

**CITY COUNCIL CHAMBER – CITY HALL 2nd FLOOR – TUESDAY
OCTOBER 28, 2008 – 2:00PM**

NON-AGENDA

1MIN. 1MIN. 1MIN.

MR. JERRY BREWER – 30010 Common Scenic View Dr. – Huffman – TX – 77336 – 713-647-1299 – DNA Testing Crime Lab Investigations

MS. QUEEN JEFFERSON – 5590 Crane St. – 77026 – 832-322-2576 – DNA Testing Crime Lab Investigations

2MIN 2MIN 2MIN

MR. ALEX ASLM – 7250 Harwin – 77036 – 713-539-0010 – Attention Getting Device

3MIN 3MIN 3MIN

MR. CHRISTOPHER EMERSON – 3405 Vintage – 77026 – 713-673-0103 – DNA Testing, Crime Lab Investigations

MR. GREGORY JOHNSON - 3405 Vintage – 77026 – 713-671-0969 – DNA Testing, Crime Lab Investigations

MR. CHRIS PURTEE – 25211 Burgh Castle Dr. – Spring – TX – 77389 – 713-898-5176 – Attention Getting Devices

MR. RAZA ABBAS – 5003 Antoine, No. M – 77092 – 832-208-6930 – Attention Getting Device

MR. JIM PURTEE - 25211 Burgh Castle Dr. – Spring – TX – 77389 – 713-898-5176 – Attention Getting Devices

MR. CORY MARVER – 8181 Fannin, No. 1813 – 77054 – 214-392-5993 – Inflatable Aerial Balloons – Attention Getting Devices

MR. BYRON RILEY – 2526 Washington Ave – 77007 – 713-869-3405 – Proposed ban of the Attention Getting Devices

MR. ABRAHAM ALON – 7815 Hillcroft – 77081 – 713-779-1777 – Proposed ban on Attention Getting Devices

MR. STEVEN WILLIAMS – No address – No phone – Clear Channel Communications Joe Paggs give us five more days

MS. SAVANNAH TAPLIN – 1116 Summer St. – 77007 – 713-391-5128 – Why can't my mom get assistance from the City of Houston

MS. DORIS KEMP – 6000 Telephone Rd. – 77087 – 713-641-5311 – Eviction

MR. JAMES D. ROBINSON – 3602 Burke – Pasadena – TX – 77540 – 2353 – 713-378-0693 – Need help from Mayor and City Council to enforce HPD law

MS. TERRY THOMPSON – Post Office Box 1735 – 77251 – no phone – Justice for all

MRS. DELPHINE ALLY – 32218 Edgewater Dr – Magnolia – TX – 77354 – 832-934-0152 – Need a job

MR. ABDUL ALLY – 32218 Edgewater Dr – Magnolia – TX – 77354 – 832-934-0152 – Need a job

MR. EZEKIEL MOORE, JR. – 3422 Prudence – 77045 – 713-433-8480 – Speed bumps and Handicap ramps

MS. JORGETTA WILLIAMS – Post Office Box 42505 – 77242 – 713-314-7546 – Housing the unwritten Rule

MR. MINOR PAYNE III – 11503 Fawngrove St. – 77048 – 281-788-8612 – Tax Appraisal District

MS. JACQUELINE JACKSON – 15923 Highland Brook – 77083 – 832-883-6420 – Incident and Kim's attitude

Speaker List
October 28, 2008
Continued Page 2

PREVIOUS

<u>1MIN.</u>	<u>1MIN.</u>	<u>1</u> <u>1MIN.</u>
MR. DALLAS FOSTER – 20922 Twisted Leaf – Cypress –TX – 77433 – 713-213-5265 – Attention Getting Device		
MRS. LORI FOSTER – 20922 Twisted Leaf – Cypress – TX – 77433 – 713-213-5265 – Attention Getting Device		
MR. WILLIAM BEAL - 4718 Boicewood – 77016 – 713-633-0126 – Frankenstein 1931 Starring Boris Karloff and Colin Clive		
MR. VIVEK GOEL – 8450 Cambridge – 77054 – 713-240-9981 – Health and Happiness		

AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 28, 2008 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Khan

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

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

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - OCTOBER 29, 2008 - 9:00 A. M.

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

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** regarding the construction of the new Kingwood Library on 4.845 acres (Parcel GY9-001) within the Kingwood Park located at 2700 Bens Branch Drive and Bens View Lane - **DISTRICT E - SULLIVAN**
2. **PUBLIC HEARING** regarding amendments to the Project and Financing Plan for **TAX INCREMENT REINVESTMENT ZONE NUMBER NINETEEN (UPPER KIRBY ZONE)** **DISTRICTS C - CLUTTERBUCK and G - HOLM**

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 3 through 33

AGENDA - OCTOBER 29, 2008 - PAGE 2

MISCELLANEOUS - NUMBERS 3 and 4

3. REQUEST from Mayor for confirmation of the appointment of **MR. BRYAN B. SÁNCHEZ** to Position Seven of the **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE) BOARD OF DIRECTORS**, for a term to expire July 6, 2009
4. RECOMMENDATION from Director Administration & Regulatory Affairs for adoption of Alcohol-Free School Zone for the SER-Niño's Charter School located at 5815 Alder pursuant to Section 109.33 of the Texas Alcoholic Beverage Code and Section 3-2 of the Houston Code of Ordinances - **DISTRICT C - CLUTTERBUCK**

ACCEPT WORK - NUMBERS 5 and 6

5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$674,262.15 and acceptance of work on contract with **AMTECH ELEVATOR SERVICES**, for Elevator Renovation at 8000 North Stadium Dr., WBS D-000113-0002-4 - 2.98% over the original contract amount - **DISTRICT D - ADAMS**
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$436,150.00 and acceptance of work on contract with **BOYER, INC** for Lift Station Piping and Valve Replacement - Various Lift Stations, WBS R-000267-00C3-4 0.28% under the original contract amount - **DISTRICTS A - LAWRENCE; B - JOHNSON; D - ADAMS; F - KHAN; G - HOLM and I - RODRIGUEZ**

PROPERTY - NUMBERS 7 and 8

7. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Lars E. Monson of Brown & Gay Engineers, Inc., on behalf of Willowick Place at River Oaks, L. P., a Delaware limited partnership (Willowick Place at River Oaks GP, LLC [Frederick R. McCord, President], General Partner), for the abandonment and sale of Las Palmas Street right-of-way and a 10-foot-wide water line easement, located between West Main Street and West Alabama Street, in exchange for the conveyance to the City of a 65-foot-wide utility easement, out of the A. C. Reynolds Survey, Abstract 61, Parcels SY8-061A, SY8-061B and VY8-052 - **DISTRICT C - CLUTTERBUCK**
8. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from David Evans, McDonough Engineering Corporation, on behalf of the Most Reverend Daniel Cardinal DiNardo, Archbishop of Galveston-Houston, his successors in office or assigns, for the use and benefit of Holy Rosary Parish, for abandonment and sale of Berry Street from Milam Street to Louisiana Street, and a ±7,700-square-foot parcel being portions of Lots 7, 8 and 9, Block 16, in exchange for the conveyance to the City of a 50-foot-wide utility easement and a 25-foot-wide sanitary sewer easement, all located in the Main Street Addition, Parcels SY8-087A, SY8-87B, VY8-053 and DY8-096 - **DISTRICT D - ADAMS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 13A

9. **SHI GOVERNMENT SOLUTIONS, INC** for Maintenance Agreement for McAfee Virus Check Software through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Information Technology Department - \$266,952.00 - Central Service Revolving Fund
10. **RELIANCE LABEL SOLUTIONS, INC** for Printing, Library Cards for the Library Department \$137,250.00 - General Fund

PURCHASING AND TABULATION OF BIDS - continued

11. **ACTION TARGET, INC** for HPD Qualification Pistol Range through the State of Texas Building and Procurement Commissioner's Contract (TXMAS) for Houston Police Department \$1,592,137.00 - Police Consolidated Construction Fund
12. **TOTER, INCORPORATED** for Automated Refuse Containers (Two-Wheel Carts) from the Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Solid Waste Management Department - \$578,440.00 - General Fund
13. ORDINANCE appropriating \$112,667.00 from the Limited Use Roadway and Mobility Capital Fund for the purchase of Professional Services for the Deployment of the Infor 7i Work and Asset Management (WAM) System in the Traffic and Transportation Division (TTD), WBS N-000650-0049-3
 - a. **EMA, INC** through the Cooperative Purchasing Program under Section 211 of the Government Act of 2000 in the total amount of \$112,667.00 for the Deployment of the Infor 7i Work and Asset Management (WAM) System in the Traffic and Transportation Division (TTD)

ORDINANCES - NUMBERS 14 through 33

14. ORDINANCE **AMENDING ARTICLE XII OF CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Bicycle Permits
15. ORDINANCE authorizing the issuance of City of Houston, Texas Airport System Senior Lien Revenue Bonds or Senior Lien Revenue Refunding Bonds as may be further designated and described herein and providing for the payment thereof; authorizing the Mayor and City Controller to approve the amount, Interest Rate, Price and Terms thereof, determine the Outstanding Bonds or Notes to be refunded and defeased, and approve certain other procedures and provisions relating thereto; authorizing the refunding and defeasance of certain Outstanding Airport System Senior Lien Commercial Paper Notes, certain Outstanding Subordinate Lien Revenue Bonds and certain Obligations relating to Special Facilities Bonds; approving the sale of the Bonds and authorizing the execution and delivery of one or more Bond Purchase Agreements, one or more Escrow Agreements, and one or more Paying Agent/Registrar Agreements; authorizing the purchase of Bond Insurance and one or more Reserve Fund Surety Policies; authorizing a Co-Bond Counsel Agreement and a Special Disclosure Co-Counsel Agreement; making certain findings and other declarations necessary and incidental to the issuance of bonds; and declaring an emergency
16. ORDINANCE relating to the Retail Water and Sewer Rates of Southern Water Corporation; approving an increase to the rates that shall constitute the legal rates of Southern Water Corporation within the City of Houston until changed as provided by the Texas Water Code; providing for the filing of rate schedules and tariffs; providing for the repeal of conflicting ordinances; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a repealer - **DISTRICT B - JOHNSON**
17. ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$597,694.00 in Community Development Block Grant ("CDBG") Funds for the Implementation, Oversight and Delivery of a Child Care Program
18. ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$623,453.00 in Community Development Block Grant ("CDBG") Funds for the Implementation, Oversight and Delivery of a Juvenile Delinquency Prevention Program

ORDINANCES - continued

19. ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$2,026,597.00 (Emergency Shelter Grant Funds - \$1,326,597.00/Community Development Block Grant Funds - \$700,000.00) for the Administration of an Emergency Shelter Grants Program
20. ORDINANCE approving and authorizing contract between the City of Houston and the **HEALTHCARE FOR THE HOMELESS-HOUSTON** to provide \$117,180.00 in Community Development Block Grant Funds for the Administration and Operation of Project Access, which offers transportation services to homeless individuals and families seeking health care and supportive services
21. ORDINANCE approving and authorizing Subaward Agreement between the City of Houston (City) and **BAYLOR COLLEGE OF MEDICINE** (Baylor) for the Healthy Kids-Houston: An Integrated Community Program for the Prevention of Obesity Among Minority Children (Program); authorizing the Director of Parks & Recreation Department (Director) to act as the City's representative to approve and accept funding from Baylor in the amount of \$109,205.00 for the program; declaring the City's eligibility for receiving such funding; and further authorizing the Director to apply for an accept all subsequent awards of funding, if any, pertaining to the program and to execute any future contracts with Baylor pertaining to the receipt of grant funding form the United States Department of Agriculture (USDA) Cooperative State Research, Education and Extension Service (CSREES) for the program
22. ORDINANCE approving and authorizing the Mayor to accept Federal Aviation Administration (FAA) Grant offers up to \$75,000,000.00 for various projects at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field; declaring the City's eligibility for such grants - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**
23. ORDINANCE approving and authorizing Amendment No. 1 to Lease Agreement between the City of Houston and **VANGUARD CAR RENTAL USA INC formerly NATIONAL CAR RENTAL SYSTEM, INC** for certain premises at William P. Hobby Airport - Revenue - **DISTRICT I - RODRIGUEZ**
24. ORDINANCE appropriating \$300,000.00 from Equipment Acquisition Consolidated Fund 1800 and approving and authorizing payment for land acquisition costs pursuant to a Commercial Contract - Improved property between the City of Houston and American Opportunity for Housing - Concord at Williamcrest, LLC, Seller, for the purchase of a tract of land containing 10.8243 acres, more or less (Parcel BY9-006), out of JM Bartlett Survey, Abstract No. 152, in Harris County, Texas, for purposes of expanding Marian Park, with the Houston Parks Board paying the balance of the purchase price, plus all closing costs associated with this transaction **DISTRICT C - CLUTTERBUCK**
25. ORDINANCE approving and authorizing Purchase and Sale Agreement between Almeda Holdings, Ltd., and the City of Houston, Texas, Purchaser (the "City"), for 9.617 acres, more or less, of improved commercial land in fee (Parcel CY3-009A) and an easement over 4.047 acres, more or less, of improved commercial land for a Buffer Zone Easement (Parcel CY3-009B), at 12317 Almeda Road, Houston, Texas, for construction of a Biosolids Handling Facility and the Expansion of the Almeda Sims Wastewater Treatment Plant - **DISTRICT D - ADAMS**
26. ORDINANCE approving and authorizing contract between the City and **JOHN HALL PUBLIC AFFAIRS, INC** for Consulting Services related to environmental matters; providing a maximum contract amount - 1 Year with two one-year options - \$378,000.00 - General Fund

ORDINANCES - continued

27. ORDINANCE approving and authorizing contract between the City of Houston and **MERCER(US), INC** for Financial/Human Resources Consulting Services; providing a maximum contract amount \$75,000.00 - General Fund
28. ORDINANCE awarding contract to **SQUARE D COMPANY (formerly known as ECP TECH SERVICES)** for Maintenance and Repair Services of Electric 138KV Substations for the Public Works & Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$1,596,254.00 - Enterprise Fund
29. ORDINANCE appropriating \$2,947,389.00 out of Water & Sewer System Consolidated Construction Fund (8500), and awarding contract between the City of Houston and **CORRPRO COMPANIES, INC** for the Corrosion Prevention Program; providing a maximum contract amount WBS S-000037-0003-3
30. ORDINANCE amending Ordinance No. 2005-822 (passed by City Council on June 29, 2005) to increase the maximum contract amount for contracts with **GTE MOBILNET OF SOUTH TEXAS LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS BY SAN ANTONIO MTA, LP**, it's General Partner and **SAN ANTONIO MTA, LP, d/b/a VERIZON WIRELESS BY VERIZON WIRELESS TEXAS, LLC**, it's General Partner, and approving and authorizing first amendment to contract with **NEW AT&T MOBILITY NATIONAL ACCOUNT, LLC (FORMERLY NEW CINGULAR WIRELESS NATIONAL ACCOUNT, LLC)** for Wireless Communications Equipment and services for Various Departments - \$2,367,811.25 - Central Service Revolving Fund
31. ORDINANCE appropriating \$2,970,115.00 from the Metro Project Commercial Paper Series E Fund and \$168,003.00 from the Water & Sewer System Consolidated Construction Fund for the City's Cost Share in the Design and Construction of Bunker Hill from Long Point to IH-10 pursuant to the Engineering and Construction Agreement between the City of Houston and **THE MEMORIAL CITY REDEVELOPMENT AUTHORITY dba TIRZ #17 REDEVELOPMENT AUTHORITY** (approved Ordinance No. 08-0624), WBS N-000767-0001-4, S-000521-0047-4, R-000521-0047-4 - **DISTRICTS A - LAWRENCE and G - HOLM**
32. ORDINANCE approving and authorizing Sanitary Sewer Service Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 406**
33. Omitted

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 34 through 36

MISCELLANEOUS

34. RECEIVE nominations for Position 7 on the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY**, for a two-year term
35. RECEIVE nominations for Position 10 on the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two-year unexpired term that will end on March 1, 2010
36. RECOMMENDATION from Director Houston Airport System to conduct a public hearing on the proposed airport compatible land use regulations and accompanying maps for George Bush Intercontinental Airport/Houston (IAH), William P. Hobby Airport (HOU) and Ellington Field (EFD)
DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ
SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - NOVEMBER 19, 2008

MATTERS HELD - NUMBERS 37 through 39

37. **AZTECA SYSTEMS, INC** for Software Application and Maintenance Support Services for the Workorder Management System (Citywork) for Department of Public Works & Engineering \$110,000.00 - Enterprise Fund - **TAGGED BY COUNCIL MEMBER JONES**
This was Item 11 on Agenda of October 22, 2008
38. ORDINANCE appropriating \$2,879,890.00 out of Police Consolidated Construction Fund and approving and authorizing a System Procurement Agreement between the City of Houston and **MOTOROLA, INC** for the Public Safety Radio System Project; authorizing the expenditure of grant funds in the amount of \$12,993,456.00; providing a maximum contract amount
TAGGED BY COUNCIL MEMBERS HOLM and CLUTTERBUCK
This was Item 15 on Agenda of October 22, 2008
 - a. ORDINANCE appropriating \$773,181.98 out of Police Consolidated Construction Fund and approving and authorizing Lease Agreement between the City of Houston and **2550 NORTH LOOP WEST LP**, for the Lease of Office Space at 2550 North Loop West relating to the Public Safety Radio System Project; providing a maximum contract amount
TAGGED BY COUNCIL MEMBERS HOLM and CLUTTERBUCK
This was Item 15A on Agenda of October 22, 2008
 - b. ORDINANCE appropriating \$100,000.00 out of Police Consolidated Construction Fund and approving and authorizing contract between the City of Houston and **MILLER & VAN EATON, P.L.L.C.** for Legal Services relating to the Public Safety Radio System Project; providing a maximum contract amount - **TAGGED BY COUNCIL MEMBER HOLM**
This was Item 15B on Agenda of October 22, 2008
 - c. ORDINANCE appropriating \$137,877.34 out of Police Consolidated Construction Fund for Purchase of Furniture, Information Technology Equipment and Security Equipment for the Public Safety Radio System Project - **TAGGED BY COUNCIL MEMBER HOLM**
This was Item 15C on Agenda of October 22, 2008
 - d. **CONTRACT RESOURCE GROUP, LLC** for Office Furniture from the State of Texas Procurement and Support Services Contract for the Information Technology Department - \$80,991.54
TAGGED BY COUNCIL MEMBER HOLM
This was Item 15D on Agenda of October 22, 2008

MATTERS HELD – continued

39. ORDINANCE approving and authorizing contract between the City and **MAXIMUS FINANCIAL SERVICES, INC** for Cost Allocation Plan Services for the Department of Finance; providing a maximum contract amount - 3 years with two one-year options - \$298,461.00 - General Fund

TAGGED BY COUNCIL MEMBER JONES

This was Item 22 on Agenda of October 22, 2008

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Rodriguez first

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

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

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

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT: An ordinance setting a public hearing in accordance with Chapter 26, Texas Parks and Wildlife Code, regarding the construction of the new Kingwood Library on 4.845 acres of KINGWOOD PARK, Parcel GY9-001, located at 2700 Bens Branch Dr. & Bens View Lane; Restricted Reserve "B" Kingwood Town Center, Sec. 3., John W. Asbury Survey, A-91.

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Agenda Item

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FROM (Department or other point of origin):

Houston Parks and Recreation Department

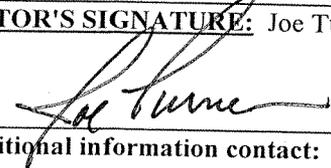
Origination Date:

Sept. 3, 2008

Agenda Date

~~SEP 10 2008~~
OCT 29 2008

DIRECTOR'S SIGNATURE: Joe Turner, Director

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Council District(s) affected: E

Hearing 804

For additional information contact: Daniel Pederson, 713-865-4507

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary): An ordinance setting a public hearing in accordance with Chapter 26, Texas Parks and Wildlife Code, authorizing and directing that notice of such hearing be given; stating in substance the form of such notice; finding and stating other matters relating thereto; and declaring an emergency.

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION: Kingwood Park (Parcel BY3-001) was acquired by the City of Houston in 2004 by purchase and consists of approximately 9.1206 acres. The City of Houston proposes to construct a new 2-story Public Library containing approximately 30,000 square foot of building space as well as several parking lots. After the City's construction of the library building, by a separate future City Council Action, the City will enter into an Inter-local Agreement with Harris County, Texas to operate the facility. The proposed library site (Parcel GY9-001) will utilize approximately 4.845 acres of the existing Kingwood Park and is the best location available to serve the citizens of the City of Houston and the residents of Harris County, Texas.

The Parks and Recreation Department has reviewed the proposed project and believes the construction of this library facility would benefit the public and will not negatively impact the users of Kingwood Park but will complement the park amenities.

Therefore, it is recommended City Council approve an ordinance setting a public hearing pursuant to the provisions of Chapter 26, Texas Parks and Wildlife Code, regarding the proposed construction of a Public Library in Kingwood Park.

LOCATION: The library will be located at the intersection of Bens Branch Drive and Bens View Lane. The project is located in Key Map Grid 337F.

REQUIRED AUTHORIZATION

Other Authorization:



Issa Z. Dadoush, P.E., Director, General Services Dept.

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OCT 29 2008

Information Brochure

for a

Public Hearing

**on the construction of a new Kingwood
Library on a portion of Kingwood Park**



City Council Chambers

City Hall, 901 Bagby, 2nd Floor, Houston, Texas

Wednesday, October 29, 2008

9:00 a.m.

SUGGESTED FORMAT FOR CITY COUNCIL PUBLIC HEARING

9:00 a.m., Wednesday, October 29, 2008

City Council Chambers
City Hall, 901 Bagby, 2nd Floor, Houston, Texas

Mayor: Call to order the Public Hearing on the proposed use of a portion of Kingwood Park ("Park") by the Houston Public Library Department (Library) to construct a new 2-story public library containing approximately 30,000 square feet and associated parking, which improvements require use of 4.845 acres of the 9.1206 acres of the Park.

Park Location in City Council District E, Mike Sullivan, Council Member

Legal Department: **John H. Liles, Jr.**, Senior Assistant City Attorney will present an overview of the Project and discuss the necessity for the public hearing. Written information will also be provided to assist the City Council in making the findings required by Chapter 26, Texas Parks and Wildlife Code, and representatives of the Harris County Public Library and the Houston Parks and Recreation Department will also offer comments on the Project.

THE FOLLOWING DEPARTMENTAL REPRESENTATIVES WILL
OFFER COMMENTS ON RELATED ISSUES AND BE AVAILABLE FOR QUESTIONS

HARRIS COUNTY PUBLIC LIBRARY

Rhoda Goldberg, Interim Director, Harris County Public Library, will describe the proposed library facility Project and the lack of any feasible or prudent alternative to the proposed partial use of the Park for the Library. Harris County Public Library will operate the library on behalf of the City of Houston.

HOUSTON PARKS & RECREATION DEPARTMENT

Joe Turner, Director, will describe the current state of development of the Park, the benefit of the enhanced use and enjoyment of the proposed library on the Park, and the efforts by the Parks & Recreation Department to minimize any potential harm on the use of the Park by the partial use for a library.

Public Speakers: Limited to three (3) minutes each.

Council Members: May ask questions or seek further explanation of the proposal.

Mayor: Close the Public Hearing.

SUMMARY OF THE PROPOSAL AND NECESSITY FOR PUBLIC HEARING

John H. Liles, Jr., Senior Assistant City Attorney, Legal Department, Real Estate Division

Joe Turner, Director, Houston Parks and Recreation Department and Rhoda Goldberg, Interim Director, Harris County Public Library, have requested the City of Houston construct a new 2-story public library on a portion of Kingwood Park.

Kingwood Park, a public park, consists of 9.1206 acres located within the City of Houston at 4404 Ben's View Lane(Key Map 337F), in Restrictive Reserve "B" of Kingwood Town Center, Section Three, John W. Asbury Survey, A-91, Harris County, Texas. The Park was acquired on January 12, 2004.

The parcel to be used for the new library consists of 4.845 acres to be used for the construction of a 2-story library containing approximately 30,000 square feet along with associated parking spaces.

This public hearing is being conducted as required under Chapter 26 of the Texas Parks & Wildlife Code (V.T.C.A. Parks & Wildlife §§ 26.001 *es seq*), which requires that the City Council, before approving such change of use of a portion of the Kingwood Park tract, hold a public hearing to determine:

1. Whether there is any feasible or prudent alternative to the proposed use or taking of a portion of Kingwood Park for the Project; and,
2. Whether the Project includes all reasonable planning to minimize harm to Kingwood Park as a park, recreation area, scientific area, wildlife refuge or historic site resulting from the proposed use or taking of a portion of said park for the proposed library.

Exhibit A - Texas Parks & Wildlife Code § 26.001

Joe Turner, Director, Houston Parks and Recreation Department

Although the site located at Ben's Branch Drive and Ben's View Lane is designated for use as a park, the Kingwood community is better served if the City develops a portion of the site for library services. The new 30,000 square feet library will replace an existing 12,000 square feet facility.

There is no surplus City land available in the Kingwood development to construct a larger library for services increasingly in demand by Kingwood and surrounding communities. The existing library located approximately 0.8 miles north of the proposed library will be converted into a community center to complement the services provided by the proposed library.

A leading architectural firm in Houston, Kirksey Architecture, has designed the new facility. Kirksey has designed several projects, locally and nationally, where environmental impact, energy efficiency and sustainability were major considerations in the design program. Kirksey will bring their green building expertise to the Kingwood Library design. The City plans to seek Silver Level LEED certification by United States Green Building Council.

The proposed library building is designed with a goal of minimizing the potential harm to the Park as a park and recreational area. Some of the points to be considered:

- The parkland is approximately 9.12 acres.
- The building footprint and paving for parking occupy 51,422 square feet or 1.52 acres. Approximately 3.33 acres is left open for future parking expansion, storm water detention pond, landscape preserve and for cultivation by the Kingwood Garden Club. Remaining 4.27 acres will be left undisturbed in the current natural state.
- Of the total site, approximately 75% is wooded and we will clear less than 5% for the building, thereby preserving 95% of the trees on the site.
- Most of the new development is in the existing cleared area.

As part of the LEED strategies, we will limit the construction area to 30 feet from the building footprint. Approximately 4.27 acres will remain as parkland for future development by Houston Parks & Recreation Department.

Exhibit B – Relative Locations of the New Kingwood Library and the Community Center

Exhibit C – New Library and Community Center Service Area

Rhoda Goldberg, Interim Director, Harris County Public Library

This opportunity for Harris County and the City of Houston to partner in the new library project will provide expanded library services to Kingwood and surrounding area residents. The community is also benefitted when the existing library building is renovated for use as a community center.

The 12,000 square foot Kingwood Branch Library that opened in 1983 is no longer enough to meet the growing demand for library service in the Kingwood Community. The new 30,000 square foot facility will provide space for more library materials, increase the number of public access computers from the current 28 to 127, increase public meeting and study space to include two large meeting rooms, a conference room, and five small study rooms.

The current location does not lend itself to easy expansion because of the limited site and the lack of available parking. The new site is easily accessible and will accommodate the proposed library with a minimum loss of trees. Parking is planned for a section of the property that does not have any trees. Future parking is also planned in areas with no trees. Use of the planned parking will facilitate accessibility to the remaining portion of the Park.

