUL-DE-SAC	SADDLE ROCK	8	748
COTTAGE GATE	CUL-DE-SAC	SADDLE ROCK	8	874
CREEPING VINE	CUL-DE-SAC	SADDLE ROCK	8	934
IVY SPRING	COOL SPRINGS	CUL-DE-SAC	6, 8	317, 1082
ARANSAS	BEAVER BEND	MOSHER	8	308
GLENHOUSE CT	W. GULF BANK	CUL-DE-SAC	4	205
GLENHOUSE 2	WILLOW ROCK 1	RAINY RIVER	8	783
F. H. LEADS	-----	-----	6	192
TOTAL (LF):				29,170

 **CITY OF HOUSTON**
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

KIT Professionals, Inc.
Engineers • Planners • Construction Managers
2826 Wilcrest Drive, Suite 606
Houston, Texas 77048
Phone: (713)783-8700, Fax: (713)785-8747

 **Cobb Hendley & Associates**
13430 NW FRWY, SUITE 1100
HOUSTON, TEXAS 77040
(713) 462-3242
(713) 462-3262 Fax

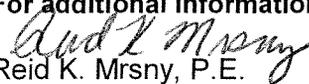
**WATER LINE REPLACEMENTS
IN WILLOW RUN NORTH AREA
WBS NO.: S-000035-00F3-4**

VICINITY MAP

SUBJECT: Contract Award for Water Line Replacement in Woodview Area. WBS No. S-000035-00F7-4.	Page 1 of 2	Agenda Item # 46
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date: 8/30/07	Agenda Date: SEP 12 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE	Council District affected: MB A, B, C, D & I
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For additional information contact:  Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
Accept low bid, award construction contract and appropriate funds.

Amount and Source of Funding:
\$3,341,100.00 Water and Sewer System Consolidated Construction Fund No. 8500 

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Water Line Replacement Program. This program is required to replace and upgrade water lines within the City to increase circulation and availability of water.

DESCRIPTION/SCOPE: This project consists of the construction of approximately 31,800 linear feet of 8-inch water lines with all related appurtenances in Woodview Area. This project was designed by Ratnala & Bahl, Inc.

This project also consists of 12-inch and 16-inch water line replacements and pipe support structures along seven bridges at different locations. This project was designed by Sander Engineering Corporation under the On-Call design contract.

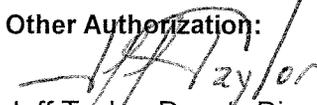
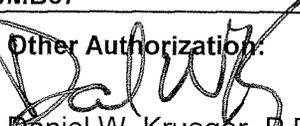
The contract duration for the entire project is 320 calendar days.

LOCATION: The Woodview Area project area is generally bound by Long Point Road on the north, Pine Lake Drive & Long Branch Lane on the south, Oak Tree Drive on the east and Gessner on the west. The project is located in Key Map Grids 450-X and W.

Water Line Replacement and pipe support structure locations are as follows:

- Location A: Highway 290 Inbound Feeder Road – Key Map Grid 410X
- Location B: Longpoint – Key Map Grid 450V
- Location C: Hollister – Key Map Grid 410Z
- Location D: East Little York – Key Map Grid 415T
- Location E: Mesa Road – Key Map Grid 455 U

REQUIRED AUTHORIZATION CUIC ID# 20MB87 MOT

F&A Budget: 	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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Location F: West Orem – Key Map Grid 572 J
 Location G: Beechnut – Key Map Grid 531 R

BIDS: Bids were received on April 19, 2007. The four (4) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. RWL Construction, Inc.	\$2,951,406.00
2. Metro City Construction, L.P.	\$3,058,958.90
3. R. K. Wheaton, Inc.	\$3,225,611.00
4. C. E. Barker, Ltd.	\$4,032,598.55

AWARD: It is recommended that this construction contract be awarded to RWL Construction, Inc. with a low bid of \$2,951,406.00 and that Addenda Numbers 1 and 2 be made a part of this contract.

PROJECT COST: The total cost of this project is \$3,341,100.00 to be appropriated as follows:

• Bid Amount	\$2,951,406.00
• Contingencies	\$147,570.30
• Engineering and Testing Services	\$65,000.00
• Project Management	\$177,123.70

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

M/WBE PARTICIPATION: In accordance with the City of Houston ordinance 15-83C, the Director of Public Works & Engineering assigned an MBE/WBE/SBE goal of 14/5/3 for this contract at time of solicitation for bids. The low bidder has submitted the following proposed MBE participation of 2.03%, WBE participation of 5% and SBE participation of 3% to satisfy the goal for this project. The Affirmative Action & Contract Compliance Department has determined that the proposed participation constitutes a good faith effort.

<u>MWBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Angel's Security & Associates	Flagmen	\$59,899.97	2.03%
TOTAL		\$59,899.97	2.03%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Gama Contracting Services	Pipe Supply	\$121,748.30	4.12%
2. Deanie Hayes, Inc.	Sand supply	\$20,000.00	0.68%
3. KMA Construction, Inc.	Photos	\$5,822.00	0.20%
TOTAL		\$147,570.30	5.00%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Mickie Service Company, Inc.	TS & V	\$54,000.00	1.83%
2. Mata Turf, Inc.	Sodding	\$34,542.18	1.17%
TOTAL		\$88,542.18	3.00%

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

MSM:DWK:RKM:HH:MB:itj

S:\design\A-WS-DIV\WPDATA\BM10859-Ratnala\Woodview\RCA Package\RCA.doc

c: Marty Stein Velma Laws Susan Bandy Michael Ho, P.E. Craig Foster

File Number S-000035-00F7-3 (3.7)

Baig, Mumtaz - PWE

From: Gallegos, Robert - AAD
Sent: Tuesday, July 03, 2007 9:32 AM
To: Baig, Mumtaz - PWE
Cc: Hovsepian, Hamlet - PWE
Subject: Good Faith Efforts

Hello Everybody:

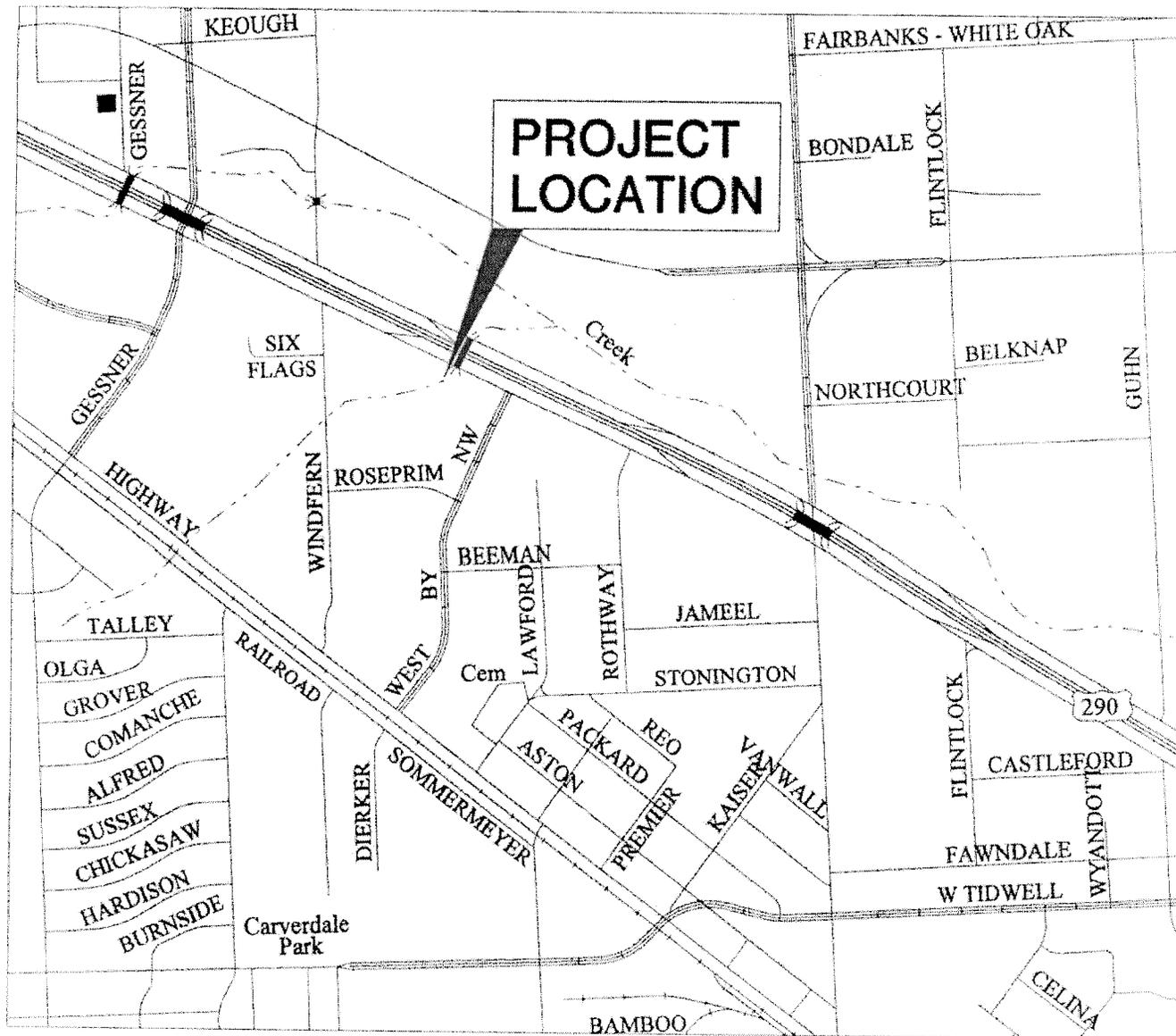
This is to confirm that our office has approved RWL's Good Faith Efforts.

FYI - RWL submitted Good Faith Efforts with the following S/M/W/BE numbers/percentages: Met the 3% goal for SBEs; Met the 5% goal for WBEs; only submitted 2.1% of goal for MBEs. As part of their Good Faith Efforts, RWL contacted the Alliance of Minority Contractors of Houston (AMCH), National Association of Minority Contractors (NAMC) and the Women Contractors Association (WCA) via e-mail, telephone and/or in person. And, RWL advertised with 2 Minority-owned newspapers + the Houston Business Journal. Also, RWL mailed 100 "Invitations to participate." Of the 100 letters sent, 58 went to MBEs, 26 went to WBEs and 16 companies were NOT in our M/W/BE directory at time of review.

Please call or e-mail me if you have any questions/comments.

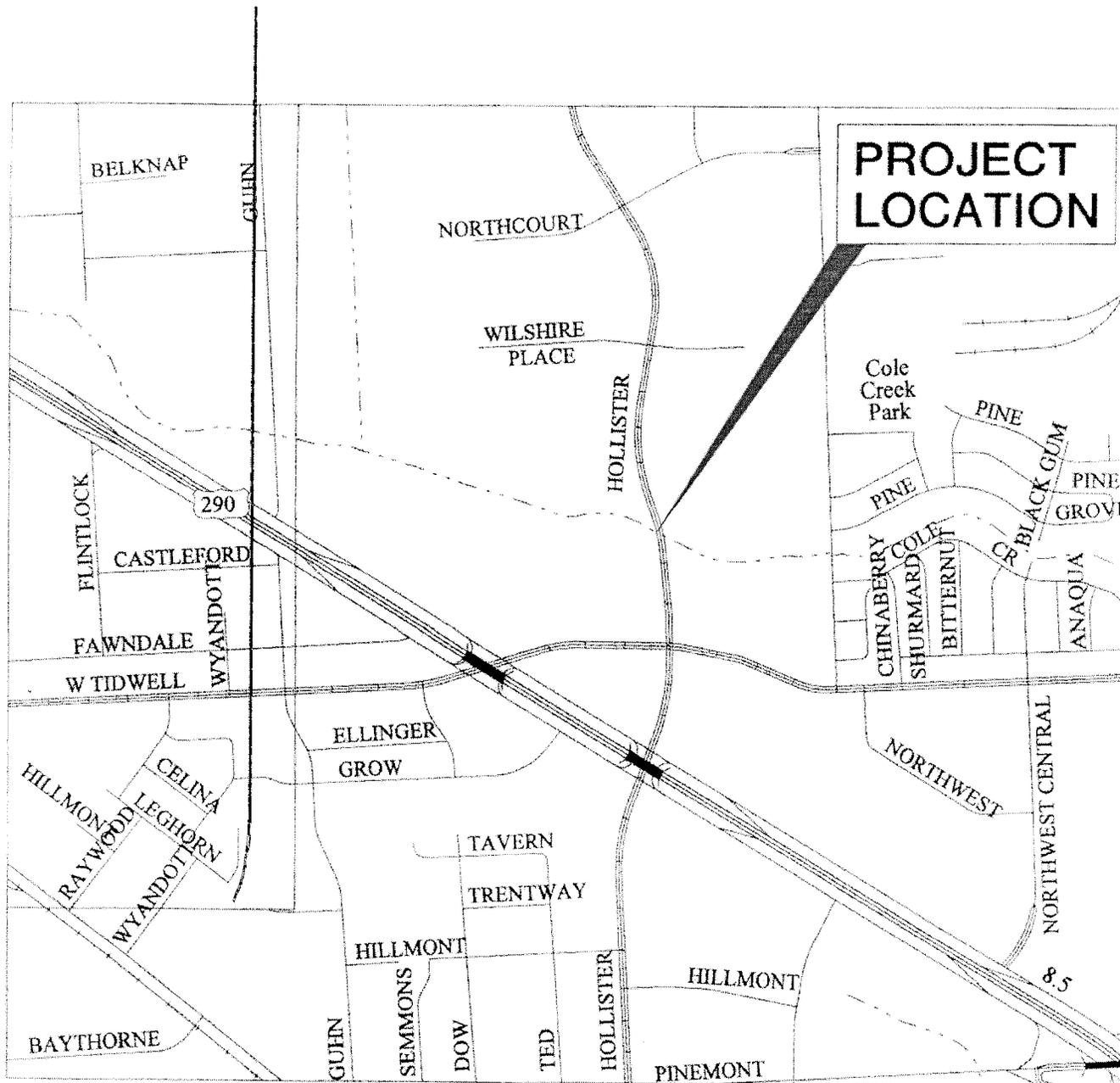
Thank you.

