

**CITY COUNCIL CHAMBER – CITY HALL 2<sup>nd</sup> FLOOR – TUESDAY  
MARCH 11, 2008 - 2:00 P.M.**

**AGENDA**

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**NON-AGENDA**

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1MIN. 1MIN. 1 MIN.

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MR. FRANK WATSON – 10910 Whitethorn – 77016 – 281-449-7663 – Community Issue

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MR. FRED FICHMAN – 2302 Texas Ave – 77003 – 713-524-7700 ext. 13 – Houston Media Source

MS. CAROL MIMS GALLOWAY – 4810 Lavender – 77026 – 713-303-3444 – Neighborhood concerns

MR. MARK PERRIGO – 2820 N. Main – 77009 – 832-790-6313 – Security Trailer permit

MR. JOSEPH BALLARD – 6302 Rocky Nook – Humble – TX – 77396 – 281-850-0388 – Community issues

MS. IVORI M. HOPKINS – 1710-A Bluebonnet Place Circle – 77019 – 832-798-1415 – Property invasion  
I got robbed

MR. BRIAN CWEREN – 3311 Richmond, Ste. 205 – 77098 – 713-622-2111 – City Attorney's Office

MR. BEN WARRICK – 3019 Maysel – 77080 – 713-465-1993 – Neighborhood concerns

MS. PATRICIA THAMES – 3106 Maysel – 77080 – 713-468-2239 – Neighborhood concerns

MS. BIRGIT GREEN – 1532 W. 21st – 77008 – 832-647-3047 – Neighborhood issue in Shady Acres

**PREVIOUS**

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1  
MAR 12 2008

MOTION NO. 2008 0112

MOTION by Council Member Brown that the recommendation of the Director of the Department of Public Works and Engineering, to set a hearing date to consider adopting a Municipal Setting Designation ordinance (MSD) for Union Pacific Railroad Company (UPRR), be adopted, and a Public Hearing be set for 9:00 a.m., Wednesday, March 12, 2008, in the City Council Chamber, Second Floor, City Hall.

Seconded by Council Member Khan and carried.

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

PASSED AND ADOPTED this 6th day of February, 2008.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is February 12, 2008.



City Secretary

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> A Municipal Setting Designation ordinance prohibiting the use of designated groundwater at the Crystal Chemical site for Union Pacific Railroad Company.		<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 1A
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 3-6-08		<b>Agenda Date</b> MAR 12 2008
MS <b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., DEE, Director	<b>Council District affected:</b> G			
	<b>For additional information contact:</b> Carol A. Ellinger, P.E. <i>CAE</i> Phone: (713) 837-7658 Senior Assistant Director		<b>Date and identification of prior authorizing Council action:</b> August 22, 2007 – 2007-0959 February 6, 2008 – 2008-0112	
<b>RECOMMENDATION: (Summary)</b> It is recommended that City Council adopt a Municipal Setting Designation ordinance for Union Pacific Railroad Company prohibiting the use of designated groundwater at the Crystal Chemical site and supporting issuance of an MSD by the Texas Commission on Environmental Quality.				
<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 contaminated groundwater is prohibited for use as potable water. The law is administered by Texas Commission on Environmental Quality 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 an MSD application to the State. This Ordinance requires that 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 (held on 1/29/2008) and a public hearing (scheduled for 3/12/2008) 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) who 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 of the impacted soil and groundwater because it owns the land. The remediation was completed in 2003. In 2005, EPA completed a second five-year review of the site and found that the remedy is protective of human health and the environment.				
UPRR is seeking an MSD for this property to restrict the ability to access the local groundwater in order to protect the public against exposure to residual contaminants. 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 site.				
<b>RECOMMENDATIONS:</b> It is recommended that City Council adopt an MSD ordinance for UPRR prohibiting the use of designated groundwater at the Crystal Chemical and supporting the issuance of an MSD by the Texas Commission on Environmental Quality.				
MSM:AFI:CAE Z:\MSDI\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# 20CAE15</b>		
<b>Other Authorization:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andy Icken, Deputy Director Planning & Development Services Division		

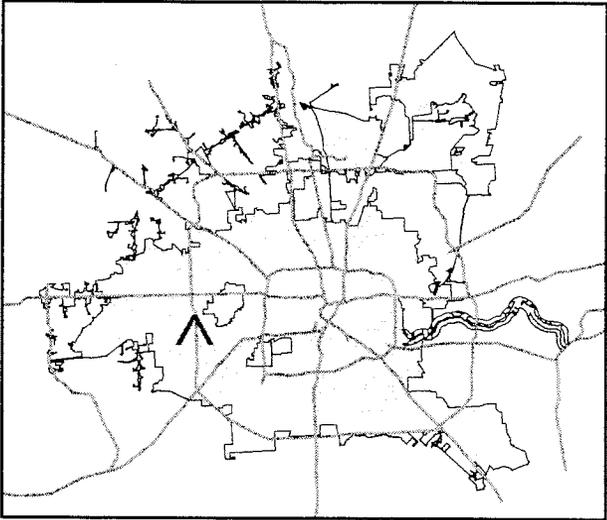
# Municipal Settings Designation Application

## 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.



BILL WHITE  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

2  
MAR 12 2008

**COPY TO EACH MEMBER OF COUNCIL:**  
**CITY SECRETARY: 2-26-08**

DATE

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

February 22, 2008

The Honorable City Council  
City of Houston

Dear Council Members:

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

Ms. Sylvia Barnes, appointment to Position One, for an unexpired term to ending August 31, 2008.

The résumé of the appointee is attached for your review.

Sincerely,

Bill White  
Mayor

BW:CC:jsk

Attachments

cc: Harris County Judge Ed Emmett  
Mr. J. Kent Friedman chair, Harris County-Houston Sports Authority  
Ms. Janis Schmees, executive director, Harris County-Houston Sports Authority

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

<b>SUBJECT:</b> Acceptance of the 2008 Semiannual Report of the Capital Improvements Advisory Committee relating to implementation of the water and wastewater impact fees program and transfer of revenues and interest generated by water and wastewater impact fees in the amount of \$14,597,238.06 to Combined Utilities System Operating Fund (Fund #8301) for revenue bond debt service.	<b>Category #</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b>  <div style="text-align: right; font-size: 2em;">3</div>
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<b>FROM (Department or other point of origin):</b> Public Works and Engineering  Jun Chang, P.E. 713-837-0433	<b>Origination Date</b>  <div style="text-align: center; font-size: 1.5em;">3/6/08</div>	<b>Agenda Date</b>  <div style="text-align: center;">MAR 12 2008</div>
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<b>DIRECTOR'S SIGNATURE</b>  Michael S. Marcotte, P.E. DEE, Director of Public Works and Engineering	<b>Council District affected:</b>  All
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<b>For additional information contact:</b> Susan Bandy Phone: 713-837-0282	<b>Date and identification of prior authorizing Council action:</b> CM 2007-0729 / 06-27-07
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**RECOMMENDATION: (Summary)**  
 Approval of a motion accepting the January 2008 semiannual report of the Capital Improvements Advisory Committee relating to the implementation of the water and wastewater impact fees program and transferring impact fee revenues and interest generated by the program to the Combined Utilities System Operating Fund (Fund #8301) for revenue bond debt service as recommended in the report.

<b>Amount of Funding:</b> \$14,597,238.06 (revenue)	<b>F &amp; A Budget:</b>
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**SOURCE OF FUNDING:**       General Fund       Grant Fund       Enterprise Fund  
 Other (Specify)

**SPECIFIC EXPLANATION:**  
 Pursuant to Chapter 395 of the Local Government Code and the rules of procedures adopted by City Council, the Capital Improvement Advisory Committee (CIAC) must file semiannual reports on the implementation of the impact fee program and its supporting components. The Planning Commission, acting as the CIAC, approved the January 2008 semiannual report at its meeting on February 28, 2008. The Committee hereby now conveys the report to Council for consideration. This report contains documentation of impact fee administration from May 1, 2007 through October 31, 2007. The Committee recommends that City Council accept the report and authorize the transfer of revenues and interest generated by water and wastewater impact fees, **\$14,597,238.06**, to revenue bond debt service.

Attachment:

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

<b>REQUIRED AUTHORIZATION</b>		<b>20JZC405</b>
<b>F &amp; A Director</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director	<b>Other Authorization:</b>  Susan Bandy, Deputy Director

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January 2008

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

Planning Commission  
Acting as the  
Capital Improvements Advisory Committee

Dr. Carol A. Lewis, Chair

City of Houston  
Planning and Development Department  
Planning Services Division

**JANUARY 2008 SEMIANNUAL REPORT OF THE  
CAPITAL IMPROVEMENTS ADVISORY COMMITTEE  
ON IMPACT FEES**

**A. Purpose of this Review**

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

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

This documentation fulfills the State requirement of the semiannual report on the progress of the plan. Preparation and conveyance of this report complies with City Council Motion 90-0614 to file a report by January and July of each year. This report documents changes that occurred between the period from **May 1, 2007 to October 31, 2007**, of the 2000-2010 Impact Fees Program.

**I. FINDINGS AND RECOMMENDATIONS**

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

- A total of **977** single-family residence (SFR) building permit application exemptions (from paying impact fees) were granted to single-family residences below the median housing price for the City of Houston between **May 1, 2007 and October 31, 2007**. The unit cost range for considering residences below the median housing price was from **\$149,266 to \$150,608**. The range is published by **the Real Estate Center at Texas A & M University**. A total of **18,082** applications have been exempted since the ordinance was adopted in 1997.
- A total of **\$14,597,238.06** generated from revenues and interest for water and wastewater impact fees accrued in the impact fees accounts between **May 1, 2007 and October 31, 2007**, the first half of the seventh year of the 2000-2010 Impact Fees Program. The program has an all-time total income of **\$195,191,609.93**.

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

- The total amount of the revenues and interest generated from water and wastewater impact fees during the reporting period in the sum of **\$14,597,238.06** should be authorized for appropriation to debt retirement.

**B. Background**

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

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

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

**A. Land Use Assumptions**

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

**1. Population and Employment**

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

## 2. Service Units

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

### 2000-2010 Program

Growth projections anticipate citywide demands will increase to 307,143 service units for water and 295,238 service units for wastewater between 2000 and 2010. Using an interpolation of proportionate service unit consumption, **226,501** service units for water and **217,725** service units for wastewater were projected to be consumed through this period of the updated program (**May 1, 2007 through October 31, 2007**). Service unit data were compiled from actual permit applications and totaled for the entire service area. Actual service units generated during this 6-month period totaled **10,817** water service units and **9,791** wastewater service units, for a cumulative total of **132,351** water service units and **116,007** wastewater service units (See Table 1).

Table 1 shows the percentage of cumulative actual growth slower than projected through this reporting period. With current consumption of service units only 58% for water and 53% for wastewater, significant capacity remains in these systems for new development. While actual service units are below projected levels, adjustment of projected service units for the ten-year period will have no affect on the maximum impact fees.

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

**TABLE 1**  
**May 1, 2007 through October 31, 2007**  
**Percent of Actual to Prorated Projected Service Units (s.u.)**

Semiannual Report	Duration (months)	Water			Wastewater		
		Prorated s.u.	Actual s.u.	%*	Prorated s.u.	Actual s.u.	%*
January 2001	4.5	11,517	6,965	60	11,071	5,926	54
July 2001	10.5	26,873	16,926	63	25,832	14,018	54
January 2002	16.5	42,229	25,098	59	40,593	20,871	51
July 2002	22.5	57,585	33,269	58	55,354	26,806	48
January 2003	28.5	72,941	41,368	57	70,115	33,738	48
July 2003	34.5	88,297	51,068	58	84,876	46,929	55
January 2004	40.5	103,653	59,756	58	99,637	53,326	54
July 2004	46.5	119,009	67,715	57	114,398	60,024	52
January 2005	52.5	134,365	76,567	57	129,159	67,596	52
July 2005	58.5	149,721	84,594	57	143,920	76,811	53
January 2006	64.5	165,077	93,897	57	158,681	83,839	53
July 2006	70.5	180,433	101,708	56	173,442	90,021	52
January 2007	76.5	195,789	111,448	57	188,203	97,723	52
July 2007	82.5	211,145	121,534	58	202,964	106,216	52
January 2008	88.5	226,501	132,351	58	217,725	116,007	53

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

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

#### 2000-2010 Program

Changes to the original 1990-2000 IFCIP have been made as a result of updates in the years 2000 and 2002. The majority of the facilities were in place at adoption of the impact fees program update. Examination of data regarding service unit consumption from **May 1, 2007 to October 31, 2007** indicates significant capacity remains in the water and wastewater systems to support future demand. A review of State of Texas procedures regarding Impact Fees has been done. At this time, no update of the plan is necessary.

#### 4. Maximum Chargeable Impact Fees

In its 2001 session, the Texas Legislature approved changes to the method of calculating the maximum impact fee a city is allowed to charge, by allowing certain taxes to be credited against the cost of the IFCIP facilities. As a result, the maximum chargeable impact fees decreased to \$2,121.89 for water and \$1,495.59 for wastewater beginning June 26, 2002. The maximum fees are derived by using the formula given in Chapter 395 of the Texas Local Government Code. The City of Houston Legal Department has evaluated the changes and determined that although the maximum allowable fees have dropped, the fees the City charges are sufficiently below that maximum that they need not be reduced.

#### 5. Findings:

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

- Review of service unit data indicates excess capacity in both the water and wastewater systems sufficient to accommodate new development through the next scheduled update in 2008.
- Water and wastewater facilities identified in the IFCIP are adequate to meet anticipated demand through **October 31, 2007**, the end of the next reporting period.

### III. SUMMARY OF IMPACT FEE ACCOUNTS

#### A. Impact Fees Rates:

- Table 2 provides a summary of the maximum allowable fees collection rates adopted by City Council for the 2000-2010 planning period and proposed rates.
- The last increase in July 2007 was 2.8% based upon the annual adjustment in the Consumer Price Index (CPI) between the year 2006 and 2007.
- The current Water/Wastewater impact fee of \$1,457.36 per service unit for water and wastewater is 40.29% of the maximum fees allowed by current law.

**TABLE 2**  
Maximum and Adopted Impact Fees

<b>2000-2010 Program</b>	<u><b>Wastewater</b></u>	<u><b>Water</b></u>	<u><b>Total</b></u>
Maximum Impact Fee/Residential Equivalent	<b>\$1,495.59</b>	<b>\$2,121.89</b>	<b>\$3,617.48</b>
<b>Adopted Fee</b>	<b>\$1,136.87</b>	<b>\$320.49</b>	<b>\$1,457.36</b>

#### B. Current Status of Fees:

The City maintains separate accounts for recording revenues received from water and wastewater impact fees. The funds may be expended for design and construction services, and/or retiring debt service. As of **October 31, 2007**, the City has accrued **\$188,982,728.76** since implementing the impact fees ordinances in 1990. A total of **\$180,594,371.87** has been transferred to the revenue bond debt service fund. The amount of **\$14,597,238.06** is available for transfer to the debt service fund from impact fees accounts. Table 3 provides a summary of impact fee revenues and account balances.

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

	<u>Wastewater</u>	<u>Water</u>	<u>Totals</u>
<i>1990-2000 Program</i>			
<i>Total Income</i>	<b>\$44,115,871.05</b>	<b>\$19,557,816.07</b>	<b>\$63,673,687.12</b>
<i>Transfers to Debt Service:</i>			
	<b>\$44,115,871.05</b>	<b>\$19,557,816.07</b>	<b>\$63,673,687.12</b>
<i>2000-2010 Program:</i>			
Collections Income through 10/31/2007	\$94,669,432.69	\$33,445,535.12	\$128,114,967.81
Interest Income through 10/31/2007	\$2,507,599.50	\$895,355.50	\$3,402,955.00
<b>Total Income</b>	<b>\$97,177,032.19</b>	<b>\$34,340,890.62</b>	<b>\$131,517,922.81</b>
Transfers to Debt Service:			
Transferred	\$86,046,390.18	\$30,874,294.57	\$116,920,684.75
Not transferred	\$11,130,642.01	\$3,466,596.05	\$14,597,238.06
<b>All-Time Total Income (6/1/1990-10/31/2007)</b>	<b>\$130,162,261.23</b>	<b>\$50,432,110.64</b>	<b>\$180,594,371.87</b>
<b>TOTAL AVAILABLE FOR TRANSFER</b>	<b>\$11,130,642.01</b>	<b>\$3,466,596.05</b>	<b>\$14,597,238.06</b>

**C. Finding:**

- A total of **\$14,597,238.06** in the impact fee requires authorization for transfer to the revenue bond debt service fund.

**IV. REVIEW OF PROGRAM IMPLEMENTATION**

**A. Analysis of Inequities**

- Implementation: The Committee finds no inequitable implementation of the plan during this reporting period.

- Application of Fees: Impact fees for water and wastewater are based on a uniform usage standard calculated in single-family residential, equivalents, i.e. 420 gallons per day (gpd) for water and 315 gpd for wastewater. City Council adopted a standard conversion table which applies to the majority of land uses.

### **B. Reporting Period Activity**

Provided by Ordinance 97-442, applicants qualify for a single-family residence (SFR) impact fee exemption as approved by the Department of Public Works and Engineering if the purchase price of the house does not exceed the latest available average of median prices for the past twelve months for single-family housing in the city as published by the Real Estate Center at Texas A&M University. The Maximum Exempt Unit Cost for the reporting period ranged from **\$149,266 to \$150,608**.

### **C. Findings:**

- The Impact Fees Program continues to be implemented in an equitable manner.
- Adding **977** exemptions from this reporting period, **18,082** applications for SFR building permits have been exempted from impact fees since Ordinance 97-442 was enacted in April 1997.

**APPENDIX A**  
**WATER CAPITAL IMPROVEMENT PROJECTS**

Facility	Total Initial Capital Cost \$	Prorated Capital Cost \$	Prorated Interest Cost (\$)	Prorated Total Cost (\$)	Useable Capacity (MGD)	Total Capacity (MGD)
<b>Surface Water Supply</b>						
Lake Conroe	28,857	19,347,307	43,648,685	62,995,992	59.0	88.0
Lake Houston	14,850,000	14,850,000	33,502,491	48,352,491	150.0	150.0
Lake Livingston	81,500,000	72,444,444	163,439,013	235,883,458	800.0	900.0
<b>Surface Water Conveyance</b>						
Trinity Pump Station	7,800,000	3,213,854	7,250,647	10,464,500	253.4	615.0
CWA Main Canal	15,900,000	3,099,277	6,992,155	10,091,432	253.4	1300.0
Lynchburg Reservoir	6,800,000	1,148,747	2,259,641	3,740,388	253.4	150.0
Lynchburg Pump Station	26,600,000	9,712,450	21,911,869	31,624,319	253.4	694.0
Ship Channel Crossing	4,700,000	1,777,582	4,010,332	5,787,914	253.4	670.0
CWA 'A' System	3,400,000	457,756	1,032,725	1,490,481	27.6	205.0
CWA 'B' System	41,800,000	10,192,769	22,995,499	33,188,268	63.4	260.0
Northwest Lateral	62,700,000	62,700,000	141,454,962	204,154,962	162.4	162.4
Southwest Lateral	26,073,232	4,431,165	9,996,974	14,428,139	27.6	162.4
West Canal	4,300,000	4,300,000	9,701,058	14,001,058	200.0	200.0
30" CWA Pipeline to EWPP	2,234,475	2,234,475	5,041,110	7,275,585	63.4	63.4
Lake Houston Pump Station	10,617,003	10,617,003	23,952,506	34,569,599	277.0	277.0
<b>Water Pollution</b>						
EWPP I & II	54,267,362	54,267,362	124,011,776	178,279,138	162.5	162.5
EWPP III	86,896,974	86,896,974	205,103,797	292,000,771	146.0	146.0
SEWPP	108,124,566	24,868,650	56,105,167	80,973,817	27.6	120.0
Additional Water Production	242,100,000	242,100,000	400,263,930	642,363,930	269.0	269.0
Northeast Quadrant Groundwater Plants	35,070,000	35,070,000	79,120,024	114,190,024	50.1	50.1
Southeast Quadrant Groundwater Plants	10,500,000	10,500,000	23,688,630	34,188,630	15.0	15.0
Northwest Quadrant Groundwater Plants	51,030,000	51,030,000	115,126,742	166,156,742	71.9	72.9
Southwest Quadrant Groundwater Plants	41,930,000	41,930,000	94,596,596	66,526,596	59.9	59.9
<b>Water Distribution</b>						
Line A 42"/35"	13,826,000	13,826,000	31,192,286	45,018,236	31.1	31.1
Line B 90"/84"	29,698,445	29,698,445	67,001,474	96,699,919	142.8	142.8
Line C 96"/84"/92"/66"	65,552,318	65,552,318	141,235,091	206,787,409	162.4	162.4
Line D 60"	20,155,000	20,155,000	45,470,889	65,625,889	63.4	63.4
Line E 60"/48"	13,666,738	13,666,738	30,832,981	44,499,719	63.4	63.4
Line F 48/42"	10,807,454	10,807,454	21,331,861	32,139,315	40.6	40.6
Line G 96"	32,182,010	32,182,010	31,445,364	63,627,374	162.4	162.4
Line X 36"	4,968,000	4,968,000	11,208,106	16,176,106	22.5	22.5
Line Y 48"	7,696,250	7,696,250	173,632,020	25,059,452	40.6	40.6
Line Z 48"	9,628,500	9,628,500	21,722,474	31,350,974	40.6	40.6

## APPENDIX B WASTEWATER TREATMENT PLANTS

Plant	Current Permit (MGD)	Eligible Capacity Added Through Expansion, 1990 (MGD)	Eligible Capacity Added Through Expansion, 2000 (MGD)	Total Cost Of 1990 Expansion (1) (\$)	Capital Cost Of Most Recent Expansion (\$)	Interest Cost Of Most Recent Expansion (\$)	Total Cost Of Eligible Expansion (\$)
ALMEDA SIMS	20.000	20.000					19,336,465
BELTWAY	13.340	8.940		19,336,465.00			25,335,614
CEDAR BAYOU	0.820	0.820		25,335,614.00			7,158,899
CHOCOLATE BAYOU	7.000	7.000		7,158,899.00			9,698,265
CLINTONPARK	2.000	1.300		9,698,265.00			6,881,617
EASTHAVEN	3.000	1.000		6,881,617.00			4,926,174
FOREST COVE	0.950		0.950	4,926,174.00	2,850,000.00	6,429,771.00	9,279,771
FWSD-23	7.000	5.000					10,772,537
GREENRIDGE	7.050	3.050		10,772,537.00			6,331,535
HOMESTEAD	4.000	4.000		6,331,535.00			12,784,567
HUNTERWOOD	0.200		0.200	12,784,567.00	6,000,000.00	1,353,636.00	1,953,636
IMP. VALLEY	4.000	3.350					10,632,770
INT. AIRPORT	8.000	8.000		10,632,770.00			39,251,132
INTERWOOD	0.250		0.250	39,251,132.00	750,000.00	1,692,045.00	2,442,045
KEEGANS BAYOU	23.100	16.900					90,332,643
KINGWOOD CENTRAL	6.600	6.600		90,332,643.00	19,800,000.00	44,669,988.00	64,469,988
METRO CENTRAL	5.000	1.600					4,215,800
MUD 48	0.378		0.378	4,215,800.00	1,134,000.00	2,558,372.00	3,692,372
MUD 58	0.600		0.600		1,800,000.00	4,060,908.00	5,860,908
MUD 203	1.500		1.500		4,500.00	10,152,270.00	14,652,270
MUD 266	0.200		0.200		600.00	1,353,636.00	1,953,636
NORTHBELT	5.000	5.000		30,460,000.00			30,460,000
NORTHBOROUGH	2.000	2.000		5,526,800.00			5,526,800
NORTHEAST	5.500	3.500		16,090,544.00			16,090,544
NORTHGATE	3.710	3.710		6,568,871.00			6,568,871
NORTHWEST	18.000	7.200		20,737,404.00			20,737,404
PARK TEN	3.500		3.500		10,500,000.00	23,688,630.00	34,188,630
SAGEMONT	6.140	3.140		15,985,040.00			15,985,040
SIMS BAYOU	25.000	48.000		31,200,000.00			31,200,000
SIMS BAYOU SOUTH	36.000	36.000		100,306,903.00			100,306,903
SIXTY-NINTH	200.000	200.000		257,740,490.00			257,740,490
SOUTHEAST	5.330	3.430		24,491,245.00			24,491,245
SOUTHWEST	60.000	41.200		310,378,526.00			310,378,526
TIDWELL TIMBERS	0.488		0.488		1,464,000.00	3,302,872.00	4,766,872
TURKEY CREEK	12.000	12.000		21,781,560.00			21,781,560
UPPER BRAYS	18.000	16.000		67,111,399.00			67,111,399
WCID-47	3.750	3.000		3,520,250.00			3,520,250
WCID-76	0.700		0.700		2,100,000.00	4,737,726.00	6,837,726
WCID-111	7.200	3.600		32,411,721.00			32,411,721
WEST DISTRICT	26.400	14.800		44,165,109.00			44,165,109
WESTWAY	0.500		0.500		1,500,000.00	3,384,090.00	4,884,090
WHITE OAK	4.000	2.000		8,122,114.00			8,122,114
WILLOWBROOK	2.000		2.000		6,000,000.00	9,919,800.00	15,919,800
ALMEDA SIMS EXPANSION			1.000		3,000,000.00	4,959,900.00	7,959,900
KINGWOOD CENTRAL EXPANSION			1.000		3,000,000.00	4,959,900.00	7,959,900
NORTHEAST EXPANSION			1.750		5,250,000.00	8,679,825.00	13,929,825
WCID-47 EXPANSION			2.100		6,300,000.00	10,415,790.00	16,715,790
WESTWAY EXPANSION			0.495		1,485,000.00	2,455,151.00	3,940,151
<b>TOTALS</b>	<b>560.206</b>	<b>492.140</b>	<b>17.611</b>	<b>\$1,244,255,994.00</b>	<b>\$72,633,000.00</b>	<b>\$148,774,309.00</b>	<b>\$1,465,663,303.00</b>

(1) EXCLUSIVE OF GRANT MONIES, INCLUSIVE OF INTEREST

AVERAGE CAPACITY COST (\$/GAL): \$ 2.8753

**APPENDIX C  
WASTEWATER COLLECTION SYSTEM PROJECTS**

<b>PLANT</b>	<b>PROJECT</b>	<b>JOB NO.</b>	<b>**CAPITAL COST</b>	<b>INTEREST COST</b>	<b>TOTAL COST</b>
Alameda Sims	McGregor Park Pump Station	3633-1	\$6,189,078	\$12,130,593	\$18,319,671
Alameda Sims	84" Alameda Trunk	3292-1&2	3,552,116	6,962,147	10,514,263
Alameda Sims	36" Trunk South	2722	489,023	733,535	1,222,558
Alameda Sims	*Lines from 1987 Collection System Analysis		3,114,214	18,265	7,785,535
Beltway	Bellaire 60" Trunk	3864-1	9,550,166	18,718,325	28,268,491
Cedar Bayou	Divert WCID's 73 & 82 to Cedar	3549-1&2	872,424	1,709,951	2,582,375
Chocolate Bayou	*Lines from 1987 Collection System Analysis		2,775,083	4,162,625	6,937,708
Clinton Park	*Lines from 1987 Collection System Analysis		167,648	251,472	419,120
Eathaven	*Lines from 1987 Collection System Analysis		2,257,145	3,385,718	5,642,863
Forest Cove	12" Influent Line		171,420	335,983	507,403
FWSD 23	*Lines from 1987 Collection System Analysis		2,592,728	3,889,092	6,481,820
Greenridge	Collection System Analysis		3,542,915	6,944,113	10,487,028
Homestead	*Lines from 1987 Collection System Analysis		2,564,204	3,846,306	6,410,510
Hunterwood	10" Influent Line		135,000	264,600	399,600
Imperial Valley	"Collection System Analysis		826,714	1,620,359	2,447,073
Intercontinental	120" Collection Trunk	4037-1	4,899,945	9,603,892	14,503,837
Intercontinental	*Lines from 1987 Collection System Analysis		551,369	827,054	1,378,423
Intercontinental	Greens Bayou Trunk (R-0126)	3230-1	1,665,000	3,263,400	4,928,400
Interwood	30" Influent Line		701,790	1,375,508	2,077,298
Keegans	72" Trunk Server	4056-1,2,3	17,491,322	34,282,991	51,774,313
Keegans	Diversion of MUD 139	4056-4	1,205,573	2,362,923	3,568,496
Keegans	42" FM from Bissonett P. S.		1,855,159	3,636,112	5,491,271
Kingwood Central	30" Influent Line		701,790	1,375,508	2,077,298
Kingwood Central	24" Force Main		433,920	850,483	1,284,403
Kingwood Central	12" Force Main		158,580	310,817	469,397
Metro Central	78" Trunk Sewer		2,132,130	4,178,975	6,311,105
MUD 48	12" Influent Line		171,420	335,983	507,403
MUD 58	10" Influent Line		135,000	264,600	399,600
MUD 58	15" Influent Line		246,420	482,983	729,403
MUD 203	36" Influent Line		889,290	1,743,008	2,632,298
MUD 266	12" Influent Line		171,420	335,983	507,403
Northbelt	72" Smith Road Trunk	4147	5,010,273	9,820,135	14,830,408
Northborough	*Lines from 1987 Collection System Analysis		424,804	832,616	1,257,420
Northeast	Divert WCID 20	3799-1	3,493,145	5,239,718	8,732,863
Northeast	Divert WCID 32	3956-1	2,134,915	4,184,433	6,319,348
Northeast	*Lines from 1987 Collection System Analysis		1,523,529	2,285,294	3,808,823
Northgate	*Collection System Analysis		623,857	1,222,760	1,846,617
Northwest	*Lines from 1987 Collection System Analysis		10,818,838	16,228,257	27,047,095

**APPENDIX C (continued)**  
**WASTEWATER COLLECTION SYSTEM PROJECTS**

PLANT	PROJECT	JOB NO.	**CAPITAL COST	INTEREST COST	TOTAL COST
Park Ten	24" Influent Line		433,920	850,483	1,284,403
Park Ten	18" Influent Line		297,330	582,767	880,097
Sagemont	Lines from 1987 Collection System Analysis		621,166	1,217,485	1,838,651
Sims-North & Sout	Lines from 1987 Collection System Analysis		7,198,831	10,798,247	17,997,078
69th Street	Hirsch Rd. Interceptor	4066	4,843,290	9,492,848	14,336,138
69th Street	N. Side Relief Tunnels	3786	34,653,805	67,921,458	102,575,263
69th Street	MacGregor Part P. S. Divert	4155	34,956,645	68,515,024	103,471,669
69th Street	144" Tunnel to WWTP	3375-11	9,622,162	18,937,838	28,600,000
69th Street	Bissonnet Area Tunnel Sewer		65,573,900	72,655,881	138,229,781
69th Street	*Lines from 1987 Collection System Analysis		19,974,820	29,962,230	49,937,050
69th Street	Divert McGregor P. S. to 69th	4155	29,739,530	27,975	88,029,009
Southeast	*Lines from 1987 Collection System Analysis and Estimate		1,504,566	65,365	4,453,515
Southwest	*Lines from 1987 Collection System Analysis		13,049,369	44,326	32,623,423
Tidwell Timbers	8" Influent Line		120,000	235,200	355,200
Tidwell Timbers	12" Influent Line		171,420	335,983	507,403
Tidwell Timbers	15" Influent Line		246,420	482,983	729,403
Turkey Creek	*Lines from 1987 Collection System Analysis and Estimate		595,766	53,589	1,793,467
Upper Brays	W. District Diversion	3864-2,3,4	24,536,891	48,092,306	72,629,197
Upper Brays	Westbelt to Fondren	3864-5	17,000,000	33,320,000	50,320,000
WCID 47	*Lines from 1987 Collection System Analysis		1,680,142	2,520,213	4,200,355
WCID 47	Diversion Trunk to Metro Central	4076	9,007,000	9,980,000	18,987,000
WCID 51	Partial Diversion to A-Sims	4054-1	6,545,600	12,829,376	19,374,976
WCID 51	*Lines from 1987 Collection System Analysis		1,430,134	2,145,201	3,575,335
WCID 76	18" Influent Line		321,420	629,983	951,403
WCID III	Brookfield Diversion	4081	6,646,980	13,028,081	19,675,061
WCID III	*System Analysis		2,371,214	4,647,579	7,018,793
West District	*Lines from 1987 Collection System Analysis		4,645,285	6,967,928	11,613,213
Westway	18" Influent Line		321,420	629,983	951,403
White Oak	*System Analysis		922,821	1,384,232	2,307,053
Willowbrook	15" Influent Line		246,420	482,983	729,403
Willowbrook	10" Force Main		135,000	264,600	399,600
TOTAL COST			\$395,652,634	\$589,118,667	\$1,071,253,285

SYSTEM CAPACITY (MGD) 505.4  
AVG COLLECTION SYSTEM (\$/GAL) \$2.1196  
CAPACITY COST

\*REFER TO APPENDIX C FOR DETAILS  
\*\*EXCLUSIVE OF GRANT MONIES

<b>SUBJECT:</b> Accept Work Meridian Commercial, L.P. Renovation of Police Stations: Central, NW, SW, & Magnolia WBS # G-000064-0001-4	<b>Page</b> 1 of 2	<b>Agenda Item</b> 4
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 02-28-08	<b>Agenda Date</b> MAR 12 2008
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E.  2/13/08	<b>Council District(s) affected:</b> A, C, H, I
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<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 713-247-1814	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2005-601, dated May 11, 2005 Ordinance No. 2006-977, dated September 27, 2006 Ordinance No. 2007-254, dated February 21, 2007
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**RECOMMENDATION:** Pass a motion approving the final contract amount of \$2,874,140.00, accept the work, and authorize final payment.

<b>Amount and Source of Funding:</b> No Additional Funding Required  <b>Previous Funding:</b> \$2,585,920.00 Police Consolidated Construction Fund 435 \$ 119,200.00 Police Consolidated Construction Fund (4504) \$ 333,760.00 General Improvements Consolidated Construction Fund (4509) <b>\$3,038,880.00 Total Funding</b>	<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 \$2,874,140.00 or 20.56% over the original contract amount, accept the work and authorize final payment to Meridian Commercial, L.P. for the Renovation of Police Stations – Central, Northwest, Southwest, and Magnolia.

**PROJECT LOCATIONS:**

Central Police Station	61Riesner (493L)
Northwest Police Station	6000 Teague (410W)
Southwest Police Station	4503 Beechnut (531R)
Magnolia Police Station	7525 Sherman (495W)

**PROJECT DESCRIPTION:** This project renovated four existing police stations: Central, Northwest, Southwest, and Magnolia. The scope of work updated or replaced: electrical service, heating, cooling and ventilation systems, indoor and outdoor lighting, roofs, security fencing and parking lot and driveway resurfacing; demolished and replaced ceiling tiles and grid for asbestos abatement; acoustic tile ceiling system and light fixtures; surveyed underground plumbing lines; sealed and insulated existing supply air ductwork and plumbing piping; leveled floors for new lockers; shower upgrades; relocated A/C unit; repaired existing sewer lines, cracked and settling masonry walls; relocated office furniture; replaced water piping and wall to the men's shower area; provided ADA access to the men's restrooms and showers; abatement of ACM glazing compound and replaced exterior windows; replaced wood flooring and concrete for installation of ceramic tile; and provided additional mechanical and electrical work to comply with current building and energy codes.

**REQUIRED AUTHORIZATION** CUIC# 25CONS24

<b>General Services Department:</b>   Phil Golembiewski, P.E. Chief of Design and Construction		<b>Houston Police Department:</b>   Harold Hurt Chief
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Date	<b>SUBJECT:</b> Accept Work Meridian Commercial, L.P. Renovation of Police Stations: Central, NW, SW, & Magnolia WBS # G-000064-0001-4	<b>Originator's Initials</b> EWR	<b>Page</b> 2 of 2
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**PREVIOUS HISTORY AND PROJECT SCOPE:** This was a complex project due to the deteriorated condition of the 40 year old stations that were renovated while in operation. On September 27, 2006, City Council approved a First Amendment to the contract to increase the maximum contract contingency up to 10% to address unforeseen conditions that are typically inherent in the renovation of aged facilities. On February 21, 2007, City Council approved a Second Amendment to the contract to increase the maximum contract contingency up to 24% to address additional unforeseen conditions and upgrades.

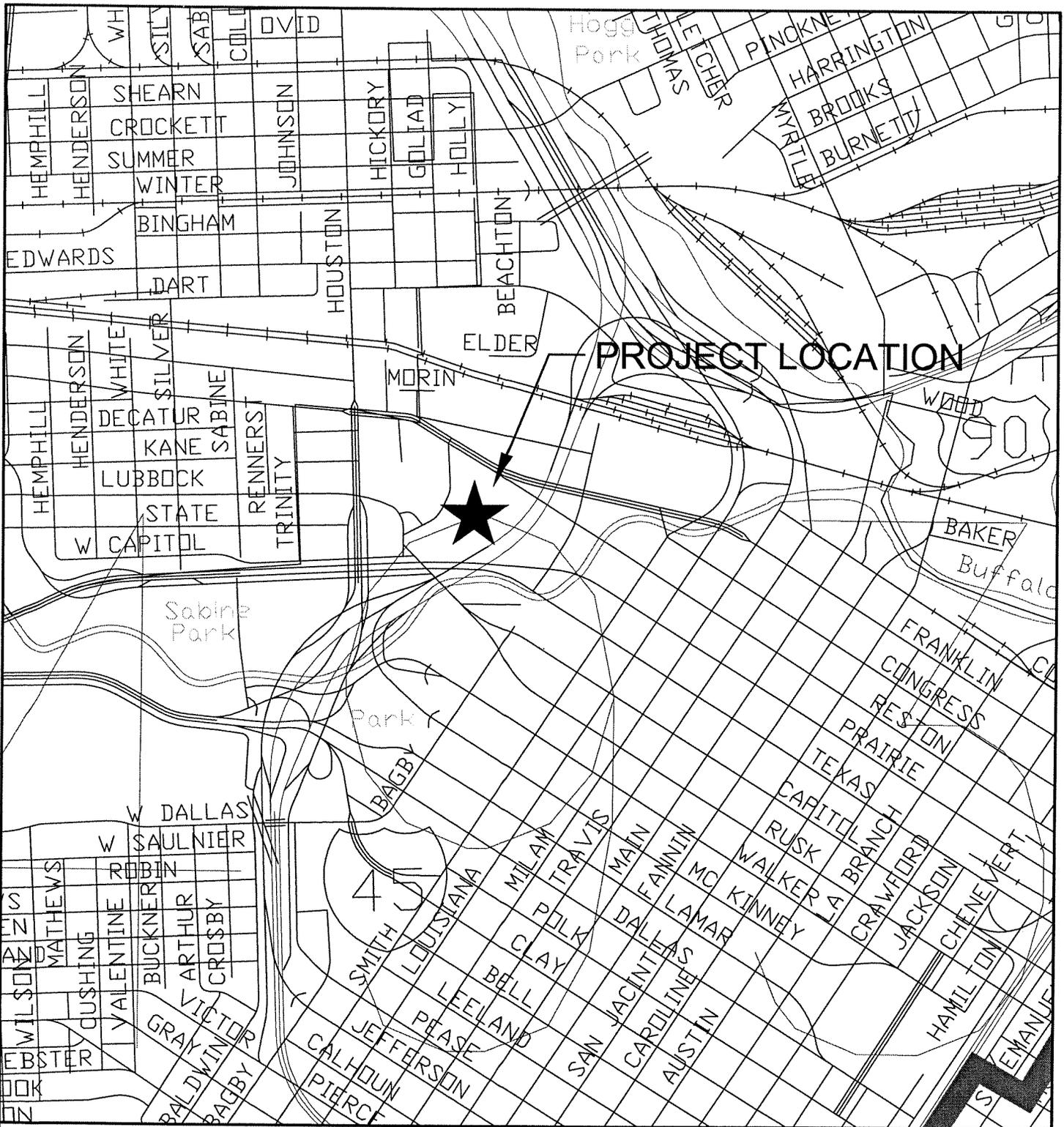
**CONTRACT COMPLETION AND COST:** The contractor completed the project within the contract time, plus an additional 483 days approved by Change Orders. The final cost of the project, including approved Change Orders 1 – 14 is \$2,874,140.00, an increase of \$490,140.00 over the original contract amount.

**PREVIOUS CHANGE ORDERS:** Change Orders 1 -14 provided the following: removed asbestos materials from various tile floors; fortification of a CMU wall during demolition; leveled a jail cell floor; removed and demolished concrete slab below asphalt paving; replaced rotted sub-floor at Central; new striping on the parking lot at Magnolia; replaced metal ceiling grids, acoustic ceiling tiles, and lay in light fixtures; accessibility modifications to multiple restrooms; furnished additional gyp-board to correctly complete showers; modified existing structural beams; provided additional electrical work to conform to City code; installed security fencing at Northwest; painted and re-glazed walls; relocated fire alarm control panel; performed mechanical, electrical, and plumbing revisions to accommodate men's shower and restrooms; replaced masonry walls; removed existing plaster ceilings and walls to accommodate new duct work; and extended General Conditions for overall project delays.

**M/WBE INFORMATION:** The M/WBE goal for this contract was 17%. According to the Affirmative Action and Contract Compliance Division, the contractor achieved 14.53% actual participation and was assigned an unsatisfactory rating. The Council Committee on Minority/Women Business Enterprise and Small Contractor Development and Contract Compliance reviewed this matter on January 28, 2008 and voted to recommend it to City Council with an unsatisfactory rating.


  
 IZD:RIG:JLN:MCP:EWR:ps

c: Marty Stein, Phil Golembiewski, P.E., James Tillman IV, Velma Laws, Kim Nguyen, Stephen Hanner, File 1108

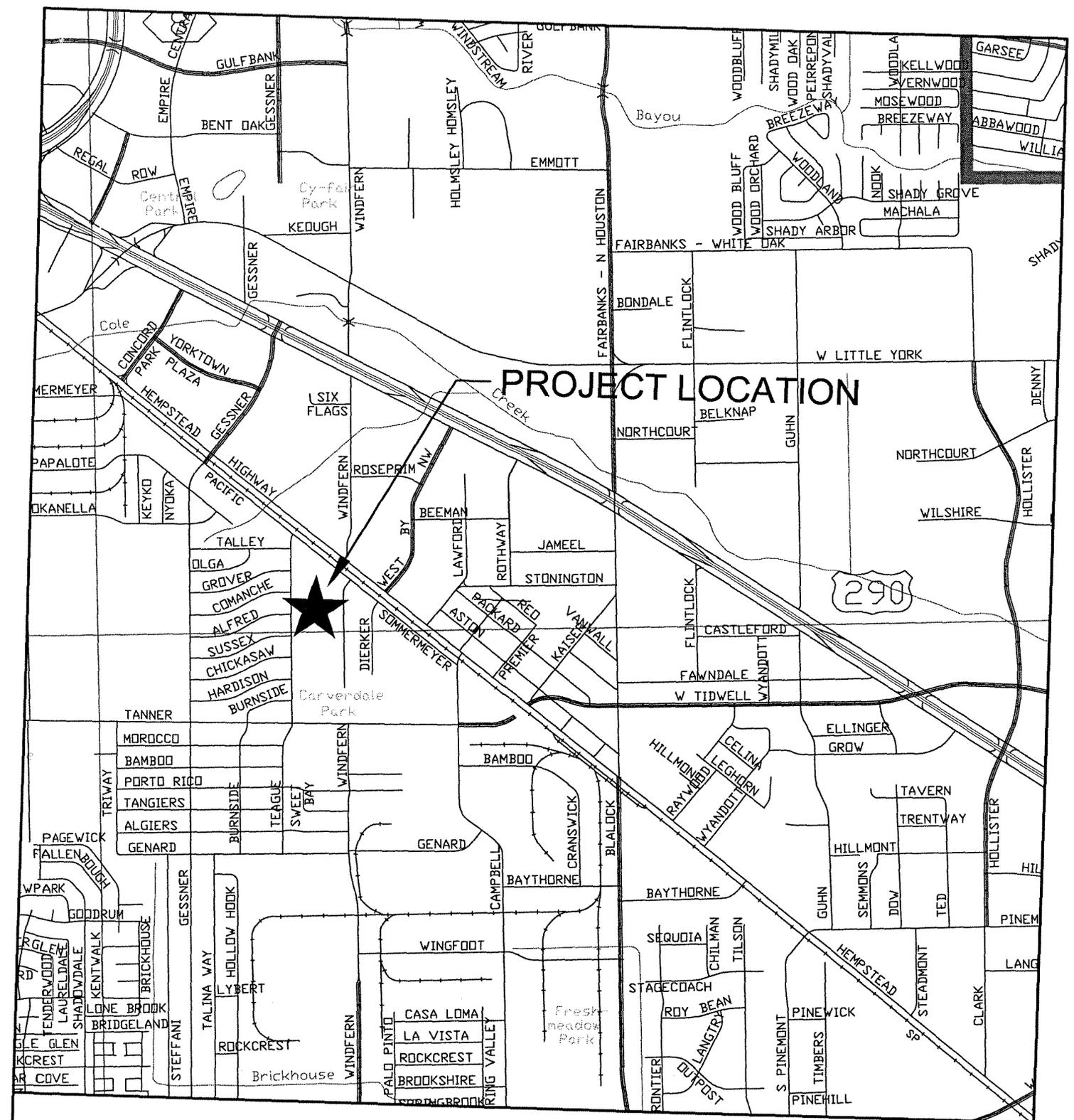


**PROJECT LOCATION**

**RENOVATION OF POLICE STATIONS  
CENTRAL POLICE STATION**

61 RIESNER

WBS NUMBER: G-000064-0001-4



# RENOVATION OF POLICE STATIONS NORTHWEST POLICE STATION

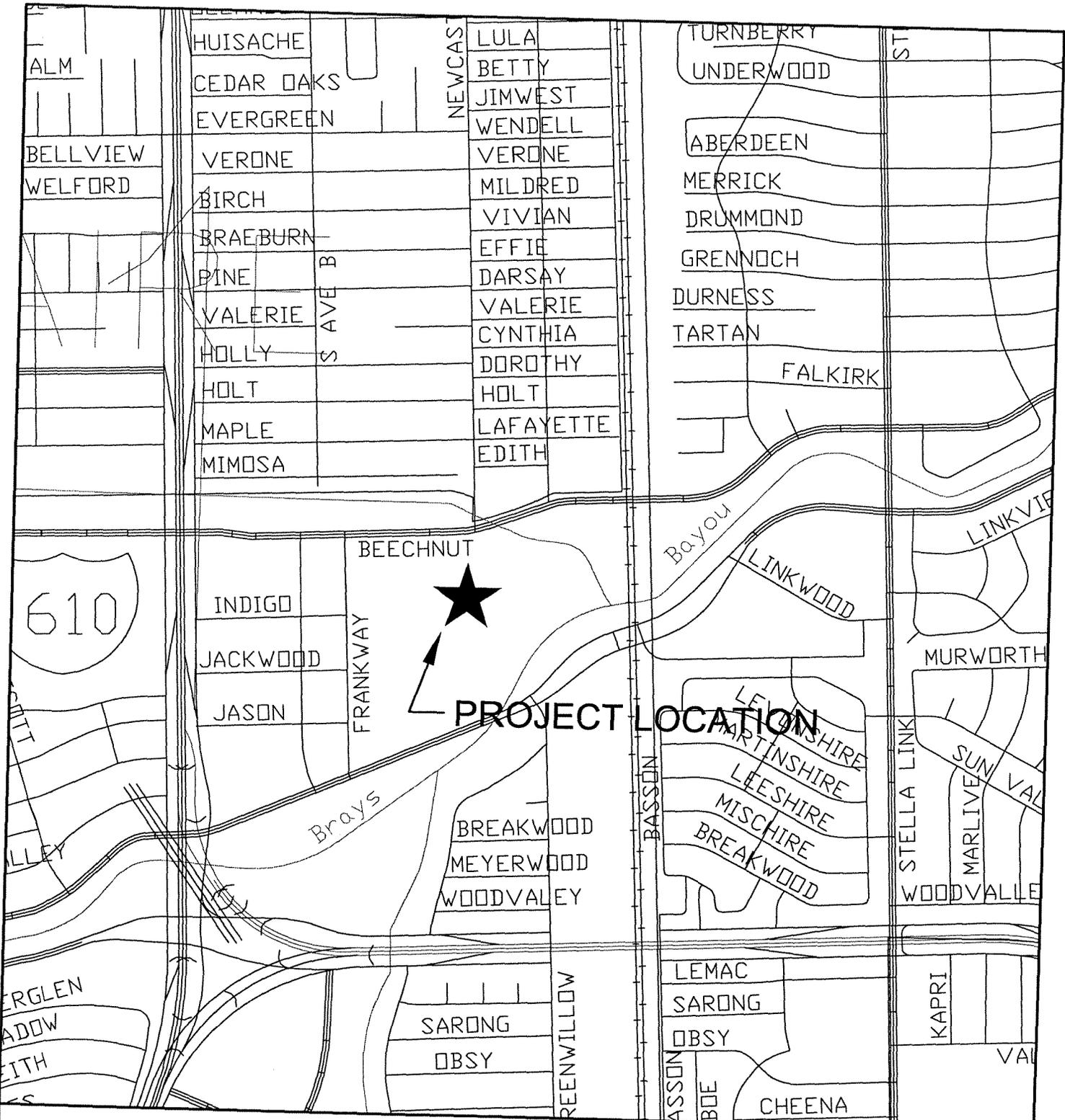
6000 TEAGUE

WBS NUMBER: G-000064-0001-4

COUNCIL DISTRICT A

MAP NOT TO SCALE

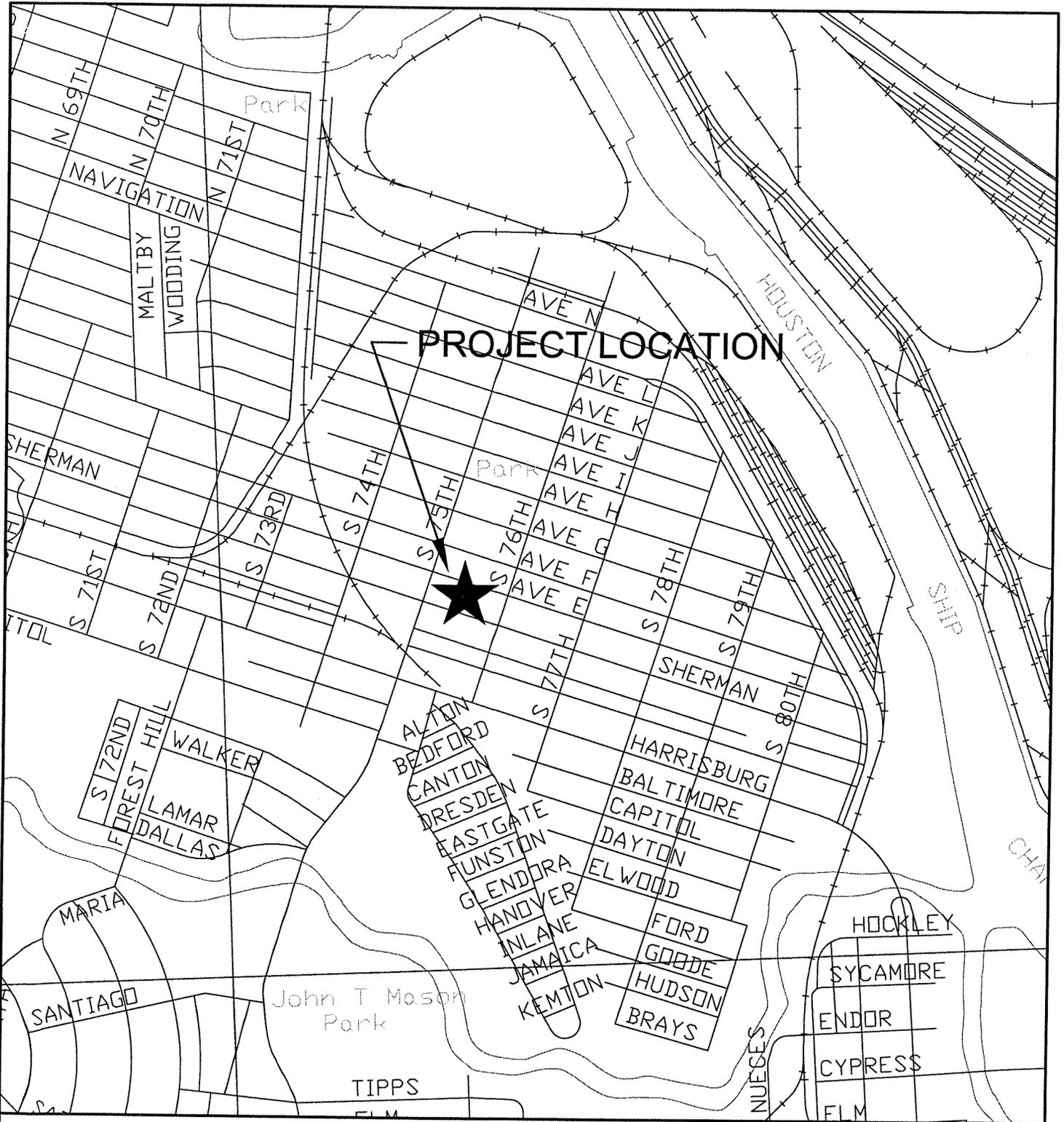
KEY MAP COORDINATE: 410W



**RENOVATION OF POLICE STATIONS  
SOUTHWEST POLICE STATION**

4503 BEECHNUT

WBS NUMBER: G-000064-0001-4



# RENOVATION OF POLICE STATIONS MAGNOLIA POLICE STATION

7525 SHERMAN

WBS NUMBER: G-000064-0001-4

## Summary of MWDBE Activities

Project Description/#: Renovation of Police Stations: Central, Northwest, Southwest, and Magnolia. G-000064-0001-4. #56937

Prime Contractor: Meridian Commercial, L. P.		MWDBE Goal at award of contract: <b>17%</b>
Amount of Contract: <b>2,384,000.00</b>	Change Orders: <b>\$490,140.00</b>	Final Contract Amount: <b>\$2,874,140</b>
Amount of MWDBE goal with change order:	<b>\$488,603.80</b>	MWDBE actual participation: <b>8.31%</b>

Original MWDBEs listed on RCA & Letter of Intent	MWDBEs Used:	List of original MWDBE, that were not used:
BCK Contractors	A-Rocket Moving & Delivery, Inc.	BCK Contractors
El Dorado Paving Company, Inc.	El Dorado Paving Company, Inc.	Energy Electric Supply, Inc.
Energy Electric Supply, Inc.	MEK Interiors & Floors, Inc.	
Safeco Demolition	Safeco Demolition	
Scott's Carpet & Floor Covering	Scott's Carpet & Floor Covering	
Universal Sheet Metal, Inc.	Universal Sheet Metal, Inc.	