Exhibit D - View of the Proposed Library from Northwest

Exhibit E – View of the Proposed Library from Southeast

Exhibit F – View of the Children’s area from the Lobby

Exhibit G – View of the Adult’s area

EXHIBIT A

PARKS AND WILDLIFE CODE

CHAPTER 26. PROTECTION OF PUBLIC PARKS AND RECREATIONAL LANDS

Sec. 26.001. PROTECTED LAND; NOTICE OF TAKING. (a) A department, agency, political subdivision, county, or municipality of this state may not approve any program or project that requires the use or taking of any public land designated and used prior to the arrangement of the program or project as a park, recreation area, scientific area, wildlife refuge, or historic site, unless the department, agency, political subdivision, county, or municipality, acting through its duly authorized governing body or officer, determines that:

(1) there is no feasible and prudent alternative to the use or taking of such land; and

(2) the program or project includes all reasonable planning to minimize harm to the land, as a park, recreation area, scientific area, wildlife refuge, or historic site, resulting from the use or taking.

(b) A finding required by Subsection (a) of this section may be made only after notice and a hearing as required by this chapter.

(c) The governing body or officer shall consider clearly enunciated local preferences, and the provisions of this chapter do not constitute a mandatory prohibition against the use of the area if the findings are made that justify the approval of a program or project.

Added by Acts 1983, 68th Leg., p. 1035, ch. 235, art. 6, Sec. 2(a), eff. Sept. 1, 1983.

Sec. 26.002. NOTICE OF HEARING. (a) When any program or project requires notice and a public hearing before approval, the notice must be given in writing to the person, organization, department, or agency that has supervision of the land proposed to be used or taken.

(b) The notice must state clearly the proposed program or project and the date and place for the public hearing. The notice must be given at least 30 days before the date for the public hearing.

(c) Notice must also be given to the public by publishing a notice similar to that specified in this section once a week for three consecutive weeks. The last days of publication must not be less than one week or more than two weeks before the date of the hearing. The notice must be published in a newspaper of general circulation, which paper must be published at least six days a week in the county where the land proposed to be used or taken is situated.

(d) If there is no newspaper that qualifies under Subsection (c) of this section, the notice must be published in a qualifying newspaper that is published in any county adjoining the county where the land is situated. If there is no qualifying newspaper published in any adjoining county, then the notice must be published in a qualifying newspaper published in the nearest county to the county where the land is situated. If there is no qualifying daily newspaper published therein, the notice must be published in any newspaper of general circulation published in the political subdivision affected. If no newspaper is published in the political subdivision, the notice must be published in a newspaper published in the political subdivision nearest the political subdivision affected.

Added by Acts 1983, 68th Leg., p. 1035, ch. 235, art. 6, Sec. 2(a), eff. Sept. 1, 1983.

Sec. 26.003. LIMITATIONS ON JUDICIAL REVIEW. A petition for the judicial review of the approval or disapproval of a program or project under this chapter must be filed within 30 days after the approval or disapproval is announced, or the review is barred.

Added by Acts 1983, 68th Leg., p. 1035, ch. 235, art. 6, Sec. 2(a), eff. Sept. 1, 1983.

Sec. 26.004. EXCLUDED LANDS. A department, agency, board, or political subdivision having control of the public land is not required to comply with this chapter if:

(1) the land is originally obtained and designated for another public use and is temporarily used as a park, recreation area, or wildlife refuge pending its use for the originally designated purpose;

(2) the program or project that requires the use or taking of the land being used temporarily as a park, recreation area, or wildlife refuge is the same program or project for which the land was originally obtained and designated; and

(3) the land has not been designated by the department, agency, political subdivision, county, or municipality for use as a park, recreation area, or wildlife refuge before September 1, 1975.

Added by Acts 1983, 68th Leg., p. 1035, ch. 235, art. 6, Sec. 2(a), eff. Sept. 1, 1983.



Exhibit C

New Kingwood Library and Community Center Service Area.

Note: The circle represents a 2.5 mile radius reach from the new library.



Exhibit D

North-West view of the proposed library.



Exhibit E South-East view of the proposed library.

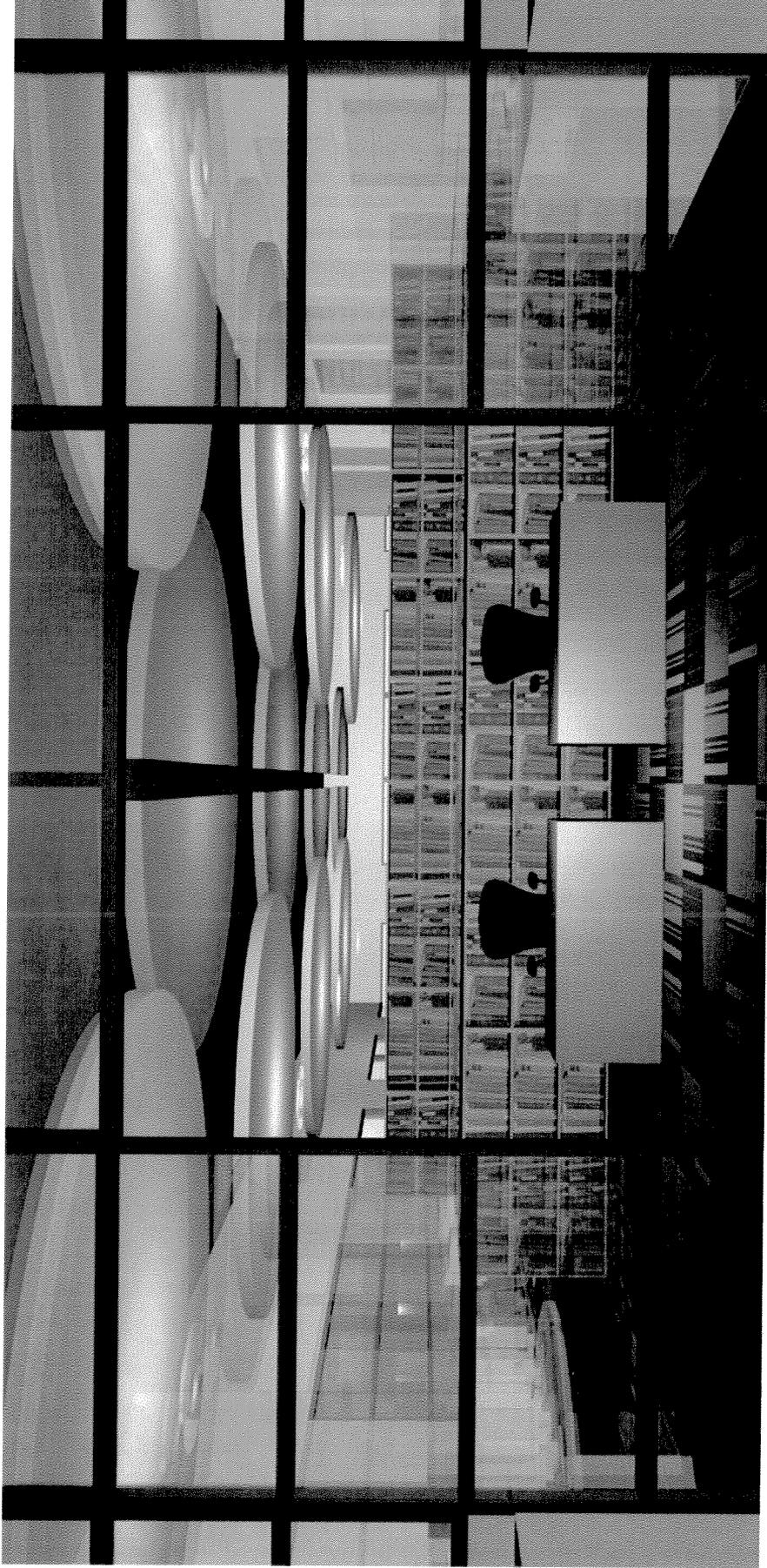


Exhibit F **View of the children's area from the lobby.**



Exhibit G View of the adult's area.

2

OCT 29 2008

MOTION NO. 2008 0791

MOTION by Council Member Garcia that the recommendation of the Director of the Finance Department, to set a hearing date regarding amendments to the Project and Financing Plan for Tax Increment Reinvestment Zone Number Nineteen (Upper Kirby Zone), be adopted, and a Public Hearing be set for 9:00 a.m., Wednesday, October 29, 2008 in the City Council Chamber, Second Floor, City Hall.

Seconded by Council Member Lovell and carried.

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

Council Member Khan out of the City on business

PASSED AND ADOPTED this 22nd day of October, 2008.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is October 28, 2008.

City Secretary



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

3

OCT 29 2008

COPY TO EACH MEMBER OF COUNCIL
CITY SECRETARY: 10-15-08
COUNCIL MEMBER: [Signature]

October 15, 2008

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to City Ordinance No. 1999-708 and of the Texas Tax Code Sec. 311.009, I am nominating the following individual to the Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone) Board of Directors, subject to Council confirmation:

Mr. Bryan B. Sánchez, appointment to Position Seven, for a term to expire July 6, 2009.

Pursuant to the bylaws of the East Downtown Redevelopment Authority, appointment of a director to the Board of Directors of this Zone will also constitute appointment of the director to the corresponding position on the Board of Directors of the Authority for the same term.

The résumé of the nominee is attached for your review.

Sincerely,

Bill White
Mayor

BW:CC:jsk

RECEIVED
OCT 15 2008
CITY SECRETARY

cc: Mr. Robert Fiederlein, assistant director, Finance Department, w/attachments
Mr. Dan Nip, chair, Reinvestment Zone Number Fifteen and East Downtown Zone, w/attachments

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT:

Approve the Adoption of an Alcohol-Free School Zone for the SER Niños Charter School at 5815 Alder

Category #

Page 1 of 1

Agenda Item#

4

FROM: (Department or other point of origin):

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

Origination Date

October 23, 2008

Agenda Date

OCT 29 2008

DIRECTOR'S SIGNATURE:

[Handwritten Signature]

Council Districts affected:

C

For additional information contact:

Donna L. Edmundson **Phone:** 832-393-6268
Tina Paez **Phone:** 713-837-9630
Kathryn Bruning **Phone:** 713-837-9873

Date and identification of prior authorizing Council Action: 4-17-1996, Ord. 96-368

RECOMMENDATION: (Summary)

Adopt a 1,000-Foot Alcohol-Free School Zone for the SER-Ninos Charter School located at 5815 Alder pursuant to Section 109.33 of the Texas Alcoholic Beverage Code and section 3-2 of the Houston Code of Ordinances.

Amount of Funding: N/A

FIN Budget:

SOURCE OF FUNDING:

General Fund Grant Fund Enterprise Fund Other (Specify)

SPECIFIC EXPLANATION:

The Department of Administration and Regulatory Affairs recommends that City Council Adopt an Alcohol-Free School Zone for the SER-Ninos Charter School located at 5815 Alder pursuant to Section 109.33 of the Texas Alcoholic Beverage Code and section 3-2 of the Houston Code of Ordinances.

Authorized by Texas law in 1995, charter schools are public schools that foster educational competition and offer parental choice in education. These schools have a significant amount of autonomy and are free to be innovative in educational and administrative practices. Charter schools receive the same per pupil expenditure for maintenance and operations as other Texas public schools, but they do not receive capital funding. Charter schools must accept all students who apply for admission as long as space is available. SER-Niños is a dual language open enrollment charter school serving students Pre K through 8th Grade in the heart of Houston's Gulfton community. A true dual-language school, the school provides students with half of their instruction in English and the other half in Spanish.

This request, which may be granted by City Council motion, would protect the school from the establishment of certain types of alcohol premises, such as bars and ice houses, within 1,000 feet of the school. Under controlling State law, the Zone would not extend to certain types of establishments such as package stores, grocery stores, and many restaurants and convenience stores. Similar protection has already been extended to numerous public schools within the City, to Incarnate Word, Academy, and to the Clay Road Baptist School. Any premises within 1,000 feet of the School that already holds a TABC permit would not be affected under the "grandfather" provisions of Section 109.59 of the Texas Alcoholic Beverage Code. The City of Houston Legal Department has determined that the request is in good order and the School is a public school which qualifies for creation of the Zone under the applicable State law.

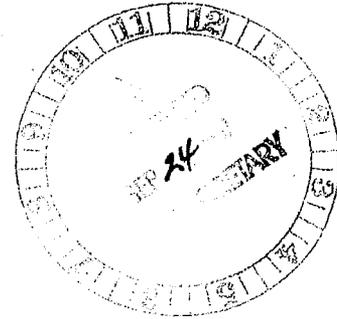
REQUIRED AUTHORIZATION

IN Director:

SER-NIÑOS

CHARTER SCHOOL

Council Member Anne Clutterbuck
900 Bagby
Houston, Texas 77002
September 20, 2007



Dear Ms. Clutterbuck,

We are a public charter school serving students from Pre-Kindergarten to 8th grade. Due to the nature of our business, we are requesting that the city of Houston designate an Alcohol Free Zone for SER-Niños Charter School, located at 5815 Alder Dr., in compliance with Texas Alcoholic Beverage Commission Code Section 109.33 and the Texas Education Code Section 38.007.

Your support in this matter is greatly appreciated. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Ray J. Driscoll".

Ray Driscoll

President, Board of Directors

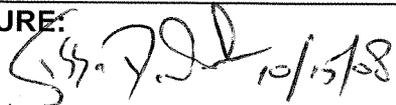
✓ CC: Anna Russell, City Secretary

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work AMTECH Elevator Services Elevator Renovation at 8000 North Stadium Dr. WBS No. D-000113-0002-4	Page 1 of 2	Agenda Item 5
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FROM (Department or other point of origin): General Services Department	Origination Date 10.20.08	Agenda Date OCT 29 2008
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P. E.  10/15/08	Council District affected: D	
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For additional information contact: Jacquelyn L. Nisby  Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ordinance. No. 2006-0388, Dated 04-26-2006	
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RECOMMENDATION: Pass a motion approving the final contract amount of \$674,262.15, accept the work, and authorize final payment.

Amount and Source of Funding: No Additional Funding Required	Finance Budget:
Previous Funding: \$ 10,000.00 – General Improvements Consolidated Construction Fund 441 \$679,019.00 – Public Health Consolidated Construction Fund 440 \$689,019.00 – Total Funding	

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$674,262.15 or 2.98% over the original contract amount, accept the work and authorize final payment to AMTECH Elevator Services for Elevator Renovation at 8000 North Stadium Dr. for the Department of Health and Human Services.

PROJECT LOCATION: 8000 North Stadium Drive (532M)

PROJECT DESCRIPTION: This project was part of the Health and Human Services Department's ongoing program to maintain and extend the useful life of its facilities. The project renovated three traction elevators in the Health Department Headquarters building and one hydraulic elevator in the adjacent parking garage, to include replacement of all controls, cables, motors, electrical components, hall lanterns, call buttons, interior elevator finishes, buttons and controls; ADA upgrades; and a new electrical panel for traction elevators.

CONTRACT COMPLETION AND COST: The contractor completed the project within the contract time, plus an additional 395 days approved by Change Orders. The final cost of the project, including Change Orders is \$674,262.15, an increase of \$19,482.15 over the original contract amount.

Bovay Engineers, Inc. was the project design consultant for this project.

REQUIRED AUTHORIZATION		CUIC ID# 25CONS32
General Services Department:  Humberto Baustita Chief of Design & Construction Division		Department of Health & Human Services: NOT  Stephen L. Williams, M.ED, MPA Director

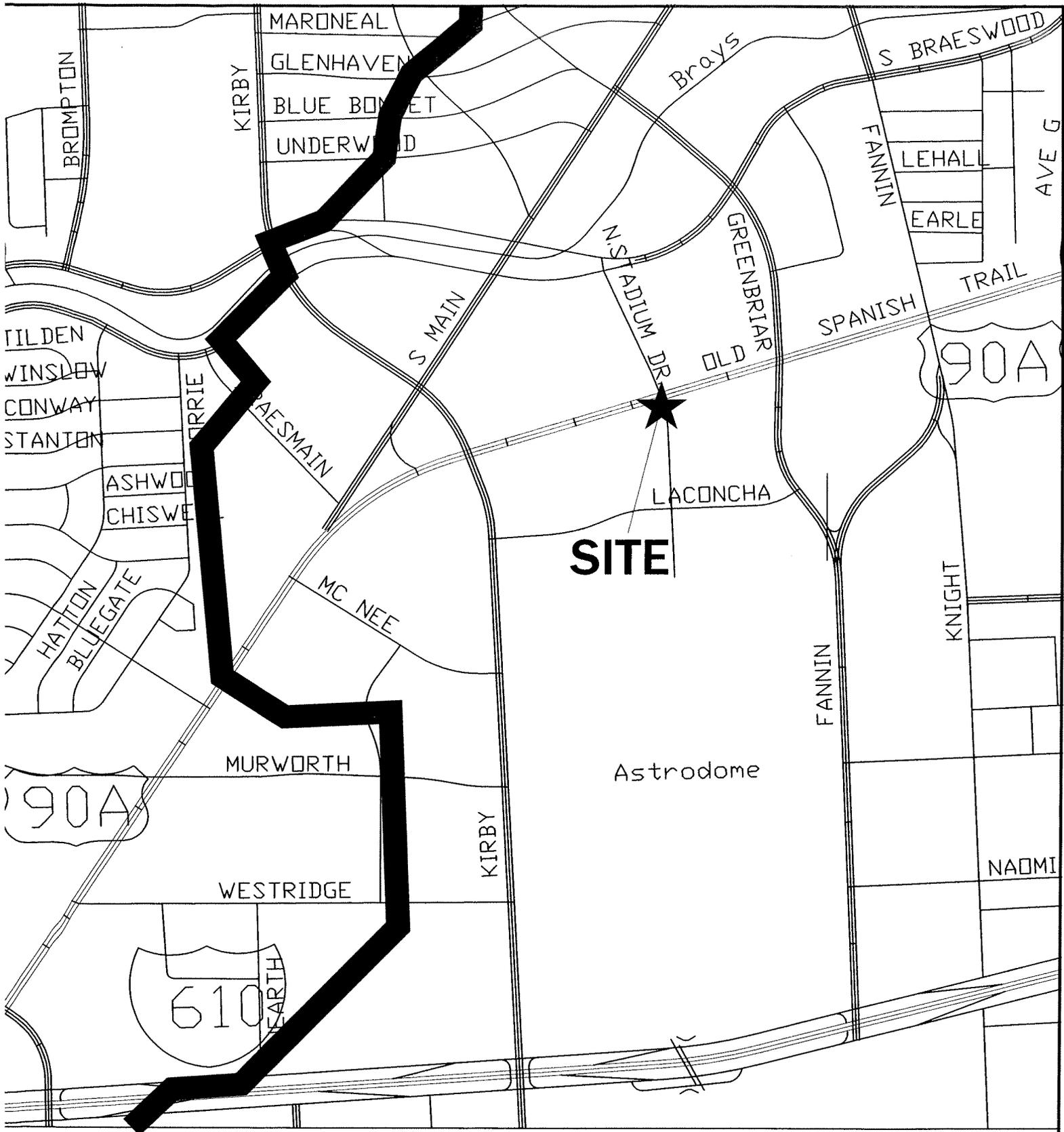
Date	Subject: Accept Work AMTECH Elevator Services Elevator Renovation at 8000 North Stadium Dr. WBS No. D-000113-0002-4	Originator's Initials KTH	Page 2 of 2
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PREVIOUS CHANGE ORDERS: Change Orders 1-2 replaced the garage elevator cab, installed heavy-duty door locks on mechanical rooms and access doors, and installed carpet tile on the floors of elevators 1, 2 and 3. Change Order 3 added non-compensatory days to the contract.



IZD:HB:JLN:MCP:KTH:ps

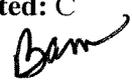
c: Marty Stein, Webb Mitchell, Jacquelyn L. Nisby, Velma Laws, Kim Ngyuen, Siria Harbour, Fred Maier, Celina Ridge, File



**ELEVATOR RENOVATION
8000 N. STADIUM DR.
HOUSTON, TX 77054**

SUBJECT: Request for the abandonment and sale of Las Palmas Street right-of-way and a 10-foot-wide water line easement, located between West Main Street and West Alabama Street, in exchange for the conveyance to the City of a 65-foot-wide utility easement, out of the A.C. Reynolds Survey, Abstract 61. Parcels SY8-061A, SY8-061B, and VY8-052	Page <u>1</u> of <u>2</u>	Agenda Item # <div style="font-size: 2em; text-align: center;">7</div>
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 10-24-08	Agenda Date OCT 29 2008
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: C Key Map 492S 
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For additional information contact: Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director-Real Estate	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary) It is recommended City Council approve a Motion authorizing the abandonment and sale of Las Palmas Street right-of-way and a 10-foot-wide water line easement, located between West Main Street and West Alabama Street, in exchange for the conveyance to the City of a 65-foot-wide utility easement, out of the A.C. Reynolds Survey, Abstract 61. **Parcels SY8-061A, SY8-061B, and VY8-052**

Amount and Source of Funding: Not Applicable	
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SPECIFIC EXPLANATION:
 Lars E. Monson of Brown & Gay Engineers, Inc., 10777 Westheimer, Suite 400, Houston, Texas 77042, on behalf of Willowick Place at River Oaks, L.P., a Delaware limited partnership (Willowick Place at River Oaks GP, LLC [Fredrick R. McCord, President], General Partner), requested the abandonment and sale of Las Palmas Street right-of-way and a 10-foot-wide water line easement between West Main Street and West Alabama Street, in exchange for the conveyance to the City of a 65-foot-wide utility easement, out of the A.C. Reynolds Survey, Abstract 61. Signs notifying the public of the pending street abandonment application were posted for at least thirty days. Willowick Place at River Oaks, L.P., the abutting property owner, plans to combine the property being abandoned and sold with its adjacent property for the future development of a single family residential community. The City will require an agreement whereby the City's interest in the land area formerly occupied by the Las Palmas Street right-of-way will revert to the City in the event that the project is not developed as substantially presented to the community.

A binding assurance agreement will be executed by the developer agreeing not to replat Willowick Place at River Oaks subdivision to increase the number of single-family residential lots beyond sixty-two for a period of five years from the effective date of the Ordinance abandoning Las Palmas Street. The agreement will also include a provision that the developer, its successors or assigns, will construct the private utilities within the development in compliance with the City of Houston Design Manual with maintenance of such utilities being the responsibility of the developer, homeowners, and/or homeowners' association (HOA), with the City having the right in the future to enter into a contract to maintain the utilities within the subdivision should the HOA default on such maintenance obligations or cease to exist.

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

1. The City abandon and sell Las Palmas Street right-of-way and a 10-foot-wide water line easement, located between West Main Street and West Alabama Street, in exchange for the conveyance to the City of a 65-foot-wide utility easement, out of the A.C. Reynolds Survey, Abstract 61.
2. The applicant be required to manage the trees currently within the Las Palmas Street right-of-way, and which will be located within private property upon passage of the Ordinance abandoning the street, similar to trees located within public right-of-ways and subject to the applicable provisions of Chapter 33 of the Houston Code of Ordinances.

s:\bam\sy8-061.rca1.gn.doc CUIC #20BAM8938

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

Date:	Subject: Request for the abandonment and sale of Las Palmas Street right-of-way and a 10-foot-wide water line easement, located between West Main Street and West Alabama Street, in exchange for the conveyance to the City of a 65-foot-wide utility easement, out of the A.C. Reynolds Survey, Abstract 61. Parcels SY8-061A, SY8-061B, and VY8-052	Originator's Initials	Page <u>2</u> of <u>2</u>
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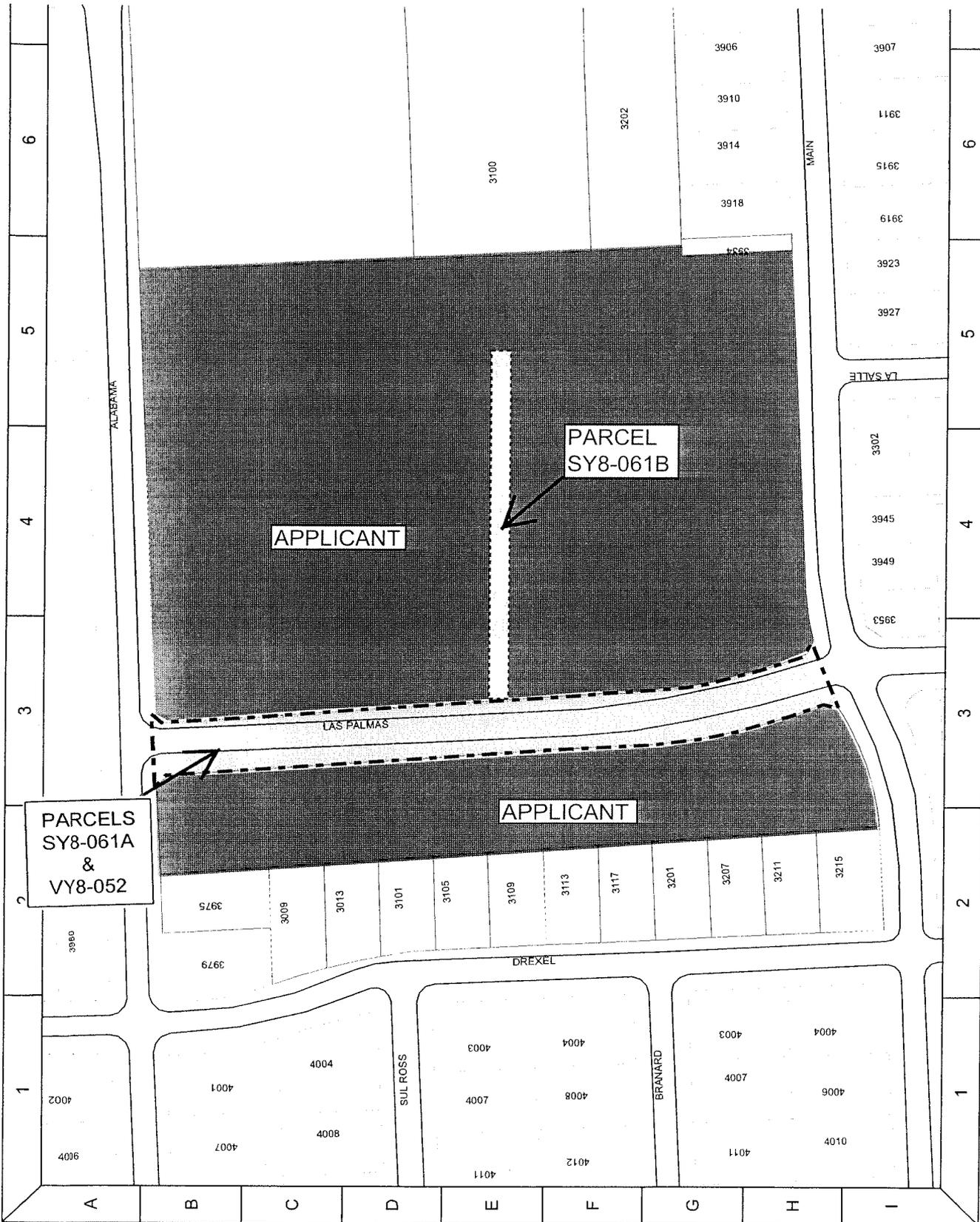
3. The applicant be required to construct the streets within the new development in accordance with Chapter 42 of the Code of Ordinances.
4. The applicant be required to install fire hydrants in accordance with Chapter 42 of the Code of Ordinances.
5. The applicant be required to: (a) cut, plug, and abandon the 8-inch water main located within the 10-foot water line easement from the Las Palmas right-of-way to its terminus and pay the depreciated value for the water main and fire hydrant; (b) cut, plug, and abandon the 8-inch water line in the Las Palmas Street right-of-way from West Main Street to West Alabama Street; and (c) construct a new, dual purpose fire/water line within the proposed 65-foot-wide utility easement. All of the above items must be done at no cost to the City and under the proper permits.
6. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the street right-of-way being abandoned and sold.
7. The applicant be required to prepare drawings that show all public utilities and streets that are abandoned, relocated, and constructed as part of this project and submit drawings to the Office of the City Engineer for plan review and approval. A copy of the Motion shall be attached to the plan set when it is submitted for plan review.
8. The applicant be required to eliminate the appearance of the public street at the intersection of Las Palmas Street and West Alabama Street and at the intersection of Las Palmas Street and the north side of West Main Street.
9. The applicant be required to coordinate with CenterPoint Energy to remove the existing street lights along Las Palmas Street.
10. The applicant be required to remove and return City traffic signs and poles to the Traffic Operations Center located at 2200 Patterson, Houston, Texas 77007.
11. The applicant be required to execute a binding assurance agreement that will not allow the replat of the Willowick Place at River Oaks subdivision to increase the number of single-family residential lots beyond sixty-two for a period of five years from the effective date of the Ordinance abandoning Las Palmas Street.
12. The applicant be required to install a 911 gate and 911 box at the West Main Street entrance and to install a 911 box at the West Alabama Street entrance.
13. 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.
14. The Legal Department be authorized to prepare the necessary transaction documents.
15. In as much as the value of the City's property interest is expected to exceed \$1,000,000.00, the Director of Public Works and Engineering recommends City Council appoint the following two independent appraisers, Gary Brown and Samuel Jarrett, Jr.

