



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

APR 30 2008

COPY TO EACH MEMBER OF COUNCIL:
CITY SECRETARY: 4-16-08
COUNCIL MEMBER: LATE

April 16, 2008

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to City of Houston Code of Ordinances, Section 2- 361, I am nominating the following individual for appointment to the Houston READ Commission, subject to City Council confirmation:

Mr. Larry B. Bell, appointment to Position Nine, for a term to expire January 1, 2011.

Résumé of the nominee is attached for your review.

Sincerely,

Bill White
Mayor

BW:CC:jsk

Attachment

cc: Mr. Tracy Baskin, executive director, Houston READ Commission
Mr. Harrison Williams, chair, Houston READ Commission

RECEIVED
APR 16 2008
CITY SECRETARY



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

2

APR 30 2008

April 16, 2008

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to the City of Houston Mechanical Code, I am appointing or reappointing the following individuals to the Mechanical Code Review Board (formerly known as the Air Conditioning Board) for a two year term, subject to Council confirmation:

Mr. Richard W. Burr, reappointment to Position Three, for a term to expire January 2, 2009;
Mr. Ajay C. Shah, appointment to Position Four, for a term to expire January 2, 2010;
Mr. James R. "Dick" Graves, reappointment to Position Five, to serve as Chair, for a term to expire January 2, 2009; and
Mr. Levi Moss, Jr., reappointment to Position Six, for a term to expire January 2, 2010.

The résumés of the nominees are attached for your review.

Sincerely,

Bill White
Mayor

Attachments

cc: Mr. Richard W. Vrana, division manager, Mechanical Section
Mr. James R. Graves, chair, Mechanical Code Review Board

COPY TO REAPPOINTMENT COUNCIL:
CITY SECRETARY
COUNCIL MEMBER
DATE 4-16-08

RECEIVED
APR 16 2008
CITY SECRETARY

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Refunds to Water and Sewer Accounts	Category # 9	Page 1 of 1	Agenda Item # 3
FROM (Department or other point of origin): Michael S. Marcotte, P.E., DEE, Director Department of Public Works and Engineering	Origination Date: 4/24/08	Agenda Date: APR 30 2008	
DIRECTOR'S SIGNATURE <i>Michael S. Marcotte 4/21/08</i>	Council District affected: A		
For additional information contact: Karen Leback, Phone: 713-371-1136 <i>KFL</i>	Date and identification of prior authorizing Council action:		

RECOMMENDATION: (Summary)

That City Council approve the refund to Don Mathis.

Amount and Source of Funding:

\$99,000.00 Water and Sewer System Operating Fund (8300)

F&A Budget:

PLR 4/16/08

SOURCE OF FUNDING:

☐ General Fund

☐ Grant Fund

☒ Enterprise Fund

SPECIFIC EXPLANATION: City Council approval is requested on a refund in excess of \$50,000 on the following water/wastewater account. This account has been researched by Linebarger Goggan Blair & Sampson, LLP and no delinquent city taxes are owed.

Donald R. Mathis
1706 Maux

Account # 2643-1110-1127
Voucher Refund - \$99,000.00

Reason: Active Account – Overpayment on account # 4328-1796-7024

Don Mathis is requesting a voucher in the amount of \$99,000.00 for an accidental overpayment he made. Mr. Mathis mailed a check payable to Southwest Securities, which was processed through our automated payment processing system. Due to the high volume of checks received daily, we did not notice the mistake. Mr. Mathis contacted Utility Customer Service and requested a refund. The Cashier's section researched the payment and verified that the check was cashed by the City of Houston. Based on this information, we have determined the refund is valid and due to the customer.

c: Marty Stein
Susan Bandy
Karen F. Leback
Gary Norman

REQUIRED AUTHORIZATION

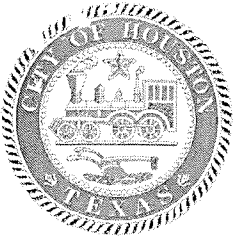
CUIC ID # 20KFL027

F&A Budget:

Other Authorization:

Susan Bandy
Susan Bandy, Deputy Director
PWE/Resource Management Division

Other Authorization:



CITY OF HOUSTON

Public Works and Engineering
Department

Interoffice

Correspondence

To: Gary Norman
Director's Office

From: Assistant Director
Utility Customer Service

Date: April 15, 2008

Subject: **REFUND VOUCHER: \$99,000.00**
Account Number: 4328-1796-7024

We are requesting City Council approval of a refund voucher for customer Donald Mathis in the amount of \$99,000.00. A payment was made in error to his granddaughter's water/wastewater account.

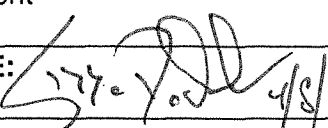
Mr. Mathis is requesting a voucher for the credit amount of \$99,000.00. He mailed a check to us made payable to Southwest Securities, which was processed through our automated payment processing system. This system is primarily automated and due to the large volume of checks that we receive daily, there was an oversight on this particular payment. The system scans and reads numerical characters in the check amount field instantly updating payments; however, there is no character recognition for the payee field.

Mr. Mathis contacted Utility Customer Service on April 8, 2008 to request a refund voucher for \$99,000.00. Jeffry Taylor, of the Cashier's section, spoke with Phyllis Wagner, City of Houston Chase Representative, and was informed that this check item has cleared the customer's bank account.


Karen F. Leback

KL: td

SUBJECT: Accept Work Parallax Builders, Inc. Renovation of Renwick Maintenance Facility WBS No. R-000268-0040-4	Page 1 of 1	Agenda Item 4
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FROM (Department or other point of origin): General Services Department	Origination Date 4-17-08	Agenda Date APR 30 2008
DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E.  4/8/08	Council District affected: C	
For additional information contact: Jacquelyn L. Nisby Phone: 713-247-1814	Date and identification of prior authorizing Council action: Ordinance 2006-612, dated 06/14/06	

RECOMMENDATION: Pass a motion approving the final contract amount of \$647,492.43, accept the work, and authorize final payment.

Amount and Source of Funding: No Additional Funding Required

Previous Funding:

\$721,000.00 Water & Sewer System Consolidated Construction Fund 755

Finance Budget:

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$647,492.43 or 2.06% over the original contract amount, accept the work and authorize final payment to Parallax Builders Inc. for construction services in connection with the renovation of the Renwick Maintenance Facility for the Department of Public Works and Engineering.

PROJECT LOCATION: 7101 Renwick (531J)

PROJECT DESCRIPTION: The project renovated the meeting room and assembly room including new air conditioning, lighting, acoustical ceilings, exit stairs, elevated corridor in the administration building, new exterior site lighting, and electrical connections to owner furnished emergency generator.

CONTRACT COMPLETION AND COST: The contractor completed the work within the contract time, plus 118 additional days allowed by approved Change Orders. The final cost of the project, including Change Orders 1-6 is \$647,492.43, an increase of \$13,059.43 over the original contract amount.

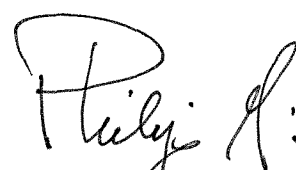

Bovay Engineers, Inc. was the project design consultant and construction manager.

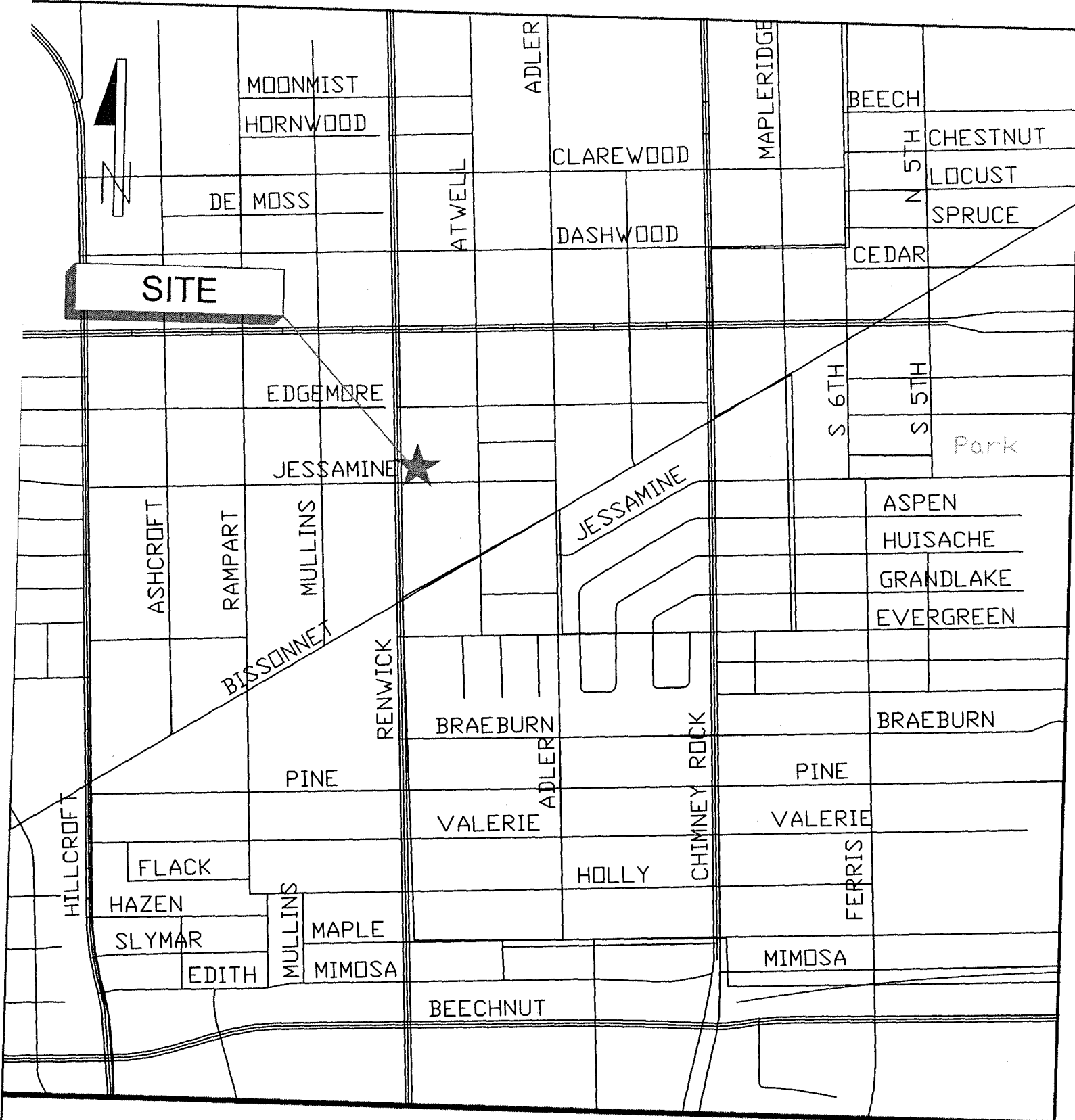
PREVIOUS CHANGE ORDERS: Approved Change Orders 1-6 added non-compensable time extensions, relocated condensing units, added fire protection strobes, and provided foundation and hook-up to accommodate the new emergency generator.

IZD:RUG:JLN:CRC:MCP:RJO:si

c: Marty Stein; Jacquelyn L. Nisby; Jeff Taylor; Joe Goodman; Velma Laws; Joseph Kurian; Gabriel Mussio;
Webb Mitchell; File 1108

NDT

REQUIRED AUTHORIZATION		CUIC ID # 25CONS06
General Services Department:  Phil Golembewski, P.E. Chief of Design & Construction Division	Other Authorization:	Public Works and Engineering Department:  4/8/08 Michael S. Marcotte, P.E. D.E.E. Director



RENOVATION OF RENWICK MAINTENANCE FACILITY
7101 RENWICK
HOUSTON, TX

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Chimney Rock Paving Project from Beltway 8 to W. Fuqua, WBS No. N-000665-0001-4.

Page
1 of 2

Agenda Item #

5

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

Agenda Date

APR 30 2008

DIRECTOR'S SIGNATURE:


Michael S. Marcotte, P.E., DEE

Council District affected:

D

For additional information contact:

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

Phone: (713) 837-7074

Date and identification of prior authorizing Council action:

Ord. #2005-448 dated 05/04/2005

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$3,436,847.68 which is 4.83% under the original Contract Amount, accept the Work and authorize final payment.

Amount and Source of Funding: No additional funding required.

Total Original appropriation of \$4,294,224.05 with \$3,895,632.92 from Series E Commercial Paper Metro Projects Fund, Fund No. 49M and \$398,591.13 from the Water and Sewer System Consolidated Construction Fund No. 755.

SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This project was part of the City's Capital Improvement Program (CIP) and was required to improve traffic flow and circulation in the area. This project was approved by the Metropolitan Transit Authority of Harris County for reimbursement of expenditures.

DESCRIPTION/SCOPE: This project consisted of an extension of Chimney Rock from Beltway 8 to West Fuqua. JNS Consulting Engineers designed the project with 320 days allowed for construction. The project was awarded to South Coast Construction, Inc. with an original Contract Amount of \$3,611,400.05.

LOCATION: The project area was along Chimney Rock from Beltway 8 to West Fuqua. The project is located in the Key Map grids 571-S and W.

CONTRACT COMPLETION AND COST: The Contractor, South Coast Construction, Inc. has completed the Work under the subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No.1 is \$3,436,847.68, a decrease of \$174,552.37 or 4.83% under the original Contract Amount.

The decreased cost is a result of differences between planned and measured quantities. This decrease is primarily due to underruns in Bid Item No. 16- Flexible Base Course 8-inch thick; Bid Item No. 60 – Temporary and Removable Reflectorized Pavement Marker, 4" Wide (White or Yellow); Bid Item No. 95 – 12-inch Ductile Iron Restrained Joint Section in 20-inch Dia. Steel Casing; Bid Item No. 100 – 12-inch Cylindrical Corrosion Barrier; Bid Item No. 101 - 12-inch Cylindrical Corrosion Barrier Fittings; Bid Item No. 114 – Remove and Replace Existing 6-inch Sanitary Sewer Service Line; Bid Item

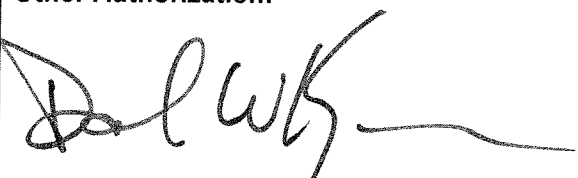
REQUIRED AUTHORIZATION

NOT CUIC ID# 20HA14

F & A Budget:

Other Authorization:

Other Authorization:


Daniel W. Krueger, P.E., Deputy Director
Engineering and Construction Division

Date:	SUBJECT: Accept Work for Chimney Rock Paving Project from Beltway 8 to W. Fuqua, WBS No. N-000665-0001-4.	Originator's Initials	Page 2 of 2
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No. 115 – Sanitary Sewer Service Stubs or Reconnection with Stack on 8-inch Diameter Main; Bid Item No. 116 - Sanitary Sewer Service Stubs or Reconnection without Stack on 8-inch Diameter Main; Bid Item No. 117 – Center a minimum 18-foot joint of 6” Sanitary Sewer Service Line, 150-psi, Lined Ductile Iron or PVC Pipe at Water Line, and Extra Unit Items, which were not necessary to complete the Work.

M/WBE PARTICIPATION: The M/WBE goal for this project was 17%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 15.67%. Contractor’s M/WBE performance evaluation was rated satisfactory.

[Handwritten signatures: DWK, JTL, PAK, JS]

MSM:DWK:JTL:PAK:JS:ha

S:\E&C Construction\South Sector\PROJECT FOLDER\N-0665-01-3-ChimneyRock\accept-Work-RCA.doc

cc: Michael Ho, P.E. Marty Stein Velma Laws Craig Foster Waynette Chan File No. SB9038/21.0

CONTRACT COMPLIANCE SECTION
MWDBE Participation Report
Justification for Satisfactory Rating

Project Closed Date	July 6, 2007
Project # or Description	Chimney Rock Paving: Beltway 8 to West Fuqua N-000665-0001-4. #C/4600004700
Prime Contractor	South Coast Construction, Inc.
Final Contract Amount	\$3,436,847.68
MWDBE Goal	17%
Goal Achieved	15.67%
Rating	Satisfactory

Summary of MWDBE Evaluation

RCA MWDBE's

B & D Maintenance
Bedo Construction Products, Inc.
El Dorado Paving Company, Inc.
Mickie Service Company, Inc.
Steel Effects
Traffic Maintenance & Construction, Inc.
Work Zone Products, Inc.

MWDBE Used

B & D Maintenance
Bedo Construction Products, Inc.
El Dorado Paving Company, Inc.
GMJ Paving Company General Partnerships
JMHP, Inc.
Mickie Service Company, Inc.
Perez Construction Company
Steel Effects
Traffic Maintenance & Construction, Inc.
Tricon Precast, Ltd.
Work Zone Products, Inc.

Explanation from Prime

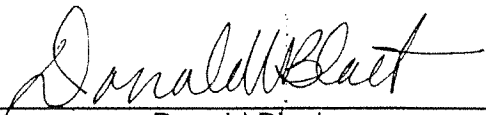
Per Bobby Boykin, Project Manager, they over-estimated some work, however they still achieved 15.67% by adding four (4) additional MBE's as a good faith effort.

Explanation from Subcontractor

Did not contact

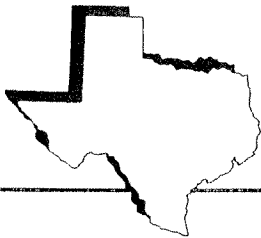
Final Comments

1. Prime achieved 15.67% of the 17%.
2. The shortage is only \$45,000.00
3. Prime added four more MWDBE's to meet the goal to demonstrate good faith effort.
4. Prime overestimated portion of the job that may affected reaching 17%
5. Recommend satisfactory rating based on the small amount of shortage in addition to the good faith efforts.



Donald Black
Contract Compliance Officer

Note: This form is used only when the Contractor failed to reach the MWDBE goal but you still give a Satisfactory rating.



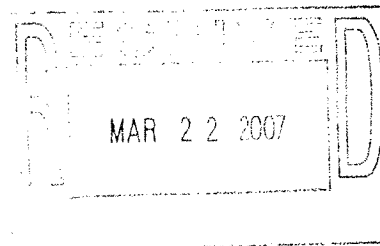
A

SOUTH COAST CONSTRUCTION, INC.

7840 West Little York Houston, TX 77040 Phone: 832-327-0350 Fax: 832-327-0337

March 20, 2007

Mr. Donald Black
City of Houston
Contract Compliance Division
611 Walker, 7th Floor
Houston, Texas 77002



RE: **MWDBE Goal**
Chimney Rock Reconstruction Project
GFS No. N-0665-01-3 (File No. SB9100)

Dear Mr. Black:

To follow up on our phone conversation on Thursday March 15th, we are in receipt of your letter dated March 6th and received in our office on Wednesday, March 14th. Your letter indicates our actual participation is 15.82%. Our Monthly Utilization Report shows 15.88, leaving a shortfall of 1.12%. Ms. Fran Sicola with our office will be getting with you to work out the difference in our reports.

The following items of work that were associated with MWDBE participation never reached estimated quantity.

- Remove existing concrete sidewalk and driveways
- Remove existing asphalt pavement
- Flexible Base
- Temporary detour asphalt
- 6" Concrete Curb
- 4.5" Concrete Sidewalk
- Cement Stabilized Backfill
- Excavation of drainage ditch
- Broken Concrete Rip-Rap

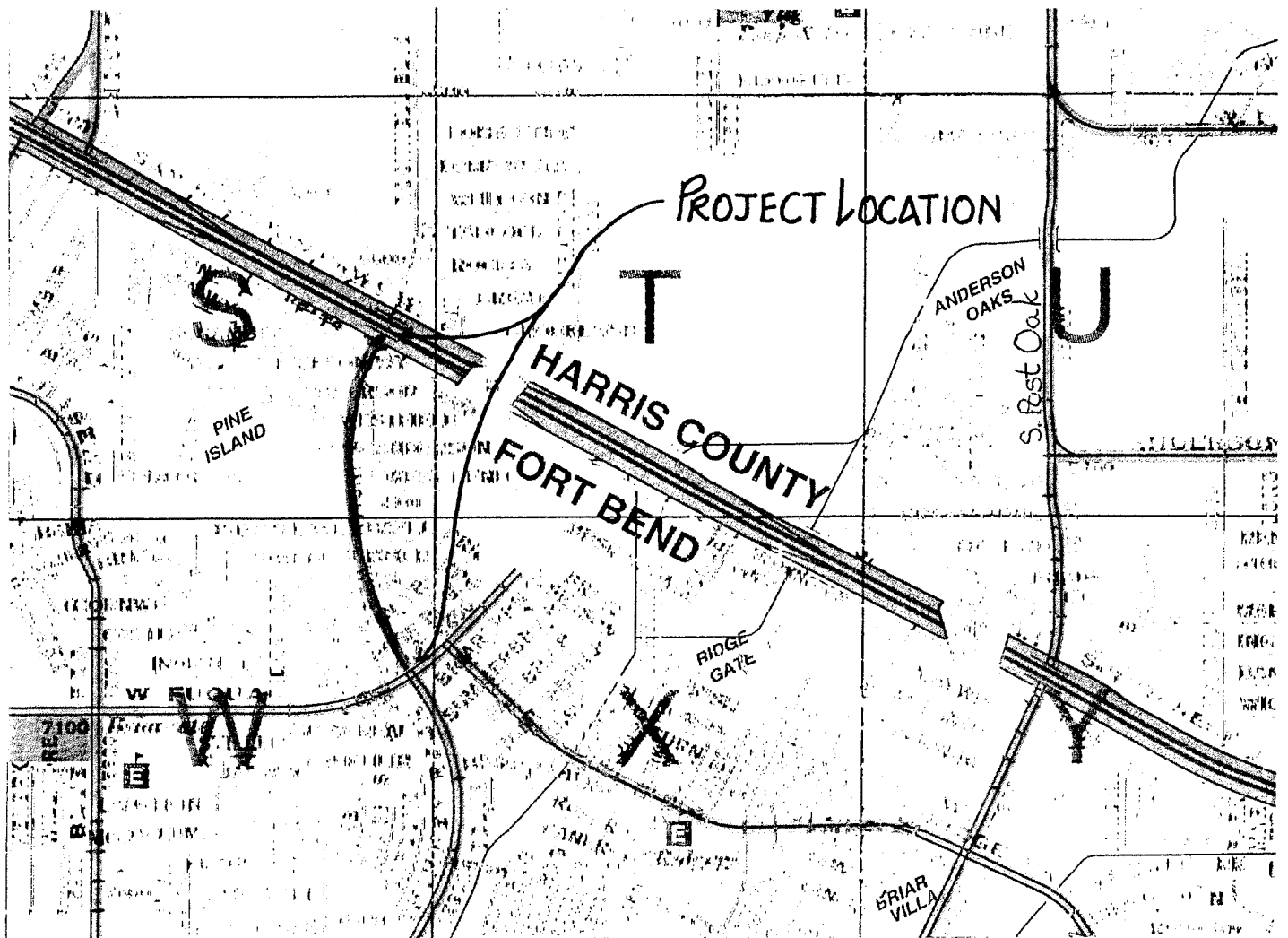
In an effort to meet our Goal, we added four MWDBE Firms to our original participation plan. These firms were GMJ Paving Co., JMHP, Inc., Perez Construction and Tricon Precast Ltd.

With the above mentioned, we hope that the City will find that a "Good Faith Effort" has been made by our firm.

Please feel free to give me a call if you have any questions.

Sincerely,

Bobby Boykin
Project Manager



SUBJECT: Accept Work for Kingwood Wastewater Treatment Plant Improvements. WBS. No. R-001000-0003-4.

Page
1 of 1

Agenda Item #

6

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination
Date
4/24/08

Agenda Date

APR 30 2008

DIRECTOR'S SIGNATURE:



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

For additional information contact:

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

Phone: (713) 837-7074

Council Districts affected:

E 

Date and Identification of prior authorizing Council Action:

Ord. #2005-699 dated 06/08/2005

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$3,376,868.70 or 1.18% under the original Contract Amount, accept the Work, and authorize final payment.

Amount and Source of Funding: No additional funding required.

Original appropriation of \$3,925,300.00 from Water and Sewer System Consolidated Construction Fund, Fund No. 755.

F&A Budget:

SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This project was part of the City's ongoing program for improvements to the major wastewater treatment plants.

DESCRIPTION/SCOPE: This project consisted of construction, replacement or rehabilitation of numerous components of the Kingwood Wastewater Treatment Plant. PBS&J, Inc. designed the project with 450 calendar days allowed for construction. The project was awarded to Greystar EIG, L.P. with an original Contract Amount of \$3,417,200.00.

LOCATION: The project area is located at 3928 Kingwood Drive. The project is located in Key Map Grid 337-F.

CONTRACT COMPLETION AND COST: The Contractor, Greystar EIG, L.P. has completed the Work under the subject contract. The project was completed beyond the established completion date and Liquidated Damages for 3 days in the amount of \$3,600.00 have been assessed and are reflected in final payment to the Contractor. The final cost of the project, including overrun and underrun of estimated bid quantities, previously approved Change Order No. 1, and Liquidated Damages is \$3,376,868.70, a decrease of \$40,331.30 or 1.18% under the original Contract Amount.

The decreased cost is primarily due to the Work not requiring use of most Extra Unit Price Items.

M/WBE PARTICIPATION: The M/WBE goal for this project was 17%. According to Affirmative Action and Contract Compliance Division, the actual participation was 16.21%. The Contractor achieved a "Satisfactory" rating for M/WBE Compliance.

MSM:JTL:CWS:GPW:mq

S:\E&C Construction\Facilities\Projects\R-1000-03-3 Kingwood WWTP\Closeout\RCA\RCA_CL-2.DOC

CC: Daniel W. Krueger, P.E.

Velma Laws

Michael Ho, P.E.

File No. S-001000-0003-4 - Closeout

REQUIRED AUTHORIZATION

CUIC ID# 20MZQ034

F&A Director:

Other Authorization:


Jeff Taylor, Deputy Director
Public Utilities Division

Other Authorization:


Daniel W. Krueger, P.E., Deputy Director
Engineering and Construction Division

Not

DEPARTMENT OF PUBLIC WORKS
AND ENGINEERING
ENGINEERING AND CONSTRUCTION DIVISION

KINGWOOD WASTEWATER TREATMENT
PLANT IMPROVEMENTS

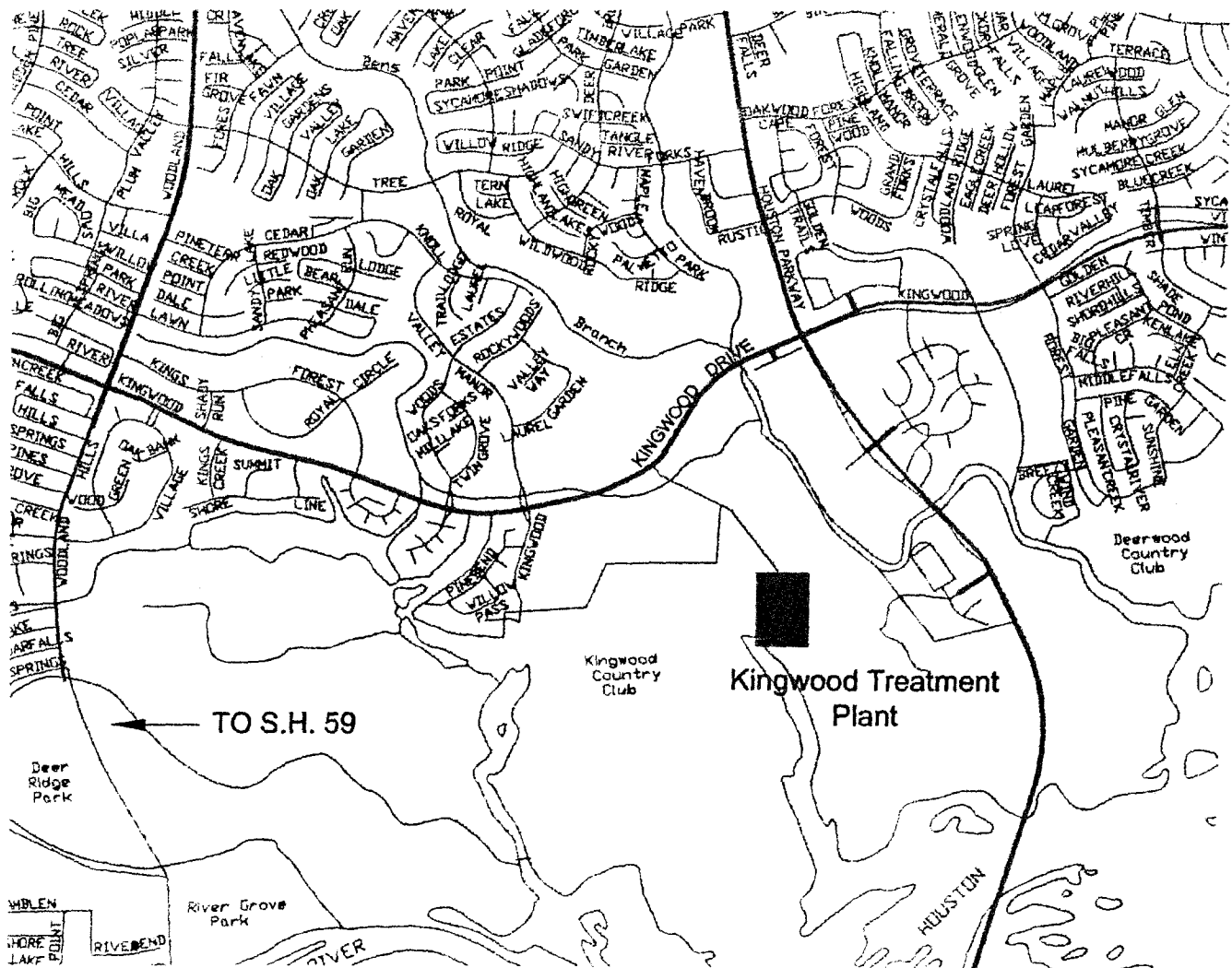
GFS NO. R-1000-03-3

FILE NO WW4864

VICINITY MAP

KEY MAP PG. 337

CITY COUNCIL DISTRICT E



SUBJECT: Accept Work for Water Line Replacement in the Gulf Meadows Subdivision; WBS No. S-000035-0081-4.

Category #7

Page
1 of 1

Agenda Item #

7

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination
Date

4/24/08

Agenda Date

APR 30 2008

DIRECTOR'S SIGNATURE:

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

For additional information contact:J. Timothy Lincoln, P.E.
Senior Assistant Director

Phone: (713) 837-7074

Council Districts affected:

E

Date and Identification of prior authorizing
Council Action:

Ord. #2003-356 dated 04/09/2003



RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$1,330,264.40 or 3.74% under the original Contract Amount, accept the Work, and authorize final payment.

Amount and Source of Funding: No additional funding required.

Original appropriation of \$1,620,800.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund, Fund No. 755.

F&A Budget:**SPECIFIC EXPLANATION:**

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

DESCRIPTION/SCOPE: The project consisted of construction of 4,319 linear feet of 12-inch, 28,508 linear feet of 8-inch, 70 linear feet of 6-inch, and 51 linear feet of 4-inch water lines with related appurtenances. Jaymark Engineering Corporation designed the project with 300 calendar days allowed for construction. The project was awarded to R. K. Wheaton, Inc. with an original Contract Amount of \$1,381,961.60.

LOCATION: The project area is generally bounded by Fuqua Street to the north, Lettie Avenue to the south, Monroe Road to the east, and Ballantine Street to the west. The project is located in Key Map grids 575-T, X, U, & Y.

CONTRACT COMPLETION AND COST: The Contractor, R. K. Wheaton, Inc. has completed the Work under the subject contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 1 is \$1,330,264.40, a decrease of \$51,697.20 or 3.74% under the original Contract Amount.

The decreased cost is primarily a result of an underrun in Base Unit Item No. 7 – 8-inch PVC Water Line in Augured Holes, Base Unit Item No. 29 – 8-inch Reinforced Concrete Pavement, Base Unit Item No. 30 – 6-inch Lime Stabilized Subgrade, and the Work not requiring most Extra Unit Price Items.

M/WBE PARTICIPATION: The M/WBE goal for this project was 17.00%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 24.97%. The Contractor received an "Outstanding" rating for the MWDDBE Compliance.

MSM:JTL:JAK:JEC:mq

S:\E&C Construction\South Sector\PROJECT FOLDER\S-000035-0081-4\23.0 Closeouts\RCA\RCA_CL-2.DOC

/c: Daniel W. Krueger, P.E.

Velma Laws

Michael Ho, P.E.


