

**AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 5, 2008 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

**PRAYER AND PLEDGE OF ALLEGIANCE** - Council Member Sullivan

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

**ADOPT MINUTES OF PREVIOUS MEETING**

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

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

**RECONVENE**

**WEDNESDAY - FEBRUARY 6, 2008 - 9:00 A. M.**

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

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

1. **PUBLIC HEARING** relative to the nomination of Deloitte, LLP as an enterprise project of the Texas Enterprise Zone Program - **DISTRICT I - RODRIGUEZ**

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 31**

**AGENDA - FEBRUARY 6, 2008 - PAGE 2**

**MISCELLANEOUS** - NUMBERS 2 through 7

2. REQUEST from Mayor for confirmation of the appointment of the following to the **ACCESS CABLE CORPORATION (now known as HOUSTON MEDIA SOURCE, INC) BOARD OF DIRECTORS**, for terms to expire December 31, 2008:  
Position One - **MS. SYLVIA CAVAZOS**  
Position Three - **DR. MARGARITA DE LA VEGA-HURTADO**
3. REQUEST from Mayor for confirmation of the appointment of **MS. DOT CUNNINGHAM (TEXAS STATE SENATE DISTRICT 7 designee)** to Position One of the **UPTOWN DEVELOPMENT AUTHORITY BOARD OF DIRECTORS**
4. RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$2,329.66 per acre for properties connecting to the 12-inch water line located along Morales, Renton, Koinm and JFK Blvd. constructed by **HALLIBURTON ENERGY SERVICES, INC - DISTRICT B - JOHNSON**
5. RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$1,006,145.00 permit fees to the **HARRIS-GALVESTON SUBSIDENCE DISTRICT** for Permit Year 2008 aggregated Ground Water Withdrawal and accrual of Over-Conversion Credits Enterprise Fund
6. RECOMMENDATION from Director Houston Airport System for approval of membership fees in the Airports Council International (ACI) for the period January 1, 2008 through December 31, 2008 - \$198,392.00 - Enterprise Fund
7. RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **2016 MAIN OWNERS ASSOCIATION, INC** for law enforcement services of one (1) deputy from Harris County Constable Precinct 7 - **DISTRICT D - ADAMS**

**ACCEPT WORK** - NUMBERS 8 and 9

8. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$17,050.00 and acceptance of work on contract with **ARC ABATEMENT, INC** for Slab and Lifts Removal, Soil Remediation and Disposal, 6003 Beekman Road, WBS Y-000002-0001-4 36% under the original contract amount - **DISTRICT D - ADAMS**
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$548,429.91 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Lateral and Service Connection Replacement Contract Part II for the Department of Public Works & Engineering, CC-6-0734-024-21095 - 0.94% under the original contract amount - **DISTRICTS B - JOHNSON; D - ADAMS; H - GARCIA and I - RODRIGUEZ**

**PROPERTY** - NUMBER 10

10. RECOMMENDATION from City Attorney to purchase Parcel AY6-041, from Archland Property II, a Delaware limited partnership; in lieu of condemnation, for the **LONG POINT @ WIRT INTERSECTION IMPROVEMENTS PROJECT (Pine Chase - Johanna)**, WBS/CIP N-000674-0001-2 - \$50,863.00 - **DISTRICT A - LAWRENCE**

**AGENDA - FEBRUARY 6, 2008 - PAGE 3**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 11 through 14

11. **GLOBAL SEARCH ASSOCIATES, LLC** for an Executive Search for position of Deputy Director Finance & Administration for Houston Airport System - \$131,000.00 - Enterprise Fund
12. **THERMO FISHER SCIENTIFIC, d/b/a FISHER SAFETY** for Hazardous Materials Testing Lab Trailer through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Office of Emergency Management - \$68,090.00 - Grant Fund
13. **GREATER HOUSTON CONVENTION AND VISITORS BUREAU** for advertising and production services for Houston Police Department Recruiting Program - \$200,000.00 - General Fund
14. **ANDRESS-WALSH CO.** for Portable, Self-Priming 4" Pumps through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council for the Department of Public Works & Engineering - \$62,274.32 - Enterprise Fund

**ORDINANCES** - NUMBERS 15 through 31

15. ORDINANCE **AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the acceptance of existing alleys by the City
16. ORDINANCE authorizing issuance of the City of Houston, Texas Taxable Pension Obligation Note, Series 2008; approving and delegating certain authority to the Mayor and the City Controller with regard to the Note; approving a Note Purchase Agreement; approving a Paying Agent/Registrar Agreement; making other provisions regarding such note and matters incident thereto; making certain findings relating to the subject and matters incident thereto; and declaring an emergency
17. ORDINANCE approving and authorizing purchase of a Boiler and Machinery Insurance Policy from **ZURICH AMERICAN INSURANCE COMPANY** - \$62,893.00 - Property and Casualty Fund
18. ORDINANCE adopting a three-year Annexation Plan in accordance with Section 43.052 of the Texas Local Government Code
19. ORDINANCE establishing the north and south sides of the 1300 block of Marshall Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - ADAMS**
20. ORDINANCE establishing the east and west sides of the 2000 block of Arlington within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA**
21. ORDINANCE enlarging the boundaries of Reinvestment Zone Number Sixteen, City of Houston, Texas, (Uptown Zone) - **DISTRICT G - HOLM**
  - a. ORDINANCE approving the second amendment to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF HOUSTON, TEXAS (UPTOWN ZONE)**; authorizing the City Secretary to distribute such plans; determining the portion of tax increment the City will pay from the area annexed into the zone - **DISTRICT G - HOLM**
22. ORDINANCE to establish the name Bear Ram Road for an existing private street located on the Alief Independent School District High School Complex between Cook Road and Dairy Ashford Road - **DISTRICT F - KHAN**

**ORDINANCES** - continued

23. ORDINANCE approving and authorizing Agreement between the City of Houston and **HOUSTON AREA COMMUNITY DEVELOPMENT**, to provide \$50,000.00 in Home Investment Partnerships ("HOME") Funds to cover operating expenses associated with the development of a single room occupancy complex consisting of a minimum of 149 units located at 2300 Sakowitz - **DISTRICT H - GARCIA**
24. ORDINANCE approving and authorizing Pre-Development Loan Agreement between the City of Houston and **HOUSTON AREA COMMUNITY DEVELOPMENT**, to provide \$100,000.00 in Home Investment Partnerships (HOME) Funds to pay pre-construction costs associated with the development of a single room occupancy complex consisting of a minimum of 149 units **DISTRICT H - GARCIA**
25. ORDINANCE approving and authorizing Real Estate Marketing Agreement with **CB RICHARD ELLIS, INC, a Delaware Corporation**, to provide marketing services in connection with the sale of 151 acres of land on State Highway 3, south of Beltway 8 and adjacent to Ellington Field, for the Public Utilities Division of the Public Works & Engineering Department (141 acres) and the Houston Police Department (10 acres) - **DISTRICT E - SULLIVAN**
26. ORDINANCE awarding contract to **MERRELL BROS., INC** for Onsite Water Treatment Sludge Dewatering, Hauling & Disposal Services for the Public Works & Engineering Department; providing a maximum contract amount - 3 Years - \$3,852,811.00 - Enterprise Fund - **DISTRICTS B - JOHNSON and E - SULLIVAN**
27. ORDINANCE awarding contract to **STATEWIDE TREE SERVICE, INC** for Tree Planting Services for Parks & Recreation Department; providing a maximum contract amount - 2 Years \$736,521.00 - Street & Bridge Consolidated and Grant Funds
28. ORDINANCE determining that the formal taking of competitive bids is not required for the work described herein; and awarding contract to **TEXAS CORRECTIONAL INDUSTRIES DARRINGTON TIRE RETREADING FACILITY** for Tire Retreading and Repair Services for the Solid Waste Management Department; providing a maximum contract amount - 3 Years with two one-year options - \$1,638,537.50 - General Fund
29. ORDINANCE appropriating \$170,000.00 out of Parks Consolidated Construction Fund, awarding construction Manager At Risk Contract to **GILBANE BUILDING COMPANY** for Renovation to the Parks & Recreation Department Campus and Park, WBS F-0504D1-0002-4 - **DISTRICT I - RODRIGUEZ**
30. ORDINANCE appropriating \$2,081,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **COLLINS CONSTRUCTION, LLC** for Water Line Replacement in Briar Park & Gulf Meadows II, WBS S-000035-00L1-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS G - HOLM and E - SULLIVAN**
31. ORDINANCE awarding construction contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Distribution System Rehabilitation and Renewal, WBS S-000MAO-0003; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing and contingencies relating to construction of facilities financed by the Water & Sewer System Operating Fund - \$2,046,127.50 - Enterprise Fund

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBERS 32 and 33

**MISCELLANEOUS**

32. RECEIVE nominations for Positions Five and Seven to the **ETHICS COMMITTEE** for two-year staggered terms
33. **SET A HEARING DATE** to consider adopting a Municipal Setting Designation ordinance (MSD) for Union Pacific Railroad Company (UPRR)  
**SUGGESTED HEARING DATE - FIVE WEEKS FROM DATE OF PASSAGE**

**MATTERS HELD** - NUMBERS 34 through 39

34. WRITTEN Motion by Council Member Clutterback to amend Item 34C below:  
I move to amend Item 55C, revisions to Chapter 45 in section 45-163 to strike the existing number 1 and in lieu of add a new number 1 that reads: "Would require a number of off-street parking spaces pursuant to Article VIII of Chapter 26 of this Code that is greater by 100 percent or more than the number of off street parking spaces provided under the current use of the parcel;"
- a. WRITTEN Motion by Council Member Lawrence to amend Item 34C below:  
Replace multi family residential development in Sec. 45-163 with residential development and to add the definition of Residential to Sec. 45-162 as follows:  
**Residential** shall mean pertaining to the use of land for premises that contain habitable rooms for nontransient occupancy and that are designed primarily for living, sleeping, cooking and eating therein. A premises that is designed primarily for living, sleeping, cooking and eating therein will be deemed to be residential in character unless it is actually occupied and used exclusively for other purposes. Hotels, suites hotels, motels and day care centers shall not be considered to be residential
- b. WRITTEN Motion by Council Member Garcia to amend Item 34C below:  
I move to modify section 45-163(3) by omitting the words "with two-way traffic."
- c. ORDINANCE **AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to high-density multi-family development on two-way, two-lane local and collector streets  
**POSTPONED BY MOTION #2007-1112, 11/7/07**  
These were Items 55, 55A, 55B and 55C on Agenda of November 7, 2007
35. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$7,260,402.00 and acceptance of work contract with **ENVIRONMENTAL INFRASTRUCTURE GROUP, L.P.** for Upper Brays, Almeda Sims, and WCID No. 111 Wastewater Treatment Plants Improvements, WBS R-000265-0020-4 - 1.03% over the original contract amount - **DISTRICTS D - ADAMS; F - KHAN and G - HOLM**  
**TAGGED BY COUNCIL MEMBERS JONES, RODRIGUEZ, LAWRENCE, JOHNSON, HOLM, GREEN and ADAMS**  
This was Item 3 on Agenda of January 30, 2008

**MATTERS HELD** – continued

36. MOTION by Council Member Khan/Seconded by Council Member Garcia to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$10,130,844.54 and acceptance of work on contract with **BOYER, INC** for Supervisory Control & Data Acquisition (SCADA) and Security at East Water Purification Plant, WBS S-000522-0006-4 - 6.04% under the original contract amount - **DISTRICT E - SULLIVAN**  
**TAGGED BY COUNCIL MEMBER LAWRENCE**  
This was Item 5 on Agenda of January 30, 2008
37. ORDINANCE approving and authorizing the City to release Four (4) lots owned by the Houston Housing Finance Corporation and located in the Fourth Ward from certain land use restrictions **DISTRICTS D - ADAMS and I - RODRIGUEZ**  
**TAGGED BY COUNCIL MEMBERS ADAMS, RODRIGUEZ and JONES**  
This was Item 14-1 on Agenda of January 30, 2008
38. ORDINANCE amending City of Houston Ordinance No. 2004-0685, passed on June 30, 2004, which approved and authorized the submission of the 2004 consolidated plan to the United States Department of Housing and Urban Development, including a grant application for the Home Investment Partnerships (“HOME”) Program under the authority of Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended  
**TAGGED BY COUNCIL MEMBERS GREEN, KHAN, NORIEGA, ADAMS and GARCIA**  
This was Item 20 on Agenda of January 30, 2008
39. ORDINANCE finding and declaring public convenience and necessity for the acquisition of Fee Simple Title or easements for rights-of-way in connection with the public improvement project known as the Mercury Drive Paving Project, Segment 4 (from Herman Brown Park to Wallisville Road), authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple or easements in, over, upon, under, and across 14 parcels of land situated in the Reels and Trobough Survey, Abstract No. 59, Harris County, Texas, and being more specifically situated along and abutting the east or west lines of Oates Road between U.S. Highway 90 and Wallisville Road in Houston, Harris County, Texas - **DISTRICT I - RODRIGUEZ**  
**POSTPONED BY MOTION #2008-92, 1/30/08**  
This was Item 35 on Agenda of January 30, 2008

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Green first

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

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

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

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FEB 06 2008

MOTION NO. 2008 0091

MOTION by Council Member Rodriguez that the recommendation of the Director of the Finance Department, to set a hearing date to consider the nomination of Deloitte LLP as an Enterprise Project of the Texas Enterprise Zone Program, be adopted, and a Public Hearing be set for 9:00 a.m., Wednesday, February 6, 2008 in the City Council Chamber, Second Floor, City Hall.

Seconded by Council Member Lovell and carried.

Mayor White, Council Members Lawrence, Clutterbuck,  
Adams, Khan, Garcia, Rodriguez, Lovell and Noriega  
voting aye  
Council Members Brown and Green voting no  
Council Members Johnson, Sullivan, Holm and Jones  
absent

PASSED AND ADOPTED this 30th day of January, 2008.

Pursuant to Article VI, Section 6 of the City Charter, the  
effective date of the foregoing motion is February 5, 2008.

City Secretary



BILL WHITE  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

2  
FEB 06 2008

**COPY TO EACH MEMBER OF COUNCIL:**

**CITY SECRETARY:** 1-23-08  
**DATE**

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

January 23, 2008

The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to the authority conferred on this office by Article V, Section 6 of the bylaws of Access Houston Cable Corporation (now known as Houston Media Source, Inc.), approved by Ordinance No. 86-1733, I hereby appoint the following individuals to the Houston Media Source Board of Directors, subject to confirmation by the City Council:

Ms. Sylvia Cavazos, appointment to Position One, for a term to expire December 31, 2008; and Dr. Margarita De La Vega-Hurtado, appointment to Position Three, for a term to expire December 31, 2008.

The résumés of the named appointees are attached for your review.

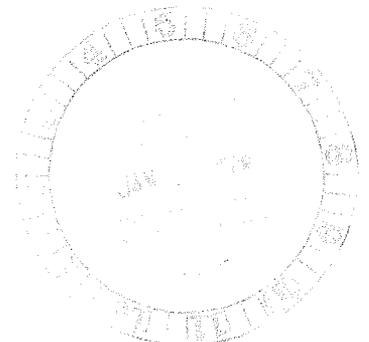
Sincerely,

*Bill White*

Bill White  
Mayor

BW:CC:jsk

cc: Fred J. Fichman, executive director, Houston Media Source





BILL WHITE  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

3  
FEB 06 2008

**COPY TO EACH MEMBER OF COUNCIL:**

**CITY SECRETARY:** 1-28-08  
**DATE**

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

January 25, 2008

The Honorable City Council  
City of Houston

Dear Council Members:

Pursuant to the City of Houston Resolution No. 99-66, Subchapter D of Chapter 431, Texas Transportation Code, and Chapter 394, Texas Local Government Code, I am appointing Ms. Dot Cunningham (Texas State Senate District 7 designee) to Position One of the Uptown Development Authority board of directors, subject to Council confirmation:

The résumé is attached for your review.

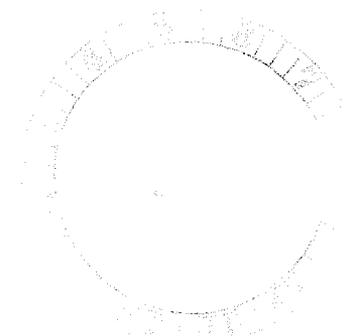
Sincerely,

Bill White  
Mayor

BW:CC:jsk

Attachments

cc: Senator Dan Patrick, District 7, the Senate of the State of Texas  
Mr. Robert Fiederlein, special assistant to the mayor for TIRZs  
Mr. John Breeding, administrator, TIRZ # 16



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Establishment of connection charge for a privately constructed 12-inch water line located along Morales, Renton, Koinm and JFK Blvd.	<b>Category</b>	<b>Page</b> 1 of 1	<b>Agenda Item</b> # 4
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 1-31-08	<b>Agenda Date</b> FEB 06 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director	<b>Council District affected:</b> B
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<b>For additional information contact:</b> Jun Chang, P.E. Phone: (713) 837-0433	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Recommend that a connection charge in the amount of \$2,329.66 per acre be established for properties connecting to the 12-inch water line constructed by Halliburton Energy Services, Inc.

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

**SPECIFIC EXPLANATION:**

Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) includes provisions for the reimbursement of developers who have constructed a water or sanitary sewer extension. Establishment of a connection charge provides that the owner of each successive property that connects to the line built by the developer will pay a pro-rata share of the cost to construct the line.

Halliburton Energy Services, Inc. has constructed 6,000 linear feet of 12-inch water line along Morales, Renton, Koinm and JFK Blvd. at a cost of \$604,103. This water line can potentially serve an area of 259.31 acres, thereby making a unit connection cost of \$2,329.66 per acre.

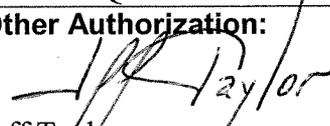
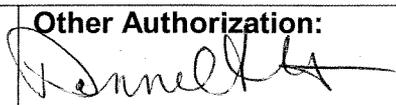
These monies will be collected at the time that a building permit is issued and will be placed in a pro-rata fee account. The City will make reimbursement to the person constructing such mains two times per year.

JC:AMS:tp

CUIC# 20JZC375

<b>F &amp; A Director</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b> <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning & Development Services
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**TO: Mayor via City Secretary      REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Approval to pay Harris-Galveston Subsidence District \$1,006,145.00 for 2008 groundwater withdrawal permit fees and accrual of Over-Conversion Credits.		<b>Page</b> 1 of 1	<b>Agenda Item</b> # <b>5</b>
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 1-31-08	<b>Agenda Date</b> FEB 06 2008
<b>DIRECTOR'S SIGNATURE</b> <i>MS</i>  Michael S. Marcotte, P.E., DEE, Director		<b>Council District affected:</b> ALL	
<b>For additional information contact:</b> Dannelle H. Belhateche, P.E. Senior Assistant Director <b>Phone:</b> (713) 837-0847		<b>Date and identification of prior authorizing Council action</b> Motion 2007-0338, 4-4-07	
<b>RECOMMENDATION: (Summary)</b> That City Council approve payment of the \$1,006,145.00 permit fee to the Harris-Galveston Subsidence District for permit year 2008 aggregated groundwater withdrawal and accrual of Over-Conversion Credits.			
<b>Amount and Source of Funding:</b> \$1,006,145.00 Enterprise Fund-8300      Water & Sewer System <i>Operating Fund</i>   1/9/08			
<b>SPECIFIC EXPLANATION:</b>  Request City Council approve payment of the permit fees totaling \$1,006,145.00 to Harris-Galveston Subsidence District (HGSD). These fees cover the period of 2/1/08 through 01/31/09.  The City of Houston must pay for aggregated permits for the City in HGSD Area 2 and 3 and all co-permittees in City's Groundwater Reduction Plan (GRP) in Area 3. The co-permittees are required by contract to reimburse the City for fees spent for their permits.  The amount of the fees is based on a \$17.00 assessment per million gallons for an aggregated 59,185 million gallons. The 59,185 million gallons consists of anticipated groundwater withdrawal of 2,600 million gallons for HGSD Area 2 and 23,685 million gallons for HGSD Area 3; 10,719 million gallons for anticipated groundwater withdrawal by the co-permittees (\$182,223 to be reimbursed to the City), and 22,181 million gallons anticipated surface water use in HGSD's regulatory Area 3.  The surface water permitted will allow the City of Houston to accrue over-conversion credits (OCCs) in Area 3. The OCCs can be used in lieu of conversion in the future and will permit the City to postpone major capital projects that will be required for compliance with HGSD's ultimate regulations.			
cc: Marty Stein      Michael S. Marcotte, P.E., DEE      Waynette Chan      Gary Norman Susan Bandy      Jeff Taylor      Jun Chang, P.E.			
<b>REQUIRED AUTHORIZATION</b> 20DHB64			
<b>F &amp; A Director</b>	<b>Other Authorization:</b>  Jeff Taylor Deputy Director Public Utilities Division		<b>Other Authorization:</b>  Dannelle H. Belhateche, P.E. Senior Assistant Director Drinking Water Operations

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Renewal of Annual Aviation Organization Membership Fees For 2008 - Airports Council International (ACI)	<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 6
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<b>FROM (Department or other point of origin):</b> Houston Airport System	<b>Origination Date</b> January 24, 2008	<b>Agenda Date</b> FEB 06 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>[Signature]</i>	<b>Council District affected:</b> B, E, I
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<b>For additional information contact:</b>  Richard M. Vacar <b>Phone:</b> 281-233-3000 David K. Arthur                         281-233-1388	<b>Date and identification of prior authorizing Council action:</b> 1/29/97 (M) 97-0159; 1/28/98 (M) 98-0198; 8/9/99 (M) 99-0825; 4/26/00 (M) 2000-0565; 2/14/01 (M) 2001-0144; 3/27/02 (M) 2002-0347; 3/12/03 (M) 2003-0278; 4/20/04 (M) 2004-0413; 3/15/05 (M) 2005-0216; 4/5/06 (M) 2006-0280; 12/20/06 (M) 2006-1156
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<b>AMOUNT &amp; SOURCE OF FUNDING:</b>  \$ 198,392.00    HAS - Revenue Fund (8001)	<b>Prior appropriations:</b>
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**RECOMMENDATION: (Summary)**  
Approve a motion covering membership fees in Airports Council International (ACI) for the period January 1, 2008 through December 31, 2008.

**SPECIFIC EXPLANATION:**

As of January 2007, Airports Council International (ACI), headquartered in Geneva, Switzerland, counts 573 members operating over 1,640 airports in more than 178 countries and territories.

ACI is comprised of five geographical regions: Africa, Asia-Pacific, Europe, Latin America/Caribbean, and North America. The North America region, which includes Canada and the United States, is based in Washington D.C. Membership provides the department with 1) a means of keeping up-to-date on the latest techniques of the many functional aspects of airport management; 2) advocacy on legislative issues before the Congress and world forums; 3) a way to exchange information with other airports facing similar situations; 4) a single airport voice in dealing with federal bureaucracy; and 5) representation in the bilateral negotiating process for international air routes.

Support of this organization provides member airports with constant communication concerning our position in various legislative processes such as security issues impacting our airports and enables our airports to make their voices heard at critical points along the way. Benefits from membership and participation in this organization far outweigh the cost of dues and serve in the best interest of the Houston Airport System in meeting the current airport needs of the community, customers and users.

cc: Mr. Anthony W. Hall, Jr.                      Mr. Arturo G. Michel                      Ms. Marty Stein  
      Mr. Rick M. Vacar                                Mr. David K. Arthur                        Ms. Marlene McClinton                      Ms. Kathy Elek

REQUIRED AUTHORIZATION

<b>F&amp;A Budget:</b> <i>[Signature]</i>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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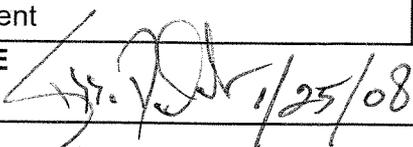
Airports Council International (ACI)  
Annual Membership Fees  
Calendar Year 2008

	<b>Amount</b>	
ACI/NA 2008 Airport Dues	\$ 121,892.00	
ACI/NA 2008 International Air Services Dues	\$ 9,000.00	
ACI/NA 2008 Legal Assessment	\$ 7,500.00	
ACI/NA 2008 Regulatory & Policy Fund	\$ 15,000.00	
ACI – African Region Affiliate Dues	\$ 7,500.00	
ACI – Latin America-Caribbean Region Affiliate Dues	\$ 5,000.00	
ACI – Asia-Pacific Region Affiliate Dues	\$ 2,500.00	
ACI – Legislative Assessment	<u>\$ 30,000.00</u>	
<b>TOTAL</b>	<b>\$ 198,392.00</b>	✓

<b>SUBJECT:</b> Law Enforcement Agreement between Harris County Constable Precinct 7 and 2016 Main Owners Association, Inc.	<b>Category #</b>	<b>Page 1 of _____</b>	<b>Agenda Item #</b> <p style="text-align: center; font-size: 2em;">7</p>
<b>FROM: (Department or other point of origin):</b> Harold L. Hurtt, Chief of Police Houston Police Department	<b>Origination Date</b> January 28, 2008		<b>Agenda Date</b> FEB 06 2008
<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council Districts affected:</b> <p style="text-align: center;">D</p>		
<b>For additional information contact:</b> M. W. Thaler (713) 308-1570 Executive Assistant Chief	<b>Date and identification of prior authorizing Council Action:</b>		
<b>RECOMMENDATION: (Summary)</b> <p style="text-align: center;">Approval of Law Enforcement Agreement between Harris County Constable Precinct 7 and 2016 Main Owners Association, Inc.</p>			
<b>Amount and Source of Funding:</b> <p style="text-align: center;">* N/A</p>		<b>F &amp; A Budget:</b>	
<b>SPECIFIC EXPLANATION:</b> <p>The Houston Police Department has no objections to the Law Enforcement Agreement between Harris County Constable Precinct 7 and 2016 Main Owners Association, Inc. Both parties agree to have one deputy devote eighty percent (80%) of their working time to provide law enforcement services within the Association's geographical area within Harris County, Texas, beginning March 1, 2008, through December 31, 2008.</p> <p>hlh:mm Attachment</p> <p>cc: Marty Stein</p>			
<b>REQUIRED AUTHORIZATION</b>			
<b>F&amp;A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>	

<b>SUBJECT:</b> Accept Work ARC Abatement, Inc. Slab and Lifts Removal, Soil Remediation and Disposal 6003 Beekman Road WBS No. Y-000002-0001-4	<b>Page</b> 1 of 1	<b>Agenda Item</b>  <div style="text-align: right; font-size: 2em;">8</div>
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 1-31-08	<b>Agenda Date</b> FEB 06 2008
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<b>DIRECTOR'S SIGNATURE</b> Issa Z. Dadoush, P.E. 	<b>Council District affected:</b> D
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<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 713- 247-1814	<b>Date and identification of prior authorizing Council action:</b> Ordinance: 06-0239; Date: 03/08/06
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**RECOMMENDATION:** Pass a motion approving the final contract amount of \$17,050.00, accept the work and authorize final payment.

<b>Amount and Source Of Funding:</b> No Additional Funding Required (Previous Funding: \$42,874.50 CDBG Fund)	<b>F &amp; A Budget:</b>
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve the final contract amount of \$17,050.00, accept the work and authorize final payment to ARC Abatement, Inc. for Slab and Lifts Removal, Soil Remediation and Disposal at 6003 Beekman Road.

**PROJECT LOCATION:** 6003 Beekman Road, Houston, Texas (Key Map No. 534-K)

**PROJECT DESCRIPTION:** This site is a vacant lot acquired by the City for future development of a park. The scope of work included removal and disposal of asbestos containing floor tiles and mastic, Class II non-hazardous soil, cylinders and tanks.

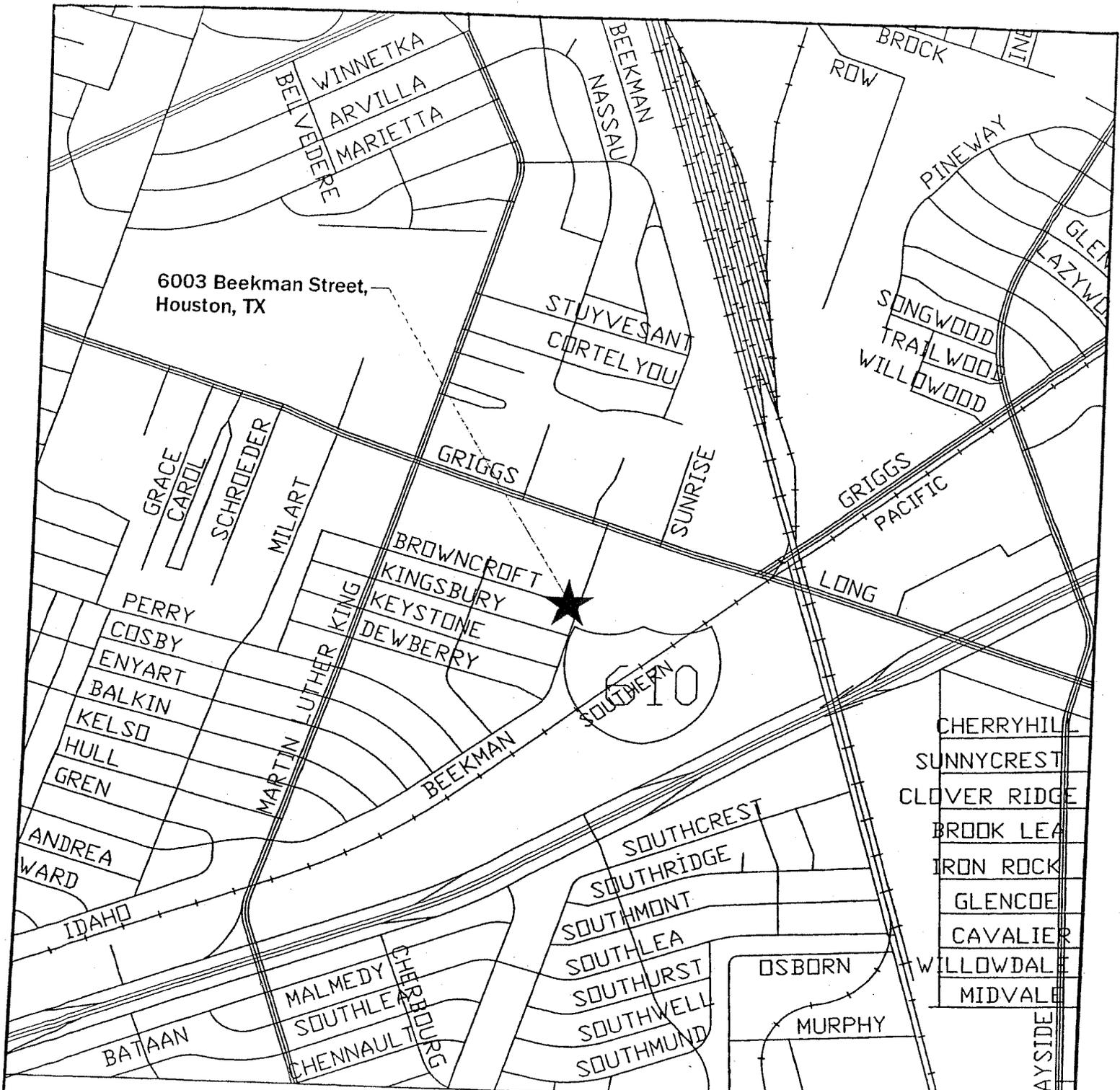
**CONTRACT COMPLETION AND COST:** The contractor completed the work within the contract time of 60 calendar days. The final cost of the project is \$17,050.00, which is 36% under the original contract amount of \$26,617.50. The total project allocation included an additional \$16,257.00 for project management, construction oversight and preparation of a Release Determination and Site Closure Report required by TCEQ. Those services were provided by Environmental Consulting Services, Inc. under a separate contract.