MSM: NPC:bam

- c: Marty Stein
 Phil Boriskie
 Raymond D. Chong, P.E., P.T.O.E.
 Marlene Gafrick
 Daniel Menendez, P.E.
 Arturo G. Michel
 Jun Chang, P.E.

PARCEL MAP

Subject: Abandonment and sale of Las Palmas Street right-of-way and a 10-foot-wide water line easement, located between West Main Street and West Alabama Street, in exchange for the conveyance to the City of a 65-foot-wide utility easement, out of the A.C. Reynolds Survey, Abstract - 61 **Parcels SY8-061A, SY8-061B, and VY8-052**



CITY OF HOUSTON
 Department of Public Works & Engineering
 Geographic Information & Management System (GIMS)

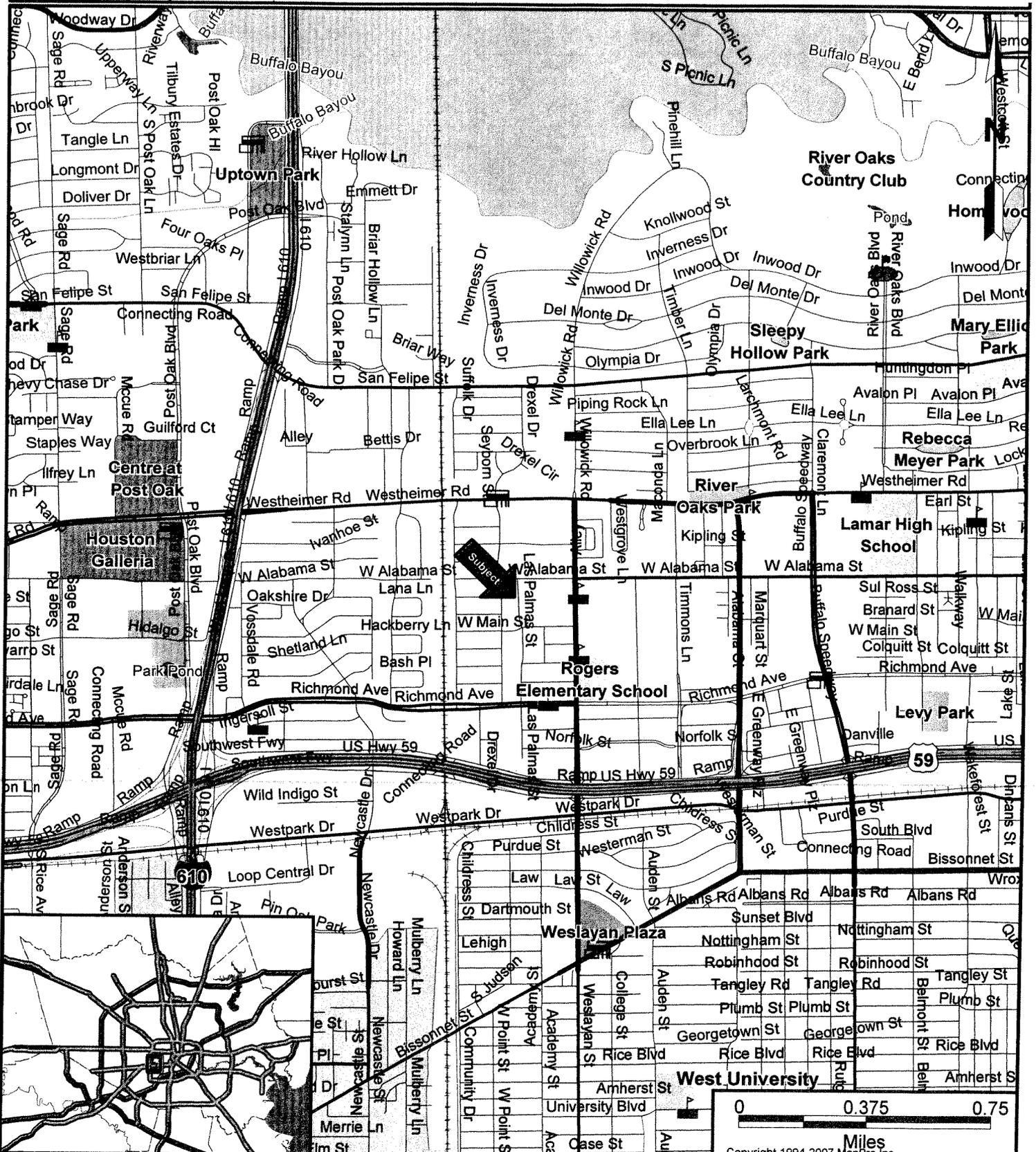
DISCLAIMER: THIS MAP REPRESENTS THE BEST INFORMATION AVAILABLE TO THE CITY. THE CITY DOES NOT WARRANT ITS ACCURACY OR COMPLETENESS. FIELD VERIFICATIONS SHOULD BE DONE AS NECESSARY.



1 inch equals 150 feet
 0 20 40 60 80
 Feet

LOCATION MAP

Abandonment and sale of Las Palmas Street right-of-way and a 10-foot-wide water line easement, located between West Main Street and West Alabama Street, in exchange for the conveyance to the City of a 65-foot-wide utility easement, out of the A.C. Reynolds Survey, Abstract 61. **Parcels SY8-061A, SY8-061B, and VY8-052**



CAUTION: The location of property arrows shown on this map are approximate only. Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Lift Station Piping and Valve Replacement – Various Lift Stations WBS# R-000267-00C3-4	Page 1 of 1	Agenda Item # 6
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 10/22/08	Agenda Date OCT 29 2008
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DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director	Council District affected: A, B, D, F, G and I
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For additional information contact: Joseph G. Majdalani, P.E. Sr. Assistant Director <i>Joseph G. Majdalani</i> Phone: (713) 641-9182	Date and identification of prior authorizing Council action: Ordinance No. 2006-650, dated 06/21/2006
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RECOMMENDATION: (Summary)
Pass a motion to approve the final contract amount of \$436,150.00, which is 0.28% under the original contract amount, accept the work, and authorize final payment.

Amount and Source of Funding: No additional funding required.
Original appropriation of \$467,975.20 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 755.

SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: Under this project, the contractor replaced valves and accessories at various lift stations throughout the City.

DESCRIPTION/SCOPE: This project consisted of replacement of valves and accessories at various lift stations. The project was awarded to Boyer, Inc. with an original contract amount of \$437,360.00. The Notice to Proceed date was 10/17/2006 and the project had 180 calendar days for completion.

LOCATION: The project was located at various locations within Council Districts A, B, D, F, G and I.

CONTRACT COMPLETION AND COST: The contractor, Boyer, Inc., has completed the work under the contract. The contract was completed within the time allowed by the 180 day extension of Change Order No. 1. The final cost of the project is \$436,150.00, a decrease of \$1,210.00 or 0.28% under the original contract amount. Fewer spool pieces were needed than anticipated.

MWDBE PARTICIPATION: No M/WDBE participation goal was established for this project.

JM
MSM:JC:JGM:RK:JF:mf
Attachments

c: Velma Laws Reid Mrsny, P.E. Craig Foster

Project File 4276-41 REQUIRED AUTHORIZATION CUIC ID# 20JGM253

Finance Department	Other Authorization:	Other Authorization: <i>Jun Chang</i> Jun Chang, P.E., Interim Deputy Director Public Utilities Division	NOT
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SUBJECT: Request for the abandonment and sale of Berry Street from Milam Street to Louisiana Street, and a ±7,700-square-foot parcel being portions of Lots 7, 8, and 9, Block 16, in exchange for the conveyance to the City of a 50-foot-wide utility easement and a 25-foot-wide sanitary sewer easement, all located in the Main Street Addition. Parcels SY8-087A, SY8-087B, VY8-053, and DY8-096	Page <u>1</u> of <u>2</u>	Agenda Item # <div style="text-align: center; font-size: 2em;">8</div>
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 10-22-08	Agenda Date OCT 29 2008
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: D Key Map 493T 
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For additional information contact: Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director-Real Estate	Date and identification of prior authorizing Council Action: 
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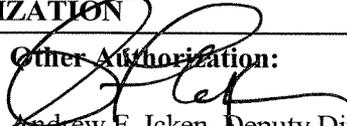
RECOMMENDATION: (Summary) It is recommended City Council approve a council motion authorizing the abandonment and sale of Berry Street from Milam Street to Louisiana Street, and a ±7,700-square-foot parcel being portions of Lots 7, 8, and 9, Block 16, in exchange for the conveyance to the City of a 50-foot-wide utility easement and a 25-foot-wide sanitary sewer easement, all located in the Main Street Addition. **Parcels SY8-087A, SY8-087B, VY8-053, and DY8-096**

Amount and Source of Funding: Not Applicable	Finance Department
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SPECIFIC EXPLANATION:
 David Evans, McDonough Engineering Corporation, on behalf of The Most Reverend Daniel Cardinal DiNardo, Archbishop of Galveston-Houston, his successors in office or assigns, for the use and benefit of Holy Rosary Parish, requested the abandonment and sale of Berry Street from Milam Street to Louisiana Street, and a ±7,700-square-foot parcel being portions of Lots 7, 8, and 9, Block 16, in exchange for the conveyance to the City of a 50-foot-wide utility easement and a 25-foot-wide sanitary sewer easement, all located in the Main Street Addition. Holy Rosary Parish, the abutting property owner, plans to utilize the subject property for additional parking for the congregation. The Joint Referral Committee reviewed and approved this request. Therefore, it is recommended:

1. The City abandon and sell Berry Street from Milam Street to Louisiana Street, and a ±7,700-square-foot parcel being portions of Lots 7, 8, and 9, Block 16, in exchange for the conveyance to the City of a 50-foot-wide utility easement and a 25-foot-wide sanitary sewer easement, all located in the Main Street Addition;
2. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the street right-of-way being abandoned and sold;
3. 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;
4. The applicant be required to install a 911 gate;
5. The applicant be required to eliminate the appearance of the public street at the intersection of Berry and Milam and Berry and Louisiana Streets;

s:\bam\sy8-087.rca1.doc CUIC #20BAM8959

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

Date:	Subject: Request for the abandonment and sale of Berry Street from Milam Street to Louisiana Street, and a ±7,700-square-foot parcel being portions of Lots 7, 8, and 9, Block 16, in exchange for the conveyance to the City of a 50-foot-wide utility easement and a 25-foot-wide sanitary sewer easement, all located in the Main Street Addition. Parcels SY8-087A, SY8-087B, VY8-053, and DY8-096	Originator's Initials	Page <u>2</u> of <u>2</u>
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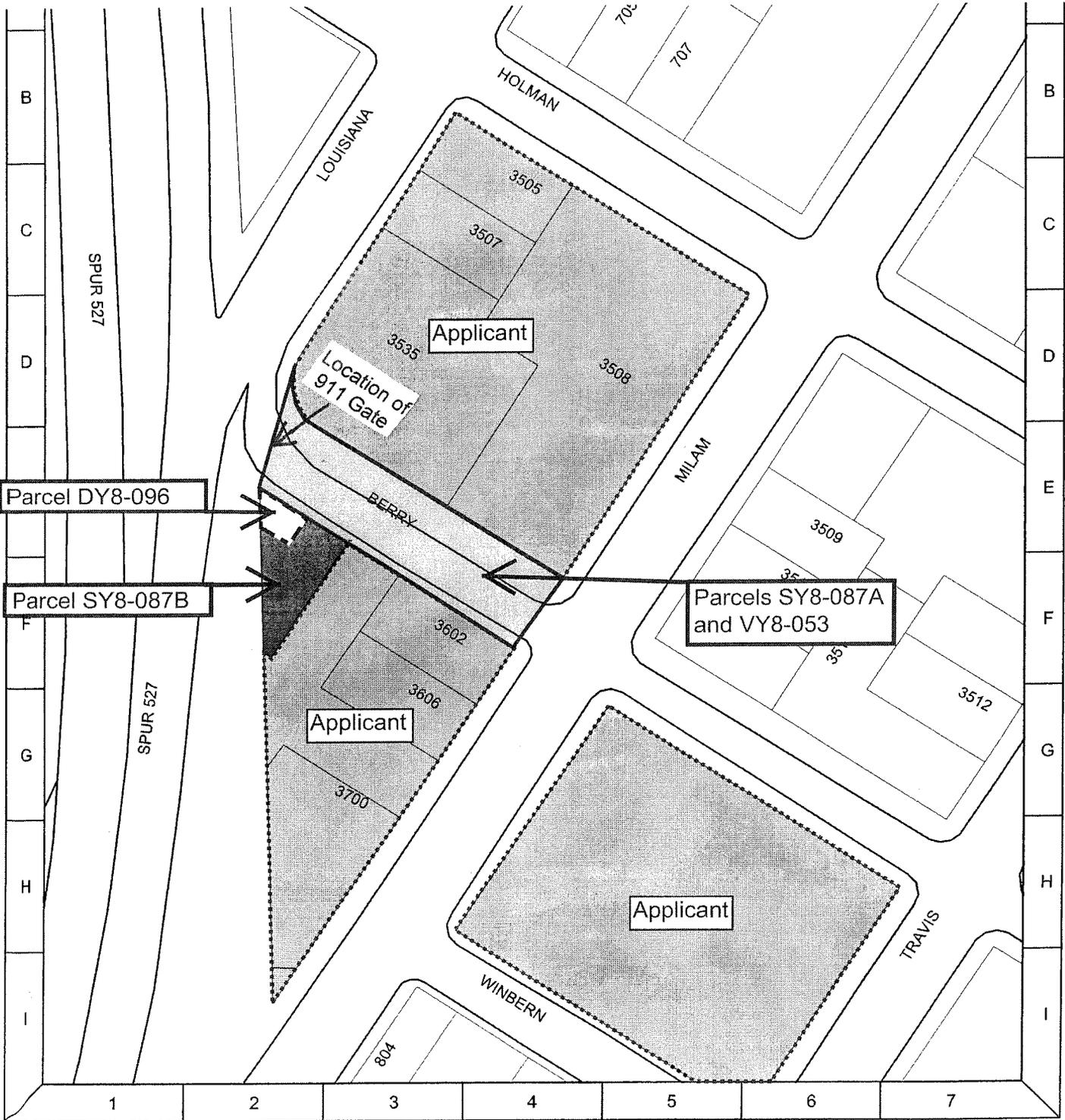
7. In as much as the value of the City's property interest is not expected to exceed \$1,000,000.00, that the value be established by an independent appraiser appointed by the Director of Public Works and Engineering.

MSM:NPC:bam

cc: Marty Stein
Phil Boriskie
Marlene Gafrick
Reid Mrsny, P.E.
Arturo G. Michel
Jeff Taylor

PARCEL MAP

Subject: Abandonment and sale of Berry Street from Milam Street to Louisiana Street, and a ±7,700-square-foot parcel being portions of Lots 7, 8, and 9, Block 16, in exchange for the conveyance to the City of a 50-foot-wide utility easement and a 25-foot-wide sanitary sewer easement, all located in the Main Street Addition. **Parcels SY8-087A, SY8-087B, VY8-053, and DY8-096**



1 inch equals 100 feet
0 10203040
Feet



CITY OF HOUSTON

Department of Public Works & Engineering

Geographic Information & Management System (GIMS)

DISCLAIMER: THIS MAP REPRESENTS THE BEST INFORMATION AVAILABLE TO THE CITY
THE CITY DOES NOT WARRANT ITS ACCURACY OR COMPLETENESS
FIELD VERIFICATIONS SHOULD BE DONE AS NECESSARY.



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8089

Subject: Approve the Purchase of a Maintenance Agreement for McAfee Virus Check Software through the City's Master Agreement with the Texas Department of Information Resources (Contract No. C56844) S17-H23074

Category #
4

Page 1 of 1

Agenda Item

9

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

Origination Date
October 16, 2008

Agenda Date
OCT 29 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Janis Benton Phone: (832) 393-0004
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)
Approve the purchase of a maintenance agreement for McAfee virus check software in the total amount of \$266,952.00 through the City's Master Agreement with the Texas Department of Information Resources (DIR), for the Information Technology Department.

Awarded Amount: \$266,952.00

Finance Budget

\$266,952.00 - Central Service Revolving Fund (1002)

SPECIFIC EXPLANATION:
The City Purchasing Agent recommends that City Council approve the purchase of a 24-month maintenance agreement for McAfee virus check software in the total amount of \$266,952.00 through the City's Master Agreement with DIR for the Information Technology Department, 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 is a renewal of the City's enterprise (citywide) McAfee Active Virus Defense software for 14,000 nodes. The McAfee software has been utilized for over three years to protect desktops and servers from virus and worms. This maintenance agreement will allow the Information Technology Department (ITD) personnel to continue to receive software updates and support (Prime Support Priority Plus) to protect against and remedy new virus attacks through October 30, 2010.

- Under the terms of this agreement, the vendor will be required to provide:
- Access to the latest version of software, as well as, all service packs and patches for 14,000 nodes
 - After hours technical support via telephone, e-mail and an extended website

Buyer: Murdock Smith III

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

MO

10/29/08

REQUEST FOR COUNCIL ACTION

RCA# 7851

TO: Mayor via City Secretary

Subject: Formal Bids Received for Printing, Library Cards for the Library Department
S36-S22932

Category #
4

Page 1 of 1

Agenda Item

10

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

Origination Date
October 21, 2008

Agenda Date
OCT 29 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Richard Barchue Phone: (832) 393-1558
Desiree Heath Phone: (832) 393-8742

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Reliance Label Solutions, Inc. on its low overall bid in an amount not to exceed \$137,250.00 for library card printing for the Library Department.

Estimated Spending Authority: \$137,250.00

Finance Budget

\$137,250.00 General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Reliance Label Solutions, Inc. on its low overall bid in an amount not to exceed \$137,250.00 for library card printing for the Library Department. It is further requested that authorization be given to make purchases, as needed, for a 36-month period, with two optional one year extensions. This award consists of barcoded synthetic standard library cards and computer use only library cards with preprinted barcodes and adhesive barcode labels to be used by the Department to affix to books, compact disc, DVDs, books on CD, kits, cassette tapes and videotapes.

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

<u>COMPANY</u>	<u>AMOUNT</u>
1. Symbology, Inc.	\$ 22,250.00 (Partial Bid)
2. Vanguard Identification Systems, Inc.	\$122,400.00 (Partial Bid)
3. Reliance Label Solutions, Inc.	\$137,250.00
4. ID Label, Inc.	\$137,600.00

Buyer: Valerie Player-Kaufman

Estimated Spending Authority:

Department	FY09	Out Years	Total
Library	\$27,450.00	\$109,800.00	\$137,250.00

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NOT

mgg

1/1/09



CITY OF HOUSTON

Administration & Regulatory Affairs Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

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

From: Valerie Player-Kaufman

Date: April 9, 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: 0

Solicitation Number: S36-S22767 Estimated Dollar Amount: \$136,525.00

Anticipated Advertisement Date: 2/1/2008 Solicitation Due Date: 2/21/2008

Goal On Last Contract: 3% Was Goal met: Yes No

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

Name and Intent of this Solicitation:

This is a renewal of printing, library cards.

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

This is a renewal of printing, library cards award that will be used by the Library Department to supply synthetic library cards with preprinted barcodes and adhesive barcode labels for placement on books and other library materials. These items will be manufactured by an out-of-state Supplier and drop shipped directly from the Supplier to the City; therefore, there is no potential for M/WBE participation. See attached letter from Supplier.

Concurrence:

SPD Initiator

Division Manager

Robert Gallegos, Deputy Assistant Director
*Affirmative Action

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

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

RECEIVED

APR 14 2008

REVISED: 03/20/2008

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Authorize Issuance of Purchase Order to Action Target, Inc. through the State of Texas Building and Procurement Commissioner's Contract (TXMAS) HPD Qualification Pistol Range WBS No. G-000088-0003-4

Page 1 of 1

Agenda Item 11

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

Origination Date
10/23/08

Agenda Date
OCT 29 2008

DIRECTOR'S SIGNATURE:
Issa Z. Dadoush, P.E. *Issa Dadoush by F.R. Chiff*

Council District(s) affected:
All

For additional information contact:
Jacquelyn L. Nisby Phone: 832.393.8023

Date and identification of prior authorizing Council action:
10/22/08 Ord. 08-932

RECOMMENDATION: Authorize issuance of purchase order in the amount of \$1,592,137.00 to Action Target, Inc. through the State of Texas Building and Procurement Commissioner's Contract (TXMAS) for the purchase of mobile target systems and related appurtenances for the Houston Police Department.

Amount and Source of Funding:
\$1,592,137.00 Police Consolidated Construction Fund (4504) - previously appropriated

Finance Budget:

SPECIFIC EXPLANATION: On October 22, 2008, Ordinance No. 2008-932, City Council approved a First Amendment to a Construction Manager at Risk Contract with Gilbane Building Company for the construction of a new Tactical Training and SWAT Rifle Range, and appropriated \$3,598,010.00. Of that amount, \$1,592,137.00 was allocated to Action Target, Inc., to procure target systems and related appurtenances, but the Motion was inadvertently omitted from the Agenda.

Therefore, the General Services Department recommends that City Council authorize the issuance of a purchase order in the amount of \$1,592,137.00 to Action Target, Inc. through the TXMAS contract.

PROJECT LOCATION: 17000 Aldine Westfield Road (373H)

PROJECT DESCRIPTION: Action Target, Inc. shall furnish and install mobile target systems, accidental discharge protection, bullet recovery system, and Range Master control booths as part of the construction of a new Tactical Training and SWAT Rifle Range for the Houston Police Department.

IZD:HB:RAV:JLN:ON:on

c: Marty Stein, Jacquelyn L. Nisby, Esq., Mary M. Villarreal, Siria Harbour, File G-000088-0003-4 /813

REQUIRED AUTHORIZATION CUIC ID # 25CONS77

General Services Department:
H. Bautista
Humberto Bautista
Chief of Design and Construction Division

Calvin J. Wells
City Purchasing Agent

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

SUBJECT: First Amendment to Construction Manager at Risk Contract Gilbane Building Company HPD Qualification Pistol Range WBS No. G-000088-0003-4		Page 1 of 2	Agenda Item 30
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FROM (Department or other point of origin): General Services Department	Origination Date 10-09-08	Agenda Date OCT 22 2008
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>Issa Z. Dadoush</i> 9/25/08	Council District(s) affected: All
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For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 832.393.8023	Date and identification of prior authorizing Council action: Ordinance No. 2007-1359; dated 12/5/07
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RECOMMENDATION: Approve First Amendment to the Construction Manager at Risk (CMAR) contract; authorize issuance of a purchase order in the amount of \$1,592,137 to Action Target, Inc. through the State of Texas Building and Procurement Commissioner's Contract (TXMAS), and appropriate funds for the project.

Amount and Source of Funding: \$3,598,010.00 Police Consolidated Construction Fund (4504)	Finance Budget: <i>Michelle Mitchell</i>
Previous Funding: \$50,875.00 Police Consolidated Construction Fund (4504)	

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council approve a First Amendment to the CMAR contract with Gilbane Building Company to delegate authority to the director of GSD to approve the Guaranteed Maximum Price (GMP) proposal, and appropriate funds for the Tactical Training & SWAT Rifle Range. GSD further recommends that City Council authorize the issuance of a purchase order in the amount of \$1,592,137.00 to Action Target, Inc. to procure target systems and related appurtenances for the Tactical Training & SWAT Rifle Range.

PROJECT LOCATION: 17000 Aldine Westfield Road (373H)

PROJECT DESCRIPTION: The scope of work consists of construction of a new state of the art training facility with accidental discharge protection, bullet recovery, and mobile target systems for the Houston Police Department (HPD). This new facility will enable HPD personnel to train and qualify with duty ammunition.

PREVIOUS HISTORY AND PROJECT SCOPE: On December 5, 2007, City Council awarded a CMAR contract to Gilbane Building Company to provide pre-construction and construction phase services for the Tactical Training & SWAT Rifle Range, and appropriated funds for pre-construction phase services.

The anticipated contract duration for this project is 278 calendar days. The design consultant is Morris Architects, Inc.