File No. S-000035-0081-4 - Closeout

REQUIRED AUTHORIZATION


CUIC ID# 20MZQ037

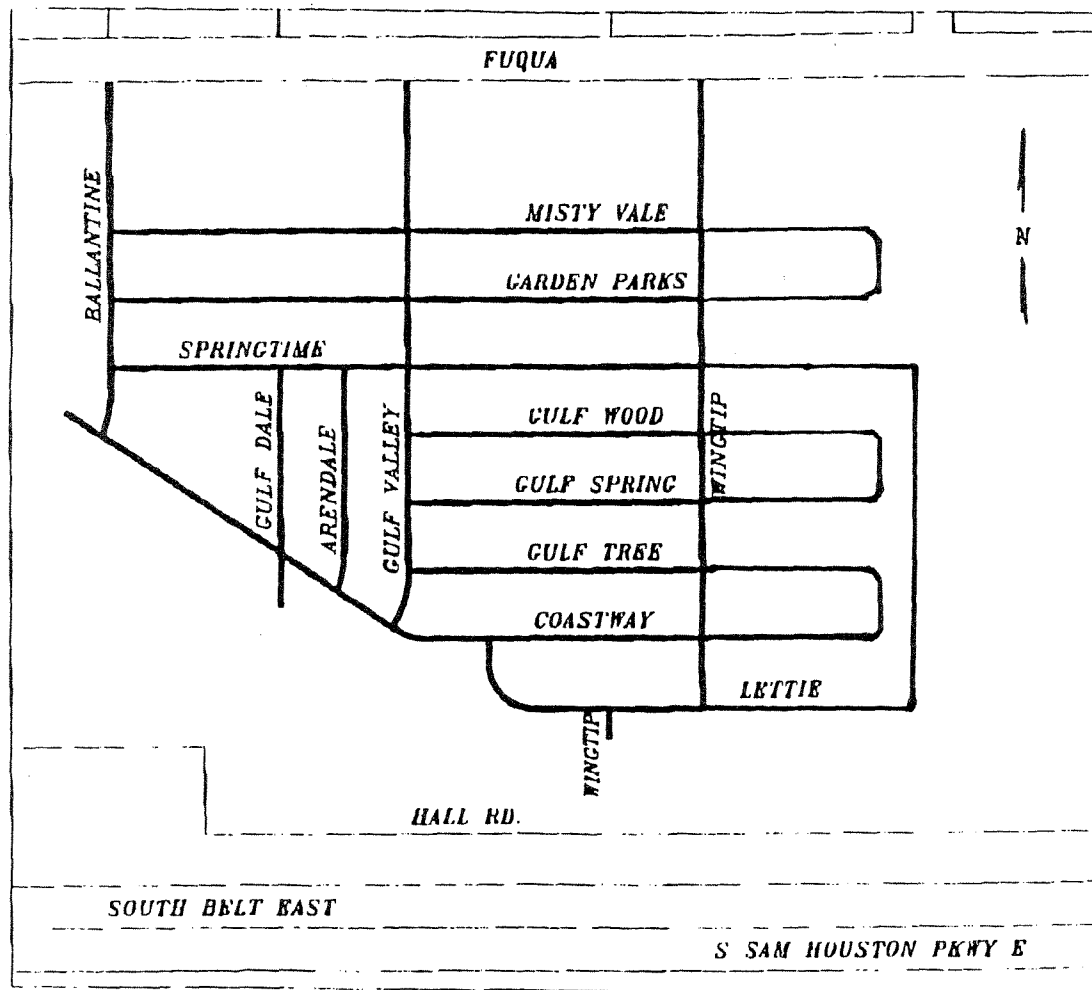
F&A Director:

Other Authorization:


Jeff Taylor, Deputy Director
Public Utilities Division

Other Authorization:


Daniel W. Krueger, P.E., Deputy Director
Engineering and Construction Division



VICINITY MAP

GULF MEADOWS SUBDIVISION

GFS NO. 0035-81-2 (FILE NO. WA10667)

DISTRICT E

SUBJECT: Accept Work for Rehabilitation of Existing Water Wells.
WBS. No. S-000200-0015-4.

Page
1 of 1

Agenda Item #

8

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination
Date

4/24/08

Agenda Date

APR 30 2008

DIRECTOR'S SIGNATURE:




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

Council Districts affected:

All

For additional information contact:

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


Phone: (713) 837-7074

Date and Identification of prior
authorizing Council Action:

Ord. #2005-560 Dated 05/04/2005

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$1,857,015.30 which is 0.16% under the original Contract Amount, accept the Work, and authorize final payment.

Amount and Source of Funding: No additional funding required.

Original appropriation of \$2,185,800.00 from Water and Sewer System Consolidated Construction Fund, Fund No. 755.

F&A Budget:

SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This project was part of the rehabilitation program to increase the production of existing wells and ensure compliance with the Texas Commission on Environmental Quality's (TCEQ) regulations.

DESCRIPTION/SCOPE: The project consisted of providing construction services associated with the rehabilitation program for existing water wells in the City of Houston. LBG Guyton Associates designed the project with 730 calendar days allowed for construction. The project was awarded to Alsay, Incorporated with an original Contract Amount of \$1,859,907.00.

LOCATION: The Project is located throughout the City.

CONTRACT COMPLETION AND COST: The Contractor, Alsay, Incorporated has completed the Work under the subject contract. The project was completed within the Contract Time with 75 additional days allowed by Change Order No. 1. The final cost of the project, including overrun and underrun of estimated bid quantities is \$1,857,015.30, a decrease of \$2,891.70 or 0.16% under the original Contract Amount.

The decreased cost is primarily due to the construction materials quantities not used.

M/WBE PARTICIPATION: The M/WBE goal for this project was 17%. According to Affirmative Action and Contract Compliance Division, the actual participation was 13.00%. The Contractor achieved a "Satisfactory" rating for M/WBE Compliance.

MSM:JTL:CWS:SMF:mq

S:\E&C Construction\Facilities\Projects\S-0200-15-3 Rehab Water Wells\Closeout\RCA\RCA_CL-2.DOC

C: Daniel W. Krueger, P.E.

Velma Laws

Michael Ho, P.E.

File No. S-000200-0015-4 - Closeout

REQUIRED AUTHORIZATION

NOT CUIC ID# 20MZQ033

F&A Director:

Other Authorization:


Jeff Taylor, Deputy Director
Public Utilities Division

Other Authorization:


Daniel W. Krueger, P.E., Deputy Director
Engineering and Construction Division

**ALSAY**
INCORPORATED

GROUNDWATER EXPLORATION & DEVELOPMENT

6615 GANT STREET
HOUSTON, TEXAS 77066
PHONE: 281-444-6960
FAX: 281-444-7081

November 6, 2007

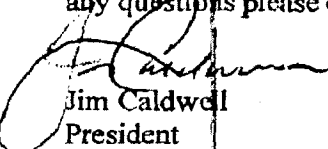
City of Houston
Affirmative Action and
Contract Compliance Division
P.O. Box 1562
Houston, Texas 77251-1562Attention: Siria Harbour, Contract Compliance Officer
Reference: Water #10562-04 – Rehabilitation of Existing Water Wells. S-0200-15-3
Contract Number: 4600004703

Ms. Harbour

I am in receipt of your letter dated November 2, 2007 in respect to the above referenced contract and our company Alsay Incorporated being short of the 17% participation goal. I would like to express our contract for the rehabilitation of existing water wells has approximately 308 bid items and only a selected few items are utilized by minority contractors that due that specific work. The problem with this particular contract is the lower dollar value and the items utilized are actually picked by the City of Houston Water Production Department to be completed. Alsay Incorporated does not have any choice to pick and choose the items to be utilized due to the magnitude of where the City chooses to spend the money or work on the water wells that required attention.

I would like to also request that you look into our past contracts with the City of Houston and see that Alsay Incorporated has an impeccable record with the Affirmative Action in meeting these goals and has always made a good faith effort to meet the requirements and will continue to do so. I hope our record on file shows are documented good faith efforts.

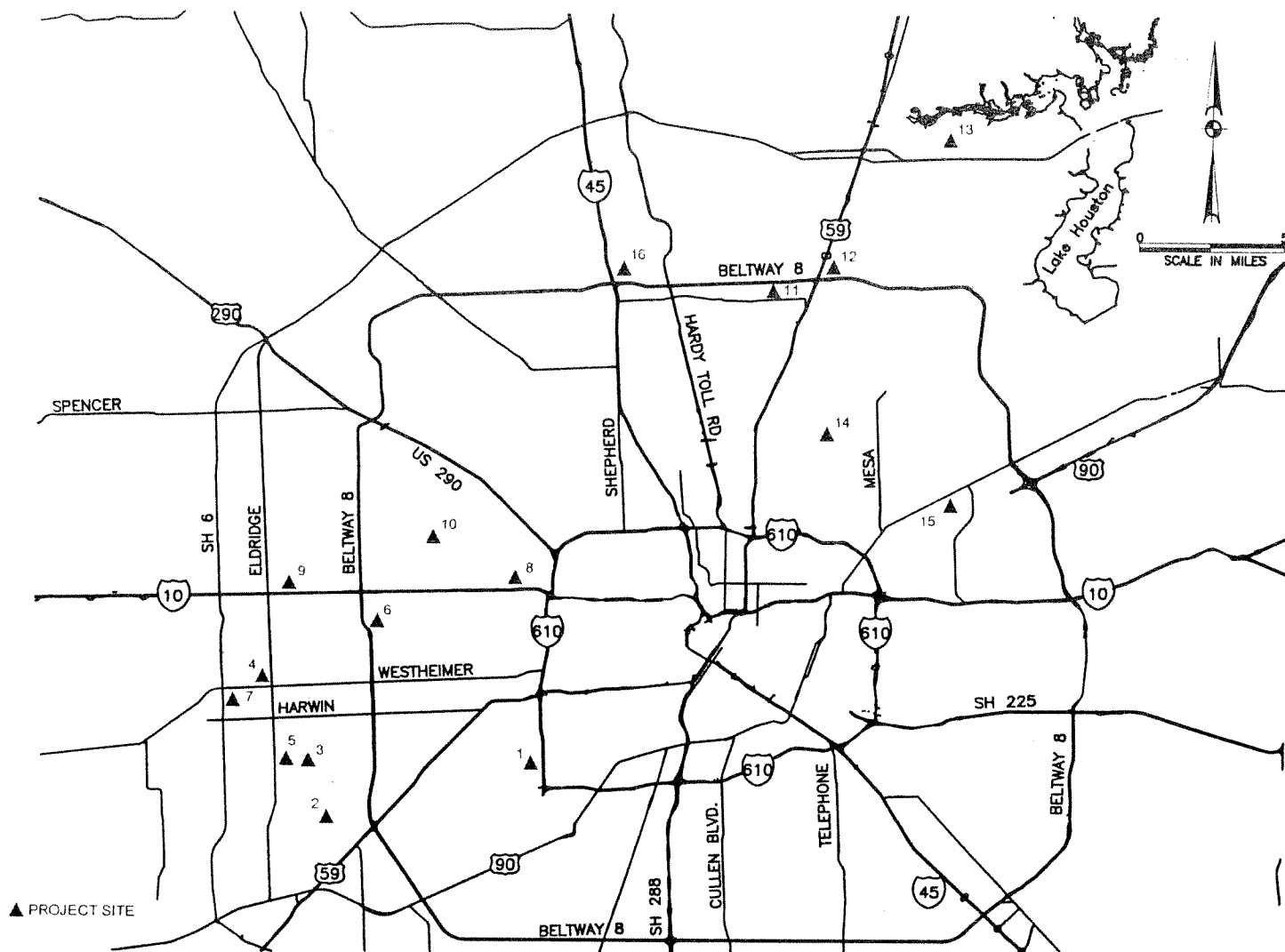
Alsay Incorporated appreciates the opportunity to be of service to the City of Houston, should you have any questions please call 281-444-6960.


Jim Caldwell
President

RECEIVED

NOV 11 9 00 AM

City of Houston
Affirmative Action






INDEX OF WELLS

W#	WELL NAME	ADDRESS	KEY MAP	W#	WELL NAME	ADDRESS	KEY MAP
1	DISTRICT 49 WELL 1	10902 MOONLIGHT	531P	9	KATY ADDICKS WELL NO 3	12600 OLD KATY ROAD	488D
2	DISTRICT 123 WELL 2	10103 BERRY LIMB	529T	10	SPRING BRANCH WELL 3	9531 KEMPWOOD	450K
3	BELLAIRE BRAES WELL 4	7803 S DAIRY ASHFORD	528M	11	DISTRICT 266 WELL	4950 AEROPARK DRIVE	374U
4	ROSEWOOD 1 WELL 3	12844 WESTHEIMER	488U	12	EASTEX OAKS 3 WELL 2	7018 NORTH BELT EAST	375T
5	DISTRICT 158 WELL 1	13411 CARVEL LANE	528L	13	BELLEAU WOODS WELL 2A	3422 WHITE DEER LANE	336Q
6	DISTRICT 107 WELL	14441 BRIAR HILLS	489M	14	DISTRICT 42 WELL 1	7334 BRETSHIRE	455A
7	DISTRICT 98 WELL	2656 WESTHOLLOW	428S	15	HUNTERWOOD WELL	6310 S. LAKE HOUSTON PKY	456R
8	AFTON VILLAGE WELL NO. 1	1109 ANTOINE	491B	16	NORTHGATE WELL NO. 1	11921 GREENSPPOINT	372V

LOCATION MAP
 REHABILITATION OF EXISTING WATER WELLS FY 2005
 GFS NO. S-0200-15-03
 FILE NO. 10562-4

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: PURCHASE of Parcel AY7-041, located in the 1000 block of Redhaw Street for the PARK ROW ROAD PAVING PROJECT (from State Highway 6 to Eldridge Parkway). WBS N-000723-0001-2 OWNER: Charles D. Yates, Trustee		Category #7	Page 1 of 1	Agenda Item # 9
FROM: (Department or other point of origin): Department of Public Works and Engineering		Origination Date 4/24/08		Agenda Date APR 30 2008
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE		Council District affected: A Key Map 488 B		
For additional information contact: Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director 		Date and identification of prior authorizing Council Action: Ordinance 2005-397, April 20, 2005		
RECOMMENDATION: (Summary) Authority be given through Council Motion to PURCHASE Parcel AY7-041				
Amount and Source of Funding: No additional funding required (covered under Blanket Appropriation Ordinance 2005-397 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 4506)			F&A Budget:	
SPECIFIC EXPLANATION: The PARK ROW ROAD PAVING PROJECT (from State Highway 6 to Eldridge Parkway) provides for the acquisition of land necessary for street improvements to extend Park Row from State Highway 6 to Eldridge Parkway in order to improve traffic flow in the service area. The parcel is located in the 1000 block of Redhaw Street. PURCHASE: The City desires to acquire 17,479 square feet of improved residential land. The City's offer was based on an appraisal by Gerald A. Teel, MAI, CRE, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows: LAND: Parcel AY7-041 (Easement) 17,479 square feet @ \$9.75.....\$170,420.00 (rounded) Title policy and services \$ 1,822.00 TOTAL AMOUNT\$172,242.00 It is recommended that authority be given through Council Motion to PURCHASE Parcel AY7-041, owned by Charles D. Yates, Trustee. The property is to be used as street right of way. This parcel contains 17,479 square feet of land situated in the Joel Wheaton Survey, Abstract 80, Harris County, Texas and being out of Lot 24, Block 2 of the Addicks Dam Subdivision according to the map or plat thereof, recorded in Volume 36, Page 15 of the Harris County Map Records, as conveyed to Charles D. Yates, Trustee in Harris County Clerk's File P016424 of the Official Public Records of Real Property, Harris County, Texas according to City of Houston field notes. MSM:NPC:hht cc: Marty Stein Tyler/AY7041RCA				
CUIC #20HHT185				
REQUIRED AUTHORIZATION				
F&A Director:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division		

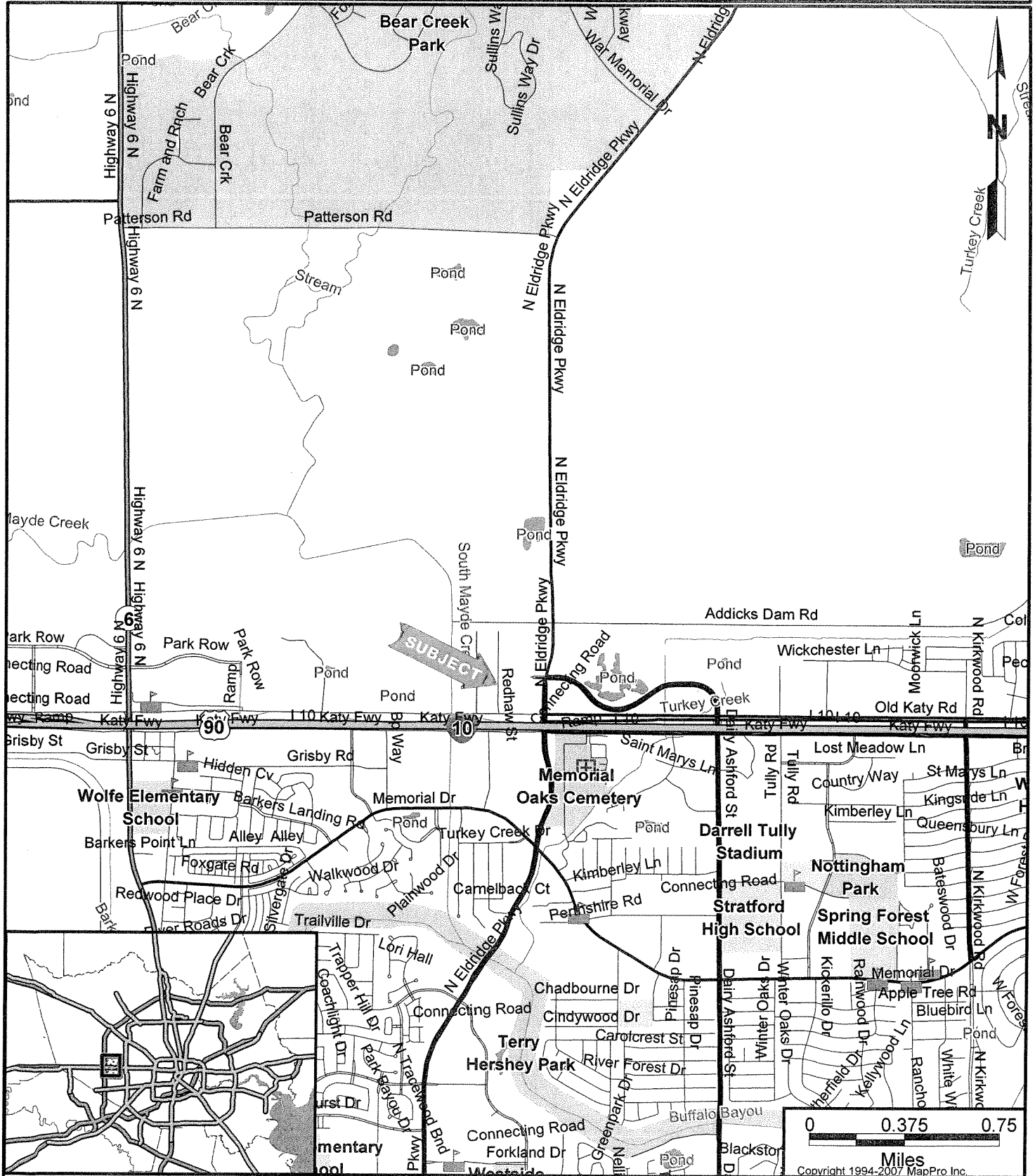
LOCATION MAP

Description: Park Row Road Paving Project (from State Highway 6 to Eldridge Parkway)

Parcel AY7-041, Located in the 1000 block of Redhaw Street

WBS N-000723-0001-2, Key Map 488 B, Council 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.

12/15/92 5:02
12/15/92 5:02

JOEL WHEATON SURVEY, A-80



SCALE 1"=50'



Blackhaw Street (60' ROW)

Centerline as staked and Defined by Texas P.L. Co.
(per record plat of Conoco, Inc. - Dairy Ashford)
Film Code No. 352114, H.C.M.R.

BLOCK 2

ADDICKS DAM SUBD.
VOL. 36, PG. 15
H.C.M.R.

Albert L. Richnow
and wife, Francis Richnow
Vol. 3201, Pg. 139
H.C.D.R.

Paul N. Cheatham
File No. G633151 LOT 9
Aug. 8, 1980

P.O.B., PARCEL 12
SET
X=3,040,395.76
Y=13,851,275.52
STA. 63+57.23,
60.00' LT.

PROPOSED R.O.W. LINE

LOT 8
Conoco, Inc.
File No. K284076
Sept. 12, 1985 FND. 5/8" IR
BEARS S 62° 26' 45" E, 0.32'
N 87° 32' 43" E
PROPOSED BASELINE
PROPOSED PARK ROW BLVD.
(R.O.W. VARIES)

N 87° 32' 43" E 185.49' SET

Charles D. Yates, Trustee
File No. P016424
Dec. 22, 1992

PROPOSED R.O.W. LINE

Joe L. Werner, Sr.
and wife,
Dorothy S. Werner
File No. P016424
Dec. 22, 1992

S 88° 37' 40" W 185.45'

LOT 25
John S. Ruby, and wife,
Blanca O. Ruby
File No. P842720
April 27, 1994

LOT 6

LOT 26

Redhaw Street (60' ROW)

Parcel 12
Sheet 4 of 4

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7896

Subject: Amend Council Motion No. 2007-0218, Passed 02/28/2007 to Purchase Additional Patrol Vehicles for the Houston Airport System S27-N22220-A3

Category #
4

Page 1 of 2

Agenda Item

10

FROM (Department or other point of origin):

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

Origination Date

April 21, 2008

Agenda Date

APR 30 2008

DIRECTOR'S SIGNATURE

Council District(s) affected
B, I

For additional information contact:

Richard Hrachovy Phone: (281) 230-8002
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

07-0218,2/28/07, 07-0781,7/18/07,& 08-0139,2/20/08

RECOMMENDATION: (Summary)

Amend Council Motion No. 2007-0218, passed February 28, 2007 to purchase additional patrol vehicles for a total increase of \$154,098.00 for the Houston Airport System.

Award Amount: \$154,098.00

F & A Budget

\$154,098.00 - HAS-AIF-Capital Outlay Fund (8012)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council amend Council Motion No. 2007-0218, passed February 28, 2007, and was subsequently amended by Council Motion No. 2007-0781, passed July 18, 2007, and Council Motion No. 2008-0139, passed February 20, 2008, to purchase six additional rear-wheel drive, full-size, 4-door patrol vehicles (Item No. 2) for a total increase of \$154,098.00 for the Houston Airport System, and that authorization be given to issue a purchase order to the awarded supplier, Philpot Motors, Ltd., d/b/a/ Philpot Ford. These vehicles will be used by Police Department officers patrolling areas at the George Bush Intercontinental and William P. Hobby Airports.

In January 2007, as a result of advertising this bid in accordance with the requirements of the State of Texas bid laws, bids were received from three vehicle suppliers. The bid document has a provision that allows the City to purchase additional patrol vehicles provided the awarded supplier agrees to honor the original bid price. Philpott Motors, Ltd., d/b/a/ Philpott Ford has agreed, in writing, to extend the price agreement and honor its original unit bid price of \$25,683.00 through the Manufacturer's 2008 Model Year final order due date, which is May 16, 2008.

These new patrol vehicles will meet the EPA's current emission standards for low emission vehicles. They will come with warranties of three years or 36,000 miles on the vehicle and 100,000 miles on the power train components. The life expectancy is seven years or 100,000 miles. As detailed in the Equipment Usage Summary on Page 2 of 2, these new patrol vehicles will replace existing units that have reached their useful life and will be sent to auction for disposition.

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

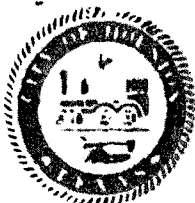
Date: 4/21/2008	Subject: Amend Council Motion No. 2007-0218, Passed 02/28/2007 to Purchase Additional Patrol Vehicles for the Houston Airport System S27-N22220-A3	Originator's Initials LB	Page 2 of 2
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Equipment Usage Summary

Requisition No.	Quantity	Equipment Replacement		
10050215	6	<u>Shop No.</u>	<u>Mileage</u>	<u>Age-Yrs.</u>
		27669	115,158	11
		27729	85,177	11
		27866	146,540	11
		28216	100,829	10
		28220	89,409	10
		28222	73,111	10

Buyer: Larry Benka

Attachment: Revised MWBE Zero Percentage Goal Document Approved by the Affirmative Action Division



CITY OF HOUSTON

Interoffice

Finance & Administration Department
Strategic Purchasing Division (SPD)

Correspondence

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

From: Conley Jackson

Date: 02-08-07

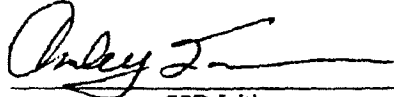
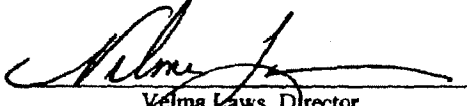
Subject: MWBE Participation Form


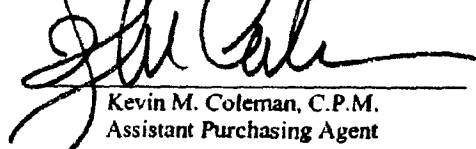
I am requesting a waiver of the MWBE Goal: Yes ☐ No ☐ Type of Solicitation: Bid ☒ Proposal ☐
I am requesting a MWBE goal below 11% (To be completed by SPD. and prior to advertisement): Yes ☐ No ☐
I am requesting a revision of the MWBE Goal: Yes ☒ No ☐ Original Goal: 4% New Goal: 0%
If requesting a revision, how many solicitations were received: 3
Solicitation Number: N22220 Estimated Dollar Amount: \$4,276,877.00
Anticipated Advertisement Date: 12/1/2006 Solicitation Due Date: 1/11/2007
Goal On Last Contract: 6% Was Goal met: Yes ☐ No ☒
If goal was not met, what did the vendor achieve: 0%
Name and Intent of this Solicitation:
Patrol Vehicles for Police and Fire Departments

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

Prime contractor made a good faith effort to obtain MWBE pricing but the certified MWBE contractor chose not to submit a price quote to the prime contractor. See the attached response from the prime contractor and MWBE sub-contractor.

Concurrence:


SPD Initiator

Velma Laws, Director
* Affirmative Action


Division Manager

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.

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





On behalf of Annise D. Parker, City Controller

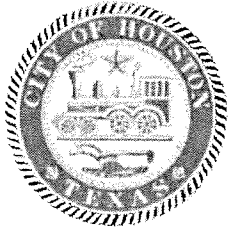
Notice
MARCH 2008 -
FEBRUARY 2009

File	Company Name/Address	Account No.	City Tax	County Tax	Years	Notes
65-7812-PHI	PHILPOTT MOTORS, LTD DBA PHILPOTT FORD/PHILPOTT TOYOTA 1400 US HYW 69 NEDERLAND, TX 77627	no del found				Addresses on file are 14450 WEST RD and 2503 FLETCHER ST
	SONIC AUTOMOTIVE OF NEVADA 3733 HOWARD HUGHES LAS VEGAS, NV	no del found				no account found

2

REQUEST FOR COUNCIL ACTION			
TO: Mayor via City Secretary		RCA# 7795	
Subject: Purchase of a Microsoft Enterprise License Agreement through the City's Master Agreement with the Texas Department of Information Resources (DIR) (Contract No. C56844)		Category # 4 & 5	Page 1 of 1 Agenda Item 11
FROM (Department or other point of origin): Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department		Origination Date April 24, 2008	Agenda Date APR 30 2008
MS  DIRECTOR'S SIGNATURE For additional information contact: Richard Hrachovy Phone: (281) 230-8002 Ray DuRousseau Phone: (713) 247-1735		Council District(s) affected B, E, I Date and Identification of prior authorizing Council Action:	
RECOMMENDATION: (Summary) Approve the purchase of a two-year Microsoft Enterprise license agreement in the total amount of \$939,928.00 through the City's Master Agreement with the Texas Department of Information Resources (DIR) for the Houston Airport System.			
Award Amount: \$939,928.00			F & A Budget
\$939,928.00 - HAS Revenue Fund (8001)			
SPECIFIC EXPLANATION: The City Purchasing Agent recommends that City Council approve the purchase of a two-year Microsoft Enterprise license agreement in the total amount of \$939,928.00 through the City's Master Agreement with the Texas Department of Information Resources (DIR) for the Houston Airport System and that authorization be given to issue a purchase order to DIR's Go Direct Vendor, SHI Government Solutions, Inc., a certified State of Texas Historically Underutilized Business. This purchase will allow the Department's Information Technology personnel to receive technical support, updates, and upgrades for Microsoft sequel server software and other applications such as Microsoft Windows and Microsoft Office. The Houston Airport System will participate in future negotiations between the Information Technology Department and Microsoft, Inc. to incorporate a citywide enterprise license agreement. The Houston Airport System's participation in the negotiations will increase the City's purchasing leverage. Under the terms of this agreement, the vendor will be required to provide: <ul style="list-style-type: none"> • Access to the latest version of Microsoft software including the Enterprise Platform. • 24 hours per day, 7 days a week telephone, Web, and e-mail support. Buyer: Murdock Smith III			
REQUIRED AUTHORIZATION			
F&A Director:		Other Authorization:	Other Authorization:

SUBJECT: An Ordinance relating to City of Houston Combined Utility System First Lien Revenue Refunding Bonds, Series 2004C-1, Series 2004C-2A, Series 2004C-2B and Series 2004C-2E (50%), authorizing agreements required to convert the Bonds from auction rate mode to term mode and other matters incident thereto.		Category #	Page 1 of <u>1</u>	Agenda Item # 12
FROM (Department or other point of origin): Finance Department and Office of City Controller		Origination Date: April 25, 2008		Agenda Date APR 30 2008
DIRECTOR'S SIGNATURE: 		Council District Affected: All		
For additional information contact: Charles Leal 713-837-9892 Jim Moncur 713-247-2950		Date and identification of prior authorizing Council action: 2004-299, April 20, 2004 2004-300, April 20, 2004		
RECOMMENDATION: Approve an Ordinance relating to City of Houston Combined Utility System First Lien Revenue Refunding Bonds, Series 2004C-1, Series 2004C-2A, Series 2004C-2B and Series 2004C-2E (50%); authorizing agreements required to convert the Bonds from auction rate mode to term mode, including remarketing agreements and bond counsel agreements and other matters incident thereto.				
Amount of Funding: Not Applicable			F&A Budget:	
Source of Funding: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify				
<u>SPECIFIC EXPLANATION:</u> In 2004 the City of Houston issued \$723.2 million in Adjustable Rate Revenue Refunding Bonds, Series 2004C ("the Series 2004C Bonds"), as Auction Rate Securities ("ARS"). As outlined in a memo to Fiscal Affairs dated February 29, 2008 (attached), the credit markets are in turmoil, and interest rates on the ARS are much higher than rates for other types of municipal bonds. The Finance Working Group ("FWG") recommends converting up to \$278 million of Series 2004C ARS Bonds to a term mode ("soft puts") to refund \$274.125 million of 2004C Bonds. The FWG recommends that the CUS Series 2004C Bonds be converted and sold through a negotiated remarketing with Goldman, Sachs & Co., acting as Senior Book Running Manager and Loop Capital Markets, LLC, Morgan Stanley and DEPFA First Albany Securities LLC serving as co Senior Managers. The FWG further recommends that Andrews Kurth LLP and Burney and Foreman act as co-bond counsel and Fulbright and Jaworski L.L.P. and Bates & Coleman, P.C., serve as co-disclosure counsel. The co-financial advisors will be Coastal Securities, Morgan Keegan & Co., and Estrada Hinojosa. This item was presented to the Budget and Fiscal Affairs Committee on February 29, 2008 and reported out favorably. The FWG will bring recommendations to refund the remaining Series 2004C auction bonds in the upcoming weeks. The Finance Working Group recommends approval of this item.				
REQUIRED AUTHORIZATION				
F&A Director:		Other Authorization:		Other Authorization:



CITY OF HOUSTON

Finance Department

Interoffice

Correspondence

To: Budget and Fiscal Affairs Committee

From: Michelle Mitchell, Director
Finance Department

A handwritten signature in dark ink, appearing to be "MM", is written over the printed name of Michelle Mitchell.

Date: February 29, 2008

Subject: Credit Market Overview

Given the recent events in the credit markets, this memo provides an update and overview of the credit markets and how recent events have impacted portions of the City debt. While the credit markets have experienced turmoil over the past year, this memo will focus on one segment (Auction Rate Securities) that has been especially volatile and how it affects the City. Refer to Exhibit 1 for a summary of the City's various Auction Rate Securities ("ARS"). Even though the City's financial performance (both General Fund and Enterprise Funds) has been improving over the past few years, current market conditions have created a challenge in the ARS segment, which has necessitated consideration of a number of corrective actions to be discussed later in this memo.

Background

In the spring of 2007, the credit markets were roiled with the news of the Sub Prime Mortgage issue (more broadly referred to as Collateralized Debt Obligations or "CDO's"). These events resulted in the re-evaluation of securitized mortgages and CDO's in light of their changing credit worthiness. Higher interest rates and the reset mechanisms contained in many of these Sub Prime loans has led to higher interest rate resets for the mortgage holder and the prospect of higher than anticipated default rates on the underlying mortgages. Weak underwriting standards and credit concerns also became an issue. This caused a downward re-evaluation of the value of these widely held securities. Many leading financial institutions were forced to revalue these securities at a loss and subsequently forced to recapitalize their balance sheets to offset the losses as these securities were marked to market. Investment Banking firms faced capitalization issues as a direct result of the re-pricing of these Sub Prime Mortgages and CDO's. Banks and other financial institutions face similar challenges.

More recently, most monoline insurers (Exhibit 2) have been negatively impacted. The drop in value of Sub Prime Mortgages and CDO's, which are backed in part by some of these monoline insurers, has resulted in downward ratings pressure on these insurers, as the failure of these securities might require the monoline insurers to cover these potential losses and increase reserves now to cover such anticipated claims.

Issuers like the City of Houston have used these monoline insurers to enhance the rating on long-term bonds, in addition to supporting other securities such as ARS. These problems with the monoline insurers translate into uncertainty, a lack of liquidity, and higher costs. This has made it more difficult for issuers, like the City of Houston, to benefit from, and remain with, certain financial products.

City Debt Profile

The City utilizes a variety of debt structures and maturities as noted below:

- Short Term Debt such as TRANS and Commercial Paper Facilities
- Long Term Bonds
 1. Fixed Rate
 2. Variable Rate Demand Bonds (VRDB's)
 3. Auction Rate Securities (ARS)

The vast majority of the City's debt is issued at fixed rates, which means once the rate is set, it does not change, which could be 20 to 30 years. There has been no impact to the City's existing fixed rate debt. While the above segments are performing reasonably well, ARS are not. Given the rate differential illustrated in Exhibit 3, the City is pursuing alternatives to ARS, which are discussed in greater detail below.

ARS Background

The ARS structure was first introduced in 1984 and involves securities whose rate of interest is reset periodically and that have long-term maturities. The interest rate is reset through a Dutch Auction process usually at intervals of 7, 28 or 35 days. They trade at par and are callable at par on any interest payment date at the option of the issuer. Although ARS are issued and rated as long term bonds, they are priced and traded as short term instruments because of the interest rate reset mechanism and the willingness, historically, on the part of the broker dealers to provide clearing bids so as to maintain an orderly market, ensure the success of each auction and provide liquidity to investors who may have wished to sell. The success of the ARS market, which now stands at about \$328 billion, can largely be attributed to the fact that investors were attracted by the incremental yields offered by these instruments which had come to be viewed as money market obligations.