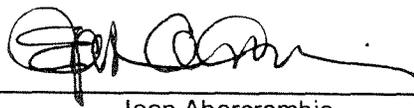
**If goal was not achieved, list the amount and percentage of shortage. Briefly state the reason given by prime why goal was not achieved and why the original MWDBEs listed in the RCA were not used:**

Meridian Commercial, L. P. fell short of the 17% goal by 8.69% (\$249,705.78). BCK Contractors, and Energy Electric Supply, Inc. were removed via deviation dated 10/26/07. The MWDBE firm, Energy Electric Supply was not used as Meridian did not have a contract with them, but instead, they contracted to use Energy Electric Company (now defunct) that is not a COH certified business. BCK Contractors was not certified at the time Meridian bid the project; however, Meridian neglected to replace them until the end of the contract. They filed for bankruptcy before work began.

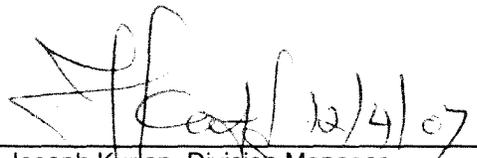
**Briefly state reason given by MWDBE why they were not used or not used to the full amount originally projected:**

Scott's Carpet & Flooring was removed via deviation dated 05/06/07 because of clear evidence from the COH project manager that they did substandard work, causing Meridian to have to redo much of what Scott's had installed.

**Approved by:**



Jean Abercrombie  
Contract Compliance Officer



Joseph Kurjan, Division Manager  
Contract Compliance Section

December 3, 2007  
Date

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method WBS# R-000266-00P7-4		Page 1 of 1	Agenda Item # <b>5</b>
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 3/6/08	<b>Agenda Date</b> MAR 12 2008
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., DEE, Director		<b>Council District affected:</b> B, C, D, E, 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. 2002-337 dated, 05/01/2002	
<b>RECOMMENDATION: (Summary)</b> Pass a motion to approve the final contract amount of \$2,023,031.43, which is 4.02% 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 \$2,297,747.81 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 755.			<b>F&amp;A Budget:</b>
<b>SPECIFIC EXPLANATION:</b> <p><b>PROJECT NOTICE/JUSTIFICATION:</b> Under this project the contractor provided sanitary sewer rehabilitation by cured-in-place pipe method to deteriorated sewer collection systems throughout the City.</p> <p><b>DESCRIPTION/SCOPE:</b> This project consisted of sanitary sewer rehabilitation by cured-in-place pipe method. The project was awarded to Garver Construction, Ltd. with an original contract amount of \$2,107,708.24. The Notice to Proceed date was 08/05/2002 and the project had 730 calendar days for completion. After the award of the contract, Garver Construction, Ltd. was purchased by Repipe Construction, Ltd. However, Repipe Construction, Ltd. elected to finish the contract using the name of Garver Construction, Ltd.</p> <p><b>LOCATION:</b> The project was located at various locations within Council Districts B, C, D, E, H and I.</p> <p><b>CONTRACT COMPLETION AND COST:</b> The contractor, Garver Construction, Ltd., has completed the work under the contract. The contract was completed within the required time. The final cost of the project is \$2,023,031.43, a decrease of \$84,676.81 or 4.02% under the original contract amount. Fewer sewer point repairs were actually made than anticipated.</p> <p><b>M/WDBE PARTICIPATION:</b> The M/WDBE goal for this project was 19%. According to Affirmative Action and Contract Compliance Division, the actual participation was 16.05%. The contractor was awarded a "Satisfactory" rating from Affirmative Action.</p> <p><i>Jim deFos</i>          MSM:JT:JGM:RK:FOS:mf          Attachments</p>			
c: Velma Laws      Michael Ho, P.E.      Craig Foster		Project File 4258-10 <b>REQUIRED AUTHORIZATION</b> CUIC ID# 20JGM209	
<b>F&amp;A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Jeff Taylor, Deputy Director Public Utilities Division	

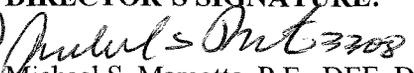
6





<b>SUBJECT</b> Request for the abandonment and sale of a 20 foot-wide storm sewer easement out of restricted Reserve "B" of Houston Intercontinental Trade Center Partial Replat No. 3., in exchange for conveyance to the City of a 20-foot-wide storm sewer easement out of a 5.5577 acre tract of land situated in the Armstrong Survey, Abstract No. 89. <b>Parcels SY8-065 and LY8-032</b>	<b>Category</b> # 7	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  6
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 3-6-08	<b>Agenda Date</b> MAR 12 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., DEE, Director	<b>Council District affected: B</b>  Key Map 335W 
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<b>For additional information contact:</b>  Nancy P. Collins <b>Phone:</b> (713) 837-0881  Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b>
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**RECOMMENDATION: (Summary)** It is recommended City Council approve a council motion authorizing the abandonment and sale of a 20 foot-wide storm sewer easement out of restricted Reserve "B" of Houston Intercontinental Trade Center Partial Replat No. 3., in exchange for conveyance to the City of a 20-foot-wide storm sewer easement out of a 5.5577 acre tract of land situated in the Armstrong Survey, Abstract No. 89. **Parcels SY8-065 and LY8-032**

<b>Amount and Source of Funding:</b> Not Applicable	<b>F &amp; A Budget:</b>
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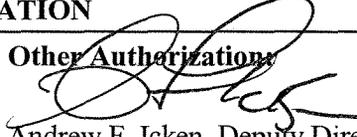
**SPECIFIC EXPLANATION:**  
 Steven R. Ward, P.E., Ward, Getz & Associates, LLP, 2500 Tanglewilde, Suite 301, Houston, Texas, 77063, on behalf of AMB Property, L.P. (Andrew Scott Irwin, Development Director), requested the abandonment and sale of a 20 foot-wide storm sewer easement out of restricted Reserve "B" of Houston Intercontinental Trade Center Partial Replat No. 3., in exchange for conveyance to the City of a 20-foot-wide storm sewer easement out of a 5.5577 acre tract of land situated in the Armstrong Survey, Abstract No. 89. The applicant intends to utilize the subject area for vehicle parking for a proposed commercial development.

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

1. The City abandon and sell a 20 foot-wide storm sewer easement out of restricted Reserve "B" of Houston Intercontinental Trade Center Partial Replat No. 3., in exchange for conveyance to the City of a 20-foot-wide storm sewer easement out of a 5.5577 acre tract of land situated in the Armstrong Survey, Abstract No. 89.
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the utility easement being abandoned and sold;
4. The applicant be required to cut, plug, and abandon the existing 66-inch storm sewer within the easement being abandoned and sold and construct a new 66-inch storm sewer within the new storm sewer easement being conveyed to the City, all at no cost to the City and under the proper permits;
5. The applicant be required to prepare drawings that show the storm sewer line being abandoned and constructed as part of this project and submit drawings to the Office of the City Engineer for plan review and approval. A copy of the council motion shall be attached to the plan set when it is submitted for plan review;

s:\bam\sy8-065.rca1.doc CUIC #20BAM8939

**REQUIRED AUTHORIZATION**

<b>F&amp;A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning and Development Services Division
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<b>Date:</b>	<b>Subject:</b> Request for the abandonment and sale of a 20 foot-wide storm sewer easement out of restricted Reserve "B" of Houston Intercontinental Trade Center Partial Replat No. 3., in exchange for conveyance to the City of a 20-foot-wide storm sewer easement out of a 5.5577 acre tract of land situated in the Armstrong Survey, Abstract No. 89. <b>Parcels SY8-065 and LY8-032</b>	<b>Originator's Initials</b>	<b>Page</b> <u>2</u> of <u>2</u>
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6. In the interest of expediting the abandonment and sale process, the applicant may choose to provide the City with a Letter of Credit (LOC), subject to the City's concurrence, covering the estimated construction cost for work required in Item 4 and 5 above in lieu of performing such work prior to finalization of the ordinance for the transaction. Should this option be selected, the applicant will be required to provide a LOC showing the City of Houston as beneficiary and in the amount of the estimated construction cost approved by the City. The LOC will be for a specific time period which may be less than but not longer than twelve months from the effective date of the ordinance for the transaction. Upon the applicant's satisfactory completion of the construction-related work as evidenced by written inspection clearance/approval by the Office of the City Engineer, PWE, at the applicant's request the City will release the LOC;

7. The Legal Department be authorized to prepare the necessary transaction documents; and,

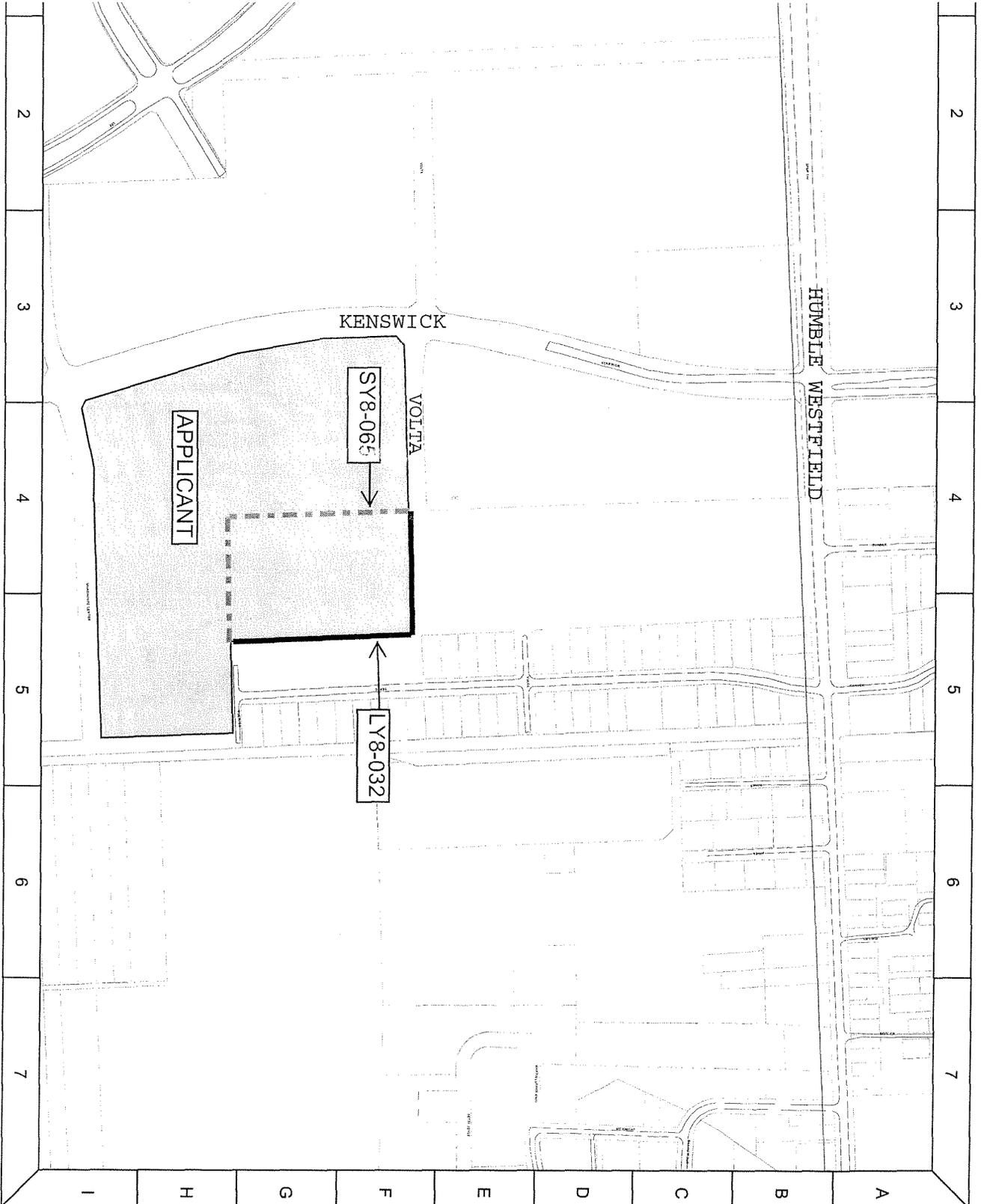
8. Inasmuch as the value of the property interests is not expected to exceed \$25,000.00, that the value be established by staff appraisal, according to City policy.

MSM: NPC:bam

- c: Phil Boriskie  
Marlene Gafrick  
Arturo G. Michel  
Marty Stein  
Jeff Taylor

PARCEL MAP

SUBJECT Request for the abandonment and sale of a 20 foot-wide storm sewer easement out of restricted Reserve "B" of Houston Intercontinental Trade Center Partial Replat No. 3., in exchange for conveyance to the City of a 20-foot-wide storm sewer easement out of a 5.5577 acre tract of land situated in the Armstrong Survey, Abstract No. 89. Parcels SY8-065 and LY8-032



1 inch equals 450 feet

03/09/20  
 Fee



**CITY OF HOUSTON**

**Department of Public Works & Engineering**

Geographic Information & Management System (GIMS)

DISCLAIMER: THIS MAP REPRESENTS THE BEST INFORMATION AVAILABLE TO THE CITY OF HOUSTON. THE FIELD VERIFICATIONS SHOULD BE DONE AS NECESSARY.



**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA# 7828

**Subject:** Purchase of Fitness Equipment through the Texas Local Government Purchasing Cooperative for the Parks and Recreation Department  
S34-N22809-B

Category #  
4

Page 1 of 1

Agenda Item

7

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

**Origination Date**  
February 26, 2008

**Agenda Date**  
MAR 12 2008

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

**Council District(s) affected**  
B, C, D, H, I

**For additional information contact:**  
Daniel Pederson Phone: (713) 845-1248  
Ray DuRousseau Phone: (713) 247-1735

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

**RECOMMENDATION: (Summary)**

Approve the purchase of fitness equipment through the Texas Local Government Purchasing Cooperative in the amount of \$189,768.25 for the Parks and Recreation Department.

Award Amount: \$189,768.25

**F & A Budget**

\$189,768.25 - Park Special Revenue Fund (2100)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the purchase of fitness equipment through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative in the amount of \$189,768.25 for the Parks and Recreation Department, and that authorization be given to issue a purchase order to the Texas Local Government Purchasing Cooperative contractor, FITCO Fitness Center Outfitters, LLC. This equipment will be used for fitness programs and classes at the Community Centers shown in the Fitness Equipment Distribution Summary.

This purchase will consist of various types of cardiovascular and strength training equipment. The cardio equipment will come with warranties of seven years on the frame and console, five years on the motor, and three years on labor and all other parts. The strength equipment will come with a full lifetime warranty on the frame, warranties of five years on rotary bearings, weight stacks, pulleys, guide rods, and structural moving parts, "one year on linear bearings, cables, and springs", and ninety days on the upholstery and hand grips. The life expectancy of the equipment is ten years. The equipment will replace existing equipment that has reached its life expectancy and will be sent to auction for disposition.

Buyer: Larry Benka

Attachment: Fitness Equipment Distribution Summary

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

*MA*

*2/28*

*8*

Attachment A  
Fitness Equipment Distribution Summary for  
RCA 7828

DEPT	DESCRIPTION	LOCATION
P&R	Total Body Elliptical w/Xramp Experience Series	Fonde Community Center
P&R	Abdominal Isolator w/Shroud	Fonde Community Center
P&R	8 STACK Modular System	Fonde Community Center
P&R	Seated Calf-plate load	Fonde Community Center
P&R	Superbench	Fonde Community Center
P&R	Handle Rack w/Shields	Fonde Community Center
P&R	Back Extension	Fonde Community Center
P&R	Superbench	Hartman Community Center
P&R	Olympic Bench	Hartman Community Center
P&R	Total Body Elliptical w/Xramp Experience Series	Love Community Center
P&R	PRECOR Experience Series	Love Community Center
P&R	Superbench	Love Community Center
P&R	Seated Calf-plate Load	Love Community Center
P&R	Total Body Elliptical w/Xramp Experience	MacGregor Community Center
P&R	PRECOR Experience Series	MacGregor Community Center
P&R	Recumbent Bike Experience Series	MacGregor Community Center
P&R	Leg Extension w/Shroud Painted	MacGregor Community Center
P&R	Prone Leg Curl w/Shroud Painted	MacGregor Community Center
P&R	Verticle Press w/Stand	MacGregor Community Center
P&R	Abdominal Isolator w/Shroud	MacGregor Community Center
P&R	Rear Delt/Pec Fly w/Shroud Painted	MacGregor Community Center
P&R	Bicep Curl w/Shroud Painted	MacGregor Community Center
P&R	8 STACK Modular System	MacGregor Community Center
P&R	Seated Calf-plate Load	MacGregor Community Center
P&R	Smith Machine	MacGregor Community Center
P&R	Superbench	MacGregor Community Center
P&R	Multi Purpose Bench	MacGregor Community Center
P&R	Handle Rack w/Shields	MacGregor Community Center
P&R	Olympic Bench	MacGregor Community Center
P&R	Olympic Incline Bench	MacGregor Community Center
P&R	Back Extension	MacGregor Community Center
P&R	Total Body Elliptical w/Xramp Experience	Marian Community Center
P&R	PRECOR Experience Series	Marian Community Center
P&R	Seated Calf-plate Load	Marian Community Center
P&R	Angled Leg Press	Marian Community Center
P&R	Superbench	Marian Community Center
P&R	Multi Purpose Bench	Marian Community Center
P&R	Recumbent Bike Experience Series	Mason Community Center
P&R	Prone Leg Curl /Shoud Painted	Mason Community Center
P&R	Seated Calf-plate Load	Mason Community Center
P&R	Abdominal Isolator w/Shroud	Mason Community Center
P&R	Superbench	Mason Community Center
P&R	Olympic Bench	Mason Community Center
P&R	Olympic Incline Bench	Mason Community Center

Attachment A  
Fitness Equipment Distribution Summary for  
RCA 7828

P&R	Leg Extension w/Shroud Painted	Memorial Fitness Center
P&R	Prone Leg Curl w/Shroud Painted	Memorial Fitness Center
P&R	Abdominal Isolator w/Shroud	Memorial Fitness Center
P&R	8 STACK Modular System	Memorial Fitness Center
P&R	Seated Calf-plate Load	Memorial Fitness Center
P&R	Smith Machine	Memorial Fitness Center
P&R	Superbench	Memorial Fitness Center
P&R	Handle Rack w/Shields	Memorial Fitness Center
P&R	Olympic Bench	Memorial Fitness Center
P&R	Olympic Incline Bench	Memorial Fitness Center
P&R	Back Extension	Memorial Fitness Center
P&R	PRECOR Experience Series	Moody Community Center
P&R	Recumbent Bike Experience Series	Moody Community Center
P&R	Abdominal Isolator w/Shroud	Moody Community Center
P&R	Seated Calf-plate Load	Moody Community Center
P&R	Superbench	Moody Community Center
P&R	Multi Purpose Bench	Moody Community Center
P&R	Olympic Bench	Moody Community Center
P&R	Olympic Incline Bench	Moody Community Center
P&R	PRECOR Seated Preacher Curl Bench	Moody Community Center
P&R	Total Body Elliptical w/Ramp Experience Series	Robinson, Jr Community Center
P&R	Recumbent Bike Experience Series	Robinson, Jr Community Center
P&R	Abdominal Isolator w/Shroud	Robinson, Jr Community Center
P&R	Seated Calf-plate Load	Robinson, Jr Community Center
P&R	Leg Extension - Plate Load	Robinson, Jr Community Center
P&R	Leg Curl - Plate Load	Robinson, Jr Community Center
P&R	Multi Purpose Bench	Robinson, Jr Community Center
P&R	4 Station Multi Gym	Robinson, Jr Community Center
P&R	Handle Rack w/Shields	Robinson, Jr Community Center
P&R	Abdominal Isolator w/Shroud	Shady Lane Community Center
P&R	Seated Calf-plate Load	Shady Lane Community Center
P&R	Superbench	Shady Lane Community Center
P&R	Squat Rack	Shady Lane Community Center

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary		RCA# 7782	
Subject: Formal Bids Received for Step Vans for the Public Works & Engineering Department S33-N22686		Category # 4	Page 1 of 2  Agenda Item  <b>8</b>

<b>FROM (Department or other point of origin):</b> Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department	Origination Date  February 20, 2008	Agenda Date  MAR 12 2008
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<b>DIRECTOR'S SIGNATURE</b> <i>Calvin D. Wells</i>	Council District(s) affected All
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For additional information contact: David Guernsey                      Phone: (713) 238-5241 Ray DuRousseau                      Phone: (713) 247-1735	Date and Identification of prior authorizing Council Action:
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**RECOMMENDATION: (Summary)**  
Approve an award to Houston Freightliner, Inc. on its low bid meeting specifications in the amount of \$182,928.00 for step vans for the Public Works & Engineering Department.

Award Amount: \$182,928.00	F & A Budget
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*PLR 2/28/08*

\$182,928.00 - PWE Combined Utility System General Purpose Fund (Fund 8305)

**SPECIFIC EXPLANATION:**  
The City Purchasing Agent recommends that City Council approve an award to Houston Freightliner, Inc. on its low bid meeting specifications in the amount of \$182,928.00 for two diesel-powered, 21,500-lb. Gross Vehicle Weight Rating, step vans for the Public Works & Engineering Department, and that authorization be given to issue a purchase order. These step vans will be used citywide by the Department to transport personnel, parts, supplies, and equipment to various work sites to repair large commercial water meters.

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

<u>Company</u>	<u>Bid Amount</u> (Item No. 1)
1. International Trucks of Houston	\$181,594.00 (Did Not Meet Specifications)
<b>2. Houston Freightliner, Inc.</b>	<b>\$182,928.00</b>
3. Southwest International	\$183,600.00
4. MXROS, Inc.	\$213,260.00

These step vans will meet the EPA's current emission standards for low emission vehicles. They consist of a chassis mounted with a van body. The chassis will come with a full three-year/36,000 mile bumper-to-bumper warranty, and the van bodies will come with a full one-year warranty. The life expectancy of these step vans is ten years or 100,000 miles. These new step vans will replace Shop Nos. 21858 and 21860, two existing 15-year-old units that have reached their life expectancy and will be sent to auction for disposition.

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization: <i>Calvin D. Wells</i>	Other Authorization: <i>Charles M. G. 33 08</i>

*65CDW7782*  
*MOT*

Date: 2/20/2008	Subject: Formal Bids Received for Step Vans for the Public Works & Engineering Department S33-N22686	Originator's Initials CJ	Page 2 of 2
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**M/WBE Subcontracting:**

Because these chassis are manufactured with factory-installed options and are shipped directly to manufacturer's authorized dealers, the M/WBE potential for these delivery vans is the purchase and installation of aftermarket equipment such as the van bodies. This bid was advertised with an 11% goal and Houston Freightliner Inc., has designated General Truck Body Manufacturing, Inc. as its certified M/WBE subcontractor. The M/WBE participation amount is \$64,780.00 or 35.4%.

Item No. 2 will be awarded in a separate procurement.

Buyer: Conley Jackson  
PR No. 10028968

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

<b>SUBJECT:</b> Approval of a resolution designating 5 Landmarks and Protected Landmarks (see Attachment - page 2 of 2)	<b>Category #</b>	<b>Page 1 of 2</b>	<b>Agenda Item #</b> 9
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<b>FROM (Department or other point of origin):</b> Planning and Development	<b>Origination Date</b> 2/26/2008	<b>Agenda Date</b> MAR 12 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>Ms. Maureen R. Gajewski</i> <i>RR</i>	<b>Council District affected:</b> <b>I</b>
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<b>For additional information contact:</b> Thomas McWhorter Phone: 713/837-7963	<b>Date and identification of prior authorizing Council action:</b> August 16, 2005 Ord. 2005-0969
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**RECOMMENDATION: (Summary)**  
  
Approval of a resolution designating 5 Landmarks and Protected Landmarks (see Attachment - Page 2 of 2)

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

In accordance with Chapter 33 of the Code of Ordinances relating to historic preservation, a property owner may initiate the application for the designation of a Landmark and Protected Landmark for which a 90-day waiver certificate may not be issued by the planning official.

Public hearings were held by the Houston Archaeological and Historical Commission and the Houston Planning Commission as indicated on page two. Both commissions determined that the applications satisfied applicable criteria of the ordinance and unanimously recommended approval of the 5 Landmark and Protected Landmark designations.

There were no objections to the applications.

MG: rp tm

Attachments: Applications and Staff Reports

xc: Marty Stein, Agenda Director  
Emily Todd, Mayor's Liaison for Cultural Affairs  
Anna Russell, City Secretary  
Arturo G. Michel, City Attorney  
Deborah McAbee, Land Use Division, Legal Department  
Harold L. Hurtt, Chief, Police Department  
Phil Boriskie, Chief, Fire Department

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

LANDMARKS AND PROTECTED LANDMARKS NAME/ADDRESS:	INITIATED BY:	COUNCIL DISTRICT:	HAHC HEARING:	PLANNING COMMISSION HEARING:
1. Kennedy Steam Bakery Building 813 Congress Avenue	Owner	I	1-30-2008	2-14-2008
2. Fox-Kuhlman Building 305-307 Travis Street	Owner	I	1-30-2008	2-14-2008
3. Anna Stabe Kerstings Building 417-419 San Jacinto Street	Owner	I	1-30-2008	2-14-2008
4. Pauline Gray Lewis House 1216 Wilson Street	Owner	I	1-30-2008	2-14-2008
5. Tomasino House 1514 Wilson Street	Owner	I	1-30-2008	2-14-2008

Photos of the proposed Landmarks and Protected Landmarks can be found by going to the following link on the Planning Department's web site: [www.houstontx.gov/planning/historic\\_pres/pending.htm](http://www.houstontx.gov/planning/historic_pres/pending.htm)

**LANDMARK, PROTECTED LANDMARK OR ARCHAEOLOGICAL SITE  
DESIGNATION APPLICATION  
CITY OF HOUSTON, TEXAS**

- Complete all information. Incomplete applications may cause delays in processing.
- If you have questions or need help, call the Planning & Development Department at 713/837-7796.

**To Be Completed by Planning Staff**

Date accepted as complete: 9/26/2007 HPO File Number: 07-PL48  
 Accepted By: Thomas McWhorter

**APPLICANT INFORMATION**

Legal Owner's Name of Site (Please print) <u>Carolyn Wenglar</u>	
Address <u>307 Travis</u>	
<u>Houston, Texas</u>	
City <u>77002</u>	Houston State TX
Zip Code	Day Phone <u>(713) 247-9207</u>
	Fax Phone <u>(713) 227-8916</u>
Signature <u>Carolyn Wenglar</u>	Date <u>9-24-07</u>

Agent's Name (if applicable)(Please print)	
Address	
City	State
Zip Code	Daytime Phone
Signature	Date

**PROPOSED DESIGNATION**

- Landmark (subject to 90-day waiver\*)       Protected Landmark (and Landmark) (NOT subject to 90-day waiver\* and also subject to Demolition by Neglect Provision)       Archaeological Site

\*Sec. 33-250 -90 day waiver certificate and Sec. 33-254 - Demolition by Neglect - see Code of Ord. - Chapter 33 VII - Historic Preservation - ([www.houstontx.gov/codes/chapters31to35.html](http://www.houstontx.gov/codes/chapters31to35.html))

**SITE INFORMATION**

**NOTE:** Site information is required and must accompany the application.

Site Address <u>813 CONGRESS Houston, TX.</u>
General description <u>2 STORY BRICK BUILDING</u>
<u>15' X 50' + Interst'n Alley</u>

Tax account number <u>001 019 000 0002</u>
Subdivision <u>SSBB</u>
<u>lot TR 2</u> Block <u>19</u>

**DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)**

- IF Site is already designated as a City of Houston Landmark, OR listed individually in the National Register of Historic Place OR designated as a Recorded Texas Historic Landmark OR State Archeological Landmark:

- Complete copy of the original nomination. If site has received multiple designations, or if there have been any amendments/revisions which provide information necessary to meet designation criteria found in the Historic Preservation Ordinance, please provide this information too.
- Statement/description regarding current physical condition and information/dates of previous alterations and renovations since the original nomination(s) was (were) written

## PROTECTED LANDMARK DESIGNATION REPORT

**LANDMARK NAME:** Kennedy Steam Bakery Building

**OWNER:** Carolyn Wenglar

**APPLICANT:** Same as Owner

**LOCATION:** 813 Congress – Main Street Market Square Historic District

**30-DAY HEARING NOTICE:** N/A

**AGENDA ITEM:** VIII.a

**HPO FILE NO.:** 07PL48

**DATE ACCEPTED:** Sept-26-07

**HAHC HEARING:** Jan-30-08

**PC HEARING:** Feb-14-08

### SITE INFORMATION:

Tract 2, Block 19, SSBB, City of Houston, Harris County, Texas. The site includes a two-story brick masonry commercial building with a wing wall featuring an archway on the eastern side of the building.

**TYPE OF APPROVAL REQUESTED:** Landmark and Protected Landmark Designation

### HISTORY AND SIGNIFICANCE SUMMARY:

The Kennedy Steam Bakery Building at 813 Congress is the oldest documented commercial building in the city of Houston located on its original site. The narrow, two-story brick structure, only 15 feet wide with an adjacent 5-foot-wide side alley, was built between October 1860 and the spring of 1861, and replaced an earlier structure on the site that was destroyed by fire on August 17, 1860. The bakery building was built by John Kennedy, an Irish-born merchant who moved to Houston around 1842 and became one of the wealthiest men in Harris County. In addition to the bakery building, Kennedy owned several adjacent commercial buildings at the corner of Travis and Congress, which were collectively known as Kennedy's Corner. The Kennedy Steam Bakery Building has served many purposes over the years. Local lore has it that during the Civil War, the building served as an arsenal, and the bakery was contracted to supply the Confederate Army with 'hardtack,' an extremely durable unleavened bread. The bakery building remained under Kennedy family ownership until 1970, and has been home to the La Carafe bar for over four decades.

The Kennedy Steam Bakery Building is listed as a contributing building in the Main Street Market Square Historic District, which is a National Register historic district established in 1983 and a City of Houston historic district designated in 1998. The Kennedy Steam Bakery Building meets Criteria 1, 2, 3, 4, 5, 7, and 8; was constructed before 1905; has been designated as a Recorded Texas Historical Landmark; and is a contributing building to a National Register historic district – all considerations for Landmark and Protected Landmark Designation.

### HISTORY AND SIGNIFICANCE:

Early Houston businessman and Irish immigrant, John Kennedy (1819-1878), arrived in Houston during the time of the Republic of Texas. Kennedy, his wife Mathilda, and children, John Jr., Mary, and Daniel lived in the downtown section of Houston's Third Ward, which began at the southeast corner of Main Street and Congress Avenue and continued in a southeasterly direction to the city limits. The Kennedy home was located on San Jacinto Street between Texas Avenue and Prairie near the Harris County Courthouse. In the mid-nineteenth century, the majority of Houston's residential and commercial areas were clustered in a tight girdle around Market Square and the business district along Main Street. The

# CITY OF HOUSTON

## Archaeological & Historical Commission

## Planning and Development Department

area to the east of Main Street was the location for much of the residential area of Houston, including an area known as Quality Hill, home to many of Houston's upper echelon. The Nichols-Rice-Cherry House, formerly the home of Rice University's benefactor William Marsh Rice, and currently located in Sam Houston Park, was once located across from the Courthouse on Congress Avenue near the Kennedy home in this same neighborhood.

Kennedy owned a significant amount of rural land as well as commercial properties in downtown Houston. According to the 1860 Harris County Census, Kennedy's real and personal assets were valued at \$110,000 (more than \$2 million today). His net worth placed him in the uppermost echelon of Houston society along with the likes of other wealthy Houstonians such as William Marsh Rice, Francis Lubbock, James Morgan, and Ashbel Smith, who all had estates valued at nearly \$100,000 or more in 1860 when the average Harris County resident's net worth was valued at far less than \$500.

John Kennedy was also somewhat of a philanthropist. In 1855, he deeded Lot 4, Block 23, SSBB, located on Caroline between Congress Avenue and Franklin, for use by the Roman Catholic Church. The location was to be used by the congregation of St. Vincent's Catholic Church, which had been located at the corner of Caroline and Franklin Street. The congregation later moved and was consolidated with the congregation of Annunciation Church, which was constructed between 1869-1871 at the corner of Texas Avenue and Crawford Street. The deed between John Kennedy and John M. Odin, Presiding Officer of the Roman Catholic Church, stipulated that the deed would become nullified if the property were ever to be used for any other purpose than that associated with the Catholic Church. The former site of St. Vincent's church is currently a parking lot.

At one time, Kennedy had either constructed or owned all of the buildings on the north side of the 800 block of Congress Avenue. Kennedy's buildings included the Steam Bakery building at 813 Congress Avenue, as well as a row of two- and three-story masonry buildings which wrapped the corner at Travis and Congress and were collectively known as Kennedy's Corner.

The narrow two-story brick building at 813 Congress was built by Kennedy for use as a steam-operated bakery, but this was not the first building on the site. Kennedy had owned a building at this site prior to the 1860 fire, which was the second location of Kennedy's Bakery. The first building had been located on Franklin Street, possibly at the same location as the parcel deeded to the Roman Catholic Church in 1855.

The earlier building at 813 Congress was at least partially, if not totally, destroyed by fire at 11 P.M on the evening of Friday, August 17, 1860. The same dry conditions had also resulted in many other fires in Houston that year. As stated in the Houston Telegraph, the fire losses in Houston alone for the first eight months of 1860 had amounted to \$350,000. Earlier in the year, a fire had destroyed significant portions of the east side of the 300 block of Travis facing Market Square. The newspaper article went on to suggest that it was time for Houstonians to help fund the placement of water cisterns at every street corner for the purposes of fire suppression. The 1869 W. E. Wood map of Houston includes an illustration of the Pillot Building, at the corner of Congress and Fannin, with a wooden cistern suspended from a wooden frame above grade located at the street corner. The cistern was presumably for use in fighting fires due to its location on a public street corner.

Other articles in the same newspaper issue and in the prior month's issues reported that much of Texas had experienced a prolonged period of drought in 1860, which caused statewide crop failures. The corn crop, which was a staple food in nineteenth century Texas, had suffered particularly heavy losses that year. During the Civil War years (1861-1865) corn was such a precious commodity that a tax known as the "Tithe Tax," which was based on both the quantity and quality of corn grown, was levied against

# CITY OF HOUSTON

## Archaeological & Historical Commission

## Planning and Development Department

corn growers in Texas. According to the Houston Telegraph, John Kennedy's losses on that August evening included 1,200 pounds of corn that had been stored in the bakery building for the production of cornmeal used in baking.

The August 17, 1860 fire began between Kennedy's Steam Bakery and Hoffman's hotel (formerly the Old New Orleans House) located next door. The fire spread in a westerly direction on Congress Avenue, consuming the steam bakery building, Hogan's Grocery, the Ruby Drinking Saloon, and the Kelley House, which had been a large three-story, wood-framed building. The fire eventually crossed Milam Street to the west, where it destroyed tenement buildings located at the northwest corner of Milam and Congress before it was finally brought under control. One person, a blind indigent man known as "Perkins," died in the fire after heroic attempts to save his life by another boarder at the Hoffman Hotel failed. According to reports, the fire caused over \$40,000 in property damage, of which only \$5,000 of worth was insured. The fire was devastating and the vast majority of the affected properties were owned by John Kennedy.

On October 29, 1860, Kennedy deeded his interest in Lots 1 and 2 of Block 19, SSBB, "together with the buildings and improvements thereon or so to be placed thereon by me" to Mrs. Eliza Westrope of Galveston in exchange for a promissory note for \$5000. Upon the satisfactory execution of the requirements stipulated in the deed, the instrument would be declared null and void and Kennedy would re-assume ownership of the land and buildings. Lots 1 and 2 had previously contained the buildings, known as Kennedy's Corner, including the Kennedy Steam Bakery, which is located on a narrow sliver of Lot 2. It is highly probable that Kennedy used the \$5000 loan to reconstruct his buildings on that block, including the current building at 813 Congress Avenue.

In January 1861, a Texas Secession Convention was convened to discuss the impending secession of the state from the United States Union. By March of that same year, Texas had adopted the articles of secession and was admitted to the newly formed Confederate States of America. The timing of the rebuilding of Kennedy's Steam Bakery building makes it one of the latest, documented buildings to be constructed during the antebellum period that ended with the beginning of the Civil War.

During the early stages of the Civil War, Houston experienced a period of marked population growth and even a degree of economic prosperity. This was due partially to the strategic location of Houston, many hundreds of miles from the battlefronts. As such, Houston received an influx of people from neighboring states and communities which were more greatly affected by the war. Among the most notable group of people were those from Galveston Island who fled during the Union occupation of the Island in the autumn of 1862. According to newspaper articles of the time period, Houston actually buzzed with activity as businesses of all types including merchants and trades people came to Houston.

John Kennedy was involved in a wide range of business ventures during the war. He continued to operate his bakery business at 813 Congress. It has been speculated that during the Civil War, Kennedy secured a contract from the Trans-Mississippi Department of the Confederate States of America for the production of "hard tack." Hard tack was issued as food provisions to troops in both the Union and Confederate armies because of its long shelf life. It was extremely durable, unleavened bread with the appearance of an English biscuit. Eyewitness accounts of the time routinely state that the hard tack had to be crushed with the butt of a rifle or soaked in water before becoming palatable.

Kennedy also leased space in his Kennedy Corner building to the Ordinance Office of the District of Texas, New Mexico, and Arizona for use as a munitions factory and storehouse. The Kennedy Corner building was located at the northwest corner of Congress and Travis, adjacent to the Kennedy Bakery. According to two articles in the May 19, 1862 Houston Tri-Weekly Telegraph newspaper, "*Captain*

*Goode, Ordinance officer of this port, desire us to say that the service of ladies are now desired in making up cartridges. He will be prepared for them at some convenient room tomorrow morning. What they are desired to do, is to cut the paper and tie it to the (lead mini) balls. The cartridges will be filled at another room, so ladies need not fear danger from powder.” “There were about twenty ladies at the cartridge room over John Kennedy’s store yesterday. Captain Goode says he can make room for fifty more and that their services are wanted now. We beg the ladies to be on hand today. Don’t let him say again that he has room for more than come. He wants several million cartridges. Let the ladies see that he has them.”* The building was used for this purpose until December 1863, when an order from the Chief Ordinance Office of the District of Texas, New Mexico, and Arizona, ordered the removal of all ordinance manufacturing and storage facilities to Anderson, Grimes County, Texas. The reason for this relocation was the speculated, but never realized, capture of Houston by Union forces. The exception to this order was Andrew McGowan’s Foundry, which manufactured heavy artillery and was evidently too cumbersome to relocate. According to the same document, several unpaid balances were due by the Ordinance Department to various contractors in the Houston area, including the money owed John Kennedy for 'house rent' in the amount of \$800.

John Kennedy also diversified to other business ventures outside of Houston. According to a document dated March 24, 1863, John Kennedy and others filed for a bond with the state to operate a ferry boat on the San Jacinto River in eastern Harris County. It is unclear whether this was for the continued operation of the Lynchburg Ferry or for another location altogether.

After the Civil War ended in 1865, Kennedy operated a steam grist mill on Congress Street between San Jacinto and Caroline. An 1867 Houston directory listing for Brady and Odell states that they were the successors to J. Kennedy’s Steam Bakery, and advertised bread, crackers, and cakes of all kinds. Kennedy continued the operation of his wholesale and retail grocery business in his Kennedy Corner buildings at Congress and Travis, but there is no specific mention of the 813 Congress address. The other retail spaces within Kennedy’s corner buildings were rented out for a variety of purposes. The most common uses were in the operation of various grocery stores and printing businesses. Some of the businesses that operated in the Kennedy corner buildings during the post Civil War years, which are the first for which City Directories exist, were Diamond and Jones Co. Printers, publishers of the Texas Masonic and Literary Journal; Gray, Smallwood, and Co., who were distributors of the 1866 edition of the Houston City Directory; and Lanotte and Michaud Grocers.

The last mention of the building’s use as a bakery was in the 1870 Houston City Directory when Kennedy’s son, John Kennedy Jr., operated the steam bakery business at 43 Congress (aka 813 Congress).

John Kennedy died in 1878. After his death, the property was willed to his wife, Mathilda Kennedy, and then ultimately to their son, John Kennedy Jr.

According to the National Register of Historic Places nomination for the Kennedy Bakery Building:

*“Kennedy first established a business in the 800 block of Congress in 1847. He had previously operated a business in the block of Franklin. Considered to be the oldest Houston building existing on its original site, the Kennedy Bakery Building stands today at 813 Congress, across from Market Square, which is Houston’s original commercial district. Built in the 1860’s, the structure represents a style of commercial architecture that became prevalent in Texas as well as the United States during the latter half of the 19th century. Today this narrow, two-story brick building, located on a mid-block lot, is bounded on the west by a modern commercial structure which butts against the west wall of the bakery, and on the east by a five foot wide alley that separates it from its modern, three-story neighbor. The*

main facade is of load-bearing brick, laid in running bond with every sixth course a header course. This facade is approximately twelve inches thick, fifteen feet wide, and features bricked corbels at the parapet level. The single door entrance is framed with wooden pilasters and a bracket supported architrave. The door is a four pane wooden unit, eight feet in height, topped with a transom. The first floor window is a twenty-four light, stationary sash unit of wooden construction. A soldier course lintel spans the facade directly above the door and window. The second floor window openings are larger than the first floor opening and are further distinguished by segmental arches of soldier coursed bricks. The lower portions of the openings are filled with unadorned panels and double-sash nine-over-nine windows. The corbel consists of rows of horizontal delineation's supported by regularly spaced vertical elements. This parapet area is a false front supported on either end by sloping buttresses. The flat roof slopes slight to the alley side for drainage. The remaining facades are unadorned plaster-covered brick. The alley is shielded with a single-story brick wall which is pierced by a single door, segmental arched opening. This alley leads to a rear courtyard in which the cistern and privy for the structure were located. The courtyard is enclosed in single-story, plaster covered brick walls and used as part of the restaurant, La Carafe. The interior walls of the building are plastered brick, with a considerable amount of brick exposure. The ground floor consists of a concrete slab floor and a modified ceiling of plywood and false beams. A steep, narrow stairway, trimmed with closely-spaced wooden banisters which are terminated on the second floor with a carved newel post, is located at the rear of the building. The second floor walls are similar to those of the ground floor, and the floor and ceiling are constructed of wood. Evidence of two chimneys remains on the west wall. The chimneys, rising three feet above the roof line, conform to the Houston fire codes of the 1860's which required bakeries to be of brick construction, tile roofs, with chimneys extending at least three feet above the roof. In an effort to prevent the building from being condemned, the owner had the structure reinforced in the 1960's. At this time, a non-structural, decorative grill was added to the second story of the facade. This wrought iron feature is inconsistent with the character of the structure, but is removable. Believed to have been constructed in the 1860's, the Kennedy Building in downtown Houston is generally acknowledged as the oldest structure in Houston existing on its original site. The building occupies the site of the previous "Shakespeare Coffee House." Legends report the two-story brick structure, which was built for pioneer merchant John Kennedy, at various times housed a trading post, stage stop, and slave market. Research indicates, however, that the structure housed Kennedy's bakery. This long, narrow building, constructed of load-bearing masonry, is a fine example of 19th century commercial architecture with elaborate brick delineation's in the cornice area.