REQUIRED AUTHORIZATION		CUIC ID # 25CONS67
General Services Department: <i>Humberto Bautista</i> Humberto Bautista Chief of Design and Construction Division	Houston Police Department: <i>Harold L. Hurtt</i> Harold L. Hurtt, Chief of Police	NDT <i>10-6-08</i>

Date:	SUBJECT: First Amendment to Construction Manager at Risk Contract Gilbane Building Company HPD Qualification Pistol Range WBS No. G-000088-0003-4	Originator's Initials ON	Page 2 of 2
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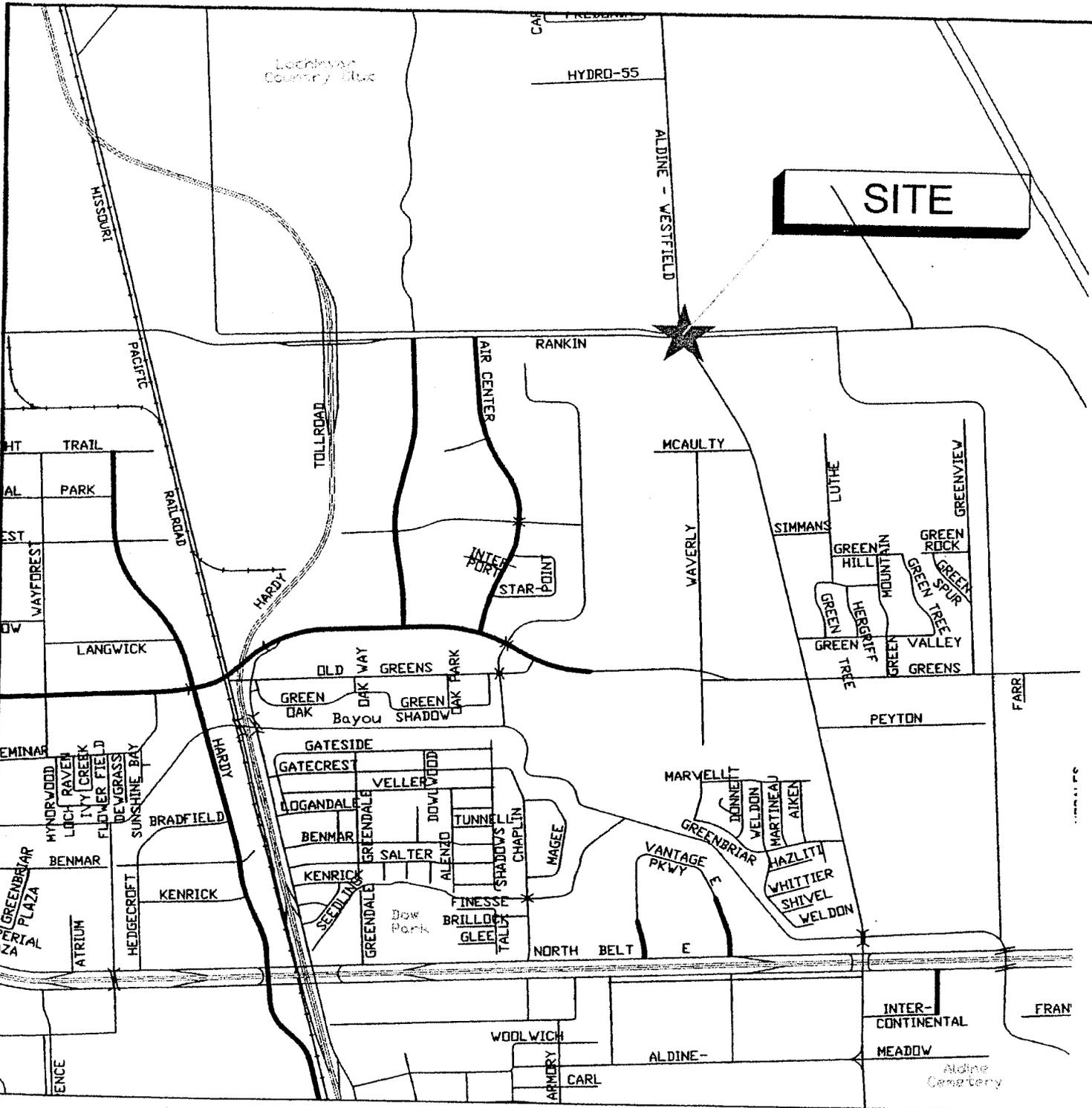
FUNDING SUMMARY: It is recommended that City Council appropriate funds for the project, including additional appropriations of \$27,795.00 for engineering testing services under the existing contract with Alliance Laboratories, Inc. and \$1,592,137.00 for mobile target systems, control booths, bullet recovery systems to be purchased from Action Target, Inc. through the TXMAS contract.

\$ 1,853,000.00	Construction Contract Services
\$ 92,650.00	Contingency (5%)
\$ 32,428.00	Civic Art (1.75%)
\$ 27,795.00	Engineering Testing Services (1.5%)
\$ <u>1,592,137.00</u>	Target System (Action Target, Inc. TXMAS contract 4-69010)
\$ 3,598,010.00	Total Appropriation

CONSTRUCTION GOALS: An MBE goal of 14%, WBE goal of 5% and SBE goal of 5% have been established for the construction phase of this contract. The construction manager will submit the list of proposed certified sub-contractors with the issuance of the GMP proposal.


IZD:HB:RAV:JLN:ON:on

c : Marty Stein, Kirk Munden, Jacquelyn L. Nisby, Esq., Webb Mitchell, Mary M. Villarreal, Siria Harbour,
File G-000088-0003-4 /813



HPD Qualification Pistol Range
 at Houston Police Academy
 17000 ALDINE WESTFIELD

COUNCIL DISTRICT "B"

KEY MAP NO. 373H

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8101

Subject: Purchase of Automated Refuse Containers (Two-Wheel Carts) from the Texas Procurement and Support Services Contract for the Solid Waste Management Department S38-N23080

Category #
4

Page 1 of 1

Agenda Item

12

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

Origination Date
October 24, 2008

Agenda Date
OCT 29 2008

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Dan Gutierrez Phone: (713) 837-9214
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of automated refuse containers (two-wheel carts) in the total amount of \$578,440.00 from the Texas Procurement and Support Services Contract for the Solid Waste Management Department.

Award Amount: \$578,440.00

Finance Budget

\$578,440.00 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of 10,500 automated refuse containers (two-wheel carts) from the Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program in the total amount of \$578,440.00 for the Solid Waste Management Department, and that authorization be given to issue a purchase order to the State contract vendor, Toter, Incorporated. These automated refuse carts will be used citywide by the Department in its automated garbage collection program.

These new 96-gallon capacity automated refuse containers (two-wheel carts) will be issued to residential recycling customers participating in the Department's Pilot Single-Stream Recycling Program and to those customers requiring replacement carts for units that have been lost, stolen or damaged beyond repair. The new carts will come with a full ten-year warranty and the life expectancy is ten years.

Sections 271.081 through 271.083 of the Texas Local Government Code provide the legal authority for local governments to participate in the State of Texas Purchasing Program.

Buyer: Lena Farris

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

O: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Purchase of professional services for the deployment of the Infor 7i work and asset management (WAM) system in the Traffic and Transportation Division (TTD). WBS No. N-000650-0049-3	Category	Page 1 of 1	Agenda Item # <i>13-13A</i>
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date <i>10/2/08</i>	Agenda Date <i>OCT 29 2008</i>
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DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte 9/25/08</i> Michael S. Marcotte, P.E., DEE, Director	Council Districts affected: All
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For additional information contact: Mark McAvoy Phone: (713) 837-0998 Mo Tarleton Phone: (713) 837-0122	Date and Identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary) Appropriate funds and approve the purchase of professional services from the General Services Administration (GSA) Schedule 70 contract through the Cooperative Purchasing Program in the total amount of \$112,667 for the deployment of the Infor 7i work and asset management system in the Traffic and Transportation Division.

AMOUNT OF FUNDING: \$112,667 from the Limited Use Roadway and Mobility Capital Fund (4034) *9/25/08*

SPECIFIC EXPLANATION:

The Director of Public Works and Engineering recommends that City Council appropriate funds and approve the purchase of professional services from the GSA Schedule 70 contract through the Cooperative Purchasing Program under Section 211 of the Government Act of 2000 in the total amount of \$112,667, and that authorization be given to issue a purchase order to the GSA contractor, EMA Inc., to deploy PWE's Infor 7i application in the Traffic and Transportation Division. The Infor 7i system is presently utilized by Wastewater Operations and Water Production. The scope of this project includes the documentation of business rules, user training, and implementation support to allow Traffic and Transportation to effectively utilize the software. PWE already owns enough software licenses to add the Traffic and Transportation Division to the existing software framework with no additional requirements.

The Traffic and Transportation Division is responsible for the installation and maintenance of traffic control devices throughout the city—of which there are approximately 2,400 traffic signals, 900,000 traffic control signs, and millions of linear feet of street markings. Presently, Traffic and Transportation personnel utilize a variety of unconnected systems to manage information about these assets and the work performed on them. The implementation of the proposed work and asset management system will provide needed integration of vital information concerning these assets and better management of the maintenance efforts necessary to keep them operating safely and efficiently. Upon deployment of the work and asset management system, TTD personnel will have the capacity to effectively manage transportation assets throughout their lifecycle. Technicians will have the ability to send and receive updates to asset records and work activities in real time, which will streamline field operations and reduce duplicated efforts. Supervisors will have the ability to schedule work based on resource availability, defined maintenance cycles, potential community impact, asset value, etc. Managers will have the ability to better track and manage employee productivity, group performance, and budget planning. Ultimately, better management of these assets will lead to improved delivery of traffic management services to the community.

REQUIRED AUTHORIZATION		CUIC ID 20RXC27 <i>MA</i>
Finance Department: <i>Michelle Mitchell</i>	Other Authorization: Susan Bandy, CPA <i>Susan Bandy</i>	Other Authorization: Raymond Chong, P.E., PTOE <i>Raymond Chong</i>

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT: Ordinance Amending Article XII of Chapter 45 of the Houston Code of Ordinances Relating to Bicycle Permits	Category #	Page 1 of <u>1</u>	Agenda Item# 14
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FROM: (Department or other point of origin): Alfred Moran, Director Administration and Regulatory Affairs Department	Origination Date <u>10-23-08</u>	Agenda Date <u>OCT 29 2008</u>
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DIRECTOR'S SIGNATURE: 	Council Districts affected: All
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For additional information contact: Alfred Moran Phone: 713-837-9660 Alyssa Cervantes Phone: 713-837-9533	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary)
Approve an Ordinance amending Article XII of Chapter 45 of the Houston Code of Ordinances relating to Bicycle Permits

Amount of Funding: N/A	FIN Budget:
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SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund Other (Specify)

SPECIFIC EXPLANATION:
The Director of the Administration and Regulatory Affairs Department seeks approval of an ordinance that would amend Article XII of Chapter 45; repealing Division 2 of the said article, relating to bicycle permits.

The bicycle permit/license requirement, established in the Code of Ordinances in 1968, has been evaluated and determined to be outdated, not cost efficient, unenforceable and no longer necessary. Currently, Code dictates that all bicycle operators register their bicycles (at a cost of \$1.00) at any fire station within 20 days of the transfer of ownership. Houston Fire Department personnel then transfer lists of licensees to the Houston Police Department to be maintained in their database. Although the amount of bicycle permits issued monthly has risen in the past several months, our research concluded that an average of 120 permits are issued annually by the City of Houston.

We have concluded the following:

Fees Collected Do Not Offset the Costs
Bicycle licensing leads to excessive costs for minimal effectiveness. The cost of the City of Houston's Police and Fire Departments' personnel time of administering the licenses/decals and maintaining records of all licenses exceeds what is collected annually.

Bicycle Licensing Requirements are Difficult to Enforce
When comparing the amount bicycles (and frames) owned and operated throughout the City in relation to the licenses issued annually, owners' and operators' obedience of the license requirement is minimal.

Repealing the Bicycle License Ordinance will not affect any other COH Requirements Concerning Bicycles
The recommended repeal solely deletes the City's permitting-requirement for bicycle operators, owners and vendors and does not affect any other requirement, be it traffic or safety, the City provides for bicycle operators.

The Administration and Regulatory Affairs Department, with the support of the Houston Police Department, therefore recommend that City Council approve the repeal of the bicycle license requirement, as mandated in Division 2 of Article XII of Chapter 45 of the City of Houston's Code of Ordinances.

REQUIRED AUTHORIZATION

Finance Department	Other Authorization	Other Authorization
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ARTICLE XII. BICYCLES

DIVISION 1. GENERALLY

Sec. 45-301. Authority to prohibit riding on roadways.

The traffic engineer is authorized to erect signs on any roadway prohibiting the riding of bicycles thereon and, when such signs are in place, no person shall disobey the same.

Sec. 45-302. Riding on sidewalks.

(a) No person shall ride a bicycle upon a sidewalk within a business district.

(b) The traffic engineer is authorized to erect signs on any sidewalk outside a business district prohibiting the riding of bicycles thereon by any person and, when such signs are in place, no person shall disobey the same.

(c) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing any pedestrian.

Secs. 45-303--45-310. Reserved.

DIVISION 2. RESERVED REGISTRATION

~~Sec. 45-311. Required:~~

~~(a) It shall be unlawful for any person to operate a bicycle wholly or in part by muscular power within the city unless such bicycles is registered with the city as provided in this division.~~

~~(b) Any person operating a bicycle which is owned by a nonresident of the city and which is currently licensed pursuant to the requirements of any other Texas municipality shall be exempt from subsection (a).~~

~~(c) The term "operate" as used in this section shall mean to ride, walk with, park, stand, or be in possession of; excluded from the meaning of this term shall be in the possession of bicycles held for sale by one who engages in the business of the retail or wholesale sale of bicycles.~~

~~Sec. 45-312. Administration:~~

~~The police department shall administer the provisions of this division except where hereinafter otherwise provided. The police chief or his authorized agent shall issue consecutively numbered books of bicycle licenses to the fire chief or his authorized agent.~~

~~The officer in charge of each fire station shall be responsible for registration, issuance of licenses or decals and the collection of moneys as provided for in this division.~~

~~**Sec. 45-313. Procedures, fees, etc.**~~

~~Bicycles shall be registered at any fire station in the city pursuant to the following terms, conditions and requirements:~~

- ~~(1) The bicycle shall be brought to the fire station.~~
- ~~(2) A registration form provided by the city shall be filled out and signed by the owner of the bicycle.~~
- ~~(3) A registration fee of \$1.00 shall be paid in advance.~~
- ~~(4) As evidence of the completion of the above paragraphs, the city shall provide a decal or license plate which shall be permanently affixed to the bicycle according to specifications established by the police department. The city shall also furnish the owner with a registration card.~~

~~**Sec. 45-314. Registration to be permanent until change of ownership.**~~

~~The registration of a bicycle shall be permanent so long as the ownership thereof remains in the person registering the bicycle. Upon any change of ownership, the bicycle shall be registered in the name of the new owner in accordance with the requirements of this division.~~

~~**Sec. 45-315. Removal, destruction, etc. of manufacturer's serial number, license plate or license decal.**~~

~~It shall be unlawful for any person to willfully or maliciously remove, destroy, deface or alter the manufacturer's serial number on the frame of any bicycle, or the license plate or license decal applied or attached to any bicycle registered under this division, while such plate or decal is valid. Violation of this section shall be punished as provided by section 1-6 of this Code.~~

~~**Sec. 45-316. Sale or transfer of ownership of bicycle.**~~

~~It shall be the duty of any person who sells or transfers ownership of any bicycle registered under this division to report such sale or transfer, within ten days thereof, to the police department of the city by returning the registration card together with the name and address of the person to whom the bicycle was sold or transferred. It shall be the duty of the purchaser or transferee of any bicycle to register same according to the provisions of section 45-313 of this Code, within 20 days of the sale or transfer.~~

Sec. 45-317. ~~Reports of bicycles permanently removed from operation:~~

~~Within ten days after any bicycle licensed under this division shall have been dismantled, destroyed or otherwise permanently removed from operation, such information shall be reported to the police department by the person in whose name the bicycle was last registered.~~

Sec. 45-318. ~~Monthly reports of dealers:~~

~~Every person engaged in the business of buying, selling, trading or otherwise exchanging new or used bicycle or bicycle frames shall make a monthly report to the chief of police of every bicycle or bicycle frame bought, sold, or otherwise acquired or transferred, giving the name and address of the person from whom acquired or to whom transferred, a description of such bicycle or bicycle frame by name or make, the manufacturer's serial number and the license number, if any, found thereon. Any violation of this section shall be punished as provided by section 1-6 of this Code.~~

Sec. 45-319. ~~Responsibility of parents or guardians; penalty:~~

~~It shall be unlawful for any person to commit, or for the parent or guardian of any minor to knowingly allow or permit their child or ward to commit any act forbidden by this division or to fail to do any act required by this division. Unless expressly provided otherwise in this division, a violation of this division shall be punishable by a fine of not more than \$5.00.~~

Secs. 45-311 320--45-324. Reserved.

DIVISION 3. BICYCLE HELMETS

Sec. 45-325. Definitions.

In this division the following words and terms shall have the meanings ascribed to them in this section, unless the context of their usage clearly indicates another meaning:

Child means any person under 18 years of age.

Dealer means any commercial establishment that sells or leases new or used bicycles, whether as its principal business activity or in connection with the selling or leasing of other merchandise, from a place of business within the city.

Fund means the bicycle helmet fund created under section 45-329 of this Code.

Helmet means a properly fitted bicycle helmet that is not structurally damaged and that conformed to the standards of the American National Standards Institute, the American Society for Testing and Materials, the Snell Memorial Foundation or any federal agency having regulatory jurisdiction over bicycle helmets, as applicable, at the time of the manufacture of the helmet.

Parent means the natural or adoptive parent or court-appointed guardian or conservator of a child.

Public way means any property that is publicly owned or maintained, including, but not limited to, a "street or highway" as defined in section 45-2 of this Code, a publicly maintained trail, and any public parks facility.

Wearing a helmet means that the person has a helmet fastened securely to his head with the straps of the helmet securely tightened.

Sec. 45-326. Helmet required.

(a) It is unlawful for any child to operate or ride upon a bicycle or any side car, trailer, child carrier, seat or other device attached to a bicycle unless the child is wearing a helmet.

(b) It is unlawful for a parent to suffer or permit a child under 14 years of age to operate or ride upon a bicycle or any side car, trailer, carrier, seat or other device attached to a bicycle unless the child is wearing a helmet.

(c) It is a defense to prosecution that the bicycle was not being operated upon a public way at the time of the alleged offense.

(d) It is an affirmative defense to prosecution under this section, upon first offense only, that the person owns or has acquired a helmet prior to the court hearing and promises the court that the helmet will be used in the future.

Sec. 45-327. Sale or lease of bicycles by dealers.

(a) It shall be unlawful for any dealer to sell a bicycle, bicycle side car, trailer or child carrier without providing a written statement to the purchaser advising of the terms of this division. The statement shall be in a form promulgated by the chief of police. Upon request, the chief of police shall provide a sample of the required form to a dealer. However, printing of distribution copies shall be at the dealer's expense.

(b) It shall be unlawful for any dealer to lease a bicycle to any person without providing a helmet for the use of each child who will operate or ride upon the bicycle or determining that each child who will operate or ride upon the bicycle has a helmet

available. The dealer may impose an additional fee for use of the helmet if the dealer sells or leases a helmet to the bicycle lessee.

Sec. 45-328. Penalty.

(a) Any person who violates any provision of this division shall be guilty of a misdemeanor and upon conviction shall be fined an amount not exceeding \$50.00 upon first conviction and an amount not exceeding \$100.00 upon the second and each subsequent conviction.

(b) The purpose of this division is to encourage the use of helmets. In keeping with that purpose, the municipal courts are urged to consider deferred dispositions under article 45.54 of the Texas Code of Criminal Procedure whenever the circumstances warrant deferred dispositions. Conditions of the deferral may include that the defendant, if financially able, has obtained a helmet and has agreed to make a contribution in support of the fund.

Sec. 45-329. Bicycle helmet fund.

(a) The bicycle helmet fund is hereby created. The fund shall accept donations of helmets and money to be used for the purchase of helmets. All monetary gifts to the fund shall constitute a trust that shall be deposited in the city's trust and agency account, which may be invested as provided in chapter 104 of the Texas Local Government Code.

(b) The fund shall be used exclusively for the purpose of providing bicycle helmets for the use of members of "very low income families" as defined in 24 Code of Federal Regulations, section 813.102, as computed for the city for purposes of section 8 of the United States Housing Act of 1937. The directors of the parks and recreation department and the health and human services department shall jointly administer the fund and shall promulgate rules and procedures for the distribution of helmets. Helmets shall be provided on a first-come-first-served basis to the extent of available supply.

Secs. 45-330--45-335. Reserved.

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

AN ORDINANCE AMENDING ARTICLE XII OF CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO BICYCLE PERMITS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the Administrative and Regulatory Affairs Department (ARA) of the City of Houston has been tasked by the Mayor to create a One Stop Permitting Initiative in the City of Houston; and

WHEREAS, as part of such effort, ARA is currently evaluating every permit in the City to determine if they are necessary or enforced; and

WHEREAS, ARA has determined that the City's existing bicycle permitting program, as contained in Division 2 of Article XII of Chapter 45 of the Code of Ordinances, is one of the permits which is outdated, not cost effective, impossible to enforce, and no longer necessary, and therefore recommends the repeal of said program; **NOW, THEREFORE**,

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

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

Section 2. That Division 2 of Article XII of Chapter 45 of the Code of Ordinances, Houston, Texas is hereby repealed.

Section 3. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or

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

Section 4. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

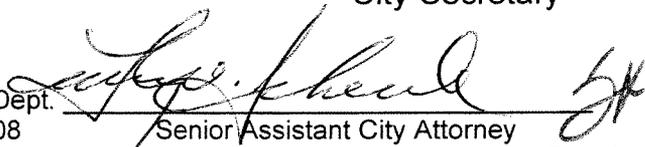
PASSED AND ADOPTED this ___ day of _____, 2008.

APPROVED this ___ day of _____, 2008.

Mayor of the City of Houston

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

City Secretary

Prepared by Legal Dept. 
LWS:asw 09/24/2008 Senior Assistant City Attorney
Requested by Alfred Jay Moran, Jr., Director, Administration and Regulatory Affairs Department
L.D. File No. _____

<p>SUBJECT: An Ordinance authorizing the issuance of the City of Houston Airport System Senior Lien Revenue Refunding Bonds Series 2008A for the purpose of refunding certain Airport System Commercial Paper Notes, bonds and for certain other purposes; authorizing the distribution of the Preliminary Official Statement and proceeding with a negotiated sale of such refunding bonds.</p>	<p>Category #</p>	<p>Page 1 of 2</p>	<p>Agenda Item # 15</p>
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<p>FROM (Department or other point of origin): Finance Department and Office of City Controller <i>Michelle Mitchell</i></p>	<p>Origination Date: 10/24/2008</p>	<p>Agenda Date OCT 29 2008</p>
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<p>DIRECTOR'S SIGNATURE: <i>Annise D. Parker</i></p>	<p>Council District Affected: All</p>
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<p>For additional information contact: Charles Leal 713-837-9892 Jim Moncur 713-247-2950</p>	<p>Date and identification of prior authorizing Council action: 2007-287 March 7, 2007 2007-1183 October 24, 2007</p>
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RECOMMENDATION: Approve an Ordinance amending Ordinance No 2007-287 and replacing 2007-1183 relating to the City of Houston Airport System Subordinate Lien Revenue Refunding Bonds, Series 2007A (AMT), which will now be called the City of Houston Airport System Senior Lien Revenue Refunding Bonds Series 2008A (the "Series 2008A Bonds"); authorizing the refunding and defeasance of certain outstanding Airport System Senior Lien Commercial Paper Notes, certain outstanding auction rate security ("ARS") bonds, certain outstanding variable rate demand bonds ("VRDB"), and certain outstanding Special Facility Revenue Bonds; authorizing the distribution of the Preliminary Official Statement, and proceeding with a negotiated sale of the Series 2008A Bonds, in an amount not to exceed \$705 million; including authorizing the Mayor and City Controller to approve the amount, interest rate, price and terms thereof, execute the purchase contract and other agreements related to the issuance of the bonds, and making other provisions regarding such bonds and matters incident thereto.

<p>Amount of Funding: N/A</p>	<p>Finance Dept Budget:</p>
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<p>Source of Funding: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)</p>
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SPECIFIC EXPLANATION:

On March 6, 2007, Council approved the parameter sale of up to \$450 million of Subordinate Lien Revenue Bonds for the Houston Airport System. This was comprised of the Subordinate Lien Revenue Refunding Bonds Series 2007A ("AMT") (the "Series 2007A Bonds") and the Airport System Subordinate Lien Revenue Refunding Bonds Series 2007B (the "Series 2007B Bonds"). The Series 2007B Bonds (non-AMT) in the amount of \$299 million were successfully priced on July 25, 2007, and closed on September 12, 2007. The City planned to price the Series 2007A Bonds on August 14, 2007, but the transaction was postponed by the City due to volatile and unfavorable credit markets conditions created by the initial emergence of the sub-prime issue.

On October 23, 2007, Council again approved the completion of the sale of the 2007A Bonds, and approved the additional refunding of the Series 1997A Bonds that were not part of the original plan. The intent at that time was to return to the market and complete the sale of the Series 2007A as well as refund the Series 1997A Bonds in December 2007. Again, market conditions deteriorated in the lead up to the pricing and the deal was postponed.

<p>REQUIRED AUTHORIZATION</p>		
<p>Finance Department Director:</p>	<p>Other Authorization:</p>	<p>Other Authorization:</p>

Date: 10/24/2008	Subject: An Ordinance authorizing the issuance of the City of Houston Airport System Senior Lien Revenue Refunding Bonds Series 2008A for the purpose of refunding certain Airport System Commercial Paper Notes, bonds and for certain other purposes; authorizing the distribution of the Preliminary Official Statement and proceeding with a negotiated sale of such refunding bonds.	Originator's Initials	Page 2 of 2
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This Ordinance will replace the Subordinate Lien Revenue Bonds of the prior ordinance with Senior Lien Revenue Bonds, which the Finance Working Group recommends due to current market conditions. This Ordinance will authorize the previously delayed refunding of:

- Outstanding Senior Lien Commercial Paper Notes (up to \$150 million), which will provide additional appropriation capacity and/or establish a construction fund, and
- The Airport Systems Special Facilities Revenue Bonds, Series 1997A (the "Series 1997A Bonds") (up to \$50 million). The City originally issued these bonds for an Automated People Mover system, with payment backed by a lease obligation from Continental Airlines. Subsequent to the debt issue, the airport system has assumed repayment of that special facility bond issue through a sublease. The original agreement included a provision stating that, in the event of such a sublease, the City would refund the Series 1997A Bonds when "economically advantageous" to do so. Including this refunding in the Series 2008A Bonds will enable the Series 1997A Bonds to be restructured from a 2017 final maturity to a 2030 final maturity, which is consistent with the average useful life of the asset.

In addition to these previously delayed refundings, the Finance Working Group recommends refunding:

- The Houston Airport System Series 2000P-1, P-2, 2002C, D-1 and D-2 Bonds into fixed rate bonds from ARS (up to \$345 million), and
- The Houston Airport System Series 2005A VRDB (up to \$95 million).

This Ordinance will also authorize bond proceeds up to \$65 million for contribution to the debt service reserve fund.

An update of the Series 2008A Bond transaction was presented to the Budget and Fiscal Affairs Committee on July 29, 2008 and reported out favorably. Subsequent to this presentation to Budget and Fiscal Affairs Committee, market conditions have once again deteriorated in the lead up to issuing the Series 2008A Bonds. This Ordinance will authorize the issuance of the Series 2008A Bonds in multiple transactions over the next year, each issuance being an amount that the Finance Working Group, in conjunction with our financial advisors, determines the market can reasonably place; the total of all such transactions not to exceed \$705 million. Given the current market turmoil, this authorization will provide the flexibility for the Finance Working Group to watch the financial markets closely and to move quickly to issue at least some portion of the bonds should the markets present a more favorable pricing opportunity.

The Finance Working Group recommends the bonds be sold by negotiation through a syndicate headed by JPMorgan as the Senior Book Running Manager; Citigroup Global Markets, Inc., and Ramirez as Co-Senior Managers; and First Albany, Loop Capital, Merrill Lynch, and Southwest Securities as Co-Managers. Vinson & Elkins, L.L.P. and Bates & Coleman, P.C. are recommended as co-bond counsel. Fulbright & Jaworski LLP and Escamilla & Poneck, Inc. are recommended as special disclosure co-counsel. Winstead, Sechrest & Minick are recommended as underwriters counsel. The recommended co-financial advisors are First Southwest Company and Estrada Hinojosa.