Over the last few years the number and profile of investors in ARS have been undergoing some change, shifting to retail and high net worth investors. This development accelerated in light of the market turmoil that began last summer when volatility, illiquidity and "spread-widening" impacted the money markets, contributing to supply-demand imbalances in the ARS market. At that time, the market recorded its first spike in the number of failed auctions (not enough bids to buy the ARS). Whereas only 13 failed auctions, largely linked to credit events, were recorded during the entire period between 1984 and 2006, 31 failed auctions were believed to have occurred during the third and fourth quarters of last year. As investor sentiment turned more cautious, additional auction failures were being reported and a total of 32 failed auctions were reported during the two-week period starting at the end of January. More recently, failed auctions have

become widespread and common. The rise in auction failures follows from the banks' decreased willingness to provide market liquidity support, as they have no obligation to do so.

Features: ARS vs. VRDB

Feature	ARS	VRDB
Long Term Maturity	Yes	Yes
Interest Rate Reset	7, 28 or 35 days	7, 28 or 35 days
Short Rate/Long Rate	Short	Short
Puttable by bond investor	No	Yes
Liquidity Provider	No	Yes

The crucial issue that is highlighted above between the ARS and the VRDB's is the ability of the holder of the security to "put" their bonds. A holder of an ARS must hold their bonds until maturity unless a buyer can be found, while a holder of a VRDB has the option to put their bonds on any auction day.

Alternatives

1. Status Quo

If the City chooses to maintain the status quo the rate on the ARS securities will likely remain high and interest expenses will significantly exceed budgets.

2. Convert or Refund to VRDB

If the City chooses to either refund or convert to VRDB's, the interest rate paid by the City on this debt should return to normal levels as evidenced by Exhibit 3. In situations where the City has hedged debt (swaps), the preference will be to use VRDB's. The monoline insurer will need to be terminated on the current ARS and replaced by higher rated banks with letters of credit (LOC).

3. Convert or Refund to "Puts"

In some instances, the better option would be to convert or refund the current ARS securities to "puts." By converting to a put structure, the City could effectively lock in a fixed rate for a predetermined number of years (likely 2 to 5 years). This enables the City to lock in a rate for an intermediate period of time and get out of the current short-term resets. As the put date approaches, the City can review the options at that time, with the expectation that the markets will have stabilized. A benefit of this option is the ability to keep the insurer in place, and provide additional time for the insurer to stabilize as well.

4. Fix Out

The City could also choose to "fix out" the debt. Under this option, the City would refund the current Auction Rate debt to long-term debt with fixed rates. A benefit of this option is the debt will be set at a fixed rate and will remove interest rate uncertainty. The downside is that interest rates may be higher than the VRDB option, but lower than the ARS. Additionally, fixed rates could likely be higher than normal because the cost of insurance by the few remaining, active monoline insurers has increased dramatically and because of the current uncertain market conditions. The debt could also be issued uninsured, if that is more economically beneficial to the City. Finally, a number of other entities (cities, counties, hospital districts, etc.) are in the same situation as the City. Consequently, the long-term market could soon be saturated with a number of new issues, which could push rates higher.

Recommendation

The City must address these issues and uncertainty in the ARS segment. The status quo option is unacceptable in most instances because the prospect of the ARS market correcting itself in the near term is unrealistic. The difficulty with the monoline insurers further compounds the problem. Each situation will be evaluated and recommendations will be made that are unique to the facts and issues pertaining to the specific debt.

Over the next few weeks, a number of RCA's will be forthcoming specifying a recommended solution for each individual situation.

EXHIBIT 1

City of Houston Short Term Portfolio

INDEX

1 Mo Libor 3.12000% 2/26/08

City of Houston Combined Utility System

CUSIP	Maturity	Series	Type	Lead Underwriter	Issue Size (000s)	Outstanding (000s)	Insurer	Underlying Rating Moody's/S&P/Fitch	Index	Failed Auction Rate Multiple ⁴	Index Rate	Failed Rate ⁴	Maximum Rate	Current Rating of Insurer as of 2/25/08
Series 2004B * - Tax-Exempt Auction Rate Securities														
442435BH5	5/15/2034	B-1	ARS	Bear Stearns	\$75,000	\$75,000	XLCA	A2 / A+ / A	1 Mo Libor	250%	3.12000%	7.8000%	10%	A3/A-/A
442435BJ1	5/16/2034	B-2	ARS	Bear Stearns	\$75,000	\$75,000	XLCA	A2 / A+ / A	1 Mo Libor	250%	3.12000%	7.8000%	10%	
442435BK8	5/17/2034	B-3	ARS	Bear Stearns	\$67,775	\$67,775	XLCA	A2 / A+ / A	1 Mo Libor	250%	3.12000%	7.8000%	10%	
					Total	\$217,775								
442435CC5	5/18/2034	B-4	ARS	Goldman Sachs	\$75,000	\$75,000	XLCA	A2 / A+ / A	1 Mo Libor	250%	3.12000%	7.8000%	10%	
442435CD3	5/19/2034	B-5	ARS	Goldman Sachs	\$75,000	\$75,000	XLCA	A2 / A+ / A	1 Mo Libor	250%	3.12000%	7.8000%	10%	
442435CE1	5/20/2034	B-6	ARS	Goldman Sachs	\$67,775	\$67,775	XLCA	A2 / A+ / A	1 Mo Libor	250%	3.12000%	7.8000%	10%	
					Total	\$217,775								
442435BZ5	5/21/2034	B-7	ARS	UBS	\$75,000	\$75,000	XLCA	A2 / A+ / A	1 Mo Libor	250%	3.12000%	7.8000%	10%	
442435CA9	5/22/2034	B-8	ARS	UBS	\$75,000	\$75,000	XLCA	A2 / A+ / A	1 Mo Libor	250%	3.12000%	7.8000%	10%	
442435CB7	5/23/2034	B-9	ARS	UBS	\$67,775	\$67,775	XLCA	A2 / A+ / A	1 Mo Libor	250%	3.12000%	7.8000%	10%	
					Total	\$217,775								
					Overall Total	\$653,325								
Series 2004C ** - Tax-Exempt Auction Rate Securities														
442435BQ5	5/19/2034	C-1	ARS	JPMorgan	\$25,050	\$25,050	AMBAC	A2 / A+ / A	1 Mo Libor	200%	3.12000%	6.2400%	10%	Aaa/AAA/AA
442435BR3	5/20/2034	C-2A	ARS	JPMorgan	\$100,000	\$100,000	AMBAC	A2 / A+ / A	1 Mo Libor	200%	3.12000%	6.2400%	10%	
442435BS1	5/21/2034	C-2B	ARS	JPMorgan	\$100,000	\$100,000	AMBAC	A2 / A+ / A	1 Mo Libor	200%	3.12000%	6.2400%	10%	
442435BT9	5/22/2034	C-2C	ARS	JPMorgan	\$100,000	\$100,000	AMBAC	A2 / A+ / A	1 Mo Libor	200%	3.12000%	6.2400%	10%	
442435BV4	5/23/2034	C-2D	ARS	Lehman	\$100,000	\$100,000	AMBAC	A2 / A+ / A	1 Mo Libor	200%	3.12000%	6.2400%	10%	
442435BW2	5/24/2034	C-2E	ARS	Lehman	\$98,150	\$98,150	AMBAC	A2 / A+ / A	1 Mo Libor	200%	3.12000%	6.2400%	10%	
					JP Total	\$325,050								
					Lehman Total	\$198,150								
					Overall Total	\$523,200								
Series 2004C - Taxable Auction Rate Securities														
442435BX0	5/25/2034	C-3	ARS	Lehman	\$23,100	\$23,100	AMBAC	A2 / A+ / A	1 Mo Libor	235%	3.12000%	7.3320%	10%	Aaa/AAA/AA
442435BU6	5/26/2034	C-4	ARS	JPMorgan	\$48,425	\$48,425	AMBAC	A2 / A+ / A	1 Mo Libor	235%	3.12000%	7.3320%	10%	
442435BY8	5/27/2034	C-5	ARS	Lehman	\$128,900	\$128,900	AMBAC	A2 / A+ / A	1 Mo Libor	235%	3.12000%	7.3320%	10%	
					JP Total	\$48,425								
					Lehman Total	\$152,000								
					Overall Total	\$200,425								

* On June 10, 2004 the 2004B were swapped as follows: Goldman Sachs \$353,325 million, Bear Stearns \$150 million and UBS AG \$150 million.

** On November 1, 2005 the 2004C were swapped in the amount of \$249.1 million on a floating to fixed basis with Royal Bank of Canada.

** On August 31, 2006, the 2004C were swapped with a Constant Maturity Swap with Goldman Sachs Capital Markets in the amount of \$249.1 million

EXHIBIT 1

City of Houston Convention Center and Entertainment

CUSIP	Maturity	Series	Type	Lead Underwriter	Issue Size (000s)	Outstanding (000s)	Insurer	Underlying Rating Moody's/S&P/Fitch	Index	Failed Auction Rate Multiple ⁴	Index Rate	Failed Rate ⁴	Maximum Rate	Current Rating of Insurer as of 2/25/08
Series 2001C - Revenue Adjustable Rate Bonds (Convention Center)														
44237NDA7	6/30/2034	2001C	ARS	UBS	\$75,000	\$75,000	AMBAC	A3 / A- / NR	Footnote 1	175% ³	1.95000%	3.4125%	10%	Aaa/AAA/AA
Series 2001C- Revenue Adjustable Rate Bonds (Hotel)														
44237NDB5	6/30/2034	2001C-2	ARS	UBS	\$75,000	\$75,000	AMBAC	A3 / A- / NR	Footnote 1	175% ³	1.95000%	3.4125%	10%	Aaa/AAA/AA
					UBS Total	\$150,000								

City of Houston Airport

CUSIP	Maturity	Series	Type	Lead Underwriter	Issue Size (000s)	Outstanding (000s)	Insurer	Underlying Rating Moody's/S&P/Fitch	Index	Failed Auction Rate Multiple ⁴	Index Rate	Failed Rate ⁴	Maximum Rate	Current Rating of Insurer as of 2/25/08
Series 2000P - Auction Rate														
442348L22	7/1/2030	2000P-1	ARS	Goldman Sachs	\$50,000	\$47,450	FSA	A1 / A+ / AAA	Footnote 2	125%	3.00000%	3.7500%	15%	Aaa/AAA/AA
442348L48	7/1/2030	2001P-2	ARS	Goldman Sachs	\$50,000	\$47,225	FSA	A1 / A+ / AAA	Footnote 2	125% +10bp	3.00000%	3.8500%	15%	Aaa/AAA/AA
					Sub-Total	\$94,675								
Series 2002 - Auction Rate														
442348V96	7/1/2032	C	ARS	JPMorgan	\$100,000	\$100,000	XLCA	A1 / A+ / A+	1 Mo Libor	200%	3.12000%	6.2400%	10%	A3/A-/A
					Sub-Total	\$100,000								
442348W20	7/1/2032	D-1	ARS	Bear Stearns	\$75,000	\$75,000	XLCA	A1 / A+ / A+	1 Mo Libor	200%	3.12000%	6.2400%	10%	↓
442348W38	7/1/2032	D-2	ARS	Bear Stearns	\$75,000	\$75,000	XLCA	A1 / A+ / A+	1 Mo Libor	200%	3.12000%	6.2400%	10%	
					Sub-Total	\$150,000								
442348X29	7/1/2030	A	VRDB	Citigroup	\$92,900	\$92,900	FSA	A1 / A+ / A+	1 Mo Libor	200%	3.12000%	6.2400%	10%	Aaa/AAA/AA
					Sub-Total	\$92,900								
					Total	\$437,575								

¹ Kenny or after tax equivalent rate, which is the product of AA Financial CP Rate and (1-Statutory Corporate Tax Rate) 1.95%

² 7-day AA Composite CP Rate 3.00%

³ Maximum Rate is 175% of higher index

⁴ Auction Failed Rates are contingent on underlying rating of issuer. These percentages reflect rates at current rating

Insurance Exposure		
Insurer	Outstanding	% Total
FSA	\$187,575	9.55%
XLCA	\$903,325	45.98%
AMBAC	\$873,625	44.47%
MBIA		
FGIC		
CIFG		
	\$1,964,525	100.00%

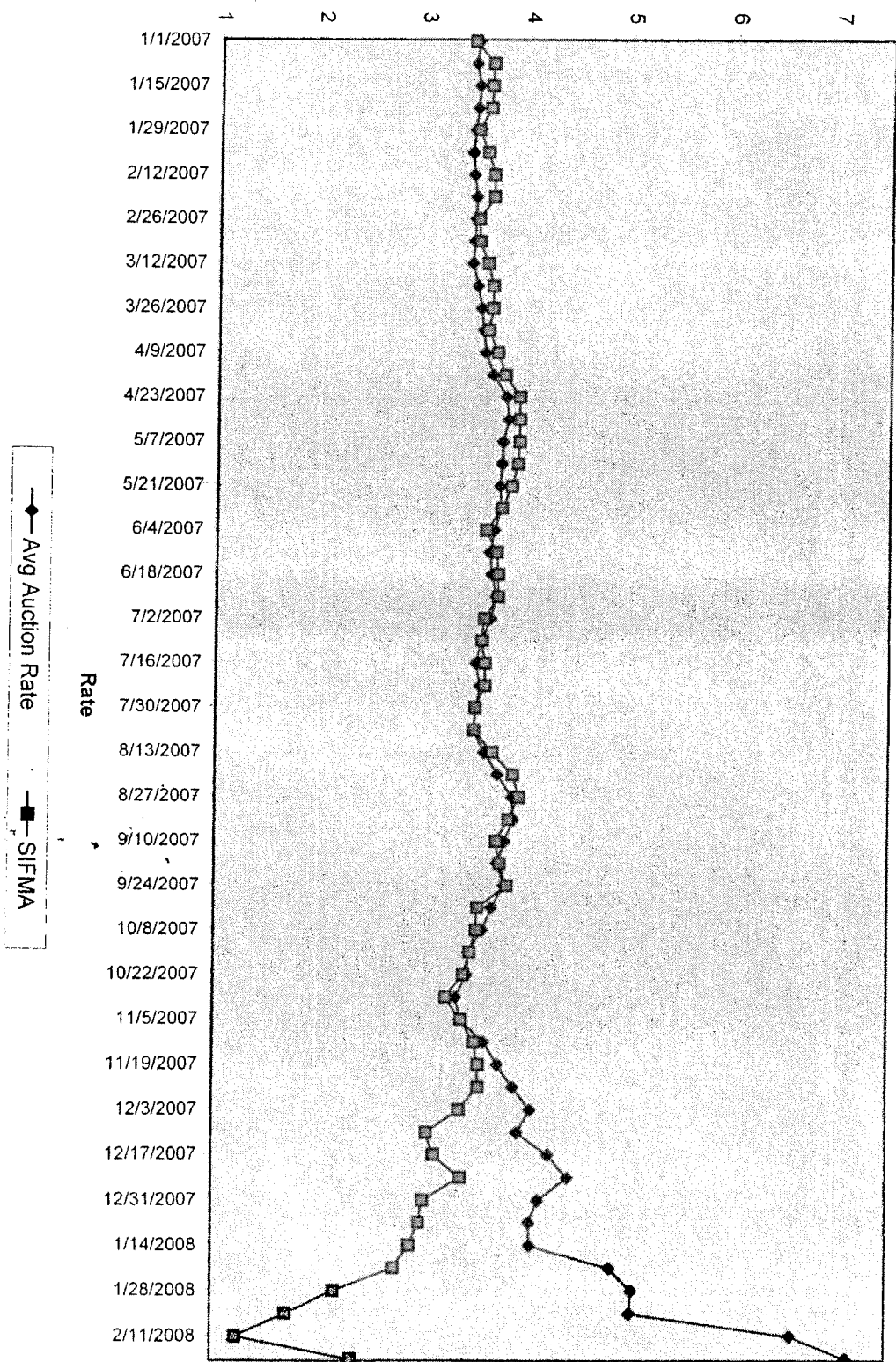
EXHIBIT 2

Bond Insurers Ratings Summary

Rating Agency Outlook (As of 2/25/2008)			
	Moody's	S&P	Fitch
	Aaa	AAA	AA
Ambac	Review for Downgrade	Creditwatch: Negative Implications	Rating Watch Negative
	1/17/2008	2/25/2008	1/18/2008
	Aaa	AAA	AAA
Assured Guaranty	Stable Outlook	Stable Outlook	Stable Outlook
	12/14/2007	2/25/2008	12/12/2007
	Aaa	AAA	AAA
CIFG	Negative Outlook	Negative Outlook	Rating Watch Negative
	12/14/2007	2/25/2008	2/5/2008
	A3	A	AA
FGIC	Review for Downgrade	Creditwatch: Developing Implications	Rating Watch Negative
	2/14/2008	2/25/2008	1/30/2008
	Aaa	AAA	AAA
MBIA	Review for Downgrade	Negative Outlook	Review for Downgrade
	1/17/2008	2/25/2008	2/5/2008
	A3	A-	A
Security Capital Assurance (XL)	Negative Outlook	Creditwatch: Negative Implications	Rating Watch Negative
	2/7/2008	2/25/2008	1/24/2008
	Aaa	AAA	AAA
FSA	Stable	Stable	Stable
	12/14/2007	2/25/2008	12/17/2007

EXHIBIT 3

Houston Combined Utility Average Tax-Exempt Auction Rate Vs SIFMA Index



REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance amending Sections 21-161, 21-164 and 21-166 of Division 2 of Chapter 21 of the Code of Ordinance, Houston, Texas, relating to registration of air pollution sources		Page 1 of	Agenda Item # 13
FROM (Department or other point of origin): Mayor's Office of Health and Environmental Policy		Origination Date: April 23, 2008	Agenda Date: APR 30 2008
DIRECTOR'S SIGNATURE: <i>Elena Marks</i> Elena Marks, Director		Council District affected: All	
For additional information contact: Elena Marks 832 393 1081		Date and identification of prior authorizing Council action: Ord. No. 2007-208, Feb. 14, 2007	
RECOMMENDATION: Adopt Ordinance amending Section 21-164, 21-164 and 21-166 of Division 2 of Chapter 21 of the Code of Ordinances, Houston, Texas, relating to registration of air pollution sources			
Amount and source of funding: not applicable			Finance Dept.
EXPLANATION: <p>Chapter 21, Division 2 of the Code of Ordinances currently sets out the registration requirements and fees for various sources of air pollution emissions. The monies paid by the emission sources are used to support the operations of the Health and Human Services Department's Bureau of Air Quality Control (BAQC), which monitors, inspects and enforces air pollution rules regarding these sources. Council amended the ordinance in February 2007 to expand the number of air pollution sources that must register with the City.</p> <p>In the months since the expanded program was implemented, some members of the regulated community have requested clarification of certain language about the scope and intent of the ordinance in two areas.</p> <p>First, there was confusion regarding the maximum registration fee the City could collect from a company that has multiple "facilities" at one site. The proposed amendments clarify that the City will charge fees for up to 4 facilities (at a maximum of \$3,000/facility or \$12,000).</p> <p>Second, there was confusion about the City's intended scope of enforcement authority under the ordinance because the ordinance was silent regarding affirmative defenses for actions that are permitted by the State. The amending language clarifies the ordinance by stating explicitly our intent that our enforcement authority under this ordinance is limited to the authority permitted to the State, and is not broader.</p>			
REQUIRED AUTHORIZATION			
Other Authorization: <i>copy signed</i> Stephen L. Williams, MPA Director, Health & Human Services	Other Authorization:	Other Authorization:	

City of Houston, Texas, Ordinance No. 2008-_____

AN ORDINANCE AMENDING SECTIONS 21-161, 21-164, AND 21-166 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS RELATING TO REGISTRATION OF AIR POLLUTION SOURCES; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; DECLARING CERTAIN CONDUCT TO BE UNLAWFUL, PROVIDING AFFIRMATIVE DEFENSES THERETO AND PENALTIES THEREFOR; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the City of Houston is a municipal corporation organized under the Constitution and the general and special laws of the State of Texas and exercises powers granted by the City's Charter and the provisions of Article XI, Section 5 of the Texas Constitution; and

WHEREAS, in the exercise of its lawful authority, the City may enact police power ordinances to promote and protect the health, safety, and welfare of the public; and

WHEREAS, pursuant to Division 1 of Article VI of Chapter 21 of the Code of Ordinances, Houston, Texas, the Health Officer conducts a program for the abatement of air pollution within the City which is reasonable and necessary to protect the health, safety, and welfare of the public; and

WHEREAS, registration of sources of air pollution assists the Health Officer to locate and inspect the sources of air pollution; and

WHEREAS, the City Council finds that the source registration requirements of Division 2 of Article VI of Chapter 21 of the Code of Ordinances, Houston, Texas have been beneficial to the health, safety, and welfare of the public generally by accomplishing its objectives; and

WHEREAS, the City Council finds that the adoption of the amendments to certain provisions of Division 2 of Article VI of Chapter 21 of the Code of Ordinances, Houston, Texas

would further enhance the benefits derived to the public health, safety, and welfare; **NOW, THEREFORE,**

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

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

Section 2. That Subsection (a) of Section 21-161 of the Code of Ordinances, Houston, Texas, is hereby amended by adding a new definition of the term *Act*, in alphabetical order in the appropriate position, that reads as follows:

“*Act* means the Texas Clean Air Act, Chapter 382 of the Texas Health & Safety Code, as may be amended from time to time.”

Section 3. That the caption of Section 21-164 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“Sec. 21-164. Incorporation of state rules; compliance; penalty.”

Section 4. That Subsection (b) of Section 21-164 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“(b) The director shall ensure that the health officers carry out a regulatory compliance program to determine whether registered facilities are in compliance with all applicable state and federal air pollution control laws and regulations. The regulatory compliance program shall include, but need not be limited to, on site inspections, complaint investigations and reviews of applicable compliance documentation.”

Section 5. That Section 21-164 of the Code of Ordinances, Houston, Texas, is hereby amended by adding new Subsections (c) thru (f) that read as follows:

“(c) It shall be unlawful for any person to operate or cause to be operated any facility that does not comply with the requirements in subsection (a) of this section.

(d) It is an affirmative defense to prosecution under this section that the prosecuted condition or activity has been:

- (1) Approved or authorized by the Act, state rule or state order; and
- (2) That the facility is in compliance with any such approval or authorization under the Act, state rule or state order.

(e) Violation of this section shall be punishable upon first conviction by a fine of not less than \$250.00 nor more than \$1,000.00. If the violator has been previously convicted under this section, a violation of this section shall be punishable by a fine of not less than \$1,000.00 nor more than \$2,000.00.

(f) Each day that any violation under this section continues shall constitute a separate offense.”

Section 6. That Item (2) of Subsection (a) of Section 21-166 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“(2) Gasoline dispensing site:

1--6 gasoline pump nozzles, per site \$250.00

7 or more gasoline pump nozzles, per site \$500.00

Where pumps are so configured that two or more nozzles dispensing different types or grades of fuel are attached to one meter, then the nozzles attached to each such meter shall be regarded as one nozzle for purposes of the above calculation.”

Section 7. That Subsection (b) of Section 21-166 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“(b) Should more than one facility exist on any premises, then the total of all applicable fees shall be payable up to a maximum of the equivalent of a fee for the four facilities with the highest fees.”

Section 8. 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

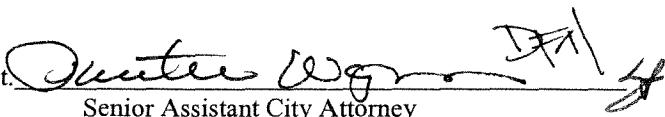
thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance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

Section 9. The provisions of this Ordinance shall apply to facility registration applications that are filed on or after the effective date of this Ordinance. Registration applications filed before the effective date of this Ordinance shall be governed by the former provisions of the Code of Ordinances, Houston, Texas, which are hereby saved from repeal for the limited purpose of their continued application to previously filed registration applications.

Section 10. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor.

PASSED AND APPROVED this _____ day of _____, 2008.

Mayor of the City of Houston

Prepared by Legal Dept. 

PSW:ltsm 4/24/08

Senior Assistant City Attorney

Requested by Elena Marks, Director, Mayor's Office of Health and Environmental Policy

L.D. File No. _____

DIVISION 2.

SOURCE REGISTRATION*

Sec. 21-161. Definitions; scope.

(a) *Definitions.* As used in this division, the following words and terms shall have the meanings ascribed in this section unless the context of their usage clearly indicates another meaning:

Act means the Texas Clean Air Act, Chapter 382 of the Texas Health & Safety Code, as may be amended from time to time.

Automotive body repair shop means any premises that engages in, conducts, or carries on automobile, truck or trailer body repairing or painting, or both.

Dry cleaning plant means any premises where fabrics or textiles are cleaned by use of perchlorethylene or petroleum solvents unless the devices used for the cleaning are coin-operated.

Facility means an automotive body repair shop, dry cleaning plant, gasoline dispensing site, sewage treatment plant, used vehicle sales lot or any facility or source as those terms are defined in the Texas Clean Air Act, Chapter 382 of the Texas Health & Safety Code, as may be amended from time to time, that emits one ton per year or more of airborne contaminants.

Gasoline dispensing site means any premises where gasoline is dispensed from a fixed storage tank into vehicles.

Registration means a current and valid registration issued under this division.

Sewage treatment plant means a premises operated for the purpose of treating waste flowing into a publicly owned sanitary sewage system.

Used vehicle means an automobile, truck or trailer of any type that is used or intended for use on the streets and that has previously been registered in Texas or elsewhere.

Used vehicle sales lot means any premises utilized by a person required to be licensed as a dealer in motor vehicles under chapter 8 of this Code for the display of used motor vehicles for sale or trade.

(b) *Scope.* This article shall not be applicable to a facility that is owned and operated by the State of Texas or the United States of America.

Sec. 21-162. Registration required; penalty.

(a) It shall be unlawful for any person to operate or cause to be operated any facility unless there is a registration for the facility.

(b) It is an affirmative defense to prosecution under this section with respect to gasoline dispensing sites that the premises has dispensed less than 10,000 gallons per month in each calendar month beginning with January 1, 1991. Any site that exceeded 10,000 gallons in January of 1991 or that has exceeded 10,000 gallons in any ensuing month is not subject to this affirmative defense.

(c) Violation of this section shall be punishable upon first conviction by a fine of not less than \$250.00 nor more than \$1,000.00. If the violator has been previously convicted under this section, a violation of this section shall be punishable by a fine of not less than \$1,000.00 nor more than \$2,000.00.

(d) Each day that any violation under this section continues shall constitute a separate offense.

Sec. 21-163. Issuance; expiration.

Registrations shall be issued by the health officer. The director shall promulgate application forms on which applications shall be made. Upon the submission of a properly completed application form and the tender of the applicable fee, the health officer shall issue the registration. A separate application shall be required for each facility. A registration shall be valid for one year commencing on the date of its issuance and shall only apply to the facility identified on the registration. A registration is personal and may not be assigned, conveyed or transferred in any manner.

Sec. 21-164. Incorporation of state rules; compliance; penalty.

(a) The following state air pollution control laws as they currently are and as they may be changed from time to time, are hereby incorporated as if written word for word in this section, including appendices and other matters promulgated as part of the state rules.

- (1) 30 Tex. Admin. Code § 101 (2006)(General Air Quality Rules).
- (2) 30 Tex. Admin. Code § 106 (2006)(Permits by Rule).
- (3) 30 Tex. Admin. Code § 111 (2006)(Control of Air Pollution from Visible Emissions and Particulate Matter).
- (4) 30 Tex. Admin. Code § 112 (2006)(Control of Air Pollution from Sulfur Compounds).

- (5) 30 Tex. Admin. Code § 113 (2006)(Standards of Performance for Hazardous Air Pollutants and for Designated Facilities and Pollutants).
- (6) 30 Tex. Admin. Code § 114 (2006)(Control of Air Pollution from Motor Vehicles).
- (7) 30 Tex. Admin. Code § 115 (2006) (Control of Air Pollution from Volatile Organic Compounds).
- (8) 30 Tex. Admin. Code § 116 (2006)(Control of Air Pollution by Permits for New Construction or Modification).
- (9) 30 Tex. Admin. Code § 117 (2006)(Control of Air Pollution from Nitrogen Compounds).
- (10) 30 Tex. Admin. Code § 122 (2006)(Federal Operating Permits Program).

(b) The director shall ensure that the health officers carry out a regulatory compliance program to determine whether registered facilities are in compliance with all applicable state and federal air pollution control laws and regulations. The regulatory compliance program shall include, but need not be limited to, on site inspections, complaint investigations and reviews of applicable compliance documentation. ~~Civil, administrative and criminal sanctions imposed by law shall be pursued where violations are determined to exist.~~

(c) It shall be unlawful for any person to operate or cause to be operated any facility that does not comply with the requirements in subsection (a) of this section.

(d) It is an affirmative defense to prosecution under this section that the prosecuted condition or activity has been:

(1) Approved or authorized by the Act, state rule or state order; and

(2) That the facility is in compliance with any such approval or authorization under the Act, state rule or state order.

(e) Violation of this section shall be punishable upon first conviction by a fine of not less than \$250.00 nor more than \$1,000.00. If the violator has been previously convicted under this section, a violation of this section shall be punishable by a fine of not less than \$1,000.00 nor more than \$2,000.00.

(f) Each day that any violation under this section continues shall constitute a separate offense.

Sec. 21-165. Cumulative.

The purpose of this division is to provide a viable means of locating and monitoring by routine compliance inspections sources of air contamination. A registration under this division shall neither excuse the securing of any license, permit, registration or other compliance document required under state or federal pollution laws or regulations, nor excuse full compliance with any applicable state or federal law or regulation. This division is cumulative of all other applicable laws and regulations.

Sec. 21-166. Registration fees.

(a) There are hereby assessed the following fees for the issuance of registrations:

(1) Automotive body repair shop \$500.00

(2) Gasoline dispensing site:

1--6 gasoline pump nozzles, per ~~nozzle-site~~ \$250.00

7 or more gasoline pump nozzles, per ~~nozzle-site~~ \$500.00

Where pumps are so configured that two or more nozzles dispensing different types or grades of fuel are attached to one meter, then the nozzles attached to each such meter shall be regarded as one nozzle for purposes of the above calculation.

(3) Dry cleaning plant (based upon the normal number of employees):

Fewer than 6 employees \$100.00

6 to 10 employees \$200.00

11 or more employees \$250.00

(4) Used vehicle sales lot (based on the number of vehicles normally offered for sale):

1--5 vehicles No charge

6--100 vehicles \$250.00

101 or more vehicles \$350.00

(5) Other facilities based upon annual airborne contaminant emissions:

1 ton or more but less than 5 tons \$600.00

5 tons or more but less than 10 tons \$1,200.00

10 tons or more \$3,000.00

In any instance in which a facility is unable to produce the records needed to establish its emissions with a reasonable degree of certainty, then the health officer shall estimate the amount on the basis of the best available information.

(6) Dual chambered incinerators \$350.00

Pathological waste incinerators \$750.00

(7) Sewage treatment plant, based upon design capacity in gallons per day:

Less than 500,000 \$500.00


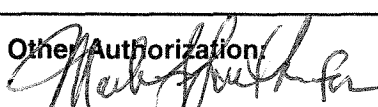
500,001 to 9,999,999 \$1,200.00




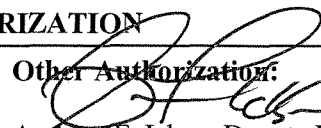
10,000,000 to 39,999,999 \$2,000.00

40,000,000 or more \$2,500.00

(b) Should more than one facility exist on any premises, then the total of all applicable fees shall be payable up to a maximum of the equivalent of a fee for the four facilities with the highest fees.

(c) The foregoing fees shall apply to all privately and publicly owned facilities. Facilities owned and operated by a county, and city facilities that are operated with general fund revenues, shall be exempt from payment of the fees but shall be required to be registered.