John Kennedy, a native of Ireland and a baker by trade, came to Houston in 1842. Residing first in New Jersey and later in Missouri, Kennedy had amassed and subsequently lost two considerable sums of money before moving to Houston, penniless at the age of twenty-three. In the fall of 1842, Kennedy opened a small bakery on Franklin Street, between Main and Fannin, which was later moved to what is believed to have been the old two-story, wood frame coffee house on Congress Street between Travis and Franklin. In the next few years Kennedy acquired this latter property, now identified as 813 Congress, as well as the adjoining property at the corner of Travis and Congress. A building erected on the corner lot became known as Kennedy's Building and the property thereafter known as Kennedy's Corner. These properties are located in what was once Houston's central commercial district Market Square. A disastrous fire swept through the block in August, 1860, destroying all of Kennedy's property improvements. He began reconstruction immediately and erected a second Kennedy Building, a two story brick structure on the site of the original one. It is believed that the present bakery building, today known as La Carafe, is this building.

*By the time the Civil War began, Kennedy was maintaining a steam bakery, gristmill, and a retail grocery store as well as a large number of Negroes and several thousand acres in Harris and adjoining counties. During the war, the Kennedy Building served as an arsenal and the Bakery was contracted to supply the Confederate Army with "hardtack." Then the occasion arose, Kennedy engaged in running cotton through the blockade established by Federal authorities. Following the war, Kennedy disposed of his vast acreage, which he considered worthless with the abolition of slavery, and focused his attention on mercantile pursuits. Kennedy's reputation for honesty and sound business management earned him respect and popularity in professional and private circles. For many years one of the few Catholics of means within the city, Kennedy was a primary supporter of Houston's first Catholic Church, St. Vincent de Paul, constructed in the early 1840's. Kennedy contributed significant funding to the first church building and donated lots for the present cemetery. He entertained priests and visiting dignitaries at his home on San Jacinto and offered his trading post (as it became known) as a refuge for missionaries and a for the poor, regardless of color or creed.*

*The 1873 Houston City Directory lists a druggist operating from the bakery building, and drug stores, under several different ownerships, continued to operate there until 1932, from which time a wide variety of businesses occupied it. Ownership remained in the Kennedy family until 1970. The building was sold to William V. Berry in 1970, who operates a pub, known as La Carafe, in the building."*

The building has served many different purposes since its use as a bakery. It has housed the La Carafe bar for more than four decades. The current owner, Carolyn Wenglar, has continued the operation of La Carafe at this location since 1988. Wenglar also owns the circa 1862 brick front, commercial building at 307 Travis that houses Warren's Inn and also fronts Market Square. Together, the east side of the 300 block of Travis, the west side of the 200 block of Travis, and the north side of the 800 block of Congress represent all that is left of once thriving Market Square, which was the hub of commerce in Houston during the 19<sup>th</sup> and early 20<sup>th</sup> centuries.

The Kennedy Steam Bakery Building, located at 813 Congress Street, is a contributing building to the Main Street Market Square National Register Historic District, established in 1983, as well as the City of Houston Historic District, designated by City Council in 1998. The Main Street Market Square Historic District is the most nearly complete representation of the formative years of Houston's commercial retail development. The historic district encompasses the area surrounding Market Square, bounded by Travis, Milam, Congress and Prairie Streets. Market Square was the epicenter of early Houston commerce, as well as the Main Street Business District, which begins at Buffalo Bayou and continues southward to Texas Avenue. Originally comprised of one- and two-story wood frame structures, the area was rebuilt with more permanent brick structures after fires repeatedly devastated the area during the mid to late 19<sup>th</sup> century.

By the early 20<sup>th</sup> Century, the blocks surrounding Market Square were developed with one, two, and three story brick and stone commercial buildings which ranged in style from austere utilitarian to high style Victorian examples. Today, none of the first generation wood frame dwellings remain in the Main Street Market Square Historic District and only a few of their brick replacements have survived.

A vacant lot adjacent to the east side of the Kennedy Bakery Building, at the northwest corner of Travis and Congress, was the location of one of the original Kennedy buildings that suffered from several significant fires during its long history. A second fire in the 1880s damaged the Kennedy-owned buildings on the west side of the 200 block of Travis Street. At that time, the row of buildings was redesigned in a high Victorian style by noted architect, Eugene T. Heiner. Subsequent fires in the late

1970s and again in 1990 resulted in the corner building being demolished in October 1991. The adjacent building to the north side of the vacant lot represents the other half of the circa-1860 Kennedy Corner building, which received the same Victorian remodeling by Heiner as the two adjacent buildings to the north of it at 214 and 218 Travis building. Both of the latter buildings have fared much better over the past 150 years. Today, only the Kennedy Steam Bakery Building, located at 813 Congress, retains its antebellum appearance.

### **ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:**

The Kennedy Steam Bakery Building is a narrow, two-story, solid masonry building. The building is two bays wide and has a street width of 15'-0" with an adjacent alleyway that measures 5' in width and which runs back 50' along the eastern wall of the building. The alleyway access is gained through a low arched opening, which is constructed of brick and features the same brick detailing as found in the cornice of the adjacent Kennedy Bakery Building.

The Congress Street façade features a large, wood paneled door framed by heavy wooden pilasters and capped with a molded cap rail that shelters a small transom window. A multi-lite, wood sash window is located to the west side of the building adjacent to the doorway. The first floor façade is constructed of load bearing brick which is laid in running bond, in which bricks are laid with the long sides (the stretcher) facing outward.

The second floor of the Congress Street façade is delineated from the first by a single course of bricks placed on end and known as a "soldier course." The soldier course acts as a header which spans both the window and door openings, but does not extend the full width of the facade. The second floor of the Congress Street façade is punctuated by two evenly spaced pass-through windows. The jib windows are multi-lite, single hung wood sash windows, which are installed over low, double paneled wood doors.

Archaeological testing of portions of the common courtyard space located behind the Kennedy Bakery building and behind the W. L. Foley Building and Kennedy Corner Building at 214-220 Travis Street block occurred from 1986-1989. As the result of these excavations, which were a joint effort of Dr. Roger Moore and the Houston Archaeological Society, several significant strata of archaeological deposits were noted. The earliest deposits dated from the antebellum period and were possibly associated with the Shakespeare Coffee House, which had existed on the block prior to the Kennedy Steam Bakery building. Artifacts associated with this level included a preponderance of wine and liquor bottles which were recovered from an excavated privy. Another, more recent stratum showed clear evidence of the catastrophic August 1860 fire that destroyed much of the south side of the block. This level was overlaid by a 6" layer of fill dirt. It is this fill dirt layer that the existing buildings are constructed upon.

A Certificate of Appropriateness was granted by the Houston Archaeological and Historical Commission on May 22, 2003, for work to the exterior of 813 Congress Avenue. The work proposed at that time included the removal of a decorative, cast iron grill work which was applied to the second story exterior of the building in the 1960s. After the grill work was removed, a steel and wood canopy/balcony was constructed at the front of the building which spans the entire 20' Congress facade of the building and side alley. The current metal canopy/balcony is 12' in height above the sidewalk grade and features an open air balcony above. The steel canopy is supported by 5" diameter, round steel support posts and is reminiscent of the prior canopy that existing on the building as evidenced by an old postcard image. Also as evidenced in an 1885 Sanborn Fire Insurance Company map of the area, a canopy existed in front of the building in historic times that ran uninterrupted in front of all other buildings on the north side of the block. During the same 2003 restoration, the second-story windows were restored to their original "pass

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through” or “jib window” design, using the windows of the Nichols-Rice-Cherry House in Sam Houston Park as a guide, since the configuration of the windows are the same and both buildings are period to one another. The Kennedy Building retains a high degree of architectural integrity.

### **BIBLIOGRAPHY:**

Stephen Fox & Gerald Moorehead, Houston Architectural Guide, AIA Houston, 1990.

Harris County Deed Records, Volume 66, p. 97, 130, Volume 98, p. 417, Volume 107, p. 422.

Houston City Directories, 1866-1949.

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Sanborn Maps: 1885, 1890, 1896, & 1907.

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Houston Tri-Weekly Telegraph, May 19, 1862.

Preliminary Inventories of the Treasury Department Collection of Confederate Records; National Archives Washington, 1967.

Inspector Report of Headquarters and Staff Departments District of Texas to Lt. General E. Kirby Smith, Shreveport from Col. Ben Allston, Inspector General DTM Houston, Texas Dec. 8, 1863.

Southwestern Historical Quarterly.

*The information and sources provided by the applicant for this application have been reviewed, verified, edited and supplemented with additional research and sources by Thomas McWhorter, Planning and Development Department, City of Houston.*

### **APPROVAL CRITERIA FOR PROTECTED LANDMARK DESIGNATION:**

The HAHC shall review each application for designation of a protected landmark that is included in an application for designation of a landmark at the same time and in the same manner as it reviews and considers the application for a landmark. The HAHC and the Planning Commission, in making recommendations with respect to a protected landmark designation, and the City Council, in making a designation, shall consider whether the building, structure, site, or area meets at least three of the criteria in Section 33-224, or one of the criteria in Section 33-229, as follows:

**S    NA**

**S - satisfies    NA - not applicable**

Meets at least three of the following (Sec. 33-229(a)(1)):

- (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation (Sec. 33-224(a)(1));
- (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event (Sec. 33-224(a)(2));
- (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation (Sec. 33-224(a)(3));

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- (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city (Sec. 33-224(a)(4));
- (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood (Sec. 33-224(a)(5));
- (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation (Sec. 33-224(a)(6));
- (7) Whether specific evidence exists that unique archaeological resources are present (Sec. 33-224(a)(7));
- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride (Sec. 33-224(a)(8)).

### AND

- (9) If less than 50 years old, or proposed historic district containing a majority of buildings, structures, or objects that are less than 50 years old, whether the building, structure, object, site, or area is of extraordinary importance to the city, state or nation for reasons not based on age (Sec. 33-224(b)).

### OR

- The property was constructed before 1905 (Sec. 33-229(a)(2));

### OR

- The property is listed individually in the National Register of Historic Places or designated as a "contributing structure" in an historic district listed in the National Register of Historic Places (Sec. 33-229(a)(3));

### OR

- The property is recognized by the State of Texas as a Recorded State Historical Landmark (Sec. 33-229(a)(4)).

### STAFF RECOMMENDATION:

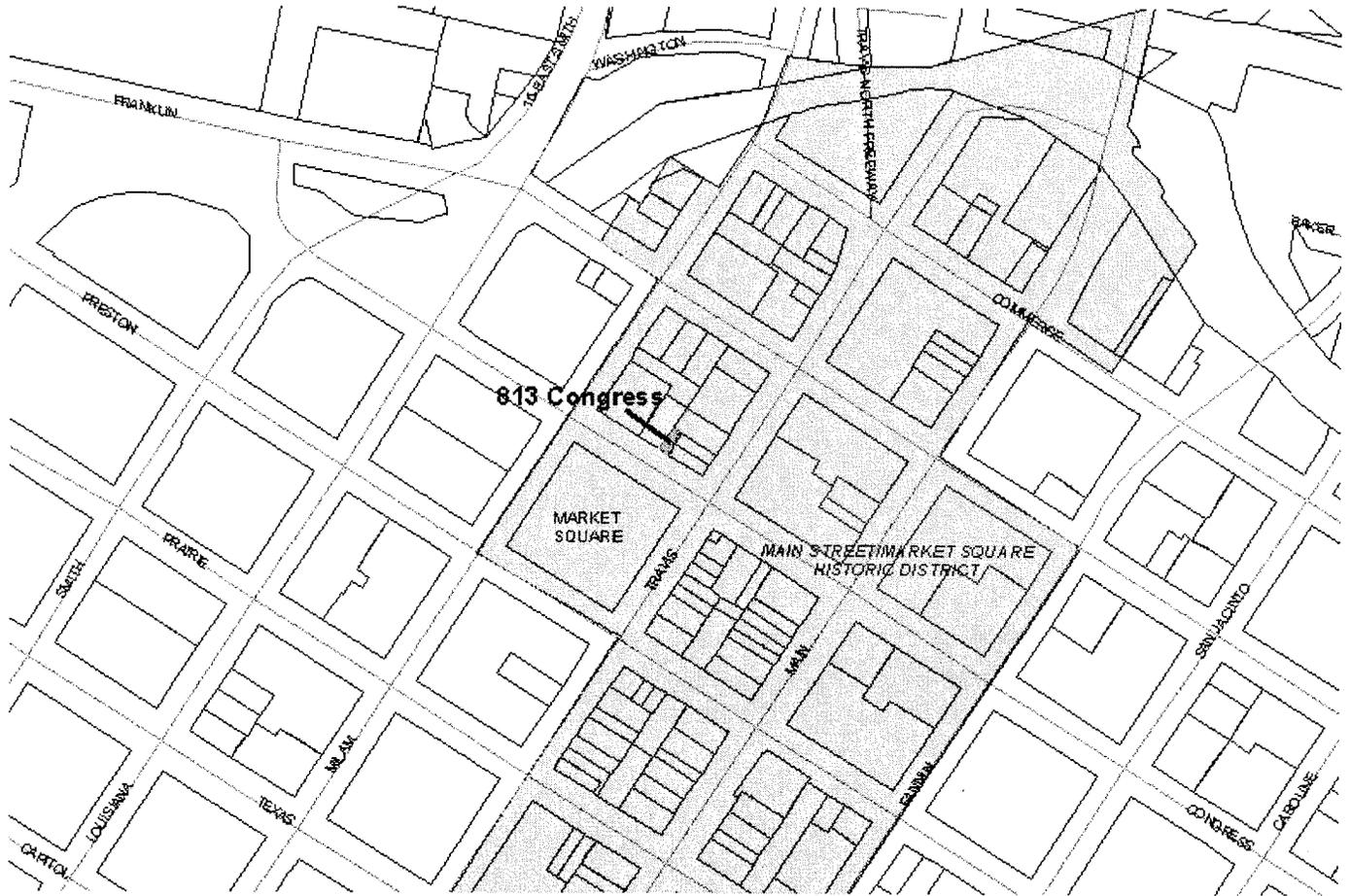
Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark and Protected Landmark Designation of the Kennedy Steam Bakery Building at 813 Congress Street.

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SITE LOCATION MAP  
KENNEDY STEAM BAKERY BUILDING  
813 CONGRESS STREET  
NOT TO SCALE



**LANDMARK, PROTECTED LANDMARK OR ARCHAEOLOGICAL SITE  
DESIGNATION APPLICATION  
CITY OF HOUSTON, TEXAS**

- Complete all information. Incomplete applications may cause delays in processing.
- If you have questions or need help, call the Planning & Development Department at 713/837-7796.

**To Be Completed by Planning Staff**

Date accepted as complete: 10/31/2007

HPO File Number: 07-PL 49

Accepted By: Thomas McWhorter

**1 APPLICANT INFORMATION**

Legal Owner's Name of Site (Please print)		
Address <u>7722 BURNINGHILLS</u>		
<u>HOUSTON TEXAS</u>		
City	Houston	State TX
<u>77071</u>	<u>713 227 5867</u>	
Zip Code	Day Phone	<u>713 227 5867</u>
	Fax Phone	<u>713 270 7290</u>
Signature	Date	
<u>Michael Shapiro</u>	<u>10/31/07</u>	

Agent's Name (if applicable)(Please print)	
Address	
City	State
Zip Code	Daytime Phone
Signature	Date

**PROPOSED DESIGNATION**

- Landmark (subject to 90-day waiver\*)       Protected Landmark (and Landmark) (NOT subject to 90-day waiver\* and also subject to Demolition by Neglect Provision)       Archaeological Site

\*Sec. 33-250 -90 day waiver certificate and Sec. 33-254 - Demolition by Neglect - see Code of Ord. - Chapter 33 VII - Historic Preservation - ([www.houstontx.gov/codes/chapters31to35.html](http://www.houstontx.gov/codes/chapters31to35.html))

**3 SITE INFORMATION**

**NOTE:** Site information is required and must accompany the application.

Site Address	<u>305 Travis St Houston, Texas 77002</u>
General description	<u>Two-story masonry commercial building</u>

Tax account number	<b>001033000026</b>
Subdivision	<b>SSBB</b>
Lot <b>TR 9B</b>	Block <b>33</b>

**4 DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)**

- IF Site is already designated as a City of Houston Landmark, OR listed individually in the National Register of Historic Place OR designated as a Recorded Texas Historic Landmark OR State Archeological Landmark:

A) Complete copy of the original nomination. If site has received multiple designations, or if there have been any amendments/revisions which provide information necessary to meet designation criteria found in the Historic Preservation Ordinance, please provide this information too.

**LANDMARK, PROTECTED LANDMARK OR ARCHAEOLOGICAL SITE  
DESIGNATION APPLICATION  
CITY OF HOUSTON, TEXAS**

- Complete all information. Incomplete applications may cause delays in processing.
- If you have questions or need help, call the Planning & Development Department at 713/837-7796.

**To Be Completed by Planning Staff**

Date accepted as complete: 9/26/2007  
Accepted By: Thomas McWhorter

HPO File Number: 07-PL49

**APPLICANT INFORMATION**

Legal Owner's Name of Site (Please print) <b>CAROLYN WENGLAR</b>	
Address <b>307 TRAVIS</b>	
<b>Houston, TEXAS</b>	
City Houston	State TX
<b>77002</b>	
Zip Code	Day Phone <b>(713) 247-9207</b>
<b>CALL FIRST</b> Fax Phone <b>(713) 227-8916</b>	
Signature <i>Carolyn Wenglar</i>	Date <b>9-24-07</b>

Agent's Name (if applicable)(Please print)	
Address	
City	State
Zip Code	Daytime Phone
Signature	
Date	

**PROPOSED DESIGNATION**

- Landmark (subject to 90-day waiver\*)       Protected Landmark (and Landmark) (NOT subject to 90-day waiver\* and also subject to Demolition by Neglect Provision)       Archaeological Site

\*Sec. 33-250 -90 day waiver certificate and Sec. 33-254 - Demolition by Neglect - see Code of Ord. - Chapter 33 VII - Historic Preservation - ([www.houstontx.gov/codes/chapters31to35.html](http://www.houstontx.gov/codes/chapters31to35.html))

**SITE INFORMATION**

**NOTE:** Site information is required and must accompany the application.

Site Address <b>307 TRAVIS Houston, TX.</b>
General description <b>2 STORY BRICK BUILDING</b>
<b>25' X 72'</b>

Tax account number <b>0010 330000009</b>
Subdivision <b>SSBB</b>
<del>lot</del> TR <b>9</b> Block <b>33</b>

**DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)**

- IF Site is already designated as a City of Houston Landmark, OR listed individually in the National Register of Historic Place OR designated as a Recorded Texas Historic Landmark OR State Archeological Landmark:

- A) Complete copy of the original nomination. If site has received multiple designations, or if there have been any amendments/revisions which provide information necessary to meet designation criteria found in the Historic Preservation Ordinance, please provide this information too.
- B) Statement/description regarding current physical condition and information/dates of previous alterations and renovations since the original nomination(s) was (were) written

<b>PROTECTED LANDMARK DESIGNATION REPORT</b>
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**LANDMARK NAME:** Fox-Kuhlman Building**OWNERS:** Michael Shapiro (305 Travis); Carolyn Wenglar (307 Travis)**APPLICANTS:** Same as Owners**LOCATION:** 305-307 Travis - Main Street Market Square Historic District**30-DAY HEARING NOTICE:** N/A**AGENDA ITEM:** VIII.b**HPO FILE NO:** 07PL49**DATE ACCEPTED:** Oct-31-07**HAHC HEARING:** Jan-30-08**PC HEARING:** Feb-14-08**SITE INFORMATION:**

Lot 9, Block 33, SSBB, City of Houston, Harris County, Texas. The north half of Lot 9 is owned by Michael Shapiro, and the south half of Lot 9 is owned by Carolyn Wenglar. The site includes a two-story, brick commercial structure spanning both halves of Lot 9, with each half being separately owned.

**TYPE OF APPROVAL REQUESTED:** Landmark and Protected Landmark Designation**HISTORY AND SIGNIFICANCE SUMMARY:**

The Fox Kuhlman Building, located at 305 and 307 Travis Street on the east side of Market Square, is one of Houston's oldest surviving commercial buildings. Construction on the two-story brick building had begun by 1862 by Eliza Fox and her husband, John Kuhlman, and had been completed by 1866 when Eliza died.

A single brick facade fronts two separately owned and occupied halves, each with its own hipped roof. Over the years, this two-sided building has housed numerous enterprises, including grocers, tailors, jewelers, clothing stores, real estate offices, restaurants, and bars. The north half of the building, at 305 Travis, has been owned by the same family since the 1930s, and the family's tailoring business, Duke of Hollywood, is still in operation at the site. The south half of the building, at 307 Travis, has most recently been home to Warren's Inn, a popular bar that has been located in the Market Square area for several decades.

The Fox Kuhlman Building is listed as a contributing building to the Main Street Market Square National Register and City of Houston historic districts. In addition, it meets Criteria 1, 4, and 5, and was constructed before 1905, all considerations for Landmark and Protected Landmark Designation.

**HISTORY AND SIGNIFICANCE:**

The Fox-Kuhlman Building, located at 305-307 Travis on Market Square, was built between 1862 and 1866, and is one of Houston's oldest surviving commercial buildings. It is designated as a contributing structure in the Main Street Market Square National Register Historic District, established in 1983, as well as the City of Houston Historic District, designated by City Council in 1998.

The Main Street Market Square Historic District is located on the south bank of Buffalo Bayou between Milam and San Jacinto streets. The historic district encompasses the area surrounding Market Square, the epicenter of early Houston commerce, as well as the Main Street Business District, which begins at Buffalo Bayou and continues southward to Texas Avenue. The buildings within the district range from modest, mid-nineteenth-century brick commercial buildings to a number of small but ornately detailed

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High Victorian commercial buildings, as well as a fine selection of multi-story public, bank, and office buildings. Allen's Landing and Market Square are two of the most historic sites in the City of Houston. Market Square, laid out in 1836 and located one block west of Main Street between Congress and Preston, is bounded on the west and east by Milam and Travis. Market Square was the site of the main public market and City Hall from 1839 until 1939.

Houston's earliest commercial buildings were little more than houses of wood-frame construction, usually with the end gables turned toward the street. Only their close configuration and lack of porches distinguished them from the houses in the residential section of Houston south of Prairie Avenue and east of Main Street. Repeated fires as well as a wave of economic prosperity in the late 1850s, attended by the construction of the Houston and Texas Central Railway and the Galveston, Houston and Henderson Railway, encouraged the replacement of wooden commercial buildings with more substantial masonry structures. During the early stages of the Civil War, Houston continued to experience a period of population growth and economic prosperity. This was due partially to the strategic location of Houston, many hundreds of miles from the battlefronts. As such, Houston received an influx of people from neighboring states that were more affected by the war.

During the 1860s and early 1870s, after fires repeatedly devastated the area, the wooden buildings on the block fronts surrounding Market Square were replaced by relatively modest, two-story masonry buildings housing the establishments of grocers, bakers, butchers, confectioners, liquor dealers, and other businesses that benefitted from the proximity to the public market. Most of the remaining historic structures around Market Square date from this period. They typically feature segmentally arched or flat-headed windows in regular patterns on the upper floors, with most ornament confined to brick cornices. Today, the east side of the 300 block of Travis, the west side of the 200 block of Travis, and the north side of the 800 block of Congress represent all that is left of once thriving Market Square.

Shortly after Houston was first platted in 1836, Lots 9 and 10 in Block 33, the block bounded by Travis, Congress, Preston and Main Streets, were purchased by Timothy Donnellan and his wife, Emilie De Ende Donnellan. Each lot was 50 feet wide and 100 feet deep. In 1846, the Donnellans sold off the rear 28 feet of the two lots, thus reducing the depth of Lots 9 and 10 to 72 feet from their frontage on Travis Street.

After Timothy's death, Emilie sold the north 1/3 of Lot 9 to John C. Fox in 1851 and the southern 2/3 of Lot 9 to Thomas Westrope in 1850. In 1853, Fox also purchased the middle 1/3 of Lot 9, so that he now owned the northern 2/3 of Lot 9, where he and his wife, Eliza, ran a bakery. Fox died in 1854, and in 1857, the last 1/3 of Lot 9 was purchased by Eliza Fox's second husband, Charles Stephanes, for \$600.

Eliza Fox was born in Hanover, Germany, in approximately 1825. John C. Fox and Eliza had two daughters, Eliza and Francisca (or Frances). On October 27, 1855, a year after John's death in 1854, Eliza married Charles Stephanes, a local grocer who had a store on Market Square. The French-born Stephanes was a veteran of the Texas Revolution who had fought in the Battle of San Jacinto. Eliza and Charles had a daughter Mary, born circa 1857. In the 1860 census, the household was recorded as living in Houston's Fourth Ward. Charles was 54 years old, and Eliza was age 35. In addition to Eliza's three daughters, the household included three Stephanes children, presumably Charles's children from a prior marriage.

In late 1859, after four years of marriage, Eliza petitioned for a divorce from Charles. In early 1860, a fire destroyed significant portions of the east side of the 300 block of Travis facing Market Square, including the Fox homestead and store. Eliza and Charles' divorce was granted on Dec 22, 1860, and in the property division, Eliza received her original separate property of the northern 2/3 of Lot 9 (the

# CITY OF HOUSTON

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homestead of Eliza and her late husband John Fox), as well as the southern 1/3 of Lot 9 out of the community property, which Stephanes had purchased in 1857. Stephanes died in 1868, and was buried in the old St. Vincent's Catholic cemetery located near present-day Navigation and Jensen streets.

On March 20, 1861, three months after her divorce from Stephanes, Eliza married John Kuhlman, who owned the adjacent property (Lot 10) at the southeast corner of Travis and Congress, where he had built a three-story brick building the year before. Like Eliza, Kuhlman was a German immigrant born in Hanover, and a widower with several children. As part of their marriage agreement, Eliza transferred the north half of Lot 9 to John Kuhlman. By 1862, Kuhlman had begun construction of a brick building on the two halves of Lot 9. Before the building was completed, however, John and Eliza found themselves "mutually dissatisfied and finding that they cannot live agreeably and harmoniously together" decided to live separately. On September 23, 1862, a separation agreement was filed in which Kuhlman surrendered all rights to Lot 9 and conveyed the partially constructed brick building to Eliza in 'its actual condition.' In return, Eliza had to 'renounce all right of habitation with him or in his residence.'

John Kuhlman went on to marry a third time, and had six additional children with his last wife, Sarah, before he died on May 8, 1883. Kuhlman was buried in the two-acre Kuhlmann Cemetery at 4001 Roseneath in Riverside Terrace off South MacGregor. His three sons by Sarah - Henry, George, and John - went on to operate the Star Bottling Company, which was located at 1117-1119 Commerce Avenue in the 1890s.

By the time of her death in April 1866, Eliza Fox had managed to complete construction of the two-story, two-sided brick building on Lot 9. Her estate, including Lot 9, Block 33 as well as numerous other properties, was partitioned among her three daughters. Eliza Thompson and Francisca Schuelby, her daughters with John C. Fox, were awarded the north half of Lot 9 adjoining Lot 10. Mary Stephanes, Eliza's daughter with Charles Stephanes, received the south half of Lot 9. Each half of Lot 9 had 25 feet of frontage on Travis Street and was seventy-two feet deep, and each half had improvements worth \$4500 'gold dollars.' After Mary's father Charles died in November 1868, she became a ward of Father Joseph Querat, a local priest originally from France, who played an important role in the construction of Annunciation Catholic Church at Crawford and Texas. Mary eventually went to live with relatives in France.

In March 1880, the three sisters sold the entire property to Henry Stude, a German immigrant, for \$11,000. Stude's son and daughter-in-law, Alphonse and Louise Stude, owned and operated a bakery and coffee 'saloon' for many years on Preston between Milam and Travis, on the south side of Market Square. Henry Stude also purchased property on the north side of White Oak Bayou in 1873, where he was a 'gardener' according to the City Directory. After Henry Stude's death in May 1905, ownership of Lot 9 (305-307 Travis) went to his six grandchildren - Henry W., Alphonse, Louis, Stokes, Emilie, and Henrietta - who sold the property to Edward Armstrong for \$60,000 in March 1917. Henry W. Stude (1881-1951), the eldest of Stude's grandchildren, transformed the family bakery business into a prominent commercial baking company, and served as national president of the American Bakers' Association and American Institute of Baking in the late 1920s to mid 1930s. Henry W. Stude was also involved in local real estate ventures, including the development of the Norhill subdivision on the north side of White Oak Bayou on the Stude family's former pasture lands.

Since the Fox-Kuhlman Building was built in the 1860s, it has been occupied by numerous merchants - grocers, clothing stores, jewelers, pawnbrokers, a harness and saddle maker, real estate offices, and barbers. Since 1936, the north half of the building, at 305 Travis, has been owned and occupied by the same family-run tailoring shop. The shop was originally opened as Hollywood Tailors in 1936 by

William B. Samuelson, who moved to Houston in 1936. At that time, there were many tailor shops surrounding Market Square where City Hall was originally located. When Samuelson died in 1962, his son Lionel E. Samuelson took over the business. Around 1969 or 1970, Lionel sold the building to his sister and brother-in-law, Udis and David Shapiro, who had been operating Duke's Man's Shop two doors down at 309 Travis since 1949. In 1971 David and Udis merged the two businesses into Duke of Hollywood Tailors at 305 Travis. Their son, Michael Shapiro, continues to run the tailoring shop, and in recent years, has added a shoe shine stand and a full-service bar, known as the CharBar, to the space.

The south half of the Fox-Kuhlman Building has housed a succession of restaurants and bars for the last several decades. Since the 1980s, Warren's Inn has occupied the space. Warren's was originally owned by Warren Trousdale, the late brother of the current building owner, Carolyn Wenglar. Before moving to 307 Travis, Warren's was located across Market Square at 316 Milam in the now-demolished Bethje-Lang Building.

#### **ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:**

Built as one structure, the Fox-Kuhlman Building features two hipped roofs behind a continuous cornice line of decorative brickwork. The two-story brick structure now consists of two separately owned halves, each 25 feet wide with three bays. Under divided ownership, the building's front facade has evolved over the years into the appearance of two separate facades.

At 307 Travis, the south half of the building, the double front doors, as well as the narrow flanking doors with transom lights and brick window hoods, appear to be original. The ornamental iron balcony across the second floor was added sometime in the twentieth century.

The north half of the structure, 305 Travis, has seen more alterations over the years, with the most recent changes taking place in 2001. A Certificate of Appropriateness was granted by the Houston Archaeological and Historical Commission on November 8, 2001, for renovations to the exterior of 305 Travis (Duke of Hollywood). The following work was approved: the demolition of the then-existing aluminum storefront, which had been a later alteration, and the rebuilding of a wood storefront of three bays. The two side bays were to consist of paired, wood doors with elongated vertical glass lights and wood panels below the glass, and the center bay was to consist of paired plate glass windows. The existing glass block transom windows were to remain. A decorative wood pilaster was added on the outside edge of the paired doors, and mahogany trim was added around the glass block transom windows.

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Houston Architectural Survey, Vol 5, p 1202.

National Register narrative for Market Square.

Downtown Historic District, Report on Buildings within the Historic District, 1996.

Beverly, Trevia Wooster, At Rest: A Historical Directory of Harris County, Texas, Cemeteries (1822-1992), p. 48.

*The information and sources provided by the applicant for this application have been reviewed, verified, edited and supplemented with additional research and sources by Diana DuCroz, Planning and Development Department, City of Houston.*

**APPROVAL CRITERIA FOR PROTECTED LANDMARK DESIGNATION:**

The HAHC shall review each application for designation of a protected landmark that is included in an application for designation of a landmark at the same time and in the same manner as it reviews and considers the application for a landmark. The HAHC and the Planning Commission, in making recommendations with respect to a protected landmark designation, and the City Council, in making a designation, shall consider whether the building, structure, site, or area meets at least three of the criteria in Section 33-224, or one of the criteria in Section 33-229, as follows:

<b>S</b>	<b>NA</b>		<b>S - satisfies</b>	<b>NA - not applicable</b>
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Meets at least three of the following (Sec. 33-229(a)(1)):

- (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation (Sec. 33-224(a)(1));
- (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event (Sec. 33-224(a)(2));
- (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation (Sec. 33-224(a)(3));
- (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city (Sec. 33-224(a)(4));
- (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood (Sec. 33-224(a)(5));
- (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation (Sec. 33-224(a)(6));
- (7) Whether specific evidence exists that unique archaeological resources are present (Sec. 33-224(a)(7));
- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride (Sec. 33-224(a)(8)).

**AND**

- (9) If less than 50 years old, or proposed historic district containing a majority of buildings, structures, or objects that are less than 50 years old, whether the building, structure, object, site, or area is of extraordinary importance to the city, state or nation for reasons not based on age (Sec. 33-224(b)).

**OR**

- The property was constructed before 1905 (Sec. 33-229(a)(2));

**OR**

- The property is listed individually in the National Register of Historic Places or designated as a “contributing structure” in an historic district listed in the National Register of Historic Places (Sec. 33-229(a)(3));

**OR**

- The property is recognized by the State of Texas as a Recorded State Historical Landmark (Sec. 33-229(a)(4)).

**STAFF RECOMMENDATION:**

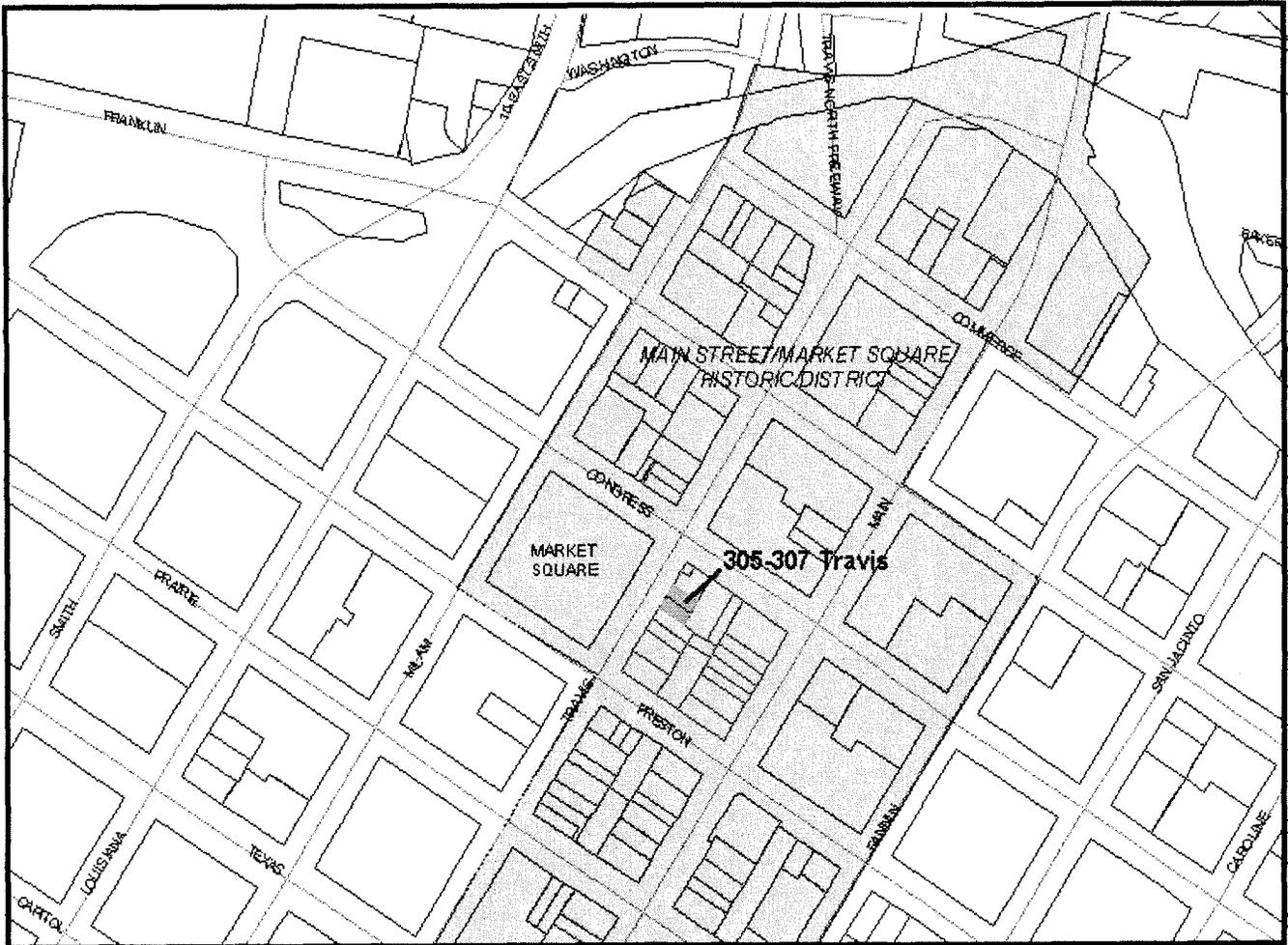
Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark and Protected Landmark Designation of the Fox-Kuhlman Building at 305-307 Travis Street.

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SITE LOCATION MAP  
FOX-KUHLMAN BUILDING  
305-307 TRAVIS STREET  
NOT TO SCALE



**LANDMARK, PROTECTED LANDMARK OR ARCHAEOLOGICAL SITE  
DESIGNATION APPLICATION  
CITY OF HOUSTON, TEXAS**

- Complete all information. Incomplete applications may cause delays in processing.
- If you have questions or need help, call the Planning & Development Department at 713/837-7796.

**To Be Completed by Planning Staff**

Date accepted as complete: 10/31/2007  
 Accepted By: [Signature]

HPO File Number: 07-PL50

**1 APPLICANT INFORMATION**

Legal Owner's Name of Site (Please print) <u>Hanges Despina Living Trust</u>	
Address	<u>417 San Jacinto St.</u>
City	<u>Houston State TX</u>
Zip Code	<u>Day Phone Fax Phone</u>
Signature <u>[Signature]</u>	Date <u>10/31/2007</u>

Agent's Name (if applicable)(Please print)	
Address	
City	State
Zip Code	Daytime Phone
Signature	Date

**PROPOSED DESIGNATION**

- Landmark (subject to 90-day waiver\*)       Protected Landmark (and Landmark) (NOT subject to 90-day waiver\* and also subject to Demolition by Neglect Provision)       Archaeological Site

\*Sec. 33-250 -90 day waiver certificate and Sec. 33-254 - Demolition by Neglect - see Code of Ord. - Chapter 33 VII - Historic Preservation - ([www.houstontx.gov/codes/chapters31to35.html](http://www.houstontx.gov/codes/chapters31to35.html))

**3 SITE INFORMATION**

*NOTE: Site information is required and must accompany the application.*

Site Address <u>417 San Jacinto</u>
General description : <u>Three-story masonry hotel building</u>

Tax account number	<u>001047000</u>
	<u>-0006</u>
Subdivision	<u>SSBB</u>
Lot: <u>TR 6</u>	Block <u>47</u>

**4 DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)**

- IF Site is already designated as a City of Houston Landmark, OR listed individually in the National Register of Historic Place OR designated as a Recorded Texas Historic Landmark OR State Archeological Landmark:

## PROTECTED LANDMARK DESIGNATION REPORT

**LANDMARK NAME:** Anna Stabe Kerstings Building  
**OWNER:** Hanges Despina Living Trust  
**APPLICANT:** Koule P. Hanges - Trustee  
**LOCATION:** 417 – 419 San Jacinto Street  
**30-DAY HEARING NOTICE:** N/A

**AGENDA ITEM:** VIII.c  
**HPO FILE NO:** 07PL50  
**DATE ACCEPTED:** Oct-31-07  
**HAHC HEARING:** Jan-30-08  
**PC HEARING:** Feb-14-08

### SITE INFORMATION:

Tract 6, Block 47, SSBB, City of Houston, Harris County, Texas. The site includes a three-story brick, masonry commercial building.

**TYPE OF APPROVAL REQUESTED:** Landmark and Protected Landmark Designation

### HISTORY AND SIGNIFICANCE SUMMARY:

The Anna Stabe Kerstings Building, located at 417-419 San Jacinto Street, was built in late 1904. The three-story brick building was built by a widow, Anna Stabe Kerstings, and replaced an earlier, two-story masonry building on the site that had housed the Central Fire Station and Hook and Ladder #1. The fire station building was, ironically, completely destroyed by fire in February 1904.

The Kerstings Building is constructed in the Neo-Classical style with a prominent clipped corner entry as well as arched window openings trimmed with contrasting brick. The first floor originally contained showrooms and was occupied by a auto company as early as 1905. The second and third floors have, over the last 100 years, been used in the operation of various boarding houses and hotels, including the Vendome, Majestic, and Moore Hotels, making it the longest, continually operating hostelry building on its original site in Houston. The building has operated as the Londale Hotel since 1946. The Anna Stabe Kerstings Building meets Criteria 1, 3, 4, and 5, and was constructed before 1905 - all considerations for Landmark and Protected Landmark Designation.

### HISTORY AND SIGNIFICANCE:

Anna Stabe Kerstings was born to Henry and Louisa Stabe in 1856. According to the 1870 census, Henry and Louisa were born in the Hesse region of what is now known as Germany. The couple was among the many thousands of immigrants from central Europe to the United States and to Texas during the mid-nineteenth century. Anna and her two siblings were all born in Texas, however. Her sister, Nellie A. Stabe, was born in 1867 and later married Thomas James Baker. A brother, named Louis, was born in 1860 and died prior to 1904. Anna Stabe Kerstings was a widow as early as 1903. She had two children from her marriage, but details about them are unclear. The only mention of her family comes from a 1928 deed transaction between the 72-year-old Anna Kerstings and her daughters, Mrs. L. Dean and Miss Effie Decuir, who were both widows at that time. Anna Stabe Kerstings died in Bexar County, Texas, on November 15, 1938.

Anna's father, Henry Stabe, was at various times self-employed as an undertaker and a carpenter. The undertaker business was a relative newcomer to American cities during the third quarter of the 19<sup>th</sup> century. Until then, the practice of preparing bodies for burial had largely taken place in the home by family members. Henry Stabe joined the firm of William Ruppensburg & Co., Undertaker, during the

early to mid 1880s. Stabe was next listed as a carpenter, but eventually entered into the undertaker business as a partner with William L. Wall, an attorney, in 1890. Together they formed the firm of Wall and Stabe. The firm offered ambulance service, room accommodations for boarders, accommodations for the storage of the deceased, stables for horses, and a fleet of draft animals and carriages. In a 1905 advertisement for the company in the Houston City Directory, Wall and Stabe advertised, "Dealers in Wooden and metallic cases, coffins; Embalming and disinterring a specialty; finest Line of Carriages in the city." Henry Stabe's carpentry skills may have been put to use in the production of coffins for the firm, while his partner William Wall tended to the legal matters of the business. The Wall and Stabe business was located in a building at the northwest corner of the intersection of San Jacinto and Prairie, directly across the street from Anna Kerstings' building. The Wall and Stabe site was demolished by 1924 to make way for the ten-story Sam Houston Hotel, now operating as the Hotel Alden.

Wall and Stabe also made forays into the construction business as evidenced by a building contract dated 1901 in which Estelle Brady, executrix of the John Thomas Brady Estate, entered into contract with Wall and Stabe with Frank Bergeron, a contractor, for the construction of a brick house on Block 47, SSBB, which is the Kerstings Building block. Since no contract record was found for the construction of the building, it is possible that Wall and Stabe acted as general contractors for the construction of the Anna Stabe Kerstings Building as well.

The 1904 Kerstings building replaced an earlier, two-story masonry building that had housed the Central Fire Station and Hook and Ladder #1. The Central Fire Station building was completely destroyed by fire at 12:30 A.M. on the morning of February 8, 1904. At the time of the 1904 fire, a number of different businesses were located along the south side of Block 47 facing Prairie Avenue. The Central Fire Station was located at the southwest corner of the block at San Jacinto and Prairie. Located on the east side of the fire station were the stables of a Mr. Johnson. At its rear, the Johnson stable building was connected at a 90 degree angle with the stables of the livery firm of Westall and Williams, which were located on the San Jacinto side of Block 47, just north of the Central Fire Station building. Also on the Prairie side of the block were a boarding house and a residence.

According to newspaper accounts, the fire completely leveled the south side of Block 47 facing Prairie Avenue on the morning of February 8, 1904. The fire allegedly began on the second floor of Mr. Johnson's stable on Prairie, and quickly spread to the connected stables of Westall and Williams on San Jacinto. Subsequently, the fire jumped to the Central Fire Station located on the corner of San Jacinto and Prairie next to the two stables, and to adjacent buildings to the east of Johnson's stable. Before long, the entire south side of the block was on fire. The fire station's equipment, including hook and ladder and chemical trucks, was rescued from the burning fire station, but the building itself was a total loss. A photograph published in the Tuesday, February 9, 1904, edition of the Houston Daily Post depicts the one remaining corner of the destroyed Central Fire Station facing Prairie Avenue.

Newspaper accounts gave loss totals from each of the respective property owners, including Anna Kerstings, who was listed as the owner of the building housing the Central Fire Station. Her loss was estimated at \$8,000 with no insurance coverage on the property. The City of Houston, which occupied the Central Fire Station building, had losses estimated at \$5,000, of which only \$3,000 was insured.

According to the same newspaper accounts, a new, replacement Central Fire Station building was nearing completion at the corner of Texas Avenue and San Jacinto. Immediately following the fire, carpenters and contractors worked overtime to complete the new fire station building by the following Saturday, February 13, 1904, so that the now homeless fire company could occupy the new space. In the interim period between the fire and the completion of the replacement station, the fire company was

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housed in the converted stalls of the Houston City Market in Market Square. From a Houston Daily Post article, dated Tuesday February 9, 1904, titled "Cause of Fire Unknown; No New Developments Have Come to Light Concerning Monday's Fire", "...one of the neatest and quickest pieces of work ever completed in this city was done by some 15 or 20 carpenters yesterday afternoon in enclosing and fitting up the south end of the Market sheds for the temporary use of the department. The south end of the sheds were enclosed and floored with heavy plank in such a manner as to make a very comfortable little home for the boys and beasts until next Saturday, when they will be removed to their new and handsome home at the corner of Texas Avenue and San Jacinto streets."

Anna Stabe Kerstings evidently did not have clear title to the property at the time of the fire. Although she was listed as the owner of the building, she petitioned Houston City Council for a Quit Claim Deed to the ruined property on October 10, 1904. By act of Mayor A. L. Jackson and City Finance Committee, and in consideration of the sum of \$4,500 paid by Anna Kerstings, the property was released to her and is recorded in the minutes of Houston City Council dated November 9, 1904.

On November 22, 1904, Anna Kerstings used the lot and improvements as collateral on a \$15,000 loan from Max Dienstag, who dealt in wholesale and retail china, crockery, glassware, and lamps from his store on Main Street. Max Dienstag lived at 1212 Prairie, directly across the street from Anna Kerstings' ruined property. The notary public of record for the transaction was a man named Frank E. Pye, who six months later entered into a contract with Kerstings for the construction of several homes at the corner of Shaw and Andrews Street on Block 6 of the Seneschal Addition in the Fourth Ward.

A building permit was issued to Anna Kerstings for the construction of a three-story brick building on San Jacinto Street on November 29, 1904. The estimated cost of the building as stated in the permit was \$13,750. The building appears at its current location in the 1907 Sanborn Fire Insurance company maps, and is the only building on the south side of the block to have been rebuilt following the disastrous 1904 fire. At the time of the 1924 Sanborn map set, only two buildings are located on the south side of the block - the Kerstings Building and the 1913 Westheimer Building at the southeast corner of the block.

In 1885, Block 47 was largely residential with the exception of the Central Fire Station and Wall and Noland Undertakers, located at the southeast corner of the block. The remaining buildings on the block were one and two-story frame houses. The block south of Block 47 was also largely residential, with a number of tenements and boarding houses. By 1896, Block 47 was almost entirely residential, with the exception of the fire station and a printing business housed in a former residence at the northwest corner of the block. At the time of construction of the Kerstings Building, there were several boarding houses and travelers hotels located in the general vicinity and the overall make up of the neighborhood had changed substantially. According to the 1907 Sanborn map, the majority of the buildings in the area were commercial or substantial multi-family residential buildings. By 1925, there were no more single family homes remaining on the block, and only a few were located on adjacent blocks.

The Kerstings Building has always been used as a boarding house or a hotel. The building was ideally situated only one block from the Harris County Courthouse and two blocks from the Main Street corridor. Union Station, which accounted for the bulk of Houston's passenger travel, was built in 1910 at the corner of Crawford and Texas Avenue only a short four blocks away. In 1905-06, the upper floors of the building were leased to Minnie E. Mathews, who operated a boarding house with furnished rooms. The August 8, 1904 lease agreement between Anna Kerstings and Minnie Mathews stipulated a move-in date of December 1, 1904 with a monthly rent of \$137.50. The building was not ready for move in on December 1, 1904, but was completed in time to be included in the 1905 Houston City Directory.