IZD:PJG:JLN:GM:FK:fk 

- c: Marty Stein
- Jacquelyn L. Nisby
- Michael Dotson
- James Tillman, IV
- Gabriel Mussio, File

**REQUIRED AUTHORIZATION** CUIC#25GM152

<b>General Services Department:</b>  Phil Golembiewski, P.E. Chief of Design & Construction Division	<b>Other Authorization:</b>	<b>Housing and Community Development Department</b> <span style="float: right;">NOT</span>  Richard Celli Director
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**Slab and Lifts Removal, Soil  
Remediation and Disposal**  
6003 Beekman Street, Houston, TX

COUNCIL DISTRICT "D"

KEYMAP No. 534K

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work for Lateral and Service Connection Replacement Contract Part II for the Public Works & Engineering Department CC-6-0734-024-21095		<b>Page</b> 1 of 1	<b>Agenda Item #</b> 9
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 1-31-08	<b>Agenda Date</b> FEB 06 2008
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., DEE, Director		<b>Council District affected:</b> B, D, H and I	
<b>For additional information contact:</b> Joseph G. Majdalani, P.E. Sr. Assistant Director <b>Phone:</b> (713) 641-9182		<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2006-912 dated 09/06/2006	
<b>RECOMMENDATION: (Summary)</b> Pass a motion to approve the final contract amount of \$548,429.91, which is 0.94% under the original contract amount, accept the work, and authorize final payment.			
<b>Amount and Source of Funding:</b> No additional funding required. Original appropriation of \$581,293.13 from Water and Sewer System Operating Fund No. 8300.			<b>F&amp;A Budget:</b>
<b>SPECIFIC EXPLANATION:</b> <p><b>PROJECT NOTICE/JUSTIFICATION:</b> Under this project, the contractor provided replacement of sanitary sewer laterals and service connections to low-income areas with deteriorated sanitary sewer services throughout the City.</p> <p><b>DESCRIPTION/SCOPE:</b> This project consisted of sanitary sewer lateral and service connection replacement. The project was awarded to D.L. Elliott Enterprises, Inc. with an original contract amount of \$553,612.50. The Notice to Proceed date was 11/27/2006 and the project had 180 calendar days for completion.</p> <p><b>LOCATION:</b> The project was located at various locations within Council Districts B, D, H and I.</p> <p><b>CONTRACT COMPLETION AND COST:</b> The contractor, D.L. Elliott Enterprises, Inc. has completed the work under the contract. The contract was completed within the required time. The final cost of the project is \$548,429.91, a decrease of \$5,182.59 or 0.94% under the original contract amount. Fewer sanitary sewer laterals and service connections were actually made than anticipated.</p> <p><b>MWDBE PARTICIPATION:</b> There was no MWDBE goal for this project.</p> <p>MSM:JT:JGM:RK:FOS:mf          Attachments</p> <p>c: Velma Laws      Michael Ho, P.E.      Craig Foster</p>			
<b>Project File 4949-02</b>		<b>REQUIRED AUTHORIZATION</b>	
<b>F&amp;A Director:</b>		<b>Other Authorization:</b>	
		<b>Other Authorization:</b>  Jeff Taylor / Deputy Director Public Utilities Division	

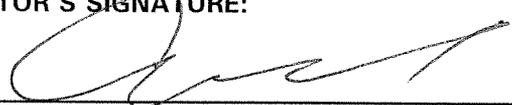
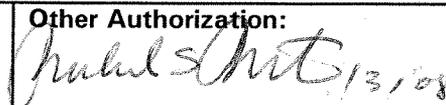
**D. L. ELLIOTT ENTERPRISES INC.**  
 WORK ORDER STATUS REPORT  
 FILE NO. 4949-02  
 PROJECT NO. CC-6-0734-024-21095

Restoration Pending Days	TSG W.O. No.	IMS Work Order No.	IMS W.O. Date	Street No.	Street Name	Work Type	Issue Date	Repair Date	Asphalt Date	Concrete Date	Fence Date	Landscape Date	Closing Date	Key Map	Council District	PICTURE PRE/POST	PUNCH LIST	AS BUILT
	001	10841667	11/27/06	3519	ORANGE	R/R SEWER LATERAL	11/27/06	12/13/06	01/31/07	NONE	NONE	02/09/07	02/09/07	494F	B	X	X	X
	002	10841672	11/27/06	4203	NEW ORLEANS	R/R SEWER LATERAL	11/27/06	12/04/06	01/31/07	NONE	NONE	01/13/07	01/13/07	494F	B	X	X	X
	003	10841676	11/27/06	4416	NEW ORLEANS	R/R SEWER LATERAL	11/27/06	12/16/06	01/31/07	NONE	NONE	01/13/07	01/13/07	494F	B	X	X	X
	004	10841696	11/27/06	5003	NEW ORLEANS	R/R SEWER LATERAL	11/27/06	12/19/06	02/09/07	NONE	NONE	02/09/07	02/09/07	494F	B	X	X	X
	005	10841704	11/27/06	5307	NEW ORLEANS	R/R SEWER LATERAL	11/27/06	12/19/06	02/09/07	NONE	NONE	02/09/07	02/09/07	494F	B	X	X	X
	006	10841707	11/27/06	4703	NICHOLS	R/R SEWER LATERAL	11/27/06	12/15/06	01/31/07	03/06/07	NONE	01/13/07	03/06/07	494F	B	X	X	X
	007	10841712	11/27/06	4615	NICHOLS	R/R SEWER LATERAL	11/27/06	12/15/06	01/31/07	NONE	NONE	02/09/07	02/09/07	494F	B	X	X	X
	008	10841715	11/27/06	4515	NICHOLS	R/R SEWER LATERAL	11/27/06	12/16/06	01/31/07	04/24/07	NONE	05/11/07	05/11/07	494F	B	X	X	X
	009	10841723	11/27/06	4435	NICHOLS	R/R SEWER LATERAL	11/27/06	12/16/06	01/31/07	NONE	NONE	02/09/07	02/09/07	494F	B	X	X	X
	010	10841730	11/27/06	4414	OATS	R/R SEWER LATERAL	11/27/06	12/13/06	01/31/07	NONE	NONE	02/09/07	02/09/07	494F	B	X	X	X
	011	10841732	11/27/06	4409	OATS	R/R SEWER LATERAL	11/27/06	12/05/06	01/31/07	NONE	NONE	02/09/07	02/09/07	494F	B	X	X	X
	012	10841736	11/27/06	4405	OATS	R/R SEWER LATERAL	11/27/06	12/05/06	01/31/07	NONE	NONE	01/13/07	01/13/07	494F	B	X	X	X
	013	10841741	11/27/06	4210	OATS	R/R SEWER LATERAL	11/27/06	12/05/06	01/31/07	NONE	NONE	03/06/07	03/06/07	494F	B	X	X	X
CANCELLED CONTRACTOR CANNOT DO IT DUE TO LEGAL	014	10841750	11/27/06	3707	MARKET	R/R SEWER LATERAL	11/27/06							494F	B			
CANCELLED WORK ORDER FROM PROPERTY LINE TO MAIN DUE TO A POLE IN THE WAY.	015	10841759	11/27/06	1405	PANNELL	R/R SEWER LATERAL	11/27/06	12/12/06	05/24/07	NONE	05/24/07	NONE	05/12/07	494F	B	X	X	X
	026	10843186	11/30/06	10542	WOODWICK	R/R SEWER LATERAL	11/30/06	12/21/06	NONE	NONE	NONE	03/10/07	03/10/07	415W	B	X	X	X
	027	10843189	11/30/06	6710	SHOTWELL	R/R SEWER LATERAL	11/30/06	12/27/06	NONE	NONE	NONE	05/11/07	05/11/07	454Q	B	X	X	X
	028	10843403	11/30/06	1810	PANNELL	R/R SEWER LATERAL	11/30/06	12/19/06	NONE	04/24/07	NONE	05/18/07	05/18/07	494F	B	X	X	X
	029	10843422	11/30/06	4902	NOBLE	R/R SEWER LATERAL	11/30/06	12/19/06	NONE	NONE	NONE	02/09/07	02/09/07	494C	B	X	X	X
	034	10843979	12/01/06	5505	KNOX	R/R SEWER LATERAL	12/01/06	12/21/06	NONE	NONE	NONE	04/20/07	04/20/07	412Y	B	X	X	X
CANCELLED BECAUSE SERVICE RUNS UNDER THE BUILDING	020	10824821	10/16/06	5771	SHEVERS	R/R SEWER LATERAL	11/29/06							574 B	D			X
CANCELLED WORK ORDER JOB CLOSED	022	10826254	10/18/06	8706	BRANDON	R/R SEWER LATERAL	11/29/06							533Y	D			
	023	10843155	11/30/06	5401	CHENNAULT	R/R SEWER LATERAL	11/29/06	02/16/07	NONE	NONE	NONE	03/10/07	03/10/07	534N	D	X	X	X
	024	10843158	11/30/06	5603	THRUSH DR.	R/R SEWER LATERAL	11/30/06	12/27/06	NONE	NONE	NONE	03/10/07	03/10/07	534W	D	X	X	X
	025	10843177	11/30/06	8110	GLADSTONE	R/R SEWER LATERAL	11/30/06	04/05/07	04/06/07	NONE	NONE	05/11/07	05/11/07	533U	D	X	X	X
	035	10844269	12/04/06	7346	OKINAWA	R/R SEWER LATERAL	12/04/06	12/27/06	NONE	NONE	NONE	03/08/07	03/08/07	534S	D	X	X	X
CANCELLED WORK ORDER JOB CLOSED	041	10850979	12/21/06	3609	DUBOIS	R/R SEWER LATERAL	12/21/06							533U	D			
	033	10843670	12/01/06	6519	ARABELLA ST. EAST 1ST STREET	R/R SEWER LATERAL	12/01/06	12/21/06	NONE	NONE	NONE	02/14/07	02/14/07	412X	H	X	X	X
	036	10850952	12/21/06	714	VALOR	R/R SEWER LATERAL	12/21/06	03/19/07	03/17/06	NONE	NONE	05/25/07	05/25/07	453J	H	X	X	X
	063	10877201	02/23/07	4111	VALOR	R/R SEWER LATERAL	02/23/07	02/28/07	NONE	NONE	05/24/07	05/25/07	05/25/07	454F	H	X	X	X
	016	10781335	06/26/06	7324	AVENUE K	R/R SEWER LATERAL	11/29/06	02/10/07	03/03/07	NONE	NONE	03/10/07	03/10/07	495S	I	X	X	X
	017	10785492	07/07/06	7614	AVENUE J	R/R SEWER LATERAL	11/29/06	02/28/07	03/03/06	03/03/06	NONE	03/10/07	03/10/07	495S	I	X	X	X
CANCELLED, CUSTOMER DOES NOT WANT TO DO THIS JOB.	018	10785689	07/07/06	7607	AVENUE K	R/R SEWER LATERAL	11/29/06							495S	I			
	019	10808234	09/05/06	6728	AVENUE L	R/R SEWER LATERAL	11/29/06	03/16/07	03/16/07	NONE	NONE	03/24/07	03/24/07	494V	I	X	X	X
	021	10826203	10/18/06	7925	CAPITOL	R/R SEWER LATERAL	11/29/06	01/31/07	02/09/07	NONE	NONE	02/14/07	02/14/07	495X	I	X	X	X
	030	10843659	12/01/06	6607	AVENUE N	R/R SEWER LATERAL	12/01/06	03/06/07	03/06/07	NONE	NONE	NONE	NONE	03/06/07	I	X	X	X
	031	10843664	12/01/06	6840	AVENUE L	R/R SEWER LATERAL	12/01/06	01/29/06	02/09/07	NONE	NONE	02/14/07	02/14/07	494V	I	X	X	X

**D. L. ELLIOTT ENTERPRISES INC.**  
 WORK ORDER STATUS REPORT  
 FILE NO. 4949-02  
 PROJECT NO. CC-6-0734-024-21095

Restoration Pending Days	TSC W.O. No.	IMS Work Order No.	IMS W.O. Date	Street No.	Street Name	Work Type	Issue Date	Repair Date	Asphalt Date	Concrete Date	Fence Date	Landscape Date	Closing Date	Key Map	Council District	PICTURE PREPOST	PUNCH LIST	AS BUILT	
	032	10843653	12/01/06	6921	AVENUE N	R/R SEWER LATERAL	12/01/06	02/20/07	02/09/07	NONE	NONE	02/14/07	02/14/07	494V	I	X	X	X	
	037	10850955	12/21/06	7618	SHERMAN	R/R SEWER LATERAL	12/21/06	12/28/06	NONE	02/09/07	NONE	03/10/07	03/10/07	495W	I	X	X	X	
	038	10850961	12/21/06	6938	AVENUE C	R/R SEWER LATERAL	12/21/06	02/21/07	03/03/06	NONE	NONE	03/08/07	03/08/07	494V	I	X	X	X	
	039	10850966	12/21/06	7045	AVENUE O	R/R SEWER LATERAL	12/21/06	01/13/07	02/09/07	NONE	NONE	02/14/07	02/14/07	494V	I	X	X	X	
	040	10850972	12/21/06	111	EASTGATE	R/R SEWER LATERAL	12/21/06	02/06/07	NONE	NONE	NONE	05/04/07	05/04/07	495W	I	X	X	X	
	042	10850982	12/21/06	6854	AVENUE P	R/R SEWER LATERAL	12/21/06	02/28/07	03/05/07	03/05/07	NONE	05/04/07	05/04/07	494V	I	X	X	X	
	043	10850986	12/21/06	7904	ELWOOD	R/R SEWER LATERAL	12/21/06	01/13/07	02/09/07	NONE	NONE	02/14/07	02/14/07	495W	I	X	X	X	
	044	10850988	12/21/06	6818	AVENUE L	R/R SEWER LATERAL	12/21/06	03/16/07	03/24/07	04/24/07	03/30/07	05/04/07	05/04/07	494V	I	X	X	X	
	045	10850997	12/21/06	7607	AVENUE C	R/R SEWER LATERAL	12/21/06	01/26/07	02/09/07	NONE	NONE	03/10/07	03/10/07	495W	I	X	X	X	
	046	10851010	12/21/06	7921	AVENUE C	R/R SEWER LATERAL	12/21/06	01/12/07	NONE	NONE	NONE	01/13/07	01/13/07	495X	I	X	X	X	
	047	10851018	12/21/06	6840	AVENUE F	R/R SEWER LATERAL	12/21/06	02/16/07	02/16/07	02/16/07	NONE	03/17/07	03/17/07	494V	I	X	X	X	
CANCELLED SERVICE UNDER THE EXISTING GARAGE.																			
	048	10851027	12/21/06	113 1/2	CANTON	R/R SEWER LATERAL	12/21/06							495W	I				
	049	10851033	12/21/06	7714	SHERMAN	R/R SEWER LATERAL	12/21/06	01/29/07	02/09/07	NONE	NONE	02/14/07	02/14/07	495W	I	X	X	X	
	050	10851035	12/21/06	7027	AVENUE N	R/R SEWER LATERAL	12/21/06	02/06/07	03/17/07	PENDING	NONE	05/04/07	05/04/07	495S	I	X	X	X	
	051	10868009	02/05/07	113	HANOVER	R/R SEWER LATERAL	02/05/07	03/23/07	NONE	PENDING	NONE	05/04/07	05/04/07	495W	I	X	X	X	
	052	10868041	02/05/07	6921	AVENUE C	R/R SEWER LATERAL	02/05/07	02/19/06	03/03/07	NONE	NONE	03/08/07	03/08/07	494V	I	X	X	X	
	053	10868044	02/05/07	7901	GOODE	R/R SEWER LATERAL	02/05/07	02/16/07	03/03/07	NONE	NONE	03/10/07	03/10/07	495W	I	X	X	X	
	054	10868051	02/05/07	7821	AVENUE C	R/R SEWER LATERAL	02/05/07	02/20/07	03/03/07	NONE	NONE	03/10/07	03/10/07	495W	I	X	X	X	
	055	10868056	02/05/07	7938	SHERMAN	R/R SEWER LATERAL	02/05/07	03/06/07	03/17/07	NONE	NONE	05/04/07	05/04/07	495X	I	X	X	X	
	056	10868070	02/05/07	6734	AVENUE F	R/R SEWER LATERAL	02/05/07	02/29/07	NONE	04/24/07	NONE	05/04/07	05/04/07	494V	I	X	X	X	
	057	10868234	02/05/07	6821	SHERMAN	R/R SEWER LATERAL	02/05/07	03/23/07	03/23/07	03/30/07	NONE	05/25/07	05/25/07	494V	I	X	X	X	
	058	10868243	02/05/07	6911	AVENUE K	R/R SEWER LATERAL	02/05/07	03/23/07	03/24/07	NONE	NONE	03/25/07	03/25/07	494V	I	X	X	X	
	059	10876518	02/22/07	6635	AVENUE E	R/R SEWER LATERAL	02/22/07	03/23/07	03/24/07	04/24/06	NONE	05/04/07	05/04/07	494V	I	X	X	X	
	060	10876520	02/22/07	6823	AVENUE F	R/R SEWER LATERAL	02/22/07	04/05/07	04/06/07	04/24/07	NONE	05/04/07	05/04/07	494V	I	X	X	X	
	061	10876519	02/22/07	6611	AVENUE E	R/R SEWER LATERAL	02/22/07	03/17/07	03/17/07	NONE	NONE	05/04/07	05/04/07	494V	I	X	X	X	
	062	10876521	02/22/07	6607	AVENUE L	R/R SEWER LATERAL	02/22/07	03/23/07	03/24/07	NONE	NONE	03/25/07	03/25/07	494V	I	X	X	X	

**REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Purchase of Parcel AY6-041 from Archland Property II, a Delaware limited partnership; Long Point @ Wirt Intersection Improvements Project (Pine Chase - Johanna) WBS/CIP No. N-000674-0001-2; L.D. File No. 052-0600047-008		<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  10
<b>FROM (Department or other point of origin):</b> Legal Department, Real Estate Division Arturo G. Michel, City Attorney		<b>Origination Date</b> 01/18/07	<b>Agenda Date</b>  FEB 06 2008	
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b>  "A" Toni Lawrence, K.M. # 451T		
<b>For additional information contact:</b> Joseph N. Quintal Phone: 713 437-6748 (alternatively Russell G. Richardson @ 713 437-6750)		<b>Date and identification of prior authorizing Council action:</b> Ord.#2006-523, psd. 05/24/06; BAO#2005-397, psd. 4/20/05		
<b>RECOMMENDATION: (Summary)</b> That the City Attorney be authorized by Motion to purchase Parcel AY6-041, in lieu of condemnation, for the total consideration of \$50,863.00. Funding will be provided by a previously approved blanket Appropriation Ordinance.				
<b>Amount of Funding:</b> \$50,863.00; No appropriation needed as funding will be provided by a previously approved blanket Appropriation Ordinance.		<b>F &amp; A Budget:</b>		
<b>SOURCE OF FUNDING:</b> [ ] General Fund      [ ] Grant Fund      [ ] Enterprise Fund Street and Bridge Consolidated Construction Fund No. 437; SAP Fund No. 4506 [ ] Other (Specify)      Blanket Appropriation Ordinance No. 2005-397, psd. 4/20/05				
<b>SPECIFIC EXPLANATION:</b>  The Long Point @ Wirt Intersection Improvements Project (Pine Chase - Johanna) will improve access and traffic flow. The project will provide for the reconstruction of Long Point in multiple phases. The initial phases will include redesign of the intersections at Antoine, Wirt, and Bingle.  This matter involves the fee simple acquisition of 388 square feet (0.0089 acre) of land located at 1736 Wirt Road. The property is owned by Archland Property II, L.P., a Delaware limited partnership. The property is improved with a McDonalds restaurant and related appurtenances. The matter was referred to the Legal Department to initiate eminent domain proceedings against the subject property after efforts to purchase the property were unsuccessful. Prior to initiating the eminent domain proceeding, the parties were able to reconcile their differences and arrive at a proposed settlement, subject to City Council's approval, wherein the City would pay the sum of \$50,863.00, being the same amount as the City's offer to purchase.  We recommend that the City Attorney be authorized by Motion to purchase Parcel AY6-041, in lieu of condemnation, for the total consideration of \$50,863.00. Funding will be provided by a previously approved blanket Appropriation Ordinance.				
h:\mark\archlandrca.wpd		<b>REQUIRED AUTHORIZATION</b>		
<b>F&amp;A Director:</b>	<b>Other Authorization:</b> 	<b>Other Authorization:</b> 		

## PARCEL VALUATION

Following is a breakdown of the consideration for Parcel AY6-041:

### LAND:

Parcel AY6-041 (Street Easement)

388 square feet @ \$30.00 per square foot ..... \$11,640.00

### IMPROVEMENTS:

Exit sign..... \$ 334.00

McDonald's sign ..... \$16,319.00

Underground wiring ..... \$ 2,500.00

Concrete..... \$ 2,450.00

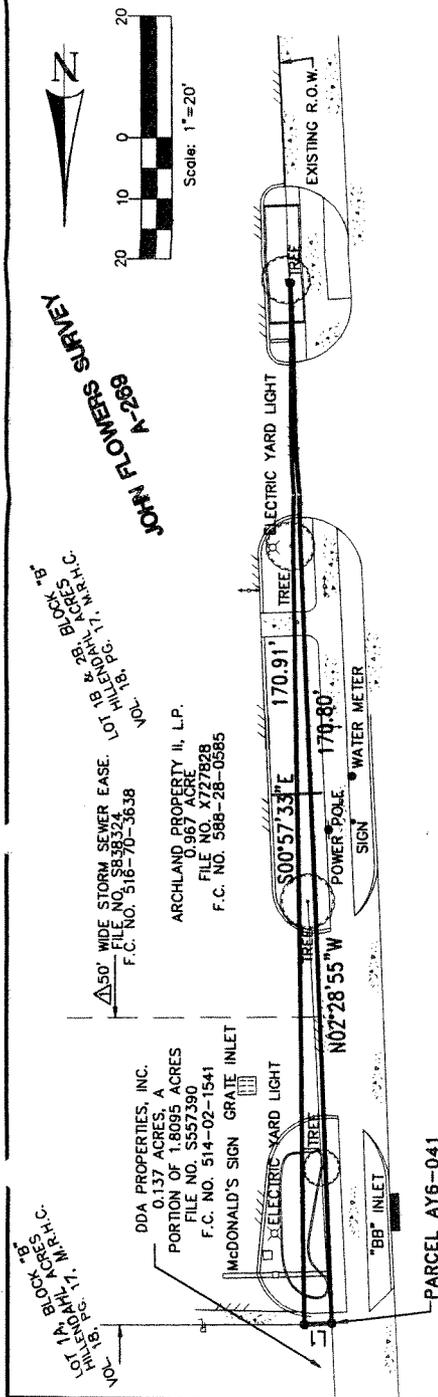
Concrete curbing..... \$ 500.00

Landscaping and sprinkler system..... \$ 7,620.00

Total Improvements..... \$29,723.00

Cost to cure signs and underground wiring..... \$ 9,500.00

TOTAL CONSIDERATION ..... \$50,863.00



**WIRT ROAD (80' R.O.W.)**

PARCEL AY6-041  
P.O.B.  
X=3,083,518.45  
Y=13,657,404.09

TO LONG POINT RD.

● MANHOLE

○ MONITOR WELL

CONCRETE PAVEMENT WITH CURB AND GUTTER

CONCRETE TRAFFIC CURB

**Notes:**

- All coordinates and bearings recited herein are referenced to City of Houston CORS. All distances and coordinates are surface distances and may be converted to grid values by multiplying by a combined scale factor of 0.9999833965.
- A property description of even date was prepared in conjunction with this parcel plat.
- Indicates set 5/8-inch iron rod with cap marked: "Cobb, Fendley & Associates", unless noted otherwise.
- All improvement information shown hereon is based on an on-the-ground survey under the supervision of Cobb, Fendley & Associates in November 2004. Improvements may have been added or deleted since the date of the field survey.

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N86°49'53"E	4.54'

EXISTING	TAKING	REMAINING
0.967 AC.	0.0089 AC.	0.9581 AC.
	388 SQ.FT.	

**PARCEL AY6-041**  
SHOWING PROPERTY OF  
ARCHLAND PROPERTY II, L.P.

**JOHN FLOWERS SURVEY**  
A-298

450' WIDE STORM SEWER EASE.  
FILE NO. 518-70-3638  
F.C. NO. 518-70-3638

DDA PROPERTIES, INC.  
0.137 ACRES, A  
PORTION OF 1.8095 ACRES  
FILE NO. 5557390  
F.C. NO. 514-02-1541  
MCDONALD'S SIGN GRATE INLET

ARCHLAND PROPERTY II, L.P.  
0.967 ACRE  
FILE NO. X727828  
F.C. NO. 588-28-0585



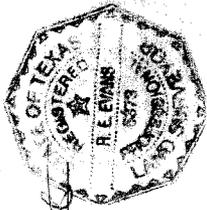
ARCHLAND PROPERTY II, L.P.  
0.967 ACRE  
FILE NO. X727828  
F.C. NO. 588-28-0585

P.O.B. WIRT ROAD

**SURVEYOR'S CERTIFICATION**

IN MY PROFESSIONAL OPINION, THIS PLAT REPRESENTS THE FACTS FOUND ON THE GROUND DURING THE COURSE OF A BOUNDARY SURVEY CONDUCTED UNDER MY SUPERVISION ON NOVEMBER 3, 2004, AND THAT THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION II SURVEY.

*Randi E. Evans*  
RANDI E. EVANS, R.P.L.S. NO. 5373  
COBB, FENDLEY & ASSOCIATES  
5300 HOLLISTER, SUITE 400  
HOUSTON, TEXAS 77040  
(713)462-3242



▲ REVISED 12/13/05: ADDED STORM SEWER EASEMENT

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

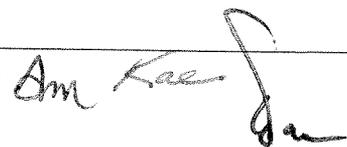
DATE: 01/11/06  
*Randi E. Evans*  
ACCEPTED AND PAID  
CITY ENGINEERING NUMBER  
HOUSTON, TEXAS

KEY MAP NO. 4515	GIMS MAP NO. 5458-DL-5558-C
PARCEL NO. AY6-041	
SCALE: 1"=20'	
DATE: JULY 28, 2005	
CIP NO. N-0674	
GFS NO. N-0674-01-2	
FILE NO. SB9088	
SHEET 8 OF 16	

8 of 17

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Approve a Purchase Order to Global Search Associates, LLC for an Executive Search for the position of Deputy Director for Finance and Administration for the Houston Airport System.		<b>Category #</b> 9	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 11
<b>FROM (Department or other point of origin):</b> Houston Airport System		<b>Origination Date</b> December 10, 2007	<b>Agenda Date</b> FEB 06 2008	
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> B,E,I		
<b>For additional information contact:</b> Laura Grainger Phone: 281/233-1567		<b>Date and identification of prior authorizing Council action:</b> N/A		
<b>AMOUNT &amp; SOURCE OF FUNDING:</b> \$131,000 HAS Revenue Fund (8001)		<b>Prior appropriations:</b> N/A		
<b>RECOMMENDATION: (Summary)</b> Approve a Purchase Order for professional services to Global Search Associates, LLC in the total amount of \$131,000 to assist the Houston Airport System in searching for and recruiting a qualified candidate for the position of Deputy Director for Finance and Administration.				
<b>SPECIFIC EXPLANATION:</b> <p>The Houston Airport System (HAS) seeks to recruit a qualified applicant to fill the position of Deputy Director for Finance and Administration (F&amp;A). The Deputy Director for F&amp;A will provide direction and management in the areas of finance, human resources, procurement, and commercial development for the HAS, which employs over 1,500 individuals, and supports a \$464 million annual O&amp;M budget and \$1.9 billion five-year capital improvement plan.</p> <p>The scope of services requires Global Search Associates, LLC (Global) to provide and develop mutually agreed upon key criteria for success in the position; identify qualified and interested candidates; benchmark candidates against key criteria; present to the HAS the final candidates most likely to succeed after comprehensive in-depth field interviews are concluded; assist in negotiations for offer and possible acceptance; provide for relocation expenses if necessary; and perform reference checks and detailed background investigation on potential candidates.</p> <p>Global is one of a very few search firms that has a specialized practice in serving airports worldwide, and is a member of the American Association of Airport Executives (AAAE), and a World Business Partner of Airports Council International (ACI).</p>				
<b>REQUIRED AUTHORIZATION</b>				
<b>F&amp;A Budget:</b> 		<b>Other Authorization:</b>		<b>Other Authorization:</b>

<b>Date</b> December 10, 2007	<b>Subject:</b> Approve a Purchase Order to Global Search Associates, LLC for an Executive Search for the position of Deputy Director for Finance and Administration for the Houston Airport System.	<b>Originator's Initials</b>	<b>Page 2 of 2</b>
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The Mayor's Office of Affirmative Action and Contract Compliance has approved a zero percent (0%) MWDBE goal for this contract due to the specialized, technical or unique nature of the services being provided.

cc: Ms. Marty Stein  
Mr. Richard M. Vacar  
Mr. Dave Arthur  
Ms. Kathy Elek  
Mr. J. Goodwille Pierre

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 7752**

**Subject:** Purchase of a Hazardous Materials Testing Lab Trailer through the Houston-Galveston Area Council for the Office of Emergency Management  
S34-N22730-H

Category #  
4

Page 1 of 1

Agenda Item

12

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

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

**Origination Date**

January 23, 2008

**Agenda Date**

FEB 06 2008

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

All

**For additional information contact:**

Terry Moore                      Phone: (713) 884-4554  
Ray DuRousseau                Phone: (713) 247-1735

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

**RECOMMENDATION: (Summary)**

Approve the purchase of a hazardous material laboratory sampling preparation trailer through the Houston-Galveston Area Council (H-GAC) in the amount of \$68,090.00 for the Office of Emergency Management.