SUBJECT: Ordinance to adopt the ASHRAE 90.1-2004 Standard with local amendments as the "City of Houston Commercial Energy Code"		Category #	Page 1 of 1	Agenda Item # 14
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date	Agenda Date APR 30 2008	
DIRECTOR'S SIGNATURE:  Michael Marcotte, Director		Council District affected: All		
For additional information contact: Gary Bridges Building Official Phone: (713) 535-7575		Date and identification of prior authorizing Council action: None		
RECOMMENDATION: (Summary) Approve an ordinance adopting the ASHRAE 90.1-2004 Standard with local amendments as the "City of Houston Commercial Energy Code"				
Amount and Source of Funding: N/A			Finance Budget:	
SPECIFIC EXPLANATION:				
PROJECT: I NOTICE/JUSTIFICATION				
<p>The adoption of the ASHRAE 90.1-2004 Standard published by the American Society of Heating, Refrigerating, and Air-Conditioning Engineers as amended for the City of Houston is proposed to replace the Chapter 5 commercial provisions of the 2001 International Energy Conservation Code (IECC), which are currently in effect.</p> <p>In keeping with the goal of increased energy efficiency, this standard as amended establishes a higher level of energy savings for buildings above the minimum State mandated energy code. The proposed amendments have been approved by Texas A&M Energy Systems Lab as required by state law.</p> <p>The commercial energy code applies to all new commercial buildings and to residential occupancies above three stories in height. Alterations to existing structures must comply with the new code only to the extent of the work covered by a permit. The new code would not be applicable to single family residences and multi-family buildings up to 3 stories in height.</p> <p>The adoption of this standard has many benefits. It is well established with off-the-shelf software and training materials; has been adopted in several state and local jurisdictions; is the basic standard for green buildings; and is more sophisticated than the IECC (each new version of ASHRAE preceded the IECC by 2 years).</p> <p>The commercial energy code amendments were developed in meetings with stakeholders in the Construction Industry Council (CIC), made up of organizations within the industry. Over 30 groups including Associated Builders and Contractors (ABC), Associated General Contractors (AGC), American Institute of Architects (AIA), Building Owners and Managers Association (BOMA), Houston Apartment Association (HAA), Houston Real Estate Council (HREC), International Electrotechnical Commission (IEC), Institute of Real Estate Management (IREM), Mechanical Contractors Association (MCA), Society of Fire Protection Engineers (SFPE) and U.S. Green Building Council (USGBC) are CIC members and provide delegates and alternates who are eligible to participate in meetings and code reviews. Code review subcommittee meetings are also open to all interested parties.</p> <p>New items in this code include:</p> <ul style="list-style-type: none"> - specifications for certain items to be listed in plan review submittals, eg; air balancing the mechanical ducts - commercial swimming pool covers and heater switches - significant lighting efficiency increases due to product improvements - commissioning for the mechanical system in buildings with over 50,000 ft² <p>Significant local amendments include:</p> <ul style="list-style-type: none"> - cool roofs (with minimum solar reflectance and emittance) for low slopes only, which can be achieved by a variety of colors - spectrally selective glazing which may allow single pane and better visual clarity through windows - vestibules for buildings of 4 stories or more to reduce stack effect of pulling warm humid air into the building - provisions for controlling humidity - commissioning for the building envelope system in buildings with over 50,000 ft² <p>This recommendation was presented to the Regulation, Development and Neighborhood Protection Committee on April 15, 2008. No action was taken for lack of a quorum.</p>				
REQUIRED AUTHORIZATION			CUIC:20AFI17	
Finance Director:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning & Development Services		

SUBJECT: Ordinance authorizing the sale of 12,074-square-feet of excess fee-owned property within the Northside Disposal Plant site, in the west half of Lot 16, out of the Harris and Wilson Survey, A-32. Parcels SY7-061		Category # 7	Page <u>1</u> of <u>1</u>	Agenda Item # 15
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 4/24/08		Agenda Date APR 30 2008
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director		Council District affected: H Key Map 494L 		
For additional information contact: Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director-Real Estate		Date and identification of prior authorizing Council Action: C.M. 2007-0396 (04/25/07)		
RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the sale of 12,074-square-feet of excess fee-owned property within the Northside Disposal Plant site, in the west half of Lot 16, out of the Harris and Wilson Survey, A-32, in exchange for a consideration of \$33,807.00 Parcels SY7-061				
Amount and Source of Funding: Not Applicable			F & A Budget:	
SPECIFIC EXPLANATION: By Council Motion 2007-0396, City Council authorized the subject transaction. Emanon Facilities, Ltd., (Bernard Svrcek, Vice President - Finance), plans to use the subject property for a rail spur and ingress and egress purposes for which it is currently leasing the property from the City. Emanon Facilities, Ltd., has complied with the council motion requirements, has accepted the City's offer, and has rendered payment in full. The City will abandon and sell to Emanon Facilities, Ltd., Parcel SY7-061 12,074-square-foot portion of excess fee-owned land \$33,807.00 Valued at \$2.80 per square foot TOTAL ABANDONMENTS <u>\$33,807.00</u> Therefore, it is recommended City Council approve an ordinance authorizing the sale of 12,074-square-feet of excess fee-owned property within the Northside Disposal Plant site, in the west half of Lot 16, out of the Harris and Wilson Survey, A-32, in exchange for a consideration of \$33,807.00 MSM:NPC:bam c: Jeff Taylor Daniel W. Krueger, P.E. Reid K. Mrsny, P.E. Marty Stein Jeff Taylor				
s:\bam\sy7-061.rca2.doc		CUIC #20BAM03		
REQUIRED AUTHORIZATION				
Other Authorization:		Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division		

MOTION by Council Member Khan that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Abigail Butler of The University of Texas M.D. Anderson Cancer Center (M.D. Anderson), 1515 Holcombe Boulevard, Houston, Texas 77030-4009, for the abandonment and sale of a 15-foot-wide alley, located in Blocks 14, 15, 18, 19, 21 and 22; Selma Avenue, from Braeswood Boulevard to Eton Street, from Eton Street to St. Agnes Street, and from St. Agnes Street south to its terminus; Princeton Street, from Braeswood Boulevard to Eton Street; Eton Street, from Cecil Avenue east to its terminus; St. Agnes Street, from Cecil Avenue to the east right of way line of Selma Avenue; and a portion of Cecil Street, from St. Agnes Street to Swanson Street; in exchange for the conveyance to the City of right of way for the widening and realignment of Bertner Avenue, from Braeswood Boulevard to Old Spanish Trail; all located within Institute Addition, Parcel Nos. SY6-036A through E, SY7-076A and B, AY7-261A through D, and AY7-262, be adopted as follows:

1. The City abandon and sell a 15-foot-wide alley, located in Blocks 14, 15, 18, 19, 21 and 22; Selma Avenue, from Braeswood Boulevard to Eton Street, from Eton Street to St. Agnes Street, and from St. Agnes Street south to its terminus; Princeton Street, from Braeswood Boulevard to Eton Street; Eton Street, from Cecil Avenue east to its terminus; St. Agnes Street, from Cecil Avenue to the east right of way line of Selma Avenue; and a portion of Cecil Street, from St. Agnes Street to Swanson Street; in exchange for the conveyance to the City of right of way for the widening and realignment of Bertner Avenue, from Braeswood Boulevard to Old Spanish trail, including properties which may be owned by others; all located within Institute Addition;
2. The applicant be required to cut, plug, and abandon all the utilities within the alley and streets being abandoned and reconnect to the proposed utilities in the proposed Bertner Avenue, all at no cost to the City and under the proper permits;

3. The applicant be required to: (a) provide the design plans for the construction and realignment of Bertner Avenue, from Braeswood Boulevard to Old Spanish Trail in accordance with City Standards; (b) provide a traffic signal warrants study prior to constructing a traffic signal at Bertner Avenue and Old Spanish Trail; (c) assure remaining private property access to a public street at all times during abandonment and construction unless the concurrence of the property owner agreeing to no access is first secured; (d) eliminate the appearance of public street intersections by constructing continuous curbs and sidewalks across Eton Street at Bertner Avenue, Selma Avenue at Braeswood Boulevard, and Princeton Street at Braeswood Boulevard; and (e) include modification of the traffic signal, at Bertner Avenue and Braeswood Boulevard, if required, to provide detection and proper traffic and pedestrian signal indications as part of the Bertner Avenue pavement construction south of Braeswood Boulevard, all at no cost to the City and under the proper permits;
4. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
5. The Legal Department be authorized to prepare the necessary transaction documents; and;
6. George Coleman, Jr. and Samuel Jarrett, Jr., independent real estate appraisers are hereby appointed to establish the value, inasmuch as the value of the property interests is expected to exceed \$25,000.00.

Seconded by Council Member Alvarado and carried.

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

PASSED AND ADOPTED this 28th day of March, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is April 3, 2007.



City Secretary

SUBJECT: Project Development Agreement with Continental Airlines, Inc. for Construction Management Services for the Expansion of the Automated People Mover (APM) System at George Bush Intercontinental Airport/Houston (IAH); Project No. 536G; (WBS A – 000354-0004-4-01).		Category # 9	Page 1 of 2	Agenda Item # 16
FROM (Department or other point of origin): Houston Airport System		Origination Date April 24, 2008	Agenda Date APR 30 2008	
DIRECTOR'S SIGNATURE: <i>John B. Bartlett</i> For RMV		Council District affected: B		
For additional information contact: Eric R. Potts Phone: 281-233-1999 John S. Kahl 281-233-1941		Date and identification of prior authorizing Council action:		
AMOUNT & SOURCE OF FUNDING: CIP No. A-0354.14.2 \$6,990,805.00 HAS-CONSD 2004 AMT (8203) CIP No. A-0422.24.2 \$ 122,339.00 Airports Improvement Fund (8011) TOTAL \$7,113,144.00		Prior appropriations:		
RECOMMENDATION: (Summary) Enact an ordinance to approve a Project Development Agreement (PDA) between the City of Houston and Continental Airlines, Inc. for Construction Management Services and appropriate the funds necessary to finance the cost of these services.				
SPECIFIC EXPLANATION: The City plans to expand the APM to serve Terminal A at George Bush Intercontinental Airport/Houston, including a link to connect Terminals A and B, a station at Terminal A and a sterile corridor connecting the north and south concourses of Terminal A. The City has engaged Hellmuth, Obata & Kassabaum, L.P. ("HOK") to perform professional architectural and engineering services in connection with the design of such expansion and intends to solicit bids for and, subsequently award contract(s) for the construction of the APM Expansion Project. The City has determined that it will minimize disruption to Terminals A and B operations, the traveling public and employees, streamline coordination efforts, and be more time efficient if it makes a partial assignment of the Contract Documents to Continental for the APM Expansion Project. The City further believes that Continental is qualified to supervise, manage and coordinate construction of the Project on the basis of unique circumstances, and demonstrated competence and qualifications at the Airport. The Project is being constructed between Terminals A and B, which includes a portion of Continental's operations area. The City will award such Construction Contracts in accordance with usual City procedures and then assign them to Continental Services to be provided by Continental in the Project Development Agreement (PDA) include the supervision, management and coordination of the construction of this project. Continental has agreed to abide by all standard City contract requirements including, but not limited to, indemnification of the City, insurance requirements, drug policy, environmental laws, non-discrimination and any other applicable federal, state, city or airport rules and regulations. All qualified subcontractors (professional services) shall be approved by the Director of Aviation. The City shall retain title to				

REQUIRED AUTHORIZATION

NDT

Finance Department: *Due to*

Other Authorization:

Other Authorization:

Date April 24, 2008	Subject: Project Development Agreement with Continental Airlines, Inc. for Construction Management Services for the Expansion of the Automated People Mover (APM) System at George Bush Intercontinental Airport/Houston (IAH); Project No. 536G; (WBS A – 000354-0004-4-01).	Originator's Initials RN	Page 2 of 2
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the project and work at all times and the City retains the management and control of the airport premises.

In addition, the City has agreed to reimburse Continental for pre-contract services up to the amount of \$350,000. The fair market value of these services were performed in the best interests of the City and Continental, relating to review of upcoming APM Expansion Project to expedite construction and support budgetary constraints.

The total compensation for Continental under this PDA is the reimbursement of reasonable costs incurred by Continental for providing these services, subject to the limit of appropriation.

PROJECT COST: The total amount to be appropriated is as follows:

\$6,990,805.00	Construction Management Services
<u>\$ 122,339.00</u>	1.75% Civic Art Program, Ord. No. 2006-731
\$7,113,144.00	TOTAL COST

M/WBE PARTICIPATION:

Continental shall make good faith efforts to award subcontracts or supply agreements in at least 40% of the value of this Agreement to MWBEs. The City's policy does not require Continental to meet or exceed this goal, but it does require Continental to objectively demonstrate that it has made good faith efforts to do so. To this end, Continental shall maintain or cause the Continental Project Manager to maintain records showing:

- (1) Subcontracts and supply agreements with Minority Business Enterprises,
- (2) Subcontracts and supply agreements with Women's Business Enterprises, and
- (3) Specific efforts to identify and award subcontracts and supply agreements to MWBEs. The Continental Project Manager shall submit periodic reports of its efforts under this Section to the Affirmative Action Director in the form and at the times he or she prescribes.

RMV:ERP:JFS

Attachments

cc: Ms. Marty Stein	Mr. Eric R. Potts	Mr. John Silva
Mr. Anthony W. Hall, Jr.	Mr. John S. Kahl	Mr. Dara N. Umrigar
Mr. Arturo G. Michel	Mr. Carlos Ortiz	Mr. Aleks Mraovic
Ms. Velma Laws	Mr. Frank Crouch	Ms. Janice D. Woods
Mr. Richard M. Vacar	Mr. Adil Godiwalla	Mr. J. Goodwille Pierre
Mr. David Arthur	Ms. Ellen Erenbaum	Ms. Marlene McClinton





TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Amendment No. 1 – Lease Agreement between the City of Houston and Central Helicopter Service, Inc. – William P. Hobby Airport (HOU).		Category #	Page 1 of 1	Agenda Item # 17
FROM (Department or other point of origin): Houston Airport System		Origination Date April 22, 2008		Agenda Date APR 30 2008
DIRECTOR'S SIGNATURE: <i>[Signature]</i> <i>FOR: RMV</i>		Council District affected: I		
For additional information contact: Janet Schafer <i>[Signature]</i> Phone: 281/233-1796 Lucy S. Ortiz		Date and identification of prior authorizing Council action: 04/28/04 (O) 04-358		
AMOUNT & SOURCE OF FUNDING: REVENUE: \$37,394.14 per year (\$3,116.18* monthly)		Prior appropriations: N/A		
RECOMMENDATION: (Summary) Enact an ordinance approving and authorizing the execution of Amendment No. 1 to a Lease Agreement between the City of Houston and Central Helicopter Service, Inc. at William P. Hobby Airport (HOU).				
SPECIFIC EXPLANATION: On April 28, 2004, the City approved Lease Agreement No. 55886 with Central Helicopter Service, Inc. (Lessee), effective May 13, 2004, in which Lessee leased both land and improvements at 8913 Paul B. Koonce Road at William P. Hobby Airport (HOU) for its operation of an air-taxi/charter service consistent with Federal Aviation Regulation Part 135 for the purpose of chartering aircraft to individuals and corporations. Lessee now requests to amend the Lease Agreement to add an additional three years to the term in consideration for Lessee paying an increased rental rate and other lease modifications. The pertinent terms and condition of this Amendment are as follows: 1. Term: Effective on countersignature the term will expire on May 12, 2011. 2. Leased Premises: The leased premises remain the same, approximately 51,616 square feet of improved land including approximately 9,752 square feet of hangar area. 3. Rent: Based on appraisal rent effective May 13, 2008, will be \$37,394.14 annually (\$3,116.18* monthly, which shall be adjusted at year end to reconcile with the annual rate). 4. Insurance: Lessee will provide the required insurance in the limits as stated in the Amendment. All other terms and conditions of the Lease Agreement will remain in full force and effect.				
REQUIRED AUTHORIZATION				
F&A Budget:		Other Authorization:		Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Amendment No. 2 to a Construction Contract with Vanderlande Industries Inc. for the Explosive Detection System Interim In-Line Baggage Conveying Equipment at George Bush Intercontinental Airport/Houston, Project No. 612H; WBS #A-000486-0011-4-01 and #A-000486-0011-4-02; Contract #4600007776.		Category #	Page 1 of 2	Agenda Item # 18
FROM (Department or other point of origin): Houston Airport System		Origination Date April 15, 2008	Agenda Date APR 30 2008	
DIRECTOR'S SIGNATURE 		Council District affected: B		
For additional information contact: Frank M. Haley, Jr.  Phone: 281/233-7309 Eric R. Potts 281/233-1999		Date and identification of prior authorizing Council action: 5/2/07 (O) 2007-0526 12/5/07 (O) 2007-1355		
AMOUNT & SOURCE OF FUNDING: CIP # A-0486.11.3 \$1,500,917.00 FAA Grant Funds (8000) CIP # A-0486.11.3 \$ 645,366.00 Airports Improvement Fund (8011) CIP # A-0422.18.3 \$ 48,513.00 Airports Improvement Fund (8011) Total \$2,194,796.00		Prior appropriations: CIP #A-0486 \$139,782.00 AIF CIP #A-0486 \$349,454.00 FAA Grant Funds CIP #A-0486 \$136,500.00 AIF CIP #A-0486 \$228,750.00 FAA Grant Funds Total \$854,486.00		
RECOMMENDATION: (Summary) Enact an ordinance to approve Amendment No. 2 to a construction contract with Vanderlande Industries, Inc. and appropriate the necessary funds to finance the cost of the amendment.				
SPECIFIC EXPLANATION: PROJECT LOCATION: Terminal D at George Bush Intercontinental Airport/Houston (IAH) at 3701 North Terminal Road. PROJECT SUMMARY: A contract was awarded to Vanderlande Industries, Inc. on May 2, 2007 in the amount of \$465,939.00 for Terminal D Explosive Detection System (EDS) Interim In-Line Baggage Conveying Equipment at George Bush Intercontinental Airport/Houston (IAH). The project included the following: <ul style="list-style-type: none">• Installation of temporary baggage conveyors and lifters for the existing EDS machines• Installation of cooling units and lighting to reduce risk of worker injury and fatigue in EDS areas• Installation of fencing to separate TSA baggage screening from airlines' baggage systems. On December 5, 2007, Amendment No. 1 to the contract was approved by Ordinance 2007-1355 to make additional improvements to continue with full implementation of secure baggage processing. The scope of Amendment No. 1 included:				
REQUIRED AUTHORIZATION				
F&A Budget: 		Other Authorization:		Other Authorization: 

Date April 15, 2008	Subject: Amendment No. 2 to a Construction Contract with Vanderlande Industries Inc. for the Explosive Detection System Interim In-Line Baggage Conveying Equipment at George Bush Intercontinental Airport/Houston, Project No. 612H; WBS #A-000486-0011-4-01 and #A-000486-0011-4-02; Contract #4600007776.	Originator's Initials LK	Page 2 of 2
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- Extension of a new baggage conveyor at the west end of Terminal D to allow interim EDS screening of outbound baggage at the west baggage makeup carousel
- Repositioning of existing EDS machines to balance baggage volume, thus reducing processing time.

In preparation for implementation of a permanent fully automated in-line baggage conveying system at Terminal D, additional improvements are required. The scope of this Amendment No. 2 includes:

- Removing five existing obsolete inbound baggage claim carousels and replacing them with one new inbound baggage claim carousel
- Constructing the required separation walls and exit doors around the new inbound claim carousel to meet building code
- Demolishing existing ceilings, floor coverings and miscellaneous walls in the space to be used for the new permanent screening system
- Purchasing two new outbound baggage makeup carousels for installation.

The Legal Department has determined that this project qualifies as a health and safety exception under Section 252.022 (a) (2) of the Texas Local Government Code.

DBE PARTICIPATION: The following certified DBE firm has been submitted to fulfill the 20.1% goal for this project:

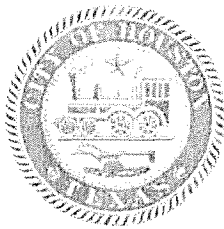
Firm	Type of Work	Amount	% of Bid
The Gonzales Group, LP	Construction Management	\$ 240,147.00	12.00 %
	Total	\$ 240,147.00	12.00 %

Currently Vanderlande Industries, Inc. is achieving 33.6% DBE participation on the 20.1% goal.

RMV:FMH:LK

Attachments

cc: Ms. Marty Stein Mr. Richard M. Vacar Ms. Lisa Kent Mr. J. Goodwille Pierre
Mr. Anthony W. Hall, Jr. Mr. Frank M. Haley, Jr. Ms. Kathy Elek Ms. Marlene McClinton
Mr. Arturo G. Michel Mr. Eric R. Potts Mr. Aleks Mraovic
Ms. Velma Laws Mr. David K. Arthur Ms. Carolyn Walker



CITY OF HOUSTON

Office of the Mayor

Interoffice

Correspondence
Affirmative Action and
Contract Compliance
Division

To: Goodwille Pierre, Manager
Small Business Development &
Contract Compliance
Houston Airport System

From: Velma Laws, Director

Date: April 3, 2008

Subject: Explosive Detention System Interim
In-Line Baggage Conveying Equipment
at George Bush Intercontinental Airport
Project #612H
WBS #A-000486-0009-4-01 and
#A-000486-0009-4-02
Contract #4600007776

We reviewed and evaluated Vanderlande Industries Inc.'s Good Faith Efforts (GFE) regarding the project listed above. Our findings show that Vanderlande's DBE goal was set at 20.1% and the contract amount was \$465,939.00.

- Vanderlande's current MWBE participation is 33.6%
- Vanderlande obtained additional work via amendment 1, valued at \$305,000. The scope of work was baggage handling equipment design, manufacturing & installation. This scope of service offered little or no opportunities for DBE subcontracting. Nevertheless, Vanderlande subcontracted approximately \$40,000 (13%) to DBE firms
- Amendment 2 is valued at \$2,001,222 and the scope of service has a high percentage of baggage handling equipment design, manufacturing and highly specialized installation. Vanderlande is still committed to subcontract approximately \$240,147 (12%) on demolition and building construction work
- Because of the large percentage of the contract that is dedicated to procurement of specialized equipment, Vanderlande is scheduled to achieve 15.9% MWBE participation on the entire contract. The firm is still committed to using DBE firms for opportunities that arise.

After careful review and evaluation, we have determined that Vanderlande is making a good faith effort to utilize DBEs to the fullest extent possible. The decision is based on the facts that (1) Amendments 1 and 2 increased the total value on this contract, (2) Vanderlande's current DBE participation is 33.6%, (3) Amendments 1 and 2 scope of services offers fewer opportunities for DBE subcontracting, and (4) Vanderlande continues to pursue DBE subcontracting opportunities.


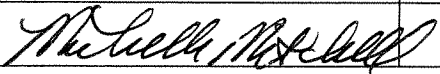
If you have any questions or need additional information, contact Robert Gallegos at 713.837.9005.

04/08:09


To: Mayor Via City Secretary

REQUEST FOR COUNCIL ACTION

HCD08-47

Subject: An Ordinance authorizing the execution of a contract between the City of Houston and Career and Recovery Resources, Inc., for the administration of computer literacy training program, along with supportive services, through a HOPWA Grant.		Category	Page 1 of 2	Agenda Item # 19
From (Department or other point of origin): Richard S. Celli, Director Housing and Community Development Department		Origination Date 1/3/2008	Agenda Date APR 30 2008	
Director's Signature: 		Council District affected: All Districts		
For additional information contact: Dena Gray Phone: 713.868.8335		Date and Identification of prior authorizing Council action:		
Recommendation: (Summary) Approval of an Ordinance authorizing the execution of a contract between the City of Houston and Career and Recovery Resources, Inc. providing up to \$64,233.00 for the administration of a Computer Literacy Training Program under the Housing Opportunities for Persons with AIDS ("HOPWA") Act.				
Amount of Funding \$64,233.00			F & A Budget:	
Source of Funding <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund				
<input type="checkbox"/> Other (Specify) HOPWA Grant Fund 5000				
Specific Explanation The Housing and Community Development Department ("HCDD") recommends approval of a contract between the City of Houston and Career and Recovery Resources, Inc. for the administration of a Housing Opportunities for Persons with AIDS ("HOPWA") - funded computer literacy training, job placement assistance program along with supportive services. Career and Recovery Resources, Inc. ("CCR") is a private 501(c)(3) non-profit organization incorporated in 1958 as Vocational Guidance Services, Inc. ("VGS, Inc."). The name was changed to Career and Recovery Resources, Inc. in 1995. The organization provides employment for people with employment barriers ranging from physical disabilities to chemical dependencies. The agency is located in the Midtown area in Houston, and will continue to serve HIV/AIDS affected persons. The proposed HOPWA funding is to provide HIV/AIDS affected individuals with computer literacy training, job readiness, development and retention services, and access to chemical dependency counseling, along with supportive services. This will be accomplished through experienced professionals with a forte in assisting persons with barriers. Career and Recovery Resources, Inc. is requesting \$64,233.00 and a twelve (12) month contract in order to provide computer literacy training and homeless prevention services to one hundred sixty five (165) unduplicated low-income HIV/AIDS individuals through computer training and job placement. Based on skill level, participants can expect to train from 90 days to 6 months.				
Required Authorization NOT				
F & A Director		Other Authorization		Other Authorization
				

R

Date 01/03/08	Subject: An Ordinance authorizing the execution of a Contract between the City of Houston and Career and Recovery Resources, Inc. for the administration of a computer literacy training program, along with supportive services through a HOPWA Grant.	Originators Signature 	Page 2 of 2
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The provision of these services will provide a valuable resource for individuals and families affected by HIV/AIDS. Funding of CRR will assist in the needs of 165 unduplicated low-income homeless persons and their family members.

Total Funds and Sources:

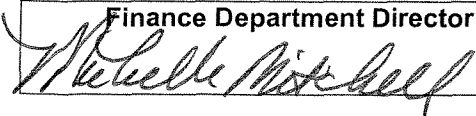
HOPWA	\$64,233.00
Number of Persons to be Served:	165
Category of Persons:	HIV/AIDS/Low-income

This Contract will provide funding for:

Administrative Costs:	\$ 4,259.00
Supportive Services:	\$59,974.00
Total	\$64,233.00

Therefore, the HCDD is requesting approval of a contract providing up to \$64,233.00.

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

SUBJECT: An ordinance authorizing submission of the 2008 Consolidated Action Plan Budgets and Applications for the 34 th Year CDBG, HOME, ESG, ADDI and HOPWA programs to HUD.		Category #	Page 1 of 3	Agenda Item # 20
FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development Department		Origination Date 04/14/08	Agenda Date APR 30 2008	
DIRECTOR'S SIGNATURE: 		Council District affected: All		
For additional information contact: Richard S. Celli, Director Phone: (713) 868-8305		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) City Council authorization to submit the 2008 Consolidated Action Plan Budgets and Applications for the 34 th Year CDBG, HOME, ESG, ADDI, and HOPWA grants and acceptance of grant awards from the U.S. Department of Housing and Urban Development (HUD), including the use of estimated Program Income. Amount of Funding: \$49,993,446 CDBG - \$29,798,698 HOME - \$12,722,540 HOPWA - \$6,038,000 ADDI - \$107,611 ESG - \$1,326,597 (Total Funding, including Program Income of \$4,218,519 will be \$54,211,965)				
SOURCE OF FUNDING		<input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund		
<input type="checkbox"/> Other (Specify)				
SPECIFIC EXPLANATION: The Housing and Community Development Department (HCDD) is requesting approval of the submission of the 2008 Consolidated Action Plan (the Plan), containing five (5) major formula grant budgets and applications totaling \$54,211,965 for the Community Development Block Grant (CDBG), the HOME Investment Partnerships Grant (HOME), American Dream Down Payment Initiative (ADDI), the Housing Opportunities for Persons with AIDS Grant (HOPWA) and the Emergency Shelter Grant (ESG). In the 2008 Consolidated Action Plan , allocations are proposed to expand the availability of affordable housing through acquisition, rehabilitation or new construction. The need for housing assistance remains especially high among low-income residents, particularly elderly and disabled homeowners. Emphasis remains on increasing the level of homeownership and increasing and/or upgrading multi-family units throughout Houston. Also recommended are funds for capital improvements and facilities that support the neighborhood conservation and/or revitalization. Funds are recommended to upgrade neighborhood facilities and the provision of services through non-profit agencies to low and moderate-income persons as well as those with special needs. In addition, HCDD estimates earning \$3,918,519 in program income from CDBG-funded activities and \$300,000 from HOME-funded activities for a total allocation of \$54,211,965. In support of revitalization strategies, funds are proposed for distribution among the following categories:				
REQUIRED AUTHORIZATION				
Finance Department Director: 	Other Authorization:		Other Authorization:	

Date: 4/14/08	Subject: An ordinance authorizing submission of the 2008 Consolidated Plan Budgets and Applications for the 34 th Year CDBG, HOME, ESG, ADDI and HOPWA programs to HUD.	Originator's Initials <i>RW/AA</i>	Page 2 of 3
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COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Public Facilities and Improvements	\$	8,398,171
Housing Assistance Programs	\$	6,811,251
Public Services	\$	5,613,350
Planning/Non-Profits	\$	133,415
Economic Developments	\$	2,126,540
Dangerous Building/Code Enforcement/Local	\$	4,483,000
Program Administration	\$	6,151,490
TOTAL	\$	33,717,217

The strategy for the HOME Investment Partnerships Program remains one of increasing the availability of affordable rental units and expanding opportunities for homeownership. HCDD is recommending that the City's allocation of \$12,722,540 plus \$107,611 in ADDI Funds and \$300,000 in program income, be distributed among the following categories:


HOME INVESTMENT PARTNERSHIPS PROGRAM

Single-Family Down Payment/Closing Assistance New/Existing Homes	\$	5,275,000
Single-Family Housing Rehabilitation/Remediation/New Construction	\$	1,400,000
Multi-family Acquisition/Rehabilitation/New Construction/Relocation	\$	4,883,151
Community Housing Development Organizations (CHDOs) Operations	\$	300,000
HOME Administration	\$	1,272,000
TOTAL	\$	13,130,151

The City of Houston has been allocated \$6,038,000 in HOPWA grant Funds for the 2008-2009 grant year. HCDD proposes to fund the following activities:

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM

Acquisition/Renovation/Conversion/Repairs/Lease Payments	\$	246,300
Operation Costs	\$	645,000
Technical Assistance/Housing Information/Resource Identification	\$	47,000
Supportive Services	\$	1,100,000
Project or Tenant-based Rental Assistance	\$	1,835,000
Short Term Rent Mortgage and Utility Subsidies	\$	1,560,000
Grantee Administration	\$	182,000
Sponsor Administration	\$	422,700
TOTAL	\$	6,038,000

Date: 4/14/08	Subject: An ordinance authorizing submission of the 2008 Consolidated Plan Budgets and Applications for the 34 th Year CDBG, HOME, ESG, ADDI and HOPWA programs to HUD.	Originator's Initials 	Page 3 of 3
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The Emergency Shelter Grant (ESG) is the final application in the **2008 Consolidated Action Plan**. The City of Houston is scheduled to receive \$1,326,597 in ESG funds. Based on the Match requirements, the City anticipates providing \$700,000 in Community Development Block Grant Funds. The remaining match (\$626,600) will be made up of cash and/or in-kind contributions from participating agencies. Essential services, operations, homeless prevention and administration will be funded through ESG.

In preparing the **2008 Consolidated Action Plan**, the Housing and Community Development Department (HCDD) solicited the public's input in the development of this federal application. HCDD also developed and distributed written information on these federal grants and the planning process, solicited project requests from other departments, made presentations at each of the City's CIP/Budget hearings and sponsored two (2) public hearings on the Plan. Written material in the form of an information Booklet was distributed citywide.

A summary of the **2008 Consolidated Action Plan** was published in the *Houston Chronicle*, *LaVoz de Houston*, *Houston Defender*, and *Southern Chinese Daily News*. As stipulated by federal regulations and in conformity with the Citizen Participation Plan, residents have thirty (30) days to comment on the proposed **2008 Consolidated Action Plan** before it is approved by City Council. The thirty-day (30) review period extended from March 22, 2008 through April 20, 2008. In addition, public hearings were held on November 7, 2007 and April 10, 2008. On April 23rd, the proposed Plan was presented to a special joint meeting of Council Committees on Budget and Fiscal Affairs, Human Services and Technology Access, and Housing and Community Development for review.

Approval of the ordinance is recommended.

RSC:PWW:bb

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

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: The general appropriation ordinance authorizing FY2008 expenditures.

Category #

Page 1 of 2

Agenda Item#

21

FROM: (Department or other point of origin):

Michelle Mitchell, Director of Finance

Origination Date

April 25, 2008

Agenda Date

APR 30 2008

DIRECTOR'S SIGNATURE:

Council Districts affected:

All

For additional information contact:

Michelle Mitchell, Director

Phone: 713-221-0935

Annise Parker, Controller

Phone: 713-247-3098

Date and identification of prior authorizing Council Action: #2007-731 (Interim Spending Plan Appropriation) and #2007-732 (Adoption of the FY2008 Budget)

RECOMMENDATION: (Summary) City Council approves the general appropriations ordinance authorizing FY2008 expenditures.

Amount of Funding: SEE ATTACHMENT (Exhibit A)

Finance Department Budget:

SOURCE OF FUNDING:

[X] General Fund

[] Grant Fund

[X] Enterprise Fund

[X] Other - Special Revenue and FY 2008 Budget Resources

SPECIFIC EXPLANATION:

The City begins each fiscal year operating on an interim spending plan until such time as the General Appropriations Ordinance or annual certification is brought forward and approved by City Council. The FY2008 interim spending plan was adopted by City Council along with the annual budget in June 2007, using FY2007 spending estimates. The annual certification process requires the City Controller to certify the level of funding that the Controller's Office analysis indicates will be available for the current year.

The amounts for each City fund for FY2008 are shown on Exhibit A, including \$4.2 million necessary to fund the HOPE related personnel increases in all funds through the end of the fiscal year. This action will establish the General Fund appropriation at \$1,804,684,748, \$11.2 million more than the current budget for General Fund expenditures. City Council approval of the budget transfers and appropriation ordinance is requested including:

General Fund:

- A budget transfer from the General Fund ending fund balance:
 - To all departments for the HOPE contract increases in the amount of \$2.2 million;
 - To the Police Department budget for recruitment incentive pay and overtime pay for exempt classified personnel in the amount of \$1.92 million;
 - To the Information Technology Department budget, largely for additional SAP programming costs, in the amount of \$1,425 million;
 - To the Finance Department budget for positions hired and approved by the previous director in the amount of \$200,000, and to the Administration and Regulatory Affairs Department budget in the amount of \$932,000 for the cost of reorganizing existing positions, for new hires approved by the previous director as well as for developing the E-Catalog system;
 - To the General Services Department budget for facility operations and maintenance costs in the amount of \$537,200; and
 - To the General Government Contingency budget in the amount of \$4 million to be used to cover costs that cannot be absorbed by departments, including but not limited to rising fuel costs, network service charges, and other central service charges. Such funds will be transferred to department budgets on a needed basis, if any.

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

Date: April 25, 2008	Subject: General Appropriation Ordinance	Originator's Initials	Page 2 of 2
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Enterprise Funds

- Appropriation adjustments:
 - In accordance with bond covenants, appropriate \$473,442 for the cost of the HOPE contract increases and an additional \$9.76 million in Aviation Fund revenue in excess of expense to be transferred to the Aviation Capital Fund;
 - To the Combined Utility System fund budgets in response to lower revenue projections than anticipated in the FY2008 Budget:
 - Reduce the Water & Sewer Operating Fund Budget (Fund 8300) by \$20.64 million, while providing sufficient funds in the reduced budget for HOPE contract increases in the amount of 526,331 and for costs associated with converting auction rate securities to other variable debt securities in the amount of \$1.6 million;
 - Reduce the Combined Utility System Operating Fund Budget (Fund 8301) by \$7.78 million, while providing sufficient funds in the reduced budget for costs associated with converting auction rate securities to other variable debt securities in the amount of \$7 million; and
 - Provide an additional \$2.5 million to the General Purpose Fund Budget (Fund 8305) for costs associated with converting auction rate securities to other variable debt securities
 - Appropriate \$147,153 for HOPE contract increases in the Convention & Entertainment, Parking Management and Stormwater Utility funds.

