

AGENDA - COUNCIL MEETING - WEDNESDAY - NOVEMBER 12, 2008 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Brown

9:00 A. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

9:30 A. 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

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** on proposals for the City of Houston to enter into separate strategic partnership agreements with the below named districts in Harris County and Fort Bend County; on separate proposals by the City of Houston to annex for limited purposes certain territory within said Districts and certain territory in the vicinity of certain Districts; and on separate proposals by the City of Houston to amend the regulatory plans for limited purposes of certain territory in the vicinity of certain Districts:
 - a. Amending the existing strategic partnership agreement with **Chelford City Municipal Utility District**;
 - b. Amending the existing strategic partnership agreement with **Harris County Water Control and Improvement District No. 36**;
 - c. **Addicks Utility District**;
 - d. **Harris County Municipal Utility District No. 500** involving the Towne Lake Management District;
 - e. **Harris County Municipal Utility District No. 501** involving the Towne Lake Management District;
 - f. **Harris County Municipal Utility District No. 503** involving the Towne Lake Management District;
 - g. **Cinco Municipal Utility District No. 2**;
 - h. **Cinco Municipal Utility District No. 5**;
 - i. **Harris County Municipal Utility District No. 49**;
 - j. **Harris County Municipal Utility District No. 71**;
 - k. **Harris County Municipal Utility District No. 106**;
 - l. **Harris County Municipal Utility District No. 144**;
 - m. **Harris County Municipal Utility District No. 165**;
 - n. **Harris County Municipal Utility District No. 166**;
 - o. **Harris County Municipal Utility District No. 278**;
 - p. **Harris County Municipal Utility District No. 371**;
 - q. **Harris County Municipal Utility District No. 383**;
 - r. **Harris County Utility District No. 15**; and
 - s. Amending regulatory plans for certain territory previously annexed for limited purposes located in Harris County and Fort Bend County, located in the vicinity of various municipal utility districts and other similar entities as listed in the ordinance

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 40

MISCELLANEOUS - NUMBERS 2 through 7

2. REQUEST from Mayor for confirmation of the reappointment of the following as **Full-Time Municipal Court Judges** for two year terms:

NANCY J. BAILEY
GLADYS T. BRANSFORD
MARIA E. CASANOVA
GRANTHAM HARLAN COLEMAN
HERBERT GEE
KATHY K. HAN
GORDON G. MARCUM II

ESMERALDA PEÑA GARCIA
IMELDA REYES-CASTILLO
LEIGH F. SAINT-GERMAIN
ADAM SILVERMAN
ELAINE M. TIMBERLAKE
FRANCELIA E. TOTTY

3. REQUEST from Mayor for confirmation of the appointment or reappointment of the following as **Part-Time Municipal Court Judges** for two year terms:

WALTER SCHROEDER, reappointment
SCOTT K. BOATES, reappointment
SHERILYN EDWARDS, reappointment
MARGARET MUNOZ-HARKINS, reappointment
FAD WILSON, JR., reappointment
CATHERINE N. WYLIE, appointment
DAVID QUAN, reappointment
ANDREW MARTIN, reappointment
ANGELA P. PHEA, reappointment
URSULA HALL, reappointment
JOHN CHASE, JR., reappointment
SHERRY APPLEWHITE, reappointment
KERRI J. DORMAN, appointment
OSWALD J. SCOTT, JR., reappointment
JOSEFINA NELSON, reappointment
ROBERT ROSENBERG, reappointment

RAUL RODRIGUEZ, reappointment
JACQUELINE MILLER, appointment
JOELLEN SNOW, reappointment
NIKITA V. HARMON, reappointment
ARTURO DELEON, JR., reappointment
BURHAN NOMANI, reappointment
STEPHAN HONORÉ, reappointment
TRI NGUYEN, reappointment
MARIO MADRID, appointment
LYDIA JOHNSON, reappointment
WILLIAM A. ALLEN, reappointment
MIN UN LEE, reappointment
BARBARA HARTLE, reappointment
AMPARO MONIQUE YAÑEZ, reappointment
MIMI MALICK BERKOWITZ, appointment
HOWARD L. SPEIGHT, reappointment

4. REQUEST from Mayor for confirmation of the reappointment of **MR. JAMIE MIZE**, to Position One, to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER THREE, CITY OF HOUSTON, TEXAS (MAIN STREET MARKET STREET ZONE)**, for a term ending December 31, 2008 and as Chair for a term ending December 31, 2008
5. RECOMMENDATION from Acting Director Human Resources to exercise one-year renewal options for contracts with **SELECT CARE OF TEXAS (TEXANPLUS)**, **TEXAS HEALTHSPRING** and **AETNA LIFE INSURANCE COMPANY** for Medicare Advantage Health Benefit Plans
6. RECOMMENDATION for approval of City of Houston Legislative Principles for the 81st Session of the Texas Legislature
7. RECOMMENDATION from Director Department of Public Works & Engineering for payment of invoice from **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) ANNUAL CONSOLIDATED WATER QUALITY (CWQ)** fee for FY09 - \$1,175,230.20 - Enterprise Fund

ACCEPT WORK - NUMBERS 8 and 8A

8. ORDINANCE appropriating \$15,174.31 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Construction of Melrose Park Lift Station, WBS R-000267-00C1-4, under Construction Contract with **PELTIER BROTHERS CONSTRUCTION, LTD.** (approved by Ordinance No. 05-0321) - **DISTRICT B - JOHNSON**
- a. RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 1 in the amount of \$54,245.31, final contract amount of \$832,152.31 and acceptance of work on contract with **PELTIER BROTHERS CONSTRUCTION, LTD.**, for Melrose Park Lift Station Project, WBS R-000267-00C1-4 - 6.49% over the original contract amount **DISTRICT B - JOHNSON**

PROPERTY - NUMBER 9

9. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Christy B. Smidt of Kerry R. Gilbert & Associates, Inc., on behalf of EBH Development Group, for abandonment and sale of Briarway Court from Briar Hollow Lane to its terminus and a 10-foot-wide prescriptive storm sewer easement, all located within the Ivy Oaks Subdivision plat out of the William White Survey, A-836, Parcels SY9-010A and SY9-010B - **DISTRICT G - HOLM**

PURCHASING AND TABULATION OF BIDS - NUMBERS 10 through 15

10. **AMERICAN BANK NOTE COMPANY** for Security Bank Note Vital Paper for Health & Human Services Department - \$255,954.00 - General Fund
11. ORDINANCE appropriating \$146,492.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Repair of a 24" Water Force Main at 1024 W. Bay Area Blvd. and I-45 for the Public Works & Engineering Department
 - a. **REYTEC CONSTRUCTION RESOURCES, INC** for Emergency Repair of a 24" Water Main for the Department of Public Works & Engineering - \$146,492.00 - Enterprise Fund
12. **GREEN EQUIPMENT COMPANY** for QuikView® Cameras (Pole Mounted) through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Department of Public Works & Engineering - \$84,849.60 - Stormwater Fund
13. **AMEND MOTION #2006-249, 3/29/06, TO INCREASE** spending authority from \$594,063.10 to \$742,579.11, for Auto Chrysler Group OEM Parts and Repair for Various Departments, awarded to **HOUSTON MAC HAIK DODGE CHRYSLER JEEP, LTD.** - General and Fleet Management Funds
14. **W. W. GRAINGER, INC** for Maintenance, Repair and Operating Supplies from the State of Texas Building and Procurement Commission's Contract for Various Departments - \$4,110,505.36 General, Enterprise and Other Funds
15. **COLONIAL HARDWARE** - \$291,448.63 and **HOUSTON INDUSTRIAL TOOLS** - \$156,815.37 for Tools, Hand, Electric and Pneumatic for Various Departments - General and Enterprise Funds

ORDINANCES - NUMBERS 16 through 40

16. ORDINANCE **AMENDING SECTION 28-37 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the regulation and prohibition of Attention-Getting Devices; containing definitions; making various provisions and findings relating to the foregoing subject

17. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a surface pipeline easement and a subsurface pipeline easement (Parcels SY7-033A and SY7-033B), vacating and abandoning said easements to Monument Pipeline, L.P. ("Monument"), and granting four temporary workspace easements (Parcels SY7-033C through SY7-033F) in consideration of Monument's payment to the City of \$21,003.00; further, finding and determining that public convenience and necessity no longer require the continued use of a subsurface pipeline easement (Parcel SY7-034A); vacating and abandoning said easement to CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Texas Gas Operations ("CenterPoint") and granting two temporary workspace easements (Parcels SY7-034B and SY7-034C) in consideration of CenterPoint's payment to the City of \$5,423.00, all parcels located within the H.T.& B.R.R. Co. Survey, Section 5, A-469, Houston, Harris County, Texas - **DISTRICT E - SULLIVAN**

18. ORDINANCE establishing the east and west sides of the 300 block of Archer Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA**

19. ORDINANCE establishing the east and west sides of the 300 block of Archer Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA**

20. ORDINANCE establishing the north side of the 1200 block of West Drew Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - ADAMS**

21. ORDINANCE establishing the north side of the 1200 block of West Drew Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - ADAMS**

22. ORDINANCE amending City of Houston Ordinance No. 2008-385, passed on April 30, 2008 which approved and authorized the submission of the 2008 Consolidated Action Plan ("Plan") and various Federal Grant Applications, by making a substantial amendment to the plan to add a new grant application for the Neighborhood Stabilization Program in the amount of \$13,542,193.00 and to accept the aforementioned grant funds, if awarded - **DISTRICTS A - LAWRENCE; B - JOHNSON; D - ADAMS; E - SULLIVAN; H - GARCIA and I - RODRIGUEZ**

ORDINANCES - continued

23. ORDINANCE appropriating \$2,119,507.80 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Seventeen, City of Houston, Texas, (Memorial City Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone), Reinvestment Zone Number Twenty-One, City of Houston, Texas (Hardy Place), and Reinvestment Zone Number Twenty-Two, City of Houston Texas (Leland Woods) for Administrative Expenses, payment of Project Costs, payment to Houston Independent School District, payments to certain redevelopment authorities as provided herein
24. ORDINANCE approving and authorizing Interlocal Agreement among the City of Houston, Texas, **REINVESTMENT ZONE NUMBER TWO, CITY OF HOUSTON, TEXAS (MIDTOWN ZONE)**, the **MIDTOWN REDEVELOPMENT AUTHORITY**, and the **HOUSTON COMMUNITY COLLEGE SYSTEM** for the Participation of the Houston Community College System in Reinvestment Zone Number Two, City of Houston, Texas - **DISTRICTS D - ADAMS and I - RODRIGUEZ**
25. ORDINANCE awarding contract between the City of Houston and **JOHNSON AND JOHNSON ATTORNEYS AT LAW** to represent the City of Houston before the 81st Session of the Texas Legislature and State Agencies; providing a maximum contract amount - 2 Years - \$735,000.00 General Fund
26. ORDINANCE approving and authorizing acceptance of contract between the City of Houston and the **HOUSTON-GALVESTON AREA COUNCIL (HGAC)** and acceptance of grant funds for the Solid Waste Implementation Grant to enhance Neighborhood Recycling Drop-Offs and Recycling Centers - \$449,599.00
27. ORDINANCE amending Ordinance Number 2007-1260 to increase the maximum contract amount for contract between the City and the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS**, for Transit Fare Media for City Employees - \$70,000.00 - General, Enterprise and Other Funds
28. ORDINANCE approving and authorizing contract between the City and the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS**, for Purchase of Employee Transit Fare Media; providing a maximum contract amount - \$990,000.00 - General, Enterprise and Other Funds
29. ORDINANCE appropriating \$187,000.00 out of Public Health Consolidated Construction Fund as an additional appropriation for Energy Management and Maintenance Services Contract between the City of Houston and **JOHNSON CONTROLS, INC** (approved by Ordinance No. 2008-122); amending Ordinance No. 2008-122 to increase the maximum contract amount for the aforementioned contract; approving and authorizing first amendment to the aforementioned contract; providing funding for contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund

ORDINANCES - continued

30. ORDINANCE awarding contract to **ASHBROOK SIMON-HARTLEY OPERATIONS, LP** for Belt Filter Press Assembly Services for Public Works & Engineering Department; providing a maximum contract amount - 3 years with two one-year options - \$1,470,526.58 - Enterprise Fund
31. ORDINANCE approving License Agreement between the City of Houston, Texas and **ROBERT LEE BURNS**, as licensee, for use of 61.1918 acres of land out of the G. P. Burnett Survey, A-1382, Houston, Harris County (adjacent to the City's Southeast Sewage Treatment Plant) **DISTRICT E - SULLIVAN**
32. ORDINANCE appropriating \$399,877.50 out of Reimbursement of Equipment/Projects Fund to be reimbursed from the Woodlands Regional Participation Fund and approving and authorizing Professional Landscape Architectural Services Task Order Contract between the City of Houston and **SWA GROUP, INC** for the Lake Houston Park for the Parks & Recreation Department, WBS F-000695-0002-3; providing a maximum contract amount; providing funding for the Civic Art Program and contingencies relating to design services financed by the Reimbursement of Equipment/Projects Fund
33. ORDINANCE appropriating \$7,040,000.00 out of Drainage Improvements Commercial Paper Series F Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **TCB, INC** for Services associated with the Storm Water Management Program (SWMP) (approved by Ordinance No. 03-1195), providing funding for contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F Fund
34. ORDINANCE appropriating \$4,095,058.24 out of Metro Project Commercial Paper Series E Fund, \$2,612,423.67 from the Water & Sewer System Consolidated Construction Fund; and \$238,408.57 from Water & Sewer Contributed Capital Fund awarding contract to **SER CONSTRUCTION PARTNERS, LTD.** for Monroe Road Paving from Fuqua to Beltway 8, WBS N-000711-0001-4 ("The Project"); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, construction management; declaring the City's intent to reimburse all or part of the funds appropriated with proceeds of joint participation contracts with City of Pearland and MUD 382 ("The Joint Participation Contracts") - **DISTRICT E - SULLIVAN**
35. ORDINANCE appropriating \$4,657,300.00 out of Street & Bridge Consolidated Construction Fund and \$1,560,000.00 out of Parks Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, CO.** for Realignment of North MacGregor from MacGregor Drive to Almeda, WBS N-000799-0001-4 and WBS F-000508-0002-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, construction management and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and Parks Consolidated Construction Fund - **DISTRICT D - ADAMS**
36. ORDINANCE appropriating \$594,000.00 out of Drainage Improvement Commercial Paper Series F Fund; awarding contract to **TRIPLE B SERVICES, L.L.P.** for Roseneath Drive Storm Sewer Replacement, WBS M-000126-0059-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines providing funding for engineering testing, project management and contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund - **DISTRICT D - ADAMS**

ORDINANCES - continued

37. ORDINANCE appropriating \$2,035,940.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **ACM CONTRACTORS, INC** for Water Line Replacement in Ellena Gardens-South Section Area, WBS S-000035-00N1-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GARCIA**
38. ORDINANCE granting to **J BAR CONTRACTOR'S SERVICES, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **FIRST READING**
39. ORDINANCE granting to **TAP ENVIRONMENTAL, INC, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING**
40. ORDINANCE No. 2008-984, passed first reading November 5, 2008
ORDINANCE granting to **LONGHORN BAG, LLC, A Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 41 through 44

41. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,630,596.85 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.**, for Sewer Line Relocation and Replacement, WBS R-000266-00U2-4 (WW4898) - 3.11% under the original contract amount - **DISTRICTS B - JOHNSON; H - GARCIA and I - RODRIGUEZ** - **TAGGED BY COUNCIL MEMBER GARCIA**
This was Item 9 on Agenda of November 5, 2008
42. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,527,866.50 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.**, for Waterline Relocation and Replacement, WBS S-000035-00V2-4 (WW10863) - 1.05% under the original contract amount - **DISTRICTS H - GARCIA and I - RODRIGUEZ** - **TAGGED BY COUNCIL MEMBER GARCIA**
This was Item 10 on Agenda of November 5, 2008

MATTERS HELD - continued

43. RECOMMENDATION from Purchasing Agent award to **UR INTERNATIONAL, INC** for Radio Frequency Identification System for the Houston Department of Health & Human Services \$250,800.00 - General and Health Special Revenue Funds

TAGGED BY COUNCIL MEMBER NORIEGA

This was Item 14 on Agenda of November 5, 2008

44. ORDINANCE appropriating \$1,349,251.13 out of Parks Consolidated Construction Fund and \$387,000.00 out of Parks Special Fund and approving and authorizing first amendment to Professional Landscape Architectural Task Order Contract between the City of Houston and **CLARK CONDON ASSOCIATES, INC** (Approved by Ordinance No. 08-0455) for the Parks and Recreation Department, WBS F-00504B-0002-3; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - **TAGGED BY COUNCIL MEMBERS ADAMS and RODRIGUEZ**

This was Item 31 on Agenda of November 5, 2008

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Lovell 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



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

2
NOV 12 2008

COPY TO EACH MEMBER OF COUNCIL:
CITY SECRETARY: 7-18-08

DATE

COUNCIL MEMBER: _____

July 18, 2008

Members of City Council
Chief Judge Berta Mejia

Re: Appointments to City of Houston Full-Time Municipal Court Judges

Dear Council Members and Judge Mejia:

By this letter, I am reappointing the following individuals as full-time Municipal Court Judges, subject to Council confirmation. The reappointed Judges shall serve two-year terms beginning immediately upon approval by Council.

Names	Reappointed
Judge Nancy J. Bailey	Reappointed
Judge Gladys T. Bransford	Reappointed
Judge Maria E. Casanova	Reappointed
Judge Grantham Harlan Coleman	Reappointed
Judge Herbert Gee	Reappointed
Judge Kathy K. Han	Reappointed
Judge Maria T. Jackson	Reappointed
Judge Steven E. Kirkland	Reappointed
Judge Gordon G. Marcum, II	Reappointed
Judge Esmeralda Peña Garcia	Reappointed
Judge Imelda Reyes-Castillo	Reappointed
Judge Leigh F. Saint-Germain	Reappointed
Judge Adam Silverman	Reappointed
Judge Elaine M. Timberlake	Reappointed
Judge Francelia E. Totty	Reappointed

The résumés of these nominees are on file in the Office of the City Secretary.

Sincerely,

Bill White

Bill White
Mayor

BW:CC:jsk

cc: Christina J. Cabral, director, Boards and Commissions





BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

3
NOV 12 2008

July 18, 2008

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 7-18-08

DATE

COUNCIL MEMBER: _____

Members of City Council
Chief Judge Berta Mejia

Re: Appointments to City of Houston Part-Time Municipal Court Judge

Dear Council Members and Judge Mejia:

By this letter, I am appointing the following individuals to serve as part-time Municipal Court Judges, subject to Council confirmation. The newly appointed Judges shall serve two-year term beginning immediately upon approval by Council.

Names	Position	Reappointed/Newly Appointed
Joel Salazar	01	Reappointed
Walter Schroeder	02	Reappointed
Scott Boates	03	Reappointed
Sherilyn Edwards	04	Reappointed
Margaret Munoz-Harkins	06	Reappointed
Fad Wilson, Jr.	07	Reappointed
Catherine N. Wylie	08	Newly Appointed
David Quan	09	Reappointed
Andrew Martin	10	Reappointed
Angela P. Phea	11	Reappointed
Ursula Hall	14	Reappointed
John Chase, Jr.	15	Reappointed
Sherry Applewhite	16	Reappointed
Kerri J. Dorman	17	Newly Appointed
Oswald J. Scott, Jr.	18	Reappointed
Josefina Nelson	19	Reappointed
Robert Rosenberg	20	Reappointed
Raul Rodriguez	21	Reappointed
Jacqueline Miller	22	Newly Appointed

Joellen Snow	23	Reappointed
Nikita V. Harmon	24	Reappointed
Arturo Deleon, Jr.	26	Reappointed
Burhan Nomani	27	Reappointed
Stephan Honore	28	Reappointed
Tri Nguyen	29	Reappointed
Mario Madrid	31	Newly Appointed
Josefina M. Rendon	32	Reappointed
Lydia Johnson	33	Reappointed
William A. Allen	35	Reappointed
Min Un Lee	36	Reappointed
Barbara Hartle	37	Reappointed
Amparo Yanez – Guerra	39	Reappointed
Mimi Malick Berkowitz	40	Newly Appointed
Howard Speight	41	Reappointed

The résumés of the new nominees are attached for your review. The résumés of the reappointed nominees are on file in the Office of the City Secretary.

Sincerely,

Bill White

Bill White
Mayor

BW:CC:jsk

Attachments

cc: Christina J. Cabral, director, Boards and Commissions

↑
RECEIVED
JUL 18 2006
CITY SECRETARY



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

4

NOV 12 2008

COPY TO EACH MEMBER OF COUNCIL
CITY SECRETARY: 11-29-08
COUNCIL NUMBER: _____
DATE: _____

October 29, 2008

The Honorable City Council
Houston, Texas

Dear Council Members:

Pursuant to Chapter 311, Texas Tax Code, and City of Houston Ordinance No. 95-1323, I am nominating the following individual for reappointment to the Board of Directors of Reinvestment Zone Number Three, City of Houston, Texas (Main Street Market Square Zone), subject to Council confirmation:

Mr. Jamie Mize, reappointment to Position One, for a term to expire December 31, 2009, and to serve as Chair for a term ending December 31, 2008.

Pursuant to the bylaws of the Main Street Market Square 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,

Handwritten signature of Bill White in cursive.

Bill White
Mayor

BW:CC:jsk

Attachment

cc: Mr. Robert Fiederlein, special assistant to the mayor for TIRZs
Ms. Vicki Rivers, executive director, Main Street Market Square
Redevelopment Authority

RECEIVED
OCT 29 2008
CITY SECRETARY

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA#

Subject: Motion approving one-year renewal options for contracts with SelectCare of Texas (TexanPlus), Texas HealthSpring and Aetna Life Insurance Company for Medicare Advantage health benefit plans.

Category #

Page 1 of 3

Agenda Item **5**

FROM (Department or other point of origin):

Human Resources Department

Origination Date

November 4, 2008

Agenda Date

NOV 12 2008

DIRECTOR'S SIGNATURE

C. Aldridge

Council District(s) affected

All

For additional information contact:

Candy Clarke, Aldridge
Gerri Walker *plw*

Phone:

(713)837-9333
(713)837-9360

Date and Identification of prior authorizing Council Action:

Feb. 16, 2005 Ord. 2005-136
Nov. 8, 2006 Ord. 2006-1145

RECOMMENDATION: (Summary)

Adopt a motion approving one-year renewal options for contracts with SelectCare of Texas (TexanPlus), Texas HealthSpring and Aetna Life Insurance Company for Medicare Advantage health benefit plans for eligible City of Houston retirees.

Amount of Funding: No additional funding required.

Finance Budget

Michelle Mitchell

SOURCE OF FUNDING: General Fund

Grant Fund

Enterprise Fund

[X - Other] Health Benefit Fund (Fund 9000)

SPECIFIC EXPLANATION:

Background: The HR Department is requesting a motion to approve the renewals of the city's Medicare Advantage plans. The five health benefit options currently available for City of Houston retirees include HMOBlue Texas, BCBSTX PPO and three Medicare Advantage Plans provided by SelectCare of Texas (TexanPlus), Texas HealthSpring and the Aetna Private-Fee-For-Service Plan (PFFS). Contracts with TexanPlus and Texas HealthSpring were approved by Council on February 16, 2005, and with Aetna on November 8, 2006. All the contracts have one-year terms with four option years, subject to annual Council approval. The proposed motion would approve one-year renewals for the period January - December 2009. This will be the fourth and final renewal for TexanPlus and Texas HealthSpring and the second renewal for Aetna. The Medicare Advantage plans continue to be well accepted and enrollment has increased from 883 in May 2005 to 2,226 in September 2008. This number has surpassed the FY 2009 projected budget enrollment of 2,025.

Cost Savings to City and Subscribers

For each Medicare Advantage HMO retiree subscriber enrolled for 12 months, the city saves about \$5,000/year and for each PFFS subscriber, the City saves \$2,300/year. Based upon the FY 2009 projected budget enrollment (2,025), the City should avoid a total annual expense of \$5.7 million, and members can save \$2.9 million in yearly contributions.

Contributions and Premiums

The City will continue to contribute 75% of the premium cost and retirees will contribute 25% for 2009.

The Medicare Part D benefit for city retirees enrolled in Medicare Advantage Plans is superior to the standard Part D benefit required by CMS. The copayment structure in city sponsored MA plans duplicates that of active

REQUIRED AUTHORIZATION

(3) NOT

Finance Director:

Other Authorization:

Other Authorization:

Date: 11/4/2008	Subject: Motion approving one-year renewal options for contracts with SelectCare of Texas (TexanPlus), Texas HealthSpring and Aetna Life Insurance Company for Medicare Advantage health benefit plans.	Originator's Initials	Page 2 of 3
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employees and eliminates the Part D "donut hole." As a result, these Medicare Advantage premium increases are primarily driven by the prescription drug benefit.

The proposed premium increases for 2009 are:

- Aetna – 12.96%
- TexanPlus – 24.99%
- Texas HealthSpring – 14.28%.

The premium increases proposed by the vendors for 2009 are in compliance with their respective contracts. Premiums and contributions for 2008 and 2009 are displayed in the chart below:

Plan	2008 Contributions per each Enrolled Member (per Retiree)			2009 Proposed Contributions per each Enrolled Member (per Retiree)			BCBS HMO Retiree Only Contributions
	City	Retiree	Total	City	Retiree	Total	2008
Aetna PFFS	\$162.00	\$54.00	\$216.00	\$183.00	\$61.00	\$244.00	\$144.10
TexanPlus	\$23.44	\$7.81	\$31.25	\$29.29	\$9.77	\$39.06	\$144.10
Texas HealthSpring	\$47.25	\$15.75	\$63.00	\$54.00	\$18.00	\$72.00	\$144.10

Notes: Premiums / Contributions for the Aetna PFFS Plan are calculated using a weighted average, as Aetna charges eight different premium amounts nationwide, depending on the county / zip code of the retiree's residence.

The MA premiums mentioned above are per each member. The premium for retiree + spouse would be two times each premium listed above.

Benefit Changes Proposed for 2009

- No benefit changes have been proposed by Texas HealthSpring or TexanPlus.
- Aetna has made changes to their plan as required by Medicare:
 - The copayment for urgent care centers will be \$15, down from \$35;
 - Under catastrophic prescription drug coverage, the True-Out-of-Pocket limit (TrOOP) has increased from \$4,050 to \$4,350, and catastrophic copayments have increased as follows for members in the Aetna PFFS plan only:

DRUG CLASS	2008	2009
True Out-of-Pocket (TrOOP)	\$4,050	\$4,350
Generic / Preferred Brands	\$2.25 or 5%	\$2.40 or 5%
Any Other Drugs	\$5.60 or 5%	\$6.00 or 5%

If the total prescription copayments of a retiree enrolled in the Aetna PFFS plan reach an out-of-pocket limit of \$4,350 in 2009, their copayment structure will then be as indicated in the chart above. This copay structure will replace the city's copayments of \$10 for generic, \$30 for approved brand, and \$45 for non-formulary brand.

Service Areas

TexanPlus has expanded its network into Tarrant County (Dallas/Ft. Worth area).

Networks

- The Aetna PFFS network continues to include all doctors and hospitals that accept Medicare assignment of benefits in the United States.

Date: 11/4/2008	Subject: Motion approving one-year renewal options for contracts with SelectCare of Texas (TexanPlus), Texas HealthSpring and Aetna Life Insurance Company for Medicare Advantage health benefit plans.	Originator's Initials	Page 3 of 3
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- TexanPlus has added TIOPA (Texas Osteopathic Physicians Association, Inc.) in Tarrant County.
- Texas HealthSpring has not expanded their network in the greater Houston area since the addition of Kelsey Seybold, the Sadler Clinics and the Memorial Hermann Healthcare System in 2006.

MWBE

The TexanPlus and Texas HealthSpring contracts require the vendors to make good faith efforts to award subcontracts or supply agreements in an amount equal to 10% of the medical costs incurred (which can include IPAs, pharmacies, DME providers, home health facilities, clinics and other related firms). The majority of contract dollars are spent by the vendors on direct medical expenses, and most physician networks and independent doctors are not certified by the City's Affirmative Action and Contract Compliance Division. The good faith efforts are primarily demonstrated through their applying the MWBE goals to the administrative portions of the contracts and for services used in the enrollment and education of eligible retirees. Texas HealthSpring does have some patients who utilize the services of MediClinic, a certified MWBE provider.

Aetna's contract is for an MWBE goal equal to 2% of all costs incurred under the agreement. The contract requires Aetna to also objectively demonstrate that they have made good faith efforts to award subcontracts to meet that goal. To-date, Aetna has subcontracted with one City certified MWBE.