Robert D. Gallegos
Deputy Assistant Director
Mayor's Office of Affirmative Action & Contract Compliance
City of Houston
(713) 837-9005



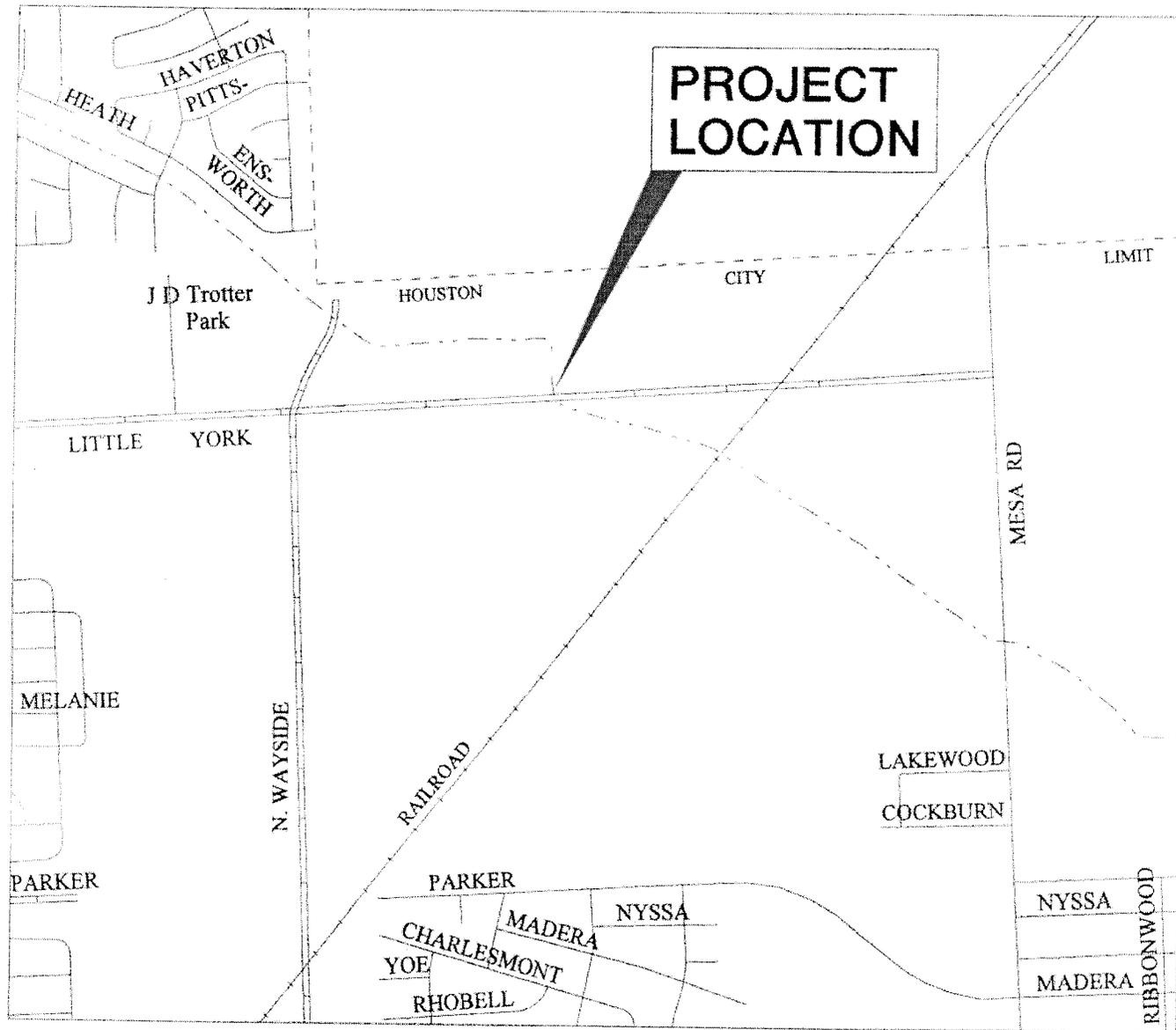
VICINITY MAP - LOCATION A

KEY MAP NO. 410X
 GIMS MAP NO. 4961B



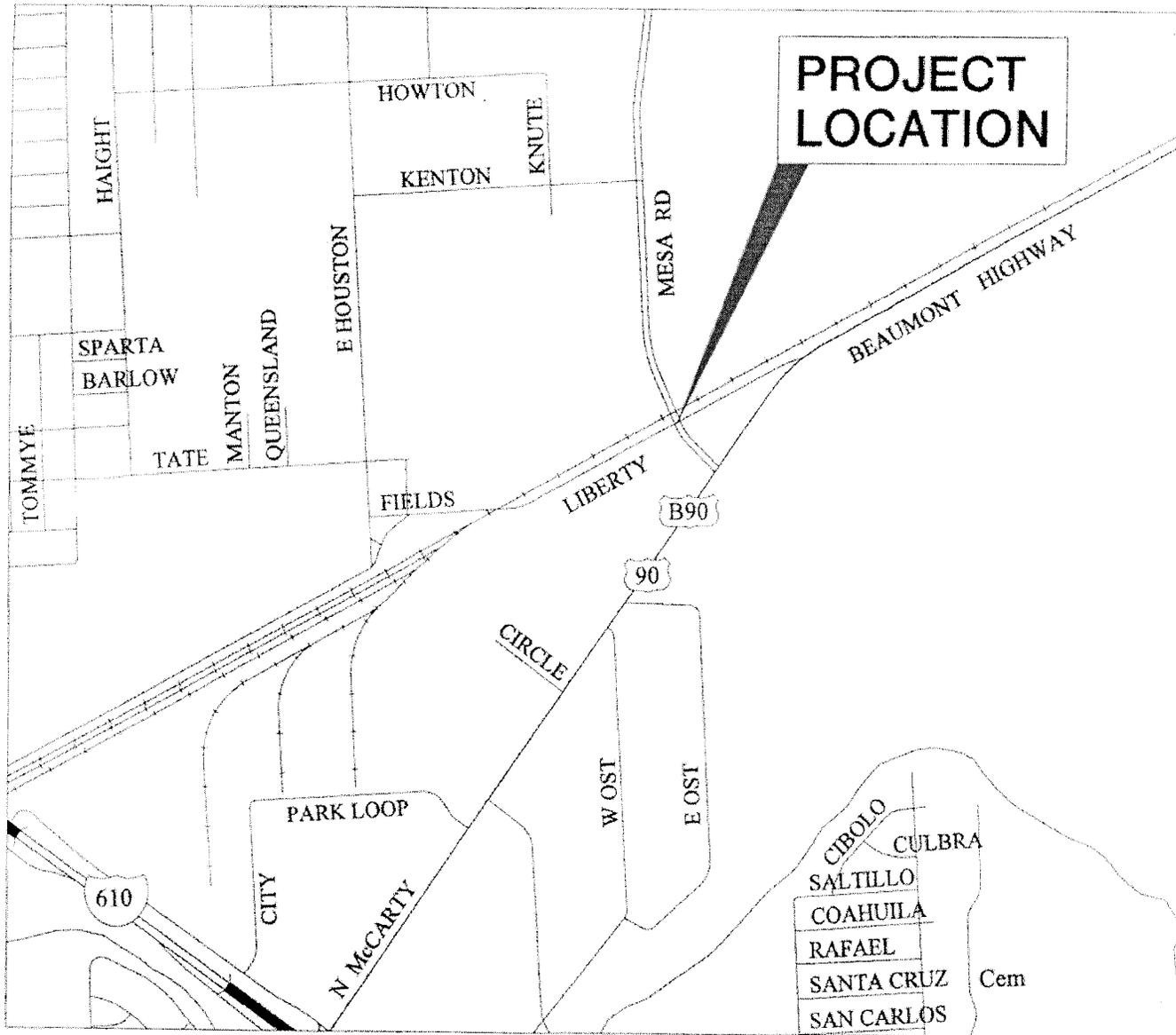
VICINITY MAP - LOCATION C

KEY MAP NO. 410Z
 GIMS MAP NO. 5061D



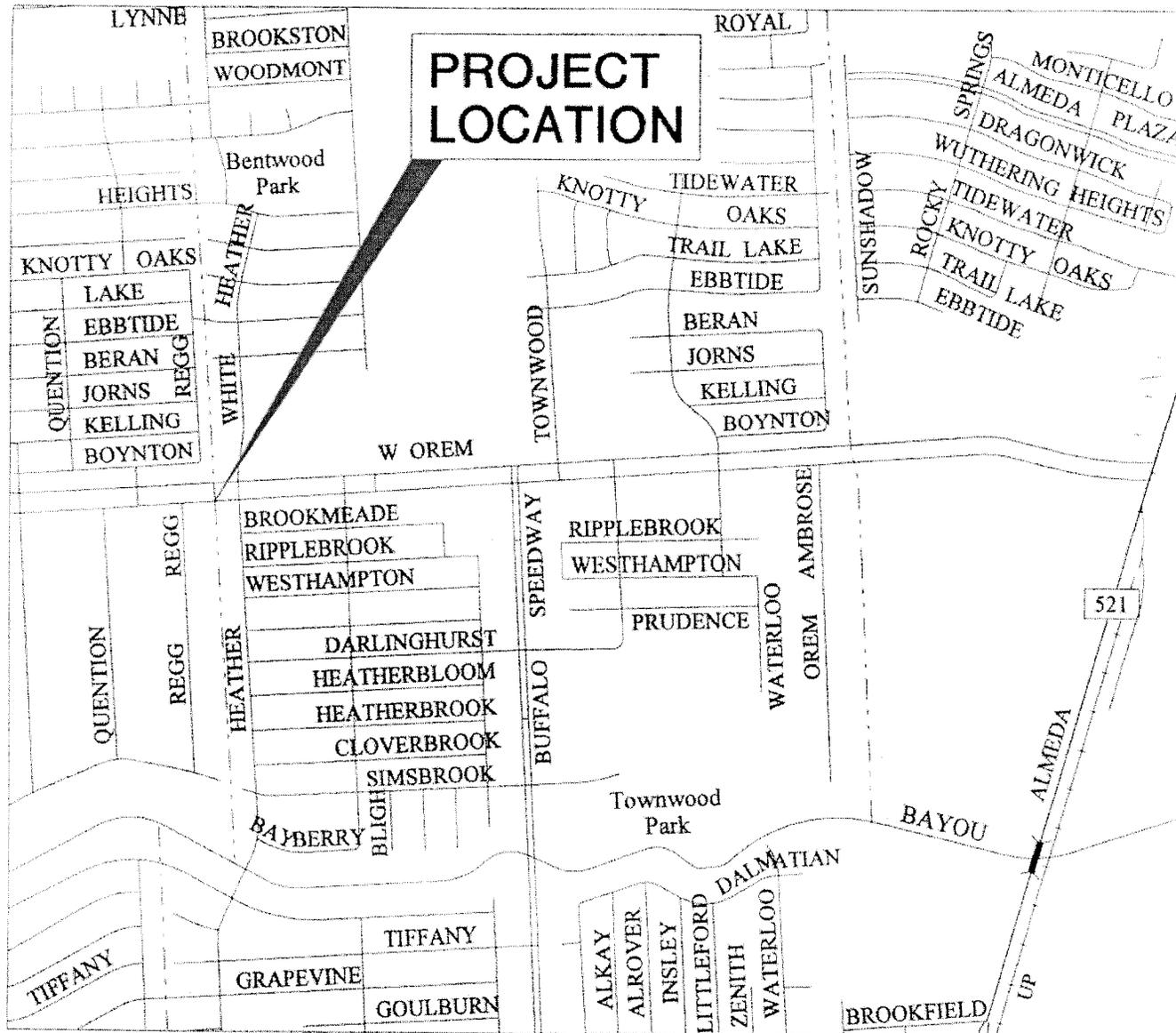
VICINITY MAP - LOCATION D

KEY MAP NO. 415T
GIMS MAP NO. 5662C



VICINITY MAP - LOCATION E

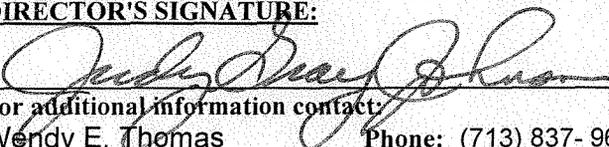
KEY MAP NO. 455U
 GIMS MAP NO. 5659B



VICINITY MAP - LOCATION F

KEY MAP NO. 572J
 GIMS MAP NO. 5251A

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary		RCA #	
SUBJECT: Ordinances granting Commercial Solid Waste Operator Franchises	Category #	Page 1 of 1	Agenda Item#
	44 & 48		31 & 32
FROM: (Department or other point of origin): Judy Gray Johnson, Director Finance and Administration		Origination Date August 23, 2007	Agenda Date SEP 05 2007 SEP 12 2007
DIRECTOR'S SIGNATURE: 		Council Districts affected: ALL	
For additional information contact: Wendy E. Thomas Phone: (713) 837- 9623 Tina Paez Phone: (713) 837- 9630		Date and identification of prior authorizing Council Action: Ord. # 2002-526 – June 19, 2002; Ord. # 2002-1166-December 18, 2002.	

RECOMMENDATION: (Summary)

Approve ordinances granting Commercial Solid Waste Operator Franchises

Amount of Funding: NA	F & A Budget:
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SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund Other (Specify)

SPECIFIC EXPLANATION:

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

1. TNT Waste Container Service
2. Mayfield Trucking, LLC

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

REQUIRED AUTHORIZATION

F&A Director:

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Motion establishing a public hearing date for amendments to Chapter 42, Code of Ordinances.		Category #	Page 1 of 1	Agenda Item # 49
FROM (Department or other point of origin): Department of Planning and Development		Origination Date 09-06-07		Agenda Date SEP 12 2007
MS	DIRECTOR'S SIGNATURE: Marlene L. Gafrick, Director <i>Marlene L. Gafrick</i>		Council District affected:	
	For additional information contact: Andy Icken, PWE Phone: (713) 837- 0510		Date and identification of prior authorizing Council action: 3/24/99, Ord. No. 99-262	
RECOMMENDATION: (Summary) Establish a public hearing to consider amendments to Chapter 42, – Relating to the Provision of Parks and Open Spaces – in the Code of Ordinances.				
Amount and Source of Funding: NA			F & A Budget:	
<p>SPECIFIC EXPLANATION: Chapter 42 is being amended to add a new division 7 to ensure that the city has adequate parks, recreational amenities, and open space for new residential areas in the City of Houston. The ordinance will not include the City's extraterritorial jurisdiction. The ordinance applies only to residential properties, including multi family, but not commercial properties.</p> <p>The ordinance will require developers to dedicate acreage in the amount of 10 acres per 1,000 residents. Additional provisions include partial credit for private parks and a fee in lieu of dedication of \$800/per residential unit paid to the Parks and Recreation Dedicated Fund.</p> <p>The Parks Director has identified 17 sectors within the City of Houston, which will be included in the Park's Master Plan. The Parks Department will develop and adopt a set of standards for park land specifying location, what types of land are acceptable, and detailing specific needs in accordance with the sectors.</p> <p>Six Steering Committee Meetings were held starting in April 2007 and included representatives from the development and parks communities.</p> <p>The Ordinance was presented to the Regulation, Neighborhood Protection and Development Committee on May 18, 2007 and again on August 13, 2007.</p> <p>State law requires City Council to hold a public hearing before adopting the ordinance. The Planning and Development Department recommends establishing a public hearing date one week from passage of the motion.</p> <p>cc: Marty Stein Arturo Michel, City Attorney Deborah McAbee, City Legal Dr. Carol Lewis, Houston Planning Commission Joe Turner, Parks and Recreation Director Michael Marcotte, Public Works and Engineering Director</p>				
REQUIRED AUTHORIZATION				
F & A Director:		Other Authorization:		Other Authorization:

50

SEP 12 2007

MOTION NO. 2007 0903

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

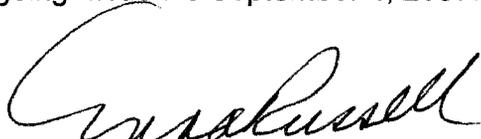
Item 26 - Ordinance amending Ordinance No. 2004-864 to increase the maximum contract amount to Contract 4600000909 (C56253) between the City of Houston and Carrier Corporation for Heating, Ventilation and Air Conditioning Maintenance Services for Various Departments \$2,260,892.50 - General and Enterprise Funds

Seconded by Council Member Johnson and carried.

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

PASSED AND ADOPTED this 29th day of August, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is September 4, 2007.


City Secretary

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7387

Subject: Approve an Amending Ordinance to Increase the Maximum Contract Amount for Contract No. C56253 for HVAC Services for Various Departments
LC-R-0734-012-20103-A1

Category #
4

Page 1 of 2

Agenda Item

5026

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 23, 2007

Agenda Date

~~AUG 29 2007~~
SEP 12 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Jacquelyn L. Nisby Phone: (713) 247-1814
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

Ordinance No. 2004-864, passed 08/18/04

RECOMMENDATION: (Summary)

Approve an amending ordinance to increase the maximum contract amount from \$5,654,732.50 to \$7,915,625.00 for the contract with Carrier Corporation for heating, ventilation and air conditioning maintenance services for various departments.

Maximum Contract Amount Increased by \$2,260,892.50

F & A Budget

\$1,310,892.50 - General Fund (1000)
\$ 950,000.00 - Water & Sewer System Operating Fund (8300)
\$2,260,892.50 - Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the maximum contract amount for the contract with Carrier Corporation from \$5,654,732.50 to \$7,915,625.00 for heating, ventilation and air conditioning (HVAC) maintenance services for various departments. Under this contract, the contractor provides HVAC services at various City facilities managed by the Public Works & Engineering, General Services, Health & Human Services, Planning & Development, and Solid Waste Management Departments.

This contract was awarded on August 18, 2004, by Ordinance No. 2004-864 for a three-year term with two one-year options to extend, for a total five-year term, in the original amount of \$5,654,732.50. Expenditures as of July 11, 2007 totaled \$5,282,721.67. The additional spending authority is needed to sustain the Departments until the end of the contract term or until a new contract is put in place. Unforeseen equipment failures have caused expenditures to exceed the original estimated spending amount.