Award Amount: \$68,090.00

**F & A Budget**

\$68,090.00 - Metropolitan Medical Response System Grant (5030)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the purchase of a hazardous materials laboratory sampling preparation trailer through the Interlocal Agreement for Cooperative Purchasing with H-GAC in the amount of \$68,090.00 for the Office of Emergency Management, and that authorization be given to issue a purchase order to the H-GAC contractor, Thermo Fisher Scientific, d/b/a Fisher Safety. This trailer will be used citywide by the Office of Emergency Management (OEM) in conjunction with the Houston Fire Department and the Houston Department of Health and Human Services to prepare samples of hazardous materials collected from various City locations without risking contamination of the City's testing lab. The trailer will allow for more efficient and controlled collections of samples and subsequent storage of the hazardous material.

The trailer will come with a full one year warranty on parts and labor and the life expectancy is ten years. Currently, OEM has no similar trailer in its inventory. This trailer is an addition to OEM's fleet inventory.

Buyer: Larry Benka  
PR No. 10040357

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

RCA# 7802

**Subject:** Purchase of Professional Advertising and Production Services from the Greater Houston Convention and Visitors Bureau for the Houston Police Department

Category #  
4

Page 1 of 1

Agenda Item

13

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

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

**Origination Date**

February 04, 2008

**Agenda Date**

**FEB 06 2008**

**DIRECTOR'S SIGNATURE**

*MS 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:**

**RECOMMENDATION: (Summary)**

Approve the purchase of professional advertising and production services from the Greater Houston Convention and Visitors Bureau in the total amount of \$200,000.00 for the Houston Police Department.

Award Amount: \$200,000.00

F & A Budget

\$200,000.00 - General Fund (1000)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the purchase of professional advertising and production services from the Greater Houston Convention and Visitors Bureau (GHCVB) in the total amount of \$200,000.00 for the Houston Police Department, and that authorization be given to issue a purchase order. The GHCVB will assist the Department's Recruiting Program in the development and booking of radio and television advertising to promote its recruiting efforts.

The GHCVB manages a \$2.5 million advertising budget and has access to proven advertising production resources. The Houston Police Department will be able to take advantage of volume discounts in the actual purchase of radio and television time and lower fees by working through the Bureau. Ad content will be developed in collaboration with the Department's recruiting team and the Mayor's Communications Office.

This recommendation is made pursuant to Chapter 252, Section 252.021 (a) (4) of the Texas Local Government Code for exempt procurements.

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 7785**

**Subject:** Purchase of Portable, Self-Priming 4" Pumps Through the Houston-Galveston Area Council for the Public Works & Engineering Department  
S12-N22737-H

Category #  
4

Page 1 of 1

Agenda Item

**14**

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

Calvin D. Wells  
City Purchasing Agent  
Finance and Administration Department

**Origination Date**

January 25, 2008

**Agenda Date**

FEB 06 2008

**DIRECTOR'S SIGNATURE**

*MS Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

David Guernsey Phone: (713) 238-5241  
Ray DuRousseau Phone: (713) 247-1735

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

**RECOMMENDATION: (Summary)**

Approve purchase of portable, self-priming, 4" trash pumps through the Houston-Galveston Area Council (H-GAC) in the amount of \$62,274.32 for the Public Works & Engineering Department.

Award Amount: \$62,274.32

**F & A Budget**

\$62,274.32 - PWE Combined Utility System General Purpose Fund No. 8305

*K. Roy 1/25/08*

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the purchase of two portable, self-priming 4" pumps through the Interlocal Agreement for Cooperative Purchasing with the H-GAC in the amount of \$62,274.32 for the Public Works & Engineering Department, and that authorization be given to issue a purchase order to the H-GAC contractor, The Andress-Walsh Co. These pumps will be used by the Department's Wastewater Operations Branch to remove water from wet wells and clarifiers to enable maintenance crews to conduct repairs at wastewater treatment facilities within the City.

This purchase consists of two portable, self-priming, diesel-powered, skid-mounted, 4" trash pumps, complete with exterior work lights and directional light bars for traffic control. These pumps are compact self-contained units that will be used by the Maintenance Management Section to remove water from plant wet wells and clarifiers, which will permit necessary routine maintenance and emergency repairs. These pumps are essential to the maintenance and operations of these facilities and are necessary to maintain compliance with the Texas Commission on Environmental Quality guidelines. These pumps will replace existing 18-year-old units, Shop Nos. 16821 and 16822, which have exceeded their life expectancy. The old units will be stripped of usable parts that will be placed in inventory to repair similar equipment in the Department's inventory. The unusable components will be sent to the Property Disposal Management Office for disposition.

Buyer: Martin L. King  
PR No. 10035283

*MS*

**REQUIRED AUTHORIZATION**

F&A Director:

*Other Authorization: [Signature] 1/30/08*

*Other Authorization: [Signature] 1/25/08*

**65CDW2837**

*1/25/08*

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Amendment of Chapter 40, Article XV of the Code of Ordinances.		<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 15
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 1-31-08	<b>Agenda Date</b> FEB 06 2008	
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, Director		<b>Council District affected:</b> All		
<b>For additional information contact:</b> Andrew F. Icken Phone: (713) 837- 0510 Deputy Director		<b>Date and identification of prior authorizing Council action:</b> None		

**RECOMMENDATION: (Summary)** It is recommended that City Council adopt an ordinance amending Article XV of Chapter 40 of the Code of Ordinances by adding a new Division 5 to provide a procedure whereby owners of property abutting an alley may petition the city to accept the alley for public purposes.

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

**SPECIFIC EXPLANATION:**

The Public Works and Engineering Department has prepared an inventory of existing alleys which identifies approximately 130 miles of dedicated public alleys. However, approximately 5.6 miles of the alleys have been accepted as public use alleys for which public services are provided, while approximately 124.4 miles of the alleys are designated as private use alleys for which public services are not provided. Examples of public services which may be provided include drainage maintenance, pavement maintenance, signing, and other services generally associated with a public right of way.

The proposed amendment has been prepared in response to requests for the City to provide public services for existing alleys. The amendment adopts a petition process for property owners that abut the alley to request the alley be accepted by the City for public services. The application procedure is initiated through submittal of a petition to the Public Works and Engineering Department (PWE). The applicant is required to submit field surveys, title instruments, information identifying existing encroachments, and other relevant information as specified in the ordinance. Requirements for acceptance include the following:

- Meet the minimum standards set forth by PWE in the Infrastructure Design Manual for public alleys for public use.
- Remove encroachments into the alley within 30 days following acceptance by the City.
- The City is not obligated to accept any alley; determination of acceptance is determined by the City Engineer.

The ordinance states that PWE shall maintain an inventory of existing alleys within the City and such inventory shall be accessible to the public. A list of dedicated alleys that the City has accepted for public services effective January 2008 is attached to the ordinance as Exhibit A. The list will be maintained by PWE and will change as new or corrected information is submitted to PWE for the existing alleys database.

The amendments were reviewed by the Regulation, Development & Neighborhood Protection Committee on January 17, 2008. The Committee unanimously recommended the amendments for approval by City Council.

**REQUIRED AUTHORIZATION**

**CUIC ID #20AF115**

<b>F&amp;A Director:</b>	<b>Other Authorization:</b>  Andrew F. Icken Deputy Director Planning & Development Services	<b>Other Authorization:</b>
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15  
FEB 06 2008

Revised

City of Houston, Texas, Ordinance No. 2008-\_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO THE ACCEPTANCE OF EXISTING ALLEYS BY THE CITY; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

**WHEREAS**, Sections 212.011 and 212.048 of the Texas Local Government Code provide that the approval of a plat by a municipality does not constitute acceptance of any proposed dedication for public use, and does not impose on the municipality any duty requiring the maintenance or improvement thereof; and

**WHEREAS**, the question of whether alleys within the City have been accepted for public use is not easily answered, and the uncertainty of status can be a source of confusion for persons owning property abutting such alleys, persons using such alleys, and persons performing utility, traffic control, and emergency services in such alleys; and

**WHEREAS**, alleys contribute to public welfare by providing additional access, areas for utility placement, and drainage, and by improving traffic congestion, and for these reasons should be encouraged; and

**WHEREAS**, it would be advisable for citizens to be able to determine the status of alleys, and whether they are for private access or public use rights-of-way; and

**WHEREAS**, it also would be advisable to provide a method by which abutting property owners could petition the City to accept an existing alley for public use; **NOW, THEREFORE**,

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

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

**Section 2.** That Division 2 of Article XV of Chapter 40 of the Code of Ordinances, Houston, Texas, is hereby amended by adding new Sections 40-342.1 and 40-342.2 that read as follows:

**"Sec. 40-342.1. Acceptance of existing alleys for public use.**

(a) *Purpose.* The purpose of this division is to provide a procedure alternative to provisions of section 40-342 of this Code whereby the owners of property abutting an alley (*'applicants'*) may petition the city to accept the alley for public purposes.

(b) *Scope.* This section does not apply to:

- (1) Service drives or other routes that serve the principal purpose of providing access for a single property;
- (2) Public streets; or
- (3) Any alley that has been duly accepted by the city by any other method.

(c) *No abridgement or limitation on deed restrictions.* With respect to private individuals and entities, this section and/or the city's decision to accept and maintain an alley hereunder does not abridge or limit any current or future deed restrictions that apply to such alley or any easement or right of way adjacent to the alley.

(d) *Petition--form.* The applicants seeking city acceptance of an alley for public use shall submit to the city engineer a petition in the form promulgated therefor by the director of public works and engineering or his designee, who may revise the petition form from time to time as he deems appropriate.

(e) *Petition--number of applicants.* For the city engineer to consider such a petition, the minimum number of applicants required to sign the petition shall be as follows:

- (1) If the alley was dedicated to public use by a recorded plat or instrument, 51% of all persons owning property abutting the alley, on a block-by-block basis, between two streets; or
- (2) If the alley was not dedicated to the public by a recorded plat or separately recorded instrument, 100% of all persons owning property abutting the alley on a block-by-block basis, between two streets.

(f) *Petition—required accompaniments.* Along with the signed petition, the applicants must provide the following:

- (1) Copies of recorded instruments vesting title in all property owners abutting the alley;
- (2) If there are any city-owned signs or markers in the alley, photographs of such signs or markers;
- (3) If any fence, structure or other item of private property (other than property owned by private utilities) encroaches into the alley, the written agreement of the owner of such structure or property to move same, as required by subsection (i) of this section;
- (4) A list of city services to be provided in the alley that the applicants are requesting, if any;
- (5) Any other proof of ownership as deemed necessary by the city engineer; and
- (6) Upon request by the city engineer, a boundary and a topographic survey by a surveyor licensed to practice in the State of Texas showing improvements, easements, rights-of-way, drainage, utilities, water lines, sanitary sewers, storm sewers, ditches, culverts, encroachments, and extent and type of pavement surface.

(g) *Standards.* In order to be accepted by the city, an alley must meet the standards set forth in the Infrastructure Design Manual, as promulgated and revised from time to time by the public works and engineering department, unless the city engineer determines that it is necessary or appropriate to alter or waive one or more standards with respect to a particular alley, if in the public interest to provide public access.

(h) *Acceptance.* The city is not obligated to accept any alley. The determination of whether the city will accept an alley shall be made by the city engineer, whose decision shall be final. When an application is denied, no subsequent application for acceptance of the same alley shall be eligible for consideration for at least one year, unless this limitation is waived by the city engineer for good cause.

(i) *Removal of encroachments.* The owner of any fence, structure or other item of private property (other than property owned by private utilities) that encroaches into the alley shall remove same within 30 days following acceptance of the alley by the city.

**Sec. 40-342.2. Inventory of alleys.**

The department of public works and engineering shall make reasonable efforts to maintain an inventory of alleys within the city, to determine whether such alleys are accepted for public use or are for private access, and to maintain such inventory in a form that is accessible to the public. A copy of the inventory shall be maintained on file in the office of the city engineer.”

**Section 4.** A list of the dedicated alleys that the City has accepted for maintenance and public use at the time of passage and approval of this Ordinance is attached as **Exhibit A** to this Ordinance.

**Section 5.** 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, vainness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**Section 6.** 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; however, in the event that the Mayor fails to sign this Ordinance within five days after its

passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

**PASSED AND ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2008.

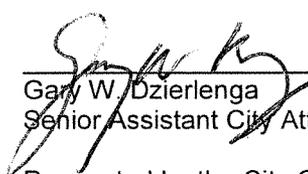
**APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2008.

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

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

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

APPROVED AS TO FORM:

   
\_\_\_\_\_  
Gary W. Dziurlenga  
Senior Assistant City Attorney

Requested by the City Council Committee on Regulation, Development on Neighborhood Protection

EXHIBIT "A"

**Houston Alleys Accepted By the City Of Houston For Maintenance**

Block No. (of Parallel Streets)	Parallel To	Parallel To	Beginning	Ending	Length	Key Map	Date Accepted*
<b>Houston Heights (3)</b>							
300 W 19th		W 20th	Rutland	Ashland	624	452V	N/A
300 W 20th		W 21th	Rutland	Ashland	639	452V	N/A
600 W 20th		W 21th	Lawerance	N Shepherd	610	452V	N/A
					<b>Total: 1873 fts, 0.35 Miles</b>		
<b>Villa del Parque (2)</b>							
N/A Carla		Normeadow	Benbrook	Lesue Ann	786	413Y	06/2005
N/A Stabler		Carla	Rittenhouse	Benbrook	954	413Y	06/2005
					<b>Total: 1740 fts, 0.33 Miles</b>		
<b>Willowick Place (2)</b>							
3000 Essex Terrace		Westgrove	Weslayan	Weslayan	1428	492S	07/1973
2700 Essex Green		Weslayan	Essex Terrace	Essex Green	293	492S	07/1973
					<b>Total: 1721 fts, 0.33 Miles</b>		
<b>Southampton (38)</b>							
2200 Bissonnet		Wroxton	Shepherd	GreenBriar	637	492Y	06/1923
2100 Bissonnet		Wroxton	Wilton	Shepherd	522	492Y	06/1923
2000 Bissonnet		Wroxton	Hazard	Hazard	468	492Z	06/1923
1900 Bissonnet		Wroxton	Kent	Hazard	468	492Z	06/1923
1800 Bissonnet		Wroxton	Ashby	Kent	468	492Z	06/1923
2200 Wroxton		Albans	Shepherd	GreenBriar	637	532C	06/1923
2100 Wroxton		Sunset	Wilton	Shepherd	522	532D	06/1923
2000 Wroxton		Albans	Hazard	Wilton	470	532D	06/1923
1900 Wroxton		Albans	Kent	Hazard	470	532D	06/1923
1800 Wroxton		Albans	Ashby	Kent	470	532D	06/1923
2200 Albans		Sunset	Shepherd	GreenBriar	637	532C	06/1923
2100 Albans		Sunset	Wilton	Shepherd	522	532C	06/1923
2000 Albans		Sunset	Hazard	Wilton	468	532D	06/1923
1900 Albans		Sunset	Kent	Hazard	468	532D	06/1923
1800 Albans		Sunset	Ashby	Kent	468	532D	06/1923
2200 Sunset		Quenby	Shepherd	GreenBriar	645	532C	06/1923
2100 Sunset		Quenby	Wilton	Shepherd	521	532D	06/1923
2000 Sunset		Quenby	Hazard	Wilton	471	532D	06/1923
1800 Sunset		Dunstan	Ashby	Kent	300	532D	06/1923
2200 Quenby		Robinhood	Shepherd	GreenBriar	705	532C	06/1923
2100 Quenby		Tangley	Wilton	Shepherd	519	532D	06/1923
2000 Quenby		Dunstan	Hazard	Wilton	469	532D	06/1923
2200 Robinhood		Tangley	Shepherd	GreenBriar	766	532C	06/1923
2301- 2319 Tangley		Dunstan	Whitney	GreenBriar	320	532C	06/1923
2200 Tangley		Dunstan	Shepherd	Whitney	486	532C	06/1923
2100 Tangley		Dunstan	Wilton	Shepherd	467	532D	06/1923
2303- 2323 Dunstan		Bolsover	Whitney	GreenBriar	437	532D	06/1923
2200 Dunstan		Bolsover	Shepherd	Whitney	464	532D	06/1923
2100 Dunstan		Bolsover	Wilton	Shepherd	520	532D	06/1923
2000 Dunstan		Bolsover	Hazard	Wilton	470	532D	06/1923

1900 Dunstan	Bolsover	Kent	Hazard	470	532D	06/1923
1800 Dunstan	Bolsover	Ashby	Kent	379	532D	06/1923
2311-2335 Bolsover	Rice	Whitney	GreenBriar	545	532C	06/1923
2200 Bolsover	Rice	Shepherd	Whitney	466	532C	06/1923
2100 Bolsover	Rice	Wilton	Shepherd	520	532D	06/1923
2000 Bolsover	Rice	Hazard	Wilton	470	532D	06/1923
1900 Bolsover	Rice	Kent	Hazard	470	532D	06/1923
1800 Bolsover	Rice	Ashby	Kent	249	532D	06/1923

**Total: 18824 fts, 3.57 Miles**

### City Park (52)

1510- 1528 Kew Garden	Dead End			196	573J	05/2004
1534- 1550 Kew Garden	Dead End			196	573J	05/2004
11717- 11707 Chanteloup	Dead End			132	573J	05/2004
11706- 1502 Chanteloup	Dead End			81	573J	05/2004
11723- 11733 Chanteloup	Dead End			125	573J	05/2004
1503-11720 Chanteloup	Dead End			413	573J	05/2004
11739- 11807 Chanteloup	Dead End			128	573N	05/2004
11802-11820 Chanteloup	Dead End			187	573N	05/2004
11813- 11825 Chanteloup	Dead End			171	573N	05/2004
11836- 11840 Chanteloup	Dead End			147	573N	05/2004
11831- 11839 Chanteloup	Dead End			124	573N	05/2004
11902- 11917 Chanteloup	Dead End			162	573N	05/2004
11903- 11913 Chanteloup	Dead End			124	573N	05/2004
11915- 11925 Chanteloup	Dead End			125	573N	05/2004
11918- 11932 Chanteloup	Dead End			162	573N	05/2004
11927- 11937 Chanteloup	Dead End			124	573N	05/2004
11934- 11948 Chanteloup	Dead End			172	573N	05/2004
11939- 11949 Chanteloup	Dead End			124	573N	05/2004
11950- 11964 Chanteloup	Dead End			152	573N	05/2004
11951- 11957 Chanteloup	Dead End			124	573N	05/2004
1503- 1525 Nichole Woods	Dead End			235	573N	05/2004
1549- 1527 Nichole Woods	Dead End			230	573N	05/2004
1573- 1551 Nichole Woods	Dead End			227	573N	05/2004
11921-1502 Sanspereil	Dead End			182	573N	05/2004
11915- 11930 Princess Garden	Dead End			125	573N	05/2004
1610- 11916 Palcio Real	Dead End			136	572R	05/2004
1615- 1637 Nichole Woods	Dead End			227	572R	05/2004
1661-1639 Nichole Woods	Dead End			230	572R	05/2004
1663- 1685 Nichole Woods	Dead End			230	572R	05/2004
1687- 1707 Nichole Woods	Dead End			230	572R	05/2004
11754- 11764 Jelicoe	Dead End			148	572R	05/2004

**Total: 5369 fts, 1.02 Miles**

**City wide total accepted alleys length: 5.6Miles.**

There are another 21 alleys which are currently being developed. This is in City Park Section 4 & 5. .  
Once the information become available this database will be updated.

\*Date Accepted came from the Plat.

**SUBJECT:** An ordinance authorizing the issuance of the City of Houston Taxable Pension Obligation Note, Series 2008; approving and delegating certain authority to the Mayor and the City Controller with regard to the Note; approving a note purchase agreement; approving a paying agent/registrar agreement; making other provisions regarding such note and matters incident thereto, making certain findings relating to the subject and matters incident thereto; and declaring an emergency.

**Category #**

**Page 1 of 1**

**Agenda Item #**

16

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

Finance Department and Office of the City Controller

**Origination Date:**

January 31, 2008

**Agenda Date**

FEB 06 2008

**DIRECTOR'S SIGNATURE:**

*Michael Shannon*

**Council District Affected:**

All

**For additional information contact:** Michael Shannon 713-221-0201  
Jim Moncur 713-247-2950

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

**RECOMMENDATION: (Summary)** Approve an ordinance authorizing issuance of the City of Houston, Texas Taxable Pension Obligation Note, Series 2008 in an amount not expected to exceed \$35.05 million; approving private placement of the short term note and the purchase agreement with JP Morgan Chase Bank, N.A.; approving a paying agent/registrar agreement; making other provisions regarding such note and matters incident thereto; making certain findings relating to the subject and matters incident thereto; and declaring an emergency.

**Amount of Funding:** Not Applicable

**F&A Budget:**

**Source of Funding:**  General Fund  Grant Fund  Enterprise Fund

Other (Specify

**SPECIFIC EXPLANATION:**

Through a Meet and Confer Agreement previously approved by City Council, the City has agreed with the Houston Police Officers Pension System (HPOPS) to partially fund the unfunded actuarial accrued liability (UAAL) with proceeds of taxable pension obligation bonds. Pursuant to this agreement, the City previously issued Taxable Pension Obligation Bonds for HPOPS of \$22.9 million in FY 2005, \$30 million in FY 2006 and \$30 million in FY 2007. In FY 2008, the City has agreed to provide funds to HPOPS through the issuance of pension obligations in the amount of \$35 million no later than February 19, 2008.

This Request for Council Action seeks approval to issue a short-term taxable general obligation note that will be purchased by JPMorgan Chase Bank, N.A. The term of this note will be for 1 year and 1 day, and the note will be at an anticipated rate of 3.35%. This note is callable by the City at anytime after 30 days without penalty and is expected to be outstanding for a short period of time, as discussed below.

The \$35 million short-term note will enable the City to deliver the required funding to HPOPS before the February 19th deadline. The City is also in the process of restructuring the \$300 million Collateralized Pension Obligation Note, which has been presented to Fiscal Affairs. This proposed restructuring will be presented to Council at a later date and is scheduled to be completed this Spring. The City plans to refund the \$35 million note as part of the restructuring of the \$300 million Collateralized Pension Obligation Note. In the interest of transactional efficiency, this enables the City to undertake only one public offering and eliminates the duplicate costs of two separate public offerings.

This transaction was presented to the Budget and Fiscal Affairs Committee on January 4, 2008 and was reported out favorably. Passage by Council on February 6th will provide sufficient time to work through the Attorney General approval process and meet the funding timeline of February 15th; a tag leading to later consideration by Council could jeopardize this timeline. Due to the time sensitive nature of the contractual requirement to make payment to HPOPS, we are recommending that Council approve this action.

The Finance Working Group recommends approval of this item.

cc: Arturo Michel, City Attorney  
Marty Stein, Agenda Director

**REQUIRED AUTHORIZATION**

**F&A Director:**

*Michelle Mitchell*

**Other Authorization:**

**Other Authorization:**

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:** Ordinance Authorizing Purchase of a Boiler & Machinery Insurance Policy

**Category #**

**Page 1 of 1**

**Agenda Item#** 17

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

**Origination Date**

January 28, 2008

**Agenda Date**

FEB 06 2008

**DIRECTOR'S SIGNATURE:**  


**Council Districts affected:**

All

**For additional information contact:** Tina A. Paquet  
Phone: 713-837-9856

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

Ordinance No: 2007-171; February 13, 2007

**RECOMMENDATION: (Summary)**

Approve an Ordinance authorizing purchase of Boiler & Machinery Insurance Policy from Zurich American Insurance Company.

**Amount of Funding:** \$59,893 Policy Premium  
\$ 3,000 Contingency Premium  
\$62,893 Total Proposed Premium

**Budget:**



**SOURCE OF FUNDING:**  General Fund  Grant Fund  Enterprise Fund  Other (Specify)  
Property / Casualty Fund: 1004

**SPECIFIC EXPLANATION:**

The Administration & Regulatory Affairs Department recommends that Council approve the Boiler & Machinery Insurance Policy proposed by Zurich American Insurance Company (Zurich). The recommended funding of \$62,893 includes premium of \$59,893 for a one-year policy term and \$3,000 as contingency premium for coverage of boiler locations added during the policy year. The term of this policy is from February 18, 2008 to February 18, 2009.

The City's Insurance Broker of Record, John L. Wortham & Son, L.P. (Wortham), agrees with acceptance of the per accident deductible of \$100,000 and 24-hour waiting period, indirect deductible for Business Interruption / Extra Expense. The City's insured property value for Boiler & Machinery Insurance coverage is \$3,730,884,749. The City's insured revenue stream (business interruption and loss of rental income for Houston Airport System, Convention & Entertainment Facilities and General Services) is \$379,323,236.

A request for Boiler & Machinery Insurance was advertised on November 30 and December 7, 2007. The City's Insurance Broker of Record, Wortham, solicited proposals from five insurance carriers that underwrite Boiler & Machinery Insurance, have the capacity to underwrite the City and provide boiler inspection services required by the Texas Department of Licensing and Regulation. Wortham received proposals from four insurance carriers: Zurich, Chubb Group of Insurance Companies, The Hartford Steam Boiler Inspection & Insurance Company and CNA Insurance. One additional insurance carrier, Travelers, submitted a proposal that did not satisfy the City's proposal requirements.

The terms of the proposed policy are consistent with the expiring policy and are as follows:

**Term:** February 18, 2008 to February 18, 2009  
**Insurance Carrier:** Zurich American Insurance Company  
**Premium Cost:** \$ 62,893 (\$59,893 Premium + \$3,000 Contingency Premium)  
**Loss Limit:** Property, \$ 50,000,000; Business Interruption, \$25,000,000/ Total: \$75,000,000  
**Per Accident Deductibles:** Direct, \$100,000; Indirect, 24-hours for Business Interruption  
**Insured Property Value:** \$ 3,730,884,749  
**Insured Revenue Stream:** \$ 379,323,236

**Finance Director:**

**Other Authorization:**

**Other Authorization:**

Date: January 28, 2008

Attachment

cc: Anthony Hall, Chief Administrative Officer  
Arturo Michel, City Attorney  
Marty Stein, Agenda Director  
Tina A. Paquet, Admin. & Reg. Affairs Dept.



# CITY OF HOUSTON

Administration & Regulatory Affairs  
Department

## Interoffice

Correspondence

**To:** Mayor Bill White and  
Members of City Council

**From:** Alfred J. Moran, Jr., Director  
Administration and Regulatory Affairs  
Department

Tina A. Paquet, Deputy Assistant Director  
Insurance Management Division  
Administration and Regulatory Affairs  
Department

**Date:** January 28, 2008

**Subject: Proposal for 2008 Boiler &  
Machinery Insurance**

### **Introduction**

The purpose of this memorandum is to recommend the purchase of the Boiler and Machinery Insurance Policy proposed by Zurich American Insurance Company (Zurich) for a premium of \$59,893. This recommendation includes an additional premium of \$3,000 for contingent coverage of boiler locations added during the policy term. The term of this policy is February 18, 2008 to February 18, 2009. Information regarding the renewal of insurance and details about the proposed insurance policy are also provided.

### **Background**

The City's Insurance Broker of Record, John L. Wortham and Son, L.P. (Wortham) is assigned the task of soliciting and recommending renewal of the City's Boiler and Machinery Insurance Program.

Boiler and Machinery Insurance is necessary because it affords coverage for perils that are excluded by property insurance. In addition to indemnification, the insurance carrier provides the boiler inspection services required to comply with State of Texas boiler regulations. There is a limited availability of insurance carriers who maintain an adequate staff of State certified inspectors to meet the City's boiler inspection needs. Policy specifications required the following: (1) coverage for property values of \$3.73 billion, and (2) business interruption, totaling \$379.3 million for the Houston Airport System, Convention and Entertainment Facilities, and General Services.

Wortham solicited proposals for the City's Boiler & Machinery Insurance from five insurance carriers with the capacity to insure the City and perform State boiler inspections. Proposals requested on November 30, 2007 and December 7, 2007 were due January 15, 2008. Proposals were received from four insurance carriers, Zurich American Insurance Company (Zurich), Chubb Group of Insurance Companies (Chubb), The Hartford Steam Boiler Inspection & Insurance Company (Hartford), and CNA Insurance (CNA). The fifth insurance carrier, Travelers, submitted an incomplete proposal that does not satisfy the City's proposal requirements.

**Coverage**

Zurich's proposal meets minimum specifications. It provides consistent policy terms, as well as, improved business interruption coverage as compared to the expiring policy. The proposed indirect deductible for business interruption is a 24-hour waiting period, a decrease from the expiring 48-hour waiting period. A \$100,000 direct policy deductible is also proposed. Zurich's proposal provides the broadest coverage for the lowest proposed cost.

The Chubb, Hartford and CNA proposals meet minimum specifications. Chubb proposed a premium that is \$43,890 higher than Zurich's proposal with a \$100,000 direct deductible, and 24-hour indirect deductible for business interruption. The Hartford and CNA proposals did not include 24-hour indirect deductibles for business interruption.

Hartford underwrites the expiring policy. Following is a comparison of the expiring policy and the proposed Zurich policy:

**Expiring Policy versus Proposed Policy**

<b>Specifications</b>	<b>Expiring Policy</b>	<b>Proposed Zurich Policy</b>
Total Loss Limit (Includes Property Damage)	\$70,000,000	\$75,000,000
Business Interruption Loss Limit	\$20,000,000	\$25,000,000
Direct Deductible	\$100,000	\$100,000
Indirect Deductible; Business Interruption	48-Hour Waiting Period	24-Hour Waiting Period
Total Insured Value	\$3,612,309,762.00	\$4,110,207,985
<b>Premium</b>	<b>\$82,724</b>	<b>\$59,893</b>

Zurich proposed policy rate of .00146 cents (per \$100 of insured property value) is a 36.4% decrease from the expiring policy rate of .00229 cents. The proposed premium is \$22,831 less than the cost of the expiring policy, despite a \$497.9 million increase in property value for the policy renewal term. Following are several reasons for the change in values:

- Newly added locations, new construction, additions and value adjustments (\$267.9 million)
- Appreciation of expiring property values for covered boiler locations (6%) to maintain replacement cost coverage (\$182.5 million)
- Increase in content values (\$31.8 million)
- Increase of Business Interruption (\$9.8 million)

**Tropical Storm Allison / Omnibus Locations**

Zurich proposed omnibus location coverage, which extends insurance to all City owned locations, with no sub-limit. This is extremely significant for the City's boiler and machinery loss exposures. For example, when Tropical Storm Allison occurred, the City obtained additional insurance payments of \$5.2 million for incurred repaired costs as a result of this coverage. This recovery represented the maximum benefit of coverage and would not have been paid if omnibus location coverage was limited or excluded from the policy.