SUBJECT: City of Houston Legislative Principles	Category #	Page 1 of	Agenda Item # 6
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FROM (Department or other point of origin): Ann Travis, Director Mayor's Office of Government Affairs	Origination Date 11-6-08	Agenda Date NOV 12 2008
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DIRECTOR'S SIGNATURE: <i>MS Ann Travis</i>	Council District affected: All
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For additional information contact: Ann Travis, Director Phone: 832-393-0835	Date and identification of prior authorizing Council action: 11/15/2006 2006-1045
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RECOMMENDATION: (Summary)
Approve a motion adopting the City of Houston Legislative Principles for the 81st Session of the Texas Legislature.

Amount and Source of Funding: None	Finance Budget:
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SPECIFIC EXPLANATION:

The Administration recommends that the City Council adopt the City of Houston Legislative Principles for the 81st Session of the Texas Legislature. The Principles will serve as the guiding document to instruct the City of Houston Government Affairs staff and lobby team in Austin. The City will only work on priority legislation that falls within the Principles.

The Principles document gives the City the necessary flexibility to work within the fast pace of the Texas Legislature while remaining within the approved priorities of the City of Houston. The City Council will receive regular updates and reports throughout the session from the Government Affairs Director on action taken pursuant to the Principles.

The adoption of Legislative Principles prior to previous sessions has been very successful in focusing the legislative efforts of the City.

REQUIRED AUTHORIZATION		
Finance Director:	Other Authorization:	Other Authorization:

**CITY OF HOUSTON LEGISLATIVE PRINCIPLES
FOR THE 81st SESSION OF THE TEXAS LEGISLATURE**

City of Houston Mission Statement

The City of Houston will focus its legislative efforts on the enhancement of the quality of life in Houston through emphasis on public safety; economic development and increasing jobs; increasing mobility; improving neighborhoods; addressing the challenges of air quality and adequate drainage; and making the government more efficient and responsive. All of this must be pursued with a focus on regional cooperation, while preserving local control.

Regional Cooperation/General Government

Oppose unfunded state mandates that negatively affect the City of Houston either monetarily, by requiring state micro-management of local programs, or by diminishing the City's local authority in employee relations, revenue collection, or other local programs.

Oppose diminishment in the City of Houston's regulatory authority, water rights, and representation on the METRO Board of Directors. Support and protect the City's authority in its rights of way and on municipal premises.

Support proportionate funding and financing models by the State and other relevant units to assist Houston in meeting its needs including health care, public safety, housing, transportation and infrastructure development.

Public Safety/Criminal Justice

Support improvements in the ability to train, deploy and fund public safety personnel. Support legislative and administrative efforts to assist the City of Houston in preparation for and prevention of acts of terrorism, including the equitable, threat-based distribution of Homeland Security funds

Support changes and improvements to the Criminal Justice Codes, Juvenile Justice Codes and Transportation Codes including those supported by the City of Houston in previous sessions of the Texas Legislature.

Neighborhood Improvement and Quality of Life

Support technical legislation that assists the City's homeowners and neighborhoods; environment and quality of life; as well as the neighborhoods, parks and schools to standard programs.

Support legislation to improve education, health and safety, literacy, library programs, and to emphasize opportunities for youth to ensure our workforce remains competitive.

Support legislation to enhance after school programs and summer programs for youth.

Economic Development

Support legislation enhancing economic development and fostering job creation in regional economic growth areas. Support legislative efforts to promote inner city redevelopment including the creation and maintenance of affordable housing. Support legislative and

administrative initiatives to improve the economic viability of the Port and airports, including maintenance of a military component.

Environment & Public Utilities

Support legislative and administrative efforts to assist the Houston region in improving air quality and addressing flooding/drainage challenges. Support initiatives for additional open space, urban forestation and enhancements.

Support legislation promoting energy efficiency and the authority of local governments and the Public Utility Commission to have sufficient regulatory authority over power industry participants to protect consumers and make the electricity system more reliable and resilient.

Mobility

Support legislative and administrative efforts to improve mobility funding and project implementation throughout the region. Pursue balance in the region's allocation of transportation funding, particularly for preservation, based on the region's population, vehicle miles traveled and relative contribution to transportation revenues.

Other

Support previously approved City Council positions and seek Council approval on other major issues that may arise.

Support, where possible, other local governments; school districts; local colleges, universities and medical institutions; and the arts.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Texas Commission on Environmental Quality (TCEQ)'s Annual Consolidated Water Quality (CWQ) fee for FY09	Page 1 of 1	Agenda Item # 7
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 11-4-08	Agenda Date NOV 12 2008
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DIRECTOR'S SIGNATURE <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director	Council District affected: All
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For additional information contact: Joseph G. Majdalani, P.E. Senior Assistant Director Phone: (713) 641-9182	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)

Authorize payment of the TCEQ invoice for **\$1,175,230.20** for the annual Consolidated Water Quality (CWQ) fee for 39 wastewater treatment plants, of which two (Sims Bayou North and Sims Bayou South) operate under a single permit number, 10495-002.

Amount & Source of Funding:

\$1,175,230.20 from the Water and Sewer System Operating Fund 8300

August 10/29/08

SPECIFIC EXPLANATION:

This is a Request for Council Action (RCA) to authorize payment of an invoice received from the Texas Commission on Environmental Quality (TCEQ) for the annual Consolidated Water Quality (CWQ) fee that applies to the COH's 39 wastewater treatment plants.

The current invoice covers the period from September 1, 2008 to August 31, 2009, corresponding to TCEQ's fiscal year FY09. The annual assessment is based on the permitted flow and pollutants for each wastewater treatment plant. The fee rate schedule is found in TCEQ's regulations, - Title 30, Texas Administrative Code (TAC), Chapter 21: Water Quality Fees, Section 21.3. Fee Assessment.

The revenue resulting from the Consolidated Water Quality fee pays TCEQ's expenses to inspect wastewater treatment facilities and to enforce the provisions of the Texas Water Code. It also funds comprehensive monitoring of water quality for each river basin, conducted under the Texas Clean Rivers Program.

Recommend that Council approve the Department of Public Works and Engineering's request to pay TCEQ the invoiced amount of **\$1,175,230.20**.

JGM
MSM:JC:JGM:WS:ag

cc: Susan Bandy, CPA
Craig Foster
Joseph G. Majdalani, P.E.
Marty Stein

REQUIRED AUTHORIZATION		CUIC# 20JGM260
Finance Department	Other Authorization: <i>Joseph G. Majdalani</i>	Other Authorization: Jun Chang, P.E., Interim Deputy Director Public Utilities Division <i>Jun Chang</i>



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

INVOICE

COMPANY: CITY OF HOUSTON
ACCOUNT: 23002078

DETACH BOTTOM PORTION AND RETURN WITH PAYMENT - KEEP TOP PORTION FOR YOUR RECORDS -

PAGE 1

ACCOUNT NO.	THIS INVOICE REFLECTS ALL PAYMENTS RECEIVED THROUGH:	LATE FEES	BALANCE DUE
23002078	OCT07, 08	0.00	1,175,230.20

INVOICE DATE	INVOICE NO.	DESCRIPTION	AMOUNT	BALANCE
OCT31, 08	CWQ0023107	PERMIT 010495-002 FY09 CWQ ASSESSMENT FE	75,000.00	75,000.00
OCT31, 08	CWQ0023108	PERMIT 010495-003 FY09 CWQ ASSESSMENT FE	75,000.00	150,000.00
OCT31, 08	CWQ0023109	PERMIT 010495-009 FY09 CWQ ASSESSMENT FE	28,800.00	178,800.00
OCT31, 08	CWQ0023110	PERMIT 010495-010 FY09 CWQ ASSESSMENT FE	9,655.00	188,455.00
OCT31, 08	CWQ0023111	PERMIT 010495-016 FY09 CWQ ASSESSMENT FE	31,425.00	219,880.00
OCT31, 08	CWQ0023112	PERMIT 010495-023 FY09 CWQ ASSESSMENT FE	17,310.00	237,190.00
OCT31, 08	CWQ0023113	PERMIT 010495-030 FY09 CWQ ASSESSMENT FE	75,000.00	312,190.00
OCT31, 08	CWQ0023114	PERMIT 010495-037 FY09 CWQ ASSESSMENT FE	75,000.00	387,190.00
OCT31, 08	CWQ0023115	PERMIT 010495-050 FY09 CWQ ASSESSMENT FE	26,207.00	413,397.00
OCT31, 08	CWQ0023116	PERMIT 010495-065 FY09 CWQ ASSESSMENT FE	10,405.00	423,802.00
OCT31, 08	CWQ0023117	PERMIT 010495-075 FY09 CWQ ASSESSMENT FE	20,893.00	444,695.00
OCT31, 08	CWQ0023118	PERMIT 010495-076 FY09 CWQ ASSESSMENT FE	75,000.00	519,695.00
OCT31, 08	CWQ0023119	PERMIT 010495-077 FY09 CWQ ASSESSMENT FE	32,470.00	552,165.00
OCT31, 08	CWQ0023120	PERMIT 010495-078 FY09 CWQ ASSESSMENT FE	35,605.00	587,770.00

1,175,230.20

See REVERSE SIDE for Explanation of Charges and TCEQ Contact Telephone Numbers.

PLEASE PAY THIS AMOUNT
INCLUDE ACCOUNT NUMBER ON CHECK

TCEQ VIPP Form AR41A 02-16-06

OCT06, 08

DETACH THIS PORTION AND RETURN WITH CHECK OR MONEY ORDER PAYABLE TO:

ACCOUNT NO.	BALANCE DUE
23002078	1,175,230.20



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CHECK HERE IF YOUR ADDRESS HAS CHANGED.
PLEASE INDICATE ADDRESS CHANGE ON BACK

INVOICES NOT PAID WITHIN 30 DAYS OF INVOICE DATE WILL ACCRUE PENALTIES

CITY OF HOUSTON
ATTN: JOSEPH MAJDALANIE
4545 GROVEWAY DR
DEPT OF PUBLIC WORKS AND ENGIN
HOUSTON TX 770871122

0023002078 1533360 01175230201130083

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

BILLING DATE: OCT06,08

ACCOUNT NO.: 23002078

PAGE 2

INVOICE DATE	INVOICE NO.	DESCRIPTION	AMOUNT	BALANCE
OCT31,08	CWQ0023121	PERMIT 010495-079 FY09 CWQ ASSESSMENT FE	18,391.00	606,161.00
OCT31,08	CWQ0023122	PERMIT 010495-090 FY09 CWQ ASSESSMENT FE	75,000.00	681,161.00
OCT31,08	CWQ0023123	PERMIT 010495-095 FY09 CWQ ASSESSMENT FE	32,255.00	713,416.00
OCT31,08	CWQ0023124	PERMIT 010495-099 FY09 CWQ ASSESSMENT FE	18,810.00	732,226.00
OCT31,08	CWQ0023125	PERMIT 010495-100 FY09 CWQ ASSESSMENT FE	16,192.00	748,418.00
OCT31,08	CWQ0023126	PERMIT 010495-101 FY09 CWQ ASSESSMENT FE	17,310.00	765,728.00
OCT31,08	CWQ0023127	PERMIT 010495-109 FY09 CWQ ASSESSMENT FE	50,930.00	816,658.00
OCT31,08	CWQ0023128	PERMIT 010495-110 FY09 CWQ ASSESSMENT FE	31,625.00	848,283.00
OCT31,08	CWQ0023129	PERMIT 010495-111 FY09 CWQ ASSESSMENT FE	58,078.00	906,361.00
OCT31,08	CWQ0023130	PERMIT 010495-112 FY09 CWQ ASSESSMENT FE	3,454.00	909,815.00
OCT31,08	CWQ0023131	PERMIT 010495-116 FY09 CWQ ASSESSMENT FE	75,000.00	984,815.00
OCT31,08	CWQ0023132	PERMIT 010495-119 FY09 CWQ ASSESSMENT FE	75,000.00	1,059,815.00
OCT31,08	CWQ0023133	PERMIT 010495-122 FY09 CWQ ASSESSMENT FE	23,020.00	1,082,835.00
OCT31,08	CWQ0023134	PERMIT 010495-126 FY09 CWQ ASSESSMENT FE	10,405.00	1,093,240.00
OCT31,08	CWQ0023135	PERMIT 010495-133 FY09 CWQ ASSESSMENT FE	7,745.00	1,100,985.00
OCT31,08	CWQ0023136	PERMIT 010495-135 FY09 CWQ ASSESSMENT FE	16,270.00	1,117,255.00
OCT31,08	CWQ0023137	PERMIT 010495-136 FY09 CWQ ASSESSMENT FE	17,380.00	1,134,635.00
OCT31,08	CWQ0023138	PERMIT 010495-139 FY09 CWQ ASSESSMENT FE	4,176.50	1,138,811.50
OCT31,08	CWQ0023139	PERMIT 010495-142 FY09 CWQ ASSESSMENT FE	1,592.10	1,140,403.60
OCT31,08	CWQ0023140	PERMIT 010495-146 FY09 CWQ ASSESSMENT FE	22,665.00	1,163,068.60
OCT31,08	CWQ0023141	PERMIT 010495-148 FY09 CWQ ASSESSMENT FE	2,051.60	1,165,120.20
OCT31,08	CWQ0023142	PERMIT 010495-149 FY09 CWQ ASSESSMENT FE	3,995.00	1,169,115.20
OCT31,08	CWQ0023143	PERMIT 010495-150 FY09 CWQ ASSESSMENT FE	2,950.00	1,172,065.20
OCT31,08	CWQ0023144	PERMIT 010495-151 FY09 CWQ ASSESSMENT FE	3,165.00	1,175,230.20

To: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Appropriation of Additional Funds, Approval of Change Order No. 1 and Accept Work for Melrose Park Lift Station Project. WBS No. R-000267-00C1-4

Page 1 of 1

Agenda Item # **8+8A**

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date
10-30-08

Agenda Date
NOV 12 2008

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

Council Districts affected:
B

For additional information contact:

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

Phone: (713) 837-7074

Date and Identification of prior authorizing Council Action:
Ord. #2005-321 dated 03/30/2005

RECOMMENDATION: (Summary) Approve an ordinance appropriating an additional \$15,174.31, adopt a motion to approve Change Order No. 1 in the amount of \$54,245.31, approve the final Contract Amount of \$832,152.31, and accept the Work and authorize the final payment.

Amount and Source of Funding: Additional appropriation of \$15,174.31 from the Water and Sewer System Consolidated Construction Fund No. 8500. Original appropriation of \$909,000.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 755.

PROJECT NOTICE/JUSTIFICATION: This project was part of the City's ongoing program to upgrade its lift station facilities.

DESCRIPTION/SCOPE: The project consisted of the construction of the Melrose Park Lift Station, 1,365 linear feet of 8 to 15-inch sanitary sewer lines, 15 linear feet of 6-inch force main, and the demolition of the existing Lift Station at Bauman Road. Pierce, Goodwin, Alexander & Linville (PGAL) designed the project with 365 calendar days allowed for construction. The project was awarded to Peltier Brothers Construction, Ltd. with an original Contract Amount of \$781,427.00.

LOCATION: The existing Bauman Road Lift Station is located 12509 Bauman Road and new Melrose Park Lift Station is located at 1207 Mitchell Road. The project is located in the Key Map Grids 413-Q.

CHANGE ORDER NO. 1: Harris County Flood Control District rejected the permit application to install the sanitary sewer lines into the flood control easement. The Design consultant revised the design drawings to install the sewer lines in the congested right of way. The construction cost increased due to numerous conflicts with existing underground utilities. In addition, the contractor claimed a loss of the production because of limited work space.

The proposed Change Order No.1 is in the amount of \$54,245.31 or 6.94% of the original Contract amount. An Additional appropriation of \$15,174.31 and the current contingency of \$39,071.00 will cover the entire cost of Change Order No. 1.

CONTRACT COMPLETION AND COST: The Contractor, Peltier Brothers Construction, Ltd. has completed the Work under subject Contract. The project was completed within the Contract Time with 28 additional days provided by proposed Change Order No. 1. The final cost of the project, including overrun and underrun of estimated bid quantities, and proposed Change Order No. 1 is \$832,152.31, an increase of \$50,725.31 or 6.49% over the original Contract Amount.

The cost overrun is primarily due to proposed Changer Order No. 1, which is necessary to complete the Work.

M/WBE PARTICIPATION: There was no M/WBE goal set for this project.

MSM:JTL:CWS:SKF:mq
S:\E&C Construction\Facilities\Projects\R-000267-00C1-4 Melrose Lift Station\Closeout\RCA\RCA_CO-Rev3.DOC

c: Velma Laws Michael Ho, P.E. File No. R-000267-00C1-4 – Closeout

REQUIRED AUTHORIZATION

CUIC ID# 20MZQ048

Finance Department:

Other Authorization:

Other Authorization:

Michelle Mitchell

Jun Chang
Jun Chang, P.E., Interim Deputy Director
Public Utilities Division

NPT

8+8A

Document 00666
CHANGE ORDER No. 1

PROJECT: 4765-01 Melrose Park Lift Station

CONTRACT No.: 56821 PROJECT No.: R-0267-C1-3 (WW4765-01)

TO: Peltier Brothers Construction, Inc.

11603 Windfern

Contractor and
Address for Written Notice

Houston, TX 77064

1.01 DESCRIPTION OF CHANGES

CONTRACT CHANGE

ITEM 1 SCOPE: Extra Work Resulting From Sanitary Sewer Relocation

Amount	Time
\$112,876.61	28 Days

JUSTIFICATION: The design consultant did not acquire permission from Harris County Flood Control District (HCFCD) to allow the installation of the proposed sanitary sewer system in their easement as designed. As a result, the sanitary sewer was relocated in the COH's easement. This revision gave way to several underground conflicts requiring extra work.

Unit Item No	Unit Item Description	Unit	Add/Deduct Qty	Unit Price	Add/Deduct Amount
101	Extra Work Resulting From Sanitary Sewer Relocation	LS	1.00	\$112,876.61	\$112,876.61

ITEM 2 SCOPE: Quantity Adjustment of Unit Price Bid Items.

Amount	Time
\$(58,631.30)	0 Days

JUSTIFICATION: The following unit price items are not necessary to complete the work.

Unit Item No	Unit Item Description	Unit	Add/Deduct Qty	Unit Price	Add/Deduct Amount
35	Filter Fabric Fence	LF	(530.00)	\$3.00	\$(1,590.00)
36	Reinforced Filter Fabric Fence	LF	(180.00)	\$4.00	\$(720.00)
37	Unpaved Surface Restoration above New Line Segments	LF	(264.00)	\$27.00	\$(7,128.00)
38	Unpaved Surface Restoration for Point Repair at Existing Sanitary Sewer Manholes (Sheet 5)	EA	(3.00)	\$1,980.00	\$(5,940.00)
39	Unpaved Surface Restoration for New Sanitary Sewer Manholes	EA	(3.00)	\$1,980.00	\$(5,940.00)
40	Asphalt Paving Restoration	SY	(80.60)	\$24.00	\$(1,934.40)
41	Semi-Rigid Base for Asphalt Paving	SY	(80.60)	\$24.00	\$(1,934.40)
42	Concrete Driveway Restoration	SY	61.00	\$81.00	\$4,941.00
43	4' Precast Concrete Manhole (Watertight)	EA	(1.00)	\$2,750.00	\$(2,750.00)
47	Extra Depth 4' Manhole (Over 8' Deep)	VF	(8.03)	\$110.00	\$(883.30)

CITY OF HOUSTON
STANDARD DOCUMENT

CHANGE ORDER

PROJECT No.: R-0267-C1-3 (WW4765-01)

CHANGE ORDER No. 1

48	8" Sewer Drop for Manhole	EA	(1.00)	\$660.00	\$(660.00)
49	10" Sewer Drop for Manhole	EA	(1.00)	\$770.00	\$(770.00)
51	Remove & Dispose Asphalt Driveway (Sheet 12)	SY	5.00	\$7.00	\$35.00
52	Remove & Dispose Concrete Driveway (Sheets 16 thru 18)	SY	39.00	\$14.00	\$546.00
53	Remove & Dispose Asphalt Paving (Sheets 16 thru 18)	SY	(80.60)	\$7.00	\$(564.20)
54	Remove and Dispose 15" RCP Culvert	LF	(90.00)	\$11.00	\$(990.00)
55	Remove and Dispose 18" RCP Culvert	LF	(156.00)	\$11.00	\$(1,716.00)
56	Remove and Dispose 8" Sanitary Sewer (Sheet 19)	LF	(15.00)	\$11.00	\$(165.00)
57	Remove and Dispose 12" Sanitary Sewer (Sheet 19)	LF	(110.00)	\$11.00	\$(1,210.00)
59	Abandon 8" Sanitary Sewer (Sheets 5, 15 thru 17)	LF	(115.00)	\$8.00	\$(920.00)
61	Abandon 12" Sanitary Sewer (Sheets 19 & 20)	LF	135.00	\$11.00	\$1,485.00
62	Remove Sanitary Sewer Manholes (Sheets 16, 19 and 21)	EA	(1.00)	\$550.00	\$(550.00)
63	Abandon Sanitary Sewer Manhole (Sheets 16 and 17)	EA	1.00	\$880.00	\$880.00
64	Tench Safety System	LF	(177.00)	\$2.00	\$(354.00)
66	Lime Stabilized Subgrade	SY	324.00	\$6.00	\$1,944.00
67	Auger 10" Sanitary Sewer	LF	116.00	\$110.00	\$12,760.00
68	Auger 12" Sanitary Sewer	LF	85.00	\$117.00	\$9,945.00
72	8" Gravity Sanitary Sewer (Open Cut)	LF	(15.00)	\$69.00	\$(1,035.00)
73	10" Gravity Sanitary Sewer (Open Cut)	LF	(26.00)	\$87.00	\$(2,262.00)
74	12" Gravity Sanitary Sewer (Open Cut)	LF	(115.00)	\$128.00	\$(14,720.00)
75	15" Gravity Sanitary Sewer (Open Cut)	LF	(4.00)	\$196.00	\$(784.00)
76	6" Force Main (Open Cut)	LF	(10.00)	\$113.00	\$(1,130.00)
77	Sanitary Sewer Service Reconnections w/ Stacks within 5' of Sanitary Sewer Centerline	EA	1.00	\$550.00	\$550.00
78	15" RCP Culvert (Open Cut)	LF	(90.00)	\$60.00	\$(5,400.00)
79	18" RCP Culvert (Open Cut)	LF	(141.00)	\$66.00	\$(9,306.00)
80	24" RCP Culvert (Open Cut)	LF	(3.00)	\$76.00	\$(228.00)
81	7" Concrete Paving	SY	(34.00)	\$81.00	\$(2,754.00)
82	7" Concrete Driveway (Melrose Park Lift Station)	SF	(42.00)	\$12.00	\$(504.00)
84	6' Chain Link Fences & Gate (PVC Coated w/ PVC Slats) at Melrose Park Lift Station	LF	2.00	\$31.00	\$62.00
88	Sodding (Baumen Rd. Lift Station)	SY	(35.00)	\$12.00	\$(420.00)
89	Extra Hand Excavation and Backfill	CY	(10.00)	\$100.00	\$(1,000.00)
90	Extra Machine Excavation	CY	(20.00)	\$15.00	\$(300.00)
91	Extra Replacement of Backfill Material	CY	(20.00)	\$25.00	\$(500.00)
92	Extra Replacement of Granular Backfill	CY	(10.00)	\$20.00	\$(200.00)
93	Extra Cement Stabilized Sand	TON	(10.00)	\$35.00	\$(350.00)
94	Extra Conc Paving Restoration	SY	(10.00)	\$50.00	\$(500.00)
95	Extra Asphalt Paving Restoration	SY	(10.00)	\$50.00	\$(500.00)
96	Extra Horizontal Dowels	EA	(20.00)	\$12.00	\$(240.00)
97	Building Permit and Water Meter Including Inspection	CA	(.78)	\$5,000.00	\$(3,877.00)
98	Coordinate with CenterPoing Energy to Relocate Entex Gas Line	CA	(1.00)	\$4,000.00	\$(4,000.00)

00666-2

Print Date: 05/29/2008

CITY OF HOUSTON
STANDARD DOCUMENT

CHANGE ORDER

PROJECT No.: R-0267-C1-3 (WW4765-01)

CHANGE ORDER No. 1

99	Coordinate with CenterPoint Electric for providing Power Service to Melrose Park Lift Station and Removing Power Supply to Bauman Road Lift Station	CA	(1.00)	\$5,000.00	\$(5,000.00)
100	Texas Department of Public Health Inspection for Bauman Road Lift Station Demolition	CA	(1.00)	\$50.00	\$(50.00)

TOTALS: \$54,245.31 28 Days

1.02 ACCEPTANCE BY CONTRACTOR

Contractor agrees to perform change(s) included in this Change Order for the price and time indicated. The prices for changes include all costs associated with this Change Order.

 VP

Contractor Signature and Title

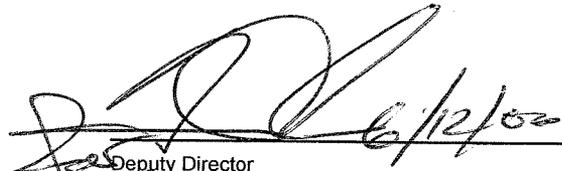
5/29/08

Date

1.03 ACCEPTANCE BY THE CITY



Project Manager 2 JUNE 2008
Date



Deputy Director 6/12/08
Date

SKE
6/2/08


Chief Engineer 6-12-08
Date



City Engineer 7/29/08
Date



Assistant Director 6/12/08
Date

Mayor - City of Houston Date

cc:

File No. (WW4765-01)

EXECUTIVE SUMMARY

1.01 CONTRACT PRICE SUMMARY

	<u>DOLLAR AMOUNT</u>	<u>PERCENT</u>
A. Original Contract Price	\$781,427.00	100.00%
B. Previous Change Orders	\$0.00	0.00%
C. This Change Order	\$54,245.31	6.94%
D. Contract Price	\$835,672.31	106.94%

1.02 CONTRACT TIME SUMMARY

	<u>DURATION</u>	<u>COMPLETION DATE</u>
A. Original Contract Time	365 Days	Tuesday, December 12, 2006
B. Previous Change Orders	0 Days	Tuesday, December 12, 2006
C. This Change Order	28 Days	Tuesday, January 9, 2007
D. Contract Time	393 Days	Tuesday, January 9, 2007

1.03 TOTAL VALUE OF INCREASES OUTSIDE OF GENERAL SCOPE OF WORK

A. Including this Change Order, the following table is provided to track conditions related to Paragraph 7.1.2.3 of Document 00700 - General Conditions.

<u>CHANGE ORDER No.</u>	<u>AMOUNT ADDED</u>	<u>PERCENT OF ORIGINAL CONTRACT PRICE</u>
1	\$54,245.31	6.94%
<hr/>		
TOTALS	\$54,245.31	6.94%

SUBJECT: Request for the abandonment and sale of Briarway Court from Briar Hollow Lane to its terminus and a 10-foot-wide prescriptive storm sewer easement, all located within the Ivy Oaks subdivision plat out of the William White Survey A-836. Parcels SY9-010A and SY9-010B	Page <u>1</u> of <u>2</u>	Agenda Item # 9
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 11-6-08	Agenda Date NOV 12 2008
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DIRECTOR'S SIGNATURE: Michael S. Marcotte Michael S. Marcotte, P.E., DEE, Director	Council District affected: G Key Map: 491R JS
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For additional information contact: Nancy P. Collins Phone: (713) 837-0881 mpc 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 Briarway Court from Briar Hollow Lane to its terminus and a 10-foot-wide prescriptive storm sewer easement, all located within the Ivy Oaks subdivision plat out of the William White Survey A-836. **Parcels SY9-010A and SY9-010B**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:

Christy B. Smidt of Kerry R. Gilbert & Associates, Inc., 23501 Cinco Ranch Blvd. Suite A-250, Katy, Texas, 77494, on behalf of EBH Development Group, requested the abandonment and sale of Briarway Court from Briar Hollow Lane to its terminus and a 10-foot-wide prescriptive storm sewer easement, all located within the Ivy Oaks subdivision plat out of the William White Survey A-836. EBH Development Group plans to develop a 200-250 unit apartment complex as well as 30,000 square feet of commercial space.