The scope of work requires the contractor to provide all labor, diagnostic test instruments, materials, equipment, transportation and supervision necessary to provide preventive maintenance, which includes monthly, quarterly and annual inspections along with remedial repairs on existing equipment. The contractor will also provide monthly performance reports, service logs, repair reports and quarterly quality control inspection records, which will allow the City to identify units that are not cost effective to maintain and should be replaced. All work will be in compliance with current Original Equipment Manufacturer, American National Standards Institute and American Society of Heating, Refrigerating and Air Conditioning Engineers, Inc. standards and recommendations.

This contract was awarded with an 11% M/WBE participation goal and the contractor is currently achieving 1.48%. The majority of the M/WBE participation was to be performed by Air Quest Mechanical, which has a limited amount of personnel and has not been able to meet every need for servicing this contract. Carrier Corporation met with Affirmative Action and it was agreed that additional firms should be added to the contract. Carrier Corporation has agreed to add United Air Conditioning Supply, A C Engineered Systems,

REQUIRED AUTHORIZATION

NOT

F&A Director:

Other Authorization:

Other Authorization:

Date: 7/23/2007	Subject: Approve an Amending Ordinance to Increase the Maximum Contract Amount for Contract No. C56253 for HVAC Services for Various Departments LC-R-0734-012-20103-A1	Originator's Initials RM	Page 2 of 2
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Inc., and Distrib Aire Inc. to provide HVAC services which will increase the M/WBE participation level. The Affirmative Action Division will continue to monitor this contract to ensure maximum M/WBE participation.

Buyer: Richard Morris

Estimated Spending Plan			
Department	FY 2008	Out Years	Total
General Services	\$ 550,000.00	\$ 615,892.50	\$1,165,892.50
Public Works & Engineering	\$ 450,000.00	\$ 500,000.00	\$ 950,000.00
Houston Emergency Center	\$ 25,000.00	\$ 25,000.00	\$ 50,000.00
Solid Waste Management	\$ 45,000.00	\$ 50,000.00	\$ 95,000.00
Grand Total	\$1,070,000.00	\$1,190,892.50	\$2,260,892.50

51

SEP 12 2007

MOTION NO. 2007 0904

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

Item 28 - Ordinance amending Ordinance No. 2003-383 to increase the maximum contract amount between the City of Houston and Holliday Door & Gate Systems, Inc. for Overhead Door Repair Services for Various Departments - \$280,000.00

Seconded by Council Member Alvarado and carried.

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

PASSED AND ADOPTED this 29th day of August, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is September 4, 2007.



City Secretary

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary		RCA# 7555	
Subject: Approve an Amending Ordinance to Increase the Maximum Contract Amount for Contract No. C54895 for Overhead Door Repair Services for Various Departments LC-R-0739-039-13752-A1		Category # 4	Page 1 of 1 Agenda Item 5128

FROM (Department or other point of origin): Calvin D. Wells City Purchasing Agent Finance and Administration Department	Origination Date August 07, 2007	Agenda Date SEP 12 2007 AUG 29 2007
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<i>MS</i> DIRECTOR'S SIGNATURE 	Council District(s) affected All
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For additional information contact: Jacquelyn L. Nisby Phone: (713) 247-1814 Ray DuRousseau Phone: (713) 247-1735	Date and Identification of prior authorizing Council Action: Ord. 2003-383; Passed April 16, 2003
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RECOMMENDATION: (Summary)
Approve an amending ordinance to increase the maximum contract amount for the contract between the City of Houston and Holliday Door & Gate Systems, Inc. from \$1,784,853.72 to \$2,064,853.72 for overhead door repair services for various departments.

Increased Funding: \$280,000.00	F & A Budget
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\$280,000.00 - General Fund (1000)

SPECIFIC EXPLANATION:
The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the maximum contract amount for the contract between the City of Houston and Holliday Door & Gate Systems, Inc. from \$1,784,853.72 to \$2,064,853.72 for overhead door repair services for various departments.

The contract was awarded on April 16, 2003 by Ordinance No. 2003-383 for a three-year term, with two one-year options to extend, for a total five-year term, in the amount of \$1,784,853.72. Expenditures as of July 16, 2007 totaled \$1,745,911.78. The additional spending authority is needed to sustain the Departments until the end of the contract term in April 2008. The majority of work under this contract is for repair and replacement of overhead doors in fire stations, and expenditures have exceeded the original estimate. The General Services Department is reviewing alternative strategies to address these repairs in the future, including the use of in-house personnel.

The scope of work requires the contractor to provide all supervision, equipment, materials, labor, parts and transportation necessary to repair overhead doors at City-owned and leased facilities. Additionally, the contractor must provide 24/7 service, and in the event of an emergency condition, respond with sufficient crew to effect repairs within two hours of notification.

This contract was awarded with a 5% M/WBE participation goal and the contractor is currently exceeding the goal.

Buyer: Wanda Gale

REQUIRED AUTHORIZATION

NDT

F&A Director:	Other Authorization:	Other Authorization:
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City of Houston
Office of Affirmative Action and Contract Compliance
August 29, 2007 AGENDA

Response to agenda questions: Who are the MWDBEs on items 27 and 28, and what percentages have been achieved to date?

Agenda Item #27

Prime contractor:	Johnson Controls, Inc.
MWDBE subcontractors:	Halco Life Safety Systems, Inc. Phillips Electronic Security
MWDBE percentage achieved to date:	2.10%
MWDBE goal:	3.00%

Agenda Item #28 / Aug. 29, 2007

Prime contractor:	Holliday Door & Gate Systems, Inc.
MWDBE subcontractors:	General Body Manufacturing Company Hou-Tex Newnom, Inc. Peter Batarse Enterprises, Inc. Riggsbee Hardware Company, Inc.
MWDBE percentage achieved to date:	0.00%
MWDBE goal:	5.00%

52
SEP 12 2007

MOTION NO. 2007 0908

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

Item 45 - Ordinance appropriating \$2,500,000.00 out of Airports Improvement Fund, and approving and authorizing Amendment No. 1 to Contract No. 55521 between the City of Houston and Kellogg Brown & Root Services, Inc. for Job Order Contracting Services with the Houston Airport System; WBS #A-000348-0001-4-01 (Proj. 516)

Seconded by Council Member Garcia and carried.

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

PASSED AND ADOPTED this 29th day of August, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is September 4, 2007.


City Secretary

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

R

SUBJECT: Amendment No. 1 to the Agreement between the City of Houston and Kellogg Brown & Root (KBR) Services, Inc. for Job Order Contracting Services with the Houston Airport System; Project 516; WBS # A- 000348-0001-4-01; Contract No. 55521.	Category # 9 52	Page of 2 45	Agenda Item # 29
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FROM (Department or other point of origin): Houston Airport System	Origination Date August 15, 2007	Agenda Date AUG 22 2007 AUG 29 2007
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DIRECTOR'S SIGNATURE: <i>Kae</i>	Council District affected: B, E, I	AUG 29 2007 SEP 12 2007
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For additional information contact: Eric R. Potts <i>ERP</i> Phone: 281-233-1999 John S. Kahl <i>JK</i> Phone: 281-233-1941	Date and identification of prior authorizing Council action: 12/10/2003 (O) 2003-1254
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AMOUNT & SOURCE OF FUNDING: CIP No. A-0348.06.2 \$2,500,000.00 Airports Improvement Fund (8011)	Prior appropriations: CIP No. A-0348.5.3.... \$8,000,000.00 Airports Improvement Fund (561) CIP No. A-0422.02.5.....\$140,000.00 Airports Improvement Fund (561) Total.....\$8,140,000.00
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RECOMMENDATION: (Summary)
Enact an ordinance to approve Amendment No. 1 to the Agreement between the City of Houston and Kellogg Brown & Root (KBR) Services, Inc. and appropriate the necessary funds to finance the cost of these services.

SPECIFIC EXPLANATION:
On December 10, 2003, the City entered into Contract with Kellogg Brown & Root (KBR) Services, Inc. in the amount of \$8,140,000.00 for Job Order Contracting (JOC) Services with the Houston Airport System (HAS). The JOC delivery method provides the best value for certain HAS projects meeting the requirements set forth in Section 271.120(a) of the Local Government Code. Under the JOC contract, work orders up to \$200,000.00 are priced in accordance with approximately 60,000 pre-approved costs. By contracting with a single entity to expedite minor construction, repair, rehabilitation or alteration of facilities at the three airports (George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field), routine projects are performed in a more efficient and timely manner.

It is requested that Council approve Amendment No. 1 in the amount of \$2,500,000.00 to continue the JOC program.

In addition, experience over the term of the JOC contract has shown that the current \$200,000.00 maximum per project does not cover enough routine projects and limits the department's ability to fully utilize JOC as intended and designed. A less restrictive maximum per project would enable JOC to be more effectively utilized for tenants and air carriers' space configuration needs. These needs are often unanticipated and include security-related items and complex IT installations which increase the costs of the space build-outs. Therefore, it is also requested that Council approve Amendment No. 1 in order to increase the maximum per project from \$200,000.00 to \$350,000.00.

REQUIRED AUTHORIZATION		
F&A Budget:	Other Authorization:	Other Authorization:

Date
August 15, 2007

Subject: Amendment No. 1 to the Agreement between the City of Houston and Kellogg Brown & Root (KBR) Services, Inc. for Job Order Contracting Services with the Houston Airport System; Project 516; WBS # A- 000348-0001-4-01; Contract No. 55521.

**Originator's
Initials**
LS

AUG 22 2007

Page
2 of 2

KBR is currently achieving 14.104% M/WBE participation on their 30% goal. According to the Office of Affirmative Action and Contract Compliance, KBR is making a "Good Faith Effort" in meeting the goal.

RMV: ERP: LS: LG: JDW

Attachments

cc: Ms. Marty Stein
Mr. Anthony W. Hall, Jr.
Mr. Arturo G. Michel
Ms. Velma Laws
Mr. Richard M. Vacar
Ms. Sara S. Culbreth
Mr. Dave Arthur
Ms. Ellen Erenbaum
Ms. Kathy Elek
Mr. Eric R. Potts
Mr. Carlos Ortiz
Mr. Frank D Crouch
Mr. John S. Kahl
Mr. Adil Godiwalla
Mr. Dara N. Umrigar
Ms. Janice D. Woods
Mr. Richard Fernandez
Mr. J. Goodwille Pierre



MOTION NO. 2007

MOTION by Council Member Khan that the recommendation of the Finance and Administration Department, on bids received for St. Augustine Sod Blocks for the Department of Public Works and Engineering, S08-S22315, be adopted, and authority is hereby given to make purchases, as needed, for a 60-month period, from Central Turf Farms, Inc., on their low bid in an amount not to exceed \$997,864.80.

Seconded by Council Member Alvarado

Council Member Berry absent

Council Members Wiseman and Garcia out of the City on City business

On 9/5/07 the above motion was tagged by Council Member Lawrence.

cr

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7493

Subject: Formal Bids Received for St. Augustine Sod Blocks for the Public Works & Engineering Department
S08-S22315

Category #
4

Page 1 of 2

Agenda Item

53-9

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

August 16, 2007

Agenda Date

SEP 12 2007
~~SEP 05 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 Central Turf Farms, Inc. on its low bid in an amount not to exceed \$997,864.80 for St. Augustine sod blocks for the Public Works & Engineering Department.

Estimated Spending Authority: \$997,864.80

F & A Budget

\$997,864.80 - PWE Water & Sewer System Operation Fund (8300)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Central Turf Farms, Inc. on its low bid in an amount not to exceed \$997,864.80, for St. Augustine sod blocks for the Public Works & Engineering Department. It is further requested that authorization be given to make purchases, as needed, for a 60-month period. This award consists of approximately 631,560 square yards of St. Augustine sod blocks to be used by the Department to replace existing grass that has been damaged during underground water/sewer system repairs and installations citywide.

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

	<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1.	Central Turf Farms, Inc.	\$ 997,864.80
2.	Saddlebrook, Inc.	\$1,105,230.00
3.	Landscape Cooperative	\$1,130,492.40
4.	JSB & Associates	\$1,326,276.00
5.	VOT Sod, L.P.	\$1,831,524.00

M/WBE Subcontracting:

This bid was issued with an 11% goal for M/WBE participation. **Central Turf Farms, Inc.** has designated the below-named company as its certified M/WBE subcontractor:

<u>Company</u>	<u>Scope of Service</u>	<u>Amount</u>
Oil Products Distribution, Ltd.	Provide Diesel Fuel	\$109,765.13

The Affirmative Action Division will monitor this award.

Buyer: Laura Marquez

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

NDT

Date:
8/16/2007

Subject: Formal Bids Received for St. Augustine Sod Blocks for the
Public Works & Engineering Department
S08-S22315

Originator's
Initials
AD

Page 2 of 2

ESTIMATED SPENDING AUTHORITY:

DEPARTMENT	FY2008	OUT YEARS	TOTAL
Public Works & Engineering	\$199,572.96	\$798,291.84	\$997,864.80

SUBJECT: Ordinance amending Chapter 20 of the code of Ordinances, Houston, Texas relating to food and food establishments operating in the City		Category #	Page 1 of 2 54	Agenda Item # #
FROM (Department or other point of origin): Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services		Origination Date 08/27/07	Agenda Date SEP 05 2007 SEP 12 2007	
DIRECTOR'S SIGNATURE: 		Council District affected: ALL		
For additional information contact: Kathy Barton Telephone: 713-794-9998 or 713-826-5801		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) Approval of an ordinance amending Chapter 20 of the code of Ordinances, Houston, Texas relating to food and food establishments in the City.				
See CHOICE NET OR INTERNET				
Amount of Funding: N/A FOR ORDINANCE ITEM 11-9-5-07			F&A Budget:	
SOURCE OF FUNDING: [] General Fund [] Grant Fund [] Enterprise Fund [] Other (Specify)				
SPECIFIC EXPLANATION: The proposed ordinance amends Section 20 of the Houston Code of Ordinances relating to food and food establishments. The majority of the amendments are proposed in order to maintain compliance with the Texas Food Establishment Rules, which are the rules that govern retail food facilities in the State of Texas and are amended periodically. The additional amendments are for the purpose of enhancing the Food Code regulations. The significant amendments to Chapter 20 are as follows:				
Exhibit A				
<ul style="list-style-type: none"> • Section 20-3 is amended by clarifying that this chapter is enforceable by a health officer; • Section 20-17 is amended by clarifying the requirements for TFER compliance; • Section 20-18 is amended to add definitions of terms used in this section; • Section 20-19 is amended by outlining the process for receiving a variance; • Section 20-20 is amended to amplify re-inspections guidelines by a health officer to food establishments; • Section 20-21.1 is amended to enforce compliance with TFER for obtaining food supplies not containing unapproved additives; • Sections 20-21.2 and 20-21.3 are amended to provide enhanced protection for storage of food; • Section 20-21.4 is amended to enhance food preparation guidelines to prevent cross contamination; • Section 20-21.5 is amended to improve display and food service operations to prevent cross contamination; • Section 20-21.7 is amended to enhance the reporting requirement of a sick employee to a health officer; • Section 20-21.8 is amended to increase the personal cleanliness of food establishment's employees; • Section 20-21.9 is amended to add the prohibition of animal handling and care by food establishment employees; • Section 20-21.10 is amended to provide enhanced sanitation regulations regarding equipment components such as doors, seals, hinges, fasteners and kick plates adjusted to manufacturer's specifications. • Sections 20-21.11 through 20-21.14 are amended by providing enhanced sanitation regulations regarding cleaning of food preparation utensils as well as proper storage after usage; • Sections 20-21.15, .17, .18, .19 and .20 are amended by providing enhanced sanitation regulations regarding water system, plumbing system for backflow prevention, toilet rooms, hand washing sinks, garbage and refuse storage facilities; • Section 20-21.21 is amended to enhance the effective measures intended to minimize the presence of rodents, and other insects on food premises by routinely inspecting for pests presence; 				
REQUIRED AUTHORIZATION				
F&A Director		Other Authorization:		Other Authorization:

Date 08/27/07	Subject: Ordinance approving amending Chapter 20 of the code of Ordinances, Houston, Texas relating to food and food establishments operating in the City	Originator's Initials	Page <u> 2 </u> of <u> 2 </u>
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- Section 20-21.22 is amended to add an exception to the prohibition of certain types of floor coverings;
- Sections 20-21.23 through 20-21.25 are amended by providing enhanced sanitation regulation for proper maintenance of walls, ceilings, lighting and ventilation systems;
- Sections 20-21.27 and 20-21.28 are amended by providing enhanced regulations for storage of poisonous or toxic materials and maintenance of premises, including the prohibition of live animals on the premises of a food establishment;
- Section 20-23 is amended to provide enhanced sanitation regulations on equipment, water system, wet storage, walls, ceilings and food preparation for temporary food service establishments;
- Section 20-24 is amended clarifying the procedure to follow when there is reasonable cause to believe that a food employee is infected with a transmittable disease;
- Section 20-25 is amended by enhancing the requirements pertaining to the construction and remodeling of food establishments;
- Section 20-36 is amended by adjusting the food permit requirements;
- Section 20-38 is amended by:
 - adding a technology and administrative fee of \$10 to each food dealer's permit and mobile food unit medallion fee;
 - increasing the medallion fee to \$300 from \$200; however, the MFU operator is no longer required to also obtain a food dealer's permit for \$200; increasing the fee to replace a permit or medallion to \$25 from \$10; and
 - providing for a \$200 electronic monitoring system fee.
- Sections 20-41 and 20-42 pertaining to the suspension and revocation of a food dealer's permit or mobile food unit medallion are amended to provide for the suspension or revocation of a food dealer's permit for violations under the smoking ordinance; Section 20-42 is also amended by specifying that a permit or medallion may be revoked for up to 180 days.
- Section 20-54 is amended by clarifying the training requirements for a renewal of a food service manager's certification;
- Section 20-57 is amended by increasing the food service manager's certification fee to \$45 from \$30, adding a \$10 technology fee and increasing the replacement card fee to \$25 from \$10.
- Section 20-63 is amended by extending the renewal period for food service manager certificate to 5 years from 3 years for consistency with the state's requirements, and increasing the application fee to \$25 from \$10 plus the \$10 technology fee.