Recommendation – The Finance Working Group recommends the approval of this item.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: An Ordinance Relating To The Retail Water And Sewer Rates Of Southern Water Corporation; Approving An Increase to the Rates that Shall Constitute the Legal Rates Of Southern Water Corporation Within The City Of Houston Until Changed As Provided By The Texas Water Code

Category #

Page 1 of 2

Agenda Item#

16

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

Origination Date

October 23, 2008

Agenda Date

OCT 29 2008

DIRECTOR'S SIGNATURE:

Council Districts affected:

B

For additional information contact:

Tina Paez
Melba Pourteau

(713) 837-9630
(832) 393-6320

Date and identification of prior authorizing Council Action: Ordinance No. 2008-616 (07/01/08)

RECOMMENDATION: (Summary)

Authorize an ordinance relating to the retail water and sewer rates of Southern Water Corporation; approving a rate increase and determining the rates that shall constitute the legal retail water and sewer rates of Southern Water Corporation within the City of Houston, Texas.

Amount of Funding: N/A

FIN Budget:

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

N/A

SPECIFIC EXPLANATION:

The Administration & Regulatory Affairs Department recommends that City Council authorize an ordinance relating to the retail water and sewer rates of Southern Water Corporation; approving a rate increase and determining the rates that shall constitute the legal retail water and sewer rates of Southern Water Corporation ("Southern") within the City of Houston, Texas. Southern Water is a private investor-owned utility (IOU) providing water and sewer services to 1,286 water and sewer customers in the Hidden Valley Subdivision (City Council District B) under exclusive Certificates of Convenience and Necessity. Approximately 1,255 of these customers, or 98%, are residential customers with standard 5/8" meters. The City of Houston holds original jurisdiction over Southern Water's rates, operations and services subject to review by the Texas Commission on Environmental Quality (TCEQ).

On May 30, 2008, Southern filed an application to increase its water and sewer rates in the Hidden Valley Subdivision. Based on the information in Southern Water's Statement of Intent, Southern sought a \$400,455 combined system rate increase to offset its increased costs of service over the past 23 years since its last rate increase. TCEQ standards and guidelines allow for an IOU to set rates that will reasonably allow for a recovery of costs. Southern's application for increased water and sewer rates includes a requested rate of return of 12%, a capital structure comprised of 100% equity, and a requested rate increase on the combined water and sewer bill to the average residential customer of approximately 62.48%.

By Ordinance No. 2008-616, the City suspended the effective date of Southern Water's requested new rates for ninety days (from August 1, 2008 to October 30, 2008). During the suspension period, the City conducted three public meetings (July 9, 2008; July 10, 2008; and, July 29, 2008) for in-City customers of Southern Water on the subject of the requested rates and customer service concerns. During the public meetings, no customer service concerns were raised, and participants expressed general satisfaction with the quality of service and water quality in the service area. The utility is a family-owned operation, and the family members perform all necessary maintenance on the system. All repairs and upgrades are reportedly performed timely.

In addition to holding public meetings, the City engaged the assistance of water/sewer rate experts and a rate of return expert to assist in reviewing Southern's rate filing and preparing the City's final rate recommendation. In reviewing the rate filing, the City's experts characterized Southern's proposed water and sewer requested increases as excessive for the following reasons: (1) Southern's current and proposed rate design allocates the majority of the cost burden to residential customers; (2) unusually high cost of capital levels; (3) a capital structure comprised of 100% equity; (4) failure to recognize customer contributed capital associated with accumulated deferred federal income taxes; (5) reliance on excessive levels of depreciation expense; (6) inappropriate inclusion of rate case expenses in base rates; and (7) failure to include certain items of revenue in Other Revenues.

REQUIRED AUTHORIZATION

The City recommended rate design differs from that proposed by Southern Water in two aspects. First, it is recommended that no gallonage be included in the customer charge. In other words, customers will not be required to pay for usage that in fact is not used. This recommendation promotes conservation and is not to the detriment of Southern Water, as the Company will still be able to assess a combined water and sewer fixed customer charge of \$29.43 per month which allows it to collect approximately 50% of its revenue requirements. Secondly, an increasing customer charge is proposed for Sewer customers corresponding to increased meter size, thereby correcting the over-allocation of costs to the residential customers that Southern historically practiced.

The City's recommended rates decrease the magnitude of the increase to the residential rate payer to approximately 25% – rather than the 62.48% requested by Southern Water – based on an average consumption of 4,000 to 6,000 gallons per month, and re-allocates the cost burden to the approximately 22 larger commercial customers. As stated previously, the rates proposed by the City are based on no minimum gallonage. Following is a table showing the effects on residential customer bills, based on monthly consumption from 1,000 to 30,000 gallons, with a comparison to City of Houston customer bills and Southern Water's requested rates. Note: there are also two, 3"-meter sewer customers (one school with two meters – each meter will experience an increase of approximately \$160 per month) and 20 (19 sewer), 2"-meter customers who will realize an increase in their monthly bills of \$73 per month (based on 2,000 gallons of consumption). These rate increases are not depicted in the table below, which instead represents the impact to 98% of the customers in the service area.

City of Houston's Proposed Rates for Southern Water Effect on Customer Bills - Customers with 5/8" Meters and 3/4" Meters														
Usage (Gallons)	WATER				SEWER				TOTALS					
	City of Houston Rates	Current Southern Water Customer Bill	Bill Based on Southern Water's Requested Rates	Bill Based on COH Proposed Rates	City of Houston Rates	Current Southern Water Customer Bill	Bill Based on Southern Water's Requested Rates	Bill Based on COH Proposed Rates	City of Houston Customer Bill	Current Southern Water Customer Bill	Bill Based on Southern Water's Requested Rates	Bill Based on COH Proposed Rates	Total Increase Based on COH Proposed Rates	Total Increase Based on COH Proposed Rates
1,000	\$ 3.28	\$ 11.92	\$ 16.58	\$ 12.64	\$ 6.20	\$ 19.18	\$ 33.95	\$ 21.14	\$ 9.48	\$ 31.10	\$ 50.53	\$ 33.78	\$ 2.68	8.62%
2,000	\$ 7.77	\$ 11.92	\$ 16.58	\$ 14.24	\$ 6.20	\$ 19.18	\$ 33.95	\$ 23.89	\$ 13.97	\$ 31.10	\$ 50.53	\$ 38.13	\$ 7.03	22.60%
3,000	\$ 7.77	\$ 12.92	\$ 18.18	\$ 15.84	\$ 6.20	\$ 21.43	\$ 36.70	\$ 26.64	\$ 13.97	\$ 34.35	\$ 54.88	\$ 42.48	\$ 8.13	23.67%
4,000	\$ 15.23	\$ 13.92	\$ 19.78	\$ 17.44	\$ 15.01	\$ 23.68	\$ 39.45	\$ 29.39	\$ 30.24	\$ 37.60	\$ 59.23	\$ 46.83	\$ 9.23	24.55%
5,000	\$ 18.04	\$ 14.92	\$ 21.38	\$ 19.04	\$ 17.82	\$ 25.93	\$ 42.20	\$ 32.14	\$ 35.86	\$ 40.85	\$ 63.58	\$ 51.18	\$ 10.33	25.29%
6,000	\$ 20.85	\$ 15.92	\$ 22.98	\$ 20.64	\$ 23.65	\$ 28.18	\$ 44.95	\$ 34.89	\$ 44.50	\$ 44.10	\$ 67.93	\$ 55.53	\$ 11.43	25.92%
7,000	\$ 23.63	\$ 16.92	\$ 24.58	\$ 22.24	\$ 27.41	\$ 30.43	\$ 47.70	\$ 37.64	\$ 51.04	\$ 47.35	\$ 72.28	\$ 59.88	\$ 12.53	26.46%
8,000	\$ 26.35	\$ 17.92	\$ 26.18	\$ 23.84	\$ 31.17	\$ 32.68	\$ 50.45	\$ 40.39	\$ 57.52	\$ 50.60	\$ 76.63	\$ 64.23	\$ 13.63	26.94%
9,000	\$ 29.13	\$ 18.92	\$ 27.78	\$ 25.44	\$ 34.93	\$ 34.93	\$ 53.20	\$ 43.14	\$ 64.06	\$ 53.85	\$ 80.98	\$ 68.58	\$ 14.73	27.35%
10,000	\$ 31.91	\$ 19.92	\$ 29.38	\$ 27.04	\$ 38.69	\$ 37.18	\$ 55.95	\$ 45.89	\$ 70.60	\$ 57.10	\$ 85.33	\$ 72.93	\$ 15.83	27.72%
30,000	\$ 117.85	\$ 39.92	\$ 61.38	\$ 59.04	\$ 113.89	\$ 82.18	\$ 110.95	\$ 100.89	\$ 231.74	\$ 122.10	\$ 172.33	\$ 159.93	\$ 37.83	30.98%

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

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

HCD 08-146

08-09-CC

SUBJECT: An Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for administration and funding of the Child Care Program.	Category # 1	Page 1 of 2	Agenda Item # 17
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FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development	Origination Date 08/21/08	Agenda Date OCT 29 2008
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DIRECTOR'S SIGNATURE: <i>Richard S. Celli</i>	Council District affected: ALL
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For additional information contact: Keith Bynam Phone: 713-868-8396 <i>KB</i>	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)
Approval of an Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for the implementation, oversight and delivery of the Community Development Block Grant funded Child Care Program for \$597,694.00 funded under the 34th Year Community Development Block Grant.

Amount of Funding: \$597,694.00 – 1 YEAR	Finance Budget:
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SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

Other (Specify) **COMMUNITY DEVELOPMENT BLOCK GRANT FUND (5000)**

SPECIFIC EXPLANATION:

The Housing and Community Development Department recommends approval of a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. (Child Care Council).

This Contract provides for the implementation, oversight and delivery of the Community Development Block Grant funded Child Care Program. The Contract will provide funding in the amount of \$597,694.00 for 12 months (August 1, 2008 – July 31, 2009).

The City entered into a Contract with Child Care Council beginning March 9, 1994 to provide the above referenced services. These services include the selection of service providers through a Request for Proposal (RFP) process negotiating contracts with providers; processing reimbursement requests; monitoring performance, provide technical assistance and training; and management assistance.

REQUIRED AUTHORIZATION

NOT

Finance Director: <i>Richard S. Celli</i>	Other Authorization:	Other Authorization:
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R/ms

Date: 08/21/08	Subject: An Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for administration and funding of the Child Care Program.	Originator's Initials	Page 2 of 2
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The total funds and sources and estimated number of persons to be served and the category of persons for the proposed Contract are as follows:

- Total funds and sources: \$597,694.00
- Estimated number of unduplicated youth to be served: 200
- Category of persons: New Born to 12 years of age from low and moderate income families

The Housing and Community Development Department recommends approval of a Contract to provide funding for the period August 1, 2008 – July 31, 2009 to nine (9) non-profit agencies that provide day care services (see attached). This Contract provides \$597,694.00 (\$152,500.00 for administrative costs associated with the cost of the program and \$445,194.00 for service providers).

A Request for Proposal was released on October 16, 2007 to allow for agencies to submit their proposal(s) by December 14, 2007, with the anticipation of having all proposals received, reviewed, awarded funds and contracts prepared for the effective date August 1, 2008.

Approval of this Ordinance is recommended.

RSC:KB:PAB:pab

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

**CHILD CARE PROGRAM
ADMINISTERED BY CHILD CARE COUNCIL
AUGUST 1, 2008 – JULY 31, 2009**

AGENCY	FUNDING AMOUNT
Association for the Advancement of Mexican Americans Ms. Acenete Flores, Deputy Director 6001 Gulf Freeway, Bldg. B Houston, TX 77023 713-926-9491	\$25,000
Chinese Community Center Ms. Chi-Mei Lin, Executive Director 9800 Town Park Houston, TX 77036	\$36,000
Community Family Center Ms. Maritza Guerrero, Executive Director 7524 Avenue E Houston, TX 77012 713-923-2316	\$68,000
Julia C. Hester House Ms. Jennifer Holmes, Executive Director 2020 Solo Houston, TX 77020 713-672-2573	\$30,000
Neighborhood Centers, Inc., - Harbach-Ripley Ms. Angela Blanchard, Executive Director 6225 Northdale Houston, TX 77087 713-669-9400	\$35,500
SEARCH – Center for the Homeless Ms. Thao Costis 2505 Fannin Houston, TX 77002 713-739-7752	\$85,000
S.H.A.P.E. Community Center Mr. Deloyd T. Parker, Jr., Executive Director 3815 Live Oak Houston, TX 77004	\$40,000
Wesley Community Center Mr. E. Michael Shirl, Executive Director 1410 Lee Street Houston, TX 77009 713-223-8131	\$60,000
YMCA of Greater Houston Mr. Samantha Buckner Director of Financial Admin. 1600 Louisiana Houston, TX 77002 713-758-9113	\$65,694

Total Awards to Service Providers FY2008-2009

\$445,194.00

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

HCD 08-145

08-09-CCC-JD

SUBJECT: An Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for administration and funding of the Juvenile Delinquency Prevention Program.		Category # 1	Page 1 of 2	Agenda Item # 18
FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development		Origination Date 08/21/08	Agenda Date OCT 29 2008	
DIRECTOR'S SIGNATURE: <i>Richard S. Celli</i>		Council District affected: ALL		
For additional information contact: Keith Bynam Phone: 713-868-8396 <i>KB</i>		Date and identification of prior authorizing Council action: N/A		
RECOMMENDATION: (Summary) Approval of an Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for the implementation, oversight and delivery of the Community Development Block Grant funded Juvenile Delinquency Prevention Program for \$623,453.00 funded under the 34th Year Community Development Block Grant.				
Amount of Funding: \$623,453.00 – 1 YEAR			Finance 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) COMMUNITY DEVELOPMENT BLOCK GRANT FUND (5000)				
SPECIFIC EXPLANATION: The Housing and Community Development Department recommends approval of a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. (Child Care Council). This Contract provides for the implementation, oversight and delivery of the Community Development Block Grant funded Juvenile Delinquency Prevention Program. The Contract will provide funding in the amount of \$623,453.00 for 12 months (August 1, 2008 – July 31, 2009). The City entered into a Contract with Child Care Council beginning March 9, 1994 to provide the above referenced services. These services include the selection of service providers through a Request for Proposal (RFP) process negotiating contracts with providers; processing reimbursement requests; monitoring performance, provide technical assistance and training; and management assistance.				
REQUIRED AUTHORIZATION				NDT
Finance Director: <i>Richard S. Celli</i>		Other Authorization:		Other Authorization:

Date: 0/21/08	Subject: An Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for administration and funding of the Juvenile Delinquency Prevention Program.	Originator's Initials	Page 2 of 2
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The total funds and sources and estimated number of persons to be served and the category of persons for the proposed Contract are as follows:

Total funds and sources: \$623,453.00

Estimated number of unduplicated youth to be served: 2000

Category of persons: Youth ages 6 to 21 of low and moderate income families

The Housing and Community Development Department recommends approval of a Contract to provide funding for the period August 1, 2008 – July 31, 2009 to ten (10) non-profit agencies. This Contract provides \$623,453.00 (\$163,837.00 for administrative costs associated with the cost of the program and \$459,616.00 for service providers). Ten (10) non-profit agencies (see attached list) were selected to receive funds for this program.

A Request for Proposal was released on October 16, 2007 to allow for agencies to submit their proposal(s) by December 14, 2007, with the anticipation of having all proposals received, reviewed, awarded funds and contracts prepared for the effective August 1, 2008.

Approval of this Ordinance is recommended.

RSC:KB:PAB:pab

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

**JUVENILE DELINQUENCY PREVENTION PROGRAM
ADMINISTERED BY CHILD CARE COUNCIL
AUGUST 1, 2008 – JULY 31, 2009**

AGENCY	FUNDING AMOUNT
Asian American Family Services Ms. Kim Szeto, Executive Director 6220 Westpark, Suite 228 Houston, TX 77057 713-339-3688	\$40,000
Boys & Girls Clubs of America Mr. John Havard, Executive Director 1520-A Airline Drive Houston, TX 77009 713-868-3426	\$45,000
Children's Assessment Center Foundation Ms. Elaine Stolte, Executive Director 2500 Bolsover Houston, TX 77005 713-986-3300	\$45,000
Communities In Schools Ms. Cynthia Clay Briggs, Executive Director 2150 W. 18 th Street, Suite 100 Houston, TX 77008 713-654-1515	\$45,000
Crossroads: Community Partnership for Youth Ms. Donna Mora, Executive Director 6300 Chimney Rock Houston, TX 77081 713-295-2789	\$40,000
Harris County Juvenile Board Mr. Harvey Hetzel, Executive Director 1200 Congress Suite 6500 Houston, TX 77002 713-222-4340	\$40,000
Montrose Counseling Center Ms. Ann J. Robinson, Ph.D 401 Branard, 2 nd Floor Houston, TX 77006 713-529-0037	\$45,000
ProVision, Inc. Mr. Roynell Young, Executive Director 4420 Balkin Houston, TX 77021 713-748-0030	\$39,616

**Juvenile Delinquency Prevention Program
Page 2**

AGENCY	FUNDING AMOUNT
Unlimited Visions of Aftercare Ms. Marilyn Jones, Executive Director 5527 Lawndale Houston, TX 77023 713-921-2276	\$40,000
Volunteers of America Texas, Inc. Mr. Mike King, Executive Director 7000 Northwest 100, Suite B-106 Houston, TX 77092 713-460-0871	\$40,000

Total Awarded Agencies

\$459,616.00

HCDO8-143

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

08-09-CCC-ESG

SUBJECT: An Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for the administration and funding of the Emergency Shelter Grants Program.	Category # 1	Page 1 of 2	Agenda Item #
			19

FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development	Origination Date 08/21/08	Agenda Date OCT 29 2008
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DIRECTOR'S SIGNATURE: <i>Richard S. Celli</i>	Council District affected: ALL
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For additional information contact: Keith Bynam Phone: 713-868-8396 <i>Keith Bynam</i>	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
Approval of an Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. in the amount of \$2,026,597.00 for the implementation, oversight and delivery of the Community Development Block Grant funded Emergency Shelter Grants Program funded under the 34th year Community Development Block Grant.

Amount of Funding: \$2,026,597.00 – 1 YEAR **Finance Budget:**

SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund
 Other (Specify) **COMMUNITY DEVELOPMENT BLOCK GRANT FUND (5000)**

SPECIFIC EXPLANATION:

The Housing and Community Development Department recommends approval of a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. (Child Care Council).

This Contract provides for the implementation, oversight and delivery of the Community Development Block Grant funded Emergency Shelter Grants Program. The Contract will provide funding in the amount of \$2,026,597.00 for 12 months (August 1, 2008 – July 31, 2009).

The City entered into a Contract with Child Care Council beginning March 9, 1994 to provide the above referenced services. These services also include the selection of service providers through a Request for Proposal (RFP) process, negotiating contracts with providers; processing reimbursement requests; monitoring performance, providing technical assistance and training; and providing management assistance.

The total funds and sources and estimated number of persons to be served and the category of persons for the proposed Contract are as follows:

Total Funds and Sources: \$2,026,597.00
CDBG \$700,000
ESG \$1,326,597.00

Essential Services	\$397,979
Operations	\$464,309
Homeless Prevention	\$397,979
Administration	\$ 66,330

Estimated number of unduplicated persons to be served: 10,000
Category of persons: Homeless or near homeless

Finance Director: <i>Richard S. Celli</i>	Other Authorization:	Other Authorization:
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NOT

Date: 08/21/08	Subject: An Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for funding of the Emergency Shelter Grants Program.	Originator's Initials <i>PAB</i>	Page 2 of 2
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The Housing and Community Development Department recommends approval of this Contract to provide funding for the period August 1, 2008 – July 31, 2009 to nineteen (19) non-profit agencies that provide services to the homeless or near homeless (see attached). This Contract provides for funding in the amount of \$2,026,597.00 (\$1,326,597.00 ESG, \$700,000 CDBG). Nineteen non-profit agencies will receive funds totaling \$1,895,272.00 and \$131,325.00 (\$64,995 CDBG and \$66,330 ESG) for administrative costs associated with the program.

A Request for Proposal was released on October 16, 2007 to allow for agencies to submit their proposal(s) by December 14, 2007, with the anticipation of having all proposals received, reviewed, and awarded funds and contracts prepared for the effective date August 1, 2008.

Approval of this Ordinance is recommended.

RSC:KB:PAB:pab

- xc: City Secretary
- Legal Department
- Finance Department
- Mayor's Office

**EMERGENCY SHELTER GRANTS PROGRAM SUBCONTRACTORS
ADMINISTERED BY THE CHILD CARE COUNCIL
AUGUST 1, 2008 – JULY 31, 2009**

AGENCY	FUNDING AMOUNT
Aids Foundation Houston Ms. Kelly A. McCann, Exec. Director 3202 Wesleyan Street Houston, TX 77027	\$100,000.00
Asian American Family Services Ms. Kim Szeto, Exec. Director 6220 Westpark, Suite 228 Houston, TX 77057	\$60,000.00
Bridge Over Troubled Waters Ms. Deborah Moseley, Exec. Director P.O. Box 3488 Pasadena, TX 77501	\$70,000.00
Catholic Charities of the Diocese of Galveston-Houston Ms. Bonna Kol, President 326 South Jensen Houston, TX 77006	\$ 233,000.00
Covenant House Texas, Inc. Ms. Ronda G. Robinson, Exec. Director 1111 Lovett Houston, TX 77006	\$ 195,000.00
Fort Bend Women's Center Ms. Alison Parker, Asst. Shelter Director P.O. Box 183 Richmond, Texas 77406	\$25,163.00
Gulf Coast Community Services Assoc. Dr. Jonita Wallace, Chief Exec. Officer 5000 Gulf Frwy., Bldg. #1 Houston, Texas 77023	\$60,000.00
Gulf Coast Trades Center Mr. William H. Gholson, President P.O. Box 515 New Waverly, TX 77358	\$ 88,150.00
Harris County Community & Economic Development Department Mr. David B. Turkel, Director 8410 Lantern Point Drive Street Houston, TX 77007	\$ 45,000.00

Page 2 – Emergency Shelter Grants Program – 2008 – 2009

AGENCY	FUNDING AMOUNT
Houston Area Women’s Center Ms. Rebecca L. White President & CEO 1010 Waugh Houston, TX 77006	\$ 219,000.00
Memorial Assistance Ministries Ms. Patricia Dornak, Exec. Director 1625 Blalock Houston, TX 77080	\$ 50,000.00
Montrose Counseling Center Ms. Ann J. Robinson, Exec. Director 401 Branard, 2 nd Floor Houston, TX 77006	\$ 70,000.00
Prevent Blindness Texas Mr. Jim B. Hubbard, Exec. Director 3211 W. Dallas Houston, TX 77019	\$58,179.00
S.E.A.R.C.H. Mr. Thao Costis, President & CEO 2505 Fannin Houston, TX 77002	\$ 109,436.00
Society of St. Vincent de Paul Ms. Wendy Garaghty, Exec. Director 2403 Holcombe Blvd. Houston, TX 77021	\$ 110,000.00
Star of Hope Mission Mr. Randall L. Tabor, President/CEO 6897 Ardmore Houston, Texas 77021	\$100,000.00
The Women’s Home Ms. Paula Paust, Exec. Director 607 Westheimer Houston, TX 77004	\$100,000.00
Wellsprings (Protected Address) Ms. Valerie Beckham, Exec. Director P.O. Box 311017 Houston, TX 77231	\$65,000.00

Page 3 – Emergency Shelter Grants Program - 2007 – 2008

AGENCY	FUNDING AMOUNT
YMCA of Greater Houston (Downtown) Ms. Mandy Stelzer, Exec. Director 1600 Louisiana, 2 nd Floor Houston, TX 77002	\$ 102,344.00

TOTAL ESG & CDBG ALLOCATION	\$2,026,597.00
TOTAL AWARDS SERVICE PROVIDERS	\$1,895,272.00
ADMINISTRATIVE COSTS	(\$ 131,325.00)
ESG (S-08)	(\$1,326,597.00)
CDBG (B-08)	(\$ 700,000.00)

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

SUBJECT: An Ordinance authorizing the execution of a Contract between the City of Houston and Healthcare for the Homeless-Houston the administration and operation of Project Access for Homeless Individuals. **Category #** **Page** 1 of 1 **Agenda Item #** 20

FROM (Department or other point of origin): Richard S. Celli, Director
Housing and Community Development Department **Origination Date** 10/24/08 **Agenda Date** OCT 29 2008

DIRECTOR'S SIGNATURE: *[Signature]* **Council District affected:** None

For additional information contact: Keith Bynam
Phone: (713) 868-8396 **Date and identification of prior authorizing Council action:** All Districts

RECOMMENDATION: (Summary)
Approval of an ordinance authorizing a Contract between the City of Houston ("City") and Healthcare for the Homeless-Houston, providing up to \$117,180, for the administration and operation of Project Access, which offers transportation services to homeless individuals and families seeking health care and supportive services.

Amount of Funding: \$117,180.00 **Finance Budget:**

SOURCE OF FUNDING [] General Fund [X] Grant Fund [] Enterprise Fund [] Other (Specify)
CDBG Grant Fund (5000)

SPECIFIC EXPLANATION:
The Housing and Community Development Department ("HCDD") recommends approval of a Contract between the City of Houston and Healthcare for the Homeless-Houston for the operation of Project Access to provide necessary transportation services for homeless individuals and families seeking health care and supportive services. Healthcare for the Homeless-Houston ("HHH") is a nonprofit corporation organized by a strategic alliance of local service providers whose mission is to promote health, hope, and dignity for Houston's homeless through accessible and comprehensive care. Since the program's implementation in August 2003, HHH has provided transportation services to thousands of homeless individuals. Project Access has been featured on an ABC affiliate and its story released for national distribution regarding the program's success. Healthcare for the Homeless-Houston desires to continue this project.

All programs and services are available free of charge to homeless individuals in Houston and Harris County. HHH has serviced more than double their proposed unduplicated number of 1500 homeless individuals, during the 2007 to 2008 contract. This agreement will provide \$117,180 and a 12-month contract. HHH is proposing to provide these services to 2,580 unduplicated individuals/25,800 trips annually.

Total Funds and Services: \$117,180
Number of Persons Served: 2,580
Category of Persons: Homeless persons and families

The Housing and Community Development wish to ask for your favorable vote.

RC:KB:MA

City Secretary
Mayor's Office
Legal Department
Finance Department

REQUIRED AUTHORIZATION

Finance Director: *[Signature]* **Other Authorization:** **Other Authorization:** NDT

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

Subject: Ordinance approving an agreement with the Baylor College of Medicine for the 'Healthy Kids-Houston' Obesity Prevention Research Project.

Category #

Page 1 of 1

Agenda Item

21

FROM (Department or other point of origin):

Houston Parks and Recreation Department

Origination Date:

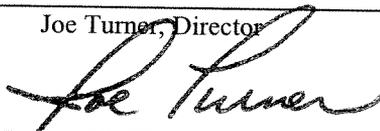
September 24, 2008

Agenda Date

OCT 29 2008

DIRECTOR'S SIGNATURE:

Joe Turner, Director



Council District(s) affected: Year one: D and I

For additional information contact: Karen Cullar, 713-865-9344
Daniel Pederson, 713-865-4507

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary):

Adopt an ordinance and authorizing a subaward agreement between the City of Houston and Baylor College of Medicine (BCM) to participate in the "Healthy Kids-Houston" Obesity Prevention Research Project.