A succession of boarding house businesses followed. In 1907-1909, Isaac and Lula Griffith were listed as the proprietors of a furnished rooms business at this address. In 1910, the hotel was vacant, although the ground floor housed the Standard Auto Company. The Hotel Vendome operated in the upper two floors of the building in 1911-1915. The Vendome was followed by the Majestic Hotel from 1915 until 1928. In 1930, the upper floors of the building operated under the name Traveler Hotel. The Moore Hotel then operated at this address from the mid 1930s until 1945. The Lawndale Hotel opened at this location in 1946 and has operated as such until the present with an alteration of the spelling of its name to "Londale" Hotel.

The ground floor was used for an automobile repair and sales room as early as 1905 when the Houston Motor Car Company occupied the building. The ground floor continued to be used for this purpose until at least 1925. By the early 1920s, the ground floor space had been divided into a number of different commercial spaces, including space for an auto repair business, L. R. Beniretto's Barber Shop, and John Mariolo's Restaurant. The ground floor of the building currently houses Rachel's Deli.

Anna Stabe Kerstings sold the property to her daughters, Mrs. L. Dean and Miss Effie Decuir, on September 19, 1928, for ten dollars and "in consideration of love and affection for my two daughters."

### **ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:**

The Anna Stabe Kerstings Building is a three-story, solid masonry building designed and constructed in the Neo-Classical style. The building is 50 foot wide facing San Jacinto Street and 95 foot wide facing Prairie Avenue. The building features a prominent, canted corner at the corner of San Jacinto Street and Prairie Avenue, which also serves as the location of the main ground floor. On the second floor above the corner entry, is a pair of wood French doors with single upper lites that lead on to a small semi-circular metal balcony. On the third floor level of the canted corner are a pair of 1/1 double-hung, wood sash windows capped by a multi-paned fanlight transom, which is framed by an ornate archivolt extending downward along each side of the window opening to become integral with the ornamental pilasters located on each side. A small raised parapet is located at the roof level above the canted corner.

The ground floor space, which originally featured showrooms on both the San Jacinto and Prairie Avenue facades, has housed a succession of different businesses, including several different auto companies, and has most recently housed a diner. The five ground floor store fronts have been partially enclosed during subsequent remodeling episodes that partially bricked the lower half of each store front and installed plate glass in the upper halves. The ground floor exterior is currently clad in textured stucco. Although a historic photograph of the building has not been located, it can be hypothesized that the original ground floor store fronts were similar in appearance to those located on the nearby Palace Hotel Building (216 LaBranch), constructed in 1903, which is very similar in age, style, massing, and historic use. The Palace Hotel building features a series of ground floor store windows with wood panels located on the lower third of each bay and large plate glass windows located above. Each bay is separated by a decorative, cast iron support column which was cast by the late 19<sup>th</sup> and early 20<sup>th</sup> century Houston firm, Hartwell Iron Works.

The exteriors of the second and third floors are clad with brown brick and separated from each other by a simple molded belt course executed in the same material. The second floor of the San Jacinto façade is five bays in width. Each window opening features a pair of 1/1 lite wood sash windows with a rectangular transom located above, except for the northernmost bay, which is comprised of a single, 1/1 wood sash window. The second floor of the Prairie Avenue façade is six bays in width with paired 1/1 lite wood sash windows similar to those used on the San Jacinto Street facade. The window bays along

# CITY OF HOUSTON

## Archaeological & Historical Commission

## Planning and Development Department

the Prairie Avenue facade alternate in height according to whether or not the window is capped by a rectangular transom. The westernmost paired window, closest to San Jacinto Street, is capped with a horizontal rectangular transom, which is followed by a paired window without transom, two pairs of windows with transoms, and another pair without. The easternmost terminus of the building, heading towards Caroline Street, features a paired window with rectangular transom.

The third floor of both the San Jacinto and Prairie Avenue facades feature an identical configuration of window bays as found on the second floor. The most notable difference, however, is the use of fanlight transoms over each window opening rather than the horizontally arranged rectangular transoms used on the second floor below. Each of the third floor window openings along the San Jacinto façade, with the exception of the northernmost single window as described on the second floor, features an ornate raised brick archivolt executed in contrasting light colored brick. Each arch, which is pierced by a large keystone, is contiguous with raised pilasters of the same light colored contrasting brick, which frame each window opening. The roof edge is also executed in the same light colored brick as used in the archivolts and pilasters located below.

### **BIBLIOGRAPHY:**

City of Houston, City Council minutes, 1904.

Stephen Fox & Gerald Moorehead, Houston Architectural Guide, AIA Houston; 1990.

Harris County Deed Records, Volume 66, p. 97, 130, Volume 98, p. 417, Volume 107, p. 422.

Harris County Contract Records.

Harris County Mortgage Records.

Houston City Directories, 1870-1949.

United States Census, 1860, 1870, & 1880, Harris County, Texas.

Sanborn Maps, 1885, 1890, 1896, 1907, 1924.

Houston Daily Post, February 8 and 9, 1904.

Houston Daily Post, Tuesday November 29, 1904.

United States Social Security Death Index.

*The information and sources provided by the applicant for this application have been reviewed, verified, edited and supplemented with additional research and sources by Thomas McWhorter, Planning and Development Department, City of Houston.*

### **APPROVAL CRITERIA FOR PROTECTED LANDMARK DESIGNATION:**

The HAHC shall review each application for designation of a protected landmark that is included in an application for designation of a landmark at the same time and in the same manner as it reviews and considers the application for a landmark. The HAHC and the Planning Commission, in making recommendations with respect to a protected landmark designation, and the City Council, in making a designation, shall consider whether the building, structure, site, or area meets at least three of the criteria in Section 33-224, or one of the criteria in Section 33-229, as follows:

**S    NA**

**S - satisfies    NA - not applicable**

Meets at least three of the following (Sec. 33-229(a)(1):

# CITY OF HOUSTON

## Archaeological & Historical Commission

## Planning and Development Department

- (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation (Sec. 33-224(a)(1));
- (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event (Sec. 33-224(a)(2));
- (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation (Sec. 33-224(a)(3));
- (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city (Sec. 33-224(a)(4));
- (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood (Sec. 33-224(a)(5));
- (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation (Sec. 33-224(a)(6));
- (7) Whether specific evidence exists that unique archaeological resources are present (Sec. 33-224(a)(7));
- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride (Sec. 33-224(a)(8)).

### AND

- If less than 50 years old, or proposed historic district containing a majority of buildings, structures, or objects that are less than 50 years old, whether the building, structure, object, site, or area is of extraordinary importance to the city, state or nation for reasons not based on age (Sec. 33-224(b)).

### OR

- The property was constructed before 1905 (Sec. 33-229(a)(2));

### OR

- The property is listed individually in the National Register of Historic Places or designated as a “contributing structure” in an historic district listed in the National Register of Historic Places (Sec. 33-229(a)(3));

### OR

- The property is recognized by the State of Texas as a Recorded State Historical Landmark (Sec. 33-229(a)(4)).

### STAFF RECOMMENDATION:

Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark and Protected Landmark Designation of the Anna Stabe Kerstings Building at 417-419 San Jacinto Street.

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

SITE LOCATION MAP  
ANNA STABE KERSTINGS BUILDING  
417-419 SAN JACINTO STREET  
NOT TO SCALE



**LANDMARK, PROTECTED LANDMARK OR ARCHAEOLOGICAL SITE  
DESIGNATION APPLICATION  
CITY OF HOUSTON, TEXAS**

- Complete all information. Incomplete applications may cause delays in processing.
- If you have questions or need help, call the Planning & Development Department at 713/837-7796.

**To Be Completed by Planning Staff**

Date accepted as complete: 12/12/2007

HPO File Number: 08-PL51

Accepted By: [Signature]

**APPLICANT INFORMATION**

Legal Owner's Name of Site (Please print) <u>Rutherford B. H. Yates Museum, Inc.</u>	
Address <u>P.O. Box 130726</u>	
<u>Houston, Texas</u>	
City	State
<u>77219-0726</u>	
Zip Code	Day Phone <u>713-734-0163</u>
	Fax Phone <u>281-495-2012</u>
Signature <u>[Signature]</u>	Date <u>11/19/07</u>

Agent's Name (if applicable)(Please print) <u>DEBRA BLACKLOCK-SLOAN</u>	
Address <u>10418 KELBURN DRIVE</u>	
<u>Houston, Texas</u>	
City	State
<u>HOUSTON</u>	<u>TX</u>
Zip Code	Daytime Phone <u>713 491-0971</u>
<u>77016</u>	
Signature <u>[Signature]</u>	Date <u>12.10.2007</u>

**PROPOSED DESIGNATION**

- Landmark (subject to 90-day waiver\*)
- Protected Landmark (and Landmark) (NOT subject to 90-day waiver\* and subject to Demolition by Neglect Provision)
- Archaeological Site

*1st per conv. w/ property owner*

\*Sec. 33-250 Ninety-day waiver certificate and Sec. 33-254 Demolition by Neglect - see Code of Ord. Chapter 33 - Historic Preservation Ordinance - ([www.houstontx.gov/codes/chapters31to35.html](http://www.houstontx.gov/codes/chapters31to35.html))

**SITE INFORMATION**

**NOTE:** Site information is required and must accompany the application.

Site Address <u>1216 WILSON</u>
General description <u>HOUSE</u>

Tax account number <u>0090790000009</u>	
Subdivision <u>CASTANIE</u>	
Lot <u>10</u>	Block <u>23</u>

**DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)**

- **IF Site is already designated as a City of Houston Landmark, OR listed individually in the National Register of Historic Place OR designated as a Recorded Texas Historic Landmark OR State Archeological Landmark:**
  - Complete copy of the original nomination. If site has received multiple designations, or if there have been any amendments/revisions which provide information necessary to meet designation criteria found in the Historic Preservation Ordinance, please provide this information too.
  - Statement/description regarding current physical condition and information/dates of previous alterations and renovations since the original nomination(s) was (were) written

## PROTECTED LANDMARK DESIGNATION REPORT

**LANDMARK NAME:** Pauline Gray Lewis House

**OWNER:** Rutherford B. H. Yates Museum, Inc.

**APPLICANT:** Same as Owner

**LOCATION:** 1216 Wilson Street – Freedmen’s Town National Register Historic District

**30-DAY HEARING NOTICE:** N/A

**AGENDA ITEM:** VIII.d

**HPO FILE NO:** 08PL51

**DATE ACCEPTED:** Dec-28-07

**HAHC HEARING:** Jan-30-08

**PC HEARING:** Feb-14-08

### SITE INFORMATION:

Lots 9 & 10, Block 23, Castanie Addition, City of Houston, Harris County, Texas. The site includes a historic one-story wood frame house.

**TYPE OF APPROVAL REQUESTED:** Landmark and Protected Landmark Designation

### HISTORY AND SIGNIFICANCE SUMMARY:

The Pauline Gray Lewis House, located at 1216 Wilson in the Freedmen’s Town National Register Historic District, is a one-story wood frame cottage built in 1907. The house is located on the north half of the former homestead of Pauline Gray Lewis and her husband, J. Vance Lewis. Located next door at 1218 Wilson Street, on the south half of the property, is the J. Vance Lewis House, a City of Houston Protected Landmark designated in 2007. Pauline Gray Lewis was a teacher at the Second Ward Public School, the Green Pond School, and the Gregory Institute. She was also the second librarian at the Carnegie Colored Library for a brief period. Her husband, J. Vance Lewis, was a prominent early Houston African-American attorney. The property was originally purchased in 1874 by Isabelle Simms, an African-American widow, who had been encouraged to buy property by her pastor, Reverend Jack Yates of Antioch Baptist Church. In 1896, Mrs. Simms conveyed the north portion of the site to Pauline Gray, who may have been a relative. Pauline Gray and her family were living on the property as early as 1897.

The Pauline Gray Lewis House is a contributing building located within the boundaries of the Freedmen's Town National Register Historic District, a community settled after Emancipation that became a thriving center of black social, cultural, religious, and commercial activity through the first three decades of the 20<sup>th</sup> century. During this time period, more than 95% of Houston's first black businesses were located in the neighborhood. Almost 75% of Freedmen's Town's buildings have been demolished, yet the district remains extremely significant architecturally and historically. Since so few of the historic buildings remain, they are even more significant today, and represent a strong element of community sentiment and public pride. Since 1996, the Rutherford B. H. Yates Museum, Inc., the house's current owner, has been an advocate for the preservation of the neighborhood’s remaining historic buildings and for education about the neighborhood’s unique history and culture. The museum intends to use the Pauline Gray Lewis House for archaeological research and classroom studios.

The Pauline Gray Lewis House meets Criteria 1, 3, 4, 5, 7, and 8, and is a contributing building to the Freedmen’s Town National Register Historic District - all considerations for Landmark and Protected Landmark Designation.

### HISTORY AND SIGNIFICANCE:

The Pauline Gray Lewis House at 1216 Wilson is a one-story wood frame cottage built in 1907. It sits next door to 'Van Court,' also known as the J. Vance Lewis House, which was the homestead of Pauline Gray Lewis and her husband, Joseph Vance Lewis. The J. Vance Lewis House was designated as a City of Houston Protected Landmark in 2007. The two houses are located in Freedmen's Town, an area on the southwest side of downtown Houston where emancipated slaves congregated after the Civil War. At one time, Freedmen's Town encompassed an area bounded by Buffalo Bayou, Sutton Street, Taft Street, and Prairie Street downtown. Today, the boundaries have been reduced to Taft, Heiner, West Dallas, and West Gray Streets.

Before the two Lewis houses were built, the property - Lots 9 and 10, Block 23 in the Castanie Addition - was purchased on November 7, 1874, by Isabelle Simms. According to the 1870 Census, Simms and her husband Charles were natives of Louisiana and lived on Clay Street in the Fourth Ward. Isabelle worked as a domestic servant for several prominent employers, and Charles worked as a wood hauler. By the time Mrs. Simms purchased the property from H. H. and Frances F. Dooley in 1874, she was a widow. Her pastor, Reverend Jack Yates of Antioch Baptist Church, regularly encouraged his congregation to purchase property, so after earning enough money, Mrs. Simms gave the money to Reverend Yates to buy the land for her. The earliest mention of Isabelle Simms' Wilson Street residence comes from the 1879-1880 Houston City Directory. At that time, her address was given as "n(orth) s(ide) Andrews, west of Runnels." Reverend Jack Yates paid the annual property taxes for Isabelle, and when he died in 1897, the deed was returned to her.

In 1896, Isabelle conveyed the northeast portion of the property to Pauline Gray, who may have been a relative. Pauline Gray's family's home at 1216 Wilson was built a year later as evidenced by the 1897-1898 Houston City Directory listing for them.

Pauline Williams was born July 23, 1873 or 1874, in either Louisiana or Texas and moved to the Houston with her mother, Mary Williams Gray, and grandmother, Rosa Williams, in the late 1870s. All three are listed in the 1880 Federal Census for Harris County. At that time, they lived at the corner of Texas Avenue and Crawford Street with their employer, Alfred S. Richardson, who was Secretary for the Houston and Texas Central Railway. Mary Williams married John Gray sometime after 1890 and was widowed soon after.

Pauline Gray taught at the Second Ward Public School, the Green Pond School on West Dallas, and the Gregory Institute, and was the second librarian at the Carnegie Colored Library for a brief period. In 1902, Pauline Gray married J. Vance Lewis, a prominent local African-American attorney who had moved to Houston in 1901. The ceremony was held at Antioch Baptist Church and was officiated by Reverend F. L. Lights. J. Vance Lewis, who was born a slave on Christmas Day in 1863, was a native of Terrebonne Parish, Louisiana. He attended college at Leland University in New Orleans, earned a teaching certificate from the Normal School in Orange, Texas, and taught school and became a principal in Angelina County. In the late 1880s, the State Board of Illinois granted him a license to practice medicine. Lewis also attended law school in Ann Arbor, Michigan, and Chicago, and was admitted to the Supreme Court of Illinois and the United States Supreme Court in 1897. By the time he moved to Houston in 1901, he was practicing criminal and civil law. He published his autobiography, "Out Of The Ditch: A True Story of An Ex-Slave" in 1910. In 1919, he co-founded Twentieth Century Bank and in 1920 ran for district court judge on the Republican Black and Tan Party ticket.

According to a mechanic's lien dated August 26, 1907, the Lewises paid L. R. Jones \$2800 to construct improvements upon Lots 9 and 10 of Block 23, including their new residence 'Van Court' at 1218 Wilson.

It is unclear whether the Williams' house at 1216 Wilson Street was constructed at this time or if an existing structure was remodeled, given the fact that the Williams family had resided at 1216 Wilson Street as early as 1897. Isabelle Simms' house, which had formerly occupied the 1218 Wilson site, was torn down in the process, and she moved to the house at 1216 Wilson with Pauline's grandmother, Rosa Williams. Pauline's mother, Mary, moved in with her and J. Vance Lewis. The San Felipe streetcar ran parallel to Lewis property as it headed north on Wilson Street.

After Isabelle's death in 1915, the Lewis family used the home at 1216 Wilson as a rental property. After J. Vance Lewis died in 1925, Pauline Gray Lewis continued to live at 'Van Court.' She remarried twice, first to Leonce Lubin, also a teacher, and later to Samuel Byars, a welder by trade. Pauline Gray Lewis died on December 26, 1963, and was interred at Olivewood Cemetery.

After Pauline's death, her homestead was bequeathed to Johnnie Route, a close friend she had considered as a son. In 1966, Route sold the home to Joseph M. Fillipone, who used it as a rental property. In 1969, Lee and Esther Jackson moved into the home and lived there for many years. The property was purchased by the Rutherford B. H. Yates Museum, Inc., in 2007.

Almost 75% of the Freedmen's Town Historic District's buildings have been demolished, yet the district remains extremely significant not just architecturally and historically, but also for its association with freed slaves who moved there to live, work and open businesses of their own. Since so few of the historic buildings remain, they are even more significant today. Moreover, these buildings represent a strong element of community sentiment and public pride. Since 1996, the Rutherford B. H. Yates Museum, Inc. has been an advocate for the preservation of the neighborhood's remaining historic buildings and for education about the neighborhood's history and culture.

### **ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:**

The Pauline Gray Lewis House was listed as a contributing property of high significance in the Freedmen's Town National Register Historic District designated in 1985. The house is a one-story, wood frame cottage built on a raised masonry pier foundation. The house is a "T" plan cottage with an intersecting gable roof with enclosed eaves and cornice returns. The roofline of the front gable, facing Wilson Street, runs perpendicular to and intersects the main roof ridge, which is parallel to the street. This continuation of this intersecting roof ridge forms the roof of a rear facing gable extension, thus creating the "T" shape of the house. The rear "ell" extension of the house features a shed roof porch which faces south towards the side yard. The shed roof porch has been enclosed and now serves as additional living space and was probably the result of the addition of running water to the home after its initial construction. The exterior is clad in horizontal lap beveled wood siding with wood corner boards. Windows used throughout the house are of a 1/1 lite, double hung, wood sash type.

The front façade features a shed roof porch which covers the main entry door and a single double hung window located to the left of the door. The square, front facing gable extends beyond the front door to the right side and also features a single, 1/1 lite, double hung, wood sash window. The north or side elevation of the home presents the longest exterior wall of the house, which is punctuated by two, evenly spaced, double hung, 1/1 lite, wood sash windows. The south elevation of the house represents the narrow end of the "T" shaped floor plan which also features a single, 1/1 lite, double hung, wood sash window. The west or rear elevation of the house is characterized by a rear facing bay which is the continuation of the bay located on the front façade. The west elevation also features a single, 1/1 lite, double hung, wood sash window which is slightly smaller than those used on the other elevations. The west facing rear entry door, which is of a divided lite over wood panel configuration, is located in the now enclosed back porch.

# CITY OF HOUSTON

## Archaeological & Historical Commission

## Planning and Development Department

Comparisons of the building's footprint on the 1907, 1924, and 1951 Sanborn Fire Insurance maps suggest that the building has retained a high degree of architectural integrity. The Pauline Gray Lewis House will become part of the "Green Classroom" of the Rutherford B. H. Yates Museum, Inc. Prairie View A&M architecture students have completed the initial discovery phase at 1216 and 1218 Wilson, and a studio will be housed on site beginning in Spring 2008. The museum also intends to use the property to conduct archaeological research into the material culture of early Houston, and of the African-American community in particular.

### **BIBLIOGRAPHY:**

Harris County Deed Records.

Harris County Health Department, Death Certificate Records.

Houston City Directories, 1870-2006.

United States Census 1870, 1880, 1890, and 1900, Harris County, Texas.

Sanborn Maps, 1896, 1907, 1924-1951.

*The information and sources provided by the applicant for this application have been reviewed, verified, edited and supplemented with additional research and sources by Thomas McWhorter, Planning and Development Department, City of Houston.*

### **APPROVAL CRITERIA FOR PROTECTED LANDMARK DESIGNATION:**

The HAHC shall review each application for designation of a protected landmark that is included in an application for designation of a landmark at the same time and in the same manner as it reviews and considers the application for a landmark. The HAHC and the Planning Commission, in making recommendations with respect to a protected landmark designation, and the City Council, in making a designation, shall consider whether the building, structure, site, or area meets at least three of the criteria in Section 33-224, or one of the criteria in Section 33-229, as follows:

**S    NA**

**S - satisfies    NA - not applicable**

Meets at least three of the following (Sec. 33-229(a)(1):

- (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation (Sec. 33-224(a)(1);
- (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event (Sec. 33-224(a)(2);
- (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation (Sec. 33-224(a)(3);
- (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city (Sec. 33-224(a)(4);
- (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood (Sec. 33-224(a)(5);

# CITY OF HOUSTON

## Archaeological & Historical Commission

## Planning and Development Department

- (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation (Sec. 33-224(a)(6));
- (7) Whether specific evidence exists that unique archaeological resources are present (Sec. 33-224(a)(7));
- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride (Sec. 33-224(a)(8)).

### AND

- (9) If less than 50 years old, or proposed historic district containing a majority of buildings, structures, or objects that are less than 50 years old, whether the building, structure, object, site, or area is of extraordinary importance to the city, state or nation for reasons not based on age (Sec. 33-224(b)).

### OR

- The property was constructed before 1905 (Sec. 33-229(a)(2));

### OR

- The property is listed individually in the National Register of Historic Places or designated as a “contributing structure” in an historic district listed in the National Register of Historic Places (Sec. 33-229(a)(3));

### OR

- The property is recognized by the State of Texas as a Recorded State Historical Landmark (Sec. 33-229(a)(4)).

### STAFF RECOMMENDATION:

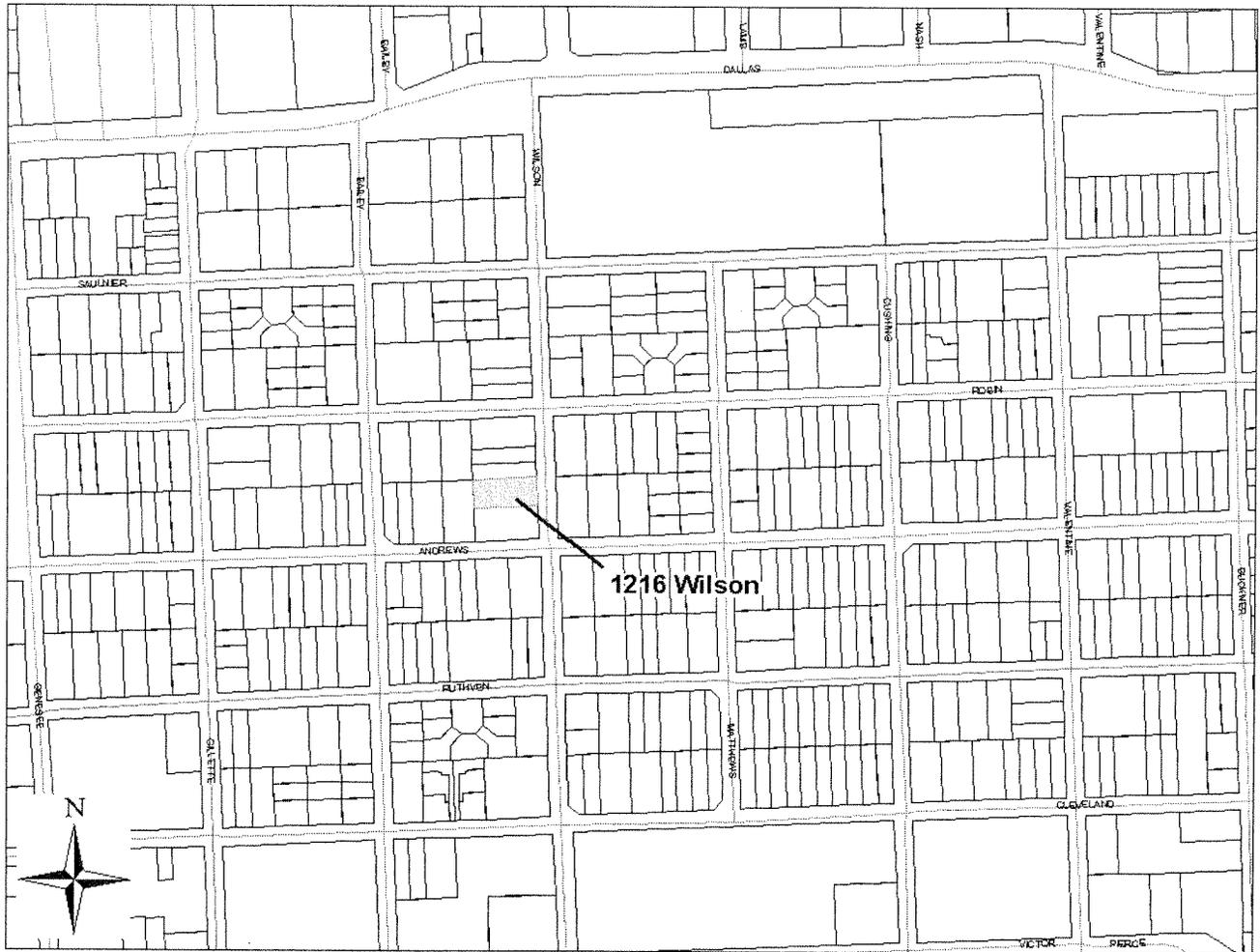
Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark and Protected Landmark Designation of the Pauline Gray Lewis House at 1216 Wilson Street.

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

SITE LOCATION MAP  
PAULINE GRAY LEWIS HOUSE  
1216 WILSON STREET  
NOT TO SCALE



**LANDMARK, PROTECTED LANDMARK OR ARCHAEOLOGICAL SITE  
DESIGNATION APPLICATION  
CITY OF HOUSTON, TEXAS**

- Complete all information. Incomplete applications may cause delays in processing.
- If you have questions or need help, call the Planning & Development Department at 713/837-7796.

**To Be Completed by Planning Staff**

Date accepted as complete: 12/14/07 HPO File Number: 08-PL52  
 Accepted By: [Signature]

**APPLICANT INFORMATION**

Legal Owner's Name of Site (Please print)	
Rutherford B H Yates Museum, Inc	
Address	
P.O. Box 130726	
Houston, Texas	
City	State
77219-0726	
Zip Code	Day Phone 713-739-0163
	Fax Phone 281-495-2012
Signature	Date
[Signature]	11/19/07

Agent's Name (if applicable)(Please print)	
DEBRA BLACKLOCK-SLOAN	
Address	
10418 KELBURN DRIVE	
City	
HOUSTON	State
	TX
Zip Code	Daytime
77016	Phone 713 491-0971
Signature	Date
[Signature]	12-10-2007

**PROPOSED DESIGNATION**

- Landmark (subject to 90-day waiver\*)  
 Protected Landmark (and Landmark) (NOT subject to 90-day waiver\* and subject to Demolition by Neglect Provision)  
 Archaeological Site

*per conv. w/ property owner*

\*Sec. 33-250 Ninety-day waiver certificate and Sec. 33-254 Demolition by Neglect - see Code of Ord. Chapter 33 - Historic Preservation Ordinance - ([www.houstontx.gov/codes/chapters31to35.html](http://www.houstontx.gov/codes/chapters31to35.html))

**SITE INFORMATION**

**NOTE:** Site information is required and must accompany the application.

Site Address
1514 WILSON
General description
HOUSE

Tax account number	
0050390000009	
Subdivision	
PORTER & BAKER	
Lot	Block
10	3

**DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)**

- IF Site is already designated as a City of Houston Landmark, OR listed individually in the National Register of Historic Place OR designated as a Recorded Texas Historic Landmark OR State Archeological Landmark:
  - A) Complete copy of the original nomination. If site has received multiple designations, or if there have been any amendments/revisions which provide information necessary to meet designation criteria found in the Historic Preservation Ordinance, please provide this information too.
  - B) Statement/description regarding current physical condition and information/dates of previous alterations and renovations since the original nomination(s) was (were) written

## PROTECTED LANDMARK DESIGNATION REPORT

**LANDMARK NAME:** Tomasino House

**OWNER:** Rutherford B. H. Yates Museum, Inc.

**APPLICANT:** Same as Owner

**LOCATION:** 1514 Wilson Street – Freedmen’s Town National Register Historic District

**30-DAY HEARING NOTICE:** N/A

**AGENDA ITEM:** VIII.e

**HPO FILE NO:** 08PL52

**DATE ACCEPTED:** Dec-14-07

**HAHC HEARING:** Jan-30-08

**PC HEARING:** Feb-14-08

### SITE INFORMATION:

Lot 10, Block 3, Porter and Baker Addition, City of Houston, Harris County, Texas. The site includes a historic, one-story wood frame house.

**TYPE OF APPROVAL REQUESTED:** Landmark and Protected Landmark Designation

### HISTORY AND SIGNIFICANCE SUMMARY:

The Tomasino House, located at 1514 Wilson in Freedmen's Town, is a front gabled, one-story side hall, wood frame cottage with an inset entrance porch built circa 1910. The house sits on the former homestead of Italian grocer, Antonio Tomasino, Jr., and is one of two remaining buildings constructed for Antonio and his wife, Rosalie. The house is listed as a contributing historic building of high significance in the Freedmen's Town National Register Historic District, a community settled after Emancipation that became a thriving center of black social, cultural, religious, and commercial activity through the first three decades of the 20<sup>th</sup> century. During this time period, more than 95% of Houston's first black businesses were located in the neighborhood.

Almost 75% of the Freedmen's Town Historic District's buildings have been demolished, yet the district remains extremely significant architecturally and historically. Since so few of the historic buildings remain, they are even more significant today, and represent a strong element of community sentiment and public pride. Not only does the Tomasino House have significance for its association with the Italian immigrant who built it and occupied it for a number of years, but it also has historical significance for its association with the Italian families who, after moving away, retained ownership of these properties and rented them to black, working families unable to buy homes in their neighborhood. One of those individuals was Jacob Nixon, whose family rented and lived in the house at 1514 Wilson for over 70 years.

The Rutherford B. H. Yates Museum, Inc., purchased the house in 2005, and is completing restoration planning that began in 2004 prior to purchase of the property. Since 1996, the R. B. H. Yates Museum has been an advocate for the preservation of Freedmen's Town's remaining historic buildings, and for education about the neighborhood's unique history and culture. The museum will use the house at 1514 Wilson for its archaeology field school lab.

The Tomasino House meets Criteria 1, 3, 4, 5, 7 and 8, and is a contributing building to the Freedmen's Town National Register Historic District – all considerations for Landmark and Protected Landmark Designation.

### HISTORY AND SIGNIFICANCE:

The Tomasino House, built around 1910, is one of five houses built for Italian immigrant and grocer, Antonio Tomasino, Jr., and his wife, Rosalie, in the Porter and Baker Subdivision in Freedmen's Town. After the Civil War, emancipated slaves congregated in this area that was then located on the southwestern fringe of Houston. New subdivisions, such as Seneschal Addition (1848) and the Justin Castanie Addition (1848), two G. S. Hardcastle Additions, and three other real estate developments undertaken by William R. Baker, accommodated this settlement. As early as the 1880s the district was referred to as 'Freedmantown.' In the early 1900s, Freedmen's Town encompassed an area bounded by Buffalo Bayou, Sutton Street, Taft Street, and Prairie Street downtown. Today, the boundaries have been reduced to Taft, Heiner, West Dallas, and West Gray Streets. The Porter and Baker Subdivision, originally known as Obedience Smith's Lot 30, was property that was part of a settlement from Smith's vast estate. James A. Baker, Jr. (grandfather of James A. Baker III) bought the lot from Smith's heirs and sold an undivided one-half interest to George L. Porter. Platted in 1889, the Porter and Baker Addition includes four blocks bounded by Andrews on the north, Wilson on the east, Bailey on the west, and Victor on the south.

Antonio Tomasino's grandfather, father, and uncles emigrated from Italy to the U. S. between 1886 and 1901. The Tomasino family first resided in New Orleans before moving to 1301 O'Neill Street in the Freedmen's Town community. In 1907, they began operating the Tomasino Brothers Grocery and Meat Market on their homestead. Antonio and Rosalie Tomasino purchased Lots 9 and 10 in Block 3 of the Porter and Baker Subdivision, at the corner of Wilson and Victor Streets, for \$850 from H. J. Simpson in 1909. As evidenced by a mechanic's lien executed on August 7, 1912, they paid \$1875 to William H. Chryar (1880-1940), an African-American carpenter, builder, and contractor from New Orleans, to build a two-story house, one shotgun house, and three cottages on the property. The two-story Tomasino residence had living quarters on the top floor and a corner grocery store on the bottom. A number of the intersections in the Freedmen's Town district were occupied by corner grocery stores attached to or built next to homes and operated by Italian immigrants. Over the years, these early Italian families came to own much of the land in the district, although their descendants have long since moved to other areas of the city. The Tomasino family resided in the community until 1944. Chryar himself lived in Freedmen's Town for about two years before moving to the Independence Heights community in 1913, where he too opened a grocery store.

Before the Tomasinos moved into their new, two-story homestead in 1917, they leased 1518-1520 Wilson to grocer, James F. Gorman, from 1913-1915. According to the 1911-1912 City Directory, Amanda Price was the first to occupy the cottage at 1514 Wilson. Price moved out after a year, and various other tenants lived in the cottage over the next twelve years.

Not only does the house have significance for its association with the Italian immigrant who built it and occupied it for a number of years, but it has significance also for its association with the Italian families who, after moving away, still retained ownership of these properties and rented them to black, working families, who were unable to buy a home in their neighborhood. One of those individuals was Jacob Nixon, who rented and lived in it for many years. In 1925, Jacob Nicholson (Nixon), an African-American, moved into the cottage. A native of Louisiana, he and his wife, Edith, had eleven children and lived in the house for over 35 years. Nixon worked as a cotton compressor for the Magnolia Company for several years, and Edith was a homemaker. After Jacob's death in 1961, his daughter, Lula Belle Crawford, moved into the house. In the early 1970s, Louise D'Armata, the Tomasinos' daughter, inherited the homestead and continued to rent to black families. In 1999, Lula Belle Crawford moved out of the cottage, and it has been unoccupied ever since.

When the Rutherford B. H. Yates Museum, Inc., purchased the property on February 14, 2005, there was a workman's cottage (1404 Victor) and two additional houses (1406 Victor, 1512 Victor) on the property. The latter two houses were destroyed by fire on February 28, 2005 and hastily demolished the same night.

Almost 75% of the Freedmen's Town district's buildings have been demolished. Nonetheless, the historic district remains extremely significant not only architecturally and historically, but also for its association with freed slaves who moved there to live, work and open businesses of their own. Since so few of the historic buildings remain, the remaining structures are even more significant today. Moreover, these buildings represent a significant element of community sentiment as well as public pride. Since 1996, the Rutherford B. H. Yates Museum, Inc., has been an advocate for the preservation of the neighborhood's remaining historic buildings, and for education about the neighborhood's unique history and culture.

### **ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:**

The house at 1514 Wilson Street is a front gabled, one-story side hall, wood frame cottage with an inset entrance porch at the southeast corner. It is one-and-a-half bays wide and five bays long. A single window opening faces the street, as does the front door in the inset porch. A rectangular attic-level window is centered beneath the peak of the gable. The house is surfaced with wood clapboards. The design is derived from the typology of the shotgun cottage, although at one-and-a-half bays in width, it is wider than the classic shotgun cottage.

The interior of the house has three rooms with a hallway that runs the full length down the south side of the house. The front and back doors seem to have been in line at either end of the hallway originally. At some point, the back porch on the west end was enclosed and the door moved to the center.

The Rutherford B. H. Yates Museum, Inc., is completing restoration planning that began in 2004 prior to purchase of the property.

- Phase I – Foundation restoration and reinforcement design, environmental site assessments, geophysical engineering, archaeological, and architectural services have been provided by several Prairie View A&M architecture student interns who were funded by the museum, and worked under the guidance of Ray & Hollington Architects, Walter P. Moore Engineers, ERC & Tide Water Environmental, and the Yates Community Archaeology Project (YCAP) field school.
- Phase II – Foundation restoration and reinforcement. The structure will be moved approximately 20 feet to install new piers and beams and to reinforce the originals. The structure will be moved back to its original location and anchored to the restored foundation.
- Phase III – Completion of final architectural documentation, planning, and restoration of the structures in 2009. The building will house the Archaeology Field School Lab with archival and exhibit space.

Since 2005, the R.B.H. Yates Museum has been using this property for the Yates Community Archaeology Project (YCAP), a University of Houston and Houston Community College-accredited archaeology field school. Since 2002, the R.B.H. Yates Museum has sponsored Prairie View A&M University architecture student interns to complete the documentation and architectural planning for restoration for all of the R.B.H. Yates Museum's historic houses and green classroom spaces, as well as for four historic churches in the Freedmen's Town National Register Historic District.

**BIBLIOGRAPHY:**

United States Census 1910, 1930, Harris County, Texas.

Sanborn Maps, 1907, 1925, 1934.

Houston City Directories, 1911-1912, 1917, 1925, 1955.

U.S. Phone and Address Directories, 1993-2002.

Harris County Plat Records, Porter and Baker Addition, Vol. 43, Pg 590.

Harris County Contract Records, Vol. 30, Pg 551.

National Register of Historic Places, Nomination Form, Freedmen's Town District.

*The information and sources provided by the applicant for this application have been reviewed, verified, edited and supplemented with additional research and sources by Diana DuCroz, Planning and Development Department, City of Houston.*

**APPROVAL CRITERIA FOR PROTECTED LANDMARK DESIGNATION:**

The HAHC shall review each application for designation of a protected landmark that is included in an application for designation of a landmark at the same time and in the same manner as it reviews and considers the application for a landmark. The HAHC and the Planning Commission, in making recommendations with respect to a protected landmark designation, and the City Council, in making a designation, shall consider whether the building, structure, site, or area meets at least three of the criteria in Section 33-224, or one of the criteria in Section 33-229, as follows:

**S      NA** **S - satisfies      NA - not applicable**

Meets at least three of the following (Sec. 33-229(a)(1):

- (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation (Sec. 33-224(a)(1);
- (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event (Sec. 33-224(a)(2);
- (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation (Sec. 33-224(a)(3);
- (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city (Sec. 33-224(a)(4);
- (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood (Sec. 33-224(a)(5);
- (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation (Sec. 33-224(a)(6);
- (7) Whether specific evidence exists that unique archaeological resources are present (Sec. 33-224(a)(7);

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- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride (Sec. 33-224(a)(8)).

**AND**

- (9) If less than 50 years old, or proposed historic district containing a majority of buildings, structures, or objects that are less than 50 years old, whether the building, structure, object, site, or area is of extraordinary importance to the city, state or nation for reasons not based on age (Sec. 33-224(b)).

**OR**

- The property was constructed before 1905 (Sec. 33-229(a)(2));

**OR**

- The property is listed individually in the National Register of Historic Places or designated as a “contributing structure” in an historic district listed in the National Register of Historic Places (Sec. 33-229(a)(3));

**OR**

- The property is recognized by the State of Texas as a Recorded State Historical Landmark (Sec. 33-229(a)(4)).

### **STAFF RECOMMENDATION:**

Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark and Protected Landmark Designation of the Tomasino House at 1514 Wilson Street.

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Archaeological & Historical Commission

Planning and Development Department

SITE LOCATION MAP  
TOMASINO HOUSE  
1514 WILSON STREET  
NOT TO SCALE



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

<b>SUBJECT:</b> Approval of a resolution designating 2 Historic Landmarks (See attachment - page 2 of 2)		<b>Category #</b>	<b>Page 1 of 2</b>	<b>Agenda Item #</b> 10
<b>FROM (Department or other point of origin):</b> Planning and Development		<b>Origination Date</b> 2/26/2008		<b>Agenda Date</b> MAR 12 2008
<b>DIRECTOR'S SIGNATURE:</b> <i>Ms Madeline K. Gajewski</i> <i>RG</i>		<b>Council District affected:</b> G		
<b>For additional information contact:</b> Thomas McWhorter Phone: 713-837-7963		<b>Date and identification of prior authorizing Council action:</b> N/A		
<b>RECOMMENDATION: (Summary)</b>  Approval of a resolution designating 2 Historic Landmarks: (see attachment - page 2 of 2)				
<b>Amount and Source of Funding:</b>			<b>F &amp; A Budget:</b>	
<b>SPECIFIC EXPLANATION:</b>  In accordance with Chapter 33 of the Code of Ordinances relating to historic preservation, the property owner or the Houston Archaeological and Historical Commission (HAHC) may initiate an historic landmark application. All applications were initiated by the respective property owners.  Public Hearings were held by the HAHC and the Houston Planning Commission as indicated on page two. Both commissions determined that the applications satisfied applicable criteria of the ordinance and unanimously recommended approval of the two historic landmark designations.  There were no objections to the applications.  MLG: tm  Attachments: Applications and Staff Reports  xc Marty Stein, Agenda Director Emily Todd, Mayor's Liaison for Cultural Affairs Anna Russell, City Secretary Arturo G. Michel, City Attorney Deborah McAbee, Land Use Division, Legal Department Harold L. Hurtt, Chief, Police Department Phil Boriskie, Chief, Fire Department				
<b>REQUIRED AUTHORIZATION</b>				
<b>F &amp; A Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

Date	Subject: Approval of a resolution designating 2 Historic Landmarks		Originator's Initials <i>TM RP</i>	Page <u>2</u> of <u>2</u>
LANDMARKS NAME /ADDRESS:	INITIATED BY:	COUNCIL DISTRICT:	HAHC HEARING:	PLANNING COMMISSION HEARING:
1. Tuttle House 2223 Inwood Drive	Owner	G	1-30-2008	2-14-2008
2. Maurice and Virginia Brown Angly House 2514 Brentwood Drive	Owner	G	1-30-2008	2-14-2008
<p>Photos of the proposed landmarks can be found by going to the following link on the Planning Department's web site:  <a href="http://www.houstontx.gov/planning/historic_pres/pending.htm">http://www.houstontx.gov/planning/historic_pres/pending.htm</a>.</p>				

**LANDMARK, PROTECTED LANDMARK OR ARCHAEOLOGICAL SITE  
DESIGNATION APPLICATION  
CITY OF HOUSTON, TEXAS**

- ✔ Complete all information. Incomplete applications may cause delays in processing.
- ✔ If you have questions or need help, call the Planning & Development Department at 713/837-7796.

**To Be Completed by Planning Staff**

Date accepted as complete: 12/28/2007  
 Accepted By: [Signature]

HPO File Number: 08-L193

**1 APPLICANT INFORMATION**

Legal Owner's Name of Site (Please print)	
James C. and Deanna Murphy	
Address	2223 Inwood Drive
City	Houston State TX
Zip Code	Day Phone 713 523-5639
77019	Fax Phone
Signature	Date
<u>[Signature]</u>	<u>11/05/07</u>

Agent's Name (if applicable)(Please print)	
Address	
City State	
Zip Code	Daytime Phone
Signature	Date

**PROPOSED DESIGNATION**

- Landmark** (subject to 90-day waiver\*)  
 **Protected Landmark (and Landmark)** (NOT subject to 90-day waiver\* and also subject to Demolition by Neglect Provision)  
 **Archaeological Site**

\*Sec. 33-250 -90 day waiver certificate and Sec. 33-254 - Demolition by Neglect - see Code of Ord. - Chapter 33 VII - Historic Preservation - ([www.houstontx.gov/codes/chapters31to35.html](http://www.houstontx.gov/codes/chapters31to35.html))

**3 SITE INFORMATION**

*NOTE: Site information is required and must accompany the application.*

Site Address	2223 Inwood Drive
General description	Historic brick home built in 1931 and designed by William Bordeaux.

Tax account number	<b>0601550450004</b>
Subdivision	River Oaks Section 1
Lot 4	Block 45

**4 DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)**

• **IF Site is already designated as a City of Houston Landmark, OR listed individually in the National Register of Historic Place OR designated as a Recorded Texas Historic Landmark OR State Archeological Landmark:**

- A) Complete copy of the original nomination. If site has received multiple designations, or if there have been any amendments/revisions which provide information necessary to meet designation criteria found in the Historic Preservation Ordinance, please provide this information too.
- B) Statement/description regarding current physical condition and information/dates of

## LANDMARK DESIGNATION REPORT

**LANDMARK NAME:** Tuttle House

**OWNERS:** James C. and Deanna Murphy

**APPLICANTS:** Same as Owners

**LOCATION:** 2223 Inwood Drive - River Oaks

**30-DAY HEARING NOTICE:** N/A

**AGENDA ITEM:** VII.a

**HPO FILE NO:** 08L193

**DATE ACCEPTED:** Dec-28-07

**HAHC HEARING:** Jan-30-08

**PC HEARING:** Feb-14-08

### SITE INFORMATION:

Lot 4, Block 45, River Oaks Section 1, City of Houston, Harris County, Texas. The building on the site is an historic brick residence.

**TYPE OF APPROVAL REQUESTED:** Landmark Designation

### HISTORY AND SIGNIFICANCE SUMMARY:

The Tuttle House at 2223 Inwood Drive is located in Section One of River Oaks, one of the earliest sections of the neighborhood. The house, designed in the Manorial style, was designed by architect William D. Bordeaux. Although Bordeaux worked in Houston for only a short time, he designed another of Houston's notable buildings, Isabella Court, a 1929 Spanish Revival apartment building on Main Street.

Since its completion in 1932, the Tuttle House has been owned by only two families, the Tuttle and the Murphys. Dr. L. L. D. Tuttle, Sr., was a well-known doctor in Houston for almost 50 years. He was one of the first interns at Hermann Hospital during its opening year in 1925, and later served as Chief of the Surgical Staff of Methodist Hospital for almost 20 years. Dr. Tuttle's children also made significant contributions to Houston. His daughter, Yvonne Tuttle Streit, founded the Briarwood School and the Brookwood Community, two establishments that have made life more fulfilling for many mentally impaired Texans. His son, Dr. L. L. D. Tuttle, Jr., served as a thoracic and general surgeon in Houston for almost 40 years. The Tuttle House qualifies for Landmark Designation under Criteria 1, 3, 4, and 6.

### HISTORY AND SIGNIFICANCE:

The Tuttle House at 2223 Inwood Drive was built in 1931-1932 for Dr. L. L. D. Tuttle, Sr., and his family. On June 28, 1931, the Houston Post noted:

*"Dr. and Mrs. L. L. D. Tuttle have let contract to Worrell McKamy Construction Company for a new home in River Oaks. William Bordeaux is the architect."*

Dr. Lee Lyman Dewey Tuttle, Sr., ("Dewey Tuttle") was born on May 19, 1896, in Lamar, Colorado. By 1925, he had graduated from the University of Texas Medical School in Galveston. This was the beginning of a long career in surgery that spanned almost 50 years. Immediately after completing medical school in 1925, he served as one of the first interns at Hermann Hospital, which had opened its doors to patients in 1925, following the bequest of George H. Hermann in 1914. According to his son, Dr. L. L. D. ("Lee") Tuttle, Jr., he was one of only three interns in the first class.

At the time of the home's construction in 1931, the City Directory listed the office of Dr. Tuttle, Sr., at 228 Medical Arts Building. In 1932, he and his wife, Vita, and their two children, L. L. D., Jr., and Yvonne, moved into the new home. His career would include important leadership positions in the

# CITY OF HOUSTON

**Archaeological & Historical Commission**

**Planning and Development Department**

Houston medical community. According to his son, he served as the Chief of the Surgical Staff at Methodist Hospital circa 1945 to 1964. After vision problems caused him to retire from surgery in 1964, he continued to teach in the nursing program for approximately a decade. His obituary listed Dr. Tuttle as Clinical Professor of Surgery Emeritus for Baylor College of Medicine and as the President of the Harris County Medical Society. In addition, he was a member of the Houston Surgical Society, Texas Surgical Society, Southwestern Surgical Society, Fellow of the American College of Surgeons, and the American Board of Surgery.