Other Funds

- Budget transfers totaling \$2.6 million from the ending fund balance of each special fund:
 - For the cost of HOPE contract increases in the amount of \$561,123;
 - To the Parks Special Fund budget for golf course improvements in the amount of \$508,642;
 - To the Cable Television Fund budget for payments to Houston Media Source in the amount of \$235,528; and
 - To the Asset Forfeiture Fund budget for debt service issued to buy 100 patrol cars in the amount of \$1.3 million.
- Additional allocations to the Internal Service and Revolving Fund:
 - For the cost of HOPE contract increases in the amount of \$357,104;
 - For fuel purchases and vehicle maintenance costs by the Fleet Management fund in the amount of \$4.2 million;
 - For fuel purchases by the Central Services fund in the amount of \$5.5 million;
 - For telephone, network and IT related service costs in the Central Services fund in the amount of \$2 million; and
 - For temporary personnel and other costs in the Central Services fund in the amount of \$2.2 million.

Approval to appropriate \$5.2 million from the Hurricane Katrina Aid and Recovery Fund to the following funds:

- To the Limited Use Roadway and Mobility Capital Fund in the amount of \$4.2 million to reimburse the fund for unspent seed money provided in ordinance 2005-1022; and
- To the Community Health and Assessment Fund in the amount of \$1 million for preventing the spread of communicable diseases, including expanding mobile screening services, optimizing community well being through human services, including supporting Assessment Intervention Mobilization (AIM) projects and various health related projects in the Health and Human Services Department and the Mayor's Office of Health and Environmental Policy.

These amounts represent unspent funds, including \$1 million in local funds made available through the use of a \$1 million contribution received in FY2006 from PacifiCare that was used for expenses not reimbursable from FEMA.

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

Date: April 25, 2008	Subject: General Appropriation Ordinance	Originator's Initials	Page 2 of 2
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EXHIBIT A

PROPOSED APPROPRIATIONS BY FUND

FUNDS	FY2008 ADOPTED BUDGET EXPENDITURES	FY2008 CURRENT BUDGET EXPENDITURES	APPROPRIATION ADJUSTMENTS	PROPOSED FY2008 GENERAL APPROPRIATION ADJUSTMENTS ORD 2008-XXX
General Fund, Enterprise & Special Revenue Funds				
General Fund (1)	1,768,473,439	1,793,473,438	11,211,310	1,804,684,748
Aviation (2) (3)	464,492,800	464,492,800	10,234,114	474,726,914
Convention & Entertainment Facilities (2)	88,855,817	88,881,538	33,697	88,915,235
Parking Management Operating Fund (2)	11,563,455	11,563,455	17,781	11,581,236
Water & Sewer Operating (2), (4)	746,673,420	746,673,420	(20,643,420)	726,030,000
Combined Utility System Operating Fund (4)	340,775,651	340,775,651	(7,775,651)	333,000,000
Storm Water Fund (2)	40,319,750	40,415,425	95,675	40,511,100
Digital Houston (2)	564,161	564,161	1,513	565,674
Houston Emergency Center (2)	21,524,129	21,524,129	77,591	21,601,720
Cable Television (2), (5)	1,532,091	1,532,091	235,772	1,767,863
Courts Building Security Fund (2)	1,404,539	1,404,539	4,760	1,409,299
Municipal Courts Technology Fee (2)	3,594,629	3,594,629	1,033	3,595,662
Parks Special Revenue (2), (6)	7,749,353	7,749,353	546,909	8,296,262
Building Inspection (2)	43,519,987	43,519,987	362,429	43,882,416
Sign Administration (2)	3,577,013	3,577,013	39,683	3,616,696
Asset Forfeiture (2), (7)	8,787,000	8,787,000	1,297,006	10,084,006
Auto Dealers (2)	4,270,390	4,270,390	5,820	4,276,210
Child Safety Fund	3,040,000	3,040,000	0	3,040,000
Police Special Services (2)	18,793,643	18,793,643	5,820	18,799,463
Supplemental Environmental Protection (2)	291,000	291,000	0	291,000
Mobility Response Team	2,889,032	2,889,032	19,954	2,908,986
Houston TranStar Center (2)	1,937,288	1,937,288	5,522	1,942,810
CIP Salary Recovery (2)	32,940,798	32,940,798	200,768	33,141,566
Subtotal	3,617,569,385	3,642,690,780	(4,021,914)	3,638,668,866
Enterprise Related Funds				
Airport System Capital Outlay	7,470,196	7,470,196	0	7,470,196
Combined Utility System General Purpose Fund - 8305 (4)	128,267,469	128,267,469	2,500,000	130,767,469
Subtotal	135,737,665	135,737,665	2,500,000	138,237,665
Total Appropriated Funds	3,753,307,050	3,778,428,445	(1,521,914)	3,776,906,531


From the above fund appropriations, the following funds are allocated:


Internal Service Funds				
Health Benefits	270,153,968	270,153,968	0	270,164,746
Fleet Equipment Acquisition	20,250,000	6,000,000	0	6,000,000
Long-term Disability	2,286,368	2,286,368	0	2,286,368
Subtotal	292,690,336	278,440,336	0	278,451,114
Central Service Revolving (2), (8), (9)	233,798,606	233,798,606	0	243,514,801
In-House Renovation (2)	4,040,000	4,040,000	0	4,069,145
Fleet Management (2), (8)	31,652,043	31,652,043	0	35,908,589
Property & Casualty (2) (10)	31,335,585	31,335,585	0	28,586,813
Workers' Compensation (2) (10)	24,674,696	24,674,696	0	20,639,035
Subtotal	325,500,930	325,500,930	0	332,718,383
Total Allocated Funds	618,191,266	603,941,266	0	611,169,497

- (1) General Fund includes \$2.2 million for HOPE increases; \$3 million for Contingency including funds for Central Services charges to departments for fuel and telephone; \$1.3 million for cost of creating Administration and Regulatory Affairs and Finance Departments; \$1.4 million for Information Technology Dept, primarily SAP; \$1.9 million for Police recruiting incentive and exempt classified overtime; and \$537K for facility maintenance and security in General Service Department.
- (2) HOPE increases totaling \$4.2 million in every city personnel budget, including the funds noted.
- (3) In accordance with bond covenants, appropriate anticipated Aviation Fund revenue in excess of budget to Aviation Capital Fund.
- (4) Gross cost of \$21.6 million for Auction Rates in Aviation (\$10.5 million) and Combined Utility System (\$11.1 million) funds including conversion to other variable debt; anticipated revenue from unwinding of the CUS Swaps will offset a portion of the expense.
- (5) Half of additional unbudgeted revenue collected this year (\$235K) to be paid to Houston Media Source.
- (6) Additional funds for Park Special Fund golf course projects (\$509K)
- (7) Asset Forfeiture to include \$1.3 million for debt service on patrol cars approved after FY2008 Budget finalized.
- (8) Added costs in Central Services Fund (\$9.7M) including fuel (\$5.5M), telephone and network services (\$2M), temporary personnel (\$2M) and rentals (\$200K).
- (9) Added cost of Fleet Management (\$4.2M), including fuel (\$3.4M) and vehicle equipment services (\$800K).
- (10) Projected year-end expenses for workers compensation and property and casualty insurance and claims are under budget.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approve an ordinance authorizing an amendment to an Interlocal Agreement with the Texas Department of Transportation		Category #	Page 1 of <u>1</u> -	Agenda Item # 22
FROM (Department or other point of origin): Houston Police Department		Origination Date April 3, 2008		Agenda Date APR 3 0 2008
DIRECTOR'S SIGNATURE: 		Council District affected: ALL		
For additional information contact: J. Fenninger Phone: 713-308-1700		Date and identification of prior authorizing Council action: Ordinance 2006-598, 2007-277, & 2007-0823		
RECOMMENDATION: (Summary) Adopt an ordinance approving an amendment to an existing Interlocal Agreement between the City and the Texas Department of Transportation (TxDOT), extending the term of the contract to December 31, 2008. The contract is for reimbursement of police overtime and police vehicle expenses for traffic control in construction zones.				
Amount and Source of Funding: Revenue		F & A Budget:		
SPECIFIC EXPLANATION: <p>Last year, the City Council approved Ordinance No. 2007-277 adding \$450,000, and Ordinance #2007-0823 adding \$800,000, to an existing Interlocal Agreement, between the City of Houston and the Texas Department of Transportation (TxDOT). Now, TxDOT wishes to extend the term of that contract.</p> <p>Specifically, this amendment amends Section V TERM OF CONTRACT of the Interlocal Agreement to extend the term to December 31, 2008. The existing contract has an expiration date of June 19, 2008. This additional time is necessary to provide traffic management to major construction projects in the Houston District and to assist with the flow of traffic within these construction work zones.</p> <p>This amendment shall become effective when fully executed. All other terms and conditions of the above referenced Interlocal Agreement as amended remain in full force and effect. The officers will be used primarily for large-scale freeway closures where the freeway traffic is displaced onto side streets and traffic direction/signal control is needed to assist in the movement of the traffic through the detour routes. Overall, the amended Interlocal will further facilitate coordination and communication between TxDOT and HPD during major road closures, which will improve public safety and reduce traffic congestion and delays.</p>				
REQUIRED AUTHORIZATION				
F&A Director:	Other Authorization:		Other Authorization:	

SUBJECT: Major Accessory Shop Enforcement / 17 Grant Application	Category #	Page 1 of 1	Agenda Item # <u>23</u>
FROM: (Department or other point of origin): Houston Police Department	Origination Date April 24, 2008		Agenda Date APR 30 2008
DIRECTOR'S SIGNATURE:  Harold L. Hurtt, Chief of Police	Council Districts affected: All		
For additional information contact: Joseph A. Fenninger, Deputy Director 713-308-1700 Chandra T. Davis, Sergeant 713-308-1972	Date and identification of prior authorizing Council Action: Ordinance 2007-509 Passed on 4/25/07		

RECOMMENDATION: (Summary)

Ordinance approving the submission of a grant application for the Houston Police Department (HPD), the Department of Public Safety (DPS), the Metro Police Department and the Fort Bend County Sheriff's Office for their participation in the Major Accessory Shop Enforcement/ 17 Grant Project.

Amount of funding:				Finance Budget:
ABTPA FUNDING	CASH MATCH FUNDING	IN-KIND FUNDING	TOTAL FUNDING	
\$984,370	\$565,328	\$330,153	\$1,879,851	

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

Major Accessory Shop Enforcement/ 17 Grant Application

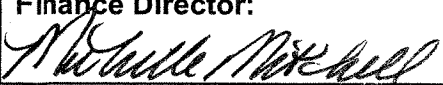
The Houston Police Department, through the City of Houston, is requesting approval for the submission of the Texas Automobile Burglary and Theft Prevention Authority's (ABTPA) grant application. The Houston Police Department (HPD) is the coordinating agency for this grant which includes the Department of Public Safety (DPS), Fort Bend County Sheriff's Office (FBCSO) and the Metropolitan Transit Authority Department of Police (METRO).

This will be the seventeenth year of funding from the ABTPA for this program. The grant provides funding for personnel, contractual, travel, equipment, and supplies. The Major Accessory Shop Enforcement program has reduced the auto theft rate in the City of Houston and Harris County area by 48% since its inception.

The ABTPA program has been very successful in the past with the assistance of other participating agencies. The participating agencies will submit inter-local agreements to City Council at a later date to complete the application process.

cc: Arturo Michel, City Attorney
Marty Stein, Agenda Director
Anna Russell, City Secretary

REQUIRED AUTHORIZATION

Finance Director: 	Other Authorization:	Other Authorization:
--	-----------------------------	-----------------------------

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the addition of 29.1237 acres of land to Addicks Utility District (Key Map No. 447-K)

Category #

Page 1 of 1

Agenda Item #

24

FROM (Department or other point of origin):

Origination Date

Agenda Date

Department of Public Works and Engineering

4/3/08

APR 30 2008

DIRECTOR'S SIGNATURE

Michael S. Marcotte, P.E., DEE

Council District affected:
"ETJ"

For additional information contact:

Date and identification of prior authorizing Council action:

Jun Chang, P.E.
Senior Assistant Director Phone: (713) 837-0433

RECOMMENDATION: (Summary)

The petition for the addition of 29.1237 acres of land to Addicks Utility District be approved.

Amount of Funding:

NONE REQUIRED

F & A Budget:

SOURCE OF FUNDING:

☐ General Fund

☐ Grant Fund

☐ Enterprise Fund

☐ Other (Specify)

SPECIFIC EXPLANATION:

Addicks Utility District has petitioned the City of Houston for consent to add 29.1237 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 Saums Road, Greenhouse Road, Clay Road, and Bear Creek. The district desires to add 29.1237 acres, thus yielding a total of 622.0206 acres. The district is served by the Addicks Wastewater Treatment Plant. The nearest major drainage facility for Addicks Utility District is Bear Creek which flows to South Mayde Creek which flows to Buffalo Bayou and finally into the Houston Ship Channel.

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 Mark Loethen
Bill Zrioka Waynette Chan Deborah McAbee Gary Norman

REQUIRED AUTHORIZATION

20JZC408

F & A Director

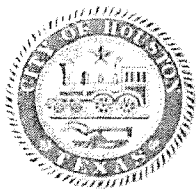
Other Authorization:

Other Authorization:

Andrew F. Icken

Deputy Director

Planning & Development Services Div.



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

received
3/14/08

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 29.1237 acres to Addicks Utility District under the provisions of Chapter 54, Texas Water Code.

[Signature]

Attorney for the District

Attorney: Mitchell G. Page, Schwartz, Page & Harding, L.L.P.

Address: 1300 Post Oak Blvd., Suite 1400, Houston, Texas Zip: 77056

Phone: 713-857-1756

Engineer: Jason Atkinson, R.M. Atkinson, Jr., Engineers

Address: 15425 North Freeway, Suite 140, Houston, Texas Zip: 77090

Phone: 281-872-7600

Owners: Creskide Partners, Ltd. c/o Richard N. Pevey

Address: 727 Bunker Hill, Unit #77, Houston, Texas Zip: 77024

Phone: 713-461-1670

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

LOCATION

INSIDE CITY ☐

OUTSIDE CITY ☒

Survey W.C.R.R Co.

NAME OF COUNTY (S) Harris

Abstract 977, 1022, 1135, 1136

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

North of: Saums Road

East of: Greenhouse Road

South of: Clay Road

West of: Bear Creek

WATER DISTRICT DATA

Total Acreage of District: 592.8969

Existing Plus Proposed Land 622.0206

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

Single Family Residential 80%

Multi-Family Residential _____

Commercial 20%

Industrial _____

Institutional _____

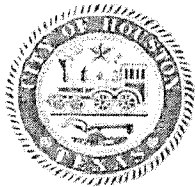
Sewage generated by the District will be served by a : District Plant ☒

Regional Plant ☐

Sewage Treatment Plant Name: Addicks Wastewater Treatment Plant

NPDES/TPDES Permit No: 11696-002

TCEQ Permit No: 11696-002



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 0.40

Ultimate Capacity (MGD): 0.80

Size of treatment plant site: 3.651 ~~square feet~~/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 0.40 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: N/A

MGD of (Regional Plant).

Name of District: N/A

MGD Capacity Allocation N/A

or property owner(s)

Name of District: N/A

MGD Capacity Allocation N/A

Water Treatment Plant Name: Addicks Water Plant

Water Treatment Plant Address: 3615 St. Williams Lane, Houston, Texas 77084

Well Permit No: 126227

Existing Capacity:

Well(s): 806 GPM

Booster Pump(s): 2235 GPM

Tank(s): 0.420 MG

Ultimate Capacity:

Well(s): 1806 GPM

Booster Pump(s): 4785 GPM

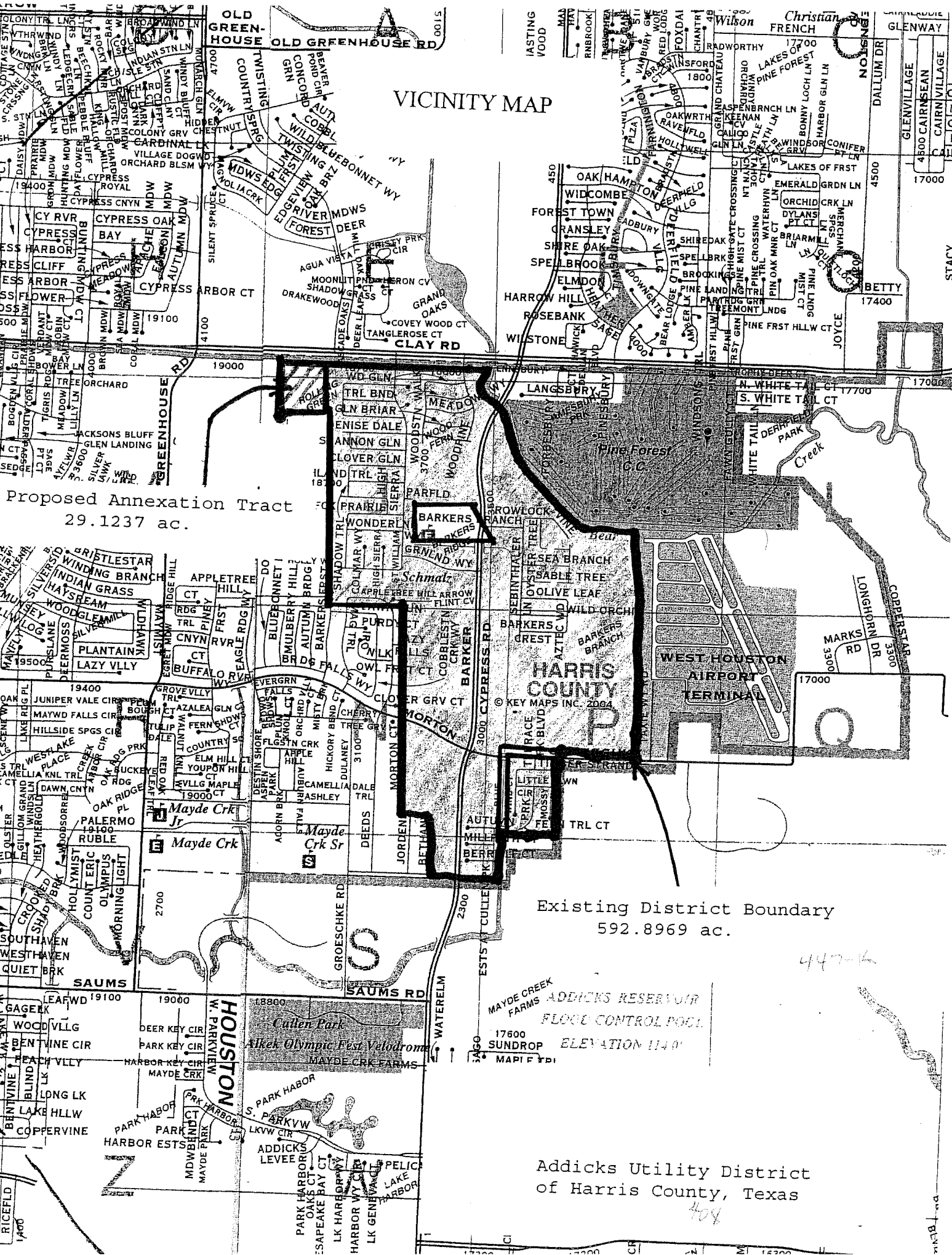
Tank(s): 0.844 MG

Size of Treatment Plant Site: 0.331

~~square feet~~/acres.

Comments or Additional Information: _____

VICINITY MAP


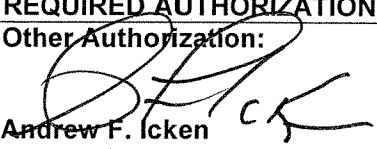


Proposed Annexation Tract
29.1237 ac.

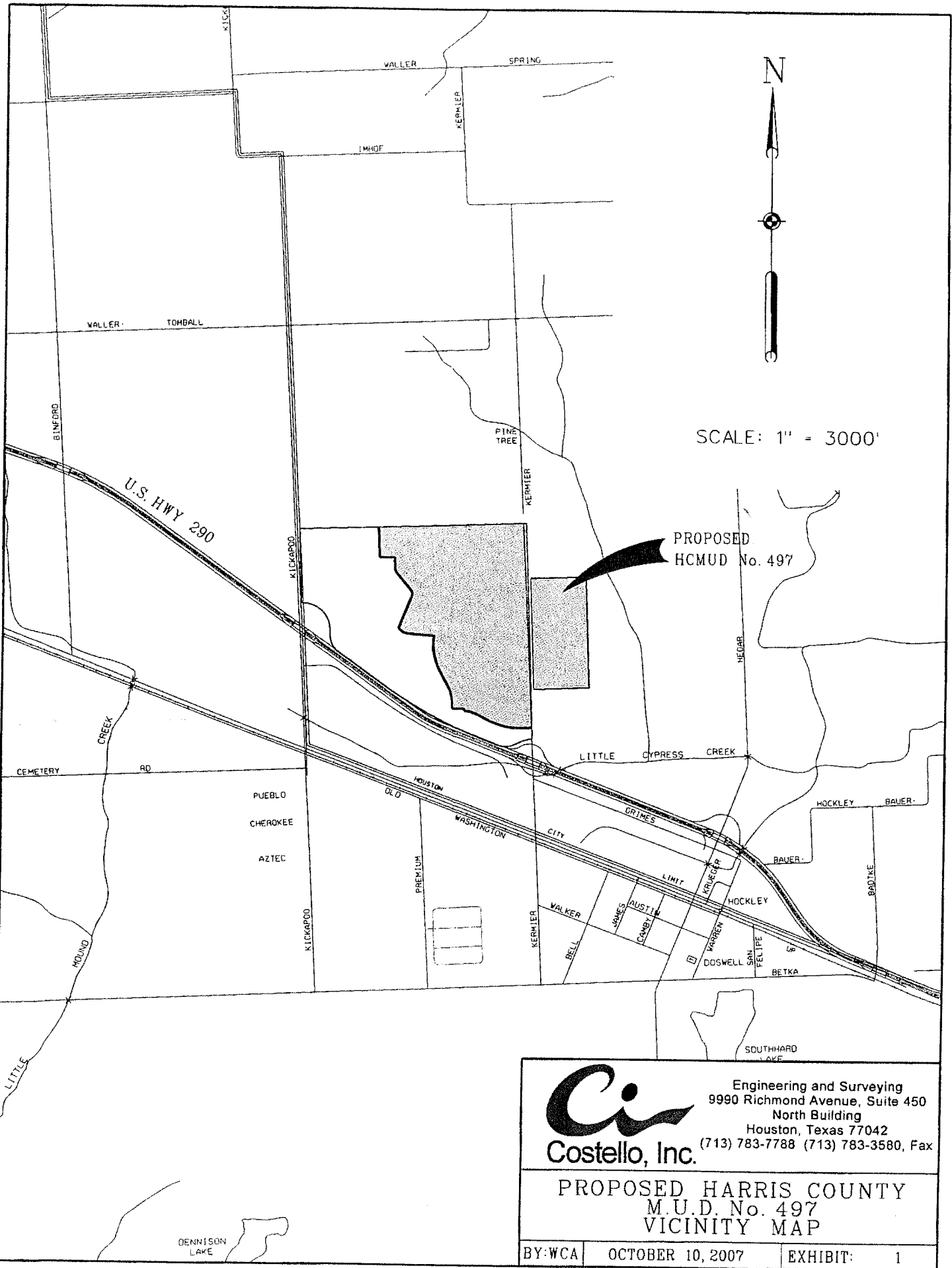
Existing District Boundary
592.8969 ac.

Addicks Utility District
of Harris County, Texas

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the creation of two (2) tracts of land totaling 357.20 acres as Harris County Municipal Utility District No. 497 (Key Map No.283-U, V)		Category #	Page 1 of 1	Agenda Item # 25
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 4/17/08	Agenda Date APR 30 2008	
DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., DEE, Director		Council District affected: "ETJ"		
For additional information contact: Jun Chang, P.E. Senior Assistant Director Phone: (713) 837-0433		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) The petition for the creation of 357.20 acres of land as Harris County Municipal Utility District No. 497 be approved.				
Amount of Funding: NONE REQUIRED			F & A Budget:	
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)				
SPECIFIC EXPLANATION: The owners of 357.20 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 US Highway 290, FM 2920 (Waller-Tomball Road), Kickapoo Road and Hegar Road. The district will consist of 357.20 acres. The district will be served by a regional plant, Harris County Municipal Utility District No. 496 Wastewater Treatment Plant. The nearest major drainage facility for Harris County Municipal Utility District No. 497 is Little Cypress Creek which flows into Cypress Creek then to Spring Creek then into 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 Mark Loethen Bill Zrioka Waynette Chan Deborah McAbee Gary Norman				
F & A Director		REQUIRED AUTHORIZATION 20JZC417		
		Other Authorization:  Andrew F. Icken Deputy Director Planning & Development Services Div.		
		Other Authorization:		

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P:\University Park\c07\c000\harris\hcmud 497 creation\university vic map MUD497.dgn



Engineering and Surveying
9990 Richmond Avenue, Suite 450
North Building
Houston, Texas 77042
(713) 783-7788 (713) 783-3580, Fax

PROPOSED HARRIS COUNTY
M.U.D. No. 497
VICINITY MAP

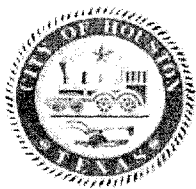
BY: WCA

OCTOBER 10, 2007

EXHIBIT:

1

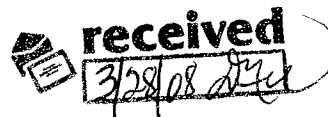
417



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form



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 357.20 acres to Harris County MUD No. 497 under the provisions of Chapters 49 and 54 Texas Water Code.

Jim Boone
Attorney for the District

Attorney: James Boone, Allen Boone Humphries Robinson LLP

Address: 3200 Southwest Freeway Ste. 2600, Houston,
Texas

Zip: 77027

Phone: 713-860-6406

Engineer: Costello, Inc

Address: 9990 Richmond Ave., Suite 450, N. Bldg, Houston,
Texas

Zip: 77042

Phone: 713-783-7788

Owners: Trademark Property Company

Address: 301 Commerce St., Suite 3635, Fort Worth, TX

Zip: 76102

Phone: 817-810-5387

(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 County

Survey see attached page

Abstract see attached page

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

North of: US Hwy. 290

East of: Kickapoo Road

South of: FM 2920 (Waller-Tomball Road)

West of: Hegar Road

WATER DISTRICT DATA

Total Acreage of District: 357.20

Existing Plus Proposed Land _____

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

Single Family Residential 86.3

Multi-Family Residential _____

Commercial 1.2

Industrial _____

Institutional 12.5

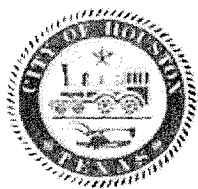
Sewage generated by the District will be served by a : District Plant ☐

Regional Plant ☒

Sewage Treatment Plant Name: Harris County MUD 496 Wastewater Treatment Plant

NPDES/TPDES Permit No: _____

TCEQ Permit No: _____



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 0.0

Ultimate Capacity (MGD): 0.75

Size of treatment plant site: 3.32 acres 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: 0.0

MGD of (Regional Plant).

Name of District: Proposed HCMUD No. 497

MGD Capacity Allocation 0.37

or property owner(s)

Name of District: Proposed HCMUD No. 496

MGD Capacity Allocation 0.38

Water Treatment Plant Name: Proposed HCMUD No. 496 Water Plant

Water Treatment Plant Address: To be determined

Well Permit No: To be determined

Existing Capacity:

Well(s): 0 GPM

Booster Pump(s): 0 GPM

Tank(s): 0 MG

Ultimate Capacity:

Well(s): 1,000 GPM

Booster Pump(s): 3,600 GPM

Tank(s): 0.33 MG

Size of Treatment Plant Site: approximately 1.70 acres

square feet/acres.

Comments or Additional Information: _____

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the addition of four (4) tracts of land totaling 38.916 acres to Northwest Harris County Municipal Utility District No. 5 (Key Map No. 327-D, H,M, U,V & 328-A, J, L, M, Q, R, S)	Category #	Page 1 of 1	Agenda Item # 26
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 4/17/08	Agenda Date APR 30 2008
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DIRECTOR'S SIGNATURE Michael S. Marcotte, P.E., DEE	Council District affected: "ETJ"
--	-------------------------------------

For additional information contact: Jun Chang, P.E. Senior Assistant Director Phone: (713) 837-0433	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)

The petition for the addition of 38.916 acres of land to Northwest Harris County Municipal Utility District No. 5 be approved.

Amount of Funding: NONE REQUIRED	F & A Budget:
-------------------------------------	---------------

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

SPECIFIC EXPLANATION:

Northwest Harris County Municipal Utility District No. 5 has petitioned the City of Houston for consent to add 38.916 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 Boudreaux, Cypress-Rose Hill, Telge Road, Spring Cypress, and North Eldridge Parkway. The district desires to add 38.916 acres, thus yielding a total of 2,111.0558 acres. The district is served by the Northwest Harris County Municipal Utility District No. 5 Wastewater Treatment Plant, which is owned and operated by the district. The nearest major drainage facility for Northwest Harris County Municipal Utility District No. 5 is Faulkey Gully which flows to Cypress Creek then into Spring Creek then into the San Jacinto River and finally into Lake Houston.

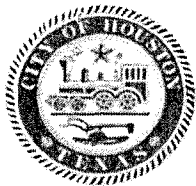
Potable water is provided by the district. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their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

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

Attachments

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

F & A Director	REQUIRED AUTHORIZATION	20JZC413
	Other Authorization: Andrew F. Ickert Deputy Director Planning & Development Services Div.	Other Authorization:



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

4/27/08 [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 38.916 acres to NW Harris Co. MUD No. 5 under the provisions of Chapters 49 & 54 Texas Water Code.

James D. Bonham
Attorney for the District [Signature]

Attorney: James D. Bonham

Address: 1100 Louisiana Street, Suite 400 Houston

Zip: 77002

Phone: 713/652-6500

Engineer: David Corbin, P.E.

Address: 9990 Richmond Ave, #N-450, Houston

Zip: 77042

Phone: 713/783-7788

Owners: SEE ATTACHED

Address: _____

Zip: _____

Phone: _____

(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 See Attached

Abstract _____

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

North of: See Attached

East of: _____

South of: _____

West of: _____

WATER DISTRICT DATA

Total Acreage of District: 2,072.1398

Existing Plus Proposed Land 2,111.0558

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

Single Family Residential 53%

Multi-Family Residential _____

Commercial 47%

Industrial _____

Institutional _____

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

Sewage Treatment Plant Name: NW Harris Co. MUD No. 5 Sewage Treatment Plant

NPDES/TPDES Permit No: TX00072346

TCEQ Permit No: 11824-001



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 0.8 MGD

Ultimate Capacity (MGD): 0.8 MGD

Size of treatment plant site: 2.142 square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 0.8 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: _____

MGD of (Regional Plant).

Name of District: _____

MGD Capacity Allocation _____

or property owner(s)

Name of District: _____

MGD Capacity Allocation _____

Water Treatment Plant Name: SEE ATTACHED

Water Treatment Plant Address: _____

Well Permit No: _____

Existing Capacity:

Well(s): SEE ATTACHED

GPM

Booster Pump(s): _____

GPM

Tank(s): _____

MG

Ultimate Capacity:

Well(s): _____

GPM

Booster Pump(s): _____

GPM

Tank(s): _____

MG

Size of Treatment Plant Site: _____

square feet/acres.


Comments or Additional Information: See Attached for additional information regarding

(1) Owners, (2) Survey information, (3) Geographic Location and (4) Water Treatment

Plant

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance amending Ordinance No. 2007-1319 to increase the maximum contract amount from \$225,000.00 to \$355,000.00 for legal services under a contract between the City of Houston and Smyser, Kaplan & Veselka, L.L.P. related to defense of various Sign Code challenges.		Category # 6	Page 1 of 1	Agenda Item # 27
FROM (Department or other point of origin): Legal Department		Origination Date 4/25/08		Agenda Date APR 30 2008
DIRECTOR'S SIGNATURE: 		Council District affected: All		
For additional information contact: Bertrand L. Pourteau, II 713-247-1479		Date and identification of prior authorizing Council action: Ordinance No. 2007-1319; Dated: November 28, 2007		
RECOMMENDATION: (Summary) That Council adopt an ordinance amending Ordinance No. 2007-1319 to increase the maximum contract amount from \$225,000.00 to \$355,000.00 for legal services under a contract between the City of Houston and Smyser, Kaplan & Veselka, L.L.P. related to defense of various Sign Code challenges.				
AMOUNT OF FUNDING: \$130,000.00			F&A Budget:	
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input checked="" type="checkbox"/> Other (Specify) Fund: 1004 Property & Casualty Fund				
SPECIFIC EXPLANATION: Ordinance No. 2007-1319 authorized a contract between the City of Houston and Smyser, Kaplan & Veselka, L.L.P. for outside legal services relating to the defense of claims in three courts challenging enforcement of the City's Sign Code, both within the City and in the extraterritorial jurisdiction. Two of these matters have been successfully resolved. However, the Federal Constitutional challenge to the application of the Sign Code in the City's ETJ remains. The funds authorized and approved by Ordinance No. 2007-1319, have been exhausted. The City Attorney requests that Council approve an Ordinance amending the maximum amount of the legal services contract with Smyser, Kaplan & Veselka for defense of various Sign Code challenges.				
REQUIRED AUTHORIZATION				
F&A Director:		Other Authorization:		Other Authorization:

SUBJECT: Professional Architectural Services Contract Task Order Contract for Various City Departments Brave / Architecture Inc. WBS Nos. D-000115-0005-3, L-000072-0001-3 E-00ARCH-0001-3, G-00ARCH-0001-3		Page 1 of 2	Agenda Item 28
FROM (Department or other point of origin): General Services Department		Origination Date 04-23-08	Agenda Date APR 30 2008
DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>[Signature]</i> 5/21/08		Council District affected: All	
For additional information contact: Jacquelyn L. Nisby <i>[Signature]</i> Phone: 713-247-1814 832-393-8023		Date and identification of prior authorizing Council action:	
RECOMMENDATION: Approve and authorize a Task Order Contract with Brave / Architecture Inc. and appropriate funds.			
Amount and Source of Funding: Maximum Contract Amount: \$800,000.00 Initial Appropriation: \$250,000.00—General Improvements Consolidated Construction Fund (4509) \$ 50,000.00—Solid Waste Consolidated Construction Fund (4503) \$100,000.00—Public Library Consolidated Construction Fund (4507) \$100,000.00—Police Consolidated Construction Fund (4504) \$500,000.00 TOTAL		Finance Budget: <i>[Signature]</i> <i>[Signature]</i>	
SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve a professional architectural services contract with Brave / Architecture Inc. for citywide task order architectural and engineering services for various City departments, and delegate authority to the director to approve supplemental allocations up to the maximum contract amount of \$800,000.00. Additional funding will be made available by supplemental allocations from various departmental budgets, or appropriations from various bond funds up to the maximum contract amount.			
PROJECT LOCATION: Citywide			
SCOPE OF CONTRACT AND FEE: Under the terms of the contract, the consultant will perform design phase services, on an as needed basis, for various City departments and will seal documents to comply with the City Building Code. Fees for each project will be negotiated based upon the size and complexity of the tasks involved.			
REQUIRED AUTHORIZATION CUIC # 25DSGN16			
General Services Department: <i>[Signature]</i> Phil Golembiewski, P.E. Chief of Design & Construction Division		Houston Public Library: <i>[Signature]</i> Rhea Brown Lawson, Ph. D. Director <i>[Signature]</i>	
Houston Police Department: <i>[Signature]</i> Harold Hurtt M.I. Montalvo, Chief of Police Acting Chief of Police		Solid Waste Management Department: <i>[Signature]</i> Harry J. Hayes Director <i>[Signature]</i> 4-1-08	

Date	SUBJECT: Professional Architectural Services Contract Task Order Contract for Various City Departments Brave / Architecture Inc. WBS Nos. D-000115-0005-3, L-000072-0001-3 E-00ARCH-0001-3, G-00ARCH-0001-3	Originator's Initials SC	Page 2 of 2
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FUNDING SUMMARY: The contract provides for a Basic Services Fee to be paid as a lump sum and certain Additional Services to be paid on a reimbursable basis.