Amount and Source of Funding:

Houston Parks and Recreation Department: \$ 109,205 (To be reimbursed by Baylor College of Medicine/USDA grant funds) -

Baylor College of Medicine: \$ 297,198

TOTAL PROJECT (Year One): \$ 406,403

Budget:

SPECIFIC EXPLANATION:

The Houston Parks and Recreation Department (HPARD) proposes to collaborate with Baylor College of Medicine on a four-year research project called Healthy Kids-Houston (HKH). The project aims to test the effectiveness of a free community-based program offered at parks and recreation community centers to reduce obesity among minority children ages 9 to 13. The HKH project will commence in January 2009 at three community center sites: Sunnyside, Denver Harbor, and Mason. Three additional HPARD sites will be involved as control sites.

The United States Department of Agriculture is providing federal funds to Baylor College of Medicine to implement the HKH project. HPARD's share of reimbursable program costs for year one is \$109,205. The proposed contract will allow Baylor College of Medicine to reimburse HPARD expenses from the USDA grant.

REQUIRED AUTHORIZATION

Finance Department:

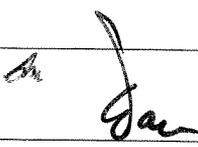


Other Authorization:

Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Authorization for Mayor to accept FAA AIP Grant offers up to \$75,000,000 for projects at George Bush Intercontinental Airport/Houston (IAH), William P. Hobby Airport (HOU) and Ellington Field (EFD).		Category #2	Page 1 of 2	Agenda Item # 22
FROM (Department or other point of origin): Houston Airport System		Origination Date October 7, 2008	Agenda Date OCT 29 2008	
DIRECTOR'S SIGNATURE: 		Council District affected: B, E & I		
For additional information contact: Eric R. Potts  Phone: 281-233-1999 Monica R. Newhouse  281-233-1973		Date and identification of prior authorizing Council action:		
AMOUNT & SOURCE OF FUNDING: REVENUE: FAA Airport Improvement Program Grant \$18,250,000.00 – Entitlement funds \$10,000,000.00 – Entitlement funds, LOI \$12,750,000.00 – Discretionary funds, LOI \$34,000,000.00 - Potential Discretionary funds \$75,000,000.00 Total		Prior appropriations:		
RECOMMENDATION: (Summary) Enact an ordinance authorizing the Mayor to accept FAA AIP grant offers up to \$75,000,000 for pending FAA AIP grant applications and potential discretionary funds for Federal Fiscal Year (FFY) 2009.				
SPECIFIC EXPLANATION: Preliminary notification from the Federal Aviation Administration (FAA) indicates that the Houston Airport System's (HAS) allocated share of entitlement and Letter of Intent (LOI) grants for Federal Fiscal Year (FFY) 09 is approximately \$41,000,000.00. Entitlement grant funds will pay for airfield, taxiway, and runway improvement projects at George Bush Intercontinental Airport/Houston (IAH), William P. Hobby Airport (HOU) and Ellington Field (EFD). Grant applications for entitlement and LOI funding will be forwarded to the FAA Southwest Region office for action. For FFY09, the FAA LOI commitment is \$22,750,000.00 which is split into a discretionary grant of \$12,750,000.00 and an entitlement grant of \$10,000,000.00. These LOI funds reimburse HAS for a portion of the costs associated with the New North Runway 8L-26R (Project No. 522, CIP A-0304 & CIP A-0444) at IAH. The FAA has initially programmed discretionary funds to fund HOU Project 462 (CIP A-0514) Rehab Runway 4-22, a Noise Abatement Program grant and a Voluntary Airport Low Emission Program grant. The exact amount and availability of this funding is unknown. The FAA has indicated a potential exists for additional discretionary funds to become available in FFY09 FAA final disbursement of discretionary funds near the end of September 2009. Approval to accept the FFY09 discretionary grants in advance enables HAS to react quickly and take advantage of any additional FAA funding if it becomes available.				
REQUIRED AUTHORIZATION				
Finance Department:		Other Authorization:		Other Authorization:

Date: October 7, 2008	Subject: Authorization for Mayor to accept FAA AIP Grant offers up to \$75,000,000 for projects at George Bush Intercontinental Airport /Houston (IAH), William P. Hobby Airport (HOU) and Ellington Field (EFD).	Originator's Initials KBG	Page 2 of 2
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Approval of this ordinance authorizes the Mayor to accept grant offers for the City within the shortened time and assures that HAS can receive and utilize all available FAA Funds. Therefore, HAS is requesting authorization for the Mayor to accept grant offers in a cumulative amount up to \$75,000,000.00.

RMV:ERP:MRN:kgb

cc: Ms. Marty Stein
Mr. Anthony W. Hall, Jr.
Mr. Arturo G. Michel
Ms. Velma Laws
Mr. Richard M. Vacar
Mr. Eric R. Potts
Mr. Tom Bartlett
Mr. David Arthur
Ms. Kathy Elek
Mr. Aleks Mraovic
Mr. J. Goodwille Pierre
Ms. Ellen Erenbaum
Ms. Monica R. Newhouse
Mr. Adil Godiwalla
Mr. John Silva
Mr. Carlos Ortiz
Mr. Frank D. Crouch
Mr. Keith Goodwin
Ms. Roxanne Butler
Ms. Marlene McClinton
Ms. Janice D. Woods
Ms. Cynthia Saldana

SUBJECT: Amendment No. 1 – Lease Agreement between the City of Houston and Vanguard Car Rental USA Inc. – William P. Hobby Airport (HOU).		Category #	Page 1 of 2	Agenda Item # 23
FROM (Department or other point of origin): Houston Airport System		Origination Date October 21 , 2008	Agenda Date OCT 29 2008	
DIRECTOR'S SIGNATURE: <i>An Kae</i> <i>Jan</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: 09/01/99 (O) 99-0953		
AMOUNT & SOURCE OF FUNDING: REVENUE: Additional Parking Lot Rental - \$6,476.91 annually (\$539.74* monthly) Adjusted Rental for the Service Center and Maintenance Facility - \$72,049.56 annually (\$6,004.13 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 Vanguard Car Rental USA Inc. at William P. Hobby Airport (HOU).				
SPECIFIC EXPLANATION: On September 1, 1999, the City approved Lease Agreement No. 50814 with National Car Rental System, Inc. (National), effective June 15, 2000, in which National leased unimproved land at 7800 Airport Boulevard at William P. Hobby Airport (HOU) for the construction and continued operation of a service center and maintenance facility to be used in connection with its automobile rental concession at HOU. National was required to make improvements to the leased premises which National subsequently made. Pursuant to order of the Bankruptcy Court, National assigned all its rights, title, and interest in and to the leased premises to Vanguard Car Rental USA Inc. (Lessee) in 2003. Lessee now requests to amend the Lease Agreement to adjust, based on a completed lease survey, the service center and maintenance facility square footage area, and to add to the leased premises an adjacent area to be used as an automobile parking lot 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 remains unchanged, ending June 14, 2015. Should Lessee lose its concession operating rights under a separate agreement with the City, effective January 23, 1995, or any subsequent automobile rental concession agreement, the Director shall have the right to terminate the Lease Agreement contemporaneously therewith. 2. Leased Premises: Service center and maintenance facility: approximately 218,332 square feet of unimproved land (in 1999 estimated to contain approximately 213,444 square feet of unimproved land), and				
REQUIRED AUTHORIZATION				
Finance Department:		Other Authorization:		Other Authorization:

Date October 21, 2008	Subject: Amendment No. 1 – Lease Agreement between the City of Houston and Vanguard Car Rental USA Inc. – William P. Hobby Airport (HOU).	Originator's Initials	Page 2 of 2
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Automobile parking lot: approximately 19,627 square feet of improved land.

3. Rent: Based on appraisal, rent effective on countersignature date will be as follows:

Automobile parking lot:	\$6,476.91 annually (\$539.74* monthly, which shall be adjusted at year end to reconcile with the annual rate). The rental amount increases by 15 percent at the end of each five consecutive years of term.
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Service center and maintenance facility:	changes from \$70,436.52 annually (\$5,869.71 monthly) to \$72,049.56 annually (\$6,004.13 monthly)
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4. Use: Solely as a maintenance and service facility and automobile parking lot in support of Lessee's automobile rental concession at HOU.

All other terms and conditions of the Lease Agreement will remain in full force and effect.

RMV:lso

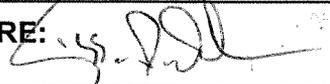
- cc: Ms. Marty Stein
Mr. Anthony W. Hall, Jr.
Mr. Arturo G. Michel
Ms. Kathy Elek
Mr. Aleks Mraovic
Mr. David K. Arthur
Ms. Monica R. Newhouse
Ms. Roxanne Butler
Ms. Marlene McClinton
Ms. Janet Schafer
Mr. Charles Wall
Ms. Mary Case
Mr. Brian Rinehart
Ms. Jan Clark

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

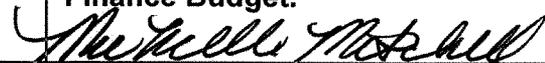
SUBJECT: Purchase and Sale Agreement between American Opportunity for Housing - Concord at Williamcrest, LLC, (Seller) and the City of Houston (Purchaser) for the purchase of 10.8243 acres of land, consisting of Tracts 3, 23, and 33A, J.M. Bartlett Survey, Abstract #152, Houston, Harris County Texas, for the Parks and Recreation Department WBS No. F-000513-0002-2		Page 1 of 1	Agenda Item 24
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FROM (Department or other point of origin): General Services Department	Origination Date 10-22-08	Agenda Date OCT 29 2008
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. 	Council District(s) affected: C
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For additional information contact: Jacquelyn L. Nisby Phone: 832-393-8023	Date and identification of prior authorizing Council action:
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RECOMMENDATION: Approve a Purchase and Sale Agreement between American Opportunity for Housing - Concord at Williamcrest, LLC (Seller) and the City of Houston (Purchaser) for the purchase of 10.8243 acres of land located at 11000 South Gessner, consisting of Tracts 3, 23, and 33A, J.M. Bartlett Survey, Abstract #152, Houston, Harris County Texas, for the Parks and Recreation Department, and appropriate funds.

Amount and Source Of Funding: \$300,000.00 Equipment Acquisition Consolidated Fund (1800)	Finance Budget: 
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SPECIFIC EXPLANATION: The Houston Parks Board (HPB) has partnered with the Houston Parks and Recreation Department (HPARD) to purchase 10.8243 acres of land located at 11000 South Gessner for the expansion of Marian Park. The additional land acquisition will expand the park from 19.51 acres to 30.33 acres and will enable HPARD to provide a host of wellness, recreation and afterschool activities for the neighboring schools, including but not limited to Valley West Elementary, Welch Middle School and Westbury Christian High School. Marian Park is heavily used by the community and the current park space cannot facilitate these additional activities.

The City will contribute \$300,000.00 out of the Equipment Acquisition Consolidated Fund towards the purchase price of \$518,470.00, and HPB has committed to fund the remaining \$218,470.00 of the purchase price.

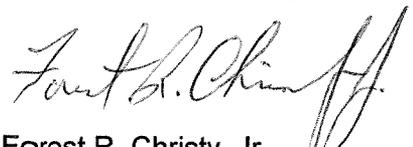
Therefore, the General Services Department recommends that City Council approve and authorize a Purchase and Sale Agreement with American Opportunity for Housing - Concord at Williamcrest, LLC to purchase Tracts 3, 23, and 33A, located at 11000 South Gessner, and authorize the Mayor to execute and the City Secretary to attest all documents necessary to affect this transaction.

IZD:BC:JLN:RB:npb

xc: Marty Stein, Jacquelyn L. Nisby, Anna Russell, Renissa Garza Montalvo

REQUIRED AUTHORIZATION

CUIC ID# 25 RB 32

General Services Department:  Forest R. Christy, Jr. Director, Real Estate Division		Parks and Recreation Department:  Joe Turner Director
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Marian Park Expansion

Houston Parks Board Property

Marian Park

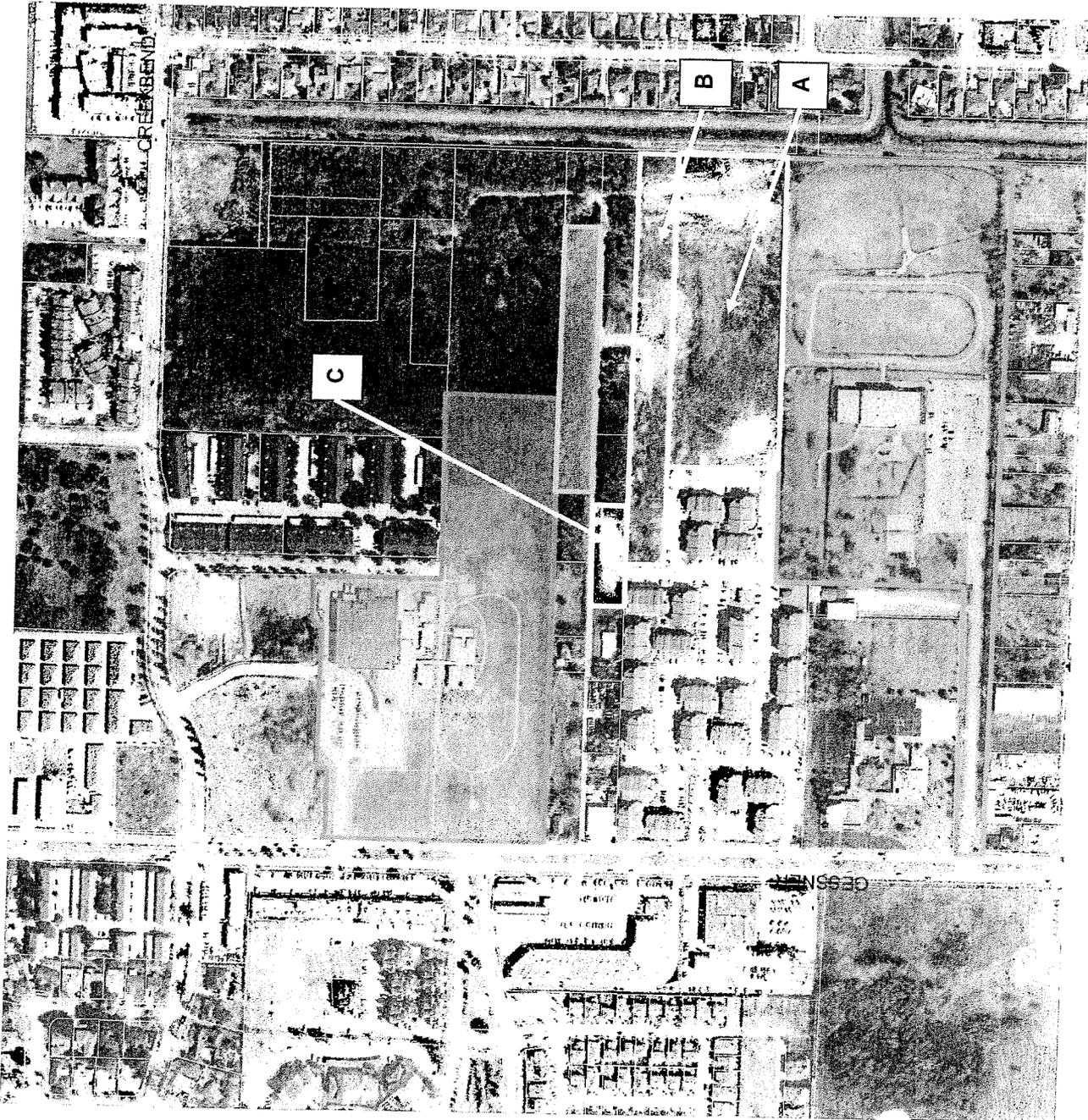
HISD Elementary School

American Opportunity for Housing Properties

A - 308,032 sf

B - 131,655 sf

C - 31,133 sf



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: PROPERTY: Recommendation for an Ordinance approving and authorizing the PURCHASE of Parcels CY3-009A and CY3-009B for the ALMEDA SIMS WASTEWATER TREATMENT PLANT EXPANSION AND BUFFER ZONE PROJECT. WBS R-000298-0001-2-01

Page 1 of 2

Agenda Item #

OWNER: Almeda Holdings, Ltd., a Texas limited partnership, Almeda Enterprises, Inc., a Texas corporation, general partner, William Plant, President

25

FROM: (Department or other point of origin):

Origination Date

Agenda Date

Department of Public Works and Engineering

10-22-08

DIRECTOR'S SIGNATURE:

Council District affected:

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

D

Key Map 572 L

For additional information contact:

Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director-Real Estate

Date and identification of prior

authorizing Council Action:

Ordinance 2005-1102 passed September 21, 2005

RECOMMENDATION: (Summary)

An Ordinance be passed approving and authorizing the PURCHASE of Parcels CY3-009A and CY3-009B

Amount and Source of Funding: No additional funding required (covered under Blanket Appropriation Ordinance 2005-1102 R-000019-00RE-2-01

Water and Sewer System Consolidated Construction Fund 8500)

SPECIFIC EXPLANATION:

The ALMEDA SIMS WASTEWATER TREATMENT PLANT EXPANSION AND BUFFER ZONE PROJECT provides for construction of a new Biosolids Handling Facility. The existing facility has exceeded its design life and is not cost effective to continue to operate and maintain. The City desires to acquire Parcel CY3-009A consisting of 9.617 acres and improvements thereon in fee and to establish a buffer zone easement on Parcel CY3-00B consisting of 4.047 acres. Both parcels are out of a 30.876-acre tract located at 12317 Almeda Road.

PURCHASE:

The owner has accepted the City's offer to purchase the property for a consideration of \$1,866,777.00 for the fee parcel and \$185,101.00 for the buffer zone easement. The City's offer was based on an appraisal completed by Scott S. Stephens, MAI, Independent Fee Appraiser. These valuations were reviewed and recommended for approval by a senior staff appraiser of this department. The breakdowns are as follows:

Parcel CY3-009A (Fee)

418,917 square feet @ \$1.40	\$ 586,484.00®
Improvements	\$ 596,532.00®
Relocation of existing utilities.....	\$ 683,761.00®
Total Consideration.....	\$1,866,777.00
Title Policy/Services	\$ 10,270.00
Total Amount.....	\$1,877,047.00

G:\WPDATA\LANDACQPHELPS\CY3-009A&Brca

REQUIRED AUTHORIZATION

CUIC#20MTP67

Finance Department:

Other Authorization:

Other Authorization:

Jun Chang, Interim Deputy Director Public Utilities Division

Andrew F. Icken, Deputy Director Planning and Development Services Division

Date	SUBJECT: PROPERTY: PURCHASE of Parcels CY3-009A and CY3-009B located at 12317 Almeda Road for the ALMEDA SIMS WASTEWATER TREATMENT PLANT EXPANSION AND BUFFER ZONE PROJECT. WBS R-000298-0001-2-01 OWNER: Almeda Holdings, Ltd., a Texas limited partnership, Almeda Enterprises, Inc., a Texas corporation, general partner, William Plant, President	Originator's Initials	Page <u>2</u> of <u>2</u>
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Parcel CY3-009B (Buffer Zone Easement)

176,287 square feet @ \$1.40 X 75%.....	\$ 185,101.00®
Total Consideration	\$ 185,101.00®
Title Policy/Services	\$ 1,950.00
Total Amount	\$ 187,051.00
GRAND TOTAL AMOUNT	\$2,064,098.00

It is recommended that an Ordinance be passed approving and authorizing the purchase of Parcels CY3-009A and CY3-009B, owned by Almeda Holdings, Ltd., a Texas limited partnership and authorizing the Mayor to execute and the City Secretary to attest a Purchase and Sale Agreement. Parcel CY3-009A contains 9.617 acres of land and improvements thereon and Parcel CY3-009B contains 4.047 acres of land and improvements thereon, in the James Hamilton Survey, Abstract 877; CY3-009A being the remainder of restricted Reserve "B", and CY3-009B being a portion of Restricted Reserve "A" and a portion of a 28-foot wide private road recorded in Volume 335, Page 105, both out of Almeda Industrial Park, according to the plat thereof recorded in Volume 335, Page 105 of the Harris County Map Records and being a portion of a called 30.876 acre tract of land described in a deed to Almeda Holdings, Ltd. recorded under Harris County Clerk's File T397956, Harris County, Texas according to City of Houston field notes.

MSM:NPC:mp
cc: Marty Stein

PARCEL VALUATION

Following is a breakdown of the consideration for Parcels CY3-009A and CY3-009B:

Parcel CY3-009A

LAND:

Parcel CY3-009A (fee)

418,917 square feet @ \$1.40\$ 586,484.00®

IMPROVEMENTS:

33,542 square feet of concrete paving @ \$2.25 X 60% \$ 30,187.80

89,500 square feet of asphalt paving @ \$1.00 X 60% \$ 35,800.00

1 Sign (on premise) \$ 5,000.00

1,780 linear feet of chain link fence @ \$8.00 X 40% \$ 8,544.00

Power and lighting system..... \$ 90,000.00

Barns and corrals \$ 15,000.00

Truck scale \$ 45,500.00

Detention credits * \$ 30,000.00

Storm Water Quality * \$ 39,000.00

Fire Protection System \$ 297,500.00

TOTAL IMPROVEMENTS.....\$ 596,532.00®

Relocation of existing utilities\$ 683,761.00®

TOTAL LAND AND IMPROVEMENTS.....\$1,866,777.00

* The value of drainage improvements, to meet federal storm water quality and flood control requirements, being conveyed with the portion of land acquired in fee that could have been utilized by the remainder portion to satisfy any future expansion and improvement requirements.

Parcel CY3-009B

LAND:

Parcel CY3-009B (easement)

176,287 square feet @ \$1.40 X 75% **\$185,101.00®

TOTAL CONSIDERATION\$185,101.00®

** The 4.047 acre (176,287 square feet) tract is considered to have the same unit value as the 9.617 acre (418,917 square feet) tract. However, the unit value must be discounted to reflect the easement rights being acquired versus the unit value representing the fee simple interest. In this instance, the easement interest is estimated to be 75% of the price per square foot of the fee value.

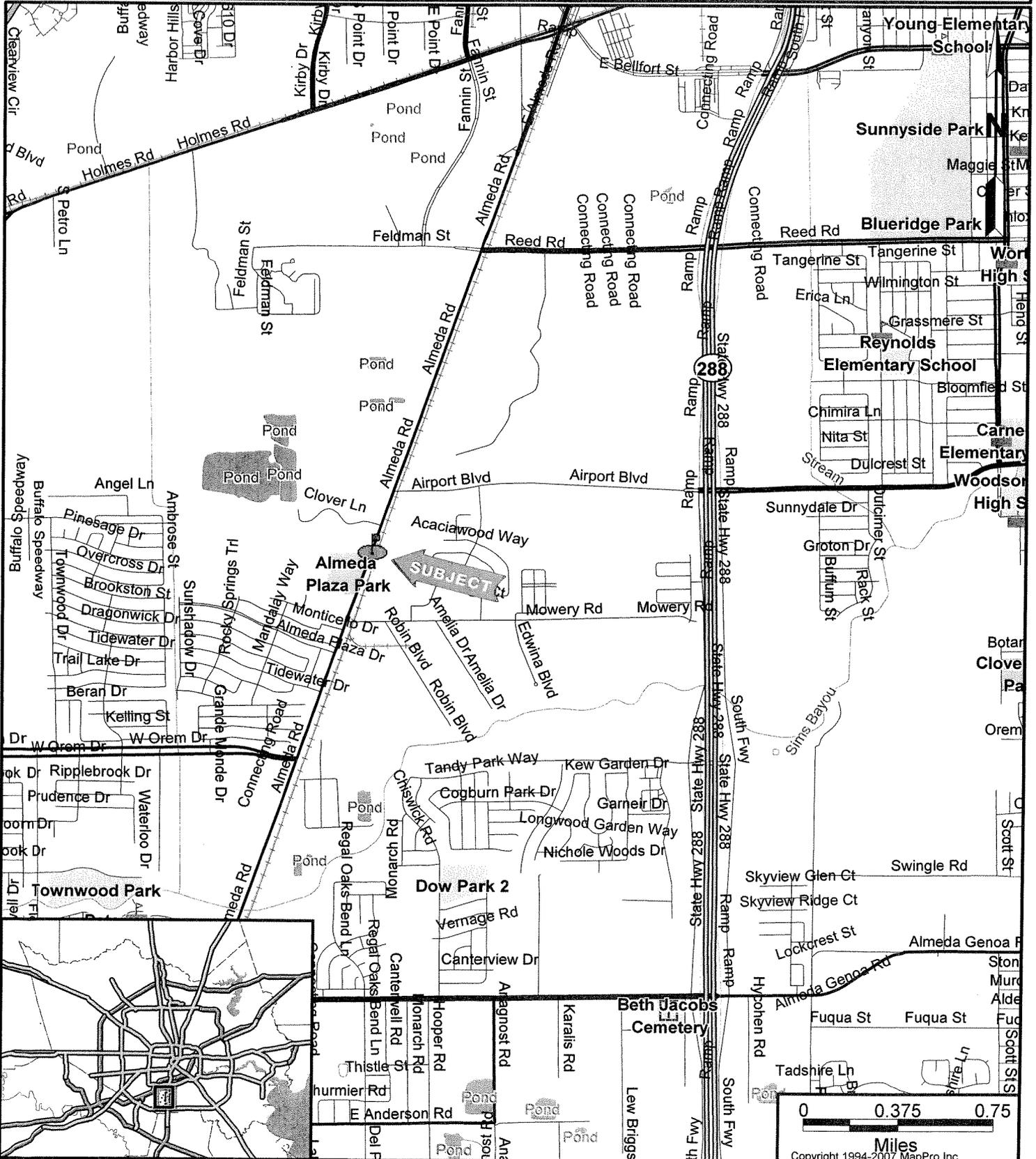
LOCATION MAP

Description: CY3-009A & CY3-009B Almeda Sims WWTP and Buffer Zone

Located 12317 Almeda Road, Key Map 572 L

WBS R-000298-0001-2-01

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.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

Subject:

Professional Services Contract with John Hall Public Affairs, Inc. for consulting services related to environmental matters.