Dr. Tuttle was active in the Houston community, serving as a member of Holland Lodge No. 1 A. F. and A. M. for 50 years and as a member of the First United Methodist Church Administrative Board. Dr. Tuttle lived in the Inwood house for approximately 36 years until 1968, and died in Houston on January 19, 1981.

Dr. Tuttle's children would also go on to serve the community. Dr. L. L. D. Tuttle, Jr., served as a general and thoracic surgeon in Houston for almost 40 years. Yvonne Tuttle Streit is best known as the founder and former executive director of The Briarwood School and the founder and executive director of the Brookwood Community. Mrs. Streit had a daughter who was severely mentally impaired. Due to a lack of facilities, she started the Briarwood School for her child and other children with severe learning disabilities. The school has received national praise as a model school for educating these children. She also established and serves as executive director of the Brookwood Community, a 475-acre residential care facility for functionally disabled adults. Brookwood is a not-for-profit community designed to provide an enhanced life for adults with disabilities through life-long opportunities for vocational, social, emotional, and spiritual growth. It serves as a teaching model in an entrepreneurial, residential and educational environment. Yvonne Tuttle Streit received the Southern Methodist University (SMU) Distinguished Alumni Award in 1981 for her "distinguished contributions to the community of mankind that, in turn, have brought distinction to SMU."

The house at 2223 Inwood Drive was designed by architect, William D. Bordeaux. From census information, it appears that Mr. Bordeaux was born in New York in 1888. According to architectural historian, Stephen Fox, Bordeaux moved to Houston after practicing architecture in New York, Chicago, St Louis, and Los Angeles, but lived in Houston for only a few years with his wife, Celia. He is listed in the City Directory for the years 1928 through 1930-31 with an office at 3940 Main Street, Room 101. He left Houston in 1932, and spent the remainder of his career and life in Miami. Bordeaux's two other known remaining Houston works were designed in the Spanish Revival style, which was fashionable in Los Angeles in the 1920s. Bordeaux designed one of Houston's most notable landmarks, the Isabella Courts, a 1929 apartment building in the Spanish Revival style. The three-story building features an internal, open air courtyard with stucco finishes and a clay tile roof.

The builder of 2223 Inwood Drive was Worrell McKamy Construction Company, which operated briefly in Houston for the years 1930-1935, according to Houston City Directories. Their offices were located in 846 Electric Building, and James K. McKamy was one of the owners of the company.

## **ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:**

The Tuttle House at 2223 Inwood is a compact interpretation of the Manorial style. The house has an asymmetrical floor plan, which is reflected in the building's façade. The principal façade is marked by a prominent front facing gable that extends forward of the main body of the house and serves as the location for the home's main entry. The main entry is located in a small vestibule trimmed by a stone pediment and pilasters carved in high relief. Smaller gables are located on either side of the entry bay at the roofline, which extend no further than the main body of the house. A large masonry chimney, executed in matching brick, is located on the east side of the main facade.

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The home utilizes an alternating configuration of multi-lite, wood sash, casement windows and a combination of double hung, multi-lite and 1/1 lite, wood sash windows. The exterior is clad in a red brick veneer with the various additions clad in a horizontal lap siding.

Historic photographs from the construction period in 1931-32, passed from the Tuttle family to the current owners, help to depict the architectural evolution of the house from its original appearance to the present. The bulk of the exterior alterations occurred during the original Tuttle family ownership. These changes include:

- A rear den and a second story addition to the master bedroom were added by the Tuttle family in 1939. The den has a fireplace clad with Oklahoma field stone.
- The enclosure of the second story porch on the east side of the home during Tuttle family ownership.
- The original back porch, located adjacent to the kitchen, was enclosed to make a utility room.
- The interior was remodeled to enlarge the kitchen and master bath during Murphy family ownership.

According to the owners, “architecturally the original downstairs (save the kitchen) was finished with stained gum wood window facings, crown molding, and baseboards. Archways lead into the various rooms with a wooden capstone centered at the top. The front entryway still sports a telephone nook built into the wall under the stairway. We have retained the original, stained and varnished gum finish for all the trim. I think it presents a nice contemporary, 1930s look and feel.”

Two factors make this home important to the neighborhood. First, it is a part of Section One of River Oaks, which was one of the first areas to be developed in the neighborhood after Country Club Estates. The home is a surviving example of the original small homes constructed in the neighborhood. At just 3,100 square feet, the Tuttle house and other historic homes of this size in River Oaks are currently being demolished and replaced with structures twice the size of the originals.

*The information and sources provided by the applicant for this application have been reviewed, verified, edited and supplemented with additional research and sources by Thomas McWhorter, Planning and Development Department, City of Houston.*

### **BIBLIOGRAPHY:**

Stephen Fox and Gerald Moorehead, Houston Architectural Guide, AIA Houston, 1990.

Houston Chronicle, Dr. L.L.D. Tuttle, Sr., Obituary, January 20, 1981.

Interview with Dr. L.L.D. Tuttle, Jr., by Kelley Trammell, December 12, 2007.

Houston City Directories, 1928-1973.

Memorial Hermann website, <http://www.memorialhermann.org/aboutus/SlideShow.html>.

Brookwood Community website, <http://www.brookwoodcommunity.org>.

SMU website, <http://www.smu.edu/ps/Sponsors.asp>.

### **APPROVAL CRITERIA FOR LANDMARK DESIGNATION:**

The HAHC and the Planning Commission, in making recommendations with respect to designation, and the City Council, in making a designation, shall consider one or more of the following criteria, as appropriate for the type of designation:

S NA

S - satisfies NA - not applicable

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- (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation (Sec. 33-224(a)(1);
- (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event (Sec. 33-224(a)(2);
- (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation (Sec. 33-224(a)(3);
- (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city (Sec. 33-224(a)(4);
- (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood (Sec. 33-224(a)(5);
- (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation (Sec. 33-224(a)(6);
- (7) Whether specific evidence exists that unique archaeological resources are present (Sec. 33-224(a)(7);
- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride (Sec. 33-224(a)(8).

**AND**

- (9) If less than 50 years old, or proposed historic district containing a majority of buildings, structures, or objects that are less than 50 years old, whether the building, structure, object, site, or area is of extraordinary importance to the city, state or nation for reasons not based on age (Sec. 33-224(b).

### **STAFF RECOMMENDATION:**

Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark Designation of the Tuttle House at 2223 Inwood Drive.

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Archaeological & Historical Commission

Planning and Development Department

SITE LOCATION MAP  
TUTTLE HOUSE  
2223 INWOOD DRIVE  
NOT TO SCALE



**LANDMARK, PROTECTED LANDMARK OR ARCHAEOLOGICAL SITE  
DESIGNATION APPLICATION  
CITY OF HOUSTON, TEXAS**

- Complete all information. Incomplete applications may cause delays in processing.
- If you have questions or need help, call the Planning & Development Department at 713/837-7796.

**To Be Completed by Planning Staff**

Date accepted as complete: 12/28/2007

HPO File Number: 08-6194

Accepted By: [Signature]

**APPLICANT INFORMATION**

Legal Owner's Name of Site (Please print)			
William A. and Kristine K. Hirtz			
Address		2514 Brentwood Drive	
City	Houston	State	TX
Zip Code	Day Phone	713-629-4593	
77019	Fax Phone	713-629-4592	
Signature	[Signature]		Date
			12/26/07

Agent's Name (if applicable)(Please print)	
Address	
City	State
Zip Code	Daytime Phone
	Phone
Signature	Date

**PROPOSED DESIGNATION**

- Landmark (subject to 90-day waiver\*)       Protected Landmark (and Landmark) (NOT subject to 90-day waiver\* and also subject to Demolition by Neglect Provision)       Archaeological Site

\*Sec. 33-250 -90 day waiver certificate and Sec. 33-254 - Demolition by Neglect - see Code of Ord. - Chapter 33 VII - Historic Preservation - ([www.houstontx.gov/codes/chapters31to35.html](http://www.houstontx.gov/codes/chapters31to35.html))

**SITE INFORMATION**

**NOTE:** Site information is required and must accompany the application.

Site Address	2514 Brentwood Drive
General description	Historic two story home built by Russell Brown in 1934-35.

Tax account number	<b>0601530360007</b>
Subdivision	River Oaks Section 1
Lot 7	Block 36

**DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)**

- **IF Site is already designated as a City of Houston Landmark, OR listed individually in the National Register of Historic Place OR designated as a Recorded Texas Historic Landmark OR State Archeological Landmark:**

A) Complete copy of the original nomination. If site has received multiple designations, or if there have been any amendments/revisions which provide information necessary to meet

## LANDMARK DESIGNATION REPORT

**LANDMARK NAME:** Maurice and Virginia Brown Angly House

**OWNERS:** Kristine K. and William A. Hirtz

**APPLICANTS:** Kristine K. and William A. Hirtz

**LOCATION:** 2514 Brentwood Drive – River Oaks

**30-DAY HEARING NOTICE:** N/A

**AGENDA ITEM:** VII.b

**HPO FILE NO:** 08L194

**DATE ACCEPTED:** Dec-28-07

**HAHC HEARING:** Jan-30-08

**PC HEARING:** Feb-14-08

### SITE INFORMATION:

Lot 7, Block 36, River Oaks Section 1, City of Houston, Harris County, Texas. The building on the site is an historic two-story brick veneered residence.

**TYPE OF APPROVAL REQUESTED:** Landmark Designation

### HISTORY AND SIGNIFICANCE SUMMARY:

The residence at 2514 Brentwood Drive was built in 1934 for Maurice and Virginia Brown Angly by the Russell Brown Company, a prominent Houston building firm. Virginia Brown Angly was the daughter of Russell Brown, and the home was likely built as a wedding present upon her marriage to Maurice Angly, who owned and operated the Angly Lumber Company. The Russell Brown Company was founded in Houston in 1906 and built a number of important houses in Houston, San Antonio, Dallas, and other Texas cities.

The two-story brick Angly House is designed in the Southern Colonial style and features a two-story front portico that spans most of the front facade. In 2007, a developer purchased the house with the intent to demolish it to make way for new construction. The current owners, Kristine and William Hirtz, contacted the developer, were able to purchase the home, and are now in the process of a major restoration. The Angly House qualifies for Landmark Designation under Criteria 1, 4, 5, and 6.

### HISTORY AND SIGNIFICANCE:

The house at 2514 Brentwood Drive was built by the Russell Brown Company for Maurice and Virginia Brown Angly. On September 5, 1934, the Houston Chronicle ran the following:

*“Mr. and Mrs. Maurice Angly are now occupying their new home at 2514 Brentwood Drive in River Oaks. A wide front veranda, tall columns, Colonial architecture perpetuate the traditions of the Old South. The Russell Brown Co. built it.”*

Russell Brown was an extremely active builder on Brentwood Drive, and his legacy on the two blocks includes the houses at 2120, 2131, 2144, 2224, 2232, and 2235 Brentwood Drive.

Maurice Angly (1902-1969) was married to Virginia Brown (1903-1979), Russell Brown's daughter. He founded a company, Angly Lumber, which he operated for over thirty years in Houston. In 1934, the City Directory lists him as President of Angly Lumber Company with an office located at 1317 Second National Bank Building. He and Virginia had one child, Maurice Angly, Jr., who went on to serve as a State Representative in Austin. The marriage between the Anglys was apparently short lived. It appears

# CITY OF HOUSTON

**Archaeological & Historical Commission**

**Planning and Development Department**

that the marriage had dissolved by the late 1940s when Virginia Angly is listed alone in the City Directory.

In 1946, the Anglys sold the home to Harry and Lucy Holmes. The Holmes would later sell to Dr. and Mrs. J. Barnett Finkelstein, who lived in the home for many years. After Dr. Finkelstein's death, his children sold the house to a developer in 2007. The current owners, Kristine and William Hirtz, contacted the developer, were able to purchase the home, and are now in the process of a major restoration.

According to Stephen Fox, the Russell Brown Company was a Houston-based architectural design and construction company. It was chartered in 1906 by Russell Brown, who was born on December 12, 1875, in Taylor, Texas, and came to Houston in 1902. The company was a prolific builder and designer of new houses in Houston from 1902 until the early 1940s. Brown expanded his operations by opening branch offices in Dallas in 1916, San Antonio in 1922, and Los Angeles in 1923. The firm specialized in house design and construction, but also designed several commercial buildings in Houston in the 1920s and 1930s, such as the first Jefferson Davis Hospital and the Schlumberger Building, as well as the six-story Guaranty State Bank and Simpson Office Building in Ardmore, Oklahoma in 1917.

The Russell Brown Company constructed numerous houses in the Avondale, Westmoreland, Montrose, Boulevard Oaks, and River Oaks neighborhoods in Houston and in the Dallas subdivision of Munger Place. The company was the general contractor of such notable Houston houses as the William S. Farish House in Shadyside (1925) and the Cleveland Sewall House in River Oaks (1926, N.R.). Notable houses the company built outside of Houston include the Herbert L. Kokernot House in Monte Vista in San Antonio (1928); the O. L. Seagraves House at the Mo Ranch near Hunt, Texas (1929); the Talbott F. Rothwell House in Beaumont (1929); and the W. B. Morgan House in Olmos Park Estates in Olmos Park (1931). Among the architects who worked at various times for the Russell Brown Company in Houston were A. N. Dawson, Charles W. Oliver, Mike Mebane, and Gonzalo Ancira. In an indication of the quality of the Russell Brown architects, the River Oaks Corporation hired one of Russell Brown's architects, Charles Oliver, as in-house architect in 1926.

Additional information on the Russell Brown Company comes from a company brochure published circa 1936 which notes the following:

“The restful harmony and careful designing, the elegance imparted by graceful simplicity marks the difference between Russell Brown Company homes and the regular run of places so often built.”

Russell Brown retired from the building business in the mid 1940s. He lived out his retirement at his ranch near Juliff, Texas, south of Houston, where he died in 1963.

## **ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:**

The Angly House was designed and built in 1934 by the Russell Brown Company. The home, designed in the Southern Colonial style, was featured in the River Oaks Magazine Anniversary Edition in May 1941. The house retains a high degree of architectural integrity when compared to the 1941 photos of the building from the magazine article.

The house is two stories in height with a side-gable roof and prominent two-story front portico. The exterior is clad in painted brick veneer. The front portico is 49 feet in width and spans much of the front of the house, save for a small one-story wing located to the west side of the house. The portico is supported by six square paneled columns and matching pilasters. The front entry retains its original

# CITY OF HOUSTON

## Archaeological & Historical Commission

## Planning and Development Department

elliptical fanlight transom and sidelights, and is flanked by two evenly spaced, triple hung, floor-to-ceiling jib windows. The second floor features double-hung 6/6 lite wood sash windows. The three multi-lite jib windows, centered as a group above the first floor main entry, are partially enclosed by a decorative, wrought iron balconette. The one-story wing at the west side of the building consists of a one-story, screened front porch supported by square paneled wood columns connected at the tops by a series of arched openings.

The entry hall of the home has a gracious circular stairway as its focal point. On either side of the hall, there are wide paneled arched openings leading into the dining room and living room. Throughout the home, there are numerous original features including deep crown molding, random-width pegged and beveled hardwood floors, decorative register covers, elaborate wainscoting, carved mantles, and knotty pine paneling.

Changes to the house have been minimal over the years. The current owners, Kristine and William Hirtz, purchased the home from a developer who had intended to demolish the house to make way for new construction. One of the few alterations to the house was an incompatible family room addition that had been added to the back of the home at some point. The Hirtz family has removed this inappropriate addition and has plans to rehabilitate and update the remainder of the house.

*The information and sources provided by the applicant for this application have been reviewed, verified, edited and supplemented with additional research and sources by Thomas McWhorter, Planning and Development Department, City of Houston.*

### **BIBLIOGRAPHY:**

Handbook of Texas Online, s.v. "," <http://www.tsha.utexas.edu/handbook/online/articles/GG/dog2.html> (accessed March 21, 2007).

Houston Chronicle, September 5, 1934.

Houston Chronicle, Obituary of Russell Brown, April 9, 1963.

Houston Post, Funeral Announcement for Maurice Angly, April 3, 1969.

River Oaks Property Owners Card File for Russell Brown Brentwood Homes.

### **APPROVAL CRITERIA FOR LANDMARK DESIGNATION:**

The HAHC and the Planning Commission, in making recommendations with respect to designation, and the City Council, in making a designation, shall consider one or more of the following criteria, as appropriate for the type of designation:

<b>S</b>	<b>NA</b>		<b>S - satisfies</b>	<b>NA - not applicable</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	(1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation (Sec. 33-224(a)(1);		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	(2) Whether the building, structure, object, site or area is the location of a significant local, state or national event (Sec. 33-224(a)(2);		

# CITY OF HOUSTON

**Archaeological & Historical Commission**

**Planning and Development Department**

- (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation (Sec. 33-224(a)(3);
- (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city (Sec. 33-224(a)(4);
- (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood (Sec. 33-224(a)(5);
- (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation (Sec. 33-224(a)(6);
- (7) Whether specific evidence exists that unique archaeological resources are present (Sec. 33-224(a)(7);
- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride (Sec. 33-224(a)(8).
- (9) If less than 50 years old, or proposed historic district containing a majority of buildings, structures, or objects that are less than 50 years old, whether the building, structure, object, site, or area is of extraordinary importance to the city, state or nation for reasons not based on age (Sec. 33-224(b).

**STAFF RECOMMENDATION:**

Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark Designation of the Maurice and Virginia Brown Angly House at 2514 Brentwood Drive.

# CITY OF HOUSTON

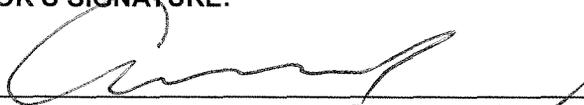
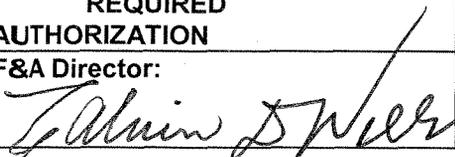
Archaeological & Historical Commission

Planning and Development Department

SITE LOCATION MAP  
MAURICE AND VIRGINIA BROWN ANGLY HOUSE  
2514 BRENTWOOD DRIVE  
NOT TO SCALE



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

<b>SUBJECT:</b> Amendment to Sections 2-27 and 2-1001 of the Code of Ordinances, Houston, Texas		<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 11
<b>FROM (Department or other point of origin):</b>  Legal Department		<b>Origination Date</b> 3/6/08	<b>Agenda Date</b> MAR 12 2008	
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b>  ALL		
<b>For additional information contact:</b> Randy Rivin Phone: 713-247-1408		<b>Date and identification of prior authorizing Council action:</b> 82-266 2/10/82; 82-1318 8/24/82; 82-1829 11/19/82; 86-1252 7/11/86; 93-931 9/4/93; 94-1112 10/19/94; 96-50 1/17/96; 96-1248 11/26/96; 97-415 4/17/97; 00-184 3/22/00; 01-1079 12/5/01; 04-477 5/26/04; 04-672 6/23/04.		
<b>RECOMMENDATION: (Summary)</b> Amend Sections 2-27 and 2-1001 of the Code of Ordinances, Houston, Texas to provide for the electronically imprinted cosignature of the Purchasing Agent on certain documents executed by facsimile signature of the Mayor and City Controller.				
<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) _____				
<b>SPECIFIC EXPLANATION:</b>  Currently Section 2-1001 of the Code of Ordinances requires that purchase orders and month-to-month office equipment agreements executed with the facsimile signatures of the Mayor and City Controller be accompanied by the manual cosignature or initials of those persons authorized to do so in a Facsimile Signature Certificate on file in the City Secretary's office. Amending Section 2-1001 withdraws the requirement of a manual cosignature or initials and replaces it with the requirement of an imprinted cosignature of the Purchasing Agent. The imprinted cosignature of the Purchasing Agent is only applicable to purchase orders, month-to-month office equipment agreements, service release orders, and project release orders.  This change is necessary to comport with protocols established under the new SAP System. A Facsimile Signature Certificate on file in the City Secretary's office granting such authority to the Purchasing Agent by the Mayor and City Controller remains a requirement.  The amendment to Section 2-27 of the Code of Ordinances simply updates a legal citation to the Texas Government Code.				
<b>REQUIRED AUTHORIZATION</b>				
<b>F&amp;A Director:</b> 		<b>Other Authorization:</b>		<b>Other Authorization:</b>

**“Redlined – Facsimile Signature”**

~~Section 2.~~ That Subsection (b) of Section 2-27 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“(b) *“Facsimile Signature” defined.* As used in this section, “facsimile signature” shall have the same meaning as in ~~Article 717j-1, Texas Revised Civil Statutes Annotated (Vernon’s Supp. 1981)~~ Chapter 618 of the Texas Government Code, the “act”. A “facsimile signature” authorized by this section shall have the effect prescribed by the act.”

~~Section 3.~~ That Section 2-1001 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

**“Sec. 2-1001. Facsimile signatures.**

The authorization by section 2-27 to cause documents to be executed, certified or endorsed with a facsimile signature shall extend to the officers shown below with respect to each corresponding category of documents (as shown in the same numbered provision as the title of the officer), but no such facsimile signature shall be valid unless all of the corresponding special requirements for validity of the facsimile signature ( as indicated in the same numbered provision) are present.

**Table 2-1001**  
**Facsimile Signatures**

<b>Description of Documents</b>	<b>Officers</b>	<b>Special Requirements For Validity of Facsimile Signatures</b>
(1) Contracts and other written agreements, including but not limited to, compromise and settlement agreements, whether approved by city council or not, subject to the requirements of Article II, Section 19a of the Houston City Charter	Mayor, City Controller, Mayor Pro Tem, Vice Mayor Pro Tem	A, B, C

(2) Purchase orders, <u>service release orders</u> , <u>project release orders</u> and month-to-month office equipment agreements, whether approved by city council or not, subject to the requirements of Article II, Section 19a of the Houston City Charter	Mayor, City Controller, <del>Mayor Pro Tem, Vice Mayor Pro Tem</del>	A, <del>B</del> , and D
(3) Written acceptances on behalf of the city of certain deeds, dedications, easements or other instruments relating to real or personal property, as designated in section 2-201 of this Code	Mayor, Mayor Pro Tem, Vice Mayor Pro Tem	A
(4) Letters of indefinite suspension	Mayor	A and B
(5) Notices to contractors, including change orders approved by city council, contemplated by any contract document to be signed by the mayor and the city controller	Mayor, City Controller, Mayor Pro Tem, Vice Mayor Pro Tem	A and B

As used in Table 2-1001, the following symbols shall have the meanings set out below:

‘A’ means that the facsimile signature is invalid unless, at the time it is affixed, there is on file an effective facsimile signature certificate which contains a likeness of the facsimile signature, the manual signature of the officer who has adopted it and a description of the documents to which the facsimile signature may be affixed.

‘B’ means that the facsimile signature is invalid unless the facsimile signature is manually cosigned or initialed, as specified on the facsimile signature certificate, by a person whose name and manual signature (or, if applicable, initials), in addition to the elements listed under ‘A’ above, are contained in an effective facsimile signature

certificate on file at the time the facsimile signature is affixed.

- 'C' means the facsimile signature is invalid unless the document to which it is affixed bears the embossed impression of the official seal of the city and a manual attesting signature of the secretary or an assistant city secretary.
- 'D' means that any imprinted facsimile signature of the Mayor or City Controller ~~imprinted by the purchasing agent or any officer of the strategic purchasing department~~, is invalid unless, in addition to the elements listed under 'A' and 'B' above, the facsimile signature is accompanied by the ~~manual, stamped~~ imprinted cosignature of the purchasing agent."

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

**AN ORDINANCE AMENDING SECTIONS 2-27 AND 2-1001 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO FACSIMILE SIGNATURES; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \*

**WHEREAS**, By previous ordinance, City Council authorized the use of facsimile signatures on certain documents by certain officers of the City, as authorized by Chapter 618 of the Texas Government Code; and

**WHEREAS**, City Council desires to amend Section 2-1001 of the Code of Ordinances, Houston, Texas to allow for the imprinted co-signature of the City's Purchasing Agent on purchase orders, project release orders, service release orders and month-to-month office equipment agreements; and

**WHEREAS**, City Council desires to make a certain housekeeping revision to Section 2-27 of the Code of Ordinances, Houston, Texas; **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.

**Section 2.** That Subsection (b) of Section 2-27 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“(b) *‘Facsimile signature’ defined.* As used in this section, “facsimile signature” shall have the same meaning as in Chapter 618 of the Texas Government Code, the “act”. A “facsimile signature” authorized by this section shall have the effect prescribed by the act.”

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(3) Written acceptances on behalf of the city of certain deeds, dedications, easements or other instruments relating to real or personal property, as designated in section 2-201 of	Mayor, Mayor Pro Tem, Vice Mayor Pro Tem	A

this Code

(4) Letters of indefinite suspension	Mayor	A and B
(5) Notices to contractors, including change orders approved by city council, contemplated by any contract document to be signed by the mayor and the city controller	Mayor, City Controller, Mayor Pro Tem, Vice Mayor Pro Tem	A and B

As used in Table 2-1001, the following symbols shall have the meanings set out below:

- 'A' means that the facsimile signature is invalid unless, at the time it is affixed, there is on file an effective facsimile signature certificate which contains a likeness of the facsimile signature, the manual signature of the officer who has adopted it and a description of the documents to which the facsimile signature may be affixed.
- 'B' means that the facsimile signature is invalid unless the facsimile signature is manually cosigned or initialed, as specified on the facsimile signature certificate, by a person whose name and manual signature (or, if applicable, initials), in addition to the elements listed under 'A' above, are contained in an effective facsimile signature certificate on file at the time the facsimile signature is affixed.
- 'C' means the facsimile signature is invalid unless the document to which it is affixed bears the embossed impression of the official seal of the city and a manual attesting signature of the secretary or an assistant city secretary.
- 'D' means that any imprinted facsimile signature of the Mayor or City Controller, is invalid unless, in addition to the elements listed under 'A' above, the facsimile signature is accompanied by the imprinted cosignature of the purchasing agent."

**Section 4.** That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the

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

**Section 5.** The City Attorney is hereby authorized to take all action necessary to enforce all legal obligations under said contract without further authorization from Council.

**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; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

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

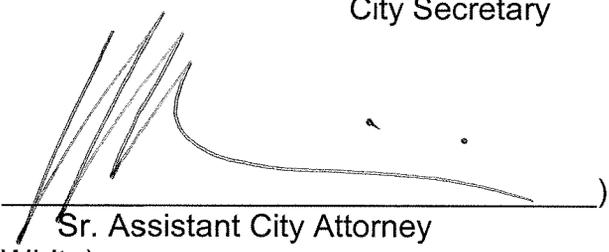
APPROVED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor of the City of Houston, Texas

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

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

(Prepared by Legal Dept.  
(RNR:pw 01/30/08)  
(Requested by Mayor Bill White)  
(L.D. File No. 0040700102001)

  
\_\_\_\_\_  
Sr. Assistant City Attorney

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

<b>SUBJECT:</b> Petition for the City's consent to the addition of seven (7) tracts totaling 15.2623 acres to Harris County Fresh Water Supply District No. 61 (Key Map No. 368-P)	<b>Category #</b>	<b>Page</b> 1 of <u>1</u>	<b>Agenda Item #</b>  <i>12</i>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> <i>3/6/08</i>	<b>Agenda Date</b> MAR 12 2008
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<b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE	<b>Council District affected:</b> "ETJ"
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<b>For additional information contact:</b>  Jun Chang, P.E. <i>JK</i> Senior Assistant Director    Phone: (713) 837-0433	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
  
The petition for the addition of 15.2623 acres of land to Harris County Fresh Water Supply District No. 61 be approved.

<b>Amount of Funding:</b>  NONE REQUIRED	<b>F &amp; A Budget:</b>
--	--------------------------

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

**SPECIFIC EXPLANATION:**

Harris County Fresh Water Supply District No. 61 has petitioned the City of Houston for consent to add 15.2623 acres of land, located in the city's extraterritorial jurisdiction, to the district.

The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.

The district is located in the vicinity of FM 1960, Eldridge, Tower Oaks, and Jones Road. The district desires to add 15.2623 acres, thus yielding a total of 1,800.1132 acres. The district is served by the Hastings Green Wastewater Treatment Plant No. 2. The other district served by this plant is Harris County Municipal Utility District No. 248. The nearest major drainage facility for Harris County Fresh Water Supply District No. 61 is Cypress Creek which flows into Spring Creek and then to the San Jacinto River and finally into Lake Houston.

Potable water is provided by the district. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

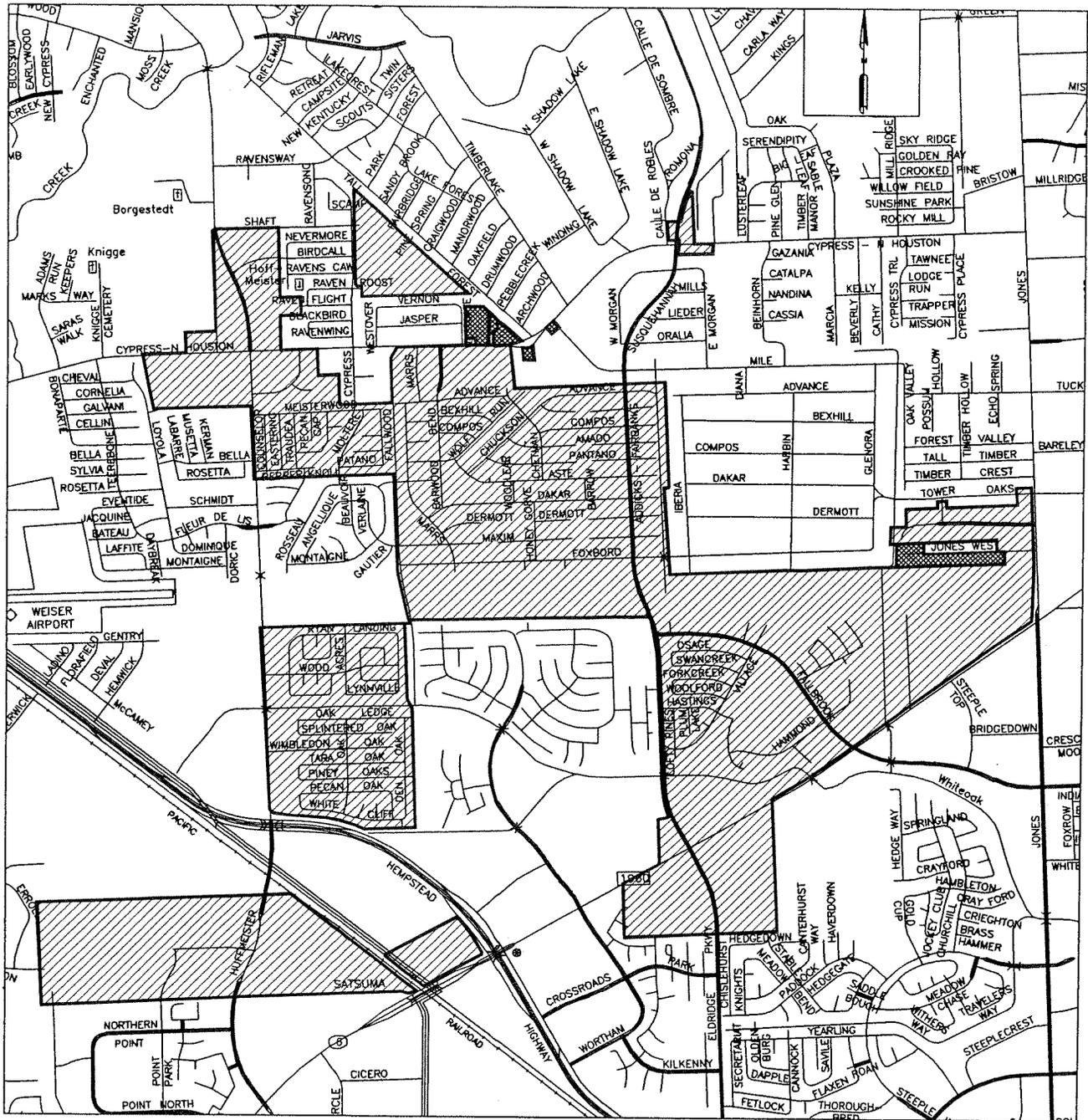
The Utility District Review Committee recommends that the subject petition be approved.

**Attachments**

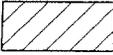
cc: Marty Stein    Marlene Gafrick    Jeff Taylor    Dan Krueger    Jack Sakolosky  
Bill Zrioka    Waynette Chan    Deborah McAbee    Gary Norman

<b>F &amp; A Director</b>	<b>REQUIRED AUTHORIZATION</b> Other Authorization:  <i>Andrew F. Icken</i> Andrew F. Icken Deputy Director Planning & Development Services Div.	20JZC395 <b>Other Authorization:</b>
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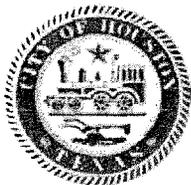
# HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 61 PROPOSED ADDITION OF 15.2623 ACRES



VICINITY MAP  
KEY MAP NO 368P  
GIMS MAP NO 4567A

-  DISTRICT BOUNDARY
-  TRACTS TO BE ANNEXED

305



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Received  
1/29/08 [Signature]

**Application Accepted as Complete** (to be completed by PW&E)

Application is hereby made for consent of the City of Houston to the  creation/  addition of 15.2623 acres to Harris County FWSD No. 61 under the provisions of Chapters 49 and 54 Texas Water Code.

[Signature]  
Attorney for the District

**Attorney: Sara J. Anderson**

Address: 1100 Louisiana St, Ste 400, Houston, Texas Zip: 77002 Phone: 713/652-6500

**Engineer: William G. Rosenbaum, P.E.**

Address: 2925 Briarpark., Suite 500, Houston, Texas Zip: 77042 Phone: 713/266-6900

**Owners: Aletha Properties, Inc. and Jones Road West Industrial Park, LLC**

Address: 4545 Bissonet, Ste 100, Bellaire, Texas Zip: 77401 Phone: 713/772-6262

(If more than one owner, attach additional page. List all owners of property within the District)

### LOCATION

INSIDE CITY  OUTSIDE CITY  NAME OF COUNTY (S) Harris  
Survey James Morgan Abstract 789

Geographic Location: List only major streets, bayous or creeks:

North of: FM 1960 East of: Eldridge  
South of: Tower Oaks West of: Jones Road

### WATER DISTRICT DATA

Total Acreage of District: 1784.8509 Existing Plus Proposed Land 1800.1132

**Development Breakdown (Percentage) for tract being considered for annexation:**

Single Family Residential \_\_\_\_\_ Multi-Family Residential \_\_\_\_\_

Commercial 100 Industrial \_\_\_\_\_ Institutional \_\_\_\_\_

Sewage generated by the District will be served by a : District Plant  Regional Plant

Sewage Treatment Plant Name: Hastings Green Wastewater Treatment Plant No. 2

NPDES/TPDES Permit No: WQ00110876002 TCEQ Permit No: WQ0010876002



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 3.0

Ultimate Capacity (MGD): 4.5

Size of treatment plant site: 6.0 ac square feet/acres.

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

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

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

Total permitted capacity: 3.0

MGD of (Regional Plant).

Name of District: HC FWSD #61

MGD Capacity Allocation 1.7

or property owner(s)

Name of District: HC MUD #248

MGD Capacity Allocation 0.5

Water Treatment Plant Name: Hastings Green Water Plant No. 2

Water Treatment Plant Address: Greenwater Dr

Well Permit No: 124963-7 abd 125540

**Existing Capacity:**

Well(s): 5300 GPM

Booster Pump(s): 9150 GPM

Tank(s): 2.59 MG

**Ultimate Capacity:**

Well(s): 8000 GPM

Booster Pump(s): 15150 GPM

Tank(s): 3.09 MG

Size of Treatment Plant Site: 6

square feet/acres.

Comments or Additional Information: \_\_\_\_\_

\_\_\_\_\_

Owners: John J. and Jennie F. Mackel  
Address: 13418 Maxwell Road, Cypress, Texas 77429 Phone: 281/373-9456

Owner: Harjit S. Galhotra and Seema Galhotra  
Address: 12900 Cypress N Houston, Cypress, Texas 77429 Phone: 281/469-6432

Owner: Galhotra Family, L.P.  
Address: 12900 Cypress N Houston, Cypress, Texas 77429 Phone: 281/469-6432

Owner: Robert Scherer  
Address: 7438 Wright Rd, Houston, Texas 77041 Phone: 713/466-6450

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

<b>SUBJECT:</b> Petition for the City's consent to the creation of two (2) tracts of land totaling 466.693 acres as Harris County Municipal Utility District No. 519 (Key Map No. 404-J)	<b>Category #</b>	<b>Page</b> 1 of <u>1</u>	<b>Agenda Item #</b>  <b>13</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 2/28/08	<b>Agenda Date</b> MAR 12 2008
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<b>DIRECTOR'S SIGNATURE</b> <i>Michael S. Marcotte</i> 2/21/08 Michael S. Marcotte, P.E., DEE, Director	<b>Council District affected:</b> "ETJ"
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<b>For additional information contact:</b> Jun Chang, P.E. <i>JC</i> Senior Assistant Director Phone: (713) 837-0433	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**

The petition for the creation of 466.693 acres of land as Harris County Municipal Utility District No. 519 be approved.

<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:**

The owners of 466.693 acres of land, located in the city's extraterritorial jurisdiction, have petitioned the City of Houston for consent to create a district.

The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.

The district is located in the vicinity of FM 529, FM 2855, Cypress Creek, and Katy-Hockley Road. The district will consist of 466.693 acres. The district will be served by the proposed Harris County Municipal Utility District No. 519 Sewage Treatment Plant 1. The other district served by this plant will be Harris County Municipal Utility District No. 520. The nearest major drainage facility for Harris County Municipal Utility District No. 519 is Cypress Creek which flows into Spring Creek and then to the San Jacinto River and finally into Lake Houston.

Potable water will be provided by the district. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

The Utility District Review Committee recommends that the subject petition be approved.

**Attachments**

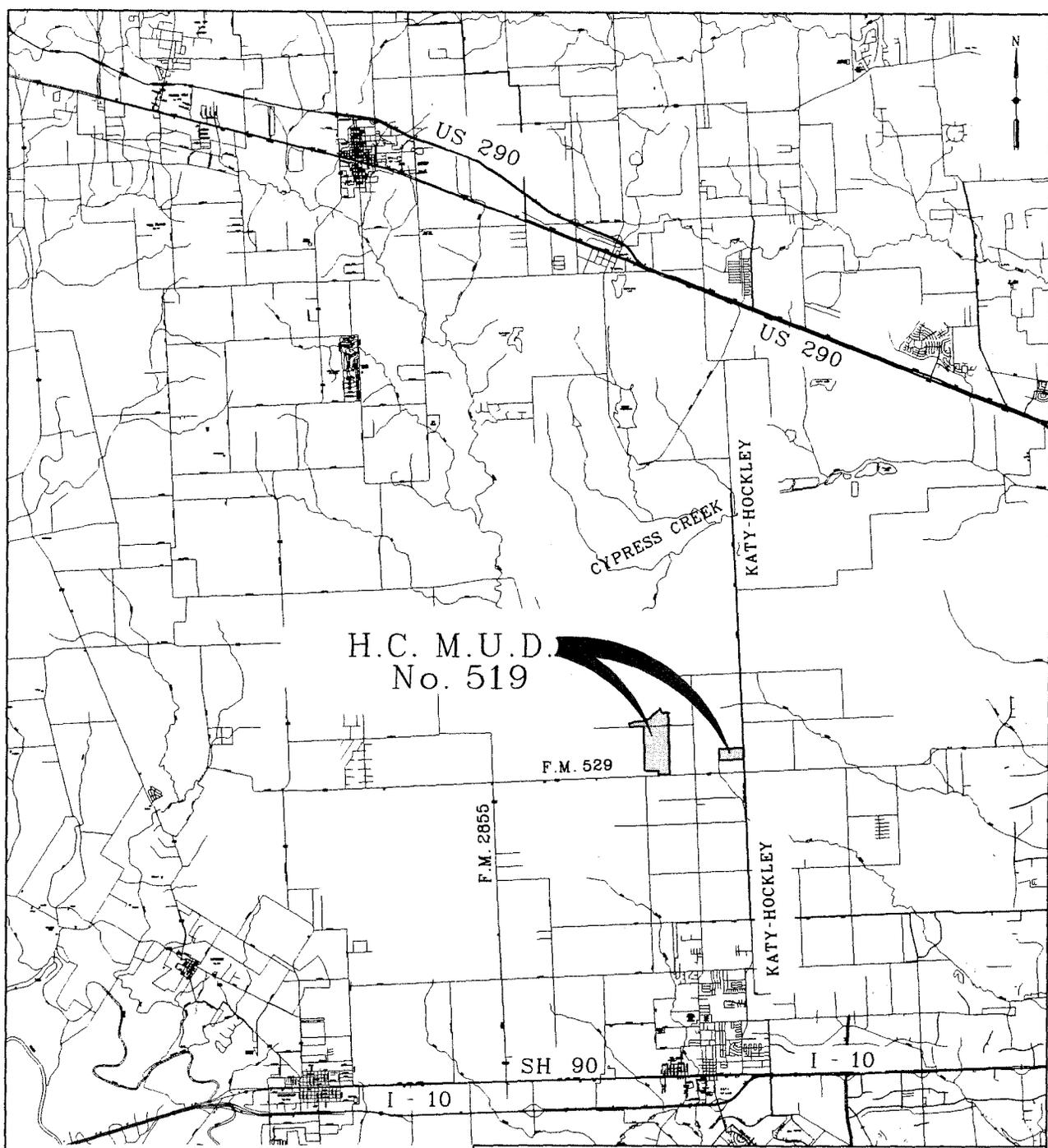
cc: Marty Stein Marlene Gafrick Jeff Taylor Dan Krueger  
Jack Sakolosky Bill Zrioka Waynette Chan Deborah McAbee Gary Norman

<b>REQUIRED AUTHORIZATION</b> 20JZC393	
<b>F &amp; A Director</b>	<b>Other Authorization:</b>  Andrew F. Icken Deputy Director Planning & Development Services Div.
	<b>Other Authorization:</b>

*M*

*ngf*

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**Costello, Inc.**  
Engineering and Surveying

**HARRIS COUNTY MUD 519  
VICINITY MAP  
KEY MAP 404 J**

JOB NO. 2006073-011	DATE: JAN 2008	EXHIBIT NO. 1
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303



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Received  
1/22/08 [Signature]

**Application Accepted as Complete** (to be completed by PW&E)

Application is hereby made for consent of the City of Houston to the  creation/  addition of 466.693 acres to Harris County MUD No. 519 under the provisions of Chapters 49 and 54 Texas Water Code.

[Signature]  
Attorney for the District

**Attorney: Allen Boone Humphries Robinson, LLP; Greer Pagan**

Address: 3200 Southwest Freeway, Suite 2600 Zip: 77027 Phone: 713-860-6400

**Engineer: Costello, Inc.; Attn: Raphael "Ralph" Saldana, PE**

Address: 9990 Richmond Avenue, Suite 450, North Building Zip: 77042 Phone: 713-783-7788

**Owners: Northwest Katy Land Holdings 1, Ltd.**

Address: 16360 Park Ten Place, Suite 250; Houston, Texas Zip: 77084 Phone: 281-398-8118

(If more than one owner, attach additional page. List all owners of property within the District)

### LOCATION

INSIDE CITY  OUTSIDE CITY  NAME OF COUNTY (S) Harris  
Survey H. & T.C. R.R. Company Survey, Sec. 117\* Abstract A-1716\*

Geographic Location: List only major streets, bayous or creeks:

North of: F.M. 529 East of: F.M. 2855  
South of: Cypress Creek West of: Katy-Hockley Road

### WATER DISTRICT DATA

Total Acreage of District: 466.693 Existing Plus Proposed Land 466.693 AC

**Development Breakdown (Percentage) for tract being considered for annexation:**

Single Family Residential 97% Multi-Family Residential ---  
Commercial --- Industrial --- Institutional 3%

Sewage generated by the District will be served by a : District Plant  Regional Plant

Sewage Treatment Plant Name: Proposed Sewage Treatment Plant 1 in HCMUD 519

NPDES/TPDES Permit No: None TCEQ Permit No: None



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0

Ultimate Capacity (MGD): Proposed 0.90

Size of treatment plant site: 1.0 Ac square feet/acres.

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

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

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

Total permitted capacity: Proposed 0.90

MGD of (Regional Plant).

Name of District: Harris County MUD No. 519

MGD Capacity Allocation Proposed 0.30

or property owner(s)

Name of District: Harris County MUD No. 520

MGD Capacity Allocation Proposed 0.60

Water Treatment Plant Name: Proposed Water Treatment Plant No. 1

Water Treatment Plant Address: In Proposed Harris County MUD No. 519

Well Permit No: N/A

**Existing Capacity:**

Well(s): 0 GPM

Booster Pump(s): 0 GPM

Tank(s): 0 MG

**Ultimate Capacity:**

Well(s): 1,200 GPM

Booster Pump(s): 1,900 GPM

Tank(s): 0.20 MG

Size of Treatment Plant Site: 1.0 Ac

square feet/acres.

Comments or Additional Information: \*Please refer to metes and bounds in attachment for additional abstracts and surveys. Not all abstracts and surveys are listed because of limited space.

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

<b>SUBJECT:</b> Petition for the City's consent to the creation of 505.509 acres of land as Harris County Municipal Utility District No. 520 (Key Map No.404-J)	<b>Category #</b>	<b>Page</b> 1 of <u>1</u>	<b>Agenda Item #</b>  <b>14</b>
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 3/6/08	<b>Agenda Date</b> MAR 12 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> "ETJ"
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<b>For additional information contact:</b>  Jun Chang, P.E. <i>jc</i> Senior Assistant Director      Phone: (713) 837-0433	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
  
The petition for the creation of 505.509 acres of land as Harris County Municipal Utility District No. 520 be approved.

<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:**

The owners of 505.509 acres of land, located in the city's extraterritorial jurisdiction, have petitioned the City of Houston for consent to create a district.

The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.

The district is located in the vicinity of FM 529, FM 2855, Cypress Creek, and Katy-Hockley Road. The district will consist of 505.509 acres. The district will be served by a regional plant, the proposed Harris County Municipal Utility District No. 519 Sewage Treatment Plant 1. The nearest major drainage facility for Harris County Municipal Utility District No. 520 is Cypress Creek which flows into Spring Creek and then to the San Jacinto River and finally into Lake Houston.

Potable water will be provided by the district. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

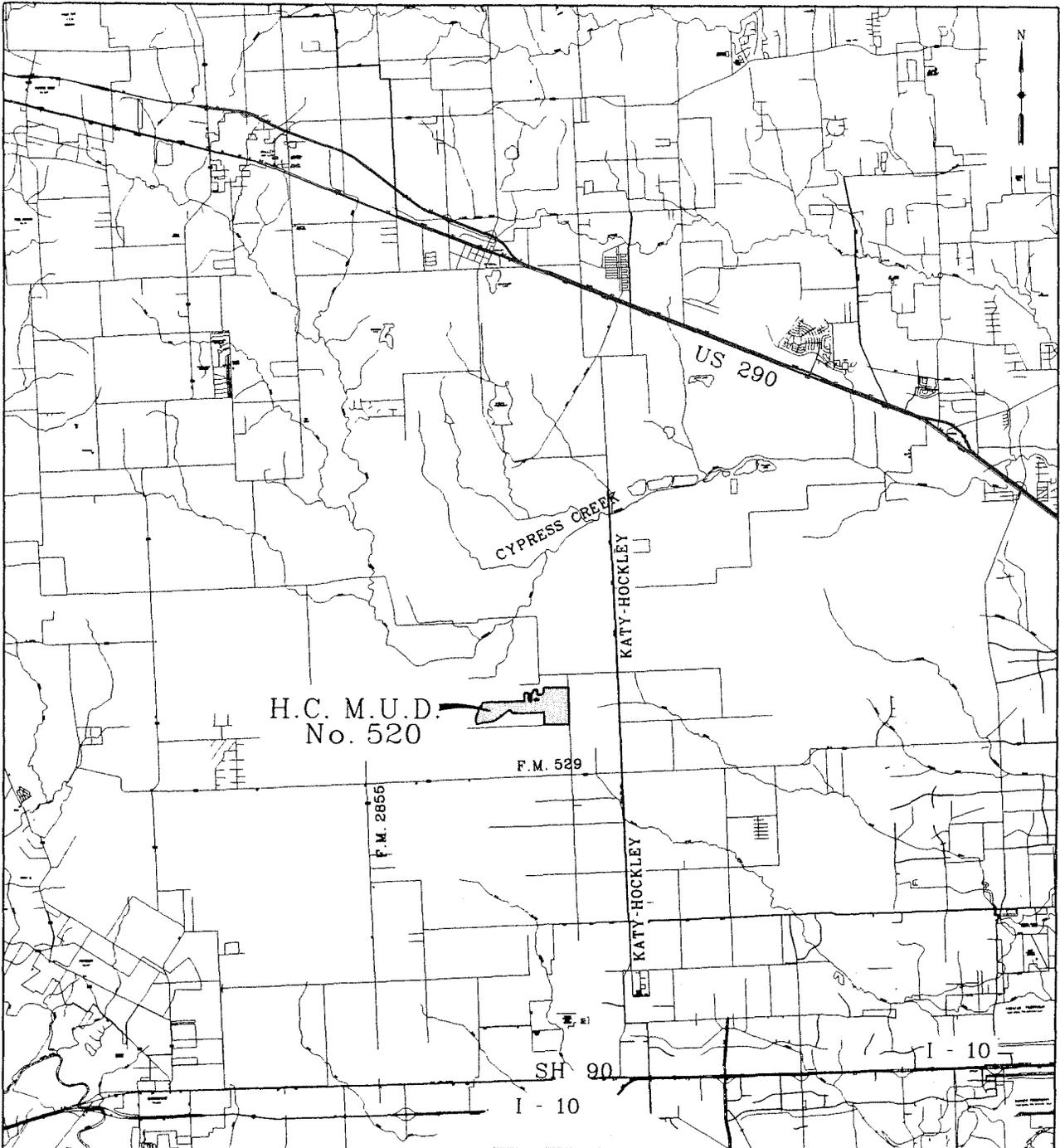
The Utility District Review Committee recommends that the subject petition be approved.