This 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 Briarway Court from Briar Hollow Lane to its terminus and a 10-foot-wide prescriptive storm sewer easement all located within the Ivy Oaks subdivision plat out of the William White Survey A-836;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicant be required to: (a) cut, plug, and abandon the 4-inch water main that occupies the Briarway Court 60-foot right-of-way, from the terminus of the water main to the Briar Hollow right-of-way, and move the fire hydrant to the main line on Briar Hollow and pay the depreciated value for the water main; (b) cut, plug, and abandon the 8-inch sanitary sewer that occupies the Briarway Court 60-foot wide right-of-way, from the terminus of the sewer to the existing 8-inch sewer in the Briar Hollow right-of-way and pay the depreciated value for the sanitary sewer; (c) cut, plug and abandon the 12-inch storm sewer that occupies the Briarway Court 60-foot wide right-of-way, from the terminus of the storm sewer to Briar Hollow right-of-way; (d) cut, plug and abandon the 18-inch storm sewer south of Briarway Court right-of-way from its terminus to the Briar Hollow right-of-way; (e) all of the foregoing items must be completed at no cost to the City and under the proper permits;

gg/sy9-010.rc1.doc CUIC #20GG8988

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

Date:	Subject: Request for the abandonment and sale of Briarway Court from Briar Hollow Lane to its terminus and a 10-foot-wide prescriptive storm sewer easement, all located within the Ivy Oaks subdivision plat out of the William White Survey A-836. Parcels SY9-010A and SY9-010B	Originator's Initials	Page <u>2</u> of <u>2</u>
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4. In the interest of expediting the abandonment and sale process, the applicant may choose to provide the City with a Letter of Credit (LOC), subject to the City's concurrence, covering the estimated construction cost for work required in Item 3 above in lieu of performing such work prior to finalization of the ordinance for this transaction. Should this option be selected, the applicant will be required to provide a LOC showing the City of Houston as beneficiary and in the amount of the estimated construction cost approved by the City. The LOC will be for a specific time period which may be less than but not longer than twelve months from the effective date of the ordinance for the transaction. Upon the applicant's satisfactory completion of the construction-related work as evidenced by written inspection clearance/approval by the Office of the City Engineer, PWE, at the applicant's request the City will release the LOC;
5. The applicant be required to prepare drawings that show all public utilities (sanitary sewer, water and storm) that are to be abandoned, relocated, and/or constructed as part of this project and submit drawings to the Office of the City Engineer for plan review and approval. A copy of the Council Motion shall be attached to the plan set when it is submitted for plan review;
6. The applicant be required to: (a) remove existing public street name signs and return these to the Traffic Operations Center at 2200 Patterson and replace with a street name sign that indicates "Private" or "Pvt"; (b) eliminate the public street appearance of Briarway Court at its intersection with Briar Hollow Lane by removing the Briarway Court pavement and extending the curb along Briar Hollow across Briarway Court pavement and extending the curb along Briar Hollow across Briarway Court or fencing off or gating Briarway Court if the pavement is to remain in place after the street is abandoned;
7. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the street being abandoned and sold;
8. The Legal Department be authorized to prepare the necessary transaction documents; and,
9. Inasmuch as the value of the property interests is not expected to exceed \$1,000,000 that the value be established by an independent appraiser, appointed by the Director of Public Works and Engineering.

MSM:NPC:gg

c: Phil Boriskie
Jun Chang, P.E.
Raymond Chang, P.E., PTOE
Marlene Gafrick
Daniel Menendez, P.E.
Arturo G. Michel
Marty Stein

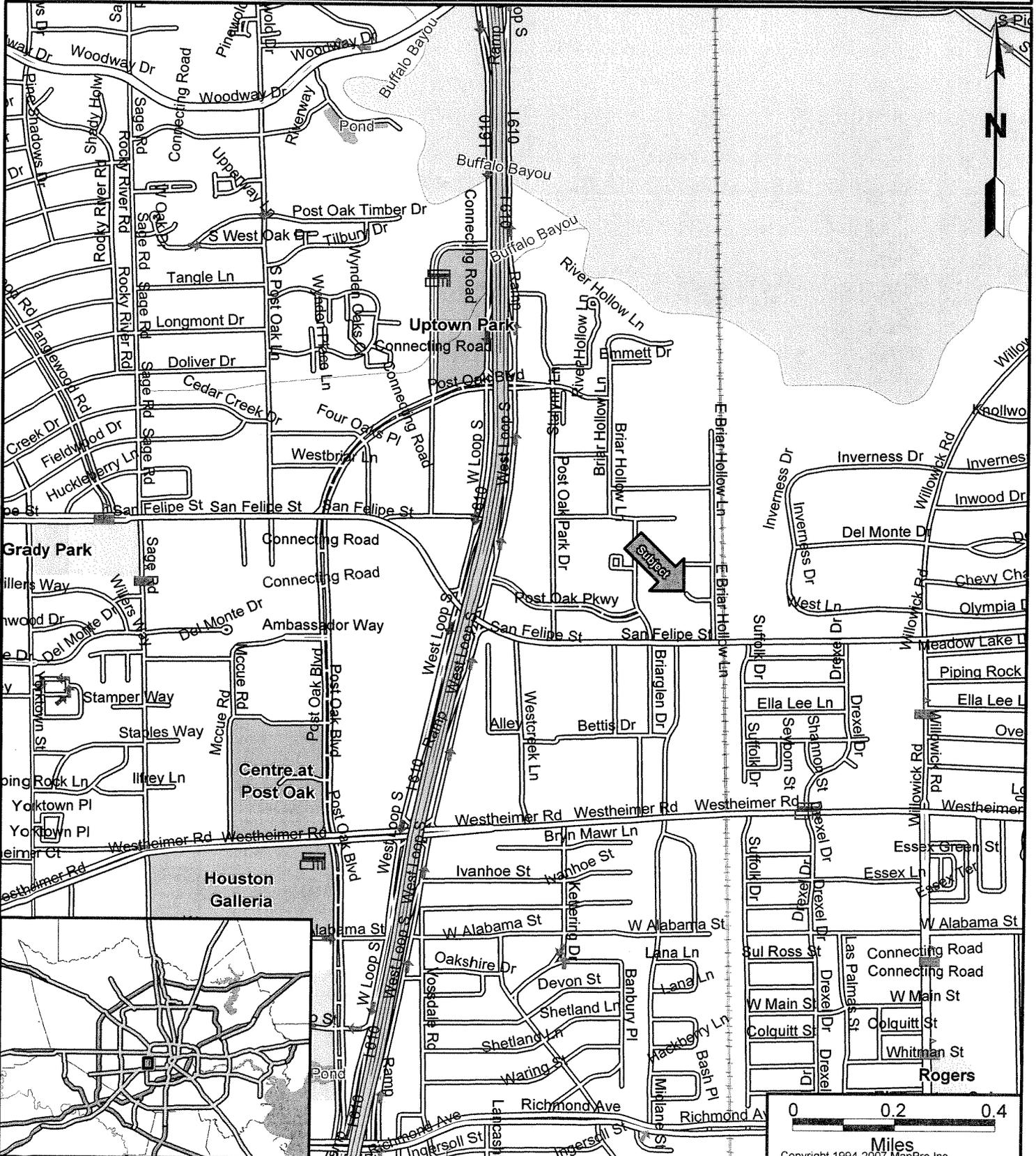
LOCATION MAP

Description: Request for the abandonment and sale of Briarway Court from Briar Hollow Lane to its terminus and a 10-foot-wide prescriptive storm sewer easement, all located within the Ivy Oaks subdivision plat out of the William White Survey A-836.

Parcels SY9-010A and SY9-010B

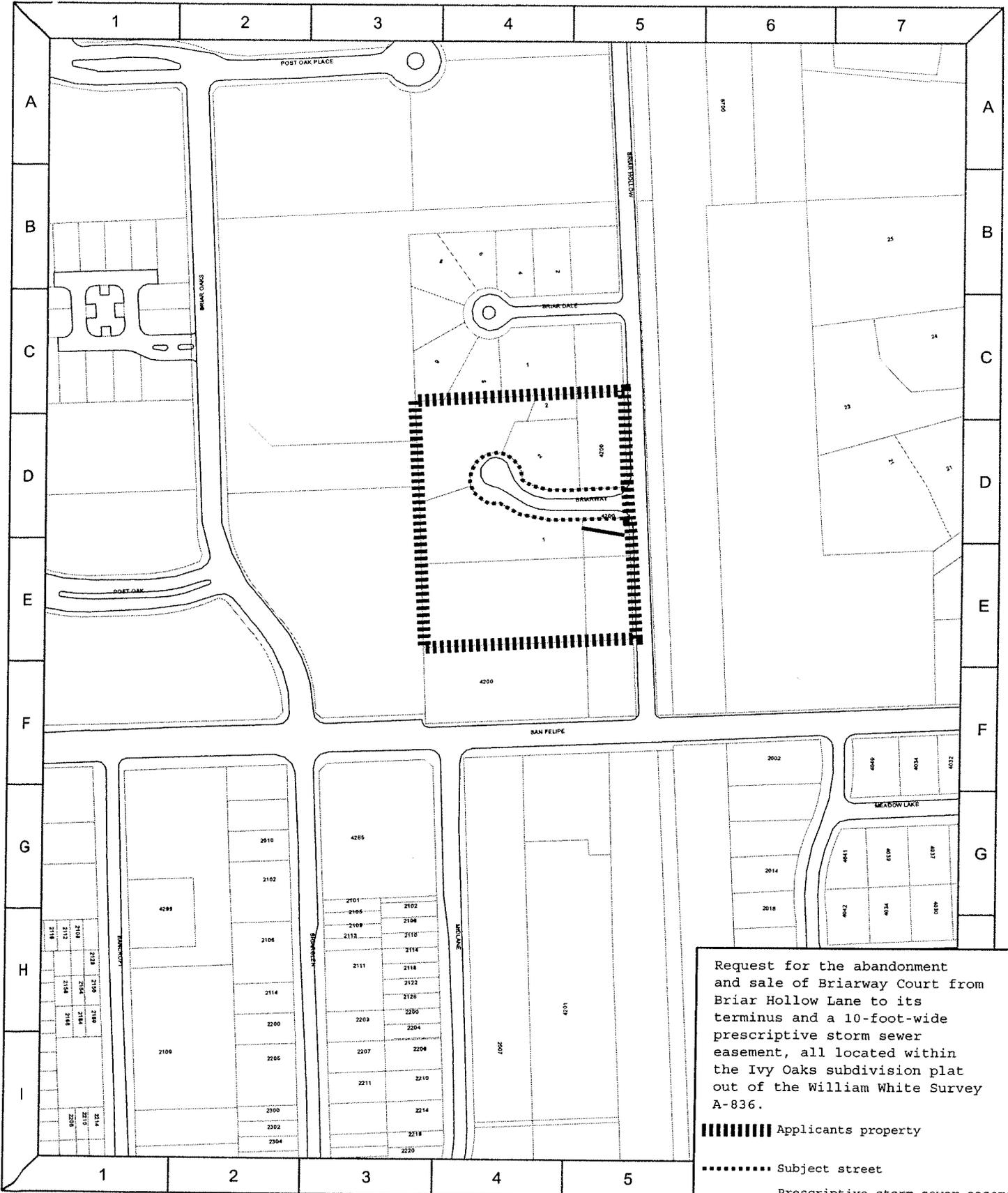
Subject Address: Briarway, Houston, TX 77027

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

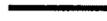


CAUTION:

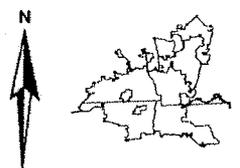
The location of property arrows shown on this map are approximate only. Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.



Request for the abandonment and sale of Briarway Court from Briar Hollow Lane to its terminus and a 10-foot-wide prescriptive storm sewer easement, all located within the Ivy Oaks subdivision plat out of the William White Survey A-836.

 Applicants property
 Subject street
 Prescriptive storm sewer easement

1 inch equals 250 feet
 0 25 50 75 100
 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# 8075

Subject: Formal Bids Received for Security Bank Note Vital Paper for the Health and Human Services Department S44-S22915

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
NOV 12 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Kathy Barton Phone: (713) 794-9998
Desiree Heath Phone: (832) 393-8742

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to American Bank Note Company on its sole bid in an amount not to exceed \$255,954.00 for security bank note vital paper for the Health and Human Services Department.

Estimated spending authority : \$255,954.00

Finance Budget

\$255,954.00 General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to American Bank Note Company on its sole bid in an amount not to exceed \$255,954.00 for security bank note vital paper for the Health and Human Services Department. It is further requested that authorization be given to make purchases, as needed, for a 60-month term. This award consists of security bank note vital paper that is utilized by the Bureau of Vital Statistics Division of the Health and Human Services Department to issue birth and death certificates.

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 one bid was received. Security note vital paper which utilizes intaglio printing for security precautions is a highly specialized paper with very few manufacturers nationwide, therefore, competition is limited. American Bank Note Company is the manufacturer and distributor for their security bank note vital paper utilized by the Health and Human Services Department.

Buyer: John Tatman

DEPARTMENT	FY2009	OUT YEARS	TOTAL
Health & Human Services	\$21,329.50	\$234,624.50	\$255,954.00

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

MC

red



CITY OF HOUSTON

Administration & Regulatory Affairs Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

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

From: John G. Tatman

Date: June 23, 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 N/A

I am requesting a **revision** of the MWBE Goal: Yes No Original Goal: N/A New Goal: N/A

If requesting a revision, how many solicitations were received: 0

Solicitation Number: S44-S22915 Estimated Dollar Amount: \$257,286.65

Anticipated Advertisement Date: 7/11/2008 Solicitation Due Date: 7/31/2008

Goal On Last Contract: 0 Was Goal met: Yes No

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

Name and Intent of this Solicitation:
Security Bank Note Vital Paper for the Health and Human Services Department

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

This solicitation is for security bank note vital paper utilized by the Bureau of Vital Statistics Division of the Health and Human Services Department to issue birth and death certificates citywide. This type of bank note paper is manufactured by limited paper mills and will be direct shipped to the City. There is no potential for M/WBE participation.

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.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8008

Subject: Emergency Repair of a 24" Water Main for the Public Works & Engineering Department
S12-C23004

Category #
1 & 4

Page 1 of 1

Agenda Item

11 + 11A

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

Origination Date
August 20, 2008

Agenda Date
NOV 12 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
E-Sullivan

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 authorizing the appropriation of \$146,492.00 out of the Water & Sewer System Consolidated Construction Fund (Fund 8500) and approve payment to Reytec Construction Resources, Inc. in the total amount of \$146,492.00 for the emergency repair of a 24" water main for the Public Works & Engineering Department.

Payment Amount: \$146,492.00

Finance Budget

\$146,492.00 Water & Sewer System Consolidated Construction Fund 8500 WBS S-000019-0049-4

*2/20/08
10/10/08*

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$146,492.00 out of the Water & Sewer System Consolidated Construction Fund (Fund 8500). It is further recommended that City Council approve payment to Reytec Construction Resources, Inc. in the total amount of \$146,492.00 for the emergency repair of a 24" water main for the Public Works & Engineering Department.

On October 17, 2007, the 24" water main located under the intersection of West Bay Area Blvd. and I-45 South failed, deteriorating the street's surface and thus posing an immediate public safety hazard. The Strategic Purchasing Division issued a purchase order to address the emergency.

The scope of work required the contractor to provide all labor, materials, equipment, permits, insurance, bonds, supervision and transportation necessary to remove and replace approximately 100 linear feet of the ruptured 24" water main, 886 square yards of 10" concrete pavement, and 102 linear feet of concrete curb and gutter. The work included backfilling and restoration of the disturbed repair area.

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

Buyer: Martin L. King

MS

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Jim Chang

*65CDW 8008
M. King
10/16/08*

NDT

11 + 11A

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8077

Subject: Purchase of QuikView® Cameras (Pole Mounted) through the Houston-Galveston Area Council for the Public Works & Engineering Department
S08-Q23058

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 29, 2008

Agenda Date
NOV 12 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 the purchase of pole-mounted QuikView® cameras, through the Houston-Galveston Area Council (H-GAC) in the amount of \$84,849.60 for the Public Works & Engineering Department.

Award Amount : \$84,849.60

Finance Budget

\$84,849.60 - Stormwater Fund (2302)

PCR 10/3/08

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of eight pole-mounted QuikView® cameras, through the Interlocal Agreement for Cooperative Purchasing with H-GAC in the amount of \$84,849.60 for the Public Works & Engineering Department, and that authorization be given to issue a purchase order to the H-GAC contractor, Green Equipment Company. These pole-mounted cameras will be used by the Storm Water Maintenance Branch to inspect the storm sewer system and other systems to determine their condition and ensure they meet safety standards of federal and State laws.

These pole mounted cameras will be used during storm sewer system assessments to capture the condition of the system, to include discovering cracks, separated joints, root intrusion, fixed debris, sags and silt. Knowing this allows maintenance to address the problem prior to it resulting in cave-ins or flooded conditions. These cameras will enhance the City's capability along with outside contractors to televise approximately 3,400 plus miles of storm sewer.

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: Angela Dunn
PR 10058276

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

65 CDW 8077A
Andrews M 11/14/08

MS

QUICKVIEW® PATENTED TECHNOLOGY ZOOM INSPECTION CAMERA

NEW
Patented Total
Plane Distance &
Object Measurement
Advanced Camera Controls
(details on back)

Survey Pipelines Safely At a Fraction the Cost & Time.

**75% of Underground Lines Need No Cleaning or CCTV Inspection.
Identify Them Instantly with the Patented New QuickView.**

Rugged, lightweight and inexpensive, the QuickView zoom inspection camera is the ideal tool to assess infrastructure condition for CMOM, GASB34 and maintenance planning. It looks 75-250' down 6-60" sanitary and storm water lines, revealing at a glance whether pipes need full cleaning and closer inspection. With the QuickView zoom inspection camera, a single operator surveys lines safely from street level, saving the expense of a CCTV van and crew. A powerful zoom camera and lamps pinpoint hidden flaws and obstructions, then document them with color video and measurements.

- GIS/CAD Compatible
- Centered View in All Lines
- Battery Operated for Portability
- Powerful Illumination
- Far-Viewing Zoom Camera
- Ideal for Easements, Remote Areas



- 18' Collapsible Pole
- 216:1 Color Zoom Video Camera
- Adjustable Centering & Stabilization Rod
- High-Intensity Discharge Spot Lamps
- Interfaces with All Common GIS Applications

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QuickView and the QuickView logo are trademarks of Envirosight, LLC. QuickView carries patent no. 6,538,732.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8040

Subject: Amend Council Motion 2006-0249, Passed March 29, 2006, for Auto Chrysler Group OEM Parts and Repair for Various Departments SC-R-2310-037-20742-A1

Category #
4

Page 1 of 1

Agenda Item

13

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

Origination Date
October 15, 2008

Agenda Date
NOV 12 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
David Guernsey Phone: (713) 238-5241
Desiree Heath Phone: (832) 393-8742

Date and Identification of prior authorizing Council Action:
CM2006-0249; Passed 03/29/2006

RECOMMENDATION: (Summary)

Amend Council Motion 2006-0249, passed 03/29/2006, to increase the spending authority from \$594,063.10 to \$742,579.11 for auto Chrysler Group OEM parts and repair services for various departments .

Spending Authority Increased By: \$148,516.01

Finance Budget

\$114,000.00 Fleet Management (1005)
\$ 34,516.01 General Fund (1000)
\$148,516.01 Total

10/28/08

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council amend Council Motion 2006-0249, to increase the spending authority for auto Chrysler OEM parts and repair services awarded to Houston Mac Haik Dodge Chrysler Jeep, Ltd. from \$594,063.10 to \$742,579.11. The additional spending authority is required to continue operations for the Police, Fire, Parks & Recreation, Solid Waste Management and Public Works & Engineering Departments' fleet management services for the remainder of the awarded term.

This award was approved by Council Motion 2006-0249 for a 36-month period with two one-year options to extend in an amount not to exceed \$594,063.10. Expenditures as of September 30, 2008 totaled \$488,079.28.

This award consists of one price list for Chrysler OEM parts; which includes, but is not limited to, radiator fans, brake rotors, thermostats, air motors, a/c valves, condensers and compressors used by the various departments while maintaining the respective departments' fleet. This award also includes a \$214,161.60 labor component for repairs that cannot be done by City personnel.

This solicitation was advertised with a 4% goal for M/WBE participation and Mak Haik Dodge Chrysler Jeep, Ltd. is currently exceeding the goal.

Department	FY2009	FY2010	Total
Public Works & Engineering	\$ 314.00	\$ 72,000.00	\$ 72,314.00
Police	\$13,473.25	\$ 34,251.42	\$ 47,724.67
Solid Waste Management	\$ 6,041.00	\$ 10,359.00	\$ 16,400.00
Parks & Recreation	\$ 603.00	\$ 5,435.67	\$ 6,038.67
Fire	\$ 2,000.00	\$ 4,038.67	\$ 6,038.67
Total	\$22,431.25	\$126,084.76	\$148,516.01

Buyer: Laura Marquez

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

65CDW8040
Other Authorization:
[Signature]
103108

MST

10/28/08

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8027

Subject: Spending Authority to Purchase Maintenance, Repair and Operating Supplies from the State of Texas Building and Procurement Commission's Contract for Various Departments S06-S23030-S

Category #
4

Page 1 of 2

Agenda Item

14

FROM (Department or other point of origin):

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

Origination Date

October 20, 2008

Agenda Date

NOV 12 2008

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Jacquelyn L. Nisby Phone: (832) 393-8023
Desiree Heath Phone: (832) 393-8742

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve spending authority to purchase maintenance, repair and operating supplies from the State of Texas Building and Procurement Commission's Contract in an amount not to exceed \$4,110,505.36 for various departments

Estimated Spending Authority \$4,110,505.36

Finance Budget

- \$3,198,715.36 General Fund (1000) *Hyman*
- \$ 392,188.00 Water & Sewer System Operating Fund (8300) *Hyman 10/30*
- \$ 296,808.00 HAS-Revenue Fund (8001)
- \$ 95,000.00 C&E Civic Center Facility Revenue Fund (8601)
- \$ 54,000.00 Stormwater Fund (2302) *Hyman*
- \$ 22,000.00 Parks Special Revenue Fund (2100)
- \$ 17,000.00 Houston Emergency Center Fund (2205)
- \$ 16,000.00 Fleet Management Fund (1005)
- \$ 9,794.00 Building Inspection Fund (2301) *Hyman*
- \$ 9,000.00 Greater Houston Transtar & Emergency Center Fund (2402) *Hyman*

\$4,110,505.36

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve spending authority to purchase maintenance, repair and operating (MRO) supplies from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program in an amount not to exceed \$4,110,505.36 for various departments, and that authorization be given to make purchases using purchase orders and the City's Purchasing Card, as needed, from the State contract supplier, W. W. Grainger, Inc. for a 24-month period. This contract will be used by City departments to purchase primarily low-dollar items that would average \$150.00 to \$500.00 per order and consists of thousands of miscellaneous MRO supplies such as motors, lighting, electrical equipment, pumps, material handling equipment, fasteners, heating equipment, blowers, ventilators and other industrial-type items used on a daily basis.

Purchases will be made using the supplier's website. This will significantly reduce paper transactions and overall delivery time. Shorter delivery times will reduce the amount of inventory. It is estimated that over 90% of items ordered on any given day before 4:00 PM will be delivered to the City the next business day.

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.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

65CDW8027
Paul Smith

103108

NOT

Date: 10/20/2008	Subject: Spending Authority to Purchase Maintenance, Repair and Operating Supplies from the State of Texas Building and Procurement Commission's Contract for Various Departments S06-S23030-S	Originator's Initials TR	Page 2 of 2
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Buyer: Tywana L. Rhone

Estimated Spending Authority:

DEPARTMENT	FY2009	OUT YEARS	TOTAL
General Services	\$ 547,000.00	\$1,000,000.00	\$1,547,000.00
Fire	\$ 247,050.00	\$ 675,997.00	\$ 923,047.00
Public Works & Engineering	\$ 256,191.00	\$ 256,191.00	\$ 512,382.00
Health & Human Services	\$ 117,130.64	\$ 195,217.72	\$ 312,348.36
Houston Airport System	\$ 98,936.00	\$ 197,872.00	\$ 296,808.00
Solid Waste Management	\$ 44,280.00	\$ 132,840.00	\$ 177,120.00
Police	\$ 30,000.00	\$ 100,000.00	\$ 130,000.00
Convention & Entertainment	\$ 45,000.00	\$ 50,000.00	\$ 95,000.00
Parks & Recreation	\$ 31,300.00	\$ 38,500.00	\$ 69,800.00
Administration & Regulatory Affairs	\$ 5,000.00	\$ 25,000.00	\$ 30,000.00
Houston Emergency Center	\$ 3,000.00	\$ 14,000.00	\$ 17,000.00
GRAND TOTAL	\$1,424,887.64	\$2,685,617.72	\$4,110,505.36

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7989

Subject: Formal Bids Received for Tools, Hand, Electric and Pneumatic for Various Departments
S32-S22729

Category #
4

Page 1 of 2

Agenda Item
15

FROM (Department or other point of origin):

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

Origination Date

October 02, 2008

Agenda Date

NOV 12 2008

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

David Guernsey Phone: (713) 238-5241
Desiree Heath Phone: (832) 393-8742

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve various awards, as shown below, in an amount not to exceed \$448,264.00 for hand, electric and pneumatic tools for various departments.

Estimated Spending Authority: \$448,264.00 ✓

*Fund 8300 only
August 10/23/08*

Finance Budget

\$ 28,300.00 General Fund (1000)
\$107,000.00 HAS Revenue Fund (8001)
\$312,964.00 Water & Sewer System Operating Fund (8300) ✓

\$448,264.00

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve various awards, as shown below, in an amount not to exceed \$448,264.00 for hand, electric, and pneumatic tools for various departments. It is further requested that authorization be given to make purchases, as needed, for a 60-month period. These awards consist of various price lists for hand, electric, and pneumatic tools to be used by various departments to repair, calibrate, maintain or operate equipment and machinery at various facilities citywide.

This is a price list solicitation. The best discount which determines the low bid for a price list is the best bid received for quantities of high-use items selected as sample pricing items based on the current needs of the Department. The bid total for sample pricing items does not represent the total amount to be purchased; rather, this award recommendation is for the total estimated expenditures projected over the 60-month period based on the low bid submitted for the representative samples.

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

Colonial Hardware: Award on its low bid meeting specifications for Group Nos. 1 (Ridgid Tools price list which includes, but is not limited to, blades, hammers, and cutters), 2 (Klein Tools price list which includes, but is not limited to, side cutters, saws, and pouches), and 5 (Cooper Industrial Tools price list which includes, but is not limited to, tape measures, hammers, and bolt cutters) in an amount not to exceed \$291,448.63.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Jim Chang

Other Authorization:

Andrew McE...
10/31/08

(OSCDW) 7989

MST

15

Date: 10/2/2008	Subject: Formal Bids Received for Tools, Hand, Electric and Pneumatic for Various Departments S32-S22729	Originator's Initials VD	Page 2 of 2
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<u>COMPANY</u>	<u>SAMPLE PRICING</u>
Colonial Hardware	\$ 672.12
Houston Industrial Tools	\$ 782.98
MSC Industrial Supply	\$1,003.38

Houston Industrial Tools: Award on its sole bid for Group No. 4 (Hilti Husco price list which includes, but is not limited to, various size bits), and on its low bid for Group Nos. 6 (Cooper Industrial Tools, Wellers and Xcellite price list which includes, but is not limited to, soldering iron heaters), 7 (Cooper Industrial Tools, Nicholson price list which includes, but is not limited to, various size files), 8 (Reed Pipe Tools price list which includes, but is not limited to, various wrenches and wheel cutters), and 9 (Goldblatt price list which includes, but is not limited to, various taping and floating knives) in an amount not to exceed \$156,815.37.

<u>COMPANY</u>	<u>SAMPLE PRICING</u>
Colonial Hardware	\$ 72.51 (Partial Bid/Higher Unit Price)
MSC Industrial Supply	\$ 150.60 (Partial Bid/Higher Unit Price)
Houston Industrial Tools	\$ 210.77

Group No. 3 is not being awarded because the product line has been discontinued.

Buyer: Veronica Douglas, CPPB

Estimated Spending Authority

DEPARTMENT	FY 09	OUT YEARS	TOTAL
Houston Airport System	\$23,400.00	\$ 83,600.00	\$107,000.00
Public Works & Engineering	\$62,592.80	\$250,371.20	\$312,964.00
Fire	\$ 6,000.00	\$ 0.00	\$ 6,000.00
Parks & Recreation	\$ 5,000.00	\$ 17,300.00	\$ 22,300.00
Grand Total	\$96,992.80	\$351,271.20	\$448,264.00

✓ *few!*

SUBJECT: Ordinance repealing section 28-37 of the Code of Ordinances and adopting a new section 28-37 relating to the regulation and prohibition of attention-getting devices	Category #	Page 1 of 1	Agenda Item # 16
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 11-7-08	Agenda Date NOV 12 2008
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE	Council District affected: All
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For additional information contact: Andrew F. Icken Phone: (713) 837- 0510 Deputy Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION: Adopt an ordinance repealing Section 28-37 of the Code of Ordinances, Houston, Texas and adopting a new Section 28-37 relating to the prohibition of attention-getting devices.