Deleted Articles (as noted in the ordinance)

- Articles III (Meat and Poultry Wholesalers and Cold Storage Facilities) and IV (Seafood Dealers) are being deleted due to lack of need to specifically regulate these areas.

Exhibit B

- Section 20-200 is amended to provide definitions of terms used in this section; and
- Section 20-209 is amended to require proper overhead protection to vending machines located outdoors.
- Additionally, as noted in the ordinance, Sections 20-176 (Farm produce sales license) and 20-193 (certified farmers market license) are amended by increasing the license replacement fees to \$25 from \$10.

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

SUBJECT: Ordinance amending Section 20-22 of the code of Ordinances, Houston, Texas, relating to the operation of mobile food units and commissaries		Category #	Page 1 of 1	Agenda Item # 55 #2
FROM (Department or other point of origin): Houston Department of Health and Human Services		Origination Date August 27, 2007	Agenda Date SEP 05 2007 SEP 12 2007	
DIRECTOR'S SIGNATURE <i>Stephen L. Williams</i> Stephen L. Williams, M.Ed., M.P.A., Director		Council District affected: All		
For additional information contact: Kathy Barton 713-794-9998 or 713-826-5801		Date and identification of prior authorizing Council action:		

RECOMMENDATION:

Approval of an ordinance amending Chapter 20 of the Code of Ordinances, Houston, Texas, relating to the operation of mobile food units and commissaries

Amount and Source of Funding: N/A

F & A Budget:

SPECIFIC EXPLANATION:

The proposed ordinance amends Section 20-22 to enhance the regulation of mobile food units ("MFU") and commissaries as follows:

- Section 20-22(a) is amended to provide definitions of terms used in this section;
- Section 20-22(b) is amended by clarifying that this section is enforceable by any peace or health officer;
- Section 20-22(c) is amended by clarifying the requirements for a MFU operator to obtain a medallion for operation which include the following:
 - Requiring the operator to provide the Department a list of locations where his MFU will be in operation and to provide written notice at least two business days prior to beginning operations at or relocating to any location not currently included on the list of active locations submitted to the department;
 - Requiring the operator to display the consent to operate on private property in plain view of the public at all times. It also provides that the MFU operator must immediately cease operations and remove the MFU from property upon receipt of a citation for violation of this provision;
 - The operator must prove that a flushable toilet located in a business establishment is located with 500 feet of where the MFU is in operation for more than one hour. A copy of a notarized statement of consent from the owner of the business must be displayed in the MFU in plain view of the public at all times. The MFU operator who receives a citation for violating this provision must immediately cease operations and remove the MFU from that location;
 - An operator must demonstrate mobility if requested by peace officer or health officer;
- Section 20-22(d) is amended by providing enhanced sanitation regulations regarding water system, water tanks, and garbage and refuse storage facilities. It also prohibits attaching or setting up other devices or equipment to or around the MFU, such as, providing or allowing a canopy or awning that is not attached to the unit, or a dining area or portable toilet facility within 100 feet of the MFU. Section 20-22(d) is further amended by specifying that quick-connect electrical and telephone services must be in full compliance with the Electrical Code, and by requiring the exterior surfaces of MFUs to be weather-resistant and in compliance with all applicable laws;
- Section 20-22(e) is amended by specifying how often each type of MFU must receive commissary services and specifying that MFU operators must maintain servicing records for a period of one year and commissaries must maintain records for a period of two years. It also provides that it is unlawful to falsify servicing records.
- Section 20-22(f) is amended by clarifying that commissaries servicing MFUs must be approved and permitted food establishments and specifying that generally, the use of liquid waste transport vehicles to remove and dispose of liquid waste from MFUs is prohibited. It also provides that it is the commissary operator's duty to observe or perform servicing on each MFU and properly complete a servicing record.
- Section 20-22(j) is added to establish the penalties for violating this article, which include immediate cessation of operations, the suspension or revocation of the MFUs medallion or the food dealer's permit for the commissary, the issuance of a citation for a class C misdemeanor, filing of a criminal charge under Sec. 37.10, Texas Penal Code, for Tampering with a governmental record, or the filing of an injunction.
- Section 20-22(k) is added to make it unlawful to tamper with the electronic technology system.

REQUIRED AUTHORIZATION

F & A Director	Other Authorization:	Other Authorization:
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Redline of § 20-22

Sec. 20-22. **Mobile food service units and commissaries.**

(a) Definitions. When used in this subsection, the following words, terms and phrases shall have the meanings ascribed to them in this subsection, unless the context clearly indicates a different meaning:

Catering establishment shall have the meaning ascribed in section 20-18 of this Code.

Commissary shall have the meaning ascribed in section 20-18 of this Code.

Fixed location mobile food unit shall mean a mobile food unit that is restricted to operation on the premises of a permitted food establishment that serves as the commissary for the fixed location unit. A fixed location unit must be easily movable and maneuverable by one person when the unit is fully loaded.

Food service establishment shall have the meaning ascribed in section 20-18 of this Code.

Licensed park vendor shall mean a mobile food unit used by a vendor licensed under article IX of Chapter 32 of this Code.

Mobile food unit shall have the meaning ascribed in section 20-18 of this Code.

Restricted operations mobile food unit shall mean a mobile food unit that serves no food other than: (1) food that was prepared and packaged in individual servings at an approved commissary and transported and stored under conditions meeting the requirements of this article; (2) beverages that are not potentially hazardous and are dispensed from covered urns or other protected equipment; (3) potentially hazardous beverages such as individual servings of milk, milk products and coffee creams that have been packaged at a pasteurizing plant; and (4) prepackaged individual serving frozen dessert items including, without limitation, frozen ice and ice cream novelty bars, cones and serving cups that have been packaged at a pasteurizing plant or other approved facility.

(b) General. All mobile food units shall comply with all applicable laws, including the requirements of this article, except as otherwise provided in this section. The health officer may impose additional requirements to protect against health hazards related to the conduct of mobile food units and may prohibit the sale of potentially hazardous foods. The provisions of this section shall be enforceable by any peace officer or health officer.

(c) Issuance of medallions for operation of mobile food units.

(1) Medallions. All mobile food units shall obtain a medallion from the department prior to operating. Operation of a mobile food unit without a medallion is prohibited.

(2) Submission of plans. Prior to the issuance of a medallion, the operator of a mobile food unit, other than a restricted operations mobile food unit, shall provide the following to the department:

a. A written standard operating procedure for each mobile food unit that must include provisions for:

[1] Food unit's waste water disposal site and process; and

[2] Other servicing operations details; and

- b. Two sets of drawings that must clearly specify and address the proposed layout, surface finish schedule, arrangement and construction material of the mobile food unit, and that must include, without limitation, the proposed layout, arrangement and sizes of plumbing fixtures and connections.

The provisions of this item (2) shall not be applicable to renewals, provided that the applicant certifies in writing to the health officer that the previously provided procedures and plans are still valid.

- (3) **Locations of operation.** Prior to the issuance of any initial or renewal medallion, the operator of a mobile food unit, other than a restricted operations mobile food unit, shall submit to the department a list of locations where the mobile food unit will be in operation. The operator shall also give written notice at least two business days prior to beginning operations at or relocating operations to any location not currently ~~previously~~ included on the list of active locations submitted to the department.
- (4) **Operation on private property.** ~~Prior to the issuance of a medallion or renewal, the operator of a mobile food unit other than a restricted operations mobile food unit, a licensed park vending unit or a fixed location mobile food unit, to that will~~ be operated on private property for more than one hour in a single day shall submit to the department proof of his ownership of the private property or a signed and notarized written statement from the owner or owner's agent, including the name, address and telephone number of the property owner or authorized agent, granting permission for operation of the mobile food unit at the proposed location where the mobile food unit will be in operation. If the property owner is a partnership or corporation, the statement shall include the name, address, and telephone number of one of the partners or ~~officers one of the principals~~ prior to issuance of any initial or renewal medallion. A copy of the statement shall be displayed in the mobile food unit in plain view of the public at all times. The operator of a mobile food unit shall immediately cease operations and remove the mobile food unit from said property upon receipt of a citation for a violation of this subsection.
- (5) **Access to toilets.** ~~Prior to the issuance of a medallion or renewal, the operator of a mobile food unit, other than a restricted operations mobile food unit, a licensed park vending unit or a fixed location mobile food unit, to be operated on private property shall~~ submit to the department proof of availability of restrooms with flushable toilets located in a business establishment within 500 feet of each location where the mobile food unit will be in operation for more than 1 hour in any single day. Proof of availability of adequate facilities shall be in the form of a signed and notarized written statement from the owner or owner's agent, including the name, address and telephone number of the property owner or authorized agent, and the type of business and hours or operation, granting permission for use of the facilities. If the business owner is a partnership or corporation, the statement shall include the name, address, and telephone number of one of the partners or officers. A copy of the statement shall be displayed in the mobile food unit in plain view of the public at all times. The operator of a mobile food unit shall immediately cease operations and remove the mobile food unit from said property upon receipt of a citation for a violation of this subsection.
- (f) (6) ~~Identification of mobile food units~~ **Signage.** Every mobile food unit must be readily identifiable by business name, printed, permanently affixed, and prominently displayed upon at least two sides of the unit, in letters not less than three inches in height.
- (7) **Mobility.** A mobile food unit must demonstrate mobility at any reasonable time if requested by any peace officer or health officer.

- (8) ~~Special requirements for a~~ **Use of LP-gas in mobile food units.** In addition to complying with the applicable requirements of this chapter, ~~{~~The operator of a mobile food unit in, on or in conjunction with which LP-gas is used to cook or otherwise prepare food shall obtain from the fire department a permit for the use of LP-gas and LP-gas equipment for each mobile food unit and shall make the permit available for inspection and/or copying upon the request of any peace officer, fire department employee, or health officer.

(d) ~~Items of s~~**Sanitation.** In addition to complying with the requirements of this section, all mobile food units shall comply with the following items of sanitation:

- (1) **Item-1. Single-service articles.** Mobile food units shall provide only single-service articles for use by the consumer.

- (2) **Item-2. Water systems.** A mobile food unit, other than a restricted operations mobile food unit, shall have a potable water system under pressure. All water used in connection with the mobile food unit shall be from sources approved by the health officer. The water system shall include a potable water tank of not less than 30 gallons capacity for conventional mobile food units and not less than 5 gallons capacity for units used by a vendor licensed under chapter 32, article IX of this Code and for fixed location mobile food units. The system shall be of sufficient capacity to furnish enough hot and cold water for food preparation, utensil cleaning and sanitization, and hand-washing, in accordance with the requirements of this article. The water inlet shall be located so that it will not be contaminated by waste discharge, road dust, oil, or grease, and it shall be provided with a transition connection of a size or type that will prevent its use for any other service. All water distribution pipes or tubing and potable water tanks shall be constructed of materials meeting standards established by an American National Standards Institute (ANSI) or other approved accredited certification program and installed according to the requirements of this article. Connection to a water system at an operational location is prohibited. The water system shall comply with the following additional items:

a. Tank design and construction. A mobile food unit's water tank shall be enclosed from the filling inlet to the discharge outlet and sloped to an outlet that allows complete drainage of the tank.

b. Tank inspection and cleaning port, protected and secured. If a water tank is designed with an access port for inspection and cleaning, the opening shall be in the top of the tank and:

[1] Flanged upward at least 13 mm (one-half inch);

[2] Equipped with a port cover assembly that is provided with a gasket and a device for securing the cover in place; and

[3] Flanged to overlap the opening and sloped to drain.

c. 'V' type threads, use limitation. A fitting with 'V' type threads on water tank inlets or outlets shall be allowed only when a hose is permanently attached.

d. Tank vent, protected. If provided, a water tank vent shall terminate in a downward direction and shall be covered with:

[1] A screen of 16 mesh to one inch or equivalent when the vent is in a protected area; or

[2] A protective filter when the vent is in an area that is not protected from wind blown dirt and debris.

e. Protective cover or device. A cap and keeper chain, closed cabinet, closed storage tube, or other approved protective cover or device shall be provided for each water inlet, outlet, and hose.

(3) **Mobile food establishment water tanks, when required.** Materials that are used in the construction of a mobile food unit water tank and appurtenances shall be safe, durable, corrosion-resistant, and nonabsorbent, and finished to have an easily cleanable surface.

a. Tank hose, construction and identification. A hose used for conveying drinking water from a water tank shall be safe; durable, corrosion-resistant, and nonabsorbent; resistant to pitting, chipping, crazing, scratching, scoring, distortion, and decomposition; finished with a smooth interior surface; and clearly and durably identified as to its use if not permanently attached.

b. Tank filter, compressed air. A filter that does not pass oil or oil vapors shall be installed in the air supply line between the compressor and the drinking water system when compressed air is used to pressurize the water tank system.

c. Mobile food unit tank inlet. A mobile food unit water tank inlet shall be 19.1 mm (three-fourths inch) in inner diameter or less and provided with a hose connection of the size or type that will prevent its use for any other service.

d. Operation and maintenance system flushing. A water tank, pump, and hoses shall be flushed and sanitized at an approved commissary before being placed in service after construction, repair, modification, and periods of nonuse.

e. Using a pump and hoses; backflow prevention. An individual shall operate a water tank, pump, and hoses so that backflow and other contamination of the water supply are prevented.

f. Protecting inlets, outlets, and hose fittings. If not in use, a water tank and hose inlet and outlet fittings shall be protected using a cover or device as specified in sub-item g below.

g. Tank, pump, and hoses; dedication. A water tank, pump, and hoses used for conveying drinking water shall be used for no other purpose. Water tanks, pumps, and hoses approved for liquid foods may be used for conveying drinking water if they are cleaned and sanitized before they are used to convey water.

(3)(4) **Item 3. Waste retention.** If liquid waste results from operation of a mobile food unit, it shall be stored in permanently installed vented retention tanks that are at least 15 percent larger than the water supply tank. A mobile food unit waste retention tank shall be sloped to an outlet that allows complete drainage of the tank during servicing operations. Liquid waste shall not be discharged from the retention tank when the mobile food unit is in motion or at an operational location. All connections on the vehicle for servicing mobile food unit waste disposal facilities shall be of a different size or type than those used for supplying potable water to the food unit. The waste connection shall be located below the water connection to preclude contamination of the potable water system. Connection to a sewerage system at an operational location is prohibited.

(4)(5) **Item 4. Garbage and refuse.** A mobile food unit shall have adequate and approved garbage and refuse storage facilities for the operator's use and shall have garbage and refuse storage facilities attached to the exterior of the mobile food unit that are insect and rodent-proof for customers' use. Disposal shall be in accordance with section 20-21.20 of this Code.