**Attachments**

cc: Marty Stein   Marlene Gafrick   Jeff Taylor   Dan Krueger  
Jack Sakolosky   Bill Zrioka   Waynette Chan   Deborah McAbee   Gary Norman

<b>F &amp; A Director</b>	<b>REQUIRED AUTHORIZATION</b> Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken Deputy Director Planning & Development Services Div.	20JZC394 Other Authorization:
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**Costello, Inc.**  
Engineering and Surveying

HARRIS COUNTY MUD 520  
VICINITY MAP  
KEY MAP 404 J

JOB NO. : 2006073-012

DATE: JAN. 2008

EXHIBIT NO. 1

394



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Received  
1/22/08 [Signature]

**Application Accepted as Complete** (to be completed by PW&E)

Application is hereby made for consent of the City of Houston to the  creation/  addition of 505.509 acres to Harris County MUD No. 520 under the provisions of Chapters 49 and 54 Texas Water Code.

[Signature]  
Attorney for the District

**Attorney: Allen Boone Humphries Robinson, LLP; Greer Pagan**

Address: 3200 Southwest Freeway, Suite 2600 Zip: 77027 Phone: 713-860-6400

**Engineer: Costello, Inc.; Attn: Raphael "Ralph" Saldana, PE**

Address: 9990 Richmond Avenue, Suite 450, North Building Zip: 77042 Phone: 713-783-7788

**Owners: Northwest Katy Land Holdings 1, Ltd.**

Address: 16360 Park Ten Place, Suite 250; Houston, Texas Zip: 77084 Phone: 281-398-8118

(If more than one owner, attach additional page. List all owners of property within the District)

### LOCATION

INSIDE CITY  OUTSIDE CITY  NAME OF COUNTY (S) Harris  
Survey H. & T.C. R.R. Company Survey, Sec. 117\* Abstract A-1716\*

Geographic Location: List only major streets, bayous or creeks:

North of: F.M. 529 East of: F.M. 2855  
South of: Cypress Creek West of: Katy-Hockley Road

### WATER DISTRICT DATA

Total Acreage of District: 505.509 Existing Plus Proposed Land 505.509 AC

**Development Breakdown (Percentage) for tract being considered for annexation:**

Single Family Residential 76% Multi-Family Residential 12%

Commercial 4% Industrial --- Institutional 8%

Sewage generated by the District will be served by a : District Plant  Regional Plant

Sewage Treatment Plant Name: Proposed Sewage Treatment Plant 1 in HCMUD 519

NPDES/TPDES Permit No: None TCEQ Permit No: None



# CITY OF HOUSTON



Department of Public Works and Engineering  
Water District Consent Application Form

Existing Capacity (MGD): 0

Ultimate Capacity (MGD): 0.90

Size of treatment plant site: 1.0 Ac square feet/acres.

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

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

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

Total permitted capacity: Proposed 0.90

MGD of (Regional Plant).

Name of District: Harris County MUD No. 519  
or property owner(s)

MGD Capacity Allocation Proposed 0.30

Name of District: Harris County MUD No. 520

MGD Capacity Allocation Proposed 0.60

Water Treatment Plant Name: Proposed Water Treatment Plant No. 1

Water Treatment Plant Address: In Proposed Harris County MUD No. 520

Well Permit No: N/A

**Existing Capacity:**

Well(s): 0 GPM

Booster Pump(s): 0 GPM

Tank(s): 0 MG

**Ultimate Capacity:**

Well(s): 1,200 GPM

Booster Pump(s): 3,900 GPM

Tank(s): 0.40 MG

Size of Treatment Plant Site: 1.0 Ac square feet/acres.

Comments or Additional Information: \*Please refer to metes and bounds in attachment for additional abstracts and surveys. Not all abstracts and surveys are listed because of limited space.



List of Homeowners and Contractor Referenced in the  
Attached Request for Council Action

Homeowner Name, Address & Council District	Contractor Name	Contract Amount and Number of Bedrooms	Contingency Amount	Contract Amount plus Contingency Amount
Gloria Jack 6617 Hoffman Houston, Texas 77028 Council District B	General Contractor Services, Inc.	\$90,779.80 (3)	\$9,077.98	\$99,857.78
Gregoria Contreras 13315 Knollcrest Houston, Texas 77015 Council District E	General Contractor Services, Inc.	\$90,779.80 (3)	\$9,077.98	\$99,857.78
Annie Mae Henderson 7828 Hoffman Houston, Texas 77016 Council District B	General Contractor Services, Inc.	\$86,354.80 (2)	\$8,635.48	\$94,990.28
Bennie Rabb 3962 Charleston Houston, Texas 77021 Council District D	General Contractor Services, Inc.	\$86,354.80 (2)	\$8,635.48	\$94,990.28
	Total	\$354,269.20	\$35,426.92	\$389,696.12



List of Homeowners and Contractor Referenced in the  
Attached Request for Council Action

Homeowner Name, Address & Council District	Contractor Name	Contract Amount and Number of Bedrooms	Contingency Amount	Contract Amount plus Contingency Amount
Doris Nichols 4617 Rawley Houston, Texas 77020 Council District B	General Contractor Services, Inc.	\$86,354.80 (2)	\$8,635.48	\$94,990.28
Evelyn Johnson 6529 Utah Houston, Texas 77091 Council District B	General Contractor Services, Inc.	\$86,354.80 (2)	\$8,635.48	\$94,990.28
Josephine & Percy Thomas 7509 Orville Houston, Texas 77028 Council District B	General Contractor Services, Inc.	\$86,354.80 (2)	\$8,635.48	\$94,990.28
Jesus Muniz 714 Delmar Houston, Texas 77023 Council District I	General Contractor Services, Inc.	\$90,779.80 (3)	\$9,077.98	\$99,857.78

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:** Approve an Ordinance Amending the Contract for the Development and Production of Programming for Public & Educational Access Television for the City of Houston

**Category #**

**Page 1 of** 2

**Agenda Item#**

4

**17**

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

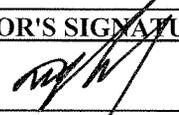
**Origination Date**

February 11, 2008

**Agenda Date**

MAR 12 2008

**DIRECTOR'S SIGNATURE:**



**Council Districts affected:**

All

**For additional information contact:**

Tina Paez                      **Phone:** 713-837-9630  
Juan Olguin                   **Phone:** 713-837-9623

**Date and identification of prior authorizing Council Action:** Ord. #2005-1374, passed 12/14/05; Ord. #2006-0571, passed 6/7/06

**RECOMMENDATION: (Summary)**

Approve an ordinance amending the contract between the City of Houston and Houston MediaSource for the development and production of programming for public access television for the City of Houston to extend the contract.

**Amount of Funding:**

N/A – see below

**F & A Budget:**

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

Fund 2401 (Cable Television)

**SPECIFIC EXPLANATION:**

The Director of Administration and Regulatory Affairs recommends that City Council approve an ordinance amending the contract between the City of Houston and Houston MediaSource for development and production of programming for public and educational access television for the City of Houston. The amendment extends the contract from April 3, 2008 through June 30, 2010, with five annual one-year options to renew. The City may terminate this contract at any time upon 30-days notice to the contractor, should termination become necessary.

Sections 37-221 through 37-227 of the Houston Code of Ordinances provide for cable channels to be made available for Public, Educational and Governmental (PEG) programming to be cablecast through the City's PEG channel playback facilities. Through the City's franchise agreements with various cable operators that operate in the Houston area, we have access to four cable channels for PEG programming. The City's government channel, HTV, broadcasts on one of these channels. Two of the remaining channels are currently used by the Houston Community College System (HCCS) and the Houston Independent School District (HISD), via contracts awarded June 22, 2005 whose primary terms will expire on June 30, 2010. The third channel is currently being used by Houston MediaSource (HMS) via a contract that became effective June 13, 2006, and expires on April 3, 2008.

In addition to providing channels, the cable franchisees provide annual funding, in the amount of approximately \$1.3 million for the ongoing operations of PEG programming. Historically, these funds have been evenly divided between HTV and the public access channel, currently operated by HMS. HMS' contract expiration date of April 3, 2008 was established to coincide with the expiration of the local Comcast Cable franchise, the source of approximately 85% of PEG funds. PEG funds represent 98% of HMS' funding. We now anticipate Comcast will seek a State Cable and Video Franchise pursuant to Chapter 66 of the Texas Utilities Code in April when the local franchise expires, and that they will continue to pay PEG fees as required under State law. Accordingly, we are requesting authority to amend HMS' contract with the City to extend it to June 30, 2010, with five, one-year renewal options, so this contract will expire concurrent with the expiration of the other PEG programming contracts. The key contract terms in HMS' contract will remain unchanged, with the exception of a clarifying amendment to the M/WBE subcontracting language, as further discussed below.

**M/WBE Subcontracting:**

This contract was issued as a goal-oriented contract with an 11% participation goal. Houston MediaSource designated Lee Office Products and Lone Star Messenger as its certified M/WBE subcontractors. The Affirmative Action Department reports that, since the inception of the contract, Houston MediaSource has paid \$94,648.04 to City-certified M/WBE firms. This amounts to only 5.69% of the \$1,664,230.11 paid to HMS by the City to date.

**REQUIRED AUTHORIZATION**

F&A Director:

Date: 2/11/08	Subject: Ordinance approving an amendment to extend the contract for the development and production of programming for public access television for the City of Houston	Originator's Initials	Page 2 of 2
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However, the majority of the funding that is allocated to Houston MediaSource by the City is used for personnel services and building rental. The Affirmative Action Department has advised us that when a goal is set, it should be based on the amount the contractor can potentially subcontract, i.e. the goal should not be applied to salaries and rent or overhead as these items cannot be subcontracted. The Affirmative Action Department recommends that the goal apply only to items such as the contractor's purchases of services and supplies. However, the contract currently states that the Contractor shall "make good faith efforts to award subcontracts or supply agreements in at least 11% of the value of this agreement to MWBEs." Accordingly, included in the amendment to extend the contract term is an amendment to the M/WBE provision, which states that the Contractor shall "make good faith efforts to award subcontracts or supply agreements in at least 11% of the value of the Contractor's purchases of services and supplies over the term of this agreement to M/WBEs."

Since the inception of the contract, HMS has spent \$755,374 on purchases of supplies and services. Applying 11% to this amount, yields a participation goal of \$83,091.14. Based on this analysis, under the proposed amended language, HMS has exceeded its participation goal for purchases of services and supplies.

This contract will continue to be monitored by the Affirmative Action Division in accordance with its procedures.

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

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Approve an Ordinance Authorizing the Execution of an Interlocal Agreement for Forensic Laboratory Services for the Houston Police Department	<b>Category #</b> 9	<b>Page</b> 1 of 1	<b>Agenda Item #</b> 18
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<b>FROM (Department or other point of origin):</b> Harold L. Hurtt, Chief of Police Houston Police Department	<b>Origination Date</b> February 29, 2008	<b>Agenda Date</b> MAR 12 2008
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Irma Rios, Assistant Director Phone: 713-308-2636	<b>Date and identification of prior authorizing Council action:</b>
<b>Approved by:</b>  3/3/08 Joseph A. Fenninger, Deputy Director Phone: 713-308-1708	

**RECOMMENDATION: (Summary)**  
Approve an ordinance authorizing the execution of an Interlocal Agreement with Dallas County, acting through the Southwestern Institute of Forensic Sciences, in an amount of \$400,000.00 for forensic laboratory services for the Houston Police Department.

<b>Amount and Source of Funding:</b> \$400,000.00 General Fund (FY08 \$16,665.00 Out Years \$383,335.00)	<b>F &amp; A Budget:</b>
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**SPECIFIC EXPLANATION:**  
The Chief of Police recommends that City Council approve an ordinance authorizing the execution of an Interlocal Agreement with Dallas County, acting through the Southwestern Institute of Forensic Sciences, for five-years with one five-year option for renewal for a total ten-year term to provide forensic laboratory services for the Houston Police Department. This Interlocal Agreement (contract) may be terminated by either party without cause with a 30-day advance written notice to the other party.

The scope of work requires Dallas County, acting through the Southwestern Institute of Forensic Sciences, to provide all facilities, labor, materials, equipment, transportation and supervision necessary to provide toxicological, environmental and physical evidence analysis and other similar forensic analytical services. Services include but are not limited to drug screens, legal alcohol/analysis and affidavit, drug abuse screens, carbon monoxide, ethylene glycol testing, etc.

This recommendation is made pursuant to Chapter 791 of the Texas Local Government Code for exempt procurements.

HLH:JAF:tkc

**REQUIRED AUTHORIZATION**

<b>F&amp;A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

<b>SUBJECT: Ordinance Authorizing Purchase of General Property Insurance</b>	Category #	Page 1 of <u>2</u>	Agenda Item# <b>19</b>
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<b>FROM: (Department or other point of origin):</b> Alfred J. Moran, Jr., Director Administration & Regulatory Affairs Department	Origination Date February 29, 2008	Agenda Date MAR 12 2008
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<b>DIRECTOR'S SIGNATURE:</b> 	Council Districts affected: All
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For additional information contact: Tina A. Paquet Phone: 713-837-9856	Date and identification of prior authorizing Council Action: 3-21-07; Ordinance No. 2007-323 4-18-07; Ordinance No. 2007-493
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**RECOMMENDATION: (Summary)**  
Authorize the purchase of a General Property Insurance Policy with the insurance carriers noted below.

<b>Amount of Funding</b> \$8,835,543 Policy Premium \$ 214,149 Contingency Premium \$9,049,692 Total Proposed Premium	<b>Budget:</b> 
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**SOURCE OF FUNDING:**      General Fund      Grant Fund      Enterprise Fund      Other (Specify)  
 Property / Casualty Fund: 1004

**SPECIFIC EXPLANATION:**

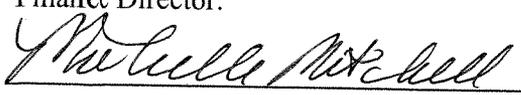
The Administration & Regulatory Affairs Department recommends that Council: (1) approve the proposed general property insurance policies recommended by the City's Insurance Broker of Record, John L. Wortham and Son, L.P. (Wortham); and (2) accept the individual proposals from the insurance carriers listed below that are participating in the layered property insurance program recommended by Wortham.

A Request for Proposal for General Property Insurance was issued and advertised on December 28, 2007 and January 4, 2008 for coverage effective April 1, 2008. Additionally, Wortham solicited proposals from 33 national and international insurance carriers of which 16 submitted proposals.

The recommended funding of \$9,049,692 includes premium of \$8,835,543 for the policy term and \$214,149 as contingent premium for coverage of properties added during the policy year.

No multi-year proposals were received. No individual insurance company submitted a proposal to provide coverage for the City's total property value. Therefore, Wortham structured a multi-layered property insurance policy consisting of a primary layer plus five excess layers. Terms of the proposed policy are:

- Term: April 1, 2008 to April 1, 2009
- Insurance Carriers: Westchester Fire Insurance Company; Lexington Insurance Company; Continental Casualty Company; Liberty Mutual Fire Insurance Company; Commonwealth Insurance Company; James River Insurance Company; Essex Insurance Company; Underwriters at Lloyds; Allied World Assurance Company (US) Inc; RSUI Indemnity Company; Great Lakes Reinsurance (UK) PLC; Swiss Re International SE; Homeland Insurance Company of New York; Ironshore Insurance, Ltd.; Axis Surplus Insurance Company; Arch Specialty Insurance Company
- Total Premium Cost: \$9,049,692 (\$8,835,543 Premium + \$214,149 Contingency Premium)
- Rate: 10.98 cents per \$100 of insured property value
- Insured Property Value: \$7,666,304,111 (Replacement Cost Basis)
- Insured Revenue Stream of \$379,323,236 (Actual Loss Sustained Basis)
- Total Insured Value: \$8,045,627,347

Finance Director: 	Other Authorization:	Other Authorization:
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Date: February 29, 2008

Type of Coverage: All Risk Coverage (excluding terrorism coverage), which includes flood and earthquake for buildings and contents, as well as Business Interruption coverage for the Houston Airport System and Convention & Entertainment Facilities Departments.

Deductibles: \$2,500,000 per occurrence, except (1) 5% of values for flood at any location from a named storm, subject to a \$5,000,000 minimum and \$20,000,000 maximum, and (2) 3% of values for windstorm losses from a named storm, subject to a \$2,500,000 minimum and \$20,000,000 maximum.

Loss Limits: \$250,000,000

Flood Loss Limit: \$75,000,000 of which \$50,000,000 may apply to Flood Zone A (100-year flood plain).

The proposed coverage is structured to meet insurance requirements being enforced by the Federal Emergency Management Agency (FEMA) for eligibility of federal assistance for damages caused by Tropical Storm Allison and should future catastrophic floods occur.

The solicitation and analysis of the City's property insurance program details are more fully discussed in the attached memorandum.

Attachment

cc: Anthony Hall, Chief Administrative Officer  
Arturo Michel, City Attorney  
Marty Stein, Agenda Director



# CITY OF HOUSTON

Administration and Regulatory Affairs  
Department

Interoffice  
Correspondence

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

**From:** Tina A. Paquet, Deputy Assistant Director  
Insurance Management Division  
Administration & Regulatory Affairs  
Department

**Date:** February 19, 2008

**Subject: PROPERTY INSURANCE  
MWDBE PARTICIPATION**

This is to inform you that the City's property insurance policy will be effective April 1, 2008, upon Council approval. The Administration and Regulatory Affairs Department received proposals in response to a Request for Proposals on February 19, 2008 from various insurance carriers with the capacity to participate in insuring the City's scheduled properties. The value of insured property is in excess of \$8 billion. The fees for all insurance related services are incorporated into the policy premium charged. Therefore, due to the nature of this procurement and the responses received, there is no opportunity for MWDBE participation.

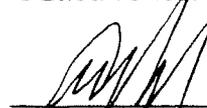
Please provide your written response as to the concurrence with this arrangement.

If you should have any questions, please give me a call at (713) 837-9856.

Sincerely,

  
Tina A. Paquet

Concurrence:

  
Alfred J. Moran, Jr., Director  
Administration & Regulatory Affairs  
Department

  
FOR Velma Laws, Director  
Affirmative Action and  
Contract Compliance

TAP/mdh



# CITY OF HOUSTON

Finance & Administration  
Department

## Interoffice

Correspondence

**To:** Bill White, Mayor 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:** February 29, 2008

**Subject:** 2008 Property/Flood/Terrorism  
Insurance Proposal

### Introduction

The purpose of this memorandum is to recommend the purchase of property and terrorism insurance, describe the solicitation of proposals and provide details about the City's property insurance program and obligations to purchase this coverage. Optional quotes for separate terrorism insurance are included.

The premium comparisons contained in this report (1) exclude contingency amounts contemplated for properties acquired during the policy year and (2) utilize the premium of \$8,953,477 for the expiring insurance program which is provided in two parts: \$7,778,372 for the first \$100 million loss limit and \$1,175,105 for the \$50 million excess loss limit.

### Highlights

- **Recommend purchase of property/flood insurance policy for premium of \$9,049,692.**
  - 1) The portion of the recommended premium for property/flood insurance is \$8,835,543. The portion for contingency coverage of properties added during the policy year is \$214,149.
  - 2) The proposed premium of \$8,835,543 is a 1.3% decrease from the premium for the expiring policy of \$8,953,477.
  - 3) The rate is 10.98 cents per \$100 of insured property value. This is a 9.6% decrease from the expiring policy rate of 12.15 cents.
  - 4) The policy premium and rate decreased despite an increase in the insured value of the City's property.
  - 5) Insured values (property + insured revenue stream) increased by 9.2%, from \$7.37 billion last year to \$8.05 billion. This amount includes the value of properties affected by the City's regulatory obligations to insure, \$6.09 billion.
  - 6) The proposed premium includes a policy loss limit of \$250 million; this is a \$100 million increase over the expiring policy loss limit.
  - 7) The availability and cost of commercial property insurance has improved due to a "soft market" fluctuation.
- **Reject terrorism insurance quote offered in accordance with the Terrorism Risk Insurance Program Reauthorization Act of 2007 (TRIPRA) due to prohibitive cost of \$1,268,954.**

- **Recommend purchase of broader terrorism coverage through a separate policy for premium of \$657,148. This amount includes contingent premium of \$31,635 for coverage of properties added during the policy year. This item is submitted to City Council for separate action.**

### **Background**

The City's Insurance Broker of Record, John L. Wortham and Son, L.P. (Wortham), is assigned the task of arranging and recommending renewal of the City's property insurance program.

A Request for Proposal was issued and published in the *Houston Business Journal* on December 28, 2007 and January 4, 2008. The City's current policy expires on April 1, 2008.

Wortham structured a multi-layered loss limit property insurance program proposed by sixteen participating insurance carriers to insure the City's \$8.05 billion total insured property value. A layered program is common for entities with large property values and allows each insurer to minimize their exposure to risk by dividing coverage among more than one insurer. The structure of the proposed multi-layered program is consistent with the expiring program. The layered insurance program has been the only property insurance option available to the City for the past eleven years. The proposed program consists of one primary layer, plus five excess layers.

### **Current Market Conditions**

The lack of catastrophic property losses resulting from hurricanes originating in the North Atlantic during the past two years has triggered a "soft market" industry fluctuation. Under this market condition, the availability of carriers is increased and the cost of insurance is reduced. During this period insurance carriers have gained financial stability through premium earnings. According to February 2008, edition of *Public Risk*, a nationally recognized industry publication, the Insurance Services Office (ISO) reports that property and casualty insurance carriers earned record profits of \$63.7 billion in 2006, with comparative earnings that averaged only \$20.5 billion in the 1990's.

Although the industry is experiencing a "soft market" condition, there remains a restricted availability of qualified insurance carriers with capacity to insure the City's combined insured property value of \$8.05 billion, with high risk of wind and flood damage exposures. Despite the City's coastal exposure, the current market condition had a positive impact upon the proposed property insurance program. The proposed policy will increase the policy loss limit and the premium will be less than that paid for the expiring policy.

### **Current Coverage**

The key factors that define a property insurance program are (a) insured value of covered property, (b) annual per occurrence loss limits, (c) type of coverage, (d) deductibles, and (e) premium rates. The City's current policy includes all real property owned and facilities leased by the City and insured revenue stream, which totaled \$7.37 billion when the current policy was purchased.

The City's current property insurance policy has an annual term. It is a layered program with thirteen participating insurance carriers and an annual premium of \$8,953,477. An additional premium of

\$155,567 is included as a contingency for properties added during the policy year. The premium rate for combined property and flood coverage is 12.15 cents per \$100 of insured property value. Coverage is provided in one primary and three excess layers. The policy has a \$2.5 million deductible per occurrence for all perils except (1) flood, which has a deductible of 5% of the value of the affected property, subject to a \$5 million minimum and \$20 million maximum and (2) wind, which has a deductible of 3% of the affected property, subject to a \$2.5 million minimum and \$20 million maximum. The policy per occurrence loss limit is \$150 million, of which \$50 million per occurrence and in the aggregate is flood-related.

Flood coverage for \$1.69 billion in insured property value is provided for designated properties located in Flood Zone A (the 100-year flood plain). The applicable loss limit is \$35 million in the aggregate per policy period.

The Houston Airport System and Convention Entertainment Facilities Department have business interruption coverage to continue their revenues in the event of insured damages to their scheduled properties.

#### **Proposed Coverage**

Wortham requested proposals from 33 national and international insurance carriers to participate in the City's property insurance program with approximately the same conditions as exist in the current policy. The Texas Municipal League Inter-Governmental Risk Pool also provided a proposal; however, it did not meet minimum specifications. Wortham received proposals by the submission due date that met and exceeded the minimum policy specifications (\$150 million loss limit per occurrence, including flood coverage). The proposed \$250 million loss limit is \$100 million higher than the minimum proposal specifications and represents 3.11% of the City's insured property value. This is the maximum limit offered by the proposers.

Coverage contingency extends to properties added during the policy year. The proposed policy term is one year, from April 1, 2008 to 2009. No multi-year policy quotes were submitted.

The City's insured value base is now at \$8.05 billion, an increase of approximately \$679 million (9.2%) from last year. The largest single concentration of property is the Bush Intercontinental Airport, with approximately \$2.01 billion in insured value. Building structures in the downtown area are the second biggest concentration with \$1.16 billion in value; included are City Hall/City Hall Annex, Bob Lanier PW&E Building, Central Library/Julia Ideson Library, Heritage Society Historical Structures, Police Administration Building, City parking garages, Gus S. Wortham Theater Center, Jesse H. Jones Hall and George R. Brown Convention Center. The 69<sup>th</sup> Street Wastewater treatment plant, at \$450 million is the third largest concentration.

Business interruption coverage continues to be provided for the Houston Airport System and Convention and Entertainment Facilities Department. Additional coverage is provided for the General Services Department City Hall Annex parking revenue.

The primary insurer, Westchester Fire Insurance Company, provides the first layer of \$5 million in coverage. Westchester will be designated as the "lead" carrier and will be responsible for administering all terms and conditions of the insurance program.

The recommended policy includes the following per occurrence deductibles that apply based upon the differing perils involved in each loss. They are the same as provided by our current policy:

- \$2.5 million per occurrence for all losses except,
- Flood: 5% of values at affected locations; subject to a \$5 million minimum and \$20 million maximum deductible
- Wind: 3% of values at affected locations included in windstorm loss from a named storm, subject to a \$2.5 minimum and a \$20 million maximum deductible

### **Flood**

The proposed policy provides an annual aggregate loss limit of \$75 million of which \$50 million is applicable to properties located in the 100-year flood plain (Flood Zone A). This is an increase over the current annual aggregate loss limit of \$50 million, of which \$35 million is applicable to Flood Zone A properties. The value of properties located in Flood Zone A is \$2.2 billion. Commercial flood insurance is required to comply with Federal Emergency Management Association (FEMA) regulations.

### **Insurance Obligations**

Self-insurance is not a viable option due to the large insured value of City properties under commercial property insurance requirements for revenue bond covenants and FEMA regulations. This requirement obligates the City to insure \$6.09 billion of the City's \$8.05 billion insured property value. This obligation does not affect the remaining portion of the City's \$1.96 billion property risk exposure; which includes \$14.2 million in annual revenue produced by the Convention and Entertainment Facilities Department and \$364.7 million in annual revenue produced by the Houston Airport System.

### **Policy Rate**

The recommended premium rate has decreased. The proposed policy rate of 10.98 cents is a 9.6% decrease from the expiring policy rate of 12.15 cents.

Insurance premiums are generally shared among the City's funds. The approximate allocations for the proposed policy are Water and Wastewater 43.38%, Houston Airport System 28.93%, Convention & Entertainment Facilities 9.62%, General Fund 16.83%, and Other Funds 1.24%.

The annual budget for insurance premiums for all departments is established in the Property and Casualty Fund 1004, a "revolving fund". Revolving Funds, by definition, are billed out to operating funds and have no beginning or ending balances, other than through timing differences.

### **Terrorism Coverage Options**

The Terrorism Risk Insurance Program Reauthorization Act of 2007 requires that property insurance carriers offer terrorism insurance as an option to their policyholders. This coverage is restrictive in application. The program triggers when damages are in excess of \$100 million and three separate federal authorities have certified that a "terrorist act" has occurred. The additional premium for citywide terrorism insurance as prescribed by the Terrorism Risk Insurance Program Reauthorization Act is \$1,268,954. It is recommended that this quote be rejected as cost prohibitive.

Approval of a separate terrorism insurance policy has been proposed and is submitted to City Council for separate consideration. The proposed policy premium is \$657,148, an amount that includes contingent premium of \$31,635 for coverage of locations added during the policy year. The policy provides an aggregate loss limit of \$100 million and a \$10 million per occurrence deductible.

The recommended terrorism policy will increase the coverage provided by the expiring policy which limited coverage to the Houston Airport System's Bush-IAH and Hobby-HOU airport properties only. It will expand the scope of coverage to the City's total insured property value of \$8.05 billion. It will also add citywide coverage for biological and chemical terrorism, including business interruption for scheduled locations in the Houston Airport System, Convention and Entertainment Facilities and General Services Departments at an aggregate sub-limit of \$25 million.

**Recommendation**

Administration and Regulatory Affairs Department and department representatives from Public Works & Engineering, Convention & Entertainment Facilities and the Houston Airport System recommend that the City accept the proposed property insurance program. Our insurance broker agrees with this recommendation. Rejection of the citywide terrorism insurance proposal that complies with the Terrorism Risk Insurance Program Reauthorization Act of 2007 and acceptance of a separate terrorism insurance policy providing broader coverage (separate Request for Council Action) is also recommended.

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

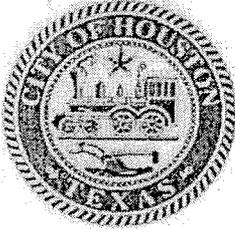


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Alfred J. Moran, Jr., Director

AJM: TAP

cc: Anthony Hall, Chief Administrative Officer  
Arturo Michel, City Attorney  
Marty Stein, Agenda Director



**CITY OF HOUSTON**  
Administration and Regulatory Affairs  
Department

**Interoffice  
Correspondence**

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

**From:** Tina A. Paquet, Deputy Assistant Director  
Insurance Management Division  
Administration & Regulatory Affairs  
Department

**Date:** February 19, 2008

**Subject: PROPERTY INSURANCE  
MWDBE PARTICIPATION**

This is to inform you that the City's property insurance policy will be effective April 1, 2008, upon Council approval. The Administration and Regulatory Affairs Department received proposals in response to a Request for Proposals on February 19, 2008 from various insurance carriers with the capacity to participate in insuring the City's scheduled properties. The value of insured property is in excess of \$8 billion. The fees for all insurance related services are incorporated into the policy premium charged. Therefore, due to the nature of this procurement and the responses received, there is no opportunity for MWDBE participation.

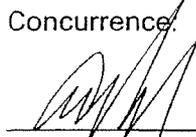
Please provide your written response as to the concurrence with this arrangement.

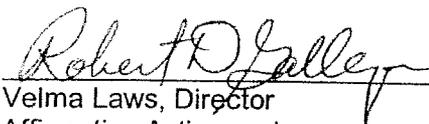
If you should have any questions, please give me a call at (713) 837-9856.

Sincerely,

  
Tina A. Paquet

Concurrence:

  
Alfred J. Moran, Jr., Director  
Administration & Regulatory Affairs  
Department

  
FOR Velma Laws, Director  
Affirmative Action and  
Contract Compliance

TAP/mdh

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT: Ordinance Authorizing Purchase of Terrorism Insurance**

Category #

Page 1 of 1

Agenda Item# **20**

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

Alfred J. Moran, Jr., Director  
Administration & Regulatory Affairs Department

Origination Date

February 29, 2008

Agenda Date

MAR 12 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:** 3-21-07; Ordinance No. 2007-314

**RECOMMENDATION: (Summary)**

Approve an Ordinance authorizing purchase of Terrorism Insurance Policy from Lexington Insurance Company

**Amount of Funding:** \$625,513 Policy Premium  
\$ 31,635 Contingency Premium  
\$657,148 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: (1) approve the proposed City-wide terrorism insurance policy for all scheduled City of Houston locations; and (2) accept the proposal from Lexington Insurance Company for terrorism coverage, providing a \$100 million aggregate loss limit (including a \$25 million aggregate sub-limit for biological and chemical coverage), with a \$10 million deductible. The recommended funding of \$657,148 includes premium of \$31,635 as contingent premium for properties added during the policy year. The policy period is April 1, 2008 to April 1, 2009.

A Request for Proposals (RFP) for general property insurance was issued and advertised on December 28, 2007 and January 4, 2008. A proposal for terrorism coverage was presented as an option in the RFP. The City's Insurance Broker of Record, John L. Wortham and Son, L.P., solicited proposals from more than 33 national and international insurance carriers. Only Lexington Insurance Company provided this proposed option for terrorism coverage.

The proposed policy coverage is consistent with the expiring terrorism policy, with additional coverage for biological and chemical terrorism attacks. It includes business interruption coverage for loss of insured revenue stream at scheduled Houston Airport System, Convention & Entertainment Facilities, and General Services Department locations. The current insured value of scheduled facilities, including business interruption, is \$8,045,627,347. The proposed annual premium of \$657,148 is reflective of the city-wide coverage for all scheduled locations. The expiring policy provided terrorism coverage solely for Bush/IAH and Hobby/HOU Airports.

The proposed coverage applies to both foreign and domestic terrorist acts as part of an effort to coerce the civilian population of the United States, influence the policy of, or affect the conduct of the United States government by coercion. Terrorism also includes any act, which is verified or recognized by the United States Government as an act of Terrorism.

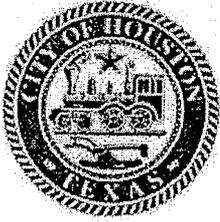
**Attachment**

cc: Anthony Hall, Chief Administrative Officer  
Arturo Michel, City Attorney  
Marty Stein, Agenda Director

Finance Director:

Other Authorization:

Other Authorization:



**CITY OF HOUSTON**  
Administration and Regulatory Affairs  
Department

Interoffice  
Correspondence

To: Velma Laws, Director  
Affirmative Action and  
Contract Compliance

From: Tina A. Paquet, Deputy Assistant Director  
Insurance Management Division  
Administration & Regulatory Affairs  
Department

Date: February 25, 2008

Subject: **TERRORISM INSURANCE  
MWDBE PARTICIPATION**

This is to inform you that the City's terrorism insurance policy will be effective April 1, 2008, upon Council approval. The Administration and Regulatory Affairs Department is recommending the terrorism proposal received from Lexington Insurance Company. The value of insured property is in excess of \$8 billion. The fees, pending selection committee decision (not to exceed \$625,512), for all insurance related services are incorporated into the policy premium charged. Therefore, due to the nature of this procurement and the responses received, there is no opportunity for MWDBE participation.

Please provide your written response as to the concurrence with this arrangement.

If you should have any questions, please give me a call at (713) 837-9856.

Sincerely,

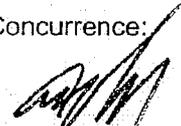
  
Tina A. Paquet

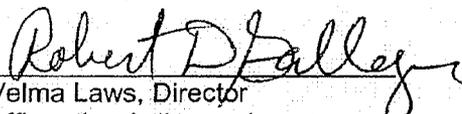
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CITY OF HOUSTON  
Affirmative Action

Concurrence:

  
Alfred J. Moran, Jr., Director  
Administration & Regulatory Affairs  
Department

  
FOR Velma Laws, Director  
Affirmative Action and  
Contract Compliance

TAP/mdh

cc: Robert Gallegos, Deputy Assistant Director, Affirmative Action and Contract Compliance

Council Members: Toni Lawrence Jarvis Johnson Anne Clutterbuck Wanda Adams Mike Sullivan M.J. Khan, P.E. Pam Holm Adrian Garcia  
James R. Rodriguez Peter Brown Sue Lovell Melissa Noriega Ronald C. Green Jolanda "Jo" Jones Controller: Annise D. Parker

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 7813**

**Subject:** Approve an Ordinance Awarding a Contract for Ambulance Module Refurbishing and Remounting Services for the Fire Department S39-L22678

Category #  
4

Page 1 of 2

Agenda Item

21

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

**Origination Date**  
February 15, 2008

**Agenda Date**  
MAR 12 2008

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

**Council District(s) affected**  
All

**For additional information contact:**  
Jack Williams Phone: (713) 247-8793  
Ray DuRousseau Phone: (713) 247-1735

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to Frazer, Ltd. for ambulance module refurbishing and remounting services in an amount not to exceed \$2,187,200.00 for the Fire Department

Maximum Contract Amount: \$2,187,200.00

**F & A Budget**

\$2,187,200.00 - General Fund (1000)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a five-year contract, with two one-year options to Frazer, Ltd. in an amount not to exceed \$2,187,200.00 for ambulance module refurbishing and remounting services for the Houston Fire Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

The project was advertised in accordance with the requirements of the State of Texas bid laws and one bid was received. The Strategic Purchasing Division conducted a thorough search for additional contractors who could possibly perform these services. As a result, fifteen contractors were identified and notified of the Invitation to Bid (ITB). Subsequent to the receipt of the bid, prospective bidders were contacted to determine the reason for the limited response to the ITB. Prospective bidders advised that their companies did not have the experience to refurbish the City's ambulance modules or did not refurbish ambulance modules with generators.

The scope of work requires the contractor to provide all labor, materials, equipment, tools, parts, facilities, supervision, and transportation necessary for ambulance module refurbishing and remounting services. Currently, the Department's fleet consists of 79 frontline Frazer ambulance modules and 21 reserve modules. The life expectancy of a module is 8 to 15 years and the life expectancy of the cab/chassis is 2.5 years. To extend the life expectancy of the module, refurbishing is required approximately every three years. The extent of the refurbishing on each unit varies according to the condition of the unit. Services include, but are not limited to, furnishing and installing doors, chairs, flooring, floor mats, air conditioning units, oxygen systems, shelving and new interior walls.

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

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

*MG*

24  
201

Date: 2/15/2008	Subject: Approve an Ordinance Awarding a Contract for Ambulance Module Refurbishing and Remounting Services for the Fire Department S39-L22678	Originator's Initials LW	Page 2 of 2
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**Estimated Spending Authority**

Department	FY'08	Out Years	Total
Houston Fire Department	\$305,000.00	\$1,882,200.00	\$2,187,200.00

Buyer: Latrice Williams



# CITY OF HOUSTON

Finance & Administration Department  
Strategic Purchasing Division (SPD)

## Interoffice

Correspondence

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

From: Latrice Williams

Date: November 27, 2007

Subject: MWBE Participation Form

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

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

I am requesting a **revision** of the MWBE Goal: Yes  No  Original Goal: \_\_\_\_\_ New Goal: \_\_\_\_\_

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

Solicitation Number: S39-L22678 Estimated Dollar Amount: \$1,739,342.50

Anticipated Advertisement Date: 11/30/2007 Solicitation Due Date: 12/20/2007

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

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

Name and Intent of this Solicitation:

Ambulance Module Refurbishing and Remounting Services for Fire Department

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

The Houston Fire Department is requesting a waiver of the MWBE Goal. There is only one licensed converter in the State of Texas that can provide ambulance module refurbishing and remounting services. The company is located in Houston, Texas. The company designed, built, and customized the ambulance modules that are utilized by the Fire Department. There is no opportunity for MWBE subcontracting because City of Houston MWBEs are not suppliers of the special, hospital grade materials and are not licensed by the State to install/refurbish special equipment on ambulances.

Concurrence:

Latrice Williams  
SPD Initiator

Douglas Brown  
Division Manager

Robert Gallegos  
Robert Gallegos, Deputy Assistant Director  
\*Affirmative Action

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

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

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City of Houston  
REVISED: 07/09/2007  
Affirmative Action

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

<b>SUBJECT:</b> Appropriate Funds for Construction Services Spring Equipment Company, Inc. Houston Fire Department WBS No: C-000089-0003-4	Page 1 of 1	Agenda Item <b>22</b>
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 2-27-08	<b>Agenda Date</b> MAR 12 2008
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<b>DIRECTOR'S SIGNATURE:</b> Issa Z. Dadoush, P.E. 	<b>Council District(s) affected:</b> A, B, E, F, G
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<b>For additional information contact:</b> Jacquelyn L. Nisby Phone: 713 247-1814	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2007-1052; dated 9/12/2007
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**RECOMMENDATION:** Appropriate funds for the project.

<b>Amount and Source of Funding:</b> \$230,230.62 Fire Consolidated Construction Fund (4500)	<b>F&amp;A Budget:</b> 
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council appropriate \$230,230.62 to the existing citywide contract with Spring Equipment Company, Inc. for construction services for various Houston Fire Stations.

**PROJECT LOCATIONS:**

Fire Station No. 10 6600 Corporate (529H)	Fire Station No. 69 1102 West Beltway (489R)
Fire Station No. 70 11410 Beamer Rd (576X)	Fire Station No. 71 15200 Space Center Blvd (618F)
Fire Station No. 41 805 Pearl (495F)	Fire Station No. 62 1602 Seamist (452W)

**PROJECT DESCRIPTION:** The project will replace main driveway trench drains and parking lots, which have deteriorated due to heavy vehicle traffic.

**PREVIOUS HISTORY AND SCOPE:** On September 12, 2007, City Council awarded a one-year contract with two one-year renewal options to Spring Equipment Company, Inc. for concrete repair services for various departments. The contract is funded through various appropriations for concrete repair services. To date, \$246,002.00 has been expended on the contract.

**M/WBE and SBE INFORMATION:** The M/WBE goal for this contract is 15% and the SBE goal is 5%. Due to the recent inception of the contract, through December 2007, Spring Equipment Company, Inc. has billed \$246,002.00 and has paid \$1,475.00 to certified M/WBE sub-contractors, or 1.928%.