\$425,000.00 Basic Services
\$ 50,000.00 Additional Services
\$ 25,000.00 Reimbursable Expenses
\$500,000.00 Total Initial Appropriation

M/WBE PARTICIPATION: An M/WBE goal of 24% has been established for this contract. Since this is a Task Order Contract, sub-consultant MWBE percentages will be determined as projects and proposals are produced.

The consultant has submitted the following certified firms to achieve the goal:

Firms

Bovay Engineers, Inc.
Concept Engineers, Inc.
CSF Consulting, L.P. DBA PE Service Consulting Engineer
Jones Engineering, L.P.
M.F. Hirsch & Associates, Inc.
Othon, Inc.
TTL Corp

Work Description

Mechanical Engineering
Structural Engineering
Structural Engineering
Mechanical Engineering
Mechanical Engineering
Civil Engineering
Civil Engineering

IZD:PJG:JLN:JT:RAV:SC:ps

c: Joseph Kurian, Carter Roper, Wendy Heger, Velma Laws, Kirk Munden, Gary Readore, Kim Nguyen,
File 813

SUBJECT: Appropriate Funds for Issuance of a Purchase Order to K. Hanes Incorporated d/b/a BJ's Park and Recreation Products to purchase shade structures through the Texas Local Government Purchasing Cooperative
Lee and Joe Jamail Skatepark
WBS No. F-000560-0002-4

Page
1 of 1

Agenda Item

29

FROM (Department or other point of origin):
General Services Department

Origination Date

04-23-08

Agenda Date

APR 30 2008

DIRECTOR'S SIGNATURE

Issa Z. Dadoush, P.E.

Council District(s) affected:

H

For additional information contact:

Jacquelyn L. Nisby

Phone: 713-247-1814

Date and identification of prior authorizing Council action:

RECOMMENDATION: Appropriate funds to purchase shade structures through the Texas Local Government Purchasing Cooperative for the Parks and Recreation Department.

Amount and Source Of Funding:

\$ 47,718.00 Parks Special Fund (4012)

Finance Budget:

WJS
Douglas Becker

SPECIFIC EXPLANATION: The General Services Department recommends that City Council appropriate \$47,718.00 out of the Parks Special Fund to fund the issuance of a purchase order to K. Hanes Incorporated d/b/a BJ's Park and Recreation Products to purchase two shade structures through the Texas Local Government Purchasing Cooperative for the Parks and Recreation Department.

The Lee and Joe Jamail Skatepark will be a state-of-the-art, public 30,000 square foot in-ground skatepark that will include various levels of terrain. It is being constructed near downtown on the banks of Buffalo Bayou. The park construction is privately funded and named after Lee and Joe Jamail in appreciation of a generous gift donated by the Jamail family. The project will be completed early this summer and the Parks and Recreation Department will operate the park once it opens.

PROJECT LOCATION: 103 Sabine (493K)

PROJECT DESCRIPTION: The project consists of the purchase, delivery and installation of two shade structures for the Lee and Joe Jamail Skatepark. These structures will provide the skatepark participants a shaded rest area.

IZD:PJG:JLN:LJ:lj

c: Marty Stein, Jacquelyn L. Nisby, Mark Ross, Webb Mitchell, Dan Pederson, File 813

REQUIRED AUTHORIZATION

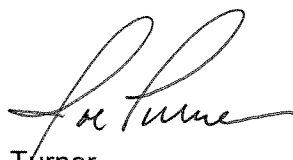
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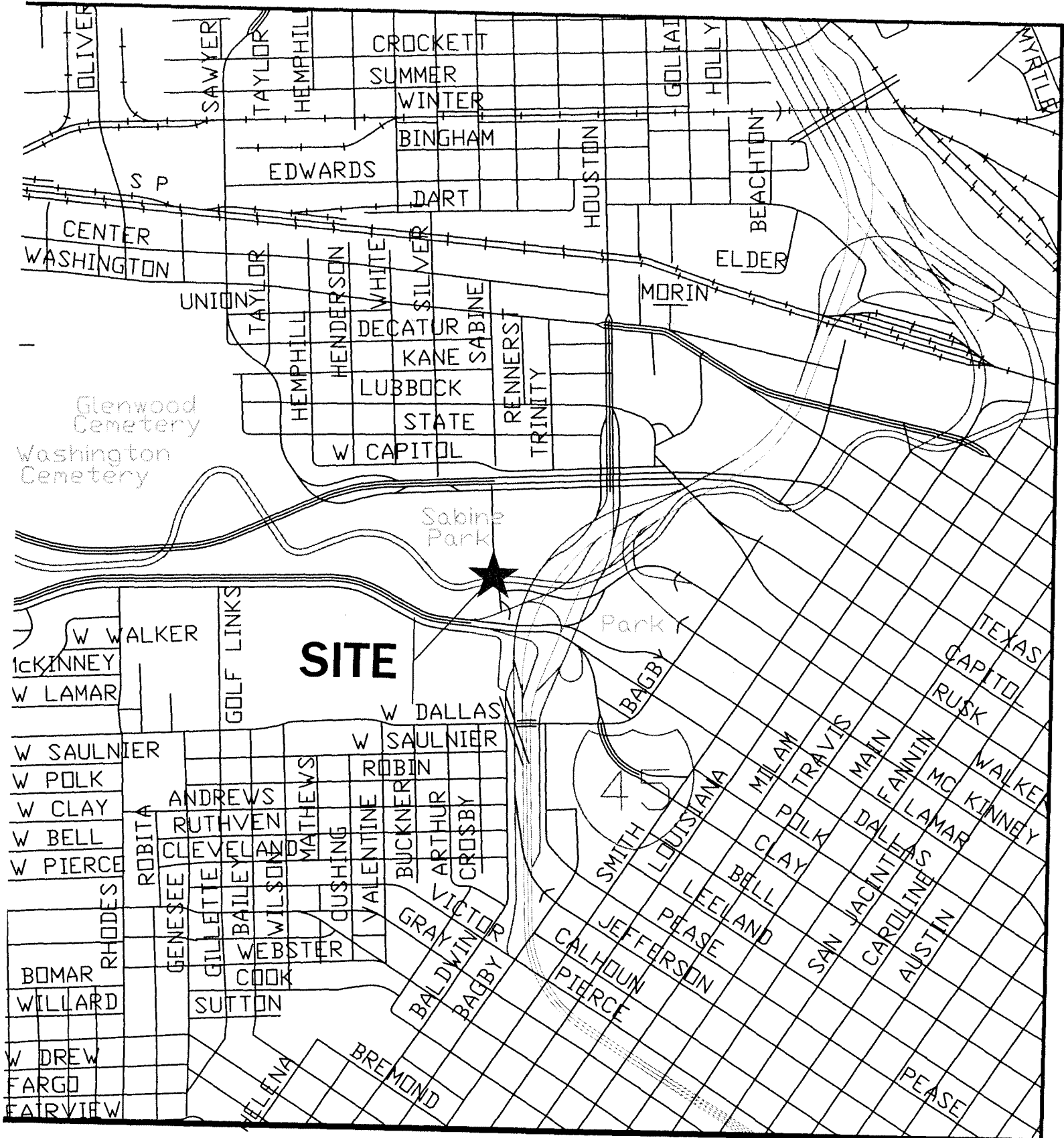
General Services Department:

Parks and Recreation Department:

NOT


Phil Golembiewski, P.E.
Chief of Design & Construction Division


Joe Turner
Director



LEE AND JOE JAMAIL SKATEPARK PROJECT

103 SABINE

HOUSTON, TX 77007

F-000650-0002-4

SUBJECT: Appropriate Funds for Issuance of a Purchase Order
to Lone Star Recreation, Inc. to purchase a Playground
Structure through the Texas Local Government Purchasing
Cooperative
Neighborhood Partnership - Braeswood Park Playground
WBS No. F-000244-0001-4

Page
1 of 1

Agenda Item

30

FROM (Department or other point of origin):
General Services Department

Origination Date

04-23-08

Agenda Date

APR 30 2008

DIRECTOR'S SIGNATURE

Issa Z. Dadoush, P.E.

Issa Z. Dadoush
4/10/08

Council District(s) affected:

C

For additional information contact:

Jacquelyn L. Nisby

Phone: 713-247-1814

Date and identification of prior authorizing Council action:

RECOMMENDATION: Appropriate funds to purchase a playground structure through the Texas Local Government Purchasing Cooperative for the Parks and Recreation Department.

Amount and Source Of Funding:

\$ 24,427.00 Parks Consolidated Construction Fund (4502)

Finance Budget:

MSS
Douglas Becker

SPECIFIC EXPLANATION: The General Services Department recommends that City Council appropriate \$24,427.00 out of the Parks Consolidated Construction Fund to fund the issuance of a purchase order to Lone Star Recreation, Inc. to purchase a playground structure through the Texas Local Government Purchasing Cooperative for the Parks and Recreation Department (PARD).

PROJECT LOCATION: 2345 Maroneal/Kelving (532L)

PROJECT DESCRIPTION: The project involves the purchase and delivery of a playground structure for Braeswood Park to replace an old wooden playground structure, which is in disrepair.

Under the Neighborhood Partnership Program, PARD will match private funds up to \$25,000 for park enhancements. The neighborhood raised matching funds for the playground installation, playground drainage improvements, and additional playground components. These improvements will be coordinated through the Houston Parks Board.

IZD:P:JLN:LJ:l

c: Marty Stein, Jacquelyn L. Nisby, Mark Ross, Webb Mitchell, Dan Pederson, File 813

REQUIRED AUTHORIZATION

CUIC# 25PARK28

General Services Department:

Parks and Recreation Department:

MDT

Phil Golembewski

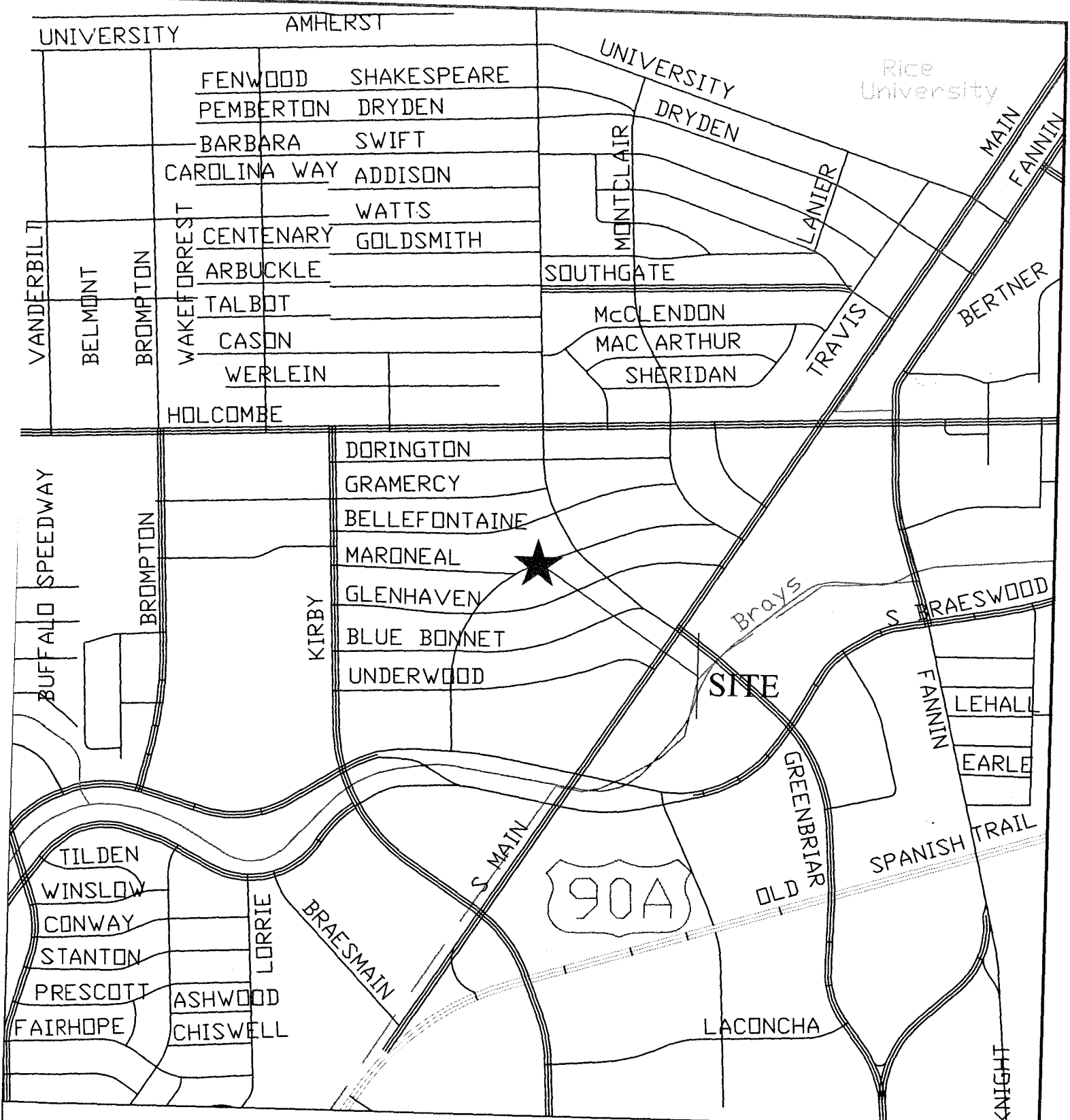
Phil Golembewski, P.E.

Chief of Design & Construction Division

Joe Turner

Joe Turner

Director

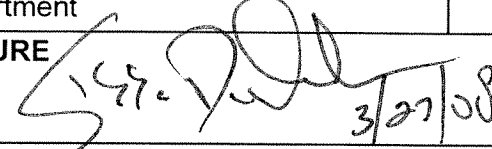

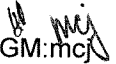
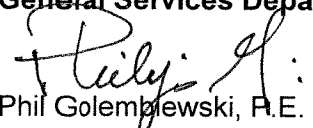


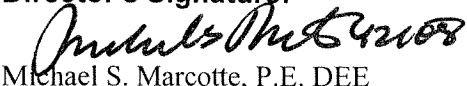

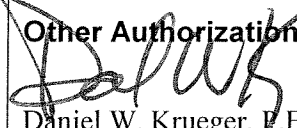
Neighborhood Partnership -
Braeswood Park Playground

2345 Maroneal/Kelving
Houston, TX 77030

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Amending Ordinance No. 2007-1327 to correct the name of the consultant on the Professional Environmental Consulting Services Agreement. WBS Nos. D-000073-0012-4 and F-000509-0040-4		Page 1 of 1	Agenda Item 31
FROM (Department or other point of origin): General Services Department		Origination Date 4/3/08	Agenda Date APR 30 2008
DIRECTOR'S SIGNATURE Issa Z. Dadoush, P.E.  3/27/08		Council District(s) affected: All	
For additional information contact: Jacquelyn L. Nisby  Phone: 713- 247-1814		Date and identification of prior authorizing Council action: Ordinance No. 07-1327; 11/28/07	
RECOMMENDATION: Amend Ordinance No. 2007-1327 to reflect the correct name of the consultant as ERC Environmental Consultants Inc d/b/a ERC.			
Amount and Source Of Funding: N/A			F & A Budget:
Previous Funding: \$100,000.00 General Improvements Consolidated Construction Fund (4509) \$100,000.00 Parks Consolidated Construction Fund (4502) \$200,000.00 Total Appropriation			
SPECIFIC EXPLANATION: On November 28, 2007, Ordinance No. 2007-1327, City Council approved a Professional Environmental Consulting Services Agreement with Environmental Resource Consultants, Inc. for asbestos and lead program and general environmental services. Due to a drafting error, the name of the consultant was incorrect. The General Services Department recommends that City Council amend Ordinance No. 2007-1327, to reflect the correct name of the consultant as ERC Environmental Consultants Inc d/b/a ERC. PROJECT LOCATION: Citywide IZD:PJG:JLN:GM:mcs  c: Marty Stein, Jacquelyn L. Nisby, Velma Laws, Mark Ross, Mary Villarreal, Anna Russell, Gabriel Mussio, File			
REQUIRED AUTHORIZATION			CUIC#25GM158
General Services Department:  Phil Golembewski, P.E. Chief of Design & Construction Division	Other Authorization:		

SUBJECT: Approve Amendment One to the TxDOT Agreement for the Construction of Columbia Tap Union Station Trail – A Joint Project between City of Houston (City) and Texas Department of Transportation (TxDOT), WBS No. N-000420-0037-4, TxDOT CSJ 0912-71-801		Page 1 of 2	Agenda Item # 32						
From: Department of Public Works and Engineering	Origination Date 4/24/08	Agenda Date APR 30 2008							
Director's Signature:  Michael S. Marcotte, P.E. DEE	Council District affected: 1 MS'								
For additional information contact:  Reid K. Msnny, P.E. Senior Assistant Director Phone: (713) 837-0452	Date and identification of prior authorizing Council action: <table><tr><td>Ord. No. 07-0470</td><td>Date: 04/11/07</td></tr><tr><td>Ord. No. 04-1114</td><td>Date: 11/03/04</td></tr><tr><td>Ord. No. 02-0843</td><td>Date: 09/04/02</td></tr></table>			Ord. No. 07-0470	Date: 04/11/07	Ord. No. 04-1114	Date: 11/03/04	Ord. No. 02-0843	Date: 09/04/02
Ord. No. 07-0470	Date: 04/11/07								
Ord. No. 04-1114	Date: 11/03/04								
Ord. No. 02-0843	Date: 09/04/02								
Recommendation: Pass an ordinance approving amendment one to the construction agreement for Columbia Tap Union Station Trail project.									
Amount and Source of Funding: (Previous appropriation of \$45,500.00 from Street and Bridge Consolidated Construction Fund No. 437 and \$535,000.00 from Street and Bridge Consolidated Construction Fund No. 4506.) No additional funding required.									
SPECIFIC EXPLANATION: PROJECT NOTICE/JUSTIFICATION: The Houston Bikeway Program was implemented to develop a citywide network of bicycle facilities projected to be integrated into an overall transportation network for the Houston area. The Houston Bikeway Program provides design and construction of approximately 334 miles of bikeways and trails in the City of Houston. To date, 290 miles of "On-street Bikeways" and "Off-street" trails have been completed. Another 44 miles, mostly off-street trails are currently under design. The project's allowable costs are 80% funded by the Federal Highway Administration (FHWA) under the Intermodal Surface Transportation Efficiency Act (ISTEA), Transportation Enhancement and Congestion Mitigation and Air Quality (CMAQ) program. The 20% local match funding is provided by both the City of Houston and Metropolitan Transit Authority (METRO). Besides the local match, City is also responsible for paying 100% in excess of federal participation. The Columbia Tap Union Station project is currently under construction. ROW/easement acquisition has been completed and TxDOT let this project for construction on 5/7/07. DESCRIPTION/SCOPE: This project consists of constructing a reinforced concrete hike and bike trail approximately 0.94 miles long and 10 feet wide complete with striping, accessibilities ramps, landscaping and the removal of the existing rail road tracks. LOCATION: The trail is generally bounded by Texas Ave. on the north, Polk Street on the south, Scott Street on the east, and US Hwy 59 on the west. Key Map grids: 493R and 494S.									
REQUIRED AUTHORIZATION		CUIC ID #20MHS113							
F&A Budget:	Other Authorization:	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division							

Date	SUBJECT: Approve Amendment One to the TxDOT Agreement for the Construction of Columbia Tap Union Station Trail – A Joint Project between City of Houston (City) and Texas Department of Transportation (TxDOT), WBS No. N-000420-0037-4, TxDOT CSJ 0912-71-801	Originator's Initials MS	Page 2 of 2
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PREVIOUS HISTORY AND SCOPE: City Council approved the advanced funding agreement with TxDOT via Ordinance No. 02-0843. Subsequently, City Council approved Ordinance No. 04-1114 to substitute a revised funding agreement and allow the state auditor to conduct audits. City Council later approved Ordinance No. 07-0470 and appropriated \$535,000.00 with \$486,326.60 for project costs and \$48,673.40 for project management to pay for the City's local match.

PROJECT COST/JUSTIFICATION: Based on the engineer's estimate and TxDOT funding letter prior to bidding the project, the City had paid a local match amounting to \$486,326.00 with the original federal participation capped at \$707,027.00. Amendment One increases the federal funding from \$707,027.00 to \$805,124.00. This increase in federal participation will lower costs that previously were paid by the City as part of the local match, resulting in potential savings to the City. The exact amount cannot be quantified at this time since the project is still under construction.

ACTION RECOMENDED: It is recommended that City Council Approve Amendment One to the TxDOT funding agreement.

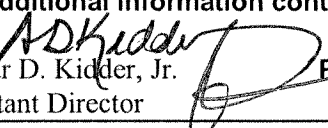
M/WBE INFORMATION: TxDOT had bid the project for construction according to TxDOT M/WBE requirements.


MSM:DWK:RKM:FOS:BB:MHS:mg
S:\design\A-NP-DIV\Saied\RCA\RCA Amendment One Columbia Tap Union Station Trail.doc

c: Marty Stein
Daniel W. Krueger, P.E.
Susan Brandy
Velma Laws
Waynette Chan
Gary Norman w/enclosures
Craig Foster
File No. N-000420-0037-4

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Storm Sewer Television Inspection (Work Order Contract). WBS No. M-000301-0003-4		Category #1, 7	Page 1 of 2	Agenda Item # 33
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 4/17/08	Agenda Date APR 30 2008	
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE		Council District affected: "All"		
For additional information contact:  Arthur D. Kidder, Jr. Assistant Director Phone: (713) 837-7511		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) Accept low bid, award construction Contract.				
Amount and Source of Funding: \$368,967.96 allocated from the Storm Water Fund (2302) PLR 4/7/08			F&A Budget:	
SPECIFIC EXPLANATION: The Contract provides for negotiated work orders to address existing condition in storm drainage systems.				
PROJECT NOTICE/JUSTIFICATION: This project will provide on-call services on a Work Order basis to do television inspections on the City's storm drainage system as generated by citizen complaints or by the Right-of-Way Maintenance Division.				
DESCRIPTION/SCOPE: This project consists of television inspection of storm sewer lines to obtain quality videotapes to determine the condition of the pipe. The information from the tapes will then be used to determine necessary corrective actions. The Contract duration for this project is 730 calendar days.				
LOCATION: Specific locations throughout the City will be determined as Work Orders are issued.				
BIDS: Bids were received on January 10, 2008. The five (5) bids are as follows:				
<u>Bidder</u>		<u>Bid Amount</u>		
1. Chief Solutions, Inc.		\$368,967.96		
2. Shumaker-Harvey Equipment Co., Inc. dba SHE-CO, Inc.		\$415,680.00		
3. Specialized Maintenance Services, Inc.		\$426,020.40		
4. Clean Serve, Inc.		\$457,248.00		
5. Compliance Enviro Systems		\$467,640.00		
REQUIRED AUTHORIZATION				
F&A Director:		Other Authorization:		
		 Eric K. Dargan, Deputy Director Right-of-Way and Fleet Maintenance Division		
		NOT		

Date	Subject: Contract Award for Storm Sewer Television Inspection (Work Order Contract).	Originator's Initials	Page <u>2</u> of <u>2</u>
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AWARD: It is recommended that this construction Contract be awarded to Chief Solutions Inc. with a low bid of \$368,967.96 and that Addenda Number 1 and 2 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$368,967.96 to be appropriated as follows:

- Bid Amount \$368,967.96



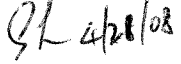

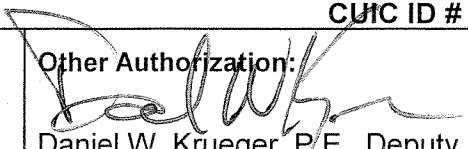
M/WBE PARTICIPATION: There is no M/WBE goal established for this project.


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

MSM:EKD:ADK:PDA:ms

Z:\M-000301-0003-4 Storm Sewer Television Inspection (Work Order Contract)\Postbid\RCAM00030100034.doc

c: Marty Stein
Susan Bandy
Velma Laws
File No. SM5052-03

SUBJECT: Contract Award for Dryden Street Widening from Main to Fannin. W.B.S. No. N-000396-0009-4.		Page 1 of 2	Agenda Item # 34						
FROM: (Department or other point of origin): Department of Public Works and Engineering		Origination Date: 4/25/08	Agenda Date: APR 30 2008						
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E. DEE		Council District affected: C							
For additional information contact:  Reid K. Mersny, P.E. Phone: (713) 837-0452 Senior Assistant Director		Date and identification of prior authorizing Council action: Ordinance 2006-1242, 12/13/06							
RECOMMENDATION: (Summary) Accept low bid, award construction Contract and appropriate funds.									
Amount and Source of Funding: \$ 37,674.75 from Street and Bridge Consolidated Construction Fund No. 4506. \$135,125.25 from Limited Use Roadway & Mobility Capital Fund No. 4034. \$172,800.00 									
PROJECT NOTICE/JUSTIFICATION: The Texas Medical Center (TMC) is the City's second largest employment center and the world's largest Medical Center complex. Over the next 15 years the TMC is undertaking an aggressive expansion program which will significantly increase the area's development. This roadway project is required to improve mobility and enhance traffic safety in the Texas Medical Center area.									
DESCRIPTION/SCOPE: This project consists of the widening of Dryden Street from Main Street to Fannin Boulevard in the TMC Area along with utility and sidewalk improvements. The Contract duration for this project is 30 calendar days. The TMC furnished the project design provided by Walter P. Moore, Inc.									
LOCATION: The project area is generally bound by University Blvd on the north, W. Holcombe on the south, Fannin on the east and S. Main on the west. The project is located in Key Map Grids 532-H.									
PREVIOUS DESCRIPTION/SCOPE: The City of Houston entered into an Advance Funding Agreement with the TMC for this project under Ordinance No. 2006-1242 on December 13, 2006. In accordance with the Advance Funding Agreement, the TMC will reimburse \$135,125.25 to the city for the low bid construction amount prior to beginning construction. \$37,674.75 will be provided by the city for Project Management, Engineering and Testing, Contingencies, and Construction Management.									
BIDS: Bids were received on December 20, 2007. The two (2) bids are as follows:									
<table border="1"> <thead> <tr> <th>Bidder</th> <th>Bid Amount</th> </tr> </thead> <tbody> <tr> <td>1. Jerdon Enterprise, L.P.</td> <td>\$135,125.25</td> </tr> <tr> <td>2. Tikon Group, Inc.</td> <td>\$257,306.00</td> </tr> </tbody> </table>		Bidder	Bid Amount	1. Jerdon Enterprise, L.P.	\$135,125.25	2. Tikon Group, Inc.	\$257,306.00		
Bidder	Bid Amount								
1. Jerdon Enterprise, L.P.	\$135,125.25								
2. Tikon Group, Inc.	\$257,306.00								
REQUIRED AUTHORIZATION		CWIC ID # 20-MAC51							
 Budget: 	Other Authorization:	 Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division							

Date	Subject: Contract Award for Dryden Street Widening from Main to Fannin. W.B.S. No. N-000396-0009-4.	Originator's Initials 	Page 2 of 2
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AWARD: It is recommended that this construction Contract be awarded to Jerdon Enterprise, L.P. with a low bid of \$135,125.25 and that Addendum Number 1 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$172,800.00 to be appropriated as follows:


• Bid Amount	\$135,125.25
• Contingencies	\$6,756.26
• Engineering and Testing Services	\$5,200.00
• Project Management	\$14,908.46
• Construction Management	\$10,810.03

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

Construction Management Services will be provided in-house by the Department of Public Works and Engineering.

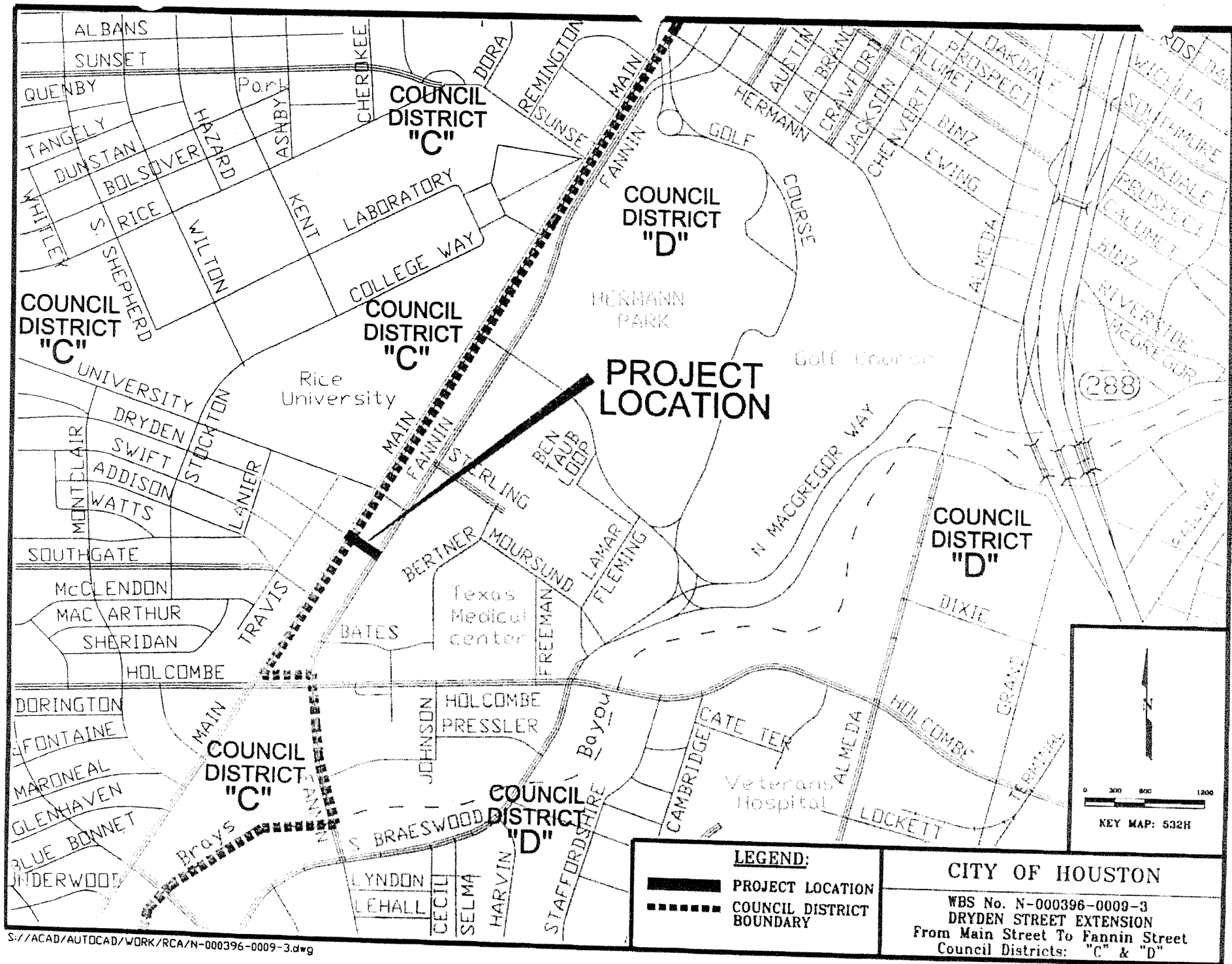
M/WBE PARTICIPATION: No M/WBE goal has been established for this project.

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




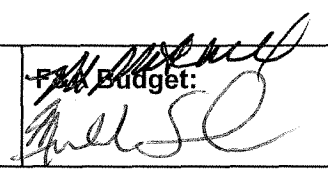


MSM:DWK:RKM:JHK:SAB:MC

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



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Wastewater Collection System Rehabilitation and Renewal WBS# R-000266-0112-4		Page 1 of 2	Agenda Item # 35
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 3/27/08	Agenda Date APR 30 2008
DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., DEE, Director		Council District affected: All	
For additional information contact: Yogesh Mehta, P.E. Acting Senior Assistant Director Phone: (713) 641-9152		Date and identification of prior authorizing Council action: N/A	
RECOMMENDATION: (Summary) Accept low bid, award construction contract, and appropriate funds.			
Amount and Source of Funding: \$2,930,802.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier III.			F&A Budget: 
SPECIFIC EXPLANATION: This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems on an emergency basis throughout the City.			
DESCRIPTION/SCOPE: This project consists of sanitary sewer rehabilitation by point repair method. The contract duration for this project is 540 calendar days.			
LOCATION: The project area is generally bounded by the City Limits.			
BIDS: Five (5) bids were received on June 7, 2007 for this project as follows:			
<u>Bidder</u>		<u>Bid Amount</u>	
1. Underground Technologies, Inc.		\$2,737,842.68	
2. Reliance Construction Services, L.P.		\$2,950,376.15	
3. PM Construction & Rehab, L.P.		\$2,986,007.50	
4. North Houston Pole Line, L.P.		\$3,320,239.60	
5. Troy Construction, L.L.P.		\$4,491,557.50	
File/Project No. WW 4235-36		REQUIRED AUTHORIZATION	
F&A Director: 	Other Authorization:	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	

Date	Subject: Contract Award for Wastewater Collection System Rehabilitation and Renewal WBS# R-000266-0112-4	Originator's Initials	Page 2 of 2
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AWARD: It is recommended that this construction contract be awarded to Underground Technologies, Inc. with a low bid of \$2,737,842.68.