- (5)(6) **Item 5. Damage report.** Any accident involving a mobile food unit shall be reported within 24 hours of the time the accident occurred if the accident results in damage to the water system, waste retention tank, food service equipment, or any facility that may result in the contamination of the food being carried or any damage that results in a violation of this section. Reports shall be made by the holder of the mobile food unit medallion.
- (6)(7) **Item 6. Operation capacity limited.** The ~~owner~~operator of a mobile food unit shall prepare, serve, store and display food and beverages on or in the mobile food unit itself and shall not attach, set up or use any other device or equipment intended to increase selling, serving, storage, or display capacity of the mobile food unit. It shall be unlawful for the operator of a mobile food unit to:
- a. Allow items, such as but not limited to brooms, mops, hoses, equipment, containers and boxes or cartons, to remain adjacent to or beneath the mobile food unit;
 - b. Provide or allow any sign or banner to remain that is not attached to and solely supported by the mobile food unit;
 - c. Provide or allow any canopy, awning or other covering that is not attached to and solely supported by the mobile food unit to remain over any part of the mobile food unit or over any area within 100 feet of the mobile food unit, except that any awning or covering provided by others and primarily used for other purposes and only incidentally or coincidentally used by the mobile food unit shall not be considered a violation of this subsection;
 - d. Provide or allow any portable toilet facility within 100 feet of the mobile food unit; and
 - e. Provide or allow any dining area, including but not limited to tables, chairs, booths, bar stools, benches, and standup counters, within 100 feet of the mobile food unit. Dining areas or seating areas adjacent to fixed location mobile food units operating inside of an enclosed space such as a mall or lobby or park vending units where the seating is provided by someone other than the mobile food unit operator and only incidentally or coincidentally used by the patrons of the mobile food unit are acceptable if approved by the health officer.
- (7)(8) **Item 7. Utilities-Utility connections.** Utility connections, if any, shall be limited to quick-connect electrical and telephone services and shall be in full compliance with the Electrical Code. Utility connections for water, sewerage and gas are prohibited.
- (9) **Exterior surfaces.** Exterior surfaces of mobile food units shall be of weather-resistant materials and shall comply with all applicable laws.
- (e) Servicing of mobile food units by commissaries; servicing records.
- (1) **Servicing by commissaries.** Mobile food units, other than restricted service mobile food units, shall operate from a commissary approved by the health officer and shall report to such location for supplies, cleaning, and servicing operations as follows:
- a. Fixed location mobile food units shall return to the commissary at least once per day of operation for the performance of all servicing operations.
 - b. Licensed park vendor mobile food units shall return to the commissary at least once per day of operation for the performance of all servicing operations.

- c. All other mobile food units shall return to the commissary for the performance of all servicing operations within the 24-hour period preceding operations.
- (2) **Servicing records.** It shall be unlawful for an operator of a mobile food unit, other than a restricted service mobile food unit, to be in operation without a valid servicing record in his possession.
- (3) **Servicing records to be kept by mobile food unit operators.** The operator of a mobile food unit, other than a restricted operations mobile food unit, shall keep and maintain servicing records on the mobile food unit for a period of one year from the date of servicing. The servicing records must be immediately available to any peace officer or health officer for inspection and copy at the mobile food unit during the mobile food unit's hours of operation.
- (4) **Servicing records to be kept by commissaries.** The commissary from which a mobile food unit operates shall issue and maintain servicing records for each mobile food unit in a manner and form prescribed by the health officer. The permit holder, person in charge, employee, or representative of any commissary shall keep and maintain servicing records at the commissary for a period of two years from the date of servicing or until retrieved by the health officer, whichever comes first. Servicing records maintained at the commissary shall be immediately available to any peace officer or health officer for inspection and copying during normal business hours.
- (5) **Falsification of servicing records.** It shall be unlawful for an owner, permit holder, person in charge, employee, or representative of any commissary to issue a servicing record without first verifying that the mobile unit has complied with all servicing requirements. It shall be unlawful for any owner, permit holder, person in charge, employee, or representative of any commissary or mobile food unit to knowingly present or issue any false, fraudulent, or untruthful servicing record for the purpose of demonstrating compliance with this subsection.
- (6) **Maintenance of servicing records.** The health officer may promulgate rules and procedures regarding maintenance of the servicing records by the commissaries and mobile food units. The health officer may require the use of electronic or other technology to facilitate or monitor compliance with the requirements of this chapter.

~~(g) **Commissary; general.** Mobile food units shall operate from a commissary or other fixed food service establishment that is constructed and operated in compliance with the requirements of this article and other applicable laws. Using a private residence as a commissary for a mobile food unit is prohibited. Only those food establishments that initially and continually meet the requirements of this subsection and subsection 20.22(c) and (h) applicable to commissary operations shall be approved by the health officer to service mobile food units.~~

~~The commissary servicing any mobile food unit other than a restricted operations mobile food unit shall be an approved and permitted food establishment at which the mobile food unit is supplied with fresh water, emptied of waste water into a proper waste disposal system, and cleaned, including washing, rinsing, and sanitizing of those food contact surfaces or items not capable of being immersed in the mobile food unit utensil washing sink.~~

~~Each mobile food unit other than a restricted operations mobile food unit, a licensed park vending unit or a fixed location mobile food unit shall return to the commissary at least once per each day of operation for the performance of all servicing operations. Licensed park vending units and fixed location mobile food units shall return to the commissary at least once per each day of operation for the performance of all servicing operations. The use of liquid waste transport vehicles, otherwise known as vacuum trucks, for the removal and disposal of liquid waste resulting from mobile food unit operations is~~

prohibited. Provided, however, that a fixed location mobile food unit operating exclusively in a permanent nonresidential building that is primarily used for other purposes, such as a retail shopping mall, office atrium, or hospital lobby, may utilize other means to fill water tanks and to drain and flush wastewater tanks if approved by the health officer.

(f) Commissaries.

(1) **Permitting of commissaries as food establishments.** A commissary servicing any mobile food unit, other than a restricted service mobile food, unit shall be an approved and permitted food establishment at which the mobile food unit is supplied with fresh water, emptied of waste water into a proper waste disposal system, and cleaned, including washing, rinsing, and sanitizing of those food-contact surfaces or items not capable of being immersed in the mobile food unit utensil-washing sink.

(2) **Permitting of commissaries as food dealers.** A commissary shall acquire and maintain a valid food dealer's permit and meet all requirements of this article including, but not limited to:

a. Maintenance of proper structures pursuant to section 20-21.28 of this Code;

b. Issuance and maintenance of servicing records and maintenance of equipment pursuant to subsection 20-22(c) and (h) of this Code; and

c. Compliance with all other applicable rules and operational guidelines as may be promulgated by the health officer.

(3) **Private residences.** Use of a private residence as a commissary is prohibited.

(4) **Commissary servicing area and operations.**

a. An enclosed service building separated from commissary operations shall be provided for supplying and maintaining mobile food units. The servicing area shall be at an approved location and constructed and operated in compliance with the requirements of this article. Fixed location mobile food units authorized under this article and mobile food units licensed under article IX of Chapter 32 of this Code shall be stored in the servicing area except while in operation for food service and during transport to and from the service building. A fixed location mobile food unit that does not fully meet the foregoing storage requirements and ~~is permitted~~ was first operated under a medallion on or before February 13, 2000, shall be exempt from this requirement provided that the operation continues under the same ownership and the medallion is continuously renewed without lapse or termination and provided that the permit holder uses alternative storage arrangements that are approved by the health officer.

(2) b. **Servicing operations.**

a-[1] Potable water-servicing equipment shall be stored and handled in a way that protects the water and equipment from contamination.

b-[2] The mobile food unit liquid waste retention tank, where used, shall be thoroughly flushed and drained during the servicing operation. All liquid waste shall be discharged to a sanitary sewage disposal system in accordance with section 20-21.16 of this Code. The flushing and draining area for liquid wastes shall be separate from the area used for loading and unloading of food and related supplies.

- e. [3] Vehicle cleaning and in-place cleaning of nonfood-contact surfaces of equipment not requiring sanitization shall be done with potable water and shall be done in a manner that will not contaminate the vehicle's food storage or food preparation areas or equipment. If hoses are used in the cleaning process, they shall be food-grade and kept off the floor or pavement, on racks or by other approved suitable means, and the system shall meet the requirements of section 20-21.17 of this Code. All cleaning areas shall be paved with a smooth surface of nonabsorbent material such as concrete or machine-laid asphalt, which is sloped to drain toward an approved catch basin or floor drain where the liquid waste can be disposed of in accordance with the requirements of section 20-21.16 of this Code.

- d. [4] The use of liquid waste transport vehicles, otherwise known as vacuum trucks, for the removal and disposal of liquid waste resulting from mobile food unit operations is prohibited. Provided, however, that a fixed location mobile food unit operating exclusively in a permanent nonresidential building that is primarily used for other purposes, such as a retail shopping mall, office atrium, or hospital lobby, may utilize other means to fill water tanks and to drain and flush wastewater tanks if approved by the health officer.

- e. [5] Servicing operations may be performed by the commissary operator or by the mobile food unit operator. It shall be the commissary operator's responsibility to observe or perform servicing on each mobile food unit and properly complete a servicing record as prescribed by the health officer. It is the responsibility of the mobile food unit operator to confirm that the requirements of this section are fulfilled prior to resuming operations.

(j)(g) Special requirements for mobile food units operated by licensed park vendors. In addition to complying with the other applicable requirements of this chapter, a mobile food unit operated by a vendor licensed under article IX of chapter 32 of this Code, must meet the following requirements:

- (1) ~~Item 1.~~ A unit shall not exceed four feet in width, eight feet in length and eight feet in height including the unit's shade umbrella. In the event of an emergency, the unit must be easily movable, controllable, and maneuverable by one person when the unit is fully loaded. A unit shall have at least two operable rubber or rubber-like wheels that are less than eight inches in diameter. The bottom of the unit shall be at least one foot from the ground. The unit shall be non-motorized.

- (2) ~~Item 2.~~ Each unit shall have protective glass guards and a roof or a shade umbrella to protect against exposure to insects, rodents, dust, or other contamination. Each unit shall have ample space available on the sides of the unit to display the prices of food, the name and street address of the vendor, and the medallion issued under section 20-37 of this Code.

- (3) ~~Item 3.~~ Each unit shall have a litter receptacle attached to the unit available, clearly marked, and maintained for patron use. This litter receptacle shall have not less than a twenty-gallon capacity and shall be composed of a leak-proof, nonabsorbent material.

- (4) ~~Item 4.~~ The interior of a unit shall be equipped with cabinet units or compartments. All food-contact surfaces shall be smooth, easily accessible and cleanable. Unfinished or painted wood shall not be used as a food-contact surface. Units that will dispense

beverages must be equipped to do so from a closed carbonation system or bulk dispensing units or to distribute packaged beverages.

~~(k)~~(h) *Special requirements for fixed location mobile food units.* A mobile food unit that does not meet all criteria applicable to the permitting of a conventional mobile food unit may be permitted on a fixed location only basis, provided:

- (1) The unit complies with the same criteria stated in items (1), (2), (3) and (4) of subsection (g) above for units operated by licensed park vendors;
- (2) The unit shall be restricted to operation on the premises of one food establishment that holds a valid permit under this article, and the commissary serving the unit shall be located in that establishment; and
- (3) The commissary shall meet all applicable requirements of state law and city ordinances.

A fixed location mobile food unit that does not fully meet the requirements of item (1) of subsection (g) above and ~~is permitted~~ was first operated under a medallion on or before February 13, 2000, shall be exempt from the requirements of item (1) of subsection (j) above provided that the operation continues under the same ownership and the ~~permit and~~ medallion is continuously renewed without lapse or termination.

If the operator of the unit is not the operator of the food establishment, then the operator shall be required to furnish written proof of permission of the person who operates the food establishment premises to utilize the unit and commissary on the premises. In the event that the permit issued under this article for the food establishment on whose premises the unit and its commissary are situated expires without timely renewal or is revoked or suspended, the unit's medallion shall automatically be suspended until and unless the permit for the food establishment is restored to valid status.

(i) *Alternatives; waivers.* The director of health and human services or any assistant or deputy director may authorize alternatives to particular requirements of this section or any other provisions of this article with respect to a mobile food unit. Any authorization shall be considered only upon written request, which shall set forth the provision for which an alternative is sought and the nature of the proposed alternative. Approval for the alternative shall be granted if it is determined that, for the purpose intended, the alternative proposed is at least equivalent to the requirement otherwise specified in this article with respect to safety, sanitation and related purposes. The burden of demonstrating compliance with the foregoing standard shall be upon the requestor. Consistent with the foregoing procedures and standards, the director of health and human services or any assistant or deputy director may waive any requirement of this article upon demonstration that it has no applicability for the purposes intended herein to the operation of the mobile food unit. An approval issued under this section shall be valid only if issued in writing and shall be limited in scope as provided therein.

(j) *Enforcement of this article.* Failure by a mobile food unit or a commissary to comply with the requirements set forth in this article or rules promulgated by the health officer shall be unlawful and may result in one or more of the following penalties:

- (1) Immediate cessation of operations;
- (2) The suspension or revocation of the mobile food unit's medallion or the food dealer's permit for that commissary pursuant to sections 20-41 and 20-42 of this Code;
- (3) The issuance of a citation for a class C misdemeanor pursuant to subsection 20-19(c) of this Code for every day of noncompliance;
- (4) The filing of a criminal charge under Section 37.10 of the Texas Penal Code for the offense of Tampering with Governmental Record; and

(5) The filing of a suit in district court by the city attorney to enjoin a food service establishment from operating without a permit or a medallion if a permit or medallion is required.

(k) *Additional offense.* It shall be unlawful for an owner, permit holder, person in charge, employee, or representative of any commissary or mobile food unit to remove, disable or otherwise tamper with any electronic technology installed to facilitate or monitor compliance with the requirements of this chapter.

City of Houston, Texas, Ordinance No. 2007-_____

AN ORDINANCE AMENDING SECTION 20-22 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO MOBILE FOOD UNITS AND COMMISSARIES; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; DECLARING CERTAIN CONDUCT TO BE UNLAWFUL AND PROVIDING PENALTIES THEREFOR; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

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

Section 1. That Section 20-22 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 20-22. Mobile food units and commissaries.

(a) *Definitions.* When used in this subsection, the following words, terms and phrases shall have the meanings ascribed to them in this subsection, unless the context clearly indicates a different meaning:

Catering establishment shall have the meaning ascribed in section 20-18 of this Code.

Commissary shall have the meaning ascribed in section 20-18 of this Code.

Fixed location mobile food unit shall mean a mobile food unit that is restricted to operation on the premises of a permitted food establishment that serves as the commissary for the fixed location unit. A fixed location unit must be easily movable and maneuverable by one person when the unit is fully loaded.

Food service establishment shall have the meaning ascribed in section 20-18 of this Code.

Licensed park vendor shall mean a mobile food unit used by a vendor licensed under article IX of Chapter 32 of this Code.

Mobile food unit shall have the meaning ascribed in section 20-18 of this Code.

Restricted operations mobile food unit shall mean a mobile food unit that serves no food other than: (1) food that was prepared and

packaged in individual servings at an approved commissary and transported and stored under conditions meeting the requirements of this article; (2) beverages that are not potentially hazardous and are dispensed from covered urns or other protected equipment; (3) potentially hazardous beverages such as individual servings of milk, milk products and coffee creams that have been packaged at a pasteurizing plant; and (4) prepackaged individual serving frozen dessert items including, without limitation, frozen ice and ice cream novelty bars, cones and serving cups that have been packaged at a pasteurizing plant or other approved facility.

(b) *General.* All mobile food units shall comply with all applicable laws, including the requirements of this article, except as otherwise provided in this section. The health officer may impose additional requirements to protect against health hazards related to the conduct of mobile food units and may prohibit the sale of potentially hazardous foods. The provisions of this section shall be enforceable by any peace officer or health officer.

(c) *Issuance of medallions for operation of mobile food units.*

- (1) **Medallions.** All mobile food units shall obtain a medallion from the department prior to operating. Operation of a mobile food unit without a medallion is prohibited.
- (2) **Submission of plans.** Prior to the issuance of a medallion, the operator of a mobile food unit, other than a restricted operations mobile food unit, shall provide the following to the department:
 - a. A written standard operating procedure for each mobile food unit that must include provisions for:
 - [1] Food unit's waste water disposal site and process; and
 - [2] Other servicing operations details; and
 - b. Two sets of drawings that must clearly specify and address the proposed layout, surface finish schedule, arrangement and construction material of the mobile food unit, and that must include, without limitation, the proposed layout, arrangement and sizes of plumbing fixtures and connections.