IZD:JLN:PJG:MCP:RV:ps  
c: Marty Stein; Jacquelyn L. Nisby; Joseph Kurian; Kim Nguyen; James Tillman IV; Tom Smyer, File

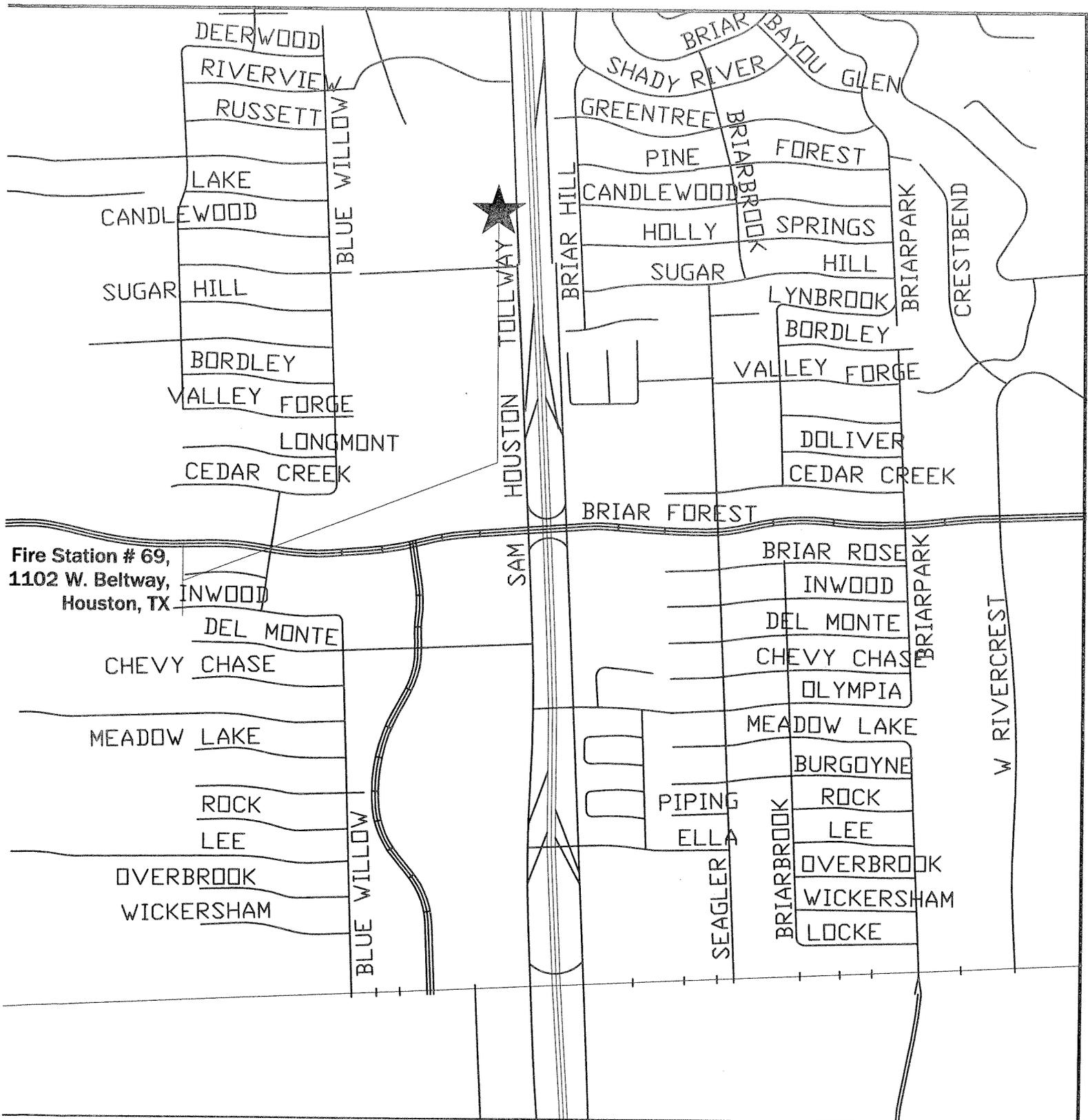
**REQUIRED AUTHORIZATIONS** CUIC# 25CONS25

<b>General Services Department:</b>  Phil Golembiewski, R.E. Chief of Design & Construction Division	<b>Houston Fire Department:</b>  Phil Boriskie Fire Chief
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Fire Station #10  
 6600 Corporate  
 Houston, TX

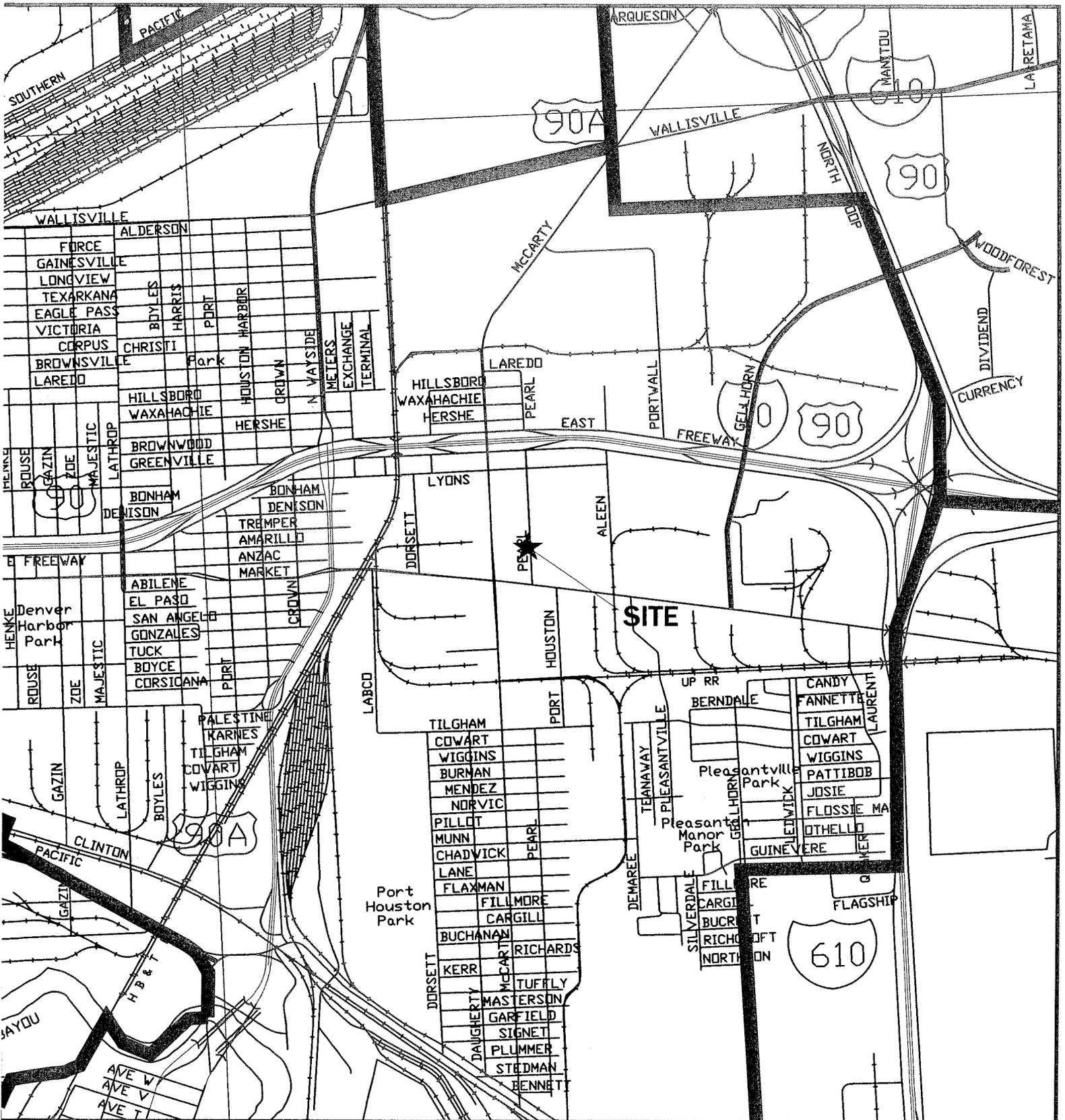
**Fire Station 10**  
 6600 CORPORATE  
 HOUSTON , TX 77036



**FIRE STATION # 69**  
**1102 W. BELTWAY**  
**Houston, TX**





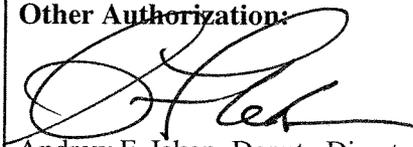


FIRE STATION NO. 41  
 805 PEARL  
 HOUSTON , TX 77029



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Interlocal Agreement between the City of Houston and the Harris County Flood Control District pertaining to assumption of maintenance responsibility of a portion of HCFCD Unit W140-06-00 ditch between Hammerly Boulevard and Carousel Lane and approving the maintenance agreement between the City and Hillshire Lakes Community Association, Inc., a Texas non-profit corporation and InTownHomes, LTD., a Texas limited partnership, [InTownBuilder GP, L.L.C., a Texas limited liability company, (Ming Liu, Manager), General Partner]. WBS M-002008-0001-2		<b>Agenda Item #</b>	<b>Page</b> 1 of 1  23
<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  3/6/08	<b>Agenda Date</b>  MAR 12 2008	
<b>DIRECTOR'S SIGNATURE:</b>   Michael S. Marcotte, P.E., DEE, Director	<b>Council District affected:</b> A Key Map 450 Q 		
<b>For additional information contact:</b>  Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b>		
<b>RECOMMENDATION: (Summary)</b> Adopt an ordinance approving and authorizing an agreement between the City of Houston and Harris County Flood Control District and approving the maintenance agreement between the City and Hillshire Lakes Community Association, Inc., a Texas non-profit corporation and InTownHomes, LTD., a Texas limited partnership, [InTownBuilder GP, L.L.C., a Texas limited liability company, (Ming Liu, Manager), General Partner].			
<b>Amount and Source of Funding:</b> N/A	<b>F&amp;A Budget:</b>		
<b>PROJECT NOTICE/JUSTIFICATION:</b> The City has agreed to assume maintenance responsibility of a portion of a Harris County Flood Control District Unit W140-06-00 ditch in the Hillshire Lakes area of Spring Branch.			
<b>DESCRIPTION/SCOPE:</b> This project provides for assumption of the maintenance responsibility by the City of approximately 36,486 square feet of Harris County Flood Control District Unit W140-06-00 ditch in the Hillshire Lakes area of Spring Branch. The City will assign this responsibility to Hillshire Lakes Community Association, Inc., a Texas non-profit corporation and InTownHomes, LTD., a Texas limited partnership, [InTownBuilder GP, L.L.C., a Texas limited liability company, (Ming Liu, Manager), General Partner].			
<b>LOCATION:</b> The project is located along McKean Drive, between Hammerly Boulevard and Carousel Lane, located in Key Map Grid 450 Q.			
<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID# 20HHT184</b>	
<b>Other Authorization:</b>   Eric Dargan, Deputy Director Right of Way and Fleet Maintenance Division		<b>Other Authorization:</b>   Andrew F. Icken, Deputy Director Planning and Development Services Division	

**SUBJECT:** Interlocal Agreement between the City of Houston and the Harris County Flood Control District pertaining to assumption of maintenance responsibility of a portion of HCFCF Unit W140-06-00 ditch between Hammerly Boulevard and Carousel Lane and approving the maintenance agreement between the City and Hillshire Lakes Community Association, Inc., a Texas non-profit corporation and InTownHomes, LTD., a Texas limited partnership, [InTownBuilder GP, L.L.C., a Texas limited liability company, (Ming Liu, Manager), General Partner]. WBS M-002008-0001-2

**Originator's  
Initials**

WAT

**Page**  
2 of 2

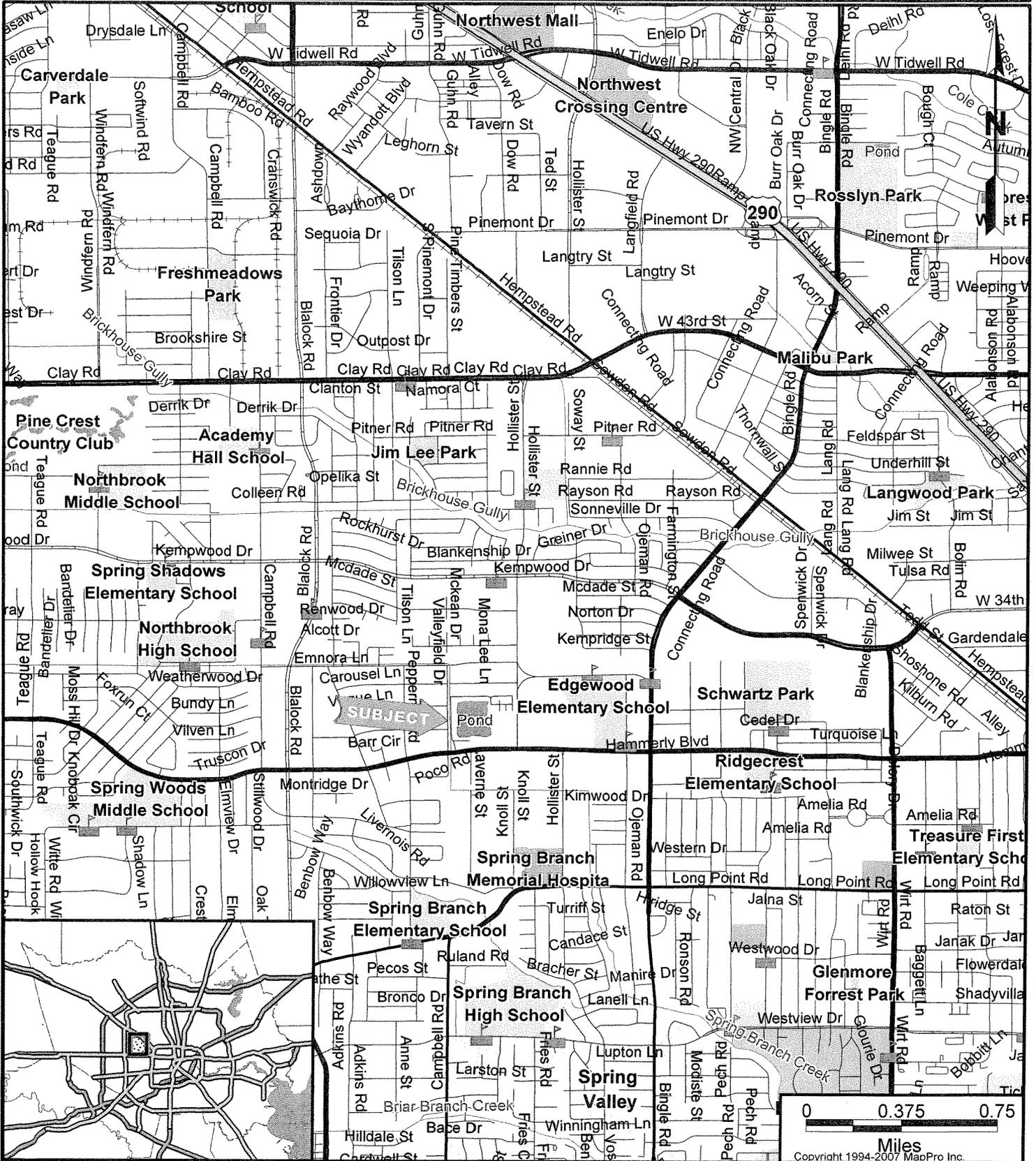
**SCOPE OF THIS AGREEMENT:** Under the terms of this Agreement, the City will assume maintenance responsibility of 36,486 square feet of Harris County Flood Control District's Unit W140-06-00 ditch as indicated on the attached map. There are no funds associated with this project. The Harris County Flood Control District has agreed to allow the City of Houston use of and access to this portion of their ditch for the purposes of storm water drainage and mitigation in this area which will be assigned to Hillshire Lakes Community Association, Inc., a Texas non-profit corporation and InTownHomes, LTD., a Texas limited partnership, [InTownBuilder GP, L.L.C., a Texas limited liability company, (Ming Liu, Manager), General Partner].

**ACTION RECOMMENDED:** It is recommended that City Council adopt an ordinance approving and authorizing an agreement between the City of Houston and the Harris County Flood Control District and authorizing the Mayor to execute and the City Secretary to attest this Interlocal Agreement and approving the maintenance agreement between the City and Hillshire Lakes Community Association, Inc., a Texas non-profit corporation and InTownHomes, LTD., a Texas limited partnership, [InTownBuilder GP, L.L.C., a Texas limited liability company, (Ming Liu, Manager), General Partner].

MSM:NPC:hht  
S:TylerLY7038RCA  
cc: Marty Stein  
Daniel W. Krueger, P.E.  
Art Kidder

# LOCATION MAP

Description: Interlocal Agreement between the City and HCFCD for Ditch Unit W140-06-00  
 Located along McKean Drive, between Hammerly Blvd. and Carousel Lane  
 Parcel LY7-038, WBS M-002008-0001-2, Key Map 450Q, District A  
 Prepared by: City of Houston, 611 Walker, Houston, TX 77002



### 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.

Excavator Texas Surveying  
 12100 Westchase, Suite 119  
 Houston, Texas 77042  
 (713) 974-5245

EXCAVATED FROM AN ON-THE-GROUND SURVEY, PERFORMED UNDER MY DIRECTION AND CONTROL



NOTES:

1. BEARINGS ARE BASED ON THE SUBMERSON PLAN OF HILSHIRE LAKES, SEC. 1, F.C. No. 558204, H.C.M.R.

2. COORDINATES ARE BASED ON AND BY TEXAS STATE PLANE COORDINATES, 5000 FT. CENTRAL ZONE, WITH A COMBINED SCALE FACTOR OF 0.999886.

41.80' WIDE EASEMENT  
 HILSHIRE LAKES, SEC. ONE  
 HARRIS COUNTY, TEXAS



CITY OF HOUSTON  
 PUBLIC WORKS AND  
 ENGINEERING DEPARTMENT

DATE: 6/05/07

Roddy K. Headlin  
 CHIEF SURVEYOR

Wanda Clark  
 RIGHT OF WAY SECTION

KEY MAP NO. 450 R

GIMS MAP NO. 5059A

PARCEL NO. L47-038

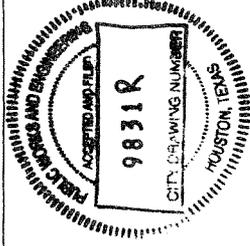
DATE:

Dedication

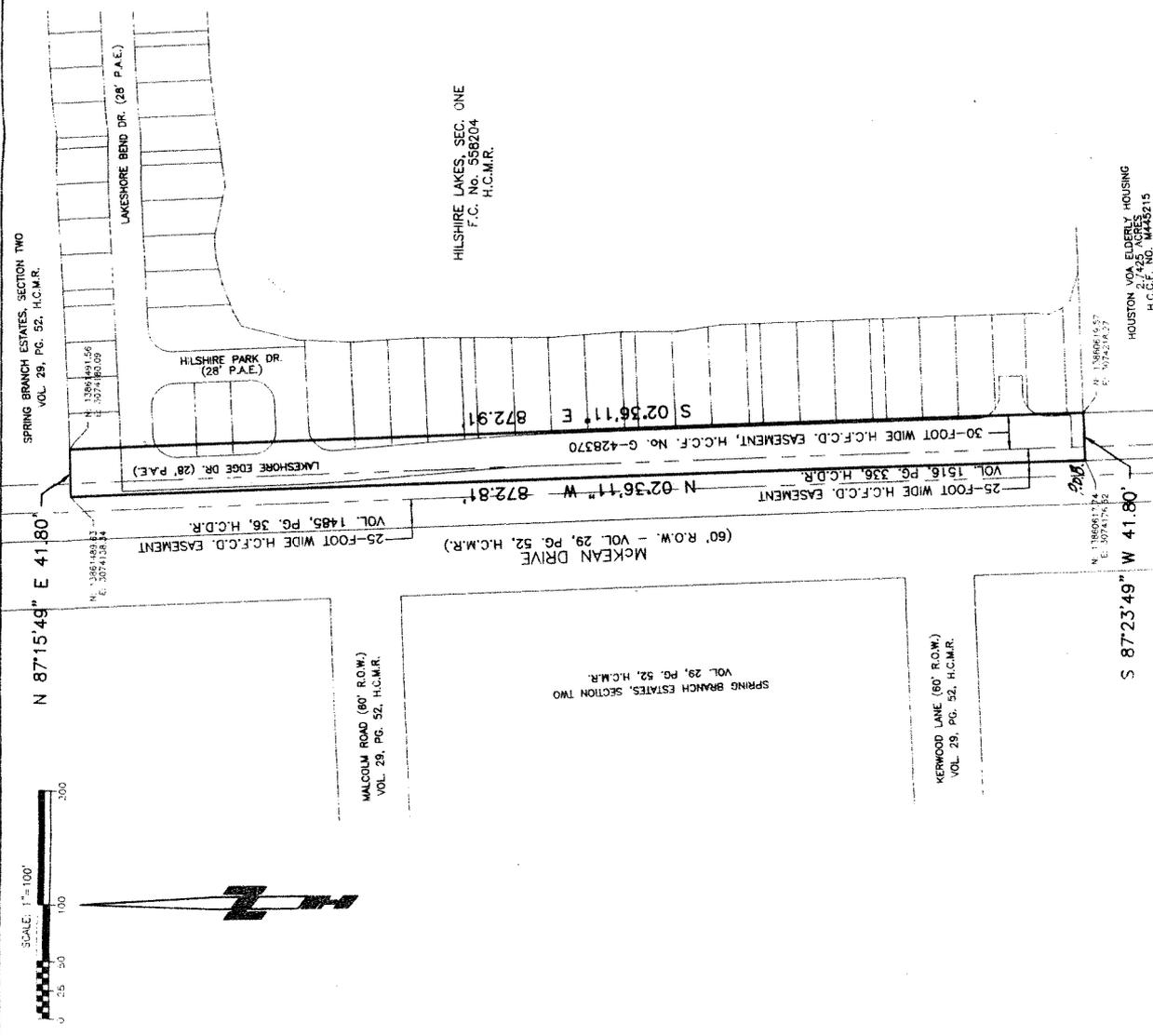
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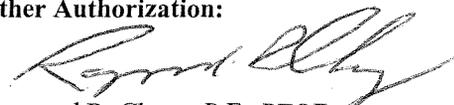
GFS NO.

C.M. NO.



FILE COPY



<b>SUBJECT:</b> Approving an Ordinance appropriating funds for data analysis service from Texas Transportation Institute for video surveillance at railroad crossings that was authorized under Motion 2007-1156. WBS NO. N-000650-0037-3		<b>Category</b>	<b>Page</b> 1 of 1	<b>Agenda</b> Item # <b>24</b>
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 3/8/08		<b>Agenda Date</b> MAR 12 2008
<i>MS</i> <b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P. E., DEE	<b>Council District affected:</b>  B,D,E,H,I			
	<b>For additional information contact:</b>  Raymond D. Chong, P.E., PTOE (713) 837-0125 Deputy Director		<b>Date and identification of prior authorizing Council action:</b> May 10, 2006 – Motion #2006-0359 April 13, 2005 – Motion #2005-0340 November 28, 2007 – Motion # 2007-1156	
<b>RECOMMENDATION: (Summary)</b> Rescind Motion 2007-1156 and approve an Ordinance appropriating additional funds for additional computational analysis service of railroad activity at 18 locations.				
<b>Amount and Source of Funding:</b> \$65,100.00 Limited Use Roadway & Mobility Capital Fund 4034. Previous funding of \$306,300 from Community Development Block Grant, Fund 132 and \$23,000 from Central Service Revolving Fund, Fund 116. <i>Free/Le 03/04/08</i>				<b>F&amp;A Budget:</b> 
<b>SPECIFIC EXPLANATION:</b>  On November 28, 2007 via Motion 2007-1156, City Council authorized services for computational analysis of video surveillance at selected railroad crossings by the Texas Transportation Institute and approved the allocation of funds for these services. However, while the Request for Council Action and the Motion authorized the services, it did not properly allocate funds. This Ordinance correctly appropriates funds from the Mobility Capital Fund for the services authorized under Motion 2007-1156. Therefore, the Public Works Department requests that City Council approve an Ordinance appropriating the funds necessary to continue the computational analysis work of the Texas Transportation Institute.				
cc: Marty Stein Jack Whaley, P.E. (Houston Transtar) Gary Norman Mark McAvoy LaVerne Hollins-McGlothen				
		<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID# 20RXC19A</b>
<b>F&amp;A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Raymond D. Chong, P.E., PTOE Traffic & Transportation Division		

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 7744**

**Subject:** Approve an Ordinance Awarding a Contract for Grounds Maintenance Services at Water Production and Wastewater Facilities for the Public Works & Engineering Department  
S29-L22717

Category #  
4

Page 1 of 2

Agenda Item

**25**

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

**Origination Date**  
January 30, 2008

**Agenda Date**  
MAR 12 2008

**DIRECTOR'S SIGNATURE**  
*Calvin D. Wells*  
For additional information contact:  
David Guernsey Phone: (713) 238-5241  
Ray DuRousseau Phone: (713) 247-1735

**Council District(s) affected**  
All

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

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to TIBH Industries, Inc. in an amount not to exceed \$12,586,687.57 for grounds maintenance services at water production and wastewater facilities for the Public Works & Engineering Department.

Maximum Contract Award Amount: \$12,586,687.57

**F & A Budget**

\$12,586,687.57 - Water & Sewer System Operating Fund (8300)  
(FY08 \$234,000.00) (FY09 thru FY12 \$12,352,687.57)

*SD 2-18-08*

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to TIBH Industries, Inc. in an amount not to exceed \$12,586,687.57 for grounds maintenance services at water production and wastewater facilities for the Public Works & Engineering Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all labor, tools, parts, supplies, equipment, transportation and supervision necessary to provide grounds maintenance services, including but not limited to, mowing, litter pickup, pruning, mulching, watering, irrigation, and pest and weed control at approximately 662 water production and wastewater facilities throughout the City.

TIBH Industries, Inc. employs individuals with disabilities who will provide the requested services under this contract. Additionally, TIBH Industries, Inc. has committed, in writing, to priority hiring of disabled veterans from the Iraq, Afghanistan and Bosnia conflicts. The Public Works & Engineering Department is satisfied with TIBH Industries, Inc.'s performance on current and previous grounds maintenance contracts with the City.

The Texas Human Resources Code, Section 122.017 provides: A political subdivision of this state may purchase products or services for its use from private businesses through its authorized purchasing procedures, but may substitute equivalent products or services produced by persons with disabilities under the provisions of this chapter.

Attorney General of Texas Opinion No. JM-444 states that general statutes that require counties, cities, hospital districts and school districts to engage in competitive bidding in order to make certain purchases do not apply to purchases such as political subdivisions make pursuant to Section 122.017 of the Human Resources Code. TIBH Industries, Inc. has approved the contract specifications, services and the agency that will provide these services.

Buyer: Douglas Moore

**REQUIRED AUTHORIZATION**

F&A Director:

Other Authorization:

Other Authorization:

*1/24/08*

*65 CDW 7744*  
*Paul Schmitz*

NDT

*2/20*

Date: 1/30/2008	Subject: Approve an Ordinance Awarding a Contract for Grounds Maintenance Services at Water Production and Wastewater Facilities for the Public Works & Engineering Department S29-L22717	Originator's Initials DM	Page 2 of 2
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TIBH Industries, Inc. (TIBH) is a Non-Profit organization that was created by state law. Therefore, TIBH is exempt from the M/WBE and the Pay or Play requirements.

**Funding Information**

**Estimated Spending Authority**

<b>DEPARTMENT</b>	<b>FY2008</b>	<b>OUT YEARS</b>	<b>TOTAL</b>
Public Works & Engineering	\$233,763.51	\$12,352,924.06	\$12,586,687.57

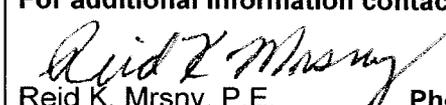
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Contract Award for Easthaven Wastewater Treatment Plant - Lift Station Replacement. W.B.S. No. R-000267-00H2-4	Page 1 of 2	Agenda Item # 26
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<b>FROM: (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date:</b> 3/6/08	<b>Agenda Date:</b> MAR 12 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., DEE	<b>Council District affected:</b> E
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<b>For additional information contact:</b>  Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Accept low bid, award construction Contract and appropriate funds.

**Amount and Source of Funding:** \$2,770,600.00 Water and Sewer System Consolidated Construction Fund No. 8500.

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

**DESCRIPTION/SCOPE:** This project consists of the replacement of Easthaven Wastewater Treatment Plant - Lift Station.

The Contract duration for this project is 365 calendar days. This project was designed by ARCADIS G&M, Inc.

**LOCATION:** The project area is located at 8245 Scranton Avenue. The project is located in Key Map Grid 575G.

**BIDS:** Bids were received on October 18, 2007. The two (2) bids are as follows:

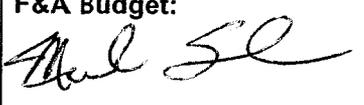
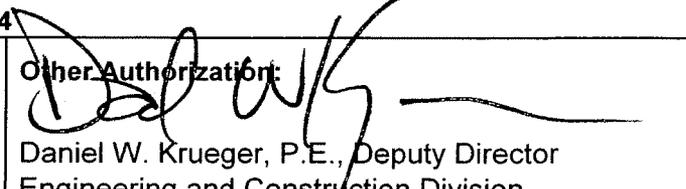
Bidder	Bid Amount
1. Peltier Brothers Construction, LTD.	\$2,398,704.00
2. George & Ezzell, Inc	\$2,626,651.00

**AWARD:** It is recommended that this construction Contract be awarded to Peltier Brothers Construction, LTD. with a low bid of \$2,398,704.00 and that Addendum Number 1 be made a part of this Contract.

**PROJECT COST:** The total cost of this project is \$2,770,600.00 to be appropriated as follows:

- Bid Amount \$2,398,704.00
- Contingencies \$ 119,940.00
- Engineering and Testing Services \$ 60,000.00
- Project Management \$ 191,956.00

**REQUIRED AUTHORIZATION** CUIC #20MAB54

<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
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Date	Subject: Contract Award for Easthaven Wastewater Treatment Plant - Lift Station Replacement. W.B.S. No. R-000267-00H2-4.	Originator's Initials	Page 2 of 2
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Engineering and Testing Services will be provided by Arias & Associates, Inc. under a previously approved contract.

**M/WBE PARTICIPATION:** The low bidder has submitted the following proposed plan and has made a good faith effort to satisfy the 14% MBE goal and 5% WBE goal and 3% SBE goal for this project. This plan has been reviewed and approved by the Affirmative Action and Contract Compliance Department as a good faith effort.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Medcalf Fabrication, Inc.	Metal Fabrication	\$ 7,371.00	0.31%
2. C & B Rebar Construction, Inc.	Rebar Installation	\$ 5,250.00	0.22%
<b>TOTAL</b>		<b>\$ 12,621.00</b>	<b>0.53%</b>

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Jimerson Underground, Inc.	Underground Utilities	\$473,948.00	19.76%
<b>TOTAL</b>		<b>\$473,948.00</b>	<b>19.76%</b>

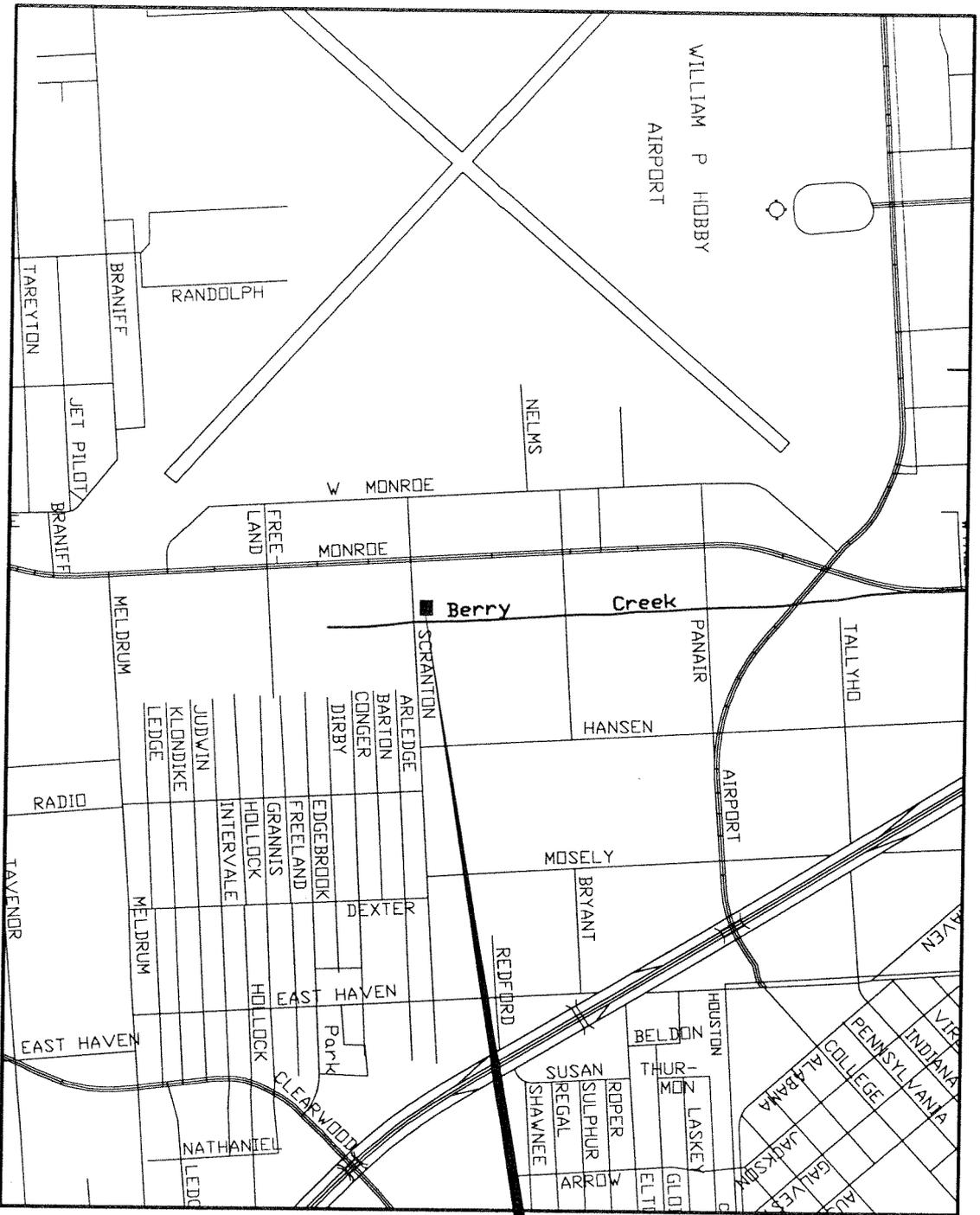
<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Kossman Contracting Company. Inc.	Erosion Control	\$ 1,029.50	0.04%
<b>TOTAL</b>		<b>\$ 1,029.50</b>	<b>0.04%</b>

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

  
MSM:DWK:RKM:EN:MB:pa

C: Marty Stein  
Susan Bandy  
Velma Laws  
Michael Ho, P.E.  
File R-0267-H2-3

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
ENGINEERING & CONSTRUCTION DIVISION



KEY MAP

EAST HAVEN WTP L.S.: 5756

EASTHAVEN WASTEWATER TREATMENT PLANT LIFT STATION

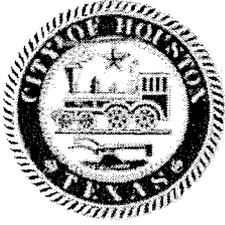
**ARCADIS**  
1140 Westheimer  
Suite 800  
Houston, TX 77077  
Tel: 281-497-6800 Fax: 281-497-2838  
www.arcadis-us.com



CITY OF HOUSTON

LIFT STATION RENEWAL & REPLACEMENT  
EAST HAVEN WTP LIFT STATION  
GFS NO.: R-0267-84-2  
(FILE NO.: WW4885)

VICINITY MAP  
EXHIBIT B



**CITY OF HOUSTON**  
Office of the Mayor

**Interoffice**

Correspondence  
Affirmative Action and  
Contract Compliance  
Division

**To:** Gary Norman  
Public Information Officer  
Public Works & Engineering

**From:** Robert Gallegos *Robert D. Gallegos*  
Assistant Deputy Director

**Date:** January 24, 2008

**Subject:** COH Easthaven WWTP Lift Station  
Replacement  
WBS Number R-000267-00F2-4  
PBC Number 476

After a lengthy, detailed review and evaluation by our office, we find that the Good Faith Efforts (GFE) package submitted by Peltier Brothers on the project listed above is okay to proceed.

- Their Good Faith Efforts reflected an overall M/W/BE percentage of 20.33%
- Their individual GFE for each category is as follows: 19.76% for WBEs, 0.53% for SBEs and 0.44% for MBEs
- According to their package, Peltier Brothers mailed/faxed over 1400 requests but only received 30 legitimate responses
- Peltier Brothers sent notices to M/W/BE and associations and to M/W/BE newspapers
- Individual companies they listed are certified with the COH
- Peltier Brothers sent information to all M/W/BEs and associations affiliated with M/W/BEs
- They contacted those M/W/BE associations listed on COH's Sources of Assistance, via telephone, fax and e-mails trying to get additional M/W/BEs

Based on these findings and based on Peltier Brothers' previous M/W/BE historical data, we recommend approval of this GFE package.

01/08:47

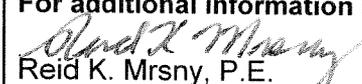
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

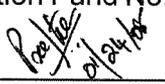
<b>SUBJECT:</b> Contract Award for 69th Street Wastewater Treatment Plant Improvements (Package 2). W.B.S. No. R-000509-0011-4.	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  27
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<b>FROM: (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date:</b> 2/29/08	<b>Agenda Date:</b> MAR 12 2008
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<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., DEE	<b>Council District affected:</b> 02 1
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<b>For additional information contact:</b>  Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Accept low bid, award construction Contract and appropriate funds. This project is SRF eligible.

**Amount and Source of Funding:** \$9,579,650.00 Water and Sewer System Consolidated Construction Fund No. 8500.  


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

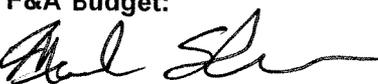
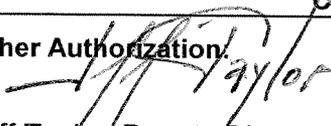
**DESCRIPTION/SCOPE:** This project consists of removal and replacement of 1st and 2nd step pure Oxygen surface aerators with higher efficiency pure Oxygen surface aerators, removal of grit from aeration basins, aeration basin structural repair, Clarifier DO (dissolved oxygen) probes removal/replacement, installation of ultrasonic level elements and transmitter at ABW (automatic backwash) filters and installation of automatic chain oiler system on each RDS (Rotary Drum Screen).

The Contract duration for this project is 620 calendar days. This project was designed by Camp Dresser & Mckee, Inc.

**LOCATION:** The project is located at 2525 S/Sgt. Macario Garcia. The project is located in Key Map Grid 494-R.

**BIDS:** Bids were received on November 1, 2007. The five (5) bids are as follows:

Bidder	Bid Amount
1. LEM Construction Co., Inc.	\$ 8,717,230.00
2. Western Summit Constructors, Inc.	\$ 9,130,830.00
3. Industrial TX Corp.	\$10,333,173.00
4. Boyer, Inc.	\$10,891,025.00
5. George & Ezzell, Inc.	\$16,227,875.00

<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID #20BZ75</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

Date	Subject: Contract Award for 69th Street Wastewater Treatment Plant Improvements (Package 2). W.B.S. No. R-000509-0011-4.	Originator's Initials	Page 2 of 2
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**AWARD:** It is recommended that this construction Contract be awarded to LEM Construction Co., Inc. with a low bid of \$8,717,230.00 and that Addenda Numbers 1 and 2 be made a part of this Contract.

**PROJECT COST:** The total cost of this project is \$9,579,650.00 to be appropriated as follows:

• Bid Amount	\$8,717,230.00
• Contingencies	\$ 435,861.50
• Engineering and Testing Services	\$ 165,000.00
• Project Management	\$ 261,558.50

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

**M/WBE PARTICIPATION:** The low bidder has submitted the following plan to satisfy the M/W/DBE participation goal for this project. This plan has been reviewed and determined by the Affirmative Action and Contract Compliance Division to be a good faith effort. Under the plan, Automation Nation, Inc. is subcontracted to Boyer, Inc., a subcontractor to LEM Construction Co., Inc.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Automation Nation Inc.	Instrumentation Services	\$58,200.00	0.67%
<b>TOTAL</b>		<b>\$58,200.00</b>	<b>0.67%</b>
<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Linda Gonzalez P.C.	Expansion Joint Supplies	\$67,900.00	0.78%
<b>TOTAL</b>		<b>\$67,900.00</b>	<b>0.78%</b>

The MWBE committee reviewed this project on February 25, 2008. However, the Committee made no recommendation due a lack of a quorum.

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

MSM:DWK:RKM:EN:BZ:pa

c: Marty Stein  
Susan Bandy  
Velma Laws  
Michael Ho, P.E.  
Craig Foster  
File R-0509-11-2

MD



# CITY OF HOUSTON

Office of the Mayor

## Interoffice

Correspondence  
Affirmative Action and  
Contract Compliance  
Division

**To:** Gary Norman, Public Information Officer  
Public Works & Engineering

**From:** Velma Laws, Director

**Date:** January 7, 2008

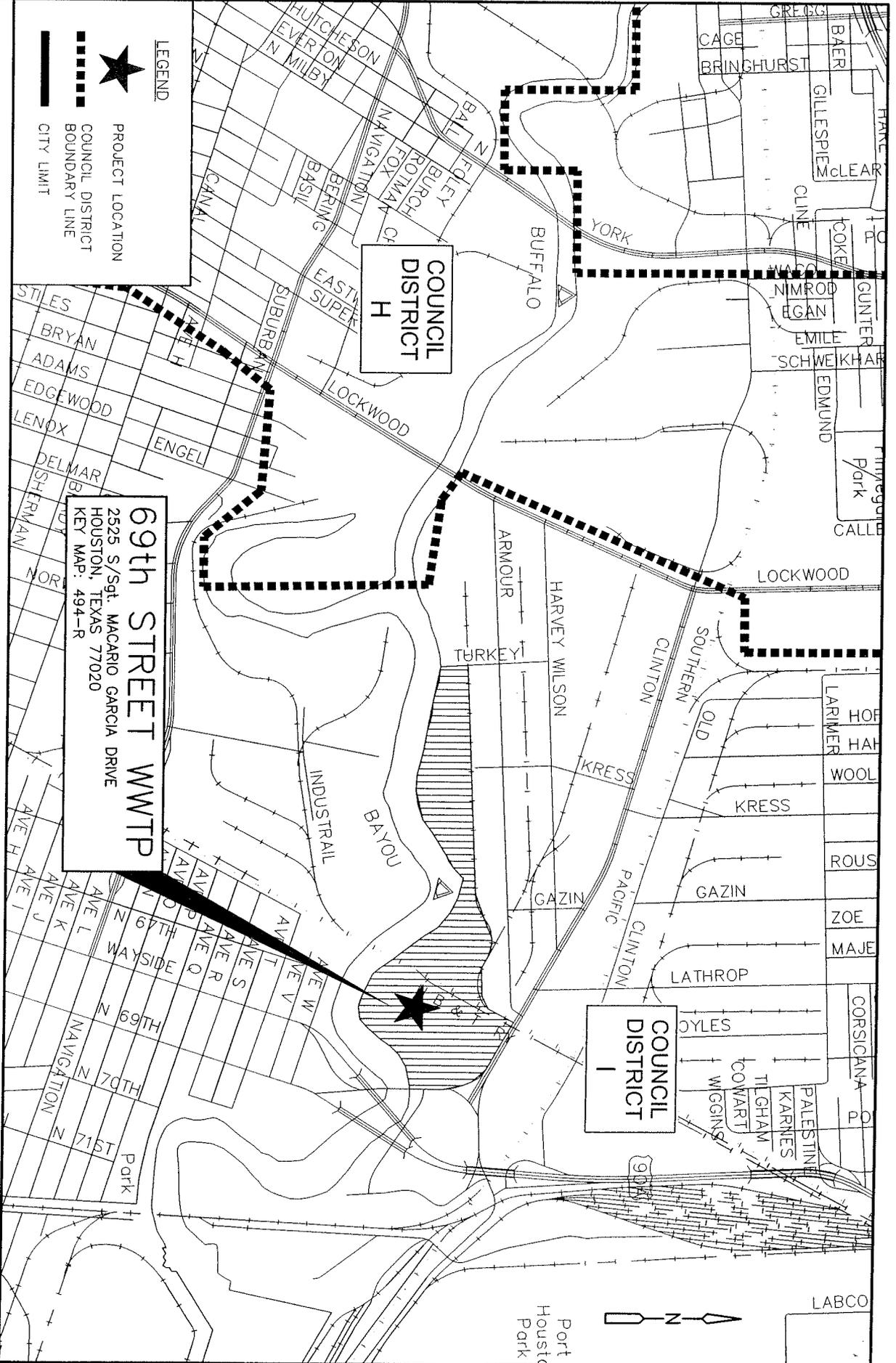
**Subject:** 69<sup>th</sup> Street Wastewater Treatment Plant  
Improvements (Package 2)  
WBS Number R-000509-0011-4

After a lengthy review and evaluation by our office, I am approving the Good Faith Efforts submittal of LEM Construction Company for the following reasons:

- Their Good Faith Efforts reflected an overall M/W/BE percentage of 1.45%.
- LEM outlined each item and gave an explanation on each line item as to why or why not they were able to subcontract any of these line items.
- After speaking with Mr. Herman Myers, Vice President of LEM Construction Company, our office learned that this project is about replacing existing equipment. It is not as if they were upgrading the entire site. If they had been upgrading the entire site, then LEM would have utilized more S/M/W/BEs similar to what they did with the Kingwood Water Treatment contract.
- Mr. Myers also explained that the reason electrical companies were not interested in bidding was because the electrical-type work required for this project is NOT comparable to the linear, above ground, horizontal-type of electrical work most of our certified S/M/W/BEs are used to doing on a regular basis. In order to verify this, our office called TAG Electric (which is one of our certified M/W/BEs and it was listed on LEM's Good Faith Efforts report). TAG is one of our largest electrical contractors and is interested in doing electrical work that relates to buildings.
- In addition, Mr. Myers stated that he has referred several of his subcontractors to our S/M/W/BE certification personnel and will continue to refer potential companies to us.
- Finally, our office recommended that Mr. Myers talk to us whenever his company gets another COH project so we can assist him in getting S/M/W/BEs. Mr. Myers also stated that if our office reviews LEM's past performances with COH, LEM has either met or exceeded their S/M/W/BE participation.

Feel free to contact me should you have any questions.

01/08:09



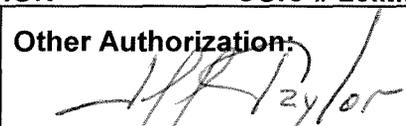
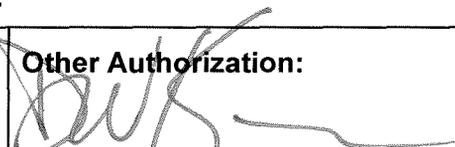
**69th STREET WWTTP**  
 2525 S/Sgt. MACARIO GARCIA DRIVE  
 HOUSTON, TEXAS 77020  
 KEY MAP: 494-R

**LEGEND**

- ★ PROJECT LOCATION
- COUNCIL DISTRICT BOUNDARY LINE
- CITY LIMIT

**CDM** Camp Dresser & McKee Inc.  
 consulting • engineering • construction • operations  
 3050 POST OAK BLVD, SUITE 300, HOUSTON, TEXAS 77056  
 (713) 423-7000

**CITY OF HOUSTON, TEXAS**  
 DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
**69TH STREET WASTEWATER TREATMENT PLANT IMPROVEMENTS (PACKAGE 2)**  
 COUNCIL DISTRICT BOUNDARY MAP  
 WBS No.: R-000509-0011-4  
 VICINITY MAP  
 Date: NOVEMBER 2007

<b>SUBJECT:</b> Contract Award for Rehabilitation of Existing Water Wells. W. B. S. No. S-000200-0017-4.		<b>Page</b> 1 of 2	<b>Agenda Item #</b> 27-1								
<b>FROM: (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date:</b> 3/6/08	<b>Agenda Date:</b> MAR 12 2008								
<b>DIRECTOR'S SIGNATURE:</b>  Michael S. Marcotte, P.E., DEE		<b>Council District affected:</b> All IMR									
<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: (Summary)</b> Accept low bid, award construction contract and appropriate funds.											
<b>Amount and Source of Funding:</b> \$1,990,000.00 Water and Sewer System Consolidated Construction Fund No. 8500. <i>Boake 02/18/08</i>											
<b>PROJECT NOTICE/JUSTIFICATION:</b> This project is part of the City's program to upgrade and rehabilitate ground water production facilities. It will meet the area's water demands and also ensure compliance with the Texas Commission on Environmental Quality's (TCEQ) regulations.											
<b>DESCRIPTION/SCOPE:</b> This project consists of providing Construction Services associated with rehabilitation program for existing water wells in the City of Houston. The Contract duration for this project is 365 calendar days. This project was designed by Chiang Patel & Yerby, Inc.											
<b>LOCATION:</b> The project is located throughout the City.											
<b>BIDS:</b> Bids were received on November 29, 2007. The three (3) bids are as follows:											
<table border="1"> <thead> <tr> <th><u>Bidder</u></th> <th><u>Bid Amount</u></th> </tr> </thead> <tbody> <tr> <td>1. Alsay Incorporated</td> <td>\$1,759,124.00</td> </tr> <tr> <td>2. Layne-Texas, a division of Layne Christensen Co.</td> <td>\$1,939,987.00</td> </tr> <tr> <td>3. Weisinger Water Well, Inc.</td> <td>\$2,216,041.50</td> </tr> </tbody> </table>		<u>Bidder</u>	<u>Bid Amount</u>	1. Alsay Incorporated	\$1,759,124.00	2. Layne-Texas, a division of Layne Christensen Co.	\$1,939,987.00	3. Weisinger Water Well, Inc.	\$2,216,041.50		
<u>Bidder</u>	<u>Bid Amount</u>										
1. Alsay Incorporated	\$1,759,124.00										
2. Layne-Texas, a division of Layne Christensen Co.	\$1,939,987.00										
3. Weisinger Water Well, Inc.	\$2,216,041.50										
<b>REQUIRED AUTHORIZATION</b> <span style="float: right;"><b>CUIC # 20IMR57</b></span>											
<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									

**AWARD:** It is recommended that this construction contract be awarded to Alsay Incorporated with a low bid of \$1,759,124.00 and that addendum Number 1 be made a part of this contract.

**PROJECT COST:** The total cost of this project is \$1,990,000.00 to be appropriated as follows:

- Bid Amount \$1,759,124.00
- Contingencies \$ 87,956.20
- Engineering and Testing Services \$ 20,000.00
- Project Management \$ 122,919.80

Engineering and Testing Services will be provided by Professional Service Industries, Inc. under a previously approved contract.

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

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Escalante Construction, Inc.	Concrete, Piping, Misc.	\$123,500.00	7.02%
2. Energy Electric Supply, Inc.	Pump, Pump Parts	<u>\$123,500.00</u>	<u>7.02%</u>
<b>TOTAL</b>		<b>\$247,000.00</b>	<b>14.04%</b>

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Vikki's Services & Supply	Pipe, Valves & Fittings	<u>\$ 88,000.00</u>	<u>5.00%</u>
<b>TOTAL</b>		<b>\$ 88,000.00</b>	<b>5.00%</b>

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. 5M Rope & Supply, LLC	Rope & Supplies	\$ 12,000.00	0.68%
2. AA Dumptruck Services And Excavation	Trucking & Excavation	<u>\$ 41,000.00</u>	<u>2.33%</u>
<b>TOTAL</b>		<b>\$ 53,000.00</b>	<b>3.01%</b>

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

*Alman IMR PL*  
MSM:DWK:RKM:EN:IMR:RS:pa

- c: Marty Stein  
Susan Bandy  
Velma Laws  
Michael Ho, P.E.  
File R-0200-17-3 (1.2)

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**SUBJECT:**

Ordinances granting Commercial Solid Waste Operator Franchises

RCA #

Category #

Page 1 of 1

Agenda Item#

*1<sup>st</sup> Reading*

*28-31*

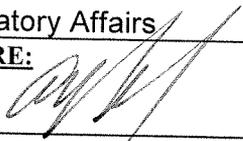
**FROM: (Department or other point of origin):**

Alfred J. Moran, Director  
Administration & Regulatory Affairs

Origination Date  
February 18, 2008

Agenda Date  
*MAR 12 2008*

**DIRECTOR'S SIGNATURE:**



Council Districts affected:

ALL

**For additional information contact:**

Juan Olguin Phone: (713) 837- 9623  
Tina Paez Phone: (713) 837- 9630

Date and identification of prior authorizing Council Action: Ord. # 2002-526 – June 19, 2002; Ord. # 2002-1166-December 18, 2002.

**RECOMMENDATION: (Summary)**

Approve ordinances granting Commercial Solid Waste Operator Franchises

Amount of Funding:  
REVENUE

F & A Budget:

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

**SPECIFIC EXPLANATION:**

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

1. AAA Flex Pipe Cleaning Company, Inc.
2. Clean Pipe of Texas, LP
3. Evergreen Environmental Services, LLC
4. Municipal & Industrial Supply, Inc. D/B/A Hammerhead Industrial Services, Inc.

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

**REQUIRED AUTHORIZATION**

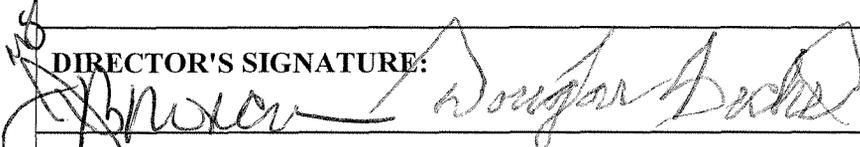
Finance Director:

*2/28*

*2/28*

<p><b>SUBJECT:</b> An Ordinance supplementing the Master Ordinance by authorizing City of Houston, Texas, Combined Utility System First Lien Revenue Refunding Bonds, Series 2008A; authorizing the Mayor and City Controller to approve the amounts, interest rates, prices and terms thereof and certain other matters relating thereto; making other provisions regarding such bonds and matters incident thereto and other necessary agreements or documents related to the Bonds.</p>	<p><b>Category #</b></p>	<p><b>Page 1 of 2</b></p>	<p><b>Agenda Item #</b>  <b>32</b></p>
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<p><b>FROM (Department or other point of origin):</b> Finance Department and Office of City Controller</p>	<p><b>Origination Date:</b> March 5, 2008</p>	<p><b>Agenda Date</b> <b>MAR 12 2008</b></p>
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<p><b>DIRECTOR'S SIGNATURE:</b> </p>	<p><b>Council District Affected:</b> All</p>
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<p><b>For additional information contact:</b> Michael Shannon 713-221-0201 Jim Moncur 713 247-2950</p>	<p><b>Date and identification of prior authorizing Council action:</b></p>
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**RECOMMENDATION:** Approve the Ordinance supplementing the Master Ordinance by authorizing City of Houston, Texas, Combined Utility System First Lien Revenue Refunding Bonds, Series 2008A; authorizing the Mayor and City Controller to approve the amounts, interest rates, prices and terms thereof and certain other matters relating thereto; making other provisions regarding such bonds and matters incident thereto and other necessary agreements or documents related to the Bonds.

<p><b>Amount of Funding:</b> Cost of Issuance: \$900,000</p>	<p><b>F&amp;A Budget:</b></p>
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**Source of Funding:**             General Fund             Grant Fund             Enterprise Fund-CUS 8305  
 Other (Specify)

**SPECIFIC EXPLANATION:**

Note: Due to unresolved legal issues and other considerations prior to posting time for the March 12, 2008 agenda, captions for two ordinances were posted. Both would accomplish the same goal but through different processes. The Administration expects to resolve the issues prior to Council consideration, in which case either item #32 (refunding) or item #33 (conversion) will be pulled from the agenda. In the event that these issues are not resolved, Council may be asked to adopt both ordinances.