**Summary**

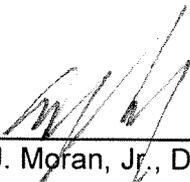
Zurich's proposal provides increased coverage at a decreased cost as compared to the expiring policy. The proposed premium is the lowest received for the recommended coverage option. In addition, Zurich agrees to meet the City's regulatory requirement for boiler inspections.

Wortham agrees with this evaluation. The Zurich proposal is within the FY 08 budget for insurance fees.

**Recommendation**

The Administration & Regulatory Affairs Department recommends that the City accept the proposed Boiler and Machinery Insurance policy proposed by Zurich American Insurance Company.

If you have any questions, please call Tina A. Paquet at (713) 837-9856.



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Alfred J. Moran, Jr., Director

AJM/TAP

cc: Anthony Hall, Chief Administrative Officer  
Arturo Michel, City Attorney  
Marty Stein, Agenda Director  
Tina A. Paquet, Admin. & Reg. Affairs

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

<b>SUBJECT: Ordinance Adopting an Annexation Plan for the City of Houston, 2008-2010</b>	<b>Category #</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b> <i>18</i>
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<b>FROM (Department or other point of origin):</b> Planning and Development Department	<b>Origination Date</b> December 31, 2007	<b>Agenda Date</b> FEB 06 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>M. Madene L. Sapwell</i>	<b>Council District affected:</b> ALL
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<b>For additional information contact:</b> Margaret Wallace Phone: 713-837-7826	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**

It is recommended that the City Council pass the ordinance adopting the Annexation Plan for the City of Houston for the years 2008 through 2010

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

Section 43.052 of the Texas Local Government Code requires that a municipality identify areas the municipality intends to annex during the following three years in an annexation plan. Through adoption of the Plan, the City makes public its intent regarding annexation of property within the next three years.

This proposed plan makes the following declarations:

- The City of Houston does not propose to annex any territory for general purposes except that it will consider the annexation of territory if requested by property owners.
- The City will continue to pursue SPAs with utility districts within the City's ETJ.

**REQUIRED AUTHORIZATION**

<b>F &amp; A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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# City of Houston Annexation Plan

## 2008 – 2010

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### Introduction

In the State of Texas, the Local Government Code defines a city's rights and responsibilities regarding properties within its boundaries and the area immediately surrounding its boundaries (called extraterritorial jurisdiction). This Code is where cities are given authority to change their boundaries either by annexation or disannexation.

Houston's extraterritorial jurisdiction (EJT) is essentially a five-mile band around the City's general-purpose boundaries, with the exception of instances when that band intersects another municipality or its ETJ. Within its ETJ, Houston has limited regulatory authority. Two notable examples are the imposition of Chapter 42 of the Code of Ordinances, a chapter relating to the development and subdivision of land, and the City's authority to consent to the creation and expansion of other governmental entities such as municipal utility districts (often referred to as MUDs).

Annexation is the other key authority a city has within its ETJ. Recent sessions of the Legislature have modified and expanded the manner in which Houston may annex property. The different types include:

**General Purpose annexation:** This type of annexation is the most commonly known. All of Houston's historically significant annexations have occurred in this manner. For general-purpose annexation, a city must meet a strenuous public notification requirement. Upon annexation, all affected property becomes part of the general-purpose boundaries and is effectively subject to all regulations, taxes and services provided by the City. Residents within this property are residents of the City of Houston and have all the rights and responsibilities afforded thereby. Property considered for general-purpose annexation must be included in a City's annexation plan at least three years prior to the annexation. One instance where the three-year requirement is waived is if the property owner requests annexation.

**Limited Purpose annexation:** This type of annexation, authorized in the 1999 Legislature, may be conducted as part of a Strategic Partnership Agreement (SPA) with a utility district. It carries less stringent public notice requirements. The annexation typically includes commercial property only. Property (ad valorem) taxes are not levied on properties included in this type of annexation, but the City may levy a sales tax on retail sales conducted in the area. Properties annexed as part of a SPA do not carry the three-year requirement.

The SPA identifies which regulations and services, if any, are imposed in the area annexed. It also identifies the amount of sales tax to be levied and how much, if any, will be shared with the district. Finally, the SPA identifies the length of the agreement and the City's options for when and if the City might make the property subject to general-purpose annexation.

### The Annexation Plan

For the years 2008–2010, the City of Houston does not propose to annex any territory for general purposes, except that it will consider the annexation of territory if requested by property owners. The City will continue to consider SPAs with utility districts within the City's ETJ.

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

<b>SUBJECT:</b> Ordinance designating the 1300 block of Marshall Street, north and south sides, between Yupon and Graustark Streets as a Special Minimum Lot Size Area	<b>Category #</b>	<b>Page 1 of _____</b>	<b>Agenda Item #</b> 19
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> 10/12/2007	<b>Agenda Date</b> FEB 06 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>MS</i> 	<b>Council District affected:</b> D
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<b>For additional information contact:</b> Kevin Calfee Phone: 713.837.7768	<b>Date and identification of prior authorizing Council action:</b> N/A
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**RECOMMENDATION:** (Summary) Approval of an ordinance designating the 1300 block of Marshall Street, north and south sides, between Yupon and Graustark Streets as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

<b>Amount and Source of Funding:</b>	<b>F &amp; A Budget:</b>
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**SPECIFIC EXPLANATION:** In accordance with Section 42-194 of the Code of Ordinances, the property owner of Lot 8, Block 74, of the Montrose Annex 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 60% of the area. Notification was mailed to the 8 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 6,545 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**

<b>F &amp; A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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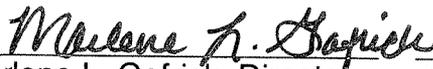
## Special Minimum Lot Size Area No. 266

### 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><b>The application is for the 1300 block of Marshall Street, north and south sides.</b></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><b>70% of the proposed application area is developed with not more than two SF residential units per property.</b></p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p><b>Petition signed by owners of 60% of the SMLSA.</b></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><b>A minimum lot size of 6,545 sq ft exists on six (6) lots in the blockface.</b></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 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><b>The subdivision was platted in 1913. The majority of the houses originate from the 1910's through the 1930's. The establishment of a 6,545 sf minimum lot size will preserve the lot size character of the area.</b></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><b>Six (6) out of eight (8) lots (representing 70% of the application area) are at least 6,545 square feet in size.</b></p>		

**The Special Minimum Lot Size Area meets the criteria.**


10/12/07  
 Marlene L. Gafrick, Director      Date

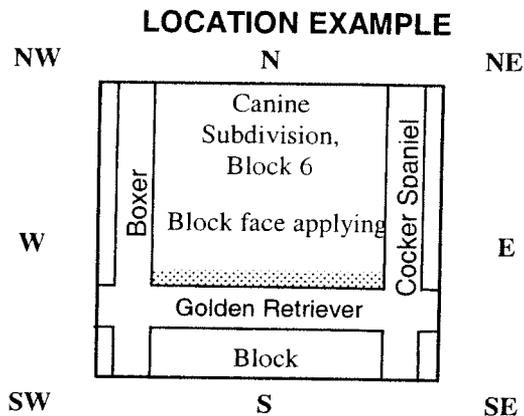
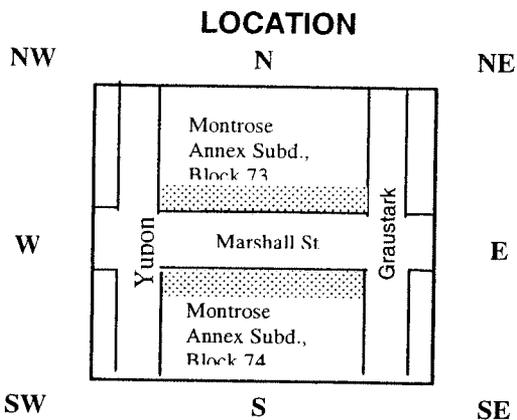
RECEIVED

**SPECIAL MINIMUM LOT SIZE APPLICATION**

JUL 11 2007

To expedite this application, please complete entire application form.

**PLANNING SERVICES**



**1. BOUNDARY:**

Block #s 73, 74  
 Lot #'s Lts 6-9 of Blk 74 and Trs 4A, 5A, 3, 4, 5 & 12A, 9B, 10A, 11A & 12, 10 & 11 of Blk 73  
 Subdivision Name Montrose Annex  
 Street Name & Side (s) South and North sides of Marshall St  
 Lot (s) Address 1300 Block Marshall St  
 Odd/Even Addresses Odd & Even Addresses

**BOUNDARY EXAMPLE:**

Block 6  
 Lots 1-5  
 Subdivision 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 Clifford Pugh Phone # 713-520-5206  
 Address 1307 Marshall E-mail [REDACTED] Fax # \_\_\_\_\_  
 City Houston State TX Zip 77006  
 Other Address \_\_\_\_\_ Phone # \_\_\_\_\_  
 City \_\_\_\_\_ E-mail \_\_\_\_\_ Fax # \_\_\_\_\_  
 State \_\_\_\_\_ Zip \_\_\_\_\_

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

File # MLS 266  
 Lambert # 5356 Census Tract 4107  
 Key Map # 4935 City Council District D  
 Super Neighborhood 24

## PETITION

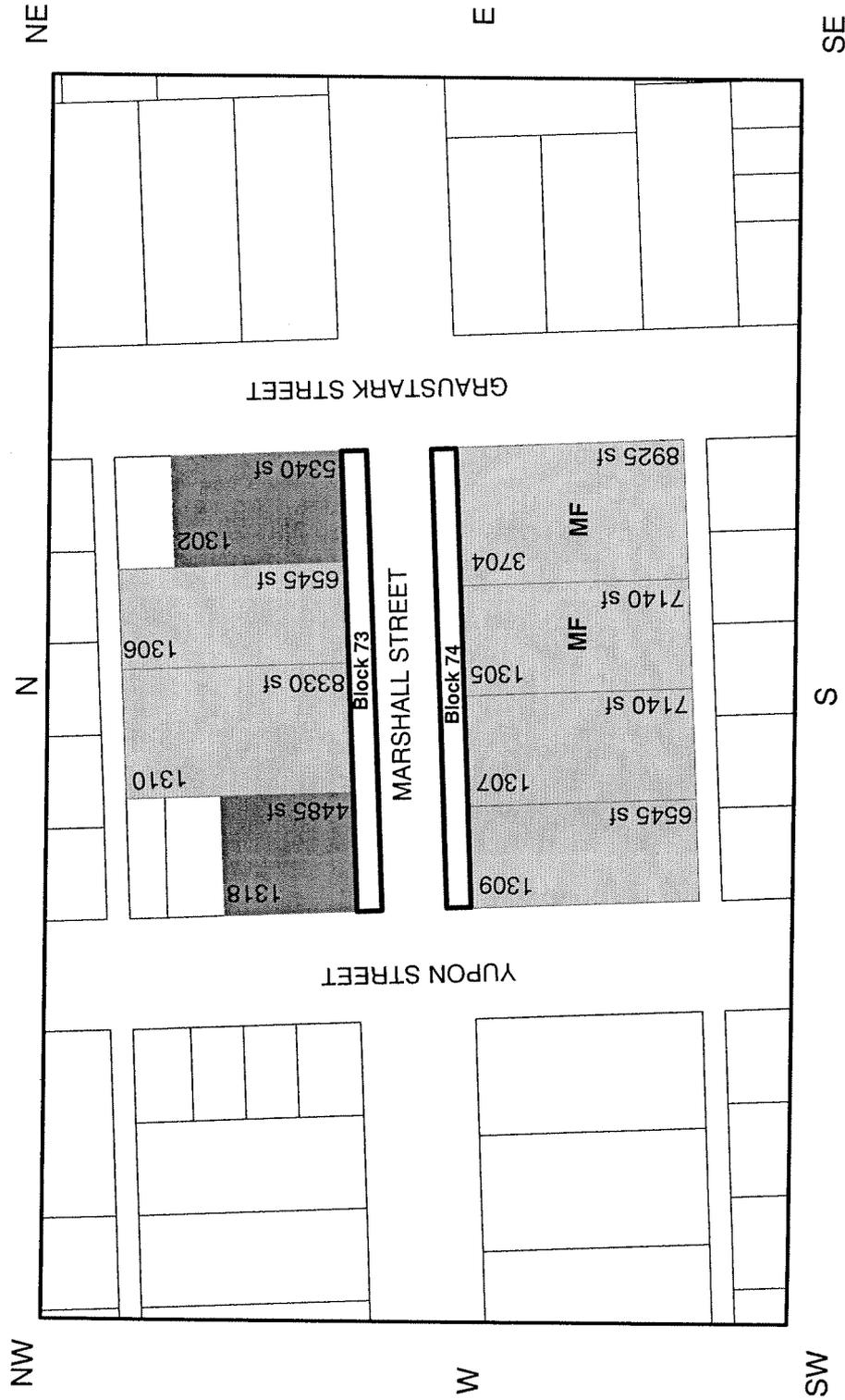
April 11, 2007

I, Clifford Pugh, owner of property within the proposed boundaries of the Special Minimum Lot Size Requirement Area, specifically, **Lot 8 of Montrose Annex**, 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 74, Lots 6-9 & Block 73, Tracts 4A, 5A, 3,4,5,12A, 9B,10A,11A,12,10 and 11 of Montrose Annex** through the application of and creation of a Special Minimum Lot Size Requirement Area.



Clifford Pugh  
Petitioner

**MONTROSE ANNEX**



**6,545 sf Special Minimum Lot Size**

**MAP/SKETCH**

**SMLSA No. 266**

- Properties that meet the 6,545 sf Special Minimum Lot Size
- Properties less than the 6,545 sf Special Minimum Lot Size
- MF** Multi Family
- COM** Commercial
- VAC** Vacant
- EXC** Excluded

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

<b>SUBJECT:</b> Ordinance designating the 2000 block of Arlington Street, east and west sides, between East 20 <sup>th</sup> and East 22 <sup>nd</sup> Streets as a Special Building Line Requirement Area	<b>Category #</b>	<b>Page 1 of</b> _____	<b>Agenda Item #</b> <b>20</b>
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> 10/19/2007	<b>Agenda Date</b> FEB 06 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>MS</i> <i>Marlene L. Gafrick</i>	<b>Council District affected:</b> H
--	--

<b>For additional information contact:</b> Matthew Dease Phone: 713.837.7815	<b>Date and identification of prior authorizing Council action:</b> N/A
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**RECOMMENDATION: (Summary) Approval of an ordinance designating the 2000 block of Arlington Street, east and west sides, between East 20<sup>th</sup> and East 22<sup>nd</sup> Streets as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing an 28' special building line.**

<b>Amount and Source of Funding:</b>	<b>F &amp; A Budget:</b>
--------------------------------------	--------------------------

**SPECIFIC EXPLANATION:** In accordance with Section 42-163 of the Code of Ordinances, the property owner of Lot 4, Block 69 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 82% of the area. Notification was mailed to the 20 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 28' 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

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

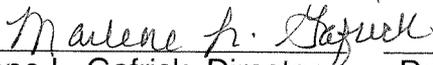
# Special Building Line Requirement Area No. 121

## Planning Director's Approval

Planning Director Evaluation:

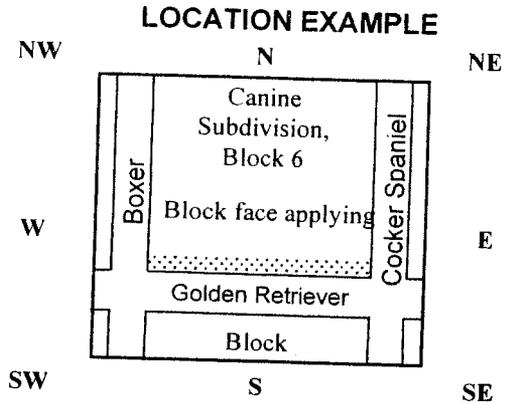
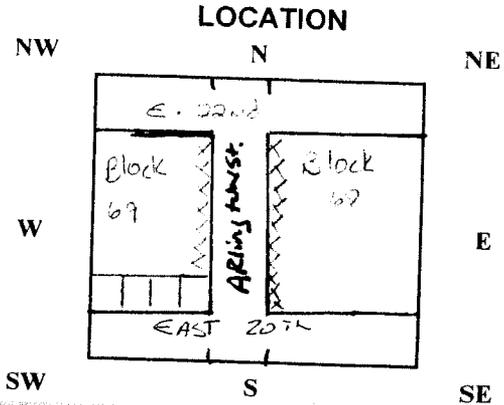
Satisfies	Does Not Satisfy	Criteria
X		<p><i>SBLRA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p><b>The application is for the 2000 block of Arlington Street, east and west sides.</b></p>
X		<p><i>More than 60% of the proposed SBLRA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p><b>96% of the proposed application area is developed with not more than two SF residential units per property.</b></p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p><b>Petition signed by owners of 82% of the SBLRA.</b></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><b>A minimum building line of 28 ft exists on fourteen (14) properties in the blockface.</b></p>
X		<p><i>The proposed SBLRA has a building line character that can be preserved by the establishment of a special 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 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><b>The subdivision was platted in 1892. The establishment of a 28 ft minimum building line will preserve the building line character of the area.</b></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><b>Fourteen (14) out of twenty (20) developed properties (representing 70% of the application area) have a building line of at least twenty-eight (28) feet.</b></p>		

**The Special Building Line Requirement Area meets the criteria.**


10/19/07  
 Marlene L. Gafrick, Director Date

SPECIAL MINIMUM BUILDING LINE APPLICATION

To expedite this application, please complete entire application form.



1. BOUNDARY:

Block #
Lot #'s
Subdivision Name
Street Name & Side (s)
Lot (s) Address
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 SHAWN FARIS
Address 2039 ARLINGTON ST
City HOUSTON, TX 77008
Phone # 713-868-1569
Other BRENDIA HORN
Address 2051 ARLINGTON
City HOUSTON, TX 77008
Phone # 713 868-1950

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

File # 121
Lambert # 5359
Key Map # 453S
Super Neighborhood 15
TIRZ
Census Tract 5115
City Council District 14

Replant Chestnut Street
4-27-07

July 20, 2007

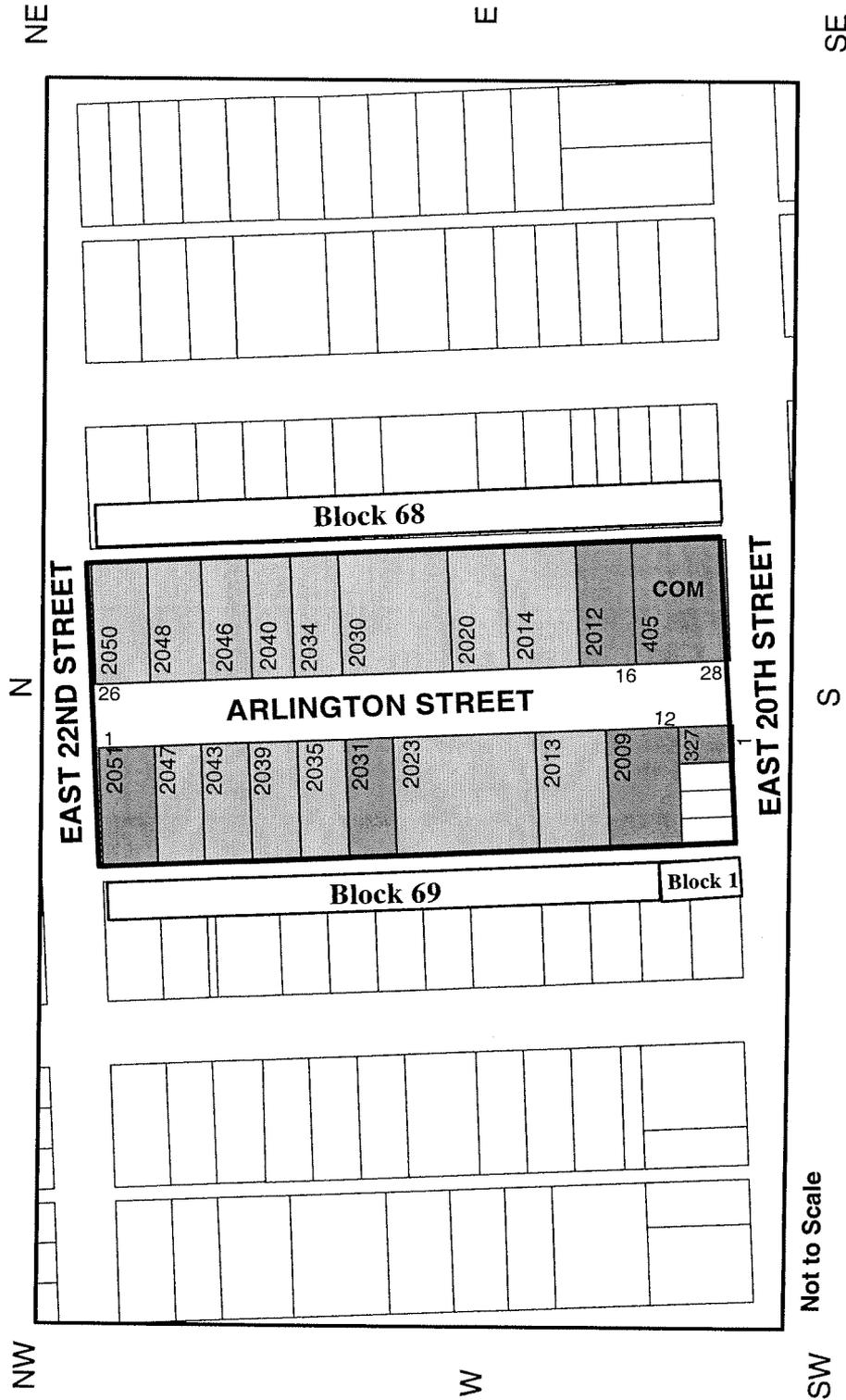
I, Shawn H. Faris, owner of property within the proposed boundaries of the Special Minimum Building Line Requirement Area, specifically, Block 69, Lot 4, of Houston Heights, do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sections 42-163. With this petition and other required information, I request to preserve the character of the existing building lines for Block 68, Lots: 16 & TR 15, 17 & TR 18A, 18 & TR 19A, 20, 21 & TR 19, 22, 23, 24, 25 & TR 26A, TR 26, 27, 28; Block 69, Lots: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 & TR 11A, 12 & TR 11; Block 1, Lot 1; in Houston Heights through the application of and creation of a Special Minimum Building Line Requirement Area.

Petitioner

SHAWN H. FARIS

A handwritten signature in black ink, appearing to read "Shawn H. Faris". The signature is written in a cursive style with a large, stylized initial 'S'.

# HOUSTON HEIGHTS



**Proposed Special Minimum Building Line Area**  
**28' Special Building Line Requirement Area**

**SMLRA No. 121**

-  Properties that meet the 28' Special Minimum Building Line
-  Properties less than the 28' Special Minimum Building Line
- Multi Family
- Commercial
- Vacant
- Excluded

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**Subject:** Approval of an ordinance to annex additional territory into Tax Increment Reinvestment Zone No. Sixteen (Uptown Zone) and an ordinance to approve a Second Amendment to the Zone Project and Financing Plan.

Category #

Page 1 of 2

Agenda Item

**21+21A**

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

Finance Department

**Origination Date:**

January 30, 2008

**Agenda Date**

FEB 06 2008

**DIRECTOR'S SIGNATURE:**

*Robert Fiederlein*

**Council District(s) affected:**

G

**For additional information contact:** Robert Fiederlein 713 . 437 . 6491

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

Ord. 99-709, 7/7/99; Ord. 99-758, 7/20/99, Res. 03-476, 5/21/03

**RECOMMENDATION: (Summary):**

Approval of an ordinance to annex additional territory into Tax Increment Reinvestment Zone No. Sixteen (Uptown Zone) and an ordinance to approve a Second Amendment to the Zone Project and Financing Plan.

**Amount of Funding:** None required

**F&A Budget:**

**Specific Explanation:**

City of Houston Tax Increment Reinvestment Zone #16 (Uptown Zone) was created by Ordinance 1999-709 on June 7, 1999. Subsequently, City Council approved a Project and Financing Plan (the "Plan") for the Zone (Ord. 1999-758, July 20, 1999) and created the Uptown Development Authority to help implement the Plan (Res. 1999-66, December 1, 1999). The Zone expires on December 31, 2029.

It is recommended that the Zone be enlarged by adding territory in the area generally bounded by Post Oak Lane, Tilbury, Uptown Park Boulevard and South Wynden (see Exhibits A and B of the attachment). This land shares several of the same characteristics with land in the original Zone in that there are mobility deficiencies – specifically a poor secondary street network – and underdeveloped land. Additionally, petitions have been received by a majority of the land owners requesting annexation by this petition-created Zone.

The proposed Second Amendment to the Zone Project and Financing Plan (the "Amended Plan") incorporates the territory recommended for annexation into the plan, provides for a major project to be accomplished in the annexed area and expands upon the projects to be accomplished by the Zone in the original territory of the Zone. The Amended Plan was approved by the board of directors of the Zone and the Uptown Development Authority on December 14, 2007, and in final form on January 29, 2008, and forwarded to the City for its consideration. The City held a hearing on the proposed Second Amendment on January 23, 2008.

The major project to be accomplished in the annexed area is the reconstruction of North and South Wynden and the construction of Huntley Street. The reconstruction of North and South Wynden will provide a two-lane roadway including sidewalks, landscaping, lighting, storm drainage and intermittent parking within the existing sixty (60) foot right-of-way. In addition, Huntley Street will be constructed as a single eastbound through lane connecting N/S Wynden to Uptown Park Boulevard. The project will improve local access and provide for an expanded secondary street network, reducing burdens on key intersections. It is anticipated that the project will initially be funded by the developer of the largest parcel to be annexed. The developer will be reimbursed 50% of the construction costs by the Zone from incremental tax revenues generated by the annexed territories. The duration of the City's

Finance Director:

Other Authorization:

*Robert Fiederlein*

Other Authorization:

*Tom M. ...*

January 30, 2008

**Subject:** Approval of an ordinance to annex additional territory into Tax Increment Reinvestment Zone No. Sixteen (Uptown Zone) and an ordinance to approve a Second Amendment to the Zone Project and Financing Plan.

Originator's  
initials: RF

Page 2 of 2

participation in the annexed territories of the Zone is limited to \$3,620,000, exclusive of the City's administration costs and affordable housing costs as defined in the Zone's and Authority's Tri-Party Agreement with the City. At that time, the City shall no longer participate in the annexed territories.

The Second Amendment also provides for parks and public space currently existing in the TIRZ boundaries to be purchased by Uptown TIRZ and maintained by the Uptown Management District.

Attachment

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

Deborah McAbee, Senior Assistant Attorney  
Arturo Michel, City Attorney

Reinvestment Zone Number Sixteen,  
City of Houston, Texas  
(Uptown Houston TIRZ)

**SECOND AMENDMENT:  
Project Plan  
And Reinvestment Zone  
Financing Plan**

Submitted by:  
Uptown Development Authority  
1980 Post Oak Boulevard  
Suite 1580  
Houston, Texas 77056  
(713) 621-2011

January 2008

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This is the Second Amendment to the Project and Financing Plan for Reinvestment Zone #16 and is supplemental to the existing Project and Financing Plan.

## OVERVIEW

Reinvestment Zone #16, City of Houston, Texas, also known as the Uptown TIRZ, was created by Ordinance No. 1999-709, dated July 7, 1999, and the City of Houston (the "City") approved the Project Plan and Reinvestment Zone Financing Plan (the "Plan") by Ordinance No. 1999-758, dated July 20, 1999.

### **First Amendment:**

Subsequently, by Ordinance No. 2003-476, dated May 21, 2003, the City approved the first Plan amendment, which added certain proposed improvements and estimated project costs to the Plan by inserting the following items into the Plan:

- 1) Page 24: Add the words "and related utilities" in order to clarify utility work that is performed in conjunction with street work and other mobility improvements, including tie-in work performed along IH Loop 610 West.
- 2) Page 26: Add the intersection of Post Oak Boulevard at the Westpark Tollway to the *Local Mobility Improvement Program* map. This project was not included in the original *Local Mobility Improvement Program* because the Westpark Tollway had not yet been formalized and the actual intersecting streets were unknown at the time the Plan was approved.
- 3) Page 26: Add the IH Loop 610 West right of way, which is inside of the Zone, to the *Local Mobility Improvement Program* map. This amendment allowed the Uptown Development Authority to work with the Texas Department of Transportation on storm sewer relief projects during the widening of the IH 610 West Loop.

### **Second Amendment:**

This Second Amendment, approved by the Uptown Development Authority (UDA) Board of Directors and the Uptown TIRZ Board of Directors, provides for the annexation of territory generally bounded by Post Oak Lane, Tilbury, Uptown Park Boulevard and South Wynden and more particularly shown on Exhibits A & B (the "Annexed Area"). The Annexed Area has several of the same characteristics as property in the existing Uptown TIRZ as detailed on pages 13-21 of the original Plan. Additionally, Owners of property constituting at least fifty percent (50%) of the appraised value of the property in the Annexed Area according to the most recent certified appraisal roll for Harris County executed and submitted to the City a petition requesting that the Annexed Area be included in the Uptown TIRZ. The Annexed Area includes North and South Wynden,

Huntley Street and adjacent properties to be redeveloped (refer to maps in Exhibits A & B). The present and existing uses of the Annexed Area are detailed in Exhibit C.

The major project to be accomplished in the Annexed Area is the reconstruction of North and South Wynden and the construction of Huntley Street (the “Wynden/Huntley Project”). This Second Amendment adds the Wynden/Huntley Project to the Plan’s list of proposed improvements and estimated project costs of the Local Mobility Improvement Program. The reconstruction of North and South Wynden will provide a two lane roadway including sidewalks, landscaping, lighting, storm drainage and intermittent parking within the existing sixty (60) feet right-of-way. In addition, Huntley Street will be constructed as a single eastbound through lane connecting N/S Wynden to Uptown Park Boulevard. The project will improve local access and construct internal grid streets, reducing burdens on key intersections. The Wynden/Huntley project is shown on the map in Exhibit B.

The Wynden/Huntley Project has an estimated total cost of \$5,500,000. It is expected that the developer will bear fifty percent of this cost as a non-project cost; thus the estimated project cost payable by the Uptown TIRZ is \$2,750,000 plus financing costs.