The provisions of this item (2) shall not be applicable to renewals, provided that the applicant certifies in writing to the health officer that the previously provided procedures and plans are still valid.

- (3) **Locations of operation.** Prior to the issuance of any initial or renewal medallion, the operator of a mobile food unit, other than a restricted operations mobile food unit, shall submit to the department a list of locations where the mobile food unit will be in operation. The operator shall also give written notice at least two business days prior to beginning operations at or relocating operations to any location not currently included on the list of active locations submitted to the department.
- (4) **Operation on private property.** Prior to the issuance of a medallion or renewal, the operator of a mobile food unit that will be operated on private property for more than one hour in a single day shall submit to the department proof of ownership of the property or a signed and notarized written statement from the owner or owner's agent, including the name, address and telephone number of the property owner or authorized agent, granting permission for operation of the mobile food unit at the proposed location. If the property owner is a partnership or corporation, the statement shall include the name, address, and telephone number of one of the partners or officers. A copy of the statement shall be displayed in the mobile food unit in plain view of the public at all times. The operator of a mobile food unit shall immediately cease operations and remove the mobile food unit from said property upon receipt of a citation for a violation of this subsection.
- (5) **Access to toilets.** Prior to the issuance of a medallion or renewal, the operator of a mobile food unit, other than a restricted operations mobile food unit, a licensed park vending unit or a fixed location mobile food unit, to be operated on private property shall submit to the department proof of availability of restrooms with flushable toilets located in a business establishment within 500 feet of each location where the mobile food unit will be in operation for more than 1 hour in any single day. Proof of availability of adequate facilities shall be in the form of a signed and notarized written statement from the owner or owner's agent, including the name, address and telephone number of the property owner or authorized agent, and the type of business and hours of operation, granting

permission for use of the facilities. If the business owner is a partnership or corporation, the statement shall include the name, address, and telephone number of one of the partners or officers. A copy of the statement shall be displayed in the mobile food unit in plain view of the public at all times. The operator of a mobile food unit shall immediately cease operations and remove the mobile food unit from said property upon receipt of a citation for a violation of this subsection.

- (6) **Signage.** Every mobile food unit must be readily identifiable by business name, printed, permanently affixed, and prominently displayed upon at least two sides of the units, in letters not less than three inches in height.
- (7) **Mobility.** A mobile food unit must demonstrate mobility at any reasonable time if requested by any peace officer or health officer.
- (8) **Use of LP-gas.** The operator of a mobile food unit in, on or in conjunction with which LP-gas is used to cook or otherwise prepare food shall obtain from the fire department a permit for the use of LP-gas and LP-gas equipment for each mobile food unit and shall make the permit available for inspection and/or copying upon the request of any peace officer, fire department employee, or health officer.

(d) **Sanitation.** In addition to complying with the requirements of this section, all mobile food units shall comply with the following items of sanitation:

- (1) **Single-service articles.** Mobile food units shall provide only single-service articles for use by the consumer.
- (2) **Water systems.** A mobile food unit, other than a restricted operations mobile food unit, shall have a potable water system under pressure. All water used in connection with the mobile food unit shall be from sources approved by the health officer. The water system shall include a potable water tank of not less than 30 gallons capacity for conventional mobile food units and not less than 5 gallons capacity for units used by a vendor licensed under chapter 32, article IX of this Code and for fixed location mobile food units. The system shall be of sufficient capacity to furnish enough hot and cold water for food preparation, utensil cleaning and sanitization, and hand-

washing, in accordance with the requirements of this article. The water inlet shall be located so that it will not be contaminated by waste discharge, road dust, oil, or grease, and it shall be provided with a transition connection of a size or type that will prevent its use for any other service. All water distribution pipes or tubing and potable water tanks shall be constructed of materials meeting standards established by an American National Standards Institute (ANSI) or other approved accredited certification program and installed according to the requirements of this article. Connection to a water system at an operational location is prohibited. The water system shall comply with the following additional items:

- a. Tank design and construction. A mobile food unit's water tank shall be enclosed from the filling inlet to the discharge outlet and sloped to an outlet that allows complete drainage of the tank.
- b. Tank inspection and cleaning port, protected and secured. If a water tank is designed with an access port for inspection and cleaning, the opening shall be in the top of the tank and:
 - [1] Flanged upward at least 13 mm (one-half inch);
 - [2] Equipped with a port cover assembly that is provided with a gasket and a device for securing the cover in place; and
 - [3] Flanged to overlap the opening and sloped to drain.
- c. 'V' type threads, use limitation. A fitting with 'V' type threads on water tank inlets or outlets shall be allowed only when a hose is permanently attached.
- d. Tank vent, protected. If provided, a water tank vent shall terminate in a downward direction and shall be covered with:
 - [1] A screen of 16 mesh to one inch or equivalent when the vent is in a protected area; or

- [2] A protective filter when the vent is in an area that is not protected from wind blown dirt and debris.
- e. Protective cover or device. A cap and keeper chain, closed cabinet, closed storage tube, or other approved protective cover or device shall be provided for each water inlet, outlet, and hose.
- (3) **Mobile food establishment water tanks, when required.** Materials that are used in the construction of a mobile food unit water tank and appurtenances shall be safe, durable, corrosion-resistant, and nonabsorbent, and finished to have an easily cleanable surface.
- a. Tank hose, construction and identification. A hose used for conveying drinking water from a water tank shall be safe; durable, corrosion-resistant, and nonabsorbent; resistant to pitting, chipping, crazing, scratching, scoring, distortion, and decomposition; finished with a smooth interior surface; and clearly and durably identified as to its use if not permanently attached.
- b. Tank filter, compressed air. A filter that does not pass oil or oil vapors shall be installed in the air supply line between the compressor and the drinking water system when compressed air is used to pressurize the water tank system.
- c. Mobile food unit tank inlet. A mobile food unit water tank inlet shall be 19.1 mm (three-fourths inch) in inner diameter or less and provided with a hose connection of the size or type that will prevent its use for any other service.
- d. Operation and maintenance system flushing. A water tank, pump, and hoses shall be flushed and sanitized at an approved commissary before being placed in service after construction, repair, modification, and periods of nonuse.
- e. Using a pump and hoses; backflow prevention. An individual shall operate a water tank, pump, and hoses so that backflow and other contamination of the water supply are prevented.

- f. *Protecting inlets, outlets, and hose fittings.* If not in use, a water tank and hose inlet and outlet fittings shall be protected using a cover or device as specified in sub-item g below.
 - g. *Tank, pump, and hoses: dedication.* A water tank, pump, and hoses used for conveying drinking water shall be used for no other purpose. Water tanks, pumps, and hoses approved for liquid foods may be used for conveying drinking water if they are cleaned and sanitized before they are used to convey water.
- (4) ***Waste retention.*** If liquid waste results from operation of a mobile food unit, it shall be stored in permanently installed vented retention tanks that are at least 15 percent larger than the water supply tank. A mobile food unit waste retention tank shall be sloped to an outlet that allows complete drainage of the tank during servicing operations. Liquid waste shall not be discharged from the retention tank when the mobile food unit is in motion or at an operational location. All connections on the vehicle for servicing mobile food unit waste disposal facilities shall be of a different size or type than those used for supplying potable water to the food unit. The waste connection shall be located below the water connection to preclude contamination of the potable water system. Connection to a sewerage system at an operational location is prohibited.
- (5) ***Garbage and refuse.*** A mobile food unit shall have adequate and approved garbage and refuse storage facilities for the operator's use and shall have garbage and refuse storage facilities attached to the exterior of the mobile food unit that are insect and rodent-proof for customers' use. Disposal shall be in accordance with section 20-21.20 of this Code.
- (6) ***Damage report.*** Any accident involving a mobile food unit shall be reported within 24 hours of the time the accident occurred if the accident results in damage to the water system, waste retention tank, food service equipment, or any facility that may result in the contamination of the food being carried or any damage that results in a violation of this section. Reports shall be made by the holder of the mobile food unit medallion.

- (7) **Operation capacity limited.** The operator of a mobile food unit shall prepare, serve, store and display food and beverages on or in the mobile food unit itself and shall not attach, set up or use any other device or equipment intended to increase selling, serving, storage, or display capacity of the mobile food unit. It shall be unlawful for the operator of a mobile food unit to:
- a. Allow items, such as but not limited to brooms, mops, hoses, equipment, containers and boxes or cartons, to remain adjacent to or beneath the mobile food unit;
 - b. Provide or allow any sign or banner to remain that is not attached to and solely supported by the mobile food unit;
 - c. Provide or allow any canopy, awning or other covering that is not attached to and solely supported by the mobile food unit to remain over any part of the mobile food unit or over any area within 100 feet of the mobile food unit, except that any awning or covering provided by others and primarily used for other purposes and only incidentally or coincidentally used by the mobile food unit shall not be considered a violation of this subsection;
 - d. Provide or allow any portable toilet facility within 100 feet of the mobile food unit; and
 - e. Provide or allow any dining area, including but not limited to tables, chairs, booths, bar stools, benches, and standup counters, within 100 feet of the mobile food unit. Dining areas or seating areas adjacent to fixed location mobile food units operating inside of an enclosed space such as a mall or lobby or park vending units where the seating is provided by someone other than the mobile food unit operator and only incidentally or coincidentally used by the patrons of the mobile food unit are acceptable if approved by the health officer.
- (8) **Utility connections.** Utility connections, if any, shall be limited to quick-connect electrical and telephone services and shall be in full compliance with the Electrical Code. Utility connections for water, sewerage and gas are prohibited.

- (9) **Exterior surfaces.** Exterior surfaces of mobile food units shall be of weather-resistant materials and shall comply with all applicable laws.
- (e) *Servicing of mobile food units by commissaries; servicing records.*
- (1) **Servicing by commissaries.** Mobile food units, other than restricted service mobile food units, shall operate from a commissary approved by the health officer and shall report to such location for supplies, cleaning, and servicing operations as follows:
- a. Fixed location mobile food units shall return to the commissary at least once per day of operation for the performance of all servicing operations.
 - b. Licensed park vendor mobile food units shall return to the commissary at least once per day of operation for the performance of all servicing operations.
 - c. All other mobile food units shall return to the commissary for the performance of all servicing operations within the 24-hour period preceding operations.
- (2) **Servicing records.** It shall be unlawful for an operator of a mobile food unit, other than a restricted service mobile food unit, to be in operation without a valid servicing record in his possession.
- (3) **Servicing records to be kept by mobile food unit operators.** The operator of a mobile food unit, other than a restricted operations mobile food unit, shall keep and maintain servicing records on the mobile food unit for a period of one year from the date of servicing. The servicing records must be immediately available to any peace officer or health officer for inspection and copy at the mobile food unit during the mobile food unit's hours of operation.
- (4) **Servicing records to be kept by commissaries.** The commissary from which a mobile food unit operates shall issue and maintain servicing records for each mobile food unit in a manner and form prescribed by the health officer. The permit holder, person in charge, employee, or representative of any

commissary shall keep and maintain servicing records at the commissary for a period of two years from the date of servicing or until retrieved by the health officer, whichever comes first. Servicing records maintained at the commissary shall be immediately available to any peace officer or health officer for inspection and copying during normal business hours.

- (5) ***Falsification of servicing records.*** It shall be unlawful for an owner, permit holder, person in charge, employee, or representative of any commissary to issue a servicing record without first verifying that the mobile unit has complied with all servicing requirements. It shall be unlawful for any owner, permit holder, person in charge, employee, or representative of any commissary or mobile food unit to knowingly present or issue any false, fraudulent, or untruthful servicing record for the purpose of demonstrating compliance with this subsection.
 - (6) ***Maintenance of servicing records.*** The health officer may promulgate rules and procedures regarding maintenance of the servicing records by the commissaries and mobile food units. The health officer may require the use of electronic or other technology to facilitate or monitor compliance with the requirements of this chapter.
- (f) *Commissaries.*
- (1) ***Permitting of commissaries as food establishments.*** A commissary servicing any mobile food unit, other than a restricted service mobile food, unit shall be an approved and permitted food establishment at which the mobile food unit is supplied with fresh water, emptied of waste water into a proper waste disposal system, and cleaned, including washing, rinsing, and sanitizing of those food-contact surfaces or items not capable of being immersed in the mobile food unit utensil-washing sink.
 - (2) ***Permitting of commissaries as food dealers.*** A commissary shall acquire and maintain a valid food dealer's permit and meet all requirements of this article including, but not limited to:
 - a. Maintenance of proper structures pursuant to section 20-21.28 of this Code;

- b. Issuance and maintenance of servicing records and maintenance of equipment pursuant to subsection 20-22(c) and (h) of this Code; and
 - c. Compliance with all other applicable rules and operational guidelines as may be promulgated by the health officer.
- (3) ***Private residences.*** Use of a private residence as a commissary is prohibited.
- (4) ***Commissary servicing area and operations.***
- a. An enclosed service building separated from commissary operations shall be provided for supplying and maintaining mobile food units. The servicing area shall be at an approved location and constructed and operated in compliance with the requirements of this article. Fixed location mobile food units authorized under this article and mobile food units licensed under article IX of Chapter 32 of this Code shall be stored in the servicing area except while in operation for food service and during transport to and from the service building. A fixed location mobile food unit that does not fully meet the foregoing storage requirements and was first operated under a medallion on or before February 13, 2000, shall be exempt from this requirement provided that the operation continues under the same ownership and the medallion is continuously renewed without lapse or termination and provided that the permit holder uses alternative storage arrangements that are approved by the health officer.
 - b. *Servicing operations.*
 - [1] Potable water-servicing equipment shall be stored and handled in a way that protects the water and equipment from contamination.
 - [2] The mobile food unit liquid waste retention tank, where used, shall be thoroughly flushed and drained during the servicing operation. All liquid waste shall be discharged to a sanitary sewage disposal system in accordance with section 20-

21.16 of this Code. The flushing and draining area for liquid wastes shall be separate from the area used for loading and unloading of food and related supplies.

- [3] Vehicle cleaning and in-place cleaning of nonfood-contact surfaces of equipment not requiring sanitization shall be done with potable water and shall be done in a manner that will not contaminate the vehicle's food storage or food preparation areas or equipment. If hoses are used in the cleaning process, they shall be food-grade and kept off the floor or pavement, on racks or by other approved suitable means, and the system shall meet the requirements of section 20-21.17 of this Code. All cleaning areas shall be paved with a smooth surface of nonabsorbent material such as concrete or machine-laid asphalt, which is sloped to drain toward an approved catch basin or floor drain where the liquid waste can be disposed of in accordance with the requirements of section 20-21.16 of this Code.
- [4] The use of liquid waste transport vehicles, otherwise known as vacuum trucks, for the removal and disposal of liquid waste resulting from mobile food unit operations is prohibited. Provided, however, that a fixed location mobile food unit operating exclusively in a permanent nonresidential building that is primarily used for other purposes, such as a retail shopping mall, office atrium, or hospital lobby, may utilize other means to fill water tanks and to drain and flush wastewater tanks if approved by the health officer.
- [5] Servicing operations may be performed by the commissary operator or by the mobile food unit operator. It shall be the commissary operator's responsibility to observe or perform servicing on each mobile food unit and properly complete a servicing record as prescribed by the health officer. It is the responsibility of the mobile food

unit operator to confirm that the requirements of this section are fulfilled prior to resuming operations.

(g) *Special requirements for mobile food units operated by licensed park vendors.* In addition to complying with the other applicable requirements of this chapter, a mobile food unit operated by a vendor licensed under article IX of chapter 32 of this Code, must meet the following requirements:

- (1) A unit shall not exceed four feet in width, eight feet in length and eight feet in height including the unit's shade umbrella. In the event of an emergency, the unit must be easily movable, controllable, and maneuverable by one person when the unit is fully loaded. A unit shall have at least two operable rubber or rubber-like wheels that are less than eight inches in diameter. The bottom of the unit shall be at least one foot from the ground. The unit shall be non-motorized.
- (2) Each unit shall have protective glass guards and a roof or a shade umbrella to protect against exposure to insects, rodents, dust, or other contamination. Each unit shall have ample space available on the sides of the unit to display the prices of food, the name and street address of the vendor, and the medallion issued under section 20-37 of this Code.
- (3) Each unit shall have a litter receptacle attached to the unit available, clearly marked, and maintained for patron use. This litter receptacle shall have not less than a twenty-gallon capacity and shall be composed of a leak-proof, nonabsorbent material.
- (4) The interior of a unit shall be equipped with cabinet units or compartments. All food-contact surfaces shall be smooth, easily accessible and cleanable. Unfinished or painted wood shall not be used as a food-contact surface. Units that will dispense beverages must be equipped to do so from a closed carbonation system or bulk dispensing units or to distribute packaged beverages.