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

The Houston Code of Ordinances includes provisions regulating Attention-Getting Devices (AGD), which includes pennants, streamers, inflatable objects and other apparatus designed to attract attention to commercial concerns. The current regulations set out in Section 28-37 are unwieldy and unenforceable. As written, the Code states that AGDs are unlawful, yet in a separate section allows them, if permitted through the city's Sign Administration Division, for a limited number of days each calendar year. Because these allowable days are not required to be consecutive, enforcement of the ordinance has proven extremely difficult. The ordinance charges a fee of \$15.00 per calendar year for each premise upon which the device will be displayed. Additional premises are charged a separate \$15.00, but under no circumstances shall the fee exceed \$100.00 for any calendar year. The ordinance goes on to state that no sign permitting funds can be used for the enforcement of the AGD ordinance. In order to effectively enforce the ordinance as currently written, the fees would need to be increased to adequately cover the costs of enforcement, and additional staff added to the Sign Administration Division.

In June 2008, Mayor White established an On-Premise Sign Task Force to make recommendations regarding our current Sign Code regulations for signs and devices located on the premises of businesses, stores, schools, hospitals, and other entities. The Task Force has recommended the proposed actions as an important first step in this process. The proposed ordinance would prohibit the use of AGD for certain commercial purposes. The prohibition would not apply to the use of banners, seasonal holiday displays and banners, or real estate signs. In addition, the ordinance would not preclude the use of these devices for festivals, parties, school events or holiday celebrations. The proposed provisions would take effect on May 1, 2009.

By May 1, 2009, the task force is expected to complete its review of standards for on-premise signs and will make further recommendations to City Council based on its findings. The process may include consideration of permitting inflatable devices as allowable ground signs.

The Department of Public Works and Engineering introduced these revisions to Section 28-37 at the October 6 and November 6, 2008 Quality of Life Committee. The committee recommended moving the ordinance forward to City Council.

REQUIRED AUTHORIZATION 20AFI23

F&A Director:	Other Authorization:	Other Authorization:  Andrew F. Icken Deputy Director Planning and Development Services
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City of Houston Ordinance No. 2008-_____

NOV 18 2008

AN ORDINANCE REPEALING CURRENT SECTION 28-37 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, AND ADOPTING A NEW SECTION 28-37 RELATING TO THE REGULATION AND PROHIBITION OF ATTENTION-GETTING DEVICES; CONTAINING DEFINITIONS; MAKING VARIOUS PROVISIONS AND FINDINGS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; PROVIDING EFFECTIVE DATES; AND DECLARING AN EMERGENCY.

* * *

WHEREAS, the City Council of the City of Houston finds there are a large number of diverse devices, including, without limitation, pennants, streamers, balloons, lights, banners and other similar devices (referred to in these findings as "attention-getting devices") currently in use in the City of Houston that are placed in such a manner as to visually attract the attention of motorists and pedestrians to the location of commercial businesses or enterprises; and

WHEREAS, in an attempt to regulate such devices the City Council adopted Section 28-37 to the Code of Ordinances of the City of Houston, providing for the registration of attention-getting devices, limiting the period of display, and otherwise attempting to control the proliferation of such devices; and

WHEREAS, Houston traffic remains among the worst in the nation according to the Texas Transportation Institute's annual Urban Mobility Report, and any impediment to safe driving in such heavy traffic represents a hazard to the traveling motorist; and

WHEREAS, studies conducted in conjunction with the National Highway Traffic Safety Administration have identified driver inattention as the single greatest cause of highway accidents and near accidents; and

WHEREAS, such studies have also concluded that the causes of driver inattention often include off-road distractions as well as those distractions occurring on the driving surface; and

WHEREAS, studies conducted by the University of Toronto, the Minnesota Department of Transportation, and the Michigan State Highway Department, among others, have concluded that off-road signs and sign-like devices, such as attention-getting devices, distract drivers, lead to driver inattention, and contribute to the incidence of traffic collisions; and

WHEREAS, research conducted by and on behalf of the City of Houston has ascertained that at least seventeen other major population centers/cities in the United States impose total or partial bans on the use of attention getting devices; and,

WHEREAS, such attention-getting devices are not generally suitable as nor do they comply with the minimum structural standards for treatment, classification, permitting or administrative enforcement purposes as "signs" under the various classifications and provisions of the Houston Sign Code, Chapter 46 of the City of Houston Building Code, and are thus not regulated under the Sign Code; and

WHEREAS, the City Council of the City of Houston finds and determines that such devices are structurally unsound and do not comply with minimum structural standards designed to withstand wind loads and other weather-related stresses indigenous to Houston, and the proliferation of such devices constitutes a substantial threat to the health, safety, and welfare of the citizens of the City of Houston; and

WHEREAS, based on the foregoing, the City Council of the City of Houston finds that such attention-getting devices are nuisances that could pose substantial problems of traffic safety similar to and, in many instances, more serious than, conventional commercial advertising signs; and

WHEREAS, the City Council of the City of Houston finds that the extensive use and proliferation of such attention-getting devices within the City contributes to urban visual clutter and blight and adversely affects the aesthetic environment and the safety and quality of life for the community and the citizens of the City of Houston; and

WHEREAS, based on the foregoing, the City Council of the City of Houston concludes that regulation of attention-getting devices is ineffective and that for the future prohibition rather than regulation of such devices is in the best interests of the citizens of the City of Houston; **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, as of the effective date of this ordinance, current Section 28-37 of the Code of Ordinances, Houston, Texas, is hereby repealed.

SECTION 3. That, effective May 1, 2009, a new Section 28-37 to the Code of Ordinances, Houston, Texas, is hereby adopted to read as follows:

"Sec. 28-37. Attention-getting devices.

(a) As used in this section, *attention-getting devices* shall mean devices erected, placed or maintained outdoors so as to attract attention to any commercial business, or any goods, products or services available on the premises of a commercial business, including but not limited to the following devices: banners; cut out figures; discs; festooning, including tinsel, strings of ribbons, and pinwheels; inflatable objects, including balloons; non-governmental flags; pennants; propellers; steam- or smoke-producing devices; streamers; whirligigs; wind devices; blinking, rotating, moving, chasing, flashing, glaring, strobe, scintillating, search, flood or spot lights; or similar devices, any of which are located or employed in connection with the conduct of a commercial business. Attention-getting devices shall not include any structure or device that is permitted under the Houston Sign Code, Chapter 46 of the Building Code.

(b) It shall be unlawful for any person to place, erect, maintain, or display any attention-getting device on any private or public property within the city. No attention-getting device shall be eligible for a permit under the Houston Sign Code.

(c) Enforcement of this section shall be the duty of the sign administration division of the public works and engineering department or any law enforcement officer.

(d) Any person who shall violate any provision of this section shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not less than \$300 and not more than \$500 for each violation. Each day in which any violation shall occur shall constitute a separate offense."

Section 4. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that

no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 5. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect 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 APPROVED this ___ day of _____, 2008.

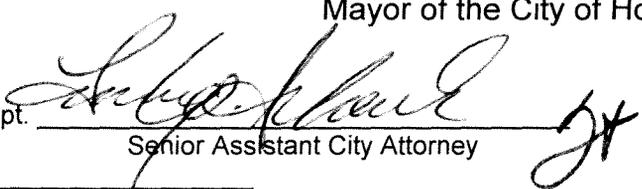
Mayor of the City of Houston

Prepared by Legal Dept. _____

LWS:asw 11/7/2008

Requested by _____

L.D. File No. _____


Senior Assistant City Attorney

SUBJECT: Ordinance authorizing the sale to Monument Pipeline, L.P. of a ±4,000-square-foot surface pipeline easement, a ±14,149-square-foot subsurface pipeline easement, and four temporary workspace easements and to CenterPoint Energy Resources Corp., dba CenterPoint Energy Texas Gas Operations, of a ±2,413-square-foot subsurface pipeline easement and two temporary workspace easements, all out of fee-owned City property, located in the G.P. Burnett Survey, A-1382. Parcels SY7-033A thru F and SY7-034A thru C	Page <u>1</u> of <u>2</u>	Agenda Item # <div style="text-align: right; font-size: 2em; font-family: cursive;">17</div>
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 11-6-08	Agenda Date NOV 12 2008
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DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E., D.WRE, BCEE, Director	Council District affected: E Key Map 576W DD
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For additional information contact: Nancy P. Collins Phone: (713) 837-0881 MPC Senior Assistant Director-Real Estate	Date and identification of prior authorizing Council Action: C.M. 2007-0279 (3/21/07)
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RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the sale to Monument Pipeline, L.P. of a ±4,000-square-foot surface pipeline easement, a ±14,149-square-foot subsurface pipeline easement, and four temporary workspace easements and to CenterPoint Energy Resources Corp., dba CenterPoint Energy Texas Gas Operations, of a ±2,413-square-foot subsurface pipeline easement and two temporary workspace easements, all out of fee-owned City property, located in the G.P. Burnett Survey, A-1382. **Parcels SY7-033A thru F and SY7-034A thru C**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:
 By Council Motion 2007-0279, City Council authorized the sale to Monument Pipeline, L.P. [NET General Partners, LLC (Jerry C. Dearing, Vice President), General Partner] of a ±4,000-square-foot surface pipeline easement and to CenterPoint Energy Resources Corp., dba CenterPoint Energy Texas Gas Operations, of a ±16,814-square-foot subsurface pipeline easement, both out of fee-owned City property, located in the G.P. Burnett Survey, A-1382. Subsequent to the motion it was determined that Monument Pipeline, L.P. required a subsurface pipeline easement and four temporary workspace easements in addition to the surface pipeline easement. Subsequent to the motion it was also determined the other applicant, CenterPoint Energy Texas Gas Operations, required a smaller subsurface pipeline easement and two temporary workspace easements. The Joint Referral Committee reviewed the applicants' requested changes and recommended the sale to Monument Pipeline, L.P. of a ±4,000-square-foot surface pipeline easement, a ±14,149-square-foot subsurface pipeline easement, and four temporary workspace easements and to CenterPoint Energy Texas Gas Operations, of a ±2,413-square-foot subsurface pipeline easement and two temporary workspace easements, all out of fee-owned City property, located in the G.P. Burnett Survey, A-1382, subject to City Council approval.

Monument Pipeline, L.P. and CenterPoint Energy Resources Corp., dba CenterPoint Energy Texas Gas Operations, have complied with the Council motion requirements, have accepted the City's offer, and have rendered payment in full.

The City will sell to Monument Pipeline, L.P.:

Parcel SY7-033A	4,000-square-foot surface pipeline easement	\$5,700.00
	Valued at \$1.425 per square foot	
Parcel SY7-033B	14,149-square-foot subsurface pipeline easement	\$10,612.00
	Valued at \$0.75 per square foot	
Parcel SY7-033C	27,694-square-foot temporary workspace easement	\$3,323.00
	Valued at \$0.12 per square foot	

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REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization: Andrew F. Icken, Deputy Director Planning and Development Services Division
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Date:	Subject: Ordinance authorizing the sale to Monument Pipeline, L.P. of a ±4,000-square-foot surface pipeline easement, a ±14,149-square-foot subsurface pipeline easement, and four temporary workspace easements and to CenterPoint Energy Resources Corp., dba CenterPoint Energy Texas Gas Operations, of a ±2,413-square-foot subsurface pipeline easement and two temporary workspace easements, all out of fee-owned City property, located in the G.P. Burnett Survey, A-1382. Parcels SY7-033A thru F and SY7-034A thru C	Originator's Initials DW	Page <u>2</u> of <u>2</u>
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Parcel SY7-033D
4,000-square-foot temporary workspace easement \$480.00
Valued at \$0.12 per square foot

Parcel SY7-033E
5,004-square-foot temporary workspace easement \$600.00
Valued at \$0.12 per square foot

Parcel SY7-033F
2,400-square-foot temporary workspace easement \$288.00
Valued at \$0.12 per square foot

TOTAL SALE **\$21,003.00**

In exchange, Monument Pipeline, L.P. will pay:

Cash \$21,003.00

TOTAL CASH **\$21,003.00**

The City will sell to CenterPoint Energy Resources Corp., dba CenterPoint Energy Texas Gas Operations:

Parcel SY7-034A
2,413-square-foot subsurface pipeline easement \$1,810.00
Valued at \$0.75 per square foot

Parcel SY7-034B
2,413-square-foot temporary workspace easement \$290.00
Valued at \$0.12 per square foot

Parcel SY7-034C
27,694-square-foot temporary workspace easement \$3,323.00
Valued at \$0.12 per square foot

TOTAL SALE **\$5,423.00**

In exchange, CenterPoint Energy Resources Corp., dba CenterPoint Energy Texas Gas Operations will pay:

Cash \$5,423.00

TOTAL CASH **\$5,423.00**

GRAND TOTAL OF SALES **\$26,426.00**

GRAND TOTAL OF CASH **\$26,426.00**

Therefore, it is recommended City Council approve an ordinance authorizing the sale to Monument Pipeline, L.P. of a ±4,000-square-foot surface pipeline easement, a ±14,149-square-foot subsurface pipeline easement, and four temporary workspace easements and to CenterPoint Energy Resources Corp., dba CenterPoint Energy Texas Gas Operations, of a ±2,413-square-foot subsurface pipeline easement and two temporary workspace easements, all out of fee-owned City property, located in the G.P. Burnett Survey, A-1382, in exchange for the consideration of \$26,426.00.

MSM: NPC: dob

c: Jun Chang, P.E.
Mark Loethen, P.E.

Daniel Menendez, P.E.
Marty Stein

MOTION by Council Member Khan that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Ginger Thornton of GDT Land Consultants, Inc., on behalf of Monument Pipeline, L.P. [NET General Partners, LLC (Jerry C. Dearing, Vice President), General Partner] for the sale of a of a ±4,000-square-foot surface pipeline easement and Sue Findley on behalf of CenterPoint Energy Resources Corp. dba CenterPoint Energy Texas Gas Operations, for the sale of a ±16,814-square-foot subsurface pipeline easement, both out of fee-owned City property, G. P. Burnett Survey, A-1382, Parcels SY7-033 and SY7-034, be adopted as follows:

1. The City sell to Monument Pipeline, L.P. a ±4,000-square-foot surface pipeline easement and to CenterPoint Energy Resources Corp., dba CenterPoint Energy Texas Gas Operations, a ±16,814-square-foot subsurface pipeline easement, both out of fee-owned City property, G. P. Burnett Survey, A-1382,
2. ~~The applicants be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;~~
3. The Legal Department be authorized to prepare the necessary transaction documents; and
4. Mr. Michael Copland and Mr. Jimmy Payton, independent real estate appraisers, are hereby appointed to establish the value, inasmuch as the value of the property interest is expected to exceed \$25,000.00.

Seconded by Council Member Lawrence and carried.

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

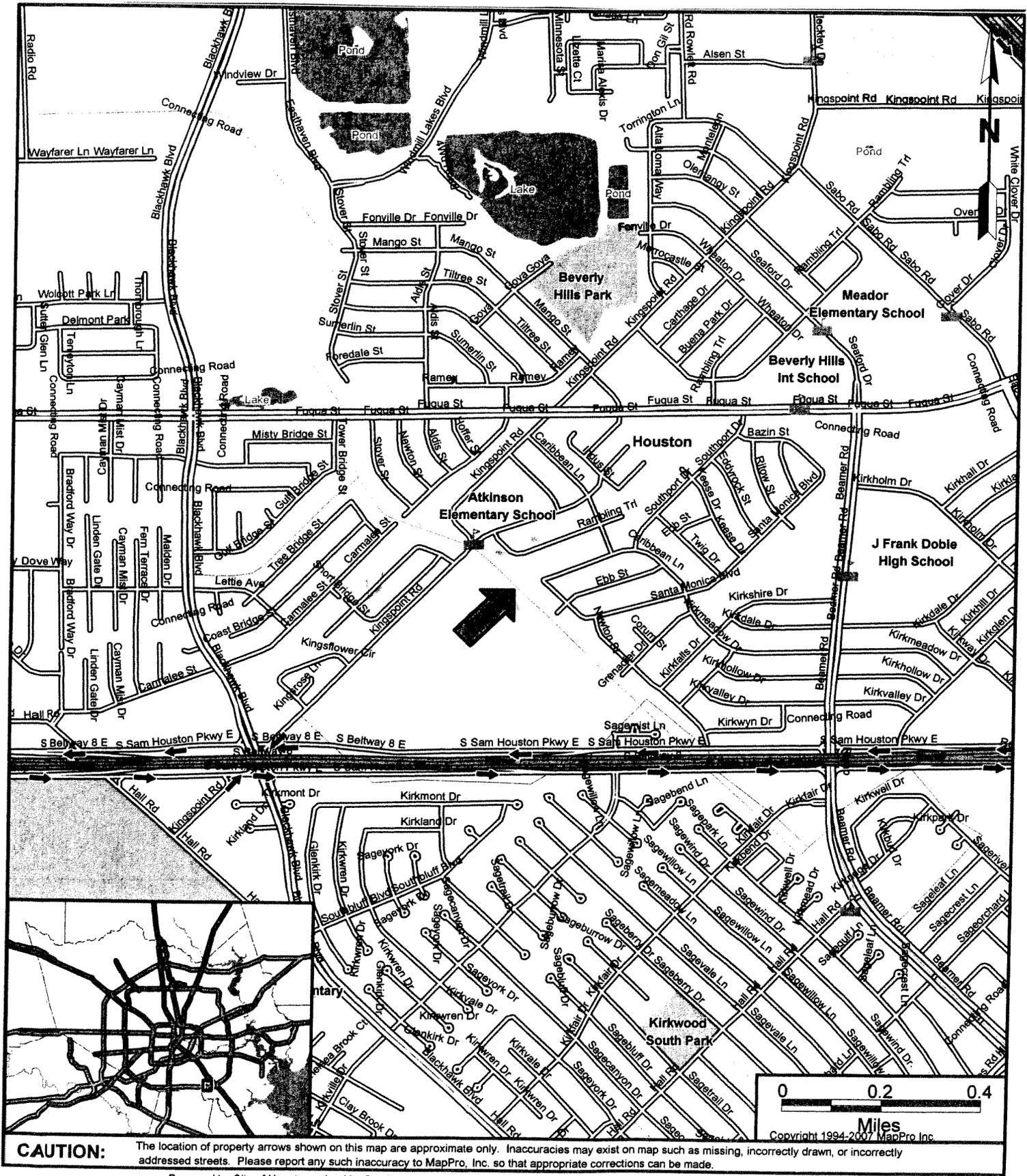
PASSED AND ADOPTED this 21st day of March, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is March 27, 2007.


City Secretary

LOCATION MAP

Sale to Monument Pipeline, L.P. of a ±4,000-square-foot surface pipeline easement, a ±14,149-square-foot subsurface pipeline easement, and four temporary workspace easements and to CenterPoint Energy Resources Corp., dba CenterPoint Energy Texas Gas Operations, of a ±2,413-square-foot subsurface pipeline easement and two temporary workspace easements, all out of fee-owned City property, G.P. Burnett Survey, A-1382. **Parcels SY7-033A thru F and SY7-034A thru C**



TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 300 block of Archer Street, east and west sides, between Temple and Melwood Avenues as a Special Building Line Requirement Area	Category #	Page 1 of 1	Agenda Item # 18
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 8-19-08	Agenda Date NOV 12 2008
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DIRECTOR'S SIGNATURE: <i>MLG</i> <i>Marlene L. Gafrick</i>	Council District affected: H
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 300 block of Archer Street, east and west sides, between Temple and Melwood Avenues as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 15'-0" special building line.

Amount and Source of Funding:	Finance Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-163 of the Code of Ordinances, the property owner of Lot 3, Block 30 of the Brooke Smith Subdivision initiated an application for the designation of a special building line requirement area. The application includes written evidence of support from owners of 67% of the area. Notification was mailed to 12 property owners indicating that the special building line requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

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

MLG:md

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

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

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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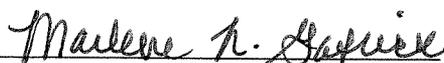
Special Building Line Requirement Area No. 147

Planning Director's Approval

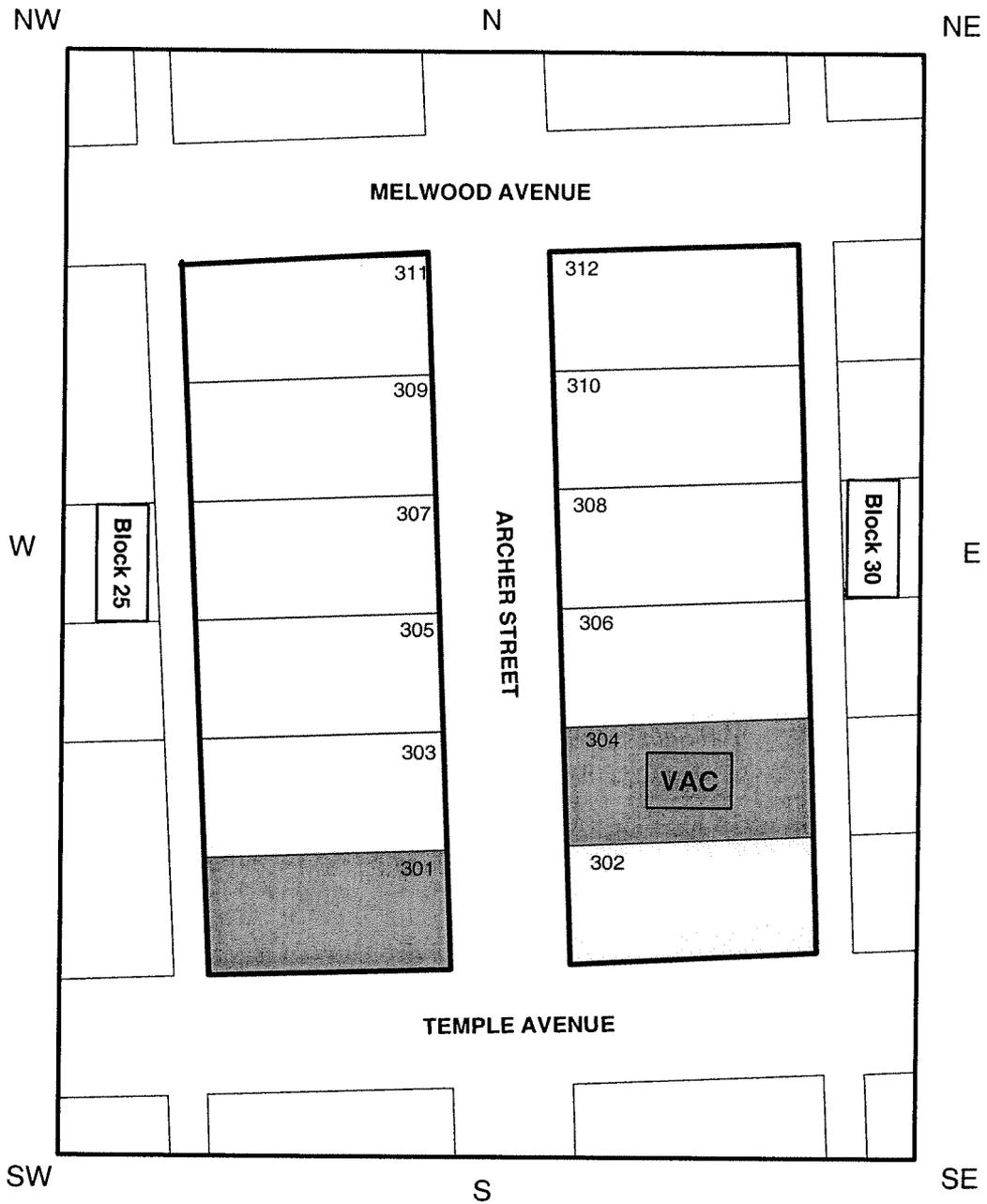
Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SBLRA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 300 block of Archer Street, east and west sides.</p>
X		<p><i>More than 60% of the proposed SBLRA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>92% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 67% of the SBLRA.</p>
X		<p><i>Establishment of the SBLRA will further the goal of preserving the building line character of the area; and,</i></p> <p>A minimum building line of 15 ft exists on ten (10) properties in the blockface.</p>
X		<p><i>The proposed SBLRA has a building line character that can be preserved by the establishment of a special building line, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1905. The houses mostly originate from the 1930's. The establishment of a 15 ft minimum building line will preserve the building line character of the area.</p>
<p><i>The minimum building line for this application was determined by finding the current building line that represents a minimum standard for at least 70% of the application area.</i></p> <p>Ten (10) out of twelve (12) developed properties (representing 91% of the application area) have a building line of at least fifteen (15) feet.</p>		

The Special Building Line Requirement Area meets the criteria.


8/19/09
 Marlene L. Gafrick, Director Date

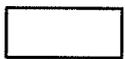
Brooke Smith



15ft Special Building Line

MAP/SKETCH

SBLRA No. 147



Properties that meet the 15' Special Building Line



Properties less than the 15' Special Building Line

MF Multi Family

COM Commercial

VAC Vacant

EXC Excluded

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 300 block of Archer Street, east and west sides, between Temple and Melwood Avenues as a Special Minimum Lot Size Area	Category #	Page 1 of 1	Agenda Item # 19
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 8-19-08	Agenda Date NOV 12 2008
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DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>	Council District affected: H
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 300 block of Archer Street, east and west sides, between Temple and Melwood Avenues as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

Amount and Source of Funding:	Finance Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-194 of the Code of Ordinances, the property owner of of Lot 3, Block 30, of the Brooke Smith Subdivision initiated an application for the designation of a special minimum lot size area. The application includes written evidence of support from the owners of 67% of the area. Notification was mailed to the 12 property owners indicating that the special minimum lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

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

MLG:kw

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

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

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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Special Minimum Lot Size Area No. 296

Planning Director's Approval

Planning Director Evaluation:

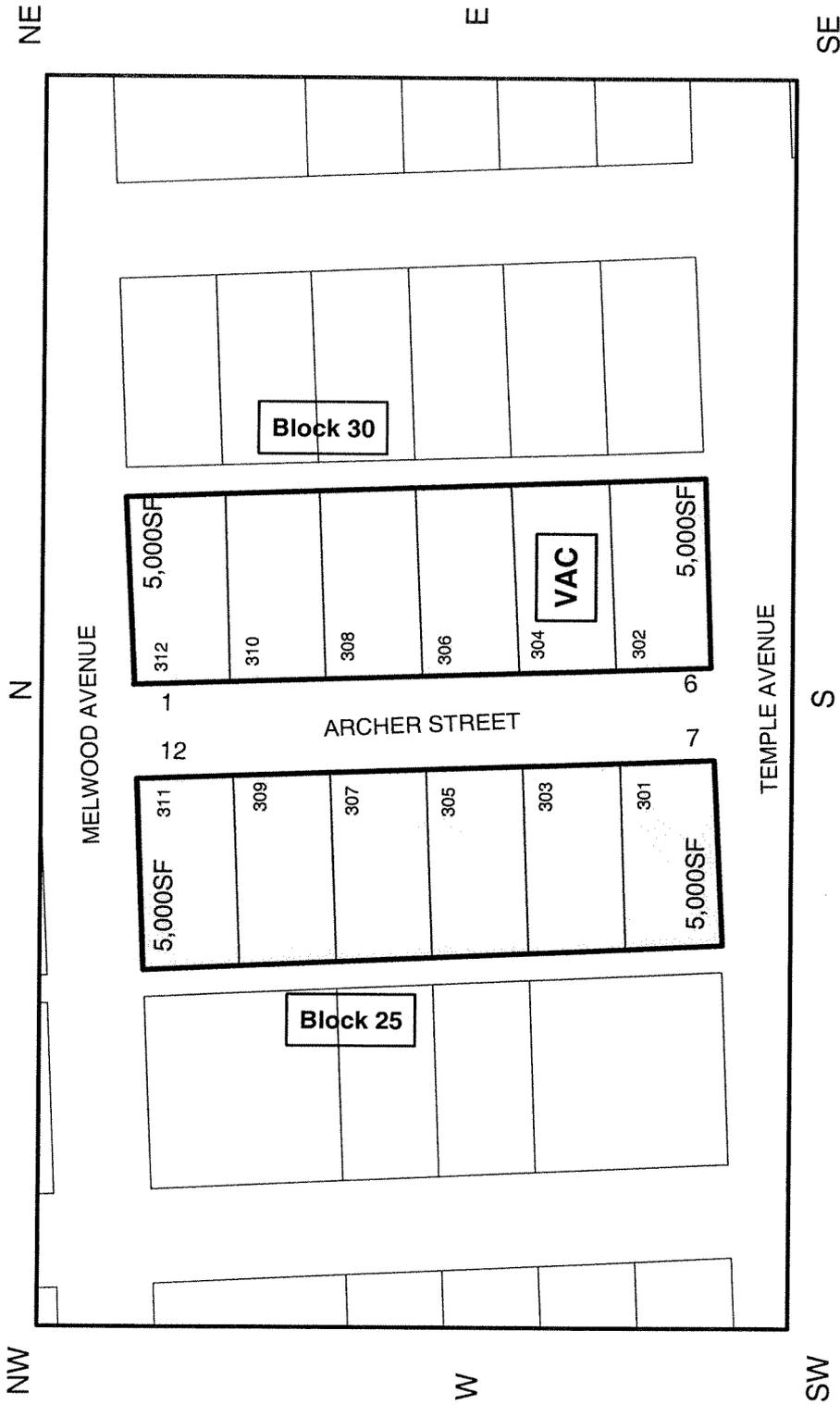
Satisfies	Does Not Satisfy	Criteria
X		<p><i>SMLSA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 300 block of Archer Street, east and west sides.</p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>92% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 67% of the SMLSA.</p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p>A minimum lot size of 5,000 sq ft exists on all twelve lots in the blockfaces.</p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1905. The houses originate from the 1930's. The establishment of a 5,000 sf minimum lot size will preserve the lot size character of the area.</p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p>Twelve (12) out of twelve (12) lots (representing 100% of the application area) are at least 5, 000 square feet in size.</p>		

The Special Minimum Lot Size Area meets the criteria.