In 2004 the City of Houston issued \$653.4 million in tax exempt Adjustable Rate Revenue Refunding Bonds, Series 2004B, as Auction Rate Securities ("ARS"). As outlined in a memo to Fiscal Affairs dated February 29, 2008, the credit markets are in turmoil, with particular concern in the ARS segment.

The Combined Utility System ("CUS") ARS have recently been trading at significantly higher interest rates than anticipated. To mitigate the possibility of continued high interest expense, the Finance Working Group proposes to refund or convert the Series 2004B ARS and restructure them as Variable Rate Demand Bonds ("VRDB's"). Since there is a swap in place on these bonds, it is preferable to restructure these bonds into VRDB's.

VRDB's require a "liquidity" facility in the form of a letter of credit ("LOC") from a highly rated commercial bank or group of banks equal to the amount of the Series 2008A Bonds (\$653.4 million). Based on discussions with various major banks, Bank of America, NA, as Agent of a consortium that includes Dexia Credit Local, State Street Bank and The Bank of New York, was deemed to provide the best value to the City. This liquidity facility has a stated term of 2 years.

<p align="center"><b>REQUIRED AUTHORIZATION</b></p>		
<p><b>F&amp;A Director:</b></p>	<p><b>Other Authorization:</b></p>	<p><b>Other Authorization:</b></p>

<b>Date:</b> March 5, 2008	<b>Subject:</b> An Ordinance supplementing the Master Ordinance by authorizing City of Houston, Texas, Combined Utility System First Lien Revenue Refunding Bonds, Series 2008A; authorizing the Mayor and City Controller to approve the amounts, interest rates, prices and terms thereof and certain other matters relating thereto; making other provisions regarding such bonds and matters incident thereto and other necessary agreements or documents related to the Bonds.	<b>Originator's Initials</b>	<b>Page 2 of 2</b>
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The FWG recommends that the CUS Series 2008A Bonds be sold through a negotiated financing with Banc of America Securities LLC, Goldman, Sachs & Co and UBS Securities LLC acting as the placement and remarketing agents. Fulbright and Jaworski L.L.P. will act as bond counsel and Andrews Kurth LLP will serve as disclosure counsel. The financial advisors will be Coastal Securities, Morgan Keegan & Co., and Estrada Hinojosa. Due to the current market conditions, the CUS will be restructuring approximately \$1.4 Billion in ARS. During this period, the CUS has relied heavily on the advice and efforts of the Financial Advisors. This additional effort is beyond what was originally considered in the Financial Advisor contract. Therefore, the Finance Working Group recommends approval of a one-time restructuring fee in the amount of \$300,000.

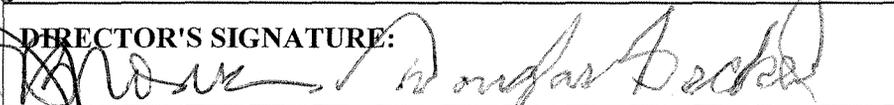
This item was presented to the Budget and Fiscal Affairs Committee on March 4, 2008 and reported out favorably.

Recommendation – The Finance Working Group recommends the approval of this item.

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

<p><b>SUBJECT:</b> An Ordinance amending and restating Ordinance No. 2004-300, but solely as it relates to those certain City of Houston Texas, Combined Utility System First Lien Revenue Refunding Bonds, Series 2004B ("Series 2004B"), authorizing the Mayor and City Controller to approve terms of such Series 2004B upon their conversion from Auction Rate Bonds to Variable Rate Demand Bonds and certain other matters relating thereto; making other provisions regarding such bonds and matters incident thereto; and other necessary agreements or documents related to the bonds.</p>	<p>Category #</p>	<p>Page 1 of 2</p>	<p>Agenda Item #</p> <p style="text-align: right; font-size: 2em;">33</p>
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<p><b>FROM (Department or other point of origin):</b> Finance Department and Office of City Controller</p>	<p><b>Origination Date:</b> March 5, 2008</p>	<p><b>Agenda Date</b> <b>MAR 12 2008</b></p>
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<p><b>DIRECTOR'S SIGNATURE:</b> </p>	<p><b>Council District Affected:</b> All</p>
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<p><b>For additional information contact:</b> Michael Shannon 713-221-0201 Jim Moncur 713 247-2950</p>	<p><b>Date and identification of prior authorizing Council action:</b></p>
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**RECOMMENDATION:** Approve an Ordinance amending and restating Ordinance No. 2004-300, but solely as it relates to those certain City of Houston Texas, Combined Utility System First Lien Revenue Refunding Bonds, Series 2004B ("Series 2004B"), authorizing the Mayor and City Controller to approve terms of such Series 2004B upon their conversion from Auction Rate Bonds to Variable Rate Demand Bonds and certain other matters relating thereto; making other provisions regarding such bonds and matters incident thereto; and other necessary agreements or documents related to the bonds.

<p><b>Amount of Funding:</b> Cost of Issuance: \$900,000</p>	<p><b>F&amp;A Budget:</b></p>
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**Source of Funding:**             General Fund             Grant Fund             Enterprise Fund-CUS - 8305

Other (Specify)

**SPECIFIC EXPLANATION:**

Note: Due to unresolved legal issues and other considerations prior to posting time for the March 12, 2008 agenda, captions for two ordinances were posted. Both would accomplish the same goal but through different processes. The Administration expects to resolve the issues prior to Council consideration, in which case either item #32 (refunding) or item #33 (conversion) will be pulled from the agenda. In the event that these issues are not resolved, Council may be asked to adopt both ordinances.

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VRDB's require a "liquidity" facility in the form of a letter of credit ("LOC") from a highly rated commercial bank or group of banks equal to the amount of the Series 2008A Bonds (\$653.4 million). Based on discussions with various major banks, Bank of America, NA, as Agent of a consortium that includes Dexia Credit Local, State Street Bank and The Bank of New York, was deemed to provide the best value to the City. This liquidity facility has a stated term of 2 years.

**REQUIRED AUTHORIZATION**

<p><b>F&amp;A Director:</b></p>	<p><b>Other Authorization:</b></p>	<p><b>Other Authorization:</b></p>
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<b>Date:</b> March 5, 2008	<b>Subject:</b> An Ordinance amending and restating Ordinance No. 2004-300, but solely as it relates to those certain City of Houston Texas, Combined Utility System First Lien Revenue Refunding Bonds, Series 2004B ("Series 2004B"), authorizing the Mayor and City Controller to approve terms of such Series 2004B upon their conversion from Auction Rate Bonds to Variable Rate Demand Bonds and certain other matters relating thereto; making other provisions regarding such bonds and matters incident thereto; and other necessary agreements or documents related to the bonds.	<b>Originator's Initials</b>	<b>Page 2 of 2</b>
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The FWG recommends that the the CUS Series 2008A Bonds be sold through a negotiated financing with Banc of America Securities LLC, Goldman, Sachs & Co and UBS Securities LLC acting as the recommended placement and remarketing agents. Fulbright and Jaworski L.L.P. will act as bond counsel and Andrews Kurth LLP will serve as disclosure counsel. The financial advisors will be Coastal Securities, Morgan Keegan & Co., and Estrada Hinojosa. Due to the current market conditions, the CUS will be restructuring approximately \$1.4 Billion in ARS. During this period, the CUS has relied heavily on the advice and efforts of the Financial Advisors. This additional effort is beyond what was originally considered in the Financial Advisor contract. Therefore, the Finance Working Group recommends approval of a one-time restructuring fee in the amount of \$300,000.

This item was presented to the Budget and Fiscal Affairs Committee on March 4, 2008 and reported out favorably.

Recommendation – The Finance Working Group recommends the approval of this item.

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

34  
MAR 12 2008

MOTION NO. 2008 0166

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

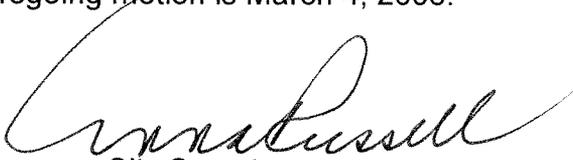
Item 36 - Ordinance authorizing the City of Houston to release and relinquish the City's right, title and interest in and to a 25-foot building setback line on Garretson Lane between South Post Oak Boulevard and San Felipe Road, located in the William White One-Third League, A-836, Harris County, Texas

Seconded by Council Member Johnson and carried.

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

PASSED AND ADOPTED this 27th day of February, 2008.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is March 4, 2008.

  
City Secretary

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Ordinance authorizing the removal of the 25-foot building line within Tract I, out of the William White One Third League, A-836, as established by deed in favor of building lines as established by the Code of Ordinances.	<b>Category</b> # 7	<b>Page</b> 1 of 1	<b>Agenda Item #</b>
		34	<del>36</del> 26

<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 2-14-08	<b>Agenda Date</b> <del>FEB 20 2008</del> <del>FEB 27 2008</del> MAR 12 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>MS Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director	<b>Council District affected:</b> G
	Key Map 491R

<b>For additional information contact:</b> Nancy P. Collins <i>for</i> Phone: (713) 837-0881 Senior Assistant Director-Real Estate	<b>Date and identification of prior authorizing Council Action:</b>
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**RECOMMENDATION: (Summary)** It is recommended City Council approve an ordinance authorizing the removal of the 25-foot building line within Tract I, out of the William White One Third League, A-836, as established by deed in favor of building lines as established by the Code of Ordinances.

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

As part of a deed (Deed) recorded on December 7, 1951 in the Harris County Deed Records, Volume 2353, Page 60, Rosario Messina and Josephine Messina, Grantors, established and conveyed to the City of Houston, Grantee, the 25-foot building line within what is now known as Tract I, out of the William White One Third League, A-836 for future street expansion.

Rosario-Messina Properties Ltd [RMGP, LLC, a Texas Limited Liability Company (Catherine Messina Cash, Sole Manager), General Partner], Sam A. Messina, a natural person, and Sam A. Messina Trusts (Sam A. Messina, Trustee), the owners of Tract I, have requested the 25-foot building line be removed as provided in the Deed in favor of building lines as established by the Code of Ordinances to facilitate a pending sale of Tract I.

Therefore, it is recommended City Council approve an ordinance authorizing the removal of the 25-foot building line within Tract I, out of the William White One Third League, A-836, as established by deed in favor of building lines as established by the Code of Ordinances.

MSM: NPC: dob

c: Deborah McAbee  
John Sakolosky, P.E.  
Marty Stein

s:\dob\20dob027.doc CUIC #20DOB027

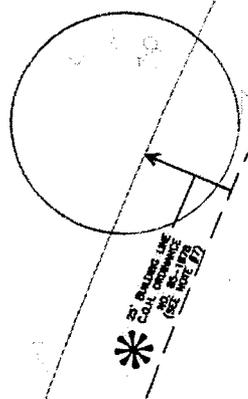
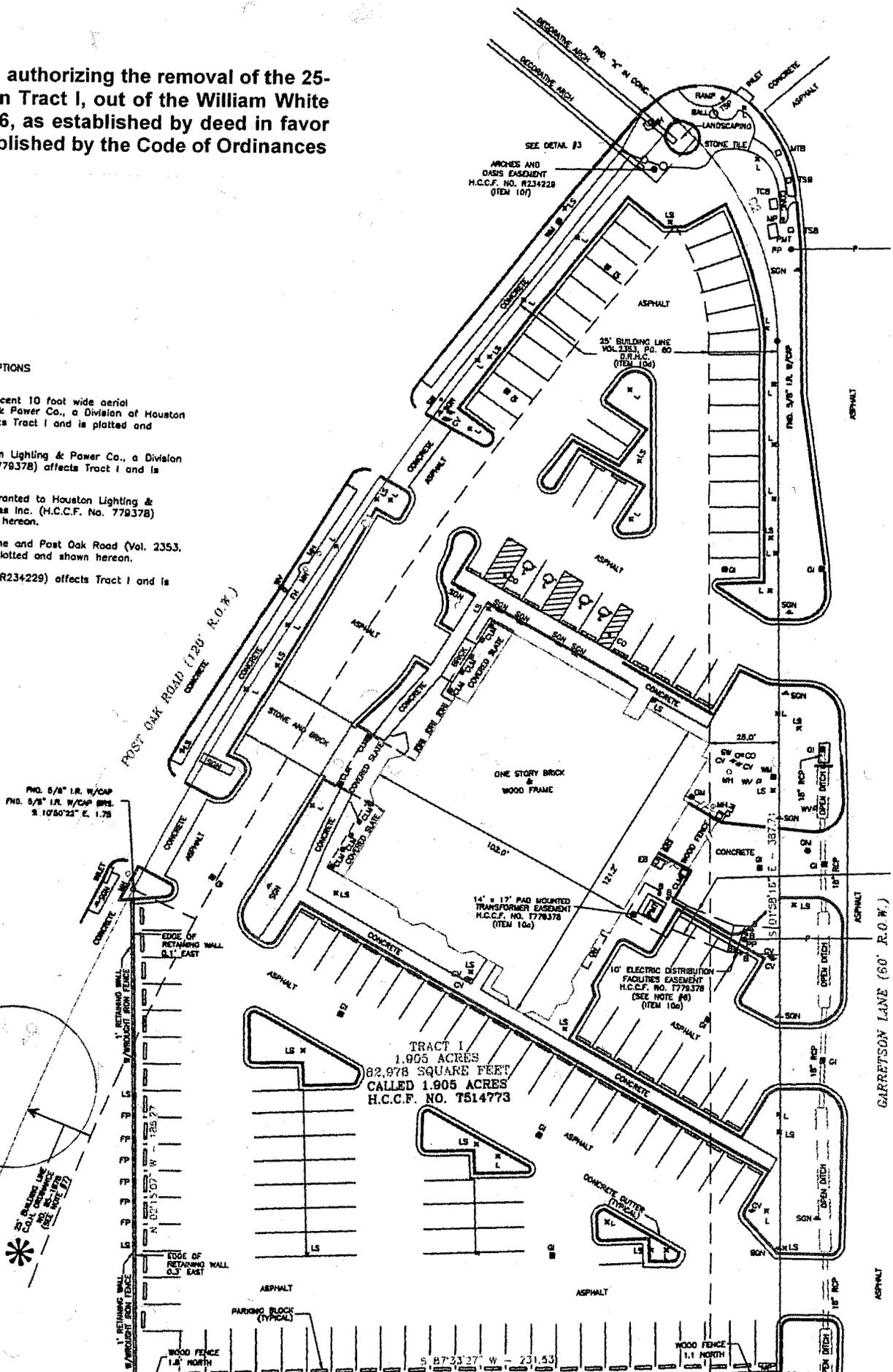
REQUIRED AUTHORIZATION

<b>F&amp;A Director:</b>	<b>Other Authorization:</b> <i>Marlene L. Gafrick</i> Marlene L. Gafrick, Director Planning and Development Department	<b>Other Authorization:</b> <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning and Development Services Division
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**20DOB027 Ordinance authorizing the removal of the 25-foot building line within Tract I, out of the William White One Third League, A-836, as established by deed in favor of building lines as established by the Code of Ordinances**

**SCHEDULE "B" EXCEPTIONS**

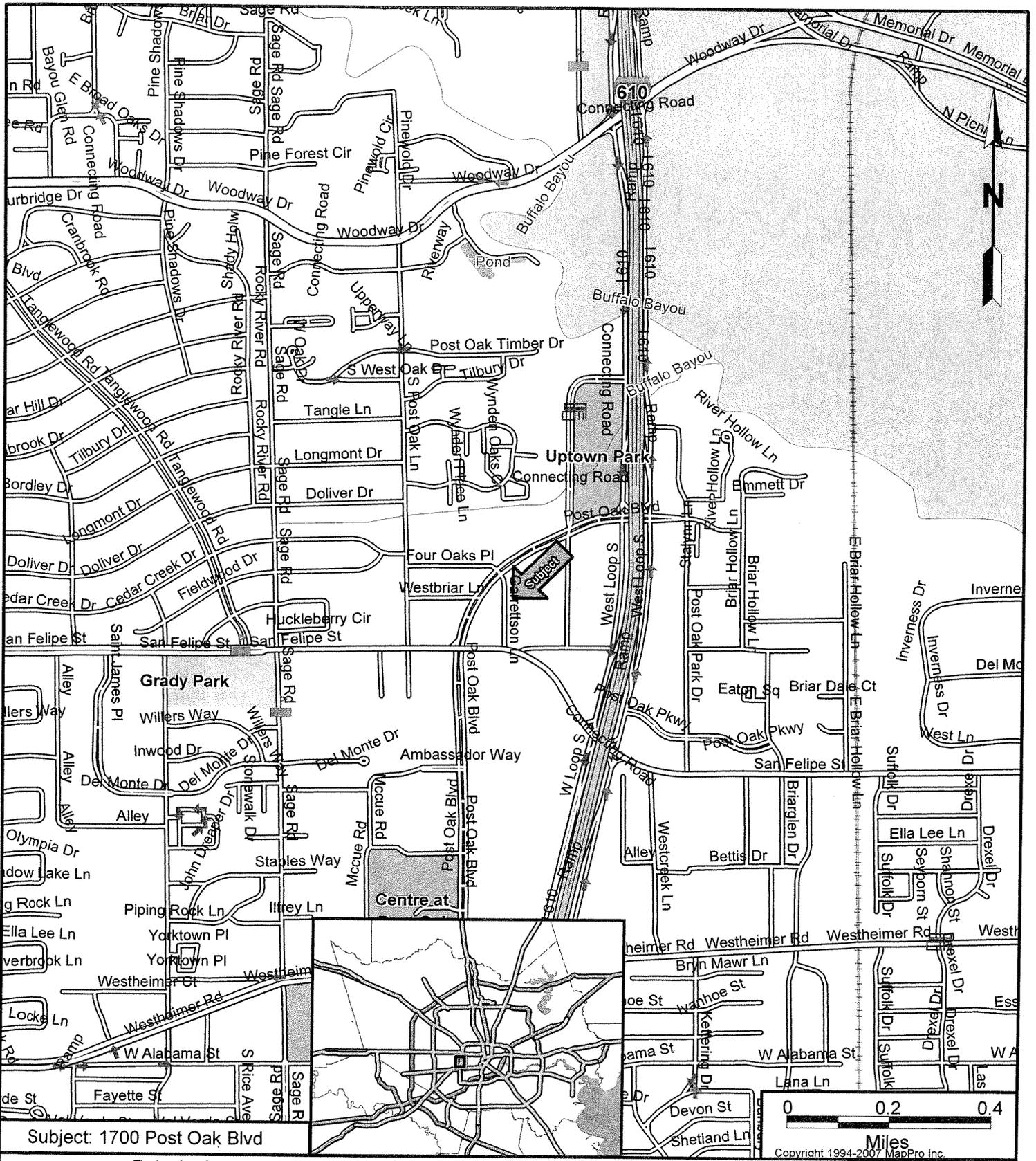
- 10a. 10 foot wide easement together with adjacent 10 foot wide aerial easements granted to Houston Lighting & Power Co., a Division of Houston Industries in (H.C.C.F. No. 177378) affects Tract I and is platted and shown hereon.
- 10b. 10 foot wide easement granted to Houston Lighting & Power Co., a Division of Houston Industries Inc. (H.C.C.F. No. 779378) affects Tract I and is platted and shown hereon.
- 10c. 14 foot wide by 17 foot long easement granted to Houston Lighting & Power Co., a Division of Houston Industries Inc. (H.C.C.F. No. 779378) affects Tract I and is platted and shown hereon.
- 10d. 25 foot building lines along Garretson Lane and Post Oak Road (Vol. 2353, Pg. 80 D.R.H.C.) affect Tract I and are platted and shown hereon.
- 10f. Anches and Oasis Easement (H.C.C.F. No. R234229) affects Tract I and is platted and shown hereon.



TRACT I  
1.905 ACRES  
82,978 SQUARE FEET  
CALLED 1.905 ACRES  
H.C.C.F. NO. 7514773

8733'27" W - 231.53

**20DOB027 Ordinance authorizing the removal of the 25-foot building line within Tract I, out of the William White One Third League, A-836, as established by deed in favor of building lines as established by the Code of Ordinances**



Subject: 1700 Post Oak Blvd

**CAUTION:**

The location of property arrows shown on this map are approximate only. 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.

TO: Mayor via City Secretary

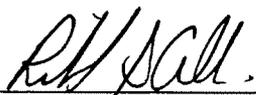
REQUEST FOR COUNCIL ACTION

HCDO8-45

08- Holmes CDC

<b>SUBJECT:</b> An ordinance approving and authorizing a First Amendment to the Second Lien Construction Financing Agreement ("First Amendment") between the City of Houston, Holmes Community Development Corporation and Unity National Bank, and amending Ordinance No. 2007-609 to reduce funding.	<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b> <b>35</b>
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<b>FROM (Department or other point of origin):</b> Housing and Community Development Department	<b>Origination Date:</b> 02/11/08	<b>Agenda Date:</b> MAR 12 2008 <del>MAR 05 2008</del>
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<b>DIRECTOR'S SIGNATURE:</b> Richard S. Celli, Director 	<b>Council District affected:</b> "D"
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<b>For additional information contact:</b> Donald Sampley, Assistant Director Phone: 713-868-8458	<b>Date and identification of prior authorizing Council action:</b> 2007-609; 05/30/2007
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**RECOMMENDATION: (Summary)**  
The Department recommends approval of an ordinance authorizing a First Amendment to the Second Lien Construction Financing Agreement ("First Amendment") between the City of Houston, Holmes Community Development Corporation and Unity National Bank, and amending Ordinance No. 2007-60 9 to reduce funding from \$700,000 to 210,000 in Federal HOME funds.

<b>Amount of Funding:</b> No additional funding	<b>F&amp;A Budget:</b>
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**SOURCE OF FUNDING**       General Fund       Grant Fund       Enterprise Fund

Other (Specify) HOME FUND

**SPECIFIC EXPLANATION:**  
Holmes Community Development Corporation, (Holmes CDC) is a 501(c) 3 nonprofit corporation. Holmes CDC submitted an application to the Housing and Community Development Department (HCDD) for certification as a Community Housing Development Organization (CHDO). Holmes CDC was certified by HCDD and received CHDO status.

Pursuant to Ordinance No. 2007-60 9 the City, Holmes CDC and Unity National Bank entered into a Second Lien Construction Financing Agreement ("Agreement") for the financing and construction of ten (10) affordable single-family houses on ten (10) lots owned by Holmes CDC, located in the Sunnyside Houston Hope Area.

The City, Holmes CDC and Unity National Bank desire to amend the Agreement by entering into this First Amendment to provide for the financing and construction of only three (3) affordable single-family houses. The City, and Holmes CDC, intend to enter into a separate contract with Capital One Community Development Corporation II, for the financing and construction of seven (7) affordable single-family houses on the remaining seven (7) lots which were covered under the original Agreement. Capital One CDC II, (the construction lender) will finance 100% of the costs and finance all lot costs to include carry and all non HOME eligible costs. The HCDD construction subsidy of \$70,000 per house will be used to reduce the loan and will only be used for HOME eligible activities; for a total allocation of \$210,000 in HOME funds for the three (3) single-family houses.

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

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

<b>Date</b> 02/11/08	<b>Subject:</b> An ordinance approving and authorizing a First Amendment to the Second Lien Construction Financing Agreement ("First Amendment") between the City of Houston , Holmes Community Development Corporation, and Unity National Bank, and amending Ordinance No. 2007-609 to reduce funding.	<b>Originator's Initials</b> 	<b>Page</b> <u>2</u> of <u>2</u>
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The sites comply with HUD's environmental regulations. The newly constructed houses will be sold to families whose annual incomes do not exceed 80% of AMI, and who will occupy the property as their principal residence.

The City will allow the CHDO (Holmes CDC) to retain the proceeds generated from this CHDO development activity provided that Holmes CDC performs as required under the contract and provided that Holmes CDC uses the proceeds from the sale of the houses to conduct HOME-eligible activities in the Sunnyside Houston Hope area.

The development is consistent with the City's Consolidated Plan to provide affordable housing for low-income residents. HCDD secured HUD's approval of this contract before submittal to City Council.

The plan to give Holmes CDC funds to assist in the development of affordable single-family houses in the Sunnyside Houston Hope area was published for 30 days in the local newspaper. There was no citizen or community opposition to the Holmes CDC development.

This item was approved by the Housing and Community Development Committee on February 19, 2008.

The Department recommends approval of an ordinance approving and authorizing a First Amendment to the Second Lien Construction Financing Agreement between the City of Houston, Holmes CDC and Unity National Bank, and amending Ordinance No. 2007-609 to reduce funding from \$700,000 to \$210,000 in Federal HOME funds.

RSC:DHS:MEB

<b>SUBJECT:</b> An ordinance approving and authorizing a \$490,000 contract between the City of Houston and Holmes Community Development Corporation, using Federal HOME funds to assist in the development of seven (7) affordable single-family houses in the Sunnyside Houston Hope area.	<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b> <div style="border: 2px solid black; padding: 5px; display: inline-block;">                 35A-13A             </div>

<b>FROM (Department or other point of origin):</b>  Housing and Community Development Department	<b>Origination Date:</b>  02/11/08	<b>Agenda Date:</b>  MAR 12 2008 <del>MAR 05 2008</del>
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<b>DIRECTOR'S SIGNATURE:</b>  Richard S. Celli, Director <i>Richard S. Celli</i>	<b>Council District affected:</b> "D"
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<b>For additional information contact:</b> Donald Sampley, Assistant Director Phone: 713-868-8458	<b>Date and identification of prior authorizing Council action:</b> 2007- 609 5/30/2007
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**RECOMMENDATION: (Summary)**  
 The Department recommends approval of an ordinance authorizing a \$490,000 contract between the City of Houston and Holmes Community Development Corporation, using Federal HOME funds to assist in the development of seven (7) affordable single-family houses in the Sunnyside Houston Hope area.

<b>Amount of Funding:</b> \$490,000	<b>F&amp;A Budget:</b> <i>[Signature]</i>
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**SOURCE OF FUNDING**       General Fund       Grant Fund       Enterprise Fund

Other (Specify) HOME FUND      Grant Funds (5000)

**SPECIFIC EXPLANATION:**  
 Holmes Community Development Corporation ("Holmes CDC") is a 501(c) 3 nonprofit corporation. Holmes CDC submitted an application to the Housing and Community Development Department (HCDD) for certification as a Community Housing Development Organization (CHDO). Holmes CDC was certified by HCDD and received CHDO status.

Pursuant to Ordinance No. 2007-0609, The City approved a tri-party agreement between The City, Holmes CDC and Unity National Bank for the financing and construction of ten (10) affordable single family houses on ten (10) lots owned by Holmes CDC in the Sunnyside Houston Hope area. Holmes CDC now seeks City Council approval to enter into a Second Lien Construction Financing Agreement with Capital One Community Development Corporation II for the financing and construction of seven (7) affordable single-family houses on the remaining seven (7) lots which were covered under the original Agreement. HCDD will provide \$490,000 to Holmes CDC in Federal HOME funds to assist in the development of the seven (7) affordable single-family houses. HCDD will require that Capital One CDC II (construction lender) finance 100% of the costs and finance all lot costs to include carry and all non HOME eligible costs. The HCDD construction subsidy of \$70,000 per house will be used to reduce the loan and will only be used for HOME eligible activities.

The remaining lots are: Lot 13 Blk S; Lot 12 Blk 91; Lot 7 BLK I; Lot 11 Blk 60; Lot 12 BLK 17; Lot 10 BLK 16; Lot 10 Blk 22. The sites comply with HUD's environmental regulations. The newly constructed houses will be sold to families whose annual incomes do not exceed 80% of AMI, and who will occupy the property as their principal residence.

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

**Date**  
02/11/08

**Subject:** An ordinance approving and authorizing a \$490,000 contract between the City of Houston and Holmes Community Development Corporation, using Federal HOME funds to assist in the development of seven (7) affordable single-family houses in the Sunnyside Houston Hope area.

**Originator's  
Initials**

*R. Call*

**Page**  
2 of 2

The City will allow the CHDO (Holmes CDC) to retain the net project proceeds generated from this CHDO development activity provided that Holmes CDC performs as required under the contract and provided that Holmes CDC uses the proceeds from the sale of the houses to conduct HOME-eligible activities in the Sunnyside Houston Hope area.

The net project proceeds must be kept in an interest bearing account at a financial institution approved by the HCDD Director. Net project proceeds cannot be withdrawn by the CHDO without prior written approval of the HCDD Director.

The development is consistent with the City's Consolidated Plan to provide affordable housing for low-income residents. HCDD secured HUD's approval of this contract.

The plan to give Holmes CDC funds to assist in the development of affordable single-family houses in the Sunnyside Houston Hope area was published for 30 days in the local newspaper. There was no citizen or community opposition to the Holmes CDC development.

This item was presented to the Housing and Community Development Committee on February 19, 2008.

The Department recommends approval of an ordinance approving and authorizing a \$490,000 contract between the City of Houston and Holmes Community Development Corporation, using Federal HOME Funds to assist in the development of seven (7) affordable single-family houses in the Sunnyside Houston Hope area.

RSC:DHS:MEB

<b>SUBJECT:</b> An ordinance approving and authorizing a First Amendment to the Second Lien Construction Financing Agreement ("First Amendment") between the City of Houston, Guiding Light Community Development Corporation and Whitney Bank Community Development Corporation using \$280,000 in Federal HOME funds to assist in the development of four (4) affordable single-family houses in the Settegast Houston Hope area.	<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  <div style="border: 1px solid black; padding: 5px; display: inline-block;">36 #4</div>
	(Empty space for category, page, and agenda item details)		

<b>FROM (Department or other point of origin):</b> Housing and Community Development Department	<b>Origination Date:</b> 02/11/08	<b>Agenda Date:</b> MAR 12 2008 <del>MAR 05 2008</del>
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<b>DIRECTOR'S SIGNATURE:</b> Richard S. Celli, Director <i>[Signature]</i>	<b>Council District affected:</b> "B"
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<b>For additional information contact:</b> Donald Sampley, Assistant Director Phone: 713-868-8458	<b>Date and identification of prior authorizing Council action:</b> 2007-606; 05/25/2007
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**RECOMMENDATION: (Summary)**  
 The Department recommends approval of an ordinance authorizing a First Amendment to the Second Lien Construction Financing Agreement ("First Amendment") between the City of Houston, Guiding Light Community Development Corporation and Whitney Bank Community Development Corporation using \$280,000 in Federal HOME funds to assist in the development of four (4) affordable single-family houses in the Settegast Houston Hope area.

<b>Amount of Funding:</b> \$280,000	<b>F&amp;A Budget:</b> <i>[Signature]</i>
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**SOURCE OF FUNDING**       General Fund       Grant Fund       Enterprise Fund

Other (Specify) HOME FUND      Grant Funds (5000)

**SPECIFIC EXPLANATION:**

Guiding Light Community Development Corporation, ("Guiding Light CDC") is a 501(c) 3 nonprofit corporation. Guiding Light CDC submitted an application to the Housing and Community Development Department (HCDD) for certification as a Community Housing Development Organization (CHDO). Guiding Light CDC was certified by HCDD and received CHDO status.

Pursuant to Ordinance No. 2007-606, the City entered into a Second Lien Construction Financing Agreement with Guiding Light CDC, and Whitney Community Development Corporation for the financing and construction of six (6) affordable single-family houses on six (6) lots owned by Guiding Light CDC, located in the Sunnyside and Settegast Houston Hope areas.

The City, Guiding Light CDC, and Whitney Community Development Corporation desire to amend the Agreement by entering into this First Amendment to provide for the financing and construction of four (4) additional single-family houses in the Settegast Houston Hope area. The construction lender will finance 100% of the costs and finance all lot costs to include carry and all non HOME-eligible costs. The HCDD construction subsidy of \$70,000 per house will be used to reduce the loan and will only be used for HOME eligible activities.

Specific home sites are: 0 Firnat Lot 190; 7606 Teesdale; 7989 Saint Louis; and 8118 Record. These sites comply with HUD's environmental regulations. The newly constructed houses will be sold to families whose annual incomes do not exceed 80% of AMI, and who will occupy the property as their principal residence.

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

<b>Date</b> 02/11/08	<b>Subject:</b> An ordinance approving and authorizing a First Amendment to the Second Lien Construction Financing Agreement ("First Amendment") between the City of Houston and Guiding Light Community Development Corporation, and Whitney Community Development Corporation using \$280,000 in Federal HOME funds to assist in the development of four (4) affordable single-family houses in the Settegast Houston Hope area.	<b>Originator's Initials</b> 	<b>Page</b> <u>2</u> of <u>2</u>
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The City will allow the CHDO (Guiding Light CDC) to retain the net project proceeds generated from this CHDO development activity provided that Guiding Light CDC performs as required under the contract and provided that Guiding Light CDC uses the proceeds from the sale of the houses to conduct HOME-eligible activities in a Houston Hope area.

The net project proceeds must be kept in an interest bearing account at a financial institution approved by the HCDD Director. Net project proceeds cannot be withdrawn by the CHDO without prior written approval of the HCDD Director.

The development is consistent with the City's Consolidated Plan to provide affordable housing for low-income residents. HCDD will secure HUD's approval of this contract before it is submitted to City Council.

The plan to give Guiding Light CDC funds to assist in the development of four (4) affordable single-family houses in the Settegast Houston Hope area was published for 30 days in the local newspaper. There was no citizen or community opposition to the Guiding Light CDC development.

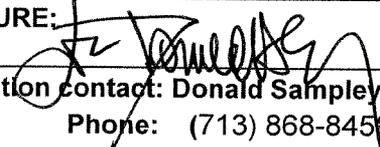
This item was presented to the Housing and Community Development Committee on February 19, 2008.

The Department recommends approval of an ordinance approving and authorizing a First Amendment to the Second Lien Construction Financing Agreement between the City of Houston, Guiding Light CDC and Whitney Community Development Corporation, using \$280,000 in Federal HOME Funds to assist in the development of four (4) additional affordable single-family houses in the Settegast Houston Hope area.

RSC:DHS:MEB:ems

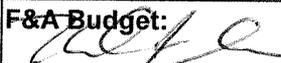
<b>SUBJECT:</b> An ordinance authorizing \$3,000,000 in HOME Investment Partnership Funds for a contract between the City of Houston and Houston Area Community Development Corporation for the rehabilitation of the fifty-seven (57) single room occupancy units at 1414 Congress (SRO).	<b>Category #</b>	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 37 #6

<b>FROM (Department or other point of origin):</b> Richard S. Celli, Director Housing and Community Development Department	<b>Origination Date:</b> 02/12/08	<b>Agenda Date:</b> <del>MAR 05 2008</del> MAR 12 2008
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<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> District "I"
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<b>For additional information contact:</b> Donald Sampley Phone: (713) 868-8458	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION; (Summary)**  
The Housing and Community Development Department (HCDD) recommends approval of an Ordinance authorizing \$3,000,000 in HOME Investment Partnership Funds (HOME funds) for a contract between the City of Houston and Houston Area Community Development Corporation for the rehabilitation of the fifty-seven (57) single room occupancy affordable, restricted units located at 1414 Congress, Houston, Texas 77002.

<b>Amount of Funding: \$3,000,000</b>	<b>F&amp;A Budget:</b> 
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**SOURCE OF FUNDING**       General Fund       Grant Fund       Enterprise Fund

HOME Investment Partnership Fund

**SPECIFIC EXPLANATION:**

The Houston Area Community Development Corporation is a certified Community Housing Development Organization (CHDO) as defined by the U.S. Department of Housing and Urban Development (HUD). In 1994 the City of Houston funded the acquisition and rehabilitation of a 57-room Single Room Occupancy (SRO) complex located at 1414 Congress, Houston, Texas 77002. All of the units were restricted units. Funding was a part of the HOME set-aside for CHDOs. This Performance Based Loan was recently repaid using funds granted to the agency by the Main Street TIRZ for that purpose. The property has a project-based Section 8 grant that funds all 57 units. The grant is administered by the Houston Housing Authority.

Due to design and construction problems the building has experienced severe structural damage. For safety reasons, the property was vacated in October 2007 with all tenants receiving vouchers for the open market. These tenants will be allowed to return to the property upon completion of the rehabilitation. If they do not choose to do so, they will be allowed to keep their voucher without the property suffering a loss of a voucher(s). A major rehabilitation is now required for 1414 Congress (SRO).

HCDD is recommending \$3,000,000 (HOME funds) to accomplish the rehabilitation. Wells Fargo has removed its lien on the property allowing the City a first lien position. The lien will secure a 0% Performance Based Loan with a term of 15 years. All units will be restricted.

The scope of work under the rehabilitation includes: direct hard costs of \$2,115,217 (consisting of demolition; extensive concrete, masonry, and carpentry work; thermal and moisture protection; appliances; doors and windows; finishes; fire sprinkler; plumbing, mechanical/HVAC; electrical work; general conditions; labor; insurance; building permits; performance and payment bond; contingency and contractor's fees), indirect construction costs of \$466,042 (including architectural fees, engineering fees, construction management, accounting fees, surveys, tenant and building relocation expenses, etc), developer fees of \$97,366, and operating reserves of \$321,375 bring the total cost of rehabilitation to \$3,000,000.

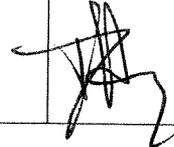
**REQUIRED AUTHORIZATION**

<b>F&amp;A Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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**Date**  
02/12/08

**Subject:** An ordinance authorizing \$3,000,000 in HOME Investment Partnership Funds for a contract between the City of Houston and Houston Area Community Development Corporation for the rehabilitation of the fifty-seven (57) single room occupancy units at 1414 Congress (SRO).

**Originator's  
Initials**



**Page**  
2 of 2

The HCDD recommends approval of an ordinance authorizing \$3,000,000 in HOME funds for a contract between the City of Houston and Houston Area Community Development Corporation for the rehabilitation of the fifty-seven (57) single room occupancy affordable, restricted units located at 1414 Congress, Houston, Texas 77002.

The total cost of the Development is \$3,000,000; based on the total of 57 units the cost is \$52,632 per unit.

The project is consistent with the City's Consolidated Plan to provide affordable housing for low-income families.

The Housing and Community Development Committee reviewed this item on August 14, 2007, and recommended it for favorable Council consideration.

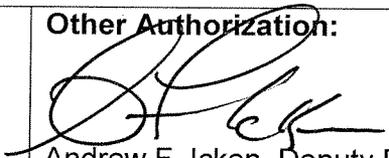
City Council approval is recommended.

RSC:DS:jt

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

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Extend a Developer Participation Contract between City of Houston and El Tesoro Development, Ltd., for the construction of water, sanitary sewer and storm sewer lines.		<b>Page</b> 1 of 1	<b>Agenda Item #</b> 38 #8
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b> 2-14-08	<b>Agenda Date</b> <del>MAR 05 2008</del> MAR 12 2008
<b>DIRECTOR'S SIGNATURE</b>  Michael S. Marcotte, P.E., DEE, Director		<b>Council District affected:</b> E	
<b>For additional information contact:</b> Jun Chang, P.E. Phone: (713) 837-0433		<b>Date and identification of prior authorizing Council action:</b> 03-30/05 Ord. No. 2005-0297	
<b>Recommendation: (Summary)</b> Approve an extension of a Developer Participation Contract between the City and El Tesoro Development, Ltd.			
<b>Amount &amp; Source of Funding:</b> NONE REQUIRED			
<b>Specific Explanation:</b> On March 30, 2005 Council approved a Developer Participation Contract between the City and El Tesoro Development, Ltd., to construct water lines, sanitary sewer lines and storm sewer lines in an 80-lot subdivision, El Tesoro Section 1. The current Contract is now due to expire on March 20, 2009. However, because of financial market changes and the consequent inability of potential home buyers to secure home loans, the developer is requesting a 12-month extension to construct homes in the subdivision. This will extend the contract expiration date to March 20, 2010.			
<b>Required Authorization:</b>		<b>CUIC# 20JZC392</b>	
<b>F &amp; A Budget:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Andrew F. Icken, Deputy Director Planning & Development Services	



	Water
70% of construction cost (including interest & 5% contingency):	\$ 90,522.57
design cost:	<u>\$ 16,490.85</u>
total:	\$107,013.42

	Wastewater
70% of construction cost (including interest & 5% contingency):	\$108,192.51
design cost:	<u>\$ 19,709.85</u>
total:	\$127,902.36

	Storm Sewer (Including appropriate detention)
100% of construction cost (including interest & 5% contingency):	\$208,695.65
design cost:	<u>\$ 31,304.35</u>
total:	\$240,000.00

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the City in accordance with state bid laws and, upon selection of the successful bidder, Council will be asked to assign the contract to El Tesoro Development, Ltd. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

PRN:JC:tp

cc: Marty Stein      Waynette Chan      Gary Norman      Craig Foster      John Sakolosky

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 7719**

**Subject:** Approve an Amending Ordinance to Increase the maximum contract amount for Contract No. C55205 for Golf Cart Leasing Services for Various Departments  
LC-R-7835-039-13608-A1

Category #  
4

Page 1 of 2    Agenda Item

**39** ~~23~~

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

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

**Origination Date**

January 09, 2008

**Agenda Date**

MAR 12 2008  
~~MAR 05 2008~~

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

B, D, F, G

**For additional information contact:**

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

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

Ordinance No. 2003-740; passed August 6, 2003

**RECOMMENDATION: (Summary)**

Approve an amending ordinance to increase the maximum contract amount for the contract between the City of Houston and Conroe Golf Cars, Inc. (formerly known as E-Z-Go Division of Textron, Inc.), from \$2,402,495.90 to \$2,875,669.90 for golf cart leasing services for various departments.

Maximum Contract Amount Increased by: \$473,174.00

**F & A Budget**

*[Signature]*

\$ 94,634.80 - General Fund (1000)  
\$378,539.20 - Parks Special Revenue (2100)  
\$473,174.00 - Total

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the maximum contract amount for the contract between the City of Houston and Conroe Golf Cars, Inc. (formerly known as E-Z-Go Division of Textron, Inc.) from \$2,402,495.90 to \$2,875,669.90 for golf cart leasing services for various departments. Under the contract, the contractor provides golf carts that are rented to golf course patrons on a daily basis at the Memorial, Sharpstown, Gus Wortham, and Brock Park Golf Courses.

This contract was awarded on August 6, 2003, by Ordinance No. 2003-740 for a 24-month term, with two two-year options to extend, for a total six-year term, in the original amount of \$2,402,495.90. Expenditures as of December 18, 2007 totaled \$2,174,088.98. The increase to the maximum contract amount is needed to sustain the Parks & Recreation Department through the end of the contract term. Expenditures were greater than expected due to the addition of Gus Wortham Golf Course and extensive use of golf carts during Hurricane Katrina.

The scope of work requires the contractor to furnish golf carts, personnel carriers, and electric- and gasoline-powered utility vehicles on a long- and short-term lease basis. The contractor is also required to provide all labor, materials, parts, tools and transportation necessary to repair and perform preventative maintenance on the lease equipment, as well as, provide replacement equipment should the preventative maintenance or repairs take more than 24 hours to complete.

The long-term lease of golf carts and utility vehicles consists of eighty-five electric golf carts, two electric utility vehicles and two range pickers for Memorial Park Golf Course; eighty-five electric golf carts and two electric utility vehicles for Sharpstown Park Golf Course; seventy electric golf carts, one electric utility vehicle and one range picker for Gus Wortham Golf Course; eighty electric golf carts and two gasoline-powered utility vehicles for Brock Park Golf Course; two electric golf carts and one gasoline-powered utility vehicle for F. M. Law Park Junior Golf Course; two electric-powered personnel carriers for Miller Outdoor Theatre; and five gasoline-powered utility vehicles for the Department's Hermann and Memorial Park Maintenance Sections. The

**REQUIRED AUTHORIZATION**

F&A Director:	Other Authorization:	Other Authorization:
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Date:  
1/9/2008

Subject: Approve an Amending Ordinance to Increase the maximum contract amount for Contract No. C55205 for Golf Cart Leasing Services for Various Departments  
LC-R-7835-039-13608-A1

Originator's  
Initials  
RM

Page 2 of 2

contract also includes short-term lease rental of golf carts and utility vehicles, as needed, for special events held citywide.

This contract also provides additional rental golf carts, as needed, for golf tournaments and generates approximately \$1,000,000.00 in annual revenue for the City of Houston.

Buyer: Richard Morris

Attachment: M/WBE Zero-Percentage Goal Document approved by the Affirmative Action Division.



# CITY OF HOUSTON

Finance & Administration Department

## Interoffice

Correspondence

To: Calvin D. Wells - City Purchasing Agent

From: Teresa Clark - Specification Analyst

Date: April 18, 2003

Subject: MWBE 0% Goal Request  
Golf Cart Leasing Services  
Bid # LC-N-7935-039-13608

Is this to establish a goal for advertisement? No

When is it scheduled to be advertised? April 25, 2003

When are bids due? May 15, 2003

Items or Scope of Bid:

Provide approximately 230 Golf Carts to four (4) golf courses. Included is delivery and all maintenance. All carts are electric and covered by 1 year warranty. Only four vendors could provide these services and only one vendor can provide these services 7 days per week.

The total dollar value is approximately \$900,000.00

I am requesting approval of 0 % goal.

Justification:

Previous contracts had 0% Goal. The carts are leased and will be rented to patrons of golf course and produce approximately \$1.5 million in revenue over the term of the contract. There are no MWBE that lease or rent golf carts.

Concur:

Deputy Assistant Director

Approved:

Contract Compliance Officer

Approved:

Calvin D. Wells  
City Purchasing Agent

Approved:

John DeLeon  
Director - Affirmative Action

O:/MWBE FORMS/zerogoal

Attachment to R.A.  
5/20/03

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Professional Engineering Services Contract between the City and Kellogg Brown & Root Services, Inc. for North Corridor Consolidation Plan, Package 2A. W.B.S. No. R-000536-0012-3.	Page 1 of 2	Agenda Item #
		4031

<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 1-10-08	<b>Agenda Date</b> <del>MAR 05 2008</del> MAR 12 2008
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<b>DIRECTOR'S SIGNATURE:</b> <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE	<b>Council District affected:</b> B
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<b>For additional information contact:</b> <i>Reid K. Mersny</i> Reid K. Mersny, P.E. Phone: (713) 837-0452 Senior Assistant Director	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION: (Summary)**  
Approve Engineering Services Contract with Kellogg Brown & Root Services, Inc. and appropriate funds.

**Amount and Source of Funding:**  
\$1,001,662.00 From Water and Sewer System Consolidated Construction Fund No. 8500 *Pay/Le 12/18/07*

**DESCRIPTION/SCOPE:** This project is part of the City's program to implement a consolidation plan for the wastewater treatment plant facilities located in the north central area. This project consists of the design of a 54-inch sanitary sewer beginning at the intersection of Aldine-Westfield Road and Rankin Road, then going south along Aldine-Westfield Road, then west along Hardy Airport Connector Corridor and ending near the HCFCD - Ditch No. P155-00-00.

**LOCATION:** The project area is generally bound by Rankin Road on the north, Greens Road on the south, Hardy Toll Road on the east and the George Bush Intercontinental Airport on the west. The project is located in Key Map Grids 373L and 373M.

**SCOPE OF CONTRACT AND FEE:** Under the scope of the Contract, the Consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on cost of time and materials with not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum amount after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$45,835.00. The total Basic Services appropriation is \$622,675.00.

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include surveying services, existing conditions survey and analyses, geotechnical investigations, environmental site assessments, tree protection plan, traffic control plans, storm water pollution prevention plans, reproduction services, drug testing and compliance and technical review committee meetings. The total Additional Services appropriation is \$287,927.00.

**REQUIRED AUTHORIZATION** CUIC# 20AKH10 NOT

<b>F&amp;A Budget:</b> <i>Paul SL</i>	<b>Other Authorization:</b> <i>Jeff Taylor</i> Jeff Taylor, Deputy Director Public Utilities Division	<b>Other Authorization:</b> <i>Daniel W. Krueger</i> Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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The total cost of this project is \$1,001,662.00 to be appropriated as follows: \$910,602.00 for Contract services and \$91,060.00 for project management.

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

	<u>Name of Firms</u>		<u>Work Description</u>		<u>Amount</u>	<u>% of Contract</u>
1.	Landtech Consultants, Inc.			Land Surveying Services	\$88,980.00	9.77%
2.	Aviles Engineering Corporation			Geotechnical Engineering Services	\$56,693.00	6.23%
3.	TLC Engineering, Inc.			Design Services	\$82,650.00	9.08%
4.	Gunda Corporation, Inc.			CAD Services	<u>\$77,915.00</u>	<u>8.55%</u>
				<b>TOTAL:</b>	<b>\$306,238.00</b>	<b>33.63%</b>



MSM:DWK:RKM:EN:AKH:pa

- c: Marty Stein  
Susan Bandy  
Velma Laws  
Michael Ho, P.E.  
Craig Foster  
File No. R-0536-12-2 (1.2)