(h) *Special requirements for fixed location mobile food units.* A mobile food unit that does not meet all criteria applicable to the permitting of a conventional mobile food unit may be permitted on a fixed location only basis, provided:

- (1) The unit complies with the same criteria stated in items (1), (2), (3) and (4) of subsection (g) above for units operated by licensed park vendors;
- (2) The unit shall be restricted to operation on the premises of one food establishment that holds a valid permit under this article, and the commissary serving the unit shall be located in that establishment; and
- (3) The commissary shall meet all applicable requirements of state law and city ordinances.

A fixed location mobile food unit that does not fully meet the requirements of item (1) of subsection (g) above and was first operated under a medallion on or before February 13, 2000, shall be exempt from the requirements of item (1) of subsection (j) above provided that the operation continues under the same ownership and the medallion is continuously renewed without lapse or termination.

If the operator of the unit is not the operator of the food establishment, then the operator shall be required to furnish written proof of permission of the person who operates the food establishment premises to utilize the unit and commissary on the premises. In the event that the permit issued under this article for the food establishment on whose premises the unit and its commissary are situated expires without timely renewal or is revoked or suspended, the unit's medallion shall automatically be suspended until and unless the permit for the food establishment is restored to valid status.

(i) *Alternatives; waivers.* The director of health and human services or any assistant or deputy director may authorize alternatives to particular requirements of this section or any other provisions of this article with respect to a mobile food unit. Any authorization shall be considered only upon written request, which shall set forth the provision for which an alternative is sought and the nature of the proposed alternative. Approval for the alternative shall be granted if it is determined that, for the purpose intended, the alternative proposed is at least equivalent to the requirement otherwise specified in this article with respect to safety, sanitation and related purposes. The burden of demonstrating compliance with the foregoing standard shall be upon the requestor. Consistent with the foregoing procedures and standards, the director of health and human services or any assistant or deputy director may waive any requirement of this article upon demonstration that it has no applicability for the purposes intended herein to the operation of the mobile food unit. An approval issued under this section shall be valid only if issued in writing and shall be limited in scope as provided therein.

(j) *Enforcement of this article.* Failure by a mobile food unit or a commissary to comply with the requirements set forth in this article or rules promulgated by the health officer shall be unlawful and may result in one or more of the following penalties:

- (1) Immediate cessation of operations;
- (2) The suspension or revocation of the mobile food unit's medallion or the food dealer's permit for that commissary pursuant to sections 20-41 and 20-42 of this Code;
- (3) The issuance of a citation for a class C misdemeanor pursuant to subsection 20-19(c) of this Code for every day of noncompliance;
- (4) The filing of a criminal charge under Section 37.10 of the Texas Penal Code for the offense of Tampering with Governmental Record; and
- (5) The filing of a suit in district court by the city attorney to enjoin a food service establishment from operating without a permit or a medallion if a permit or medallion is required.

(k) *Additional offense.* It shall be unlawful for an owner, permit holder, person in charge, employee, or representative of any commissary or mobile food unit to remove, disable or otherwise tamper with any electronic technology installed to facilitate or monitor compliance with the requirements of this chapter."

Section 2. That the various former ordinance provisions that are amended in **Section 1** of this Ordinance are saved from repeal for the limited purpose of their continuing application to any violation committed before the effective date of this Ordinance, as applicable. For this purpose, a violation is deemed to have been committed before the effective date of this Ordinance, as applicable, if any element of the offense was committed prior to the effective date of this Ordinance, as applicable.

Section 3. 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 4. 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 at 12:01 a.m. on the sixtieth day next following the date of its passage and approval by the Mayor.

PASSED AND APPROVED this ___ day of _____, 2007.

Mayor of the City of Houston

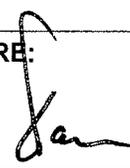
Prepared by Legal Dept. Michael Austin 
MNA:asw 08/20/2007 Assistant City Attorney
Requested by Stephen L. Williams, Director, Health and Human Services Department
L.D. File No. _____

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Professional Architectural/Engineering Services Agreement with AAC Designers Builders, Inc. dba Austin AECOM for Job Order Contracting (JOC) Support at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field; Project No. 516C; WBS # A-000138-0018-3-01.	Category # 9	Page 1 of 2	Agenda Item # 5619
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FROM (Department or other point of origin): Houston Airport System	Origination Date July 31, 2007	Agenda Date SEP 05 2007 SEP 12 2007
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DIRECTOR'S SIGNATURE: 	Council District affected: B, E & I
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For additional information contact: Eric R. Potts  Phone: 281-233-1999 John S. Kahl  Phone: 281-233-1941	Date and identification of prior authorizing Council action: None
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AMOUNT & SOURCE OF FUNDING: CIP No. A-0138.48.2 \$933,375.00 Airports Improvement Fund (8011) CIP No. A-0422.63.2 \$ 16,334.06 Airports Improvement Fund (8011) Total.....\$949,709.06 	Prior appropriations: None
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RECOMMENDATION: (Summary)
Enact an ordinance to approve a Professional Architectural/Engineering Services Agreement with AAC Designers Builders, Inc. dba Austin AECOM and appropriate the necessary funds to finance the cost of these services.

SPECIFIC EXPLANATION:

An Architectural/Engineering (A/E) has been selected to provide A/E Services required to support the Job Order Contracting (JOC) Program. The selection process consisted of a random selection of four (4) qualified firms from the City's Pre-qualified List. All four (4) firms, (ArcTec Associates, Inc., MLB & Associates, Molina Walker Architects, and AAC Designers Builders, Inc. dba Austin AECOM), were interviewed by a committee composed of Houston Airport System management. The committee concluded that Austin AECOM was best suited to provide these services.

A Professional Architectural/Engineering Services Agreement has now been prepared with Austin AECOM for JOC Support at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field. These services will provide minor construction, repair and rehabilitation of projects that may be required at all three airports.

The services to be performed by Austin AECOM include:

1. Preparation of detailed scope statements, plans, specifications and cost estimating;
2. Periodic construction site observations, participation in construction progress meetings, response to contractors' request for information, review and approval of submittals, and written reports.

Basic Services fees are \$933,375.00. This project is an "Eligible Project" for the Civic Art Program under Ordinance No. 99-1351, and a Civic Art appropriation of \$16,334.06 (1.75% of Basic Services) is therefore being made. This contract will remain in effect until work on all projects to be assigned under this contract is completed, or until all available funds are exhausted.

REQUIRED AUTHORIZATION MT		
F&A Budget: 	Other Authorization:	Other Authorization:

Date July 31, 2007	Subject: Professional Architectural/Engineering Services Agreement with AAC Designers Builders, Inc. dba Austin AECOM for Job Order Contracting (JOC) Support at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field; Project No. 516C; WBS # A-000138-0018-3-01.	Originator's Initials LS	Page 2 of 2
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M/WBE PARTICIPATION:

The Office of Affirmative Action and Contract Compliance has established a 24% M/WBE goal for this project. Due to the on-call nature of the work to be performed under this contract, the M/WBE firms will be identified as the scope of the projects evolves.

RMV: ERP: JSK: LS: JDW

Attachments

cc: Ms. Marty Stein
Mr. Anthony W. Hall, Jr.
Mr. Arturo G. Michel
Ms. Velma Laws
Mr. Richard M. Vacar
Ms. Sara S. Culbreth
Mr. Dave Arthur
Ms. Ellen Erenbaum
Mr. Eric R. Potts
Mr. John S. Kahl
Mr. Frank D. Crouch
Mr. Adil Godiwalla
Mr. Carlos Ortiz
Ms. Kathy Elek
Mr. Dara Umrigar
Ms. Janice D. Woods
Mr. Richard Fernandez
Mr. J. Goodwille Pierre

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary		RCA# 7512	
Subject: Formal Bids Received for Concrete Repair Services for Various Departments S25-C22344	Category # 4	Page 1 of 2	Agenda Item
		57	29

FROM (Department or other point of origin): Calvin D. Wells City Purchasing Agent Finance and Administration Department	Origination Date August 08, 2007	Agenda Date SEP 0 5 2007 SEP 1 2 2007
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DIRECTOR'S SIGNATURE For additional information contact: Jacquelyn L. Nisby Phone: (713) 247-1814 Ray DuRousseau Phone: (713) 247-1735	Council District(s) affected All
Date and Identification of prior authorizing Council Action:	

RECOMMENDATION: (Summary)
Approve an ordinance appropriating \$196,000.00 out of the Fire Consolidated Construction Fund (Fund 4500) and award a contract to Spring Equipment Company, Inc. in an amount not to exceed \$2,625,020.44 for concrete repair services for various departments.

Maximum Contract Amount: \$2,625,020.44 (3 years)	F & A Budget
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(See Estimated Spending Plan on pg. 2)

SPECIFIC EXPLANATION:
The City Purchasing Agent recommends that City Council approve an ordinance appropriating \$196,000.00 out of the Fire Consolidated Construction Fund (Fund 4500). It is further recommended that City Council approve a one-year contract with two one-year options to extend, for a total three-year term to Spring Equipment Company, Inc. on its low bid in an amount not to exceed \$2,625,020.44 for concrete repair services for various departments. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor. This contract will be used, as necessary, to repair and construct sidewalks, driveways, small building foundation slabs, expansion joints, curbs and gutters, and wheelchair access ramps. Any appropriations of bond funds will require further Council approval. The Estimated Spending Plan below gives an estimated breakdown by department and funding source.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Twenty-two 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. Spring Equipment Company, Inc.	\$2,625,020.44
2. Total Contracting Limited	\$7,585,133.00

- Due to the disparity between the bids, Strategic Purchasing spoke with a representative of Spring Equipment Company, Inc. to discuss and review the scope of work for this project. Spring Equipment Company, Inc.'s representative stated that its bid includes all costs associated with performing the work called for in the bid specifications. Based on the aforementioned, Strategic Purchasing and the affected departments are confident that the recommended company can perform the specified work for the price bid.

The scope of work requires the construction contractor to furnish all labor, equipment, materials, supervision and transportation necessary to repair and construct all types of concrete structures at various locations within the City. This contract will be used for scheduled maintenance, emergency repairs and new

REQUIRED AUTHORIZATION			NDT
F&A Director:	Other Authorization:	Other Authorization:	

Date: 8/8/2007	Subject: Formal Bids Received for Concrete Repair Services for Various Departments S25-C22344	Originator's Initials TS	Page 2 of 2
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installations, as necessary. Materials and workmanship for this project are warranted for one year upon completion and acceptance of each work order.

M/WBE and SBE Subcontracting:

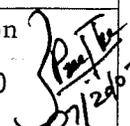
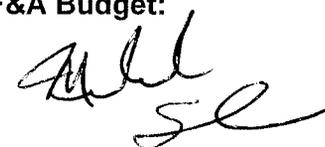
This invitation to bid was issued as a goal-oriented contract with a 15% M/WBE and a 5% SBE participation level. Spring Equipment Company, Inc. has designated the below-named companies as its M/WBE and SBE subcontractors.

<u>Name</u>	<u>Type of Work</u>	<u>Dollar Amount</u>	<u>Percentage</u>
Earth Materials Services LLC	Trucking	\$150,000.00	5.7
El Dorado Paving Co., Inc.	Paving	\$135,000.00	5.1
Paradigm Outsourcing Services	Labor	\$180,000.00	6.8
Paradigm Outdoor Supply, LLC	Materials	\$105,000.00	4.0
			<u>21.6%</u>

The Affirmative Action Division will monitor this contract.

Buyer: Tom Smyer

Estimated Spending Plan			
Department	FY 2008	Out Years	Total
General Services	\$299,546.00	\$1,747,123.44	\$2,046,669.44
Fire Consolidated Construction Fund (4500)	\$196,000.00	\$1,000,000.00	
GSD In-House Renovation Revolving Fund (1003)	\$50,000.00	0	
General Fund (1000)	\$53,546.00	\$111,900.00	
Parks Consolidated Construction Fund (4502)	0	\$535,223.44	
Solid Waste Consolidated Construction Fund 4503	0	\$100,000.00	
Public Works & Engineering	\$320,000.00	\$180,026.00	\$500,026.00
Water & Sewer System Operating Fund (8300)	\$20,000.00	\$180,026.00	
General Fund 1000	\$300,000.00	0	
Solid Waste Management (General Fund 1000)	\$26,108.33	\$52,216.67	\$78,325.00
Grand Total	\$645,654.33	\$1,979,366.11	\$2,625,020.44

SUBJECT: Interlocal Cost Sharing Contract between City of Houston and Harris County Municipal Utility District No. 410 for the construction of water, sanitary sewer and storm sewer lines. S-000800-0102-4/ R-000800-0102-4/ M-000800-0102-4		Page 1 of 2	Agenda Item # <div style="border: 1px solid black; padding: 5px; display: inline-block;"> 58 28 </div>
FROM: (Department or other point of origin) Department of Public Works & Engineering	Origination Date: 8-17-07	Agenda Date: SEP 05 2007 SEP 12 2007	
Director's Signature:  Michael S. Marcotte, P.E. DEE	Council District affected: E		
For additional information contact: Jun Chang, P.E. <i>jc</i> (713) 837-0433	Date and identification of prior authorizing Council action: Ordinance #: 05-0198 Dated: 3/9/05		
Recommendation: (Summary) Approve an Interlocal Cost Sharing Contract between the City and Harris County Municipal Utility District No. 410 and appropriate funds.			
Amount & Source of Funding:	\$176,452.00 \$128,477.00 \$304,929.00	Water & Sewer System Consolidated Construction Fund No. 8500 Drainage Improvement CPaper Series F Fund No. 4030 Total Appropriation	
Specific Explanation: The City and Harris County Municipal Utility District No. 410 (MUD 410), an in-City municipal utility district, entered into the Utility Functions and Services Allocation Agreement on March 9, 2005. Under the Utility Functions and Services Allocation Agreement, MUD 410 will construct water, sewer and storm water facilities and dedicate these facilities to the City. The population of MUD 410 will be retail water and sewer customers of the City. MUD 410 will be reimbursed for part of its costs for construction through an interlocal agreement that is substantially the same as the City's developer participation contract. Under the Interlocal Agreement with the City, the District will design and construct the mains necessary to serve the development (water and wastewater) and dedicate them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Interlocal Agreement also provides for the City to reimburse the District 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 Interlocal Agreement further allows the City to pay interest costs incurred by the District. The District will be reimbursed after 25% of the residences have been built. The district 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. Harris County Municipal Utility District No. 410 proposes to construct approximately 2,270 linear feet of water line, 2,550 linear feet of sanitary sewer line and 920 linear feet of storm sewer line to serve the 58-lot subdivision, Clearview Village Section 4. The maximum amounts to be reimbursed are as follows:			
REQUIRED AUTHORIZATION: 20JZC254			
F&A Budget: 	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning & Development Services	

SUBJECT: Interlocal Cost Sharing Contract between City of Houston and Harris County Municipal Utility District No. 410 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):	\$72,154.00
design cost:	<u>\$8,640.00</u>
total:	\$80,794.00

Wastewater

70% of construction cost (including interest & 5% contingency):	\$85,428.00
design cost:	<u>\$10,230.00</u>
total:	\$95,658.00