PROJECT COST: The total cost of this project is \$2,930,802.00 to be appropriated as follows:

• Bid Amount	\$2,737,842.68
• Contingencies	\$136,892.13
• Project Management	\$41,067.19
• Engineering Testing Services	\$15,000.00

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

M/WSBE PARTICIPATION: The low bidder has demonstrated a good faith effort to comply with the M/WBE goals of the Texas Water Development Board and the M/W/SBE goals of the City of Houston. The bidder has proposed an MBE participation of 14.01%, WBE participation of 7.50%, and SBE participation of 3.51%.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
S&F Contractors, LLC	Sewer Rehabilitation	\$383,500.00	14.01%
	TOTAL	\$383,500.00	14.01%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Municipal Marketing Systems, Inc.	Supplier	\$136,783.56	5.00%
Paradigm Outsourcing Services	Sewer Rehabilitation	\$68,500.00	2.50%
	TOTAL	\$205,283.56	7.50%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
T. Gray Utility & Rehab Co., LLC	Manhole Rehabilitation	\$96,000.00	3.51%
	TOTAL	\$96,000.00	3.51%


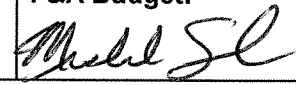
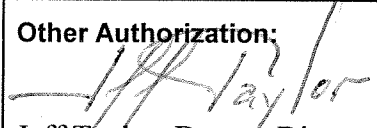
All known rights-of-way and easements required for this project have been acquired.

MSM:JT:JGM:RK:FOS:mf

cc: Marty Stein
Jeff Taylor
Susan Bandy, CPA
Velma Laws
Michael Ho, P.E.
File No. WW 4235-36

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Special Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method WBS# R-002013-0021-4		Page 1 of 2	Agenda Item # 36
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 3/28/08	Agenda Date APR 30 2008
DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., DEE, Director		Council District affected: All	
For additional information contact: Joseph G. Majdalani, P.E. Senior Assistant Director Phone: (713) 641-9182		Date and identification of prior authorizing Council action: N/A	
RECOMMENDATION: (Summary) Accept low bid, award construction contract, and appropriate funds.			
Amount and Source of Funding: \$1,307,751.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier III. <i>Prox 10/24/07</i>			F&A Budget: 
SPECIFIC EXPLANATION: This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems on an emergency basis throughout the City.			
DESCRIPTION/SCOPE: This project consists of sanitary sewer rehabilitation by cured-in-place pipe method. The contract duration for this project is 540 calendar days.			
LOCATION: The project area is generally bounded by the City Limits.			
BIDS: Four (4) bids were received on August 30, 2007 for this project as follows:			
<u>Bidder</u>		<u>Bid Amount</u>	
1. Underground Technologies, Inc.		\$1,199,766.45	
2. Insituform Technologies, Inc.		\$1,292,354.78	
3. RePipe Construction, LTD.		\$2,266,844.00	
4. Wesco Infrastructure Technologies, L.P.		\$2,722,909.70	
File/Project No. WW 4258-35		REQUIRED AUTHORIZATION	
F&A Director:		Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	
		NOT	

12

Date	Subject: Contract Award for Special Sanitary Sewer Rehabilitation by Cured-in-Place Pipe Method WBS# R-002013-0021-4	Originator's Initials	Page 2 of 2
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AWARD: It is recommended that this construction contract be awarded to Underground Technologies, Inc. with a low bid of \$1,199,766.45, and that Addendum No. 1, dated 08/21/2007 be made part of this contract.

PROJECT COST: The total cost of this project is \$1,307,751.00 to be appropriated as follows:

• Bid Amount	\$1,199,766.45
• Contingencies	\$59,988.32
• Project Management	\$17,996.23
• Engineering Testing Services	\$30,000.00

Engineering Testing Services will be provided by The Murillo Company under a previously approved contract.

M/WSBE PARTICIPATION: The low bidder has demonstrated a good faith effort to comply with the M/WBE goals of the Texas Water Development Board and the M/W/SBE goals of the City of Houston. The bidder has proposed an MBE participation of 14%, WBE participation of 5%, and SBE participation of 3%.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Callieco Construction, Inc.	Concrete/ Asphalt Paving	\$84,000.00	7.00%
Municipal Marketing Systems, Inc.	Supplies	\$84,000.00	7.00%
	TOTAL	\$168,000.00	14.00%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Paradigm Outsourcing Services	Sewer Rehabilitation	\$30,000.00	2.50%
Deanie Hayes, Inc.	Supplies	\$30,000.00	2.50%
	TOTAL	\$60,000.00	5.00%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
T. Gray Utility & Rehab Co., LLC	Manhole Rehabilitation	\$36,000.00	3.00%
	TOTAL	\$36,000.00	3.00%

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

MSM:JT:JGM:RK:FOS:mf

cc: Marty Stein
Jeff Taylor
Susan Bandy, CPA
Velma Laws
Michael Ho, P.E.
File No. WW 4258-35

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT:

Ordinances granting Commercial Solid Waste Operator Franchises

Category #

Page 1 of 1

RCA #

Agenda Item #

37 to 39

37-39
36-38

3rd Reading

FROM: (Department or other point of origin):

Alfred J. Moran, Director
Administration & Regulatory Affairs

Origination Date

April 4, 2008

Agenda Date

APR 16 2008

DIRECTOR'S SIGNATURE:

MS [Signature]

Council Districts affected:

APR 23 2008

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 ordinance(s) granting Commercial Solid Waste Operator Franchises to the following solid waste operators pursuant to Article VI, Chapter 39. The proposed Franchisees are:

1. Arrow Services 123, Inc.
2. Performance Contracting, Inc.
3. Millennium Project Solutions, 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:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT:
Ordinances granting Commercial Solid Waste Operator Franchises

Category #

Page 1 of 1

RCA #

Agenda Item #

2nd Reading

37-38

FROM: (Department or other point of origin):

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

Origination Date

April 14, 2008

Agenda Date

APR 23 2008

DIRECTOR'S SIGNATURE:

[Signature]

Council Districts affected:

ALL

For additional information contact:

Juan Olguin *JO* Phone: (713) 837- 9623
Tina Paez *TP* 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 ordinance(s) granting Commercial Solid Waste Operator Franchises to the following solid waste operators pursuant to Article VI, Chapter 39. The proposed Franchisees are:

1. Inland Environments, LTD.
2. Stanz Integrated Cleaning Solutions

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:

42

APR 30 2008

MOTION NO. 2008 0263

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

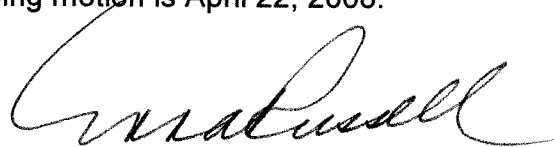
Item 12 - Ordinance Amending Chapter 11 of the Code of Ordinances, Houston, Texas, relating to burglar alarms, panic, holdup and similar alarm systems; containing findings and other provisions relating to the foregoing subject; providing for civil fees and penalties and criminal penalties; providing an effective date; providing for severability

Seconded by Council Member Garcia and carried.

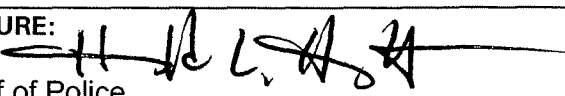
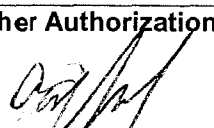
Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Adams, Sullivan, Khan, Holm, Garcia, Rodriguez, Brown, Lovell, Noriega, Green and Jones
voting aye
Nays none

PASSED AND ADOPTED this 16th day of April, 2008.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is April 22, 2008.



City Secretary

SUBJECT: Ordinance amending Chapter 11, Article III of the Code of Ordinances, Houston, Texas, relating to Burglar Alarms, Holdup Alarms and other Similar Alarm Systems.		Category # 1	Page 1 of 1	Agenda Item # 42-12
FROM (Department or other point of origin): Houston Police Department		Origination Date April 10, 2008	Agenda Date APR 15 2008	
DIRECTOR'S SIGNATURE:  Harold L. Hurtt, Chief of Police		Council District affected: All		
For additional information contact: Michael Dirden, Asst. Chief, HPD] Phone: 713.308.1590 Salima Pirmohamed [ARA] Phone: 713.837.9583		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) That Council adopt an ordinance amending Chapter 11, Article III of the Code of Ordinances, Houston, Texas, relating to Burglar Alarms, Holdup Alarms and other Similar Alarm Systems.				
Amount of Funding: Not applicable		F & A Budget:		
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)				
SPECIFIC EXPLANATION: <p>The purpose of this ordinance is to decrease the subsidy being paid by all taxpayers for people with repetitive false alarms. In FY2007, the Houston Police Department received in excess of 154,000 panic and burglar alarm calls for service and dispatched patrol units to respond to 90,184 of such calls. Approximately 95% proved to be false alarms. The cost of responding to alarm calls for service in FY2007 was approximately \$11.8 million dollars and exceeded the City's total annual revenues in that fiscal year (\$7.99 million dollars) derived from permit fees and penalties associated with burglar, panic, holdup and similar alarm systems. Responding to permitted alarm system calls accounts for a high percentage of all of the department's calls for service.</p> <p>Changes in State law adopted by the 2005 Texas Legislature have made it possible to address the longstanding false alarm problem. That problem is repetitive false alarms, which are currently subsidized by all taxpayers in the form of wasted HPD resources responding to these false alarms. The goal is using HPD's resources more efficiently. The proposed ordinance entirely replaces the burglar, panic and similar alarm provisions that now exist in City Code. The new provisions increase alarm fees and penalties within ranges approved by the Texas Legislature and make further adjustments consistent with State law, such as the number of allowed free false burglar alarms, permit revocation standards and alarm verification requirements.</p> <p>The ordinance seeks to 1) decrease the taxpayer subsidy for those who have repetitive false alarms, 2) encourage alarm users to get permits by keeping permit fees relatively low and imposing financial penalties and "non-response status" for failure to obtain a required permit, 3) establish duties and responsibilities for proper installation, maintenance and operation of the alarm system, 4) increase false alarm penalties to encourage proper maintenance and operation of the alarm systems, 5) establish notice and contact information to assist in police response to alarm system notifications, 6) strengthen permit revocation procedures and tighten some permit application requirements, and 7) address alarm permitting and false alarms in apartment complexes and other multi-unit housing facilities.</p> <p>In addition the ordinance transfers administrative duties such as permit application, billing, collections, revocations and appeals to the Administration and Regulatory Affairs Department (ARA). HPD will remain primarily responsible for responding to alarm calls and enforcement. ARA will work closely with HPD to accomplish the goals and purposes of the ordinance.</p>				
Other Authorization:  Alfred J. Moran, Director Administration & Regulatory Affairs		Other Authorization:		Other Authorization:

Chapter 11, Article III, Summary of Fee and Penalty Changes

	RESIDENTIAL		NON-RESIDENTIAL	
	CURRENT	PROPOSED	CURRENT	PROPOSED
PERMIT FEES				
Burglar Alarm	\$15	\$30	\$40	\$70
Panic Alarm	\$15	\$30	\$40	\$70
FALSE ALARM PENALTIES				
Burglar Alarm-No Permit	\$50	\$100 (or no response)	\$50	\$200 (or no response)
Burglar Alarm-With Permit	1 st -5 th Free 6 th & Up \$50	1 st -3 rd Free 4 th -5 th \$50 6 th -7 th \$75 8 th & Up \$100	1 st -5 th Free 6 th & Up \$50	1 st -3 rd Free 4 th -5 th \$50 6 th -7 th \$75 8 th & Up \$100
Panic Alarm-No Permit	\$160	\$400	\$160	\$500
Panic Alarm-With Permit	1 st Free 2 nd & Up \$160	1 st Free 2 nd \$100 3 rd \$200 4 th \$300 5 th & Up \$400	1 st Free 2 nd & Up \$160	1 st Free 2 nd \$200 3 rd \$400 4 th & Up \$500
PERMIT REVOCATION				
Burglar Alarm Permit revoked for excessive false alarms	9 false alarms in 12 months	More than 7 false alarms in 12 months	9 false alarms in 12 months	More than 7 false alarms in 12 months
Panic Alarm Permit revoked for excessive false alarms	9 false alarms in 12 months	3 in 1 month 4 in 3 months 5 in 6 months 6 in 12 months	9 false alarms in 12 months	3 in 1 month 4 in 3 months 5 in 6 months 6 in 12 months
Non-Payment of fees/penalties within	60 days	60 days	60 days	60 days

12
APR 16 2008

City of Houston, Texas, Ordinance No. 2008-_____

AN ORDINANCE AMENDING CHAPTER 11 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO BURGLAR ALARMS, PANIC, HOLDUP AND SIMILAR ALARM SYSTEMS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR CIVIL FEES AND PENALTIES AND CRIMINAL PENALTIES; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, in FY2007, the Houston Police Department received in excess of 154,000 panic and burglar alarm calls for service and dispatched patrol units in response to more than 90,184 of such calls, approximately 95% of which proved to be false alarms; and

WHEREAS, the cost of responding to alarm calls for service in FY2007 was approximately \$11.8 million dollars and exceeded the City's total annual revenues in that fiscal year (\$7.99 million dollars) derived from permit fees and penalties associated with burglar, panic, holdup and similar alarm systems; and

WHEREAS, the number of false alarms responded to by Police Department personnel has remained unabated over the past several years; and

WHEREAS, statistics obtained from other local governments indicate that false alarms from burglar and panic or holdup alarm systems typically range from 90 to 98% of all alarm calls for service received; and

WHEREAS, the City desires to reduce the number of false alarm notifications by encouraging the proper installation, operation and maintenance of alarm systems by both the owners and users of such systems and the companies that sell, install and monitor them; and

WHEREAS, the City Council desires to implement measures designed to reduce the number of false alarms and the police department responses to such alarms, increase the number of alarm systems permitted by the City to more effectively monitor and respond to criminal activity and to recover costs associated with alarm regulation and false alarms as much as possible to minimize waste and maximize efficient utilization of available Police Department and HEC resources; **NOW, THEREFORE**,

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

Section 1. That the findings set forth in the preamble of this Ordinance are determined to be true and correct and are hereby adopted.

Section 2. That Article III of Chapter 11 of the Code of Ordinances, Houston, Texas, is hereby amended in its entirety to read as follows:

**"ARTICLE III. BURGLAR ALARMS, PANIC ALARMS
AND OTHER SIMILAR ALARM SYSTEMS**

Sec. 11-50. Application; purpose.

It is the purpose of this article to:

- (1) Regulate the activities and establish the responsibilities of persons who purchase, rent, operate or use an alarm system subject to this article and, to the full extent permitted by Texas law, persons who engage in the business of selling, leasing, renting, installing, maintaining or monitoring such alarm systems pursuant to a permit or license issued by the State of Texas; and
- (2) Promote the improved reliability of alarm systems governed by this article to ensure that police department and HEC personnel will not be unduly diverted from responding to actual criminal activity as a result of responding to false alarms.

This article is intended to specifically encompass 'burglar alarms,' 'holdup alarms,' and 'panic alarms,' whether audible or inaudible (silent), and other such alarm systems, but not audible alarms affixed to motor vehicles, personal emergency response system alarms, or fire alarms.

Sec. 11-51. Definitions.

In this article, unless the context clearly otherwise requires:

Activate means the completion of all steps necessary to render an alarm system capable of carrying out its intended function of producing an alarm notification under appropriate circumstances.

Alarm notification means the receipt of notice transmitted to HEC or the police department that an alarm signal has been detected and that a police department response is being requested.

Alarm permit means a certificate issued by the department pursuant to this article authorizing a person to operate or use an alarm system in accordance with this article.

Alarm signal means the transmission of a signal, whether by electronic or other means, by an alarm system to an alarm systems company in response to an incident at the alarm site of the type the alarm system was designed or intended to detect.

Alarm site means the single fixed premises or location where an alarm system is operated, used, installed or rendered capable of being activated.

Alarm subscriber means a person who directly or through another person contracts with an alarm systems company. Each alarm subscriber is deemed to be a person who operates or uses, causes or allows the operation or use of the alarm system and will be liable for the payment of permit fees, fines or penalties, or the performance of other duties and responsibilities as provided in this article.

Alarm system means any mechanical, electrical, electronic or radio-controlled alarm device or equipment designed to or that does emit or transmit an alarm signal that is designed or intended to produce an alarm notification. *Alarm system* includes, but is not limited to, silent, audible, panic, holdup, burglar and local alarm systems. The term does not include a personal emergency response system alarm, a fire alarm system designed solely to detect fire or smoke or an alarm installed in a motor vehicle solely to prevent theft of the vehicle.

Alarm systems company means any person who engages in the business of monitoring, selling, leasing, renting, maintaining, servicing, repairing, altering, replacing, or installing alarm systems or rendering such systems capable of generating an alarm signal.

Applicant means a person who makes application to the department to obtain an alarm permit and will be liable for the payment of permit fees, fines or penalties, or the performance of other duties and responsibilities as provided in this article. The term does not include a person who merely fills out an application for another person.

Automatic dialer or automatic dialing device means any electrical, electronic, mechanical or other device capable of being programmed to send an alarm notification in the form of a prerecorded voice message to the police department or HEC over a telephone line, radio or other communication system when an alarm signal is generated.

Burglar alarm system means an alarm system designed to detect an attempted or actual unauthorized entry into the alarm site and transmit a signal to an alarm systems company for the purpose of generating an alarm notification.

Common cause means a technical difficulty or malfunction that causes an alarm system to generate a series of two or more false alarms.

Deactivate means to disconnect or render an alarm system disabled so as to prevent any possibility that the alarm system will generate an alarm signal.

Department means the department of administration and regulatory affairs.

Director means the director of the department or his designee.

False alarm means an alarm notification generated when an emergency of the kind for which the alarm system was designed did not in fact exist and a response is made by the police department within thirty minutes of the alarm notification and the police department determines from an inspection of the interior or exterior of the premises that the alarm was false. A false alarm is deemed to have occurred at the moment HEC receives the alarm notification.

Houston Emergency Center or HEC means the city's emergency response communications center and any employee of such center assigned to perform any duty prescribed by this article.

Individual facility means, in the context of a multi-unit housing facility, each unoccupied individual residential unit (including an apartment unit), office, storage room, utility room, shop, game room, exercise room, laundry room, hallway, vending area, lobby or similar non-residential facility.

Local alarm system means an alarm system designed and operated to generate audible or visual alarm signals at the alarm site when activated.

Multi-unit housing facility means a residential multi-unit apartment complex, town homes, condominiums, or similar housing facilities.

Non-permitted alarm system means an alarm system for which no valid alarm permit has been issued.

Non-residential alarm site means an alarm site that is not a 'residential alarm site' as defined by this section.

Panic or holdup alarm system means an alarm system that, when manually triggered by a person at the alarm site, generates an alarm signal indicating a holdup or other life-threatening emergency requiring a police department response.

Permit holder means a person to whom an alarm permit has been issued. The permit holder shall at all times be deemed a person-in-control of the alarm site.

Person shall have the meaning set forth in section 1-2 of this Code but shall not include the city or any of its departments.

Person-in-control means a person holding an alarm permit or a person who owns, leases, possesses, resides at, or manages any part of the alarm site.

Police chief means the chief of the police department, or his designee or any employee of the police department assigned by the police chief to perform any duties prescribed by this article.

Police department means the city police department.

Residential alarm site means an alarm site used solely for residential purposes, including an occupied apartment or other residential unit located in a multi-unit housing facility. Each occupied apartment or other individual residential unit in which an alarm system is operated, used, installed, or placed shall be a separate residential alarm site. All other alarm sites are non-residential.

Verify an alarm signal means to attempt to contact the alarm site and alarm subscriber or other person-in-control of the alarm site by telephone calls of at least six rings each to two separate telephone numbers, regardless of whether actual contact with an individual is made, to determine whether an alarm signal is valid.

Sec. 11-52. Alarm permit required; violation; penalty.

(a) It is unlawful for any person to operate or use, cause or allow the operation or use of an alarm system unless a valid alarm permit is in effect for that alarm system.

(b) *Non-permitted alarm system.* All duties and responsibilities for the use or operation of a non-permitted alarm system at an alarm site and the obligation to pay all fines, penalties and other amounts authorized in this article in connection with such system shall be imposed, jointly and severally, on the alarm subscriber and any person-in-control at the alarm site.

(c) *Separate alarm permit required.* Each alarm system must have a separate alarm permit. An alarm system may not be operated, used, installed or monitored to protect more than one alarm site.

Sec. 11-53. No duty created.

The issuance of an alarm permit authorizing the use of an alarm system shall not create any duty or liability on the part of the city or guarantee any police department or other response from the city. Nothing in this article shall be construed to waive the city's governmental immunity from suit or from liability.

Sec. 11-54. Right to inspect.

The police chief shall have the right to inspect any alarm system at an alarm site at any reasonable time to determine whether it is being used in conformity with this article.

Sec. 11-55. Police response to alarm notification.

(a) *Policy.* Any police department response to an alarm notification shall be governed by the provisions of this section and the rules and regulations, as applicable, promulgated by the police chief pursuant to section 11-76 of this Code.

(b) *Non-permitted alarm systems.* The police chief may refuse to respond to an alarm notification from a burglar alarm system that according to department records does not have a current and valid alarm permit.

(c) *Information to be provided by alarm systems company.* An alarm systems company shall provide an alarm subscriber with information concerning the police department's policy regarding whether or not the police department will respond to an alarm notification from a system that according to department records does not have a current and valid alarm permit. The police chief will make available to an alarm systems company a copy of such police department policy upon written request.

Sec. 11-56. Disclosure of alarm permits.

The director shall maintain a complete record of all alarm systems installed or capable of being activated in the city, based upon the reports required to be provided by alarm companies pursuant to Section 1702.286(b), Texas Occupations Code, or information regarding such alarm systems derived from other sources.

Sec. 11-57. Alarm system companies; duty to maintain and provide records.

(a) *Records to be provided.* It shall be the duty of each alarm systems company to maintain a record of all alarm systems the company has installed or rendered capable of being activated in the city, as required by Section 1702.286(b), Texas Occupations Code. The records required to be maintained by this subsection shall be maintained for at least two years from the date of their creation and shall be available for inspection and duplication upon demand by the police chief or director. At the discretion of the police chief or director, any such request may be made electronically, in writing, or by personal delivery to an alarm systems company.

(b) *Periodic reports to be provided.* A true and correct list of all alarm systems installed, rendered capable of being activated, maintained or monitored in the city by an alarm systems company shall be provided to the police chief and director annually, or more frequently if requested by the police chief or director. Such list shall be provided in an electronic or other format as may be required by the police chief or director.

(c) *Violation; penalty.* A person who violates any provision of this section is guilty of a separate offense for each day or portion of a day during

which the violation is committed, continued or permitted. Each offense is punishable as provided in section 11-74 of this Code.

Sec. 11-58. Alarm systems in multi-unit housing facilities.

(a) *Residential alarm sites.* The lessee, tenant or other adult occupant lawfully residing in the individual residential unit shall apply for and, upon approval by the department, be issued a residential alarm permit. The alarm permit application shall provide, in addition to other requirements in this article, the name and contact information such as telephone number or email address of a representative of the multi-unit housing facility owner or property manager who will grant access to the alarm site in the absence of the permit holder.

(b) *Non-residential alarm sites.* Areas of the multi-unit housing facility other than occupied individual residential units in which an alarm system is operated, used, installed or placed shall constitute one or more separate non-residential alarm sites, and the following provisions shall apply:

- (1) *Individual facility.* Each individual facility shall be a separate non-residential alarm site, requiring a separate alarm permit, separate alarm system monitoring, and payment of the alarm permit fee required by this article, except as otherwise specifically provided in any applicable policies and procedures established pursuant to section 11-76 of this Code.
- (2) *Identification of facility.* Each individual facility shall be clearly identified and designated by a unique individual facility number by the applicant in the alarm permit application, and the applicant shall attach a corresponding map or diagram of the premises showing the location of each such facility.
- (3) *Visible markings.* Each individual facility shall be clearly and visibly marked and identified with its individual facility number at the physical premises.
- (4) *Separate monitoring of facilities.* Each individual facility shall be separately monitored by the alarm systems company to ensure that the individual facility where an alarm system may be triggered can be readily identified.
- (5) *Information required.* An alarm notification to the police department shall include the individual facility number.

Sec. 11-59. Alarm permit--Application.

(a) Application for an alarm permit shall be made to the department in a format designated by the director for that purpose. Each application shall be set forth:

- (1) *Applicant.* The name, address, telephone number(s), email address, social security number, federal employee identification number, state sales tax number, corporate charter number, and state driver's license number of the applicant, as applicable. An applicant who is an individual who does not have a valid Texas driver's license must provide his social security number.
- (2) *Alarm subscriber.* If different from the applicant, the name, address, telephone number(s), email address, social security number, federal employee identification number, state sales tax number, corporate charter number, and state driver's license number of the alarm subscriber, as applicable.
- (3) *Assumed names; other entity names.* Copies of the assumed name registration if the alarm site will be operated under an assumed name; the partnership registration, if any, and the names and addresses of all general partners if the applicant is a partnership; or a copy of the alarm subscriber's the Texas corporate charter or, if the alarm subscriber is a foreign corporation, a copy of the corporation's certificate of authority to do business in Texas, along with the names and addresses of all officers of the corporation and the corporation's registered agent.
- (4) *Alarm site.* The street address of the alarm site at which the alarm system is or will be installed, placed, operated or used, including the particular suite, apartment number, unit number, or other similar occupancy number(s) or designation(s), if applicable, and a statement specifying whether the premises is used solely for residential or non-residential purposes.
- (5) *Business names.* Any business names used for the alarm site.
- (6) *Alarm system.* A description of the alarm system to be permitted and the type of alarm system.

- (7) *Alarm system installer.* The name, address, Texas Department of Public Safety/Texas Private Security Bureau license number and type, and telephone number of the alarm systems company that has installed or will install and activate the alarm system.
- (8) *Alarm systems company.* The name, address, Texas Department of Public Safety / Texas Private Security Bureau license number and type, and telephone number of the alarm systems company or other person that will monitor the alarm system.
- (9) *Contact information.* In addition to the applicant information:
 - a. The names and telephone numbers of two individuals, or the name and local telephone number of an alarm systems company that is able to and has agreed to:
 - [1] Receive an alarm notification at any time;
 - [2] Come to the alarm site within one hour after receiving a request from a member of the police department to do so; and
 - [3] Grant access to the alarm site and to deactivate the alarm system if necessary; or
 - b. The name and telephone number of an alarm systems company that is able to and has agreed to receive calls at any time and to give the police department and the director the names of individuals listed with that company as set out below if:
 - [1] The applicant has given the alarm systems company the names and local telephone numbers of two individuals who are able and have agreed to receive alarm notification at any time; to come to the alarm site within one hour after receiving a request from a member of the police department to do so; and to grant access to the alarm site and to deactivate the alarm system if necessary; and

[2] The applicant has authorized the alarm systems company to provide the names and telephone numbers of those two individuals to the chief of police and director whenever the police chief or director has requested that information in order to obtain assistance after an alarm system has been activated.

(10) *No unpaid fees.* A statement that all fees and penalties due and owing to the city under this article by the alarm subscriber, the applicant and its partners, officers, owners and other principals have been paid.

(11) *Occupants--single family residence.* If the alarm site is a single-family residential dwelling, the names of all residents over the age of 18 who reside at such dwelling and their relationship to the applicant.

(12) *Compliance statement.* A statement that within the 12 months preceding the date the alarm permit will be issued, there has been no denied application for an alarm permit, denied renewal or revocation of any alarm permit, or penalty imposed for operation of an alarm system without an alarm permit that is connected to the alarm site, the alarm system, the alarm subscriber, the applicant, any person-in-control of the alarm site, or a person described in item (10) of this subsection.

(13) *Other required information.* Such other information as the police chief and the director in their discretion, individually or jointly, determine to be reasonably necessary.

(b) *Signature required.* The application shall be signed by an owner, officer, or partner of the applicant if the applicant is not an individual, or by the individual applicant, acknowledging that he has read the application, affirming the correctness and accuracy of the information given on the application, and authorizing the release to the department of information specified in subsection (a) of this section.

(c) *Issuance of alarm permit.* The director shall issue an alarm permit upon submission of an application that fully complies with this article and the alarm permit fee; provided that the application shall be denied and no alarm permit shall be issued if the director finds that:

- (1) Any statement made in the application is incomplete, misleading, or false;
- (2) The application truthfully states matters sufficient to deny the alarm permit application;
- (3) The applicant, its partners, officers, owners and other principals have not paid to the city all fees and penalties due under this article; or
- (4) The alarm system installed at the alarm site has, or is of the type that has had a history of unreliability.

Sec. 11-60. Same--Amendments to application.

The permit holder has an affirmative duty to promptly submit updated alarm permit application information to the department in writing when any information contained in or relevant to the alarm permit application has changed or is out of date. In all circumstances, the updated information must be provided not later than 15 days after the information changed or became out of date. Submission of updated alarm permit application information shall not prevent revocation, termination, denial of application or renewal, or other remedy authorized by this article.

Sec. 11-61. Same--Term; expiration; renewal.

(a) *Term of alarm permit.* Each alarm permit shall be valid for a 12-month period from the date of issuance stated on the alarm permit.

(b) *Notice of expiration.* The department shall give at least 30 days written notice to the permit holder of the expiration date of an alarm permit. A completed renewal application shall be filed with the director along with the renewal fee, not less than 10 business days before expiration of the alarm permit. A renewal alarm permit shall be issued for the 12-month period following the date of renewal.

(c) *Grounds for denial or renewal of alarm permit.* The director shall deny the renewal application for any of the reasons set forth in section 11-70(a) of this Code.

(d) *New alarm permit required.* If the alarm permit is not renewed as of the expiration date, then a new alarm permit must be applied for and obtained as provided in this article. Upon expiration of an alarm permit that

is not renewed, the provisions of section 11-68(d) of this Code regarding penalties for non-permitted alarm systems shall apply until a new alarm permit is issued.

Sec. 11-62. Same--Fees.

(a) *Residential alarm site.* The fee for a new or renewal alarm permit for a residential alarm site shall be \$30.00 for a burglar alarm system and \$30.00 for a holdup or panic alarm system.

(b) *Non-residential alarm site.* The fee for a new or renewal alarm permit for a non-residential alarm site shall be \$70.00 for a burglar alarm system and \$70.00 for a holdup or panic alarm system.

(c) *No refund.* No refund of any fee paid pursuant to this article shall be made by the city for any reason except as follows:

- (1) Duplicate payments;
- (2) Payments clearly intended for another purpose; or
- (3) Payments submitted for alarm systems located outside the city limits.

Sec. 11-63. Same--Nontransferable; re-application required following revocation or termination.

(a) *Alarm permits non-transferable.* Alarm permits are not transferable to any other person, premises, alarm system or alarm subscriber. Each alarm permit shall be valid only for the permit holder, alarm site and alarm system as they existed when the alarm permit was originally issued, and the alarm permit shall terminate immediately upon change of any such items or persons. If the permit holder voluntarily or involuntarily ceases to have ownership, leasehold, possession or management rights to the alarm site, or upon revocation or expiration of the alarm permit, the alarm permit shall terminate, and a new alarm permit must be applied for and a new alarm permit fee paid as required by this article.

(b) *Effect of termination of alarm permit.* Upon termination of the alarm permit and before a new alarm permit is issued for that alarm site, the provisions of this article concerning a non-permitted alarm system shall apply.

(c) *Liability of permit holder.* If the permit holder fails to deliver written notice of the cessation of the permit holder's rights in the alarm site to the department at least 30 days prior to such cessation of rights, he shall remain liable as if he were a person-in-control of the alarm site, for all subsequent fees and penalties, jointly and severally with any other persons liable as provided in this article, until a new alarm permit is issued for an alarm system at the alarm site.

Sec. 11-64. Duties of permit holder.

The permit holder shall:

- (1) Ensure that as set forth under section 11-59(a)(9) of this Code, the individuals or the alarm systems company listed with the police department and the director, and the individuals listed with the alarm systems company have agreed and are able to:
 - a. Receive an alarm signal at any time;
 - b. Come to the alarm site within one hour after receiving a request from the police department to do so; and
 - c. Grant access to the alarm site and, if necessary, deactivate the alarm system.
- (2) Train all persons who may operate or use the alarm system in the proper operation or use of the alarm system.
- (3) Pay when due all fees and penalties associated with the alarm permit and the operation or use of, including the generation of any false alarm signal from, the alarm system.
- (4) Maintain the alarm site in a manner that ensures proper operation or use of the alarm system.
- (5) Maintain or cause to be maintained the alarm system in a manner that will minimize the occurrence of false alarms.
- (6) Respond or cause a representative to respond within a reasonable period of time when notified by the police department to repair a malfunctioning alarm system, to provide access to the alarm site, or to provide security for the alarm site.

- (7) Ensure that the alarm system is not manually triggered for any reason other than an occurrence of an event that the alarm system was intended to report.
- (8) Maintain at the alarm site a complete set of written instructions for the alarm system, excluding any special codes, combinations, or passwords.
- (9) At least 30 days prior to relinquishing control of the alarm site, deliver written notice of cancellation of the alarm permit to the department.
- (10) Upon the giving of written notice of the cancellation of his alarm permit to the department, or upon receipt of notice from the director that his alarm permit has been terminated, revoked or otherwise has become invalid under this article, immediately notify the following persons that it is unlawful to operate or use the alarm system, or to cause or allow it to be operated or used until a new alarm permit has been applied for and issued by the department:
 - a. Persons-in-control of the alarm site;
 - b. Persons who will be in control of the alarm site after the permit holder's relinquishment of control;
 - c. The alarm subscriber; and
 - d. The alarm systems company.
- (11) Keep the alarm permit at the alarm site and produce the alarm permit for inspection upon the request of the police chief or the director.
- (12) Promptly give updated alarm permit application information to the department in writing when any information contained in or relevant to the alarm permit application has changed or is out of date. The updated information in all circumstances must be provided within 15 days after the information changed or became out of date.