The Wynden/Huntley Project is planned to be a private/public partnership. The key points are as follows:

- The Developer will fund the total cost of the Wynden/Huntley Project;
- The Uptown TIRZ will reimburse the Developer for fifty-percent (50%) of the total cost of the Project plus interest from the Tax Increment generated in the Annexed Area; and
- The Uptown TIRZ and the UDA will manage the design and construction of the Wynden/Huntley Project.

This Second Amendment also provides for the acquisition and development of parks and public space (the “Park Project”) within the original Uptown TIRZ boundaries to be added to the Plan’s list of proposed improvements and estimated project costs of the Local Mobility Improvement Program. The proposed location of the Park Project is shown on the map in Exhibit A.

The Park Project will be a cooperative effort by several entities. The Uptown TIRZ will pay a maximum of \$2,500,000 or thirty percent (30%) of the cost of the Park Project, whichever is less. The remainder of the purchase price will be paid by other public and/or private entities and is a non-project cost.

One-third of the tax increments of the Uptown TIRZ, including tax increments generated in the Annexed Area, will be used to provide affordable housing as required by Chapter 311 of the Tax Code. As permitted by Chapter 311, Tax Code, the affordable housing improvements may be located inside or outside the Uptown TIRZ. Due to the inclusion

of the Annexed Area, this Second Amendment increases the total estimated affordable housing project costs by \$2 million.

A portion of the tax increments of the Uptown TIRZ, including tax increments generated in the Annexed Area, will be used to provide for the City's administration of the Uptown TIRZ, pursuant to the "Tri-Party Agreement" between the City, the Uptown TIRZ and the Uptown Development Authority. Due to the inclusion of the Annexed Area, this Second Amendment increases the total estimated administration costs by \$750,000.

Financial Plan / Economic Feasibility Study:

A review of forecast development in the Annexed Area found that, at build out, the private improvements will be valued at \$459,000,000. A conservative estimate of the value over the next five to ten years is placed at \$203,900,000. Refer to Exhibit E for more detailed information. The projected tax increment generated on this conservative estimate of value in the Annexed Area is sufficient to support the Wynden/Huntley Project.

Tax increment generated in the original area of the Uptown TIRZ is sufficient to support the Park Project.

**Other Project Plan Provisions:**

Reinvestment Zone Duration: When initially created by the City on July 7, 1999, the term of the Uptown TIRZ was established at 30 years. No change is proposed to the existing zone duration.

City Participation in the Annexed Area: The duration of the City's participation in the Annexed Area of the Uptown TIRZ shall be until the tax increment revenue deposited into the tax increment fund of the Uptown TIRZ by the City from the City's full tax rate levied against the captured appraised value in the Annexed Area and made available to the Local Mobility Improvement Program has equaled \$3,620,000, exclusive of City administration costs and affordable housing project costs as defined in the Uptown TIRZ's and UDA's Tri-Party Agreement with the City. At that time, the City shall no longer participate in the Annexed Area.

Estimated Bonded Indebtedness: The Plan estimates the use of \$205 million in bond proceeds for the Local Mobility Improvement Program. This Second Amendment increases this estimate of bonded indebtedness for the projects described herein by \$5 million.

Relocating Persons: No displacement or relocation of residents is anticipated based on the implementation of this Second Amendment.

Municipal Ordinances: No changes to City codes or ordinances are proposed in this Second Amendment to the Plan.

Sources of Revenue / Taxing Jurisdiction Participation: This Second Amendment assumes no participation in the Annexed Area by HISD and the City's participation in the Annexed Area is limited as previously described.

Timing of Project Costs and Monetary Obligations: The project costs of the Wynden/Huntley Project and the Park Project will be paid in conjunction with the payment of the other project costs described in the Plan, and bonds, notes or other obligations may be issued accordingly.

Methods of Financing: No changes to the methods of financing described in the Plan are made by this Second Amendment.

Current Total Appraised Value: The base year value for the Annexed Area is the certified appraised value as of January 1, 2008. A current estimate of the base year value is shown on the chart in Exhibit G.

Estimated Captured Appraised Value: An estimate of the captured appraised value of the Annexed Area during each year of the Uptown TIRZ's existence is shown on the chart in Exhibit G.

# Exhibit A

## City of Houston TIRZ #16 - Uptown Houston Current and Proposed Boundaries



### Legend

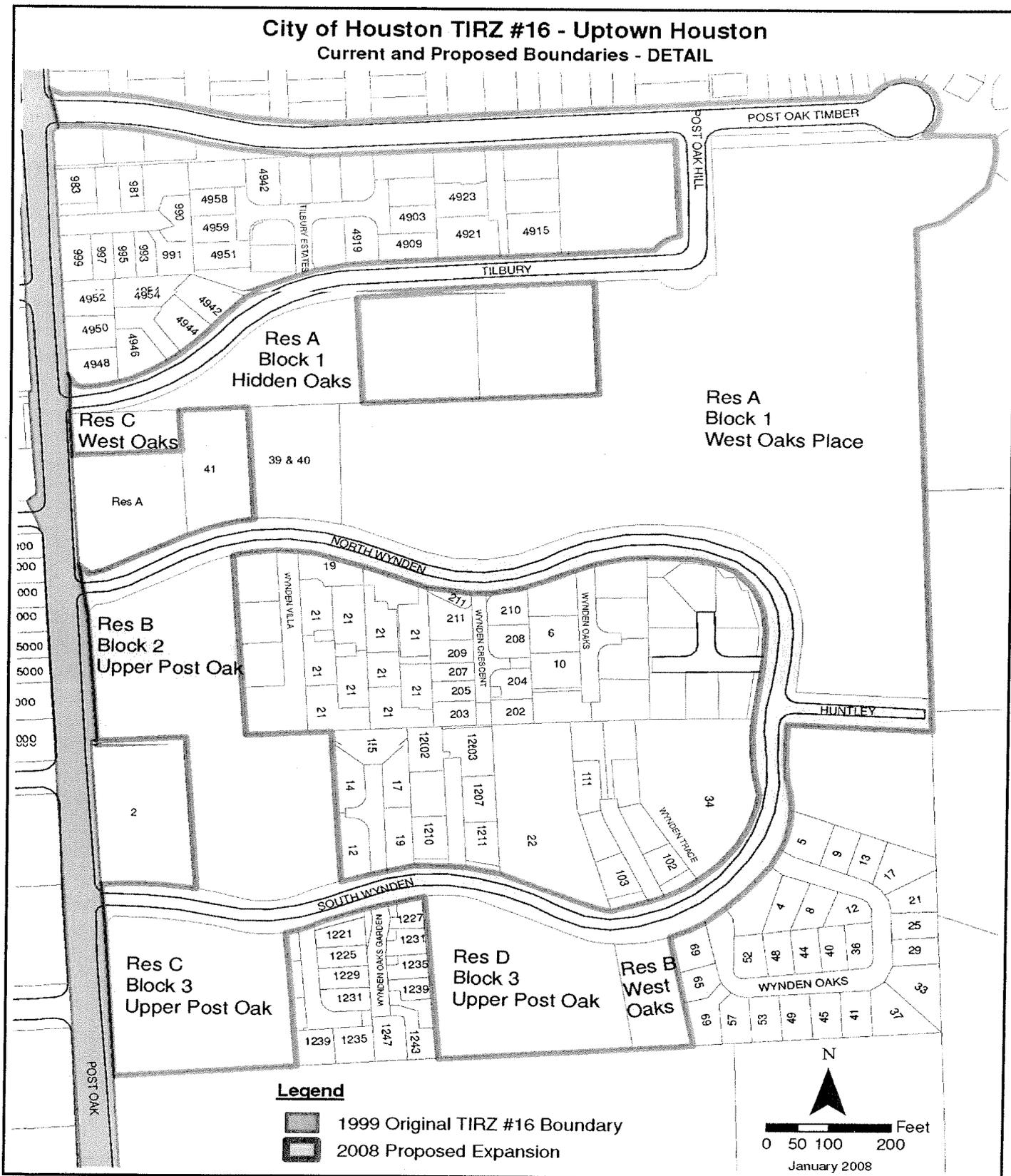
-  1999 Original TIRZ #16 Boundary
-  2008 Proposed Expansion
-  Proposed Park Project

0 500 1,000 2,000 Feet  
January 2008



# Exhibit B

## City of Houston TIRZ #16 - Uptown Houston Current and Proposed Boundaries - DETAIL



## Exhibit C Existing and Projected Uses In the Annexed Area

The tracts identified below correlate to the tracts shown on the map in Exhibit B and thus identify the existing and projected uses of the tracts on the map in Exhibit B.

<b>Tract Description</b>	<b>Existing Use<sup>1</sup></b>	<b>Projected Use</b>
Reserve A Block 1, Hidden Oaks	Residential	Residential
Reserve C, West Oaks	Residential	Residential
Tracts 39 & 40	Residential	Residential
Reserve A, Block 1, West Oaks Place	Residential	Residential / Office
Reserve B, Block 2, Upper Post Oak	Parking Lot/ Residential	Residential
Reserve C, Block 3 Upper Post Oak	Residential	Residential
Reserve D, Block 3 Upper Post Oak	Residential	Residential
Reserve B West Oaks	Cemetery	Cemetery

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<sup>1</sup> The tracts labeled "residential" are occupied by a house having fewer than five living units; however in one instance the house is used for commercial purposes as an office and in other instances the houses are vacant.

**Exhibit D  
Cost Estimate  
North / South Wynden and Huntley Construction**

<b>Infrastructure Costs: Roadway and Utility Costs</b>		
Huntley	\$2,883,277	
N/S Wynden	\$465,804	
Subtotal		\$3,349,081
<b>Landscaping Costs: Streetscape Schematic Design Costs</b>		
Huntley + N/S Wynden	\$1,234,072	
Subtotal		\$1,234,072
<b>Project Cost</b>		<b>\$4,583,154</b>
Contingency		\$916,846
<b>Total Estimated Project Cost</b>		<b>\$5,500,000</b>

## Exhibit E Development Forecast

Over the next ten years, developers have indicated that they intend to make significant investment in the Annexed Area. The projected value of the ultimate build-out scenario is \$459,000,000.

The table below describes a conservative development forecast based upon a portion of their development programs. **The total estimated additional valuation is \$203,900,000.**

Development	Description	Estimated Value	Estimated Opening Date
<b><i>Developer A</i></b>			
Phase 4	54,000 sf office, 4 floors	\$ 8,100,000	November 2009
Phase 1A	162 residential units, 28 floors	\$ 72,900,000	September 2011
Phase 1B	162 residential units, 28 floors	\$ 72,900,000	July 2014
<b><i>Developer B</i></b>			
Tract 27	100 residential units, 20 floors	\$ 50,000,000	December 2010

**Exhibit F**  
**Estimated City Tax Increment Participation**  
**In the Annexed Area**

As described in this Second Amendment, the City will participate in the Annexed Area of the Uptown TIRZ by contributing \$3,620,000 to the Uptown TIRZ Local Mobility Improvement Program. This is the estimated amount of funds necessary for the Wynden/Huntley Project based upon the following assumptions: (i) the Developer will pay the Total Costs of the Wynden/Huntley Project; (ii) the Uptown TIRZ will reimburse the Developer for fifty percent (50%) of the Total Cost of the Wynden/Huntley Project plus interest at the rate of 4.5% from the tax increment generated in the Annexed Area; (iii) interest will not be paid for a period of more than seven (7) years. Using these assumptions, in addition to assumptions about the rate and value of development in the Annexed Area, the City's participation would be complete in 2017. However, this is a projection only and the City's participation will continue until the contribution of \$3,620,000 is actually made. These assumptions and this projection do not limit the ability of the Uptown TIRZ to pay for or finance the Wynden/Huntley Project, but merely serve as a method for calculating the City's participation in the Annexed Area.

<b>Payment Date</b>	<b>Available TIRZ Increment<sup>2</sup></b>	<b>Total Payment (P&amp;I)</b>	<b>Outstanding Balance After Payment</b>
01-Jul-09	\$0	\$0	\$3,619,880
01-Jul-10	\$34,165	\$34,165	\$3,585,715
01-Jul-11	\$238,677	\$238,677	\$3,347,038
30-Jun-12	\$539,078	\$539,078	\$2,807,960
30-Jun-13	\$548,497	\$548,497	\$2,259,463
30-Jun-14	\$558,058	\$558,058	\$1,701,405
30-Jun-15	\$863,250	\$863,250	\$838,155
29-Jun-16	\$877,531	\$838,155	\$0
29-Jun-17	\$892,027	\$0	\$0
<b>Total</b>		<b>\$3,619,880</b>	

<sup>2</sup> "Available TIRZ Increment" is net of funds used for Affordable Housing Project Costs and City administrative costs, as described in this Second Amendment.

Exhibit G  
 Projected Captured Appraised Value and Tax Increment  
 In the Annexed Area

Year	Base Year Value	Current Year Appraised Value	Captured Appraised Value	Total City Tax Increment	City Administrative Costs	Affordable Housing Project Costs	Local Mobility Improvement Program
2008	\$21,924,075	\$21,924,075	\$ -	\$ -	\$ -	\$ -	\$ -
2009	\$21,924,075	\$30,352,936	\$8,428,861	\$53,945	\$2,697	\$17,082	\$34,165
2010	\$21,924,075	\$80,808,230	\$58,884,155	\$376,859	\$18,843	\$119,339	\$238,677
2011	\$21,924,075	\$154,920,354	\$132,996,279	\$851,176	\$42,559	\$269,539	\$539,078
2012	\$21,924,075	\$157,244,159	\$135,320,084	\$866,049	\$43,302	\$274,249	\$548,497
2013	\$21,924,075	\$159,602,821	\$137,678,746	\$881,144	\$44,057	\$279,029	\$558,058
2014	\$21,924,075	\$234,896,864	\$212,972,789	\$1,363,026	\$68,151	\$431,625	\$863,250
2015	\$21,924,075	\$238,420,317	\$216,496,242	\$1,385,576	\$69,279	\$438,766	\$877,531
2016	\$21,924,075	\$241,996,621	\$220,072,546	\$1,408,464	\$70,423	\$446,014	\$892,027
2017	\$21,924,075	\$245,626,571	\$223,702,496	\$1,431,696	\$71,585	\$453,370	\$906,741
2018	\$21,924,075	\$249,310,969	\$227,386,894	\$1,455,276	\$72,764	\$460,837	\$921,675

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

<b>SUBJECT:</b> An ordinance naming Bear Ram Road located on Alief ISD Elsik-Hastings Campus.	<b>Category #</b>	<b>Page 1 of</b>	<b>Agenda Item #</b> 22
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<b>FROM (Department or other point of origin):</b> Marlene L. Gafrick, Director Planning and Development Department	<b>Origination Date</b> 11/07/07	<b>Agenda Date</b> FEB 06 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>Marlene L. Gafrick</i>	<b>Council District affected:</b> F
---	--

<b>For additional information contact:</b> Jennifer Ostlind Phone: 7-7871	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** (Summary) Approval of an ordinance naming Bear Ram Road located on Alief ISD  
Elsik-Hastings Campus.

<b>Amount and Source of Funding:</b>	<b>F &amp; A Budget:</b>
--------------------------------------	--------------------------

**SPECIFIC EXPLANATION:**  
The Planning and Development Department received a request to officially name a private road Bear Ram Road located on Alief ISD Elsik-Hastings Campus. The proposed street name complies with the street naming standards. The Department has notified the affected property owners and public agencies and has received no objections.

MLG:JO:Et

Attachment: Name Change Request  
Petition  
Map

cc: Marty Stein, Agenda Director  
Anna Russell, City Secretary  
Michael Marcotte, Director, Public Works and Engineering  
Arturo Michael, City Attorney  
Bill Hlavacek, Public Works and Engineering

<b>F &amp; A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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July 31, 2007

Ms. Marlene L. Gafrick, Director  
City of Houston Planning and Development Department  
611 Walker, 6<sup>th</sup> Floor  
Houston, TX 77002

Re: Petition to establish an official name for private street  
located on Alief Independent School District  
Elsik – Hastings Campus

Dear Ms. Gafrick:

Alief Independent School District is the sole owner of property containing an existing private street known as “Bear-Ram Road”. This private street is located entirely on the Alief Elsik- Hastings Campus, which is bounded by Dairy Ashford, High Star and Cook Road. See attached highlighted key map page 528H. An official street name is required to secure a City of Houston address for 911 emergency services. Alief Independent School District desires to establish an official name for “Bear-Ram Road”. The City of Houston subdivision ordinance Article II sec. 41-35 provides a mechanism for naming existing private streets by City Council approval.

Alief Independent School District hereby petitions Houston City Council to officially adopt an ordinance establishing “Bear-Ram Road” as the official street name for the private street located on the Alief Elsik – Hastings Campus that runs from Cook Road to Dairy Ashford Road.

The following items in support of our petition are enclosed:

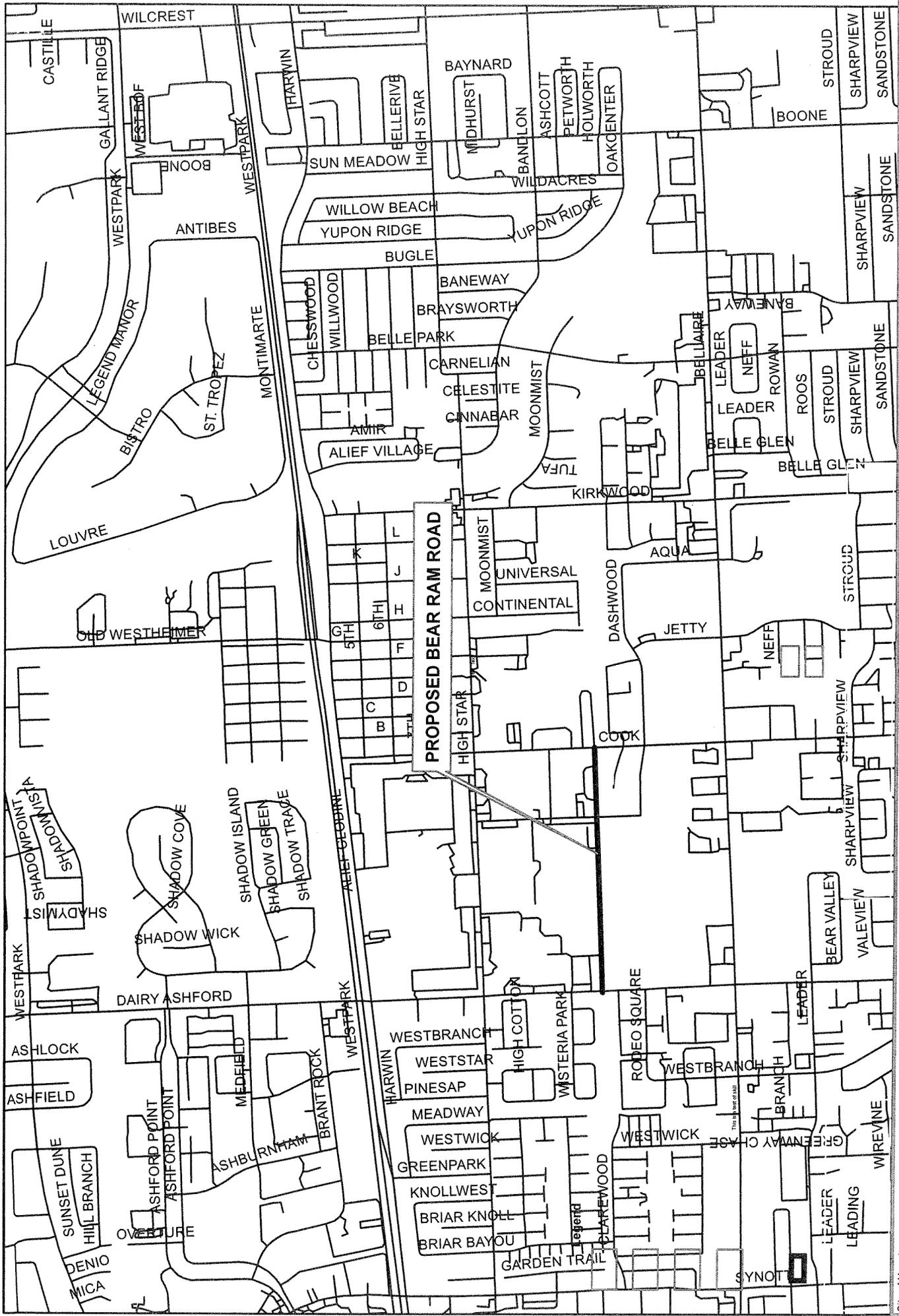
- A letter by a licensed attorney certifying that Alief Independent School District is in fact the current owner of 100% of the property adjacent to and having a legal interest in “Bear-Ram Road”.
- A written metes and bounds description of the property occupied by “Bear-Ram Road” prepared by West Belt Surveying, Inc.
- A boundary survey of the property occupied by “Bear-Ram Road” prepared by West Belt Surveying, Inc. in sufficient detail to accurately locate “Bear-Ram Road” on the ground.

Thank you in advance for your cooperation. If you have any question or require additional information, please contact Mr. Glenn McDowell, Brooks & Sparks, Inc. (281)578-9595 or [glennm@brooksandsparks.com](mailto:glennm@brooksandsparks.com).

Sincerely,

Mr. Patrick Dingrando, AIA  
Director of Construction and Facilities  
Alief Independent School District

Enclosures



**PROPOSED BEAR RAM ROAD**

**PROPOSED "BEAR RAM ROAD"**



City of Houston  
 Planning and Development Department  
 Project Tech Section  
 Map Date: September 2007

08-14

Houston Area CDC

<b>SUBJECT:</b> An ordinance approving and authorizing a \$50,000 contract between the City of Houston and Houston Area Community Development Corporation, using Federal HOME funds to pay for operating expenses associated with the development of a 149-unit single room occupancy (SRO) complex located at 2300 Sakowitz in Fifth Ward.	<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  23
	(SRO) complex located at 2300 Sakowitz in Fifth Ward.		

<b>FROM (Department or other point of origin):</b> Housing and Community Development Department	<b>Origination Date:</b> 01/09/08	<b>Agenda Date:</b> FEB 06 2008
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<b>DIRECTOR'S SIGNATURE:</b> Richard S. Celli 	<b>Council District affected:</b> "H" – Council Member Adrian Garcia
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<b>For additional information contact:</b> Donald Sampley, Asst. Director Phone: 713-868-8458	<b>Date and identification of prior authorizing Council action:</b> None
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**RECOMMENDATION: (Summary)**  
 The Department recommends approval of an ordinance authorizing a \$50,000 contract between the City of Houston and Houston Area Community Development Corporation, using Federal HOME funds to pay for operating expenses associated with the development of a 149-unit single room occupancy (SRO) complex located at 2300 Sakowitz in Fifth Ward.

<b>Amount of Funding:</b> \$50,000	<b>F&amp;A Budget:</b> 
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**SOURCE OF FUNDING**       General Fund       Grant Fund       Enterprise Fund

Other      HOME FUND      Grant Funds (5000)

**SPECIFIC EXPLANATION:**

Houston Area Community Development Corporation (Houston Area CDC) is a 501(c) 3 nonprofit corporation and has been recertified as a Community Housing Development Corporation (CHDO). The Department proposes entering into a \$50,000 contract with Houston Area CDC, using Federal HOME funds to pay for operating expenses associated with the development of a 149-unit single room occupancy (SRO) complex located at 2300 Sakowitz.

The Department of Housing and Urban Development (HUD) makes operating expenses available to CHDOs to ensure that they have sufficient funds to operate and assist with developing their project. The \$50,000 CHDO grant to Houston Area CDC is for one year.

HUD allows cities to provide operating expenses for the following: salaries, wages, benefits and other employee compensation; employee education, training and travel; rent and utilities; communication costs; taxes and insurance; equipment, materials and supplies. These funds must be used to provide support in developing the 149-unit single room occupancy (SRO) complex.

The Housing and Community Development Committee approved this item on December 11, 2007, and voted to recommend the proposed action to City Council.

The plan to give Houston Area CDC CHDO operating funds was published for 30 days in the local newspaper. There was no citizen or community opposition to the proposed funding.

The Department recommends approval of an ordinance approving and authorizing a \$50,000 contract between the City of Houston and Houston Area CDC for one year, using Federal HOME funds to pay for operating expenses associated with the development of a 149-unit single room occupancy (SRO) complex located at 2300 Sakowitz.

**REQUIRED AUTHORIZATION**

NDT

<b>F&amp;A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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**Date**  
01/09/08

**Subject:** An ordinance approving and authorizing a \$50,000 contract between the City of Houston and Houston Area Community Development Corporation, using Federal HOME funds to pay for operating expenses associated with the development of a ~~147~~ unit single room occupancy (SRO) complex located at 2300 Sakowitz in Fifth Ward.

**Originator's  
Initials**



**Page**  
2 of 2

**GRANT PROJECT NAME: Sakowitz Apartments**  
**Houston Area Community Development Corp**

**TOTAL GRANT: \$50,000**

<b>Activity</b>	<b>Total Budget</b>	<b>Total Other Sources (Matching)</b>	<b>Total Home Funds</b>
<b>Salaries</b>			
Executive Director Salary: \$58,000 – HOME Funds \$29,000			
Office Manager Salary: \$17,504 – HOME Funds \$8,752			
Program Manager: \$17,356 – HOME Funds \$8,678	<b>\$92,860</b>	<b>\$46,430</b>	<b>\$46,430</b>
<b>Payroll Taxes</b>	<b>\$7,140</b>	<b>\$3,570</b>	<b>\$3,570</b>
<b>TOTALS</b>	<b>\$100,000</b>	<b>\$50,000</b>	<b>\$50,000</b>

RSC:DHS:meb

<b>SUBJECT:</b> An ordinance approving and authorizing a \$100,000 contract between the City of Houston and Houston Area Community Development Corporation (Houston Area CDC) using Federal HOME funds to pay for predevelopment costs associated with the development of a 149-unit single room occupancy (SRO) complex to provide affordable housing.	<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  24
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<b>FROM (Department or other point of origin):</b> Housing and Community Development Department	<b>Origination Date:</b> 01/09/08	<b>Agenda Date:</b> FEB 06 2008
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<b>DIRECTOR'S SIGNATURE:</b> Richard S. Celli	<b>Council District affected:</b> "H" - Council Member Adrian Garcia
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<b>For additional information contact:</b> Donald Sampley, Asst. Director Phone: 713-868-8458	<b>Date and identification of prior authorizing Council action:</b> None
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**RECOMMENDATION: (Summary)**  
 The Department recommends approval of an ordinance authorizing a \$100,000 contract between the City of Houston and Houston Area Community Development Corporation (Houston Area CDC) using Federal HOME funds to pay for predevelopment costs associated with the development of a 149-unit single room occupancy (SRO) complex to provide affordable housing.

<b>Amount of Funding:</b> \$100,000	<b>F&amp;A Budget:</b> 
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**SOURCE OF FUNDING**       General Fund       Grant Fund       Enterprise Fund

Other      HOME FUND      Grant Funds (5000)

**SPECIFIC EXPLANATION:**  
 Houston Area Community Development Corporation (Houston Area CDC) is a 501(c) 3 nonprofit corporation. Houston Area CDC will submit a 9% tax credit application to the Texas Department of Housing and Community Affairs, to develop a 149-unit single room occupancy (SRO) complex located at 2300 Sakowitz in Fifth Ward. The complex is located on a 1.5 acre tract and will house low income adults who can live independently. The tax credit pre-application is due on January 07, 2008 and the application is due on February 29, 2008. Houston Area CDC is a Community Housing Development Organization (CHDO).

Houston Area CDC is in need of funds to pay for its predevelopment costs associated with this project. Pursuant to Federal HOME Regulations, CHDOs are eligible to receive funding for predevelopment costs. HUD makes available predevelopment costs to CHDOs to ensure that they have access to funds for upfront, eligible project expenditures. The HOME Program provides this opportunity as part of its commitment to affordable housing development. The City proposes to provide \$100,000 to Houston Area CDC for predevelopment costs.

Houston Area CDC's predevelopment costs are outlined in the attached budget. These funds will be issued in the form of a loan.

Pursuant to HUD HOME Regulations, predevelopment assistance may be provided to CHDOs only in the form of a loan. The loan may be structured as an amortizing or non-amortizing loan. A CHDO that receives project predevelopment assistance must repay the loan to the City from construction loan proceeds, other project income or it may be wrapped into the final HOME assistance package to the CHDO. Project predevelopment loans may not be used to pay CHDO staff or for other administrative costs. All costs must be related to the specific project that, if deemed feasible, would receive HOME funds for development. Project predevelopment loans may not exceed customary and reasonable project preparation costs.

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

<b>Date</b> 01/09/08	<b>Subject:</b> An ordinance approving and authorizing a \$100,000 contract between the City of Houston and Houston Area Community Development Corporation (Houston Area CDC) using Federal HOME funds to pay for predevelopment costs associated with the development of a 149-unit single room occupancy (SRO) complex to provide affordable housing.	<b>Originator's Initials</b> 	<b>Page</b> <u>2</u> of <u>2</u>
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If the Development is found to be feasible, then HCDD will recommend that City Council approve a contract between Houston Area CDC and the City to receive HOME funds to develop the 149-unit SRO complex. This approach allows HCDD to determine the feasibility of projects based on detailed cost estimates, plans and specifications, etc.

The project location is easily accessible to many amenities, such as: banks, hospitals, medical facilities, shopping centers and public transportation; and the proposed development is consistent with the City's Consolidated Plan to provide affordable housing for low-income residents.

The Housing and Community Development Committee approved this item on December 11, 2007, and voted to recommend the proposed action to City Council.

The plan to give Houston Area Community Development Corporation predevelopment funds was published for 30 days in the local newspaper. There was no citizen or community opposition to the proposed funding.

The Department recommends approval of an ordinance approving and authorizing a \$100,000 contract between the City of Houston and Houston Area CDC, using Federal HOME Funds to pay for predevelopment costs associated with the development of a 149-unit single room occupancy complex to provide affordable housing.

**Predevelopment Budget – Sakowitz Apartments**

Architectural	\$ 32,500
Legal	25,000
Market analysis	7,500
Survey	6,600
Environmental assessment	6,600
Noise assessment	6,000
Appraisal	4,500
Building permits + related costs	4,200
Tax credit application fee	4,050
Soils analysis	2,250
Signs/graphics	800
<b>TOTAL:</b>	<u>\$100,000</u>

RSC:DHS:meb

<b>SUBJECT:</b> Approve Real Estate Marketing Agreement with CB Richard Ellis, Inc., for marketing services in connection with the sale of 151 acres of land located on State Highway 3 for the Public Utility Division of the Public Works and Engineering Department and the Houston Police Department.		<b>Page</b> 1 of 2	<b>Agenda Item</b>  25
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 1-31-08	<b>Agenda Date</b> FEB 06 2008
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. <i>[Signature]</i> 1/16/08	<b>Council District affected:</b> E
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<b>For additional information contact:</b> Jacquelyn L. Nisby 713-247-1814 <i>[Signature]</i>	<b>Date and identification of prior authorizing council action:</b> Motion No. 1207; Dated: December 5, 2007
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**RECOMMENDATION:** Approve and authorize a Real Estate Marketing Agreement with CB Richard Ellis, Inc., for marketing services in connection with the sale of 151 acres of land located on State Highway 3, south of Beltway 8 and adjacent to Ellington Field for the Public Utility Division of the Public Works and Engineering Department (141 acres) and the Houston Police Department (10 acres).