Marlene L. Gafrick
 Marlene L. Gafrick, Director

8/19/05
 Date

BROOKE SMITH



5000sf Special Minimum Lot Size

MAP/SKETCH

SMLSA No. 296

- Properties that meet the 5,000sf Special Minimum Lot Size
- Properties less than the 5,000sf Special Minimum Lot Size
- MF Multi Family
- COM Commercial
- VAC Vacant
- EXC Excluded

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 1200 block of West Drew Street, north side, between Waugh Drive and Van Buren Street as a Special Building Line Requirement Area	Category #	Page 1 of _____	Agenda Item # <i>20</i>
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 7/25/08	Agenda Date NOV 12 2008
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DIRECTOR'S SIGNATURE: <i>MS</i> 	Council District affected: D
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 1200 block of West Drew Street, north side, between Waugh Drive and Van Buren Street as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 15'-0" special building line.

Amount and Source of Funding:	Finance Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-163 of the Code of Ordinances, the property owner of Lot 37 of the Westover Subdivision initiated an application for the designation of a special building line requirement area. The application includes written evidence of support from owners of 53% of the area. Notification was mailed to eighteen (18) property owners indicating that the special building line requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

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

MLG:md

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

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

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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Special Building Line Requirement Area No. 141

Planning Director's Approval

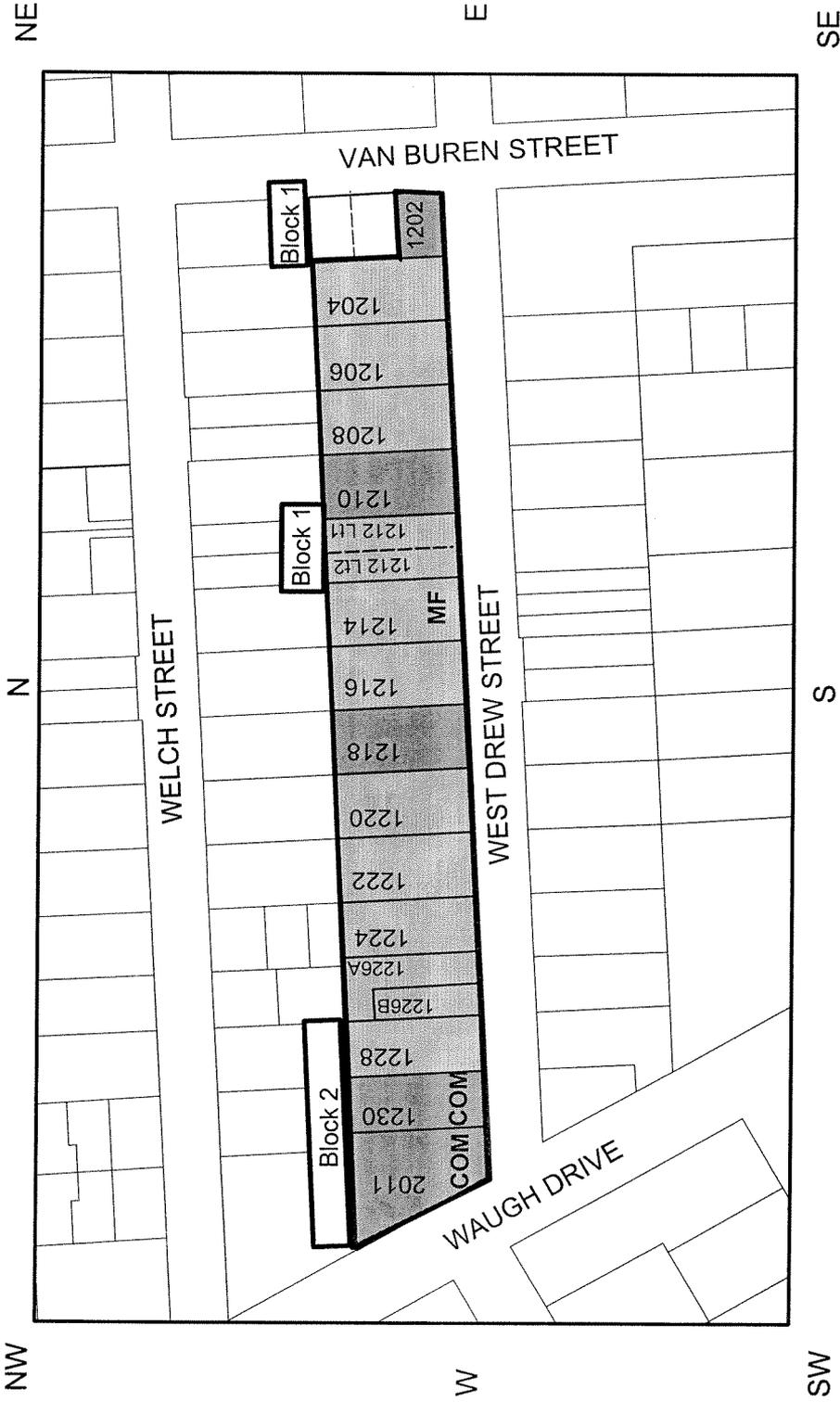
Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SBLRA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 1200 block of West Drew Street, north side.</p>
X		<p><i>More than 60% of the proposed SBLRA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>80% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 53% of the SBLRA.</p>
X		<p><i>Establishment of the SBLRA will further the goal of preserving the building line character of the area; and,</i></p> <p>A minimum building line of 15 ft exists on thirteen (13) properties in the blockface.</p>
X		<p><i>The proposed SBLRA has a building line character that can be preserved by the establishment of a special building line, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1909. The houses mostly originate from the 1900's through the 1930's. The establishment of a 15 ft minimum building line will preserve the building line character of the area.</p>
<p><i>The minimum building line for this application was determined by finding the current building line that represents a minimum standard for at least 70% of the application area.</i></p> <p>Thirteen (13) out of eighteen (18) developed properties (representing 72% of the application area) have a building line of at least fifteen (15) feet.</p>		

The Special Building Line Requirement Area meets the criteria.

Marlene L. Gafrick 7-25-08
 Marlene L. Gafrick, Director Date

WESTOVER, WEST DREW TOWNHOMES, STRATFORD AND WASSIR



15' Special Building Line
MAP/SKETCH

SBLRA No. 141

- Properties that meet the 15' Special Building Line
- Properties less than the 15' Special Building Line
- MF Multi Family
- COM Commercial
- VAC Vacant
- EXC Excluded

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

SUBJECT: Ordinance designating the 1200 block of West Drew Street, north side, between Waugh Drive and Van Buren Street as a Special Minimum Lot Size Area	Category #	Page 1 of _____	Agenda Item # 21
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 7/25/08	Agenda Date NOV 12 2008
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DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>	Council District affected: D
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 1200 block of West Drew Street, north side, between Waugh Drive and Van Buren Street as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

Amount and Source of Funding:	Finance Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-194 of the Code of Ordinances, the property owner of of Lot 37 of the Westover Subdivision initiated an application for the designation of a special minimum lot size area. The application includes written evidence of support from the owners of 53% of the area. Notification was mailed to the eighteen (18) property owners indicating that the special lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 4,350 sf.

MLG:kw

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

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

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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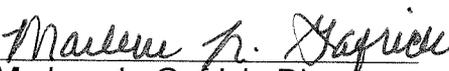
Special Minimum Lot Size Area No. 289

Planning Director's Approval

Planning Director Evaluation:

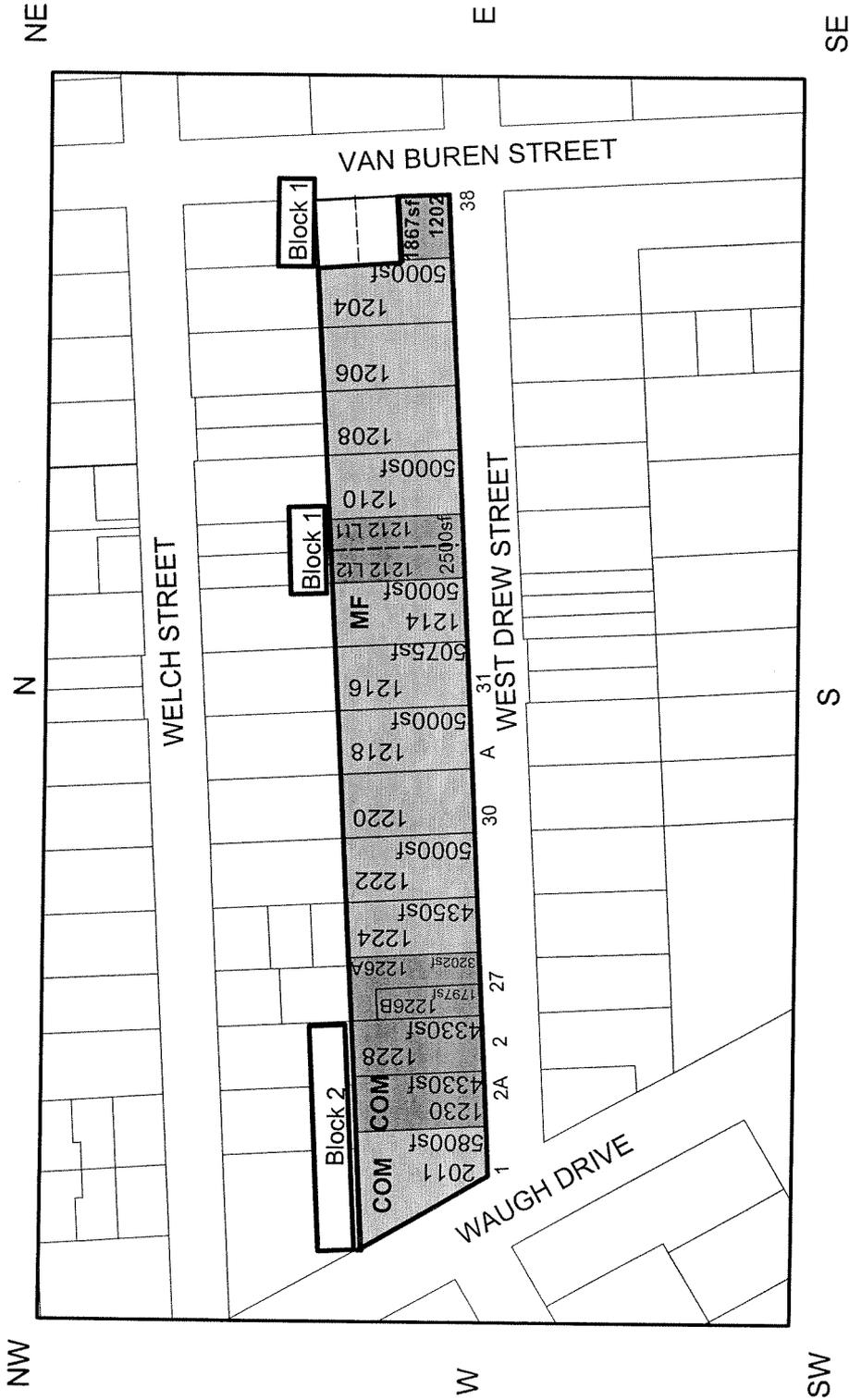
Satisfies	Does Not Satisfy	Criteria
X		<p><i>SMLSA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 1200 block of West Drew Street, north side.</p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>80% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 53% of the SMLSA.</p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p>A minimum lot size of 4,350 sq ft exists on eighteen (18) lots in the blockface.</p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1909. The houses mostly originate from the early 1900's through 1930's. The establishment of a 4,350 sf minimum lot size will preserve the lot size character of the area.</p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p>Eleven (11) out of eighteen (18) lots (representing 73% of the application area) are at least 4,350 square feet in size.</p>		

The Special Minimum Lot Size Area meets the criteria.


7-25-05

 Marlene L. Gafrick, Director Date

WESTOVER, WEST DREW TOWNHOMES, STRATFORD AND WASSIR



4,350sf Special Minimum Lot Size
MAP/SKETCH

SMLSA No. 289

- Properties that meet the 4,350sf Special Minimum Lot Size
- Properties less than the 4,350sf Special Minimum Lot Size
- MF Multi Family
- COM Commercial
- VAC Vacant
- EXC Excluded

HCD 08-150

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance authorizing a substantial amendment to the 2008 Consolidated Action Plan to include the Neighborhood Stabilization Program (NSP).	Category #	Page 1 of 2	Agenda Item # 22
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FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development Department	Origination Date 10/31/08	Agenda Date NOV 12 2008
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DIRECTOR'S SIGNATURE: 	Council District affected: A, B, D, E, H, I
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For additional information contact: Donald Sampley Phone: 713.868.8458	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)

City Council authorization to substantially amend the 2008 Consolidated Action Plan and submit an application for a Neighborhood Stabilization Program (NSP) and accept the grant award from the U.S. Department of Housing and Urban Development (HUD).

Amount of Funding: \$13,542,193	Finance Budget:
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SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

Other (Specify)

SPECIFIC EXPLANATION:

The Housing and Community Development Department (HCDD) is requesting approval for substantially amending the 2008 Consolidated Action Plan and submitting an application to HUD for a Neighborhood Stabilization Program (NSP). HUD established NSP to assist cities in redevelopment of abandoned and foreclosed homes in economically distressed areas. The City of Houston is scheduled to receive \$13,542,193 to finance improvement strategies in areas adversely impacted by residential foreclosures.

HCDD has established three (3) Target Zones as demonstration areas for the Neighborhood Stabilization Program. NSP funds will be used to finance two (2) types of community improvement projects: Acquisition/Blight Removal and Acquisition/Rehabilitation of foreclosed abandoned residential properties. Federal funds will be leveraged with private sector and local dollars to reduce foreclosures, increase homeownership, expand the stock of affordable housing while removing the presence of vacant and abandoned buildings. NSP improvement strategies will be replicated in neighboring areas around each of the Target Zones. NSP funds are proposed for distribution among the following categories:

Acquisition/Blight Removal	\$8,802,425
Acquisition/Rehabilitation	\$3,385,549
Program Administration	\$1,354,219



REQUIRED AUTHORIZATION		
Finance Director:	Other Authorization:	Other Authorization:

Date 10/31/08	Subject: An Ordinance authorizing a substantial amendment of the 2008 Consolidated Action Plan to include the Neighborhood Stabilization Program (NSP).	Originators Initials 	Page <u>2</u> of <u>2</u>
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A summary of the NSP Substantial Amendment was published in the Houston Chronicle, LaVoz de Houston, Forward Times and Southern Chinese Daily News. As stipulated by federal regulations for the NSP Grant, residents have fifteen (15) days to comment on the proposed amendment to the **2008 Consolidated Action Plan** before it is approved by City Council. The fifteen-day review period extended from November 4, 2008 through November 18, 2008. In addition, information about the Neighborhood Stabilization Program will be distributed at a public hearing, sponsored by HCDD, on November 12th.

Approval of the ordinance is recommended.

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

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance appropriating \$2,119,507.80 in tax increment revenue payments made by the Port of Houston Authority, Harris County Hospital District, and earned Interest in the TIRZ Funds (City) and authorizing the transfer of tax increment revenues and interest from the various Tax Increment Funds pursuant to Tri-Party Agreements.	Category # 1	Page 1 of 1	Agenda Item # 23
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FROM: (Department or other point of origin): Department of Finance (Economic Development)	Origination Date October 28, 2008	Agenda Date NOV 12 2008
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DIRECTOR'S SIGNATURE: <i>Michelle Mitchell</i>	Council Districts affected: "All"
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For additional information contact: Tantri Erlinawati Phone: 7-9857 Randell M. Naquin Phone: 7-9646	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary)
An ordinance appropriating \$2,119,507.80 in tax increment revenue payments made by the Port of Houston Authority, Harris County Hospital District, and earned interest in TIRZ Funds, and authorizing the transfer of tax increment revenues and interest from the various Tax Increment Funds pursuant to Tri-Party Agreement.

Amount of Funding: \$2,119,507.80	Finance Budget
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Source of Funding:) [] General Fund [] Grant Fund [] Enterprise Fund [X] Other (Specify)
\$2,119,507.80 from various TIRZ funds (See attached spreadsheets).

Specific Explanation:
The appropriation of \$2,119,507.80 results from tax increment payments received from the Port of Houston Authority, Harris County Hospital District for Main Street/Market Square (\$128,282.00) and earned interest (\$1,991,225.80) in the various TIRZ funds.

As set forth in the attached spreadsheet, \$6,414.10 will be transferred to the General Fund for TIRZ Administrative costs; and \$2,113,093.70 will be paid to various redevelopment authorities or retained in the TIRZ Fund for approved project costs.

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

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization: <i>Tantri Erlinawati</i> For TOM MESA, Deputy Director	Other Authorization:
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CITY OF HOUSTON TAX INCREMENT REINVESTMENT ZONES
SUMMARY OF TAX INCREMENT CALCULATIONS HARRIS COUNTY, PORT OF HOUSTON, AND INTEREST
(Harris County Hospital District TY07, Port of Houston TY06-TY07, and Interest FY06-08)

#	TIRZ	Fund # (SAP)	County Payments Received and Interest FY2006-2008	Administrative Fee Transfer to General Fund 1000	Net Increment and Interest due to Redevelopment Authority
1	Lamar Terrace	7512	\$ 62,058.41		\$ 62,058.41
2	Midtown	7550	269,048.34		\$ 269,048.34
3	Market Square	7551	275,590.97	6,414.10	\$ 269,176.87
4	Village Enclave	7552	136,722.09		\$ 136,722.09
5	Memorial Heights	7553	69,127.66		\$ 69,127.66
6	Eastside	7554	N/A	N/A	N/A
7	OST/Almeda	7555	117,658.18		\$ 117,658.18
8	Gulfgate	7556	29,315.03		\$ 29,315.03
9	South Post Oak	7557	18,117.19		\$ 18,117.19
10	Lake Houston	7558	427,918.89		\$ 427,918.89
11	Greenspoint	7559	127,658.80		\$ 127,658.80
12	CityPark	7560	7,587.51		\$ 7,587.51
13	Old Sixth Ward	7561	16,910.74		\$ 16,910.74
14	Fourth Ward	7562	42,668.01		\$ 42,668.01
15	East Downtown	7563	15,286.59		\$ 15,286.59
16	Uptown	7564	258,117.96		\$ 258,117.96
17	Memorial City	7565	47,958.31		\$ 47,958.31
18	Fifth Ward	7566	9,674.01		\$ 9,674.01
19	Upper Kirby	7567	86,585.96		\$ 86,585.96
20	Southwest Houston	7568	85,195.00		\$ 85,195.00
21	Hardy Place	7569	16,063.48		\$ 16,063.48
22	Leland Woods	7570	244.67		\$ 244.67
Total			\$ 2,119,507.80	\$ 6,414.10	\$ 2,113,093.70

Note: Please see attached document for further details

**CITY OF HOUSTON TAX INCREMENT REINVESTMENT ZONES
TAX INCREMENT CALCULATIONS FOR HARRIS COUNTY (Port of Houston Authority) - TAX YEAR 2006**

#	TIRZ	Fund # (SAP)	(A) County Payments Received	(B) Harris County Affordable Housing Fund (col A/3) (2)	(C) Administrative Fee Transfer to General Fund 1000 (col A-B) x 5%	Harris County Net Increment due to Redevelopment Authority (col A-B-C)	Payee
1	Lamar Terrace	7512	\$ -	\$ -	\$ -	\$ -	St. George Place RA
2	Midtown (Original)	7550				\$ -	Midtown RA
3	Market Square (3)	7551	7,212.00		360.60	6,851.40	Main Street/Market Square
	Original Annexed		7,212.00		360.60		
4	Village Enclave	7552	N/A			N/A	
5	Memorial Heights	7553				\$ -	Memorial Heights RA
6	Eastside	7554	N/A			N/A	
7	OST/Alameda	7555	-			\$ -	OST Alameda RA
	Original Annexed						
8	Gulfgate	7556	-			-	Gulfgate RA
	Original Annexed						
9	South Post Oak	7557			(1)	\$ -	South Post Oak RA
10	Lake Houston (Original)	7558				\$ -	Special Pay Instructions #1
11	Greenspoint	7559			(1)	\$ -	Greater Greenspoint RA
12	CityPark	7560	N/A			N/A	
13	Old Sixth Ward	7561				\$ -	Old Sixth Ward RA
14	Fourth Ward	7562	N/A			N/A	
15	East Downtown	7563	N/A			N/A	
16	Uptown	7564	N/A			N/A	
17	Memorial City	7565	N/A			N/A	
18	Fifth Ward	7566	N/A			N/A	
19	Upper Kirby	7567	N/A			N/A	
20	Southwest Houston	7568	N/A			N/A	
21	Hardy Place	7569	N/A			N/A	
22	Leland Woods	7570	N/A			N/A	
Total			\$ 7,212.00	\$ -	\$ 360.60	\$ 6,851.40	

Notes: (1) County does not contribute to the Administration Fee per the Interlocal Agreement
(2) Directly paid to County per Ordinance 2001-307 (TIRZ #1) and Ordinance 2001-1163 (#13).
(3) #3 Market Square - County funds (Port Authority: Hospital District) received separately effective with TY05 revenue.

Special Pay Instructions #1

Payments are for project costs, developer reimbursements, and debt service; invoices to be submitted at a later date.
TIRZ 10 has no Redevelopment Authority.

Harris County
Port Authority
Hospital District

7,212.00 Received 10/16/08

\$ 7,212.00

**CITY OF HOUSTON TAX INCREMENT REINVESTMENT ZONES
TAX INCREMENT CALCULATIONS FOR HARRIS COUNTY - TAX YEAR 2007**

#	TIRZ	Fund # (SAP)	(A) County Payments Received	(B) Harris County Affordable Housing Fund (col A/3) ⁽²⁾	(C) Administrative Fee Transfer to General Fund 1000 (col A-B) x 5%	Harris County Net Increment due to Redevelopment Authority (col A-B-C)	Payee
1	Lamar Terrace	7512	\$ -	\$ -	\$ -	\$ -	St. George Place RA
2	Midtown	7550	(Original)			\$ -	Midtown RA
3	Market Square ⁽³⁾	7551	(Original)	121,070.00	6,053.50	\$ 115,016.50	Main Street/Market Square
			Original Annexed	121,070.00	6,053.50		
4	Village Enclave	7552	N/A			N/A	
5	Memorial Heights	7553	-			\$ -	Memorial Heights RA
6	Eastside	7554	N/A			N/A	
7	OST/Alameda	7555	-			\$ -	OST Alameda RA
			Original Annexed	-	-		
8	Gulfgate	7556	-			\$ -	Gulfgate RA
			Original Annexed	-	-		
9	South Post Oak	7557	-			\$ -	South Post Oak RA
10	Lake Houston	7558	(Original)			\$ -	Special Pay Instructions #1
11	Greenspoint	7559	-			\$ -	Greater Greenspoint RA
12	CityPark	7560	N/A			N/A	
13	Old Sixth Ward	7561	-			\$ -	Old Sixth Ward RA
14	Fourth Ward	7562	N/A			N/A	
15	East Downtown	7563	N/A			N/A	
16	Uptown	7564	N/A			N/A	
17	Memorial City	7565	N/A			N/A	
18	Fifth Ward	7566	N/A			N/A	
19	Upper Kirby	7567	N/A			N/A	
20	Southwest Houston	7568	N/A			N/A	
21	Hardy Yards	7569	N/A			N/A	
22	Leland Woods	7570	N/A			N/A	
Total			\$ 121,070.00	\$ -	\$ 6,053.50	\$ 115,016.50	

Notes:

- (1) County does not contribute to the Administration Fee per the Interlocal Agreement
- (2) Directly paid to County per Ordinance 2001-307 (TIRZ #1) and Ordinance 2001-1163 (#13).
- (3) #3 Market Square - County funds received separately effective with TY05 revenue.

Harris County	Appropriated \$267,713.00 09/03/08
Port Authority	8,412.00 \$8,412.00 received 10/16/08
Hospital District	112,658.00 Received 09/02/08
	<u>\$ 121,070.00</u>

Special Pay Instructions #1

Payments are for project costs, developer reimbursements, and debt service; invoices to be submitted at a later date.
TIRZ 10 has no Redevelopment Authority.

CITY OF HOUSTON TAX INCREMENT REINVESTMENT ZONES
TAX INCREMENT FUND INTEREST IN FUNDS- FISCAL YEARS 2006-2008

#	TIRZ	Fund # (SAP)	Interest Accrued in Fund per TIRZ	Fund Interest/ Net Increment due to Redevelopment Authority (col A-B-C)	Payee
1	Lamar Terrace	7512	\$ 62,058.41	(4) \$ 62,058.41	St. George Place RA
2	Midtown	7550	\$ 269,048.34	(4) \$ 269,048.34	Midtown RA
3	Market Square (3)	7551	\$ 147,308.97	(4) \$ 147,308.97	Main Street/Market Square
4	Village Enclave	7552	\$ 136,722.09	(4) \$ 136,722.09	Special Pay Instructions #2
5	Memorial Heights	7553	\$ 69,127.66	(4) \$ 69,127.66	Memorial Heights RA
6	Eastside	7554			
7	OST/Alameda	7555	\$ 117,658.18	(4) \$ 117,658.18	OST, Alameda RA
8	Gulfigate	7556	\$ 29,315.03	(4) \$ 29,315.03	Gulfigate RA
9	South Post Oak	7557	\$ 18,117.19	(4) \$ 18,117.19	South Post Oak RA
10	Lake Houston	7558	\$ 427,918.89	(4) \$ 427,918.89	Special Pay Instructions #1
11	Greenspoint	7559	\$ 127,658.80	(4) \$ 127,658.80	Greater Greenspoint RA
12	CityPark	7560	\$ 7,587.51	(4) \$ 7,587.51	City Park RA
13	Old Sixth Ward	7561	\$ 16,910.74	(4) \$ 16,910.74	Old Sixth Ward RA
14	Fourth Ward	7562	\$ 42,668.01	(4) \$ 42,668.01	Fourth Ward RA
15	East Downtown	7563	\$ 15,286.59	(4) \$ 15,286.59	East Downtown RA
16	Uptown	7564	\$ 258,117.96	(4) \$ 258,117.96	Uptown RA
17	Memorial City	7565	\$ 47,958.31	(4) \$ 47,958.31	Memorial Heights RA
18	Fifth Ward	7566	\$ 9,674.01	(4) \$ 9,674.01	Fifth Ward RA
19	Upper Kirby	7567	\$ 86,585.96	(4) \$ 86,585.96	Upper Kirby RA
20	Southwest Houston	7568	\$ 85,195.00	(4) \$ 85,195.00	Southwest Houston RA
21	Hardy Yards	7569	\$ 16,063.48	(4) \$ 16,063.48	Special Pay Instructions #1
22	Leland Woods	7570	\$ 244.67	(4) \$ 244.67	Leland Woods RA
	Total		\$ 1,991,225.80	(4) \$ 1,991,225.80	

Special Pay Instructions #1

Payments are for project costs, developer reimbursements, and debt service; invoices to be submitted at a later date.
TIRZ 10 and 21 have no Redevelopment Authority.