- (13) Comply with all requirements of this article and applicable city and police department policies, procedures, standards and regulations.

Sec. 11-65. Duty of person notified by police department to provide access to premises.

Any person who is notified by a member of the police department that an alarm signal has been received from an alarm system and who is able to give access to the alarm site shall come to the alarm site within one hour of the time such person is notified of such signal and shall provide the police department any necessary access or assistance.

Sec. 11-66. Other requirements for operation of alarm systems; prohibitions.

No person shall install or cause or allow to be installed and no person shall operate or use or cause or allow the operation or use of any alarm system unless all of the following requirements are met:

- (1) An alarm system that can be activated as a result of more than one type of emergency situation shall generate a unique alarm signal to designate that it has been triggered as a result of a holdup, a burglary, or any other different type of emergency situation to ensure that the proper alarm notification and a proper response, if any, can be made.
- (2) A local alarm shall have an automatic 30-minute shutoff from the time it generates an alarm signal and must not sound similar to a siren, an emergency vehicle, or a civil defense warning system. For purposes of this subsection, any alarm system that emits any variable tone (as opposed to a steady pitch or a ringing sound as is made by a bell) shall be considered to be emitting a sound that is similar to a siren, an emergency vehicle, or a civil defense warning system.
- (3) No holdup alarm shall include a money clip, pressure pad, or similar device that can cause the alarm system to be triggered inadvertently and shall be designed to ensure that it may be triggered only by deliberate human action.
- (4) No person shall use or permit the use of an automatic dialer or automatic dialing device.

Sec. 11-67. False alarm signals prohibited; exceptions.

(a) No person shall intentionally or knowingly cause an alarm system to be triggered for any purpose other than an emergency or threat of emergency of the kind for which the alarm system was designed to give notice; provided, however, it shall be an affirmative defense to prosecution under this subsection that the alarm system was triggered solely for the purpose of testing the alarm system and the person who tested the alarm system was duly licensed under Chapter 1702 Texas Occupations Code and took reasonable precautions to avoid any alarm notification being sent to the police department.

(b) This section shall not be deemed to apply to conduct prohibited by Chapter 42.06 of the Texas Penal Code, as presently enacted or subsequently amended.

Sec. 11-68. Penalties for false alarms and non-permitted alarms; collection fees; hearing on false or non-permitted alarm determination.

(a) *False alarm.* For a burglar alarm system, the permit holder will be charged a penalty based on the following table for each false alarm, provided a response is made by the police department to the alarm site within 30 minutes of the alarm notification, in excess of three during the preceding 12-month period:

False Alarm	Penalty
4 th false alarm.....	\$ 50.00
5 th false alarm.....	\$ 50.00
6 th false alarm.....	\$ 75.00
7 th false alarm.....	\$ 75.00
8 th false alarm.....	\$100.00
Each additional.....	\$100.00

(b) *False residential panic or holdup alarm.* For a residential alarm site, the permit holder of a panic or holdup alarm system will be charged a penalty based on the following table for each false panic or holdup alarm in excess of one during the preceding 12-month period:

False Alarm	Penalty
2 nd false alarm.....	\$ 100.00
3 rd false alarm.....	\$ 200.00
4 th false alarm.....	\$ 300.00
5 th false alarm.....	\$ 400.00
Each additional.....	\$ 400.00

(c) *False non-residential panic or holdup alarm.* For a non-residential alarm site, the permit holder of a panic or holdup alarm system will be charged a penalty based on the following table for each false panic or holdup alarm in excess of one during the preceding 12-month period:

False Alarm	Penalty
2 nd false alarm.....	\$ 200.00
3 rd false alarm.....	\$ 400.00
4 th false alarm.....	\$ 500.00
5 th false alarm.....	\$ 500.00
Each additional.....	\$ 500.00

(d) *Alarm generated by a non-permitted alarm system.* If HEC or the police department receives an alarm notification, regardless of whether the alarm is false, from an alarm system that does not have a valid alarm permit, the alarm subscriber and the persons-in-control of any portion of the alarm site shall be charged a penalty for each such alarm notification and shall be jointly and severally liable to the city for payment thereof. The penalty amount will be determined based on the type of alarm notification received:

- (1) Residential burglar alarm system: \$100.00 for each alarm notification.
- (2) Non-residential burglar alarm system: \$200.00 for each alarm notification.
- (3) Residential panic or holdup alarm system: \$400.00 for each alarm notification.
- (4) Non-residential panic or holdup alarm system: \$500.00 for each alarm notification.

(e) *Notice.* A notice of each false alarm or alarm generated by a non-permitted alarm system shall be mailed to the permit holder by the director, or to any general addressee at the alarm site address if there is no valid alarm permit, within 30 days from the date of the alarm. The notice shall include:

- (1) The date of the alarm; and
- (2) The address of the alarm site, and if the alarm site is a multi-unit housing facility, the identification of the individual facility where the false alarm occurred.

Except for collection fees added pursuant to subsection (l) of this section, all fees and penalties assessed under this section shall be paid to the department within 30 days following the date that the city places the false or non-permitted alarm notice in the mail, unless a hearing has been timely requested under subsection (f) of this section.

(f) *Hearing on false or non-permitted alarm.* If the permit holder, or an alarm subscriber or other person-in-control if there is no valid alarm permit, disputes any part of the false or non-permitted alarm notice, such person (appellant) must mail or deliver a written statement to the director requesting a hearing. The request for hearing must be received by the director not later than the 30th day following the date that the city places the false or non-permitted alarm notice in the mail.

(g) *Purpose of hearing.* The sole purpose of the hearing set out in the preceding subsection shall be to ascertain whether the disputed alarm was false or generated by a non-permitted alarm system. The request for hearing shall specify facts and have documents and records attached that prove the alarm was not false or generated by a non-permitted alarm system.

(h) *Rules and procedures for hearing.* Hearings shall be conducted in accordance with the rules established for that purpose by the director. The proceedings shall be informal. Without limitation of other provisions that may be established in such rules, the records generated by the police department personnel who responded to the alarm shall be admissible as proof of their contents, and the police department personnel who responded shall not be required to testify at the hearing.

(i) *Authority of director.* The director shall have the discretion at any time prior to the hearing to reverse a determination that an alarm was false or generated by a non-permitted alarm system if the records clearly establish the alarm was not in fact false or generated by a non-permitted alarm system.

(j) *Burden of proof.* At the hearing, the burden shall be upon the appellant to demonstrate by a preponderance of the evidence that the alarm was not false or generated by a non-permitted alarm system.

(k) *Final decision.* The decision of the hearing officer shall be final, and fees and penalties assessed, if applicable, shall be paid within 15 days following the date that notice of the decision is mailed to the appellant.

(l) *Collection fee.* A collection fee of 30 percent of the false alarm penalty amount shall be added to each false alarm penalty assessed under this section if the false alarm penalty remains unpaid on the 61st day after it is due. Collection fees are due and payable on the day they are added to the false alarm penalty.

Sec. 11-69. Common cause for a series of false alarms.

(a) *In general.* Notwithstanding other provisions in this article to the contrary, false alarms of an alarm system may be accounted for as provided in this section to the extent the false alarms are attributable to a common cause.

(b) *Establishment of common cause; conditions.* A series of false alarms shall be deemed as originating from a common cause and counted as one false alarm if all of the following conditions are met:

- (1) The series of false alarms occurs within a seventy-two hour period;
- (2) The alarm system has a valid alarm permit at the time of the false alarms;
- (3) The cause of the series of false alarms is repaired before it generates additional false alarms;
- (4) Within 15 days after the end of the 72 hour common cause period, an alarm systems company duly licensed under Chapter 1702 of the Texas Occupations Code provides the police chief with documentation verifying the technical difficulty or malfunction that caused the series of false alarms, and that all necessary repairs have been completed;
- (5) During the 30 day period following the repair, the alarm system generates no additional false alarms from the documented common cause; and
- (6) There are no unpaid fees or penalties under this article due and owing from the permit holder.

(c) *Application of section.* This section shall not apply to:

- (1) The same alarm site, alarm system, alarm subscriber or permit holder more than once in any 24 month period; or
- (2) Non-permitted alarm systems.

Sec. 11-70. Revocation of alarm permit; denied renewal; termination of police department response.

(a) *Grounds for revocation or denial.* An alarm permit shall be revoked or denied renewal by the director for any of the following reasons:

- (1) *Unpaid amounts.* The permit holder has failed to make payment in full to the city for any fees and penalties due under this article within 60 days after the date the director has mailed a notice to the permit holder that the fees and penalties are due and owing, or within 15 days following the date of mailing of the decision notice adverse to the permit holder if an appeal has been timely filed;
- (2) *Burglar alarm system; excessive false alarms.* The permit holder for a burglar alarm system on a residential or non-residential alarm site accrues more than seven false alarms during the preceding 12 month period;
- (3) *Panic or holdup alarm system; excessive false alarms.* The permit holder for a panic or holdup alarm system accrues more than:
 - 3.... false alarms in the preceding.... 1-month period;
 - 4.... false alarms in the preceding.... 3-month period;
 - 5.... false alarms in the preceding.... 6-month period; or
 - 6.... false alarms in the preceding.... 12-month period;
- (4) *Code violations.* The permit holder has violated any applicable provision of this article or has failed to perform any duty imposed by this Code; or
- (5) *Other grounds.* Any fact or circumstance exists that would be a basis for denial of an application for issuance or renewal of an alarm permit, or the alarm permit was otherwise obtained or issued in error.

(b) *Effect of alarm permit revocation or expiration.* Upon revocation or expiration of the alarm permit by the director, the alarm system becomes a non-permitted alarm system, and all penalties, fees and punishments authorized by this article for a non-permitted alarm system are applicable.

(c) *Notice of alarm permit denial or revocation.* If the director denies an application for an alarm permit, the director shall cause a denial notice to be sent to the applicant at the address set out in the permit application and shall maintain a copy thereof. The notice shall state the reasons for the denial and advise the applicant of the right to a hearing as provided in section 11-71 of this Code.

(d) *Termination of police response.* The police department may decline or terminate police department response to any alarm site at any time without notice at the discretion of the police chief, except in those instances where a denial of response would be prohibited by state law.

Sec. 11-71. Appeals.

(a) *Appeal; written request required.* A person may appeal the denial or revocation of an alarm permit by delivering a written request for an appeal to the director not later than 15 days after the first date of mailing written notice of denial or revocation.

(b) *Hearing officer.* All appeal hearings shall be held by a hearing officer appointed by the director. The director shall not designate any person to perform the duties of appeal hearing officer under this section who has participated in the investigation of false alarms from the alarm site in question or has prior knowledge of the particular allegations or circumstances discovered in such investigation. The appeal hearing officer may, prior to the hearing, receive a copy of the notice given to the permit holder or applicant.

(c) *Assistant city attorney.* An assistant city attorney may be present at the hearing to advise the appeal hearing officer as to procedural matters; however, that assistant city attorney shall not participate in any determination of the facts.

(d) *Conduct of hearing; rules and procedures.* All appeal hearings shall be informal and conducted under rules established by the director consistent with the informal nature of the proceedings; provided, however, the following rules shall apply to all appeal hearings conducted under this section:

- (1) All parties shall have the right to representation by an attorney licensed to practice in Texas, though an attorney is not required.
- (2) Each party may present witnesses in his own behalf.
- (3) Each party shall have the right to cross examine all witnesses.
- (4) The appeal hearing officer shall consider only the evidence presented at the appeal hearing in rendering a final decision.

(e) *Authority of hearing officer.* The appeal hearing officer may affirm or reverse an alarm permit denial or revocation; however, no proceeding under this section may be used to address or reconsider whether an alarm signal was false or generated from a non-permitted alarm system. The exclusive remedy for determining whether an alarm was false or non-permitted shall be the review process established in section 11-68(f) - (k) of this Code.

Sec. 11-72. Mandatory verification of burglar alarm; alarm notification.

(a) Prior to generating an alarm notification, an alarm systems company shall verify the alarm signal and determine the permit status of the alarm system at the location of the alarm signal.

(b) *Notice; requirements.* An alarm notification to HEC or the police department shall include all of the following:

- (1) For a burglar alarm notification, whether the mandatory verification has been completed;
- (2) Type of alarm signal;
- (3) Alarm permit number and name of the permit holder;
- (4) Street address of the alarm site, including the particular suite, apartment, or individual facility number or other designation, if applicable;
- (5) If requested by the official receiving the alarm notification, the name(s) and local telephone number(s) of the person(s) to notify, if so authorized by the permit holder; and

- (6) Such additional information as HEC or the police department may reasonably require.

(c) *Policies and procedures; effect.* Policies and procedures instituted by the police chief may include provisions that if the alarm notification provided in subsection (b) of this section is incomplete or erroneous:

- (1) The request for dispatch shall be assigned a lower priority than would otherwise be the case; or
- (2) No officer shall be dispatched.

Sec. 11-73. Alarm systems performance reviews.

If the police chief believes that an alarm system is not being used or maintained in a manner that reasonably ensures proper operation and prevention of false alarms, the police chief may require a conference with the permit holder and the individual or other entity responsible for maintenance of the alarm system to review the circumstances of each alarm.

Sec. 11-74. Violations; penalty; corporations; partnerships and associations.

(a) Except where a fine is specifically stated herein, whenever in this article an act is prohibited or is made or declared to be unlawful or an offense or misdemeanor, or whenever in this article the doing of any thing or act is required or the failure to do any thing or act is prohibited, the violation of the provision shall be and constitute a misdemeanor punishable, upon conviction, by a fine of not less than \$250 nor more than \$500. Each violation shall constitute and be punishable as a separate offense. Prosecution or conviction under this provision is cumulative of and shall never be a bar to the imposition or collection of false alarm penalties, non-permitted alarm penalties, fees or any other civil or administrative remedy provided or allowed in this article.

(b) In addition to prohibiting or requiring certain conduct of individuals, it is the intent of this article to also hold a corporation, partnership, association, limited partnership, limited liability corporation or other such entity criminally responsible for acts or omissions performed by an agent acting on its behalf.

Sec. 11-75. Certain notices; procedure.

Any notice required or allowed by this article to be sent by the director to a permit holder or other person, unless expressly provided otherwise in this article, shall be considered sufficient if sent by first class U.S. mail to the permit holder's address, billing address or alarm site address as set forth in the alarm permit application or the most recent amendment thereto, or the address specified by the permit holder in writing to the department.

Sec. 11-76. Standards and procedures.

Development of policies and procedures. The director and the police chief, as applicable, shall have the authority to institute standards and procedures necessary to implement and enforce this article to ensure the effective utilization of police department and HEC resources, and the enhancement of public safety. In establishing any rules, regulations and policies regarding the administration of the permitting process, hearings or appeals, the director and the chief of police shall consult with each other to ensure to maximum efficiency and coordination between their departments.

Sec. 11-77. Use and allocation of revenues.

Revenues from alarm permit fees and penalties collected pursuant to this article shall be placed in the police special services fund and used to defray the costs associated with administering this article, including the costs of responding to alarm calls, and for other purposes of the department or the police department, except as may be limited by state law, including Local Government Code, Chapter 214, Subchapter F."

Section 3. The provisions of this Ordinance shall take effect on the 90th day next following the date of its passage and approval by the Mayor, and shall apply to all permits issued on or after the effective date of this Ordinance. Permits issued or renewed before the effective date of this Ordinance shall be governed by the former provisions of the Code of Ordinances, Houston, Texas, provided the alarm permits continuously remain valid, but in no event longer than 12 months after the effective date of this Ordinance. Upon expiration, revocation, cancellation or other event that causes or allows the permit to

become invalid, a new permit shall be applied for in accordance with this Ordinance. The former provisions of the Code of Ordinances are hereby saved from repeal for the limited purpose of their continued application to such previously issued permits.

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 Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 6. 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 as provided in
Section 3, above.

PASSED AND APPROVED this ____ day of _____, 2008.

Mayor of the City of Houston

Prepared by Legal Dept.

04/04/2008

Requested by: Harold L. Hurtt, Chief of Police

L.D. No. 0620501418001



Senior Assistant City Attorney

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Authorization to expend funds for traffic signal operations and maintenance on the Metro Light Rail Traffic Signal System pursuant to the Operations and Maintenance Agreement between the City of Houston and Metropolitan Transit Authority of Harris County, Texas		Category	Page 1 of 1	Agenda Item # 43-4															
FROM (Department or other point of origin): Public Works and Engineering Department		Origination Date March 3, 2008	Agenda Date APR 23 2008 APR 30 2008																
DIRECTOR'S SIGNATURE <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director		Council Districts affected: C, D, and I																	
For additional information contact: Raymond D. Chong, P.E., PTOE Phone: (713) 837-0845 Deputy Director, Traffic and Transportation		Date and Identification of prior authorizing Council Action: Ordinance #03-1320; Date 12/23/03																	
RECOMMENDATION: (Summary) Pass a Motion authorizing the payment of funds in accordance with the subject agreement for Fiscal Year 2008																			
Amount and Source of Funding: \$200,986.80 – Fiscal Year 2008 – General Fund (1000) <i>PLR 4/9/2008</i>				F&A Budget:															
<u>SPECIFIC EXPLANATION:</u> On December 23, 2003, City Council approved an Operations and Maintenance Agreement with METRO relating to traffic signals along the Light Rail line. The agreement calls for METRO to be the sole provider of maintenance, repair, and operation of the Light Rail Line traffic signal system (identified as the Main Street ATMS in Attachment C). In exchange, the City of Houston pays METRO a quarterly fee per traffic signal according to the following schedule: <table border="0"> <tr> <td>(Quarter 1) July 1, 2007 – September 30, 2007:</td> <td>\$49,189.00</td> <td>(\$702.70 per traffic signal)</td> </tr> <tr> <td>(Quarter 2) October 1, 2007 – December 31, 2007:</td> <td>\$49,189.00</td> <td>(\$702.70 per traffic signal)</td> </tr> <tr> <td>(Quarter 3) January 1, 2008 – March 31, 2008:</td> <td>\$51,304.40</td> <td>(\$732.92 per traffic signal)</td> </tr> <tr> <td>(Quarter 4) April 1, 2008 – June 30, 2008:</td> <td>\$51,304.40</td> <td>(\$732.92 per traffic signal)</td> </tr> <tr> <td>Fiscal Year 2008 Total:</td> <td>\$200,986.80</td> <td></td> </tr> </table>					(Quarter 1) July 1, 2007 – September 30, 2007:	\$49,189.00	(\$702.70 per traffic signal)	(Quarter 2) October 1, 2007 – December 31, 2007:	\$49,189.00	(\$702.70 per traffic signal)	(Quarter 3) January 1, 2008 – March 31, 2008:	\$51,304.40	(\$732.92 per traffic signal)	(Quarter 4) April 1, 2008 – June 30, 2008:	\$51,304.40	(\$732.92 per traffic signal)	Fiscal Year 2008 Total:	\$200,986.80	
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Fiscal Year 2008 Total:	\$200,986.80																		
REQUIRED AUTHORIZATION																			
F&A Director:		Other Authorization:																	
		<i>Raymond D. Chong</i> Raymond D. Chong, P.E., PTOE Deputy Director, Traffic and Transportation Division																	

Attachment C
(continued)

B. List of the traffic signals that are presently part of the Main Street ATMS:

Main Street ATMS Traffic Signals

S. NO.	Intersection Name	ICON #	S. NO.	Intersection Name	ICON #
1	Fannin/Bellfort	2011	36	Fannin/Rosedale	4135
2	Fannin/I-610	2009	37	San Jacinto/Rosedale	4130
3	Fannin/Naomi	4114	38	Main/Wentworth	4133
4	Fannin/Holly Hall	2008	39	Fannin/Wentworth	4132
5	Fannin/Reliant Park Drive	4112	40	San Jacinto/Wentworth	4131
6	Fannin/Greenbriar	2007	41	Main/Blodgett	3103
7	Greenbriar/OST	1115	42	Fannin/Blodgett	3105
8	Greenbriar/Colonnade	4116	43	San Jacinto/Blodgett	3110
9	Greenbriar/S. Braeswood	2012	44	Main/Wheeler/Richmond	3107
10	Fannin/S. Braeswood	2006	45	Main/Alabama	3132
11	Fannin/Galen	2404	46	Main/Holman	3146
12	Fannin/TCH-SLMT Driveways	4115	47	Main/Elgin	3160
13	Main/Dryden	2016	48	Main/McGowan	3183
14	Fannin/Dryden	2405	49	Main/Webster	3207
15	Main/University	2015	50	Main/Gray	3215
16	Fannin/University	2406	51	Main/Pierce	3223
17	Fannin/John Freeman	2407	52	Main/St. Joseph	3236
18	Fannin/Ross Sterling	2005	53	Main/Jefferson	3245
19	Fannin/Hermann Ped Crossing	4113	54	Main/Pease	3255
20	Main/N. MacGregor	2408	55	Main/Leeland	3265
21	Fannin/N. MacGregor	2409	56	Main/Bell	3276
22	Main/Fannin/Sunset	2014/3081	57	Main/Clay	3289
23	Fannin/San Jacinto/Montrose	2019	58	Main/Polk	3300
24	Fannin/Hermann	2004	59	Main/Dallas	3314
25	San Jacinto/Hermann	2022	60	Main/Lamar	3329
26	Fannin/Ewing	4134	61	Main/McKinney	3338
27	San Jacinto/Ewing	4129	62	Main/Walker	3349
28	Main/Binz/Bissonnet	2013	63	Main/Rusk	3357
29	Fannin/Binz	2003	64	Main/Capitol	3366
30	San Jacinto/Binz	2021	65	Main/Texas	3378
31	Main/Southmore	3093	66	Main/Prairie	3389
32	Fannin/Southmore	3095	67	Main/Preston	3398
33	San Jacinto/Southmore	3099	68	Main/Congress	3405
34	Fannin/Wichita	4136	69	Main/Franklin	3412
35	San Jacinto/Wichita	4137	70	Main/Commerce	3421

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7900

Subject: Formal Bid Received for 2-Passenger Helicopters for the Police Department
S34-N22842

Category #
1 & 4

Page 1 of 1

Agenda Item

44-44A

13-13A

FROM (Department or other point of origin):

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

Origination Date

April 15, 2008

Agenda Date

APR 30 2008

~~APR 23 2008~~

DIRECTOR'S SIGNATURE

For additional information contact:

Joseph Fenninger

Phone: (713) 308-1708

Ray DuRousseau

Phone: (713) 247-1735

Council District(s) affected
All

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of \$1,484,013.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and an award to Air Flite, Inc. on its sole bid in the amount of \$1,484,013.00 for 2-passenger helicopters for the Police Department.

Award Amount: \$1,484,013.00

F & A Budget

\$1,484,013.00 - Equipment Acquisition Consolidated Fund (Fund 1800)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$1,484,013.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approves an award to Air Flite, Inc. on its sole bid in the amount of \$1,484,013.00 for three 2-passenger helicopters for the Police Department, and that authorization be given to issue a purchase order. The new helicopters will be used by the Police Department for hands-on-training of new pilots for FAA certification.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Two prospective bidders were notified via e-mails inviting them to participate and submit bids for this procurement. Only one contractor/supplier submitted a bid for this procurement due to the limited competition for the specified aircraft.

Currently, the Police Department has three helicopters in its fleet inventory that are used for training pilots. These new helicopters will replace the three existing 33-year-old Schweizer Model 300 training helicopters that have exceeded their life expectancy and will be sent to auction for disposition.

These new Schweizer Model 300C helicopters will come with a full one-year/1000-hour factory warranty, and the projected life expectancy is fifteen years.

Buyer: Larry Benka

Attachment: M/WBE Zero-Percentage Goal Document Approved by the Affirmative Action Division

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

CITY OF HOUSTON

Finance & Administration Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

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

From: Larry Benka

Date: March 11, 2008

Subject: MWBE Participation Form

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

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

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

If requesting a revision, how many solicitations were received:

Solicitation Number:	S34-N22842	Estimated Dollar Amount:	\$5,500,000.00
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Anticipated Advertisement Date: 3/4/2008 Solicitation Due Date: 3/20/2008

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:

Purchase of Three Helicopters


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


This purchase is for piston powered helicopters. The helicopters, including all options, will be manufactured as completely assembled units by an out-of state manufacturer. The manufacturer will deliver the helicopters to a distributor that will deliver the units to the City. There is no potential for M/WBE participation.

Concurrence:

Garry Benka
SPD Initiator

Robert D. Gallegos
Robert Gallegos, Deputy Assistant Director
*Affirmative Action


Division Manager


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

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

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7870

Subject: Formal Bids Received for 4-Passenger Helicopters for the Police Department
S34-N22826

Category #

1 & 4

Page 1 of 1

Agenda Item

45-45A ~~45-45A~~

FROM (Department or other point of origin):

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

Origination Date

April 15, 2008

Agenda Date

APR 30 2008
~~APR 23 2008~~

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Joseph Fenninger

Phone: (713) 308-1708

Ray DuRousseau

Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of \$15,192,816.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and an award to MD Helicopters, Inc. on its sole bid in the amount of \$15,192,816.00 for 4-passenger helicopters for the Police Department.

Award Amount: \$15,192,816.00

F & A Budget

\$15,192,816.00 - Equipment Acquisition Consolidated Fund (1800)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$15,192,816.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approve an award to MD Helicopters, Inc. on its sole bid in the amount of \$15,192,816.00 for eight 4-passenger helicopters for the Police Department, and that authorization be given to issue a purchase order. The new helicopters will be used citywide by the Police Department for patrol, aerial support, and security-related operations.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Six prospective bidders were notified via e-mails inviting them to participate and submit bids for this procurement. Only one contractor/supplier submitted a bid for this procurement due to the limited competition for the specified aircraft.

Currently, the Police Department has six helicopters in its fleet inventory that are used for patrol and aerial support operations. There is an additional new unit that is on order with delivery scheduled for late 2008. Two of the eight new helicopters in this purchase will replace two existing 7-year-old Schweizer Model 333 helicopters: one that crashed and will be sold for parts and one that was grounded and will be sent to auction for disposition. The remaining six new helicopters will be additions to the Department's helicopter fleet. The six additional helicopters will increase the Department's helicopter patrol fleet to thirteen units. The addition of these new helicopters will allow the Department to provide patrol activities of approximately 42 total flight hours every day, 7 days a week, equally divided on the north and south sides of Interstate 10.

These new MD500E helicopters will come with a full one-year/1,000-hour factory warranty, and the projected life expectancy is fifteen years.

Buyer: Larry Benka

Attachment: M/WBE Zero-Percentage Goal Document Approved by the Affirmative Action Division

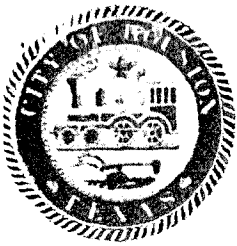
REQUIRED AUTHORIZATION

NDT

F&A Director:

Other Authorization:

Other Authorization:



CITY OF HOUSTON

Finance & Administration Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

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

From: Larry Benka

Date: March 29, 2008

Subject: MWBE Participation Form

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

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

I am requesting a revision of the MWBE Goal: Yes ☐ No ☐ Original Goal: _____ New Goal: _____

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

Solicitation Number: S34-N22826 Estimated Dollar Amount: \$14,492,000.00

Anticipated Advertisement Date: 3/4/2008 Solicitation Due Date: 3/20/2008

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:
Purchase of Eight Helicopters

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

This purchase is for turbine helicopters. The helicopter, including all options, will be manufactured as a completely assembled unit by an out-of state manufacturer. The manufacturer will deliver the helicopter to a distributor that will deliver the units to the City. There is no potential for M/WBE participation.

Concurrence:

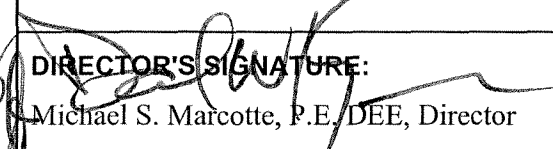

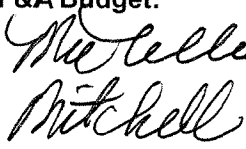
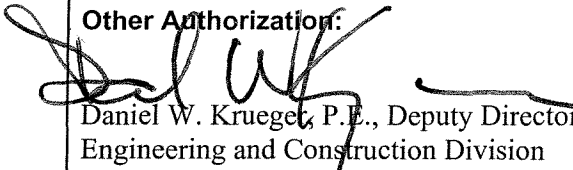
Louis Pymich / Larry Benka
SPD Initiator

Robert D. Gallegos
Robert Gallegos, Deputy Assistant Director
*Affirmative Action

S. L. P. [Signature]
Division Manager

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.

SUBJECT: Additional Appropriation to Professional Engineering Services Contract between the City of Houston and Carter & Burgess, Inc. for the design of Water Lines and Brick Street Preservation and Restoration in the Freedman's Town Area. WBS No. S 000455-0001-3 and N-001315-0001-3 (formerly N-0661-21-2)		Page of <u>2</u> 46	Agenda Item # 27
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 4/18/08	Agenda Date APR 23 2008 APR 30 2008	
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: I		
For additional information contact:  Reid K. Mersny, P.E. Phone: (713) 837-0452 Senior Assistant Director	Date and identification of prior authorizing Council action: Motion No. 94-1397; July 13, 1994 Resolution No. 95-0140, August 30, 1995 Ordinance No. 96-0594 June 19, 1996 Ordinance No. 99-1102, October 20, 1999 Ordinance No. 2001-111, January 24, 2001 Ordinance No. 2003-613, June 25, 2003		
RECOMMENDATION: (Summary) Appropriate additional funds for Professional Engineering Services Contract with Carter & Burgess, Inc.			
Amount and Source of Funding: \$430,000.00 from the Street and Bridge Consolidated Construction Fund No. 4506. Original (previous) appropriation of \$782,000.00 from the Water and Sewer System Consolidated Construction Fund No. 755, and \$545,896.00 from the Street and Bridge Consolidated Construction Fund No. 437.			
DESCRIPTION/SCOPE: This project consists of the replacement of the water and sanitary sewer lines and the preservation and limited restoration of the brick surfaces on Andrews Street from Heiner Street to Wilson Street and on Wilson Street from Andrews Street to West Dallas Street in the Freedman's Town area.			
LOCATION: The project is generally bounded by W. Dallas on the north, W. Grey on the south, I-45 on the east, and Montrose on the west. The project is located in Key Map Grids 493-P.			
PREVIOUS HISTORY AND SCOPE: -The design consultant, Carter & Burgess, Inc., completed the design of the project and put the construction work to bid in May of 2007. The original design required the removal of the brick streets, the storage of the bricks while the underlying utility work progressed, then the rebuilding of the streets using the original bricks. In response to the concerns of the local community that the streets not be disturbed so as to retain their historical integrity, PWE withdrew the action and investigated the financial and technical impacts of changing the design. After the review was completed, it was determined that the design could be reconfigured in a manner that would allow the streets to be preserved in place while still allowing for the necessary upgrades of the underlying utilities. Additional funds are required to supplement the redesign of the project due to the changes in the scope of work.			
REQUIRED AUTHORIZATION NDT CUIC ID #20MAC48C			
F&A Budget:  Mitchell	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division		

Date	SUBJECT: Additional Appropriation to Professional Engineering Services Contract between the City of Houston and Carter & Burgess, Inc. for the design of Water Lines and Brick Street Preservation and Restoration in the Freedman's Town Area. WBS No. S-000455-0001-3 and N-001315-0001-3 (formerly N-0661-21-2)	Originator's Initials	Page <u>2</u> of <u>2</u>
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SCOPE OF THE AMENDMENT AND FEE Under this appropriation, the consultant, Carter & Burgess, Inc., will perform Basic Services, Final Design and Additional Services for the redesign of the utility replacement and brick preservation of Andrews Street from Heiner Street to Wilson Street and on Wilson Street from Andrews Street to West Dallas Street.

The negotiated maximum fee for Basic Services is \$362,229.31 and for Additional Services is \$121,262.82. The estimated total Basic Services appropriation includes \$35,694.58 for a modified design (Ph-I) concept, \$270,965.58 for Phase II Basic Services, and \$55,569.15 for Phase III Construction Phase Services. A portion of the Phase II Basic Services will be paid thru the remaining contract balance of \$93,002.00. The Additional Services fee will be used for topographical survey, environmental site assessment, traffic control plans, and storm water pollution prevention.

The total cost for this phase of the project is \$430,000.00 to be appropriated as follows: \$390,490.13 for contract services and \$39,509.87 for project management.

M/WBE INFORMATION: The M/WBE goal established for the overall project is set at 24.00%. The original contract totals \$1,394,320.60. The consultant has been paid \$1,301,318.60 (93.32%) to date. Of this amount \$343,807.56 (26.42%) has been paid to M/WBE sub-consultants to date. Assuming approval of this appropriation, the contract amount will be increased to \$1,784,820.60 and the consultant has updated the following program to achieve this goal:

	<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
1.	Prior M/WBE Work	Various Services	\$343,807.56	19.26%
2.	Landtech, Inc.	Topographical & R.O.W. Survey	\$39,516.00	2.21%
3.	HVJ & Associates	ESA Phase I	\$3,175.00	.18%
4.	AIA Engineers, Ltd	Traffic Control/Signal	\$13,522.44	.76%
5.	AIA Engineers, Ltd	SWPP's	\$5,589.39	.31%
6.	Knudson & Associates L.P.	Tree Protection	\$4,770.00	.27%
7.	Chief Solutions, Inc.	Sanitary TV Inspection	\$6,506.10	.36%
8.	Gurolla, Inc.	Reproduction Services	\$17,000.00	.95%
	TOTAL		\$433,886.49	24.31%

MSM:DWK:RKM:JHK:SAB:MC

S:\design\A-NP-DIV\MEC\RCA\Supplment Brick Streets Contract.DOC

c: Marty Stein Daniel W. Krueger, P.E. Susan Bandy Velma Laws Craig Foster
File : WBS No. S-000455-0001-3 and N-001315-0001-3 (formerly N-0661-21-2) 1.2 (Approp. RCA)