<b>Amount and Source Of Funding:</b> NA	<b>F&amp;A Budget:</b>
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**SPECIFIC EXPLANATION:** The General Services Department (GSD) recommends that City Council approve and authorize a Real Estate Marketing Agreement with CB Richard Ellis, Inc., for marketing services in connection with the sale of 151 acres of commercial land located on State Highway 3, south of Beltway 8 and adjacent to Ellington Field, for the Public Utility Division of the Public Works and Engineering Department (141 acres) and the Houston Police Department (10 acres). On December 5, 2007, City Council declared the property surplus.

On March 30, 2007, GSD solicited Requests for Proposals from the following 15 real estate brokerage firms: Betz Commercial Brokerage; Boyd Commercial, LLC; CB Richard Ellis, Inc.; Colliers International; Concordis Ryland; Cushman & Wakefield of Texas, Inc.; Customized Real Estate Services; Grubb & Ellis Company; The Guess Group, Inc.; McDade, Smith, Gould, Johnston, Mason, & Company; NAI Houston; New Quest Properties; Staubach Company; Studley, Inc.; and Wulfe & Co. The proposals were due on April 13, 2007, and the following eight firms responded: CB Richard Ellis, Inc., Colliers International, Cushman Wakefield of Texas, Grubb & Ellis Company, McDade, Smith, Gould, Johnston, Mason & Company, Inc., New Quest Properties, and The Staubach Company.

The proposals were evaluated based on the following criteria:

- 1) Level of experience in selling "raw" land – list of properties sold
- 2) Valuation of subject property based on sales comparables and experience
- 3) Ideas on land use and prospective buyers
- 4) Solutions to problems with subject property including access, drill sites, and easements
- 5) Marketing plan and fees

GSD short-listed and interviewed five firms. CB Richard Ellis, Inc., received the most points based on the selection criteria.

**REQUIRED AUTHORIZATION** CUIC ID# 25 FA 11

<b>General Services Department:</b>  <i>[Signature]</i> Forest R. Christy, Jr., Director Real Estate Division	<b>Public Works and Engineering Department:</b>  <i>[Signature]</i> 1-31-08 Michael S. Marcotte, P.E., DEE, Director	<b>Houston Police Department:</b> <i>[Signature]</i> NDT Harold L. Hurtt Chief
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<b>Date:</b>	<b>SUBJECT:</b> Approve Real Estate Marketing Agreement with CB Richard Ellis, Inc., for marketing services in connection with the sale of 151 acres of land located on State Highway 3 for the Public Utility Division of the Public Works and Engineering Department and the Houston Police Department.	<b>Originator's Initials</b> FA	<b>Page</b> 2 of 2
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**SCOPE OF CONTRACT AND FEE:** The proposed Agreement will commence on the date of countersignature by the City Controller and terminate at the earlier of (a) 11:59 p.m. on the 365<sup>th</sup> day, or (b) upon the closing and funding of the City's sale of the Property. Under the terms of the Agreement, CB Richard Ellis, Inc. will perform the following tasks:

1. Assist in solving problems that exist with this property including: access, drill sites, and easements.
2. Gather relevant information and develop marketing material.
3. List or advertise the Property in appropriate publications, web sites, etc.
4. Install agreed-upon signage on the Property.
5. Identify and target qualified prospects.
6. Respond to information requests concerning the Property.
7. Assist with the City's bid sale process.
8. Provide periodic progress reports to the City.

The City will pay a one-time fee of 3% of the sales price to CB Richard Ellis, Inc., with an additional 1.0% to be paid to the buyer's broker if the buyer is represented by another broker.

The sale of the property will be conducted in accordance with all applicable state and city laws and will require final approval by City Council.

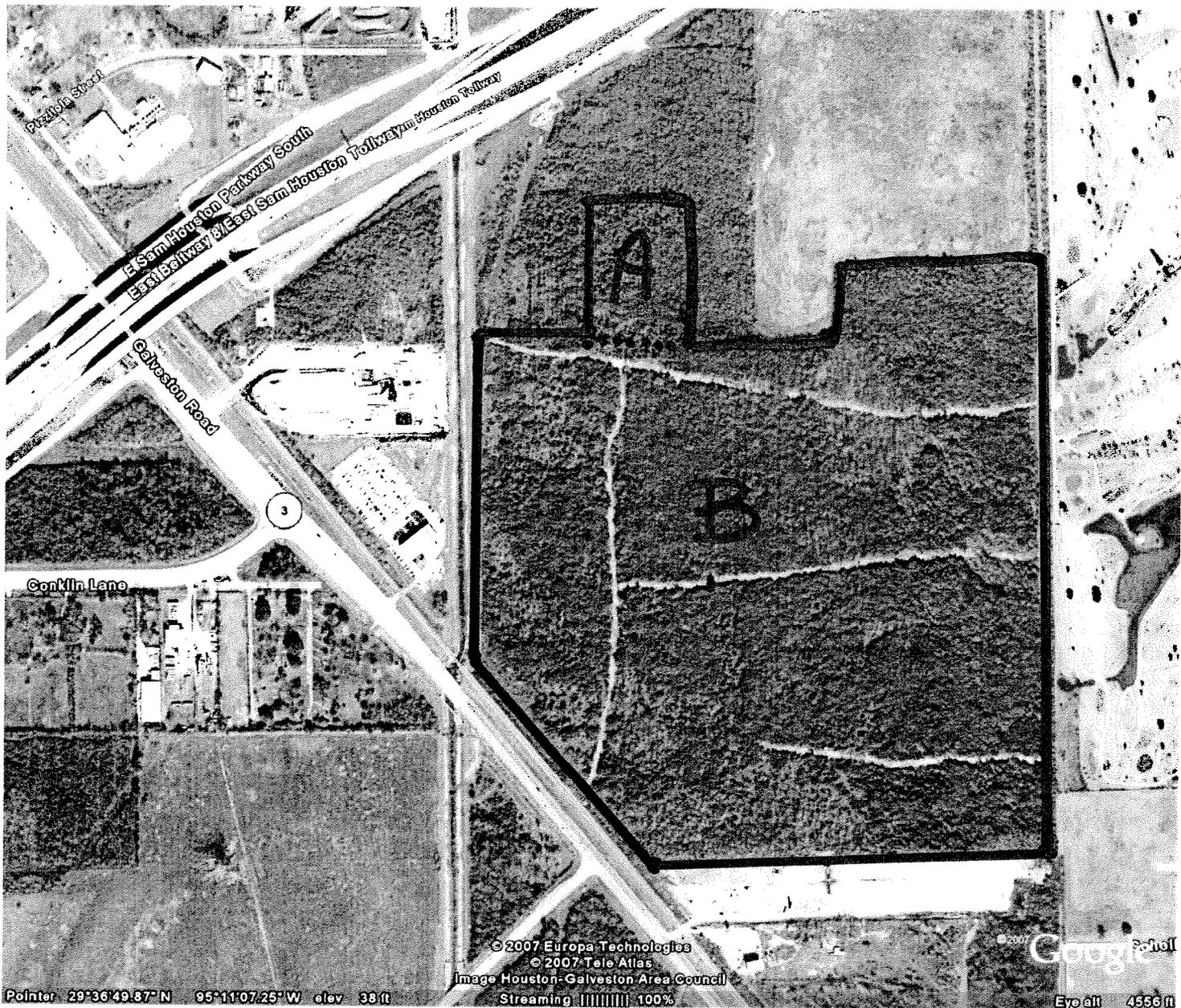
**M/WDBE INFORMATION:** An M/WBE goal of 16% has been established for this contract. Affirmative Action has reviewed the process and approved the goal as described in the attached correspondence. CB Richard Ellis, Inc. has submitted the following certified firm to achieve the goal:

<u>FIRM</u>	<u>WORK</u>	<u>% OF CONTRACT</u>
The Guess Group, Inc.	Client Relations, Marketing	0.5%

Please note, this 0.5% commission represents 16% of the total fee.

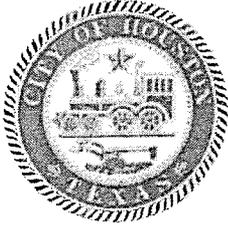
IZD:BC:JLN:FA:fa

c: Marty Stein, Jacquelyn L. Nisby, Anna Russell, Andy Icken, Nancy P. Collins, Sgt. Stephen Hanner



A: 10 acres - HPD

B: 141 acres - PWE



# CITY OF HOUSTON

General Services Department

## Interoffice

Correspondence

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

**From:** Forest R. Christy, Jr.   
Director of Real Estate

**Date:** January 10, 2008

**CC:** Issa Dadoush, Director  
General Services Department

**Subject:** Real Estate Marketing Agreement

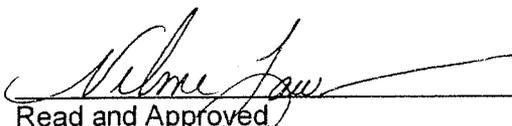
Frank J. Antene  
Real Estate Manager

GSD Real Estate is preparing an RCA requesting approval from City Council to approve and authorize a real estate marketing agreement for professional real estate services related to the disposition of surplus City property. The property is a 151-acre tract of land located off of State Highway 3, adjacent to Ellington Field. The Scope of Work involves:

- Assist in solving problems that exist with this property including: access, drill sites, and easements.
- Gather relevant information and develop marketing material
- List or advertise the Property in appropriate publications, web sites, etc
- Install agreed-upon signage on the Property
- Identify and target qualified prospects
- Respond to information requests concerning the Property
- Assist with the City's bid sale process
- Provide periodic progress reports to the City

In the event of the sale of the property, CB Richard Ellis will receive a one-time fee of 3% of the Sale price. CB Richard Ellis will also employ the services of John Guess, III of The Guess Group, Inc., a certified MWDBE firm. Mr. Guess will be working with CB Richard Ellis on client relations and assist in marketing of the property. In the event of the sale of the property The Guess Group will receive 0.5% of the fee paid to CB Richard Ellis. This represents 16% of the total commission. Therefore, we are requesting approval of a 16% MWDBE goal for this agreement.

If we may provide further information, please contact me at (713) 247-2629.



Read and Approved  
Velma Laws, Director  
Affirmative Action and Contract Compliance

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA# 7783

**Subject:** Approve an Ordinance Awarding a Contract for Onsite Water Treatment Sludge Dewatering, Hauling & Disposal Services for the Public Works & Engineering Dept. S29-L22377

Category #  
4

Page 1 of 1

Agenda Item

**26**

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

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

**Origination Date**

January 28, 2008

**Agenda Date**

FEB 06 2008

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
B, E

**For additional information contact:**

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

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to Merrell Bros., Inc. in an amount not to exceed \$3,852,811.00 for onsite water treatment sludge dewatering, hauling and disposal services for the Public Works & Engineering Department.

Maximum Contract Amount: \$3,852,811.00

**F & A Budget**

\$3,852,811.00 - Water & Sewer System Operating Fund (8300)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract to Merrell Bros., Inc. in an amount not to exceed \$3,852,811.00 for onsite water treatment sludge dewatering, hauling and disposal services for the Public Works & Engineering Department. The City Purchasing Agent may terminate this agreement at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all supervision, labor, parts, tools, materials, transportation, equipment, supplies and permits necessary to operate the onsite dewatering system, and to haul away and dispose of water treatment plant sludge at the City's Northeast Water Purification Plant. In addition, the contractor shall perform the onsite dewatering, sludge hauling, and disposal operations in compliance with all applicable statutes and regulations which shall include, but not be limited to, Federal, State, county and local regulations.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (2) of the Texas Local Government Code for exempted procurements.

The Public Works and Engineering Department is in the process of assuming operation of the NEWPP from a contract operator. The proposed vendor for water treatment sludge disposal currently performs these services for the Southeast Water Purification Plant. The Affirmative Action Division approved a 0% MWBE goal for that contract, due to a lack of MWBE sub-contracting capacity.

**Funding Information**

**Estimated Spending Authority**

Department	FY08	Out Years	Total
Public Works & Engineering	\$308,666.65	\$3,544,144.35	\$3,852,811.00

Buyer: Douglas Moore

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

MS

26

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 7756**

**Subject:** Formal Bids Received for Tree Planting Services for the Parks & Recreation Department  
S30-L22704

Category #  
4

Page 1 of 2

Agenda Item

**27**

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

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

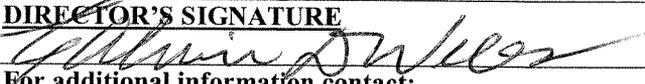
**Origination Date**

January 22, 2008

**Agenda Date**

FEB 06 2008

**DIRECTOR'S SIGNATURE**

*MS*  


**Council District(s) affected**  
All

**For additional information contact:**

Daniel Pederson Phone: (713) 845-1248  
Ray DuRousseau Phone: (713) 247-1735

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

Resolution 1990-0003; dated 01-17-1990

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to Statewide Tree Service, Inc. on its low bid in an amount not to exceed \$736,521.00 for tree planting services for the Parks & Recreation Department.

Maximum Contract Amount: \$736,521.00

**F & A Budget**

\$371,036.00 - Street & Bridge Consolidated Construction Fund (4506) Previously appropriated  
\$365,485.00 - Federal Government Grants Fund (5000)  
\$736,521.00 - Total

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a two-year contract to Statewide Tree Service, Inc. on its low bid in an amount not to exceed \$736,521.00 for tree planting services for the Parks & Recreation Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

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

	<u>Company</u>	<u>Total Amount</u>
1.	Statewide Tree Service, Inc.	\$ 736,521.00
2.	Roar LLD, d/b/a Texas Landscape Company	\$ 834,821.21
3.	Bio Landscape & Maintenance, Inc.	\$ 878,382.18
4.	Crownlandscaping LLC	\$1,953,796.30

The scope of work requires the contractor to provide all labor, supervision, materials, equipment, tools and transportation necessary to furnish, deliver and plant various species of trees, such as oaks, elms, cypress, magnolias, etc., at various locations within the City (see attached list). The contractor will also be required to maintain the trees after the initial planting for a 24-month period. Maintenance includes, but is not limited to, pruning, staking, bark mulching, repairing and replacing, as necessary, the protective collars. Additionally, the contractor will be required to rake around the trees and water them as needed to ensure healthy growth and survival.

On January 17, 1990, City Council passed Resolution #90-3 adopting a policy of landscaping on City of Houston roadways and facilities construction, as determined by the Directors of the Public Works & Engineering and Parks & Recreation Departments. Each year, the Parks & Recreation Department's Greenspace Division's Urban Forestry Section receives a list of locations from the Public Works &

**REQUIRED AUTHORIZATION**

*65CDW2841 MD*

F&A Director:

Other Authorization:

Other Authorization:

*DR*

Date: 1/22/2008	Subject: Formal Bids Received for Tree Planting Services for the Parks & Recreation Department S30-L22704	Originator's Initials RM	Page 2 of 2 7756
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Engineering Department for the number of trees to be competitively bid. The total number of trees is dependent upon different factors, such as location of underground utilities and linear length of roadwork, which qualified under Resolution #90-3. The policy directs that a maximum of one percent of construction costs be dedicated to landscaping and beautification on roadway and facility construction.

**M/WBE Subcontracting:**

This invitation to bid was issued with an 11% M/WBE participation level. Statewide Tree Service, Inc. has designated the below-named company as its certified M/WBE subcontractor.

<u>Name</u>	<u>Type of Work</u>	<u>Dollar Amount</u>
Land Pro, Inc.	Tree Planting	\$81,017.31

The Affirmative Action Division will monitor this award.

Buyer: Richard Morris

Attachment: List of Locations

## TREE PLANTING LOCATIONS

- Reed Road/Alameda-SH288
- Scott/Orem-Airport
- Ella/Pinemont-West Little York
- San Felipe/Yorktown -Chimney Rock
- Ley Road
- El Dorado/I45-Beamer
- Elysian Street Viaduct
- Thoroughfares WestPark Bridge
- Scott Street/South Acres-Orem
- Barker Cypress (N of Park Row to I-10
- Central/Lawndale
- W. Little York Bridge over Vogel Creek
- Park Row/S.H.6 – Eldridge
- Woodway Bridge over Buffalo Bayou/Archery Range
- Acres Homes - Area 1 - W. Montgomery/Granville-Wilberforce\
- Wheatley (Ella)/Granville-Wilberforce
- Acres Home - Area 3: Victory/Virgil W. to Carver
- W. Montgomery Victory-Esther
- Acres Homes - Area 4: 1/2 esplanade Victory at Sunnyhill
- Settegast - Area 2: N. Wayside/Sexton-Attwater
- Sunnyside - Area 1: Holmes Road/Canyon – Scott
- Scott/Holmes-Bellfort
- Bellfort/Canon-Scott
- Sunnyside-Area 2: Bellfort/Cullen-Scott
- Scott/Larkspur-Bellfort
- Sunnyside - Area 3: Reed Road/W of Kish-Rosehaven
- Trinity/Houston Gardens - Area 1: Crosstimebers/Lockwood-RRX
- Lockwood/Denmakr-RRX
- Lockwood/1 esplanade N. of Crosstimbers
- Homestead/N of RRX
- Fulton/Boundary-Morris
- Lockwood/S of Market-Clinton
- Hirsch (Waco)/N of Clinton to I10
- Gregg Street South of I-10

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA# 7726

Subject: Approve an Ordinance Awarding a Contract for Tire Retreading and Repair Services for the Solid Waste Management Department S39-L22721

Category #  
4

Page 1 of 1

Agenda Item

**28**

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

Calvin D. Wells  
City Purchasing Agent  
Finance and Administration Department

**Origination Date**

January 07, 2008

**Agenda Date**

FEB 06 2008

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

Dan Gutierrez Phone: (713) 837-9214  
Ray DuRousseau Phone: (713) 247-1735

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to Texas Correctional Industries Darrington Tire Retreading Facility for tire retreading and repair services in an amount not to exceed \$1,638,537.50 for the Solid Waste Management Department.

Maximum Contract Amount - \$1,638,537.50

**F & A Budget**

\$1,638,537.50 - General Fund (1000)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to extend, for a total five-year term, to Texas Correctional Industries Darrington Tire Retreading Facility in the amount of \$1,638,537.50 for tire retreading and repair services for the Solid Waste Management Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor. **Texas Correctional Industries' contract prices for these services are 23% lower than the current market price.**

The scope of work requires the contractor to provide all labor, materials, equipment, tools, supervision, training, and transportation necessary for tire retreading and repair services. Services include, but are not limited to, spot, reinforcement and section repairs; repairing nail holes and retreading tires used on garbage trucks and tractor trailers.

Texas Correctional Industries (TCI), a division of Texas Department of Criminal Justice, provides tire retreading and repair services in accordance with Texas Specification No. 060-75-1 and recommended standards set by the International Tire Retread Association (ITRA). Services are provided by TCI on a for-profit basis through a work program. Profits are used to pay for the salaries of instructors, purchase supplies and materials, purchase new equipment, reduce department costs, and pay for equipment maintenance. Work program participants are not paid to work on this contract.

Section 497.025 (c) of the Texas Government Code authorizes municipalities to contract directly with Texas Correctional Industries.

Buyer: Latrice Williams

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

*ms*

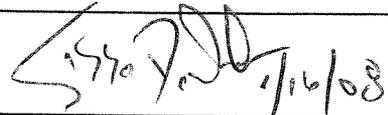
*2/10*

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Award Construction Manager at Risk Contract Gilbane Building Company Renovation to the Parks and Recreation Department Campus and Park WBS No. F-0504D1-0002-4	<b>Page</b> 1 of 2	<b>Agenda Item</b>  <div style="text-align: right; font-size: 2em;">29</div>
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 01-24-08	<b>Agenda Date</b> FEB 06 2008
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P. E. 	<b>Council Districts affected:</b> 1
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<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 713-247-1814	<b>Date and identification of prior authorizing Council action:</b> Motion No. 2007-0297; March 21, 2007
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**RECOMMENDATION:** Award Construction Manager at Risk contract and appropriate funds for the project.

<b>Amount and Source of Funding:</b> <b>\$170,000.00</b> Parks Consolidated Construction Fund (4502)	<b>F&amp;A Budget:</b> 
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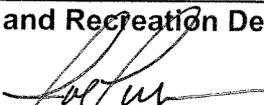
**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council award a Construction Manager at Risk Contract to Gilbane Building Company to provide pre-construction and construction phase services for the Renovation to the Parks and Recreation Department Campus and Park. The requested appropriation will fund pre-construction phase services. City Council will be requested to appropriate funds for construction phase services and approve the Guaranteed Maximum Price (GMP) under a separate RCA.

On March 21, 2007, City Council approved a Motion delegating authority to the director of the General Services Department (GSD) to determine which alternative project delivery method provides the best value for the City for the construction of Police, Fire, Parks, Solid Waste Management, Convention and Entertainment, Library, and Health Facilities. The director determined that the Construction Manager at Risk method provides the best value for the City for this project because the contractor's input during design will produce more accurate budget estimates and enhance the quality of design.

On October 26, 2007 and November 2, 2007, GSD advertised a Request for Qualifications containing selection criteria that ranked the respondents on experience, technical approach and quality assurance program. The Statements of Qualifications were due on November 15, 2007, and five firms responded. GSD evaluated the respondents and interviewed four of the firms. Gilbane Building Company received the most points and offers the best value for the City based on the advertised criteria.

**PROJECT LOCATION:** 2999 South Wayside Dr. (Key Map 534G)

**PROJECT DESCRIPTION:** The construction manager will provide pre-construction services during the design phase, which includes budgetary estimating, constructability reviews and material selection. The scope of work consists of renovations to the Gragg Building, renovations to the Wheeler Warehouse Building, and site work, which will include parking lots, associated sidewalks and improvement to the main drainage channel. The design of the Gragg Building and Wheeler Warehouse Building will incorporate LEED™ (Leadership in Energy & Environmental Design) credits to achieve a Certified Level.

<b>REQUIRED AUTHORIZATION</b>		CUIC ID # 25PARK18
<b>General Services Department:</b>  Phil Golembiewski, P.E. Chief of Design & Construction Division	<b>Parks and Recreation Department:</b>  Joe Turner Director	MDT

<b>Date</b>	<b>SUBJECT:</b> Award Construction Manager at Risk Contract Gilbane Building Company Renovation to the Parks and Recreation Department Campus and Park WBS No. F-0504D1-0002-4	<b>Originator's Initials</b> SNL	<b>Page</b> 2 of 2
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**AWARD:** It is recommended that City Council award a Construction Manager at Risk Contract to Gilbane Building Company and appropriate funds for pre-construction phase services.

**FUNDING SUMMARY:**

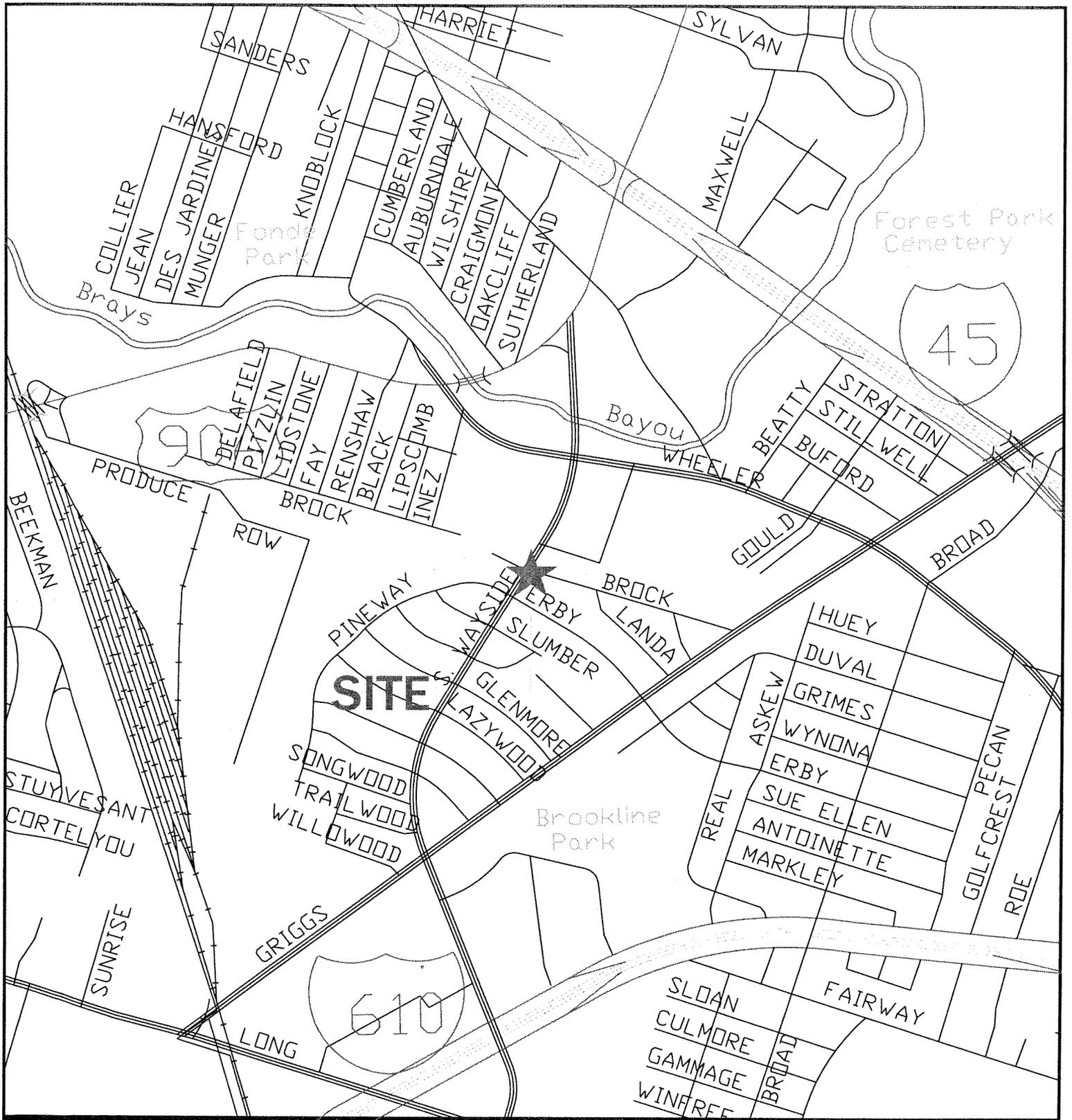
\$ 105,000.00	Pre-Construction
\$ 30,000.00	Pre-Construction Phase Additional Services and Reimbursable Expenses
<u>\$ 35,000.00</u>	* Termination Fee
<b>\$ 170,000.00</b>	<b>Total Contract Services</b>

\*The contract provides for a Termination Fee to be paid to the construction manager if the City elects not to proceed with construction.