Category #

Page of

1 of 1

Agenda Item

26

FROM (Department or other point of origin):

Elena Mark, Director of Health and Environmental Policy
Mayor's Office

Origination Date

10/13/2008

Agenda Date

OCT 29 2008

DIRECTOR'S SIGNATURE

Elena Mark

Council District(s) affected

All

For additional information contact: Elena Marks

Phone: 832 393-1081

Phone: 713 562 3497

Date and identification of prior authorizing

Council Action:

October 26, 2005

RECOMMENDATION: (Summary)

Approve a contract with John Hall Public Affairs, Inc. for consulting services related to environmental matters

Amount of Funding:

Maximum Contract Amount: \$378,000 (3 years)

Finance Budget

SOURCE OF FUNDING:

General Fund

Grant Fund

Enterprise Fund

Other (Specify)

SPECIFIC EXPLANATION:

John Hall has provided consulting services to the City since 1995 relating to environmental issues. His expertise in air and water quality and energy/electricity issues, particularly those relating to state and federal rules and regulations, adds an important dimension to the City's environmental programs. Mr. Hall will monitor state and federal regulatory matters, recommend actions to the City regarding pending legislation or rules, conduct research and produce reports on topics central to the City's air quality program, assist in maximizing funding opportunities through state and federal sources, attend hearings and meetings with or on behalf of the City, and assist the City in the development of policies, plans and programs regarding environmental quality including but not limited to the following:

1. State Implementation Plan for the Houston-Galveston-Brazoria region—research and advise on policy and technical issues concerning options for inclusion in the plan which will be filed in 2010, and updates, amendments, or other aspects of the plan thereafter.
2. Wastewater Treatment/Drinking Water Production—research and advise on options for operational programs to conserve energy, reduce direct emissions from operations, and recycle/reuse resources.
3. Electricity—research and advise on policy and technical issues regarding the use, sale, and pricing of electricity

The proposed contract has a one-year term, which may be renewed for two successive one-year terms at the discretion of the City. Consulting services will be paid on a flat fee of \$10,500 per month or \$126,000 per year, the same rate as the previous contract.

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance approving contract with Mercer Human Resources Consulting, Inc. for professional consulting services	Page 1 of 1	Agenda Item # # 27
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FROM (Department or other point of origin): Finance Department	Origination Date: October 24, 2008	Agenda Date: OCT 29 2008
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DIRECTOR'S SIGNATURE:  Michelle Mitchell, Director	Council District affected: All
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For additional information contact: Michelle Mitchell – 713-221-0935	Date and identification of prior authorizing Council action:
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RECOMMENDATION:
Adopt ordinance approving a contract with Mercer human Resources Consulting, Inc. for professional consulting services

Amount and source of funding:	Maximum contract amount: \$75,000 General Fund (1000)	Finance Dept.
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EXPLANATION:

The Finance Department requests Council approval of a professional consulting contract with Mercer Human Resources, Inc. to perform analysis relating to employee compensation, including salary, wages and benefits. Mercer would be assigned specific tasks on an as-needed basis to assist in the process of developing five-year budget estimates for City departments. This work will consist of researching publicly available sources of compensation practices information for 5 Texas cities (Dallas, Ft. Worth, Austin, San Antonio, and El Paso, including Houston); compile and analyze data, summarize findings in a written report and meet with the Finance Director to present findings.

Mercer has been assisting in this endeavor under a purchase order and has proven to be a valuable resource.

REQUIRED AUTHORIZATION

Other Authorization:	Other Authorization:	Other Authorization:
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REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7593

Subject: Formal Bids Received for Maintenance and Repair Services of Electric 138KV Substations for the Public Works & Engineering Department
S30-L22745

Category #
4

Page 1 of 2

Agenda Item

28

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

Origination Date
August 18, 2008

Agenda Date
OCT 29 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
David Guernsey Phone: (713) 238-5241
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to Square D Company (formerly known as ECP Tech Services) on its low bid meeting specifications in an amount not to exceed \$1,596,254.00 for maintenance and repair services of electric 138KV substations for the Public Works & Engineering Department.

Maximum Contract Amount: \$1,596,254.00

Finance Budget

\$1,596,254.00 - Water & Sewer System Operating Fund (8300)

PLR 10/11/08

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options, to Square D Company (formerly known as ECP Tech Services) on its low bid meeting specifications in an amount not to exceed \$1,596,254.00 for maintenance and repair services of electric 138KV substations for the Public Works & Engineering Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor. Under this contract, the contractor will be required to provide scheduled electrical preventive maintenance, inspection services and unscheduled repair services for 138KV substations and other medium/high voltage equipment at ten Drinking Water Operations locations and fourteen Wastewater Operations locations for the Public Works & Engineering Department.

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

<u>Company</u>	<u>Total Amount</u>
1. Electrical Reliability Services, Inc.	\$1,592,765.00 (Did Not Meet Specifications)
2. Square D Company (formerly known as ECP Tech Services)	\$1,596,254.00
3. Electric Power Systems	\$2,047,962.44

The scope of work requires the contractor to provide all labor, supervision, parts, materials, equipment, tools and transportation necessary to provide monthly preventive and unscheduled electrical maintenance, relay testing and calibration of the 138KV substations and other medium/high voltage facilities.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:
Jim Chang

Other Authorization:
Paul [Signature] 10/16/08

65 CDW 7593A

ms

7/02/08

Date: 8/18/2008	Subject: Formal Bids Received for Maintenance and Repair Services of Electric 138KV Substations for the Public Works & Engineering Department S30-L22745	Originator's Initials RM	Page 2 of 2
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M/WBE Subcontracting:

This invitation to bid was issued as a goal-oriented contract with a 4% M/WBE participation level. **Square D Company (formerly known as ECP Tech Services)** has designated the below-named companies as its certified M/WBE subcontractor.

<u>Name</u>	<u>Type of Work</u>	<u>Dollar Amount</u>
Tag Electric Company, Inc.	Electrical Work	\$63,710.60

This contract will be monitored by the Affirmative Action Division.

ESTIMATED SPENDING AUTHORITY			
Department	FY 09	Out Years	Total
Public Works & Engineering	\$562,042.00	\$1,034,212.00	\$1,596,254.00

Buyer: Richard Morris

List of Locations

Drinking Water Operations

Federal Road Plant – 2500 Federal Road
Southeast Water Purification Plant – 3100 Genoa Red Bluff
Northeast Water Purification Plant – 12121 North Sam Houston PWY East
Acres Homes Plant – 1810 Dolly Wright
Jersey Village Plant – 7207 Fairview
Northeast Plant – 3400 Delia
Sims Bayou Plant – 13826 Croquet
Southwest Plant – 4414 Westpark
Spring Branch – 3202 Campbell
Heights Plant – 449 W. 19th Street

Wastewater Operations

Almeda Sims – 12321 Almeda
Sims Bayou Smith – 3005 Galveston Road
Sims Bayou – 9570 Lawndale
Northbelt – 14506 Smith
Northeast – 625 Maxey
Northwest – 54223 Magnun
Southwest – 4211 Beechnut
Turkey Creek – 1147 Enclave Parkway
Keegans Bayou – 9401 White Chapel Lane
Beltway – 1058 Bellaire
WCID – 10601 Huntington Point
West District – 255 Isolde
Upper Brays – 13225
69th Street Plant – 2525 S/sgt. Macario Garcia Drive

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7998

Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Engineering Services for the Corrosion Prevention Program and Approve an Appropriation Ordinance S17-Q22733

Category #
4

Page 1 of 2

Agenda Item

29

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

Origination Date
September 16, 2008

Agenda Date
OCT 29 2008

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:
David Guernsey Phone: (713) 238-5241
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to the best respondent, Corpro Companies, Inc., for engineering services for the corrosion prevention program in an amount not to exceed \$5,894,778.00 and approve an ordinance authorizing the appropriation of \$2,947,389 out of the Water & Sewer System Consolidated Construction Fund (8500) for the Public Works & Engineering Department.

Maximum Contract Amount: \$5,894,778.00

Finance Budget

\$2,947,389.00 - Water & Sewer System Consolidated Construction Fund FY09 (8500) WBS S-000037-0003-3
 \$2,947,389.00 - Water & Sewer System Consolidated Construction Fund FY10 (8500)

 \$5,894,778.00 - Total

10/22/08

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a two-year contract, with three one-year options to Corpro Companies, Inc. in an amount not to exceed \$5,894,778.00 for engineering services for the corrosion prevention program and approve an ordinance authorizing the appropriation of \$2,947,389 out of the Water & Sewer System Consolidated Construction Fund (8500) for the Public Works & Engineering Department (PW&E). The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all labor, equipment, materials, tools, supervision and transportation necessary to provide engineering services for the corrosion prevention services for the City's water and wastewater facilities. Additionally, the contractor will provide technical support to the City for the buried steel, ductile iron and prestressed concrete water transmission pipelines including over 300 above-grade pipeline crossings, over 300 water production facilities and over 600 wastewater facilities and force mains.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Sixteen prospective suppliers downloaded the solicitation document from SPD's e-bidding website and two proposals were received as outlined below. The Strategic Purchasing Division conducted a thorough search for additional suppliers who could possibly perform these services. As a result, six suppliers were identified and notified of the Request for Qualifications (RFQ). Subsequent to receipt of the proposal, suppliers were contacted to determine the reason for the limited response to the RFQ; potential respondents advised that this service was not in their core business plans or they did not have the necessary resources to meet the scope of work requirements specified in the RFQ or they were not interested in submitting a bid.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization: *Jim Chang*

Other Authorization: *65CDW 7998 B*
10/22/08

MS

Date: 9/16/2008	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Engineering Services for the Corrosion Prevention Program and Approve an Appropriation Ordinance S17-Q22733	Originator's Initials MS	Page 2 of 2
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Proposals were received from Corrpro Companies, Inc. and Hanson Survey & Design, LLC. The evaluation committee consisted of four evaluators. The proposals were evaluated based on the following criteria:

- Company Requirements
- Permanent Staff Members Qualifications
- Project Management
- Cathodic Protection Experience
- Interference Experience
- Protective Coating Experience
- Materials and Corrosion Evaluations
- M/WBE Participation

Corrpro Companies, Inc. received the highest overall score.

M/WBE Subcontracting:

This RFQ was issued as a goal-oriented contract with a 24% M/WBE participation level. **Corrpro Companies, Inc.** has designated the below-named companies as its certified M/WBE subcontractors:

<u>Name</u>	<u>Type of Work</u>	<u>Dollar Amount</u>	<u>Percentage</u>
SMD Enterprises	Engineer Services	\$294,739.00	5.0%
CEAN Services, Inc	Engineer Services	\$412,634.00	7.0%
ESOR Consulting Engineers, Inc	Engineer Services	\$707,373.00	12.0%
Total		\$1,414,746.00	24.00%

The Affirmative Action Division will monitor this contract.

Estimated Spending Authority

Department	FY09	Out Years	Total
Public Works & Engineering	\$2,947,389.00	\$2,947,389.00	\$5,894,778.00

Buyer: Murdock Smith III

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8071

Subject: Approve an Amending Ordinance to Increase the Maximum Contract Amount for Contract Nos. 57129 and 57130 and Authorize the First Amendment to Contract No. 57129 for Wireless Voice and Data Telecommunications Services for Various Dept. TC-20422-A1.

Category #
4 & 5

Page 1 of 2

Agenda Item

30

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

Origination Date
October 21, 2008

Agenda Date
OCT 29 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Janis Benton Phone: (832) 393-0004
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:
Ord. 2005-822; Passed June 29, 2005.

RECOMMENDATION: (Summary)
Approve an amending ordinance to increase the maximum contract amount from \$9,471,245.00 to \$11,839,056.25 for both contracts between the City of Houston and AT&T Mobility National Accounts, LLC formerly New Cingular Wireless National Accounts, LLC (AT&T) and San Antonio MTA, L.P. dba Verizon Wireless, by Verizon Wireless Texas, LLC, it's General Partner and authorize the first amendment between the City of Houston and AT&T revising the statement of work for wireless voice and data telecommunications services for various departments.

Maximum Contract Amount Increased by: \$2,367,811.25

Finance Budget

\$2,367,811.25 - Central Service Revolving Fund (1002)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance authorizing a first amendment to Contract No. 57129 between the City of Houston and AT&T Mobility National Accounts, LLC (formerly New Cingular Wireless National Accounts, LLC). Additionally, it is recommended that the spending authority for the wireless voice and data telecommunication contracts with AT&T Mobility National Accounts, LLC and GTE Mobilnet of South Texas Limited Partnership d/b/a Verizon Wireless Texas, LLC be increased from \$9,471,245.00 to \$11,839,056 for various departments.

The contracts were awarded on June 29, 2005, by Ordinance No. 2005-0822 for a five-year term, in the total amount of \$9,471,245.00.

The first contract amendment with AT&T Mobility National Accounts, LLC will allow changes to the current services and fees. Additionally, it will provide for an online billing review capability. In order to simplify the billing, the current per minute rate will increase from \$0.037 to \$0.04 and result in a reduction in fees for air cards and Blackberry data services for a net reduction in cost of \$4,224.84 annually for the existing inventory of services. A provision has been added to allow the contractor to install distributed antenna systems inside City facilities, which will improve voice and data coverage. Attached, see the "City of Houston Enhanced Wireless Service Program – AT&T fact sheet". This document outlines the proposed services and rates. The City Purchasing Agent may terminate these contracts at any time upon 30 days written notice to the contractors.

The services that will be provided in each contract are required components of the City's operations and are essential communication and information tools. Increasing the spending authority on the contracts will allow the City to continue to provide mobile users with access to critical information and also leverage this capability for new departmental projects over the remaining two years. For example, a six month pilot with the Houston Police Department using wireless data cards to deliver critical data to police officers in their vehicles has significantly increased productivity as well as aide in the reduction of crime in various City of Houston neighborhoods. These broadband wireless data capabilities provide HPD officers with immediate access to the Department's Records Management System (RMS), HPD gang database, Crime Analysis system, Harris County Justice Information

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NO

30 Revised

Date: 10/21/2008	Subject: Approve an Amending Ordinance to Increase the Maximum Contract Amount for Contract Nos. 57129 and 57130 and Authorize the First Amendment to Contract No. 57129 for Wireless Voice and Data Telecommunications Services for Various Dept. TC-20422-A1.	Originator's Initials Pg CJ 2U	Page 2 of 2
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System (JIMS) and District Attorney Intake Management System (DIMS) applications. Furthermore, many other City Departments rely on this technology for real-time access to data in the field including:

- o HFD EMS uses air cards when communicating to local area hospitals for patient care
- o Health Department uses air cards for field work
- o Technology teams use air cards and Blackberry's to monitor computer systems 24/7
- o Public Works uses laptops, air cards, and PDA devices for real-time field inspections
- o All departments use air cards and/or Blackberry devices during emergency situations (i.e. Hurricane Ike)

~~This contract was awarded with a 12% MWBE participation goal and the contractor is currently exceeding its goal.~~

Attachment A: City of Houston Enhanced Wireless Service Program – AT&T Fact Sheet

Buyer: Conley Jackson

City of Houston Enhanced Wireless Services Program
AT&T Mobility Fact Sheet
October 2008

AT&T Current Program Voice	AT&T Enhanced Program Voice
Pooled Rate of \$.037 cents per minute	Flat rate of \$.04 cents per minute
1.7 million minute pool per month	Unlimited minutes under pool plan per month with no overage charges
One source bill- limited department level billing	WIN CD- facilitate chargeback to cost centers, reporting and analysis tools, and control and optimize your wireless program
1000 Mobile to Mobile minutes	1000 Mobile to Mobile minutes
One free handset- available	One free handset and one free PTT- (push to talk) available
\$30 credit for all net new activations added to voice pool	\$30 credit for all net-activations added to flat rate
Seven national plans	Current national individual voice plans
Additional services- WPS (Priority Calling)	Additional services- WPS (Priority Calling)
Unlimited Nights and Weekends	Unlimited Nights and Weekends
No Additional Charge for Long Distance or Domestic Roaming	No Additional Charge for Long Distance or Domestic Roaming
Free Basic voicemail, caller ID, Call Forwarding, Call Waiting, 3 way calling	Free Basic voicemail, caller ID, Call Forwarding, Call Waiting, 3 way calling
Waived activation fees	Waived activation fees
Waived early termination fees	Waived early termination fees
Waived shipping fees	Waived shipping fees
Waived upgrade fees	Waived upgrade fees
Free ear bud with every new voice handset activation	Free ear bud with every new voice handset activation

**City of Houston Enhanced Wireless Services Program
AT&T Mobility Fact Sheet
October 2008**

AT&T CURRENT PROGRAM DATA	AT&T ENHANCED PROGRAM DATA
Air Card Unlimited Data- \$42.49	Air Card Unlimited Data- \$42.39
Blackberry Unlimited Data \$35.99	Blackberry Unlimited Data \$34.24
20 MB Plan- \$31.99	40MB plan- removed - not needed
Unlimited PDA \$33.99	Unlimited PDA- \$31.99 Unlimited Goodlink Plan - \$35.99
<ul style="list-style-type: none"> • Data device price 15 % discount off best price, • Handset 25% discount • Accessories 25% discount 	<ul style="list-style-type: none"> • Data device price 50 % discount off best price, • Handset 25% discount • Accessories 25% discount
300 Free Text Messages	300 Free Text Messages
750 Text Messages – \$9.99 (discounted 25%)	Media Basic Plan - \$6.99 includes 1500 Text Messages and 1 MB data

**NEW PROGRAM
SERVICE & FEATURES**

BlackBerry device license, maintenance & technical support pricing.

GoodLink PDA device license, maintenance & technical support pricing.

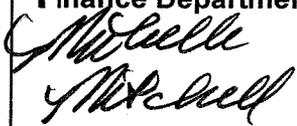
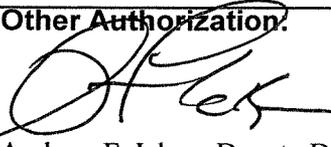
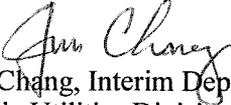
ISE (Distributed Antenna System) pricing, maintenance & technical support used for extending the wireless carrier signal.

International BlackBerry Data Plan - \$69.99 monthly service charge

International Laptop Connect Plan for Air Cards - \$139.99 monthly service charge

TO: Mayor via City Secretary

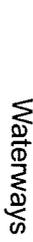
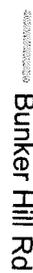
REQUEST FOR COUNCIL ACTION

SUBJECT: Authorize funds to Memorial City Redevelopment Authority dba TIRZ #17 Redevelopment Authority for the Design and Construction of Bunker Hill Road N-000767-0001-4, S-000521-0047-4, R-000521-0047-4.		Page 1 of <u>1</u>	Agenda Item # <u>31</u>
FROM: (Department or other point of origin): Public Works and Engineering		Origination Date 10-16-08	Agenda Date OCT 29 2008
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E. DEE		Council Districts affected: A & G	
For additional information contact: Carol A. Ellinger  Phone: 713-837-7658 Robert Fiederlein Phone: 713-437-6491		Date and identification of prior authorizing Council Action: July 9, 2008; Ordinance 2008-0624	
RECOMMENDATION: (Summary) Appropriate funds for the City's share in the design and construction of Bunker Hill from Long Point to IH-10.			
Amount and Source of Funding: Project Amount: \$3,138,118; \$2,970,115 from Metro Project Commercial Paper Series E Fund No. 4027, and \$168,003 from Water and Sewer System Consolidated Construction Fund No 8500  10/08/08			
PROJECT NOTICE/JUSTIFICATION: In accordance with the Engineering and Construction Agreement for Bunker Hill approved by Council on July 9 th , 2008 (ordinance 2008-0624), Memorial City Tax Increment Reinvestment Zone #17 (TIRZ 17) is requesting the City to appropriate its share of the funds.			
DESCRIPTION/SCOPE: In partnership with Memorial City Tax Increment Reinvestment Zone #17 (TIRZ 17), the project is being designed and constructed as a four lane boulevard from IH-10 Feeder to south of Briar Branch Ditch (HCFCD Unit No. W140-01-00), transitioning to a 44' undivided roadway configured with one traffic lane in each direction and a continuous shared center-turn lane. The project also provides drainage improvements, pedestrian and safety enhancements in the vicinity of Woodview Elementary School, landscaping and necessary underground utility adjustments or relocations.			
LOCATION: The street improvement is located in the Memorial City area, along Bunker Hill from Long Point I-10, Key Map reference grids 490 B, and 450 X.			
PREVIOUS HISTORY AND SCOPE: In accordance with the agreement, TIRZ # 17 advanced engineering and construction of the project and accepted all responsibility for funding the project until City funds were available in their Capital Improvement Plan (CIP). The City has programmed funding for the Bunker Hill project in fiscal year 2009 under project # N-000767 of the CIP.			
MSM:AFI: CAE: PL S:\pwshare\Planning Branch\TIRZ Info\TIRZ 17 Memorial City\RCA			
REQUIRED AUTHORIZATION		CUIC ID #20CAE25	
Finance Department: 	Other Authorization:  Andrew F. Icken, Deputy Director Planning & Development Division, PWE	Other Authorization:  Jun Chang, Interim Deputy Director Public Utilities Division, PWE	

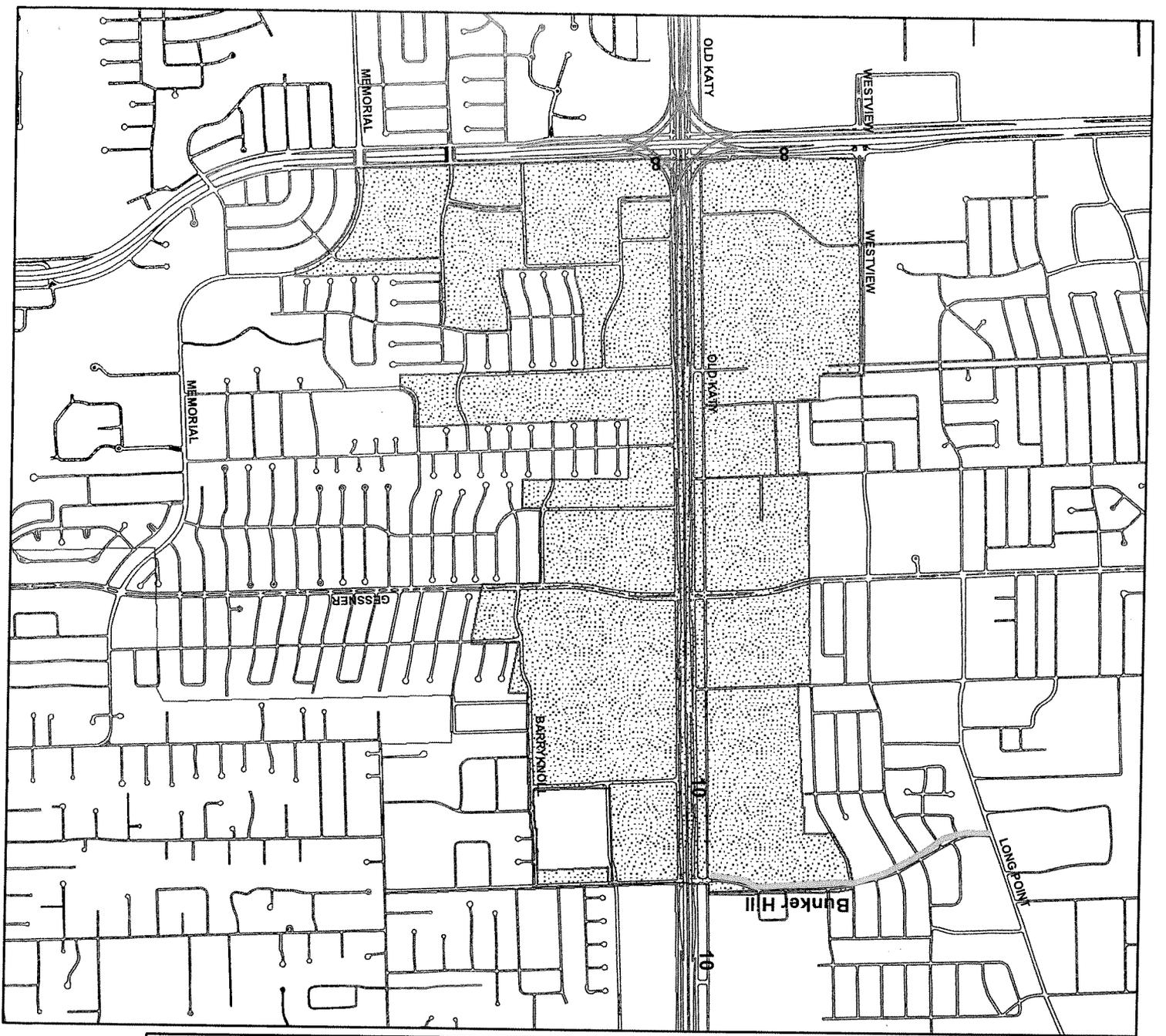
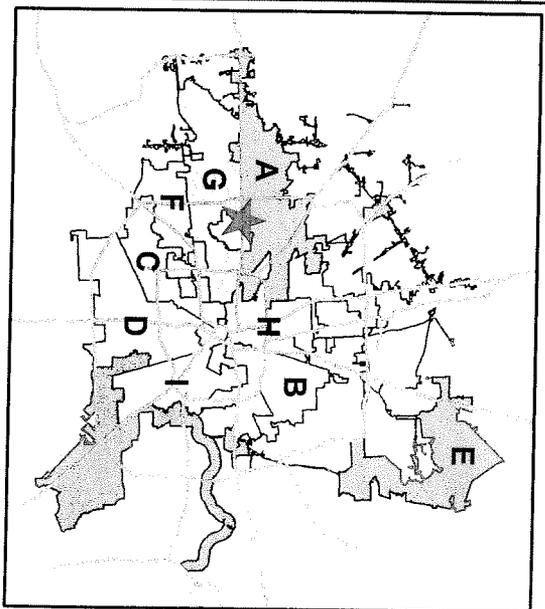
Tax Increment Reinvestment Zone # 17 Memorial City

Bunker Hill N-000767

Legend

-  Railroad
-  Waterways
-  City of Houston
-  TIRZ Boundary
-  Bunker Hill Rd

Locational Map



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

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

SUBJECT: An Ordinance authorizing the execution of a Sanitary Sewer Service Agreement between the City of Houston and Harris County Municipal Utility District No. 406	Category #	Page 1 of 1	Agenda Item # 32
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 10-16-08	Agenda Date OCT 29 2008
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DIRECTOR'S SIGNATURE <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director	Council District affected: "ETJ"
---	--

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

It is recommended that City Council approve an ordinance authorizing the Mayor to execute a Sanitary Sewer Service Agreement between the City of Houston and Harris County Municipal Utility District No. 406

Amount of Funding: NONE REQUIRED
--

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:

Request that City Council approve a Sanitary Sewer Service Agreement between the City of Houston (the "City") and Harris County Municipal Utility District No. 406 (the "District"). The district consists of 509.9 acres located in the vicinity of West Road, North Sam Houston Parkway, Veterans Memorial and I-45 North Freeway. The District is outside the corporate limits of the city, but within the city's extra-territorial jurisdiction ("ETJ").

The City will provide a maximum of 78,750 gallons per 24-hour day of wastewater capacity to the District.

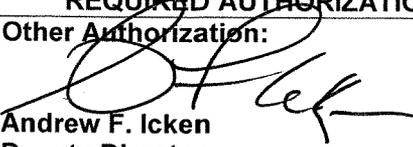
The District's wholesale wastewater service rate is in accordance with Chapter 47-140 (2) of the City of Houston's Code of Ordinances which is currently \$3.185 per 1,000 gallons.