Special Pay Instructions #2

Payment to HISD for West Side HS
Withholding for TIRZ Admin costs \$ 136,722.09

(4) Interest accrued in City (TIRZ) Funds from fiscal year 2006 through fiscal year 2008

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Ordinance approving an Interlocal Agreement by and between the City of Houston, Reinvestment Zone Number Two, City of Houston, Texas (the Midtown Zone), the Midtown Redevelopment Authority and the Houston Community College System.

Category #

Page
1 of 1

Agenda Item#

24

FROM: (Department or other point of origin):

Michelle Mitchell, Director
Finance Department

Origination Date

November 3, 2008

Agenda Date

NOV 12 2008

DIRECTOR'S SIGNATURE:

Michelle Mitchell
Finance Department

Council Districts affected:

D and I

For additional information contact:

Robert Fiederlein

Phone: (832)393-8091

Date and identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

That City Council adopt an ordinance approving an Interlocal Agreement by and between the City of Houston, Reinvestment Zone Number Two, City of Houston, Texas (the Midtown Zone), the Midtown Redevelopment Authority and the Houston Community College System.

Amount of Funding: No Funding Required

Finance Budget:

SOURCE OF FUNDING:

General Fund Grant Fund Enterprise Fund
 Other (Specify)

SPECIFIC EXPLANATION:

The Houston Community College System (HCCS) has agreed to participate in Reinvestment Zone Number Two, City of Houston, Texas (the Midtown Zone). An agreement among HCCS, the Midtown Zone, the Midtown Redevelopment Authority, and the City providing terms and conditions for this participation has been negotiated and approved by all other parties. City Council is the final governing body whose approval is required for the agreement to be effective.

HCCS has agreed to participate in the Zone by paying to the Midtown Zone tax increment fund 100% of the tax increment attributed to the captured appraised value in the Zone on the portion of the taxes levied by HCCS for operation and maintenance (presently \$0.0818/\$100 taxable value) for the term of the agreement. Initially, two-thirds of HCCS's participation, up to \$5 million, will be applied to project costs associated with streetscape improvements to the blockfaces that are contiguous to the HCCS Central Campus. Thereafter, one-third of the HCCS's participation will be applied to project costs in the general vicinity of HCCS's Central Campus and one-third to other eligible project costs. At all times, one-third of HCCS's participation will be applied to affordable housing in accordance with Chapter 311 of the Texas Tax Code (the "TIRZ Act").

The Finance Department recommends adoption of the ordinance approving the agreement.

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

Deborah McAbee, Legal Department
Arturo Michel, City Attorney

Finance Director:

Other Authorization:

Other Authorization:

Fourth Ward

midtown

Downtown

Montrose

Third Ward

Museum District

U.S. Highway 59

Interstate 45

MIDTOWN-HCC'S SIDEWALK IMPROVEMENT PROGRAM AREA

----- = PROJECT AREA

PROJECT LIMITS

- ALABAMA FROM MAIN TO CRAWFORD
- HOLMAN FROM MAIN TO CRAWFORD
- CAROLINE FROM HOLMAN TO ELGIN

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance approving contract with Johnson and Johnson, a partnership, to represent the City of Houston before the 81 st Session of the Texas Legislature and State Agencies		Category #	Page 1 of 1	Agenda Item # <i>25</i>
FROM (Department or other point of origin): Ann Travis, Director, Mayor's Office of Government Affairs		Origination Date 11-6-08	Agenda Date NOV 12 2008	
DIRECTOR'S SIGNATURE: <i>Ann A. Travis</i>		Council District affected: All		
For additional information contact: Ann Travis, Director Government Affairs Phone: 832-393-0835		Date and identification of prior authorizing Council action: 11/15/2006 2006-1155		
RECOMMENDATION: (Summary) Adopt ordinance authorizing contract with Johnson and Johnson, a partnership, to act as "team coordinator" in representing the City of Houston before the Texas Legislature during the next Legislative Session and to represent the City before State Agencies.				
Amount and Source of Funding: Total contract amount - \$735,000 – 2 years – General Fund (FY 09: \$557,916.69 Outyears: \$177,083.39)		Finance Budget:		
SPECIFIC EXPLANATION: The Mayor's Office of Government Affairs recommends City Council approve a contract with Johnson and Johnson, to act as "team coordinator" and engage various subcontractors to assist them in representing the City of Houston before the Texas Legislature during the next Legislative Session, any special called sessions, before interim committees and State Agencies for a two year period. Robert and Gordon Johnson have extensive experience working with the Texas Legislature and State Agencies in a team leader/coordinator capacity. During the 80 th Session, the Johnsons and the team successfully advocated the City's position on numerous pieces of legislation. Examples of successfully introduced and passed legislation include: strengthening nuisance law to discourage common nuisances; tightening rules regarding permit applications for alcoholic beverage licenses; and enabling the City to enter into a new regional participation agreement with The Woodlands. The team was also instrumental in defending the City against legislation that would have had a significant negative impact on the City, including legislation that would have prevented municipalities from pursuing air nuisance violations outside their corporate limits and legislation that would have waived a city's sovereign immunity from liability when a police officer or firefighter sues a city to collect money damages. The proposed contract provides for a two-year term with a maximum contract amount of \$735,000. This represents an increase of \$45,000 from the previous contract. The proposed contract will coincide with the term of the 81 st Session as well as any special called sessions and interim activity. The team coordinator is contemplating subcontracts with the persons named on the attached list.				
REQUIRED AUTHORIZATION				
Finance Department:		Other Authorization:		NDT

City of Houston State Legislative Lobby Team Leaders

Rob and Gordon Johnson

The father and son partnership of Johnson and Johnson opened its offices in early 1984 with Robert E. Johnson and Robert E. Johnson, Jr. In 1987, Gordon Johnson joined the firm. In January of 1991, Robert E. Johnson accepted Lt. Governor Bob Bullock's offer to return to public service where he served as his Senate Parliamentarian until his death in 1995. Johnson & Johnson is the oldest lobbying firm in Texas.

Rob Johnson

Mr. Johnson has extensive experience in Austin including work for the House of Representatives, Secretary of the Senate, Counsel to Senate Administration Committee and the Business Tax Division of the Comptroller's Office. Mr. Johnson currently serves as an elected member of the New Braunfels Independent School District Board of Trustees.

He also served as former Director from 1992 to 2002 of the Capitol School of Austin, a private, non-profit school for young children with language-based problems and learning disorders as well as a former Director/Shareholder, Coastal Banc Savings Association, Houston, Texas, from 1986-2004.

Gordon Johnson

Legislative experience includes staff positions with Representative Pete Laney and Senator Peyton McKnight. Law practice in Austin includes practice before various state agencies and legislative research and bill drafting.

Potential Lobby Team Subcontractors

Nora Del Bosque

Ms. Del Bosque has worked in Texas politics for 23 years, in public, corporate and private consulting positions. She has previously held the position of Chief Clerk with the Houston Appropriations Committee and also served with the House Ways & Means Committee. Since 1995, she has been a legislative consultant working on a variety of issues such as telecommunications, land development, and healthcare reform among others.

Randy Erben

Mr. Erben's legal practice focuses on legislative, regulatory and administrative matters both in Austin and Washington, D.C. Mr. Erben has served as both Acting Assistant Secretary and Deputy Assistant Secretary of HUD in the George H. W. Bush Administration where he had oversight of CDBG, HOME and homeless programs. Prior to his federal service, Mr. Erben served as Director of the Office of State-Federal Relations and as Assistant Secretary of State for Texas serving under Governor Clements.

Anthony Haley

Mr. Haley worked as Vice President for University Relations at Texas Southern University from 1998-2000. He has also served as Chief of Staff and General Counsel to Senator Rodney Ellis and Representative Garnet Coleman. Haley graduated from the University of Texas School of Law and earned his B.A. from Brown University.

Michael Harris

Mr. Harris is a Government Affairs Consultant on various city, county and state issues. Mr. Harris has previously practiced civil litigation in State and Federal courts, worked as a Deputy Constable with Harris County, taught at the Golden Eagle Leadership Academy and was a member of the Houston Police Department for over 10 years.

Al Luna

For 11 years, Mr. Luna served as a member of the Texas House of Representatives. Mr. Luna's leadership roles while in Austin included Chairman of the House Committee on Science and Technology, Chairman of the Mexican-American Legislative Caucus, and Vice Chairman of the Ways and Means Committee. Mr. Luna's legal practice focuses on public finance and government relations and he has represented the City of Houston for 5 legislative sessions.

Mario Martinez

As a former Chief of Staff for State Representative Tom Uher, Mr. Martinez coordinated legislative programs and served as a liaison between press, constituents and government agencies. A member of the City of Houston lobby team since 1993, Mr. Martinez has a strong grasp of the broad issues affecting the City.

Don McFarlin

Mr. McFarlin spent 27 years in the business sector in the Houston metro area. From 1997 to 2002, he served as SBC's Vice President of Government Relations in Houston/Southeast Texas. In 2003, he formed an independent legislative consulting business. This will be Mr. McFarlin's fourth session representing the City of Houston.

Glen Shuffler

Mr. Shuffler has been involved in government law for over 30 years. His public service includes serving as an attorney in the Elections Division in the Texas Secretary of State's Office as well as the Texas Legislative Council where he served for over 20 years. Mr. Shuffler has extensive experience in drafting legislation. In private practice since 2002, Mr. Shuffler focuses on current and proposed local government law, environmental law, criminal law, administrative and constitutional law, and all relevant legislative processes and parliamentary procedures.

William Yarnell

Mr. Yarnell specializes in a legislative practice at the State level with a focus on public finance, contractual agreements, taxes and workers compensation insurance. Mr. Yarnell's previous experience in Austin includes working for Representative Wolens and in the legislative office of the Texas General Land Office.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance approving Houston Galveston Area Council (HGAC) Solid Waste Implementation Grant to enhance Neighborhood Recycling Drop-offs and Recycling Centers	Category	Page 1 of 1	Agenda Item # 26
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FROM (Department or other point of origin): Solid Waste Management Department	Origination Date September 17, 2008	Agenda Date NOV 12 2008
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DIRECTOR'S SIGNATURE: Harry Hayes, Director <i>Harry J. Hayes</i>	Council District affected: ALL
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For additional information contact: Ed Zilton 713.837.9139 Marilyn Leday 713.837.9138	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
Adopt ordinance to accept the HGAC Solid Waste Implementation Grant to enhance Neighborhood Recycling Drop-Offs and Recycling Centers.

Amount and Source of Funding: HGAC Grant (Fund 5030) \$ 444,599	Finance Budget: <i>Marilyn Leday</i>
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EXPLANATION:
The Solid Waste Management Department (SWM) applied for and has been approved for a Solid Waste Management Grant in the amount of \$444,599 from the Houston Galveston Area Council (HGAC). The required City match will be provided through in-kind services already funded in the SWM recycling budget. The grant will be used to enhance recycling services offered at the Westpark Consumer Recycling Center, the new Southwest Environmental Service Center, the ReUse Warehouse, as well as the Center Street, Clear Lake and the Kingwood Drop-off facilities.

- Funds will be used for the following purchases and projects:
- Paneled Box Truck with a lift gate for the Westpark Recycling Center to be used to haul materials to vendors.
 - Compactors for Center Street, Clear Lake, and Kingwood recycling sites to help maximize the amount of corrugated cardboard collected at these sites while reducing the number of hauls required. Additional fencing will also be purchased.
 - Three 47 cubic yard boxes that will be used along with the compactors to maximize operational efficiencies.
 - Five new Roll-off Boxes to increase operational capacity and efficiencies.
 - Audio Visual Equipment at the newly constructed Environmental Service Center that is scheduled to open by this year.
 - Recycled lumber signage for ReUse Warehouse, Center Street, and Kingwood locations.
 - Additional supplies and equipment to include: Digital Scale Pallet Jacks, Boxfans and drop-down heaters for Westpark; leather gloves, safety vests, goggles; pallets, over-sized plastic bags to bundle smaller plastic bags collected for recycling at Westpark; and promotional items for the recycling program.
 - A Loading Dock will be constructed at Westpark to create a service entrance, eliminating the need to prevent customers from entering the facility during loading/unloading operation. The dock will also create additional storage capacity.

REQUIRED AUTHORIZATION

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

SUBJECT: Ordinances 1) approving supplemental allocation to current contract and 2) approving and authorizing new contract with METRO for the City Employee Transit Program		Page 1 of 2	Agenda Item # # 27-28
FROM (Department or other point of origin): Human Resources Department		Origination Date: November 7, 2008	Agenda Date: NOV 12 2008
DIRECTOR'S SIGNATURE: <i>Candy Clarke Aldridge</i> Candy Clarke Aldridge, Acting Director	Council District affected: All		
	For additional information contact: Candy Clarke Aldridge 713-837-9333 Gerri R. Walker 713-837-9360 <i>GRW</i>		
RECOMMENDATION: Adopt ordinances 1) amending Ordinance No. 2007-1260 to increase maximum contract amount to contract with the Metropolitan Transit Authority of Harris County, Texas (METRO), and 2) approving and authorizing contract with METRO for the City of Houston Employee Transit Program		Date and identification of prior authorizing Council action: Ord. 2007-1260 November 7, 2007	
Amount and source of funding: <u>Supplemental allocation to current contract:</u> \$70,000 General, Enterprise and Other Funds (See Below) <u>New contract:</u> Maximum Contract Amount: \$990,000 General, Enterprise and Other Funds (See Below)			
EXPLANATION: In 1998 the Human Resources Department implemented the Employee Transit Program to provide City employees who work in certain downtown locations with METRO bus passes. The program has been very successful, creating an opportunity for employees to save money on gas, tolls and car maintenance, as well as reducing polluting vehicle emissions and commuter traffic. With the addition of a rail line and increasing gas prices, the number of employees opting to join the program has grown consistently. METRO implemented an electronic "Q Card" system in March 2008, in which the City is invoiced only for actual trips taken, resulting in better accountability and cost-effectiveness. The current contract was approved by Council in November 2007 with spending authority of up to \$800,000. Between December 2007 and October 2008, the number of participants in the program grew from an average of 1,000 to the current 1,335. In addition, METRO's recent fare increase, the first since the inception of the program, resulted in higher than estimated program costs for the last month of the contract term. The first of the two proposed ordinances would authorize an increase in the maximum contract amount to allow a supplemental allocation of \$70,000. The current contract expires on November 19, 2008. The second proposed ordinance would authorize a new one-year contract with METRO, with a maximum contract amount of \$990,000. This increase in spending authority is needed in anticipation of an additional ten percent increase in enrollment through November 2009 and the effect of higher fares over the entire contract term. In addition to using METRO buses and rail, employees may also take advantage of METRO-sponsored vanpools in the rideshare program. To encourage consistent mass transit travel, the program includes the following incentives: <ul style="list-style-type: none"> • If an employee experiences a mid-day emergency when METRO does not have off-peak hour transit to a Park and Ride lot, METRO will arrange transportation for the employee to the lot. Employees may receive this service 12 times before incurring any cost. • If an employee occasionally needs to drive a vehicle to work to conduct city business, the employee may park in a city-owned parking lot at no charge. • The Loyalty Rider Program credits five free rides for each 50 rides taken, amounting to an approximate ten percent discount. 			
REQUIRED AUTHORIZATION			
Finance Department:	Other Authorization:	Other Authorization:	

Subject: Ordinances 1) approving supplemental allocation to current contract and 2) approving and authorizing new contract with METRO for the City Employee Transit Program

**Originator's
Initials:**

**Page
2 of 2**

Funding Allocation for Current Contract (FY2009)

General Fund	\$ 49,000
Enterprise Funds	\$ 9,800
Other Funds	<u>\$ 11,200</u>
TOTAL	\$ 70,000

Funding Allocation for New Contract

	<u>FY2009</u>	<u>FY2010</u>
General Fund (1000)	\$399,826	\$285,593
CIP Salary Recovery (1001)	56,509	40,366
Central Service Revolving (1002)	5,425	3,876
Property and Casualty (1004)	1,266	904
Fleet Management (1005)	995	710
Workers Compensation (1011)	2,893	2,067
Auto Dealers (2200)	452	323
Police Special Services (2201)	452	323
Municipal Courts Security (2206)	2,713	1,938
Building Inspection (2301)	11,483	8,202
Stormwater Fund (2302)	452	323
Houston Transtar (2402)	633	452
HAS Revenue (8001)	1,718	1,227
Water & Sewer System Operating (8300)	78,029	55,740
C&E Facilities Revenue (8601)	6,329	4,521
Parking Management (8700)	2,170	1,550
Health Benefits (9000)	6,148	4,392
TOTAL	\$577,493	\$412,507

Eligible Downtown Work Locations:

1200 Travis
611 Walker
900 and 901 Bagby
1400 Lubbock
1301 Travis
61 Riesner
319 St. Emanuel
500 McKinney
1415 Fannin
1001 Avenida De Las Americas
510 Preston
500 Jefferson

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7895

Subject: Ordinance appropriating funds, approving amendment to Ord. No. 2008-0122, and authorizing first amendment to contract with Johnson controls, Inc. S17-T22534 (Contract No. 4600008583)

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
November 04, 2008

Agenda Date
NOV 12 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
B

For additional information contact:
Jacquelyn L. Nisby Phone: (832) 393-8023
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:
Ord. No. 2008-0122; Passed 2/13/2008

RECOMMENDATION: (Summary)

Adopt ordinance appropriating \$187,000.00 out of the Public Health Consolidated Construction Fund, amending Ordinance No. 2008-0122 to increase the maximum contract amount, and authorizing a first amendment to contract with Johnson Controls, Inc. for energy management and maintenance services for the General Services Department.

Maximum Contract Amount Increased By: \$187,000.00

Finance Budget

\$187,000.00 Public Health Consolidated Construction Fund (4508)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance appropriating \$187,000.00 out of the Public Health Consolidated Construction Fund, amending Ordinance No. 2008-0122 to increase the maximum contract amount, and authorizing a first amendment to the contract with Johnson Controls, Inc. This contract was awarded on February 13, 2008, for a five-year term with two one-year options, in the amount of \$8,336,069.00. The scope of work requires Johnson Controls to provide all labor, equipment, materials, tools, supervision and transportation necessary to provide fire alarm monitoring maintenance and testing services; heating, ventilation, and air conditioning maintenance and operations; energy management; preventive maintenance to include lighting and electrical; and maintain the Building Maintenance Systems (BMS) at all Houston Public Library facilities managed by the General Services Department, and at other City facilities as needed.

The requested appropriation and ordinance amendment will increase contract spending authority from \$8,336,069.00 to \$8,523,069 to fund replacement of two 120-ton heating, ventilation and air conditioning (HVAC) chillers at the Acres Home Multi-Service Center, which GSD manages for the Health and Human Services Department. The existing chillers are 18 years old and are beyond their useful life per the American Society of Heating, Refrigerating and Air Conditioning Engineers standard of 15 Years. Several compressors on the existing chillers have already failed and neither of the existing chillers is capable of operating at full capacity. The replacement of the chillers also includes removal and replacement of the BMS main HVAC equipment controller and connection to the City's server, allowing monitoring and manipulation of the HVAC equipment.

The proposed contract amendment will allow for the replacement of the contract's fee schedule to reflect the change from the Impak Computerized Maintenance Management System (CMMS) to the Sprocket CMMS with the Report Writing Module and Graphic User Interface (GUI). Because the Sprocket system had been in use previously, City employees are adept and can interface with Johnson Controls more efficiently through the Sprocket system. This change will not require any increase in contract funding and will avoid the need for extensive retraining. The Sprocket CMMS is a 100% web-based automated system that collects and

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Date: 11/4/2008	Subject: Ordinance appropriating funds, approving amendment to Ord. No. 2008-0122, and authorizing first amendment to contract with Johnson controls, Inc. S17-T22534 (Contract No. 4600008583)	Originator's Initials MS	Page 2 of 2
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dispatches all work requests through multiple, web-based database tables. The system automatically receives, dispatches, updates and permanently documents all of the maintenance activity and information, and provides GSD and Johnson Controls with 24/7/365 remote access.

This contract was issued as a goal-oriented contract with a 15% M/WBE participation level, and the contractor is currently achieving 20.30%.

Buyer: Murdock Smith

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7844

Subject: Formal Bids Received for Belt Filter Press Assembly Services for the Public Works & Engineering Department
S30-L22511

Category #
4

Page 1 of 1

Agenda Item

30

FROM (Department or other point of origin):

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

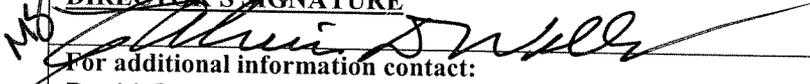
Origination Date

October 16, 2008

Agenda Date

NOV 12 2008

DIRECTOR'S SIGNATURE

MS


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 Ashbrook Simon-Hartley Operations, LP on its low bid meeting specifications in an amount not to exceed \$1,470,526.58 for belt filter press assembly services for the Public Works & Engineering Department.

Maximum Contract Amount: \$1,470,526.58

Finance Budget

Approved 10/27/08

\$1,470,526.58 - Water & Sewer System Operating Fund (8300)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to Ashbrook Simon-Hartley Operations, LP on its low bid meeting specifications in an amount not to exceed \$1,470,526.58 for belt filter press assembly services 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. This contract will be used to maintain belt press assembly equipment at the eight wastewater treatment plants within the City.

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

	Company	Total Amount
1.	Compositech Manufacturing, Inc.	\$ 412,510.16 (Partial Bid/Higher Unit Prices)
2.	Andritz Separation, Inc.	\$1,109,285.00 (Did Not Meet Specifications)
3.	Environmental Machines and Services, LLC	\$1,332,424.74 (Withdrew Bid)
4.	Ashbrook Simon-Hartley Operations, LP	\$1,470,526.58

The scope of work requires the contractor to provide all labor, supervision, materials, supplies, equipment and tools necessary to provide semi-annual preventative maintenance inspections on thirteen belt filter press assemblies and related equipment at the eight wastewater treatment plants within the City. The contractor is also required to repair and replace those parts needed to ensure that the belt filter press assemblies operate efficiently, safely and at an optimum level at all times.

Estimated Spending Authority

Department	FY09	Out Years	Total
Public Works & Engineering	\$75,000.00	\$1,395,526.58	\$1,470,526.58

Buyer: Richard Morris

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Jim Chang

Other Authorization:

Andrew Smith

65CDW 7844A

NOT

103108

SUBJECT: License Agreement with Robert Lee Burns for 61.1918 acres of land located at 9100 Kingspoint Drive for the Public Utilities Division of the Department of Public Works and Engineering.	Page 1 of 1	Agenda Item 31
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FROM (Department or other point of origin): General Services Department	Origination Date 11-6-08	Agenda Date NOV 12 2008
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>[Signature]</i> 10/27/08	Council District affected: E
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For additional information contact: Jacquelyn L. Nisby Phone: (832) 393-8023	Date and identification of prior authorizing Council action: Ord. 97-1539 12/10/97
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RECOMMENDATION: Approve and authorize a License Agreement with Robert Lee Burns (Licensee), for 61.1918 acres of land located at 9100 Kingspoint for the Public Utilities Division of the Department of Public Works and Engineering.

Amount and Source of Funding: Revenue	Finance Budget:
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SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve and authorize a License Agreement with Robert Lee Burns for 61.1918 acres of land located at 9100 Kingspoint for the Public Utilities Division of the Department of Public Works and Engineering.

Since 1997, Robert Lee Burns has used the land as a site for boarding, grazing, riding and training equine and other domestic or native farm or ranch animals at an annual fee of \$636.75. The original License Agreement has expired and the licensee continues to occupy the land at the annual fee.

The proposed License Agreement provides for a four-year term at a gross monthly fee of \$1,607.00. This amount is reduced by \$1,000.00 in consideration for the Licensee's obligation to mow the premises and maintain the fences. The net monthly fee is \$607.00 or \$7,284.00 annually. The License Agreement will commence on the date of countersignature by the City Controller.

Licensee is responsible for maintenance, utilities, security, taxes and insurance. The City may terminate this License without cause upon 120 days written notice to Licensee.

IZD:BC:JLN:JES:ddc

xc: Marty Stein, Jacquelyn L. Nisby, Anna Russell and Dennis Keyes

REQUIRED AUTHORIZATION CUIC ID# 25 JES 16

General Services Department:

[Signature]

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

[Signature]

Jun Chang, P.E.
Interim Deputy Director
Public Utilities Division

Public Works and Engineering Department:

[Signature]

Michael S. Marcotte, P.E., D.WRE,
BCEE, Director

SUBJECT: Professional Landscape Architectural Services Task Order Contract with SWA Group for Lake Houston Park WBS No. F-000695-0002-3	Page 1 of 2	Agenda Item <i>32</i>
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FROM (Department or other point of origin): General Services Department	Origination Date <i>11-03-08</i>	Agenda Date NOV 12 2008
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DIRECTOR'S SIGNATURE Issa Z. Dadoush, P.E. <i>[Signature]</i> <i>10/13/08</i>	Council Districts affected: ETJ
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For additional information contact: Jacquelyn L. Nisby <i>[Signature]</i> Phone: 832-393-8023	Date and identification of prior authorizing Council action:
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RECOMMENDATION: Approve and authorize a professional landscape architectural services task order contract with SWA Group and appropriate funds.

Amount and Source Of Funding: Maximum Contract Amount - \$ 750,000.00 Initial appropriation: \$ 399,877.50 Reimbursement of Equipment/Projects Fund (1850)	Finance Budget: <i>[Signature]</i> <i>[Signature]</i>
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SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council approve and authorize a professional landscape architectural services task order contract with SWA Group to perform landscape architectural services for Lake Houston Park for the Parks and Recreation Department and delegate authority to the director to approve supplemental allocations up to the maximum contract amount of \$750,000.00. Additional funding will be made available by supplemental allocations from various departmental budgets, or appropriations from various bond funds up to the maximum contract amount. It is expected that the Reimbursement of Equipment/Projects Fund will be reimbursed through the Woodlands Regional Participation Agreement, subject to future Council action.

On April 2, 2008, Ordinance No. 2008-0276, City Council approved a professional services contract with SWA Group to develop a master plan for Lake Houston Park, and appropriated \$802,655.00.

PROJECT LOCATION: 22031 Baptist Encampment Rd. (257P)

PROJECT DESCRIPTION: The Lake Houston Master Plan process has identified alternatives for the future development of the park. Potential improvements include a new entrance road, roadway and bridge construction, a canoe launch, recreational vehicle pad sites, cabins, camping sites, site utilities, restroom and shower facilities, possible creation of a small lake, a large picnic pavilion and additional hiking trails.

SCOPE OF CONTRACT AND FEE: Under the terms of the contract, the consultant will perform design and construction phase services on an as needed basis for improvements to Lake Houston Park, identified in the Master Plan. Fees for each phase of the implementation will be negotiated based upon the size and complexity of the tasks involved.

REQUIRED AUTHORIZATION CUIC ID# 25PARK54

General Services Department:  Humberto Bautista Chief of Design & Construction Division	Parks and Recreation Department:  Joe Turner Director
---	---

NO

32-PJ 2 Revised

RP

Date	SUBJECT: Professional Landscape Architectural Services Task Order Contract with SWA Group for Lake Houston Park WBS No. F-000695-0002-3 NOV 12 2008	Originator's Initials CP	Page 2 of 2 32
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FUNDING SUMMARY:

\$	393,000.00	Contract Services
\$	6,877.50	Civic Art (1.75%)
\$	399,877.50	Total Appropriation

M/WBE INFORMATION: An M/WBE goal of 24% has been established for this contract. Since this is a task order contract, sub-consultant M/WBE utilization will be determined as projects and proposals are produced.