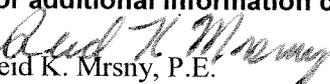
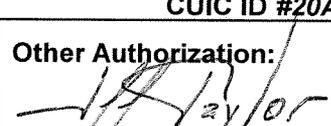
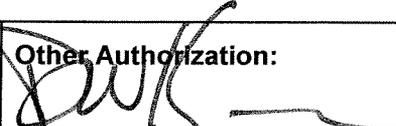
IZD:PJG:JLN:LJ:SNL:snl

Attachments

c: Marty Stein, Jacquelyn L. Nisby, James Tillman IV, Mark Ross, Velma Laws, Joseph Kurian, Dan Pederson, Lisa Johnson, File



PARD CAMPUS AND PARK  
 2999 SOUTH WAYSIDE DR.  
 HOUSTON, TX 77023

<b>SUBJECT:</b> Contract Award for Water Line Replacement in Briar Park & Gulf Meadows II. WBS No. S-000035-00L1-4		Page 1 of <u>2</u>	Agenda Item # <b>30</b>												
<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  1-31-08	<b>Agenda Date</b>													
<b>DIRECTOR'S SIGNATURE:</b>   Michael S. Marcotte, P.E., DEE, Director	<b>Council District affected:</b>  G and E. <span style="float: right;">AV</span>														
<b>For additional information contact:</b>   Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b>														
<b>RECOMMENDATION:</b> Accept low bid, award construction contract and appropriate funds.															
<b>Amount and Source of Funding:</b> \$2,081,000.00 Water and Sewer System Consolidated Construction Fund No. 8500 <span style="float: right;">Brette 01/08/08</span>															
<b>PROJECT NOTICE/JUSTIFICATION:</b> 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.															
<b>DESCRIPTION/SCOPE:</b> This project consists of approximately 1,986 linear feet of 12-inch, 23,819 linear feet of 8-inch, and 105 linear feet of 4-inch diameter water lines, valves, and appurtenances. The contract duration for this project is 240 calendar days. This project was designed by Kuo & Associates, Inc.															
<b>LOCATION:</b> The project area is generally bound by Burgoyne on the north, Westhollow Park on the south, Panagard on the east and Joel Wheaton on the west. Red Robin on the north, Fuqua on the south, Balantine Street on the east and Telephone on the west. The project is located in Key Map Grids 488T and 575N, P, S, T.															
<b>BIDS:</b> Bids were received on November 15, 2007. The five (5) bids are as follows: <table border="0" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;"><u>Bidder</u></th> <th style="text-align: right;"><u>Bid Amount</u></th> </tr> </thead> <tbody> <tr> <td>1. Collins Construction, LLC</td> <td style="text-align: right;">\$1,825,177.93</td> </tr> <tr> <td>2. D. L. Elliott Enterprises, Inc.</td> <td style="text-align: right;">\$2,221,694.90</td> </tr> <tr> <td>3. Metro City Construction, L.P.</td> <td style="text-align: right;">\$2,302,057.40</td> </tr> <tr> <td>4. ACM Contractors</td> <td style="text-align: right;">\$2,498,379.00</td> </tr> <tr> <td>5. C. E. Barker, LTD.</td> <td style="text-align: right;">\$2,795,609.00</td> </tr> </tbody> </table>				<u>Bidder</u>	<u>Bid Amount</u>	1. Collins Construction, LLC	\$1,825,177.93	2. D. L. Elliott Enterprises, Inc.	\$2,221,694.90	3. Metro City Construction, L.P.	\$2,302,057.40	4. ACM Contractors	\$2,498,379.00	5. C. E. Barker, LTD.	\$2,795,609.00
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4. ACM Contractors	\$2,498,379.00														
5. C. E. Barker, LTD.	\$2,795,609.00														
<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID #20AV29</b>													
<b>F&amp;A Budget:</b>  	<b>Other Authorization:</b>   Jeff Taylor, Deputy Director Public Utilities Division	<b>Other Authorization:</b>   Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division	NOT												

<b>Date</b>	<b>Subject:</b> Contract Award for Water Line Replacement in Briar Park & Gulf Meadows II. WBS No. S-000035-00L1-4	<b>Originator's Initials</b> 	<b>Page</b> <u>2</u> of <u>2</u>
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**AWARD:** It is recommended that this construction contract be awarded to Collins Construction, LLC with a low bid of \$1,825,177.93

**PROJECT COST:** The total cost of this project is \$2,081,000.00 to be appropriated as follows:

- Bid Amount \$1,825,177.93
- Contingencies \$91,258.90
- Engineering and Testing Services \$55,000.00
- Project Management \$109,563.17

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

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

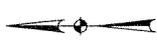
<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Briones Construction & Supply, Ltd.	Materials	\$127,763.00	7.00%
Fredith's Trucking	Hauling	\$127,763.00	7.00%
	<b>MBE Subtotal</b>	<b>\$255,526.00</b>	<b>14.00%</b>
Vikki's Service & Supply	Materials	\$73,006.58	4.00%
Vikki's Service & Supply	Service Taps	\$18,252.32	1.00%
	<b>WBE Subtotal</b>	<b>\$91,258.90</b>	<b>5.00%</b>
Mickie Service Company, Inc.	TS&V Installation	\$54,755.34	3.00%
	<b>SBE Subtotal</b>	<b>\$54,755.34</b>	<b>3.00%</b>
	<b>TOTAL</b>	<b>\$401,540.24</b>	<b>22.00%</b>

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

  
MSM:IGWK:RKM:HH:AV:itj/hat

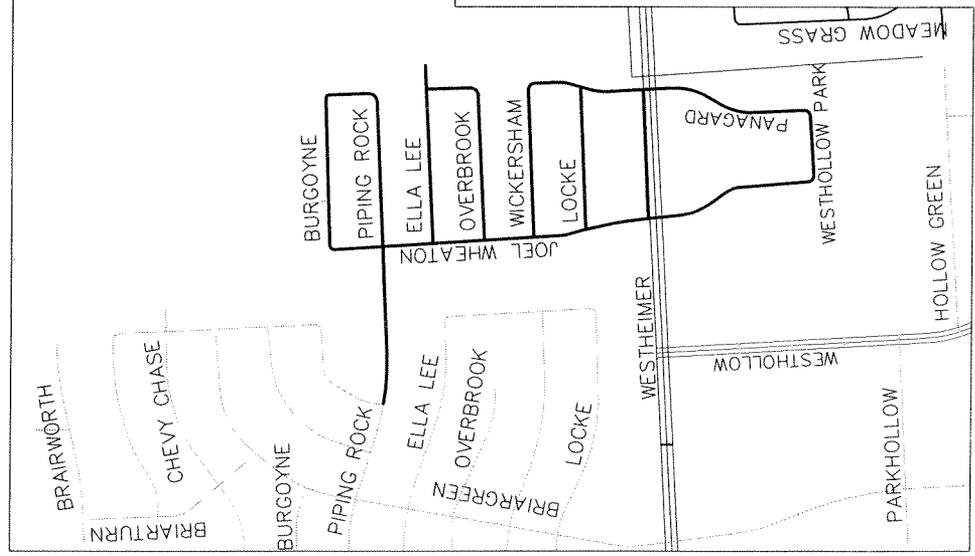
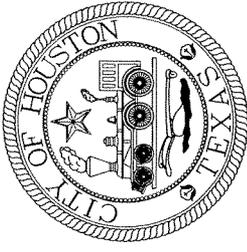
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- c:** Marty Stein  
Velma Laws  
Susan Bandy  
Michael Ho, P.E.  
Craig Foster  
File - S-000035-00L1-4 (3.7)

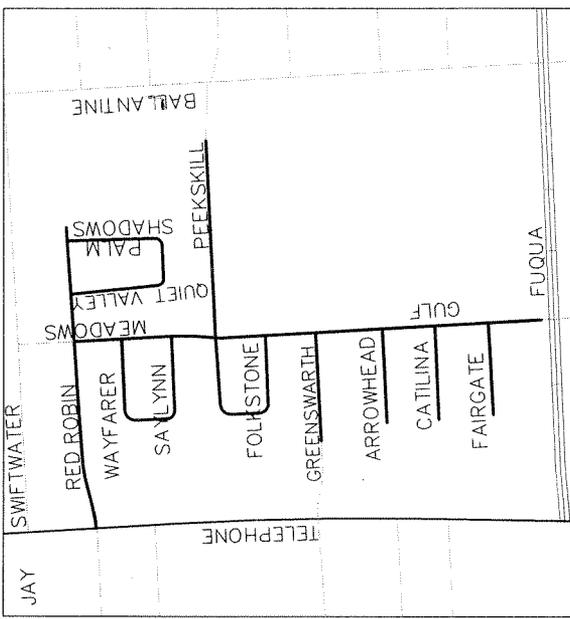


N.T.S.

**DEPARTMENT OF PUBLIC WORKS & ENGINEERING**  
**ENGINEERING AND CONSTRUCTION DIVISION**  
**WATER LINE REPLACEMENT IN BRIAR PARK & GULF MEADOWS II**  
**WBS NO. S-000035-00L1-4**



STREET NAME	FROM	TO	SIZE (inch)	LENGTH (feet)
PIPING ROCK	PANAGARD	BRIARSTEM	12	1750
WESTHEIMER	JOEL WHEATON	PANAGARD	12	700
BURGOYNE	PANAGARD	JOEL WHEATON	8	830
PANAGARD	BURGOYNE	PIPING ROCK	8	325
ELLA LEE	JOEL WHEATON	PANAGARD	8	860
ELLA LEE	PANAGARD	END	4	110
PANAGARD	ELLA LEE	OVERBROOK	8	250
OVERBROOK	PANAGARD	JOEL WHEATON	8	850
WICKERSHAM	PANAGARD	JOEL WHEATON	8	840
LOCKE	PANAGARD	JOEL WHEATON	8	775
PANAGARD	WICKERSHAM	WESTHOLLOW PARK	8	1560
WESTHOLLOW PARK	PANAGARD	JOEL WHEATON	8	450
JOEL WHEATON	BURGOYNE	WESTHOLLOW PARK	8	2700
<b>TOTAL</b>				<b>12,000</b>



STREET NAME	FROM	TO	SIZE (inch)	LENGTH (feet)
GULF MEADOWS	RED ROBIN	FUGUA	8	2650
FAIRGATE[LOOP]	GULF MEADOWS	END	8	1100
CATILINA[LOOP]	GULF MEADOWS	END	8	1100
ARROWHEAD[LOOP]	GULF MEADOWS	END	8	1100
GREENSWARTH	GULF MEADOWS	7734 GREENSWARTH	8	600
FOLKSTONE	GULF MEADOWS	7702 FOLKSTONE	8	600
PEEKSKILL	7703 PEEKSKILL	7903 PEEKSKILL	8	1250
SAYLYNN	GULF MEADOWS	7734 SAYLYNN	8	600
WAYFARER	GULF MEADOWS	7734 WAYFARER	8	600
QUIET VALLEY	RED ROBIN	10242 QUIET VALLEY	8	650
PALM SHADOWS	RED ROBIN	10239 PALM SHADOWS	8	650
RED ROBIN	TELEPHONE	7907 RED ROBIN	8	1800
<b>TOTAL</b>				<b>12,700</b>

KEY MAP NO. 575 N, P, S, & T.  
 GIM MAP #5651 A & C.  
 COUNCIL DISTRICT 'E'

**EXHIBIT - 3**

**Kuo & Associates, Inc.**  
 Consulting Engineers & Surveyors

**CITY OF HOUSTON**  
 DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
 WATER LINE REPLACEMENT IN BRIAR PARK & GULF MEADOWS II  
 WBS NO. S-000035-00L1-4

KEY MAP NO. 488 S & T  
 GIM MAP #4756 D  
 COUNCIL DISTRICT 'G'

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for Water Distribution System Rehabilitation and Renewal WBS No. S-000MAO-0003-4		<b>Category</b>	<b>Page</b> 1 of <u>2</u>	<b>Agenda Item</b> # <u>31</u>
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 1 - 31 - 08	<b>Agenda Date</b> FEB 06 2008	
<b>DIRECTOR'S SIGNATURE:</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE Director		<b>Council District affected:</b> All		
<b>For additional information contact:</b> Jeff Taylor Deputy Director <b>Phone:</b> (713) 837-0448		<b>Date and identification of prior authorizing Council action:</b>		
<b>RECOMMENDATION: (Summary)</b> Accept low bid, award construction Contract, and allocate funds.				
<b>Amount and Source of Funding:</b> \$ 518,327.30 Water and Sewer System Operating Fund No. 8300 (Allocating in FY08) \$1,527,800.20 Water and Sewer System Operating Fund No. 8300 (Allocating in FY09) \$2,046,127.50 Total			<b>F&amp;A Budget:</b>	
<b>SPECIFIC EXPLANATION:</b> This project provides for on-call waterline repairs.				
<b>DESCRIPTION/SCOPE:</b> Work shall include the repair of main water lines and service lines. The main lines range in diameter up to 16 inches and water service lines range in size from 3/4 -inch to 2 - inches in diameter. The Contract duration for this project is 365 calendar days. This is an on-call contract with projects assigned on an as-needed basis.				
<b>LOCATION:</b> The project area is generally bounded by the City Limits.				
<b>BIDS:</b> Two (2) bids were received for this project on 05/03/07 as follows:				
		<u>Bidder</u>	<u>Bid Amount</u>	
		1. D. L. Elliott Enterprises, Inc.	\$ 1,877,264.50	
		2. Metro City Construction, LP.	\$ 2,258,800.00	
<b>REQUIRED AUTHORIZATION</b> <span style="float: right;">CUIC ID # 20AJM186 <i>MD</i></span>				
<b>F&amp;A Director:</b>	<b>Other Authorization:</b> <i>Deanna Millege</i> 11/07/07		<b>Other Authorization:</b> <i>Jeff Taylor</i> Deputy Director, Public Works & Engineering	

<b>Date</b>	<b>Subject:</b> Contract Award for Water Distribution System Rehabilitation and Renewal WBS No. S-000MAO-0003-4	<b>Originator's Initials</b>	<b>Page <u>2</u> of <u>2</u></b>
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**AWARD:** It is recommended that this construction Contract be awarded to D. L. Elliott Enterprises, Inc. with a low bid of \$1,877,264.50.

**PROJECT COST:** The total cost of this project is \$2,046,127.50 to be allocated as follows:

	<u>FY08</u>	<u>FY09</u>
• Bid Amount	\$500,000.00	\$1,377,264.50
• Contingencies	-----	\$ 93,863.00
• Engineering Testing Services	<u>\$ 18,327.30</u>	<u>\$ 56,672.70</u>
	\$518,327.30	\$1,527,800.20

Terracon Testing Consultants, Inc. will provide Engineering Testing Services on a previously approved contract.

**M/WDBE PARTICIPATION:** The low bidder has submitted the following proposed MWBE/SBE participation plan to satisfy the fourteen percent (14%) MBE goal, five percent (5%) WBE goal, and a three percent (3%) SBE goal for this project:

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
S & F Contractors, LLC (MBE)	Water Main Repair	\$ 262,817.03	14.00 %
Municipal Marketing (WBE)	Pipe, Valves & Fitting	\$ 93,863.23	5.00 %
Ramon's Trucking (SBE)	Truck Hauling	\$ 56,317.94	3.00 %
	TOTAL	\$ 412,998.20	22.00 %

MSM:JT:AJM:JLS:RG:AM:am

cc: Marty Stein  
 John Sakolosky, P.E.  
 Velma Laws  
 Craig Foster  
 Waynette Chan  
 Gary Norman  
 Michael Ho, P.E.  
 Carol Ellinger, P.E.  
 File No. WA 10873-03

32

FEB 06 2008

MOTION NO. 2008 0089

MOTION by Council Member Khan that an item be placed on the Agenda of February 6, 2008, to receive nominations for Positions Five and Seven of the Ethics Committee, with two-year staggered terms.

Seconded by Council Member Garcia and carried.

Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Khan, Garcia, Rodriguez, Brown, Lovell, Green and Jones voting aye  
Nays none  
Council Members Sullivan, Holm and Noriega absent

PASSED AND ADOPTED this 30th day of January, 2008.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is February 5, 2008.

City Secretary



# CITY OF HOUSTON

Office of the Mayor

Interoffice

Correspondence

29  
~~JAN 30 2008~~

To: Anna Russell  
City Secretary

From: Christina J. Cabral

Date: January 25, 2008

Subject: **Ethics Committee  
Nominations**

*Cabral*

## NON-CONSENT AGENDA

### MISCELLANEOUS

Motion to set a date not less than seven (7) days from January 30, 2008, to receive nominations for appointments or reappointments for Positions Five and Seven with two-year staggered terms. Current members are:

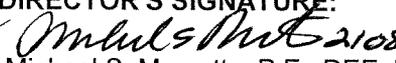
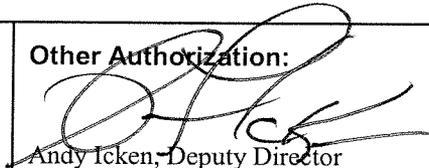
Position 5	Rick Cagney	Nominated by Council Member Holm
Position 7	John Jay Douglass	Nominated by Council Member Clutterbuck

CC:jsk

cc: Marty Stein

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Motion establishing a public hearing date to consider adopting a Municipal Setting Designation ordinance (MSD) for Union Pacific Railroad Company (UPRR).		<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 33
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 2-1-08		<b>Agenda Date</b> FEB 06 2008
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., DEE, Director		<b>Council District affected:</b>		
<b>For additional information contact:</b> Carol A. Ellinger, P.E. Phone: (713) 837-7658 Senior Assistant Director		<b>Date and identification of prior authorizing Council action:</b> 8/22/2007 – 2007-0959		
<b>RECOMMENDATION: (Summary)</b> Establish a public hearing date to consider adopting a Municipal Setting Designation ordinance (MSD) for Union Pacific Railroad Company (UPRR).				
<b>Amount and Source of Funding:</b> N/A				<b>F&amp;A Budget:</b>
<b>BACKGROUND:</b> In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSDs), which would designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by TCEQ and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting the public health. On August 22, 2007, City Council approved an Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support a MSD application to the State. This Ordinance requires a written public notice be mailed to property owners within 2,500 feet of a proposed MSD and owners/operators of potable water wells within 5 miles of a proposed MSD. In addition, a public meeting and a public hearing are required to be held prior to City Council consideration of support.				
<b>UNION PACIFIC RAILROAD COMPANY APPLICATION:</b> Union Pacific Railroad Company (UPRR) is seeking an MSD for approximately 27-acres of land located at 10,200 Westpark Drive. UPRR acquired Southern Pacific Transportation Company (SPTC). SPTC leased this property to Crystal Chemical Company (Crystal). From 1968 to 1981, a portion of this property was operated by Crystal, which produced herbicides at the site. As a result of those operations, the groundwater was impacted with arsenic. Records show that in 1981, Crystal filed for bankruptcy and abandoned the site. The Environmental Protection Agency (EPA) undertook certain cleanup measures, evaluated the site and approved a remedy for addressing the contamination. Although it did not cause the contamination, UPRR undertook responsibility for designing and implementing the remediation for impacted soil and groundwater because it owns the land. The remediation was completed in 2003. In 2005, EPA completed a second five-year review for the site and found that the remedy for the site is protective of human health and environment.				
UPRR is seeking a MSD for this property to restrict access to groundwater to protect the public against exposure to contaminated groundwater. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property.				
<b>RECOMMENDATIONS:</b> City Ordinance requires City Council to hold a public hearing before adopting a Municipal Setting Designation ordinance. The Department of Public Works and Engineering recommends establishing a public hearing date five weeks from passage of the motion and directing the City Secretary to publish notice of the hearing no less than thirty (30) calendar days before the public hearing date.				
MSM:AFI:CAE Z:\MSD\UNION PACIFIC RAILROAD\2008-01-31 RCA - PUBLIC HEARING UPRR.DOC C: Marty Stein, Waynette Chan, Gary Norman, Ceil Price				
<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID# 20CAE13</b>		
<b>Other Authorization:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andy Icken, Deputy Director Planning & Development Services Division		

# Municipal Settings Designation Application

## 2007-001-UPRC Vicinity Map

### Legend

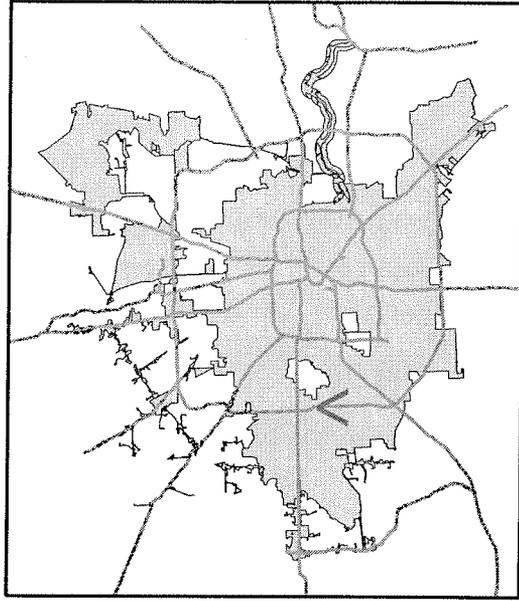
 Waterways

 City of Houston

 Application Site Location



### Locational Map



This map represents the best information available to the City.  
The City does not warrant its accuracy or completeness.  
Field verifications should be performed as necessary.

MOTION by Council Member Holm that the following items be postponed for  
ninety days:

**34-34A-34B-34C**

FEB 06 2008

- Item 55 - WRITTEN Motion by Council Member Clutterbuck to amend Item 55C below:  
I move to amend Item 55C, revisions to Chapter 45 in section 45-163 to strike the existing number 1 and in lieu of add a new number 1 that reads: "Would require a number of off-street parking spaces pursuant to Article VIII of Chapter 26 of this Code that is greater by 100 percent or more than the number of off street parking spaces provided under the current use of the parcel;"
  
- Item 55A - WRITTEN Motion by Council Member Lawrence to amend Item 55C below:  
Replace multi family residential development in Sec. 45-163 with residential development and to add the definition of Residential to Sec. 45-162 as follows:  
**Residential** shall mean pertaining to the use of land for premises that contain habitable rooms for nontransient occupancy and that are designed primarily for living, sleeping, cooking and eating therein. A premises that is designed primarily for living, sleeping, cooking and eating therein will be deemed to be residential in character unless it is actually occupied and used exclusively for other purposes. Hotels, suites hotels, motels and day care centers shall not be considered to be residential
  
- Item 55B - WRITTEN Motion by Council Member Garcia to amend Item 55C below:  
I move to modify section 45-163(3) by omitting the words "with two-way traffic."
  
- Item 55C - Ordinance Amending Chapter 45 of The Code of Ordinances, Houston, Texas, relating to high-density multi-family development on two-way, two-lane local and collector streets

Seconded by Council Member Johnson and carried.

Mayor White, Council Members Lawrence, Johnson, Edwards, Holm, Garcia, Alvarado, Brown, Lovell, Noriega and Green voting aye  
Council Members Clutterbuck voting no  
Council Members Wiseman and Berry absent

Council Member Khan out of the City on City business

PASSED AND ADOPTED this 7th day of November, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is November 13, 2007.

  
City Secretary

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

**SUBJECT:** Accept Work for Upper Brays, Almeda Sims, and WCID No. 111 Wastewater Treatment Plants Improvements. WBS. No. R-000265-0020-4.

Page  
1 of 1

Agenda Item #

353

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

Department of Public Works and Engineering

**Origination  
Date**

**Agenda Date**

FEB 06 2008  
~~JAN 30 2008~~

**DIRECTOR'S SIGNATURE:**

*Michael S. Marcotte*

Michael S. Marcotte, P.E., DEE, Director

**Council Districts affected:**

D, F, & G

**For additional information contact:**

J. Timothy Lincoln, P.E.  
Senior Assistant Director

*J. Timothy Lincoln*

Phone: (713) 837-7074

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

Ord. #2002-478      dated 06/05/2002

**RECOMMENDATION: (Summary)** Pass a motion to approve the final Contract Amount of \$7,260,402.00 or 1.03% over the original Contract Amount, accept the Work, and authorize final payment.

**Amount and Source of Funding:** No additional funding required.

Original appropriation of \$8,031,900.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund, Fund No. 755.

**F&A Budget:**

**SPECIFIC EXPLANATION:**

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the City's Program to improve the condition and operation of Upper Brays, Almeda Sims, and WCID No. 111 Wastewater Treatment Plants and to ensure the regulatory compliance.

**DESCRIPTION/SCOPE:** The project consisted of civil, mechanical, structural, and electrical improvements to Upper Brays, Almeda Sims, and WCID No. 111 Wastewater Treatment Plants (WWTPs). Camp Dresser & McKee, Inc. designed the project with 450 calendar days allowed for construction. The project was awarded to Environmental Infrastructure Group, L.P. with an original Contract Amount of \$7,186,376.00.

**LOCATION:**

WWTP	Address	Key Map Grid
Upper Brays	13525 Old Westheimer Rd.	529-A
Almeda Sims	12319 1/2 Almeda Rd.	572-L
WCID No. 111	10601 Huntington Point	528-Y

**CONTRACT COMPLETION AND COST:** The Contractor, Environmental Infrastructure Group, L.P. has completed the Work under the subject contract. The project was completed within the Contract Time with 272 additional days approved by Change Order Nos. 1 through 4. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order Nos. 1 through 4 is \$7,260,402.00, an increase of \$74,026.00 or 1.03% over the original Contract Amount.

The increased cost is primarily a result of previously approved Change Order Nos. 1, 3, and 4 which were necessary to complete the work.

**M/WBE PARTICIPATION:** The M/WBE goal for this project was 17%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 9.77%. The Contractor received an "Unsatisfactory" rating for the MWD BE Compliance.

MSM:JTL/CWS:RC:mj  
SAE&C Construction\Facilities\Projects\R-0265-20-3 Upper Brays\Closeout\RCA\RCA\_CL~2.DOC

c: Daniel W. Krueger, P.E.      Velma Laws      Michael Ho, P.E.      File No. 4759-03 - Closeout

**REQUIRED AUTHORIZATION**

**CUIC ID# 20MZQ004**

**F&A Director:**

**Other Authorization:**

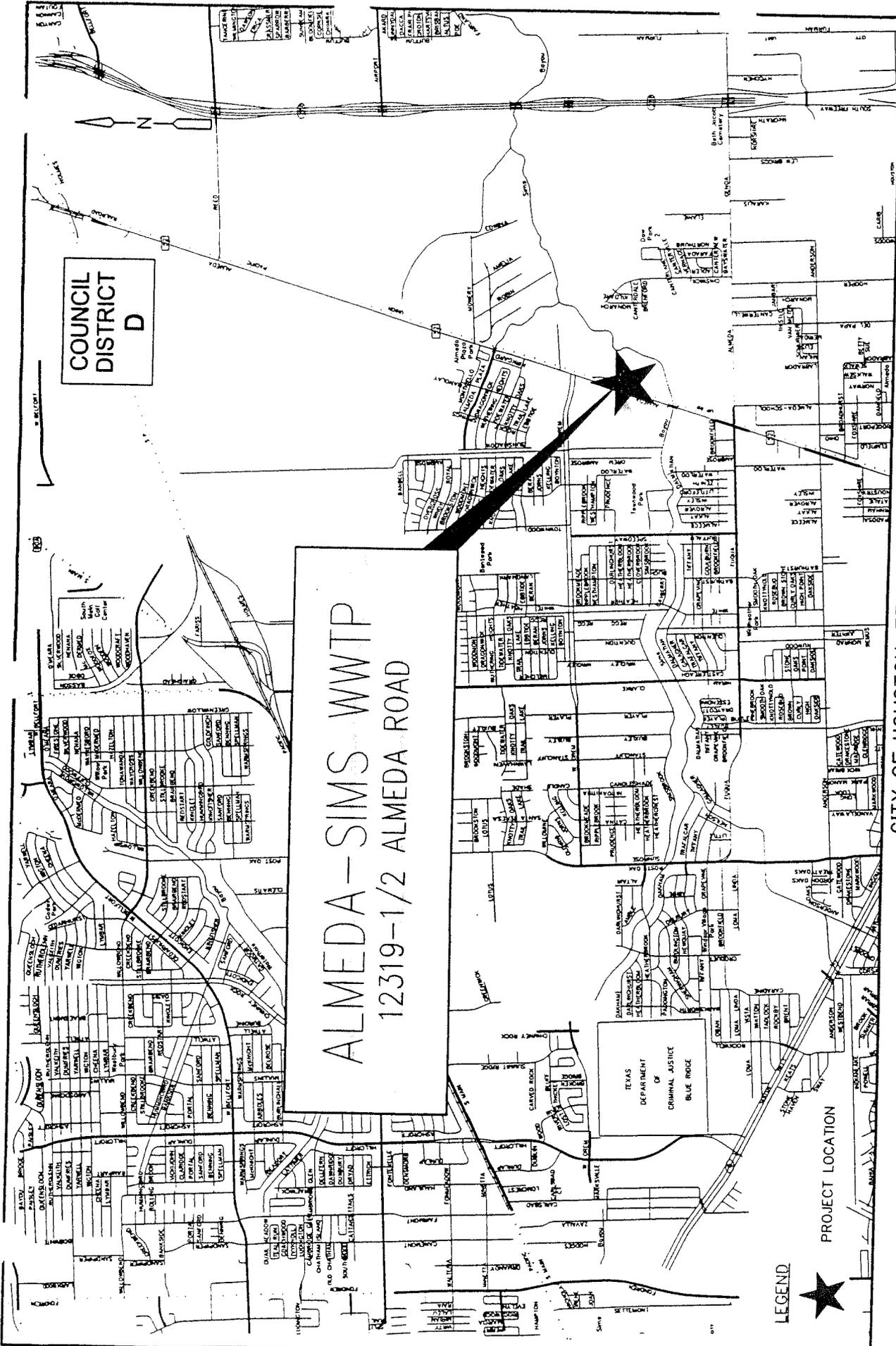
*Jeff Taylor*  
Jeff Taylor, Deputy Director  
Public Utilities Division

**Other Authorization:**

*for David M. Mason*  
Daniel W. Krueger, P.E., Deputy Director  
Engineering and Construction Division

NOT





COUNCIL DISTRICT D

ALMEDA-SIMS WWTW  
12319-1/2 ALMEDA ROAD

LEGEND



PROJECT LOCATION

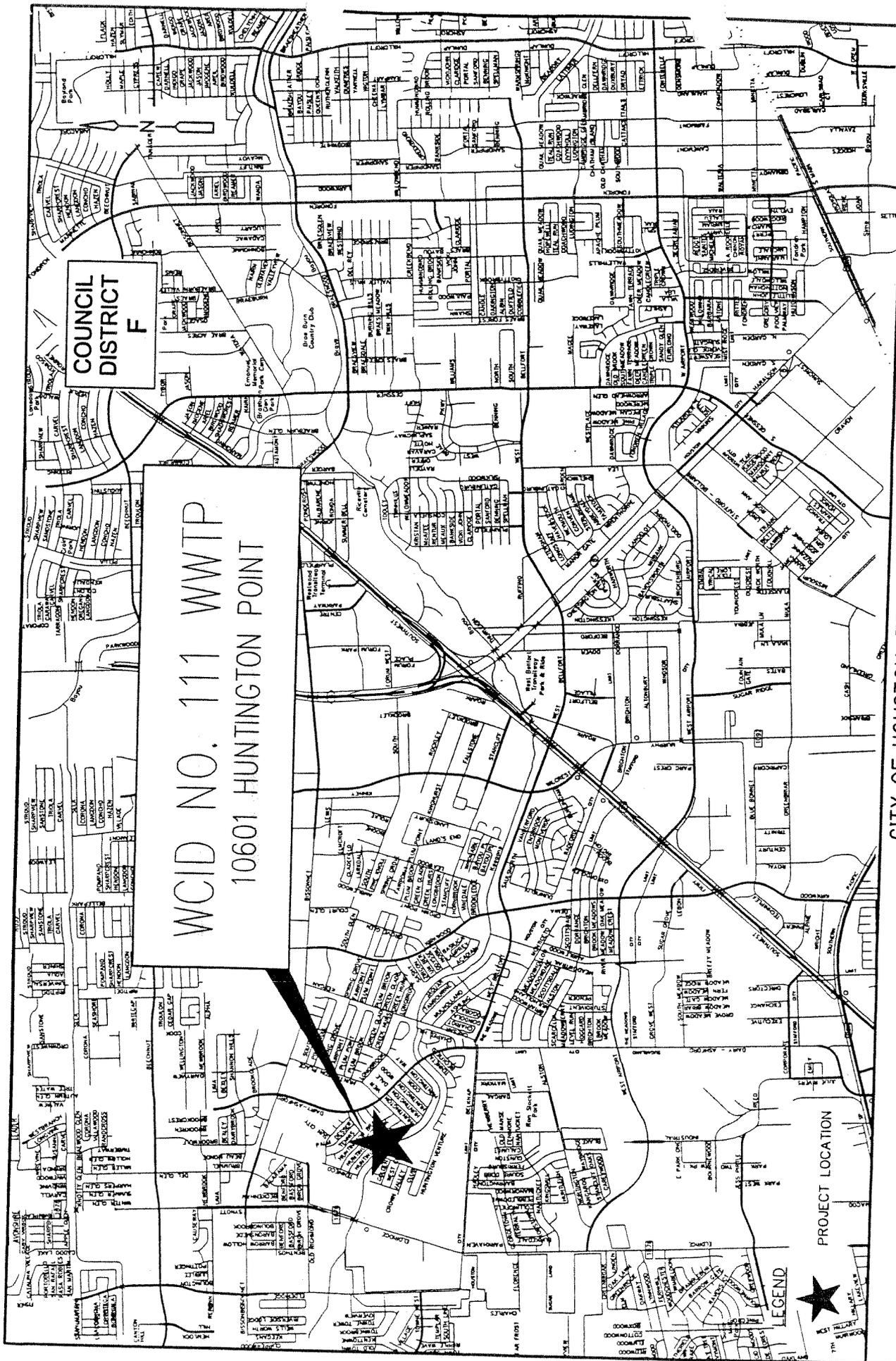
KEY MAP:  
#572-L

CITY OF HOUSTON, TEXAS  
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
ALMEDA SIMS WWTW  
COUNCIL DISTRICT BOUNDARY MAP  
GFS No.: R-0265-09-2 File No.: WW4759