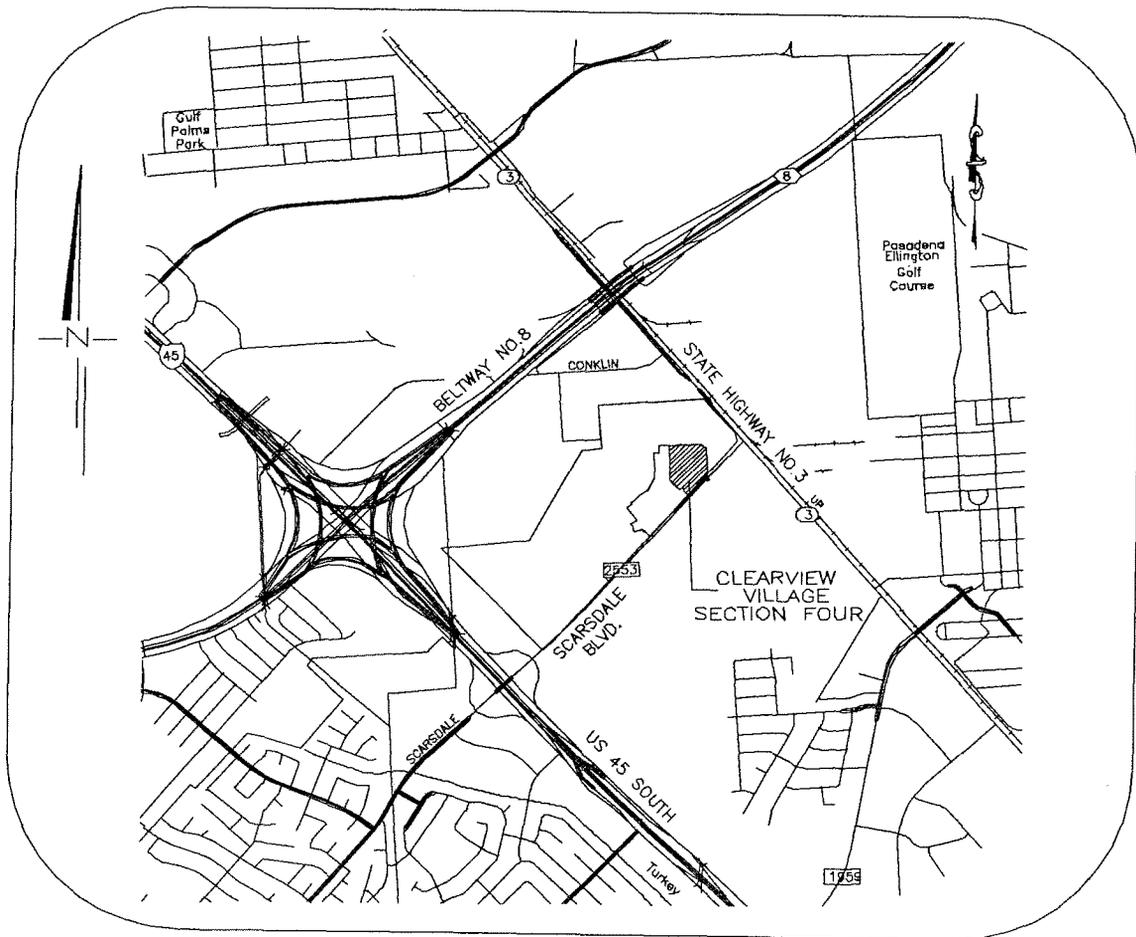
Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	\$123,684.00
design cost:	<u>\$4,793.00</u>
total:	\$128,477.00

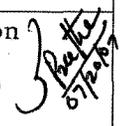
Upon approval of this agreement, MUD 410 will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by MUD 410 in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains 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



V i c i n i t y M a p
N.T.S.
Key Map 577W

SUBJECT: Interlocal Cost Sharing Contract between City of Houston and Harris County Municipal Utility District No. 410 for the construction of water, sanitary sewer and storm sewer lines. S-000800-0108-4/ R-000800-0108-4/ M-000800-0108-4		Page 1 of 2	Agenda Item # <div style="border: 2px solid black; padding: 5px; display: inline-block;"> 59-29 </div>
FROM: (Department or other point of origin) Department of Public Works & Engineering	Origination Date:	Agenda Date: SEP 05 2007 SEP 12 2007	
Director's Signature:  Michael S. Marcotte, P.E. DEE	Council District affected: E		
For additional information contact: Jun Chang, P.E. (713) 837-0433	Date and identification of prior authorizing Council action: Ordinance #: 05-0198 Dated: 3/9/05		
Recommendation: (Summary) Approve an Interlocal Cost Sharing Contract between the City and Harris County Municipal Utility District No. 410 and appropriate funds.			
Amount & Source of Funding:	\$270,606.00 \$300,000.00 \$570,606.00	Water & Sewer System Consolidated Construction Fund No. 8500 Drainage Improvement CPaper Series F Fund No 4030 Total Appropriation	
Specific Explanation: The City and Harris County Municipal Utility District No. 410 (MUD 410), an in-City municipal utility district, entered into the Utility Functions and Services Allocation Agreement on March 9 , 2005. Under the Utility Functions and Services Allocation Agreement, MUD 410 will construct water, sewer and storm water facilities and dedicate these facilities to the City. The population of MUD 410 will be retail water and sewer customers of the City. MUD 410 will be reimbursed for part of its costs for construction through an interlocal agreement that is substantially the same as the City's developer participation contract. Under the Interlocal Agreement with the City, the District will design and construct the mains necessary to serve the development (water and wastewater) and dedicate them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Interlocal Agreement also provides for the City to reimburse the District 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 Interlocal Agreement further allows the City to pay interest costs incurred by the District. The District will be reimbursed after 25% of the residences have been built. The district 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. Harris County Municipal Utility District No. 410 proposes to construct approximately 3,020 linear feet of water line, 4,460 linear feet of sanitary sewer line and 2,980 linear feet of storm sewer line to serve the 100-lot subdivision, Clearview Village Section 5. The maximum amounts to be reimbursed are as follows:			
REQUIRED AUTHORIZATION: 20JZC305			
F&A Budget: 	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning & Development Services	

SUBJECT: Interlocal Cost Sharing Contract between City of Houston and Harris County Municipal Utility District No. 410 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):	\$83,626.00
design cost:	<u>\$12,525.00</u>
total:	\$96,151.00

Wastewater

70% of construction cost (including interest & 5% contingency):	\$151,730.00
design cost:	<u>\$22,725.00</u>
total:	\$174,455.00

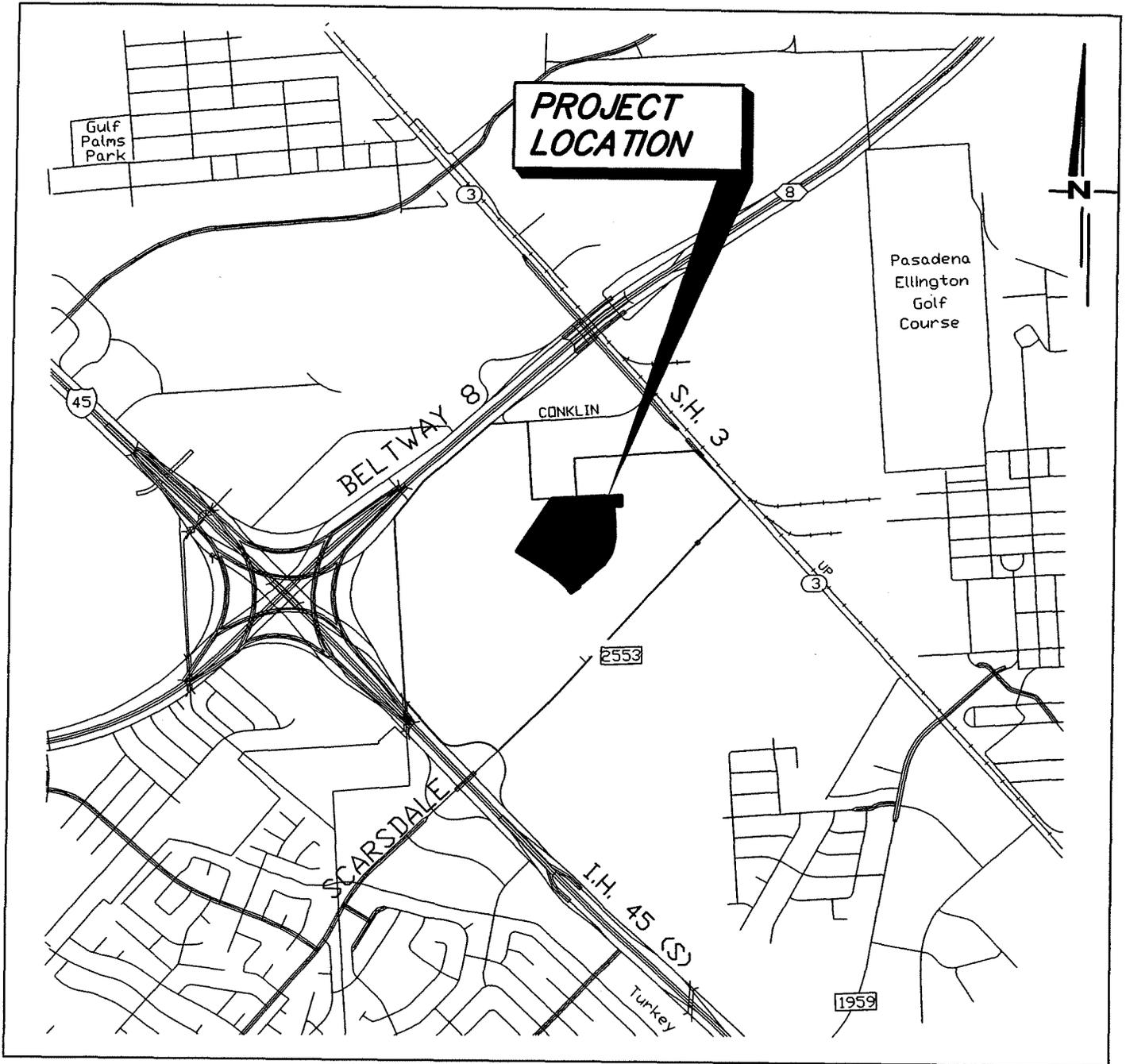
Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	\$255,000.00
design cost:	<u>\$45,000.00</u>
total:	\$300,000.00

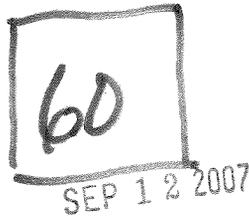
Upon approval of this agreement, MUD 410 will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by MUD 410 in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains 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



**CLEARVIEW VILLAGE SEC. 5
VICINITY MAP
N.T.S.**



MOTION NO. 2007 0924

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

Item 37 - Ordinance amending Ordinance No. 2004-1130 to increase the maximum contract amount to contract between the City of Houston, GT Distributors, Inc., and Taser International, Inc., for Taser Devices, Accessories, Supplies and Repair Services for the Houston Police Department - \$1,871,942.22 General Fund

Seconded by Council Member Alvarado and carried.

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

Council Members Wiseman and Garcia out of the City on City business

PASSED AND ADOPTED this 5th day of September, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is September 11, 2007.

City Secretary

REQUEST FOR COUNCIL ACTION

RCA# 7025

TO: Mayor via City Secretary

Subject: Approve an Amending Ordinance to Increase the Spending Authority for Contract No. C56426 for Taser Devices and Associated Equipment for the Houston Police Department
LC-N-4645-039-20460-A1

Category # 4	Page 1 of 1	Agenda Item
<div style="border: 2px solid black; padding: 5px; display: inline-block;"> 60 37 25 </div>		

FROM (Department or other point of origin):
Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date
July 18, 2007

Agenda Date
SEP 12 2007
~~SEP 05 2007~~
~~AUG 29 2007~~

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Joseph Fenninger Phone: (713) 308-1708
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:
Ord. #2004-1130, Passed November 3, 2004

RECOMMENDATION: (Summary)
Approve an amending ordinance to increase the spending authority between the City of Houston and GT Distributors, Inc. and Taser International, Inc. from \$4,679,855.55 to \$6,551,797.77 for taser devices and associated equipment for the Houston Police Department.

Award Amount: \$1,871,942.22	F & A Budget
\$1,871,942.22 General Fund (1000)	

SPECIFIC EXPLANATION:
The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the spending authority between the City of Houston, and GT Distributors, Inc. and Taser International, Inc. from \$4,679,855.55 to \$6,551,797.77 for taser devices and associated equipment for the Houston Police Department.

This contract was awarded by City Council on November 3, 2004, by Ordinance No. 2004-1130 for a five-year term in an amount not to exceed \$4,679,855.55. The additional spending authority will allow the Department to continue to purchase taser devices and associated supplies and services through the end of the contract term. The City Purchasing Agent may terminate this contract at any time upon 30-day written notice to the contractor.

Under this contract, the Department may purchase Taser model X26E devices, including any upgrades, with holders, air cartridges and simulation air cartridges throughout the term of the contract. The contractor will provide a five-year warranty for each device. This purchase will also include the cartridges and software needed to activate the devices. The price includes training darts and other equipment.

GT Distributors, Inc. is the regional supplier for Taser International, Inc. The Equipment will be manufactured and drop shipped directly to the Houston Police Department. Because there is no M/WBE potential, and the Affirmative Action Division approved a 0% goal for the procurement.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (2) of the Texas Local Government Code for exempted procurements.

Buyer: Richard Morris

REQUIRED AUTHORIZATION

NDT

F&A Director:	Other Authorization:	Other Authorization:
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Conducted Energy Devices (Brand name: TASER)

In December 2004, the Houston Police Department purchased and began issuing less-lethal technology known as Conducted Energy Devices (CED) model (X-26). These devices are commonly referred to as Tasers because of the manufacturer Taser International. The initial decision was made to equip all uniformed first responders with the devices. Uniformed first responders include Patrol, Special Operations, Marshals, Mobility, Motorcycle, Airport and SWAT officers. At this time, the department has issued 3,789 devices to the listed personnel.

Purpose of Less-Lethal CEDs

- Assist officers in securing and controlling combative individuals
- Reduce injuries to officers and suspects
- Reduce financial impact of civil liability in use of force incidents
- In limited situations, provide an alternative to deadly force

The CED has proven to be an effective tool in reducing injuries to officers and suspects. The device has also proven to be valuable in providing options in limited deadly force situations. For the aforementioned reasons, a management decision was made to issue some devices to a limited number of non-uniformed personnel assigned to the Major Offenders and Narcotics Divisions. These specific divisions engaged in frequent high-risk felony warrant executions.

From December 3, 2004, to July 31, 2007, officers in the Houston Police Department have deployed this device 1,332 times. During this period, (3) officers have received serious injuries during taser events. During the same time period, no suspects have been seriously injured due to the CED.

Workers Compensation Cost to Department as a Result of Physical Confrontations

- Year 2003 (2,233,479.00 dollars)
- Year 2004 (1,563,661.00 dollars)
- Year 2005 (1,152,195.00 dollars)
- Year 2006 (738,028.00 dollars)
- January 2007 to June 30, 2007 (98,716.00 dollars)
- CED implemented December 2004

Since December 2004, a management decision was made to issue all cadets a CED upon graduation from the academy. Furthermore, the long-term goal is to issue all classified personnel in the department a CED. Personnel who are currently not issued a CED still perform police functions in uniform and are subjected to taking official police action. When officers are injured, workers' compensation and civil liability issues are common.

Justification to Purchase Additional Devices and Supplies

- Graduated from FY05 through FY07, 624 new cadets
- Projected for FY08, 365 new cadets
- Cartridges and supplies required for annual certification
- Cartridges and supplies for training and operational deployment
- Required number of CED in inventory to cover normal repairs
- An issued CED will remain assigned to an officer until retirement, regardless of assignment

Department CED Current Inventory

- To date total CED purchases (4,227 devices)
- Total CED issued (3,789)
- CED lost and/or stolen or held in property room for evidence (28)
- CED out of service for repair (109)
- CED in reserve (301)
- Minimum reserve inventory needed at all times (200)
- Average number of repairs to CED monthly (90)
- Cartridges in inventory (1,250)
- Average cartridge use (165) per month

Additional Information Requested

- How many CED will be required for cadets? (20 classes of 70 cadets through FY09, 1400 total)
- How many CED will be used for replacements? (None, all CED under warranty)
- What is the life expectancy of a CED? (5 year warranty, but life expectancy unknown)
- What number of officers will be receiving new CED? (All new hires, all classified officers assigned to uniformed patrol divisions and limited non-uniformed divisions)
- Where will CED be stored? (Training Division)
- What other equipment will be provided with a CED? (2 cartridges per new CED)
- Are holsters included in the purchase? (Yes)
- What is the average cost of a CED? (\$935.67 for each CED, holster and extended warranty)