SWA Group has submitted the following certified firms to achieve the goal:

FIRM

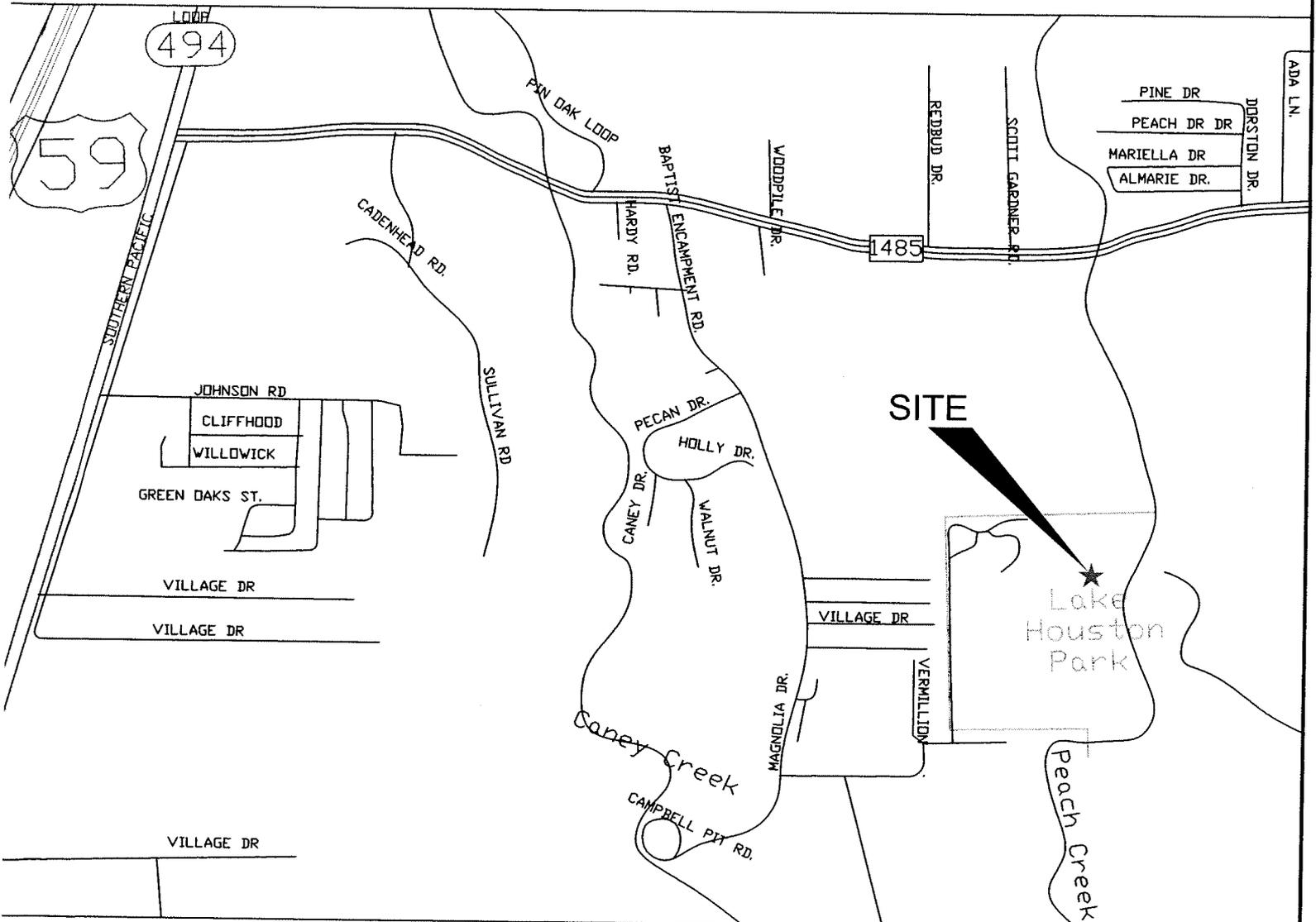
WORK DESCRIPTION

United Engineers, Inc.	Civil Engineering, Hydrology & Hydraulics
Mc2 Architects & Construction, Inc.	Architects
Ingenium, Inc.	Structural
HVJ Associates, Inc.	Geotech/ Materials Testing

IZD:HB:JLN:LJ:lj

c: Marty Stein, Jacquelyn L. Nisby, Mark Ross, Velma Laws, Siria Harbour, Webb Mitchell, Dan Pederson, Sydney Igleheart, File 506

CITY OF HOUSTON
HARRIS COUNTY, TEXAS



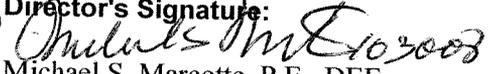
LAKE HOUSTON PARK
BAPTIST ENCAMPMENT RD
HOUSTON, TX

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Additional Appropriation to Professional Engineering Services Contract between the City and TCB for Services Associated with the Storm Water Management Program (SWMP). WBS Nos. M-000220-0003-3; M-000209-0001-3; M-000247-0001-3; M-000250-0001-3; M-000255-0003-3; M-000273-0001-3; M-000276-0001-3; M-000280-0001-3; M-000282-0001-3; M-000283-0001-3; M-000261-0001-3	Page 1 of 3	Agenda Item # <div style="text-align: right; font-size: 2em; font-family: cursive;">33</div>
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 11/6/08	Agenda Date NOV 12 2008
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Director's Signature:  Michael S. Marcotte, P.E., DEE	Council District affected: "All" <i>m.s.</i>
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For additional information contact:  Reid K. Mrsny, P.E. Senior Assistant Director Phone: (713) 837-0452	Date and identification of prior authorizing Council action: Ord. No. 2003-1195; 12-03-03 Ord. No. 2005-0442; 04-27-05 Ord. No. 2006-0498; 05-17-06 Ord. No. 2007-0026; 01-03-07 Ord. No. 2008-0013; 01-03-08
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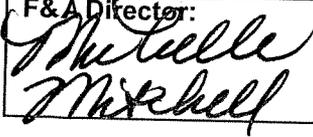
RECOMMENDATION: (Summary) Approve an ordinance appropriating additional funds to the Professional Engineering Services Contract with TCB for the Storm Water Management Program.

Amount and Source of Funding: \$7,040,000.00 from the Drainage Improvements Commercial Paper Series F, Fund No. 4030. [Original (previous) appropriations of \$11,383,080.24 from Storm Sewer Consolidated Construction Fund No. 436 and subsequent additional appropriations of \$9,425,000.00 from Drainage Improvements Commercial Paper Series F, Fund No. 49R and \$7,870,000.00 from the Drainage Improvements Commercial Paper Series F, Fund No. 4030.]

SPECIFIC EXPLANATION: This contract supports execution of the Storm Sewer Capital Improvement Program (CIP) projects. This appropriation will provide for program management, floodplain management, engineering design services for citywide storm sewer projects and technical support. This project is a joint effort between the City of Houston and FEMA. Agreements to participate between the City of Houston and FEMA have been approved under the Hazard Mitigation Grant Program (HMGP).

DESCRIPTION/SCOPE: This project provides program management and engineering services for the Storm Sewer Capital Improvement Program (CIP) projects. The Contractor will manage assigned activities; direct and control work performed; plan, conduct, and document meetings; establish quality assurance (QA/QC); coordinate between City and other public and private entities; report monthly overall progress that will include a review of individual projects and furnish the necessary technical support including hydraulic and hydrologic analysis, CIP planning and other technical issues to implement the management of the program.

LOCATION: Various locations citywide.

REQUIRED AUTHORIZATION		CUIC ID# 20MS96		NOT
F&A Director: 	Other Authorization:	Other Authorization:		

Date	Subject: Additional Appropriation to Professional Engineering Services Contract between the City and TCB for Services Associated with the Storm Water Management Program (SWMP). WBS Nos. M-000220-0003-3; M-000209-0001-3; M-000247-0001-3; M-000250-0001-3; M-000255-0003-3; M-000273-0001-3; M-000276-0001-3; M-000280-0001-3; M-000282-0001-3; M-000283-0001-3; M-000261-0001-3	Originator's Initials M.S.	Page <u>2</u> of <u>3</u>
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PREVIOUS HISTORY AND SCOPE: The original Contract was approved by City Council on 12-03-03. Under this contract, the Consultant has completed the following:

- Migrated the Comprehensive Drainage Plan (CDP) into the Geographic Information System (GIS) database.
- Provided technical support to City staff related to the National Flood Insurance Program's (NFIP) Community Rating System (CRS) and Floodplain Management.
- Completed nine (9) Phase II-Final Designs for projects in the Texas Medical Center (TMC), two (2) Phase I – Preliminary Engineering Reports and eleven (11) Phase II-Final Designs for projects in citywide neighborhoods.

Additional funds are needed to provide continued management, design services, and engineering support for the storm water projects and continued support of floodplain management.

SCOPE OF THIS SUPPLEMENT AND FEE: The requested additional appropriation will provide continuous program management, technical and planning support services and Floodplain Management support. In addition to the above, this appropriation will provide project engineering efforts for the following specific projects:

WBS

<u>No.</u>	<u>Project</u>	<u>District</u>	<u>Key Map</u>
M-000209	Wycliffe Drive storm Sewer Improvements	A	449X, Y
M-000282	Homestead Road Area Drainage Improvements	B	454R, 455 N
M-000255	Academy Street Phase II Storm Sewer Improvements	C	532J
M-000276	Astoria from Flushing Meadows to Binghampton	E	616D, H & 617 A
M-000250	Kirkwood Briar Forest Drainage Improvements	G	489P & T
M-000247	Kirkwood (Nottingham) Storm Sewer Improvements	G	489A & E
M-000280	Brays Village Drainage Improvements	G	529B & F
M-000283	Catalina Square Drainage Improvements	G	529J
M-000261	Buffalo Bayou Detention Basin	G	491M
M-000273	Glenbrook Valley	I	535T

The proposed budgeted funding allocation for the aforementioned support services are outlined below:

• Program Management	\$ 963,925.00
• Technical Support	\$ 308,802.00
• Engineering Design Services	<u>\$5,640,000.00</u>
	\$6,912,727.00

The total requested appropriation is \$7,040,000 to be appropriated as follows: \$6,912,727.00 for contract services and \$127,273.00 for City recoverable costs of project management.

M/WBE INFORMATION: The M/WBE goal established for the projects is 24%. The original Contract and its subsequent appropriations total \$27,160,109.24. The consultant has been paid \$25,088,690.37(92.4%) to date. Of this amount, \$6,016,849.94 (24%) has been paid to M/WBE sub-consultants. Assuming approval of the requested additional appropriation, the contract amount will increase to \$34,072,836.24, and the contractor proposes the following program to meet the M/WBE goal:

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Prior M/WBE Work		\$6,016,849.94	17.659%
Amani Engineering, Inc.	Civil Engineering	\$849.25	0.002%
Associated Testing Laboratories, Inc.	Geotech	\$3,805.00	0.011%
ATSER, LP	Geotech	\$3,150.00	0.009%
B&E Reprographics, Inc.	Reproduction	\$9,500.00	0.028%
Chief Solutions, Inc.	Environmental	\$19,784.24	0.058%

Date	Subject: Additional Appropriation to Professional Engineering Services Contract between the City and TCB for Services Associated with the Storm Water Management Program (SWMP). WBS Nos. M-000220-0003-3; M-000209-0001-3; M-000247-0001-3; M-000250-0001-3; M-000255-0003-3; M-000273-0001-3; M-000276-0001-3; M-000280-0001-3; M-000282-0001-3; M-000283-0001-3; M-000261-0001-3	Originator's Initials M.S.	Page 3 of 3
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<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Civiltech Engineering, Inc.	Civil Engineering	\$18,172.03	0.053%
CSF Consulting LP, DBA PE Service Consulting Engineer	Environmental Consultant	\$6,094.05	0.018%
Environmental Consultants & Management Services, Inc.	Environmental	\$512.00	0.002%
Geosolutions, LTD	Geotech/Environmental	\$5,070.98	0.015%
Gunda Corporation, Inc.	Civil Engineering	\$51,500.00	0.151%
Gurolla Reprographics	Reproduction	\$617.86	0.002%
HVJ Associates, Inc.	Geotech	\$3,556.90	0.010%
Infrastructure Associates, Inc.	Civil Engineering	\$3,606.57	0.011%
Jacqueline Chen & Associates, Inc.	Civil Engineering	\$214.75	0.001%
Jaymark Engineering	Civil Engineering	\$15,609.00	0.046%
KIT Professionals, Inc.	Traffic Engineering	\$44,743.10	0.131%
Knudson L.P.	Landscape Arch	\$6,664.26	0.020%
Kuo & Associates, Inc.	Engineering/Surveying	\$243,041.00	0.713%
Landtech Consultants, Inc.	Engineering/Surveying	\$28,739.10	0.084%
Lauren Griffith Associates, Inc.	Landscape	\$4,000.00	0.012%
Lin Engineering, Inc.	Civil Engineering	\$34,489.20	0.101%
M2L Associates, Inc.	Landscape	\$2,080.71	0.006%
Metroplex Industries	Environmental Consultant	\$505.53	0.001%
Othon, Inc.	Civil Engineering	\$965.11	0.003%
Precision Land Surveying, Inc.	Surveying	\$5,922.50	0.017%
Rekha Engineering, Inc.	Traffic Engineering	\$1,966.60	0.006%
Sciencetech Engineers	Civil Engineering	\$4,500.00	0.013%
SES Horizon Consulting Engineers, Inc.	Civil Engineering	\$34,824.42	0.102%
ToLunay-Wong Engineers	Civil Engineering	\$1,382.00	0.004%
United Engineers, Inc.	Civil Engineering	\$176,033.00	0.517%
Rahaman and Associates, Inc., DBA Western Group Consultants	Surveying	\$117,310.00	0.344%
Zarinkelk Engineering Services, Inc.	Project Management	\$82,835.90	0.244%
Other MWBE Work	Various	\$1,228,585.70	3.606%
	Total	\$8,177,480.70	24.000%

MSM:RKM:HJ:MS:klw

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cc: Marty Stein
Susan Bandy
Velma Laws
Craig Foster
WBS No. M-000220-0003-3 (ROC)

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for North MacGregor Way Relocation from MacGregor Drive to Alameda. WBS No. N-000799-0001-4 and WBS No. F-000508-0002-4.

Page 1 of 2

Agenda Item # 35

FROM: (Department or other point of origin):

Department of Public Works and Engineering

Origination Date:

11-6-08

Agenda Date:

NOV 12 2008

DIRECTOR'S SIGNATURE:

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

Council District affected:

JK D 5c

For additional information contact:

Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding: Total of \$6,217,300.00 with \$4,657,300.00 from the Street and Bridge Consolidated Construction Fund No. 4506 and \$1,560,000.00 from Parks Consolidated Construction Fund No. 4502.

PROJECT NOTICE/JUSTIFICATION: This project is part of the Street & Traffic Capital Improvement Program (CIP) and is required to improve traffic flow/circulation and reduce traffic congestion and hazards in service area.

DESCRIPTION/SCOPE: This project consists of the realignment of approximately 3,500 linear feet of 36-foot wide concrete roadway along North MacGregor and the reconstruction of 3,500 linear feet of 24-foot wide concrete roadway along South MacGregor with curb and gutters, raised medians, necessary underground utilities and street lighting. Also included in this contract is the construction of a 30-foot wide by 130-foot long reinforced concrete pedestrian underpass. The contract duration for this project is 300 calendar days. This project was designed by Scientech Engineers, Inc.

LOCATION: This project is in the Medical Center, generally bounded by Brays Bayou on the south and east, North MacGregor Way on the north and Moursund on the west. Key Map Grid 533E.

BIDS: Bids were received on August 7, 2008. The seven (7) bids are as follows:

Bidder	Bid Amount
1. Texas Sterling Construction, Co.	\$5,465,959.70
2. TJ&T Enterprises, Inc.	\$5,471,068.00
3. Total Contracting Limited	\$5,652,934.25
4. Triple B Services, LLP	\$5,863,419.80
5. South Coast Construction, Inc.	\$6,093,995.37
6. Conrad Construction Co., LTD	\$6,231,919.50
7. Hassell Construction Co., Inc.	\$6,843,783.99

REQUIRED AUTHORIZATION

CUIC ID#20SMC26

MOI

Finance Department: Mitchell Mitchell

Other Authorization: William J. Turner, Director Parks and Recreation Department

Other Authorization:

Date	Subject: Contract Award for North MacGregor Way Relocation from MacGregor Drive to Alameda. WBS No. N-000799-0001-4 and WBS No. F-000508-0002-4.	Originator's Initials SC	Page 2 of 2
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AWARD: It is recommended that this construction contract be awarded to Texas Sterling Construction, Co. with a low bid of \$5,465,959.70 and that Addenda Numbers 1, 2 and 3 be made part of this Contract.

PROJECT COST: The total cost of this project is \$6,217,300.00 to be appropriated as follows:

•	Bid Amount	\$5,465,959.70
•	Contingencies	\$273,300.00
•	Engineering and Testing Services	\$150,000.00
•	Construction Management	\$328,040.30

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

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

<u>MWBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Choctaw Pipe & Equipment, Inc.	Pipe Supplier	\$199,781.00	3.66%
2. Reliable Signal & Lighting Solutions, LLC	Install Traffic Signals	\$303,929.00	5.56%
3. Tricon Precast, LTD	Supply Concrete Barriers	\$187,663.00	3.43%
4. Two Way Barricade Equipment Sale & Rental.	Traffic Control Equipment	\$73,881.00	1.35%
TOTAL		\$765,254.00	14.00%

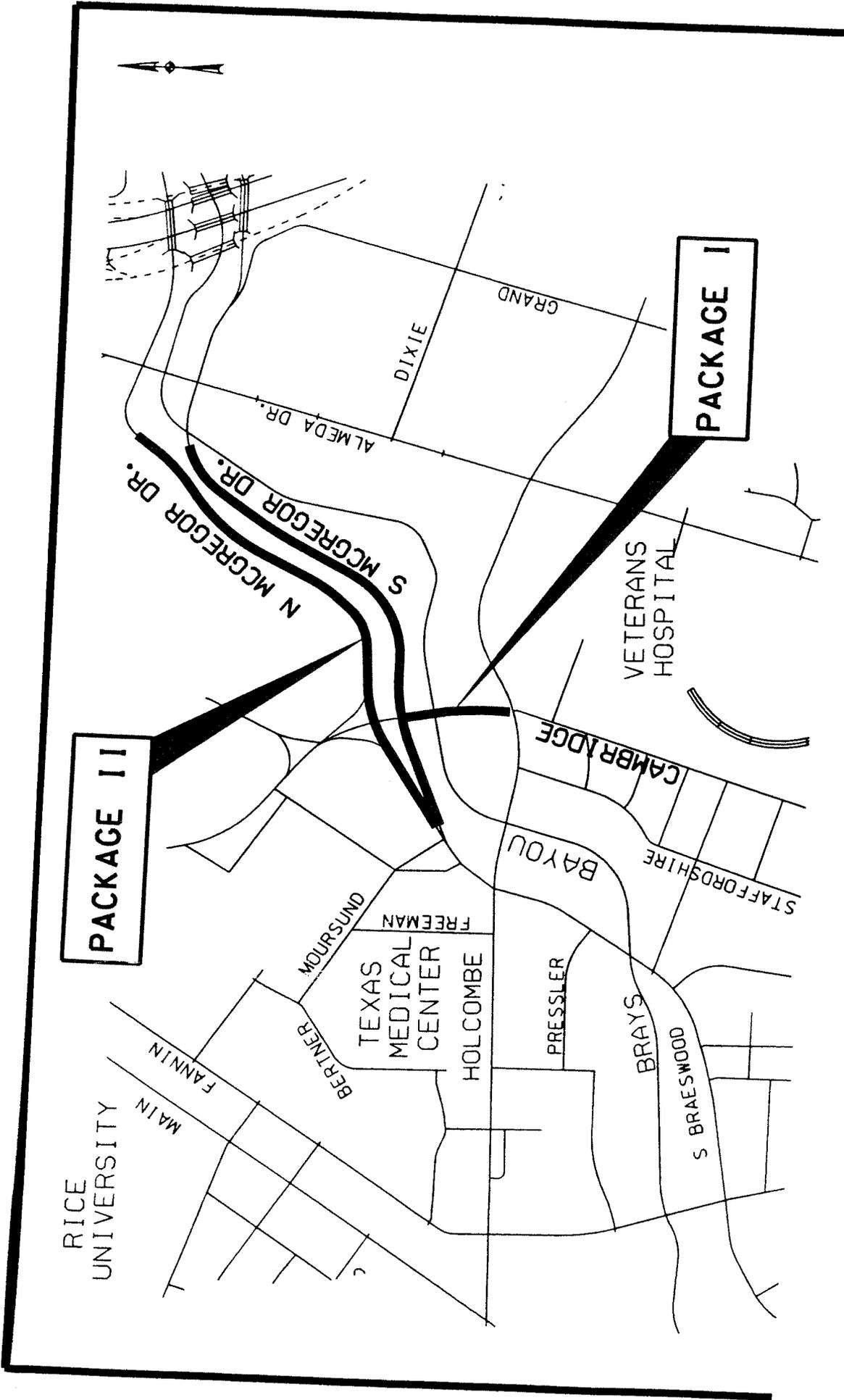
<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. El Dorado Paving Company, Inc.	Install Asphalt Paving	\$36,878.00	0.68%
2. Earth Material Services, LLC.	Hauling Services	\$237,297.00	4.34%
TOTAL		\$274,175.00	5.02%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Maintenance To Go, Inc.	Landscaping/Tree Protection	\$163,978.00	3.00%
TOTAL		\$163,978.00	3.00%

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

MSM:RKM:JHK:SMC

- c: Marty Stein
Mike Pezeshki, P.E., Interim Assistant Director
Susan Bandy
Velma Laws
File N-000799-0001-4 - 3.7 Const RCA



• NORTH MacGREGOR Way Relocation
 N-000799-0001-4

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Roseneath Drive Storm Sewer Replacement
WBS No. M-000126-0059-4

Page
1 of 2

Agenda Item #
36

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

Origination Date:
11-6-08

Agenda Date:
NOV 12 2008

DIRECTOR'S SIGNATURE:
MS Michael S. Marcotte
Michael S. Marcotte, P.E., D. WRE, BCEE

Council District affected:
D *CH*

For additional information contact:
For R.K.
Reid K. Mrsny, P.E. Phone: (713) 837-0452
Senior Assistant Director

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)
Reject low bid, return bid bond, award Construction Contract to second low bidder and appropriate funds.

Amount and Source of Funding: \$594,000.00
\$594,000.00 from Drainage Improvement Commercial Paper Series F, Fund No. 4030

One/ka
10/21/08

PROJECT NOTICE/JUSTIFICATION: This project is part of the Local Drainage Program and is required to replace the existing collapsed storm sewer and alleviate street flooding.

DESCRIPTION/SCOPE: This project consists of approximately 1,200 linear feet of 36-inch storm sewer pipe including one outfall into Brays Bayou, HCFCD Unit No. D100-00-00, 30 linear feet of 24-inch storm sewer leads, 2 B-B inlets, 7 manholes, reinforced concrete roadway with asphalt overlay and surface mill with asphalt overlay.

The Contract duration for this project is 90 calendar days. This project was designed by R.G. Miller Engineers, Inc.

LOCATION: Project is generally bounded by Brays Bayou on the north, Roseneath Drive on the south, Oakcrest Drive on the west and Cullen Boulevard on the east Key Map Grid 533H.

BIDS: Bids were received on September 11, 2008. The eleven (11) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Metro City Construction, L.P.(disqualified)	\$ 489,662.42
2. Triple B Services, L.L.P.	\$ 507,627.80
3. ACM Contractors, Inc.	\$ 507,761.00
4. Mar-Con Services, LLC	\$ 569,931.20
5. Total Contracting Limited	\$ 580,922.20
6. Cravens Partners Ltd.	\$ 599,427.00
7. C.E. Barker, Ltd.	\$ 600,486.61
8. Conrad Construction Co., Ltd.	\$ 607,801.00
9. ISI Contracting, Inc.	\$ 632,721.20
10. Deyar Builders, Inc.	\$ 696,121.00
11. Resicom, Inc.	\$ 731,349.50

REQUIRED AUTHORIZATION CUIC# 20CH08

Finance Department: <i>Michelle Mitchell</i>	Other Authorization:	Other Authorization: <i>NDT</i>
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AWARD: The apparent low bidder, Metro City Construction, L.P., bid was disqualified. The contractor changed the fixed unit price of a bid item; therefore, it was considered materially defective in the opinion of the Legal Department. It is therefore recommended that this Construction Contract be awarded to the second low bidder, Triple B Services, LLP., with a bid of \$507,627.80.

PROJECT COST: The total cost of this project is \$594,000.00 to be appropriated as follows:

• Bid Amount	\$ 507,627.80
• Contingencies	\$ 25,382.00
• Engineering and Testing Services	\$ 20,000.00
• Project Management	\$ 40,990.20

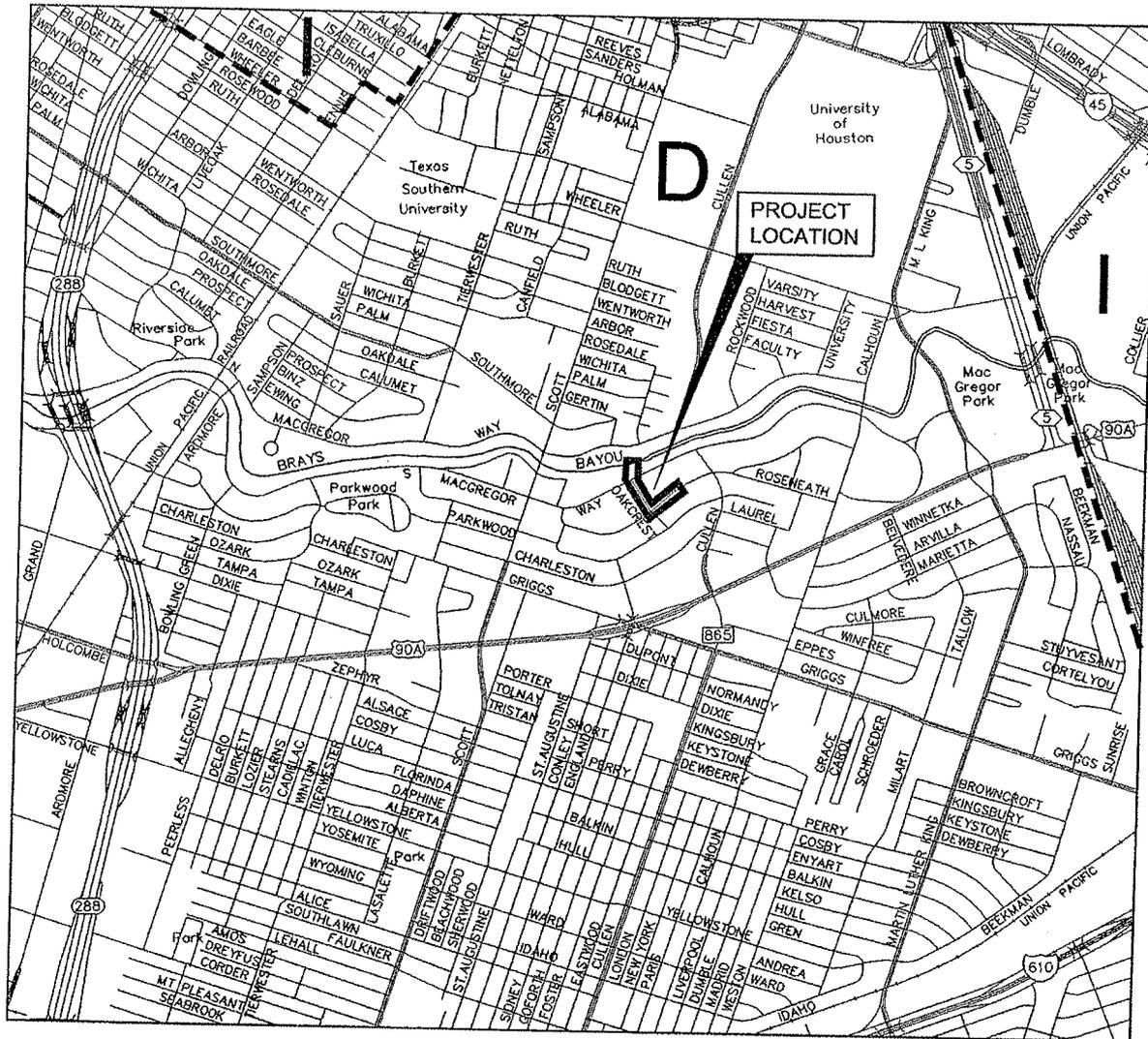
Engineering and Testing Services will be provided by DAE & Associates, Ltd., d/b/a/ Geotech Engineering & Testing, a Texas Limited Partnership under a previously approved Contract.

MWBE/SBE PARTICIPATION: No MWBE/SBE participation goal was established for this project.

[Handwritten Signature]
MSM:RKM:HJ:Rlw

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- c:** Marty Stein
Susan Bandy
Velma Laws
Craig Foster
Mike Pezeshki, P.E.
WBS No. M-000126-0059-4 (RCA 1.2)



ROSENEATH DRIVE STORM SEWER REPLACEMENT
 WBS NO. M-000126-0059-4
 KEY MAP NO 533 H
 COUNCIL DISTRICT D

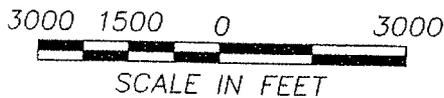
EXHIBIT No. 2
 VICINITY MAP

LEGEND

<u>SYMBOL</u>	<u>DESCRIPTION</u>
---	COUNCIL DISTRICT BOUNDARY

r.g.miller
engineers
since 1966

12121 Wickchester Lane - Suite 200
 Houston, Texas 77078
 DATE: OCT. 13, 2008



P:\MUNICIPAL\3378 COH ON CALL STORM PROJECTS\WA #10 - ROSENEATH\FINAL\DWG\EXHIBIT2.DWG OCT. 13, 2008 4:56pm doc

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Water Line Replacement in Ellena Gardens-South Section Area. W.B.S. No. S-000035-00N1-4.