Date: MAY 3, 2002

**CDM** Camp Dresser & McKee Inc.

consulting  
engineering  
construction  
operations



COUNCIL DISTRICT F

WCID NO. 111 WWTP  
10601 HUNTINGTON POINT

KEY MAP:  
#528-Y

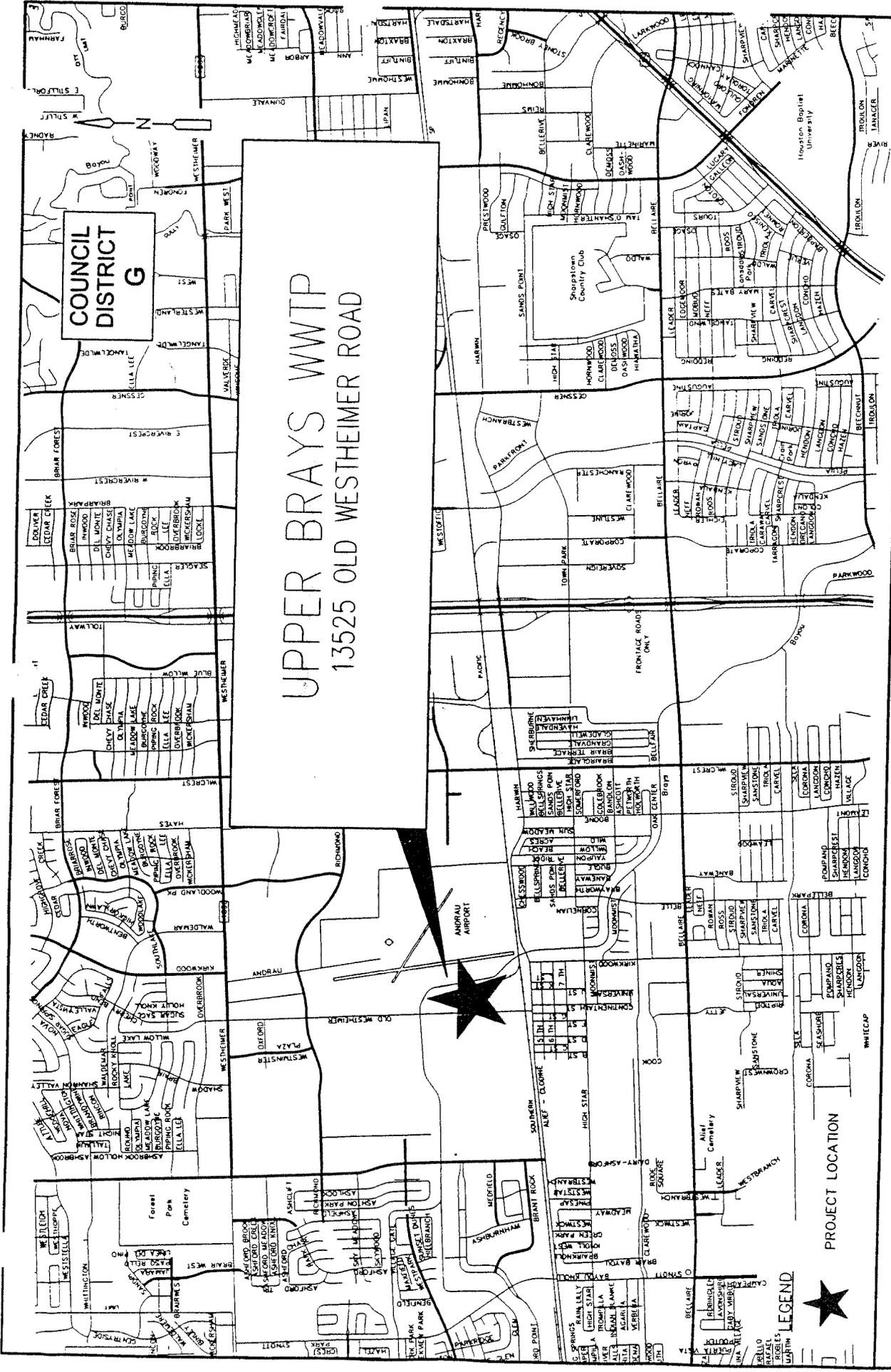
CITY OF HOUSTON, TEXAS  
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
WCID NO. 111 WWTP  
COUNCIL DISTRICT BOUNDARY MAP  
GFS No.: R-0265-09-2 File No.: WW4759

Date: MAY 3, 2002

**CDM** Camp Dresser & McKee Inc.  
consulting  
engineering  
construction  
operations

★ PROJECT LOCATION

LEGEND



KEY MAP:  
#529A

Date: MAY 3, 2002

CITY OF HOUSTON, TEXAS  
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
UPPER BRAYS BAYOU WWTP  
COUNCIL DISTRICT BOUNDARY MAP

GFS No.: R-0265-09-2 File No.: WW4759

**CDM** Camp Dresser & McKee Inc.

consulting  
engineering  
construction  
operations

36

FEB 06 2008

MOTION NO. 2008

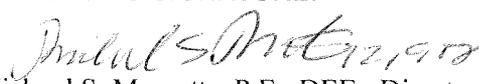
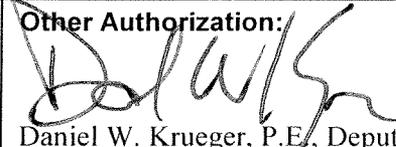
MOTION by Council Member Khan that the recommendation of the Director of the Department of Public Works and Engineering, for approval of final contract amount and acceptance of work on contract with Boyer, Inc., for Supervisory Control & Data Acquisition (SCADA) and Security at East Water Purification Plant, WBS No. S-000522-0006-4, be adopted, and the final contract amount of \$10,130,844.54 is hereby approved by the City Council and the work be accepted and final payment is hereby authorized.

Seconded by Council Member Garcia and carried.

Council Member Sullivan absent

On 1/30/08 the above motion was tagged by Council Member Lawrence.

cr

<b>SUBJECT:</b> Accept Work for Supervisory Control & Data Acquisition (SCADA) and Security at East Water Purification Plant. WBS. No. S-000522-0006-4.		Page 1 of 1	Agenda Item # <div style="border: 1px solid black; padding: 5px; display: inline-block;">                     36-5                 </div>
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 1-24-08	<b>Agenda Date</b> <del>JAN 30 2008</del> FEB 06 2008
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., DEE, Director		<b>Council Districts affected:</b> E 	
<b>For additional information contact:</b> J. Timothy Lincoln, P.E. Senior Assistant Director  Phone: (713) 837-7074		<b>Date and Identification of prior authorizing Council Action:</b> Ord. #2005-434 dated 04/27/2005 	
<b>RECOMMENDATION: (Summary)</b> Pass a motion to approve the final Contract Amount of \$10,130,844.54 which is 6.04% under the original Contract Amount, accept the Work, and authorize final payment.			
<b>Amount and Source of Funding:</b> No additional funding required. Original appropriation of \$12,450,850.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund, Fund No. 755.			<b>F&amp;A Budget:</b>
<b>SPECIFIC EXPLANATION:</b>  <b>PROJECT NOTICE/JUSTIFICATION:</b> This project was part of the City's Rehabilitation and Upgrade of East Water Purification Plant (EWPP) and was required to expand and enhance the SCADA System. The project will extend and enhance the monitoring and control capabilities of the plant, including the implementation of security and energy management systems.  <b>DESCRIPTION/SCOPE:</b> The project was associated with SCADA at the East Water Purification Plant (EWPP) complex and consisted installation of complex instrumentation to optimize chemical feed controls and the plant surveillance system. Camp Dresser & McKee, Inc. designed the project with 504 calendar days allowed for construction. The project was awarded to Boyer, Inc. with an original Contract Amount of \$10,782,410.50.  <b>LOCATION:</b> The project is located at East Water Purification Plant Complex at 2300 Federal Road, Key Map Grid 496-Y.  <b>CONTRACT COMPLETION AND COST:</b> The Contractor Boyer, Inc. has completed the Work under the subject contract. The project was completed within the Contract Time with 164 additional days approved by Change Order Nos. 2 through 4. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order Nos. 1 through 4 is \$10,130,844.54, a decrease of \$651,565.96 or 6.04% under the original Contract Amount.  The decreased cost is primarily a result of previously approved Change Order No. 1 – Delete Retractable Bollards and the Work not requiring use of most Extra Unit Price Items.  <b>M/WBE PARTICIPATION:</b> The M/WBE goal for this project was 17%. According to Affirmative Action and Contract Compliance Division, the actual participation was 11.57%. The Contractor was awarded a "Satisfactory" rating for MWDBE compliance.			
MSM:JTL:  WS:NI:mq S:\E&C Construction\Facilities\Projects\S-000522-0006-4\Closure\RCA_CL-2.DOC			
cc: Daniel W. Krueger, P.E.		Velma Laws	
		Michael Ho, P.E.	
		File No. 10659-01 - Closeout	
<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID# 20MZQ021</b>	
<b>F&amp;A Director:</b>	<b>Other Authorization:</b>  Jeff Taylor, Deputy Director Public Utilities Division	<b>Other Authorization:</b>  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division	NOT

## Summary of MWDBE Activities

Project Description#: Water #10659-01 - SCADA Systems and Security at EWPP. S-000522-0006-4. #460004698  
 Prime Contractor: Boyer, Inc.

Amount of Contract: <b>\$10,782,410.50</b>	MWDBE Goal at award of contract: <b>17%</b>
Amount of MWDBE goal with change order:	Final Contract Amount: <b>\$10,130,844.54</b>
	MWDBE actual participation: <b>11.57%</b>

Original MWDBEs listed on RCA & Letter of Intent	MWDBEs Used:	List of original MWDBE, that were not used:
Calicut, Inc.		Calicut, Inc.
El Dorado Paving Company, Inc.	El Dorado Paving Company, Inc.	
Municipal Marketing Systems, Inc.	Lopez Brothers Enterprises, Inc. Municipal Marketing Systems, Inc.	

**If goal was not achieved, list the amount and percentage of shortage. Briefly state the reason given by prime why goal was not achieved and why the original MWDBEs listed in the RCA were not used:**  
 Shortage is 5.43% or \$550,157.00, Mark Boyer, of Boyer, Inc. stated that one of the reasons that they were not able to meet the entire 17% goal was due to the fact that: **1. Their scope of work was reduced by \$651,566.00. 2. Work removed was to be performed by Calicut, Inc.. They had planned on using him to install concrete ductbanks. Calicut failed to perform portion of the work subcontracted for and, they had to use their own crew to complete the work.**  
**3. Prime was unable to find a replacement MWDBE on time, and their only option was to use their own crew to complete the work.**

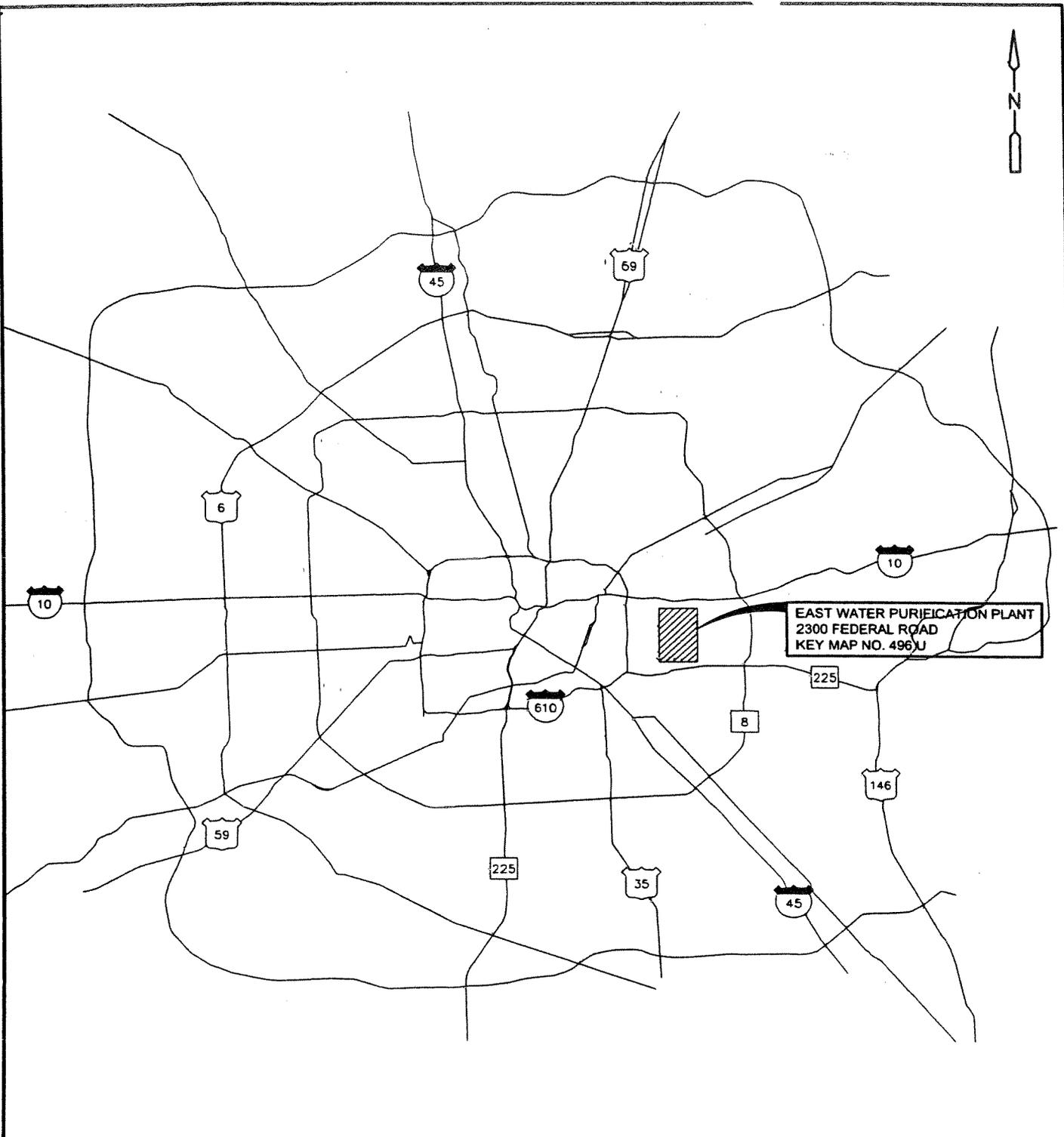
**Briefly state reason given by MWDBE why they were not used or not used to the full amount originally projected:**  
 CGO was unable to contact Calicut, Inc. Phone has been disconnected. Company went out of business.

**Approved by:**

*Joseph Kurian*  
 Joseph Kurian, Division Manager  
 Contract Compliance Section

October 22, 2007  
 Date

Siria Harbour  
 Contract Compliance Officer



VICINITY MAP

CITY OF HOUSTON, TEXAS  
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM  
GFS NO. S-0522-06-2 FILE NO. WA10659-1

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

HCD08-19

08- HHFC

<b>SUBJECT:</b> An ordinance authorizing a partial release of Declaration and Land Use Restriction Agreement under the Fourth Ward Development Agreement.		<b>Category #</b>	<b>Page</b> 1 of <b>37</b>	<b>Agenda Item #</b> <del>14-1</del>
<b>FROM (Department or other point of origin):</b> Housing and Community Development Department		<b>Origination Date:</b> 01/22/08	<b>Agenda Date:</b> <del>JAN 30 2008</del> FEB 06 2008	
<b>DIRECTOR'S SIGNATURE:</b> Richard S. Celli 		<b>Council District affected:</b> "D & I"		
<b>For additional information contact:</b> Donald Sampley, Asst. Director Phone: 713-868-8458		<b>Date and identification of prior authorizing Council action:</b> 2006-0415; 04/25/2006		

**RECOMMENDATION: (Summary)**  
 The Department recommends approval of an ordinance authorizing a partial release of Declaration and Land Use Restriction Agreement under the Fourth Ward Development Agreement.

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

**SPECIFIC EXPLANATION:**  
 Houston Housing Finance Corporation (HHFC) has satisfied its performance requirements under the "Fourth Ward Development Agreement" with the City by developing, constructing and selling 255 single-family houses in the Fourth Ward. Title to four partial lots, which are listed below, are not suitable for building and therefore remain in HHFC's inventory. HHFC desires to liquidate its ownership in the four tracts. Pursuant to the "Land Use Restriction Agreement" with the City, City Council's approval is required to release the deed restrictions on these properties prior to transferring title. Therefore, the Department recommends approval of an ordinance authorizing a partial release of the Declaration and Land Use Restriction Agreement. It is specifically recommended that the City release from the operation of: (1) that certain Declaration of Release of Property from and substitution of Property to Land Use Restriction Agreement, dated July 28, 2000, and filed in the Real Property Records of Harris County, Texas, under Clerk's File No. U560433 ("Declaration"); and (2) that certain Land Use Restriction Agreement, dated December 5, 1997, and filed in the Real Property Records of Harris County, Texas, under Clerk's File No. S802316 ("Land Use Restriction Agreement"), the following described property:

**South 34 feet of Lot 1, Block 64, of the W. R. Baker Subdivision, Houston Harris County, Texas.**

**East half of Lot 10, Block 30, Justin Castanie Addition, replatted as Lot 2, Block 3, Miracle of Hope-Fourth Ward Estates, Section 1, Houston, Harris County, Texas.**

**East half of Lot 8, Block 55, W. R. Baker Subdivision, replatted as Lot 9, Block 6, Fourth Ward Place, Section 1, Houston, Harris County, Texas.**

**Lot 3, Block 4, Porter and Baker Addition, and replatted as Lot 1, Block 5, Fourth Ward Place, Section 2, Houston, Harris County, Texas.**

The Department recommends approval of an ordinance authorizing a partial release of the Declaration and Land Use Restriction Agreement as outlined above.

RSC:DHS:meb

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

<b>SUBJECT:</b> An Ordinance approving an amendment to the 2004 Consolidated Annual Plan for the HOME Investment Partnerships Grant (HOME) to delete funds allocated to the Tenant-based Rental Assistance Budget Activity and to increase funds allocated to the Multifamily/Acquisition/Rehabilitation/New Construction/Relocation Budget Activity.		<b>Category #</b> 1,2	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 38 20
<b>FROM (Department or other point of origin):</b> Richard S. Celli, Housing and Community Development Department		<b>Origination Date</b> January 9, 2008	<b>Agenda Date</b> <del>JAN 30 2008</del> FEB 06 2008	
<b>DIRECTOR'S SIGNATURE:</b> <i>[Signature]</i>		<b>Council District affected:</b> All		
<b>For additional information contact:</b> Brenda Scott Phone: 713-868-8484		<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2005-1001, August 25, 2005; Ordinance No. 2005-1240, November 16, 2005; Ordinance No. 2007-422, March 28, 2007; Ordinance No. 2007-859, August 1, 2007		

**RECOMMENDATION: (Summary)**

The Housing and Community Development Department recommends City Council's approval of an Ordinance approving an amendment to the HOME Budget for Program Year 2004 to delete funds allocated to the Tenant-based Rental Assistance Budget Activity and to increase funds allocated to the Multifamily Acquisition/Rehabilitation/New Construction/Relocation Budget Activity.

**Amount of Funding:**

**F&A Budget:**

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

Other (Specify)

**SPECIFIC EXPLANATION:**

The Housing and Community Development Department recommends City Council's approval of an Ordinance amending the HOME Budget under the 2004 Consolidated Annual Plan. The details of the amendment are included in the attached Public Notice (Notice). Following is a recap of the Notice.

The 2004 Consolidated Annual Plan for the HOME Grant is amended as follows:

- Delete funds allocated to the Tenant-based Rental Assistance Budget Activity in the amount of \$764,123.25
- Increase funds allocated to the Multifamily Acquisition/Rehabilitation/New Construction/Relocation Budget Activity by \$764,123.25

In accordance with HUD regulations, the City is required to amend components of the Grant Agreement when (1) an activity is added; (2) an activity is deleted; (3) a change in the scope of an activity or reallocation of funds increases or decreases the budget of an activity by more than twenty-five (25%) of the original budget; or (4) when there is a change in the purpose, location or beneficiaries of an activity.

By this amendment, the Tenant-based Rental Assistance Budget Activity is deleted and the Multifamily Acquisition/Rehabilitation/New Construction/Relocation Budget Activity is increased by more than 25%.

Through a Notice published in the Houston Chronicle on Saturday, December 22, 2007 the public was notified of these proposed changes. The public has thirty days to comment on these proposed changes. The comment period extends from Saturday, December 22, 2007 through Wednesday, January 23, 2008. Following the citizen review period, this amendment and any selected projects are being presented to City Council for approval. Projects not yet selected will be presented to City Council for approval when selected.

Therefore, approval of an ordinance is recommended.

RC: GV/BS

cc: City Secretary  
Legal Department  
Mayor's Office  
Finance and Administration

**REQUIRED AUTHORIZATION**

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

## Public Notice

The City of Houston (City) Housing and Community Development Department (HCDD) is proposing to award HOME Investment Partnerships (HOME) Grant Funds to Houston Area CDC in the amount of \$50,000 for operating expenses and \$100,000 for predevelopment costs. These funds will be used to pay costs associated with the development of 150-unit Single Room Occupancy facility to be located at 2300 Sakowitz Street in Houston, Texas 77020, Council District B. The proposed project is in line with the City's Affordable Housing Strategy.

For additional information, please contact Donald H. Sampley at 713-868-8300. You may also contact the Department's Website at [www.houstonhousing.org](http://www.houstonhousing.org) for information.

Additionally, the City is proposing to reprogram HOME Grant Funds under the 2004 Annual Consolidated Plan from the Tenant Based Rental Assistance Activity to the Multifamily Acquisition/ Rehabilitation/New Construction/Relocation Activity as indicated below. Low and moderate-income persons continue to benefit from this reallocation of funds.

<u>Action</u>	<u>Activity/Project</u>	<u>Council District (s) Impacted</u>	<u>Scope of Work</u>	<u>Amount</u>
Delete	Tenant-based Rental	All	Fund program to provide tenant based rental assistance and security deposit assistance to low and moderate income persons Assistance	(\$764,173.25)
Increase	Multifamily Acquisition /Rehabilitation/New Construction/Relocation	All	New Construction, Acquisition and rehabilitation of multi-family housing for low and moderate income persons	\$764,173.25

For additional information on the reprogramming, please contact Brenda Scott at 713-868-8300. You may also contact the Department's Website at [www.houstonhousing.org](http://www.houstonhousing.org) for information.

The public has thirty (30) days to comment on this proposed notice. The thirty-day period extends from Saturday, December 22, 2007 through Wednesday, January 23, 2008. This amendment and all projects will be submitted to City Council for approval following this review period.

39

MOTION NO. 2008 0092

FEB 06 2008

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

Item 35 - Ordinance finding and declaring public convenience and necessity for the acquisition of Fee Simple Title or easements for rights-of-way in connection with the public improvement project known as the Mercury Drive Paving Project, Segment 4 (from Herman Brown Park to Wallisville Road), authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple or easements in, over, upon, under, and across 14 parcels of land situated in the Reels and Trobough Survey, Abstract No. 59, Harris County, Texas, and being more specifically situated along and abutting the east or west lines of Oates Road between U.S. Highway 90 and Wallisville Road in Houston, Harris County, Texas

Seconded by Council Member Garcia and carried.

Mayor White, Council Members Clutterbuck, Adams, Khan, Garcia, Rodriguez, Brown, Lovell, Noriega, Green and Jones voting aye

Nays none

Council Member Johnson, Sullivan and Holm absent

Council Member Lawrence out of the City on City business

PASSED AND ADOPTED this 30th day of January, 2008.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is February 5, 2008.

City Secretary

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

**SUBJECT:** Recommendation that an ordinance for the MERCURY DRIVE PAVING PROJECT (from Herman Brown Park to Wallisville Road) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.  
WBS N-000625-0001-02

Category #7	Page 1 of 1	Agenda Item #
39	<del>35</del>	<del>32</del> 26

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

Origination Date	Agenda Date
FEB 06 2008 1-10-08	JAN 30 2008 <del>JAN 16 2008</del> JAN 29 2008

**DIRECTOR'S SIGNATURE:**  
*Michael S. Marcotte*  
Michael S. Marcotte, P.E., DEE, Director

**Council District affected:**  
I  
Key Map 456W and 496A  
*ES*

**For additional information contact:**  
Nancy P. Collins Phone: (713) 837-0881  
Senior Assistant Director *npc*

**Date and identification of prior authorizing Council Action:**  
Ordinance 2005-1047, September 7, 2005

**RECOMMENDATION: (Summary)**  
An ordinance for the MERCURY DRIVE PAVING PROJECT (from Herman Brown Park to Wallisville Road) be passed approving and authorizing the acquisition of parcels by dedication, purchase or condemnation.

**Amount and Source of Funding:** No Additional Funding Required (covered under Blanket Appropriation Ordinance 2005-1047, N-000663-00RE-2-01, Street and Bridge Consolidated Construction Fund 4506)

**F&A Budget:**

**SPECIFIC EXPLANATION:**  
The Department of Public Works and Engineering is requesting that an ordinance for the MERCURY DRIVE PAVING PROJECT (from Herman Brown Park to Wallisville Road) be passed approving and authorizing the acquisition of parcels by dedication, purchase or condemnation. The project is a designated major thoroughfare consisting of two 24-foot wide concrete roadways with esplanade divides, curbs, sidewalks, underground utilities and connection to U.S. Highway 90 necessary to improve mobility.

This action authorizes payment for the costs of land purchases/condemnations, appraisal fees, title policies/services, recording fees in connection with negotiations to settle purchases; finds a public necessity for the project; and approves and authorizes the condemnation of the land and improvements thereon. If negotiations to acquire the property cannot be concluded as a purchase or for any reason for which acquisition by condemnation is warranted, this action authorizes the City Attorney to file or cause Eminent Domain proceedings to be filed and acquire rights-of-way and easements for said purposes and authorizes payment for the Award of Special Commissioners and court costs associated with condemnation proceedings. Payments for purchase considerations or condemnation awards that exceed the spending authority threshold set by State law will be submitted to City Council as they are finalized. This will expedite the process of acquiring land in support of the MERCURY DRIVE PAVING PROJECT.

PRN: NPC:eg  
S:/GU AJARDO/Mercury Blanket RCA  
cc: Marty Stein

CUIC #20ELG13

REQUIRED AUTHORIZATION

**F&A Director:**

**Other Authorization:**

**Other Authorization:**  
*Andrew F. Icken*  
Andrew F. Icken, Deputy Director  
Planning and Development Services Division

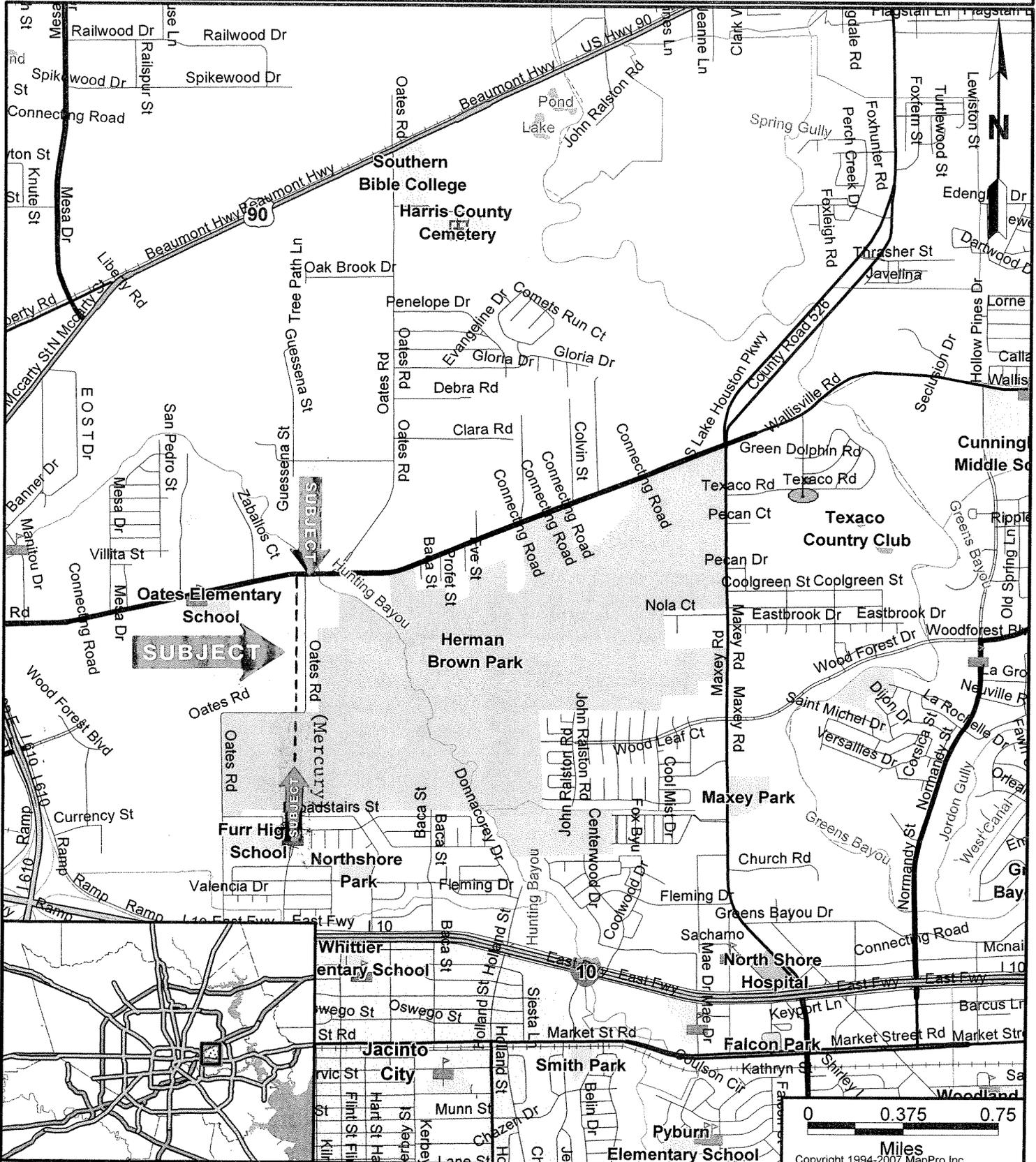
# LOCATION MAP

Description: Mercury Drive Paving Project (from Herman Brown Park to Wallisville Road)

WBS N-000625-0001-2, Parcels AY7-422 through AY7-435

Key Map Page 456W and 496A

Prepared by: City of Houston, 611 Walker, Houston, TX 77002



**SUBJECT**

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**CAUTION:**

Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.