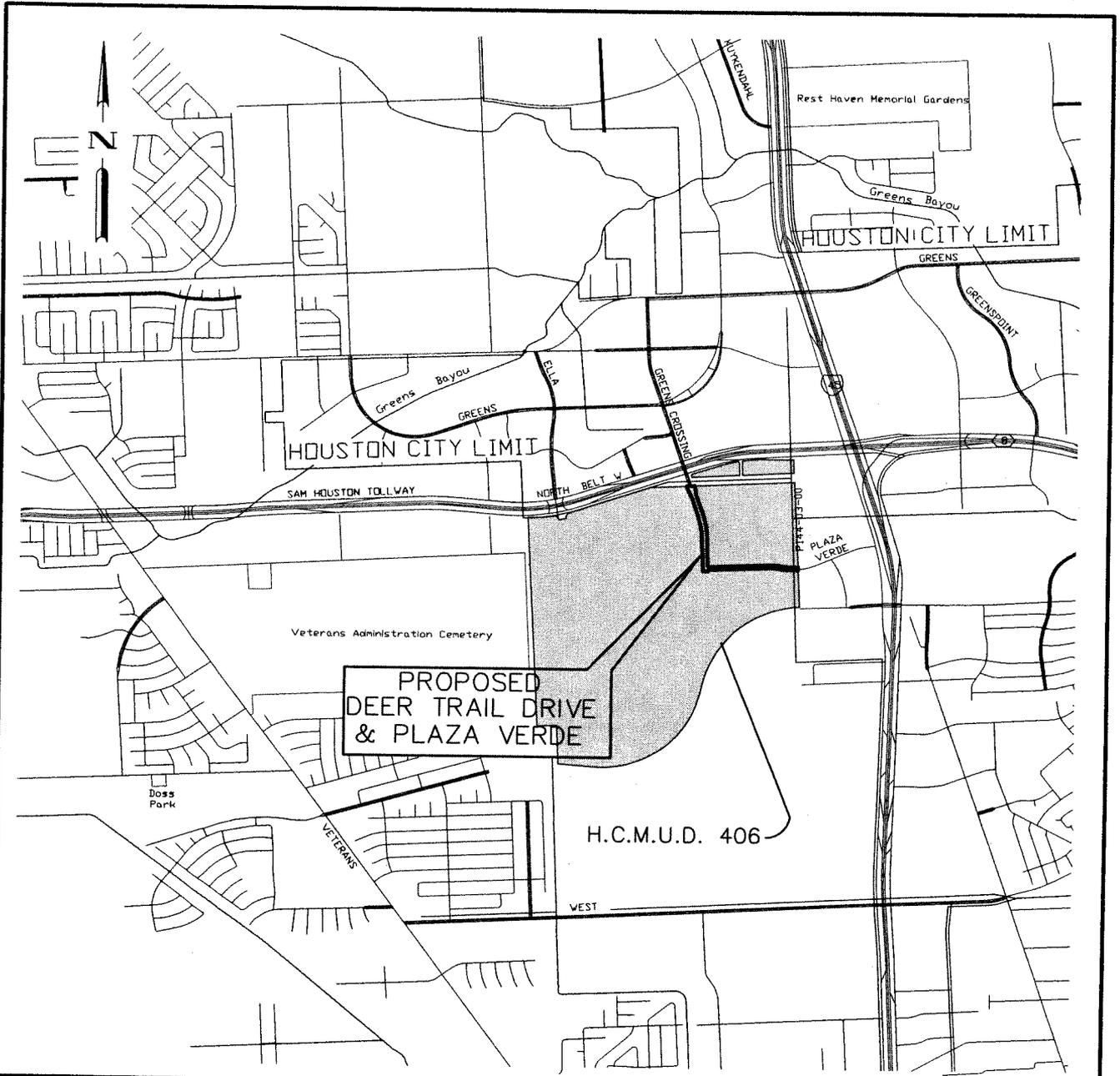
The contract defines and limits prohibited waste and addresses levels of infiltration and inflow ("I & I") originating within the District's service area and ultimately affecting the City of Houston's collection and treatment systems. The agreement details the remedial steps the District must take to address I & I problems if they occur.

The Department of Public Works and Engineering recommends approval of the Sanitary Sewer Service Agreement between the City of Houston and Harris County Municipal Utility District No. 406

Attachments

cc: Marty Stein Marlene Gafrick Jun Chang Mark Loethen
Bill Zrioka Waynette Chan Deborah McAbee Gary Norman

REQUIRED AUTHORIZATION 20JZC478	
Finance Department	Other Authorization:  Andrew F. Icken Deputy Director Planning & Development Services Div.
	Other Authorization:



VICINITY MAP
N.T.S.

HARRIS COUNTY
KEY MAP 372
T, U, X & Y

BROWN & GAY
ENGINEERS, INC.

CIVIL ENGINEERS & SURVEYORS
11490 WESTHEIMER, SUITE 700
HOUSTON, TEXAS 77077
(281) 558-8700

HARRIS COUNTY
M.U.D. 406
509.9 ACRES

Scale: NTS	Job No.: 40660	Date: OCT2008	Exhibit: EXHIBIT-1
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S:\PROJECTS\MUD406\EXHIBITS\MUD406VICINITYMAP-UPDATED.DWG-----NTS

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Wastewater Collection System Rehabilitation and Renewal
WBS# R-000266-0118-4

Page
1 of 2

Agenda Item #

33

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

10-16-08

Agenda Date

OCT 29 2008

DIRECTOR'S SIGNATURE

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

Council District affected:

All

For additional information contact:

Joseph G. Majdalani, P.E.
Senior Assistant Director

Joseph G. Majdalani
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: \$1,651,033.00 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. *10/7/08*

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 730 calendar days.

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

BIDS: Five (5) bids were received on May 29, 2008 for this project as follows:

Bidder	Bid Amount
1. Metro City Construction, L.P.	\$1,536,181.13
2. Troy Construction, L.L.C.	\$1,617,000.60
3. RePipe Construction, LTD	\$1,628,756.16
4. Reliance Construction Services, L.P.	\$1,689,003.41
5. D.L. Elliott Enterprises, Inc.	\$3,630,140.25

File/Project No. WW 4235-40

REQUIRED AUTHORIZATION

CUIC# 20JGM245

Finance Department

Other Authorization:

Other Authorization:

Michelle Mitchell

Jun Chang
Jun Chang, P.E.
Public Utilities Division

NDT

AWARD: It is recommended that this construction contract be awarded to Metro City Construction, L.P. with a low bid of \$1,536,181.13.

PROJECT COST: The total cost of this project is \$1,651,033.00 to be appropriated as follows:

- Bid Amount \$1,536,181.13
- Contingencies \$76,809.06
- Project Management \$23,042.81
- Engineering Testing Services \$15,000.00

Engineering Testing Services will be provided by DAE & Associates, LTD., d/b/a Geotech Engineering & Testing a Texas Limited Partnership, under a previously approved contract.

M/W/SBE 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 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>
RP Construction.	Sewer Installation	\$ 92,170.87	6.00%
Vaca Underground	Sewer Line Installation	\$122,894.49	8.00%
	TOTAL	\$215,065.36	14.00%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
El Dorado Paving Company, Inc.	Paving	\$76,809.05	5.00%
	TOTAL	\$76,809.05	5.00%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Ace Telecom	Sewer Line Installation	\$46,085.43	3.00%
	TOTAL	\$46,085.43	3.00%

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

Jim R. B. J. T.
MSM:JT:JGM:RK:JI:MF:aa

cc: Marty Stein

Susan Bandy, CPA
Velma Laws

File No. WW 4235-40

34

OCT 29 2008

MOTION NO. 2008 0789

MOTION by Council Member Garcia that an item be placed on the Agenda of October 29, 2008, to receive nominations for Position 7 on the Port of Houston Authority of Harris County, for a two- year term.

Seconded by Council Member Rodriguez and carried.

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

Council Member Khan out of the City on business

PASSED AND ADOPTED this 22nd day of October, 2008.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is October 28, 2008.

City Secretary



CITY OF HOUSTON

Office of the Mayor

Interoffice

Correspondence

To: Anna Russell
City Secretary

From: Christina J. Cabral
Boards and Commissions

Date: October 15, 2008

Subject: Nominations for Position 7 on
the Port of Houston Authority of
Harris County

NON-CONSENT AGENDA

MISCELLANEOUS

Motion to set a date not less than seven (7) days from October 22, 2008 to receive nominations for Position 7 on the Port of Houston Authority of Harris County for a two-year term. The two-year term of the current member expired September 20, 2008.

Position 7 Janiece M. Longoria nominated by Council Member Alvarado

CC/jsk

cc: Ms. Marty Stein

RECEIVED
OCT 16 2008
CITY SECRETARY

35

OCT 29 2008

MOTION NO. 2008 0790

MOTION by Council Member Garcia that an item be placed on the Agenda of October 29, 2008, to receive nominations for Position 10 on the Houston Archaeological and Historical Commission Board of Directors, for a two-year unexpired term that will end on March 1, 2010.

Seconded by Council Member Lovell and carried.

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

Council Member Khan out of the City on business

PASSED AND ADOPTED this 22nd day of October, 2008.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is October 28, 2008.

City Secretary



CITY OF HOUSTON

Office of the Mayor

36 Interoffice

OCT 22 2008 Correspondence

C. Cabral

To: Anna Russell
City Secretary

From: Christina Cabral
Boards and Commissions

Date: October 15, 2008

Subject: **Houston Archaeological and
Historical Commission
Council Nominations**

NON-CONSENT AGENDA

MISCELLANEOUS

Motion to set a date not less than seven (7) days from October 22, 2008 to receive nominations for Position 10 of the Houston Archaeological and Historical Commission Board of Directors, for a two-year unexpired term that will end on March 1, 2010:

Position 10 Vacant – previously held by Dr. Suraiya Saleem Nominated by CM Khan

/jsk

cc: Ms. Marty Stein

RECEIVED
OCT 16 2008
CITY SECRETARIAL

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Request for City Council to conduct a public hearing on the proposed airport compatible land use regulations and accompanying maps for George Bush Intercontinental Airport/Houston (IAH), William P. Hobby Airport (HOU) and Ellington Field (EFD).	Category #	Page 1 of 1	Agenda Item # 36
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FROM (Department or other point of origin): Houston Airport System	Origination Date October 22, 2008	Agenda Date OCT 29 2008
--	---	-----------------------------------

DIRECTOR'S SIGNATURE: <i>Tom Bartlett For RMV</i>	Council District affected: B, E, & I
---	--

For additional information contact: Eric R. Potts Phone: 281-233-1999 Monica Newhouse 281-233-1973	Date and identification of prior authorizing Council action:
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AMOUNT & SOURCE OF FUNDING: None Required	Prior appropriations: <i>Hearing 11-19-08</i>
---	---

RECOMMENDATION: (Summary)
Pass a motion to set a date for a public hearing on the proposed airport compatible land use regulations and accompanying maps for the Houston Airport System.

SPECIFIC EXPLANATION:
It is requested that City Council conduct a public hearing on the proposed airport compatible land use regulations and accompanying maps for George Bush Intercontinental Airport/Houston (IAH), William P. Hobby Airport (HOU) and Ellington Field (EFD). The final report was approved by the Airport Commission on October 16, 2008 with a recommendation that the regulations be forwarded to City Council for consideration. Additionally, the regulations were presented to the Council Committee on Transportation, Infrastructure & Aviation on October 23, 2008 resulting in a recommendation that they be forwarded to the full Council for consideration. The suggested date for this public hearing is November 19, 2008.

RMV:ERP:JS

cc: Ms. Marty Stein
 Mr. Anthony W. Hall, Jr.
 Mr. Arturo G. Michel
 Mr. Richard M. Vacar
 Mr. Eric R. Potts
 Mr. Tom Bartlett
 Mr. David Arthur
 Ms. Kathy Elek
 Mr. Aleks Mraovic
 Ms. Monica Newhouse

Mr. Adil Godiwalla
 Mr. John Silva
 Mr. Carlos Ortiz
 Mr. Frank D. Crouch
 Ms. Janice Woods
 Ms. Cynthia Saldana
 Ms. Ellen Erenbaum
 Ms. Roxanne Butler
 Ms. Marlene McClinton

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:
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REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8023

Subject: Approve the Sole Source Purchase of Software Application and Maintenance Support Services for the Workorder Management System (Citywork) for Public Works & Engineering Department S46-E23020

Category # 4

Page 1 of 1

Agenda Item

37 #

FROM (Department or other point of origin):

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

Origination Date

September 17, 2008

Agenda Date

OCT 29 2008

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

David Guernsey Phone: (713) 238-5241
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the sole source purchase from Azteca Systems, Inc. in the amount of \$110,000.00 for software application and maintenance support for the Software Application and Maintenance Support Services for "Cityworks" - (Workorder Management System) for the Public Works & Engineering Department.

Maximum Contract Amount: \$110,000.00

August 10/9/08

Finance Budget

\$110,000.00 - Water & Sewer System Operating Fund (8300)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the sole source purchase from Azteca Systems, Inc. in the amount of \$110,000.00 for software application and maintenance support for the Public Works & Engineering Department's "Cityworks" system, and that authorization be given to issue a purchase order. The "CityWorks" system is used by the PWE to manage and track workorders and customer request for work to be performed by PWE throughout the City of Houston.

Aztec Systems, Inc. is the proprietary owner, developer, manufacturer, supplier, and distributor of the Enterprise-GIS Asset Maintenance Management application used to manage the "Cityworks" system and has no authorized third-party maintenance providers.

The scope of work requires the contractor to provide the software application and maintenance support for the "Cityworks" system that is used to manage a variety of municipal maintenance projects including water, wastewater, street and traffic. This system is housed at 611 Walker (2nd Floor datacenter) and is accessed by more that 500 users with the city-wide network and by more than 50 wireless users. Cityworks is one of the core systems used by PW&E and ensuring that the software application is fully maintained and supported is crucial to PW&E's operation.

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

Buyer: Eric Alexander

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Jim Chang

Mark Smith

65 CDW 8023

NOT

10/30/08

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8100

Subject: Ordinance Approving a System Purchase Agreement for the Public Safety Radio System Project for the Information Technology Department WBS: X-687000-0001-1

Category #
4

Page 1 of 3

Agenda Item

38 #15

FROM (Department or other point of origin):

Richard Lewis
Chief Information Officer
Information Technology

Origination Date

October 17, 2008

Agenda Date

OCT 29 2008
~~OCT 22 2008~~

DIRECTOR'S SIGNATURE

Richard Lewis

Council District(s) affected
All

For additional information contact:

Tom Sorley Phone: (832) 393-9611
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Adopt an ordinance approving a System Purchase Agreement (SPA) with Motorola, Inc., establishing a maximum contract amount of \$132.3 million, which includes partnership options described below, and providing initial funding in the amount of \$15,873,346.00 for both the SPA and other project expenses to be incurred by the City.

Total Initial Funding: \$15,873,346

Finance Budget

\$2,879,890.00 - Police Consolidated Construction Fund (4504)
\$12,993,456.00 - Grant Funds - UASI, LETPP, PSIC (5030) COPS Tech (5000)

SPECIFIC EXPLANATION:

The City's current Public Safety Radio system was deployed in the 1980s and is at the end of its economic and useful life. Recently the Federal Communications Commission initiated a process of allocation of new frequencies in the 700 MHz spectrum to provide public safety agencies additional capacity for critical public safety communications. The City participated in this process and will receive an adequate allocation to satisfy its requirements.

At the same time, the radio communications industry developed new standards, working with the American National Standards Institute (ANSI) for radio interoperability referred to as the P-25 Standards. These standards provide significantly improved communications between agencies, particularly within urban regions.

PROCUREMENT PROCESS:

In the summer of 2006, Mayor White instructed the IT department to pursue a nationwide search for a qualified radio executive to lead this effort. During the course of 2007 a team was formed, system requirements were developed, market preparations were conducted through a Request of Information/Interest that resulted in demonstrations for the City's Team by three different firms. As a result, a Request for Proposals was published in August of 2007. Proposals were received on Dec. 7, 2007.

The Request for Proposal (RFP) was advertised in accordance with the requirements of the State bid laws. One-Hundred Fifty Six perspective bidders downloaded the solicitation document from SPD's e-bidding website and as a result, proposals were received from Motorola, Inc. and MA-COM, Inc. / Tyco Electronics. The evaluation committee consisted of eight evaluators. The proposals were evaluated based upon the following technical criteria:

- System Design – Guaranteed Radio Coverage and System Capacity
- System Design – Reliability, Fault Tolerance, Redundancy, Fall-Back Modes of Operations
- System Features and Functional Requirements
- Installation Management, Maintenance and Support
- Qualifications and Experience with Similar Projects

REQUIRED AUTHORIZATION

NOT

Finance Department:

Other Authorization:

Galvin Wells

Other Authorization:

Date: 10/17/2008	Subject: Ordinance Approving a System Purchase Agreement for the Public Safety Radio System Project for the Information Technology Department WBS: X-687000-0001-1	Originator's Initials FR	Page 2 of 2
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The technical evaluation process was conducted between January and June 2008 when the final technical evaluations were complete. The technical evaluations were extremely close and both proposers were judged to be well qualified to perform this work. As a result, both firms were invited to participate in contract negotiations that occurred beginning in July.

KEY DEAL TERMS:

Each firm was treated equally during the negotiations process. Standard terms were developed and discussed with each firm beginning in late July and continuing until October 10, 2008. These terms included system pricing, collateralization of Seller guarantees through performance and payment bonds and an unconditional Letter of Credit (LOC), system infrastructure requirements, quantities of radios, price guarantees for future purchases, milestone and payment schedules, site conditions and issues, system testing and acceptance, terminations and remedies, etc.

As a result of this process, both vendors were asked to provide any material exceptions to the standard contract terms and none were received. Both vendors were also allowed to improve their pricing by submitting revised pricing before 8:00 PM on Thursday, October 9, 2008. Both vendors responded and Motorola's response was lower, by almost \$7 million.

BASE CONTRACT AND OPTIONS:

The significant elements of base cost in the SPA are the infrastructure (\$76 million) and subscriber radios that involve a range of cost because there are options related to the availability of digital radios currently offered by Motorola and radios that will be available in the near future, which have the capability to use both 450 MHz analog and 700/800 MHz digital modes.

Options that have been included in the SPA include:

1. "Hard to cover areas", i.e. Galleria, Downtown Tunnels and Reliant Park at a cost of \$5.8 million, which would involve contributions of funds by area Tax Increment Redevelopment Authorities (TIRZ's).
2. Additional City talk paths that would allow for partnerships with entities such as Harris County, METRO, and various ISDs, at a cost of \$9.9 million, with funding to be provided by potential partners.
3. An option for CenterPoint Energy to participate in the project, provided a waiver is approved by the FCC, and funding of \$8.8 million or in-kind services are provided.

IMPLEMENTATION PROCESS:

Soon after the countersignature process occurs, the City and Motorola will begin the design phase of the project, which is projected to take approximately nine months. During this phase the City's requirements will be defined with greater specificity. In addition, other entities will be invited to participate in the joint use of this system. Initial discussions with these entities have already occurred. The Administration hopes that this results in one joint-use system for the Houston Region that provides significant economies of scale for each jurisdiction.

Date: 10/17/2008	Subject: Ordinance Approving a System Purchase Agreement for the Public Safety Radio System Project for the Information Technology Department WBS: X-687000-0001-1	Originator's Initials FR	Page 3 of 3
---------------------	--	--------------------------------	-------------

M/WBE SUBCONTRACTING:

This RFP was issued as a goal-oriented contract with 11% M/WBE participation level. Motorola, Inc. has designated the below named companies as its certified M/WBE subcontractors:

<u>Subcontractor</u>	<u>Type of Work</u>	<u>Amount</u>
Access Data Supply Inc	Warehousing	\$ 450,000.00
Consolidated Telecom Serv	Shelter Site Dev	\$12,000,000.00

The Affirmative Action Division will monitor this contract.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Lease Agreement with 2550 North Loop West LP at 2550 North Loop West for the Radio Communications Division of the Information Technology Department WBS No. X-687000-0001-1-06-01		Page 1 of 1	Agenda Item <div style="border: 1px solid black; padding: 5px; display: inline-block;"> 38A-15A </div>
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FROM (Department or other point of origin): General Services Department	Origination Date 10-17-08	Agenda Date OCT 22 2008
---	-------------------------------------	--

DIRECTOR'S SIGNATURE: <i>Issa Z. Dadoush</i> Issa Z. Dadoush, P.E.	Council District affected: A OCT 29 2008
--	---

For additional information contact: Jacquelyn L. Nisby 832-393-8023	Date and identification of prior authorizing council action:
---	---

RECOMMENDATION: Approve and authorize a Lease Agreement with 2550 North Loop West LP for leased space at 2550 North Loop West for the Radio Communications Division of the Information Technology Department and appropriate funds.

Amount and Source Of Funding: Police Consolidated Construction Fund (4504) \$ 676,759.50 Rent \$ 96,422.48 Estimated operating expenses \$ 773,181.98 Total cost for Initial Base Term	Finance Budget: 
--	---

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve and authorize a Lease Agreement with 2550 North Loop West LP for 7,647 square feet of leased space at 2550 North Loop West for the Radio Communications Division of the Information Technology Department (IT). IT will utilize this space to house the City and contract personnel responsible for the City's Radio Replacement Project. The selected contractor will pay their proportional share of the rent and operating expenses. The proposed Lease Agreement provides for a five-year lease term with one five-year renewal option at the current market rate. The base rental rates are as follows:

Year	Monthly Payment
Years 1 - 3	\$11,151.88 (\$17.50 psf per year/\$1.45 psf per month)
Years 4 - 5	\$11,470.50 (\$18.00 psf per year/\$1.50 psf per month)

The Landlord will build out the leased space to meet the requirements of IT. Construction costs are estimated at \$78,170.60 (\$10.22 psf). The Landlord will contribute a tenant improvement allowance of \$114,705.00 (\$15.00 psf) toward construction costs.

The new lease will commence on the date the Certificate of Occupancy is signed by the City acknowledging that the Landlord has substantially completed the improvements. The monthly rental for the new lease term will begin upon the Occupancy Date.

The Landlord is responsible for maintaining the building and IT is responsible for paying its proportionate share of its costs as well as taxes, insurance and utilities, which is estimated at \$96,422.48 for the initial five year term.

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Tom Sorley

REQUIRED AUTHORIZATION

CUIC ID# 25 RB 30

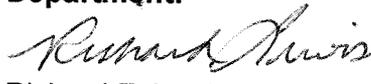
General Services Department:



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

(Empty space for signature)

Information Technology Department:



Richard F. Lewis
 Director

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8099

Subject: Approve an Ordinance Authorizing a Contract between the City and Miller & Van Eaton P.L.L.C. for Legal Services for the Information Technology Department, and Appropriate Funds WBS: X-687000-0001-1-06

Category #
9

Page 1 of 1

Agenda Item

38b/5b

FROM (Department or other point of origin):

Richard Lewis
Chief Information Officer
Information Technology

Origination Date

October 17, 2008

Agenda Date

OCT 29 2008
~~OCT 29 2008~~

DIRECTOR'S SIGNATURE



Council District(s) affected
All

For additional information contact:

Tom Sorley Phone: (832) 393-9611
Frank Rodriguez Phone: (832) 393-9610

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance authorizing a contract between the City and Miller & Van Eaton P.L.L.C. for legal services for the Information Technology Department, and appropriate funds.

Award Amount: \$100,000.00

Finance Budget

\$100,000.00 - Police Consolidated Construction Fund (4504)

SPECIFIC EXPLANATION:

The Information Technology Department requests the approval of an ordinance appropriating \$100,000 from the Police Consolidated Construction Fund and authorizing a contract between the City and Miller & Van Eaton P.L.L.C. ("the Firm") for legal services.

The Firm has represented the City in various matters for several years including the legal work for negotiation and development of the 700 MHz System Procurement Agreement. The proposed ordinance authorizes a contract between the City and the Firm to provide the following (1) assist in the City staff efforts to negotiate contract terms and draft an Interlocal Cooperation Agreement between City and Harris County; (2) assist City staff efforts to negotiate contract terms and draft agreement with CenterPoint Energy; (3) draft a "Master Interlocal Agreement" for the City to contract with other political subdivisions of the State of Texas; (4) prepare a Waiver Request from the Federal Communications Commission for the City to contract with CenterPoint Energy; (5) assist the Mayor and City Council as requested by the City Attorney in regard to the City's Public Safety Radio System Contract. In addition, the City Attorney may authorize additional tasks related to Trunked Radio System and other related issues. Specific tasks will be authorized in advance by the City Attorney.

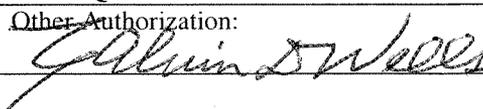
The Firm's expertise in the area of the law related to radio system contracts will be of great benefit to City in the development of the negotiation strategy, execution, and reaching agreement on the interlocal agreements that can be executed by the parties.

REQUIRED AUTHORIZATION

NDT

Finance Department:

Other Authorization:



Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT:

Approve an Ordinance Awarding a Contract for Cost Allocation Services for the Development of Annual Cost Allocation Plans for the Finance Department

RCA #

Category #

Page 1 of

Agenda Item#

39 22

FROM: (Department or other point of origin)

Michelle Mitchell, Director
Finance Department

Origination Date

September 26, 2008

Agenda Date

~~OCT 22 2008~~

DIRECTOR'S SIGNATURE:

Michelle Mitchell

Council Districts affected:

All OCT 29 2008

For additional information contact:

Phone: Regina Dickson (713) 837-9665 or
Phone: Douglas Seckel (713) 837-9880

Date and identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a multi-year contract to the best respondent Maximus Financial Services, Inc. in an amount not to exceed \$298,461 for the development of annual Cost Allocation Plans in compliance with federal accounting regulations for the Finance Department.

Amount of Funding:

Maximum Contract Amount: \$298,461

Finance Budget:

\$298,461 General Fund (1000)

SPECIFIC EXPLANATION:

The Finance Department is requesting that City Council approve an ordinance awarding a three-year contract, with two one-year options to Maximus Financial Services, Inc. in an amount not to exceed \$298,461 for the development of annual Cost Allocation Plans for the Finance Department. These services are necessary to maintain compliance with Federal grant regulations. The Director of Finance has the option to terminate this Agreement at any time by giving 30-day written notice to Contractor.

The Scope of Work requires the contractor to develop the cost allocation plan for the City in two phases: Phase I – Contractor shall research and gather materials necessary to develop the Plan. Phase II – Contractor shall use the cost identified in Phase I to develop, submit and enhance the City's ability to recover costs under various Federal programs.

A Request for Qualifications and Proposals (RFQP) was prepared and advertised on the City of Houston Strategic Purchasing Division's website from July 25, 2008 to August 8, 2008. Eighteen (18) prospective bidders downloaded the solicitation document from SPD's e-bidding website and two firms responded to the RFQP. The selection criteria were based on the demonstrated competence and qualifications of the proposers.

The following firm is recommended for award: Maximus Financial Services, Inc.

M/WBE Subcontractor:

This request for qualification was issued as a goal-oriented contract with a M/WBE participation level. **Maximus Financial Services, Inc.** has designated the below-named company as its certified M/WBE subcontractor with a 13% participation level:

Name	Type of Work	Dollar Amount	Percent
Mir Fox & Rodriquez, P.C.	Cost Allocation Services	\$6,660	13.0%

The Affirmative Action Department will monitor this contract. The requested spending authority is as follows:

FY2009	OUT YEARS	TOTAL
\$ 56,537	\$ 241,924	\$ 298,461

REQUIRED AUTHORIZATION

Finance Director:

Douglas Seckel
Douglas Seckel, Deputy Director,
Finance Dept., Accounting and
Internal Control Division

Other Authorization:

NDT