Page 1 of 2

Agenda Item #

37

FROM: (Department or other point of origin):

Department of Public Works and Engineering

Origination Date:

11-6-08

Agenda Date:

NOV 12 2008

DIRECTOR'S SIGNATURE:

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

Council District affected:

H

AcM

For additional information contact:

Reid K. Mrsny
Reid K. Mrsny, P.E. Phone: (713) 837-0452
Senior Assistant Director

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding:

\$2,035,940.00 from the Water and Sewer System Consolidated Construction Fund No. 8500

Reid K. Mrsny
10/7/08

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

DESCRIPTION/SCOPE: This project consists of approximately 39 linear feet of 4-inch, 115 linear feet of 6-inch and 29,260 linear feet of 8-inch diameter water lines and including valves, fittings, connections, fire hydrants and appurtenances. The Contract duration for this project is 300 calendar days. This project was designed by SCL Engineering, Inc.

LOCATION: The project area is generally bound by Fostoria on the north, East Tidwell on the south, Airline Drive on the east and Werner on the west. The project is located in Key Map Grids 453-A, B.

BIDS: Bids were received on August 21, 2008. The seven (7) bids are as follows:

Bidder	Bid Amount
1. ACM Contractors, Inc.	\$1,690,627.62
2. D. L. Elliott Enterprises, Inc.	\$1,746,503.56
3. Collins Construction, LLC	\$1,820,508.15
4. C.E. Barker, Ltd	\$1,899,549.28
5. RWL Construction, Inc.	\$2,039,995.56
6. R.K. Wheaton, Inc.	\$2,047,095.00
7. Metro City Construction, L.P.	\$2,220,196.69

REQUIRED AUTHORIZATION

20ACM55

MDI

Finance Department

Michelle Mitchell

Other Authorization:

Jun Chang
Jun Chang, P.E., Interim
Deputy Director
Public Utilities Division

Other Authorization:

AWARD: It is recommended that this construction contract be awarded to ACM Contractors, Inc. with a low bid of \$1,690,627.62 and that Addendum Number 1 be made a part of this contract.

PROJECT COST: The total cost of this project is \$ 2,035,940.00 to be appropriated as follows:

• Bid Amount	\$1,690,627.62
• Contingencies	\$ 84,531.38
• Engineering and Testing Services	\$ 80,000.00
• Project Management	\$ 33,814.00
• Construction Management	\$146,967.00

Engineering and Testing Services will be provided by Professional Service Industries, Inc. under a previously approved contract.

Construction Management Services will be provided by S&B Infrastructure, LTD. under a previously approved contract.

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

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Professional Traffic Control	Traffic Supply	\$ 51,000.00	3.02%
2. Two Way Barricade Equipment Sales & Rental	Traffic Services	\$ 51,000.00	3.02%
3. Castaneda Trucking	Trucking Services	<u>\$134,700.00</u>	<u>7.97%</u>
TOTAL		\$236,700.00	14.01%

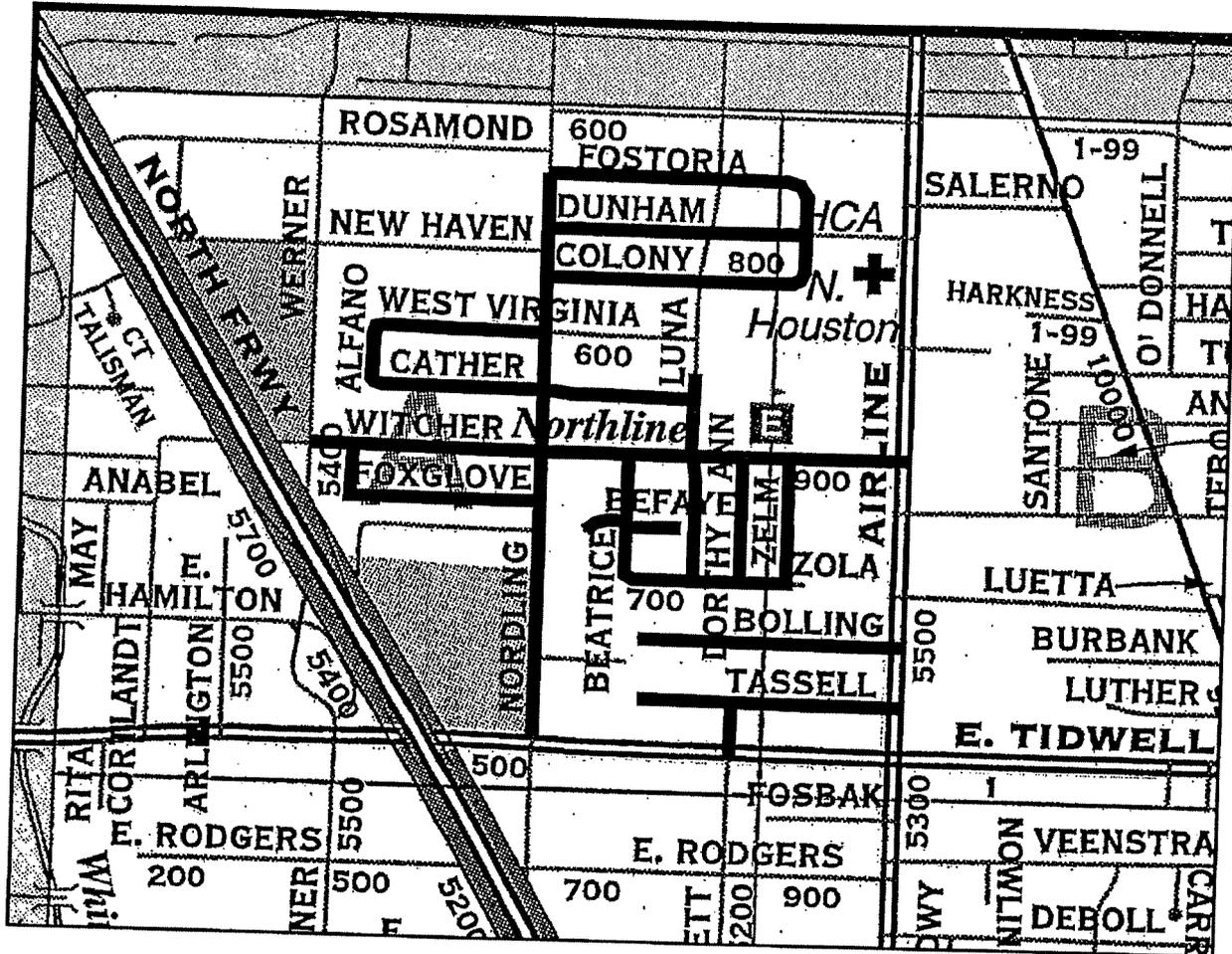
<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Deanie Hayes, Inc.	Construction Materials	<u>\$ 85,000.00</u>	<u>5.03%</u>
TOTAL		\$85,000.00	5.03%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Central Texas Hauling	Trucking Services	<u>\$ 51,000.00</u>	<u>3.02%</u>
TOTAL		\$51,000.00	3.02%

MSM:RKM:HH:ACM

S:\ECRESHARE\PROJECTS\WATER\IS-000035-00N1-4\POSTBID\RCA.DOC

- C:** Marty Stein
 Velma Laws
 Susan Bandy
 Michael Ho, P.E.
 Craig Foster
 File: S-000035-00N1-4 (3.7)



VICINITY MAP
 KEY MAP NO: 453 A, B
 GIMS MAP NO: 5361 A, B, C, D

STREET NAME	FROM	TO	PROP SIZE (INCH)	LENGTH (FEET)
WEST VIRGINIA	NORDLING	YOUNG	8	940
YOUNG	WEST VIRGINIA	CATHER	8	280
CATHER	YOUNG	LUNA	8	1820
NORDLING	FOSTORIA	EAST TIDWELL	8	3300
WITCHER	WERNER	AIRLINE	8	3300
YOUNG	WITCHER	FOXGLOVE	8	300
FOXGLOVE	NORDLING	YOUNG	8	1020
BEATRICE	WITCHER	ZOLA	8	730
BEFAYE WEST	BEATRICE	END	4	300
BEFAYE EAST	BEATRICE	END	4	240
LUNA	CATHER	ZOLA	8	1180
DOROTHY ANN	WITCHER	ZOLA	6	720
ZELMA	WITCHER	ZOLA	6	720
ZOLA	BEATRICE	END	8	960
BOLLING	AIRLINE	END	8	1480
TASSELL	AIRLINE	END	8	1480
BARRETT	TASSELL	EAST TIDWELL	8	260
DUNHAM	NORDLING	FOSTORIA	8	1450
FOSTORIA	NORDLING	DUNHAM	8	1720
COLONY	NORDLING	DUNHAM	8	1720
TOTAL				23,920

CITY OF HOUSTON

WATER LINE REPLACEMENT IN ELLENA
 GARDENS - SOUTH SECTION AREA
 WBS NO. S-000035-00N1-4
 DISTRICT "H" - ADRIAN GARCIA



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT:

Ordinances granting Commercial Solid Waste Operator Franchises

Category #

Page 1 of 1

Agenda Item#

38 + 39

FROM: (Department or other point of origin):

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

Origination Date

November 4, 2008

Agenda Date

NOV 18 2008

DIRECTOR'S SIGNATURE:

Council Districts affected:

ALL

For additional information contact:

Juan Olguin *JFO* Phone: (713) 837- 9623
Tina Paez *TP* Phone: (713) 837- 9630

Date and identification of prior authorizing Council Action: Ord. # 2002-526 – June 19, 2002; Ord. # 2002-1166-December 18, 2002.

RECOMMENDATION: (Summary)

Approve ordinance(s) granting Commercial Solid Waste Operator Franchise(s)

Amount of Funding:

REVENUE

F &A Budget:

SOURCE OF FUNDING:

General Fund Grant Fund Enterprise Fund Other (Specify)

SPECIFIC EXPLANATION:

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

1. J Bar Contractors
2. TAP Environmental, Inc.

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

REQUIRED AUTHORIZATION

Finance Director:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT:

Ordinance granting Commercial Solid Waste Operator Franchise

Category #

Page 1 of 1

RCA #

Agenda Item#

Second Reading 4036

FROM: (Department or other point of origin):

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

Origination Date

October 27, 2008

Agenda Date

NOV 12 2008
~~NOV 05 2008~~

DIRECTOR'S SIGNATURE:

Council Districts affected:

ALL

For additional information contact:

Juan Olguin *SFO 10/27/08* Phone: (713) 837-9623
Nikki Cooper Phone: (713) 837-9889

Date and identification of prior authorizing Council Action: Ord. # 2002-526 - June 19, 2002;
Ord. # 2002-1166-December 18, 2002.

RECOMMENDATION: (Summary)

Approve ordinance granting Commercial Solid Waste Operator Franchise

Amount of Funding:

REVENUE

F & A Budget:

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

SPECIFIC EXPLANATION:

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

1. Longhorn Bag, LLC

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

REQUIRED AUTHORIZATION

Finance Director:

SUBJECT: Accept Work for Sewer Line Relocation and Replacement
WBS No. R-000266-00U2-4, File No. WW 4898

Page
1 of 2

Agenda Item #

41-9

From: (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

Agenda Date

NOV 12 2008

~~NOV 05 2008~~

Director's Signature:


Michael S. Marcotte, P.E. D.WRE, BCEE

Council District affected: H, I, B

For additional information contact:

A. James Millage
Senior Assistant Director (713)641-9566

Date and identification of prior authorizing Council action:

Ordinance No.2007-75 dated 01/17/07

Recommendation: (Summary)

Pass a motion to approve the final Contract Amount of \$1,630,596.85 or 3.11 % under the original Contract amount, accept the work, and authorize final payment.

Amount and Source of Funding: No additional funding required.

(Original appropriation of \$1,849,104.43 from Water and Sewer System Consolidated Construction Fund No. 8500)

PROJECT NOTICE/JUSTIFICATION: This project provided for the relocation of sanitary sewer laterals for approximately 155 properties.

DESCRIPTION/SCOPE: This project consisted of the abandonment of sanitary sewer laterals to the back lot main and the installation of new sanitary sewer laterals to the front lot main. The sanitary sewer laterals range in size from 4-inches to 10-inches in diameter. The project was awarded to Metro City Construction L.P. with an original Contract Amount of \$1,682,956.60. The Notice to Proceed date was 04/12/07 and the project had 365 calendar days for completion.

LOCATION: The project was located at various locations within Council Districts H, B & I.

CONTRACT COMPLETION AND COST: The Contractor, Metro City Construction, L.P has completed the work under the subject contract. The project was completed within the contract time. The final cost of the project will be \$1,630,596.85, a decrease of \$52,359.75 or 3.11% under the original Contract Amount.

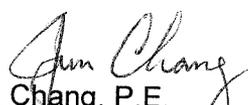
REQUIRED AUTHORIZATION

CUIC ID# 20AJM205

F&A Budget:

Other Authorization:

Other Authorization:


Jun Chang, P.E.
Interim Deputy Director
Public Utilities Division

SUBJECT: Accept Work for Sewer Line Relocation and Replacement
WBS No. R-000266-00U2-4, File No. WW 4898

**Originator's
Initials**

**Page
1 of 2**

M/WBE PARTICIPATION: At the time of the award of the contract by Council, the RCA reflected an M/WBE goal of 17%. The contractor's actual participation was 9.25% and an "Unsatisfactory" rating was awarded by the Affirmative Action and Contract Compliance Division. However, upon a subsequent review of the contracts by Affirmative Action and Contract Compliance Division, it was verified that the M/WBE goals were inadvertently not included in the contract language. Therefore, and in accordance with discussions with the Legal Department, the M/WBE participation performance standards cannot be enforced and the performance rating is revised to reflect a No Goal. The RCA was reviewed by the Council MWBE, Small Contractor Development and Contract Compliance Committee on October 27, 2008. No action was taken by the Committee due to no quorum being present.

f
MSM:JC:AJM:OS:TC:tc

c: Marty Stein
Susan Bandy
Velma Laws
Craig Foster
File No. WW4898

Crinejo, Marta - MYR

From: Laws, Velma - AAD
Sent: Thursday, October 30, 2008 4:05 PM
To: Norman, Gary - PWE; Crinejo, Marta - MYR
Cc: Harbour, Siria - AAD; Scott, Morris - AAD; Gallegos, Robert - AAD
Subject: FW: Removal of Intent to Sanction Metro City Construction, L.P. Water 10863 & WW # 4898

Gary/Marta ~

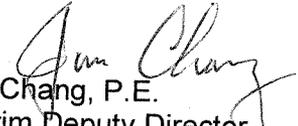
We have received documentation from Metro City Construction, L.P. regarding the proposed intent to sanction them from not meeting the goal on their two previous projects. Upon further review of the contracts, it has been verified that the MWBE goals were not incorporated into the contract language. The information was contained in the RCA, but not on the documents that would allow us to enforce.

As a result of the MWBE goals not being included in the contracts, we cannot impose sanctions on Metro City Construction. The evaluations on both projects will be revised to reflect no goals.

If you have any questions or need additional information, please let me know.

Velma

Velma Laws, Director
City of Houston
Affirmative Action and Contract Compliance
713.837.9015

SUBJECT: Accept Work for Waterline Relocation and Replacement WBS No. S-000035-00V2-4, File No. WA 10863		Page 1 of 2	Agenda Item # 4270
From: (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date NOV 12 2008 NOV 05 2008	
Director's Signature:  Michael S. Marcotte, P.E. D.WRE, BCEE	Council District affected: H & I		
For additional information contact: A. James Millage Senior Assistant Director (713)641-9566	Date and identification of prior authorizing Council action: Ordinance No.2007-76 dated 01/17/07		
Recommendation: (Summary) Pass a motion to approve the final Contract Amount of \$1,527,866.50 or 1.05 % under the original Contract amount, accept the work, and authorize final payment.			
Amount and Source of Funding: No additional funding required. (Original appropriation of \$1,701,260.77 from Water and Sewer System Consolidated Construction Fund No. 8500)			
PROJECT NOTICE/JUSTIFICATION: This project was necessary to provide for the relocation of water service lines for approximately 215 properties throughout the City.			
DESCRIPTION/SCOPE: This project consisted of the abandonment of water service lines to the back lot main and the installation of new water service lines to the front lot main. The water service lines range in size from 5/8-inch to 2-inches in diameter. The project was awarded to Metro City Construction L.P. with an original Contract Amount of \$1,544,057.88. The Notice to Proceed date was 04/04/07 and the project had 365 calendar days for completion.			
LOCATION: The project was located at various locations within Council Districts H & I.			
CONTRACT COMPLETION AND COST: The Contractor, Metro City Construction, L.P has completed the work under the contract within the contract time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order Nos. 1 & 2 will be \$1,527,866.50, a decrease of \$16,191.38 or 1.05% under the original Contract Amount.			
REQUIRED AUTHORIZATION		CUIC ID# 20AJM202	
F&A Budget:	Other Authorization:	Other Authorization:  Jun Chang, P.E. Interim Deputy Director Public Utilities Division	

SUBJECT: Accept Work for Waterline Relocation and Replacement
WBS No. S-000035-00V2-4

**Originator's
Initials**

**Page
1 of 2**

M/WBE PARTICIPATION: At the time of the award of the contract by Council, the RCA reflected an M/WBE goal of 17%. The contractor's actual participation was 1.19% and an "Unsatisfactory" rating was awarded by the Affirmative Action and Contract Compliance Division. However, upon a subsequent review of the contracts by Affirmative Action and Contract Compliance Division, it was verified that the M/WBE goals were inadvertently not included in the contract language. Therefore, and in accordance with discussions with the Legal Department, the M/WBE participation performance standards cannot be enforced and the performance rating is revised to reflect a No Goal. The RCA was reviewed by the Council MWBE, Small Contractor Development and Contract Compliance Committee on October 27, 2008. No action was taken by the Committee due to no quorum being present.

JK
MSM:JC:AJM:OS:TC:tc

c: Marty Stein
Susan Bandy
Velma Laws
Craig Foster
File No. WA10863

Crinejo, Marta - MYR

From: Laws, Velma - AAD
Sent: Thursday, October 30, 2008 4:05 PM
To: Norman, Gary - PWE; Crinejo, Marta - MYR
Cc: Harbour, Siria - AAD; Scott, Morris - AAD; Gallegos, Robert - AAD
Subject: FW: Removal of Intent to Sanction Metro City Construction, L.P. Water 10863 & WW # 4898

Gary/Marta ~

We have received documentation from Metro City Construction, L.P. regarding the proposed intent to sanction them from not meeting the goal on their two previous projects. Upon further review of the contracts, it has been verified that the MWBE goals were not incorporated into the contract language. The information was contained in the RCA, but not on the documents that would allow us to enforce.

As a result of the MWBE goals not being included in the contracts, we cannot impose sanctions on Metro City Construction. The evaluations on both projects will be revised to reflect no goals.

If you have any questions or need additional information, please let me know.

Velma

Velma Laws, Director
City of Houston
Affirmative Action and Contract Compliance
713.837.9015

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8065

Subject: Approve the purchase of a Radio Frequency Identification System for the Houston Department of Health and Human Services S17-T22922

Category #
4 & 5

Page 1 of 2

Agenda Item

43 #4

FROM (Department or other point of origin):

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

Origination Date

October 16, 2008

Agenda Date

NOV 12 2008

~~NOV 9 2008~~

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Kathy Barton Phone: (713) 794-9998
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of a radio frequency identification system in an amount not to exceed \$250,800.00 for the Houston Department of Health and Human Services.

Award Amount: \$250,800.00

Finance Budget

\$150,800.00 - Health Special Revenue (Fund 2002)
\$100,000.00 - General Revenue Fund (Fund 1000)
\$250,800.00 - Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of a radio frequency identification (RFID) system in an amount not to exceed \$250,800.00 and that authorization be given to issue a purchase order to UR International, Inc. for the Houston Department of Health and Human Services.

The scope of work requires the contractor to develop and implement a state-of-the-art web based application that will record mobile food vendors (MFV) commissary visits. This web based application shall generate a barcode or have the ability to perform the following:

- Utilize radio frequency identification technology to verify and authenticate vendor and vehicle identification
- Verify vendor and client registration to an actual commissary visit
- Interface with existing restaurant and MFV inspection software and generate an inspection violation record as required by the restaurant and MFV inspection system.

Additionally, this purchase will consist of the RFID readers, installed at 15 commissaries, 1500 RFID tags that will be attached to the MFV units, a report printer(s) and a web-based server for the collection of data and reports.

The RFID System will assist the Bureau of Consumer Health monitor and enforce sanitary standards in accordance with Chapter 20 Section 22 of the Houston Code of Ordinances, which requires commissary visits to meet certain sanitary standards.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws and as a result, proposals were received from TexcelVision Inc., UR International, Inc. and Oplent GC. The RFP evaluation committee consisted of five evaluators and the proposals were evaluated based on the following criteria:

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Stephen J. Williams

Other Authorization:

MD

MD

Date: 10/16/2008	Subject: Approve the purchase of a Radio Frequency Identification System for the Houston Department of Health and Human Services S17-T22922	Originator's Initials MS	Page 2 of 2
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- Ability to achieve goal
- Methodology/Work Plan
- Vendor Experience

UR International, Inc. received the highest overall score.

MWBE Subcontracting:

UR International, Inc. has agreed to subcontract 12% of this procurement and has designated the below-named company as its certified M/WBE subcontractor.

<u>Name</u>	<u>Type of Work</u>	<u>Dollar Amount</u>
Sybor Technologies, Inc.	Provide Hardware Services	\$30,096.00

Buyer: Murdock Smith III



Regulation Development & Neighborhood Protection Committee

Council Member Toni Lawrence, Chair

Council Member Mike Sullivan, Vice Chair
Council Member James Rodriguez
Council Member Pam Holm
Council Member Wanda Adams
Council Member Jolanda Jones
Council Member Melissa Noriega

Council Member Sue Lovell
Council Member Adrian Garcia
Council Member Anne Clutterbuck
Council Member Jarvis Johnson
Council Member Peter Brown

Committee Report for meeting held on Thursday October 23, 2008, 2:00 P.M., City Hall Council Chambers, 901 Bagby, 2nd Floor

Members Present—Council Member Toni Lawrence, Council Member Peter Brown,
Council Member James Rodriguez, Council Member Anne Clutterbuck, Council Member
Sue Lovell, Council Member Wanda Adams, Council Member Mike Sullivan,
Council Member Pam Holm

- I. Presentation of Revisions to Residential Energy Code—Andy Icken, PWE; Sheila Blake, PWE
 - *Motion by Council Member Lovell, seconded by Council Member Holm to approve the proposed revisions and amendments to the Residential Energy Code and refer to Council for consideration. Council Member's Lawrence, Rodriguez, Sullivan, Brown, and Clutterbuck voting in favor. No Council Member's opposed*
- II. Consideration of Neighborhood Marker Ordinance—Andy Icken, PWE; Mark Loethen, PWE
 - *Motion by Council Member Sullivan, seconded by Council Member Rodriguez to approve the proposed standards for Neighborhood Markers and refer the item to Council for consideration. Council Member's Lawrence, Adams, and Clutterbuck voting in favor. Council Member Holm opposed.*
- III. Update on Multi Family Habitability Program—Andy Icken, PWE; Doug Anders, HPD
 - *Discussion only, no action taken*
- IV. Consideration of Purchase of Radio Frequency Identification System for Mobile Food Vendor Commissary Visit Tracking—Conrad Janus, HHS; Vernon Hunt, HHS
 - *Motion by Council Member Lovell, seconded by Council Member Clutterbuck to approve the proposed purchase of RFID system for Mobile Food Vendors. Council Member's Lawrence voting in favor. No Council Member's opposed*
- V. Consideration of 16 new Strategic Partnership Agreements and 2 amendments to existing Strategic Partnership Agreements and the amendment to existing regulatory plans for territory annexed in the vicinity of certain existing Strategic Partnership Agreements—Margaret Wallace, Planning; Sameera Mahendru, Legal
 - *Motion by Council Member Lovell, seconded by Council Member Clutterbuck to refer these SPA's to Council for consideration. Council Member Lawrence voting in favor.*



SUBJECT: First Amendent to Professional Landscape Architectural Task Order Contract
 Clark Condon Associates, Inc.
 for the Parks and Recreation Department
 WBS No. F-00504B-0002-3

Page 1 of 2
 Agenda Item

44 3#

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

Origination Date
 10.20.08

Agenda Date

~~NOV 05 2008~~
 NOV 12 2008

DIRECTOR'S SIGNATURE:

Issa Z. Dadoush, P.E.

Issa Z. Dadoush
 10/6/08

Council District(s) affected:

All

For additional information contact:

Jacquelyn L. Nisby

J. Nisby

Phone: 832-393-8023

Date and identification of prior authorizing

Council action:

Ordinance No. 2008-455 dated 05/28/08

RECOMMENDATION: Approve First Amendment to professional landscape architectural task order contract and appropriate funds.

Amount and Source of Funding:

\$1,349,251.13 Parks Consolidated Construction Fund (4502)

\$ 387,000.00 Parks Special Fund (4012)

\$1,736,251.13 Total Funding

Previous Funding:

\$ 550,000.00 Parks Consolidated Construction Fund (4502)

\$ 150,000.00 Parks Special Fund (4012)

\$ 700,000.00 Total Funding

Finance Budget:

M. L. L. L.
M. L. L. L.

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council approve a First Amendment to the contract with Clark Condon Associates, Inc. for citywide task order landscape architectural and engineering services for the Parks and Recreation Department (PARC).

On May 2, 2008 and May 9, 2008, GSD advertised a Request for Qualifications containing selection criteria that ranked the respondents on experience, deadlines/budgets, quality of service, references, sub-consultants' experience and LEED accredited teams. The Statements of Qualifications were due on June 2, 2008, and six firms responded. GSD formed a selection committee comprised of representatives from Parks and Recreation and GSD to evaluate the respondents. The selection committee short-listed and interviewed five firms. Clark Condon Associates, Inc., M2L Associates, Inc. and James Patterson Associates, Inc. dba. White Oak Studio received the most points based on the advertised criteria.

PROJECT LOCATION: Citywide

SCOPE OF CONTRACT AND FEE: Under the terms of the contract, the consultant will perform design and construction phase services on an as needed basis for the Parks Capital Improvement Projects. Fees for each phase will be negotiated based upon the size and complexity of the task involved.

PREVIOUS HISTORY AND SCOPE: On May 28, 2008, City Council approved the professional landscape architectural task order contract with Clark Condon Associates, Inc. to perform design and construction phase services for 11 PARC CIP projects and to seal documents to comply with the City Building Code.

REQUIRED AUTHORIZATION

CUIC #25PARK50

General Services Department:

H. Bautista

Humberto Bautista
 Chief of Design and Construction Division

Parks and Recreation Department:

Joe Turner

Joe Turner
 Director

MT

Date	SUBJECT: First Amendment to Professional Landscape Architectural Task Order Contract Clark Condon Associates, Inc. for the Parks and Recreation Department WBS No. F-00504B-0002-3	Originator's Initials CP	Page 2 of 2
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FUNDING SUMMARY:

\$ 1,694,350.00	Contract Services
\$ 41,901.13	Civic Art (1.75% of the total contract services)
<u>\$ 1,736,251.13</u>	Total Funding

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

Clark Condon Associates, Inc. has submitted the following certified firms to achieve the goal:

FIRM

WORK DESCRIPTION

PMG Project Management Group, LLC	Construction Management & Cost Estimating
Rey De La Reza Architects, Inc.	Architectural Services
Lauren Griffith, Inc.	Landscape Architectural Services
Tan Associates, Inc.	Architectural/Engineering Services
Land Consultants, Inc.	Land Surveying Services
HVJ Associates, Inc.	Geotechnical Engineering Services
Berg-Oliver Associates, Inc.	Environmental Services
Redline Courier Express, Inc.	Courier Services
Kuo & Associates, Inc.	Civil Engineering Services

AD
IZD:HB:JLN:LJ:lj

c: Marty Stein, Jacquelyn L. Nisby, Mark Ross, Velma Laws, Siria Harbour, Webb Mitchell, Dan Pederson, Sydney Igleheart, File 506